

## Item 11.3

### Notices of Motion

#### Supporting Peaceful Protest in the City

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) last month, Council unanimously voted to:
  - (a) acknowledge that the right to protest is fundamental in a democratic society;
  - (b) note that the NSW Government has recently enacted a series of laws which further restrict and criminalise peaceful protests, including changes to the Roads Act 1993 passed by the NSW Parliament in April 2022. Under the recent legal changes, peaceful protesting can carry a maximum penalty of \$22,000 or two years in gaol, or both, if it disrupts roads, bridges and/or tunnels;
  - (c) support and facilitate the right of the community, including climate activists, to peacefully protest in the City; and
  - (d) condemn harsh police practices with respect to protesters;
- (ii) on Friday 2 December 2022, environment activist Violet (Deanna) CoCo faced the Magistrates Court, Downing Centre in Sydney. She had been charged for peacefully protesting climate inaction, following a protest in April 2022 which involved blocking one lane of traffic for approximately 25 minutes;
- (iii) Violet (Deanna) CoCo has been sentenced to 15 months in prison, with a non-parole period of eight months;
- (iv) the sentence has received national and international condemnation. Clément Voule, the United Nation's special rapporteur on freedom of association and peaceful assembly, is reported to have said he was "alarmed" by the sentence and the court's refusal to consider bail for the sentence appeal until March 2023;
- (v) the New South Wales Liberal Premier Dominic Perrottet is reported to have described the minimum eight-month sentence as "pleasing to see"; and
- (vi) over 20 other people involved in peaceful climate protests in the City this year have been charged under the new anti-protest laws, and are currently awaiting trial;

- (B) Council also note:
- (i) also following the 21 November 2022 Council meeting, local identity and peaceful protester Danny Lim was taken to hospital after being significantly injured by police, when security at the Queen Victoria Building called the police to remove him from the building. The Queen Victoria Building is owned by the Council; and
  - (ii) there were reports during the recent ALP Conference held at the Sydney Town Hall that peaceful protesters holding placards were moved away from the Town Hall Steps, although they had been advised they had permission from the Council to be there; and
- (C) the Chief Executive Officer be requested to provide advice about ways for Council to ensure that the right to peaceful protest in Council-owned buildings and spaces controlled by Council, is protected. This includes in Council town halls and surrounds, and commercial properties leased by Council.

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