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<u>Independent Review of the Impact of Liquor Law Reforms – Submission by Julian Ardas, Sydneysider, Resident of Potts Point & Certified Practicing Planner with 30 years experience – 3 April 2016</u>

Thank you for the opportunity to participate in the independent review (Callinan Review) of the impact of Liquor Law Reforms to review the effectiveness of the 1.30am lock outs, 3am cease Liquor sales, 10pm take-away Liquor laws and the periodic licence fee system.

I was born in Surry Hills, grew up in inner Sydney, have been a regular visitor to the Kings Cross area since the 1970s, worked in the Kings Cross area as a professional musician from the early 1980s, and have been living and working in Potts Point since the early 2000s. I am a Director of a planning and communications consulting firm (PlanCom Consulting Pty Ltd, www.plancom.com.au), and have worked in the planning and environment field for over 30 years and am a Certified Practicing Planner by the Planning Institute Australia.

I strongly support the continuation of Current Liquor Law Reforms (colloquially referred to as lock out laws) and 10pm take-away Liquor laws.

History & Mythology of Kings Cross

The Kings Cross locality is a unique and fascinating urban area in Australia.

In the 1920s the area embraced the elevator and created high rise and high density apartment buildings at a similar time to other international cities such as New York hence the area for a very long time held the title of the highest density residential population in Australia.

Kenneth Slessor, one of Australia's leading poets, in a book published in 1965 titled "Life at the Cross" described Kings Cross as "one of the most thickly populated focal points of white men's habitation on the face of the earth. The curious, haunting, exciting, brassy flavour of the Cross, a mixture of Montmarte, Chelsea, Greenwich Village, Port Said and Reno transplanted to the southern hemispheres."

The area's modern history is also shaped by a vast array of cultural occurrences and collisions including: sailors from the Woolloomooloo Finger Wharf, servicemen on recreation leave, foreign food, restaurants, fashion designers and boutiques, modelling agencies, delicatessens, immigrants, international visitors, The Beatles, Lee Gordon, Abe Saffron, Billy Thorpe, Surf City, Sydney Stadium, The Easybeats, Ted Albert from Albert Records, ACDC, The Hampton Hotel, Juanita Neilson, Jack Mundy, Green Bans on Victoria Street, William Dobell, Jeffrey Smart, The Minerva Theatre, The Rex Hotel, The Yellow House, Actors, Artists, The Piccadilly Hotel, Chrissie Amphlett, The Divinyls, The Manzil Room, Springfields, Chevron Hotel, All Nations Club, Paradise Jazz Cellars, Bourbon & Beefsteak, Round Midnight, Kardomah Cafe, Candy's Apartment, El Rocco Lounge, 1995 Wood Royal Commission into Police Corruption etc. All of these factors blend to create a unique and variegated chemistry of truly urban living.

It is a highly diverse urban area that has a long history of inclusion and tolerance through the coexistence of many different lifestyles, nationalities, sexual orientations, socio-economic conditions, personal circumstances, professions, personal services, social services and human interactions.

The following images (referred to as Figures 1 -3 in this submission) obtained from the Facebook Page – Stations of the X (see link below) provide a fascinating insight to life in Kings Cross. https://www.facebook.com/stations.of.the.x/?fref=ts. Figure 1 sourced from the Stations of the X Facebook Page titled "KINGS CROSS ARTICLE SERIES #73 - 1980 bright lights magazine guide to entertainment in the x pins down a lot of addresses" shows the locations and details of 82 entertainment establishments in the Kings Cross locality in 1980.

An analysis of this significant historical information was undertaken to identify the number and types of entertainment establishments in 1980 that were open until 3am or very late. This information is provided below in *Table 1 - Late Night Entertainment Establishments in Kings Cross in 1980*.

