

Item 14.1**Notices of Motion****Saving Sydney's Creative and Cultural Sector - The Divine Playhouse**

By Deputy Lord Mayor Councillor Miller

It is resolved that:

(A) Council note:

- (i) on 8 July 2026, Divine Playhouse opened at 420 Kent Street. A grant for \$100,000 was awarded by Create NSW for 4 months of programming which would have provided employment for 140 creative industry workers
- (ii) on Thursday 9 July 2026, the venue's landlord, Revelop terminated Divine Playhouse's lease on the grounds that it was engaged in "offensive trade"
- (iii) the response to the termination has been:
 - (a) ~ 20,288 signatures on an online petition "Help Divine Playhouse Find a New Home and Keep Sydney's Queer Arts Scene Open"
 - (b) \$49,172 raised as part of a GoFundMe campaign
- (iv) the support of Lord Mayor Clover Moore AO via a public statement and request that "staff investigate whether another space could be made available if the landlord does not allow this project to proceed"
- (v) on 11 August 2026, at the meeting of the City of Sydney's Nightlife and Creative Industries Advisory Panel issues and concerns were raised about the closure including:
 - (a) the Panel's formal support for Kat Dopper, proprietor of the Divine Playhouse
 - (b) the failure of the property market to provide affordable space and security of tenure for the creative industry
 - (c) the challenges associated with the precarious nature of leases for creative use
 - (d) the importance of backing creative producers especially for those wanting to try something different
 - (e) the need for emergency support for the sector, front door access to services for immediate help and to aid in the navigation of legal complexities
- (vi) the Panel agreed to write to the Office of the 24 Hour Commissioner expressing its concerns

- (vii) Divine Playhouse is one of a many recent closures of cultural and nightlife venues across the Local Government Area (LGA) in the past 6 months including Mary's Underground, the Stonewall Hotel, Bar Freda's, Monster Mouse Studios and Mosh Pit
- (viii) the Divine Playhouse experience reveals that landlords could abruptly terminate the leases of other cultural, nightlife or other venues on the grounds of "offensive trade" as Schedule 4 of the Conveyancing Act 1919 sets out that "offensive trade" includes "offensive art, trade, business, occupation or calling"
- (B) the Lord Mayor be requested to write to the NSW Premier asking the NSW Government to amend Schedule 4 of the Conveyancing Act 1919 to remove the words "includes "offensive art, trade, business, occupation or calling" as their application makes it harder for operators to obtain a secure lease
- (C) the Chief Executive Officer be requested to:
 - (i) update Council on the possibility of the City providing space to Divine Playhouse
 - (ii) explore the options for providing support to the creative, cultural and nightlife sectors as discussed at the Nighttime and Creative Industries Advisory Panel's meeting on 11 August 2026.

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