

Minutes of the Ordinary Meeting of the Council of the Shire of Cook held at the
Administration Building, 10 Furneaux Street Cooktown
15, 16, 17 February 2016

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1. ATTENDANCE:

The Mayor, Cr PH Scott, Councillors A Wilson, KG Price, GC Shephard, PL Johnson, R Bowman, S Clark, Chief Executive Officer (T Cronin), Minute Officer (K Nicolaou).

MEETING OPENED

The Mayor, Cr PH Scott declared the meeting open at 9:03am.

APOLOGIES:

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Cr S Clark declared a possible material personal interest in item 4.14 as the company in which she is a Director has tendered to be on the Panel of Preferred Suppliers. Cr S Clark left the room during the discussion and excluded herself during the discussion and the vote.

NOTICE OF BEREAVEMENT:

Advice has been received of the passing of Ronald (Ronnie) Harrigan, Dennis Diggles, Petro Kok, and Georgette Le Cheu.

As a mark of respect one minute silence was observed.

3. CONFIRMATION OF MINUTES

3.0	CONFIRMATION OF MINUTES OF ORDINARY MEETING
31172	

Cr A Wilson moved; Cr S Clark

That the minutes of the Ordinary Meeting of 19 January 2016 be confirmed.

CARRIED

BUSINESS ARISING:

Nil

COUNCILLORS' REPORTS

Mayoral Activity Report – Cr Peter Scott

Date	Venue	Details	Outcome
26/1/16	PCYC	Australia Day Ceremony	Citizenships and Awards
28/1/16	PCYC	Interagency Group	Wellbeing centre
29/1/16	Cemetery	Kristian's Funeral	Address
2/2/16	Chambers	Risk Management Committee	Matrix and issue identification
3/2/16	Chambers	Audit committee meeting	
4/2/15	Sovereign	Minister Fentiman - Communities	Crisis accom. Retirement Village Disaster recovery funding
6/2/16	PCYC	Ron Harrigan's funeral	Address
8/2/16	Mareeba Cairns	FNQROC Billy Gordon CYLC & Preston Law Rio Tinto Amrun	Succession Support for projects Working Group for Native title Project opportunities ICN
9/2/15	Office	DDMG Teleconf.	No threat current
10/2/16	Chambers	LDMG	\$1.6m PCYC Coen P.O.R.
12/2/16	Office	Cook Shire Renewables Teleconf	Projects

Upcoming Meetings

2/3/16	Chambers	NBN
4/3/16	Cairns	Developing Nthn Aust Workshop

Councillor Report – Cr Penny Johnson

Meetings

Date	Type / purpose	Who /where	Action
21 Jan	Cross regional promotion	Owner Camp 64 Museum and Café Dimbulah Cooktown	Follow up opportunities for display of promo material
21	QDAF Quarantine	Liaison officers, Cooktown	Calendar distribution, opportunities to meet community at events
4 Feb	Geoff Garrett, Chair GBR Water Quality taskforce	Cape York NRM & project staff, partners and landholders	Follow up progress, input to water quality activities
8 Feb	FNQROC	Mayor & CEO- Mareeba	
8 Feb	NQLGA executive teleconference	Phone- members of FNQROC executive; plans for 2016 Conference August, Cloncurry	Assist/ support organizers of annual conference
8 Feb	Member for Cook – update on issues and actions he can progress for Cook Shire	Mayor, CEO and self; Mareeba	Follow up re delivery of NRM across region; state land; support for projects
9 Feb	Update on future plans & activities of NTA(Q)	NTA(Q) CEO	Maintain contact re 2020 & cross regional activities
9 Feb	Tourism opportunities in Palmer area; further discussions re ILUA; potential employment and business opportunities	WYAC, Mareeba	Follow up; WYAC will be in contact to arrange further discussions
15 Feb	Management and monitoring of reserve use in Starke area	Traditional owner representative, Councillors and LL officer- opportunity for development of MOU	CEO to progress and advise of progress

Constituent Representation/Meetings

Phone calls/Discussions/meeting	Letters/emails/minutes	Action
Concrete Platform for rubbish bins Ayton		Request for information sent to Waste Coordinator for response to resident
Local government election candidates		Provide info on roles, duties, relevant legislation(Local Government Act etc)
Road works –Safety; signage; shire roads		Advise engineering of concerns lack of adequate signage and potentially slippery road surface
Management of reserves Starke area		Arrange meeting with Council and Traditional Owner representative

Other & future activities:

Attended Funeral and celebration of Ron Harrigan’s life.

