



TOWN OF
VICTORIA PARK

Special Council Meeting Agenda – 1 September 2020



WE'RE OPEN
VIC PARK

Please be advised that a **Special Council Meeting** will be held at **6pm** on **Tuesday 1 September 2020** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Mr Anthony Vuleta – Chief Executive Officer
28 August 2020

Table of contents

Item	Page no
1 Declaration of opening	3
2 Announcements from the Presiding Member	3
3 Attendance.....	5
3.1 Apologies.....	5
3.2 Approved leave of absence.....	5
4 Declarations of interest.....	6
5 Public question time.....	7
5.1 Public question time	7
6 Public statement time.....	7
7 Presentations.....	7
8 Method of dealing with agenda business	7
9 Chief Operations Officer reports	8
9.1 Request to dedicate ROW 54 as a road	8
10 Public question time	16
11 Public statement time	16
12 Closure	16

1 Declaration of opening

Acknowledgement of Country

Ngany yoowart Noongar yorga, ngany wadjella yorga. Ngany djerapiny Wadjak – Noongar boodja-k yaakiny, nidja bilya bardook.

I am not a Nyungar woman, I am a non-Indigenous woman. I am honoured to be standing on Whadjuk - Nyungar country on the banks of the Swan River.

Ngany kaaditj Noongar moort keny kaadak nidja Wadjak Noongar boodja. Ngany kaaditj nidja Noongar birdiya – koora, ye-ye, boorda, baalapiny moorditj Noongar kaaditjin, moort, wer boodja ye-ye.

I acknowledge the traditional custodians of this land and respect past, present and emerging leaders, their continuing cultural heritage, beliefs and relationship with the land, which continues to be important today.

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

I thank them for the contribution made to life in the Town of Victoria Park and to this region.

2 Announcements from the Presiding Member

2.1 Recording and live streaming of proceedings

In accordance with clause 39 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, as the Presiding Member, I hereby give my permission for the administration to record proceedings of this meeting.

This meeting is also being live streamed on the Town's website. By being present at this meeting, members of the public consent to the possibility that their image and voice may be live streamed to public. Recordings are also made available on the Town's website following the meeting.

2.2 Public question time and public statement time

There are guidelines that need to be adhered to in our Council meetings and during question and statement time people speaking are not to personalise any questions, or statements about Elected Members, or staff or use any possible defamatory remarks.

In accordance with clause 40 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, a person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the presiding member.

A person present at or observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

When the presiding member speaks during public question time or public statement time any person then speaking, is to immediately stop and every person present is to preserve strict silence so that the presiding member may be heard without interruption.

Questions and statements at this Special Council Meeting must relate to the business of the agenda.

2.3 No adverse reflection

In accordance with clause 56 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, both Elected Members and the public when speaking are not to reflect adversely on the character or actions of Elected Members or employees.

2.4 *Town of Victoria Park Meeting Procedures Local Law 2019*

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and the *Town of Victoria Park Meeting Procedures Local Law 2019*.

3 Attendance

Banksia Ward

Cr Claire Anderson
Cr Ronhhda Potter
Cr Wilfred Hendriks
Cr Luana Lisandro

Jarrah Ward

Deputy Mayor Bronwyn Ife
Cr Brian Oliver
Cr Jesvin Karimi

Chief Executive Officer

Mr Anthony Vuleta

Chief Operations Officer

Mr Ben Killigrew

Chief Financial Officer

Mr Michael Cole

A/Chief Community Planner

Mr David Doy

Manager Development Services

Mr Robert Cruickshank

Governance Advisor - Compliance

Mr Liam O'Neill

Secretary

Ms Amy Noon

Public liaison

Ms Alison Podmore

3.1 Apologies

Chief Community Planner

Ms Natalie Martin Goode

3.2 Approved leave of absence

Mayor

Mayor Karen Vernon

Jarrah Ward

Cr Vicki Potter

4 Declarations of interest

Declarations of interest are to be made in writing prior to the commencement of the meeting.

