

**Submission
No 657**

SYDNEY'S NIGHT TIME ECONOMY

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Joint Select Committee on Sydney's night time economy

Submission from the Committee for Sydney

About the Committee for Sydney

The Committee for Sydney is an independent think tank and champion for the whole of Sydney, providing thought leadership beyond the electoral cycle. Our aim is the enhancement of the economic, social, cultural and environmental conditions that make Sydney a competitive and liveable global city.

In May 2017, the Committee for Sydney established a Commission on the Night Time Economy in Greater Sydney. The Commission's findings were published in a report, *Sydney as a 24-Hour City*, in March 2018.

Introduction

The Committee for Sydney welcomes the opportunity to respond to this inquiry. We believe that the inquiry creates the opportunity to broaden the debate around Sydney's night time economy and bring fresh thinking on how it can reach its full potential. We welcome that the inquiry focuses on Greater Sydney, reflecting the fact that our city is growing rapidly westward and that a vibrant night time economy should be priority for many areas of the city, not just the harbourside CBD.

We also recognise that many cities face the challenge of creating a night time economy that balances vibrancy with safety. We also recognise that there is no 'silver bullet' in creating a diverse, accessible and vibrant 24-hour city. However, we do believe that Sydney could learn from other global cities in developing a successful night-time economy. Many of the world's great cities have found a way to foster a vibrant nightlife while also taking reasonable steps to ensure people's safety. Sydney should be able to do the same. Whilst pockets of Sydney do offer a positive night life experience, we recognise that the city's reputation as a night time destination has declined over recent years. The Committee's 2018 report, *Sustaining the Advantage: Benchmarking Sydney's Performance* found that Sydney's global ranking for visitor and destination appeal had declined since 2016. In addition, a 2019 global survey of 34,000 people by Time Out rated Sydney's night life as 48th out of 48 and also that year Deloitte forecast that Sydney is forgoing \$16 billion each year as a result of an underperforming night-time economy.

Whilst there are many and varied solutions to revitalising Sydney's night time economy, we call for the inquiry to pay particular attention to the following areas:

- Creating an effective vision and governance framework for the night time economy
- Delivering more effective regulation and policing of the night time economy
- Encouraging the diversity of activities at night

- Creating an integrated approach to transport and planning at night

1. Creating an effective vision and governance framework for the night time economy

The Committee believes that a robust and well-functioning governance frame as a key enabler for a flourishing night time economy in Sydney.

Currently, multiple agencies at a state and local level work together in managing aspects of Sydney's night time economy. However, we believe that more could be done to both create a broad vision for the night time economy in Greater Sydney and to coordinate businesses, governments, residents and other agencies as Sydney's night-time economy develops.

An important starting point would be the formulation of an overarching strategy for the night-time economy, led by the NSW Department for Premier and Cabinet (DPC). The strategy should look at many of the broad and interlocking components of Sydney's night time economy, particularly on the potential economic benefits of a 24-hour economy for the city. Key issues could include diversifying the range of night-time activities, particularly during the twilight period; the role of transport and planning; providing more late night public services and streamlining regulations relating to entertainment and retail at night. As the public sector agency tasked with ensuring the delivery on NSW Government commitments and priorities, DPC is ideally placed to lead this initiative. The strategy could be developed by the existing Economic Policy Group, which examines economic development, infrastructure, planning land use and resources issues.

The NSW Government has established a Night time Economy Taskforce, led by Create NSW, which includes sixteen NSW Government agencies and the City of Sydney. Whilst the work of the Taskforce and the role of Create NSW in championing the night-time economy within government has been helpful, we feel that a broader strategy led by DPC would help to establish a more whole-of-government approach to the night-time economy.

