

## Item 11.7

### Notices of Motion

#### Restriction of Peaceful Protests at Sydney Town Hall

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) as part of its decision of 21 November 2022, in support of the right to peaceful protest, the Council called on the NSW Government to repeal April 2022 changes to the Roads Act 1993;
- (ii) the changes to the Roads Act 1993 were made in response to a climate protest held in the City. The changes introduced fines of up to \$22,000, two years in jail, or both, for disrupting 'major roads', bridges, tunnels, public transport and infrastructure facilities. A large number of roads in the City were identified as potentially included in the definition of 'major road', but to date the NSW Government has not released specific advice to confirm where the new laws apply; and
- (iii) since the introduction of the new anti-protest laws, there have been changes to the approach of NSW Police to organised protests in the CBD, particularly those planned outside Sydney Town Hall. The Office of the Deputy Mayor has received multiple accounts of protesters being told that new restrictions apply, and they may be charged under the new protest law for causing disruption to foot traffic and light rail in the area if they do not move or restrict their planned peaceful protests away from Sydney Town Hall. These include:
  - (a) NSW Police have told organisers of International Women's Day March (to be held on 11 March 2023), School Strike for Climate (held on 4 March 2023) and May Day that they cannot have rallies in front of Sydney Town Hall if the rally exceeds 2,000 people; and
  - (b) Police have told organisers they need to hold rallies in Belmore Park and other venues instead, stating that protests in front of Sydney Town Hall cause too much disruption;

(B) Council affirm that:

- (i) Sydney Town Hall is an important and historic place for individuals to gather to express their political views;
- (ii) Police attempts to restrict peaceful protests at Sydney Town Hall are not compatible with the City of Sydney's commitment to supporting the right of peaceful gathering, meeting and assembly in NSW; and
- (iii) Council continues to strongly support the use of public space in the City of Sydney for peaceful political expression; and

- (C) the Lord Mayor be requested to again write to the NSW Police Minister, the Shadow Police Minister, and the Police Commissioner:
  - (i) expressing concern about the reports of restrictions on peaceful protests outside the Sydney Town Hall,
  - (ii) reaffirming the City's position around the right for people to gather and express political views through peaceful protest in the CBD, and
  - (iii) requesting confirmation of what roads or areas in the Local Government Area are captured by the April 2022 changes to the Roads Act 1993.

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