

EVALUATION OF THE BYRON BAY ALCOHOL ACTION PLAN

FINAL REPORT
May 2015

About this document

This document fulfils the Office of Liquor, Gaming and Racing's (OLGR) commitment to stakeholders to evaluate the Byron Bay Alcohol Action Plan after it had been in place for at least one year.

This document summarises the findings of the evaluation of the Byron Bay Alcohol Action Plan conducted in 2015, and provides recommendations for consideration by the NSW Government.

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Executive Summary

Background

The Byron Bay Alcohol Action Plan was introduced in May 2013 in response to concerns about the rate of alcohol-related crime and anti-social behaviour in Byron Bay. The action plan was developed by the Office of Liquor, Gaming and Racing (OLGR) in consultation with local stakeholders such as the Byron Bay Liquor Accord, Byron Shire Council, NSW Police, and community groups. It outlines key issues, strategies and timeframes, the stakeholders responsible, and key performance indicators. A significant element of the action plan was the introduction of the terms of the Byron Bay Liquor Accord.

OLGR committed to evaluating the action plan after it had been in place for at least one year. The aim of the evaluation was to assess the implementation and effectiveness of the action plan as a whole, including the liquor accord terms, as well as broader aspects such as the collaborative interactions amongst stakeholders, resources and costs incurred, environmental conditions, and the impacts upon key stakeholders.

Methodology

The evaluation was informed by analysis of a range of quantitative data with relevance to the key evaluation questions. These data include offence data obtained from the NSW Bureau of Crime Statistics and Research (BOCSAR), licensing data from OneGov, and venue compliance data from OLGR.

A two stage consultation process was undertaken to seek qualitative information from key stakeholders regarding their views and perceptions in relation to the action plan, and to provide them with an opportunity to contribute to the evaluation. In addition, an online survey was undertaken to provide Byron Bay licensees with the opportunity to contribute to the evaluation.

In addition to an analysis of existing venue compliance data for Byron Bay venues, compliance inspections of higher risk venues in Byron Bay were conducted in March 2015. While inspected venues were assessed for compliance with the specific conditions of their licence and general adherence to responsible service of alcohol requirements, the primary focus of the inspections was to assess adherence to the voluntary liquor accord terms.

A cost analysis was undertaken to estimate the financial cost incurred by key stakeholders in implementing the action plan since its inception. Key stakeholders with significant responsibilities under the action plan were asked to provide estimates of these costs to inform the evaluation.

Key findings

While the liquor accord terms were in place at the time of commencement of the action plan, it is clear that a number of strategies took a significant period of time to implement, were partially implemented, or have not been implemented at all. Inadequate resourcing was identified as a significant barrier to the implementation of particular strategies. There was a consensus among stakeholders that further improvements are needed in late night transport, street lighting, the enforcement of alcohol-free zones, and the general amenity (e.g. street cleanliness).

There was a general perception across stakeholders that public safety in Byron Bay had improved, and this was supported by the analysis of offence data from BOCSAR. There was also a general perception across stakeholders that the action plan had contributed to improvements in liquor licence compliance among Byron Bay venues, and that accord members were adhering to the accord terms. These perceptions were supported by the analysis of venue compliance data and venue inspections.

The financial cost impacts on key stakeholders in relation to action plan implementation were significant. In addition to these cost impacts on key stakeholders, it was evident that implementation of the voluntary accord terms had had a significant negative economic impact on a number of licensed venues.

There was a consistent view that the action plan had improved communication between government, industry and community stakeholders. While improvements in stakeholder collaboration were an important outcome of the action plan, some stakeholders suggested that wider collaboration in the future would be valuable. Stakeholders were generally positive about OLGR's role in driving the action plan.

Conclusions and recommendations

The evaluation led to the following conclusions in response to the four key evaluation questions.

- Implementation of the action plan was incomplete and staggered over time.
- Higher risk venues in Byron Bay show a high level of compliance with the accord terms.
- There was widespread support for the liquor accord terms across a range of key stakeholders.
- There is evidence of improvements in alcohol-related crime and anti-social behaviour in Byron Bay, and a general perception of improved safety among key stakeholders.
- While there were positive impacts from the action plan, significant financial costs were incurred by key stakeholders in its implementation.

- Improved communication between key stakeholders was an important positive outcome of the action plan.

The recommendations from the evaluation are:

1. Membership of the Byron Bay Liquor Accord should remain voluntary and the current accord terms should be retained.
2. Regulatory intervention should be considered for any high risk venue that fails to adhere to the current accord terms.
3. Government should support Byron Shire Council to complete the infrastructure-related actions for which it is responsible under the action plan, and consider further improvements to the transport hub, street lighting, and the general amenity.
4. Greater police patrols during high risk periods should be considered to address street drinking and enforce alcohol-free zones.
5. Alcohol-related crime and anti-social behaviour data and intelligence should continue to be closely monitored over time and action taken by OLGR if evidence of a change in trend in offences emerges.
6. Continued engagement and communication across relevant stakeholders should be facilitated by the liquor accord via an annual planning session.

1. Introduction

1.1 Background

Byron Bay is a popular seaside destination for international and domestic holidaymakers, attracting large crowds for seasonal holidays, New Year's Eve celebrations, Schoolies Week and major music festivals. While the resident population of the suburb of Byron Bay is less than 5,000¹, around 1.4 million people visit the Byron local government area (LGA) each year². Tourism is the main industry in Byron Bay, with an estimated \$426 million spent annually in the Byron LGA by overnight travellers and domestic day-trippers³.

In Byron LGA (mostly concentrated in the suburb of Byron Bay), there is an estimated 11 backpacker establishments with approximately 1,200 bed spaces, 615 holiday apartments with approximately 2,800 bed spaces, 400 holiday houses with approximately 2,500 bed spaces, and 13 caravan/camping places with approximately 5,200 bed spaces⁴. In addition to this, there are 9 resorts, 25 hotels/motels, 48 Bed & Breakfast establishments, and 7 farm stays (with a total of approximately 14,000 bed spaces across the Shire)⁵.

In 2011, Byron Shire Council undertook a Visitor Profile and Satisfaction Survey (VPS) in partnership with Destination NSW and Tourism Research Australia⁶. The results of the survey identified that “there were a number of functional attributes of the trip [to Byron Bay] that scored below the VPS benchmarks [against other similar destinations] in terms of satisfaction including local transport, parking, *personal safety and security*, public toilets, roads, ...”. In terms of the functional attributes of the visit to the Byron Shire, 36 per cent of respondents rated ‘personal safety and security’ as very important.

In recent years, the rate of alcohol-related assaults in Byron Bay has been significantly above the state average. In both 2012 and 2013 it was ranked the third highest suburb in NSW for the rate of alcohol-related assaults⁷. Byron Bay has also historically experienced a much higher percentage of non-domestic assaults that are alcohol-related when compared with the rest of NSW (see Figure 1).

¹ 2011 Census data accessed via the Australian Bureau of Statistics QuickStats: http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/SSC10416?opendocument&navpos=220

² Destination NSW LGA Profiles: <http://www.destinationnsw.com.au/tourism/facts-and-figures/local-area-profiles>

³ Destination NSW LGA Profiles: <http://www.destinationnsw.com.au/tourism/facts-and-figures/local-area-profiles>

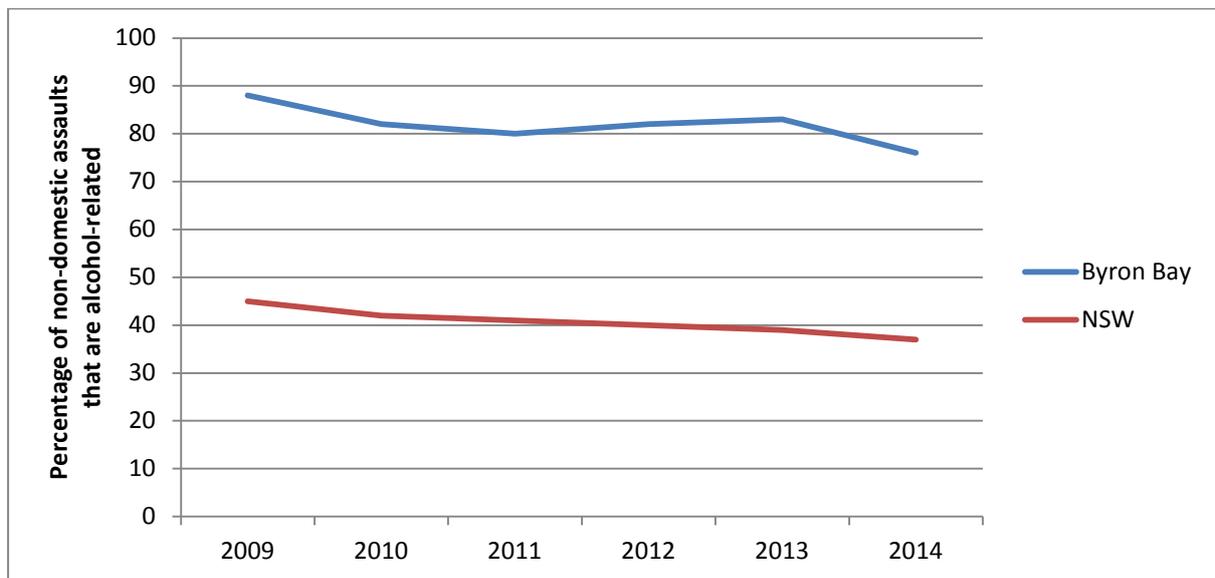
⁴ Situation Analysis and Tourism Product Audit for the Byron Shire Tourism Management Plan (May 2008)

⁵ Situation Analysis and Tourism Product Audit for the Byron Shire Tourism Management Plan (May 2008)

⁶ Information provided by Byron Shire Council on 2 April 2015

⁷ Only includes suburbs with a population over 3,000

Figure 1: Percentage of non-domestic assaults that are alcohol-related in Byron Bay suburb and NSW for each calendar year from 2009 to 2014.



1.2 Licensed premises in Byron Bay

There are currently 75 licensed premises in the suburb of Byron Bay (excludes limited licences)⁸. Of these, three have registered club licences, four have hotel licences, 57 have on-premises licences, four have packaged licences, and seven have producer/wholesaler licences. Of the 75 licensed premises in Byron Bay, 14 (19 per cent) are authorised to trade after midnight (three clubs, two hotels, and 9 on-premises venues).

The Byron Bay entertainment precinct is primarily located in Jonson Street, the main street which runs north/south through the township. Lawson Street is the major intersecting street. Over half of the licensed premises in Byron Bay are located on or near Jonson and Lawson Streets, and twelve of the 16 venues that trade after midnight are located on these two streets.

1.3 Byron Bay Liquor Accord

The Byron Bay Liquor Accord was established in 2000 as a not-for-profit voluntary membership based organisation. As stated in its constitution, the key aims of the Byron Bay Liquor Accord are to prevent or reduce alcohol related harm/crime and anti-social behaviour on, and in the immediate vicinity of, licensed premises in the Byron Bay area by:

- encouraging the responsible service of alcohol;

⁸ As at 31 March 2015

- addressing venue-related safety and security issues;
- working with other community partners to improve local outcomes and the perception of the Byron Bay area; and
- working towards the agreed terms of the accord.

Any business holding a liquor licence in the Byron Bay and surrounding suburbs can be a member of the accord. As at 9 April 2015, there were 29 members of the accord. Of these, three hold a hotel licence, three hold a registered club licence, 19 hold an on-premises licence, three hold a packaged licence, and one holds a producer/wholesaler licence. Nine of the 14 late trading venues are currently members of the accord.

While not eligible for membership, Government agencies and other stakeholders can be eligible parties to the accord. Government agencies and other stakeholders specifically identified in the constitution as eligible members include:

- NSW Office of Liquor, Gaming and Racing
- Byron Shire Council
- NSW Police
- Byron United
- Byron Underage Drinking & Drug Initiative, Community Drug Action Team
- Other community groups/business organisations that have an interest in alcohol related harm or the local amenity.

In accordance with the accord's constitution, eligible parties may attend and contribute to liquor accord meeting discussions and report on issues affecting the area. Eligible parties that are not licensees cannot be members of the accord and therefore cannot vote.

1.4 Byron Bay Alcohol Action Plan

In response to concerns about the rate of alcohol-related crime and anti-social behaviour in Byron Bay, particularly over the 2012/13 Christmas/New Year period, the Byron Bay Alcohol Action Plan (the action plan) was introduced in May 2013. The action plan was developed by OLGR in consultation with local stakeholders such as the Byron Bay Liquor Accord, Byron Shire Council, NSW Police, and community groups. Development of the action plan recognised that a coordinated effort was required to reduce alcohol-related crime and anti-social behaviour in Byron Bay.

The action plan is comprised of 31 strategies in four categories: environment (16), transport (5), licensed premises (7), and special events (3). It outlines key issues, strategies and timeframes, the stakeholders responsible, and key performance indicators. The action plan is available on the OLGR website at:

www.olgr.nsw.gov.au/pdfs/Accords/final_byron_bay_alcohol_action_plan.pdf.

A significant element of the action plan was the introduction of the terms of the Byron Bay Liquor Accord. As identified in the action plan, accord members adopted permanent and trial terms in March 2013 with the aim of reducing pre-fuelling behaviour, the rapid consumption of alcohol, and violent patron behaviour in and around licensed premises in Byron Bay.

On 9 October 2013, following a six month trial, the trial terms were adopted as permanent terms. An additional term relating to outlaw motor cycle gangs was adopted on 30 April 2014, and the term relating to ceasing take away sales after 11pm was removed (as a statewide legislative restriction on the sale of take-away liquor after 10pm was introduced in February 2014). The current accord terms are listed in Appendix A.

1.5 Preliminary assessment of the impact of the action plan

In August 2013, OLGR conducted a licensed premises survey and analysis of key data relating to the action plan, with a specific emphasis on the accord terms. This analysis of outcomes after the action plan had been implemented for six months found that while alcohol-related assaults in Byron Bay had decreased, the numbers remained higher than the state average.

Almost 40 per cent of all licensed premises in Byron Bay participated in the survey. Over 90 per cent of survey respondents stated that they had experienced “no issues” or “only a few issues” when implementing the accord terms. While these preliminary findings were encouraging, there was insufficient data after only six months to draw any definitive conclusions about the impact of the accord terms.

A December 2013 update of the action plan, which notes progress against the strategies in the plan, is available on the OLGR website at:

www.olgr.nsw.gov.au/accords_latest_news.asp.

1.6 Legislative changes during implementation of the action plan

In considering the effectiveness of the action plan, it is important to note that there were a number of statewide legislative changes that took effect during the implementation of the action plan. These include:

- restriction on the sale of take-away liquor after 10pm (from February 2014);
- a range of reforms implemented under the *Liquor Legislation Amendment (Statutory Review) Act 2014* (e.g. enabling the Independent Liquor and Gaming Authority to suspend or revoke a person's responsible service of alcohol (RSA) certification where they breach their RSA obligations) (from December 2014); and
- introduction of a risk-based licence fee scheme in NSW (announced in January 2014, with fees payable from the 2014/15 financial year).

These legislative changes should be kept in mind when interpreting the evaluation findings relating to the effectiveness of the action plan.

1.7 Evaluation of the action plan

1.7.1 Objectives

OLGR committed to evaluating the action plan after it had been in place for at least one year. In October 2014, a draft evaluation plan was circulated to key stakeholders for comment. The final evaluation plan, informed by stakeholder responses and meeting the requirements of the *NSW Government Evaluation Framework*, was endorsed in January 2015.

