

**Submission  
No 753**

## **SYDNEY'S NIGHT TIME ECONOMY**

**Organisation:** Alcohol Beverages Australia

**Date Received:** 9 July 2019



# SUBMISSION TO JOINT SELECT COMMITTEE ON SYDNEY'S NIGHT TIME ECONOMY



*FOR MORE INFORMATION ON THIS SUBMISSION, CONTACT:*

Gohar Yazdabadi  
Policy and Research Manager, Alcohol Beverages Australia

# ABOUT ALCOHOL BEVERAGES AUSTRALIA (ABA)

ABA is the pan body representing the many industry manufacturers, distributors and retailers that operate legally and responsibly across Australia. Our role is to ensure that regulations are balanced so there is stability and certainty in the market to drive investment, while acknowledging and working with all stakeholders to minimise the harms associated with alcohol misuse.

The alcohol beverages industry has been a historically significant contributor to New South Wales' employment, economy and tax revenue. This growing and sustainable industry provides tens of thousands of jobs, and much needed economic investment and community support throughout the state including country towns, city suburbs and the state's capital city.

The industry also plays a key role underpinning the NSW entertainment, food and tourism sectors and helps attract national and international tourists to the region as a result of its multi-award-winning wines, beers and spirits.

ABA advocates for evidence based regulation and policies which target specific at-risk groups as the most effective way of changing behaviour associated with alcohol harm. Conversely, policies and regulations that affect all people are not effective at curbing underage consumption and binge drinking.

## EXECUTIVE SUMMARY



Millions of NSW residents enjoy the responsible and moderate consumption of alcohol beverages each week as part of a healthy, happy and socially engaged lifestyle.

Over the last ten years, the key indicators for alcohol related harm in NSW have been decreasing. The reasons for this are multi-factored but central to this is the work that Drinkwise and industry have done to raise awareness about excessive drinking and binge drinking in particular.

Since 2014 and the introduction of the lockout law, and related regulatory measures in the CBD there has been sufficient time and experience to allow reflection on the outcomes and effectiveness of these regulations.

Recent data from the University of Sydney suggest that in terms of safety the lock out laws may not have delivered when it comes to reduction in crime. In terms of the economy, businesses have been hampered. Sydney's reputation as an international city filled with interesting experiences and conviviality has also been jeopardised.

Now is the time to consider how Sydney's night time economy can be transformed to live up to international standards, provide places of connection for individuals and communities and add to the economy without compromising on safety. Implementation of the recommendations in this submission will help the NSW government achieve a balance between appropriate regulation of Sydney's night time economy and creating an environment for cultural, economic and social growth.

## **SETTING THE SCENE - ALCOHOL CONSUMPTION IN NSW**



The results from most recent National Drug Strategy Household Survey (NDSHS) show that the people of NSW are drinking less often and when they do drink, are doing so in moderation[1].

The Australian Institute of Health and Welfare's (AIHW), a federal government agency, undertakes the NDSHS once every three years. The NDSHS is a comprehensive report on nearly 24,000 Australians' use of – and attitudes toward – alcohol, tobacco, and illicit drugs.

The most recent iteration of the NDSHS in 2016 showed that 83.4% of the NSW population are either drinking in moderation or abstaining from alcohol altogether. The NDSHS also found that the proportion of New South Welshmen exceeding the National Health and Medical Research Council's drinking guidelines decreased. In fact, the proportion exceeding the lifetime risk guidelines declined by 15.3% between 2010 and 2016 from 19.0% to 16.1%.

These results indicate that across NSW attitudes and behaviours in relation to alcohol consumption are changing and for much of the population, alcohol is consumed in moderation.

---

[1] Australian Institute of Health and Welfare 2017. National Drug Strategy Household Survey 2016: detailed findings. Drug Statistics series no. 31. Cat. no. PHE 214. Canberra: AIHW.

# SAFETY IN THE NIGHT TIME ECONOMY



## Anti-Social Behaviour

### *Effectiveness of the CBD Plan of Management and Lockout Laws in Curbing Anti-Social Behaviour*

A recent article in the Sydney Morning Herald reported that research from the University of Sydney has shown the lockout laws do not have an effect in reducing violence in Sydney's CBD.[2] This new research is contrary to the narrative portrayed by BOSCAR that the lockout laws have resulted in a reduction of violence. According to the researcher interviewed by the Sydney Morning Herald this was because "BOCSAR had made some assumptions in their correlation of non-domestic assaults which may possibly "lead to an incorrect conclusion" in facets of their research."

