

Item 2

Sydney New Year's Eve 2021

File No: X083142

Summary

In 2020, as a result of the Covid-19 pandemic, and the restrictions in place to limit the spread of Covid-19 the City of Sydney agreed to the NSW Government's proposal to take temporary custodianship of Sydney New Year's Eve celebrations. It was agreed that the NSW Government was best placed to manage the increased health, transport, and crowd management challenges of the Sydney New Year's Eve event during the pandemic. Ultimately, in the context of an outbreak centred on the Northern Beaches, the NSW Government determined the safest way to celebrate the new year was with no public audience and a reduced seven-minute midnight firework display only.

At the beginning of 2021, plans were underway for delivery of the Sydney New Year's Eve event by the City, including the 9pm and midnight firework displays as per the standard event format. Sydney New Year's Eve is a significant, Hallmark Event and requires planning with multiple stakeholders and suppliers many months in advance. In May 2021 Council delegated authority to the Chief Executive Officer to enter into negotiations with the Department of Premier and Cabinet to update the Memorandum of Understanding (MOU) between the parties, and commence discussions with relevant government agencies in order to produce the event. However, by the end of June 2021 an outbreak of the highly contagious Delta variant of Covid-19 had led to the imposition of Public Health Orders imposing significant restrictions across the Greater Sydney area. Alternative options for the delivery of safe large-scale events, including New Year's Eve, needed to be considered in the context of upcoming event delivery deadlines.

Staff determined that while some elements of the event could be delivered by the City, the safe management of crowds under pandemic restrictions, including travel to and from the CBD, would be best managed by the NSW Government given the reliance on the NSW Police Force, Transport for NSW, the Port Authority for NSW, NSW Ambulance, NSW Health and other key agencies. In June 2021, the Chief Executive Officer wrote to the Secretary of the Department of Premier and Cabinet requesting that the NSW Government manage elements of the event including crowd management, vehicle mitigations, public services and coordination of stakeholders and agencies.

This request was declined, and staff undertook work to identify a way to guarantee a New Year's Eve event that could continue given the uncertainties regarding the Public Health Orders, high levels of community transmission and the low vaccination rates at the time. City staff assessed that the staging of both the 9pm fireworks display and the midnight fireworks display presented considerable Covid-19 safety risks to members of the public. This led to the proposal to commit to the delivery of a single event at midnight to enable appropriate management measures and to address the safety of children and families by minimising crowd movements in the CBD. This would also ensure maximum flexibility for the event delivery in the case of unforeseen lockdowns or sudden changes to Public Health Orders and provide maximum confidence to the community that a new year's eve event could be delivered. This proposal was discussed with staff from the Department of Premier and Cabinet, who agreed with this approach to managing the event. The Lord Mayor advised the Premier of this proposal on 27 August 2021. The Doherty Report modelling, upon which the NSW Government's reopening plan is based, indicates that once restrictions are progressively lifted at 70 per cent and 80 per cent that there will be a surge in cases. Covid-19 conditions and Public Health Order details in December 2021 are uncertain as the NSW Government navigates the situation and information changes regularly. The City has prioritised the safety of the community and staff during the pandemic by adhering strictly to the Public Health Orders and has championed community recovery through delivery of Covid safe events such as the Sunset Piazza stage and outdoor dining as part of the Al Fresco City program. By focussing on delivery of one show only on New Year's Eve, the City aimed to reduce the movement and capacity of crowds, reduce the risk of infection, establish a manageable crowd scenario and still be able to deliver a Covid safe Sydney New Year's Eve event.

Since making the decision to only present the midnight fireworks, the City has been approached by the NSW Government who explained that the Government's Roadmap to Recovery as of 1 December 2021 will allow vaccinated and unvaccinated people to move freely with no restrictions and attend large scale outdoor events. The NSW Government's position is for the City to continue planning both the 9pm and midnight fireworks displays under these anticipated conditions.

Recommendation

It is resolved that:

- (A) Council note that the City will work towards delivery of a New Year's Eve event including 9pm and midnight fireworks, coordinated with the NSW Government, subject to:
 - (i) the City achieving agreement with NSW Government that should the requirements of any Public Health Orders and/or the Covid Safe Plan for New Year's Eve not be able to be met by the City whilst also meeting Work Health and Safety obligations, then:
 - (a) the NSW Government will take responsibility for the delivery and management for all elements of the Sydney New Year's Eve event for 2021; and
 - (b) the City will be responsible for the delivery of the fireworks displays including barges, pylons and lighting projections only;
- (B) authority be delegated to the Chief Executive Officer to negotiate and enter into a Memorandum of Understanding with the NSW Government, and Agency Agreements with relevant NSW Government Agencies, for the 2021 Sydney New Year's Eve event;
- (C) Council note that if the above is not resolved before 4 December 2021, the City will continue with the delivery of the midnight fireworks display only; and
- (D) Council note that the Chief Executive Officer will continue to provide regular updates as to the progress on the negotiation of the Memorandum of Understanding by way of CEO Update.

Attachments

- Attachment A.** City of Sydney to Department of Premier and Cabinet (30 June 2021)
- Attachment B.** Department of Premier and Cabinet to City of Sydney (22 July 2021)
- Attachment C.** City of Sydney to Department of Premier and Cabinet (27 August 2021)
- Attachment D.** Lord Mayor to Premier (27 August 2021)
- Attachment E.** City of Sydney to Destination NSW (1 September 2021)
- Attachment F.** Premier to Lord Mayor (2 September 2021)
- Attachment G.** CEO Update - New Year's Eve 2021 (circulated 17 September 2021)
- Attachment H.** Lord Mayor to Premier (23 September 2021)
- Attachment I.** Minister Ayres to Lord Mayor (24 September 2021)
- Attachment J.** Lord Mayor to Minister Ayres (24 September 2021)
- Attachment K.** Lord Mayor to Minister Ayres (2 October 2021)
- Attachment L.** Minister Ayres to Lord Mayor (4 October 2021)

