

**Kevin  
Anderson MP**  
MEMBER FOR TAMWORTH ELECTORATE



Liquor Law Review Team  
GPO Box 7060  
SYDNEY NSW 2001

**SUBMISSION TO LIQUOR LAW REVIEW - 10PM TAKE-AWAY LIQUOR**

I write in relation to the Independent Statutory Review of the lockouts, last drinks and 10pm liquor laws which were introduced in February 2014 via the Liquor Amendment Act 2014 in response to alcohol-fuelled violence in the Sydney CBD and Kings Cross.

The review's Terms of Reference include examination of the impacts on alcohol related violence and other harms and impacts on business, patrons and community amenity. In particular the review will also consider the positive and negative impacts of the 10pm take-away liquor restriction across NSW, with regard to the needs of rural and remote communities, and the social and economic impacts of the restriction on those communities.

I have received many representations opposing the 10pm restriction of take-away liquor sales and my submission will focus on the 10pm restriction of take-away liquor sales for rural and regional NSW. The Tamworth & District Liquor Accord and local licensed venues in my electorate have implemented a self-managed regime of lock outs, and last drinks which is working very effectively in reducing alcohol related crime and anti-social behaviour. There is no desire to change this arrangement and I fully support them.

*"Local liquor accords which are mostly supported by independent operators and work hand in hand with councils, police, health services and in Tamworth's case have created outcomes for their community and customers which do affect the way we run our business and I believe haven't been truly recognised for the work they have done to achieve the results for help making Tamworth a safer city to enjoy."*

**Roger Rumble, Licensee, Tamworth Hotel and Chair, Tamworth and District Liquor Accord**

It is my hope that the review will take into consideration the 10,000 signature petition lodged and debated in the NSW Parliament on 15 October 2015, the many comments from licensed venues, patrons, as well as associated organisations in rural and regional NSW.

There have been many suggestions in relation to what time the restriction should be extended to, however I will leave that to the review panel, should a change be warranted.

*"I would have to say that it seems to have been an uneducated knee jerk reaction to a problem in other areas such as the late night entertainment precincts of Kings Cross, Oxford St Darlinghurst and Sydney CBD that inadvertently has not reduced crime in regional areas but really only negatively affected economies, small community populations, events and the way of life. The majority of our customers who previously purchased after 10pm were people who work late or who were enjoying an event or social occasion. In relation to the impact on my business I have found that the restriction on trade has dramatically affected the turnover of that part of my business."*

**Craig Power, Licensed Venue Operator, The Pub Group, Tamworth**

*Building a Better Region*



Tamworth plays host to many equine events throughout the year that run late in the evening, attracting large number of competitors and visitors, one such event that has recently concluded was "The Landmark Horse Classic" which is the largest stock horse sale and draft in the southern hemisphere. It was reported to me that many visitors attended from isolated rural areas and major cattle stations across the country including Northern Territory, Queensland and Western Australia. An estimated 2,500 people visited the event over ten days, more than 300 individual campsites, more than 400 vendors and their employees. On average, these people finished their day in the arena at approximately 10.30-11pm, and were not happy to find they were unable to purchase take-away liquor after 10pm, as obviously they found that their State rules differ to NSW. Why should these hard workers be punished due to the actions of a few in Sydney?

There are many small towns in rural and regional NSW that have only one licensed venue and that venue is quite often the heart of that small town. It plays a major role in being the meeting place, the sponsor of local sporting and cultural events, an entertainment venue, a function centre and the list goes on. These pubs and clubs are an integral part of the community and want to provide that service and be involved but they must also run as a business to be able to provide the community with the support they require.

If they are restricted in their trade, they are restricted in their income, and ultimately will make decisions based on their bottom line. The flow on effect can have a significant impact on the community as the pub or club is forced to cut jobs, reduce local sponsorships, and families could move away in search of work, and in a small regional town, the loss of even one family can have a broad impact such as school numbers.

