

## Resolution of Council

**4 March 2024**

### Item 4.2

#### Asbestos in City of Sydney Parks

Moved by Councillor Jarrett , seconded by Councillor Gannon –

It is resolved that:

(A) Council note:

- (i) on 10 January 2024, mulch in the Rozelle Parklands was discovered to have been contaminated with asbestos;
- (ii) on 13 January 2024, a request was submitted to the Chief Executive Officer by Ms Natasha Moulton, asking the City to test all City parks for potential asbestos contamination;
- (iii) on 15 January 2024, the Chief Executive Officer provided advice that the request to test all City parks was rejected;
- (iv) on 19 January 2024, Councillors at the City of Sydney received an email from the Chief Executive Officer which stated “at the CoS mulch is generally replaced on a six-monthly to annual basis, the oldest mulch in the CoS was installed within a 24-month period. During this period the City has not sourced mulch for parks and open spaces from Greenlife Resource Recovery (the supplier named in the Rozelle Parklands issue);
- (v) on 12 February 2024, almost one month after this initial email was sent out by the Chief Executive Officer, Councillors received another email from the Chief Executive Officer confirming that after receiving notification by the NSW Environmental Protection Authority (EPA) on 8 February 2024, three City parks had returned positive results for asbestos contamination;

(vi) the following sites across the City of Sydney have further 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) Bicentennial Park - 19 February 2024 (friable asbestos);
- (g) North Rosebery Park - 19 February 2024;
- (h) Honeykiss Park - 20 February 2024;
- (i) Jubilee Park - 21 February 2024;
- (j) Observatory Hill Park - 21 February 2024;
- (k) Wood Street Lands - 22 February (friable asbestos);
- (l) Harold Park - 22 February 2024;
- (m) Wentworth Park – 22 February 2024;
- (n) Robyn Kemmis Reserve – 23 February 2024; and
- (o) Giba Park - 26 February 2024; and

(vii) throughout the duration of this debacle, the Lord Mayor Clover Moore has not explained to ratepayers, users of our recreational facilities or anyone else affected by the asbestos contaminated parks, why the City chose not to take action before it was too late;

(B) the Lord Mayor be requested to:

- (i) provide written advice explaining and justifying the inaction of the Council on behalf of the residents and ratepayers of the City of Sydney including why:
  - (a) the City rejected the call by Ms Moulton to test all City parks for potential asbestos contamination until prompted by the EPA approximately one month after the initial contamination in Rozelle Parklands; and
  - (b) the Lord Mayor has failed to exercise a duty of care in relation to the asbestos risk by not proactively prioritising testing and inquiries into the potential risk given the available and disturbing information and in keeping Councillors informed on behalf of the community and ratepayers safe and fully informed of the potential risks;

- (ii) write to key stakeholders in the LGBTQIA+ community apologising for the City's partial responsibility for the cancellation of the Mardi Gras Fair Day at Victoria Park due to the lack of proactive investigation into the potential asbestos contamination of the City's parks; and
  - (iii) write to the key stakeholders in the Yabun Festival held on 26 January 2024 at Victoria Park apologising for the City's lack of communication regarding the lack of proactive investigation into the potential asbestos contamination of the City's parks and festivalgoers' potential exposure to asbestos considering Victoria Parks' positive contamination result after the festival had taken place; and
- (C) the Chief Executive Officer be requested to:
- (i) disclose how much it has cost and will continue to cost the City to:
    - (a) test all sites necessary where there may be asbestos contamination;
    - (b) construct fences, tape affected areas and install signs to keep the public out of harm's way;
    - (c) hire licensed asbestos removalists to clean up the sites;
    - (d) provide adequate insurance to cover any risk to Council resulting from Council's neglect to act and care for the community properly; and
    - (e) remediate all contaminated sites;
  - (ii) provide Councillors with a copy of the contract and tender documents that the City has with its mulch supplier/s and responses from suppliers concerning their testing practices; and
  - (iii) explain to Councillors via a CEO Update what compliance measures were implemented in the tender and contractual process undertaken by the City with its mulch supplier/s to ensure adherence to best practice and the law in avoiding the risk of asbestos exposure or harm to any person.

The motion was lost on the following show of hands –

Ayes (4) Councillors Gannon, Jarrett, Scott and Weldon

Noes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Kok and Worling.

Motion lost.

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