

## **Welcome and Acknowledgement**

**Cr Tyler**

Welcome Councillors, officers, members of the press and the public gallery. Please be upstanding.

We, the Councillors of Hobsons Bay, recognise that we are privileged to serve a community enriched by diversity. We respect and value our community's backgrounds, customs and beliefs and declare that we will always act impartially to the best of our skill and judgement. Through our deliberations and our conduct, we will uphold the Council Values to deliver outcomes that enhance the City of Hobsons Bay.

I would like to acknowledge that we are gathered on the traditional land of the Bunurong People of the Kulin Nation. We recognise the first people's relationship to this land and offer our respect to their elders past, present and emerging.

Please be seated.

This meeting is being live streamed on the Council website to enhance public access to deliberations of Council.

Before the meeting, you would have seen a slide displayed that essentially steps through the Governance Rules related to this meeting and I would appreciate cooperation from folks who are in the gallery in terms of respecting those rules as we conduct the business of this meeting tonight.

## **Apologies**

**Cr Tyler**

Councillors are there any apologies?

**Cr Grima**

Yes, Mayor Tyler, Councillor Briffa will be an apology for tonight.

**Cr Tyler**

Right, Councillor Grima to move that. Looking for a seconder? Councillor Hemphill to second.

I'll put the motion to the vote. All those in favour?

Motion carried unanimously.

## **Disclosures of Interest**

**Cr Tyler**

Councillors, are there any disclosures of interest for tonight's meeting?

**Cr Grima**

Yes, Mr Mayor, I have a conflict, with a family member working in maintenance issues with Techno Park Drive homes.

**Cr Tyler**

Thank you, Councillor Grima.

## **Confirmation of Minutes**

**Cr Tyler**

Councillors, first item is the confirmation of the minutes from the Council meeting held on 12 March 2024. The minutes have been circulated. Seeking a mover?

**Cr Hemphill**

Mr Mayor, would you take a question first?

**Cr Tyler**

Of course.

**Cr Hemphill**

In relation to the last meeting on the item relation to Councillor conduct in back in February, I put up some alternative notes in the minutes relating to that previous item which I circulated. When it went to a vote, Councillors Kellander and Sutton-Legaud and myself voted for those minutes to be accepted as a true record, and yourself, Councillor Grima and Councillor Briffa voted against, and Councillor Marsden had abstained.

I've since just been made aware that. Sorry, now if we go back a step when it went to the first vote, it was the 3:3 and you declared that it had been lost, and I questioned whether, how did that come about? Unless you used the casting vote, which I didn't see you do. And then you sought advice.

I've now been made aware that an abstention, which Councillor Marsden had, was because he was in the chamber, it would have been declared as a no vote and however, the advice it seems that you've got at the time is that no, that wasn't the case that you had to use a casting vote, so in actual fact you're probably right in the first place, but the way that it evolved, it probably didn't need to go there. Were you made aware that it's actually in the Act – comes out of the Act, the Local Government Act.

**Cr Tyler**

As you say, the advice I got on the night was that in line with what your ask was on the night, to record in the minutes as you requested.

**Cr Hemphill**

OK.

**Cr Tyler**

But I appreciate what you're saying.

**Cr Hemphill**

That you're, that you used the casting vote. That's the advice, you had to use the casting vote.

**Cr Tyler**

Yeah, that was the advice.

**Cr Hemphill**

Thank you. That's all.

**Cr Tyler**

Yeah, but I appreciate the point you're making, Councillor Hemphill.

**Cr Hemphill**

And I'm happy to move the minutes then.

**Cr Tyler**

Seeking a seconder? Councillor Kellander.

I'll put that to the vote. All those in favour?

Motion is carried unanimously.

## **Council Officer Update – Contaminated Mulch**

**Cr Tyler**

Councillors, prior to Councillor Question Time, noting events of the past week or so. I know there's an appetite to get an update on the recycled mulch issue and so I am seeking a motion to facilitate that. Councillor Marsden?

**Cr Marsden**

Thank you Mr Mayor, I'd like to move this procedural motion to amend the agenda to enable an officer report to Council on the material containing asbestos and it would read as follows.

**The motion:**

***That Council in accordance with section 6.2.1 of the Hobsons Bay Council Governance Rules varies the published agenda at today's meeting to include a formal update by Council officers in relation to the current concerns regarding suspected recycled mulch contamination within the municipality.***

**Cr Tyler**

Can we, just before we, I'll go to you Councillor Hemphill in a second, but can we just get that on screen, just so all councillors can see that?

And so, Councillor Marsden, the text at the bottom of the screen, that reflects?

**Cr Marsden**

Yes.

**Cr Tyler**

And seconded by Councillor Hemphill. I'll put that motion to the vote – all those in favour?

Motion is carried unanimously.

Mr CEO?

**Aaron van Egmond**

Thank you Mr Mayor, and thank you Councillor for moving this motion to allow our officers to give a brief overview of some of the current situation relating to the issues that you raise. I would ask Mr Trevaskis, our Director of Infrastructure and City Services, to provide an update here this evening. Thank you.

**Jake Trevaskis**

Through you Mayor Councillor.

So, the purpose of the update tonight is to give a high-level overview of the asbestos situation that is currently in the community at Hobsons Bay.

So, over the Easter period, Council was made aware of bonded asbestos fragments that were found at Donald McLean Reserve. This material was found within the recycled mulch in the garden beds surrounding the play space on site. As per the messaging regularly communicated by the EPA, this is bonded asbestos (inaudible) and they're generally made up of small amounts of asbestos fibres that are tightly bound in products such as resin and cement. As per EPA advice it's considered low risk for people who are contacted with it unless it's damaged or badly weathered which would mean that the asbestos fragments have (inaudible) given the low risk, though, this is something that Council is obviously taking quite seriously.

This recycled mulch, I just want to reiterate, is used within garden bed areas and should not be confused with the tanbark mulch or "soft-fall" that is used within the footprint of our playground areas.

At Donald McLean Reserve a remediation process commenced this week and remains ongoing. Since the confirmed case at Donald McLean reserve a total of five sites have now been identified as containing bonded asbestos fragments. These sites are Crofts Reserve, Hoskin Reserve, PJ Lynch Reserve, Altona Coastal Park and PA Burns Reserve. The impacted areas within these sites have been fenced off, with the two confirmed sites received late today – Altona Coastal Park and PA Burns Reserve – will be fenced off first thing tomorrow morning. These will remain fenced until the remediation process occurs.

On Sunday 7 April Council received two remedial notices from the EPA.

The first was a "notice to investigate" and what this requires Council to do is to investigate all sites across the municipality where recycled mulch has been used over the past 18 months. For this list of sites we're then required to engage a hygienist to conduct a visual walk-over and provide (inaudible) of observations of these inspections and any corrective actions that we'll be undertaking. This process commenced yesterday with immediate effect.

The second item received from the EPA yesterday was an information gathering notice. That notice requires Council to provide the EPA with a full list of mulch suppliers used in Hobsons Bay, a list of all suppliers used by contractors and subcontractors, and what our processes and procedures are around the sourcing, handling and replenishment of mulch.

I want to reiterate that in all instances Council is working very closely and collaboratively with the EPA on this matter. Licensed hygienists are being used to undertake the inspections and the remedial processes are being managed by WorkSafe-approved removalists.

In terms of our public communications (inaudible) web page on our website with links with up-to-date information and FAQs. On-site signage (inaudible) with a QR code and the community to opportunity to just scan to go back to Council's web page.

Residential properties adjacent or immediately opposite the impacted sites have been letterbox-dropped and where positive results are received in sports club precincts, the tenant clubs and associations have also been notified.

Social media updates have been provided (inaudible) where positive results have been found.

In wrapping up, I just want to confirm that the EPA is leading this investigation and it does remain ongoing and Council continues to cooperate with them wholeheartedly. Community safety is an obvious priority for Council (inaudible)

The investigation is a complex one as the asbestos at each site may result from recycled mulch or also illegal dumping.

Regular updates on this item will be provided to the community as the investigation continues.

Thank you.

**Cr Tyler**

Thank you Mr Trevaskis.

## **Councillor Questions**

**Cr Tyler**

Thank you, Mr Trevaskis. Councillors, with that I'll move to Councillor Questions and come to you, Councillor Marsden?

**Cr Marsden**

Thank you, Mr Mayor. I'll just ask a question of clarification and that is whether any bonded asbestos has been identified as being part of a recycled mulch (inaudible) at this stage?

**Jake Trevaskis**

Nothing has actually been confirmed. The investigation remains ongoing, so the feedback coming back from the EPA at the moment is it's a combination of illegal dumping and within the mulch. However, it has not been confirmed.

**Cr Tyler**

Thank you, Councillor Marsden. Councillor Hemphill?

**Cr Hemphill**

Just a couple of questions out of that. The mulch that we've had with asbestos (inaudible is that mulch that we have laid or is it through contractors? I mean when I say "we" is, is Council officers or coming through contractors?

**Jake Trevaskis**

Through you Mayor, and apologies for not saying that properly. Thank you, Councillor Hemphill for the question. The mulch that has been laid in (inaudible) is laid by either a contractor or a subcontractor that's been engaged by the contractor engaged by Council.

**Cr Hemphill**

And just following up with the process with what the EPA is asking, while it's requiring us to provide the list, are we getting full cooperation from those contractors and subcontractors?

**Jake Trevaskis**

Through you Mayor. Yes. Thank you, Councillor Hemphill. Yes we are getting information from the contractors when we've been asking them.

**Cr Tyler**

Any more questions, Councillor Hemphill? Councillor Grima?

**Cr Grima**

Thank you, Mr Mayor. We're talking about mulch at the moment. Do we (inaudible) I acknowledge (inaudible) at the moment it's recycled mulch. Are we going to review other mulches as well that's not recycled?

**Jake Trevaskis**

Through you, Mayor Tyler. Thank you Councillor Grima for the question.

At the moment, the focus of investigation conducted by the EPA is recycled mulch. At this stage the mulch used in playgrounds is a soft-fall mulch that's used, from virgin product. So it's not the investigation currently afoot.

**Cr Grima**

Thank you. Just one more question through you Mayor, when you know, there's a (inaudible) when mulch was put into the playground and other facilities, was there an inspection conducted in general, is there inspection conducted with all (inaudible).