Details of the types of 14 late night entertainment establishments in 1980 that were open until 3am or until very late are presented in Table 1 below:

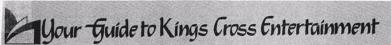
Table 1 – Late Night Entertainment Establishments in Kings Cross in 1980*

Type of Activity	Name of Entertainment	Total Number & (Percentage
	Establishment	of the Total Entertainment
	(Reference to Map Number	Establishments)
	in Figure 1)	
Adult/Sex industry	Bamboo Studio (46)	4 (4.8%)
	Darlings Massage (47)	
	The Pink Pussycat (67)	
	Venus Shop (72)	
Restaurants/Cafes	Julio's Restaurant (42)	4 (4.8%)
	Freddy's Old Vienna Inn (54)	
	Sweethearts Coffee Lounge	
	(68)	
	International Restaurant (77)	
Music/Alcohol venues	Hampton Court Family Hotel	5 (6%)
	(38)	
	The Persian Room (51)	
	The Paradise Jazz Cellar (52)	
	Bourbon & Beefsteak (60)	
	V.I.P. Disco (66)	
Amusement Centre	Amusement Centre (73)	1 (1.4%)
TOTAL		14 (17%)

^{*} Late night entertainment establishments are defined as those open until 3am or until very late

In total only 14 of the 82 entertainment establishments were advertised as open until 3am or until very late (That is, ONLY 17% of the total number of entertainment establishments stayed open until 3am or very late). A VERY LOW NUMBER INDEED.

It is interesting to note that ONLY 5 venues (6% of the Total entertainment establishments) were Music/Alcohol venues.



2 BELLAMY'S RESTAURANT (see Hyatt

1 CAMEO 194 Victoria St. Posts Point -

4. KING ARTHURS COURT - Cnr William St & Brougham St. — 2 Bars, cook own B.B.Q. steak & salad \$3.00-\$4.00. 10am-10pm 6 days. Live music Wed & Sat. 228 William St. Map ref.

5 GOLDFISH BOWL BAR (New Crest Hotel) Lounge and Bar Bistro. Open 7 days Mon-Sat 10am - 11pm Sun 12am - 10pm. Map ref: D21. 6 157 is one of Sydney's top salons. Antonio Bar. 44 Macleay St. Ph. 358-1211.

Spa, etc and great ladies. Open 7 days
157 Victoria St. Ph. 358-6745. Map. ref.
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2. May at 191. THE AGUATIC CLUB. Visitoris velcomes
3 bars. Restaurant. Live enterprises.

RANT Food Type: Scafood. Average tariff \$10.00. Open 7 nights. Dinner 6.00 pm - 11.00 pm. 176 Victoria St. Ph: 357-2903. Map ref: D17. The MANHATTAN HOTEL Tariffs: Single \$22.00 Double \$30.00. Top Tourist Hotel. 8 Greenknowe Ave. Ph: 358-1288. Map

P. BUTLERS RESTAURANT International
Cuisine. Average Tariff: \$10.00 per head. Open
Mon-Sat Lunch and Dinner. 123 Victoria St.
4xy. Macleay St. Map ref. F11.
21. THE BAY RESTAURANT. International

 4-pm. 3 Tusculum St. Ph. 137-1257, Map ref: E2
 Rd. Ph. 338-5099. Open Tues-Sun. Map ref: E11. CHEZ CHANTAL. French Cuisine. Aver-H22.

 4-pm. 3 Tusculum St. Ph. 138-1497. Map ref: E6.
 22. MOTHERS CELLAR. Nouvelle Cuisine. Average Tariff \$18.00. 39A. Elizabeth Bay

KINOS CROSS TAVERN Tavern Bar—
ottle store. Open 10am - 11pm 7 days. Map
fi D24. 12 KK'S RESTAURANT Vietnamese and
Chinese cuisine. Average Tariff \$1.00 p.o. Open
fi D24. 7 days \$3.0pm - 12.00. 18 Hughes St. Ph: 35BELLAMY'S RESTAURANT (see Hyatt
412. Map ref: F6.

13. ANGELINA RESTAURANT Australian/ Continental food. Average Tariff 59.00 p.p. Open 7 days. 5.00pm - 12.00 B.Y.O. 93b Macleay St. Ph: 338-1484. Map ref: FS. 14 SHOGUN IAPANESE RESTAURANT

Fashionable Japanese Restaurant. Average Tariff \$15.00 p.p. (incl. wine). 89 MacJeay St. Ph: 358-1778. Map ref: F4.