Declaration of financial interests

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees can continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

Declaration of proximity interest

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are to declare an interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5)) of land that adjoins the persons' land.

Land, the proposed land adjoins a person's land if: a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land. A person's land is a reference to any land owned by the person or in which the person has any estate or interest.

Declaration of interest affecting impartiality

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

5 Public question time

5.1 Public question time

6 Public statement time

7 Presentations

7.1 Petitions

7.2 Presentations

7.3 Deputations

8 Method of dealing with agenda business

9 Chief Operations Officer reports

9.1 Request to dedicate ROW 54 as a road

Location	East Victoria Park
Reporting officer	Peter Scasserra
Responsible officer	Jon Morellini
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. January 2000 Aerial Photo - ROW 54 [9.1.1 - 1 page]2. Road Dedication Map - ROW 54 [9.1.2 - 1 page]3. Glen Mc Leod Legal 5 August 2020 [9.1.3 - 1 page]4. Glen Mc Leod Legal 1 July 2020 [9.1.4 - 1 page]5. Glen Mc Leod Legal 17 August 2020 [9.1.5 - 5 pages]6. Glen Mc Leod Legal 21 July 2020 [9.1.6 - 2 pages]7. Glen Mc Leod Legal 17 July 2020 [9.1.7 - 2 pages]8. Glen Mc Leod Legal 3 August 2020 [9.1.8 - 3 pages]9. Glen Mc Leod Legal 13 July 2020 [9.1.9 - 5 pages]10. CONFIDENTIAL - Legal Advice to Town of Victoria Park - ROW 54 and 355-357 Shepperton Rd 180820 [9.1.10 - 2 pages]11. CONFIDENTIAL - Legal Advice to Town of Victoria Park - ROW 54 290720 [9.1.11 - 4 pages]12. CONFIDENTIAL - Legal Advice to Town of Victoria Park - ROW 54 [9.1.12 - 11 pages]

Recommendation

That Council:

1. Resolves to request the Minister for Lands (WA) to dedicate portion of Lot 0 on Plan 2609, East Victoria Park as a road, pursuant to section 56(1)(c) of the *Land Administration Act 1997*, and regulation 8 of the *Land Administration Regulations 1998*.
2. Resolves to request the Minister for Lands (WA) to dedicate all of Lot 67 on Diagram 13701, East Victoria Park as a road, pursuant to section 56(1)(c) of the *Land Administration Act 1997*, and regulation 8 of the *Land Administration Regulations 1998*.
3. Indemnifies the Minister for Lands against any claim for compensation that may arise, pursuant to section 56(4) of the *Land Administration Act 1997*.

Purpose

The Town is seeking a resolution from Council pursuant to s56 (1)(c) of the Land Administration Act 1997 to lodge a formal request to the Minister for Lands (WA) for the dedication of portion of Lot 0 on Plan 2609 and all of Lot 67 on Diagram 13701 as a road and to indemnify the Minister for Lands (WA) against any claim for compensation that may arise from dedicating portion of Lot 0 and all of Lot 67 as a road.

In brief

- The portion of Lot 0 on Plan 2609 and the portion of Lot 67 on Diagram 3701 are referred to in this report as ROW 54.

