

Resolution of Council

4 March 2024

Item 4.1

City of Sydney Asbestos Crisis

Moved by Councillor Scott, seconded by Councillor Jarrett -

It is resolved that:

(A) Council note:

- (i) asbestos in all forms is a carcinogenic mineral, resistant to heat, electricity and corrosion, extremely dangerous to humans when exposed to;
- (ii) on 13 January 2024, a community request from Ms Natasha Moulton was passed onto the Chief Executive Officer, requesting confirmation that Greenlife was not part of the City's supply chain, along with a request to test all City parks;
- (iii) on 15 January 2024, in response, the Chief Executive Officer provided advice to Councillors that Greenlife was not part of the City's supply chain, and that the request to test City parks was rejected;
- (iv) on 12 February 2024, Councillors were advised via email that, following an Environment Protection Authority (EPA) notification to the City of Sydney, that mulch has tested positive for both bonded and friable asbestos contamination;
- (v) first media reports about the asbestos concerns were at Monday 12 February 2024 at 10:06pm Australian Eastern Daylight Time, nearly 12 hours prior to fences or physical barriers to protect the City community going up;
- (vi) the following sites across the City of Sydney have been confirmed to have asbestos contamination, with confirmation on the following dates:
 - (a) Rozelle Parklands - 10 January 2024;
 - (b) Belmore Park, Haymarket - 12 February 2024;
 - (c) Victoria Park, Camperdown - 12 February 2024;

- (d) Harmony Park, Surry Hills - 12 February 2024 (friable asbestos);
 - (e) Munn Reserve, Millers Point - 17 February 2024;
 - (f) North Rosebery Park - 20 February 2024;
 - (g) Bicentennial Park between Glebe Point Road and Johnstons Creek - 20 February 2024 (friable asbestos);
 - (h) Bicentennial Park between Chapman Road and Johnstons Creek - 22 February 2024;
 - (i) Jubilee Park - 22 February 2024;
 - (j) Wentworth Park - 22 February 2024;
 - (k) Harold Park - 22 February 2024;
 - (l) Wood Street Lands - 22 February 2024 (friable asbestos);
 - (m) Observatory Hill Park - 22 February 2024;
 - (n) Robyn Kemmis Reserve - 23 February 2024; and
 - (o) Giba Park - 26 February 2024;
- (B) Council formally refers this matter to the City of Sydney Audit, Risk and Compliance Committee, and requests the Chair to commission an independent investigation into the asbestos outbreak, with terms of reference to be determined by the City's Audit, Risk and Compliance Committee, which reports back to the Audit, Risk and Compliance Committee and Council; and
- (C) the Chief Executive Officer be requested to:
- (i) undertake testing for all City of Sydney early education and care centres, parks, playgrounds, garden beds and areas with mulch, and ensure results are publicly available on the City's website;
 - (ii) provide legal advice to Councillors on the legal and other liability risks to the Lord Mayor and Councillors;
 - (iii) provide advice to Councillors on the estimated resourcing implications, regulatory requirements, and steps undertaken to meet these requirements, by 8 March 2024;
 - (iv) provide a weekly briefing to Councillors on progress and precautions undertaken, and a daily update if and when changes are made to the City's asbestos register; and
 - (v) bring to Council a revised Budget with appropriate provisions for any future liability and other relevant expenses by May 2024.

The motion was lost on the following show of hands -

Ayes (3) Councillors Jarrett, Scott and Weldon

Noes (7) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Gannon, Kok and Worling.

Motion lost.

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