The aim of the evaluation was to assess the implementation and effectiveness of the action plan as a whole, including the liquor accord terms, as well as broader aspects such as the collaborative interactions amongst stakeholders, resources and costs incurred, environmental conditions, and the impacts upon key stakeholders. The outcomes of the evaluation will assist decision making about the future direction for ensuring increased public safety and ongoing reduction in alcohol-related harm in Byron Bay.

The two overarching evaluation objectives were to:

1. assess the development and implementation of the action plan, including the liquor accord terms, with a focus on the inclusion and effectiveness of stakeholder support; and
2. assess the effectiveness of the action plan, including the liquor accord terms, in reducing alcohol-related crime and anti-social behaviour in Byron Bay.

The evaluation also aimed to:

- assess whether licensed venues within Byron Bay have demonstrated improved compliance with their licence conditions under the *Liquor Act 2007*;
- assess the impacts upon stakeholders (e.g. economic impacts) and identify any unintended impacts of the action plan;

- assess the resource inputs and costs of implementation; and
- identify measures that can be improved, additional or alternative approaches that may be required, and/or measures that should not be retained.

1.7.2 Program logic

The *NSW Government Evaluation Framework* defines program logic as a ‘management tool that presents the logic of a program in a diagram’ and that ‘links longer term objectives to a program’s intermediate and shorter term objectives’ (p.19). The Framework notes that developing a program logic model and clear outcome measures when planning an evaluation is a principle of good practice.

A program logic approach informed planning for the evaluation of the action plan. Figure 2 provides the program logic model for the action plan. It outlines the immediate, intermediate, and ultimate outcomes associated with each of the four categories of issues and strategies outlined in the plan. The outcomes articulated in the program logic informed the overarching evaluation objectives.

Figure 2: Program logic for the action plan

Issues & Strategies	Immediate outcomes	Intermediate outcomes	Ultimate outcome
1 Environment	Improved planning and infrastructure	Reduction in alcohol-related offences in public spaces	Reduced alcohol related crime and anti-social behaviour in Byron Bay
	Liquor accord terms adopted and implemented by venues		
2 Transport	More efficient and safe movement of people from entertainment areas and licensed premises	Reduction in offences associated with transport issues	
3 Licensed Premises	Increased awareness of regulatory requirements due to compliance activity	Increased venue compliance	

Issues & Strategies	Immediate outcomes		Intermediate outcomes		Ultimate outcome
	Liquor accord terms adopted and implemented by venues	⇒	A majority of venues adhere to the Terms	⇒	
4 Special Events	Improved coordination and planning of special events through adoption of liquor accord event responses	⇒	Reduction in alcohol-related incidents during special events (e.g. New Year's Eve)	⇒	

1.7.3 Evaluation scope

The scope of the evaluation covered:

- the implementation and effectiveness of the action plan and the liquor accord terms;
- the compliance of licensed venues in Byron Bay;
- implementation costs;
- the overall impacts on alcohol-related crime and anti-social behaviour in Byron Bay; and
- consideration of potential improvements and next steps.

While implementation costs were considered, a full cost-benefit analysis was outside of the scope of the evaluation.

1.7.4 Key evaluation questions

The evaluation aimed to answer four key evaluation questions. These four key questions, and the individual evaluation questions that inform them, are listed below.

1. To what extent has the action plan been implemented as planned?

- To what extent were the strategies outlined in the action plan implemented?
- To what extent were licensees aware of, and committed to, the liquor accord terms?
- To what extent did licensees, particularly of high risk venues, adopt and implement the liquor accord terms?
- Are a majority of Byron Bay licensees members of the liquor accord? If not, why not?
- What are the reasons for licensees not joining the accord?

- Were there any difficulties identified during implementation that were not fully resolved?
- To what extent were local residents informed about objectives of the action plan?
- To what extent was stakeholder support during the development and implementation process inclusive and effective?

2. To what extent has the action plan, including the liquor accord terms, been effective in Byron Bay?

- In what way has the action plan improved/not improved public safety and liquor licence compliance in Byron Bay?
- What factors influenced venue compliance with the liquor accord terms?
- To what extent has the level of alcohol-related crime and anti-social behaviour been impacted since implementation of the plan, including the accord terms?
- Are there improvements that can be made to existing strategies, are additional strategies required, and/or are there strategies that should not be retained?
- Is the terms approach more effective for specific licence types?
- Is the action plan approach more effective for reducing alcohol-related crime and anti-social behaviour in specific situations?
- Is there evidence that Byron Bay is still experiencing a disproportionately high level of alcohol related crime and anti-social behaviour?
- What are the lessons in this approach that provide evidence to guide policy development to ensure an ongoing reduction in alcohol-related crime and anti-social behaviour?

3. What impacts has the action plan had on stakeholders?

- What have been the individual impacts of the action plan on key stakeholders?
- What are the impacts on alcohol-related crime of licensee failure to participate in liquor accord membership and adoption of the terms?
- What have been the economic and business impacts of the plan?
- Were there any unintended consequences of the action plan, including the liquor accord terms?
- What were the resource impacts and costs of implementing the action plan?

4. How effective was the stakeholder collaboration process?

- How well did all stakeholders engage with one another throughout the implementation of strategies within the action plan?

- Was the accord terms approach effective for building collaboration with all key stakeholders for reducing alcohol-related harm in Byron Bay?
- Are there improvements that can be made to the stakeholder collaboration process for the future?

2. Methodology

2.1 Data collection and analysis

The evaluation was informed by analysis of a range of quantitative data with relevance to the key evaluation questions. These data include offence data obtained from the NSW Bureau of Crime Statistics and Research (BOCSAR), licensing data from OneGov, and venue compliance data from OLGR.

Data on the number of alcohol-related and non-alcohol-related assaults and incidents of offensive behaviour, number of liquor offences, and number of drink driving incidents for each month from January 2009 to December 2014 were sourced from BOCSAR. These data were obtained for NSW and for the suburb of Byron Bay.

To facilitate the analysis, data for the two major offensive behaviour categories (offensive conduct, offensive language) were aggregated to provide offensive behaviour data.

In analysing the data, the period up to and including March 2013 was coded as pre-intervention and the period from April 2013 was coded as post-intervention. These dates reflect the adoption of the Byron Bay Liquor Accord terms on 21 March 2013, which preceded the formal introduction of the action plan in May 2013.

Information regarding liquor licences was obtained from OneGov. Licence counts for each calendar year were based on the number of licences current at 31 December.

Data relating to numbers of declared premises, venue inspections and breaches detected were sourced from OLGR's Regis database.

Based on monthly data from January 2009 to December 2014, interrupted time-series analyses were undertaken to assess whether changes in trend for key variables following the introduction of the action plan (i.e. all, on and off premises alcohol-related non-domestic assaults, alcohol-related offensive behaviour, and drink driving) were statistically significant. A Generalised Linear AutoRegressive Moving Average (GLARMA) model was employed, using the *glarma* package in *R* statistical software. GLARMA models are designed to analyse time-series count data with a small number of observations. A Generalised Linear Model

(GLM) was undertaken using Poisson regression for each time-series. The residuals from the GLM were used to identify the extent of serial correlation in the data. The Box-Ljung test was used on the model residuals to test for serial dependence. The AIC statistics were used to confirm the appropriateness of AutoRegressive and Moving Average terms.

To account for seasonality, each model included a dummy variable for every month of the year (June being the reference month). The intervention date was treated as 1 April 2013 as the accord terms were introduced on 21 March 2013. The intervention was modelled as a step function and a linear function. The step function models the impact of the intervention as an immediate effect and the linear function models the impact as a change over time.

Separate analyses were undertaken for all assaults, on-premises assaults, off-premises assaults, offensive behaviour, and drink driving.

2.2 Key stakeholder consultation

A two stage consultation process was undertaken to seek qualitative information from key stakeholders regarding their views and perceptions in relation to the action plan, and to provide them with an opportunity to contribute to the evaluation.

For the first stage of consultation, twelve telephone interviews were conducted, and one stakeholder opted to provide written responses to the interview questions. The consultation questions reflected the four key evaluation questions, with a focus upon implementation, membership of the accord, commitment of licensees to the accord terms, and perceptions of improved public safety and stakeholder interactions.

The following key stakeholders were consulted during this first stage of consultation:

- Byron Shire Council
- Byron Bay Liquor Accord
- NSW Police (Tweed Byron Local Area Command)
- Byron Underage Drinking and Drug Initiative (BUDDI) - a Community Drug Action Team (CDAT) that was established to combat underage drinking and drug use
- Byron Youth Service
- Byron United
- Last Drinks
- Byron Bay Backpacker Operators Association

For the second stage of consultation, representatives of 12 key stakeholder organisations were consulted, mostly via face-to-face interview in Byron Bay from 18-20 March 2015, and one organisation opted to provide a written submission in addition to its face-to-face

consultation. These consultations focussed upon implementation of individual action plan strategies and associated issues, perceptions of the effectiveness of and compliance with the accord terms, and potential future improvements to strategies for addressing alcohol-related crime and anti-social behaviour in Byron Bay.

The following key stakeholders were consulted during this second stage of consultation:

- Byron Shire Council
- Byron Bay Liquor Accord
- NSW Police (Tweed Byron Local Area Command)
- BUDDI (CDAT)
- Byron Youth Service
- Byron United
- Last Drinks
- Byron Bay Backpacker Operators Association
- Roads & Maritime Services
- Byron Bay Taxis and Limousines
- Ambulance NSW
- Destination Byron

2.3 Venue survey

An online survey was undertaken to provide Byron Bay licensees with the opportunity to contribute to the evaluation. The survey questions related to liquor accord membership, awareness of the action plan and accord terms, implementation of the accord terms, perceptions of changes in alcohol-related crime and anti-social behaviour, the effectiveness of individual accord terms, economic impacts, and potential future strategies (see Appendix B).

The survey was developed using Survey Monkey and was made available to licensees online from 31 March to 13 April 2015.

2.4 Venue inspections

In addition to an analysis of existing venue compliance data for Byron Bay venues, compliance inspections of higher risk venues in Byron Bay were conducted on the evenings of Friday 20 and Saturday 21 March 2015. Venues were selected for inspection on the basis of their trading hours, history of alcohol-related violence, and/or history of compliance issues.

A total of 13 venues were inspected (two registered clubs, three hotels, and eight venues with on-premises licences). Of the eight venues with on-premises licences that were inspected, four were nightclubs and the other four had primary service authorisations.

While inspected venues were assessed for compliance with the specific conditions of their licence and general adherence to responsible service of alcohol requirements, the primary focus of the inspections was to assess adherence to the voluntary liquor accord terms. A standard check list was used by OLGR compliance officers to record adherence to each of the terms (see Appendix C).

In addition, inspections of two packaged liquor outlets were undertaken on the afternoon of Saturday 21 March 2015. These inspections assessed compliance with specific licence conditions, general adherence to responsible service of alcohol requirements, and adherence to the voluntary liquor accord terms relating to the sale of packaged liquor.

2.5 Cost analysis

A cost analysis was undertaken to estimate the financial cost incurred by key stakeholders in implementing the action plan since its inception. Key stakeholders with specific implementation responsibilities under the action plan were asked to provide estimates of these costs to inform the evaluation.

3. Key Findings

3.1 Declared premises

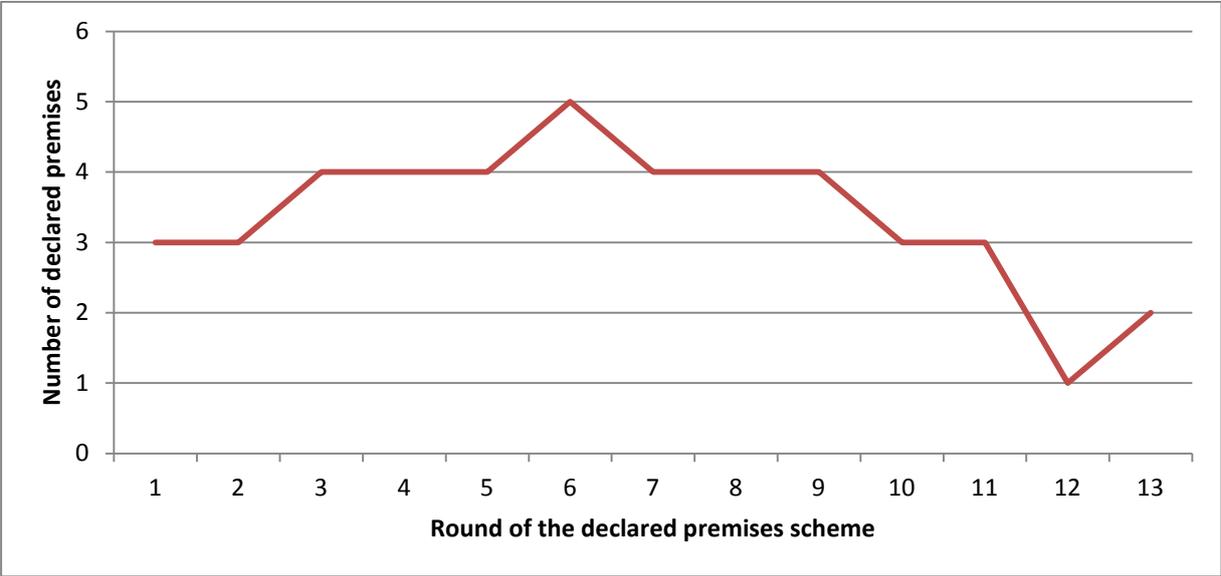
- *There has been a reduction in the number of declared premises in Byron Bay since the introduction of the action plan.*

An analysis was undertaken to determine whether there had been any change in the number of declared premises in the suburb of Byron Bay since the introduction of the action plan, a key performance indicator for strategy 3.3.1. The number of declared premises in the suburb of Byron Bay for each round of the scheme since its commencement can be found in Figure 3. Only two rounds of the scheme (rounds 12-13)⁹ have been based entirely on data for the

⁹ Round 13 is based on data for the period 1/1/14-31/12/14 and applies for the regulation period 1/6/15-30/11/15; Round 12 is based on data for the period 1/7/13-30/6/14 and applies for the regulation period 1/12/14-31/5/15.

period following the introduction of the action plan. The average number of declared premises in these two rounds was compared to the average number of declared premises in the nine rounds of the scheme based on data that preceded the introduction of the action plan (rounds 1-9)¹⁰. It was found that the average number of declared premises in Byron Bay in the pre-intervention period (rounds 1-9) was 3.9, while the average number of declared premises in the post-intervention period (rounds 12-13) was 1.5. These findings indicate that there has been a reduction in the number of declared premises in Byron Bay since the introduction of the action plan.

Figure 3: Number of declared premises in Byron Bay suburb for each round of the declared premises scheme since its commencement.



3.2 Venue compliance

- *There was a 36 per cent reduction in breaches per inspection from 2013 (from 21 March) to 2014.*
- *Venue inspections in March 2015 confirmed a high level of compliance with specific licence conditions, responsible service of alcohol requirements, and the voluntary accord terms.*

¹⁰ Round 9 is based on data for the period 1/1/12-31/12/14 and applies for the regulation period 1/6/13-30/11/13; Round 8 is based on data for the period 1/7/11-30/6/12 and applies for the regulation period 1/12/12-31/5/13; etc. Rounds 10 and 11 were not included in the analysis as they were based on data that were both pre and post-intervention.

In total, 225 venue inspections have been conducted by OLGR in the suburb of Byron Bay since the implementation of the liquor accord terms (as at 31 March 2015). These inspections detected 56 breaches of the *Liquor Act 2007* or the *Liquor Regulation 2008*, and appropriate enforcement action was taken.