Background

1. In 2020, management of Sydney New Year's Eve was temporarily handed to NSW Government as it was better placed to implement the increased health, transport and crowd management challenges required for the event during the pandemic.
2. From late January 2021 until early June 2021, locally acquired Covid infection rates were extremely low and accordingly staff proceeded with preliminary planning for a full scale Sydney New Year's Eve event, managed by the City and including the 9pm and midnight firework displays and all elements.
3. To manage the event, the City requires a Memorandum of Understanding (MOU) with Department of Premier and Cabinet (DPC) and Agency Agreements with relevant government agencies. The previous five-year Memorandum of Understanding and agreements ended following the 2020 event. On 17 May 2021, Council resolved to delegate authority to the Chief Executive Officer to enter into negotiations for a new Memorandum of Understanding and agency agreements.
4. On 24 May 2021, City staff provided the Department of Premier and Cabinet with a first draft of a new Memorandum of Understanding based upon a full-scale event.
5. On 15 June 2021, a new outbreak of the Delta strain of Covid-19 was identified in Sydney's eastern suburbs. Cases spread rapidly and a much stronger public health response was introduced. On 22 June 2021, masks were made mandatory in indoor venues in greater Sydney. From 25 June 2021, stay at home orders were introduced for Woollahra, Waverley, Randwick and City of Sydney local government areas, subsequently extending to all of greater Sydney and currently still in force.
6. Due to the deteriorating health situation, it was clear that the challenges presented by the Covid-19 pandemic would be ongoing in December 2021 and the risk involved in the large numbers of people attending a full-scale New Year's Eve event would be very difficult to manage in a Covid safe way.
7. It was agreed by the Chief Executive Officer and staff that a revised event management model as a basis for the new Memorandum of Understanding was required that proposed the City retain ownership of the fireworks components only and its own vantage points, while the NSW Government assumed responsibility for all other elements including crowd, transport and Covid-19 management.
8. Proceeding with an event with a reduced footprint and a midnight only display aligned the 2021 event with the event produced by the NSW Government in 2020. Crowds could be more easily managed, with no cross over of crowds for each display, significantly reducing close contact between large numbers of people and the risk of spread of infection. As per 2020, this format does require a specific Public Health Order, or sufficient guidelines within the Public Health Order in force at the time to allow crowd numbers and density to be safely managed. It is noted that the 2020 event could not proceed as planned due to the December 2020 outbreak centred on the Northern Beaches, and ultimately the NSW Government only permitted individuals with paid bookings in venues into the relevant precinct on New Year's Eve.

9. On 30 June 2021, the Chief Executive Officer wrote to the Secretary of the Department of Premier and Cabinet, advising that due to the ongoing Covid-19 situation, the City was unable to manage the safety in the public domain and requested that the NSW Government take on responsibility for this side of the event, including crowd management, hostile vehicle mitigations, harbour operations, public services and the coordination of agencies, landowners and stakeholders. The City would maintain control of the New Year's Eve show, including the fireworks display, projections, lighting and broadcast.
10. A response was received from the Secretary of the Department of Premier and Cabinet on 22 July 2021 advising NSW Government would not agree to this proposal and expected the City to deliver the whole event, with the NSW Government supporting the event through whole-of-government coordination and convening the Government Coordination Centre.
11. On 29 July 2021, staff from the City and the Department of Premier and Cabinet agreed that, in order to manage the event safely, the City would propose delivery of an event similar to that produced by NSW Government in 2020, consisting of a midnight-only fireworks display. As per the 2020 event, it was agreed that a specific Public Health Order and zoned ticketing system to manage access to the CBD, as well as transport and police would be required to be managed by NSW Government.
12. On 27 August 2021, the Lord Mayor wrote to the Premier confirming the event format as a midnight only fireworks display, with no 9pm fireworks, and that the event would be centred around Circular Quay. Similar to last year's event, there would be a potentially shortened display with reduced fireworks barges along the harbour to limit the physical footprint of the event. This was to limit crowd capacity.
13. The correspondence outlined elements that the City required NSW Government to provide to allow the event to proceed – a specific Public Health Order, a city-wide ticketing and zoning system and sufficient police resources to manage audience capacities. A letter detailing the same event format and required support was also sent by the Chief Executive Officer to the Secretary of the Department of Premier and Cabinet on 27 August 2021. An update was also provided to Destination NSW on 1 September 2021.
14. The Premier responded on 2 September 2021, acknowledging receipt of the Lord Mayor's letter and confirming NSW Government's belief in the importance of the New Year's Eve event and the need for it to occur in a Covid-safe way. Responsibility was tasked to the Minister for Tourism and that the City was to work with the Minister on the delivery of the event.
15. On 9 September 2021, the Premier announced that Stay-at-home orders for adults who have received both doses of the Covid-19 vaccine will be lifted from the Monday after NSW passes the 70 per cent double vaccination target. Further easing of restrictions would come into effect once the state reaches the 80 per cent double vaccination target.
16. On 17 September 2021, Councillors were provided with a CEO Update advising of the ongoing negotiations with the NSW Government and the proposed format of the event for 2021.