In rural and regional NSW there are many shift workers who have to travel long distances, such as farmers, miners, nurses, police, emergency service workers as well as many in the hospitality industry, chefs, wait staff and more. If these workers finish late in the evening and miss the 10pm restriction then there is no way for them to access what many in the city are easily able to do. This is almost a form of geographical discrimination. We want to grow and support small communities not close them down.

*Gunnedah is a long way from Kings Cross, yet the restrictions have impacted negatively on my business as well as all other hotels in the country. Gunnedah has both a strong agriculture and strong mining industry and both do not work to the 9 to 5 rhythm. Working the daylight hours and shift work are the norm. Bottle sale early closure has affected a great number of people. I believe there is no correlation between violence on the streets and country bottle sales ceasing at 10pm. Gunnedah has a strong liquor accord that makes the safety of its townsfolk a priority.*

**Rob Broomham, Licensee, Courthouse Hotel, Gunnedah**

I have included below excerpts from NSW Parliament Hansard of 15 October 2015 "Discussion on Petition Signed by 10,000 or More Persons regarding the Licensed Premises Trading Restrictions:

**Mr KEVIN ANDERSON** (Tamworth) [4.32 p.m.]: I thank the thousands who signed the petition to remove the 10.00 p.m. takeaway liquor sales restriction from all hotels in New South Wales. I note in the gallery the former Senior Vice President and life member of the Australian Hotels Association [AHA], Mr Bevan Douglas, the Director of Liquor and Policing for the AHA, Mr John Green, and the Policy and Research Officer for the AHA, Mr Chris Gatfield. The petition presented to the House proposes the removal of the 10.00 p.m. restriction on takeaway liquor sales for all hotels in New South Wales.



*The restriction was introduced in February 2014 together with a broader package of alcohol-related reforms. It forms a key part of the strong and decisive action the Government has taken to reduce alcohol-related violence and to improve the safety and amenity of communities across the State. The Government acknowledges that the restriction has required some licenced premises to modify their operations and some patrons to change their purchasing behaviour. However, these changes were firmly targeted towards harmful late-night impulse purchases, pre-loading and the heavy binge-drinking culture that exists in some parts of the community, especially late at night.*

*The restriction strikes a balance between these aims and allowing reasonable access for people to purchase alcohol before going out or when socialising at home. We have to remain reasonable and rational when considering this issue. The 10.00 p.m. restriction is not stopping people from purchasing the essentials of life late at night, such as bread and milk. It simply requires people to plan to buy takeaway alcohol before 10.00 p.m. if they intend to have a drink. In Sydney that is reasonable, but it is a different environment in regional New South Wales. Many of the measures introduced in 2014 were aimed at the violent hotspots of the Sydney central business district [CBD] and Kings Cross. However, it would be naive to suggest that these are the only areas where alcohol is a problem.*

*The Government has a comprehensive review and evaluation program in place for the measures introduced to combat alcohol-related violence, and the 10.00 p.m. takeaway liquor sales restriction is being reviewed in two stages as part of this program. The first stage has been underway since 31 July 2015 and focuses on the impact of the restrictions in regional New South Wales in recognition of the particular needs of rural and remote communities. By that, I mean that the issues are different in regional New South Wales. Many shift workers and other workers do not work by the clock. The local hotels, pubs and clubs provide a service for farmers, truck drivers, miners and shift workers. It is difficult for them to access services when they are working late at night. They may work until 8 or 9 o'clock at night and often have to travel a considerable distance to their local town. I am talking about small towns of 1,000 people or less, where the local hotel or pub provides an important service. By the time workers pack up, they do not have time to get into town before the restrictions apply.*

**Mr Adam Marshall:** Cropper Creek.

**Mr KEVIN ANDERSON:** Cropper Creek is an example, as the member for Northern Tablelands points out. I note the member for Orange is in the Chamber. Thirty country pubs have closed in the past year. We know that country pubs provide an important service to smaller communities across regional New South Wales, even in the Tamworth electorate. I welcome the Government's move to look at this restriction in the first stage of the review, which has been underway since the middle of July. The second stage will be progressed in early 2016. A broad range of community and industry stakeholders are being consulted as part of this review process to ensure a balanced approach that is informed by firsthand experience. Common sense must play a part in this. Regional New South Wales is not Kings Cross. We must ensure that this review takes that into consideration and we encourage those who have a role to play in the industry in regional New South Wales to ensure that their voices are heard. I again thank the three visitors in the gallery, Bevan Douglas, John Green and Chris Gatfield, for being here this afternoon and for their interest in this matter.