15. PETER'S PIZZERIA RESTAURANT Italian cuisine. Average Tariff \$3.00-\$4.00.
Take aways available. 85 Macleay St. Ph: 3573238. Map ref: F3.

16. TEXAS TAVERN Hotel-entertainment complex. Includes — "The Barn", country/ western groups live, "The Longhorn" Disco dancing, El Camino Restaurant Special Mexican meau — open for breakfast. Old San Antonio Bax. 44 Macleay St. Ph. 358-1211, Map ref: F2.

Restaurant. Average tariff \$5.00. [7] Victoria
St. Map ref: D18.
8. BLUE TROUT SEAFOOD RESTAU.
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ref: G8.

SECRETARY

Shorthand Typist An after hours Service Isolde Ordina PH: 356 3276

FOR **ADVERTISING** IN BRIGHT LIGHTS PHONE 827 3878

GIRLS * GIRLS * GIRLS Very Busy Studio We need more ladies Top money and conditions Ph: 357 1116 anytime.

30. AMATEURS. "Cuisine du Marche". Average tariff \$15-\$16 p.p. 64 Kellet St. B. Y.O. Ph: 358-5951. Map ref: F20.

31. GOLDEN PAGODA. Cantonese cuisine. Average tariff \$7.00 p.p. Open 7 days, 40 Bays-water Rd. Ph: 358-6071. Map ref: F23. 32. LOVE ART SHOP. Adult books, magazines, movies. Open 24 hrs. 2G Roslyn St. Kings Cross near cnr. Darlinghurst Rd. Map ref: F17.

33. CONTINENTAL STUDIO One of the Meo-St. Lunch and Dianer. 13 Victoria St.

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Live music. Open 7 nights until very late. Cover

Wagon Steakbous and Bar. Av. tariff: \$5.00

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37. THE MANDARIN RESTAURANT.

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\$1.20 Oncl. wiso.) 31 Elizabeth Bay Road. Ph.

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Open late Friday-Saturday night. Map ref. E3.

38-3946. Map ref: H13.

39. THE NEW CREST HOTEL Tariff night send of Godfun around the world. Map ref: F10.

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25. LOVE ART BOOKSHOP. Adult movies, 2755. Map ref: E21. books, films. Open 7 days 10am - 2am. 34 40. THE HYATT HOTEL. Top Tourist accommodation. Complex includes several

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43. THE SONATA COSMOPOLITAN Coffee

PINOCCHIO'S PIZZERIA. A la carte menu. Average tariff \$8.00-\$10.00. Open 7 days until 2.30am. 87-89 Darünghurst Rd. Ph: 358-5654. Map ref: E19.

45. KINKS. Adult books, movies mags. 73 Dar-linghurst Rd. Map ref: E19.

46. BAMBOO STUDIO. Open 7 days 10am-4am. Reasonable rates. 77 Darlinghurst Rd. 4am. Reasonable rates. 77 l Ph: 357-1180. Map ref: E19. 47. DARLINGS MASSAGE. Massage,

Largest selection local/imported wines and beer. Open Mon-Sat 8.45-8.00, Sunday 12.00-

52. THE PARADISE JAZZ CELLAR 37. THE MANDARIN RESTAURANT. Peatures Australia's top jazz artists. Open 7 Chinese and Continental cuisine. Average tariff 1, nights until very late (Bar/Bistro - breakfast \$6.00 p.p. 9 Bayswater Rd. Ph: 357-2254. Map available). Different band each night. No cover charge. 37 Darlinghurst Rd. Map ref: E17.

KINGS CROSS EXPRESS WAY 53. MANZIL ROOM. One of Sydney's you can think of with spare ribs a specialty, leading rock venues. Featuring top Australian bands — fully licenced, supplementary of the property of the prop

City

Map Ref. E16.

62. SWINOLES: ... Live shows, adult movies,
54. FREDDY'S OLD VIENNA INN. Contiplus escorts and Sydney's first "love Motel". 26
nental cuisine — average tariff \$4.00. Open 7

Darlinghurst Rd. Ph. 358-2382.

days 24 hrs. 32 Springfield Ave. Map ref: F16.