**Jake Trevaskis**

Through you, Mayor Tyler. Yeah (inaudible) process from a project management perspective, regular inspections occur on the site as part of the redevelopment works. This mulch is also used in open space and conservation areas and as part of projects, used to replenish some of those garden bed areas.

**Cr Grima**

Great, thank you.

**Cr Tyler**

(inaudible) Councillor Kellander?

**Cr Kellander**

Thank you, Mr Mayor. Just a few questions through you.

So first one, how much does the Council envisage that the testing under the requirements of the EPA, the closure of the parks and remediation of all these sites will cost?

**Jake Trevaskis**

Through you, Mayor Tyler. Thank you, Councillor Kellander for the question.

At this stage we haven't quantified the costs. We do have rates for what is, what it costs for inspection and removal of mulch the full quantity of costs is yet to be determined.

**Cr Kellander**

Thank you Mr Trevaskis. Next question again through you, Mr Mayor. Who will bear the costs?

**Jake Trevaskis**

At this stage we are collaborating with the EPA on the investigation. Subject to the outcome of the investigation, we will determine what Council's next step is in this process.

**Cr Kellander**

OK. Thanks again for that answer.

Again through you, Mr Mayor, are other councils across the state required to conduct contamination testing on recycled mulch? Because I understand that today Brimbank has had a suspect site tested and announced by the EPA.

**Jake Trevaskis**

Through you, Mayor Tyler, we're not aware of the EPA's processes in dealing with councils at this stage. We're focusing on the investigation that we've got to take.

**Cr Kellander**

OK. Another question through you again, Mr Mayor.

Do we know what type of penalties could be imposed by the EPA for a mulch distributor for breaching rules of contamination?

**Jake Trevaskis**

Through you, Mayor Tyler. No, that's not information we're privy to.

**Cr Kellander**

Thank you again for answering all those questions. You mentioned that Council staff have been working really hard over the last weekend. What does that look like?

**Jake Trevaskis**

Through you Mayor Tyler.

Yeah, so we have a number of Council staff that are reviewing records of where recycled mulch has been delivered, looking at contracts, about who subcontractors are. We also have a number of officers on site, looking at fencing, (inaudible) letterbox dropping, dealing with the (inaudible) as possible.

**Cr Kellander**

Sounds like really hard work, so just want to commend the Council for working hard and the executives for working the late nights and weekends. Thank you, Mr Mayor.

**Cr Tyler**

Thank you, Councillor Kellander. Councillor Sutton-Legaud, any questions?

**Cr Sutton-Legaud**

I think most of them have been covered now. Perhaps you could just, through you Mayor, give us an update on what's going to happen next?

**Jake Trevaskis**

Through you, Mayor and thank you, Councillor Sutton-Legaud for the question.

Obviously, the focus of our efforts at this stage is looking at those sites that have received recycled mulch over the last 18 months. Officers are obviously turning their attention to that to ensure that we're, I suppose, getting getting those sites inspected and made safe as possible as quickly as possible, so that's the focus of our attention.



**Cr Sutton-Legaud**

And just to follow up, if any members of the community have any specific concerns or issues about their parks, what's the best thing for them to do in terms of contacting the Council?

**Jake Trevaskis**

The Council and thank you for (inaudible) if they suspect or they have a suspicious material that see (inaudible) they can report that and they can do that by (inaudible) service number and Snap Send Solve. We have dedicated customer service members on board responding to these items once received.

**Cr Sutton-Legaud**

Thank you very much.

**Cr Tyler**

Councillors, I had moved to Councillor Questions. I'm conscious all questions to date have been on the mulch and so I'm gonna do one more run through. If there are questions on non-mulch issues. But Councillor Hemphill, I think you might have one more question on the mulch.

**Cr Hemphill**

Just a point of clarification. We've been required to look back 18 months ago. Why is that date being picked out?

**Jake Trevaskis**

Through you, Mayor Tyler, that's probably a question for the EPA. However, that's the date that they've provided in their notice for us to investigate the use of recycled mulch.

**Cr Hemphill**

Thank you.

**Cr Tyler and Cr Hemphill**

**Cr Hemphill**

If I may, in relation to the Williamstown Swimming and Life Saving Club. In our, we've been looking to start work on the building construction of that facility in the 2024-25 year and now anyone who's looked at the budget papers will see that is now being pushed back, probably to 2025-26.

In relation, so obviously we're going back to the drawing board and I'm just wondering if Mr Trevaskis can give us an update on why we're pushing it back and also what we're doing as far as keeping the pool or making sure there's a pool in that mix.

**Jake Trevaskis**

Through you Mayor Tyler, and thank you Councillor Hemphill for the question.

Obviously Council, with the feedback that was heard from the community during the public experience (inaudible) with feedback and we're doing that processing, close consultation with the club. The budget that we have allocated to this project currently does not enable the construction of a new pool on site. However, we are working through a process now to conduct thorough investigations of the existing pool, so conducting the appropriate structural assessments to determine whether the current pool can remain on site.

**Cr Tyler**

Councillor Grima, any other more general Councillor Questions.

**Cr Grima**

Yes, Mr Mayor. I just want to have an update on what Council is doing about the bypass (inaudible) baseball stadium in Merton Street and Altona Road with security and flooding.

**Jake Trevaskis**

Through you Mayor Tyler, and thank you Councillor Grima for the question.

Council is obviously aware of some issues in relation to the bike path and cars getting through when the floodgates are closed at that location. We're working, looking at a review of the shared path in that location to try and restrict cars illegally going through that shared path and going through that underpass area when flooding is in place.

**Cr Grima**

Great. Thank you. And also if (inaudible) could you do any work, could you do any capital work, could with any upgrade to improve that in that infrastructure?

**Jake Trevaskis**

Options in terms of the interventions that we can achieve with the path in that location is something that we would be able to consider within existing budgets.

**Cr Grima**

Great. Thank you.

**Cr Tyler**

Thanks Councillor Grima. Councillor Kellander?

**Cr Kellander**

Thank you, Mr Mayor, just a few questions. First one through you, the residents of Altona submitted a petition to ask for Ryan Lane in Altona (inaudible) in full and for the drainage issues to be addressed. (inaudible) work will be completed. Thank you.

**Jake Trevaskis**

Through you Mayor Tyler and thank you Councillor Kellander for the question.

The Ryan Lane upgrade is practically complete or nearing completion (inaudible). Funds included in the proposed budget with works (inaudible) 24. This lane is associated with a petition and we will be keeping the lead petitioner updated throughout that process.

**Cr Kellander**

Thank you, Mr Trevaskis. I'm sure that the residents would be really, really happy to hear that. During the last budget the conversation was that would be in 2026-27, so this is a really good news story. It's a win.

Next question through you, Mr Mayor, I understand the budget contains an upgrade to the Ford Bridge on Racecourse Road in Seaholme. It's currently in poor condition and it floods often. Can you please provide some details on what this upgrade will look like?

**Jake Trevaskis**

Through you Mayor Tyler and thank you Councillor Kellander for the question.

Yeah, so the Altona Ford on Racecourse Road is a project that has been designed. The project will involve the use of box culverts that will raise the road above existing levels. The road, the level that the road is raised will not stop it from having flood events. It will, though, decrease incidents of that occurring after the completion of the project.

**Cr Kellander**

Hallelujah to that one. A good news story again. Definitely (inaudible)

Off the back of that, noting that Kororoit Creek Rd is a state government road, are there any plans for any upgrades on Kororoit Creek Road to allow residents to turn right when exiting Racecourse Road?

**Jake Trevaskis**

Through you Mayor Tyler and thank you Councillor Kellander again for the question.

Council (inaudible Racecourse Road and Kororoit Creek Road. (inaudible removal project at that stage, that request was not supported as part of the project. However, we're aware that the state government in a way future-proofed that intersection for that to be potentially signalised in the future and that would be subject to state government priorities.

**Cr Kellander**

Thank you for that answer again, Mr Trevor. And final question through you, this one might have some intrigue so I'd just like to flag that.

**Cr Tyler**

Councillor Grima, this question will relate to your matter of interest.

**Cr Grima**

\*leaves the room\*

**Cr Kellander**

Through you, my question relates to the public statement (inaudible) Could you provide just an update on what the next steps are?

**Rachel Lunn**

Through the Mayor, thank you Councillor Kellander for your question.

The letter that was sent and the open letter explains that there was recent changes to ministerial guidance regarding existing use rights which we're aware regarding (inaudible) use. This was some of the (inaudible) made the previous enforcement notices have to be taken. Because of those changes, we're still considering what they mean. It means in planning law terms, it makes quite a big difference to the legislation that Council officers were previously using.

So the next steps are that we're finishing the review with external legal advice and then Council officers rather than councillors will be considering the next steps, that, whether there are any other options or clear paths to be taken and those people who received the letter, which we will hand over today, (inaudible) received those letters. To indicate that. The letters have also been sent to the EPA, WorkSafe and other bodies, so we'll be working with those other bodies to ensure that the next steps taken are the right ones for everybody at Techno Park.

To just end your question, there isn't a time frame on when there will be like a decision here or a next step because obviously there's a lot of people to make sure that we work with, but we will be doing that as soon as possible. We have started this as soon as the legislation changed. It is complex, but we're making sure that we do this as soon as we can to make sure that whatever information is put out as done as expediently as possible. Thank you.

**Cr Kellander**

Great. Thank you (inaudible). Thank you Ms Lunn for that response.

**Cr Tyler**

Thanks Councillor Kellander. Councillor Sutton Legaud, I'll come to you in a moment. I'll just wait until Councillor Grima returns to the Chamber.

Councillor Sutton-Legaud, any more general Councillor Questions?

**Cr Sutton-Legaud**

Yeah, I had a question which I'm just following up on reading in relation to the Mechanics Institute and whether we have formalised a working group on the improvements to the cottage and the main mechanics building and if not, is there a plan to do so?

**Jake Trevaskis**

Through you Mayor Tyler, and thank you Councillor Sutton-Legaud for your question.

That group has yet to be formed. However, we're working close to the team to work on a project plan that identifies the time frames and when that will occur. We'll send a further update on that one that's been finalised.

