



Justice
Liquor &
Gaming NSW

Evaluation of Kings Cross alcohol sales data reporting requirement

Discussion Paper

About this paper

This discussion paper contains information relating to the evaluation of the alcohol sales reporting requirement for licensed venues in the Kings Cross precinct. It has been prepared by Liquor & Gaming NSW (L&GNSW) to inform interested stakeholders about the objectives of the requirement, scope of the evaluation process, and how they can provide feedback to the evaluation.

About our evaluation

The purpose of the evaluation is to:

- ▲ determine if the Kings Cross alcohol sales data requirement is meeting its policy objectives and delivering a net benefit
- ▲ examine the availability and utility of the data to Government, industry, researchers and other stakeholders
- ▲ examine the appropriateness of the frequency, format, and nature of the alcohol sales data required to be provided by venues
- ▲ examine the quality and reliability of data supplied by venues and consider what strategies would be needed to address any shortcomings that are identified
- ▲ examine the extent to which the requirement imposes a regulatory burden upon venues and consider ways in which any burden may be reduced
- ▲ examine the level of understanding by venues of the rationale for the requirement and how to comply
- ▲ measure the level of compliance by venues with the requirement, the reasons for any non-compliance, and any challenges that venues may be experiencing in meeting the requirement
- ▲ consider other impacts of the Kings Cross alcohol sales data requirement.

The evaluation will focus upon the requirement for licensees to provide alcohol sales data. It is not an analysis of what the data reveals about alcohol sales in Kings Cross.

Next steps

L&GNSW will assess the value and outcomes of this requirement by considering the submissions received, feedback obtained through the consultation process, and other relevant information. Recommendations will then be made on potential future requirements relating to the data.

More information

Information about this evaluation, including this discussion paper and ways to provide feedback, are available on the [L&GNSW website](#).

Your feedback

You may be interested in sharing your views about this evaluation if you are a:

- ▲ licensee or manager of a Kings Cross venue required to supply alcohol sales data
- ▲ liquor industry body that represents Kings Cross venues required to supply alcohol sales data
- ▲ government, liquor industry, business, community or research organisation that may be able to use Kings Cross alcohol sales data.

L&GNSW is seeking your feedback on the Kings Cross alcohol sales data requirement until Sunday, 9 April 2017.

Ways to submit feedback

Preparing a written submission

You can email a written submission to alcoholsales.evaluation@justice.nsw.gov.au.

Submissions will be published on the L&GNSW website after the closing date unless you request otherwise.

Targeted questions on pages 5-6 have been developed to help you prepare your response.

Other ways to have your say

Kings Cross venues

An [online survey](#) is available if you are a licensee or manager of a Kings Cross venue and want to share your views about the alcohol sales data reporting requirement.

Government, liquor industry, business, community and research organisations

As part of this evaluation, L&GNSW will consult peak industry bodies, policy advocates, research organisations and government sector stakeholders to collect their feedback and views. This will be considered in the final report.

Background

Collection of alcohol sales data is one of a number of alcohol regulatory measures included in a 2012 plan of management introduced in response to high levels of alcohol-related violence in the Kings Cross precinct.

The objectives of the alcohol sales data reporting requirement are to:

- help shape compliance efforts by the NSW Police and L&GNSW, and
- inform future policy decisions by the Government in relation to the Kings Cross precinct.

The data assists Liquor & Gaming NSW to understand the impacts of regulatory interventions in the Kings Cross precinct, and helps to inform broader policy development. For example, the data was used to inform the Callinan liquor law review and the Sydney Night-Time Economy roundtables in 2016, and has also been used to inform internal Liquor & Gaming NSW policy development.

While Liquor & Gaming NSW has not published the data to date due to commercial and privacy requirements, the evaluation will consider the issue of future stakeholder access to the data.

The alcohol sales data reporting requirement applies only in Kings Cross. Alcohol sales data is not required to be reported elsewhere in NSW.

Reporting requirements for Kings Cross licensed venues

The Kings Cross alcohol sales data requirement took effect on 1 January 2014. Since then, all licensed venues in the Kings Cross precinct that sell or supply alcohol for consumption on the premises between 8pm and 5am have been required to submit quarterly alcohol sales data to (L&GNSW in an approved format (clause [53O](#) of the Liquor Regulation 2008).

Venues must complete an [approved form](#) (in Microsoft Excel format) for each quarter, and submit this to L&GNSW within 21 days of the end of each quarter. The form requires venues to report on the volume of alcohol sold in millilitres, with breakdowns for the following drink categories:

- Full strength beer and cider (>3.5% ABV¹)
- Light/mid strength beer & cider (≤3.5% ABV)
- Ready to drink (≤5% ABV)
- Ready to drink (>5% ABV)
- Wine
- Spirits & liqueurs (mixed with energy drink)
- Spirits & liqueurs (all other sold/supplied)
- Energy drinks

Licensed venues must report alcohol sales volumes between 8pm and 5am each night of the week. [High risk](#) venues must report alcohol sales volumes on an hourly basis, while other

¹ ABV = alcohol by volume.

venues are only required to report total daily alcohol sales volume over the duration of this period. The more limited reporting requirements for low risk venues were introduced from the quarter ending 31 December 2014 to reduce the reporting burden on these premises.