Considering this new evidence it is unlikely that the lockout laws have been effective in fostering safety in the night time economy. The reason for this is twofold. Firstly, alcohol consumption does not cause violence and as such the disproportionate regulation of licensed venues will not meaningfully reduce violence or improve safety. Secondly, the underlying cause of violence and anti-social behaviour in the night time economy can be more meaningfully addressed in ways other than blanket measures such as lockout laws.

## Causes of anti-social behaviour in the night time economy

Pinpointing the exact contribution of alcohol to violence generally is difficult. However, a leading anthropologist who specialises in the study of drinking cultures and works with the British Army on implementing change, Dr Anne Fox, was commissioned by Lion to undertake a study on our drinking culture, titled Understanding behaviour in the Australian and New Zealand night-time economies.[3] The report provides a deeper understanding of the drivers of anti-social behaviour in the night-time economy, the role of alcohol in it and the policy approaches that will best work to address it.

The field work involved observations, focus groups, formal and informal meetings with Government officials, sports organisations, lawyers, ride-alongs with police, charity workers, medical specialists and accident and emergency staff.

---

[2] <https://www.smh.com.au/politics/nsw/lockout-laws-haven-t-curbed-violence-in-cbd-new-research-20190617-p51yi4.html> (last accessed 4 July 2019).

[3] Fox, A., Understanding behaviour in the Australian and New Zealand night-time economies, An anthropological study (2015). Lion.

In the report Dr Fox identifies three causes of violence in the night-time economy – violent individuals, violence-reinforcing cultures and violent situations. Dr Fox then provides a range of recommendations to address each of these.

Core to her recommendations are an acknowledgement that as long as alcohol is used as an excuse for poor behaviour it will continue to manifest it.

Dr Fox provides two core recommendations for addressing the cultural causes of violence and anti-social behaviour as follows:

- Shifting the focus from ‘alcohol-fuelled’ violence to just violence, including its causes and triggers. This would include addressing “the cultural reinforcers of violence, misogyny and aggressive masculinity in all its cultural expressions from schoolyards to sports fields, politics and pubs, movies and media.”
- Empowerment of the community – “unifying and empowering local residents through mechanisms like accords may, in the long run, be as effective as tackling perpetrators head on.”

## BALANCING REGULATORY REQUIREMENTS IN THE NIGHT TIME ECONOMY



### *Regulatory Approach to Licensed Venues*

Bars, pubs, nightclubs, restaurants and other licensed venues are too often simplistically categorised and viewed as consumption spaces. When regulators approach policy formulation for these establishments their value is generally not considered past the economic input they provide.

Research tells us that the value of licensed venues is broad-ranging for individuals and the community. In a study titled *Theorising urban playscapes: producing, regulating and consuming youthful nightlife city spaces* tells us that the added value of these venues include being spaces of expression, of conversation, of social interaction, reflecting a certain social structure, a certain type of economic life or certain cultural values.[4] The venues provide for entertainment, relaxation and cultural consumption meant to fulfill spare time with non-lucrative activities.

---

[4] Chatterton, P., & Hollands, R. (2002). Theorising urban playscapes: producing, regulating and consuming youthful nightlife city spaces. *Urban studies*, 39(1), 95-116.



### *Regulation Proportionate to risk*

When considering mitigation of harm in the night time economy, first the likelihood of the risk occurring must be determined. Once the likelihood of the risk is established, the appropriate response can be formulated.

The risk a person faces of alcohol related violence on a night out in Australia has been estimated to be between [LM1] 0.0125% to 0.11%.[5] When considering the policy response to alcohol related violence, policy makers should be responding in a manner consistent with a 0.0125% to 0.11% risk.

This means that a balanced approach to regulation in Sydney's night time economy will not dismiss the potential for alcohol-related violence altogether, but will approach the risk with reasonable regulation.

## **VIBRANT COMMUNITIES AND HEALTH OUTCOMES**



Vibrant communities have the potential to improve health outcomes at both an individual and community level. Part of this the role that bars, pubs and other licensed establishments play in creating places for people to connect and socialise.

Research shows that there are many positive outcomes from places of consumption as found in the night time economy. These include:

- creation and maintenance of social ties and networks,
- places that foster community activity,[6]
- creating spaces for expression, consumption of culture and conversation,[7]

During a time where loneliness has become a serious social and public health issue[8], creating more spaces for connection is vital. A diverse and vibrant night time economy may be one factor that can help with connecting people and reducing loneliness.

These findings may show that licensed venues play an important role in creating some social and psychological health benefits in individuals as they are utilised as more than spaces of consumption.