**Mr ANDREW GEE** (Orange—Parliamentary Secretary) [4.42 p.m.]: I make a brief contribution to debate and thank all the signatories to the petition for their energy in presenting it to this House. I also thank the member for Tamworth for his interest in this topic. This restriction was introduced in February 2014 with a broader package of alcohol-related reforms. It forms a key part of the strong and decisive action the Government has taken to reduce alcohol-related violence and improve the safety and amenity of communities across the State. Alcohol-related violence has been a problem in the Orange electorate; there was a need to take action to bring it under control.



*The restriction seeks to strike a balance between the aims of tackling harmful late-night impulse purchasing and pre-loading and challenging the heavy binge-drinking culture that exists in some parts of the community, especially at night. There are competing aims. Obviously some people want to buy liquor after 10.00 p.m. We have to remain reasonable and rational when considering this issue. The 10.00 p.m. restriction requires people to plan to buy takeaway alcohol before 10.00 p.m. if they intend to have a drink. The Government has a comprehensive review and evaluation program in place for the measures introduced to combat alcohol-related violence, and the 10.00 p.m. takeaway liquor sales restriction is being reviewed in two stages as part of this program.*

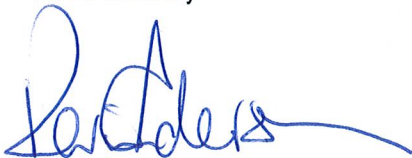
*As the member for Tamworth said, the first stage, which has been underway since 31 July 2015, focuses on the impact of the restriction in regional New South Wales, in recognition of the needs of rural and remote communities. The second stage will be progressed in early 2016. A broad range of community and industry stakeholders are being consulted as part of the review process to ensure a balanced approach that is informed by firsthand experience of the restriction. An important consultation period is occurring.*

*We must support our responsible hoteliers. Orange has a number of them, one of which is Kelly's Rugby Hotel, a three-generation family owned hotel established in 1922. The current licensee is Bill Kelly junior, who follows in the footsteps of his father, Bill Kelly senior, and his grandmother, Mary Jane Kelly. He is assisted by his brother, Mark Kelly, and sister Melissa Inglert and was assisted by his sister Sue Webster until she retired. Kelly's Rugby Hotel started out as a simple bar and accommodation, set up by Mary Jane and her three young children. Her youngest son, Bill Kelly, left school at the age of 14 to assist his mother in the everyday running of this iconic hotel in Orange. In the past 20 years Kelly's Rugby Hotel has expanded into a medium-size business, employing approximately 40 people, with a drive-through bottle shop. Bill Kelly has been an important part of the Orange Liquor Accord. I thank the Kelly family and members of the Orange Liquor Accord for their assistance.*

Contrary to popular belief, not all victims of alcohol related violence believe that the state-wide restriction on take-away alcohol sales to 10pm is necessary or effective. I was recently contacted by a constituent who told me his story as a victim of alcohol related violence at the age of 18. The gentleman went on to say that the incident took place prior to 10pm and that he finds it tiring to suffer the consequences of the misbehaved youth living in the city. This further illustrates that regional and rural communities feel victimised by these 'Kings Cross laws' that have been forced upon the State.

I look forward to the outcome of the review, in rural and regional NSW, it is about local solutions to local problems, and very clearly "one size does not fit all". This submission clearly shows that businesses in rural and regional NSW are hurting because of this law, the Tamworth electorate has a very clear voluntary code of conduct with its licensed venues through local liquor accords and the results are very positive. They do not believe that by relaxing the 10pm taking liquor sales will change that situation.

Yours faithfully



**Kevin Anderson MP**  
**Member for Tamworth**

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