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JOINT COMMITTEE ON PUBLIC WORKS

**Reference: Ordnance breakdown facility, proof and experimental establishment
site, Port Wakefield, South Australia**

THURSDAY, 21 APRIL 2005

PORT WAKEFIELD

BY AUTHORITY OF THE PARLIAMENT

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**JOINT STATUTORY COMMITTEE ON
PUBLIC WORKS**

Thursday, 21 April 2005

Members: Mrs Moylan (*Chair*), Mr Brendan O'Connor (*Deputy Chair*), Senators Ferguson, Forshaw and Troeth and Mr Forrest, Mr Jenkins, Mr Ripoll and Mr Wakelin

Members in attendance: Senator Ferguson and Mr Jenkins and Mr Brendan O'Connor

Terms of reference for the inquiry:

To inquire into and report on:

Ordnance breakdown facility, proof and experimental establishment site, Port Wakefield, South Australia.

WITNESSES

HARCH, Dr Warren Herbert, Chief, Weapons Systems Division, Defence Science and Technology Organisation..... 1

HUTCHINSON, Brigadier Peter John, Director General, Infrastructure Asset Development, Department of Defence 1

POTTER, Lieutenant Colonel Gary Gordon, Commanding Officer, Joint Proof and Experimental Unit, Department of Defence..... 1

YEAMAN, Lieutenant Colonel Stuart David, Project Director, South Australia, Department of Defence 1

Committee met at 12.03 p.m.

HARCH, Dr Warren Herbert, Chief, Weapons Systems Division, Defence Science and Technology Organisation

HUTCHINSON, Brigadier Peter John, Director General, Infrastructure Asset Development, Department of Defence

POTTER, Lieutenant Colonel Gary Gordon, Commanding Officer, Joint Proof and Experimental Unit, Department of Defence

YEAMAN, Lieutenant Colonel Stuart David, Project Director, South Australia, Department of Defence

ACTING CHAIR (Mr Brendan O'Connor)—I declare open this public hearing into the construction of an ordnance breakdown facility for the Defence Science and Technology Organisation at Port Wakefield, South Australia. This project was referred to the Public Works committee on 9 February 2005 for consideration and report to parliament. In accordance with subsection 17(3) of the Public Works Committee Act 1969:

- (3) In considering and reporting on a public work, the Committee shall have regard to -
- (a) the stated purpose of the work and its suitability for that purpose;
 - (b) the necessity for, or the advisability of, carrying out the work;
 - (c) the most effective use that can be made, in the carrying out of the work, of the moneys to be expended on the work;
 - (d) where the work purports to be of a revenue-producing character, the amount of revenue that it may reasonably be expected to produce; and
 - (e) the present and prospective public value of the work.

Earlier today the committee received a briefing from Defence and inspected the site of the proposed works. The committee will now hear evidence from the Department of Defence. Welcome, and thank you for meeting with us today. Do you have any comments to make on the capacity in which you appear?

Lt Col. Potter—My unit commands the Proof and Experimental Establishment here at Port Wakefield.

Lt Col. Yeaman—I am the project director for South Australia for the infrastructure division of Defence.

ACTING CHAIR—The committee has received a statement of evidence from Defence. This will be made available in a volume of submissions for the inquiry and is also available on the

committee's web site. Does Defence wish to propose amendments to the submission it has made to the committee?

Brig. Hutchinson—There are no amendments to the submission.

ACTING CHAIR—I now invite a representative of Defence to make a brief opening statement, after which we will proceed to questions.

Brig. Hutchinson—The Department of Defence is proposing the construction of new ordnance breakdown facilities at the Proof and Experimental Establishment, Port Wakefield, South Australia. Research into weapons and ordnance is an important activity which supports the work of the Australian Defence Force and its supporting organisations in delivering appropriate levels of security to government. Research into weapons and ordnance is inherently dangerous, and the tasks at the ordnance breakdown facility must satisfy Defence requirements for the handling and storage of explosives.

The Australian Defence Force maintains a research capability for explosive ordnance and weapons that supports deployed and training forces. The majority of the existing capability is split between the Defence Science and Technology Organisation, Edinburgh and the Proof and Experimental Establishment, Port Wakefield, and it is currently restricted by safety requirements to the investigation of small-sized ordnance only. The proposed new facility at the Proof and Experimental Establishment, Port Wakefield, was selected after assessment of alternative sites across Australia. The location at Port Wakefield is within reasonable proximity to ordnance breakdown personnel based at the Defence Science and Technology Organisation, Edinburgh, and the proposed works include a control room, a cutting building, a disassembly building, two explosive ordnance storehouses, a storage building, engineering services and general security.

