

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.

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Chief Executive Officer