17. On 23 September 2021 the Lord Mayor wrote a second letter to the Premier, highlighting the City's concern regarding the 9pm element of the Sydney New Year's Eve event and requesting a response from the Minister for Tourism after the letter sent on 2 September 2021. A response to the Lord Mayor's correspondence was received on 24 September 2021 from the Minister for Tourism, stating that given the vaccination rates, the decision not to proceed with the 9pm fireworks may be premature.
18. On 24 September 2021, in response to the correspondence received from the Minister for Tourism on the same date, a letter was sent by the Lord Mayor to the Minister for Tourism, again stating that given the risks, the NSW Government was best placed to manage the event and advising that if the NSW Government agreed to take over management and delivery of New Year's Eve 2021, that the Lord Mayor would be willing to seek Council approval for the City to fund the fireworks component of the event for both 9pm and midnight firework displays.
19. On 27 September 2021 the NSW Government announced its intention that most restrictions will be removed from vaccinated and non-vaccinated people on 1 December 2021, including allowing events of unlimited crowd size. It is noted that the Government's roadmap may be subject to change as the Covid-19 situation is monitored over coming weeks.
20. On 30 September 2021, the Lord Mayor and the Chief Executive Officer met with Minister for Tourism to discuss how to proceed with the event. It was discussed that in the event the City could not meet the requirements of a Covid Safe Plan or Public Health Order whilst adhering to Work Health and Safety obligations, that the NSW Government would take on responsibility for all aspects of the event, except for the fireworks displays themselves, which the City would deliver. It was also requested that NSW Government support other Local Government Areas surrounding Sydney Harbour, and work directly with them and extend the offer of taking responsibility and management of the event on their land.
21. On 2 October 2021, the Lord Mayor wrote to Minister for Tourism to confirm what was discussed in the meeting and for staff to work with NSW Government to finalise the Memorandum of Understanding and continue planning for the event.
22. The Memorandum of Understanding with the NSW Government has not been finalised at this time and remains under negotiation.
23. The Doherty Report modelling, upon which the NSW Government's reopening plan is based, indicates that once restrictions are progressively lifted when we get to 70 per cent and 80 per cent double vaccination that there will be a surge in cases. The Doherty model contemplates strict lockdowns will still be required in certain circumstances even once 80 per cent of the adult population is vaccinated, depending on the effectiveness of testing, tracing, isolation and quarantine measures.
24. Pending a Public Health Order, it will be challenging to manage physical distancing measures at fireworks display vantage points and potentially not possible in unticketed areas of the public domain, on transport and at key entry points to the City. NSW Government would take responsibility of crowd management depending on the Covid Safe Plan and Public Health Orders at the time due to this risk.

Key Implications

Strategic Alignment - Sustainable Sydney 2030

25. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
- (a) Direction 1 - A Globally Competitive and Innovative City - the Sydney New Year's Eve event, and the associated event broadcasts and marketing, is significant in generating tourism and tourism awareness for Sydney.
 - (b) Direction 5 - A Lively and Engaging City Centre - the Sydney New Year's Eve event, and associated activities of Harbour foreshore landowners, creates a vibrant, safe and accessible experience of the city centre on New Year's Eve.
 - (c) Direction 7 - A Cultural and Creative City - the Sydney New Year's Eve event provides opportunities for the cultural and creative sector and showcases Sydney as a creative city through its delivery of major special events.
 - (d) Direction 10 - Implementation through Effective Governance and Partnerships - the Sydney New Year's Eve event is delivered collaboratively through a Memorandum of Understanding and Agency Agreements.

Organisational Impact

26. Staff have been working on the 2021 delivery for many months and planning is well underway. Any changes to the decision are likely to increase costs and time to deliver the event.

Risks

27. An event of the scale of Sydney New Year's Eve potentially represents a significant risk to public health due to the opportunity for infection, particularly for unvaccinated people and children. The inclusion of a 9pm display increases this risk, with the 9pm show's focus on unvaccinated young children and the potential for infection from the crossover of crowds attending each display. The inclusion of more than one display also makes the event challenging from a crowd management perspective in terms of complying with any contact tracing and vaccination obligations in place at the time.
28. The NSW Government's targets for reopening at 70 per cent and 80 per cent relates to double vaccination rates of adults over 18 years of age only. Modelling from the Doherty report which the Government refers to when determining public health orders indicates that at 80 per cent double vaccination of adults, approximately 36 per cent of the broader community will not be fully vaccinated and that children and younger people are less likely to be vaccinated and more likely to be infected.
29. Covid-19 vaccinations have currently been approved by the Therapeutic Goods Administration for people ages 12 and older. There is currently no vaccine approved for use in children aged 5 to 11 years. While there is some indication that vaccines may be approved for this age group by the end of 2021, it is likely that, even if such an approval was granted, vaccination rates would remain extremely low by 31 December. Young children are a primary audience for the 9pm fireworks. Exposing a largely unvaccinated group to the large numbers of people at the Sydney New Year's Eve event represents a significant risk to this section of our community.

30. Pending a Public Health Order, it will be challenging to manage physical distancing measures at fireworks display vantage points and potentially not possible on transport and at key entry points to the City. This creates a risk to attendees which is significantly increased by the inclusion of a 9pm fireworks display. Two separate fireworks displays will result in increased crowd movements, with audiences for both displays likely to cross over at transport hubs and on public transport with a resulting increase in the risk to the audience. NSW Government will issue a Public Health Order if required to manage this risk.
31. Under the NSW Government's roadmap, from 1 December 2021 there will be no limit on the size of outdoor events, however a Covid Safe Plan will be required for any outdoor events attended by more than 1,000 people. If this requirement remains, then as the event owner, the City is currently responsible for creating and implementing this, potentially requiring the City to take responsibility for the management of safety on land managed by other landowners or well outside the boundaries of the Local Government Area. If the Covid Safe Plan or Public Health Order cannot be met by the City whilst also meeting Work Health and Safety obligations, then once agreed, the NSW Government will take on responsibility and management of the event.

Economic

32. Sydney New Year's Eve 2019 had a direct economic impact to the state of \$218 million. This would be reduced in 2021 with the absence of international visitors to the event but it is expected that it would still have a significant impact. The City's proposed approach of delivering a single event was designed to provide greater certainty that the event can be delivered. This would enable businesses to have greater confidence in making plans around the event.

Financial Implications

33. Not proceeding with the 9pm fireworks is expected to have limited financial impact as any savings realised, will be more than offset by the additional operational requirements required to manage an event of this scale in a Covid safe way.
34. Approximately \$529,000 excluding GST in additional expenditure will be required for the implementation of a Covid safe Integrated Crowd Management Plan and additional infrastructure for a midnight only event. These costs will increase if the 9pm fireworks are reinstated. Funding for these extra costs will initially be sought from other savings from within the 2021/22 Operating Budget. Note that the City's operating forecast is assessed in detail on a monthly basis. If it becomes apparent that it will not be possible to absorb these additional costs, funding will be sought from the 2021/22 General Contingency Fund in a future quarterly report.

Relevant Legislation

35. Public Health Act 2010. Covid-19 pandemic provisions are currently in place until March 2022.

Critical Dates / Time Frames

36. Staff have been working on the 2021 delivery for many months and planning is well underway. Any changes to the decision are likely to increase costs and time to deliver the event.

