

**Submission
No 331**

SYDNEY'S NIGHT TIME ECONOMY

Organisation: City Central Liquor Accord Inc.

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NSW Parliament Legislative Assembly

Inquiry | Joint Select Committee on Sydney's Night Time Economy

SUBMISSION | City Central Liquor Accord Inc.

Submitted to

The Chair, Joint Select Committee on Sydney's Night Time Economy
Parliament House, Macquarie Street, Sydney NSW 2000.

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On behalf of City Central Liquor Accord Inc.

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Executive Summary

Thank you for the invitation to make submission to the Inquiry on Sydney's Night Time Economy.

City Central Liquor Accord Inc. is a strong, well-established and professionally managed association with over 90 financial members covering hotels, clubs, bottle shops, venues, restaurants, small bars and cafes.

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The Accord leadership group has impressive experience and credentials and the long-term office bearers have brought stability and positive direction over many years, fostering a culture of compliance in its members. The Accord is diligent and proactive in supporting new and existing members to embrace improved techniques around the service of alcohol and the reduction/removal of alcohol related incidents. For the past 5 years, the Accord has engaged a paid administrator/coordinator to ensure information and notifications from regulatory bodies and stakeholders is quickly and thoroughly disseminated to members for their prompt attention.

The Accord covers the area of the Sydney CBD from the southern side of Market Street, south through to Haymarket, Chippendale and west across to Pyrmont and Ultimo, excluding the Darling Harbour precinct which has its own accord.

The Accord has close collaborative, working relationships with key regulatory bodies and stakeholders including Liquor & Gaming NSW, City of Sydney, Sydney City Police Area Command, AHA (NSW) and various community groups.

With a proven track record of adopting a proactive approach to implementing strategies to address anti-social behaviour, alcohol-related issues and to promoting positive health outcomes, the Accord considers it plays an important role in this space, in addition to providing support to community groups for their work in addressing health and social issues.

The Accord fully supports the growth of the 'night time economy' across both the Sydney CBD and suburban areas and encourages the removal of Sydney's lockout laws and restrictions to facilitate tourism growth, increase visitation across the city, create greater business certainty for investment, create jobs and meet the expectations of the population. It is difficult to see how the City of Sydney's plans for a 24-hour city centre and economy can be met without a diverse range of late-night venues.

Our member businesses have faced many severe challenges and suffered significant negative impacts as a result of the lockout laws. Over 600 venues have closed their doors and 100s of others have had to reduce their operations and offerings, and decrease their employee numbers

significantly. The loss of employees would be in the 1000s. This has also had a flow on effect and severely impacted on other businesses such as late-night food establishments. We reference the recently-released Deloitte report which states that Sydney's night time economy is undervalued by \$16.1 billion. On the positive side - that represents \$16.1 billion worth of opportunities for growth that a removal of lockout laws and associated restrictions can assist in realising.

We embrace the opportunity that this Inquiry presents, to work with all sectors to create a vibrant and diverse 'night time Sydney', that local, national and international visitors would expect from Australia's largest city. An environment which will reposition Sydney as one of the best cities in the world.

The Global Time Out Index 2019 list of best cities listed Sydney in the bottom 10. Prior to the lockout laws Sydney was listed in the Top 10. This drop is primarily due to the lack of nightlife, with Sydney ranked one of the worst in the world. New York and Melbourne are ranked in the top two positions in this report. Melbourne is a prime example of how a different approach has worked. Unlike Sydney, with its restrictive lock out laws and dwindling live music scene, Melbourne is a complex vibrant 24 hour city that has been proclaimed the greatest music city in the world.

The contrast between Sydney and Melbourne is significant. According to APRA AMCOS, there has been a 40% decline in the door charge receipts in the Sydney CBD Plan of Management lockout area for licensed entertainment venues since the lockout laws.

As the recent NSW Parliamentary Inquiry into the NSW Music Industry found, Sydney has a "music venue crisis" that has adversely affected Sydney's cultural reputation. The lockout laws have helped create this situation, and there is no link between live music and the violence the laws are meant to stop. The National Association for the Visual Arts said in its submission: *"For a city that prides itself on its national and global reputation as a place of innovation and sophistication, Sydney's alarming drop in liveability and cultural attraction is cause for great concern."* The severe impact of the lockout laws as the 'final nail in the coffin' were highlighted in the hundreds of submissions. The committee made 60 recommendations to revitalise the sector. The committee found no research available that suggested that music causes violence. The majority of the evidence suggested that music assists in preventing violence.