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53. THE YILLAGE CENTER Features the
61. THE SILK YOUCH. Open 7 days - The
F18. THE YILLAGE CENTER FEATURE Product
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76. COMMODORE PRIVATE HOTEL.
Tariff 57.00 p.p. Open 7 days 10am-2am.
Macleay St. Map ref: F14.

Darlingburst Road. Ph. 358-5599. Map ref: F17

Maclesy St. May ref. F14.

St. CHELSEA RESTAURANT. Frence design. As the street of the

67. THE PINK PUSSYCAT. Open 7 days from 11am until very late. Sydney's foremost strip-tease show. A Cross institution. Male and female acts. Continuous show. Entrance 'ee \$7.00. Map ref: F18.

SWATER ROAD

0 MANNING STREET

GREENKNOWE AVENUE

999

ROSLYN

@ 69

00 HUGHES ST

ORWELL STREET

68. SWEETHEARTS COFFEE LOUNGE. Open 24 hours 7 days a week. Ideal spot to end that night out on the town. Coffee plus light meals and snacks. Map ref: F19.

69. VENUES BOUTIOUE. Adult books, magazines, and a selection of clothing and accesso-ries etc. Open 9am-2am 7 days. 44A Darling-hurst Road. Map ref: F19.

70. CHAT NOIR RESTAURANT. French 71. ARNOLDS AMUSEMENT CENTRE.

Open 10.00am-2am weekdays, 10am-3am Fri/ Sat. Map ref: E20. 72. VENUS SHOP. Adult books, magazines

etc. Open 7 days 9.30am-3am. 58A Darling-hurst Road. Map ref: E20. 73. AMUSEMENT CENTRE. Open 7 days 24

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days. Cover charge \$5.00. Movies and Live spots. Provides any combination of tests that lingularity Rods (abover Les Girich, Mapper EF)?

76. FOUR SEASONS FOOD BAR. Snacks takeaways etc. Open 3am - 11am. Cnr Darling-hurst Rd. and Bayswater Road. Map ref: E22.

77. THE INTERNATIONAL RESTAU-RANT. Continental cuisine — light meals. Open Sun to Thurs. 7am-3am. Fri. and Sat. 24 hours. Darlinghurst Road. Map ref: E24. 78. THE OUTBACK BAR. Open 10am-11pm Mon-Sat. Sun 12am-8pm. Bayswater Road. Map ref: E24.

79. HYATT KINGSGATE BOTTLE STORE. Open Mon-Fri 11am-11pm, Sun 12.00-8pm. Bayswater Road. Map ref: E24.

80. V.I.P. SUITE - 59 Bayswater Rd. Potts Point. — A variety of lovely ladies to choose from — Bankcard/Diners Club welcome. Ph: 331-3212

Map ref. E22. 81. THE NEVADA. Sydney's rootin tootin funbouse. Latest adult movies, self contained units, hayloft, and Sydney's finest fillies. 20 Bayswater Rd. Ph. 358-2078. C'mon up y'bear. Man ref: Fax.

82. THE CARLISLE HOUSE RESTAU-



BRIGHT LIGHTS 23

SILK TOUCH

The Ultimate Place

Your Pleasure

24a Darlinghurst Road, Kings Cross

BRIGHT LIGHTS 22

Figure 2 shows the variety of commercial establishments that used to exist along Darlinghurst Road.

Figure 3 shows the entrance to the Famous Whisky a Go Go on William Street that stayed open till 3am.