To examine the change in venue compliance over time following the introduction of the liquor accord terms, the number of breaches per inspection was calculated for the period in 2013 following the implementation of the liquor accord terms (i.e. from 21 March 2013), and for 2014. The majority of inspections in both periods were conducted at higher risk times. In 2013 (from 21 March) the number of breaches per inspection was 0.28. In 2014, the number of breaches per inspection was 0.18. This 36 per cent reduction in breaches per inspection suggests that venue compliance improved significantly over time following the introduction of the liquor accord terms.

Venue inspections undertaken on 20-21 March 2015 further confirmed a high level of compliance with specific licence conditions, responsible service of alcohol requirements, and the voluntary accord terms. No breaches of licence conditions or responsible service of alcohol requirements were detected. A total of 6 instances of non-adherence to the voluntary accord terms were detected across the fifteen inspected premises, with one venue recording three instances, one venue recording two instances, and one venue recording one instance. Three of the six instances of non-adherence related to the 'Adhere to the accord Standard and Multi-Venue barring policy' term. Two of the six instances related to the 'Adhere to a strict door policy' term. One of the six instances related to the 'Follow event responses set out by the accord for each peak/major event' term.

3.3 Offences

3.3.1 Assaults

- *There was a 24.7 per cent reduction in alcohol-related non-domestic assaults in Byron Bay suburb from pre to post-intervention. This was greater than the 15.3 per cent reduction across NSW for the same period.*
- *A post-intervention reduction in assaults was found, but time series analysis indicated that the effect of the intervention was not statistically significant.*
- *The percentage reduction in alcohol-related non-domestic assaults from pre to post-intervention was greater for the more serious categories of assault.*
- *The percentage reduction in alcohol-related non-domestic assaults from pre to post-intervention was greater for assaults that occurred after midnight.*

Several strategies under the action plan were aimed at achieving a reduction in alcohol-related assaults. Figure 4 displays the monthly number of alcohol-related non-domestic assaults (all, on-premises, and off-premises) in Byron Bay suburb from January 2009 to December 2014. Corresponding figures for NSW are provided in Figure 5.

To examine the change in assaults following the introduction of the action plan (including the accord terms), assaults for the 21 month post-intervention period (April 2013 to December 2014) were compared to the corresponding previous 21 month period (April 2011 to December 2012). Table 1 displays the number of alcohol-related non-domestic assaults in Byron Bay suburb and NSW for the pre and post-intervention periods, along with the percentage change.

There was a 24.7 per cent reduction in alcohol-related non-domestic assaults in Byron Bay suburb in the post-intervention period compared to the corresponding pre-intervention period. Over the same period, on-premises assaults fell by 13.3 per cent, and off-premises assaults fell by 29.8 per cent. When compared to the respective reductions across NSW over the same period (15.3 per cent, 12.6 per cent, 16.5 per cent), the percentage reductions in Byron Bay suburb were greater for all, on and off-premises assaults.

Figure 4: Monthly alcohol-related non-domestic assaults (all, on-premises, and off-premises) in Byron Bay suburb from January 2009 to December 2014.

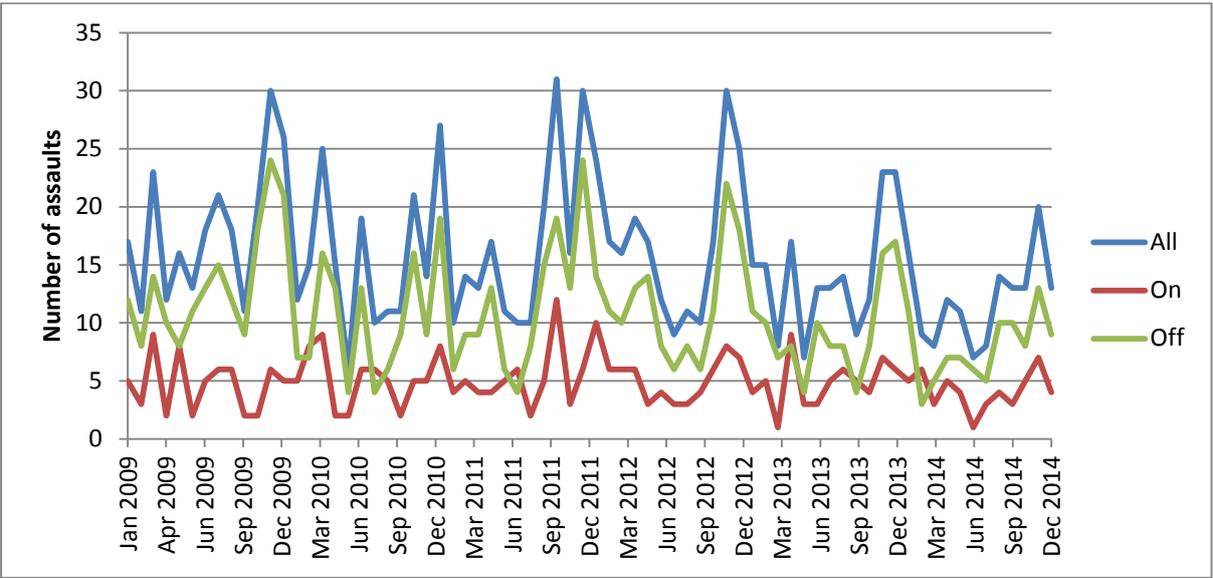


Figure 5: Monthly alcohol-related non-domestic assaults (all, on-premises, and off-premises) in NSW from January 2009 to December 2014.

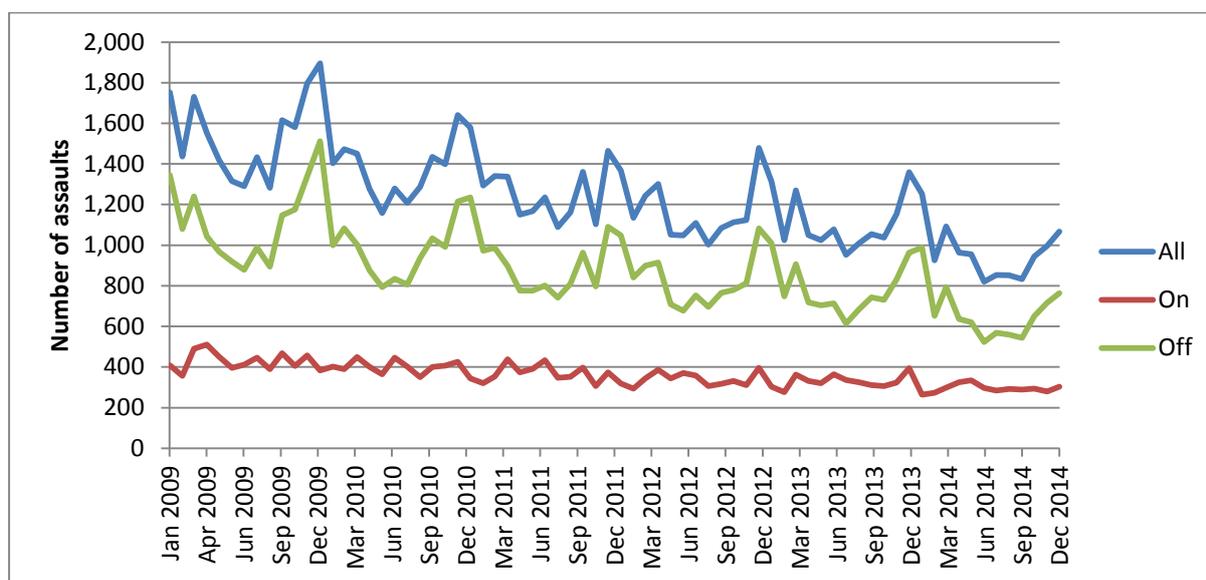


Table 1: Alcohol-related non-domestic assaults in Byron Bay suburb and NSW for the periods April 2011 to December 2012 and April 2013 to December 2014, and percentage change.

Period	Byron Bay suburb			NSW		
	All	On premises	Off premises	All	On premises	Off premises
Pre-intervention (Apr 2011 – Dec 2012)	365	113	252	25,127	7,494	17,633
Post-intervention (Apr 2013 – Dec 2014)	275	98	177	21,272	6,549	14,723
% change	↓24.7%	↓13.3%	↓29.8%	↓15.3%	↓12.6%	↓16.5%

To assess whether the change in trend for the number of assaults following the intervention was statistically significant, separate interrupted time-series analyses were undertaken on all, on-premises and off-premises alcohol-related non-domestic assault counts for Byron Bay suburb. The modelling indicated that the change in trend for assaults following the intervention was not statistically significant, either immediately following the intervention or over time (Table 2). This means that there was very little change in trend from pre to post-intervention. Detailed results of the modelling are presented in Appendix D.

Table 2: Times series modelling for all, on-premises, and off-premises alcohol-related non-domestic assaults in Byron Bay suburb.

Variable	All assaults		On-premises assaults		Off-premises assaults	
	Estimate	p-value	Estimate	p-value	Estimate	p-value
Underlying trend (2009-2014)	-0.020	0.489	0.008	0.840	-0.028	0.424
Change in trend as linear function (from April 2013)	-0.105	0.409	-0.215	0.221	-0.037	0.814
Change in trend as step function (from April 2013)	-0.089	0.551	0.101	0.622	-0.218	0.240
Constant	2.446	<2e-16***	1.031	8.55e-05***	2.169	<2e-16***
5% significance: $p < 0.05$						
Significance levels: ***0.1%, **1%, *5%						

Serious assaults

Figure 6 displays the monthly number of alcohol-related non-domestic assaults occasioning actual bodily harm (ABH) or grievous bodily harm (GBH) (all, on-premises, and off-premises) in Byron Bay suburb from January 2009 to December 2014. Corresponding figures for NSW are provided in Figure 7. Table 3 displays the number of alcohol-related non-domestic assaults in Byron Bay suburb and NSW for the pre and post-intervention periods, along with the percentage change.

The percentage reduction in alcohol-related non-domestic assaults from pre to post-intervention was found to be greater for the more serious categories of assault (i.e. ABH and GBH). There was a 28.7 per cent reduction in alcohol-related non-domestic ABH/GBH assaults in Byron Bay suburb in the post-intervention period compared to the corresponding pre-intervention period. Over the same period, on-premises ABH/GBH assaults fell by 35.9 per cent, and off-premises ABH/GBH assaults fell by 25.8 per cent. When compared to the respective reductions across NSW over the same period (19.2 per cent, 17.6 per cent, 19.8 per cent), the percentage reductions in Byron Bay suburb were greater for all, on and off-premises ABH/GBH assaults.

Figure 6: Monthly alcohol-related non-domestic ABH/GBH assaults (all, on-premises, and off-premises) in Byron Bay suburb from January 2009 to December 2014.

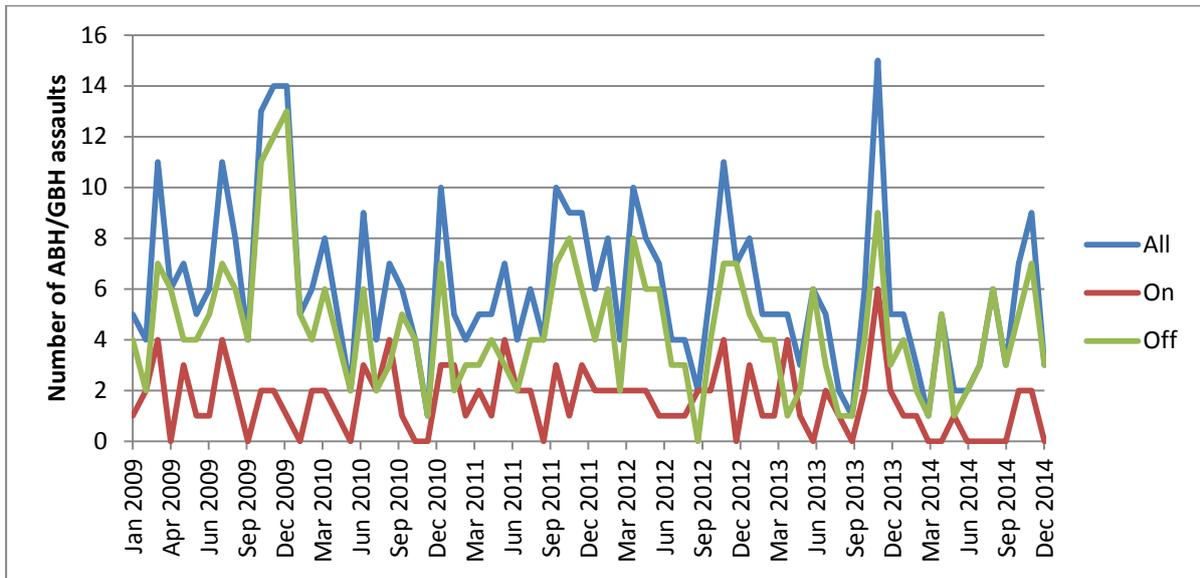


Figure 7: Monthly alcohol-related non-domestic ABH/GBH assaults (all, on-premises, and off-premises) in NSW from January 2009 to December 2014.

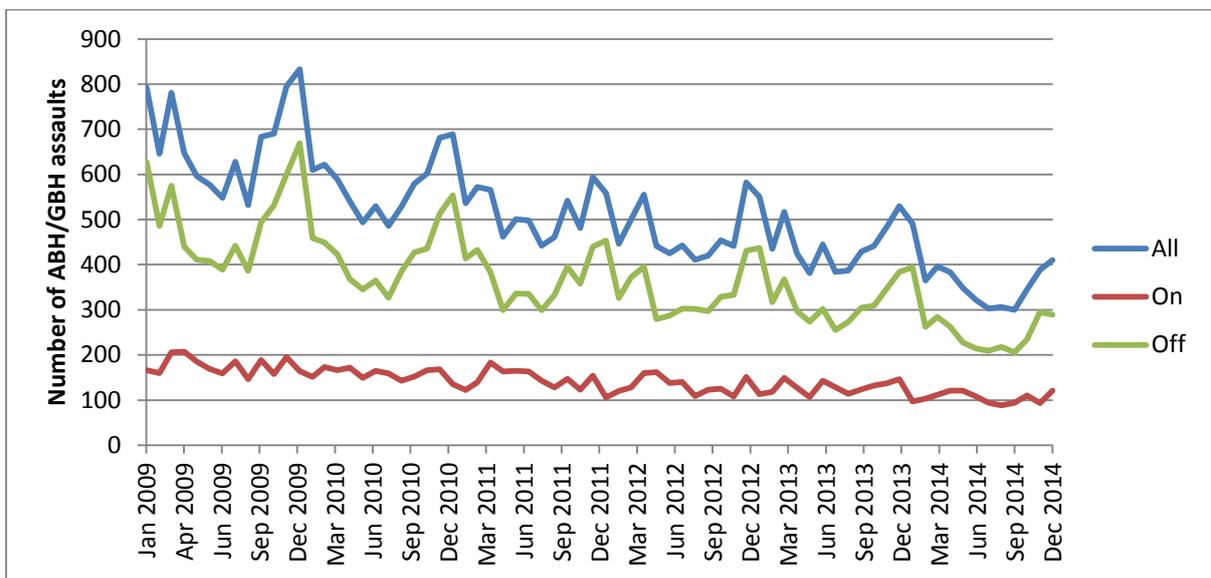


Table 3: Alcohol-related non-domestic ABH/GBH assaults in Byron Bay suburb and NSW for the periods April 2011 to December 2012 and April 2013 to December 2014, and percentage change.