**Cr Sutton-Legaud**

Thank you. And do you have any updates on the Champion Road level crossing project and where that's what stage that's reached in terms of our advocacy?

**Jake Trevaskis**

Thank you Councillor Sutton-Legaud for the question.

Obviously Council's been outspoken in terms of its opposition to the removal of Champion Road project. (inaudible) written letters to the State Premier and also Treasurer as well, and that's the latest update I have on that matter.

**Cr Sutton-Legaud**

Thank you very much.

**Cr Tyler**

Thank you Councillor Sutton-Legaud and also Council officers (inaudible).

## **Public Question Time**

The next item on the agenda is Public Question Time.

This public question time segment provides an opportunity for the public to ask questions related to items on the agenda of the Council Meeting or any other matter within Council's responsibility.

Questions must be put in writing and be received by 12pm the day prior to the Council meeting. Questions received after this time will be responded to in writing by the appropriate Council Officer.

In accordance with subsection 13.1 of the Hobsons Bay Governance Rules, twenty minutes has been allocated for public question time, with individual responses not exceeding two minutes each.

In accordance with rule 13.1.14, a maximum of three public questions may be submitted per meeting by a member of the public.

In accordance with rule 13.1.11 of the Hobsons Bay Governance Rules, the person who submitted the question must be present in the public gallery during Public Question Time for their question to be read out.

There have been a number of public questions submitted for tonight, some of which are not within Council's power to respond, some are in conflict with the Governance Rules and some that will not be addressed based on legal advice. Specifically in relation to questions concerning Techno Park Drive, (inaudible) not answer these questions to ensure that there is no prejudice to the Council or any person's current and future rights. Council (inaudible) in writing on 5 April 2024, and it's available on Council website. (inaudible) questions as we can tonight.

Is Matthew Lynn (inaudible) We will provide a response in writing to Matthew.

Is Dean Hurlston with us? We will provide a response to Dean.

Is Rowena Joske with us? We will provide a response to Rowena.

Julie White? Hi, Julie, welcome.

Julie's first question is:

Life Saving Victoria (LSV), funded and supported by the Victorian Government, maintains a current Victorian Public Pools Register on its website showing whether pools have undertaken LSV pool safety assessments since 2020 and what is the current level of endorsement (Gold, Silver or Bronze) they have achieved. The Register confirms that Hobsons Bay Council-owned pools have had no LSV pool safety assessments conducted in this period at all. According to LSV and the Victorian government, LSV pool safety assessments are best practice assessments in the aquatic industry and "achieving and maintaining an endorsement should be the aim of every public pool facility owner and operator".

Why does Council allow a situation in which its pool safety assessments are less than best practice, particularly when compared with the high safety endorsements achieved and maintained by many other Council-owned pools?

And the Council officer's response:

Council's aquatic facilities must comply with the Royal Life Saving Society Australia "Guidelines for Safe Pool Operation" for the operation and management of swimming pools. Life Saving Victoria is an independent body and their pool safety inspections are not mandatory. Council's aquatic facility operators complete risk and safety audits in line with the Guidelines for Safe Pool Operations.

Julie's second question reads:

How many WorkSafe inspections have been conducted at Bayfit Leisure Centre in the last three years, what were the findings of those inspections and what steps were taken to address any safety risks identified?

And the Council officer's response reads:

Noting that Bayfit Leisure Centre is managed by an independent operator and there is no formal requirement for them to report WorkSafe incidents to Council, we are aware that three WorkSafe inspections have been conducted at Bayfit Leisure Centre in the last three years. The findings, which related to policy implementation, were all actioned in conjunction with WorkSafe recommendations.

Julie's final question reads:

The conditions of entry to Bayfit Leisure Centre on the Centre website state: "Management reserves the right to refuse entry to anyone". How does this condition comply with Council's policies on public access and inclusion and relevant equal opportunity obligations?

And the Council officer's response reads:

All operators are required to fulfil a range of requirements and obligations consistent with anti-discrimination legislation and the *Disability Discrimination Act 1992*. Management do have the right to refuse entry in relation to a number of areas including patrons who may be banned from attending the site, persons who appear intoxicated upon arrival, children who are not

correctly supervised by an adult, patrons who are abusive to staff. This is conducted in the interests of health and safety for staff and patrons.

Is Mr Brian Hogan with us? Hi, Brian. Welcome.

Brian has three questions. His first reads:

The South Crude Tank Farm is a Mobil site located in Williamstown on the Kororoit Creek, next to the JS Grey Reserve. Senior Mobil officers, and workers currently working at the site, have publicly stated that the tanks there are being prepared for demolition. At the last Council meeting, two questions were asked about this, but the Council officer's identical response to both questions was that "the Altona tank farm tanks are currently being inspected and maintained". The South Crude Tank Farm is a separate facility from the main former refinery sites, and is not located in Altona. Can Council please answer the following questions specifically in relation to the South Crude Tank Farm in Williamstown.

The Council officer's response reads:

Council has no additional information from Mobil regarding the current or future uses of the South Crude Tank Farm at this time. Future intended use of the facility, and operational decisions relating to the facility, are questions that are best put to Mobil.

Brian's second question reads:

What safety measures are in place to protect the community who use the adjacent sports ground and walking track during works at the South Crude Tank Farm?

And the Council officer's response reads:

Mobil as the operator of a major facility is responsible for maintaining the safety of the community while undertaking any works on their facilities. Mobil is required to ensure that it complies with all necessary safety and operational regulations.

And Brian's third question reads:

What does Council know about the future plans for the South Crude Tank Farm site?

And the Council officer's response reads:

Council has no further information from Mobil regarding the future uses of the South Crude Tank Farm at this time. The future intended use of the facility, and operational decisions relating to the facility, are questions that are best put to Mobil.

And there's obviously correspondence that went out on Friday from Ms Lunn. I'll also be responding to correspondence I've received in coming days as well. That concludes public question time and thank you for your questions.

## **Petitions**

**Cr Tyler**

Councillors, the next item on the agenda is Petitions and Joint Letters Received. Councillors, are there any petitions or orders be tabled?

**Cr Hemphill**

Yes, Mr Mayor. I have a petition which I'll hand over to Mr McLeod that I received from students from the Williamstown North Primary School calling on the Council to save the Williamstown Swimming and Life Saving Club's pool.

The petition comes from Tessa Lloyd Smith, who is a Nipper at the club, and some other students. It has about 250-odd names attached to it. I'm aware that it doesn't meet our Governance Rules in that it doesn't have surnames and addresses, but I would hope that we would accept the petition while recognising that and I have a motion worded that could probably go up on the screen now, if that's, yeah, there it is there. And I'm happy to move that motion and then speak to it a little bit more.

**Cr Tyler**

Great. Thank you.

**Cr Marsden**

I second the motion.

**Cr Tyler**

Councillor Hemphill, we've got a seconder of the motion from Councillor Marsden. I will just pause if councillors have any questions. (inaudible) Councillor Hemphill, as the mover?

**Cr Hemphill**

Thank you, Mr Mayor. I think we should commend the students for taking part in democracy and letting us know that this is a serious issue that they see. Some of the students are members of the life saving club (inaudible) it affects a lot of people's lives and in some of the comments that were made there, you know when the beach is, had rain and it's dirty and so forth, they still need a pool as a back up to do their life saving programmes. And if anyone saw in the past week There was a TV current affairs program, I forget now which station, I'm gonna say it was the ABC, which was looking at training for migrant communities, particularly because migrants from a disproportionate number of (inaudible) around the country and this program talked about a migrant himself who did training and was now training the kids. It was a great program and I think it's supported by Life Saving Victoria. But even if you're not a migrant, the Nipper program is a great program because it builds the confidence of kids that you never know down the track, then there's been some horrible deaths Interstate in the last few days, you know - they might have been there to prevent something like that from happening. So I think we need to commend them. It's a view that circulates around we and stand a lot, that they need their pool for the training of young kids. So I'd like to thank Tessa and Miller Williams who took the time to put the petition together.

**Cr Tyler**

Councillor Marsden as the seconder.



**Cr Marsden**

Mr Mayor, and I agree Councillor Hemphill that this is a really good demonstration of the children at North Williamstown Primary exercising their democratic right to speak out on an issue that's of concern to them.

Every month, the Mayor chairs the Junior School Council, which is a collection of 26 local primary schools who come here to talk to Council about what matters to them and it's, you know, preoccupied mainly with questions of safety and cleanliness, litter, road safety and the like. It also encourages participation with Council and with civic society and I think this is terrific to see this petition, although it doesn't conform entirely to the rules and regulations.

(inaudible)The kids here have put their first name and their class and range from Years 5 and 6 to other grades who obviously want to have their say. I'm glad that we are attending the (inaudible) considered a formal application in that sense (inaudible) incorporated the material into our planning is to communicate back to (inaudible) Williamstown North Primary.

(inaudible) the regulations and while it seems bureaucratic, it's important, obviously there's a (inaudible) that are given to Council, and so that anyone should be able to write a petition for Council's consideration, so good on them for putting in the petition, and I just want to call out Tessa Lloyd Smith in particular, who's a Year 5 student at Williamstown North Primary School. Thank you.

**Cr Tyler**

Thank you, Councillor Marsden, is there any councillors against the motion? Any other speakers? Councillor Kellander.

**Cr Kellander**

Thank you, Mr Mayor. I just wanna, yeah, acknowledge the words of both Councillor Hemphill and Councillor Marsden. I love the fact that we've received this petition from some school kids who are obviously passionate about something in their community, and I love the fact that we're discussing it here today. We're acknowledging it and we're considering their view. (inaudible)

**Cr Tyler**

Thanks Councillor. Are there any other? Councillor Grima?

**Cr Grima**

No, I'd just like to acknowledge the students also. I've done quite a few school councils in this chamber, so congratulations and looking forward to (inaudible) Good on you for giving a voice to something for us (inaudible).

**Cr Tyler**

Thanks Councillor. Any other councillors like to speak to the motion? Councillor Hemphill (inaudible)

I'll put the motion to the vote. Motion is carried unanimously.

And for those who are who are tuned in online, we are aware that there is a challenge with the sound and I understand that it can be understood, but there is a challenge with the sound that we're seeking to rectify.