Options

37. The NSW Government could take custodianship of the entire Sydney New Year's Eve event, as per 2020, and deliver both the 9pm and midnight firework displays. The Lord Mayor made this offer to the Minister for Tourism in her correspondence on 24 September 2021.
38. The NSW Government could again be requested to take on responsibility for managing safety in the public domain for the 2021 Sydney New Year's Eve event including crowd management, hostile vehicle mitigations, harbour operations, public services and the coordination of agencies, landowners and stakeholders, as per the Chief Executive Officer's original request in correspondence to the Secretary of the Department of Premier and Cabinet on 30 June 2021 . The City would retain the delivery of the Sydney New Year's Eve show event elements only.

MONICA BARONE

Chief Executive Officer


Attachment A

**City of Sydney to Department of Premier
and Cabinet (30 June 2021)**

30 June 2021

Our Ref: 2021/297127
File No: X080877

Mr Tim Reardon
Secretary
Department of Premier and Cabinet
GPO Box 5341
SYDNEY NSW 2001

By email: 

Dear Mr Reardon,

Sydney New Year's Eve 2021

I am writing in regard to the City of Sydney's New Year's Eve event.

In 2020, due to the Covid-19 pandemic, the NSW State Government took over the management of the event as restrictions required to limit the spread of coronavirus meant that City of Sydney was no longer in a position to manage it. To allow the fireworks to go ahead without crowds gathering in the public domain, NSW Health released a specific Public Health Order for the event.

Planning is now underway for the 2021 Sydney New Year's Eve event, with both the City and State Governments committed to ensuring a fireworks display goes ahead to showcase Sydney to a global audience. The City is committed to managing the show, however under Covid conditions, we are unable to manage the public domain and ensure public safety. Restrictions on crowd numbers and density are likely to remain in place for the rest of this year and much of 2022, and as a result the NSW State Government is better placed to manage public safety.

The current Memorandum of Understanding (MOU) between the City of Sydney and New South Wales State Government for Sydney New Year's Eve will shortly come to an end. It is proposed that the new MOU clearly defines responsibilities of each party. This new MOU should be for a minimum of two years to cover ongoing uncertainty around public attendance.

Under the proposed MOU, the City will produce the show, including fireworks, barges, lighting supply and design, a Welcome to Country segment, pylon projections and broadcast. It will control organisational elements including show operations, the management of vantage points on the City's land, and drive marketing and promotion of the event.

The MOU proposes that the NSW State Government will be responsible for crowd management (including the Integrated Crowd Management Plan), transport management (including Traffic Management Plans), hostile vehicle mitigation (HVM) & counter-terrorism, harbour operations (including ensuring private and commercial boats comply with exclusion zones), crowd management services (including information booths and

volunteers to manage crowds in the public domain), public services (toilets, queuing, security, food trucks etc) and the coordination of agencies, landowners and stakeholders.

We note that work undertaken by various state government agencies for previous Sydney New Year's Eve events, as well as current planning for Covid-safe events, notably Australia Day and Vivid, provides a wealth of knowledge and experience within state agencies for the management of these elements of Sydney New Year's Eve.

Staff at Department of Premier and Cabinet have begun to schedule All Agency meetings required to ensure the safe delivery of the event by the City, agencies and all key stakeholders. The first meeting has been set for 20 July and we consequently require the NSW State Government's agreement on the delineation of duties for the event as soon as possible to provide clarity for all stakeholders.

We hope the proposed realignment of the Memo of Understanding will be agreeable to you. We look forward to continuing to work collaboratively with New South Wales state government to ensure the successful and safe delivery of Sydney New Year's Eve 2021.

Should you wish to speak with a Council officer about Sydney New Year's Eve, please contact Stephen Gilby, Executive Producer by telephone on 9265 9333 or by email at [REDACTED]

Yours sincerely

A handwritten signature in dark ink that reads "P. M. Barone". The signature is written in a cursive, slightly slanted style.

Monica Barone
Chief Executive Officer

Attachment B

**Department of Premier and Cabinet to City
of Sydney (22 July 2021)**

Ms Monica Barone
Chief Executive Officer
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Dear Ms Barone

Thank you for your letter of 30 June 2021 regarding arrangements for the City of Sydney's New Year's Eve event (NYE) in 2021 and 2022.

I note your proposal that the NSW Government takes over responsibility for and management of major elements of NYE from the City, including crowd management, transport, traffic and harbour management, counter-terrorism mitigation, stakeholder consultation and public services.

NYE is an important major event for Sydney and NSW and many Government agencies provide support and collaboration for it each year. However, your suggestion for NYE in 2021 and 2022 would shift significant responsibilities and costs for your event from the City to the NSW Government. I cannot agree to this proposal.

The NSW Government took temporary custodianship of a smaller NYE event in 2020. This was a one-off measure to allow the event to proceed, agreed only when the City decided not to proceed with delivering the event itself. Management of NYE was returned to the City for 2021.

The City is best placed to deliver NYE in full, as your experienced team has done over many years. The NSW Government will continue to work closely with the City to support the ongoing success of your event. My department will continue to provide support through whole-of-government coordination in NYE event planning and convening the Government Coordination Centre.

I welcome the opportunity to progress a Memorandum of Understanding (MOU) with the City for NYE based on a similar model to previous MOUs and in consultation with relevant agencies.

Should you have queries about this matter, please contact Jan Willett, Director Events on [REDACTED]

Yours sincerely



Tim Reardon
Secretary

22 July 2021

Attachment C


**City of Sydney to Department of Premier
and Cabinet (27 August 2021)**

27 August 2021

Our Ref: 2021/381073

File No: X079185

Mr Tim Reardon
Secretary
Department of Premier and Cabinet
GPO Box 5341
SYDNEY NSW 2001

By email: 

Dear Mr Reardon,

Sydney New Year's Eve 2021

I refer to your letter of 22 July regarding Sydney New Year's Eve 2021.

Following our meeting with Department of Premier and Cabinet on 29 July, the City will undertake the management of all aspects of the 2021 Sydney New Year's Eve event.

