

20 August 2015

Dr Kimberley Webber  
Acting Executive Director  
Office of Liquor, Gaming and Racing  
GPO Box 7060  
SYDNEY NSW 2001

Dear Dr Webber

**REVIEW OF THE 10PM TAKEAWAY ALCOHOL SALES RESTRICTION ACROSS NSW**

On behalf of the NSW ACT Alcohol Policy Alliance (NAAPA), I welcome the opportunity to provide a submission to the Office of Liquor Gaming and Racing's (OLGR) review of the 10pm takeaway alcohol sales restrictions across NSW. The scope of this submission will focus on data collection, stakeholder consultation and maintaining the 10pm restriction.

NAAPA is an alliance of 47 health, community, law enforcement, emergency services and research organisations working to promote evidence-based actions to prevent alcohol-related harms in NSW and the ACT. Members include the Australian Medical Association NSW, the Police Association of NSW, the Royal Australasian College of Surgeons and residents groups from across NSW.

The alcohol harm reduction reforms introduced by the NSW Government in February 2014 were welcomed by NAAPA. Particularly the measures focused on the availability of alcohol, such as the 3am last drink and 1.30am lockout policies in the Sydney CBD and Kings Cross precincts and the 10pm takeaway alcohol sales restrictions across the state.

These modest late night trading restrictions in the Sydney CBD and Kings Cross have already seen positive impacts with a reduction in non-domestic assaults in Kings Cross by 32 per cent and the Sydney CBD precinct by 26 per cent. These results provide further evidence to support the effectiveness of restricting trading hours as a measure to reduce alcohol harms.

Research has also shown that a reduction in trading hours at off-licence premises also results in a reduction on alcohol harms, as demonstrated by research in Switzerland. A reduction in off-licence trading hours in Geneva, combined with a reduction in availability by banning sales from gas stations and video stores, had a significant impact on hospital admission rates among adolescents and young adults. Depending on the age group, a reduction in availability resulted in a decrease in alcohol-related hospital admissions of 25 - 40 per cent.<sup>1</sup>

NAAPA, along with its members, have long advocated for restrictions to late night trading for packaged liquor. The NSW Government should be commended for taking leadership on this issue by acknowledging that off-licence venues also contribute to alcohol harms.



## Data collection

OLGR states that the purpose of the review of the 10pm takeaway sales restrictions is to assess the 'impact' of this policy in line with the Government's response to the *Statutory review of the Liquor Act 2007 and the Gaming and Liquor Administration Act 2007*.

To truly understand the 'impact' of the restrictions it is essential that the review of the 10pm restrictions on takeaway sales include the collection and analysis of data. NAAPA recommends that the following statistical data should be considered as part of this review:

- Crime data, including rates of alcohol-related offences such as alcohol-related assaults both domestic and non-domestic.
- Health data, including emergency data presentations, hospitalisations and ambulance attendances. This data can be enhanced if hospitals and ambulances are required to collect data on the last place of alcohol consumption for the patient.
- Compliance data, including information collected by the Office of Liquor, Gaming and Racing (OLGR) on compliance of licensees and compliance activities by OLGR and NSW Police.

## Stakeholder consultation

NAAPA understands that this review is occurring in two phases. The first focused on regional and rural NSW; the second phase will focus on metropolitan areas. Both these phases include consultation with a range of stakeholders across NSW. A final report due to Government in 2016.

The Government stated in its response to the *Statutory review of the Liquor Act 2007 and the Gaming and Liquor Administration Act 2007* that "...the government recognises that this restriction [10pm] may have an impact on some businesses and their patrons. The Government is gathering data from affected operators and other stakeholders on the impact of the 10pm takeaway restriction."

To ensure that these consultations accurately contribute to assessing the 'impact', it is important that the community interests are represented equally to those of industry. Communities are affected by alcohol in a number of ways. They endure the noise and disruption from licensed venues, they avoid areas where alcohol use and misuse has led them to feel unsafe, they live alongside and are affected by alcohol-related violence and their children are witnesses of alcohol fuelled violence. Community stakeholders provide an important insight and views on the appropriateness and effectiveness of alcohol harm reduction policies.

To gain these insights NAAPA recommends that OLGR consults with the Community Drug Action Teams (CDAT) across NSW. CDATs are community groups who work together to minimise and prevent the harmful use of alcohol and other drugs in their community. CDATs are situated across the state and provide an opportunity for OLGR to directly consult with community members who are working towards minimising the harms from alcohol.

To contact and liaise with CDATs, it is recommended that you contact the Australian Drug Foundation on 02 8923 0001. The Australian Drug Foundation currently coordinates the CDAT program and is best placed to provide assistance in liaising with CDATs across the state.

## Maintaining the measures

NAAPA understands that this review is occurring in response to the *Statutory review of the Liquor Act 2007 and the Gaming and Liquor Administration Act 2007*. This document states that "The government will review the impact of the 10pm takeaway sales restriction after it has been operating for at least 12 months to ensure seasonal and other variables are properly considered."

The Government has repeatedly confirmed its commitment to the 3am last drinks and 1.30am lockouts in the Sydney CBD and Kings Cross precincts remain in place for two years from their implementation. Maintaining these measures is essential in ensuring that they will have their intended impact of reducing alcohol-related violence. It also ensures that the evaluation of the 3am and 1.30am lockout is not undermined by exemptions or changes to the policies.

NAAPA urges the Government to extend its commitment to maintaining the 10pm takeaway sale restrictions until at least February 2016 and that they remain unchanged until this time. Consideration should also be given to including the 10pm takeaway sales restrictions as part of the statutory review, as outlined in part 12 section 47 of the *Liquor Act 2007*.

Thank you for the opportunity to provide comment on the review. Please do not hesitate to contact Ms Amy Ferguson, Director, Policy and Research at the Foundation for Alcohol Research and Education (FARE) on (02) 6122 8600 or [amy.ferguson@fare.org.au](mailto:amy.ferguson@fare.org.au) if you wish to discuss matters further.

Yours sincerely



MICHAEL THORN  
**ON BEHALF OF NAAPA**

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<sup>1</sup> Wicki M & Gmel Gerhard 2011 Hospital admission rates for alcoholic intoxication after policy changes in the canton of Geneva, Switzerland *Drug and Alcohol Dependence* 1 November 2011 Vol 118: Issues2-3 pp209-215