## **8.1.1 CEO's Report on Operations**

**Cr Tyler**

Councillors. The next item is 8.1.1, Chief Executive Officer's Report on Operations. Are there any questions on this item? I'm seeking a mover. Moved by Councillor Grima and seconded by Councillor Marsden. Councillor Grima?

**Cr Grima**

Thank you, Mayor Tyler. I'm very pleased and honoured to be here at Council and I wanna thank the CEO, the officers, my Council colleagues, all the hard work (inaudible) say that you know we we're getting action on (inaudible) family violence. We getting youth support for mental health activities. We're getting meals and (inaudible) works across people who are living with disability, who are elderly people, from the Hobson Bay group come. And our mayor here hosted the event here in the Council about people living with dementia and over sixty people come to our Council. to share their views and their journeys about living with dementia and it was, we had a good turnout with, you know, carers and people, family who were all in it together. So I was proud that we had it here and also really good to have specific (inaudible) Councillor Kellander and Councillor Tyler attended that; it was just a fun festive day and for the culture and their commitment to our great community. But also it was great to see the entrepreneurs could come along and sell their craft and what they're good at and set up stalls – that was amazing and it just keeps growing.

I'm also proud that we've had Women International Day, which I attended with Councillor Tyler at the Altona Meadows STEAM Library. We had women talking about their journey in library and science, technology, engineering, arts and mathematics, and it was really great and we also had a councillor colleague, Councillor Briffa, to be part of that panel. So it's great to see her speaking about her journey in the industry and talking about their mother's ourney in that industry. I thought that was such a great thing to think about, and also to unite us as a great community and to celebrate International Women's Day, and that is all I have to say about the report.

**Cr Tyler**

Thank you Councillor Grima. Councillor Marsden?

**Cr Marsden**

Thank you, Mayor Tyler. There's a number of really interesting many stories here within the CEO's report. As usual, statistics, a lot of dates and deadlines and (inaudible) financial management performance in general, but there's a really cute story on page 6 which. refers to the heat health plan activation over the Labour Day weekend, which extended opening hours at the Altona North, Altona Meadows and Williamstown libraries and provided water and fruit across all sites during the scorching long weekend. It was real (inaudible) the community, as evidenced by the social media commentary and (inaudible) not only (inaudible) community but also from neighbouring municipalities who followed suit.

It's a really useful function that we can serve, I think, and a proof of concept where when the mercury rises above a certain level and people are struggling, particularly over multiple days of really intense heat, that they can find refuge in Council facilities. I think we could probably extend it further, depending on the trigger threshold, but also to ensure that people who are living alone or

may not have access to social media are also aware of the possibility of seeking refuge at air-conditioning Council facilities that are open, and ensuring that they can make it from their homes to those facilities – I think that's a potential missing link that we should investigate as these heat events become more frequent.

How that happens is obviously a complex question, but it's worth considering, I think, just because heat kills and successive really hot days takes a huge toll on an ageing body, so that's something in my old age. I'd like to be secure in knowing that the Council has my back when those hot days occur. And the key part of that story is that the (inaudible hot and tired and thirsty and become a symbol of the welcoming sanctuary we strive to offer. So humans, bluetongues and all types of animals are welcome at the Hobsons Bay Library (inaudible.

**Cr Tyler**

Thank you, Councillor Marsden. Any other speakers to the motion and any other councillors... Councillor Hemphill?

**Cr Hemphill**

Thank you, Mr Mayor. I'll just go to the part in there that talks about the advocacy and particularly the Champion Road level crossing removal and, good to see that we're still advocating against that. I'm going to relate a story that happened to me this afternoon - middle of this afternoon, actually late this afternoon. I got a phone call from a research guy doing a survey on behalf of the LXP, wanted me to fill out and do an eight-minute survey. He didn't know... he got the phone numbers from the LXP. And I declined - I said it was inappropriate - but he would have needed eight hours instead of eight minutes. I think they know, in the LXP, my views quite strongly. But (inaudible) (inaudible) these meetings (inaudible)

**Cr Tyler**

Thank you, Councillor Hemphill. Any other? Councillor Kellander.

**Cr Kellander**

Thank you, Mr Mayor. I just want to acknowledge that March has been a really big month for cultural and faith-based celebrations within our community, and while a number of these celebrations have obviously passed, I'd simply like to take the opportunity to once again acknowledge them and wish everyone who celebrated a happy Holi, a blessed Easter and a blessed Ramadan. Ramadan celebrations actually conclude tonight and I have no doubt that our Muslim community are celebrating with their loved ones. Furthermore, I'd like to wish our Muslim community a blessed EID for their (inaudible). Thank you, Mr Mayor.

**Cr Tyler**

Thank you, Councillor Kellander. Would any other councillors like to speak to the motion? Councillor Grima. I'll come back to you as the mover.

**Cr Grima**

A final one, I want to acknowledge the community members who (inaudible) available for Clean Up Australia Day. Over 2000 kilos of rubbish was picked up. I attended the Laverton clean up day and just the unity and just the cleanliness and just people just want to get their hands dirty and pick up the rubbish. So thank you and I know there's people who beyond just do Clean Up Australia Day. so thank you for that as well.

**Cr Tyler**

Thank you Councillor Grima, and with that I'll put the motion to the vote. All those in favour? The motion is carried unanimously.

## **Draft Proposed Budget**

**Cr Tyler**

Next item is 8.2.1 Endorsement of the Proposed Annual budget 2024-25. Are there any questions on this item?

Seeking a mover.

**Andrew McLeod (off-mic to Cr Tyler)**

I've just noticed that there's no "draft" in the front of that (inaudible)

**Cr Tyler**

Councillors, just before we move the motion, Mr McLeod who is of course sitting in the chair for Ms Eyckens from a Governance perspective has just highlighted to me that there is no "draft" that has proceeded the item and so it's just important to know this is the endorsement of the Proposed *Draft* Annual Budget 2024-25.

**Cr Marsden**

I'll move it with that change to the recommendation and it will be up to officers, I guess, in the minutes to amend anything else accordingly.

**Cr Tyler**

Thank you, Councillor Marsden and seeing a seconder?

**Cr Hemphill, off-mic**

Happy to second.

**Cr Tyler**

Seconded Councillor Hemphill. Councillor Marsden?

## **Cr Marsden**

Thank you. Could I see the words of the motion just to confirm that they're... So, it will read "Proposed Draft Annual Budget" and then in section 2(a), "Proposed Draft Annual Budget", to be clear

So this is the time of the year which, where we put on exhibition the budget that has been marshalled to date. It is, despite the fact that the new legislation required the budget to put out in (inaudible) which has worked for us in the past and allows the community to scrutinise the budget before it's fully adopted as a last sense check, many other councils don't do this and simply adopt the proposed annual budget without issuing a draft. There's a... obviously a pretty meaty attachment which includes a foreword from you as Mayor and I wonder if I could just draw councillors' attention to that foreword (inaudible) myself in the various attachments, but it does foreshadow a few changes over the course of the year specifically in regard to the initial funding (inaudible) for the street work on Bruce Comben Reserve to do with the with Western Aquatic Centre.

So this is supported by a strategy which was put together about five years ago and is designed to have a western pool to complement the eastern pool currently at BayFit to provide for (inaudible) Hobsons Bay but also surrounding municipalities as well. And the reason I dwell on this and not on the content of the budget itself is because if, and it would be the next council who makes this decision, we're to decide to fund any of that allocation then it would require borrowing, and (inaudible) the community well in advance of any discussion or decision on how to fund that particular facility. I just thought it was important to point that out at the beginning, Mr Mayor, because you've gone to the trouble of doing that (inaudible) as well, which is an excellent introduction to the document. I won't talk too much to the detail 'cause I know my fellow councillors will want to pick out some of the (inaudible). I'm very prepared to not only support this draft budget to go out for public exhibition and then listen to the feedback because it's a well-considered budget, it's we don't live beyond our means, we continue to run budget that is well balanced and that stays within the Auditor-General's recommendations for the various ratios and is scrutinised not only by (inaudible) in turn by our internal and external auditors. I'm confident that it's a responsible budget that delivers on our undertakings to the community, and while it might seem that things take a long time to get built, when you look at the capital works program, it's always a very thorough and transparent process (inaudible) reassured that if anything is to be (inaudible) despite that it may take three years, those three years are taken up with not only public consultation and design but also winning funding from various other agencies including state and federal government and taking the time to do it properly in (inaudible) other organisations.

A club will come to a councillor and say we want (inaudible) facility to be built by spring (inaudible) these things (inaudible) the club has a good facility and everything's done properly in accordance with our probity and financial management policies. So to that end, I'm confident that we're presenting (inaudible) budget that reflects the (inaudible). Thank you.

## **Cr Tyler**

Thank you, Councillor Marsden. Councillor Hemphill?

## **Cr Hemphill**

Thanks Mr Mayor. Yes, I concur with all the comments by Councillor Marsden. This is my 25th budget, would you believe, so I've seen a lot over the years.

I think some of the things I'd like to point out, that there's an operational surplus of nearly \$13 million, and that's not just money that just sits around doing nothing. It goes to pay or partly pay for our capital works program and you'll see that we have a \$54 million capital works program. It's below levels of the past few years, but with the last few years since Mr van Egmond has joined us as CEO, it's been a supercharged budget (inaudible) that we were lucky to get to \$35,000,000. So we're still way above that mark (inaudible) again so I commend Mr van Egmond and the team for the work that they have done.

I'm just going to point out a few things that are in the budget and we did talk about earlier on the Willy Williamstown Swimming and Life Saving Club, the major funding for the works, which most of it's coming from the state government, is not in this budget. However, there is \$1 million in there for the design and investigation works that have to proceed all that. And so I imagine if there are no complications we should be the following year moving into the construction. But you have to spend a lot of time and effort to get make sure you get the design right.

Some of the other ones are the Mechanics Institute has got \$400,000 in it. That's a start to at least put the floor back in. So we've had some good discussions over that in the past weeks and I commend Councillor Sutton-Legaud for a pushing that issue very strongly.

Some of the other ones, the Leo Hoffmann Reserve in Newport, there's enough funding in there to complete that project. We went out for consultation design, I'm going say it was (inaudible), and so good to see that little area that's quite a hidden gem actually, a lot of people would not know where it is because it's hidden behind some houses.

