

[REDACTED]

April 3 2016

Justice Callinan  
Liquor Law Review  
GPO Box 7060  
Sydney NSW 2001

Dear Sir

**This is what happened to residents of the Cross in 2008 the most densely populated area in Australia and saturation of late night trading licences in this tiny area of 0.7sq.km and the cumulative impact on the residents.**

**This is my story**

I have been a resident of [REDACTED] for 4 years before the Late Night Trading Area was introduced to City Council in December 2007. This LNT area was pushed through Council with only 3 days notice to residents of the area. It was passed and came into effect on 1 January 2008.

Kings Cross is not a suburb, it is according to some 0.7sq.km or 0.5sq.km. It has always been a residential suburb with strip clubs, nightclubs, hotels, bars, prostitutes, homeless, rich and poor and the Medically Supervised Injecting Room.

There have until recent years hotels providing accommodation for tourists. These have over the years been refurbished into apartments. It was a tourist spot to stay in the 50's through to the 90's. The residents always knew what was there and accepting of it, we chose to live here. It was until a short time ago the most densely populated suburb in Australia, the post code of 2011 covers Potts Point, Elizabeth Bay, Woollomooloo and Rushcutters Bay.

It changed within a month in January 2008, the council was flooded by applications for DAs for licensed premises, once this was granted the owners applied for a Liquor Licence for Late Night Trading, usually until 5am. In almost every instance these were granted. Residents were powerless, we objected to the DAs and rarely won. Even takeaway food shops were granted a Late Night Trading Liquor Licence. It was a hard process to even find out how to object to a Liquor Licence. We never gave up but it was made very difficult for us by Sydney City Council. There were at December 2007, 8 Late night Trading Premises. Sgt Donna Murphy from Kings Cross Licensing Police can confirm this figure.

These DAs were concentrated on two narrow streets, lined with residential flats, Darlinghurst Road between Kings Cross Road and the "Fountain" became a

dangerous, alcohol fuelled area. Filled with 20,000 drunks on a Friday and Saturday night. Council figures state over 20,000 drunks with Anti Social Behaviour in Darlinghurst Road one night they took a survey and another night the same in Bayswater Road. These are narrow streets with residential buildings lining the streets.

Our streets became unsafe for us to walk home, shop, visit friends on the other side of the Fountain in Potts Point. We were also unsafe to walk home from the city or Opera House up William Street because of the aggressive drunks heading into the "Cross". It was the same with the train, full of drunks, the bus was OK but it couldn't stop at its usual stop in Bayswater Road as the footpath and street was full of drunks. Another narrow street. All the Eastern Suburbs buses were diverted to another street.

We lost our right to walk in safety in the area we lived in from Friday early evening through to Sunday mid morning. The drunks were still lying in gutters or roaming around until after 5am. We couldn't shop on our way home, walk to Potts Point to eat, it was too dangerous. On one night walking back along Darlinghurst Road, my handbag on a crowded street touched a young girl. She had two huge guys with her, all drunk, she started abusing me with foul language I kept on walking. I was with friends, we turn the corner to come home, 3 men jump out of a taxi, expose themselves and urinate on to a garage door of a block of apartments. My friends were shocked. Residents had to put up with this all the time. All our buildings had to be cleaned in the morning, hosing off the urine and vomit and worse, every doorway was soiled.

Residents in Darlinghurst Road and Bayswater Road and surrounding streets were hit with music blasting out of premises until 5am, the massive amounts of people crammed into these two streets, milling around drunk, moving from club to pub to nightclub. The girls screamed all through the night, this mixed with the music blaring out from the premises made our lives in the weekend intolerable.

This cacophony carried over to adjoining streets.

By this time the nightclubs had moved into residential side streets.

There were sirens all through the night, cars full of hoons blocking William Street through to "the loop" of Kings Cross, tooting horns, screaming abuse at the people, ambulances trying to remove injured people, motor bikes revving up. The buskers playing loud amplified music on the footpaths. The streets full of glass, wrappers from take away food all over the streets and footpaths.

Then the party and booze buses arrive, bring a new load of drunks into this tiny area. These people have come from clubs and hotels where they cease trading at 11pm or midnight. Dumped into here!

The brawls go all night into the early hours of the morning. Then the garbage trucks start to arrive 5 am, this continues for another 2 hours, finally you think

you will get to sleep and the Council water truck started brushing and watering the street.

The worst was the vomit and urination and faeces in every doorway, gap or space or flat wall, There was only one public toilet in Kings Cross.

We lost all of our rights to walk our streets and sleep on these two nights. As I type this I remember vividly those terrible years.

I won't go into the hospital admittance figures, you will have those.

We begged Sydney Council to provide Compliance Officers, we never in those 6 years had permanent Compliance Officers up here. They would send one, what hope did they have. Interestingly this officer went to work for the clubs with applications for DAs.

Council washed their hands of any responsibilities they had to residents, the ratepayers. Clover Moore sent a letter to residents in 2009 saying "Council will not handle noise complaints. Please contact Kings Cross Police and ask for the Licensing Unit or Duty Officer to handle these complaints".

Council hands the problem over to an already overworked Police force trying to keep the area under control.

The only thing residents had was the magnificent Police force we had up here, they tried their hardest in these 6 years to make the area safe.

Friends who visit find it difficult to get a taxi home as taxis don't like coming to the Cross because of the drunks. A friend who lives in Potts Point who I see regularly has to get a taxi home to Potts Point as it is too dangerous for her to walk home. She has lived in the Cross since she was a young child. Never ever had to do that in all the years she lived here.

