

**Motion Carried**

**For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

**Against Motion:** Nil

**C0322(1) Item 12 Notice of Motion: Gender Inclusion**

**Motion: (Atkins/Howard)**

**That Council:**

1. Acknowledges the fundamental right of all people to live free from discrimination and condemns any attempt to target, exploit or entrench discrimination against transgender and gender diverse people in our parliaments or in the community;
2. Commits to sport for everyone; assures the diverse Inner West community that it does not support the blanket banning of transgender athletes in all settings; and supports and encourages those sporting organisations in the Inner West seeking to be more inclusive;
3. Reaffirms its commitment to providing safe and accessible gender neutral public toilets as set out in the Public Toilet Strategy;
4. Calls on the NSW Government to amend the *Birth, Deaths and Marriages Registration Act 1995* to enable legal gender recognition without the requirement of surgical intervention; and
5. Consults with the LGBTQ working group about hosting events and actions to mark Transgender Day of Visibility and Transgender Day of Remembrance.

**Motion Carried**

**For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

**Against Motion:** Nil

**C0322(1) Item 13 Notice of Motion: Affordable Housing Contribution Scheme and an audit of Council land for affordable housing**

**Motion: (Griffiths/Smith)**

**That Council:**

1. Audit public Council land that could be used by Council, in partnership with community housing providers, to develop new Affordable Housing units;
2. Pursue the development and approval of an Affordable Housing Contribution Scheme in this term of Council; and
3. Receive a briefing on the results of point 1, potential sites where an Affordable Housing Contribution Scheme could be implemented, and any prospective updates to Council's Affordable Housing policy.



14 March 2022

The Hon Mark Speakman, SC MP  
NSW Attorney General

**By email: [cronulla@parliament.nsw.gov.au](mailto:cronulla@parliament.nsw.gov.au)**

## **Gender Recognition**

The Inner West is a diverse and inclusive community with one of the largest LGBTQ populations in the country. At its meeting 8 March 2022, Inner West Council reaffirmed its commitment to ensuring the fundamental right of all people to live free from discrimination and condemns any attempt to target, exploit or entrench discrimination against transgender and gender diverse people in our parliaments or in the community and resolved as follows:

*That Council:*

- 1. Acknowledges the fundamental right of all people to live free from discrimination and condemns any attempt to target, exploit or entrench discrimination against transgender and gender diverse people in our parliaments or in the community;*
- 2. Commits to sport for everyone; assures the diverse Inner West community that it does not support the blanket banning of transgender athletes in all settings; and supports and encourages those sporting organisations in the Inner West seeking to be more inclusive;*
- 3. Reaffirms its commitment to providing safe and accessible gender neutral public toilets as set out in the Public Toilet Strategy;*
- 4. Calls on the NSW Government to amend the Birth, Deaths and Marriages Registration Act 1995 to enable legal gender recognition without the requirement of surgical intervention; and*
- 5. Consults with the LGBTQ working group about hosting events and actions to mark Transgender ay of Visibility and Transgender Day of Remembrance.*

Whilst it is recognised that enormous progress has been achieved over the past 30 years in recognising and addressing long-term inequality and injustice suffered by members of the LGBTQ community. There remain structural and legal barriers that disadvantage members of the LGBTQ community and this relates more to a person's sex or gender status than their sexual orientation.

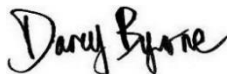
The specific challenges faced by transgender and intersex people in NSW, whereby they are required to provide evidence that they have undergone a sex affirmation procedure and therefore surgical intervention to change the legal record and / or registry record of their sex or gender is extraordinarily invasive.

Inner West Council calls on the NSW Government to amend the *Birth, Deaths and Marriages Registration Act 1995* to enable legal gender recognition without the requirement of surgical intervention.

This would be in keeping with other jurisdictions such as ACT, where in 2014, the Government implemented the ACT Law Reform Advisory Council's recommendation to remove the surgery prerequisite for changing the registry record of a person's sex and similar reform processes are ongoing in Victoria and South Australia.

Inner West Council looks forward to favourable consideration of this human rights issue to amend the *Birth, Deaths and Marriages Registration Act 1995*.

Yours sincerely

A handwritten signature in black ink that reads "Darcy Byrne". The signature is written in a cursive, flowing style.

Clr Darcy Byrne  
**Inner West Mayor**