The budget for this facility is \$8.4 million and was determined at the 90 per cent level of design. This includes construction costs, professional design and management fees, furniture, fittings and equipment, together with appropriate allowances for contingency and escalation. Funding for the project was foreshadowed in the 2004-05 budget. Ongoing support costs for the facility will vary depending on usage but are in the order of \$0.268 million per annum. Subject to parliamentary approval, construction of the facilities is planned to commence in late 2005. Project completion is planned to occur by late 2006. Over the construction period an average of 10 personnel with a maximum of approximately 20 are expected to be directly employed on construction activities. In addition, it is anticipated that the construction will generate further job opportunities off site from the prefabrication of components and the manufacture and distribution of materials.

ACTING CHAIR—Before we go to the central parts of the proposal, has the land acquisition that was referred to in earlier discussions with the committee in fact been completed? As we understand it, three owners of private land effectively had to transfer that land to Defence. Can you go through the way in which that has been dealt with and whether there are any outstanding matters.

Brig. Hutchinson—The acquisition was three parcels of land from three separate owners. The acquisition of land from HT and MC Mudge has been completed. That area was approximately 71 hectares. I might just explain the acquisition process. An assessment is done of the value of

the land using the Lands Acquisition Act. The Commonwealth gives the landowners and other affected persons a document which states that it is considering acquiring the land for a public purpose. This document is known as a pre-acquisition declaration. The pre-acquisition declarations for the other two parcels of land have been presented to the landowners. The property owner receives a copy of the PAD, a sketch of the land and a statement explaining the owner's rights. A copy of the PAD is published in the *Commonwealth of Australia Gazette* and in a local paper. The property owner can ask the Commonwealth to reconsider a decision to acquire, and the Minister for Finance and Administration will then reconsider the matter and reach a decision. If the owner is still dissatisfied, the Administrative Appeals Tribunal can be asked to review the matter. I can give you more detail on that if required, but the process is basically that, after the issue of the PAD and depending on the response from the landowner, the Commonwealth will pay 90 per cent of the valuation of the land to the landowner. In the cases of G and VP Gazzola and Mr Philip White, who is the other landowner, the Commonwealth has paid both of those landowners 90 per cent. So the Commonwealth has gone through the process of notifying the landowner, giving the landowner the chance to respond and paying 90 per cent of that value. The remaining 10 per cent has not yet been paid in each case.

ACTING CHAIR—So that has not been resolved but is going through the process of resolution?

Brig. Hutchinson—The standard process is that the Commonwealth pays 90 per cent upfront, and at that stage the land is seen to be acquired. Then there is a final negotiation for the payment of that 10 per cent, and we are in that process with each of those landowners at the moment.

ACTING CHAIR—Defence's submission describes protective security as a key consideration—and clearly it would be, given the nature of the core business of the site—and there is a reference to the security system. Can any of the witnesses provide the committee with a definition of a type 1 security system? I know in a number of bases we have different levels of security systems. As I understand it, this security system is a type 1 system. Is there anyone who can provide an answer to exactly what that would entail?

Brig. Hutchinson—I will start off and then perhaps hand over to Lieutenant Colonel Yeaman. The security level that is going to be achieved with the new proposal is the same level of security that we have with the existing base. So we are ensuring that we maintain that same level of security. We are after a number of elements of security to be maintained. We are after physical security to prevent the general public from inadvertently entering the land and also to provide a level of security against somebody who may actually be trying to get onto the land. The second element of security that we have is security of what might be within the facility. So we want to make sure that we maintain the actual security of what may well be in the facility as well. The type 1 security which is described is, in general, consistent with a high level of security for facilities in Australia—so a higher level of security than you would get at an average base. Lieutenant Colonel Yeaman will explain a little more.

Lt Col. Yeaman—The type 1 security as listed in the evidence relates to the physical buildings internally. We use an alarm system in there, and it is referred to as a type 1. For reasons relating to that security system we would prefer to submit the details of that definition to the committee later.