Period	Byron Bay suburb			NSW		
	All	On premises	Off premises	All	On premises	Off premises
Pre-intervention (Apr 2011 – Dec 2012)	136	39	97	10,224	2,939	7,285
Post-intervention (Apr 2013 – Dec 2014)	97	25	72	8,263	2,421	5,842
% change	↓28.7%	↓35.9%	↓25.8%	↓19.2%	↓17.6%	↓19.8%

Assaults after midnight

Figure 8 displays the monthly number of alcohol-related non-domestic assaults after midnight¹¹ (all, on-premises, and off-premises) in Byron Bay suburb from January 2009 to December 2014. Corresponding figures for NSW are provided in Figure 9. Table 4 displays the number of alcohol-related non-domestic assaults in Byron Bay suburb and NSW for the pre and post-intervention periods, along with the percentage change.

The percentage reduction in alcohol-related non-domestic assaults from pre to post-intervention was found to be greater for assaults that occur after midnight. There was a 35.3 per cent reduction in alcohol-related non-domestic assaults after midnight in Byron Bay suburb in the post-intervention period compared to the corresponding pre-intervention period. Over the same period, on-premises assaults after midnight fell by 27.9 per cent, and off-premises assaults fell by 38.6 per cent. When compared to the respective reductions across NSW over the same period (21.3 per cent, 21.8 per cent, 21.0 per cent), the percentage reductions in Byron Bay suburb were greater for all, on and off-premises assaults after midnight.

¹¹ Assaults occurring between midnight and 5am

Figure 8: Monthly alcohol-related non-domestic assaults after midnight (all, on-premises, and off-premises) in Byron Bay suburb from January 2009 to December 2014.

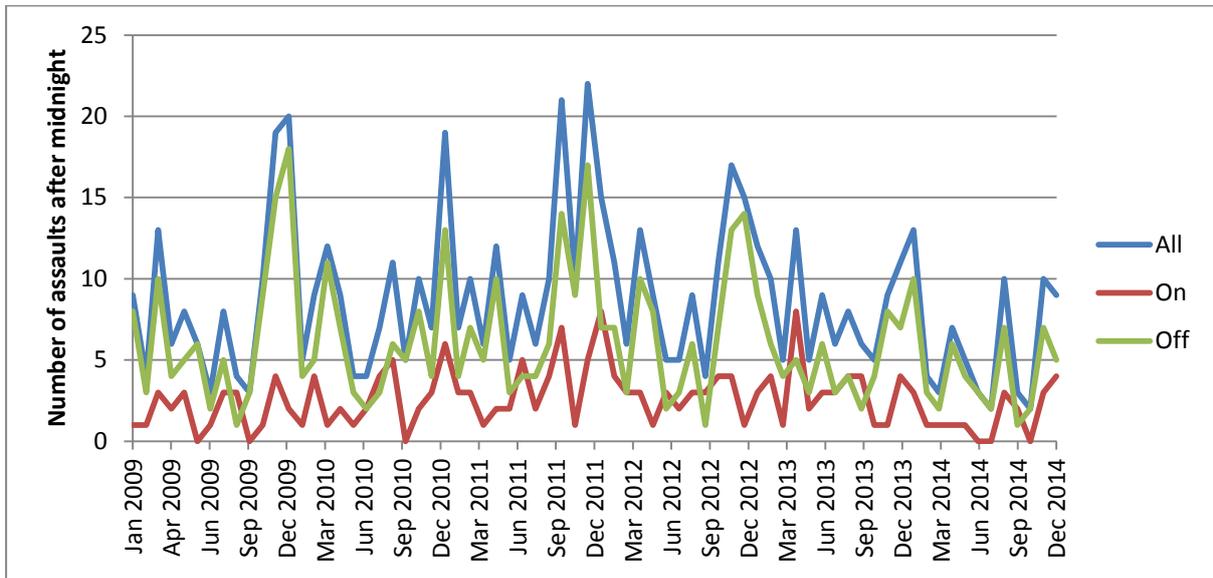


Figure 9: Monthly alcohol-related non-domestic assaults after midnight (all, on-premises, and off-premises) in NSW from January 2009 to December 2014.

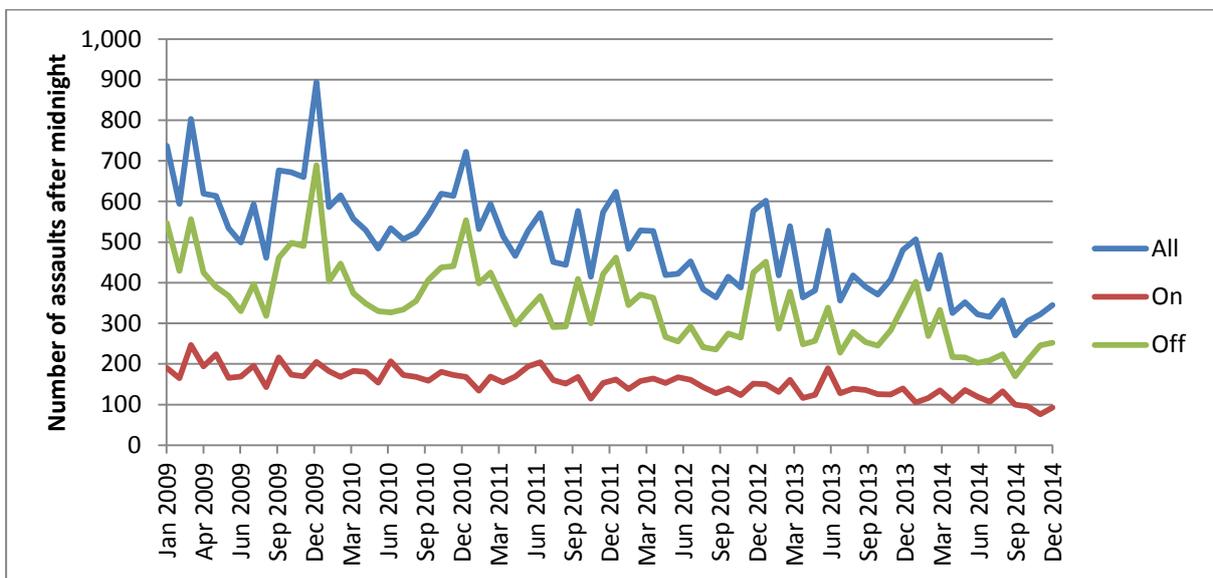


Table 4: Alcohol-related non-domestic assaults after midnight in Byron Bay suburb and NSW for the periods April 2011 to December 2012 and April 2013 to December 2014, and percentage change.

Period	Byron Bay suburb			NSW		
	All	On premises	Off premises	All	On premises	Off premises
Pre-intervention (Apr 2011 – Dec 2012)	221	68	153	10,126	3,259	6,867
Post-intervention (Apr 2013 – Dec 2014)	143	49	94	7,972	2,547	5,425
% change	↓35.3%	↓27.9%	↓38.6%	↓21.3%	↓21.8%	↓21.0%

3.3.2 Offensive Behaviour

- *There was a 3.3 per cent increase in alcohol-related offensive behaviour incidents in Byron Bay suburb from pre to post intervention, compared to a 20.4 per cent reduction across NSW.*
- *Time series analysis indicated that the change in trend for alcohol-related offensive behaviour incidents following the intervention was statistically significant, with a decreasing trend observed over time following the intervention.*

A number of strategies under the action plan were aimed at achieving a reduction in alcohol-related offensive behaviour incidents. Figure 10 displays the monthly number of alcohol-related offensive behaviour incidents in Byron Bay suburb from January 2009 to December 2014. Corresponding figures for NSW are provided in Figure 11.

To examine the change in offensive behaviour incidents following the introduction of the action plan, including the accord terms, offensive behaviour incidents for the 21 month post-intervention period (April 2013 to December 2014) were compared to the corresponding previous 21 month period (April 2011 to December 2012). Table 5 displays the number of alcohol-related offensive behaviour incidents in Byron Bay suburb and NSW for the pre and post-intervention periods, along with percentage change.

There was a 3.3 per cent increase in alcohol-related offensive behaviour incidents in Byron Bay suburb in the post-intervention period compared to the corresponding pre-intervention period. Over the same period, offensive behaviour incidents fell by 20.4 per cent across NSW. While alcohol-related offensive behaviour incidents were higher overall in the post-

intervention period, inspection of Figure 10 suggests that offensive behaviour incidents were increasing in the period before the intervention, yet have decreased in the post-intervention period.

Figure 10: Monthly alcohol-related offensive behaviour incidents in Byron Bay suburb from January 2009 to December 2014.

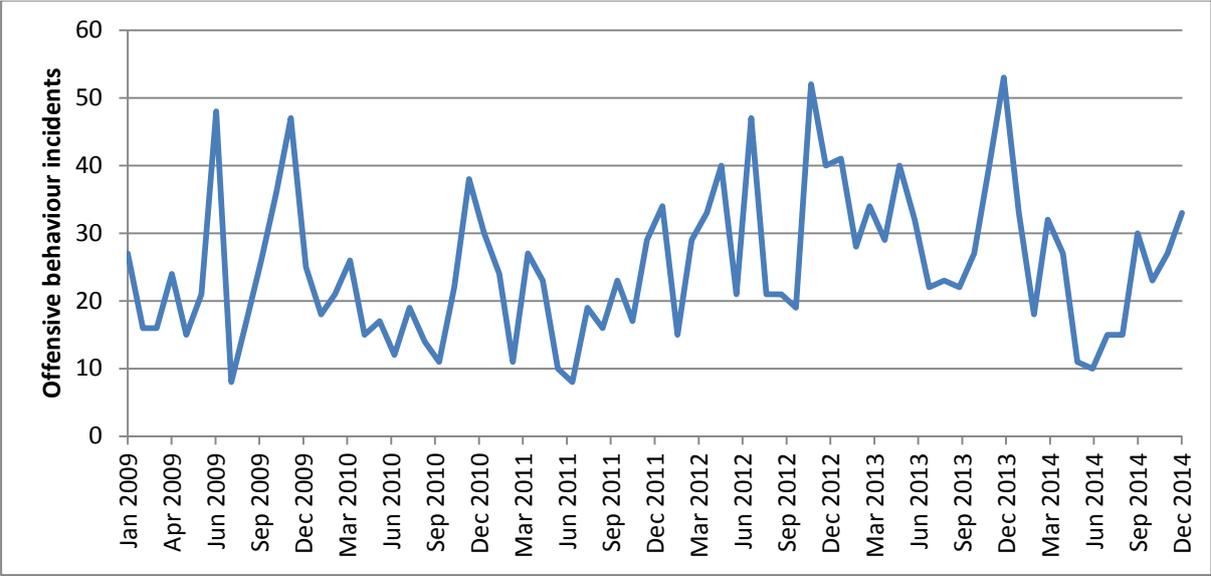


Figure 11: Monthly alcohol-related offensive behaviour incidents in NSW from January 2009 to December 2014.

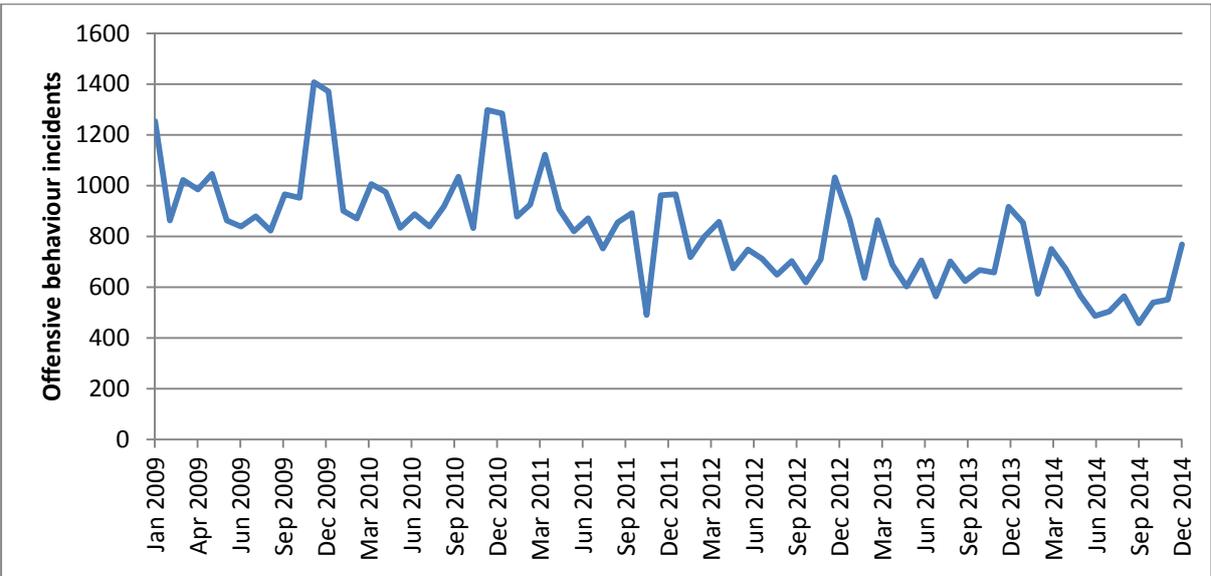


Table 5: Alcohol-related offensive behaviour incidents in Byron Bay suburb and NSW for the periods April 2011 to December 2012 and April 2013 to December 2014.

Period	Byron Bay suburb	NSW
Pre-intervention (Apr 2011 – Dec 2012)	544	16,855
Post-intervention (Apr 2013 – Dec 2014)	562	13,410
% change	↑ 3.3%	↓ 20.4%

To assess whether the change in trend for the number of offensive behaviour incidents following the intervention was statistically significant, an interrupted time-series analysis was undertaken on offensive behaviour incident counts for Byron Bay suburb. The modelling indicated that the change in trend for alcohol-related offensive behaviour incidents following the intervention was statistically significant, with a decreasing trend observed over time following the intervention (Table 6). Detailed results of the modelling are presented in Appendix D.

Table 6: Times series modelling for alcohol-related offensive behaviour incidents in Byron Bay suburb.

Variable	Offensive behaviour incidents	
	Estimate	p-value
Underlying trend (2009-2014)	0.092	0.02*
Change in trend as linear function (from April 2013)	-0.407	0.0095**
Change in trend as step function (from April 2013)	0.181	0.326
Constant	2.650	<2e-16***
5% significance: $p < 0.05$		
Significance levels: ***0.1%, **1%, *5%		

It should be noted that trends in offensive behaviour incidents are highly dependent upon Police activity and should therefore be interpreted with caution.

3.3.3 Drink driving

- *The 11.9 per cent increase in drink driving incidents in Byron Bay suburb from pre to post-intervention was greater than the 7.2 per cent increase across NSW.*
- *Time series analysis indicated that there was no statistically significant change in trend for drink driving incidents following the intervention.*

Strategies 2.1.1 and 2.1.2 under the action plan were aimed at achieving a reduction in drink driving offences. Figure 12 displays the monthly number of drink driving incidents in Byron Bay suburb from January 2009 to December 2014. Corresponding figures for NSW are provided in Figure 13.

To examine the change in drink driving incidents following the introduction of the action plan, including the accord terms, drink driving incidents for the 21 month post-intervention period (April 2013 to December 2014) were compared to the corresponding previous 21 month period (April 2011 to December 2012). Table 7 displays the number of drink driving incidents in Byron Bay suburb and NSW for the pre and post-intervention periods, along with the percentage change.