The City will proceed with plans similar to last year's event managed by the NSW Government. It will consist of a midnight only fireworks display, with no 9pm fireworks, and this event will be centred around Circular Quay. Similar to last year's event, there will be a potentially shortened display with reduced fireworks barges along the harbour, in order to limit the physical footprint of the event.

As was agreed in our meeting of 29 July, a Public Health Order will be required to limit the number of attendees to a percentage of possible capacity, and ensure ticketing is required for all guests. We request Department of Premier and Cabinet continue to manage the process to negotiate the appropriate terms of the Public Health Order with NSW Health. The City will provide any information required.

We request that Service NSW assist and work with the City if the implementation and management of city wide ticketing and zoning requirements as per 2020 are required.

The assistance of the Department of Premier and Cabinet will be required to ensure that NSW Police are able to implement additional policing requirements at short notice should audience capacities change from those outlined in the Public Health Order.

These considerations will ensure the event proceeds in a way which is resilient in the face of the continuing uncertainty, allowing stakeholders and businesses to formulate plans and successfully implement them. We will incorporate the above into the memorandum of understanding between the City of Sydney and Department of Premier and Cabinet for the delivery of New Year's Eve.

Should your staff wish to speak with a Council officer about Sydney New Year's Eve 2021 please contact Stephen Gilby, Executive Producer Major Events and Festivals on 9265 9333 or at [REDACTED]

Yours sincerely

A handwritten signature in dark ink that reads "P. M. Barone". The letters are cursive and fluid, with the first name "P. M." and the last name "Barone" clearly distinguishable.

Monica Barone
Chief Executive Officer

Attachment D

Lord Mayor to Premier (27 August 2021)



THE LORD MAYOR OF SYDNEY
CLOVER MOORE

27 August 2021

The Hon. Gladys Berejiklian MP
Premier of NSW
GPO Box 5341
Sydney NSW 2001

Dear Premier

Sydney New Year's Eve 2021

I write to you about the City of Sydney's plans for Sydney New Year's Eve 2021, and the support required from the NSW Government to ensure this event can proceed.

The 2021 Sydney New Year's Eve event will be managed by the City, and given the continuing health concerns related to the pandemic, will be similar to the event run by the NSW Government in 2020.

It will consist of a midnight only fireworks display, with no 9pm fireworks, and this event will be centred around Circular Quay. Similar to last year's event, there will be a potentially shortened display with reduced fireworks barges along the harbour to limit the physical footprint of the event.

To proceed with the event, the City requires the Department of Premier and Cabinet to coordinate NSW Government assistance, including:

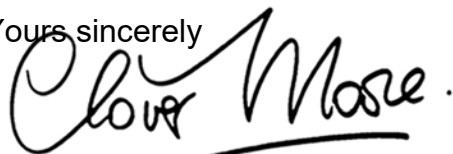
- A specific Public Health Order for the event from NSW Health, like that issued in 2020, limiting attendees to safe levels and restricting access to the CBD to those with tickets to managed events only
- A city-wide ticketing and zoning system, in line with the Public Health Order, as was implemented by Service NSW in 2020
- NSW Police to implement policing requirements, particularly to increase those requirements at short notice, should audience capacities change from those outlined in the Public Health Order.

These are essential to ensure Sydney New Year's Eve can go ahead in the current environment, and allow stakeholders and businesses to make plans for the event.

This assistance should be included as part of the Memorandum of Understanding between the City and the Department of Premier and Cabinet for the delivery of Sydney New Year's Eve.

If your staff would like to speak with a Council officer about Sydney New Year's Eve, they can contact Stephen Gilby, Executive Producer Major Events and Festivals, on 9265 9333 or at [REDACTED]

Yours sincerely

A handwritten signature in black ink that reads "Clover Moore." The signature is written in a cursive style with a long horizontal flourish underneath the name.

Clover Moore
Lord Mayor of Sydney


Attachment E

**City of Sydney to Destination NSW
(1 September 2021)**

1 September 2021

Our Ref: 2021/374254-03

Mr Steve Cox
Chief Executive Officer
Destination NSW

By email: 

Dear Mr Cox,

Sydney New Year's Eve 2021

I refer to the City of Sydney's plans for Sydney New Year's Eve 2021.


The City will manage all aspects of the 2021 Sydney New Year's Eve event, proceeding with plans similar to last year's event managed by the NSW Government. It will consist of a midnight only fireworks display, with no 9pm fireworks, and this event will be centred around Circular Quay. Similar to last year's event, there will be a potentially shortened display with reduced fireworks barges along the harbour, in order to limit the physical footprint of the event.

A Public Health Order will be required to limit the number of attendees to a percentage of possible capacity, and ensure ticketing is required for all guests. We have requested Department of Premier and Cabinet continue to manage the process to negotiate the appropriate terms of the Public Health Order with NSW Health.

If the implementation and management of city-wide ticketing and zoning is required as per 2020, we have requested Service NSW' assistance to implement a similar system to that used in 2020.

Department of Premier and Cabinet have been requested to assist to ensure that NSW Police are able to implement additional policing requirements at short notice should audience capacities change from those outlined in the Public Health Order.

These considerations will ensure the event proceeds in a way which is resilient in the face of the continuing uncertainty, allowing stakeholders and businesses to formulate plans and successfully implement them.

Should your staff wish to speak with a Council officer about Sydney New Year's Eve 2021 please contact Stephen Gilby, Executive Producer Major Events and Festivals on 9265 9333 or at 

Yours sincerely



Monica Barone
Chief Executive Officer

Attachment F

**Premier to Lord Mayor
(2 September 2021)**



Gladys Berejiklian MP
Premier of New South Wales

Ref: A5085538

02 SEP 2021

Councillor Clover Moore
Lord Mayor
City of Sydney
483 George Street
SYDNEY NSW 2000

Dear Lord Mayor, *Clover,*

Thank you for your correspondence of 27 August 2021 regarding Sydney New Year's Eve fireworks.

The NSW Government believes it is important to have fireworks for New Year's Eve this year as an expression of community solidarity and hope for the future, especially given the impacts of the COVID-19 pandemic. No doubt this will need to occur in a COVID-safe way.