And then speaking about reserves of the Mary Street Reserve in Spotswood and that's been a long time in the making, but there is quite substantial amount of money, I think \$1.3 million off the top of my head, something of that order, but that will go ahead as well and even some funds in there for the Williamstown Botanic Gardens.

So yeah, just like to thank all the staff that put their time in and it's not only the ones that are in this room. There's a lot of people outside this room who put an enormous amount of effort into making sure that we come up with a balanced budget as (inaudible) pointed out and also that (inaudible) come up with this draft budget, thank you.

### **Cr Tyler**

Thank you, Councillor Hemphill.

Are there any speakers against the motion? Any other speakers to the motion?

OK, I'll go to Councillor Sutton-Legaud and then I'll come to you.

### **Cr Sutton-Legaud**

Thank you very much. Yes, I support all the work that's gone into the budget and there are several additions and inclusions that are good to see. And thank you for the acknowledgement, Councillor Hemphill about the Mechanics Institute. I hope it's the start of something wonderful. I feel sad that we don't have much money in future years for heritage buildings, but I hope that will be addressed.

One thing I would say is that this is the second year that the community has been unable to present their thoughts about projects that should be included in the budget. And I trust, I really trust that future councils give the community more formal opportunities to propose projects and question (inaudible) in advance of the draft budget and in the case that there is no draft budget proposed,

which I think would be unfortunate, it's even more important that we give these opportunities to the community to tell us what is important to them. It is a challenging process for everyone, councillors and community alike to influence what goes in and what comes out of a budget and the time frame, while it seems like a long time, actually it moves very quickly and no sooner are we less than halfway through one budget than we're on to the next. So I do think it's really important that we try to make every effort to, beyond asking for feedback on projects, we've already agreed that we allow further opportunities for the community to make their feelings and their beliefs heard because so many projects are hiding in the dark and we need to bring them to light. However, again, I would like to support all the work that goes into this. I know it's an enormous amount, and it's supported by advocacy work that allows us to receive grants from various bodies and levels of government. And some of the projects we would like to achieve cannot happen unless we get that support. So there's a great deal of work that goes on behind the scenes, including that of the CEO who meets with various people along the way. So I thank everyone for their efforts and look forward to seeing the community feedback.

### **Cr Tyler**

Thank you Councillor Sutton-Legaud. Councillor Grima?

### **Cr Grima**

Thank you Mayor Tyler (inaudible) echo what my colleagues are saying because it's a lot of behind, you know, the scenes as Councillor Sutton-Legaud pointed out. There's a lot of debate, there's a lot of reviewing. There's a lot of reviewing back in time even before we were in Council, the consultation process, including the Aquatic which was, as my colleague Councillor Marsden mentioned, it was raised about five years ago. So I'm happy to see that goes to light and also there's a lot of, yeah, there's a lot of process, debate and all that. So that's really good that's coming to light with the Aquatic even with the Wetlands.

Just getting a bit of history from the Aquatic Centre. It was being reviewed, went out to public consultation about five years ago. It's also been reviewed if Laverton Swimming Pool would be a place to just, you know, demolish and build a new one that was not (inaudible for purpose. And also now we're finding Altona residents, Seabrook, Altona Meadows, including Laverton, Point Cook probably will benefit for us, which is good because we need more people. And as we're talking about saving lives (inaudible Aquatic Centre (inaudible this is going back in 2012 also there was discussions of this about reviewing for Aquatic because at the moment we don't have a fair or decent, in my opinion, aquatic in the wetlands which is unfortunate but that's why we're bringing it to light and actually seeing something come to light hopefully in a design through the public consultation, through the public.

And I'm also proud with the Wetlands Centre (inaudible we actually see something coming to life. This is also going back a few years ago and we're gonna see something ages and abilities and education which is important, and acknowledging we are going to have to review and lobby other government levels including other partnerships with these various projects, but it's a connection project, it's educational and it's going to save lives in many ways.

So I commend this and thank you to my colleagues, thank you to council staff, thank you to the community for coming forward. It's great and I'll be happy that we, it's coming out. That's surreal cause it's a big deal. But also I know we're gonna miss things. Personally for me, I would have liked to

seen Queen Street Bridge in there but lobbying to see other government levels to do this and I'm sure we're going to hear back from the public with this issue and other issues. Thank you. That's all.

**Cr Tyler**

Thanks Councillor Grima. Any other councillors? Councillor Kellander.

**Cr Kellander**

Thank you, Mr Mayor. This is the proposed draft budget (inaudible) the governance error has been corrected to note this before Council has voted on this.

I'll simply call out a couple of items that I support within the budget. Firstly, the sealing of Ryan Lane in full – I'm sure the residents would say "finally". This laneway is unsafe. A number of residents literally exit their front doors into this lane. It's broken, uneven and floods when it rains. So when the petition for sealing this road was tabled, I was told that works wouldn't occur until 2026-27 and as confirmed today, it is now in the budget, set to occur within the next 12 months. I know that the residents will be really happy to hear this.

Next the upgrade to the ford bridge on Racecourse Road, which was also discussed today. I think that this is an amazing outcome. It'll ease the congestion at the Millers Road / Kororoit Creek Road intersection which is an absolute nightmare at peak hours. The ford currently floods when it rains so I often avoid it, but once this upgrade takes place I won't have to do that any more. So I look forward to seeing that completed.

Upgrades to the Altona Hockey Club will also commence. I remember meeting with the club back in 2022 when Councillor Hemphill, who was Mayor at the time. We met with them to review and discuss the club's needs. I understand that they were advocating for funding for a number of years, myself and former Mayor Hemphill witnessed a run-down, outdated site, facilities (inaudible) to males who traditionally played hockey. They had external storage in rusted-out shipping containers.

So like me, former Mayor Hemphill was supportive of future upgrades, particularly given that the upgrades will increase participation levels on the same site. The project, I believe, wouldn't have been possible without former Mayor Hemphill's support, so thank you Councillor Hemphill.

I also want to acknowledge Deputy Mayor Councillor Sutton-Legaud who has been an advocate for expenditure to keep our historical buildings functioning. So I'm glad to see some money hitting the budget to fund these upgrades. I've seen numerous emails, had numerous conversations with Councillor Sutton-Legaud, she is definitely somebody who's championing this.

It's important that we spend money on these buildings before they fall into disrepair, so I do hope that this is something that's also addressed in the future because maintaining our buildings is a core service.

I also agree with Councillor Sutton-Legaud that we shouldn't be shying away from higher levels of consultation and I'll extend that not just to the budget, but on everything that we do. I'll support putting this draft budget out for consultation. Mr Mayor.

**Cr Tyler**

Thank you Councillor Kellander (inaudible) and I'll come back to you as the mover.



## **Cr Marsden**

Thank you Mayor Tyler, and thank you to my fellow councillors for their detailed picking apart of the budget, you know, ranging from all events have been mentioned, from the Williamstown Swimming and Life Saving Club to the Mechanics Institute and attached cottage, the Leo Hoffmann Reserve, sealing Ryan Lane, (inaudible) Altona Hockey Club and all of the other projects that are contained within this year's budget in some form.

Obviously, projects take place over many years and there are some allocations there where things are just starting, including the funding for the Williamstown Beach foreshore precinct, where there's an allocation for design work. I know that the bay swimmers are really keen to see public facilities included in any such design in response to the petition that they made at the beginning of last year which before the Williamstown Life Saving Club consultation period began. But I know for a fact that many swimmers who swim in the bay need to (inaudible) dry off on those cold mornings where there's a lot of people in the bay. So I hope that there's an allocation in future years for building those public facilities that are much needed down at Williamstown Beach.

As for higher levels of consultation, I think we can always strive to improve the transparency process (inaudible) I think there's the legislation (inaudible) that is more or less prescriptive in this respect that allows us to become more creative in including the community in not only critiquing (inaudible) but structuring it in the first place. Obviously allocation for Pitch Your Project and other initiated ideas is a really clever way to do it. I think small amounts of money (inaudible) charge small group activities is a really good way of doing it. So there's a number of ways that could be (inaudible) we should be (inaudible) able to improve transparency and community consultation in the budget making.

There's a bunch of people I'd like to thank as well and I thank the councillors for thanking everyone I'd like to thank, because there's been a lot of long evenings, long (inaudible) lots of budget thinking, to-ing and fro-ing, pruning, adding, massaging within a certain level of commitment so that we don't overstretch the organisation's ability to deliver, but more importantly to ensure that all aspects of the budget are sustainable.

So I'd like to thank my fellow councillors. I'd like to thank the Mayor, the CEO, the staff. I'd like to thank Jake who is in Acting Director role, particularly when it comes to crafting the Capital Works program. That's a tough gig and you've excelled in in that acting role. So I want to thank you. I want to thank the other Directors as well for their hard work in crafting (inaudible). And finally I'd like to thank Hamish Munro who's, as the as the money man is in (inaudible) tweaking the budget documents until they're at a high shine as they are now. I'd like to thank him and his team.

And then finally the community. The community will (inaudible) and figures, and will come back with some information that'll improve the current budget we have, as good as it is, with feedback that will make the final budget even better. And then we'll be adopting that before the end of the financial year so that we can leap into action on 1 July and start building and fixing and delivering things that the community expects and deserves.

## **Cr Tyler**

Thank you Councillor Marsden. With that I'll put the motion to the vote, all those in favour?

Motion is carried unanimously.

Thank you Councillors, and echo the reflections from others around the massive contribution of councillors, but also of staff to this draft budget. And so thank you very much for your efforts on that.

**Cr Tyler**

Councillors the next item is 8.3.1 Contract 2023.18 Civil Panel, Minor Networks. Are there any?  
Councillor Kellander.

**Cr Kellander**

So I would like to note that in light of recent events. Is that OK?

**Cr Tyler**

Yeah, go ahead. So you are moving a new motion?

**Cr Kellander**

I'm moving an amendment, a motion to a,yep, thank you.

**Aaron van Egmond**

You're just moving a motion?

**Cr Kellander**

OK. I'm moving a motion. OK. Thank you, Mr CEO.

In light of recent events, obviously around the asbestos contamination, I'm just not comfortable awarding (inaudible) contract. So I just want some clauses (inaudible) to mitigate any future risk. The wording has the wording made way to the screen?

