

Government response to the recommendations of the Citizens' Policy Jury on a Vibrant and Safe Sydney Nightlife

The NSW Government welcomes the final report of the Citizens' Policy Jury on a Vibrant and Safe Sydney Nightlife.

The NSW Government is working with the City of Sydney Council to ensure that Sydney remains one of the world's safest and most loved cities, attracting visitors from all over Australia and the world. Together with the City of Sydney, we have developed a Sydney CBD Entertainment Precinct Plan of Management, which aims to reduce the incidence of alcohol-related violence and anti-social behaviour in the Sydney CBD. The Plan outlines a series of measures that, when implemented, will complement the range of measures already underway that to ensure Sydney is a safe, vibrant place to go out.

The NSW Government is pleased to receive the Jury's endorsement of the current high visibility policing strategy in the Sydney CBD region. The Central Metro Region has already conducted Operations Rushmore, Compello and Unite in the CBD and Kings Cross precincts since the new lock-out arrangements came into effect. Where appropriate, Police have been and will continue to work in pairs in an effort to effectively patrol licensed premises and the precinct area. Police work closely with the City of Sydney Council, including its CCTV operators, to try to prevent violent offences from occurring, and to identify offenders who may be involved in violent or anti-social behaviour.

The NSW Government agrees that transport is a vital part of a functioning night time precinct and access to information about transport availability is critical. A key part of the new Plan of Management is better promotion of late night transport information. The NSW Government has also announced we will extend pre-pay taxi fares to all secure ranks in the city. The Government will continue to monitor transport customer numbers when planning transport services.

A safe and vibrant Sydney nightlife relies on community awareness about the risks of alcohol use and abuse. The Government will soon launch an advertising campaign targeting alcohol abuse and violence, to be supported by a comprehensive evaluation campaign to ensure that messages about responsible drinking behaviour are getting through. The Government also supports in principle increasing the prominence of health messaging on alcohol packaging, noting that Food Ministers are currently considering this issue at a cross-jurisdictional level.

On the issue of drug and alcohol education programs, the NSW Government recognises that teachers are best placed to deliver drug education, as they know their students, their families and the curriculum. Drug education is included in the delivery of mandatory Personal Development, Health and Physical Education (PDHPE) syllabuses from Kindergarten to Year 12. Teachers and school leaders are supported by teams of curriculum experts in all key learning areas who provide advice to schools to implement curriculum, including drug education.

The Government's comprehensive package of measures, including the 1.30am "lock out" and 3am last drinks, will be comprehensively evaluated two years after their implementation. This will ensure sufficient time for the measures to take effect, and for a sufficiently rigorous evaluation to take place.

The Government's response to the Jury's specific recommendations is outlined below.

Diversity

Recommendation 1: The Jury supports the City of Sydney Council night time city unit to oversee the implementation of varied night-time entertainment options that are suitable for a range of age groups and cultures.

This unit will streamline and assist organisers to provide night-time events such as

- **art installations / exhibitions**
- **food markets**
- **'pop ups' e.g. retail, food, music**
- **night time libraries**
- **utilisation of shop fronts for out of hours events e.g. markets, buskers**
- **incentives to encourage innovation.**

Supported in principle.

The City of Sydney Council has specialist staff who work in Events, Business Precincts, Culture and Creativity who are responsible for delivering this. The City's Night Time unit coordinates this work. Destination NSW is the lead government agency for the NSW tourism and major events sectors. Its role is to market Sydney and NSW as one of the world's premier tourism and major events destinations.

Recommendation 2: The Jury recommends the prioritisation of new public toilets, creative and functional lighting, better way-finding, improved pedestrian experience and street art.

Supported in principle.

Recommendation 3: The Jury recommends the City of Sydney commit budget to support night time innovation and diversity.

Supported in principle.

Recommendation 4: The Jury recommends the NSW Government collaborate with the City of Sydney and provide financial and regulatory support for night time activities: small and major.

Supported in principle.

Any proposals will be considered individually and assessed on merit.

Recommendation 5: The Jury supports the Department of Planning and Infrastructure streamlining approval processes and reducing red tape in the assessment and development approvals for events, festivals etc.

