

Attachment C

**Summary of Submissions
Global Research April 2019**



Global Research
Turning **Information** Into **Insight**

Sydney Late-Night Trading: draft planning controls

ANALYSIS OF SUBMISSIONS

16 April 2019

Report prepared by Global Research Ltd

For



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Executive Summary

The proposed draft planning controls for late-night trading in the city of Sydney were placed on public exhibition from 27 November 2018 to 8 February 2019. The changes propose to amend the Late Night Trading Development Control Plan (the DCP) and extend trading areas, change trading hours and encourage more diverse trading to attract a wide range of people and create a more balanced and safe night-time economy.

Over 1,000 (1,070) submissions (1,000 online and 70 emailed/posted) were received. Most submissions were from individuals, however a number of residents' groups, business associations and venue operators and government agencies made submissions. A total of 901 submissions were received in support, 107 in objection and 62 were considered to be neutral.

The body of the report synthesises comments under four themes: those supportive of the changes; opposed to the changes; neutral to the changes, and those which include specific suggestions and amendments to the proposal or the process.

Summary of findings

- Overall, the majority of submitters were in favour of the proposed DCP changes with a ratio of around five in support to one in opposition. The key outcomes sought from the changes was night-time vibrancy and diversity in Sydney, and an enhanced arts and culture scene. People expected late-night trading would have many positive outcomes such as diverse food, drink, and activity options, as well as boosting the local economy.
- Much of the support for the proposed changes to the DCP was on the basis that Sydney's nightlife would be restored to its former status before the NSW Government's lockout laws were enacted. A common argument was Sydney's nightlife is currently non-existent, and a poor reflection of the vibrant and diverse nature of the city. Submitters expressed frustration at lockout laws preventing both a fun and vibrant nightlife.
- Those who opposed the changes were most commonly concerned for residents and the impacts extended trading hours would have on the quality of life of people living nearby. It was felt that changes could impact people's ability to live comfortably in the city – better enforcement of existing and new regulations was proposed as a solution. Submitters want to be ensured that a positive balance between a thriving nightlife and residents' safety and wellbeing will be managed.

Key findings

THEME 1: SUPPORT FOR LATE-NIGHT TRADING PLANNING CONTROLS

- Support for the proposal was typically based on the expectation that Sydney's nightlife would become more diverse and vibrant. Submitters sought a city nightlife that promotes art, music and culture and has diverse food, drink, retail and performance options.
- Submitters frequently used terms such as '24-hour city', 'global city', 'thriving night-time economy' to describe their desired outcome for central Sydney.
- Submitters want to be assured that a positive balance between promoting Sydney's culture, art and music will be matched by respect of local amenity and mitigation of potential harm to residents' wellbeing.
- Lockout laws were not viewed favourably. Many submitters were hopeful the proposal will reverse impacts of the lockout laws.
- A considerable number of people supported the proposals on the condition that complementary policies make Sydney's nightlife accessible. This includes integrating transport policy to ensure people have safe and accessible transport options.

THEME 2: OPPOSITION TO LATE-NIGHT TRADING PLANNING CONTROLS

- Opposition to the proposal was most frequently based on the perception that changes would cause negative consequences for residents.
- Nearly all submissions related to specific areas in Sydney. Submitters may not necessarily entirely oppose the changes but do not want to see late-night trading in areas that directly impact them or current residents in general.
- Submitters were particularly concerned about a select number of unfavorable outcomes: noise, antisocial behaviour, safety and traffic.
- Many submitters reported having trouble with existing noise levels and believed a relaxing in trading hours would only make things worse.
- Many believed later trading would result in increases in drunk and disorderly behaviour, drug-use, property damage and littering, ultimately leading to unsafe environments.
- There was skepticism that later trading would be effectively managed as it was believed that current venues and late-night trading in general are not well managed.
- Some believed residents' concerns have not been adequately considered, which is viewed as unjust as they are most affected by the proposal.

THEME 3: NEUTRAL SUGGESTIONS

- A substantial number of comments were neutral in nature, neither supporting nor opposing the changes outlined in the DCP. Comments were in some cases not relevant to the proposed changes, in other cases they presented neutral arguments.