Ongoing:

- Fair Food/ Ag production/ local supply and demand; cross regional knowledge exchange, network and market development; cfuture workshops/ activities/ initiatives
- NRM future arrangements – ongoing analysis of cost benefit and levels of delivery and effectiveness discussion with Terrain & Cape York NRM; NGRMG & SG may also investigate “ cluster concept” with centralized admin/ finance/ HR services; Needs rigorous analysis and reporting back to stakeholders when undertaken
- Drought situation and support from Federal government- follow up with Rural Debt & Drought taskforce

March

2nd Cape York Local Marine Advisory Committee- LMAC & GBRMPA networking with community and meeting; River of Gold Motel

19th local government elections- closing date for postal votes

End March- declaration of election results

April

25 ANZAC Day

27- 29 Cape York NRM board meeting and launch of NRM plan

Expenses Claimed

Date	Details	Amount
Total		

Councillor Report - Cr Sue Clark

Meetings

DATE	TYPE	PURPOSE	WHERE
18 – 20/1/2016	Monthly Meeting	Cook Shire	Chambers
2/2/2016	Risk Management	Cook Shire	Chambers
20/1/2016	CAN Meeting	Community	Community Health

Events Attended (as Councillor or part thereof)

DATE	TYPE / PURPOSE	WHO / WHERE
5/2/2016	Inter school swimming carnival	Town Pool

Constituent Representation / Meetings

DATE	PHONE CALLS/ DISCUSSIONS	LETTERS
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Councillor Report – Cr Glen Shephard

Meetings

DATE	TYPE	PURPOSE	WHERE
18 – 20/1/2016	Monthly Meeting	Cook Shire	Chambers

Events Attended (as Councillor or part thereof)

DATE	TYPE / PURPOSE	WHO / WHERE
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Constituent Representation / Meetings

DATE	PHONE CALLS/ DISCUSSIONS	LETTERS
	Petition to change the Searle v Wallbank Rule for safer roads in QLD fencing livestock	

Councillor Report – Cr Russell Bowman

Meetings

Date	Type / purpose	Who /where
	General Council Meeting	
	CDCC Board Meeting	
	Cooktown Chamber of commerce meeting	
	Waterfront meeting	
	Risk Management meeting	

Events Attended (as Councilor or part thereof)

Date	Type / purpose	Who /where
	Australia Day awards	

Constituent Representation/Meetings

Date	Phone calls/ Discussions	Letters/ Minutes
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Expenses Claimed

Date		Amount
Nil		

Councillor Report – Cr Alan Wilson

19th Jan Attended Lakeland progress association meeting in-company with CEO Mr Cronin gave an update on Sports reserve soil test etc.

22nd Jan Attended Thoughtful Travellers Group meeting at Cooktown chaired by NRM representative Ms Lyndal Scobey

Discussed grant for signage and placement at Lakeland. Also information pertaining for same.

1st Feb took part in teleconference with LAWMAC Executive group re: future of web-site.

2nd Feb Attended at Lakeland met CEO Mr Tim Cronin and Mrs Francis Inderbitzen and carried out a tour of area re: possible future sub-division and development. Also possible site for Church and Cemetery.

Then took part in Lakeland Progress Association meeting. Discussed future water requirements for Town and gave update on Solar Farm and sports reserve.

4th&5th Feb Travelled to Brisbane and took part in Container Deposit Group meeting. I am confused with the makeup of this Group. There appears to be a large number who have their own agenda and are not really interested in seeing a CDS developed for QLD. One employed by Australian Food and Grocery Council Spoke out totally against the scheme and supporting the Beverage Industry against the scheme.

The Key elements we were to discuss are the design elements, Incentives, Interaction with kerbside recycling, Scope of containers covered by the scheme, Collection in-fracture and Governance and the role of Government.