ACTING CHAIR—Sure. But type 1, as the brigadier has indicated, is a high level.

Lt Col. Yeaman—It is.

ACTING CHAIR—Is there a history of breaches of security? I am not talking about internal; I am talking about any—it could be unintentional, I guess—occasions on which there have been breaches to the perimeter fence, or the area generally, where you would not expect members of the public or other parties to trespass.

Brig. Hutchinson—I will direct the detail of that to Lieutenant Colonel Potter. I make the point that part of the reason for the siting of the proof and experimental establishment at Port Wakefield is the remoteness of the site and the limited access with the single-road entry being some distance from the main road, with a buffer zone and that sort of thing. All of those things have been factored in to make what you are describing less likely, but I will ask Lieutenant Colonel Potter to address the detail of the question.

Lt Col. Potter—The answer is no, not to the range head area where the ordnance breakdown facility is proposed to be built. However, we do have incursions, which are usually through the prohibited area by fishing boats in the form of trespass. There has not been any dedicated targeted activity into the Defence facilities for the purpose of doing mischief to Defence property. It has purely been trespass, and usually innocent at that.

ACTING CHAIR—Yes, but it could contribute to an increased danger to public safety if there were incursions at sea, I guess.

Lt Col. Potter—Clearly, but the area is heavily signposted and marked. On the range boundary there is signage to ensure that people are notified of the existence of a range's activities.

ACTING CHAIR—What would happen if a particular vessel continued to breach the perimeter and endanger itself? How would the Department of Defence respond to that? How would you deal with it?

Lt Col. Potter—The usual process is that the range has surveillance radar that tracks and monitors fishing in the area. Firing activities, if they were being undertaken, would be halted. The range has a range of boats and/or hovercrafts that are dispatched to talk to and confront the trespasser. They are asked politely to leave. If they refuse, the local police are called and, under their powers of arrest, the trespasser is moved on.

Senator FERGUSON—When you say it is monitored by radar, is that only while you are testing or is that 24 hours a day?

Lt Col. Potter—Only while we are testing. We rely on passive means—that is, the signage and the notification of boundary fences during non-firing activities.

Senator FERGUSON—So it is not possible that someone could inadvertently go inside the prohibited area, is it? How far apart are the markers?

Lt Col. Potter—The markers are quite close. From the seaward or land based approach, the boundary fences are clearly marked. It would have to be a deliberate act to disregard those signs if a person were to approach the site.

Senator FERGUSON—You covered in some detail in the confidential briefing the actual construction side. I have a few peripheral issues that I want to raise with you. One is that your submission states the proposed facilities ‘should meet Defence accommodation standards where feasible’. What are the requirements of the accommodation standards? What do you mean by ‘where feasible’? Is it possible that you will not be able to meet your standards in some areas of the proposed facility?

Brig. Hutchinson—I will lead on that and then Lieutenant Colonel Yeaman can talk a bit on the detail. The key accommodation standards that we are talking about here are more from the point of view of meeting the ammunition storage and handling requirements. We have an extensive series of requirements that have been built up through expert defence knowledge, drawing on overseas experience and directives in the area of explosive ordnance handling, which was then distilled into a series of defence documents which deal with that sort of storage and handling. Of course, all those documents are overseen and certified by the Australian Ordnance Council, which authorises the sorts of procedures that are required. In terms of accommodation standards here—because we are not talking about places where defence personnel are going to be living; we are talking about where defence personnel will be working—they are the main standards we have to meet. We also look at meeting the Building Code of Australia requirements and so on. Perhaps Lieutenant Colonel Yeaman can expand on that.

Lt Col. Yeaman—The key reference there was the Department of Defence Accommodation Guidelines for Open Plan Office Environments 1996, and the area of concern for us was the main control building and whether we could actually accommodate within that the full requirements of the accommodation guidelines. That is specifically what that phrase refers to.

Senator FERGUSON—So, as far as you know, there is nowhere that you will not be able to meet the standards that are required?

Brig. Hutchinson—No.

Senator FERGUSON—The land, particularly the farmhouse and the piggery et cetera on the border of the system facility, was really only purchased for what might be loosely termed as a buffer zone so that you have the required distance. Why is that so important? You have someone living there now with a piggery and the normal soil contamination that occurs on a farm—diesel spills and things like that. Why is it so important that you have to do anything about decontaminating that soil if it is only part of the buffer zone? It is just an additional cost, isn’t it?