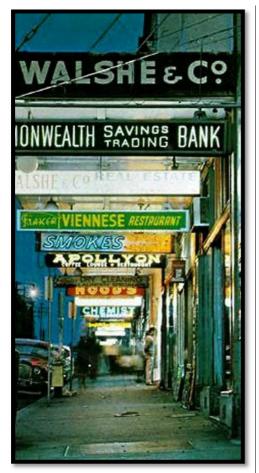




Fig 2 - Mixed Uses - Darlinghurst Rd

Fig 3 - The Famous Whisky a Go Go Open Till 3am

Kings Cross from 2000

A proliferation of Development Applications (DA) for Liquor Licenced Premises by City of Sydney Council, NSW Land & Environment Court and NSW Office of Liquor Gaming and Racing (OLGR) Liquor Licences were approved from circa 2005. Many of these approvals were established and operated. Community groups constantly stated that this would lead to a saturation of Liquor Licensed Premises in the Kings Cross locality. However, such warnings were not taken seriously and treated by the approval authorities as simply a point of objection by a NIMBY Community.

During this time there was an increased corporatisation of Liquor industry including organisations such as the Keystone Group for example.

Larger beer hall style venues emerged. Examples included the transformation of the former Westpac Bank building on Darlinghurst Road into the Sugarmill Hotel (which also includes Kit & Kaboodle and Sweethearts, a total of three Liquor establishments on one premises) and the transformation of the Commonwealth Bank on Darlinghurst Road which became the large beer hall called The Bank.

The transformation of the Westpac Bank Building into a complex of the three (3) alcohol serving premises by the Keystone Group mimicked their East Darling Harbour Bungalow 8 and the Cargo Bar Liquor Licenced Premises. These large facilities are designed to attract many patrons and require a wide geographic audience. They are not designed to rely on only local demand.

During the DA process a requirement was imposed on the Keystone Group to hold community information sessions were held in the Sugarmill Hotel and deliberately stacked with alcohol fuelled hecklers insulting and intimidating the local community members in attendance. This was a great example that Keystone Group clearly had no interest in being a good corporate citizen and integrating into the existing community.

The peak of the crowds flocking to Liquor Licensed Premises in Kings Cross coincided with the time of the highly popular Channel 9 Underbelly Series between 2008 and 2013. This Series attracted much interest in gangster history, the Kings Cross area and its corrupt past.

This era was totally wild and virtual lawless from Thursday night to Sunday night. Kings Cross was described by the MP for Wentworth (now Prime Minister), Malcolm Turnbull on 24 April 2012, as a "WAR ZONE". http://www.abc.net.au/news/2012-04-24/kings-cross-a-war-zone-says-turnbull/3968008

The area experienced major event sized crowds of young people (many already affected by alcohol and/or illicit drugs) in an induced state of mind with minimal crowd management and controls in existence in public places. Footpaths and streets were crowded with young people and altercations and conflicts were common.

The City of Sydney Council recorded pedestrian counts of 19,000 pedestrians per hour along Darlinghurst Road from 12am to 2am on weekends (equivalent to Martin Place weekday lunch time pedestrian numbers). Bayswater Road was also heavily trafficked with pedestrians and vehicles.

The presence of police and security staff did very little to appease the crowd and on occasions contributed to violent incidents.

It became very clear that the use of mitigation measures such as Plans of Management as Condition of Approval upon Liquor Licensed Premises were ineffective and did not work.

Young People generally from 16-25 years of age who came to Kings Cross were hell bent on "Getting Smashed".

A mono-culture of Liquor Licensed Premises prevailed.

Young people ran amok around the area often until dawn yelling, screaming, urinating and vomiting in front of residential doorways and publicly drinking (pre-fuelling and post fuelling before entering and after leaving alcohol venues respectively), leaving rubbish behind, damaging cars parked on the streets and illegally using private car spaces due to limited parking in the area.

Night time noise levels from Kings Cross were very high and sleep disturbance was a significant problem.

Furthermore, a significant point that is conveniently overlooked by the Alcohol Industry is that alcohol has the greatest impact on people's cognitive abilities 1-2 hours after their final drink. From that time onwards they are not in Liquor Licensed Premises but in a public place.

The Alcohol Industry does not care about patrons after they have left their Liquor Licensed Premises. They are profit driven and have no interest. The associated problems become one for the community to address. The Alcohol Industry have conveniently distanced themselves from these community problems created by this high density cluster of Liquor Licensed Premises in Kings Cross.

King Hitting innocent people became the new night out for some groups of New Age Neanderthal Blokes. A new generation of coward punching thug emerged (akin to the "former gay basher of the 1970s and 1980s"). The only difference being "any innocent person" became the new target.