THEME 4: COMMENTS ON THE DRAFT DCP

- Some submitters commented on specific aspects of the DCP, suggesting amendments, additions or exclusions.
- Category A, B or C venues were discussed by a sizeable number of these submitters. Comments typically addressed what should or shouldn't be considered high or low impact venues.
- A large proportion of submitters were critical of the process. Criticisms ranged from clarity of wording and imaging, to lack of opportunity to respond.
- Many submitters took the opportunity to thank the City of Sydney for the proposal and the opportunity to give feedback on it. Submitters valued the effort City of Sydney had shown by considering the general public's opinion.

Overview

Project background

Global Research was engaged to deliver a report synthesising and presenting analysis of all the submissions received to the proposed changes to the planning controls for late night trading in the City of Sydney.

The proposed changes to the Late-Night Trading Development Control Plan were placed on public exhibition from 27 November 2018 and until 8 February 2019. The public exhibition sought feedback from community and business on the proposals for new and extended late night trading precincts, changes to hours and more diverse trading in the city. The proposed changes are shown in the Draft Sydney Development Control Plan: Late-Night Trading 2018, October 2018. (This is referred to in this report as the plan, the DCP, or with reference to the 'proposed changes')

The proposed changes include new and extended late night trading areas and encourage more diverse late-night trading with performance, shops and businesses to attract a wide range of people and create a more balanced and safe night time economy. Five key changes are proposed to the late-night trading planning controls:

1. A 24-hour City Centre – extending the Late-Night Management Area along George Street across the City Centre and increasing the trading hours.
2. Increasing hours for low impact venues in Local Centres – aligning the controls with NSW Government licensing rules and allowing lower impact venues, including small bars, to trade until 2am if entry is to a main street and not onto a residential laneway or area.
3. New areas for new communities - identifying late night trading areas in suitable urban renewal precincts, including Barangaroo, Walsh Bay, Green Square Town Centre, Danks Street, East Village Shopping Centre, and an arts focussed industrial heritage warehouse area in Alexandria.
4. Extending existing areas - recognising venues in Chippendale, Redfern, Surry Hills and Lankelly Place, Potts Point, that have emerged since 2007 to expand precincts.
5. Encouraging performance, culture and unlicensed businesses:
 - Allowing unlicensed shops and business, such as bookshops, clothing stores, drycleaners and hairdressers to trade up to 24 hours in City Living or Late-Night Management Areas and up to 2am in Local Centres.
 - Describing dedicated performance venues, such as theatres, concert halls and cinemas with up to 250 patrons located in late night trading areas, as lower risk premises and allowing these venues an additional trading hour at closing time.
 - Allowing venues locate in late night trading areas that host performance one additional trading hour at closing time on the night that they provide the performance.

Other changes include providing guidance on appropriate trading hours for low impact venues outside of the precincts, consolidated Plan of Management requirements and earlier start times for morning service cafes, restaurants and other food and drink premises.

Methodology and data collection

Submissions were received from community members from 27 November 2018 until 8 February 2019 by way of online submissions, and responses received directly in email/letter formats.

- 1000 respondents made submissions online.
- 70 posted or emailed submissions were received from the community, business and stakeholder groups.

Analysis

Qualitative analysis of the free-text written responses was undertaken by Global Research analysts.

All comments were read and organised (coded) into themes and topics. A coding schedule used to organise all the information received and inform the structure and detail of the report was approved by CoS staff.

Comments were coded into groups that supported or opposed the proposed changes. In addition, neutral comments were coded together, as well as the comments on the process/plan itself. Most comments made multiple points and so were coded to multiple topics. Once coding was completed comments which made similar points on particular topics were synthesised and comprise the body of this report.

The analysis process was assisted by NVivo qualitative analysis software. To ensure consistency, coding was peer reviewed.

Report structure

This report commenced with an Executive Summary which presented a synthesis of opinions expressed in all submissions.

Following this section's overview, the report presents discussion under four themes:

- Theme 1: Support for late-night trading planning controls
- Theme 2: Opposition to late-night trading planning controls
- Theme 3: Neutral suggestions
- Theme 4: Comments on the draft DCP

Discussions are divided into key topics for each theme. The most frequently discussed topics are presented first within each section, through to the least frequently discussed topics. The number of comments made on each topic are noted in headings. (Note that this does not necessarily refer to the number of submitters, rather the number of comments within submissions, with some being made by the same submitter).

Submitters often referred to specific locations in their comments. While these comments are discussed in relevant locations throughout the report, a summary of all comments on specific locations can be found in the final section.