There was an 11.9 per cent increase in drink driving incidents in Byron Bay suburb in the 21 month post-intervention period compared to the corresponding previous 21 month period. This is a larger increase than the 7.2 per cent increase across NSW over the same period.

Figure 12: Monthly drink driving incidents in Byron Bay suburb from January 2009 to December 2014.

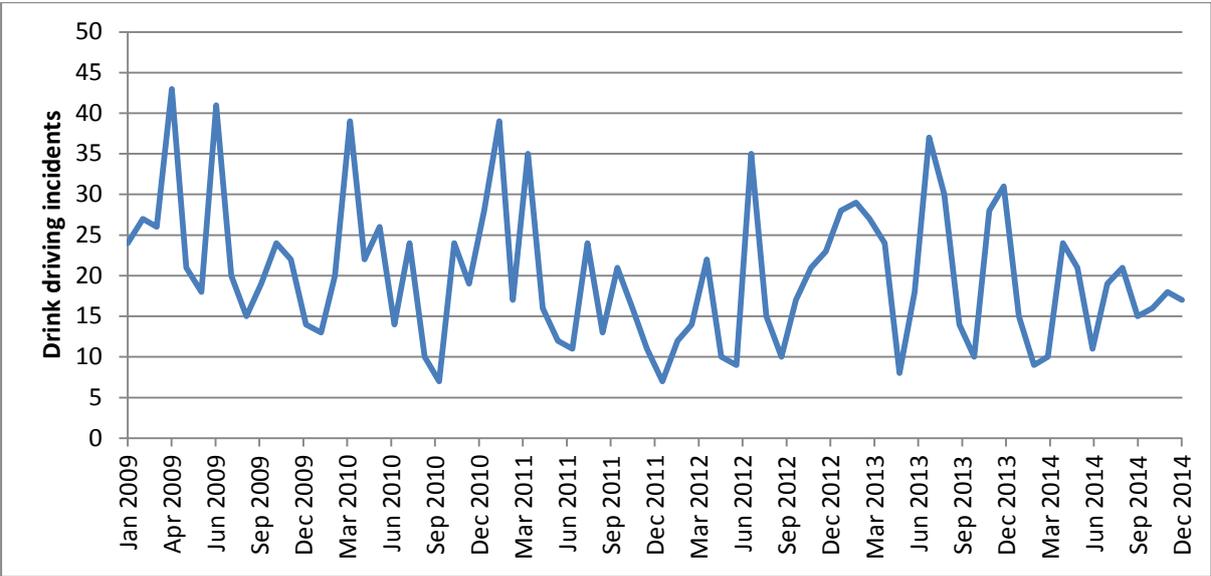


Figure 13: Monthly drink driving incidents in NSW from January 2009 to December 2014.

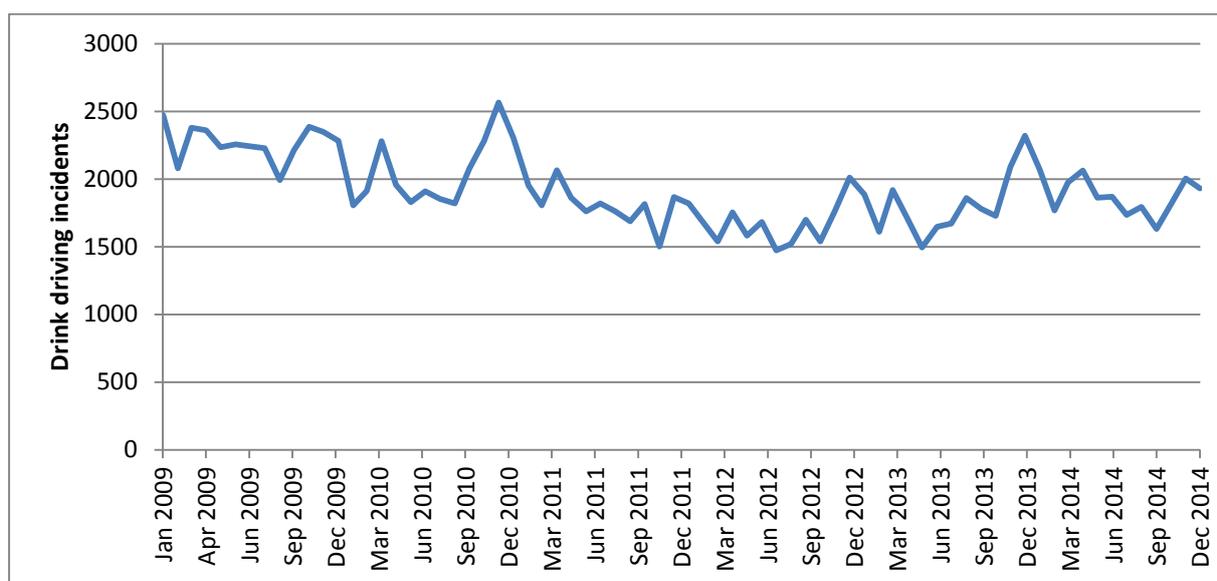


Table 7: Drink driving incidents in Byron Bay suburb and NSW for the periods April 2011 to December 2012 and April 2013 to December 2014.

Period	Byron Bay suburb	NSW
Pre-intervention (Apr 2011 – Dec 2012)	354	36,211
Post-intervention (Apr 2013 – Dec 2014)	396	38,813
% change	↑11.9%	↑7.2%

To assess whether any change in trend for the number of drink driving incidents following the intervention was statistically significant, an interrupted time-series analysis was undertaken on drink driving incidents for Byron Bay suburb. While a significant downward trend was detected over the period January 2009 to December 2014, the modelling found no statistically significant change in trend for drink driving incidents following the intervention, either immediately following the intervention or over time (Table 8). This means that there was very little change in trend from pre to post-intervention. Detailed results of the modelling are presented in Appendix D.

Table 8: Times series modelling for drink driving incidents in Byron Bay suburb.

Variable	Offensive behaviour incidents	
	Estimate	p-value
Underlying trend (2009-2014)	-0.073	0.004**
Change in trend as linear function (from April 2013)	-0.054	0.600
Change in trend as step function (from April 2013)	0.174	0.153
Constant	2.922	<2e-16***
5% significance: $p < 0.05$		
Significance levels: ***0.1%, **1%, *5%		

3.3.4 Liquor offences

- *There was a 60.0 per cent reduction in 'supply liquor to juveniles' offences in Byron Bay suburb from pre to post-intervention, compared to a 24.6 per cent increase across NSW.*
- *There was a 12.8 per cent reduction in 'consume/possess alcohol in public by minor' offences in Byron Bay suburb from pre to post-intervention, compared to a 50.5 per cent reduction across NSW.*

Strategy 2.1.4 under the action plan is intended to reduce secondary supply. To assess any change in offences relating to secondary supply following the introduction of the action plan, data relating to 'supply liquor to juveniles' and 'consume/possess alcohol in public by minor' offences were obtained from BOCSAR.

To examine the change in these liquor offences following the introduction of the action plan (including the accord terms), the number of 'supply liquor to juvenile' and 'consume/possess alcohol in public by minor' offences for the 21 month post-intervention period (April 2013 to December 2014) were compared to the corresponding previous 21 month period (April 2011 to December 2012). Table 9 displays the number of 'supply liquor to juvenile' and 'consume/possess alcohol in public by minor' offences in Byron Bay suburb and NSW for the pre and post-intervention periods.

There was a 60.0 per cent reduction in 'supply liquor to juveniles' offences in Byron Bay suburb in the 21 month post-intervention period (April 2013 to December 2014) compared to the corresponding previous 21 month period (April 2011 to December 2012). This is a larger

reduction than the 24.6 per cent decrease across NSW over the same period, though very few offences were recorded in Byron Bay. There was a 12.8 per cent reduction in ‘consume/possess alcohol in public by minor’ offences in Byron Bay suburb over the same period. This compares with a 50.5 per cent reduction across NSW over the same period.

It should be noted that ‘consume/possess alcohol in public by minor’ offences are highly dependent on police activity and should therefore be interpreted with caution.

Table 9: Liquor offences relating to secondary supply in Byron Bay suburb and NSW for the periods April 2011 to December 2012 and April 2013 to December 2014.

Period	‘Supply liquor to juvenile’ offences		‘Consume/possess alcohol in public by minor’ offences	
	Byron Bay suburb	NSW	Byron Bay suburb	NSW
Pre-intervention (Apr 2011 – Dec 2012)	5	183	47	2,450
Post-intervention (Apr 2013 – Dec 2014)	2	138	41	1,212
% change	↓ 60.0%	↓ 24.6%	↓ 12.8%	↓ 50.5%

3.4 Stakeholder views

3.4.1 Implementation of the action plan

- *A number of strategies took a significant period of time to implement, were partially implemented, or have not been implemented at all.*
- *Few difficulties were identified with regard to implementation of the accord terms by venues.*
- *Inadequate resourcing was identified by some stakeholders as a significant barrier to the implementation of particular strategies.*
- *There was a general perception across stakeholders that licensees were aware of, and committed to, the liquor accord terms and that most licensees had demonstrated a genuine commitment to the terms.*
- *Stakeholders expressed concern about the limited membership of the accord, and suggested that this had negatively affected the accord’s ability to effectively communicate with key stakeholders and financially contribute to community initiatives.*

Implementation of strategies

The implementation of strategies under the action plan was discussed with key stakeholders with responsibility for specific strategies under the plan. A summary of the implementation status of each strategy in the plan can be found at Appendix E.

While the liquor accord terms were in place at the time of commencement of the action plan, it is clear that a number of strategies took a significant period of time to implement or have not been implemented at all. Several stakeholders commented on the length of time taken for particular initiatives to be implemented, and there was a sense that the timeframes attached to some strategies may have been unrealistic. For example, strategy 1.1.6 relating to the installation of CCTV in designated areas is yet to be implemented. Byron Shire Council indicated that \$200,000 had been provided in Federal funding for the installation of CCTV cameras in Apex Park and Jonson Street, yet installation is not expected to be completed until November 2015.

There were also some strategies that were partially implemented, with additional work still to be undertaken. For example, with regard to improvements to street lighting (strategy 1.1.5), some improvements were made but there was a consistent view across stakeholders that further improvements were required. This view was supported by an OLGR inspection in March 2015 of the LED lighting installed in Apex Park, which indicated that the lighting provided in the area was quite dim and that additional lighting may be required to improve public safety.

As a further example, several stakeholders questioned the extent to which the strategy relating to the implementation of a police-led operation to reduce drinking in alcohol free zones (strategy 1.2.2) had been implemented. Whilst implementation of this strategy formed part of Operation Ballast, which commenced in 2012 and is ongoing, there was a consistent perception among stakeholders that enforcement of alcohol free zones had been limited and required a much greater focus.

Inadequate resourcing was identified by some stakeholders as a significant barrier to the implementation of particular strategies. There was a perception among these stakeholders that it was difficult to obtain sufficient funding for what was required under the plan, particularly in view of the significant tourist influx into Byron Bay during the peak season. Whilst obtaining sufficient funding has been problematic, some stakeholders suggested that the action plan had been useful in terms of supporting applications for external grant funding. Some stakeholders also suggested that the accord could have provided more funding to support particular initiatives under the plan, though the accord commented on its limited

ability to contribute such funding given the negative economic effect that the action plan has had on licensed premises in Byron Bay.

Stakeholders indicated that there had been efforts made to inform local residents about the implementation of the action plan, including the liquor accord terms. This communication occurred via paid newspaper advertisements and articles, information on the accord's website, and in-venue signage.

Few difficulties were identified with regard to implementation of the accord terms by venues, and this was supported by findings from the venue survey where only four respondents reported difficulties with implementation. The accord noted some difficulties with the term requiring venues to refuse entry to patrons seen drinking on approach. In the case of licensed backpacker establishments, where patrons are residing at the venue, implementation of this term can be problematic. It was also mentioned that implementation of the term relating to having a door policy had initially been 'a bit tricky' but those problems had been resolved.

Commitment and adherence of licensees to the accord terms

There was a general perception across stakeholders that licensees were aware of, and committed to, the liquor accord terms and that most licensees had demonstrated a genuine commitment to the terms. A number of stakeholders expressed the view that the action plan, and particularly the liquor accord terms, had contributed to an improvement in the culture among licensed premises, with licensees taking greater responsibility for addressing problems with alcohol-related violence in their venues.

Membership of the accord

While the efforts of the accord and licensees were consistently acknowledged by stakeholders, concerns were expressed that the accord only covers a minority of venues. Several stakeholders expressed concern that the accord did not include a representative sample of different licence types, especially restaurants and cafes with on-premises licences. Having said that, there was some level of recognition that most higher risk venues (e.g. late traders) were members of the accord.

Stakeholders expressed concern that its limited membership had negatively affected the accord's ability to effectively communicate with key stakeholders, due to limited administrative support, and to financially contribute to community initiatives. There was a general sense that the instigation of a membership drive (strategy 3.2.1 from the action plan) had been limited and that a greater involvement of community stakeholders in accord meetings, and improved communication by the accord in relation to meetings and other initiatives, would be valuable.

A number of stakeholders suggested that accord membership should be mandatory. There was a sense among stakeholders that mandatory accord membership would contribute to maintaining standards and improving the culture across venues in the area. It was suggested by one stakeholder that mandatory accord membership fees could be directed into a safety management plan for Byron Bay, and other stakeholders commented that mandatory accord membership would be beneficial in terms of increasing the ability of the accord to financially contribute to local initiatives.

3.4.2 Effectiveness of the action plan

- *There was a general perception across stakeholders that public safety in Byron Bay had improved, and that the action plan had contributed to improvements in liquor licence compliance among Byron Bay venues.*
- *While there was a consistent view across stakeholders that accord members were adhering to the accord terms, there was less certainty around the practices of non-members, particularly in relation to drink restrictions.*
- *There was a general perception across stakeholders that the voluntary accord terms were probably the most effective strategy within the action plan.*
- *There was a consensus among stakeholders that further improvements are needed in late night transport, street lighting, the enforcement of alcohol-free zones, and the general amenity (e.g. street cleanliness).*
- *Consistent use of ID scanners in Byron Bay was a potential future strategy that emerged from the stakeholder consultations.*

Public safety

There was a general perception across stakeholders that public safety in Byron Bay had improved, and that the statistical evidence was showing a decrease in alcohol-related assaults. Several stakeholders specifically commented on improvements to public safety over the Christmas/New Year period, and consistent with these perceptions, the Council commented that residents were generally saying that things had improved. Taxi drivers also commented on the infrequency of violent incidents during the course of their work in recent times, though it is difficult to definitively link this to the implementation of the action plan. Stakeholders also perceived that domestic tourists were far more likely to be the cause of alcohol-related incidents than international tourists.

Whilst acknowledging improvements in public safety since the introduction of the action plan, there was a perception among stakeholders that there was still some way to go in terms of addressing alcohol-related crime and anti-social behaviour in Byron Bay. Stakeholders commented that there were still problems relating to pre-loading and street drinking, and mention was made of higher risk events such as silent discos on the beach. While there was a consistent perception that the situation had improved significantly, there was a sense that a single serious incident could change public and media perceptions immediately. Some stakeholders also expressed the view that a maintained stakeholder effort would be required to ensure that Byron Bay did not revert back to the 'bad old days'.

Some stakeholders questioned whether the action plan had had much effect beyond the effect of the liquor accord terms, with an acknowledgement that a number of action plan strategies were either not implemented or took a significant period of time to implement. The extent to which the action plan has been effective in Byron Bay needs to be interpreted with regard to the fact that the action plan was not implemented in its entirety, and that strategies that were implemented were implemented at different points in time.