- Prior to August 2019, the Town had been advised by Landgate that ROW 54 had the status of a public road. That understanding affected the approach taken by the Town in regard to the future use of the land in ROW 54.
- At the Ordinary Council Meeting of 19 November 2019, the Council resolved to delegate to the Chief Executive Officer and the Mayor the authority to execute all necessary documentation under the Town's Common Seal in accordance with s58 and s87 of the *Land Administration Act 1997*, and regulation 9 of the *Land Administration Regulations 1998* to satisfy conditions precedent 2.3(b) within the contract of sale for 355-357 Shepperton Road, East Victoria Park to Fabcot Pty Ltd.
- As a result of updated advice, the Town must now request the Minister for Lands (WA) to dedicate the private road and ROW being portion of Lot 0 on Plan 2609 and all of Lot 67 on Diagram 13701 as road pursuant to s56 (1)(c) of the *Land Administration Act 1997* and regulation 8 of the *Land Administration Regulations 1998*, this requires a Council Resolution and Indemnity.
- The existing ROW currently provides a connection with a crossover to Shepperton Road, this crossover is non-compliant. The development intends to bring the existing non-compliant ROW crossover up to a current safer design standard by creating a slip lane and new access point further away from the traffic light intersection.
- Condition precedent 2.3(b) requires closing and amalgamating a 445m² portion of ROW 54 situated in between 355-357 Shepperton Road and land owned by Fabcot Pty Ltd on Albany Hwy. The ROW has become redundant in light of intended future use of the adjacent land, and inappropriate having regard to future road designs.
- Advice received from the Department of Planning, Lands, and Heritage, resulting from an investigation by a survey team, identified an anomaly with Landgate's cadastral data which had erroneously depicted the three land parcels within ROW 54, being portion of Lot 0 on Plan 2609 (the two components of the formerly identified dedicated road) and all of Lot 67 on Diagram 13701 which is in the middle of these two lots, as dedicated road rather than private road.
- To resolve the tenure of the ROW, the Town must request the Minister for Lands (WA) to dedicate portion of Lot 0 on Plan 2609 and all of Lot 67 on Diagram 13701 as road pursuant to s56(1)(c) of the *Land Administration Act 1997* and regulation 8 of the *Land Administration Regulations 1998*, and indemnify the Minister for Lands (WA) against any claims for compensation that may arise.
- At the Ordinary Council Meeting of 21 July 2020, the Council resolved to receive the letter from Glen McLeod Legal as received and request the Chief Executive Officer to provide a report to Council addressing the matters in the letter received minutes before the 21 July Ordinary Council Meeting.
- The Town has sought legal advice which confirms that the course of action proposed by the Town in regard to ROW 54 is appropriate. The Town has also sought the advice and guidance of the Department of Planning, Lands, and Heritage in connection with the dedication request, and has followed the appropriate and necessary processes to give effect to the dedication.

Background

1. Council at its Ordinary Council meeting In November 2019 resolved to approve the contract of sale for land adjacent to ROW 54 being Lot 30 on Diagram 10509, Lot 488 on Plan 2609 and Lots 131 and 132 on Deposited Plan 45782 (355-357 Shepperton Road). The contract obligates the Town to satisfy conditions precedent before the sale can proceed.
2. Condition precedent 2.3(b) requires the Town to close and amalgamate a portion of dedicated road (known as ROW 54) into adjacent Lot 30 on Diagram 10509, Lot 488 on Plan 2609 and Lots 131 and 132 on Deposited Plan 45782.