---

[5] Galahad SMS Ltd (2014), How Often Does a Night Out lead to an Assault, Data Analysis Australia, <http://www.galahad.co.uk/downloads/> (last accessed 12 December 2016).

[6] Cabras, I., & Mount, M. P. (2017). Assessing the impact of pubs on community cohesion and wellbeing in the English countryside: a longitudinal study. *International Journal of Contemporary Hospitality Management*, 29(1), 489-506.

[7] Chatterton, P., & Hollands, R. (2002). Theorising urban playscapes: producing, regulating and consuming youthful nightlife city spaces. *Urban studies*, 39(1), 95-116.

[8] Michelle Lim, Australian Psychological Society (2018). Australian loneliness report.

# ENHANCING SYDNEY'S NIGHT TIME ECONOMY

Since the introduction of the CBD Plan of Management and other associated restrictions, the night time economy has been hampered leading to a significant number of licenced venues choosing to close. This has been demonstrated by a net loss of 176 licenced venues *since 2014*.<sup>[9]</sup> *This reflects the immense toll these restrictions have taken on the night time economy.*

A recent report by Deloitte found that Sydney's night time economy<sup>[10]</sup>:

- is valued at \$27.2 billion,
- supports 234 000 jobs, and
- compared to international benchmarks, is well below its potential.

The report also found that where the UK's night time economy sits at 6% of national economy, in Australia it only accounts for 3.8%. This means that if Sydney's night time economy was supported and nurtured to reach the same potential as that of the UK, the value could increase by \$16.1 billion. This would push the economic value of Sydney's night time economy from \$27.2 billion to \$43.3 billion.

There has also been significant lost opportunities for economic growth in Sydney's tourism industry since the introduction of the regulatory measures in 2014. Sydney's reputation as an international tourist destination has been steadily eroded by over regulation.

## **CASE STUDY:** Sydney's Tourism Growth and International Reputation Lags Behind Major Capital Cities

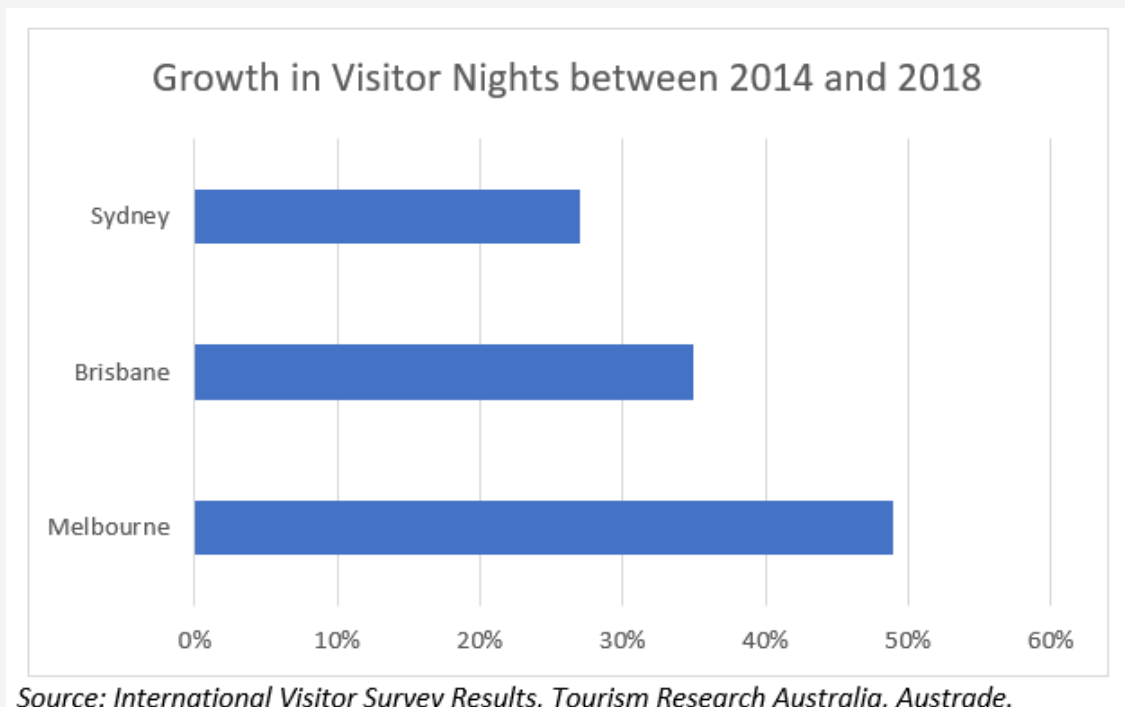
Sydney has lagged behind Melbourne and Brisbane in terms of tourism growth. Between 2014 and 2018, the number of visitor nights in Sydney grew by 27% with Melbourne enjoying almost double the growth at 49%.

