



Liquor law review submission - Tim Curtis

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Tim Curtis

To: Liquor Law Review; 



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I am writing this submission as a 45 year old regular customer of late night licensed venues in Sydney, mostly in the CBD, Kings Cross and Newtown areas, where I have lived most of my life. I have also travelled extensively in Europe, Asia, North and South America and visited many late night licensed venues in comparable major cities. Since the February 2014 liquor license reforms, I have witnessed a significant downturn in the late night economy in Sydney with many licensed venues closing (Goldfish, Phoenix, Q Bar, Hugos etc) primarily because of the these reforms. This would have caused many job losses as well as causing privately funded venues to no longer offer spaces for artists to perform and grow.

There are 3 main reasons why these reforms should be modified to both keep preventing violence and also to allow a safe late night economy to thrive.

Liquor laws hurt small to medium businesses

As a general rule, governments (and particularly Liberal governments) should be trying to let businesses innovate and run with minimal government regulation with regards to opening hours and what they choose to sell. The liquor license laws hinder innovation directly, but they also impact the late night economy in at least two more undesirable and insidious ways

a. Laws discourage customers choosing to attend small venues

The 1:30 lockout rules very much discriminate against smaller businesses. As a regular late night venue customer, there is a pressure to choose to be in a venue by 1:30. It is better to choose a large venue that you know will be crowded and open for many hours (such as the Ivy or Arq) rather than a smaller venue which may close early if not enough people attend. The effect of this natural and logical consumer choice is to make it very difficult for new or smaller venues to attract crowds as people make safer late night choices rather than making a risky choice to attend a venue that may close early. If the 1:30 lockout law did not exist, it would be much easier to try a smaller venue and if it did not work out then go to the larger venue.

b. Laws discourage small to medium businesses from investing in late night infrastructure

Building venues suitable for late night entertainment is expensive with significant sound proofing, sound system and interior design costs. It is very difficult for venues to invest in this

privately funded infrastructure if they feel that the government could arbitrarily change the liquor laws - which is what has happened to most CBD and Kings Cross venues in 2014 when these laws were introduced. Only the largest venues such as the casinos have the luxury of negotiating with the government to contractually guarantee the rules.

The net result is that late night venues are closing down and there is little incentive for small to medium businesses to further invest.

2. Liquor laws hurt Sydney's reputation as a global city

Sydney has had a deserved reputation for a vibrant nightlife and in recent years the artistic fruit of this nightlife has made artists such as the Presets, Flight Facilities, Alison Wonderland and Hayden James famous around the world. The 1:30am lockout in the CBD and Kings Cross has harmed this reputation with reports in media such as CNN about the "milding" of Sydney.

It is often misleadingly quoted in the media that other international cities have similar lockout times, but the truth of what happens in other global cities is more complex than Sydney CBD/Kings Cross blanket lockout.

For example

- London bars close at 3am. However there are exceptions for nightclubs such as globally leading venues like Ministry of Sound nightclub (www.ministryofsound.com) - it closes at 6am (last entry at 4am) on Fridays and 7am (last entry at 5am on Fridays).
- New York bars generally close at 4am with last entry not long before (for example, Output nightclub (www.outputclub.com) has last entry at 3.45am.)
- Los Angeles bars may close at 2am, but there is a thriving Private Club scene that is open after 2am. For example, the Cana Rum bar in downtown Los Angeles (<https://www.facebook.com/CanaRumBar>) is open after 2am and you can become a member at the door for \$20 and then enter.

None of these leading global cities have a blanket lockout in their CBD at anywhere near 1:30am.

If Sydney wants to be seen as a global city, it should be competing in the late night space and the 1:30am lockout hinders Sydney's ability to do this by discouraging new venues and scaring off investment (see Point 1)

Melbourne is not making the same mistake.

3. Liquor laws are too blunt and should target specific venues and individuals

The deaths of Thomas Kelly and Daniel Christie were shocking and the general level of violence occurring was unacceptable.

The government was right to take action to prevent this. However these actions should be

targeted at the licensed venues and individuals which were causing the problems, not every venue.

For example

- it is ridiculous for venues serving single malt whisky that have no track record of violent behaviour to be forced to serve that whisky with mixers.
- It is ridiculous for mostly empty venues on a Wednesday night in Kings Cross (such as the Bourbon and Beefsteak) to be scanning people IDs who are looking to eat at their restaurant, turning away tourists who are not carrying any ID with them.
- Venues with minimal history of violent behaviour should not be forced to implement lockouts, 3am alcohol bans and shot bans after midnight.

Rather restrictions such as lockouts, alcohol bans and ID scanning should only be applied to venues that have a history of problems as part of a harm minimization plan in conjunction with the police.

Measures that target individuals such as ID scanning could also be extended to problem venues across the state on high risk nights such as Friday and Saturday to deter bad behaviour of specific individuals.

I ask that you consider the above so that the liquor licence laws can be changed to both protect the public by reducing violence, but also to allow Sydney's late night economy to return to being the innovative force that will make us competitive with the rest of the world.

If you require any additional input to this review, I would be happy to help and be contacted at

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Yours sincerely,
Tim Curtis