Brig. Hutchinson—Yes. It is part of the issue that Defence takes its environmental responsibility very seriously. The only significant environmental problem that has been identified with the proposal is some industrial contamination caused by the farming activities. That has been identified as areas to be remediated and, in meeting our environmental responsibilities, we would rather do that sooner rather than later.

Senator FERGUSON—Carrying on a normal farming practice is hardly regarded as serious contamination of the soil.

Brig. Hutchinson—That is right. It is not a serious contamination.

Senator FERGUSON—How are you getting on with the slender-billed thornbill? It is very vulnerable, apparently. Someone must be able to tell us about that. You might need to get your environmental man. It is mentioned at paragraph 38 of your submission. It is one I had not heard of, I must say. We have heard of lots of other vulnerable species during Public Works Committee hearings.

Brig. Hutchinson—The birds are monitored on an annual basis to see how they are performing. In general, I could say that it is well recognised that Defence is doing an excellent job with the treatment of endangered flora and fauna in this area. For example, there has been a Ramsar nomination—Ramsar, as I found out today, is a town in Iran that has protected wetlands. It has been nominated externally as part of the wetlands of international significance. The proof and experimental establishment at Port Wakefield meets four of the eight criteria for Ramsar listing. So the work they are doing with the birds is seen to be very good stuff.

Senator FERGUSON—Are they particular to this area? Are they found anywhere else?

Lt Col. Potter—At this stage they tend to be migratory and they come in as part of their feeding processes, but some of the other species are indigenous to the area, and this is one of their main habitats.

ACTING CHAIR—We are going to build a new facility for the breakdown and examination of ammunition and that is going to assist this bird, is it? That is a great irony.

Brig. Hutchinson—I have been further informed that the bird is endangered. The species exist in parts of Victoria and South Australia but it has been threatened by land clearing in both of those areas, so this is seen as being an important habitat that is being maintained and protected from land clearing.

Senator FERGUSON—I do not think they are in too much danger of land clearing at Port Wakefield!

Brig. Hutchinson—No.

Mr JENKINS—The halo of corporate citizenry is blinding me at the moment about all these matters to do with the environment, but I am glad that Senator Ferguson has led with those questions. Can anybody tell me about the broad-banded sand swimmer which appeared in the 75th anniversary pamphlet? I am sure it is also part of the way you have protected the environment.

Brig. Hutchinson—This is a regionally significant species which is being protected by the conservation of the remnant vegetation within the area. You are testing me today, Mr Jenkins.

Mr JENKINS—I will be less distracted and will not introduce any more filler questions into the day. We should get on the record the serious issue that there is nothing about the involvement with the Ramsar listings that would prevent the use of the land, especially for the proposal before us. I am leading the witnesses but, having explored those things, we would hate to leave it up in the air, if there were a significant area worthy of Ramsar listing, that that would cause impediments. That is something we can take on notice.

Brig. Hutchinson—My understanding is that the Ramsar listing will not affect any of the works that we do here and is completely consistent with the use that we are putting the land to.

Lt Col. Potter—That is correct.

Mr JENKINS—The submission says that the EIA concluded there were no issues known to impact on the proposed site with respect to Indigenous cultural heritage. In what manner were those items investigated? Was a consultant put on?

Brig. Hutchinson—An Aboriginal cultural heritage study was commissioned as part of the project investigations. Four sites of significance were identified, but none of them were within 10 kilometres of the proposed site for the ordnance breakdown facility. In terms of European heritage, again, there is nothing of significance affected by the site, noting that the area has been used for grazing for some time now.

Mr JENKINS—Is there anything in the nature of the disassembly and cutting buildings, or any of the processes that might be carried out in those facilities, which might lead to contamination of the soil, water or anything? Are they self-contained?

Brig. Hutchinson—The design of the buildings is such that we are looking to ensure that we meet the standard requirements for the handling of explosive materials and other materials and that we are not releasing those materials into the environment. In terms of the broader site, we already have significant experience in dealing with these types of materials. That is one of the key reasons for having the ordnance breakdown facility on this particular site—because we are experienced with dealing with and disposing of explosive materials and materials associated with weapons and munitions from this site. So everything that we will do with the ordnance breakdown facility will be an extension of the existing practices that we already have for the environmentally safe and appropriate handling of explosive materials and munitions.