---

[9] <https://www.smh.com.au/national/nsw/what-the-hell-is-going-on-in-sydney-176-venues-disappear-20180527-p4zhst.html> (last accessed 28 June 2019)

[10] Deloitte, *ImagineSydney Play* (2019).





Since the lockdown laws, Sydney no longer has a reputation of an international city with a vibrant nightlife. For example, Lonely Planet states that:

Compared to other international cities, Sydney shuts down pretty early, and lockdown laws haven't helped. Still, you'll find a few pubs outside the lockdown zone open to 5am or 6am at weekends.[11]

This can be compared to Lonely Planet's praise of Melbourne:

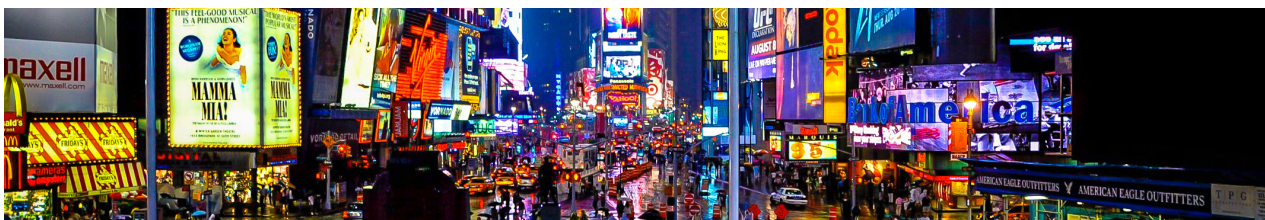
Melbourne's drinking scene is easily the best in Australia and a major player on the world stage. There's a huge diversity of venues, from basement dives hidden down laneways and rooftop cocktail perches to wine-bar locals and urban breweries and distilleries[12]

Sydney runs the risk of irreversible damage to its reputation as an international city, leading to a loss in tourism opportunity. This is particularly pertinent when Sydney is compared to Melbourne in terms of tourism growth and tourist sentiment.

---

[11] <https://www.lonelyplanet.com/australia/sydney/in-location/drinking-and-nightlife/a/nar/39fb3152-566c-46cb-892a-6b9ceb01fcc/362319>

[12] <https://www.lonelyplanet.com/australia/melbourne/in-location/drinking-and-nightlife/a/nar/5d5f658d-5ef8-4f12-b59c-153648013840/362494>



Far from enhancing Sydney's night time economy, the introduction of disproportionate and unbalanced regulation, has stifled economic growth. To re-boot Sydney's night time economy balanced regulation and diversification is required as well as a campaign letting

## DIVERSIFICATION IN THE NIGHT TIME ECONOMY

Diversification in the night time economy is key to both improvements in safety as well as economic growth. Diversification of events and offerings has the effect of diversifying the demographics of those partaking in the night time economy. Vibrant and safe after-hours precincts offer events and facilities that are attractive to and used by a range of people of different ages, interests and cultural backgrounds.[13]

Utilisation of spaces that are usually empty at night helps to create both vibrancy and safety in the community. People often avoid places that are empty believing them to be dangerous which in turn causes places to feel more desolate and dangerous. Re-purposing these spaces at night breaks the cycle of emptiness and creates safe diverse environments.

### **CASE STUDY:** Night Time Picnics in Argentina

In Rosario, Argentina the local authorities saw an opportunity to transform empty green spaces, often viewed as unsafe at night, into vibrant centres in the night time economy.

The Night Time Picnics initiative was introduced to provide cultural offerings in parks at night as well as to shift the perception the night time economy.[14]

---

[13] Rowe, D., Stevenson, D., Tomsen, S., Bavinton, N., Brass, K., The City After Dark: Culutral Planning and Governance of the Night-time Economy in Parramatta (2008). University of Western Sydney

[14] Seijas, A., Manifesto, Nocturnal Cities Latin America (2018) Bogota, Colombia. Sound Diplomacy

Sydney runs the risk of irreversible damage to its reputation as an international city, leading to a loss in tourism opportunity. This is particularly pertinent when Sydney is compared to Melbourne in terms of tourism growth and tourist sentiment.