To further strengthen and fasten the approval process and encourage diverse events, in the evening, the Jury recommends that the NSW Government establish a 'Night time events co-ordinator' department specifically aimed at encouraging and rewarding existing outlets to extend their trading hours and inviting more diverse night time vendors/ buskers/ entertainers to Sydney streets at night.

Supported.

A range of activities and minor developments associated with events benefit from streamlined approval processes under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

The Department of Planning and Environment does not have a role in events coordination. As outlined above, the City of Sydney has specialist staff that coordinate night-time events.

Recommendation 6: The Jury recommends the City of Sydney install more water refill stations/bubblers in the public domain to allow people to hydrate.

Supported in principle.

Transport

Recommendation 7: The Jury supports the recent increase and availability of Night-ride services, during the hours of midnight and 4am. The Jury further and unanimously recommends state government:

- **continue to run all Sydney inner city suburban bus services along their usual routes from 11pm to 5am in conjunction with more frequent night-ride buses for patrons needing to get home to the outer Sydney suburbs on Fri and Sat nights**
- **establish a further two night-ride bus collection points/ hubs in high density licensed areas of the entertainment precincts**
- **introduce new sprint (limited stops) services will run from new hubs to get people home more quickly to population hubs outside of the LGA**
- **better promote the amendment to the Passenger Transport Act to encourage private operators to run shuttle services from late night hubs**
- **establish taxi ranks/ mini bus/ shuttle services/connecting transport hubs for patrons when they get off the night ride bus in the outer city suburbs, to take them home to their door safely.**

Noted.

There are about 400 train and bus services which leave the Sydney CBD between midnight and 5am on Friday and Saturday nights for customers to get home.

This Government has introduced more than 100 extra all-night bus services each week and introduced two new routes to Carlingford and Richmond in Sydney's west.

Under "Sydney's Bus Future", the NSW Government is redesigning bus services to meet current and future customer needs. For the first time, all bus services, including NightRide services, will be planned in an integrated way as part of the integrated transport network. Service improvements will be considered as part of this planning process.

Transport for NSW would be happy to consider applications from commercial bus operators who are seeking to run shuttle services from late night hubs.

The CBD Plan of Management includes the extension of pre-paid fares to all secure taxi ranks in the CBD, to be available for all taxi fares after 9pm.

The establishment of taxi zones in outer suburbs is usually managed by councils as the local road authority.

Recommendation 8: The Jury recommends the NSW Government research patron numbers between midnight and 5am and investigate the opportunity to increase late night trains i.e. train services to start one hour earlier than they currently do.

Noted.

Service improvements to overnight public transport services are considered in an integrated manner as part of the service planning process. This process considers a range of factors, including a review of existing services, current and forecast demand, strategic directions and safety.

Recommendation 9: The Jury recommends the NSW Government increase coverage of night time bus services to meet demand during the week in active night time areas e.g. theatres.

Noted.

Under “Sydney’s Bus Future”, the NSW Government is redesigning bus services to meet current and future customer needs. For the first time, all bus services, including NightRide services, will be planned in an integrated way as part of the integrated transport network. Service improvements will be considered as part of this planning process.

Recommendation 10: The Jury recommends additional services (bus and train) should be partly funded through the revenue from licensed premises’ Risk Based Licensing fee and/or find other sources of revenue to fund these services.

Not supported.

In February 2014, the NSW Government announced the introduction of risk based, periodic licensing fees for liquor licences from the 2014-2015 financial year. These licence fees will be applied to liquor licences across the state on an annual basis. The revenue generated by this scheme will therefore be drawn from across the state and it would be inequitable to apply these funds to Sydney measures only. The revenue will be used, in the first instance, to partially fund the Office of Liquor, Gaming and Racing and meet the costs of regulating the liquor industry. The Government has already agreed that a portion of the revenue will be used to fund specific measures associated with the Sydney CBD Entertainment Precinct.

The scheme is to be reviewed 3 years after commencement and the Government will reconsider allocation of funds generated from the periodic licensing scheme at that time.

Recommendation 11: The Jury recommends the NSW Government make information about availability of all services clearly visible throughout the transport system and on mobile devices, including extra well trained transport marshals at the hubs to provide information about transport services.

Supported in part.