Dr Harch—There is really little I can add except to say that we do not anticipate any new waste materials than are otherwise handled by the current processes already on the site. We would imagine only very incrementally small amounts of waste materials being added to the current disposal systems.

Mr JENKINS—Thank you for that answer. Am I to take the public interest in this hearing as a vindication of all the consultation that has been carried out with this proposal? If it has been so successful, what were the elements of the consultation with the local community that was carried out?

Brig. Hutchinson—There has been extensive consultation undertaken with interested parties. The federal member, Mr David Fawcett, has been consulted. The state member, Mr John Meier,

has been consulted. Environment Australia has been consulted through Senator Ian Campbell. The Wakefield Regional Council has been consulted through the Mayor, Mr James Maitland. The Port Wakefield Council has been consulted through Mr Phil Barry, the Chief Executive Officer. Business South Australia has been consulted. Port Wakefield Fire Brigade Captain Thompson has been consulted. The Australian Greenhouse Office, through its media manager, has also been consulted in terms of the development of the project. My understanding is that the base has pretty close contacts with the local community and so has ongoing consultation. Perhaps I could ask Lieutenant Colonel Potter to speak a little bit more about the base level of consultation.

Lt Col. Potter—I certainly agree with Brigadier Hutchinson's comments. The base have a very active and local community involvement. We work very hard at our community relations. Every opportunity to engage the community at the local day-to-day level is undertaken. I do not think I am going out on a limb by saying that we are held in reasonably high esteem in the area.

Senator FERGUSON—I can confirm that, Mr Acting Chair, having lived in the area basically for all my life. The range here has always been well known for its community involvement over succeeding years. As a matter of fact I think I even played cricket against a bloke who was based here at one stage when he was living in Port Wakefield. I want to follow on with one issue that I meant to raise before. The committee has received a letter from the Wakefield Regional Council in relation to the public road which is the access road to the base. That five kilometres of road is a public road and not a defence road. The council have suggested to the committee that the Department of Defence should consider upgrading the road to the main gate at the department's expense—I guess basically because the road is used almost exclusively by those who work or live at the facility. As I understand it, it is not the defence department's policy to upgrade or fund public roads. What I am really asking—probably on behalf of the council because this is what they would like to know—is: if an approach were made to the Department of Defence, would they contribute to the upgrading of the road, considering that it is used almost exclusively by people using that defence facility?

Brig. Hutchinson—I guess Defence would actually like to see the council write to Defence with a proposal for what they would like to see happen. There is actually provision, if Defence is approached formally, for an agreement to be generated with the local council on some sort of a cost apportionment basis. But until we have actually had the formal approach from the council we cannot formally respond to that. So there is a basis for Commonwealth roads of access on which Defence could contribute a pro rata amount for the repair to the damage to the road—or the use of the road—caused by Defence.

Senator FERGUSON—I just thought that, because the committee had received that letter, it was pertinent to raise that issue in this inquiry. What you have said on the public record I guess can be conveyed to the council.

Brig. Hutchinson—Defence would welcome an approach from the council to have the opportunity to respond to that. I make the point though that Defence does not see itself as being responsible for an upgrade to the road—

Senator FERGUSON—I understand that.

Brig. Hutchinson—or for the maintenance of the road. Whatever the council propose, they should put it to Defence and we can then determine a fair arrangement.

Mr JENKINS—I think the submission is self-explanatory in the way it goes through the different options that were considered for the facility. Were there any other associated processes or facilities that might have been required by DSTO Weapon Systems Division that could have been included with this proposal or is this proposal and its elements integrated enough to cover all future possibilities?

Dr Harch—For the task in hand, I think that this is a consistent and well thought-out approach. This provides us with a facility not unlike a workshop but with a specific and specialised job in mind. Depending on the jobs the workshop is given to undertake, we may need special tools. That would depend on the tasks that are given to us and we would anticipate that those tools would be procured as part of the task that was given to us. So I think in regard to what is anticipated here for the current work environment this will be a very satisfactory facility.

Mr JENKINS—So, to paraphrase, the ‘workshop’ infrastructure that this provides you is well and truly sufficient for your immediate future needs?

Dr Harch—For any current and anticipated future needs, yes.