Whilst an overarching strategy should be a first step, we also recommend establishing a champion — either inside or outside of state government — for the night-time economy in Greater Sydney. In some cities, the model has been the establishment of a Night Mayor or Night Czar. In others, there exists a night-time economy taskforce commission. Sometimes there may simply be a highly effective individual who is invested with the power and authority to bring parties together to develop a vision and drive towards it. These roles and functions can better foster collaboration, integration and ultimately success in the balanced growth of a night time economy, as seen in cities like Amsterdam, London, Paris, New York and Zurich.

We are, however, keen that this debate does not become obsessed with structures. There is merit in having a single person tasked with implementing a strategy on the night-time economy, but different models work for different cities. We have identified some following options:

- Appoint an independent Night Czar/Night Mayor/ Advocate for the Night-time Economy, who would report directly to the Premier.
- Create a portfolio of Minister for the Night-time Economy within the NSW Government Cabinet.
- Appoint a Commissioner for the Night-time Economy, in a similar role to the Small Business Commissioner.
- Task a senior public servant in NSW Government with leading the implementation of the NSW Government's night-time economy strategy. This role could be fulfilled by the Secretary or Deputy Secretary at DPC.

Whatever form the role takes, the person tasked with the job must have the ability to shape and coordinate whole-of-government policy on the night-time economy. However, the responsibility must not lie solely with state government. Councils in Sydney are currently free to establish their own champions for the night time economy, and a number, including the City of Sydney and City of Parramatta, have produced highly detailed strategies. We encourage councils to work with State Government to develop cross-boundary strategies with other councils where they share geographical, cultural or economic interests.

The private sector also has a role to play in promoting good governance. In 2018, the Committee recommended that private enterprise involved in Sydney's night time economy establish a Night Time Industries Association. We are pleased and encouraged that an Association was established later that year and is working constructively with NSW Government to promote the economic contribution of the night time economy to Sydney.

2. Delivering more effective regulation and policing of the night time economy

The NSW Parliament Inquiry into Live Music and the Arts Economy highlighted a number of areas of excessive regulation that have created burdensome bureaucracy for providers of late night activities. We believe the time has come to start peeling back the regulations that are stifling the night time economy. We also encourage the NSW Minister for Better Regulation and the Productivity Commission to examine whether regulation affecting the night time economy could be simplified.

The regulatory issues go well beyond the lock out laws. We generally see three areas that would benefit from regulatory reform:

- Liquor regulations
- Policing
- Noise

Liquor regulations

Liquor licensing, including in the lock out law zones, requires substantial reform. It should take a holistic and lateral approach to preventing assaults, including a using a risk-based matrix when deciding opening times. NSW Government should also take the approach adopted in South Australia and remove entertainment restrictions from liquor licences.

NSW Government should review and amend liquor legislation to remove outdated conditions for liquor licences and development applications that place unnecessary restrictions on live music venues, theatres and other cultural institutions. NSW Government should also introduce an integrated application process for liquor licensing and development applications.

The Committee for Sydney recognises that lockout laws are not unique to Sydney and indeed similar arrangements are in place in other areas of NSW, as well as parts of Queensland and Western Australia. We also supported the decision by NSW Government to undertake a review of the Lockout Laws in 2016 led by Ian Callinan. The relaxations to the laws advocated in the Review, and endorsed by NSW Government, were welcome. However, we believe that maintaining the lockout laws in their current form is not sustainable in the long-term.

We also believe that the vibrancy of the lockout areas has been diminished and we are concerned about the long-term impact on Sydney's reputation as a global city and of the number of businesses closed or closing in the lockout areas.

In reforming the lockout laws, one example worth considering would be the introduction of Amsterdam-style 'planned districts' for areas where significant alcohol consumption may be available. Amsterdam has introduced planned districts, which include 24-hour licenses that allow a number of clubs located away from residential areas to operate at any time day or night. Amsterdam has also spearheaded nightlife-specific business improvement districts, such as the busy downtown plaza Rembrandtplein, where bar owners are required to pay into a fund to support branding, signage and security.