Throughout discussions of written comments, the number of points made on particular topics have been consistently represented by the amounts described below:

- A very large number = 150+ comments
- A large amount = 100 – 149 comments
- A sizeable number = 75 – 99 comments
- A substantial amount = 50 – 74 comments
- Considerable amount = 25 – 49 comments
- A moderate amount = 15 – 24 comments
- Several comments = 8 – 14 comments
- A small number = 4 – 7 comments
- A few = 3 comments
- A couple = 2 comments

The following descriptions were also used to describe the number of comments on particular topics within particular sections: *one quarter; one third; half; two thirds; three quarters; all of the comments.*

Direct quotes from respondents are presented throughout the report to illustrate particular points made. Quotes are italicised and indented from the margin. Some of these quotes have been lightly edited to increase readability.

Theme 1: Support for late-night trading planning controls

Section summary

- This section discusses submissions in support of the proposal. There are two key sections focused on key DCP changes, and favourable outcomes of the proposal. The final section covers other comments addressing a range of issues.
- This section addresses a significant number of submissions which generally support extended trading hours. A number of very general reasons were provided for support such as improving liveliness and vibrancy of the city, benefits for the local economy, and the contribution towards making Sydney a '24 hour' and 'global' city.
- Submitters also strongly supported art, culture, music and performance in the city. Many argued that Sydney used to have a stronger arts and music scene which now is considered relatively weak. Specific support for the Alexandria cultural precinct shows support for diverse and culture-rich nightlife.
- A considerable number of submitters approve the proposed controls on the condition that nightlife is accessible and balances other uses. Accessible nightlife includes integrating transport policy to ensure people have safe and accessible transport choices. It also includes balancing residential uses with a vibrant nightlife in mixed use areas, ensuring both can coexist harmoniously.
- Lockout laws implemented by the NSW Government in 2014 are not supported. Many submitters were hopeful the proposal will reverse impacts of the lockout laws which were perceived to have degraded Sydney's vibrant nightlife.

Key DCP changes

GENERAL SUPPORT

161 COMMENTS

A very large number of submitters expressed their support for the proposal in very general terms. The wording of comments ranged from individuals simply saying 'yes' to 'I support this proposal' and similar basic sentiments. Comments were typically not detailed and indicated full support for the planned changes to late-night trading hours. This was a typical comment:

I think this is a fantastic initiative and a step in the right direction that I hope will positively impact our community and city

In addition to the 161 comments in support, a very large number of submissions (370) appeared to follow a pre-formulated format. The submissions were all supportive of the proposal and read as follows:

I support the proposed changes to City of Sydney DCP. Let's support Sydney's nightlife!

24-HOUR TRADING

76 COMMENTS

Support for 24-hour trading was substantial. Submitters supported Sydney's city centre becoming a lively 24-hour city. Some submitters made comparisons to international cities such as London and New York (discussed further elsewhere in this report). It was also argued that Sydney needs to support 24-hour trading to keep up with the times and remain modern and vibrant. Submitters agreed 24-hour trading

would be positive for the economy, culture, arts and general vibrancy of the city. Some submissions specifically supported the 24-hour trading proposed in the plan changes.

I believe the proposals opening up the city to a 24-hour cycle will help to create an international vibe to the city and will help to cultivate the arts community and also build tourism. I fully support the development of the proposed plan.

The Committee for Sydney supported the creation of a “genuine 24-hour city” and suggested it should be a place where normal day-to-day activities such as shopping, visiting a museum, going to the gym or public library should become as normal at 10pm as at 10am. The Committee considers that this economic diversity will foster a more inclusive and safe night-time environment that will attract a mixture of people.

EXTENDED TRADING HOURS

95 COMMENTS

A sizeable number of submitters supported the proposed changes, particularly for extended trading hours. Comments typically stated the positive impact extended hours would have, explaining that the boost for business, and increase of diverse options for patrons would be effective. Submitters also commonly discussed their own experience with bars and nightlife, suggesting they would like more businesses to be open later.

Most of the comments were general in nature, with submitters stating support for extended trading hours, as proposed by the plan.

Thank you for the Council's work on the Draft for Late Night Trading in Sydney. As a young student living in the city, I am excited to see late night trading hours extended to boost the night-life of a vibrant city like Sydney

Several comments specifically mentioned the positive implications for low impact venues. Submitters believed the value of low impact venues to be significant and they would be more feasible and socially positive if granted extended trading hours. A couple of comments were from venue owners or operators who explained the value of extended hours for them.