The Minister for Tourism, The Hon Stuart Ayres MP has been tasked with primary responsibility for this matter and I have accordingly forwarded your correspondence for his consideration.

I encourage the City of Sydney to work with Minister Ayres to ensure this important event can be delivered this year.

Yours faithfully,

Gladys Berejiklian MP
Premier

CC: The Hon Stuart Ayres MP, Minister for Tourism

Attachment G

**CEO Update – New Year's Eve 2021
(circulated 17 September 2021)**

MEMO

FILE: X083142 **DATE:** 01 September 2021
TO: Monica Barone, Chief Executive Officer
FROM: Emma Rigney, Director City Life
SUBJECT: **CEO Update – 2021 SYDNEY NEW YEAR’S EVE**

Recommendation

For the information of the Lord Mayor and Councillors.

Background

At the May 2021 meeting, Council resolved that authority be delegated to the CEO to negotiate and enter into a Memorandum of Understanding (MOU) with the NSW Government, and Agency Agreements with relevant Agencies, for a five year period to deliver the 2021 to 2025 Sydney New Year’s Eve events.

Due to the unprecedented nature of the Covid-19 pandemic, in order to be able to deliver a 2021 New Year’s Eve event a different format will need to be adopted. As a result, the City and NSW Government will work together to create an interim one-year agreement and associated Agency Agreements for the delivery of the 2021 event only. Following the delivery of the 2021 event, the City will continue to work with NSW Government with a view to entering into an MOU for events from 2022.

The format of the 2021 event is intended to enable Sydney New Year’s Eve to proceed in a way which is resilient in the face of continuing uncertainty and allows stakeholders, businesses and visitors to formulate plans.

The event will be similar to that managed by the NSW State Government in 2020, comprising a reduced midnight firework display only centred around Circular Quay with an associated broadcast. Fireworks barges along the harbour will be reduced, limiting the physical footprint of the event, and the 9pm display and Harbour of Light Parade will not take place. Planning is being undertaken under the assumption that a specific Public Health Order for the event will be required.

All planning and management for Sydney New Year’s Eve 2021 will be undertaken in close collaboration with the NSW Government. The City has requested NSW Government to provide the following assistance:

- Coordinate provision of a specific Public Health Order for the event from NSW Health, similar to that issued in 2020, limiting attendees to safe levels (with numbers flexible depending on conditions prevailing at the time) and restricting access to the CBD to people with passes to managed events only;
- Provide a city-wide free ticketing and zoning system in line with the Public Health Order, similar to that implemented by Service NSW in 2020; and

- Provide necessary policing requirements through NSW Police, particularly to increase those requirements should audience capacities change from those outlined in the Public Health Order at short notice.

Emma Rigney, Director City Life

Prepared by: Stephen Gilby, A/Executive Producer

TRIM Document Number: 2021/389054

Attachments

CM2021/000102	ROC 6.6 - 17.05.2021 - Sydney New Years Eve 2021 - 2026 Memorandum of Understanding and Agency Agreement
OLM2021/003941-01	O OLM2021/003941 BEREJIKLIAN - NYE 2021
2021/381073	27 August - Letter out - Tim Reardon, Dept Premier and Cabinet - NYE 2021 REVISED

approved



Monica Barone, Chief Executive Officer

Attachment H

**Lord Mayor to Premier
(23 September 2021)**



THE LORD MAYOR OF SYDNEY
CLOVER MOORE

23 September 2021

The Hon. Gladys Berejiklian MP
Premier of NSW
GPO Box 5341
Sydney NSW 2001

Dear Premier

New Year's Eve 2021

I write to you about arrangements for New Year's Eve 2021, including suggestions that have been made in the media about delivering a 9pm fireworks event.

The involvement of NSW Government agencies is always critical in delivering this event, which is why we collaborate so closely with NSW Government agencies in planning it – particularly Police, Transport and Tourism, as well as your Department.

NSW Government officials indicated to the City of Sydney that they did not want to continue the temporary custodianship arrangements of the event for 2021.

City staff met with the Department of Premier and Cabinet in July to talk through the New Year's Eve event. Given the challenges and uncertain environment due to the Delta outbreak, the City agreed it would deliver an event similar to that produced by the NSW Government in 2020, consisting of a midnight-only fireworks display, and a reduced event footprint.

City officials also highlighted there was a requirement for a specific Public Health Order and a zoned ticketing system to manage access to the CBD, and that police support would be provided by the NSW Government.

I wrote to you in August confirming this agreement was reached between our officials, which you acknowledged on 2 September, confirming the NSW Government's belief in the importance of the New Year's Eve event and the need for it to occur in a COVID-safe way.

You referred my letter to the Minister for Tourism, to which I have yet to receive a response. I was waiting on the Minister's response before making any details public.

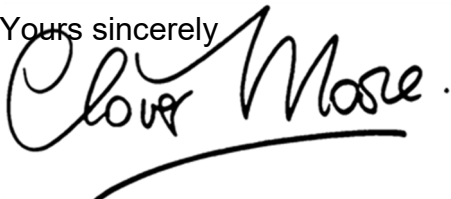
The City continues to have concerns about the potential for the event to be cancelled due to a further outbreak, and our capacity to absorb the associated costs, as well as ensuring New Year's Eve 2021 is COVID-safe. I note that the Doherty Report identifies the potential for localised lockdowns even as we open up when vaccination rates reach 70%.

A significant risk in relation to hosting a 9pm fireworks event in a COVID-safe way is the capacity of Transport, Police and emergency services to manage the two sets of large crowds entering and leaving the city, including the likely number of unvaccinated children that would come to any 9pm fireworks event.

In May 2021, the City wrote to the Department of Premier and Cabinet requesting that the NSW Government take over the management of crowds and event safety in order to deliver a full event. Your Department declined this offer and we agreed to the arrangements for a midnight-only fireworks event.

The NSW Government has the capacity to run both the 9pm and midnight fireworks events – and the associated crowds of both events – and I reiterate my offer for the NSW Government to take over management of the event to deliver this, with the support of the City.

