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SUBMISSION
to
Hon. IDF Callinan AC QC

INDEPENDENT REVIEW NSW
LIQUOR ACT 2007
LIQUOR AMENDMENT ACT 2014

1.30 AM LOCKOUTS

&

3 AM CEASE SERVICE PROVISIONS

My name is Greg Turton and I am the General Manager of the World Bar. The World Bar is situated at 24 Bayswater Road, Kings Cross. I have been working in Kings Cross at The World Bar since October 2000. I was the Licensee for around 11 years and am still currently the GM. The World Bar is late trading venue with entertainment 7 days a week. The entertainment provided is (but not limited to) live music (bands and jazz), theatre, cabaret, stand up comedy, DJ's and producers as well as providing rehearsal and performance spaces for artists. The lockouts and licence conditions placed on Kings Cross have had a devastating impact on the arts, culture and vibrancy of the area.

Over the last few years the following conditions have been imposed on venues. Mostly without any industry consultation or consideration of impacts.

Special Licence Conditions that apply to the Kings Cross Precinct:

- **1.30 am lockout and 3 am last drinks requirement**
- **Round the clock incident registers**
- Crime scene preservation and notification of assaults to police
- A ban on high-risk drink promotions
- Removal of litter from outside premise
- Patron responsibility advice
- Hours of operation signage
- No take away liquor after 10 pm
- Promote late night transport options to patrons
- **Alcohol sales data**
- **RSA marshals during supervised period trading**
- **Approved managers for late night venues**
- **ID scanners**
- CCTV to be recorded for 24/7 and kept for 30 days
- RSA training requirements
- No glass after midnight in venues with a history of violence
- Exclusion of the wearing of Outlaw Motorcycle Gang colours or insignia
- **Ban on certain drinks during late trading**
- **Per-person drink sale limits during late trading**

Conditions in bold have been commented on below

1.30 a m lockouts and 3 a m cease service

There is no evidence that lockouts work against alcohol related violence. It makes politicians sound tough on alcohol related violence. In early 2013 after Daniel Christies death Barry O Farrell (the then premier) was backed into a corner by a merciless media campaign. He came out swinging and announced that he was tough on violence and announced the 1.30 am lockouts saying it worked in Newcastle. There is no evidence to say that the 1.30 lockouts worked in Newcastle (or Melbourne where it was overturned after an independent audit) but it sounds good. The media, the opposition, the voting public stopped pushing against O'Farrell to do something because he was bringing in the lockouts. This was, I feel the biggest mistake. This should have been the time for some real solutions, not just lip service. Lockouts don't stop people punching each other. Both of the tragic deaths of Daniel Christie and Thomas Kelly happened hours before lockout. They happened in the early evening in the public domain.

Implementing the lockouts on certain areas has very obviously displaced patrons. From the City of Sydney's own survey numbers foot traffic in Kings Cross is down 80%. Kings Cross has historically been a late night destination where places were open 24 hours. When the KX plan of management was launched in 2012 drink service was wound back to 4 am and saw decline in assaults in the area. KX was still marketable as a late night destination but as soon as the lockouts came in it took away the appeal of the area. People simply stopped coming. Why would they? And as the venues started closing one by one, there was even less reason to come. Other businesses in the area closed and soon it was a ghost town. Property developers start snapping up property and building residential towers. The lockouts have been very good for property developers in Kings Cross.

So where have the people gone? Newtown is at breaking point with the local LGBTQI community constantly harassed by the influx of revelers. KX police are sent to Double Bay to help out with the inflated numbers down there and the Casino (Pymont) has seen a sharp increase in the number of assaults (as well as an increase in its share price). How the casino is exempt from laws that are meant to keep people safe is mind-boggling. It has more assaults than all the KX venues put together.

The lockouts simply displace patrons to areas outside the lockouts. They do not stop people punching each other. Even if the lockouts were across the whole country how do they stop people punching each other? It makes no sense.

Lockouts

Do - Displace people to areas outside the lockout. Areas outside the lockout have seen huge increase in patron numbers whereas the ones inside have seen a huge decline.

Do - Reduce the economic viability of a business inside the lockout zone. Our business has seen a 25% decline in turnover in the 2 years since the lockouts. Due to this we have seen a 25% drop in money spent on wages (unemployment), 17% drop in money spent on entertainment (less live music etc), 30% drop on money spent on security (unemployment), 30% drop in money spent on waste collection yet a 27% increase in insurance premium payments.

The drop in revenue is mainly from the door charge which stops at 1.30 am instead of 3 am. The door charge is how businesses pay for their entertainment. With the reduction in this revenue we have had to reduce the number of bands and entertainment we put on each night. Two years ago we would have 6 bands playing on a Friday night now it's just 2. This is the story we hear across Sydney. With more and more venues closing there are fewer venues for artists to practice and get heard. The effect of the lockout on arts and culture is catastrophic. It has decimated the scene. People don't want to be forced to the casino. It's a cultural wasteland designed only to empty your pockets'

Do - impact on surrounding community. This drop in turnover of primary business has a knock effect of the other business in the area too. At last count there were 35 For Lease signs out.