The Committee also believes that there is merit in the "Newtown model", which has demonstrated what can be achieved when local venues work together with stakeholders on issues in their own areas.

We also believe that Melbourne's approach to the night-time economy is also worth studying. The city has gone full circle in removing a six-month trial of lock out style laws and embracing a 24-hour culture, including late-night transport, supported by a geographic dispersal of night-time activities. The result has seen alcohol sales in the City of Melbourne drop, but overall money spent increase, as patrons increased spending on food and entertainment. The 2015 Australian Night Time Economy Report demonstrated a 4.8% increase in food sales and a 4.7% decrease in sales of alcohol between 2009 and 2015 in the City of Melbourne.

While there are differences between Melbourne and Sydney's lockouts, such as last drinks restrictions in Sydney, a major part of this change is down to the city embracing a diversity of activities that don't necessarily involve alcohol. This has included cultural events, sporting matches, extended shopping hours, later food service, whilst also increasing safety provisions and improving public transport options. This example of proactively promoting the night time economy should be a template for Sydney.

Policing

We urge the inquiry to examine police operational priorities in relation to policing night time venues, with a view to allowing greater freedoms and flexibilities to well-run venues with little history of violent offences, whilst tackling venues where offences are unacceptably high. There appears to be significant evidence from venues across a range of night time sectors in Sydney that police prioritisation of resources is often not proportionate to the potential risk of offence or history of offences at the venue. As a first step, the NSW Government could ensure that the 2020 Police Statement of Strategic Intent specifically references a commitment to work with night time operators to deliver a vibrant night time economy.

Noise

The Committee accepts that there will often be a trade-off in urban areas during the night time between activities that create noise, particularly live music, and the desire for local residents to have peace and quiet at night. However, we believe that both can co-exist with the right planning and policies. In particular we support the agent of change approach led by the City of Sydney to ensure that loud venues are supported with noise mitigation equipment and also protected from vexatious complaints. We urge councils and NSW Government to continue to look at options to support venues with noise attenuation measures. We also support the emerging Good Neighbours policy from Inner West Council, which seeks to address residential complaints, including noise, via mediation.

In addition, as part of combining the two Liquor and Planning licenses, we suggest that NSW Government give consideration to establishing a one stop shop for noise regulation. This may be achieved by either removing or referring regulatory and compliance responsibilities for noise from licences venues and establishing Liquor & Gaming NSW as the lead agency.

3. Encouraging the diversity of activities at night

The Committee believes that offering a diversity of night time activities is critical to fostering a more inclusive and safe night time environment and attracting a greater diversity of demographics, particularly families and older people. The current debate on the night time economy is too narrowly focussed on activities that appeal to young people, especially young men, but are of no interest to other demographic groups. If Sydney wishes to live up to its reputation as a global city, there must be options after dark for everyone.

Other parts of Greater Sydney already offer a diversity of evening activities, including those that don't directly relate to the consumption of alcohol, including cinemas, theatres, live music, sporting events, festivals, restaurants and cafes. Late-night shopping is sometimes available, although a sizable number of retailers operate the traditional business hours of 9-5. Similarly, many museums, galleries and public amenities close before 5 or 6pm.

More diversity would also reflect the multiculturalism of Greater Sydney. Areas like Little Korea in Strathfield; the Vietnamese community in Cabramatta or the multitude of Indian restaurants in Harris Park reflect the fact that different parts of our community want to engage in different night time activities. The benefits can also be found throughout the wider community. For example, the Parramasala festival in Parramatta is a free public celebration of the diverse and rich cultures in Sydney's west, including music, dance, parade, theatre, food, film and heritage.

Clearly there is an appetite for having fun and socialising at night where the options are available. We must take action to see these options expanded – and remove burdensome regulation where it is preventing businesses and the community from delivering it.