Not listen to negative information supplied by the food and beverage Industry by the Food and Grocery Rep. I have grave concerns where the Container Deposit Advisory Group is heading. Some of the members are being influenced by the Multi National Beverage Companies who propose an annual investment of 15 Million Dollars into a suite of Programs aimed at reducing litter and financing Kerbside Recycling. They will finance the program initially but the operation will then become a cost to the Council and subsequently the Rate Payer. I had hells own job trying to convince these members that the public will pay eventually and this program counters the Beverage Industry statement that they will lose profit with a CDS when they can put 15 Million Dollars into this type program.

Further LGAQ appears to have little faith in Councillors who vote at State Conferences even after achieving a massive overall favourable decision. They put out a Survey to all QLD Local Councils this Survey was I believe answered by Management not Councillors. These people are not at the coal face speaking to members of the public getting their opinion of a CDS. They don't have the information to answer the questions as the State Government has to create the Legislation and how it will affect present Contracts and practices presently in operation. They can only give a factual reply mostly in the negative because of the situation. Although there are some good information in the results of the survey one could not take it as a true reflection as to the percentage of Councils for or against the CDS as the Elected Councillors were not party to the Survey.

I guess I tried to question the validity of the Survey on the fact I as a Councillor was not party to it.

8th Feb Assisted Park Rangers across Little Laura River Causeway on the Lakefield National Park Road.

8th Feb Took part in Teleconference with (CYSF) Cape York Sustainable Futures Group.

10th Feb Attended Local Natural Disaster Management Meeting at Council Chambers.

11th Feb went to the assistant of Cook Shire Animal Control Officer with Vehicle problems.

13th Feb Attended funeral of Georgette Le Cheu

Councillor Report – Cr Kaz Price

Meetings

Date	Type / purpose / venue
18-19 January	January Council Meeting
18 January	Waterfront Advisory Meeting
20 January	Cape York NRM - Chamber
28 January	Torres Cape York Hospital and Health Service Board Meeting
30 January	Bloomfield River District Residents Assoc
3 February	Internal Audit Committee Meeting
4 February	Minister and Regional Director for Communities Fentiman & Linnane
8 February	2020 Committee Meeting
10 February	LDMG – Council Chambers
12 February	Natures Powerhouse Advisory Committee

Events Attended (as Councilor or part thereof)

Date	Type / purpose	Who /where
26 January	Cooktown Australia Day Celebrations	
6 February	Ron Harrigan - Funeral	
9 February	Skilling Queensland Presentation	
9 February	Cooktown Chamber of Commerce – information evening	
11 February	Bluewater Club Meeting	

Constituent Representation/Meetings

Date	Phone calls/ discussions	Letters/ minutes	Councilor requests/ Outcomes
22 January	Meeting with Cooktown Advisory Network - Health		
	Discussion with Cooktown Weeds and Ferals – resultant Council meeting 15 Feb		
	Discussions with Coast Guard – resultant Council meeting 15 Feb		

Expenses Claimed

Date	Amount
Nil	

The meeting was adjourned for morning tea at 10:25am and resumed at 10:45am.

4. AGENDA ITEMS

4.1	LOCAL LAWS – REVIEW OF ANTI-COMPETITIVE PROVISIONS AND ADOPTION
31173	<i>Report No.D16/1568 from Director Development, Environment and Community</i>

Cr R Bowman moved; seconded Cr S Clark

That Council:-

- I. Adopt the Model Local Laws and Subordinate Local Laws listed in **Attachment 1 and 2** and repeal the local laws and subordinate local laws listed in **Attachments 3 and 4**; and
- II. Note that the following Local Laws contain anti-competitive provisions that do not have a significant impact on businesses within Councils local government area:
 - (a) Local Law No.1 (Administration) and Subordinate Local Law No.1 (Administration),
 - (b) Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) and Subordinate Local Law No.4 (local Government Controlled Areas, Facilities and Roads);
 - (c) Local Law No.5 (Parking) and Subordinate Local Law No.5 (Parking)

CARRIED

4.2	APPLICATION FOR A DEVELOPMENT PERMIT - DA/3549 - FOR RECONFIGURING A LOT (2 INTO 4 LOTS) LOCATED AT 7-9 FLINDERS STREET, COOKTOWN (LOT 2 ON RP730047 AND LOT 8 ON C17911)
31174	<i>Report No.D16/1647 from Council Planning Consultants Reel Planning</i>