**Cr Tyler**

So we will just get an update on that.

**Cr Kellander**

Okay, so: "Noting the concerns over recycled mulch, Council requests that officers take additional precautionary measures in respect to this service provision."

**Cr Tyler**

Maybe umm yeah, Mr Trevaskis if you could send that through, we'll just hold for a moment.

**Cr Kellander**

Yeah.

(At this point there is a long pause in the meeting while the words are inserted into the minutes document. Conversation resumes on the livestream recording at 1:24:07.)

**Cr Hemphill**

Mr Mayor, can I suggest that the words go at the end, after the middle words part? Yes, somewhere in there.

**Cr Tyler**

Yep. So Cr Kellander, do they look like the correct words that you're wanting to see in the motion?

**Cr Kellander**

Yep.

**Cr Tyler**

So Councillor Kellander has made an amendment to the officer's recommendation which now becomes the motion and before seeking a formal mover for the motion (inaudible) and then come back to you, Councillor Kellander to move the motion. Any questions from councillors?

(Cr Kellander, Cr Grima and Cr Sutton-Legaud raise hands)

**Cr Tyler**

Oh, one moment. Councillor Kellander?

**Cr Grima**

(begins to speak)

**Cr Tyler**

No, sorry Councillor Grima. Councillor Kellander and then I'll come to the question.

**Cr Grima**

Sorry.

**Cr Kellander**

Thank you Mr Mayor. I wanted to open this up and ask Mr Trevaskis if you could explain to us the nature of this original motion and the significance of this to the Council outside of any concerns.

**Jake Trevaskis**

Through you Mayor Tyler. And thank you Councillor Kellander for the question. The report that we've got before us here today is for the establishment of a civil panel of suppliers that deliver major and minor works over a period of five years and they have two one-year options on top of that.

The works completed by the suppliers is broad in the civil space. So it relates to works that relate to our Rd footpath and drainage networks throughout the municipality. However, it's also noted that landscaping works can be completed by the contractors as part of this panel.

Given the current situation that is occurring that relates to the use of recycled mulch in an open space setting, the motion before us has been proposed to ensure appropriate attention is paid to by officers when we look to implement projects in this space.

**Cr Tyler**

Any other questions? Cr Sutton-Legaud.

**Cr Sutton-Legaud**

Could you just confirm through you Mr Mayor, the implications of the change to the recommendation and what sort of precautionary measures might be taken?

**Jake Trevaskis**

Through you, Mayor Tyler and thank you Cr Sutton-Legaud for the question.

I suppose it's what's been included here is the acknowledgment of the current situation that we've got before us. We understand as well that the EPA are conducting their own investigation on this matter at the moment and also reviewing what processes and situations that councils do in terms of utilising of recycled mulch (inaudible) so it's subject to the outcomes of those investigations and our own improvement actions and we'll be able to act on this motion that's before us with the implementation of those contracts.

**Cr Sutton-Legaud**

And can I ask, would that include reviewing suppliers?

**Jake Trevaskis**

Through you Mayor Tyler. That would be, I suppose, part of a review, but that would only be completed once the EPA can complete their investigation.

**Cr Sutton-Legaud**

Thank you.

**Cr Tyler**

Councillor Grima?

**Cr Grima**

Following up the question of reviewing suppliers, are we also with this project reviewing possibly dumping of asbestos?

**Jake Trevaskis**

Through you Mayor Tyler. Obviously the dumping of asbestos and building waste is a separate issue, but that's something that the EPA is aware of and made note of is occurring in public places.

**Cr Grima**

Thank you.

**Cr Tyler**

Councillor Hemphill?

**Cr Hemphill**

Thanks Mr Mayor. Maybe for the benefit of anyone who might be listening either here or online, I wonder if Mr Trevaskis can explain we are not actually awarding particular companies contracts yet there's just on a panel, are they not, and can you explain the process?

**Jake Trevaskis**

Through you Mayor Tyler and thank you Councillor Hemphill for the question. You are correct. This is a process that Council has in place to establish a panel of suppliers to deliver projects throughout (inaudible). Officers with this panel of suppliers still go through a quoting process with these contractors before contracts are awarded to deliver projects in that civil space.

**Cr Tyler**

If there are no further questions, Councillor Kellander I'll come back to you. Are you happy to move the motion? And seeking a seconder. Seconded by Councillor Grima. Councillor Kellander?

**Cr Kellander**

Thank you Mr Mayor. I understand that this is an important, important recommendation that that needs to be moved today and I'm comfortable with the amendment that has been proposed and happy to support this in the future. Thank you.

**Cr Tyler**

Thank you, Councillor Kellander. And Councillor Grima.

**Cr Grima**

Yes, thank you. I'm supporting this because of the urgency of the situation and I'm really (inaudible) situation. I acknowledge that Council and through you Mayor and the Mayor and council colleagues have done a miraculous job to get to the bottom of this and working with the EPA and I acknowledge the main Council officers particularly who've been really tirelessly working hard with this, being around 24/7 with this issue. So thank you.

**Cr Tyler**

Thank you, Councillor Grima. Any councillors against the motion? And any other speakers.

Councillor Hemphill.

**Cr Hemphill**

Thanks Mr Mayor. Yes, I commend Councillor Kellander for what she had raised earlier and the wording that Mr Trevaskis has supplied to us after some concerns. And I think it's just prudent to have those words in there and it sends a message back to any potential suppliers on certain products. Thank you.

**Cr Tyler**

Thank you, Councillor Hemphill. Councillor Marsden.

**Cr Marsden**

Thank you Mayor Tyler. I support the motion (inaudible combining the major and minor works in order to ensure greater diversity of offering and therefore value for money for (inaudible) and I'm glad that we are focusing on the outcome of the EPA investigation which (inaudible will be concluded quickly and then we can put this all behind us and move on. With always a heightened awareness as to the risk of contamination in not only a highly (inaudible but with (inaudible a lot of landfill and existing housing. So any contractor engaged from here on will have to be obviously very aware, alert to the possibility of potential contamination by (inaudible clear up the situation as it currently stands, in the years to come there will be a need for vigilance and attention to detail when it comes to any major or minor works when considered against the universal proliferation of asbestos and other building waste within the City of Hobsons Bay. Thank you.

**Cr Tyler**

Thank you, Cr Marsden. Any other speakers to the motion?

Councillor Kellander, I'll come back you as the mover.

**Cr Kellander**

Thank you, Mr Mayor. I just wanna sum up by saying that you know, it's unfortunate, something that's so run-of-mill can be, you know, such a needs such a long conversation to put in place some precautionary measures. I think the latest issue and the impact to our community has been significant and it's come as quite as a shock and I think it's a wake-up call for everybody, including ourselves. Thank you Mr Mayor. Happy to move this and support this.

**Cr Tyler**

Thanks Councillor Kellander. I'll put the motion to vote. All those in favour?

Motion is carried unanimously. Thank you Councillors.

### **9.1.1 Audit and Risk Committee Update – February 2024**

**Cr Tyler**

The next item is 9.1.1 Audit and Risk Committee update – February 2024. Are there any questions?

Seeking a mover? I'll say moved by Councillor Marsden and then as seconder, Councillor Kellander.

Councillor Marsden?

**Cr Marsden**

Thank you, Mayor Tyler.

So this is an update which is regularly provided to Council on ongoing on the Audit and Risk Committee and the committee that meets every quarter to discuss risk and provides the opportunity

for the organisation and a couple of councillor delegates including you Mr Mayor to ask questions and learn from (inaudible) and for visitors as the situation requires it.

It's a very efficient meeting where people get to discuss the items that are listed on page 19 for example, the Chief Executive Officer's update which goes to the heart of issues that pose a potential risk to the organisation and so that everyone's focused on those things emerging which could potentially disrupt normal business.

We look at outstanding audit recommendations, updates on the policy register, updates on various data and information technology programs, the internal audit program which picks out certain areas to focus on, to ensure that there are eyes on all actions of Council, particularly those that pose a greater risk.

The insurance update which is always an interesting discussion and one with councillor discussion in the future where the picture has changed so much and we're seeing that throughout other sectors and other organisations where the risk and the cost of insurance is climbing (inaudible) and when it comes to climate risk is presenting a real problem for (inaudible). We look at occupational health and safety, the (inaudible) with a fine tooth comb, the cash and investment balances make sure that we're liquid and able to deliver on our promises. And then looking at every quarter, the capital works. So I'm glad to say that with those necessary probity runs in place, the Audit and Risk Committee remains vigilant and I present this update for Council endorsement.

**Cr Tyler**

Thank you, Councillor Marsden. Councillor Kellander is the seconder.

**Cr Kellander**

Nothing further to add Mr Mayor.

**Cr Tyler**

Is any councillors against the motion? Any other speakers? Councillor Marsden, put that to the vote? Yeah, I'll put the motion to a vote. All those in favour?

Motion is carried unanimously.

## **9.2 Delegate Reports**

**Cr Tyler**

Next item is 9.2.1 on the Metropolitan Transport Forum, Delegate Report.

Councillors are there any questions. Seeking a mover?

**Cr Marsden**

Yep, moved.

**Cr Tyler**

Moved by Councillor Marsden. Seconded by Councillor Hemphill.

### **Cr Marsden**

Thank you, Mr Mayor. So these delegate reports are only one minute and from the Metropolitan Transport Forum so I'll take this as read and offer the opportunity to speak to it. Thank you.

### **Cr Tyler**

Thank you, Councillor Marsden. Councillor Hemphill. No worries. Any other speakers to the motion. Councillor Marden I'll come back to you as the mover. I'll put the motion to the vote. All those in favour. Motion is carried unanimously.

## **10.1 Notice of Motion No. 1251**

### **Cr Tyler**

Councillors, the next item is 10.1 Notice of Motion #1251 – a condolence to the late Les Twentymen OAM. I'm seeking a mover... moved by Councillor Hemphill and a seconder, Councillor Grima.

Councillor Hemphill.

### **Cr Hemphill**

Thanks Mr Mayor. Yes, it's with great sadness that this has come before us about a gentleman who died quite suddenly. One of the great networkers and somebody who gave their time to anybody, no matter who they were.

I think Les would describe himself as an ordinary bloke, but he did make an extraordinary contribution to our community and the fact that the state government is giving him a state funeral shows that he was not an ordinary person.