Yours sincerely

A handwritten signature in black ink that reads "Clover Moore". The signature is fluid and cursive, with a long horizontal stroke underneath the name.

Clover Moore
Lord Mayor of Sydney

cc. The Hon. Stuart Ayres MP, Minister for Jobs, Investment, Tourism and Western Sydney

Attachment I

**Minister Ayres to Lord Mayor
(24 September 2021)**



The Hon. Stuart Ayres MP

Minister for Jobs, Investment, Tourism
and Western Sydney

Clover Moore
Lord Mayor of Sydney
Sydney Town Hall
483 George Street
Sydney NSW 2000

24 September 2021

Dear Lord Mayor

Thank you for your letter to the Premier dated 27 August and 23 September 2021 concerning arrangements for Sydney New Year's Eve 2021. The Premier has requested I respond on her behalf.

Sydney New Year's Eve is an important and iconic event which allows Sydney and NSW to shine on the world stage. Thank you for the update on current plans for this year's event. The NSW Government supports the 2021 event proceeding in a COVID safe way. The decision not to proceed with the 9pm Fireworks does look premature given the rapidly increasing rate of vaccination and suggest it would be prudent to take more time before finalising this decision.

As you would be aware, the NSW Government has recently released its reopening plan, which maps the settings and restrictions that will be eased as we achieve vaccination coverage in the community of 70%. Further restrictions will be lifted at 80% and there will likely be more changes as coverage rates increase beyond that. As such, it would be pre-emptive to seek to determine the necessary public health orders that may be required for New Year's Eve.

Based on the current trajectory of vaccination rates NSW will have well surpassed 80% vaccination by December 2021. We encourage the City of Sydney to consider this context in its planning for Sydney New Year's Eve.

Please be assured the Government will work closely with the City to ensure that appropriate COVID safety requirements, along with public services, systems and emergency services resources are in place to support the event.

Arrangements concerning the Memorandum of Understanding for New Year's Eve will continue to be managed by the Department of Premier and Cabinet (DPC). I understand discussions are continuing regarding this, including a simplified single-year approach for 2021 and a commitment for the City and State to work together in the spirit of previous agreements.

As always, the NSW Government is committed to providing appropriate support through Transport, Police and Emergency Services in order to deliver a safe and enjoyable Sydney New Year's Eve, however the organisation, ownership and authority of this event remains with the City of Sydney.

If the City's staff would like to discuss any of the above, they can contact Kate Meagher, DPC's Executive Director, Partnerships and Engagement at [REDACTED]
[REDACTED]

Thank you for raising this matter. I look forward to a successful Sydney New Year's Eve 2021, as a positive start to a hopeful and prosperous new year in 2022.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Stuart Ayres', with a stylized flourish at the end.

The Hon. Stuart Ayres MP
**Minister for Jobs, Investment, Tourism
and Western Sydney**

cc The Hon. Gladys Berejiklian MP, Premier of NSW

Attachment I

**Lord Mayor to Minister Ayres
(24 September 2021)**



THE LORD MAYOR OF SYDNEY
CLOVER MOORE

24 September 2021

The Hon. Stuart Ayres MP
Minister for Jobs, Investment, Tourism and Western Sydney
GPO Box 5341
Sydney NSW 2001

Dear Minister

New Year's Eve 2021

I refer to your letter of 24 September concerning arrangements for Sydney New Year's Eve 2021.

I agree that Sydney New Year's Eve is an important and iconic event that showcases Sydney on the world stage. That is why we agreed to put on the midnight fireworks when the NSW Government declined to continue its temporary custodianship of the event for 2021.

As you would be aware, this significant event requires planning to commence many months out – which is why City staff have been engaging with NSW Government officials since May. I appreciate your update on the trajectory of vaccination rates in NSW, and I congratulate the Government for its remarkable achievement in rolling out the vaccine so quickly.

The Doherty Report modelling, upon which the NSW Government's reopening plan is based, indicates that once restrictions are progressively lifted when we get to 70% and 80% that there will be a surge in cases.

My concern about the 9pm fireworks is that they will encourage young children that are not currently eligible for vaccination to attend the event in the city. Crowds for both events will then intermingle on crowded transport services. The City is not able to ensure a Covid-safe event under these circumstances, particularly given this relies on the NSW Government's role in transport, policing and emergency services.

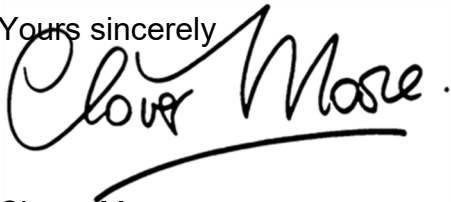
The NSW Government is best placed to manage these risks, given it has up to date health advice and control over health orders. That has underpinned my offer for the NSW Government to run the event.

I am proud that we have partnered with the NSW Government to run this event for so many years.

In the spirit of that ongoing partnership, and in light of the NSW Treasurer's announcement today, if the NSW Government takes over management and delivery of New Year's Eve 2021, I would be willing to seek Council approval for the City to fund the fireworks component of the event – covering both 9pm and midnight firework displays.

I have asked City staff to work with your officials and the Department of Premier and Cabinet to discuss this option. I hope we can meet in coming weeks to finalise these arrangements to ensure a successful and safe New Year's Eve 2021.

Yours sincerely

A handwritten signature in black ink that reads "Clover Moore". The signature is fluid and cursive, with a long horizontal stroke underlining the name.

Clover Moore
Lord Mayor of Sydney

Attachment K

**Lord Mayor to Minister Ayres
(2 October 2021)**



THE LORD MAYOR OF SYDNEY
CLOVER MOORE

The Hon. Stuart Ayres MP
Minister for Tourism
GPO Box 5341
SYDNEY NSW 2001

Dear Minister

Sydney New Year's Eve 2021

I refer to our recent discussions, about the range and extent of the 2021 Sydney New Year's Eve event.

As you know, the City has expressed concerns with staging the 9pm fireworks and it was our original intention to stage the midnight event only. Our advice from health experts is that congregating too many people around the Harbour could be risky in terms of pandemic spread.

