

**Submission
No 273**

SYDNEY'S NIGHT TIME ECONOMY

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Submission to Joint Select Committee on Sydney's night time economy

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A number of the management rules and prohibitions instituted in 2014 for select entertainment precincts in Sydney, following a spate of deaths from alcohol-fuelled assaults, had already been trialled and implemented in the regional city of Albury. This history goes back to 2006.

The Albury community, through its representative Liquor Accord, has consistently sought to balance support for local businesses, for employment and for the continuance of its vital entertainment precincts, with community experience of violence. Community perception was emerging that these areas had become unsafe and, indeed, tragic.

It is this very real experience that forms the basis of this submission to the Joint Select Committee.

Albury is a city of approximately 50,000 people, situated in southern NSW beside the Murray River. The Victorian city of Wodonga (population 41,000) is on the other side of the river. Albury's CBD is the leading retail and entertainment precinct for the region, catering for up to 180,000 people.¹

As far back as 2006, a 1:30am lock-out was put into effect for sections of Albury's entertainment precinct.

In 2012 the Albury Liquor Accord was formed, bringing together venue operators, police, council and others to consider how best to deal with violence on the streets of its entertainment precincts.

In late 2012, the NSW government introduced the policy which allowed local liquor accords to stop violence and anti-social behaviour by allowing pubs, clubs, restaurants and sporting clubs to share the names of troublemakers and implement a blanket ban.

In 2014 the Albury Liquor Accord considered moving to a 12.30am lockout and blanket ban on shots for the city's pubs and clubs. A public poll was taken. Community unrest continued, with numerous families reporting assault and injury to young people out late at night. The amendment did not proceed.

There was a modification to the rule in February 2015, when the Accord policy banning troublemakers from all licensed venues was limited to cover pubs and nightclubs only. Four people had been given minimum one-year bans, with another three about to be put on the list for the same period of ban. The maximum penalty is a life ban.

¹ <https://profile.id.com.au/wodonga/home>

This brief timeline shows how the Albury Liquor Accord continues to be adaptive and effective, attempting to balance competing needs for safety, commerce and entertainment. It emerged, through the work of the Accord, that the most pressing safety issue involved patrons moving between venues over the course of an evening. Venues had security. The risk of assault was being out on the street in the early hours, heading from one venue to another. Lock-out laws became the tool for managing this risk.

As a recent illustration of continual evolution, in November 2017 the Albury Liquor Accord launched the 'Ask for Angela' safety campaign in more than 50 venues². Albury was the third NSW accord to take up Ask for Angela. This is an indication of the importance in Albury of continual assessment of management rules for the entertainment precincts.

Albury City has a number of alcohol free zones and alcohol prohibited areas.³ Albury CBD and Lavington CBD are alcohol-free zones, apart from exempt areas for outdoor dining. The Alcohol Free Zones affect streets, footpaths and Council owned car-parks. Alcohol Prohibited Areas are tied to parks within Albury. Police have the right, within these areas, to seize and tip out alcohol.

Within some prohibited areas it is still possible to seek an exemption from Council so that alcohol can be served at an event such as a wedding or conference. This is part of the flexible approach adopted in Albury by council, balancing safety with support for community activities and for business oriented events.

More recently Albury City has developed a Crime Prevention Plan.⁴ The AlburyCity Crime Prevention Plan 2016 - 2019 was prepared by Council in accordance with the provisions of the NSW Children (Protection and Parental Responsibility) Act of 1997.

This Plan has been supported by Albury Police and the AlburyCity Crime Prevention Committee. Committee members include the local member of NSW Parliament, representatives from NSW Police, Albury Liquor Accord, Albury Northside Chambers, AlburyCity Youth Council, and Albury Community Health.

The aims of the Plan, as stated by Council, are:

- to reduce the incidence of crime in Albury
- to improve the perception of safety in Albury
- to develop a coordinated and preventative approach to addressing priority issues in relation to crime and personal safety

² <https://www.bordermail.com.au/story/5089688/ask-for-angela-starts-in-albury-as-help-to-escape-unsafe-dates/>

³ <https://www.alburycity.nsw.gov.au/community-services/public-health-and-safety/alcohol-free-zones-and-alcohol-prohibited-areas>

⁴ <https://www.alburycity.nsw.gov.au/community-services/public-health-and-safety/alburycity-crime-prevention-plan>

- to form partnerships with and to encourage the involvement of the community, police, government and business.

The development process has involved significant community engagement to ascertain the priorities of the community. Further research was obtained from Police and NSW Bureau of Crime, Statistics and Research (BOCSAR) data.