Compliance

There was a general perception across stakeholders that the action plan had contributed to improvements in liquor licence compliance among Byron Bay venues. While a small number of isolated incidents of non-compliance were raised during the consultations, there was a strong sense that the action plan, and particularly the liquor accord terms, had contributed to an improvement in the culture among licensed premises.

While there was a consistent view across stakeholders that accord members were adhering to the accord terms, there was less certainty around the practices of non-members, particularly in relation to drink restrictions. For example, one respondent noted that "if you talk to people on the streets they have come out of cafes and restaurants where you can buy anything".

While stakeholders were largely consistent in their view that venue compliance had improved, there was a sense that public information was limited regarding breaches of the legislation by licensed premises. It was suggested that the provision of clear, easily accessible information to stakeholders regarding such breaches would be helpful.

Perceptions of effective and ineffective strategies

There was a general perception across stakeholders that the voluntary accord terms were probably the most effective strategy within the action plan. The specific terms that were most commonly considered to be effective were the 1:30am lock-out and drink restrictions such as the 4 drink limit per person per serve after midnight. There was also a consistent view that

the restriction on the sale of cask wine greater than 2L had been effective, and was an important contributor to the change in drinking culture in the area.

While specific accord terms were broadly considered to be effective across stakeholders, a number of strategies from the action plan were generally considered to be ineffective or at least less effective. Some stakeholders questioned the impact of the education and awareness initiatives in the action plan, with the claim that there was still a 'binge mentality' at special events and during peak periods. The effectiveness of the late night bus, that was trialled for three months from November 2013 to February 2014, was also questioned by a number of stakeholders.

Future improvements

There was a consensus among stakeholders that further improvements are needed in late night transport, street lighting, and the general amenity (e.g. street cleanliness). While the need for such improvements was widely recognised, there was acknowledgement that sufficient funding would need to be made available for their implementation. These issues are being considered by Byron Shire Council as part of its development of the Byron Bay Town Centre Masterplan. In addition, while it is understood that some items from the 2013 Community Safety Audit remain outstanding, it is recommended that a further audit be undertaken by NSW Police at an appropriate time to assess the outcomes of these actions.

With regard to transport, there were mixed views around the late night bus initiative, with some stakeholders suggesting that additional funding to extend the trial of the late night bus would have been useful while others questioned its value and said that it had been poorly promoted. There were also mixed views in relation to the best location for the taxi rank, with some stakeholders arguing that it should be relocated while others are happy with the current location.

Stakeholders generally supported the creation of alcohol free zones but argued that their effectiveness was hampered due to limited enforcement. There was also a commonly held view that a greater police presence on the streets would help to address issues with street drinking and pre-loading. Again, resourcing issues in relation to increasing police presence and enforcement activity need to be considered.

Some stakeholders argued for amendment to some of the liquor accord terms. Suggestions included earlier closing and lock-out times, earlier cease service time for serving energy drinks with alcohol, and ceasing service of alcohol 30 minutes before closing rather than 15 minutes before closing on Friday and Saturday nights. While a range of suggested amendments to the terms were suggested, no one specific amendment emerged as being consistently supported across stakeholders.

Some stakeholders suggested that the imposition of a precinct in Byron Bay, which would make adherence to the liquor accord terms mandatory, would be a positive step. It was suggested that such an approach would make enforcement simpler and more cost-effective, and would contribute to cultural change among licensed premises as all venues would be required to adhere to the same conditions. One stakeholder commented that “it costs more to do a voluntary agreement than a Precinct – you have to spend so much time negotiating with people about whether they can do something or not. In a Precinct it’s all black and white and they either do it or get charged.”

It was suggested by some stakeholders that strategies to address alcohol-related domestic violence should be a focus of future strategies, and that additional strategies to address pre-loading would be useful (with a particular mention of the need for research around pre-loading behaviour during schoolies). It was also suggested that future strategies around social media and technology would help to address alcohol-related issues in Byron Bay, provided appropriate funding was made available and that a partnership approach was taken by key stakeholders.

Consistent use of ID scanners in Byron Bay was another potential future strategy that emerged from the stakeholder consultations. One venue that is currently using ID scanners commented that it had been more effective in addressing alcohol-related violence than any of the voluntary accord terms. While four venues in Byron Bay are currently operating ID scanners, it appears that their use is largely discretionary and stakeholders suggested that their effectiveness would be improved if all higher risk venues employed them.

Community organisations suggested the use of breathalysers in licensed venues and at special events such as music festivals to reduce the incidence of drink driving. It was reported that breathalysers are used at some, but not all, music festivals and it was suggested that it be mandated by making it a condition of licence. It was indicated that obtaining ongoing funding for such initiatives has been difficult.

3.4.3 Impacts on stakeholders

- *The cost and resourcing impacts on key stakeholders were significant.*
- *In addition to the financial costs incurred by key stakeholders, a significant investment of time and effort was made by community organisations and other interested stakeholders in both the development of the action plan and its implementation.*
- *In addition to the impact on Government and community stakeholders, the accord reported that the implementation of the voluntary terms had had a significant negative impact on licensed venues.*

The cost and resourcing impacts on key stakeholders were significant, and are addressed in section 3.5 of this report.

In addition to the cost and resourcing impacts on Government and community stakeholders, the accord reported that the implementation of the voluntary terms had had a significant negative impact on licensed venues. This included both an economic impact in terms of subsequent loss of trade (supported by findings from the venue survey - see 3.4.5 below) and a resourcing impact upon licensees in terms of time spent attending meetings, educating other licensees, and collaborating with other stakeholders. The accord particularly commented upon the economic impact of the 1:30am lockout, suggesting that this was the primary contributor to the reported loss of trade by licensees.

There were no specifically identified unintended consequences of the action plan.

3.4.4 Effectiveness of the stakeholder collaboration process

- *There was a consistent view that the action plan had improved communication between government, industry and community stakeholders.*
- *Improvements in stakeholder collaboration were an important outcome of the action plan, but some stakeholders suggested that wider collaboration in the future would be valuable.*
- *Stakeholders were generally positive about OLGR's involvement in driving the action plan.*

There was a consistent view that the action plan had improved communication between government, industry and community stakeholders. It was felt that the stakeholder collaboration process in developing and implementing the action plan had been effective in improving relationships between stakeholders and in helping to achieve cultural change and a consistent direction for addressing alcohol-related crime and anti-social behaviour in Byron Bay. Stakeholders also saw the evaluation process as a useful means by which to further strengthen stakeholder relationships, with further opportunity for discussion and collaboration once the evaluation report is released.

While improvements in stakeholder collaboration were an important outcome of the action plan, some stakeholders suggested that wider collaboration in the future would be valuable. In particular, there was a suggestion that greater involvement of the accommodation sector in the future would be useful.

Stakeholders were generally positive about OLGR's role in driving the action plan, with the suggestion that this provided some 'clout' to the process. There was a consistent sense among stakeholders that the achievements under the action plan would not have occurred in the absence of OLGR's involvement. Specific comments noted the strong commitment and support from OLGR by visiting Byron Bay, liaising with key stakeholders and licensees, and undertaking compliance inspections.

3.4.5 Venue survey outcomes

- *The online venue survey was completed by 31 licensed premises.*
- *22 respondents are current members of the accord, 2 are not, and 7 reported being unsure.*
- *Awareness of the action plan was high among licensees, with 82.8 per cent reporting that they were aware of the plan, and 86.2 per cent saying they were aware of the accord terms, prior to completing the survey.*
- *A majority of respondents (66.7 per cent) felt that alcohol-related crime and anti-social behaviour in Byron Bay had decreased over the past two years.*
- *Licensees most commonly cited drinking on approach, certain drink restrictions, and the 1:30am lockout as terms they would like removed or changed.*
- *With regard to economic impact, 36 per cent reported a negative impact, 16 per cent reported a positive impact, 36 per cent reported no impact, and 12 per cent were unsure. Of those reporting at least a 10 per cent reduction in profit, 66.7 per cent were late trading venues.*
- *In terms of future strategies to reduce alcohol-related crime and anti-social behaviour, 87.5 per cent reported improvements to street lighting, 79.2 per cent reported improvements to late night transport, 75.0 per cent reported greater enforcement of alcohol free zones, and 70.8 per cent reported installation of more CCTV cameras.*

The online venue survey was completed by 31 licensed premises (40.3 per cent of licensed premises in Byron Bay suburb). Of these, 4 (12.9 per cent) were hotels, 3 (9.7 per cent) were registered clubs, 3 (9.7 per cent) had packaged licences, and 21 (67.7 per cent) had on-premises licences (12 with primary service authorisation). Of the 31 respondents, 41.9 per cent had a patron capacity greater than 150, 19.4 per cent trade after midnight, and 71.0 per cent are located on or near Jonson or Lawson Streets.

With regard to accord membership, 22 (71.0 per cent) are current members of the accord, 2 (6.5 per cent) are not, and 7 (22.6 per cent) reported being unsure. Of the two respondents who indicated that they were not accord members, one indicated that they intend to become a member and the other indicated that they have just recently been granted a licence.

Awareness of the action plan was high among licensees, with 82.8 per cent reporting that they were aware of the plan, and 86.2 per cent saying they were aware of the accord terms, prior to completing the survey. The majority of these respondents indicated that they found out about the action plan and the accord terms from information provided by the accord. Most licensees (86.2 per cent) reported that they felt they had been adequately informed about the action plan and the terms.

Only 4 licensees (13.8 per cent) reported having difficulties in implementing the terms at their venue. These difficulties include enforcement of the drinking on approach term (particularly for accommodation providers), high staff turnover requiring constant re-education, and abusive customers when refused certain drinks (e.g. jugs).

A majority of respondents (66.7 per cent) felt that alcohol-related crime and anti-social behaviour in Byron Bay had decreased over the past two years, while only a minority (25.9 per cent) felt that alcohol-related crime and anti-social behaviour at their venue had decreased over the past two years.

The terms most likely to be rated as very effective in reducing alcohol-related crime and anti-social behaviour in Byron Bay were adhering to a strict door policy (72.0 per cent), no double spirits at any time (44.0 per cent), and a minimum of one dedicated RSA Marshal to be deployed from midnight until closing on Saturday evenings (44.0 per cent). The terms least likely to be rated as very effective were use of take-away bottle paper bags with responsible consumption of alcohol messages (16.0 per cent), 1:30am lockout on all nights (20.0 per cent), no cocktails with more than 30 mls of alcohol after midnight (24.0 per cent), and not sell/supply cask wine greater than 2L to the general public (24.0 per cent).

Licensees most commonly cited drinking on approach, certain drink restrictions, and the 1:30am lockout as terms they would like removed or changed.

With regard to economic impact, 36.0 per cent reported a negative impact, 16.0 per cent reported a positive impact, 36.0 per cent reported no impact, and 12.0 per cent were unsure. Of those reporting a negative impact, 8.0 per cent reported a 31-50 per cent reduction in profit, 16.0 per cent reported a 10-30 per cent reduction in profit, 16.0 per cent reported a less than 10 per cent reduction in profit, and 60.0 per cent were unsure. Of those reporting at least a 10 per cent reduction in profit, 66.7 per cent were late trading venues. Some

respondents also referred to increased costs due to additional staff requirements and job losses as being significant impacts.

In terms of future improvements, suggestions were made around improved street lighting and CCTV, more effective communication around alcohol free zones, greater police presence on the streets, greater enforcement of non-compliance, removal of lock outs, and trialling the removal of a few of the terms.

In terms of future strategies to reduce alcohol-related crime and anti-social behaviour, 87.5 per cent reported improvements to street lighting, 79.2 per cent reported improvements to late night transport, 75.0 per cent reported greater enforcement of alcohol free zones, and 70.8 per cent reported installation of more CCTV cameras.

3.5 Cost analysis

A cost analysis was undertaken to estimate the financial cost incurred by key stakeholders in implementing the action plan since its inception. Key stakeholders with specific implementation responsibilities under the action plan provided estimates of these costs to inform the evaluation¹².

Estimated stakeholder costs are documented in Table 10. The estimated total financial cost of action plan implementation across all stakeholders is \$710,393.

Table 10: Estimated implementation costs for stakeholders with specific responsibilities under the action plan.

Stakeholder	Total estimated financial contribution to implementation from each stakeholder
OLGR	\$76,417
Byron Shire Council	\$441,788
NSW Police	\$69,060
Roads & Maritime Services	\$30,000
CDAT	\$2,000

¹² Cost estimates were not provided by the Byron Bay Liquor Accord.

Byron Youth Services	\$90,128
Byron Bay Taxis and Limousines	\$1,000
TOTAL	\$710,393

4. Conclusions

The evaluation led to the following conclusions in response to the four key evaluation questions.

Key evaluation question 1: To what extent has the action plan been implemented as planned?
--

Implementation of the action plan was incomplete and staggered over time

While the liquor accord terms were in place at the time of commencement of the action plan, it is clear that a number of strategies took a significant period of time to implement or have not been implemented at all. Inadequate resourcing and unrealistic timeframes were identified as significant barriers to the implementation of particular strategies, and there was a perception among some stakeholders that it was difficult to obtain sufficient funding for what was required under the plan. Funding difficulties have been particularly acute for community organisations with responsibilities under the action plan.

Higher risk venues in Byron Bay show a high level of compliance with the accord terms

Venue inspections indicated a high level of compliance with the accord terms among higher risk venues in Byron Bay. Only six instances on non-adherence to the voluntary accord terms were detected across the fifteen inspected premises, with one venue recording three instances, one venue recording two instances, and one venue recording one instance. Three of the six instances of non-adherence related to the 'Adhere to the accord Standard and Multi-Venue barring policy' term, and none related to the 1:30am lockout or drink restrictions. An analysis of OLGR compliance data also revealed a 36 per cent reduction in breaches per inspection from 2013 (from 21 March) to 2014.

Key evaluation question 2: To what extent has the action plan, including the liquor accord terms, been effective in Byron Bay?

There was widespread support for the liquor accord terms across a range of key stakeholders

Support for the retention of the liquor accord terms was widespread, and stakeholders generally perceived that the adoption of the terms had contributed to a positive change in the drinking culture within the area. There was a general perception across stakeholders that the voluntary accord terms were probably the most effective strategy within the action plan. The specific terms that were most commonly considered to be effective across all stakeholders were the 1:30am lock-out and drink restrictions such as the 4 drink limit per person per serve after midnight. There was also a consistent view that the restriction on the sale of cask wine greater than 2L had been effective, and was an important contributor to the change in drinking culture in the area.

There is evidence of improvements in alcohol-related crime and anti-social behaviour in Byron Bay, and a general perception of improved safety among key stakeholders

Analysis of BOCSAR data indicated that alcohol-related non-domestic assaults had reduced following the introduction of the action plan, with a greater reduction observed than across NSW. These reductions were even greater for the more serious categories of assault and for assaults after midnight. There was also evidence for a declining trend in offensive behaviour incidents following the introduction of the action plan, and fewer Byron Bay venues were identified as declared premises. Consistent with this analysis, there was a general perception across stakeholders that public safety in Byron Bay had improved. While acknowledging improvements in public safety since the introduction of the action plan, there was a perception among stakeholders that there was still some way to go in terms of addressing alcohol-related crime and anti-social behaviour in Byron Bay.

Key evaluation question 3: What impacts has the action plan had on stakeholders?

While there were positive impacts from the action plan, significant financial costs were incurred by key stakeholders in its implementation.