Cr S Clark moved; seconded Cr P Johnson

That the application by Estuary Cove Partnerships C/o U&I Town Plan for the Reconfiguration of Lot 2 on RP730047 and Lot 8 on Plan C17911 into four (4) lots be approved, subject to the conditions set out in Report D16/1647 and with the following changes to the report:

- **Proposal**
 - Access to proposed Lots 1, 2 and 4 is via a driveway entering the site at the south eastern corner. Access to proposed lot 3 is via a driveway along the northern boundary. Easements are required for proposed lots 1, 3 and 4.
- **Access**
 - 4) Prior to the sealing of the survey plan, an easement must be created over the driveway shown on Plan 10705 – SK1 Revision C dated June 2009 prepared by PDR Engineers providing access from Flinders Street across proposed Lot 2 to the southern boundary of proposed Lot 1. This easement is in addition to Easements A and B shown on the approved plans and is to be in favour of proposed Lot 1 for access purposes.
- **Internal Driveway**
 - Internal driveways must be concrete sealed and constructed to the requirements of the FNQROC Manual except for the gradient of the existing sealed driveway giving access to proposed lot 3 which is acceptable. Engineering drawings including ancillary stormwater drainage must be submitted for approval by Council's Director Engineering Services prior to works commencing. Cut and fill operations on slopes of 15% or greater will require the approval of an operational works application. Works within the

access easements must be completed prior to Council endorsement of the Plan of Survey. The remainder of the works must be completed at the time of building application.

CARRIED

4.3	APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (SUBDIVISION BY LEASE) LOCATED AT 928 ENDEAVOUR VALLEY ROAD, COOKTOWN (LOT 1 ON SP271395)
31175	<i>Report No.D16/1637 from Council's Planning Consultants Reel Planning</i>

Cr A Wilson moved; seconded Cr R Bowman

That Council Approve the Development Permit for Reconfiguring a Lot (Subdivision by Lease), submitted by The Chief Executive Officer, Cook Shire Council c/o Elizabeth Taylor – Town Planner over Lot 1 on SP271395, subject to the conditions set out in Report D16/1637.

CARRIED

4.4	REQUEST TO REMOVE COVENANT FROM THE TITLES DEEDS OF LOTS 3 & 4 ON PLAN RP 739947, LOCATED AT 375 AND 388 MUNGUMBY ROAD, ROSSVILLE ,TO ALLOW THE LOTS TO BE DISPOSED OF SEPERATELY
31176	<i>Report No.D16/1634 from Senior Town Planning Officer</i>

Cr K Price moved; seconded Cr P Johnson

That the request by Robert Palethorpe (Solicitor) on behalf of Australian Pacific Lodges Pty Ltd to remove the Covenant from the title deed of Los 3 and 4 on Plan RP739947 thus allowing them to be disposed of separately be approved subject to the following:

- Removal of the Covenant is at full cost to the owner.

CARRIED

4.5	APPLICATION FOR A DEVELOPMENT PERMIT – DA/3539 – RECONFIGURATION OF LOT 30 ON SP253519 LOCATED AT PENINSULA DEVELOPMENTAL ROAD VIA LAKELAND INTO TWO (2) LOTS
31177	<i>Report No.D16/1633 from, Senior Town Planning Officer</i>

Cr A Wilson moved; seconded Cr G Shephard

That the application by Bill Reddie and Laura Wallace c/- RPS Australia East Pty Ltd for a Development Permit for Reconfiguration of Lot 30 on Plan SP253519, Peninsula Developmental Road, via Lakeland into two (2) lots, be approved subject to the conditions set out in Report D16/1633.

CARRIED

4.6	RADF ADVISORY COMMITTEE ASSESSMENT OF FUNDING ROUND 1 – 2015/2016
31178	<i>Report No.D16/1631 from Arts and Cultural Officer</i>

Cr K Price moved; seconded Cr S Clark

That Council endorses and approves the RADF Advisory Committee recommendations as contained in Report for Round 1 2015/2016 RADF Funding.