Do - Astonish people from interstate and overseas that a global city would have a curfew. The amount of international travelers that ridicule the lockout is embarrassing.

Do - Force people onto the street if they miss the lockout. This causes issues when transport options are closed or not enough taxi's available.

Do - Separate people from their friends who will wait on the street or leave a venue early to stay with friends.

Lockouts

Don't - Stop people punching each other

Incident registers

These are a valuable resource for any venue. One issue is why the venue and the security company have to have duplicates of each. It would make sense to have one copy not waste time at the end of the night copying one into the other. Needless double handling. Annual cost to copy 2nd register \$8300

Alcohol sales data

This has been done for 2 years now with no explanation as to why. Surely whoever has the data has enough now. It is a timely and costly exercise for venues to do. Annual cost \$3000

RSA marshals – For venues with security this was already covered by them and the managers. For smaller venues this was an unnecessary cost. Additional cost per year to our business is \$26,000 P/A

Approved managers

This is an unnecessary expense and obstacle for recruitment. When hiring a manager for a venue in KX the new recruit must go through police checks and OLGR checks. This takes up to 6 weeks and costs over \$400. It is a major roadblock to get people to work in the area.

ID Scanners

We as a venue voluntarily used ID scanners before they were made compulsory. We believe they do act as a deterrent although some improvements should be made. We as a venue should be able to use them for Section 77 bans. They are currently operating at minimal capacity as we as a venue cannot ban problem patrons. For the amount of people that are processed through the scanners each year compared to the number of police bans, it is tiny. We are currently trialing facial recognition cameras, which we believe will be very useful. Also we need to get rid of the expired I.d. not being accepted. It makes no sense. It is clearly the person yet because the i.d expired last week they can't get in. This is another embarrassing aspect of the laws. Even though operating the I.d scanners costs us well in excess of \$100,000 a year they are still preferable to the lockouts.

Ban on certain drinks after midnight

No glassware after midnight

No spirits without a mixer i.e. no single malt scotch

No more than 4 drinks after 12 and 2 after 2 am

No cocktails after 12

No more than 5% ABV mixed drink

All of these rules treat people over the age of 18 like school kids and take away their civil liberties and choices. They are saying that you cannot be trusted. The people that these rules impact on and annoy

the most are adults in there mid twenties and older who may enjoy a cocktail or malt whiskey. Why would they come to an area that treats them like a criminal or child? This is no more apparent than in the closure of Hugo's. What this does is leaves the area undiluted with people who don't care about drinking beer out of plastic and it actually makes the area worse.

Below is a table of the additional costs to the business to comply with the lock out conditions. Bearing in mind that the turnover of the business declined by 25% at the same time.

ID Scanners (hardware) 3 scanners x \$3500 each	\$10,500.00
ID Scanners (ongoing; software & maintenance etc..) \$850 per month	\$10,200.00
ID Scanners (operating costs) 4.5 hrs x 7 days x 52 weeks x \$40 p/h x 2 operators average	\$131,040.00
RSA Marshals 4 hrs x 2 days x 52 weeks x \$30 p/h x 2 marshals average	\$24,960.00
CCTV Upgrades	\$15,000.00
License Fee (minimum)	\$5,500.00
Increase in public liability insurance due to being a "high risk" venue in Kings Cross	\$22,000.00
Alcohol sales data reporting	\$3,000.00
High risk venue manager approval costs	\$2,700.00
Total extra annual costs since the implementation of the new laws	\$224,900.00

Real Solutions

High Visibility Policing - Proactive policing instead of reactionary policing.

If the amount of time spent on checking signage and petty legislative items was spent interacting on the street there would a lot fewer issues. Police need to be encouraged to hold the individuals responsible for their actions not just move them on. The KX liquor accord has on two occasions applied for user pay police in Kings Cross. Both times it was refused. Why?

Better Transport Options - Kings Cross has never had the infrastructure it needs to manage the number of people. Any area with high volumes of people needs to be treated as an event site. If people

can get home quickly and safely there is less likely cause for trouble. When people get locked out of a venue and area and can't get home they get upset and mad.

Secured Taxi ranks (which we now have even though there is no one to use them)

Trains that run around the clock. Take a leaf out of Melbourne's book and put the trains on.

Education - Australia does have issues with violence and alcohol as well as drugs. There needs to be a cultural shift in our relationships with all 3 of these. An educational campaign rolled out through schools is vital. They don't have to be tackled together as they are separate issues but often entangle each other. The Step Back Think campaign in Victoria is a great example of this.

Personal Responsibility - If someone does the wrong thing then hold him or her responsible.

Night Major – So many other countries around the world understand that for a city to be truly alive it needs a vibrant nighttime economy. Sydney shouldn't rest on its laurels because of the harbour and beaches. It has so much more to offer and people don't want to be tucked up in bed by 10 pm.

In conclusion, the lockdown is a blunt tool that has no impact on the reduction of assaults. Using a one size fits all policy has decimated the nighttime economy with arts and music in particular being the number one victim. It takes away peoples rights and civil liberties. The other thing we have learnt is that people do not want to be forced to the casino. Either of them.