

**Submission
No 89**

MEASURES TO REDUCE ALCOHOL AND DRUG- RELATED VIOLENCE

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The Committee Manager
Committee on Law and Safety
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Re: Inquiry into Measures to Reduce Alcohol and Drug-Related Violence

The Federal Government established the National Live Music Office in July 2013 to be the leading resource supporting the development of live music performance opportunities in Australia as well as be a principal support provider for live music audience and sector development.

In this capacity I would submit that the January 2014 Liquor Act amendments that expanded the liquor freeze and also introduced the lockout/ cease trade conditions in the Sydney CBD has had a perhaps unintended yet substantial effect on the live music ecosystem in the City. From the interaction with police and OLGR as the conditions were introduced, through to shifts in programming, losing regular gigs to the effects on live music venues and the associated hospitality industry in the suburbs as people re adjust their social and entertainment habits around the CBD conditions.

Primary purpose entertainment venues in the CBD need to cater to different crowds to remain viable, mostly not having the ancillary income from food and beverage or gambling options. This can often mean venues having live bands on before midnight and djs after midnight.

Shifting the access and trading conditions for night crowds to earlier than the previous trading conditions meant regular live gigs were lost for musicians within days of these conditions being introduced, and well as programming shifts away from live music in some venues. For example, one weekly residency for live music, which was doing well, that was cancelled in the first week was able to start up some weeks later over in Glebe however the city audiences didn't migrate and the new residency didn't last. Another regular live music event from the CBD then went to a Hotel in the Leichhardt LGA however the venue wasn't suited for the low frequency bass of this particular club night and it hasn't been hosted again at the new venue.

Other on-premises venues experienced very confrontational interactions with the Surry Hills licensing police. With on-premises restaurants and theatre licenses exempt from the lockout provisions, licensing police contacted these venues and advised that any of these businesses that had live entertainment would be reported for breaching the lockout cease trade conditions and would be reported to OLGR and their liquor licence revoked. Under NSW laws, the granting of a liquor licence is conditional on the consent for the business under planning laws. In NSW in 2009 changes to planning laws meant that a restaurant having live music was no longer considered a change of use and was now a normal part of the operation of these types or premises. There is documentary evidence of the conduct of licensing police with pressuring venues, and whilst a commitment was given by NSW police to investigate these issues at an industry forum convened by the Department of Premier and Cabinet, nothing further has been heard from NSW police to date.

Passed unanimously by the City of Sydney Council, the 2014 Live Music and Performance Taskforce Action Plan makes important recommendations about liquor licensing in the City and NSW. One of the most important recommendations involves applying appropriate trading conditions for live music venues to compensate for reduced trading during performance times as well as the abolition of the liquor freeze, contrary to the anti-violence measures introduced by the NSW government.

Unless the government has access to data that is not publicly available, there is no evidence linking live music with violence in the Sydney CBD or elsewhere to the best of my knowledge.

Restricting these venues by not allowing new licenses or variations can only embed an existing character in the night economy without allowing for new cultural options such as live music venues and theatres.

Yours Sincerely

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