Resolution of Council

29 June 2026

Item 15.6

Human Rights Act for NSW

Moved by Councillor Ellsmore, seconded by Councillor Thompson –

It is resolved that:

(A) Council note that:

(i) Australia does not have a federal Human Rights Act, unlike other countries with similar legal systems, including New Zealand, Canada and the United Kingdom;

(ii) the Australian Capital Territory, Queensland and Victoria have their own Human Rights Act in force;

(iii) following a Greens private members bill passed by the ACT Parliament last year, the ACT's Human Rights Act includes the right to housing, including the right not to be discriminated against in relation to housing, the right not to have access to essential utilities arbitrarily withdrawn and the right not to be arbitrarily evicted;

(iv) a Human Rights Act for NSW could be a powerful tool to support communities to assert and protect their fundamental human rights, including the right to a safe and healthy environment, the right to an adequate standard of living including adequate housing, the right to education, the right to protest, the right to vote, and the right to access healthcare;

(v) a Human Rights Act could empower decision makers within NSW Parliament and all public bodies, including local councils, to incorporate consideration of human rights into all their decision-making processes; and

(vi) a Human Rights Act could empower community members to take action if their human rights are limited or violated by a public body in NSW;

(B) Council further note that:

(i) on 23 October 2025, the Greens Human Rights Spokesperson Jenny Leong MP introduced a Human Rights Bill 2025, which if passed would become a Human Rights Act for NSW;

(ii) on 18 March 2026, the NSW Legislative Assembly unanimously agreed to refer the Bill to the Legislative Assembly Committee on Community Services for inquiry and report. The inquiry is underway with submissions due on 3 July 2026;

(iii) the referral followed a letter from 8 Legislative Assembly crossbenchers, including 4 independents, urging the NSW Premier to support an inquiry into the Human Rights Bill 2025; and

(iv) more than 120 organisations, including Amnesty International, the Human Rights Law Centre, Australian Lawyers for Human Rights, the NSW Council for Civil Liberties and the Aboriginal Legal Service and high-profile individuals, support the inquiry into the Human Rights Bill 2025 and the establishment of a NSW Human Rights Act;

(C) the Lord Mayor be requested to write to the Member for Newtown, who introduced the Human Rights Bill 2025, informing them of the Council's in principle support for a NSW Human Rights Act; and

(D) the Chief Executive Officer be requested to:

(i) make a submission on behalf of the City of Sydney to the NSW Legislative Assembly Committee on Community Services Inquiry into the Human Rights Bill 2025 supporting a comprehensive Human Rights Act for NSW, by the due date of 3 July 2026; and

(ii) highlight in the submission key areas for which the City of Sydney has long been advocating for stronger protections in NSW, including: the right to public protest, the rights of LGBTIQA+ communities, and the right to safe and secure housing.

The motion was carried on the following show of hands –

Ayes (9) The Chair (the Lord Mayor), Councillors Arkins, Ellsmore, Kok, Maxwell, Miller, Thompson, Weldon and Worling

Noes (1) Councillor Gannon*.

Carried.

*Note – Councillor Gannon abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Gannon is taken to have voted against the motion.

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