The Committee would particularly like to see an increase in the availability of night time dining (particularly outdoor dining); retail; cultural institutions and public amenities. It is worth noting polling conducted in 2018 by Ipsos on behalf of the Committee for Sydney, which found that less than half (46%) of people interviewed were satisfied with Sydney's night time leisure and entertainment offering and that there is an appetite for greater diversity of activities, particularly from 18-24 year olds – who despite being the current target demographic for late night activities are clearly wanting a broader set of options. These polling results also included an aspiration for more night-time shopping, dining, cultural and sporting options¹.

In some parts of Greater Sydney, it can be difficult to get a restaurant meal or non-alcoholic refreshments later than 9pm. We believe that there is a clear need for greater late-night dining options, including offering sit-down casual meals near key attractions and events.

There is also scope for more outdoor seating in dining areas to better realise the benefits of Sydney's climate. For much of the year Sydney is blessed with weather that allows patrons to sit alfresco late into the night, but the inability to create a Mediterranean-style café culture in Greater Sydney is a great frustration. We urge the inquiry to particularly examine regulation affecting outdoor dining to reduce the burden on venues operating at night. We also believe that Sydney currently suffers from

¹ Also see <https://www.news.com.au/lifestyle/real-life/sydney-is-over-from-glittering-world-city-to-sad-and-chaotic-wasteland-what-went-wrong/news-story/c517ede8701bedb4119d2caf173e7907>

a lack of adequate late night retail and public amenity options, including shopping malls, after-hours pharmacies, grocers, medical centres, gyms and other services, which if available would allow more people to perform 'routine' activities after work. Late-night retail could particularly capitalise on high spend but time-poor tourists and business guests and domestic night time workers would also benefit from the availability of services at the beginning or end of a shift. In an increasingly flexible economy, shift workers and overnight workers cannot access any of the essential services our city offers because of the lack of availability.

The Committee welcomes the recent changes made by the City of Sydney to its late night draft planning controls, which were approved by council in early 2019. We suggest that the inquiry should examine the changes in detail as a possible template for other councils to amend planning controls in order to encourage more non-alcohol related trading at night.

We also note the recent NSW Parliament Inquiry into Music and the Arts Economy that identified significant concerns that the live music offer in Sydney is limited, in some cases due to noise restrictions or lack of venues. We believe that NSW Government could do more to encourage live music and other live performance through more flexible regulation; encouraging temporary programming in public spaces and parks and reducing the separate processes for liquor licensing and development approvals.

Late-night opening hours in museums, art galleries and other institutions offers the experience of art and culture in new circumstances to more people, and ensures the city's workers, residents and visitors can engage in a creative and cultural nightlife. This in an area where the cultural sector in Sydney is demonstrating great innovation, although we would encourage even more ambition. Some of Sydney's major arts and cultural venues have participated in a Culture Up Late initiative to open late every Wednesday night during the summer months of January and February. To build on this success, we suggest that institutions continue to examine opportunities to extend evening activities throughout the year, not just the summer months. Late night openings are not unusual in other global cities. For example, the Louvre in Paris, the world's largest museum, is open until 9.45pm on Wednesdays. We therefore urge NSW Government to work with cultural institutions to examine the funding implications of opening later, working with them to determine the optimum hours and the required funding.

An additional option could be offering a discounted pass to visit a number of cultural institutions during the evening over a weekly or monthly period.

4. An integrated approach to transport and planning at night

The Committee has previously identified both strategic spatial planning and place-making as central to the development of a successful night time economy. Precincts should be planned to include access to public transport, public amenities, shops, services and a diversity of activities at night. The ability to travel conveniently between different night time districts can also support the vibrancy of an area.

The Greater Sydney Commission's Regional and District Plans, aligned with Transport for NSW's Future Transport Plan, have established a strategic vision for place-making across Greater Sydney over the next forty years. A key component of this vision must be to ensure that new and existing districts, particularly in Western Sydney have access to a diversity of night-time activities.