Mr JENKINS—Finally, can you comment on the opportunities for the local economy or the impact upon the local economy of the proposal?

Brig. Hutchinson—We estimate that the proposal will probably generate permanent employment for about 10 people on the site for the time of the project, with peaks of up to about 20 people. In terms of what that does for the immediate region, it is up to the contractor that wins the contract as to who they employ. Defence cannot really influence that. We would encourage contractors to employ local people where possible, but it also depends on skill sets and so on. All of the work requires various skill sets and it is a matter of what skill sets are available in the local community. As you can see, it is a relatively small community and I do not really have a feel as to how much that community would be able to meet those skill sets. We would be encouraging contractors, where possible, to hire locally.

Mr JENKINS—Do we know if the most recent project, the environmental testing facility, provided opportunities for locals?

Brig. Hutchinson—The answer to that is: I don’t know. Given that it was some time ago, and most of the people that were involved with the development of that project have left my element of the department, I think that would be difficult to answer.

ACTING CHAIR—Paragraph 14 says:

Whilst Defence generally undertakes to design new facilities to achieve a minimum four star rating on the Green Building Council of Australia Green Star rating scheme, this is unlikely to be possible on this facility due to the specialised nature of the design.

Why is it not possible to apply that rating scheme? It continues:

Security and safety requirements preclude many of the construction practices normally associated ...

I suppose that is part of the answer, but you might expand on that. It then goes on to say:

However, such practices have been included where possible.

What practices were included in relation to the green star rating scheme?

Brig. Hutchinson—I will pass to Lieutenant Colonel Yeaman to cover the detail, but firstly I will start by saying that the Green Building Council of Australia green star rating scheme is actually designed for office accommodation. Clearly the bulk of these facilities—apart from, I guess, the control room—are not that type of facility. The main difficulty that we have in meeting that sort of requirement is that the requirement is not designed for these types of facilities. Using the workshop analogy that has been given is one way of looking at the facilities, but they are a pretty specialist workshop in that they are going to be used for handling explosive ordnance and weapons systems. This is something that is unique within Australia. Therefore it is very difficult to say that they can meet a standard which is designed for more generic and common use type facilities. Because of the specialist nature of what is being done there and certain aspects of the siting—we spoke in the confidential briefing about safety distances and how they were developed and everything else—the orientation of buildings is also an important consideration.

One of the issues with environmental siting of buildings for energy and everything else is that they are sited in certain ways, with windows located in certain positions and that sort of thing. We do not plan on having an explosion occur in these buildings, but if it did, it would be important that the buildings had been sited in such a way that would ensure public safety and the safety of the people who will be working in the facility. All of those characteristics make it difficult to then meet some sort of an arbitrary standard which is designed for office accommodation. I will hand across to Lieutenant Colonel Yeaman to talk to some of the specifics.

Lt Col. Yeaman—There are three specific areas where ESD principles were involved. They include life cycle costing for the major airconditioning systems to minimise maintenance costs and to provide a cost-effective system with the use of inverter airconditioning systems; automatic controls for those airconditioning systems; and installation of insulating materials in the roof structure.

ACTING CHAIR—Thanks. I am satisfied with those answers.

Mr JENKINS—The buildings by nature are earth covered.

Brig. Hutchinson—Just the magazines, not the cutting building, the storage building or the disassembly building.

Mr JENKINS—I have misinterpreted a diagram here of the breakdown facility. It does not have the same—

Brig. Hutchinson—It is designed so that if there were an explosion, the energy would be able to escape. We want the energy to escape up rather than out—so it goes up and down rather than going out, which would be damaging to people.

Mr JENKINS—So it is different.

ACTING CHAIR—There being no further questions, we have come to the end of the examination. I thank the witnesses of the department who appeared before the committee today. I also thank those people who assisted in our inspections and in the private briefing this morning. The committee members present today were certainly happy with the way in which the department conducted itself. I also thank those who organised the morning tea, which was much appreciated. Finally, I thank Hansard for their work, both here today and yesterday at Puckapunyal.

Resolved (on motion by **Mr Jenkins**):

That, pursuant to the power conferred by section 2(2) of the Parliamentary Papers Act 1908, this committee authorises the publication of the evidence given before it and submissions presented at the public hearing this day.

Committee adjourned at 12.47 p.m.