The morning transition period when early risers met late night revellers was a very frightening time in Kings Cross. Being accosted by groups of young drunkards when you are going about your own early morning business such as going to work or travelling or exercising was a most confronting experience and one you never forget.

During this era of Kings Cross there was NO Cultural or Creative Contribution made to society unlike its former past described previously.

Current Scenario

These are clear signs of new establishments emerging from the alcohol fuelled and violent era since 2013 after the over saturation of Liquor Licensed Premises in the area started to impact the bottom line of the bad operators and market failure drove them to closure.

Now people are coming out earlier. For example, for breakfast, lunch, afternoon drinks and snacks, pre-dinner drinks, dinner, dessert, cocktails. Many new and exciting restaurants, cafes and bars based on creative and fresh approaches have opened, which is also attracting locals and visitors, and a new clientele has emerged for these new establishments. Llankelly Place has become a hot bed of socialisation along with Bayswater Road, Kellett Street, Victoria Street, Macleay Street, Challis Avenue and the list goes on.

Discussions with many successful business operators in the Kings Cross have indicated that you must cater for local demand in the area to survive here.

Alternative Solutions

Creating a culture of earlier socialising activity and earlier finishing times is an ideal solution for a major international city such as Sydney. It encourages social gatherings, allows diverse and often conflicting activities to co-exist, minimises public harm and maximises individual potential by ensuring people get home and have some rest to confidently and coherently deal with their next day in this amazing city.

All night public transport cannot be achieved as trains and busses need to be cleaned and serviced for the next day's operations, extra drivers are not available and new entrants are discouraged as salaries are very low and conditions are poor. Only minimal services are possible during these early hours.

I have travelled to major cities throughout Europe, Asia and America and the problem of late night inebriation by masses of young people is not apparent. There seems to be a healthy respect for public order and decent public behaviour.

Australia on the other hand unfortunately does have a Booze Culture.

For the majority of the population, socialising late into the night out only accounts for a very small proportion of socialisation activity. Most socialising occurs during other parts of the day.

The sale of take-away alcohol being restricted until 10pm is another sensible initiative to curb impulse buying and alcohol binging late in the evening and night. This will force people to begin the sobering up process after a night of drinking and socialising.

Self management measures upon Liquor Licensed Premises imposed as Conditions of Approval for Development Consents have proven to be ineffective and unenforceable. They only pay lip service and are not worth the paper they are written on.

Precinct management measures are destined to fail in individually minded Sydney and not worth the experiment. For example, City of Sydney Council and Roads and Maritime Services refused to allow Earl Street/Earl Place (between Victoria Street and Darlinghurst Road) to be Shared Pathways for shared pedestrian and vehicular use. Based on this precedent there is no way that measures such as temporary closure of main roads such as Darlinghurst Road would ever be permitted by powerful Statutory Agencies such as Roads and Maritime Services.

Conclusion

Earlier closing times to control the availability and supply of alcohol is the best solution for society.

These Current Liquor Law Reforms are very generous and privileged laws. They are not available in many countries throughout the world.

The current Liquor Law Reforms are **not draconian** at all despite all of the Alcohol Industry propaganda saturating the media. The amount of propaganda being thrown at this issue by the Alcohol Industry has parallels with the Nazi Ministry of Propaganda and Public Enlightenment.

The Current Liquor Law Reforms are simply an excuse for market failure in the Alcohol Industry due to the saturation of Liquor Licensed Premises. Put Very Simply "Oversupply of Alcohol".

The current Liquor Law Reforms still allow the purchase of last drinks until 3am and consumption is permitted beyond that time.

If anything the service of last drinks should be earlier, say 2am, similar to what is being proposed in Queensland.

Take-away Liquor license restrictions to 10pm will control impulse purchases and binge drinking.

I strongly support the continuation of current Liquor law reforms (colloquially referred to as lock out laws) and 10pm take-away Liquor laws.

Should you have any questions, please do not hesitate to contact me.

Kind Regards and Best Wishes.

Julian Ardas