

Jo Holder

2 April 2016

Liquor Law Review
Hon. Ian Callinan AC
GPO Box 7060
Sydney NSW 2001
liquorlawreview@justice.nsw.gov.au
By post and email.

Dear Mr Callinan

INDEPENDENT REVIEW OF THE IMPACT OF LIQUOR LAW REFORMS

Thank you for the opportunity to provide a submission to the Independent Review of the Impact of Liquor Law Reforms (NSW).

I am a resident of 24 years standing living in a 5-storey block of flats in a street 10 metres off Darlinghurst Road, Darlinghurst. I also run a contemporary art gallery in Llanckelly Place, off Darlinghurst Road, Kings Cross. Darlinghurst Road is the “high street” of Kings Cross / Darlinghurst, one of the densest residential areas in Australia.

Both addresses are part of the Kings Cross Plan of Management.

From my perspective, yes, the measures are an immediate success for safety and sanity and a boost for small business and business diversity.

The Premier’s discreet restrictions to reduce trading hours (by 2 hours) have been so stunningly successful that it is easy to forget what it was like here in the 2 years ago before these measures.

From 2007 resident groups have consistently spoken out about the impact of alcohol de-regulation — at state and local government levels.

In 2007 Clover Moore's City of Sydney Council implemented its Late-Night Trading Development Control Plan. This designated 3 “entertainment precincts” (KX, CBD and Oxford Streets). There was an explosion of licensed venues in the Kings Cross Local Area Police Command (estimated at 300 venues and 19 bottle shops trading after midnight by 2013). This cumulative impact degraded public safety and amenity.

Internationally most CBDs restrict alcohol consumption and trading hours at 2pm. Far from being a “global city”, Sydney was an international disgrace due to binge drinking, night-time violence and general bedlam, particularly at weekends. The visitors were overwhelmingly from the 17 to 24-year old demographic. (Source: SCS survey, Urbis.)

Venues bused in intoxicated patrons when other council areas closed. It was not safe to walk around the main streets after midnight. After midnight the area was “body locked”. We also had the Riot Squad in attendance on weekends. Public bus services could not access the Kings Cross bus stop in Bayswater Road and were re-routed (down Kings Cross Road). Each morning would begin by removing alcohol bottles and cleaning urine and excrement from the front door step. Daytime businesses closed as rents were hiked up.

Binge drinking had a tragic social and health impact on young people. Those of us who live and work in Kings Cross know the trauma of preventable deaths. Residents have maintained a tribute to the Kelly and Christie families in Victoria St Kings Cross. (Near the railway entry.) I can only imagine the horror faced by police and health workers – especially those who work in our wonderful St Vincents Hospital Emergency Department (serving KX and the CBD). They are heroes.

A remarkable ABC documentary 'Dead Drunk' followed four groups of partygoers on a night out in Kings Cross across 12 hours on a Saturday night in April 2014. #DeadDrunk aired on 1 April 2015 put it plainly, “why on earth would anyone want to go to Kings Cross?”

It took preventable tragedy, the murder of 18-year-old Thomas Kelly and then Daniel Christie, to shame Sydney into a proper debate about the reality of Kings Cross and the CBD.

The Newcastle Local Area Command saw a reduction of 30% in alcohol related assaults. Safer conditions have seen an increase of nighttime activity in Newcastle.

In Manly LAC, a voluntary agreement to Restrict Entry to existing venues at 1.30am was a success. (Manly also banned sale of greasy take-away food after midnight.)

You will be well aware aware that the Bureau of Statistics (BOSCAR) found that the reforms were associated with an immediate and substantial reduction in assault in Kings Cross and perhaps ongoing reduction in assault in the Sydney CBD. (I understand the reductions to be about: KX by 40% and in Sydney’s CBD by 20%.)

There are ongoing problems at council level: ‘precinct creep’ into surrounding high-density and residential suburbs; failure to regulate On-Premises (“restaurants” that are really bars); the impact on ‘high streets’ linking LNT precincts are becoming LNT precincts (Crown, Victoria St, Darlinghurst Road Darlinghurst). There is an ongoing issue with a failure to monitor noise impacts and compliance under the so-called “trial” rewards system.

Since the new measures there are many positive impacts — on retail employment in existing business and on social and civic well being. Since 24 February 2014, new businesses have opened in just the KX proscribed area and are flourishing as people over 24 years of age return to the area. There is increased foot traffic.

The so-called late night venue closures are for for compliance failure (drugs and RSA failure) or were venues already on the market (eg Hugos Bar) prior to February 2014. The young backpackers they employ are easily re-employed in small bars.

I have observed that in my sector the creative industries is booming. (This is said to encompass advertising, architecture, art, crafts, design, fashion, film, music, performing arts, publishing, R&D, software, TV and radio. Some consider that the education industry is forming a part of creative industry. Others add in consultancies.)

Since 24 February 2014 there has been a marked increase in Creative Sector employment. William Street and on Oxford Street (101-111 and 113-115 William Street, Darlinghurst) have been transformed into a mix of commercial and subsidised spaces for cultural and creative enterprises. Currently there are no vacancies.

Consider this upsurge of activity and vitality in Sydney with the cost to local government and the state of underwriting the alcohol industry. It costs the State about \$3.6 billion on mopping up after alcohol — police, ambulance, hospital Emergency Departments, court cases, rehab, social work, lost employment from injury etc. Add in subsidies to transport as well as the ongoing harms of alcohol abuse (cancer, Fetal Alcohol Spectrum Disorders (FASD) and domestic violence figures). And this is a massive public subsidy.

The freeze on new liquor licenses and approvals for existing licenses across the Sydney CBD Entertainment Precinct and continuation of the existing freeze in the Kings Cross Precinct; plus a ban on takeaway alcohol sales after 10pm across NSW simply aligned NSW to world standards.

I would urge you to retain these measures — especially the 10 pm closure of regional takeaway alcohol. It is well-worth considering an extension of the measures to cover all of NSW including Casinos and a Moratorium on all additional extended alcohol service applications including council DAs and liquor license type applications.

Many thanks for your consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Jo Holder', with a long horizontal flourish extending to the right.

Jo Holder