3. Vehicular access to the area is planned to be relocated to a future ROW that will service the locality at a safer entry/egress location than the existing one from Shepperton Rd, further to the North with a full slip lane and left in/left out.
4. Private ROW's are roads set out on a plan of subdivision of privately owned land which have not been dedicated to public use. They are pertinent only to those lots on the plan which abut onto the private road by providing owners with an implied right of way, unless additional rights have been granted by registered easement. Currently all lots associated with the eastern portion of the ROW are owned by Fabcot.
5. ROWs are created to allow for existing or planned future public access over land (e.g. by vehicles, cyclists or pedestrians) where it is not considered appropriate or possible to dedicate land as a public road.
6. Historically, ROW 54 was created in 1904 by subdivision to service the created lots. Its intended use was right of carriageway to provide access to the adjoining properties as well as an access way for public use, and has been used for this purpose since its creation. Given the lay of the land as a ROW in the original subdivision in 1904, and the regular use of the ROW by the public, it is not appropriate to see the original laying out of the ROW as an act of dedication by the original subdivider, and the consistent public use in the meantime as possibly completing a common law dedication. Avoiding the need to obtain a formal recognition of common law dedication, the proposal for dedication under s56(1)(c) of the *Land Administration Act 1997* has historical support.
7. ROW 54 is 230m in length and varies in width from 5m at the northern end to approximately 9m in some wider midblock sections. It is sealed with a thin layer of dense graded asphalt, approximately 25mm to 30mm thickness. The seal and pavement are likely to be more than 20 years old with some sections closer to Oats Street in fairly poor condition, the overall condition rating varies between 3 and 4.1 (0-5 scale with 5 being best). The underlying formation is unknown. A main sewer line also runs through the entire length of ROW 54.
8. A 445m² portion of ROW 54 (approximately 89.4m in length) at the Shepperton Road end, abuts 355-357 Shepperton Road, being the car park owned in freehold by the Town of Victoria Park.
9. On 30 August 2019, Landgate informed the Town that the relevant portion of ROW 54 was dedicated.
10. Based on Landgate's assessment that identified the relevant portion of ROW 54 as dedicated road, the Town entered into a contractual agreement on the assumption that the dedicated road could be closed pursuant to s58 of the *Land Administration Act 1997*.
11. As part of the Town's preliminary discussions the Town consulted with Main Roads to determine whether it could achieve maintaining the through movement of traffic onto Shepperton Road following the closure of the relevant portion of ROW 54.
12. The Town provided a draft plan to the Department of Planning, Lands and Heritage displaying the closure of the relevant portion of ROW 54 as well as the final outcome which seeks to keep public access to the area open by realigning and repositioning the access point onto Shepperton Road, and preserves the right of public access to free parking. The new access point includes a slip lane with left in entry and left out exit and allows for a safer and compliant crossover onto Shepperton Road.
13. To consider the proposed realignment of the ROW the Department of Planning Lands and Heritage contracted a surveyor for advice relating to the compilation of the draft deposited plan depicting the approved exit design.
14. As a result of the surveyor's investigation, an anomaly with Landgate's cadastral data was discovered that erroneously depicted two Landgate PINs as dedicated road.
15. The correct Landgate records appear to identify a portion of Lot 0 on Plan 2609 and all of Lot 67 on Diagram 13701 as existing private roads held in fee simple, the current registered proprietors of which are deceased estates. Considering the creation of the ROW in the original 1904 subdivision, and the regular use of the ROW land by the public, the circumstances suggest the possible existence of a common law dedication, and that possibility may be consistent with the present proposal for the land to be dedicated pursuant to s56 of the *Land Administration Act 1997*.

16. Lot 0 on Plan 2609 is paved and currently in use. It provides through vehicle access by way of rights of carriageway from Oats Street to Shepperton Road, East Victoria Park. The owner, Alexander Joseph Monger, is deceased.
17. Lot 67 on Diagram 13701 is paved and currently in use. It provides through vehicle access by way of rights of carriageway from Oats Street to Shepperton Road, East Victoria Park. The owner, Charles Victor Hale, is deceased.
18. The Town will seek to undertake a probate enquiry as a matter of course to inform the Department of Planning, Lands and Heritage through the dedication process. However, this is not a legislative requirement under the Act given the ROW has been used as a public road for a period longer than 10 years.
19. The adjoining properties continue to have a right of access from ROW 54. The only properties directly affected by the proposed change to the realignment of the ROW are the properties owned by Fabcot Pty Ltd.
20. ROW 54 has been managed and maintained by the Town, who also manages all disputes related to the ROW. The Town has never received rates for this land.
21. Over the course of the last 116 years being the date of the original subdivision associated with ROW 54, there has been significant change in the planning objectives of the locality. Transitioning from semi-rural originally, to residential and to now being an inner-city commercial centre. The nature of the traffic and access roads have subsequently also changed.
22. The dedication of the subject land as road is in keeping with these historical changes over time and allows the planning objectives of the location, in this instance to becoming a shopping and commercial precinct, to materialise appropriately.
23. The presence of the current road alignment and need for the relevant portion of ROW 54 in this locality is no longer consistent with the objectives of the Town. An appropriate and revised access outcome will be part of the circumstances of the new planning objectives for the site.