From this data Council identified two priority areas for action:

- Assault Domestic Violence
- Drug and Alcohol Offences

These were the only two areas covered by the BOCSAR data for Albury for which reported offences were increasing in the Albury LGA over the five years from 2011 to 2015. Reported domestic violence offences were overwhelmingly within the home, not out on the public streets of the entertainment precincts.

BOCSAR statistics also note that Albury LGAs drug offences have risen by 34.7% per year since 2011. Albury LGA data relating to alcohol offences has remained stable. However the ranking of this area has increased against other LGAs, from 62nd to 35th in the state. That's a relative decline.

The most recent BOCSAR report (2017) for Sydney CBD and Kings Cross precincts non-domestic assaults covers period from January 2009 to September 2016: 93 months of which 62 months were prior to lockout intervention and 31 months post the lockout intervention. This is revealing on the role of management rules.

<i>Areas</i>	Reduction in non-domestic assault since Jan 2014
Kings Cross Precinct	Down 49%
Sydney CBD Entertainment Precinct	Down 13%
Rest of NSW	Up 0.8%

BOCSA table⁵

MORE STEPS, LOWER CRIME

In June 2018 local media reported that the rate of violent crime in Albury had dropped significantly over the last 12 years.

Local police noted that the introduction of CCTV in city had been a positive step over 2017-18, in tandem with hard work by the police over the past decade to reduce the number of assaults.

⁵ https://www.bocsar.nsw.gov.au/Pages/bocsar_pages/Alcohol_Related_Violence.aspx

BOSCAR figures for the Albury LGA indicate that for 2017 the number of non-domestic assaults dropped to 329 with the area's lowest number of assaults coming 12 months earlier, with 296 in 2016. Of the 329 assaults, 139 were alcohol-related.

Looking closer into the suburb of Albury, non-domestic assaults were at a 12-year low in 2017 with 109 reported incidents. That is down almost 60 per cent on the 252 assaults recorded in 2006 for Albury itself.

Said the police, "The CCTV has come along and the benefits of that have been fantastic – everything from a simple deterrent to right through that we've been able to solve some serious crimes by reviewing CCTV footage."

BOSCAR statistics for ALBURY Local Government Area

April 2018 to March 2019

Non-domestic assault incidents

2 year trend: Stable

Rate per 100,000 population: 670.5

NSW rate per 100,000 population: 399.6

Albury surgeon Dr John Hennessy⁶ praised the city's 1:30am lockout laws for halving the number of assault victims that end up on his operating table.

As noted earlier, a 1.30am lockout was introduced in Albury in 2006. Controversial at the time, the move had been an undisputed success, according to Dr Hennessy, who noted that before the laws were introduced, at the worst of the violence, he would operate on more than 200 people a year from all causes. This number gradually halved after the lock-out came into effect.

"Nothing else such as sporting injuries, motor vehicle crashes and workplace injuries changed. The only explanation for the dramatic reduction in facial injuries is the lockout," said Dr Hennessy, reported in the Border Mail.

"Ten or 15 years ago, the biggest cause of facial injuries was young men and alcohol. Then I went from seeing 200 facial injuries a year to 100. That's 200 operations a year down to 100 and that's fantastic. It would be better if it was zero, but I don't think we'll ever get there."

CONCLUSION

This submission is founded upon the experience of the Albury community in managing its night time economy and the necessary mix of supporting entertainment and hospitality businesses and jobs, along with enhancing community safety and the perception in the community of safety in entertainment precincts of the city.

⁶ <https://www.bordermail.com.au/story/5458074/assault-rate-drops-in-city-as-cops-up-the-ante/>

Albury, through its Liquor Accord, has extensive experience of testing measures such as lock-out laws to keep patrons in a controlled environment, removal of glass and better targeted police activity.

The experience is that serious injury from alcohol or drug fuelled violence on the city streets of the entertainment precincts has been reduced over this period, to the benefit of the community as a whole.

Despite this, violence remains a serious problem in the Albury community, particularly in the home. This must not be ignored or glossed over as we seek to understand the value of current management efforts and measures that have delivered positive outcomes in our entertainment precincts. Serious, disabling injuries have been minimised and tragedies avoided.

The night time economy remains strong in Albury – the largest entertainment precinct in the region – with the community, patrons and venues adapting to the limitations.

In essence this submission can be reduced to a simple statement: considered restrictions on activity within entertainment precincts should result in reduced trauma while supporting positive community perceptions of the safety of 'going out at night'. Community consultation combined with regular assessment and adaptability is a proven model of great benefit to society in maintaining a healthy balance of interests in this space.

ENDS