



2011 Residents' Association Inc.

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Submission to Sydney Council's consultation regarding late-night trading in Sydney

The 2011 Residents' Association, Inc. represents residents of the 2011 postcode which includes Kings Cross, Potts Point, Elizabeth Bay, Rushcutters Bay, and Woolloomooloo. We support residents by working with all levels of government to improve amenity and safety.

We are writing in response to yet another survey to gain input about the rules that control trading hours and areas for businesses opening at night in the city and also other targeted suburbs including the 2011 postcode.

This push for a night-time economy that is purported to be 'critical to our city's future' is reported to generate more than \$3.6 million in revenue. Let me remind you that the negative impact of excessive alcohol consumption costs the state of NSW is in excess of this figure, yet it does not attract the same degree of attention from Council or the NSW government.

The requests to review the legislation surrounding alcohol consumption from council and government have been seemingly endless since the lockout laws were introduced. Despite the independent and expensive Callinan report released in 2016, those associated with the alcohol industry have been relentless in their push for loosening of the lockout laws and a return to longer trading hours. They have used the music industry in particular as a vehicle for gaining support -- despite the lack of tangible and valid data to show that the reduction in trading hours and associated factors have impacted the music industry.

There are some 21,196 residents in the 2011 postcode area (*ABS, 2016 Census*) who will have varying experiences with late-night and daytime venues. Needless to say the majority of these people are professionals and blue-collar workers with jobs in the city or surrounding suburbs. The Census data shows they work daytime hours and are either saving to buy a place or are paying off a mortgage. The majority need 7-8 hours' sleep at night to function effectively. Another key consideration in planning for this area is the fact that many apartments are old style and were built in the late 1930s and therefore have limited sound proofing. Many of those built later also have the same issues. A high percentage of apartments do not have double-glazed windows and the attendant air conditioning -- noise is an issue.

Residents have a number of points to make about the push to expand the 'night-time' economy:

Residents of the 2011 postcode area want to see the preservation of the laws that were instituted to better manage and control the sale and service of alcohol by owners of bars, pubs, and clubs not only in Kings Cross but also more broadly across NSW. It is our lived experience that licensees must be compelled to act responsibly in order to keep their licences to sell/distribute alcohol.

We want see active planning for this area which means Council has oversight as to the number, type, and location of premises -- so that residents' amenity and safety is protected. It is essential to ensure that this area is never again subjected to the abuse that occurred as the result of having to live through the violence, noise, and pollution that occurred from 2006 to 2014.

An effective regulation of the nightclubs, bars and entertainment venues such that complaints are dealt with effectively and in a timely manner. Continued breaches of DAs and plans of management must have consequences to prevent licensees from gaming the system. Penalties for breaches must serve as a deterrent and must include the loss of the license in the case of egregious and/or repeated breaches.

We support the visual and performing arts and would like to see venues provided and festivals instituted that give people a genuine opportunity to display their talent and to find an audience. We ask that there be variety in such offerings -- and that this goes beyond a single DJ playing records at deafening volume to a select age demographic. Our postcode's population is diverse and therefore our entertainment venues ought to reflect this fact.

We demand that noise from venues -- whether that be the noise of loud music, patrons coming and going from venues, clean up, deliveries, and rubbish collections - - be subject to stringent controls. There needs to be an attitude of working with residents rather than a sense of entitlement to run an establishment and create noise and disturbance regardless of the impact. It is a fact that the drunker people are, the noisier they are, that is, until they are unconscious. There is also no such thing as a quiet garbage truck and the noise of those vehicles along with that of glass bottles being flung into garbage bins after midnight by restaurant staff are ongoing issues for residents of this postcode.

Finally, we ask that you work with us and engage in a process of consultation with us at each stage of the review of the rules. We live in the area and we know it intimately. We have a strong interest in maintaining the diversity and community spirit that is embodied in the 2011 postcode. We want to preserve the *genus loci* of this area.

Yours sincerely,

Helen Crossing
Convenor
2011 Residents' Association, Inc.