Further, modelling from the Doherty Institute indicates that once restrictions are progressively lifted when we get to 70% and 80% vaccination rates that there will be a surge in cases of Covid-19.

The 9pm fireworks could also encourage young children that are not currently vaccinated or eligible for vaccination to attend the event in the City and surrounding Council areas. There will also be crossover between families attending the 9pm fireworks and others arriving for the midnight fireworks, which as you know creates significant overcrowding at vantage and access points, as well as on public transport.

However, the State is responsible for issuing health orders and you have explained that under the NSW Government's Roadmap to Recovery announced on 27 September 2021 that, as of 1 December 2021, vaccinated and unvaccinated people will be able to move freely with no restrictions and also attend large scale outdoor events.

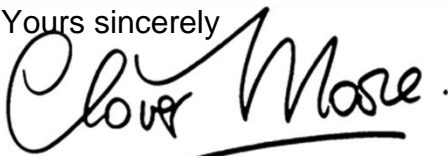
In line with these expressed intentions, your Government has requested that the City manage our usual aspects of the 2021 New Year's Eve event, including staging the 9pm and midnight fireworks, in a similar way to prior to the pandemic.

In response, the City agrees to stage both the 9pm and midnight fireworks, subject to Council resolution and a Memorandum of Understanding including, but not limited to, the following conditions:

1. The NSW Government will intensify its critical contribution to this Hallmark event, especially coordinating police and transport support, as well as necessary emergency services.
2. Noting that there is the potential for public health conditions to deteriorate, the City accepts your offer that should there be any element of the Covid Safe Plan that cannot be met by the City, or any change related to the Covid Safe Plan or departure from the announced Roadmap to Recovery, including any applicable Public Health Order, or the introduction of any additional restrictions affecting the community or the ability for us to meet our WHS obligations, the NSW Government would take over full responsibility and management of the event.
3. Should there be a significant surge in Covid cases necessitating severe restrictions or lockdown, then the event is able to be cancelled altogether.
4. The Government will extend its support to other Local Government Areas surrounding Sydney Harbour, and work directly with them and extend the offer for the NSW Government to take responsibility for events should a Public Health Order be imposed or should further restrictions on the event or the community be implemented beyond what has been outlined in the NSW Government's Roadmap to Recovery.

If your office would like to speak with a Council officer about this matter, they can contact Monica Barone, Chief Executive Office on 9265 9333 or at

Yours sincerely



Clover Moore
Lord Mayor of Sydney

2 October 2021

Attachment L

**Minister Ayres to Lord Mayor
(4 October 2021)**



The Hon. Stuart Ayres MP

Minister for Jobs, Investment, Tourism
and Western Sydney

Ref: 20211002

4 October 2021

Clover Moore
Lord Mayor of Sydney
Sydney Town Hall
483 George Street
Sydney NSW 2000

Dear Lord Mayor,

I refer to your letter today and our recent discussions concerning 2021 Sydney New Year's Eve.

Thank you for meeting with me and for the goodwill and understanding in our discussions. I am very confident we can work together to ensure a safe and successful New Year's Eve which is accessible to our communities, both in person and through the televised broadcast.

In relation to the four conditions outlined in your letter, I advise:

1. The NSW Government will deliver its critical contribution to support the safe and successful delivery of the event, including whole-of-government coordination and essential services including all appropriate transport, police, health and emergency services resources.
2. Should there be a significant departure from the announced Roadmap to Recovery for example the introduction of new Public Health Orders or restrictions adversely impacting the delivery of the event, the Government is willing to take over full responsibility and management of this year's event, but with the 9pm and midnight fireworks displays and television broadcast still delivered by the City, in close collaboration with the Government. Both parties will agree to the details that underpin this commitment and agree to consult early and in good faith.
3. Should there be a significant surge in Covid cases which necessitate severe restrictions or a lockdown for the Sydney CBD, the 9pm fireworks display may be cancelled by mutual agreement of the Government and the City. I note the Government will likely have taken over responsibility for management of CBD vantage points and crowds in such a scenario.
4. As always, the Government will liaise directly with government landholders and councils surrounding Sydney Harbour regarding planning of their events and precinct management on New Year's Eve. However, arrangements in other local government areas are the responsibility of those councils, as they are for a business-as-usual New Year's Eve, and it is not appropriate to address this in an agreement between the Government and the City.

Additionally, the Government requests the following:

.../2

1. The City and the State will negotiate a Memorandum of Understanding (MOU) in good faith for 2021 Sydney New Year's Eve, to include Hallmark classification, government coordination arrangements, and support liaison with government agencies as required.
2. Other than matters agreed above, the starting point for the 2021 MOU and coordination arrangements should be the agreed terms of the 2016-2020 MOU between the City and the State for New Year's Eve which expired on 30 June 2021.
3. Representatives from the City and the State will first meet to broadly agree the principles, scope and format for this MOU before any drafting is commenced by either party.
4. The City and the State agree that any arrangements agreed by either party for 2021 Sydney New Year's Eve will not be regarded as a precedent for future events. The City and the State agree to meet again in good faith in 2022 to negotiate a new MOU for future years, the basis of which shall be the terms of the 2016-2020 MOU.
5. If the Government takes over responsibility for major elements of the 2021 event, the City will ensure full cooperation and access is provided to any City owned or managed land required for the event, including for viewing precincts, crowd management, operations and logistics, with no fees, costs or unreasonable conditions applied. The City will also provide full assistance to the Government on all matters to ensure a timely transfer of plans, documentation, novation of supplier agreements and similar elements.

I trust all of the above can be reasonably agreed, and trust that the City and State will work in good faith to negotiate the MOU and continue collaboration and planning for the event.

MOU arrangements will be managed by the Department of Premier and Cabinet. To discuss next steps or any of the above, your staff or delegate should contact Kate Meagher, Executive Director, Partnerships and Engagement at [REDACTED]
[REDACTED]

Again, I thank the City for its collaborative approach and look forward to a successful New Year's Eve event in December 2021.

Yours sincerely



The Hon. Stuart Ayres MP
**Minister for Jobs, Investment, Tourism
and Western Sydney**