

Independent Review of the Impact of Liquor Law Reforms – Submission by Margaret Harvie

My personal story in **support of the retention of the 1.30am lock out and 3.00am cease alcohol sales measures.**

Why I live where I live

I moved to Kings Cross in 1996 from Adelaide. I made a significant investment for that time in my life in a small residential apartment in a 1920s building on Springfield Avenue facing the strip. This same investment could have been made in any number of places across Sydney. Previous to this I had also lived and worked for extended periods in both New York and Tokyo. The apartment building I moved into was full of people who had also lived in other cities around the world, lured by the range of services and facilities similar to the experience of other international cities.

I was single at that time and felt that there was a safety in being in the city, close to public transport and on a busy street. The hazards of that time were drug dealing on the street and people injecting (shooting up) in public. Hazards that were removed in the years that were to follow.

What is the obsession with the Economic question?

People choosing to buy or visit a place do not think in terms of economy – they think in terms of a range of amenities and these include being able to shop, sleep, get food and drink and have access to the services that they require.

At one stage policy makers had been interested in the triple bottom line – social, environment and economic. Now the term sustainability is used but perhaps the meaning of this is not spelled out to the extent that it should.

This concept is that there is more to consider than just the economic costs and benefits for decisions. For years now, we have been talking about how to create a vibrant and safe night ECONOMY. What about a vibrant and safe night SOCIETY / SOCIAL setting or a vibrant and safe night ENVIRONMENT.

The City of Sydney Council commenced the consultation based on this question, the New Democracy Foundation took it on and now Department of Justice are asking us through the recent Roundtables to reflect on this question. I also know that New Democracy Foundation justified their use of this question because it was the one that was applied in Adelaide. This is my home town and I am one of many who moved from Adelaide, as others continue to, for work – economic reasons. I understand that economics is, and will continue to be the focus of the city of Adelaide in a way that is much less relevant to Sydney.

The question being asked is highly loaded and I suggest originated from an alcohol industry spin doctor ... to be successfully and perhaps innocently adopted by the bureaucracy. Academics in citizen democracy will tell you that the single most significant way to have a flawed consultation process manipulated by one or more interests is to fail to have an agreed problem statement to address. The topic to address should be agreed by all stakeholders rather than some of the parties. In this case government and industry have agreed that this is the focus question for the consultation.

How to create a safe and vibrant night time economy is indeed a question of interest if you have investment in entertainment or other services that rely on a large catchment of people over a 24 hour period. If government feels they have a responsibility to support this private economy or to find ways to keep their museums, libraries and other government services open I can support this. However, please can we focus in on this as the issue and then be clear to the public of the potential economic, social and environmental impacts, mitigation measures and agreed trade offs that might be required to make this happen.

The more relevant question for now might be how to get diversity of activities open until midnight. Once we get that problem solved we can start to focus on the hours between 1.00am and 6.00am as these seem to be the hours that are of most concern for government. For residents we would love to see Council take the lead and a good start might be (for example) keeping the Kings Cross library open until midnight.

Residents and members of the general community presented (as they have been) with the problem of trying to improve the economics and vibrancy of the city (in a safe way) between the hours of 6pm - 6am (times defined by the recent roundtable) will come up with certain solutions. The group as part of the Citizen Jury did in fact come up with similar solutions to those prepared by the City of Sydney bureaucrats. As the 2011 Residents Association representative on the current Roundtable I can see that this is heading in the same direction. If we ask the same question again and again we will likely be all heading in a direction. If we asked members of the community, for example "what social and environmental costs they were prepared to risk or sacrifice in the interest of maintaining a night time economy" I suggest that we might get very different responses.

Just a day from the round table I am sent an email saying "Yesterday's meeting confirmed to me that there is a strong consensus amongst participants in finding ways to improve the vibrancy of Sydney's night-time economy without compromising public safety". So the cycle continues with this being presented as the problem that the government is asking the roundtable to input into. The task was set with little chance for debate – the consensus was acceptance that this is the problem that the government is wanting to address.

The economic experience of living in Kings Cross

The experience of living in Kings Cross from the very narrow economic perspective has changed for the positive over the last 20 years – in 1996 we only had one IGA and now we have 3 wonderful supermarkets that are open late, one gymnasium has increased to at least four, two butchers and a fish shop have arrived, there are many more coffee shops, more restaurants and more bars than when I first moved in.

I am not sure who is gaining through the current propaganda of Kings Cross being economically dead but from an insider's perspective and as one of the many contributing on a daily basis to its economy I am noticing a greater range of services opening. I am a regular late night visitor to the local chemist, supermarket or 7/11 and enjoy eating and drinking in bars and restaurants. Trends mean that the location of these changes from time to time but the duration of their opening and the access to these services is market driven and much the same as it was in 1996.