I support an increase in hours for low impact venues in local centres. As a venue owner/operator we have to stop serving people before midnight when they would be happy to stay at our venue. For some this means they have to get taxis to other suburbs with full venues which just doesn't make sense.

Local centres were mentioned by several submitters. Comments agreed that later night trading in local centres would have positive impacts for business and the local economy, residents, and visitors. Creating vibrant and safe areas for people to socialise was a key reason for support.

The effects of allowing post-midnight trade for licensed businesses in local centres will provide the patronage for other types of businesses to trade later, which in turn creates a vibrant and safe nightlife and will see Sydney grow into a truly global city.

Late night management areas were mentioned by two submitters. Both comments were in support of the proposals.

The Office of the NSW Small Business Commissioner commended the proposal and other efforts to stimulate the night-time economy of Sydney. It was noted that business is the heartbeat of any thriving city and must be supported by policy and regulation. The submission raised the impact of the 2014 liquor reforms, and the notable decrease in foot traffic and night-time spending, as well as a net-loss of 176 licensed premises in the LGA. The Office of the NSW Small Business Commissioner is therefore supportive of extended trading hours for low and high impact venues across the city, believing extending hours on a trial basis will allow later trading, but also incentivise responsible and compliant management. However, while the extension of trading hours in local centres is supported the requirement for providing entry and egress onto a main street is considered to result in undue restrictions for a small number of businesses. It is suggested businesses located on corner blocks of main streets be allowed to offer access through a side door as this would have no greater noise impacts than access from the main street itself.

The Office of the NSW Small Business Commissioner also supported simplified venue management provisions and argued regulatory compliance has been a burden for resource-strained small businesses. The proposals plan to abolish premises management checklists and management criteria that appear onerous or irrelevant to the objectives of the DCP is commended.

SUPPORT FOR SPECIFIC LOCATIONS

46 COMMENTS

Support for specific locations was expressed by a considerable number of submissions. Most submitters expressed support for the proposed changes, emphasising certain areas of the plan that they believed were of significant value. Comments typically focussed on how the proposed extended trading hours would benefit that particular area. Some comments were from residents of the areas, stating they wanted more social opportunity in their community.

Alexandria (26 comments)

The most commonly mentioned area was Alexandria, where submitters expressed strong support for the development of a culture and arts focussed late night precinct. Submissions stated the precinct in Alexandria would be a great city asset and would be enjoyed by many.

Wholeheartedly support these proposed late-night trading plans. Alexandria in particular as a 24-hour precinct, activating warehouses for multi arts and culture purpose is exactly what Sydney needs!

One submitter is a professional actor and supports the art and cultural hub in North Alexandria and the potential establishment of small theatres in the area.

Another submitter is a resident of the City who undertakes shift work in Mascot and would benefit from the late-night proposals in North Alexandria.

Kings Cross (22 comments)

A moderate number of submitters mentioned Kings Cross in support of the proposal. These submitters noted the dramatic decline in nightlife since the lockout laws and sought the restoration of the area as a hub for night-time entertainment.

Redfern (7 comments)

A small number of submitters mentioned Redfern. Most comments stated support for extended trading hours specifically in this area. Submissions made the point that Redfern is one of many areas that would benefit from a more vibrant nightlife.

Please ensure that all venues in Redfern, including those on Regent Street and Redfern Street, have extended trading.

Potts Point (6 comments)

Submitters suggested Potts Point would greatly benefit from increased nightlife. Some of these submitters specifically mentioned Lankelly Place, stating late night trading hours are supported.

I agree with the proposed increased trading hours in Lankelly Place - as a long-time resident of Elizabeth Bay, I believe we need to do all we can to bring life back into the area.

One comment from a member of the Potts Pointers group stated full endorsement of the recommendations in the report, suggesting it would bring some life back into the area. The submission stated Potts Pointers members continually talk about reviving the nightlife.

Green Square (5 comments)

A small number of submitters expressed specific support of proposed changes to encourage more business in Green Square.

Encourage more bars and restaurants with later trading hours for green square. Midnight is too early.

The Office of the NSW Businesses Commissioner noted support for 24hour trading near Botany Road in Green Square as this area was strongly supported the City's early consultation.

Glebe (6 comments)

Glebe was also specifically mentioned by submitters. Comments were in support of extended trading hours and some emphasised the positive impact that a more vibrant nightlife could have.