The Sydney CBD Entertainment Precinct Plan of Management will include more late night transport information. Extra transport marshals are not supported at this time. Transport for NSW already offers a number of real time apps with public transport information for customers in partnership with app developers.

Recommendation 12: The Jury recommends implementation of the RMIT (Melbourne University) transport app 'UrNav' for Sydney.

Supported in principle. Transport for NSW currently shares data with developers of real time transport apps.

Police and Safety

Recommendation 13: The Jury endorses the direction of NSW Police to increase visibility and coverage in the night time precincts and surrounding areas by:

- **encouraging patrolling in pairs or threes, when appropriate**
- **establishing pop-up Police shop fronts (booths, stands, caravans etc.) in high risk areas.**

Supported in principle.

Police will continue to conduct operations and utilise high visibility policing in the CBD Precinct.

The Central Metro Region has already conducted Operation Rushmore, Compello and Unite in the CBD & Kings Cross Precincts since the 1.30am lock out and 3am last drinks legislation came into effect. These types of operations will continue to be conducted in addition to normal taskings by local Police. Where appropriate, Police have been and will continue to work in pairs in an effort to effectively patrol licensed premises and the precinct area.

Police in the CBD Precinct will continue to utilise Mobile Command Buses in hotspot areas and during late night peak times.

Recommendation 14: The Jury supports the current City of Sydney Precinct ambassadors program and recommends an extension to a year round service.

Supported in principle.

Recommendation 15: The Jury acknowledges the City of Sydney and NSW Government efforts in the use of CCTV to prevent and detect crime and recommend that they continue to increase CCTV cameras and staff monitoring of cameras based on NSW Police recommendations and community needs.

Supported.

NSW Police currently work with the City of Sydney, which is responsible for monitoring CCTV footage as part of the CCTV Street Safety Program. During operations conducted in the CBD precinct, Police liaise with the City of Sydney CCTV operators in an effort to prevent violent offences occurring and to identify offenders who may be involved in criminal or anti-social behaviour.

Recommendation 16: The Jury recommends that the City of Sydney and other agencies install new signage to increase awareness of CCTV cameras.

Supported.

The CBD Precinct Plan of Management will include new CCTV signage.

Education and media

Recommendation 17: The Jury endorses the planned NSW Government multi-million dollar community awareness campaign to address the culture of binge drinking and the associated drug and alcohol-fuelled violence. The Jury recommends that the campaign will be actively promoted:

- throughout all licensed venues, take away liquor outlets,
- through all social media, television, newspapers, magazines, radio, billboards, drink coasters
- at sporting events and be a statewide initiative.

The Jury recommends that campaign also address the damaging effects, both short and long term, alcohol abuse can have on a person's health. The Jury recommends that the campaign be rolled out as a high profile campaign for an initial 12 months, then it be ongoing, regularly evaluated for effectiveness. The funding for this ongoing campaign should be a dedicated high priority annual budget item.

Supported.

A NSW Government advertising campaign is currently under development. Once implemented, the campaign will also be comprehensively evaluated.

Recommendation 18: The Jury recommends an increase the prominence of health messaging on alcohol packaging to raise awareness of health risks of alcohol consumption.

Supported in Principle.

Food Ministers from all jurisdictions considered the issue of warning messages on alcoholic products as part of their response to recommendations arising from the independent review of food labelling law and policy conducted in 2011 (Labelling Logic).

With regard to placing generic warning messages on alcohol labels, Food Ministers acknowledged recent industry initiatives to implement voluntary labelling schemes and have sought the advice of the Standing Council on Health on the efficacy of generic alcohol warnings in relation to a comprehensive national campaign on the public health problems of alcohol. This work is still on-going.

With regard to placing pregnancy warning messages on packaged alcoholic products, Food Ministers will consider an evaluation of voluntary pregnancy warning labelling on packaged alcoholic product in June 2014. This will include a detailed cost benefit analysis.

Following consideration of the evaluation report, all Food Ministers will then determine an appropriate course of action for pregnancy warning labelling on packaged alcoholic products across Australia.