CARRIED

4.7	REVENUE AND EXPENDITURE – JANUARY 2016
31179	<i>Report no D16/1504 from Director Corporate Services</i>

Cr P Johnson moved; seconded Cr K Price

That the Revenue and Expenditure Statements for January 2016 be adopted

CARRIED

4.8	COUNCILLOR REMUNERATION – LOCAL GOVERNMENT REMUNERATION AND DISCIPLINE REPORT 2015
31180	<i>Report No.D16/1508 from Chief Executive Officer</i>

Cr P Johnson moved; seconded Cr S Clark

Council has not adopted an increase during the full sitting of the current Council term. The current rates of remuneration are significantly lower than the current recommendations by the Tribunal for Category 1 Councils.

That Council in accordance with the Local Government Regulation 2012 S247 (6), adopt the recommendation of the Local Government Remuneration and Discipline Tribunal Report 2015 in regard to the remuneration applicable from 1 July 2016.

CARRIED

4.9	WATERFRONT ADVISORY COMMITTEE MINUTES 18 JANUARY 2016
31181	<i>Report No D16/1544 from Chief Executive Officer</i>

Cr R Bowman moved; seconded Cr S Clark

That the minutes and resolutions of the Waterfront Advisory Committee meeting held on 18 January 2016 be received.

CARRIED

The meeting was adjourned for Lunch at 12:40pm and resumed at 1:55pm

COMMITTEE OF THE WHOLE

Local Government Regulation 2012

Chapter 8 Administration

Part 2 Local government meetings and committees s275 Closed meetings

The meeting is closed to discuss

(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss—

(e) contracts proposed to be made by it;

(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

4.10	MOVED INTO COMMITTEE OF THE WHOLE
31182	

Cr R Bowman moved; seconded Cr P Johnson

That Council resolve into Committee of the Whole at 1:55pm to discuss, commercial in confidence tender arrangements.

4.11	MOVED OUT OF COMMITTEE OF THE WHOLE
31183	

Cr R Bowman moved; seconded Cr A Wilson

That Council revert to the Ordinary meeting at 2.22pm after discussing commercial in confidence tender arrangements.

4.12	T0715 – SUPPLY & DELIVERY OF AVIATION FUEL
	<i>Report No.D16/1062 from Senior Administration Officer</i>

The caretaker provisions of the *Local Government Act 2009* Part 5 of Chapter 3; A local Government must not make a major policy decision during a caretaker period for the local government.

Under the legislation a major policy decision means a decision:

- to enter into a contract greater than \$200,000.

The matter is to remain on the table until the next Ordinary Council meeting after the quadrennial election 11-13 April 2016.

4.13	PANEL OF PREFERRED SUPPLIERS Q0515 – SUPPLY, DELIVERY AND INSTALLATION OF TURF FOR PUBLIC FACILITIES
31184	<i>Report No.D16/989 from Senior Administration Officer</i>

Cr R Bowman moved; seconded Cr P Johnson

Council endorse to add North Queensland Lawns to supply, delivery and installation of turn for public facilities to Council Panel of Preferred Suppliers.

CARRIED

MEETING WITHDRAWAL

Cr S Clark declared a possible material personal interest in Item 4.14 and withdrew from the meeting at 2:27pm.

4.14	HIRE OF PLANT - PANEL OF PREFERRED SUPPLIERS 2016 (T0116)
31185	<i>Report No.D16/1594 from Council's Records Management Officer.</i>

Cr R Bowman moved; seconded Cr G Shephard

Council endorse the appointment of the following Tenderers (and their associated plant offerings) to the 2016 Panel of Preferred Suppliers for Plant Hire.

A & M Wakefield Machinery Hire
All Wheels
Artemis Cattle Co
Bama Cape York Services Limited
Beard Grader Hire
Ben's Excavation & Maintenance
Bertiehaugh Pty Ltd
Bloomfield Machinery Hire
Bowen Earthworks
Bramwell Station Earthmoving Contractors
Builders North Pty Ltd
Cape York Contracting Pty Ltd
CCC Trucking & Equipment
CJ & MA Innes
Cooktown Civil Group
Cooktown Earthmoving Pty Ltd - Tender 1
Cooktown Earthmoving Pty Ltd - Tender 2
Cooktown Excavations Tender 1
Cooktown Excavations Tender 2
D & D Backhoe Hire
Davis Transport Pty Ltd
Delahunt Plant Hire - Tender B
Delahunty Plant Hire Tender A
Dennis Fitzgerald & Ashleigh Raymond