Les Twentyman was born in Williamstown in 1948. He had strong connections still to Williamstown right up until he passed away. His early life was spent with his parents in Williamstown, I believe, and in Queen Street, Altona. But he did most of his growing up in the Braybrook area. But just the same, he kept returning to this area.

He took a job as a physical education teacher at St Paul's, a Catholic all-boys school in Blackshaws Road in Altona North. I think he spent four years there. He later moved to the Catholic all-girls school in Altona, Mount Saint Josephs.

After that he got out of education in that regard and took up education in another area. And that being as an outreach youth worker in the western suburbs. He was probably best known for his advocacy for vulnerable and homeless people in Melbourne's west.

He was also a very good footballer and cricketer. He began playing with the Albion Club which I believe was in the Footscray District League and then Footscray Football Club took him on in his teen years. In 1966 he transferred to the Williamstown Football Club where he captained the under 19s team and the following year he went on to play for the Williamstown reserves and I'm also told that he played cricket for the Williamstown Cricket Club. In the 80s he coached the Willy Centrals Football Club.

If I go back a step to his social work, he became a social worker in 1969 and he worked in that field right up until almost to the day he died.



In 1989, he joined lawyer Peter Gordon at the Bulldogs campaign to stop the merger between the Footscray and Fitzroy football clubs. He was a lifelong supporter of the Bulldogs, although he did have a soft touch for the Williamstown Football Club. I don't know in those games where he would have the president's lunches, which I saw him at regularly there in if there were any with Williamstown who was playing for and would like to support, and it was always up for a good chat.

His link to sport saw him write the Twentieth Man column for the Western Times newspaper for 25 years. And that's that newspaper used to circulate right through Hobsons Bay and it was placed under the Leader Group and no longer no longer exists.

The Twentieth Man column was a play on his surname and that did become a bit later, when he decided to set up philanthropic organisation, it was called the Twentieth Man Fund. It was later to become the Les Twentyman Foundation, and that was because the people behind that fund realized the branding of Les Twentyman.

Les knew how to get rich people to part with good money out of their pockets and we're talking millions. He, that money would go through the Les Twentyman Foundation and supported homeless people, disadvantaged and troubled youths.

Les cultivated sports stars such as Australian cricketers Merv Hughes and Rodney Hogg to mentor troubled youth. I once brought him down here to Hobsons Bay Council, to one of our briefings on the work that the Les Twentyman Foundation did. It was probably about eight or nine years ago. It was extraordinary work from an extraordinary person. So I'd like to (inaudible) on behalf of the Council acknowledged the work that he's done and send condolences to his family, particularly his wife Cherie. Thank you.

### **Cr Tyler**

Thank you Councillor Hemphill.

Councillor Grima.

### **Cr Grima**

Thank you, Mayor Tyler. And thank you Councillor Hemphill for your kind words. You're absolutely right and thank you for sharing the history.

I've met Les during my volunteer work in Altona North and Williamstown for many years. He would come to see the youth and disability work we were conducting and he was just an amazing person. Just a kind human being (inaudible) journalists and media there. His focus was the people and that's what I admired about him, he just sometimes I hear people, like, you know, ordinary people doing extraordinary things. I think Joan Kerner quoted that when I was little, and he's just one of those people. I've met people who and families who say he (inaudible) and never turns a blind eye when someone's in trouble, you do what you can.

And he's yeah, he's just a true hero to our, I think, our country and he is a great role model. I know he's a role model to myself, to my children, and he'll be definitely not forgotten. These are stories we tell. And I know there's a lot of, there's a lot of people who will truly (inaudible) through their connection to work, through their connection to saving lives, he saved.

As a parent it's remarkable because I've heard from parents who's also said that "he saved my children's life" and sometimes as parents and guardians we're helpless. So to have a human being who did this, who went beyond, I want to say thank you and bless you and to the family, because I

know he would have spent a lot of hours and time away, but a lot of people here today, because of you and your contribution to our society is a testament. And bless you.

**Cr Tyler**

Thank you, Councillor Grima. Councillors, are there any other speakers? Yeah. Councillor Marsden.

**Cr Marsden**

Thank you. Mayor Tyler. Yeah, so he was everywhere and involved in everything. There's a quote on the website that says, "if you're not part of the solution then you're definitely part of the problem". Communities and societies fall apart when good people do nothing, and he was very active. I used to see him around Williamstown quite a bit. His foundation's work is obvious throughout the western suburbs. I used to read his column The Twentieth Man back in the day. He was a fair dinkum bloke and we'll all miss him.

**Cr Tyler**

Thank you, Councillor Marsden. Any other speakers? Councillor Sutton-Legaud.

**Cr Sutton-Legaud**

Thank you. Yes, acknowledge all the kind words by the rest of the councillors.

Les definitely had an impact on so many people and so many communities, and it's very sad to hear of his passing. I know that many people volunteer their time and their efforts quietly and perhaps a little unnoticed. But Les definitely made his presence felt and that's what we need to see people and their actions and the impact that they have.

He did it in a friendly and positive way that made him a pleasure to deal with, and I really would like to acknowledge all of his contributions to all of the communities in which he was involved. And I'm sure that there will be many people saddened that his passing. So I pass my condolences also to friends and family and everyone who loved him. Thank you.

**Cr Tyler**

Thank you, Cr Sutton-Legaud. Yeah, Councillor Kellander.

**Cr Kellander**

Thank you, Mayor. While is sad, it's great to acknowledge the amazing achievements of this man. And I simply just wanna say rest in peace, Les.

**Cr Tyler**

Thank you. Councillor Hemphill as the mover, I'll come back to you.

**Cr Hemphill**

Thanks Mr Mayor. It made me read The Les Twentymen Story with his passing – a book that I picked up many years ago and there are some great yarns in there of a knockabout bloke and you know

anyone who's got the time go to the (inaudible) pick up a book like that. There are a number of, a couple of them, I think, that are written about Les and his story is quite remarkable. Thank you.

**Cr Tyler**

Thank you, Cr Hemphill. I'll put the motion to the vote. All those in favour?

Motion is carried unanimously and echoing others on the contribution and I think a contribution that live on for a very, very long time to come. Thank you for your words Councillors, and on behalf of the Council really send our condolences to Les' family and may he rest in peace.

## **Urgent Business**

**Cr Tyler**

Councillors are there any items of urgent business to be raised? Councillor Kellander.

**Cr Kellander**

Thank you, Mr Mayor. I do have a matter of urgent business and I'd like to read that out.

So I'll read out the wording: "That Council writes to the Premier and calls on the state government to emulate NSW in establishing an Asbestos Task Force."

**Cr Hemphill**

I'm happy to move that we accept that item under urgent business.

**Cr Tyler**

So we've got a mover of the item. I will just pause and see if there's any questions, and then come back to mover and seconder.

**Cr Hemphill**

I think the first motion is to actually (inaudible)

**Cr Tyler**

Yeah. Yeah. And so any questions? (inaudible) urgent business (inaudible)

**Cr Grima**

(inaudible) put out there, what, with the NSW, what have we (inaudible) I've gotta do more research. Have we established the difference between what's happening in NSW and Victoria?

**Cr Tyler**

So on the substance of the motion?

**Cr Grima**

Oh, so sorry.

**Cr Tyler**

I'll just hold off on the questions and (inaudible) questions on whether it's urgent and so I will just go to the mover.

**Cr Grima**

Oh, sorry. Apologies, apologies, apologies.

**Cr Tyler**

Councillor Hemphill, and have we got a seconder? Seconded by Councillor Sutton-Legaud.

**Cr Kellander**

I moved it. (inaudible)

**Cr Hemphill**

So, we're moving to?

**Cr Tyler**

Yeah, so we'll come back.

**Cr Hemphill**

Whether we hear the item.

**Cr Tyler**

Whether we hear the item, yeah. And so, I put that to a vote whether we hear the item as an urgent business. All those in favour? All those against? The motion is carried.

And so, the item is to be heard as urgent business and so we'll come back to the motion itself. And so, I'll just open it up. Have we got it on the screen? Yep. And so, I'll open up to questions on the motion itself and come to you, Councillor Grima. No, no. Councillor Grima, any questions?

**Cr Grima**

Yeah, acknowledging Councillor Kellander's urgent business, which I understand to why regarding the NSW and Victoria movement with the task force, can you establish (inaudible) New South Wales and Victoria please?

**Cr Tyler**

Yeah. And so that?

**Cr Grima**

No, that's not (inaudible).

**Cr Tyler**

Who are you putting that question to? Maybe--

**Cr Grima**

Through you Mayor, my colleague here, Councillor Kellander, through you Mayor. Thank you, sorry about that.

**Cr Kellander**

So I'm happy to debate the topic in its entirety. During the debate, I think that this is a really serious issue that has hit our neighbourhood, our residents and our communities are treated like (inaudible) and I will always seek the best for my constituents.

**Cr Grima**

Thank you, Councillor Kellander. Would you consider my ask, through you Mayor, would you consider if we had a discussion and review on what we find, 'cause, am I allowed to make a statement?

**Cr Tyler**

No, just a question.

**Cr Grima**

No, just a question, even if it's (inaudible)?

**Cr Tyler**

(inaudible) ask the question again.

**Cr Grima**

Would you consider us having a further discussion and also a review on what we find in this outcome?

**Cr Kellander**

We have a Council meeting today, our next Council meeting will be in a month's time. The issue is obviously pressing. It's a very serious issue. At this point in time, and I believe that we need to hear it today.

**Cr Grima**

Agree what you're saying Cr Kellander. Could I also ask that we acknowledging, you have been (inaudible) sometimes unfortunately (inaudible) something urgent that we could even put earlier urgent business because we can do that. Is that correct? Would you consider if we find something urgent, for example next week if we find something urgent that we need a task for to write this letter, would you consider conducting an earlier meeting before next month?

**Cr Kellander**

I don't believe I understand that question, Mr Mayor?

**Cr Tyler**

I think the question is rather than consider it tonight, would you consider convening, that we consider convening a Council meeting in between times?

**Cr Kellander**

So, I've submitted this, and I'd appreciate that this being considered tonight because it's a matter of urgent business.

**Cr Tyler**

(inaudible) Councillor Grima for the time being.