While there were positive impacts from the action plan, including safety and amenity improvements, significant financial costs were incurred by key stakeholders in its implementation. The estimated total financial cost of action plan implementation across stakeholders was \$710,393. In addition, the implementation of the voluntary terms has had a significant negative impact on licensed venues. This includes both an economic impact in terms of subsequent loss of trade and a resourcing impact upon licensees in terms of time

spent attending meetings, educating other licensees, and collaborating with other stakeholders.

Key evaluation question 4: How effective was the stakeholder collaboration process?

Improved communication between key stakeholders was an important positive outcome of the action plan

There was a general perception that the stakeholder collaboration process in developing and implementing the action plan had been effective in improving relationships between stakeholders and in helping to achieve cultural change and a consistent direction for addressing alcohol-related crime and anti-social behaviour in Byron Bay. Stakeholders also saw the evaluation process as a useful means by which to further strengthen stakeholder relationships, with further opportunity for discussion and collaboration once the evaluation report is released. OLGR's involvement in driving the action plan, and in undertaking the evaluation, was generally viewed positively by stakeholders.

5. Recommendations

Recommendation 1: Membership of the Byron Bay Liquor Accord should remain voluntary and the current accord terms should be retained

While some stakeholders support mandatory accord membership, voluntary membership is a key principle of liquor accords and should be retained where possible. OLGR is currently investigating a range of strategies to further support accord groups to increase and retain members. Support for the retention of the current liquor accord terms was widespread, and stakeholders generally perceived that the adoption of the terms had contributed to a positive change in the drinking culture within the area. There was a general perception across stakeholders that the voluntary accord terms were probably the most effective strategy within the action plan. While the current accord terms should be retained, given the reduction in alcohol-related assaults and high levels of venue compliance with the terms following their implementation, there is no evidence to support the accord terms being imposed as licence conditions on all venues or to suggest that further accord terms are necessary.

Recommendation 2: Regulatory intervention should be considered for any high risk venue that fails to adhere to the current accord terms

While it is recommended that membership of the Byron Bay Liquor Accord should remain voluntary, it should ideally include all high risk venues. This is consistent with the NSW

Government response to the Statutory Review of the *Liquor Act 2007* and the *Gaming and Liquor Administration Act 2007* which notes that: 'A risk-based approach is taken to growing accord membership, with the key focus being high risk licensed venues in high-risk areas' (p.37). To ensure that venues continue to adhere to the current accord terms, and to encourage universal accord membership among high risk venues, regulatory intervention should be considered for any high risk venue that fails to adhere to the current accord terms.

Recommendation 3: Government should support Byron Shire Council to complete the infrastructure-related actions for which it is responsible under the action plan, and consider further improvements to the transport hub, street lighting, and the general amenity

While some progress has been made in terms of infrastructure improvements, there is a need for further improvements in late night transport, street lighting, and the general amenity (e.g. street cleanliness). It is recommended that the Government encourage Byron Shire Council to complete the infrastructure-related actions for which it is responsible under the action plan, and consider further improvements to the transport hub, street lighting, and the general amenity. These issues are being considered by Byron Shire Council as part of its development of the Byron Bay Town Centre Masterplan. In addition, while it is understood that some items from the 2013 Community Safety Audit remain outstanding, it is recommended that a further audit be undertaken by NSW Police at an appropriate time to assess the outcomes of these actions.

Recommendation 4: Greater police patrols during high risk periods should be considered to address street drinking and enforce alcohol-free zones

Stakeholders generally supported the creation of alcohol free zones but argued that their effectiveness was hampered due to limited enforcement. There was also a perception among stakeholders that street drinking and pre-loading remain problematic in Byron Bay. A greater police presence during high risk periods would help to address such issues, and improve enforcement of alcohol-free zones. Resourcing issues in relation to increasing police presence and enforcement activity in Byron Bay will need to be considered by NSW Police.

Recommendation 5: Alcohol-related crime and anti-social behaviour data and intelligence should continue to be closely monitored over time and action taken by OLGR if evidence of a change in trend in offences emerges

While the evidence suggests that additional licensing restrictions are not required at the present time, close monitoring of alcohol-related crime and anti-social behaviour data and intelligence for Byron Bay should be maintained over time. If evidence of a change in trend in offences emerges, action should be taken that is consistent with OLGR's escalating

regulatory model for licensed venues. As noted in the NSW Government response to the Statutory Review of the *Liquor Act 2007* and the *Gaming and Liquor Administration Act 2007*:

‘The foundation of this model is a locally targeted framework whereby licensees and other local stakeholders agree to work voluntarily to implement measures to reduce alcohol-related harm through local accords. Where more intensive intervention is necessary, this escalation model can ultimately apply specific conditions and restrictions established by law to a precinct on a strategic, risk-based basis’ (p.38).

Recommendation 6: Continued engagement and communication across relevant stakeholders should be facilitated by the liquor accord via an annual planning session

While improvements in communication between key stakeholders have been an important outcome of the action plan, continued engagement and communication across relevant stakeholders should be a priority for the future. Greater communication between late trading venues is also recommended, consistent with the communication protocol required under the accord terms, along with improvements to communication with patrons through clear, consistent signage across venues. It is recommended that the liquor accord facilitate this continued engagement and communication across relevant stakeholders via an annual planning session.

References

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NSW Government 2014, *NSW Government response to the "Statutory review of the Liquor Act 2007 and the Liquor and Gaming Administration Act 2007"*. Available from: <http://www.olgr.nsw.gov.au/liquor_review.asp>.

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Appendix A: Terms of the Byron Bay Liquor Accord

All members of the Byron Bay Liquor Accord will agree to:

1. Refuse entry to patrons seen drinking on approach to venues
2. Adhere to the accord's Standard and Multi-venue barring policy
3. Adhere to a strict door policy
4. Follow event responses set out by the accord for each peak period/major event
5. Ensure that no person is allowed entry into, or permitted to remain on the licensed premises if that person is wearing any clothing, jewellery or accessory which displays:
 - 5.1 The name of any of the following organisations: Bandidos, Black Uhlans, Coffin Cheaters, Comanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Hells Angels, Highway 61, Life and Death, Lone Wolf, Mobshitters, Mongols, Muslim Brotherhood Movement, Nomads, Notorious, Odins Warriors, Outcasts, Outlaws, Phoenix, Rebels, or Scorpions;
 - 5.2 The "colours", club patch, insignia or logo of any organisations specified in (5.1) above
 - 5.3 The "1%" or "1%er" symbol
 - 5.4 Any image, symbol, abbreviation, acronym, or other form of words which indicates membership or association with any of the organisations specified in (5.1) above

Byron Bay Liquor Accord members who hold a licence other than a packaged liquor licence will adhere to:

6. No doubles spirits (e.g. vodka orange, rum & coke and other such mixed spirits) at any time
7. No jugs of alcoholic beverages at any time
8. No shooters/shots (or any drink designed to be consumed rapidly) at any time
9. 4 drink limit per person per serve after midnight on all days and no more than 2 unconsumed drinks per person
10. Not sell "ready to drink beverage" containing more than 5% alcohol at any time
11. A 1:30am lockout all nights
12. No cocktails with more than 30mls of alcohol after midnight
13. No energy drinks with alcohol after 2am

14. A minimum of one dedicated RSA Marshal will be deployed from midnight until closing on Saturday evenings
15. Cease service of alcohol 15 minutes before late close on Friday and Saturday evenings if trading after midnight
16. A communications protocol between venues that trade after midnight.

Byron Bay Liquor Accord members who hold a packaged liquor licence will:

17. Not sell/supply cask wine greater than 2L to the general public
18. Not sell alcoholic energy drinks
19. Not sell “super cheap” cleanskin bottles of wine or sell alcohol below cost to general public as part of regular trade activities
20. Use take-away bottle paper bags with responsible consumption of alcohol messages.

Appendix B: Venue Survey

Introduction

The Byron Bay Alcohol Action Plan was introduced in May 2013 to address identified problems with alcohol-related crime and anti-social behaviour in Byron Bay. The action plan was developed by the Office of Liquor, Gaming and Racing (OLGR) in consultation with local stakeholders such as the Byron Bay Liquor Accord, Byron Shire Council, NSW Police, and community groups. The action plan is available on the OLGR website at www.olgr.nsw.gov.au/pdfs/Accords/final_byron_bay_alcohol_action_plan.pdf.

OLGR is now undertaking an evaluation of the Byron Bay Alcohol Action Plan. The evaluation will assist stakeholders in determining the extent to which the plan has been successful in reducing alcohol-related harm, as well as identifying the nature of any future action that may be required.

As part of the evaluation, OLGR is collecting survey information from licensed venues in Byron Bay. Feedback from your venue is important for the evaluation, so please complete this short survey.

The survey is completely voluntary and the data collected will be used for evaluation purposes only.

When reporting survey findings, individuals and individual venues will not be named. However, we do ask that you provide your venue details so we can contact you if we have any questions about your responses.

The survey should take about 15 minutes to complete. Please make sure you allow enough time as the survey must be completed in one sitting.

Please read each question carefully, provide the best answer that you can, then click the 'DONE' button at the bottom of the form to submit your responses.

If you have any questions, please contact Gavin Faunce at OLGR on 9995 0402 or email gavin.faunce@olgr.nsw.gov.au

Questions

About your venue

1. What type of liquor licence does your venue have?

- Hotel
- On-premises with Primary Service Authorisation
- On-premises without Primary Service Authorisation
- Packaged
- Registered Club
- Other (please specify)

2. What is the patron capacity at your venue?

- 60 or less
- 61-150
- 151 or more
- Other (please specify)

3. Does your venue trade after midnight?

- Yes
- No

4. Where is your venue located?

- On or near Jonson Street
- On or near Lawson Street
- Elsewhere in Byron Bay

Liquor Accord membership

5. Is your venue a member of the Byron Bay Liquor Accord?

- Yes
- No
- Unsure

6. If not, why not?

- Free text

7. Has your venue signed up to the Byron Bay Liquor Accord terms?

- Yes
- No
- Unsure

8. If not, why not?

- Free text

Awareness of the Byron Bay Alcohol Action Plan and accord terms

9. Prior to completing this survey, were you aware of the Byron Bay Alcohol Action Plan?

- Yes
- No

10. If yes, how did you find out about it?

- Free text

11. Prior to completing this survey, were you aware of the Byron Bay Liquor Accord terms?

- Yes
- No

12. If yes, how did you find out about them?

- Free text

13. Do you feel that you have been adequately informed about the action plan and the accord terms?

- Yes
- No
- Free text for comment

Implementation of the accord terms

14. Have you had any difficulties in implementing the accord terms at your venue?

- Yes
- No
- Not applicable

15. If yes, what difficulties did you have?

- Free text

Change in alcohol-related crime and anti-social behaviour

16. Do you feel that alcohol-related crime and anti-social behaviour in Byron Bay has changed over the past two years?

- Yes – increased
- Yes – decreased
- No
- Free text for comment

17. Do you feel that alcohol-related crime and anti-social behaviour at your venue has changed over the past two years?

- Yes – increased

- Yes – decreased
- No
- Free text for comment

Accord terms

18. How would you rate the effectiveness of each of the accord terms in reducing alcohol-related crime and anti-social behaviour in Byron Bay?

Note: Terms 6-16 are only relevant to venues that hold a licence other than a packaged liquor licence. Terms 17-20 are only relevant to venues with a packaged liquor licence.

- Each term rated: Not effective, Somewhat effective, Very effective, Unsure
- Free text for comment

19. How would you rate the effectiveness of each of the accord terms in reducing alcohol-related crime and anti-social behaviour at your venue?

Note: Terms 6-16 are only relevant to venues that hold a licence other than a packaged liquor licence. Terms 17-20 are only relevant to venues with a packaged liquor licence.

- Each term rated: Not effective, Somewhat effective, Very effective, Unsure
- Free text for comment

20. Are there any terms that you would like to see added, removed or changed?

- Yes
- No
- Free text for comment

21. Can you provide any specific examples of where accord terms are working well or not working well at your venue?

- Free text

Economic impacts

22. What economic impact has the action plan, including the liquor accord terms, had on your venue?

- Positive economic impact
- No economic impact
- Negative economic impact
- Unsure
- Free text for comment

23. If your venue has experienced a negative economic impact, what percentage reduction in profit has your venue experienced over the past two years?

- <10%
- 10-30%
- 31-50%

- >50%
- Unsure

24. Have there been any impacts upon your business from the action plan, including the liquor accord terms?

- Yes
- No

25. If yes, please specify.

- Free text

Future strategies

26. Can you suggest improvements to any of the existing strategies in the action plan?

- Free text

27. What future strategies do you think are needed to reduce alcohol-related crime and anti-social behaviour in Byron Bay? (multiple responses permitted)

- Improve late night transport
- Improve street lighting
- Install more CCTV cameras
- More promotion of alcohol free zones
- Greater enforcement of alcohol free zones
- Other (please specify)

28. Do you have any other comments to provide that may be relevant to the evaluation?

- Free text

Contact details

29. Please provide your contact details if you are happy for the Office of Liquor, Gaming and Racing to contact you regarding this survey. Your details will be treated confidentially.

Name:

Venue:

Phone number:

Email address:

Appendix C: Byron Bay Liquor Accord Terms Checklist

Venue	
Date and time of inspection	
Officers	

Terms	Method: T, O, V	Compliant (Y/N/NA)?	Comment – include details of specific observations
1. Refuse entry to patrons seen drinking on approach to venues			
2. Adhere to the accord Standard and Multi-venue barring policy			
3. Adhere to a strict door policy			
4. Follow event responses set out by the accord for each peak period/major event			
5. Ensure that no person is allowed entry into, or permitted to remain on the licensed premises if that person is wearing any clothing, jewellery or accessory which displays: <ul style="list-style-type: none"> • The name of any of the following organisations: Bandidos, Black Uhlans, Coffin Cheaters, Comanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Hells Angels, Highway 61, Life and Death, Lone Wolf, Mobshitters, Mongols, Muslim Brotherhood Movement, Nomads, Notorious, Odins Warriors, Outcasts, Outlaws, Phoenix, Rebels, or Scorpions; • The “colours”, club patch, insignia or logo of any of the 			

Terms	Method: T, O, V	Compliant (Y/N/NA)?	Comment – include details of specific observations
organisations specified above; <ul style="list-style-type: none"> • The “1%” or “1%er” symbol; • Any image, symbol, abbreviation, acronym, or other form of words which indicates membership or association with any of the organisations specified above. 			
6. No doubles spirits (eg vodka orange, rum & coke and other such mixed spirits) at any time			
7. No jugs of alcoholic beverages at any time			
8. No shooters/shots (or any drink designed to be consumed rapidly) at any time			
9. 4 drink limit per person per serve after midnight on all days and no more than 2 unconsumed drinks per person			
10. Not sell “ready to drink beverage” containing more than 5% alcohol at any time			
11. A 1.30am lockout all nights			
12. No cocktails with more than 30mls of alcohol after midnight			
13. No energy drinks with alcohol after 2am			
14. A minimum of one dedicated RSA marshal will be deployed from midnight until closing on Saturday evenings			

Terms	Method: T, O, V	Compliant (Y/N/NA)?	Comment – include details of specific observations
15. Cease service of alcohol 15 minutes before close on Friday and Saturday evenings if trading after midnight			
16. A communications protocol between venues that trade after midnight			

Method: T = Tested (Officer covertly tried to buy drinks/enter etc.), O = observations (Officer observed sale or noted signage), V = Venue (upon advice from the venue)

Terms for members with packaged licences	Method: T, O, V	Compliant (Y/N)?	Comment – include details of specific observations
17. Not sell/supply cask wine greater than 2L to the general public			
18. Not sell alcoholic energy drinks			
19. Not sell “super cheap” cleanskins bottles of wine or sell alcohol below cost to general public as part of regular trade activities			
20. Use take-away bottle paper bags with responsible consumption of alcohol messages			

Appendix D: Time series analysis output

Table A1: GLARMA model results – all, on and off-premises alcohol-related non-domestic assaults in Byron Bay suburb.