*Night Time Picnic Project, Rosario, Argentina. Source: Municipality of Rosario*

The Night Time Picnics project brought together citizens in an environment that generates links and facilitates social and cultural activities. The initiative saw young people, children, senior citizens and families come out to enjoy green spaces in the night time economy. It is estimated that 50 000 people took part in the project in its first iteration in 2017.[15]

Sydney city has the advantage of having many green spaces and open areas with beautiful water frontage to host initiatives such as Night Time Picnics. Consideration should be given to how spaces can be used to create diversity and utilise spaces.

---

[15] <https://www.rosario.gob.ar/web/ciudad/medio-ambiente/picnics-nocturnos> (accessed 5 July 2017 through Google Translate)

# RECOMMENDATIONS



In order to enhance Sydney's night time economy, a holistic and multifaceted approach should be taken. By addressing the two core issues of safety and diversity, Sydney can achieve a safe, vibrant and strong night time economy.

## Recommendations: Safety in the Night Time Economy

1. Diversity – Diversify the night time economy to attract people of varied ages, interests and demographics. A heterogenous night time economy reduces the acceptability and likelihood of anti-social behaviour and violence.

**See below for recommendations to achieve diversity.**

2. Transport – Reliable transport is key to increasing safety in the night time economy. Since the introduction of the CBD Plan of Management in Sydney and associated regulations, the availability of late night transport has improved dramatically. Ride-share services have been legalised and regulated providing much needed transport options during the 3am taxi shift swap. Sydney has also benefited from a new light-rail system which, without a vibrant night time economy, runs the risk of being underutilised.

**ABA recommends that:**

**a) consideration be given to how the new light rail and Metro can be used to service the night time economy.**

3. Deterrents of anti-social behaviour – deterring anti-social behaviour and violence is key to establishing a safe night time economy. The presence of both CCTV systems and a visible police patrol provides a deterrent to violence and anti-social behaviour. It also fosters feelings of safety in the community which encourages more people to partake in the night time economy.

**ABA recommends that:**

- a) public awareness campaign be undertaken to remind the public of the extensive CCTV camera system in the Sydney CBD to both deter anti-social behaviour and encourage feelings of safety in the community, and**
- b) increase the visible police presence in the night time economy to create a safer environment and deter anti-social behaviour.**

## Recommendations: Diversity in the Night Time Economy

5. Activities – providing diversity in the activities available in Sydney's CBD will assist in attracting a varied demographic to the night time economy and also to stimulating the economic output.

### **ABA recommends:**

- a) late night shopping be extended in Sydney's CBD,**
- b) entertainment such as cinemas and theatre provide extended hours of operation such as mid-night sessions,**
- c) facilitate more regular night markets in public spaces, and**
- d) food offerings in the form of food trucks and other mobile services catering specifically to the night time economy.**

6. Supporting arts and cultural institutions – a key aspect of the night time economy is that it provides an important opportunity for people to engage in arts and cultural activities, including live music, as it is outside of working hours. As such, fostering a strong arts and cultural scene during the night time economy is both practical and provides the greatest opportunity to diversify the night time economy.

### **ABA recommends:**

- a) NSW government owned cultural institutions such as galleries and museums extend their opening times to coincide with the opportunities in the night time economy,**
- b) assistance to facilitate the use of venues not in use at night to be utilised for arts and cultural events without regulatory burden, and**
- c) use of parks and public spaces for consistent and accessible live music events in the night time economy.**

7. Major events – events across the CBD such as Vivid have created diversity in the demographics of participants in the night time economy. It also provides attractions for overseas and interstate visitors to come to Sydney.

### **ABA recommends:**

- a) a schedule of festivals and major events engineered specifically for the night time economy be implemented in Sydney CBD.**

## Recommendations: Regulation in the Night Time Economy

8. By addressing the issues of safety and diversity in the night time economy the balanced regulation of the Sydney CBD's night time economy can be fully considered. Regulation of licensed venues should be approached by considering the spaces as more than simply consumption areas; their added value as discussed in this

submission should also be considered in balancing regulation.

**ABA recommends that:**

- a) the CBD Plan of Management be amended to remove blanket lockdown and related restrictions on all venues. Instead, regulation be implemented that allows for lockdown law style regulations to be imposed on any venue that is proven to be 'high risk',**
- b) the blanket freeze on liquor licences be removed and replaced with a more balanced framework to assess individual applications on their merits,**
- c) a central organisation or authority be appointed to take responsibility of the night time economy as a whole including regulation, initiatives for vibrancy and safety.**

*FOR MORE INFORMATION ON THIS SUBMISSION, CONTACT:*

Gohar Yazdabadi

Policy and Research Manager, Alcohol Beverages Australia