Throughout the lockout phase, many of our members have significantly upgraded their services, facilities, processes and practices and are well-positioned to provide a high quality, safer night time environment. They embrace a culture of compliance with best practice, diversity, inclusivity and tolerance to provide world-class services to our diverse patronage.

A number of other factors have, and are, contributing to a better night time environment in the city: the emergence, popularity and growth of ride-sharing (UBER) services; the highly-anticipated commencement of the Light Rail services; the future Sydney Metro which will operate 21 hours a day and include additional stops and a new zone; operation of the Take Kare Safe Space facility; a greater emphasis on a culture of compliance; the introduction of online/digital incident registers; and most importantly, anti-violence awareness and educational campaigns across the community. All these must be taken into account in a positive way, in regards to removal of the lockout laws and restrictions.

We fully appreciate that venues have a moral, legal and regulatory obligation to provide safe and well-operated food and entertainment spaces and places. But equally, there needs to be an onus on patrons visiting our venues to behave in socially acceptable ways. To achieve this, we strongly recommend continuing anti-violence and anti-drug campaigns across the wider community to create a culture of care and not harm and a zero-tolerance policy which has worked so well in New York. Stringent conditions should address individual operators not the entire CBD area.

We thank the Inquiry for the opportunity to present our views and highlight the significant work of City Central Liquor Accord across many areas and our commitment to create a vibrant, diverse, enjoyable and safe city with a 24 hour economy.

Let's bring people back into the heart of the city by unlocking the city's night time economy, abolishing the lockout laws and allow 24 hour trading for well-run venues which will assist to create a vibrant, culturally diverse and attractive 24 hour global city.

Terms of Reference | Response

Enhancing Community Safety

- The Accord has, and will continue to, implement programs to address anti-social behaviour and other alcohol-related issues in our precinct to enhance safety across the community.
- Members implemented the highly regarded 'Ask for Angela' campaign, working closely with Sydney Central Police.
- The Accord provided letters of support to the City of Sydney submission for the establishment of a Super Taxi Rank on Bathurst Street to enhance the safety of patrons exiting the city late at night. Further support was provided when the rank needed to be moved to Goulburn Street due to Light Rail construction.
- The Accord provided financial support to Take Kare Safe Space operated by the Thomas Kelly Foundation for a social media campaign to increase awareness of this facility. The Accord constantly reminds members that this service is available and to call them when they have patrons requiring such assistance.
- Safety to venue staff has been enhanced through proactively translating the Fail To Quit materials into 6 different languages for Liquor and Gaming NSW. Our members identified the need for this material, with patrons from many countries visiting our venues and not understanding the licensing laws and the material provided by Liquor & Gaming was only available in English. This lack of understanding placed venue staff in difficult situations with patrons who may have become agitated and exhibited aggressive behaviour and the encounters had the potential to escalate into serious incidents, placing safety of many people at risk.
The Accord approached Liquor & Gaming to supply the explanatory material in Spanish, Portuguese, Chinese, Korean, Thai and Malay, only to be advised that material was not available and the department did not have the budget to cover the cost of translations. The Accord not only provided the funds to have the translations done through SBS Translation Service, but also managed the project, liaising with SBS and Liquor & Gaming and then making the translated material available both to our members and through the Liquor & Gaming website to all licensed venues across the state.
- Transport is a major factor in regard to the safety of the community, in particular the safety of patrons exiting the city. We support increased security measures, especially personnel, across the public transport system.