GLARMA model results				
Byron Bay				
Total assaults	Estimate	Std.Error	P	
(Intercept)	2.446	0.149	< 2e- 16	***
Step.1	- 0.089	0.150	0.551	
Linear.1	- 0.105	0.127	0.409	
Trend	- 0.020	0.029	0.489	
Jan	0.670	0.169	0.000	***
Feb	0.147	0.185	0.428	
Mar	0.273	0.181	0.131	
Apr	0.449	0.175	0.010	*
May	0.285	0.186	0.125	
Jul	0.219	0.189	0.246	
Aug	0.266	0.182	0.143	
Sep	0.282	0.181	0.120	
Oct	0.442	0.177	0.012	*
Nov	0.763	0.169	0.000	***
Dec	0.804	0.168	0.000	***
On- premises				
(Intercept)	1.031	0.262	0.000	***
Step.1	0.101	0.205	0.622	
Linear.1	- 0.215	0.176	0.221	
Trend	0.008	0.041	0.840	
Jan	0.786	0.298	0.008	**
Feb	0.528	0.311	0.090	.
Mar	0.638	0.307	0.038	*
Apr	0.690	0.299	0.021	*
May	0.343	0.348	0.325	
Jul	0.509	0.344	0.139	
Aug	0.479	0.311	0.123	
Sep	0.509	0.314	0.105	
Oct	0.636	0.307	0.039	*
Nov	0.650	0.306	0.034	*
Dec	0.727	0.303	0.016	*
Off- premises				
(Intercept)	2.169	0.168	< 2e- 16	***
Step.1	- 0.218	0.186	0.240	
Linear.1	- 0.037	0.157	0.814	
Trend	- 0.028	0.035	0.424	
Jan	0.622	0.185	0.001	***
Feb	- 0.045	0.213	0.831	
Mar	0.102	0.206	0.620	
Apr	0.329	0.197	0.094	.
May	0.268	0.198	0.176	
Jul	0.089	0.206	0.668	
Aug	0.170	0.204	0.407	
Sep	0.172	0.205	0.399	
Oct	0.365	0.197	0.063	.
Nov	0.794	0.183	0.000	***
Dec	0.826	0.183	0.000	***
Signif. codes: '***' = 0.1% '**' = 1% '*' = 5% '.' = 10%				

Table A2: GLARMA model results – offensive behaviour incidents in Byron Bay suburb.

Offensive behaviour				
(Intercept)	2.650	0.165	< 2e- 16	***
Step.1	0.181	0.185	0.326	
Linear.1	- 0.407	0.157	0.010	**
Trend	0.092	0.040	0.020	*
Jan	0.586	0.186	0.002	**
Feb	0.118	0.195	0.544	
Mar	0.293	0.192	0.127	
Apr	0.425	0.187	0.023	*
May	0.254	0.179	0.156	
Jul	0.358	0.177	0.043	*
Aug	- 0.022	0.198	0.913	
Sep	0.120	0.195	0.537	
Oct	0.194	0.193	0.315	
Nov	0.596	0.187	0.001	**
Dec	0.824	0.185	0.000	***
Signif. codes: '***' = 0.1% '**' = 1% '*' = 5% '.' = 10%				

Table A3: GLARMA model results – drink driving incidents in Byron Bay suburb.

Driving				
(Intercept)	2.922	0.116	< 2e- 16	***
Step.1	0.174	0.122	0.153	
Linear.1	- 0.054	0.104	0.600	
Trend	- 0.073	0.025	0.004	**
Jan	0.202	0.139	0.148	
Feb	0.315	0.136	0.021	*
Mar	0.198	0.140	0.158	
Apr	0.673	0.127	0.000	***
May	0.034	0.144	0.813	
Jul	0.520	0.130	0.000	***
Aug	0.370	0.135	0.006	**
Sep	- 0.177	0.154	0.250	
Oct	- 0.013	0.148	0.927	
Nov	0.369	0.136	0.007	**
Dec	0.314	0.138	0.023	*
Signif. codes: '***' = 0.1% '**' = 1% '*' = 5% '.' = 10%				

Appendix E: Implementation status of strategies under the action plan

1. Environment

Issue	Strategy	Responsibility	Implementation status	Comment
1.1 Unsafe public spaces at night	1.1.1 Implement Byron Shire Council's Safer Community Compact 2012-2016. Specifically actions 8.1 – 8.4	Council	Partially implemented	<p>Numerous strategies were implemented with regard to actions 8.1-8.4 of the Safer Community Compact including:</p> <ul style="list-style-type: none"> • successful applications for grant funding for improvements to late night transport and lighting in targeted areas, CCTV, an alcohol education campaign, and upgrades to the Byron Bay taxi rank • establishment of Community Summer Safety & Cultural Activities Committee in 2013 and continuation of the committee in the following years in the form of the 'Safe Summer in the Bay Project Reference Group' • commencement of the development of a Byron Bay Town Centre Masterplan • an allocation of \$15,000 per year to assist the Street Cruise program managed by the Byron Youth Service • meetings of key stakeholders managing backpacker establishments and other accommodation providers and groups held throughout 2013 and 2014 to discuss strategies targeted to youth visitors and pre-fuelling on premises • Council participation in the Schoolies Safety Response Working Group to provide a Safety Hub where young

Issue	Strategy	Responsibility	Implementation status	Comment
				people can obtain information, advice and assistance around excessive use of alcohol and binge drinking.
	1.1.2 Consider a trial of precinct ambassadors on weekends during summer months	Council and the Community Summer Safety & Cultural Activities Committee (CSSCAC) with possible support from other local stakeholders	Not implemented	Council indicated that a lack of funds were available for this initiative through the CSSCAC for late night on New Year's Eve. A similar initiative aimed at welcoming visitors to Byron was established – 'Byron Greeters Program'. This initiative was in operation early on the night of New Year's Eve and over the peak summer period.
	1.1.3 Implement the Summer Safety Campaign	Byron Community Drug Action Team (CDAT)	Partially implemented	CDAT obtained \$30,000 in funding for this initiative, primarily for schoolies initiatives. Activities relating to New Year's Eve volunteers were limited.
	1.1.4 Continue with current Street Cruise program and schoolies HUB activities	CDAT and Youth Services	Partially implemented	Street Cruise and schoolies HUB activities have been initiated, though limited funding for Street Cruise has affected the extent of its implementation.
	1.1.5 Improve night lighting in public places and during special events	Council and CSSCAC	Partially implemented	Stage 1 of upgrades funded by 2014 NSW crime prevention grant. Council planning to apply for 2015 grant for stage 2 of the upgrade to street lighting. Street lighting in Apex Park and Railway Park has been upgraded to LED.
	1.1.6 Install CCTV in designated areas	Council, Byron United and other local/relevant stakeholders	Partially implemented	Street lighting improved and CCTV cameras installed at the Byron Bay taxi rank to improve safety at the rank. \$200,000 in federal funding awarded to council to install CCTV in Apex Park and Jonson Street. Installation is yet to be

Issue	Strategy	Responsibility	Implementation status	Comment
				completed. No funds available for ongoing maintenance.
	1.1.7 Review safety provisions for late trading premises	Council	Not implemented	Council indicated that it is difficult to make changes retrospectively when many premises are on old DAs.
1.2 High levels of street/public drinking and pre-fuelling leading to alcohol related incidents	1.2.1 Promote alcohol-free zones	Council, Police, the Accord, community services and relevant businesses i.e. hostels/tourist providers	Implemented	Alcohol free zone signage is in place, supported by larger, clearer signage developed as part of the Alcohol Education Campaign in 2013. Council will require funding in the future to update.
	1.2.2 Implement a Police-led operation to reduce drinking in alcohol free zones	Police	Implemented	Operation Ballast commenced in 2012 and is ongoing.
	1.2.3 Work with hostels to minimise the number of events in the evenings where guests appear to pre-fuel before attending licensed premises	Council and Police	Implemented	Meetings of key stakeholders managing backpacker establishments and other accommodation providers and groups held throughout 2013 and 2014 to discuss strategies targeted to youth visitors and pre-fuelling on premises.
	1.2.4 Reduce secondary supply	Police and local stakeholders and the Accord	Partially implemented	Secondary supply messages are on the bottle bags of take away liquor sales.
	1.2.5 Implement measures to restrict take away liquor sales	The Accord	Implemented	Terms to restrict take away alcohol sales have been in place since March 2013.
1.3 Mono-culture focused on drinking at night	1.3.1 Seek a DAGJ grant to address youth drinking in Byron Bay including the current <i>Cringe the Binge</i> campaign	Council and community groups i.e. youth service and CDAT	Implemented	Project funded by NSW DAGJ Crime Prevention Grant (\$50,000 awarded in April 2013). \$25,000 allocated to the education campaign. No ongoing funding.
	1.3.2 Investigate possible street safety programs including ongoing	Council, CSSCAC, Byron United and community	Partially implemented	Council has provided funding for the Street Cruise program, though limited funding has

Issue	Strategy	Responsibility	Implementation status	Comment
	funding for the Byron Youth Service Street Cruise program	groups i.e. youth service and CDAT		affected the extent of its implementation.
	1.3.3 Support and further develop current initiatives to entertain young people in Byron Bay on the weekends e.g. YACROCKCAFE	Byron United and community groups i.e. youth service and CDAT	Partially implemented	Initiatives such as YACROCKCAFE have attracted funding, but it has been limited and difficult to obtain. The future of this initiative is uncertain due to funding issues.
	1.3.4 Promote alcohol awareness resources to Byron Shire schools	Community groups and OLGR	Not implemented	<p>Links to learning programs discontinued due to lack of funding and currently seeking funding for other life skills courses.</p> <p>Alcohol education campaign developed during 2013 provided to Police School Liaison Officers in the two commands for use in presentations at schools.</p>

2. Transport

Issue	Strategy	Responsibility	Implementation status	Comment
2.1 High level of drink driving	2.1.1 Implement awareness campaign	CSSCAC, the Accord and Police, Roads and Maritime Services (RMS)	Not implemented	While Transport for NSW's 'Plan B' awareness campaign was made available in Byron Bay (to support the late night bus initiative), there was no action undertaken to develop and implement a local awareness campaign to target drink driving in Byron Bay.
	2.1.2 Ensure enforcement	Police	Ongoing	Enforcement of high level drink driving has been a focus under Operation Ballast which has been ongoing since 2012.
2.2 Lack of late night public transport	2.2.1 Seek a DAGJ grant to establish a late night bus	Council with assistance from local taxi service, the Accord, OLGR, and RMS	Partially implemented	A late night bus was trialled for 3 months from November 2013 to February 2014, funded by a \$50,000 DAGJ Crime Prevention Grant. No further funding was available to extend the late night bus beyond February 2014.
2.3 Unsafe transit centre	2.3.1 Investigate better design and lighting of the transit centre at night	Council	Implemented	Bushes around the visitor centre at the back of the transit centre were cleaned up, and new lights were installed in the bus stop.
	2.3.2 Determine the most suitable place for the late night taxi rank	Council, Police, RMS, Byron United	Partially implemented	There was consensus at a key stakeholder meeting in April 2013 that unless there was a better location identified, the rank should remain at its current location. However, there are mixed views among stakeholders as to the most appropriate location for the taxi rank and it remains a live issue.

3. Licensed Premises

Issue	Strategy	Responsibility	Implementation status	Comment
3.1 Insufficient governance	3.1.1 Develop and implement a constitution and terms that address alcohol related incidents in Byron Bay	The Accord with support from OLGR	Implemented	Constitution took effect on 30 April 2014. Terms adopted on 21 March 2013.
3.2 Lack of representation from the majority of licensed premises in Byron Bay	3.2.1 Instigate a membership drive	The Accord with support from OLGR	Partially implemented	While accord membership has increased from around 15 members prior to the implementation of the action plan to 29 at present, the majority of venues are still not members. Representation from restaurants and other lower risk venues remains very limited.
3.3 High level of assaults – particularly on the weekends after 12am, in summer months and during special events	3.3.1 Implement measures that address alcohol related incidents. This will include strategies that address: <ul style="list-style-type: none"> • Weekends • Summer months • Special events Some strategies will be permanent while others will be trialed in order to ensure their effectiveness.	The Accord with support of OLGR, Police and Council, and CSSCAC	Implemented	The accord adopted permanent and trial terms in March 2013. In October 2013, following a six month trial, the trial terms were adopted as permanent terms. Further minor amendments were made to the terms in April 2014. See comment on issue 1.1 regarding strategies to address weekends, summer months, and special events.
	3.3.2 Review effectiveness of the Accord terms and consider use of the provisions under the <i>Liquor Act 2007</i> where necessary	OLGR with the support of the Accord and Police	Implemented	An OLGR review was undertaken and results provided to key stakeholders in October 2013. Provisions under the <i>Liquor Act 2007</i> have been used where necessary.
	3.3.3 Instigate multi-venue barring	The Accord with support	Partially	While multi-venue barring is available, the extent to which it is consistently used and

Issue	Strategy	Responsibility	Implementation status	Comment
	strategy	from OLGR and Police	implemented	the extent of its coverage across venues appears to be limited.
	3.3.4 Implement compliance program for Byron Bay (licensed premises, summer months and special events) 2013	OLGR	Implemented	An intensive OLGR compliance program was implemented over a 12 month period.
3.4 Lack of adherence to <i>Liquor Act 2007</i> – Liquor Promotion Guidelines	3.4.1 All licensed premises to adhere to Liquor Promotion Guidelines	Police and OLGR to review current promotions in Byron Bay licensed premises	Ongoing	Regulatory action has been taken as required.

4. Special Events

Issue	Strategy	Responsibility	Implementation status	Comment
4.1 Insufficient coordination and planning	4.1.1 Develop a calendar of events that require proactive planning	Council and CSSCAC with assistance of OLGR, Police and local stakeholders	Partially implemented	OLGR developed a basic calendar with input from Council in 2013, though there is no evidence that updated calendars have been developed since. Developing a calendar of events is a strategy in Council's Cultural Plan and Tourism Management Plan.
	4.1.2 Implement Community Event Liquor Accord (CELA) for special events when required	OLGR, Police, the Accord, and Council, and CSSCAC	Not implemented	<p>While CELAs were not required, some specific initiatives to manage alcohol-related issues at special events were implemented.</p> <p>Recommendation 67 from the Statutory Review of the <i>Liquor Act 2007</i> and the <i>Gaming and Liquor Administration Act 2007</i> is that the 'approval of precinct liquor accords and community event liquor accords should be simplified under one umbrella as Alcohol Management Plans...'</p>
4.2 Too many visitors and insufficient public resources to support them i.e. street and beach parties	4.2.1 Implement and promote CELA when required	OLGR, Police, the Accord & Council and CSSCAC	Not implemented	<p>While CELAs were not required, some specific initiatives to manage alcohol-related issues at special events were implemented.</p> <p>Recommendation 67 from the Statutory Review of the <i>Liquor Act 2007</i> and the <i>Gaming and Liquor Administration Act 2007</i> is that the 'approval of precinct liquor accords and community event liquor accords should be simplified under one umbrella as Alcohol Management Plans...'</p>