Recommendation 19: The Jury recommends the full restoration of funding to the NSW Education Department Drug and Alcohol Unit to improve and mandate drug and alcohol education programs across all NSW primary and secondary schools. The program will include:

- external experts to educate students on the harmful effects of drugs and alcohol
- helping students to develop life skills and resilience (based on the World Health Organisation recommendations) to reduce the propensity to abuse alcohol and drugs.

The Jury recommends that the NSW Mental Health Drug and Alcohol Unit should collaborate with NSW Education to develop this program.

Not supported.

Drug education is included in the delivery of mandatory Personal Development, Health and Physical Education (PDHPE) syllabuses from Kindergarten to Year 10. There are a wide variety of school-based alcohol education programs offered within government and non-government schools for students in years 11 and 12, including the mandatory government school course *Crossroads: A personal development and health education course*, which includes drug and alcohol education. Teachers are best placed to deliver drug education. They know their students, their families and the curriculum. They understand student learning and social and emotional needs.

Research indicates that the use of external experts, including former drug addicts, is ineffective in educating students about the harmful effects of drugs. When delivered in isolation, there is no evidence to suggest the effectiveness of short-term or one-off drug education programs.

Recommendation 20: The Jury recommends the NSW Government advocate to the Federal Government to remove alcohol advertising on TV networks, cable and radio prior to 10pm to reduce exposure to young people and a prominent health message be inserted at the end of any alcohol advertisement.

Noted.

Alcohol advertising is primarily a Commonwealth responsibility and is best supported by a nationally agreed approach with industry. The impact on alcohol businesses and organisations that receive sponsorship from the alcohol industry would also need to be considered.

Lockouts and Licensing

Recommendation 21: The Jury supports the independent statutory review of the effectiveness of the lock out and trading controls in terms of the social, economic, health and crime impacts and recommends that it be conducted in 12 months rather than the proposed 24 months. The outcomes of this review are to be made publicly available.

Noted.

The NSW Government will continue to monitor the implementation of various measures it introduced from February 2014 to address drug and alcohol fuelled violence on our streets, including the introduction of a 1:30am “lock-out” and 3am “cease of service” restriction applying to venues located within the Sydney CBD Entertainment and Kings Cross Precincts. These measures are being monitored on an ongoing basis to determine if changes are required.

Recommendation 22: The Jury recommends that exemptions be available for venues to the "lock-out" and other trading restrictions, based on good behaviour, no incidents, and proven lower risk to public safety. This makes it financially favourable for the venue to police itself.

Not supported.

In February 2014 NSW Government announced the introduction of a 1:30am “lock-out” and 3am “cease of service” restriction applying to venues located within the Sydney CBD Entertainment and Kings Cross Precincts. As part of those amendments to the Liquor Act, the Secretary of NSW Trade & Investment was given the power to consider and approve applications for exemption from the requirement, where the licensee is able to establish that:

- a) *the exemption is unlikely to result in an increase in the level of alcohol-related violence or anti-social behaviour or other alcohol-related harm in the Sydney CBD Entertainment precinct; and*
- b) *measures other than the specified condition to which the exemption relates are in place on the CBD subject premises and that such measures will be effective in reducing the risk of alcohol-related violence or anti-social behaviour on or about the subject premises.*
(Clause 53ZA(2), Liquor Regulation 2008)

It is acknowledged that the availability of exemptions may be beneficial to the night time economy. However these requirements purposefully set a high bar which must be met so that the Government’s policy objective in introducing the requirements is not undermined.

Exemption applications are accepted by the Office of Liquor, Gaming and Racing on behalf of the Secretary.

Recommendation 23: The Jury supports the NSW Government increasing the number of Office of Liquor, Gaming and Racing (OLGR) inspectors to enforce RSA regulations in high-risk licensed premises in Sydney on Friday and Saturday nights and recommends that enforcement continues.

Supported.

Recommendation 24: The Jury supports the introduction of an annual periodic risk based licensing fee for licensed premises and recommends that NSW Government follow best practice from ACT and Victorian models for risk based licensing fees, as outlined in NAAPA’s submission to the review of the NSW Liquor Act.

Supported.

A risk based periodic licensing scheme will be introduced from July 2014.

Recommendation 25: The Jury recommends that revenue raised from the risk based licensing fee should be used to contribute to funding the recommendations requiring funding outlined in this report.

Not supported.

See response to Recommendation 10.