Strategic alignment

Economic	
Strategic outcome	Intended public value outcome or impact
EC02 - A clean, safe and accessible place to visit.	The purpose of this road dedication request will allow a future repositioning of the ROW access point as part of a planning outcome which will have a positive impact in reducing anti-social and crime related activity, and improving safety.

Environment	
Strategic outcome	Intended public value outcome or impact
EN02 - A safe, interconnected and well-maintained transport network that makes it easy for everyone to get around.	The purpose of this road dedication request will allow a future repositioning of the ROW access point as part of a planning outcome which will bring a non-compliant cross over onto Shepperton Road up to a current safer design standard by creating a slip lane and new access point further away from the traffic light intersection.

Engagement

Internal engagement

Property Development and Leasing	Input into the report and the process to undertake the road closure.
Place Planning	Original consultation with the preceding Council report for the sale of 355-357 Shepperton Road.
Statutory Planning	Original consultation with the preceding Council report for the sale of 355-357 Shepperton Road.
Street Operations	Consulted on budget impact.

External engagement

Stakeholders	Owners and occupiers of adjoining properties affected by the realignment
Period of engagement	11 December 2019- 17 January 2020
Level of engagement	2. Consult
Methods of engagement	Written submissions accepted
Advertising	Letters sent to adjoining landowners and service providers, notification on public notice board and The West newspaper notice
Submission summary	No submissions were received during the public comment period
Key findings	N/A

Legal compliance

The Town has procured and received legal advice to inform this report. Legal advice has concluded that the Town has followed the appropriate and necessary processes to give effect to the dedication of the Right of Way.

All legal advice received has been provided as confidential attachments to this report.

[Section 56 of the Land Administration Act 1997](#)

[Section 58 of the Land Administration Act 1997](#)

[Section 87 of the Land Administration Act 1997](#)

[Regulation 8 of the Land Administration Regulations 1998](#)

[Regulation 9 of the Land Administration Regulations 1998](#)

Risk management consideration

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	The Town does not continue with the process to give effect to the dedication of the ROW resulting in the inability for the required land assembly to occur not allowing settlement of the contract of sale.	Moderate	Possible	Medium	Low	TREAT For Council to follow legal advice received and the advice and guidance from relevant Govt agencies including Department of Planning Lands and Heritage.
Environmental	Not applicable.					
Health and safety	Not applicable.					
Infrastructure/ ICT systems/ utilities	Not applicable.					
Legislative compliance	<p>The Minister for Lands (or as delegated) is ultimately responsible for determining requests for the dedication of land as a road.</p> <p>It is possible that the Minister may decide to refuse or modify the road dedication request notwithstanding Council's resolution.</p>	Insignificant	Rare	Low	Low	TREAT Provide the required information as per Regulation 8 of the Land Administration Regulations 1998 (WA) and sufficient justification for the road dedication request.
Reputation	Not applicable.					
Service delivery	Not applicable.					

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation. The Town is in the process of satisfying its obligations in the contract of sale to Fabcot Pty Ltd as part of the delivery of 355-357 Shepperton Road East Victoria Park, which is in line with Council's previous resolution.
Future budget impact	Once Portion of Lot 0 on Plan 2609 and all of Lot 67 on Diagram 13701 is dedicated as road, the Town would be formally responsible for the maintenance and repair of the dedicated road. The Town's Street Operations service area has advised that this is the 'status quo', and therefore this would not impact the existing Street Operations budget.