**Cr Hemphill**

I'm happy to second the motion then, just to keep the debate going.

**Cr Tyler**

Yeah. I'll just pause and see if there's any other questions. So, we've got a mover, Councillor (inaudible)

I'll just ask a question myself for you to debate. Mr Trevaskis, where are we at in terms of the (inaudible of what's causing the current situation?)

**Jake Trevaskis**

Through, I'm answering your question so I'm not going to say "through you".

(inaudible) early stages of this investigation. We're providing them with regular updates, they're obviously seeking their own updates as part of that investigation and the communication that they're giving to us at the moment is their investigation remains ongoing.

**Cr Tyler**

Thank you, Mr Trevaskis. Another question (inaudible)?

**Cr Grima**

(inaudible) with the unfortunate incident, the asbestos in our parks recycled mulch. What does it look like? Does it look like it's (inaudible) etcetera?

**Jake Trevaskis**

Through you Mayor Tyler. That's something that hasn't been confirmed yet and is the topic of the investigation that's been (inaudible) by the EPA.

**Cr Grima**

(inaudible)

**Jake Trevaskis**

Through you Mayor Tyler. The EPA haven't given a time frame, they're just (inaudible) advice at the moment is that their investigation remains ongoing.

**Cr Tyler**

All right, we've got a mover and a seconder. Councillor Kellander, I'll come to you as the mover.

**Cr Kellander**

Thank you, Mr Mayor. This is an issue that has already played out interstate in numerous public spaces (inaudible) remediation and unfortunately, we're now seeing it here. On Friday afternoon, we saw the EPA make an announcement that the contamination at Donald McLean Reserve was localised and likely related to "illegal dumping". However, within hours the EPA statement was

contradicted with Council confirming three more sites (inaudible) to four. A possible fifth location over was added over the weekend and today two more locations were added to the list in Hobsons Bay (inaudible) in neighbouring Brimbank.

I know that the Council staff have been working damn hard to tackle this issue and their efforts are to be commended. My quest for a task force is in no way a criticism to their efforts. A task force is about instilling confidence that the issue is being investigated quickly, thoroughly, independently to provide more resources to support the investigation with the broad panel of experts. Because just like the EPA's announcement on Don McLean reserve, the public keep hearing conflicting external information in the media.

As a councillor, I've reported numerous cases of illegally dumped waste and from experience, this looks like big piles of waste, large garbage bags and sheets. I can't imagine an illegal dumper mulching up asbestos and scattering it through a garden bed. This suggested form of dumping would surely occur somewhere within the supply chain, and this view has been backed up in media by Steve Garrett from GMA Asbestos, who specialises in asbestos remediation.

The EPA advised that they've previously checked 59 Victorian mulch producers, of which six needed to improve their contamination controls. That's 10% in the industry who need to improve and they (inaudible) what they label stringent requirements on waste and recycling industry. Yet an expert in NSW, Jeff Andrew, Director (inaudible) Environment Centre, said in the (inaudible) which is a systemic problem for Australia and that there's a problem between reaching recycling goals and turning this nasty stuff away. It's a dangerous trade-off and I'll add, there is nothing sustainable about putting asbestos into recycling. It is a very low act.

In Victoria, the Age newspaper revealed in January the government program to extend and expand the number of (inaudible) Victoria had collapsed, had lost (inaudible)

Accessible and safe (inaudible) management is an important factor. David Clark, head of the MAV, which represents council (inaudible) time for a crackdown (inaudible)

Being told that it's bonded asbestos, that it's low risk, but this stuff has clearly been chopped up and weathered, damaged, damaged to bonded asbestos can make it friable. And again, Steve Marritt from GMA Asbestos has criticised the use of long (inaudible) risks. Asbestos is asbestos. There's a reason these sites need to be shut down quickly and remediated. He also criticised the cost of (inaudible) and called out human nature to try to save a dollar when faced with high disposal levels levies. He highlighted the industry is largely unregulated and alleged, and I quote that anyone can buy an excavator and process this material. These allegations are frightening. The Australian Services Union, which represents council staff and contractors, have raised concerns about worker risk. Good on the ASU, the EPA says (inaudible) it's writing to all Victorian councils and instructing them to look at their suppliers of mulch to assess their quality controls, and to me this seems like another cost shifting exercise in the absence of real policy.

There's a big task ahead. We don't know how far this will extend, how much it will cost to remediate in full, or who will wear the cost, and I believe that a task force would help alleviate this.

I submitted this matter of urgent business as I want to do my part to make sure that no parks, playgrounds, or communities in Hobsons Bay or Victoria are put at risk in future. Councils are continuing to sign contracts and award contracts and tenders for landscaping across the state as we saw today. My daughter, like many children in our community, has played in these playgrounds. The West has long had a reputation for being home to many toxic industries and chemicals. I believe

our community has been let down by the regulatory process time and time again, and this needs to change. Thank you, Mr Mayor.

**Cr Tyler**

Thank you, Councillor Kellander. Councillor Hemphill?

**Cr Hemphill**

Thanks, Mr Mayor. I think the crux of this to write to the state government (inaudible I don't see any harm in in doing so. What can they do? They can only reject it.

I guess that NSW must have based its asbestos task force on, must have had some reason to do so. I'm sure they have their EPA equivalent up there as well.

So what we heard earlier, I guess is that well, what I picked up from what Mr Trevaskis says is that, you know, we're a pretty innocent victim in all this whole process. You know, we've gone out in good faith for some of our buildings work, we've used contractors and subcontractors and they've gone to suppliers. It seems to me pretty logically that the problem is that the source that's assuming that there were no deliberate asbestos dumping, (inaudible) still not clear on, but where there's smoke there's fire, and I guess what I'm starting to see now that we're not the we're the first council, but there are two others now, that have got problems, and I'm sure it's only the tip of the iceberg.

So I think there's no harm in doing that. And what they might come up with is some protocols, and it might actually come up with things that councils have to do with, you know, better inspections when mulch (inaudible) come up with, I see no harm in sending off all that to the Premier and asking them to (inaudible) the task force on a specific (inaudible) Council. There are many, many building sites that we've had in there kindergartens and so forth that have had asbestos in the soil. We were the dumping ground of the West and I see no harm in sending off a letter to the Premier and asking them for something like this. Thank you.

**Cr Tyler**

Thank you Councillor Hemphill. Are there any councillors against the motion? Councillor Marsden.

**Cr Marsden**

Thank you, Mayor Tyler. I think we're all, we all agree on the urgency of the problem, the unacceptable nature of the problem. To compare it to the NSW situation, I think is premature because we don't have any evidence to suggest that it is a systemic supplier problem as it was in NSW. There were a couple of suppliers that were fined massive amounts by the EPA. It really sat the EPA up in a way that made everyone take notice, and that's the case now, I commend the EPA for the action that's taken and how quickly it's moved and how closely they're working with Council to discover the evidence that (inaudible)

(inaudible) situation in NSW is (inaudible) at this point. (inaudible) under a response from the state government. I think if we can just wait to see where this stuff comes from and whether there is a major lapse in regulation before we prejudge the outcome. So, I'm just reluctant to jump in at this point and I'll be voting against the motion. Thank you.

**Cr Tyler**

Thank you, Councillor Marsden. Any other speakers? Councillor Sutton-Legaud.



### **Cr Sutton-Legaud**

Thank you. I think the point is I suggest in my reading anyway that this is the same situation as NSW is to understand what exactly the situation is and the established task force that's (inaudible) with NSW and so I think developing the task force to understand what the situation is (inaudible) not only hearing from EPA. It's more of an independent feedback and consideration taking place, so I support the motion.

### **Cr Tyler**

Thank you Councillor Sutton-Legaud. Councillor Grima.

### **Cr Grima**

Yes, through you, Mayor. Thank you. Obviously, this is an urgency situation. My input was that with the NSW that they are that supply (inaudible), I think we're doing whole review. Because it's very (inaudible) dangerous thing to say that supplier, I think definitely needs to be a review with the supplier, but there's also maybe evidence of dumping as well. I always, I've used this example when in an age care facility someone got sick and they put it down as supplier of the food chain which was not escalated to the media, escalated to the lawyers, and they lost their business. So, not (inaudible) motion. As I've said, what I mean and I would be clear to my Councillor colleagues that if there's a review, that (inaudible) in my view, I've had a meeting yesterday. We've had, you know, through you Mayor, we've had, you've had many discussions. We don't know what it is and to my knowledge, we already are reviewing this urgently and we we've got Council, Mayor and others, and the EPA working 24/7 on this issue. But my input on this, I get why this put out (inaudible) it's urgent.

(inaudible) that we even consider if there's a finding in something that we do need to escalate this and do need to get a task, we could even call an emergency urgent meeting for the Council Chambers that could be next week, it could be in the next two days with my Councillor colleagues to vote on this because I'm not solely against it, but I'm also, it's already getting looked at. The situation is already getting reviewed and it is a very sad, a very upsetting situation. I don't want (inaudible). I'm very mixed feelings about this, so I just need that extra time but, and more information. Thank you.

### **Cr Tyler**

Thank you, Councillor Grima. Councillor Kellander I'll come back to you as the mover.

### **Cr Kellander**

Thank you, Mr Mayor. I'll keep this brief. I think I've talked to events that have happened to date. The confusion, the errors that have already made the mixed messages and what not. The numbers are increasing daily. It is our community that is impacted. The idea that somebody would break up asbestos into small pieces and sprinkle it through our garden beds like in an attempt to conceal it to me is just outrageous.

I don't believe that there's any harm in asking for this. I see this as prioritising our community community that has been (inaudible) by waste and chemicals (inaudible) for decades. I see no harm in writing a letter. Thank you, Mr Mayor.

### **Cr Tyler**

Thank you, Councillor Kellander. With that, I'll put the motion to vote. All those in favour? All those against? We've have a division called.

All those in favour? Cr Hemphill, Cr Tyler, Cr Grima and Cr Kellander, and Cr Sutton-Legaud.

All those against? Cr Marsden.

## **Supplementary PQT and Close of Meeting**

**Cr Tyler**

Councillors, the next item is Supplementary Public Question Time. Are there any Supplementary Public Question Time? No, nothing received.

Councillors, I declare the meeting closed at 9.15pm.