DP Truckhire - Tender 1
DP Truckhire - Tender 2
DP Truckhire - Tender 3
Earthmech NT Pty Ltd
Great Northern Haulage & Transport Pty Ltd
Greg Halbert
Helenvale Truck & Tractor Hire
Hussey Electrical
Jim Miles
JM Fabrication & Plant Hire
KG & KR Robertson
Lockhart River Aborigal Shire Council
Marrin Pty Ltd
Marton Mechanical Services - Tender 1
Marton Mechanical Services - Tender 2
Marton Transport
McKenna Group Contractors
Mick Newport
Millers Contractor - Tender 1
Millers Contractor - Tender 2
Millers Contractor - Tender 3
MK & DA Gostelow
Newton Spencer Contracting
Northern Traffic Control
Oakdare Holdings Pty Ltd
Oz Earthmoving
Palmer Cooktown Pty Ltd
Peninsula Bulk Haulage
PF & PL Arkey
RG & AM Raymond
RM & CM Fitzgerald
Robert Rosendale
Ross Andreasson - Tender 1
Ross Andreasson - Tender 2
Ross Andreasson - Tender 3
RP & KS Wakefield
Ryan Sperring - Tender A
Ryan Sperring - Tender B
Ryan Sperring - Tender C
SC Browning
Scott Earthmoving & Bulk Haulage - Tender 1
Scott Earthmoving & Bulk Haulage - Tender 2
Scott Earthmoving & Bulk Haulage - Tender 3
Scott Earthmoving Trust - Tender 1
Scott Earthmoving Trust - Tender 2

Scott Earthmoving Trust - Tender 3
SG & S Ahlers Tender A
SG & S Ahlers Tender B
SG & S Ahlers Tender C
Sieverding Group Tender A
Sieverding Group Tender B
Supply & Resource
T & C White Grader Hire
T & L Truck Hire - Tender 1
T & L Truck Hire - Tender 2
T & L Truck Hire - Tender 3
Tom's Tonka's Pty Ltd
Up North Building
Vivian Bowyer Contracting
W & J Truck Hire
WA & MF O'Donohue - Tender A
WA & Mf O'Donohue - Tender B
War NQ
Wayne Withers
Wegrzyniak Haulage Pty Ltd - Tender B
Wegrzyniak Haulage Pty Ltd - Tender T
Willman Contractors

CARRIED

MEETING RE-ATTENDANCE

Cr S Clark resumed her seat in the meeting at 2:29pm.

4.15	AUDIT COMMITTEE – MINUTES 3 FEBRUARY 2016
31186	<i>Report No. D15/1501 from Chief Executive Officer</i>

Cr S Clark moved; seconded Cr P Johnson

That the minutes of the meeting of the Audit Committee are received and the following resolutions of the Committee be adopted.

- That the Risk Management Committee reports any emerging and/or current risks to the Audit Committee and their assessments.
- The Audit Committee resolves that every project that is outside of normal operations will have a project management plan which includes a Risk Management Plan.
- For all activities a Risk Management Plan will be documented.

CARRIED

4.16	RISK MANAGEMENT COMMITTEE – MINUTES 2 JANUARY 2016
31187	<i>Report No.D16/1463 from Chief Executive Officer</i>

Cr P Johnson moved; seconded Cr S Clark

That the minutes of the meeting of the Risk Management Committee are received and the recommendations of the Committee contained therein be adopted.

CARRIED

4.17	PANEL OF PREFERRED SUPPLIERS P1215 – AERIAL SHOOTING OF FERAL ANIMALS (MARKSMANSHIP SERVICES FOR AERIAL PLATFORM ANIMAL CONTROL)
31188	<i>Report No.D16/1852 from Senior Administration Officer</i>

Cr G Shephard moved; seconded Cr A Wilson

Council endorse the following Suppliers to be added to Council’s Panel of Preferred Suppliers for the Aerial Shooting of Feral Animals:

- Ridge Contractor
- ABS Scrofa (Aust)
- CYWAFa Inc
- Andrew Hartwig

CARRIED

Meeting closed at 2:40pm