Analysis

24. The Council since entered into a contractual agreement for the land it owns abutting one side of the relevant portion of ROW 54 and resolved at its Ordinary Council Meeting of 19 November 2019 to delegate the Chief Executive Officer and the Mayor the authority to execute all necessary documentation under the Town's Common Seal in accordance with s58 and s87 of the *Land Administration Act 1997*, and regulation 9 of the *Land Administration Regulations 1998* to satisfy conditions precedent 2.3(b) within the contract.
25. Condition precedent 2.3(b) requires the Town to close and amalgamate a portion of ROW 54 into adjacent Lot 30 on Diagram 10509, Lot 488 on Plan 2609 and Lots 131 and 132 on Deposited Plan 45782 (known as 355-357 Shepperton Road, East Victoria Park).
26. The lots comprised within ROW 54 were in effect land dedicated by the subdivider as an access way for public use at the time of the original subdivision in 1904 and have been used by the public consistently since dedication. Additionally, the Town has been maintaining the ROW and has never rated the land.
27. Considering ROW 54 has also been the only vehicle access point for multiple properties along Albany Highway as well as the only access point to a public car park, and the public have had uninterrupted use of the private road comprising of portion of Lot 0 and all of Lot 67 for more than 10 years, the Town is satisfied it has met the requirement to evidence it has to complied with regulation 8(c) of the *Land Administration Regulations 1998* and s56(1)(c) of the *Land Administration Act 1997*.
28. Further, as part of the overall commercial planning considerations for the area the resulting increase in traffic has deemed the existing access point from Shepperton Road unsafe and inappropriate. When repositioned onto the proposed new access point from Shepperton Road, incorporating the inclusion of a slip lane with left in entry and left out exit, the realigned ROW will be safer and allow for a compliant crossover onto Shepperton Road. The existing crossover is non-compliant entering onto a 30,000 car a day Primary Distributor Road with the crossover only 50m away from a busy traffic light intersection.
29. Main Roads WA have confirmed the repositioning of the new access point onto Shepperton Road, achieved by the land exchange, will satisfy their Development Control Policy 5.1 requirements and will also achieve rationalisation of driveways to reduce conflict on the road network, and bring the existing non-compliant ROW crossover to a current safer design standard.
30. On 1 July 2020 the Town received a letter from Glen McLeod Legal regarding the request for road dedication and closure and amalgamation of portion of ROW 54, a copy was also sent to the Department of Planning, Lands, and Heritage.

31. On 3 July 2020 the Department of Planning, Lands and Heritage issued a response to the Glen McLeod Legal letter confirming it had advised the Town subsequent to the discovery of the cadastral error that the subject land could be acquired pursuant to s52 of the *Land Administration Act 1997* or dedicated directly as road pursuant to s56(1)(c) of the *Land Administration Act 1997*.
32. The Town has consulted with its Solicitor in relation to s56 (1) (c) of the *Land Administration Act 1997* which states 'land comprising a private road of which the public has had uninterrupted use for a period of not less than 10 years'.
33. The Town's Solicitor has consulted with the Department of Planning, Lands and Heritage who have provided guidance that, provided that the Town provides an aerial photograph and confirms that the public has had the use of the ROW for at least 10 years it will have met the requirements.
34. The Town's Solicitor has assured the Town that it has taken both legal advice and has sought the advice and guidance of the Department of Planning, Lands and Heritage in connection with the dedication request, and has followed the appropriate and necessary processes to give effect to the dedication of the Right of Way.
35. The Town acknowledges it will comply with s56(2) of the *Land Administration Act 1997*, by preparing and delivering the request to the Minister in accordance with the regulations, and will provide the Minister with sufficient information in a plan of survey to describe the dimensions of the proposed road.
36. The Town has since received further correspondence from Glen McLeod Legal. These letters have been attached and the Town has consequently excluded a request to close ROW 54 within this report.
37. These latest letters do not change the current process being undertaken by the Town, the legal advice received and the recommendations included within this report.

Relevant documents

Not applicable.

10 Public question time

11 Public statement time

12 Closure