I do not regret my choice to live here but if I had been looking to make the same level of investment (relative to my total wealth) in 2010 rather than 1996 I think I would have thought twice.

When I purchased I was careful to visit the area at different times of the day. The area in 2010 would have presented a different picture.

The Saturday midnight experience in 1996 involved saying good night to a group of street people propped up against the money exchange in Springfield Plaza and reminding them that I was 6 floors up, hear everything and asking them to please soften their voices. They listened to the plea with a response such as 'no worries luv', it made little difference but it was an enjoyable interchange between fellow occupants of the Cross.

The money exchange in Springfield Plaza faced the operating Westpac Bank (closed at night) to the south, Hungry Jacks to the north and the Empire Hotel had an ice cream shop on the ground level. Beyond this there was the choice of about five bars to visit at this time.

The Saturday midnight experience of 2010 involved dodging people on the street to get to Springfield Plaza where I walked past portable urinals, drunk people trying to find their way to these and/or not bothering and instead urinating on the apartment buildings they imagine to be just an extension of the public space. Asking these people whether they urinate on their own front doors at home, I know from experience, renders abuse.

The Westpac bank by that time had been turned into a complex of three bars operated by the Keystone Group (The Sugarmill Hotel), Hungry Jacks has had a variety of uses over the years including as Elk Bar, there was a further approval for a bar in Springfield Mall between Harris Farm and Elk bar that thankfully never got a tenant, The Empire ground floor was a bar facing the street corner, the Commonwealth Bank on Darlinghurst road that is line of sight of my building became The Bank Hotel.

The Saturday midnight experience of 2016 is a pleasant one and certainly not quiet. There is plenty of people watching to be had. The crowd comes out earlier and is perhaps a little older - more reflective of the diversity of ages that were in the Cross in 1996. There is action but it feels less erratic.

The Westpac Bank still operates as the Sugarmill Hotel, The Elk Bar has gone, The Bank seems to operate on some nights, the Empire Hotel is still open.

The Social and Environmental experience of Kings Cross

King Cross for residents is a rich and diverse urban village where one regularly runs into and acknowledges neighbours. Residents care and preserve the area with all the qualities that make it an attractive destination while others come in and out and make an economic contribution and also add to the social diversity. While they are valued for other contributions there is no question that they assist to support the range of entertainment that we enjoy as residents.

In planning their trip, for most I would suggest safety, places to go during the day, access to services, heritage, restaurants and bars etc. feature higher than the question of which part of the city is going to give them access to wander from bar to bar for 24 hours?

In Tokyo as a resident you plan your entertainment around catching the last train. In New York if you are seeing a late show/ music my experience is that you need to be seated at a time for a session and that they finish ... in my experience before 3.00am. Recently there was a reaction to the lateness of the Madonna concert which is reflected in the expectation of anyone who has paid to see a show. I challenge most people to reflect on the last time they bought a ticket for a show that was scheduled to commence after 1.30am.

What is a sustainable future for Sydney

As a professional planner I suggest that it is one that balances the interests of a range of publics alongside the interests of other stakeholders including business and government. Sustainability does not put economic interest at its centre.

We have heard from the squeaky wheels who have said that they have a social interest in the right to party at any time. We have heard from City of Sydney who over the years have approved licensed premises (large and small) and have been attached to various narrow interest groups - currently the music industry, just one industry sector I would suggest. The Department of Justice is making their interest clear in the steering of the current roundtable discussion through the use of the same economic question.

We are failing to make it clear to the broader public the social, environment and economic trade offs that will be involved in reversing the decision in relation to the current lockouts. We need to tell them how this is to be reflected in taxes through the increased need for health, police, ambulance and social services or how this might this jeopardise their access to services that are to be diverted to night time revellers. This is an economic and service level issue that not only affects residents of the city and Kings Cross but all the people of NSW.

A publicly sustainable decision is one that we will look back on and accept and support as being not necessarily popular but nevertheless the right decision. There are a range of laws we are required to adhere to in the interest of public safety regardless of our own personal view. Seat belt wearing, smoking restrictions, helmets wearing are some of those laws that have been introduced with controversy about individual rights. We do not review these laws and in fact I hear few questions about these laws – we accept that it is in the greater public interest to remove the right for people to choose to be a burden on the public health system.

The 'Lockout laws' were introduced in public interest, they have had positive results.

The Lockout Laws represented by 1.30am lock outs and 3.00am last drinks should remain in place.

Yours sincerely

Margaret Harvie