Providing efficient, safe and accessible transport links will be critical to the success of Sydney's night-time economy. Reliable night-time transport options support the economy by creating better links to

local business activity; enhancing the amenity of public spaces and improving safety by offering convenient options at the end of a night out. Presently, Sydney's 24-hour economy is not always well serviced by public transport and that there can be a lack of access to regular and convenient public transport at night, particularly after midnight and in areas such as Western Sydney.

NSW Government's Future Transport 2056 strategy and Tourism and Transport Plan provide a blueprint for service improvements, including commitments to enhance night time transport provision and expand overnight public transport services to better support customer travel needs.

In addition, the rise of technology-enabled transport, including the growth of ridesharing, is changing night-time transport and has the potential to complement public transport infrastructure by extending the reach of existing transit systems. More people in Sydney are using Uber and other ridesharing services as a connection to public transport hubs. Similarly, the on-demand transport trials being implemented across Sydney offer an innovative way to re-think about people use public transport in the Inner City.

We urge the inquiry to further explore the issue of safe pick-up and drop-offs in busy night-time precincts (particularly in CBD and popular inner-city areas). We also advocate for Transport for NSW to create an on-demand trial in the inner city between midnight and 4:30am on Friday and Saturday nights, when most train services are no longer running. This trial would link people from venues or activities across the inner city to the NightRide stops at Central, Town Hall and Wynyard, allowing people to make better use of the existing public transport system to safely get home.

Community safety

Better planning must of course also protect community safety. In 2019, the Committee for Sydney published a report, *Safety after dark: Creating a city for women living and working in Sydney*, which identified significant evidence of women experiencing harassment and abuse at night in Sydney.

Based on data analysis and primary interviews, the report identified a number of issues in a night time environment that could lead to women in Sydney perceiving an area as unsafe and/or encountering harassment or abuse. These issues include:

- Poor lighting
- Lack of late night public transport
- Drunkenness
- Lack of police or security presence
- Groups of men congregating together
- Scarcity of people in an area

There was particular feedback from respondents in relation to the lockout law zone. The report found that:

"Some respondents observed that this 'scarcity of people' had increased in parts of the inner-city as a consequence of the lockout laws. While these [lockout] laws were introduced to protect one part of the community, they have unintentionally increased pressure on others by shaping movement through the city at night in particular ways that increase the likelihood of encountering harassment in specific locations, and create perceived and actual risks to women's safety. This reveals how

complex the maintenance of safety in the city is, but also how important it is to obtain a wide range of perspectives and feedback in evaluations of any interventions or proposed interventions”.

We urge the Committee to examine the above issues when considering community safety in Sydney at night.

Our Safety after Dark reported identified the “safety tax” that women experience. Women finishing work or spending time in the city after dark often feel unsafe travelling on unguarded late night public transport (something compounded by recent instances of sexual assault and murder in Melbourne) – and so rely on ridesharing to get home. As a city, we must ensure that everyone feels safe in public spaces – whether that is on the bus, waiting for a train or walking home. A better planned night time economy, with well-defined and monitored transport pick-up zones would reduce the perception and reality of women being unsafe in their city.

As the night time economy continues to grow, so will the workforce servicing it. Night-time workers tend to fit a particular demographic profile, in lower paid jobs and living further from their workplace, adding to the burden of travel cost and time. Currently, workers finishing shifts late at night or early in the morning can have few public transport options, face longer waits, more changes and longer journeys. Efficient, affordable transport is critical for these workers to quickly and safely commute to and from work, and 24-hour transport options are essential in attracting new workers to night-time precincts. We therefore encourage Transport for NSW to expand the number and regularity of public transport services in major night time districts.

Enclosed attachments:

Sustaining the Advantage: Benchmarking Sydney’s Performance 2018, Committee for Sydney (2018)

Sydney as a 24-Hour City, Committee for Sydney (2018)

Safety After Dark: Creating a city for women living and working in Sydney, Committee for Sydney (2019)