Murders occur up here, St Vincents Hospital report admissions for AFV keep rising, public are concerned.

**In 2010 the City Council declared the area is "an event area, the same as ACER Arena (a football stadium) every weekend, just like major celebrations like New Year's Eve, Kings Cross needs to be run as an event, twice a weekend, every weekend".**

This is where we live and shop. We have a right to move around our neighbourhood. We didn't ask to have an event twice a weekend, Friday and Saturday night every weekend.

What a terrible response to the people of NSW and residents of this area, what did it cost the taxpayers of New South Wales to police this event two nights a week, the emergency services, the huge cost to St Vincent's hospital, the judicial system, the clean up costs over the weekend.

In **July 2012 Tom Kelly** was king hit and killed. He was only 18 and his first time up here in the Cross.

Our local member Malcolm Turnbull declares at a public meeting the area is a “war zone”. He also states this area is a residential area. This is the first time a politician has acknowledged this fact.

Nothing changes as usual. Our pleas are ignored.

New Year’s Eve 2013 Daniel Christie is king hit and dies some days later. Another boy only 18 years old and first time in the Cross.

Government declares a month later a lockout zone in the Late Night Trading Area. This modest reduction in trading area transforms the area almost instantly. It was only a 2 hour reduction in serving alcohol back to 3am from 5am. Plus the lockouts, this stopped the drunks roaming the streets.

The first sign was the crowds were not milling around the streets, the hoons disappeared the second weekend.

The pubs and clubs were still open, people were still patronizing them.

The screaming stopped as there was not 25,000 anti social behavior drunks hanging around, plus the under age street drinkers.

There were still people here but nothing like 25,000. They made a choice of **not to come here** because they couldn’t mill around outside the pubs and clubs, causing trouble, fighting each other.

Gradually our area reverted to a safe environment, the streets were not full of the Police from the Riot Squad, Police on horseback over 200 Police were on the streets in the pre lockout years.

We could walk home in safety, we could sleep without the screaming and the tooting of the horns and motorbikes. Ambulance sirens stopped, the fire engines stopped.

In the past two years the Cross has thrived. A survey was done in March 2016 of new businesses or businesses that have expanded in this small area, the count was 71. All of the details are available. They range from hairdressers to cafes, restaurants and chemists. Shops that residents used to have before the Late Night Trading Area was declared in 2008.

Small bars and restaurants have opened, it has become an “eating destination” again. Interesting shops have opened, gyms and Pilates studios. Patrons are coming to the area again as they are safe.

As a flow on effect from this safety aspect, patrons arrive by public transport, hey don’t have to walk through a drunken mob. Potts Point is thriving, East Sydney

is an eating destination again, Darlinghurst has new bars and restaurants. All of these businesses are contributing to the NSW Economy, they are not a drain on the economy.

Old hotels are being converted into luxury apartments on the strip or in Bayswater Road. In my building a one bed apartment sells for \$1.150million. Values have almost doubled in the past 6 years since the lockouts.

Since February the press has given a lot of coverage to the Anti-Lockout activists. Over this period of time claims have been made about the numbers of licensed premises that have closed due to the lockouts. They tell lies about the numbers, they will never list the venues and what dates they closed in this area. We know we live here. According to KX Police Licensing Unit only 2 venues have closed due to the lockouts, Hugos and Soho. At Soho the owners son was charged with rape. This must have had a bearing on the trade there.

The other places that closed or renamed themselves had strikes against them or in the course of a normal commercial world "were not good business people". You have to be clever to make a profit trading only 2 nights a week.

Over the past 2 years the KX Police released figures to show that 1.8 million patrons went through the scanners in the past year at the pubs and nightclubs. This figure does not include small bars and restaurants.

The "Keep Sydney Open" make statements about the area is dead, everything is closing and no live music up here. They never provide any facts. Live Music was never a part of the Cross in the past years, it is a long time around 70's when it was a live music destination.

DJ music is not Live Music, it is replaying recorded music.

All that I have listed in this submission on the pre lockout was to support a 2 night a week economy that was owned by hoteliers owning multiple hotels, listed ASX companies, "colourful characters" plus Coles and Woolworths. There was no gain to the Government.

The cost was huge, Police, Emergency Service workers, Fire Brigade, St Vincents hospital, the judicial system, extra buses, traffic patrols. Residential amenity was never considered by City Council or politicians.

The gains for the economy are large amounts of State taxes for Stamp Duty from the new premises, plus the established residential apartments, reduced Policing on the weekend, St Vincents Emergency hospital now operates as a genuine Emergency Department. I attended a seminar held by FARE in 2016, a nurse addressed the audience and stated "not one Emergency Nurse has been assaulted" in the year after the lockouts" in contrast to frequent assaults when 5am closing was permitted.

Our shops and restaurants are contributing to the NSW economy.

From a personal viewpoint, I can now enjoy my neighbourhood seven days a week, to shop at night, walk home from the Opera House or the city. Walk to adjoining suburbs. I lost my right to do this from 2008 until the lockouts.

Overseas visitors are now not told to "get out of the Cross" by midnight as it is too dangerous if they are staying in a hotel in the city. The Cross is alive and thriving.

My son lives in New York, he visits every 18 months and brings friends. Over the period from 2008 to 2014 his friends were shocked at what they saw, many comments were made about the urination, danger, violence. They never returned to Sydney to holiday, but now they have come back to visit as the area has reverted to what it was and even better before the lockouts.

Keep the Lockouts in Kings Cross, they work as they did in Newcastle. The Kings Cross Lockouts were modelled on the Newcastle Solution.

Thank you

Carole Ferrier