- We note that prior to the lockouts being introduced, ride-sharing services, eg UBER, Ola, Bolt and Sheebah were not operating in Sydney. We note that these services have greatly improved the safe transport of patrons, especially exiting the city late at night and we support measures to expand and promote such services and other similar options.
- While the construction of the Light Rail has created significant challenges for many of our members over a very long period, we look forward to its opening to facilitate easily accessible transport for patrons.
- The Accord recommends action to provide safe and easily accessible, late night toilet facilities throughout the city. Many people rely on toilet facilities in licensed premises and this option has not been available throughout the lockout period. With the removal of the lockout laws, access to safe toilet facilities in licensed premises will return.
- The Accord supports measures and initiatives to present and promote licensed venues as “safe spaces” with their highly trained management and staff, professional security, first aid facilities, CCTV, access to food, water, toilets and phone charging. ‘Public houses’ have historical been a meeting place through Australian communities and we support measures to present this positive, inclusive and welcoming image of our members.
- Even prior to the lockout laws and restrictions, assaults were at their lowest levels in 10 years. Official regulators and venues have been educated and are equipped with best practices and the resources to continue to monitor and prevent alcohol related violence.
- The Accord is willing to adopt a set of ‘Safe Venue’ harm minimisation criteria with self-enforcement that all members agree to abide by.
- The Accord recommends that Government and other bodies, further continue anti-violence campaigns across the community to combat violence at all levels and foster a culture of care not harm in individuals.
- Drug-taking presents a risk factor in licensed premises and to the individual. Behaviours of drug-affected patrons can be erratic and dangerous. We recommend further measures to combat drug use across the community, especially in our precinct.

Enhancing Individual and Community Health Outcomes

- The Accord addresses specific issues, as and when they arise, as well as taking a proactive approach to supporting the measures and programs offered by community groups to support health outcomes.

- In making donations to charities and community groups, the Accord focuses on the smaller, less well-known groups. In November 2018, in a positive move to improve the educational outcomes of disadvantaged children, the Accord donated \$2500 to the work of A Start in Life, an Australian Charity with over 90 years' experience in providing support to young people living in financial and social distress.
- In May 2019, the Accord donated \$2100 to provide 20 Backpack Beds the Homeless in CBD, to better enhance their health, safety and overall well-being.
- While always considering worthy groups for support, the Accord is prepared to commit a fixed percentage of funds received from membership (our only source of income) to further educating our members and the community and a fixed percentage to expanding our support for local charities.
- Without a boost to business through the removal of lockout laws and restrictions, donations to charities from individual venues may be impacted
- The accord supports the education and training of venues and their employees to assist with ensuring that patrons' health, safety and wellbeing are prioritised not only on premises but in the CBD area.

Ensure existing regulatory arrangements in relation to individuals, businesses and other stakeholders, including Sydney's lockout laws, remain appropriately balanced

- The Accord supports the removal of the current lockout laws and restrictions to enhance the image and reputation of Sydney as an international city; to promote both international and domestic tourism; and to boost the night time economy across all of Sydney.
- From an image and reputational viewpoint, there may exist the perception that the whole of Sydney is inactive in the night time. This can have a flow-on effect in visitations, both by visitors and locals, across wider Sydney not just the CBD and needs to be addressed.
- The Accord supports a closer liaison and clearer definition of powers of regulatory bodies, ie Liquor & Gaming NSW, legislation, Council DCPs to assist business.
- The Accord is well-structured, professionally managed and has a collaborative and close working relationship with Liquor and Gaming NSW, City of Sydney, Sydney City Police, AHA (NSW) and other industry bodies and is well-positioned to address any issues as they arise.
- Through the extremely prompt dissemination of information by the Accord Secretary to our members, the maintenance of a professional website, highly informative and relevant-

content meetings and other initiatives, the Accord has demonstrated a culture of compliance, safety and collaboration.

- Individual venues should be subject to risk-based assessment and criteria that identifies problem venues/operators and areas. With conditions and restrictions applied on an individual basis.
- The Accord has a large and growing membership across its precinct with a very high take-up with hotels, clubs, bottle shops and small bars. This enables us to disseminate information quickly to many venues, emphasise key issues, especially compliance, regulatory and safety-related and encourage members to act accordingly.

However, we do not find the same attitude to joining a liquor accord by a great number of restaurants and smaller licensed cafes. We support regulatory measures which would require all licensed premises to be members of a liquor accord. This would ensure that the same information, eg notifications from police, Liquor & Gaming NSW, other government departments, would be disseminated across the entire licensed sector and contribute to better education and awareness.