Alcohol sales data reporting and situation in other jurisdictions

The Kings Cross alcohol sales data reporting requirement was developed by the NSW Government with reference to contemporary standards and practices in liquor regulation (informed by research literature), and to reporting requirements that apply elsewhere.

For example, Rankin and Livingston (2016) have argued that retail sales data, as opposed to wholesales sales data, provides the most detailed and timely record of consumption as it is captured at the moment that alcohol is sold to the public.² Further, the World Health Organisation (WHO) notes that retail alcohol sales data is the most reliable and accurate source of information about alcohol consumption on a per capita basis.³

However, there is a range of regulatory and compliance costs associated with the provision and collection of alcohol sales data – whether at the retail or wholesale level – and these are an important factor in developing regulatory policy in this area.

Table 1 shows the approach of other states and territories in Australia to the collection of jurisdiction-wide alcohol sales data. It can be seen that collection occurs at the jurisdictional-wholesale level only where sales data is collected.

Table 1: Jurisdiction approaches to alcohol sales data reporting

² Rankin, G & Livingston, M. (2016). *Understanding alcohol sales data in Australia*. Canberra: Foundation for Alcohol Research and Education.

³ World Health Organization. (2000). *International guide for monitoring alcohol consumption and related harm*, <http://apps.who.int/iris/handle/10665/66529>

State	Collection method	Frequency	Notes
Vic	Wholesalers and producers report on alcohol sales to licensed premises by alcohol type, volume and dollar value	Annually	Some small businesses are exempt from the requirement
QLD	Wholesalers, producers and merchants report on alcohol sales to licensed premises by alcohol type and volume	Annually	
WA	Wholesalers and producers report on alcohol sales to licensed premises by alcohol volume and dollar value	Annually	
Tas	To be determined	To be determined	Data collection is not expected to commence until 1 July 2017
ACT	Wholesalers report on alcohol sales to licensed premises by alcohol type and volume	Annually	
NT	Wholesalers report on alcohol sales to licensed premises by alcohol volume	Quarterly	
SA	N/A	N/A	SA does not collect alcohol sales data

Key issues for comment

The topics and targeted questions below can help you provide useful feedback and assist the evaluation:

1: Availability and usefulness of the data to stakeholders

- ▲ To what extent, and how, is the data made available to stakeholders?
- ▲ How could access to the Kings Cross alcohol sales data be improved?
- ▲ Have Government, industry, researchers and other key stakeholders used the data? If so, how? If not, why not?
- ▲ How could the data be made more useful?

2: Appropriateness of the frequency, format, and nature of the data collection

- ▲ What is the optimal frequency of data reporting?
- ▲ What is the most appropriate format for data reporting?
- ▲ What is the most appropriate and useful level of detail for data reporting?
- ▲ Does the requirement for hourly reporting for high risk venues and daily reporting for other venues meet the data needs of stakeholders? If not, what other reporting arrangements would meet these needs?

3: Quality and reliability of alcohol sales data supplied by venues

- ▲ What data quality issues, if any, affect the Kings Cross alcohol sales data?
- ▲ How could the quality and reliability of data supplied by venues be improved?

4: Regulatory burden of the reporting requirement on venues

- ▲ To what extent, and in what ways, does the requirement impose a regulatory burden on venues?
- ▲ How could the regulatory burden on venues be minimised?

5: Venue understanding of the rationale for the requirement and how to comply

- ▲ Have Kings Cross venues been provided with sufficient education and support to help them comply with the requirement?
- ▲ How well do venues understand how to comply with the requirement?
- ▲ How well do venues understand the rationale for the requirement?

6: Venue compliance with the requirement

- ▲ What is the rate of venue compliance with the requirement, including timeliness of delivery, and how has this changed over time?
- ▲ What types of venue tend to be less compliant with the requirement, and what are the reasons for this?
- ▲ What challenges, if any, are venues experiencing in meeting the requirement?

- ▲ To what extent do various types of enforcement action for failure to supply alcohol sales data influence rates of compliance?

7: Other impacts of the requirement

- ▲ Are there any other impacts or unintended consequences of the Kings Cross alcohol sales data collection?
- ▲ Are there any improvements that can be made to the administration and enforcement of the requirement?
- ▲ Are there any lessons that can be learned from alcohol sales data collections in other jurisdictions?
- ▲ What are the potential benefits, if any, of extending the alcohol sales data requirement beyond the Kings Cross precinct?
- ▲ What are the potential administrative costs and regulatory burdens associated with extending the alcohol sales data requirement beyond the Kings Cross precinct?
- ▲ If extension of the requirement beyond the Kings Cross precinct is to be considered, to which venues should the requirement apply and, if it only applies to a sub-group of venues, what are the limitations of restricting the collection to this sub-group?

8: Value of the Kings Cross alcohol sales reporting requirement

- ▲ Has the requirement helped to shape compliance efforts by NSW Police and Liquor & Gaming NSW in relation to the Kings Cross precinct?
- ▲ Do the benefits of retaining the regulatory requirement outweigh the administrative costs and regulatory burden for business and L&GNSW?