- The accord is very professionally managed with a highly experience leadership team and conscientious administrator/secretary and takes its role in the community extremely seriously. Despite the lockouts, disruption from Light Rail construction and the resulting downturns in business, membership has continued to grow. Currently 91 members. This is evidence of the significance of liquor accords and the need for them to be further supported by the relevant government bodies and stakeholders.
- In regard to compliance issues, the widespread use of online incident registers across our membership, shows how proactive our members are in relation to regulation.
- The lockouts have caused the loss of many licensed venues in the city and, according to anecdotal reports, some highly qualified operators have left Sydney to start venues in other cities.

The loss of venues, means loss of jobs, loss of career opportunities in the hospitality industry for young people, loss of experience for staff in managing night time venues and overall a significant loss of skills and 'brains-trust' across the industry. Such deterioration may lead to a lack of interest and initiative towards further innovation and development in new process, systems and procedures.

Enhance Sydney's Night Time Economy

- The Accord supports a broader, more coordinated approach to the 'night time economy' across the whole of Sydney to provide greater business certainty into future.
- Licensed businesses involve both significant initial and ongoing investment in upgrading and modernising equipment, premises, processes and facilities to meet not only patron expectation, but safety and health regulations and requirements.
- Business confidence needs to be boosted to drive increases in investment, create jobs and career paths and opportunities for young people. A more enhanced night time economy will greatly assist business, especially our accord members and their suppliers to grow their businesses and create much-needed jobs.
- The Accord welcomes a broader, more coordinated approach to managing and promoting the night time economy to provide greater certainty into the future.
- A 24-hour city with a 'night time economy' will assist in redeveloping Sydney's reputation as a vital and diverse global city.

It will create a generation of jobs not just in hospitality but will also assist in attracting global talent in CBD concentrated fields such as finance, banking and technology. It will allow shift workers, hospital workers and other industry workers an equal opportunity to go out and enjoy entertainment.

- With the lockouts, late night food options have all but vanished across the city. Many relied on customers exiting licensed venues for their trade. We anticipate that late night food options will return with the removal of lockouts
- It is a 'Sydney tradition' to visit licensed premises in the city to view major sporting events: Football, Rugby and Cricket World Cups, Olympic Games, English Premier League Football, International Sports events. Such events, very often only telecast on paid broadcasters, are commonly supported by large groups of people, very often international visitors or residents from other countries wanting to support their home country team.

Due to international time differences, many of these matches are played during Sydney's lockout time restrictions.

- Sydney is home to many different nationalities from all around the world. Our Accord represents many varying licensed venues who have represent a vast international flavour of different countries around the world and cater to their customers. But customers expect facilities to be open during specific late night/early morning hours so they can enjoy key international, televised events.

- Major events such as Sydney’s New Year’s Eve, Mardi Gras, Vivid, Sydney Festival, Sydney Fringe Festival, Arts and Theatre, Chinese New Year, Chinatown Night Markets, are much less without a hive of activity in Sydney. The Liquor Accord supports a vibrant Sydney culture.
- According to studies of the night time economy of cities throughout the world, Resonance Co. <http://resonanceco.com/insights/why-cities-need-to-fight-for-their-nightlife/> states that *“More and more cities are aware that the night-time industries contribute to their sense of global identity, their local economy, and to their attractiveness for visitors. But Resonance has long maintained that the factors that make a place attractive to visitors are also those that make it desirable to business.”* The Accord asks Government to seriously consider the role of business and the need to make Sydney a more desirable business proposition in regard to the night time economy.
- The lockout laws have adversely impacted our members’ capacity to host live music. It is difficult to see how the many of the NSW Government NSW Music Industry Parliamentary Inquiry recommendations and City of Sydney’s Live Music and Performance Strategy can succeed without the removal of lockout laws. The establishment of culturally-focused, liquor licensed, live music and performance venues in key locations will assist in the redevelopment of the NTE. As the Hon Paul Green MLC said, *“Sydney is the gateway to Australia for international and domestic tourists and not having a vibrant music industry will cost us greatly and bring embarrassment to our beautiful global city. To neglect the music industry any further in New South Wales is at our own peril!”*
- The damage to Sydney’s international reputation and resulting damage to tourism, has impacted in visitations across wider Sydney, not just in the CBD, and the Accord strongly urges the removal of current lockouts and restrictions to boost both international and domestic tourism.
- A more vibrant, broader night time economy will increase member confidence to invest in venue expansion, upgrade and improve facilities, create jobs and overall, contribute significantly to the economy.