I would like to support late night trading for small bars and small live music venues in City of Sydney. As a resident of Glebe I support small venues having later trading hours and encouraging more small businesses in Glebe.

Another submitter supports the proposals stating:

I have full confidence in the policing of our local area and I feel you have done an excellent job in canvassing local residents, businesses and patrons for their opinions regarding ways to improve our community.

Newtown (3 comments)

The Newtown Precinct Business Association expressed concerns that there are few significant changes in the area they represent, which includes Newtown, Erskineville, Enmore and Camperdown. They argued that Newtown currently has the “most vibrant and economically valuable night-time economy” in the City of Sydney and the proposals should support this economic hub. They noted key areas such as the majority of King Street are zoned as Local Centre Areas, thereby preventing businesses from trading up to 24 hours. It was requested that the Council acknowledge the successful management of increased visitor numbers since 2014 and increase late-night management area to encompass King Street. Alternatively, it was suggested that research be carried out to identify specific areas that are suitable to change zones, rather than encompass the area in its entirety. It was argued that these changes would help in achieving the organisations overall goal of developing a more diverse economic precinct rather than a primarily food and beverage-based culture.

The Inner West Council commended the proposals and believed the changes would foster a diverse and vibrant night-time economy. They encourage measures to extend trading hours in areas along King Street and other initiatives that promote live music and performance. They are eager to work with the City of Sydney to harmonise provisions across the LGA boundary. It is also noted that the Inner West Council recently made amendments that allow existing restaurants and cafes located in Local Centre zones to change to a small bar through obtaining a complying development certificate (as opposed to requiring a development application). It is suggested the City of Sydney pursue similar initiatives along King Street and the Inner West boundary.

Other locations

Kings Cross and Oxford Street was referred to by a few submitters, suggesting this would be a good area for late night trading. Areas where increased late-night trading was supported included Surry Hills, Chippendale, Zetland, Darlinghurst, and Ultimo. Comments were typically general in nature stating support for the proposals and a desire to see increased vibrancy.

Two submissions were also received from Mirvac Retail suggesting late night trading areas be extended to the Australian Technology Park in Eveleigh which will include a significant proportion of retail and hospitality space, accommodating bars, restaurants and entertainment spaces, and service the needs of approximately 20,000 workers per day. The Tramsheds in Harold Park, Forest Lodge were also suggested for inclusion in a late-night trading area to provide retail and commercial services for residents and increased evening activity until midnight.

The Office of the NSW Businesses Commissioner supported proposals for Local Centres in Surry Hills and Central Station and stated this is fitting given the emergence of a number of popular small bars in the area.

A submission made on behalf of Gazcorp requested that the site at 296-298 Botany Road be included in the Green Square Local Centre area. The site was recently approved for a mixed-use retail and commercial development. It was argued that the site will offer a variety of low-impact trading venues and

later trading would provide additional employment opportunities and fuel the growth of Green Square as an independent village.

A small number of submitters supported the inclusion of the PACT Centre for Emerging Artists in a Local Centre Area in Erskineville. It was argued this change would allow for greater community engagement with emerging artists by allowing longer trading and more contact with the public.

A submitter raised the need for Walsh Bay to be a late-night trading area and revitalised to assist local food and drink trading in the area and complement the investment by the NSW Government as an Arts Precinct.

PERFORMANCE PROVISIONS

58 COMMENTS

A substantial number of submissions supported the performance provisions and discussed the impact of extended trading hours on performance venues and the promotion of music and arts within Sydney.

One key argument was for support of the music industry and up and coming musicians by enabling a range of venues to host gigs and promote the arts. Submitters suggested the 'music scene' in Sydney is weak and needs supportive policy in place to encourage young and aspiring musicians.

Submitters stated their desire to see more live music and performance in venues across Sydney.

Comments typically discussed the current lack of diversity and number of music venues that patrons can visit to enjoy live music and performance.

I'd like to see bands back in pubs in the Eastern Suburbs like in the 80's and 90's where you could just pop in and iconic bands like Cold Chisel might be playing.

A number of submitters expressed their concern for venues that are currently putting significant effort into supporting local music and performance. These submitters stated that a number of key music venues that previously existed have now closed due to lack of financial viability, therefore leaving musicians with limited options for gigs.

I'm also in support of 2am licences for live music in the above districts. I enjoyed playing in bands in my 20s and feel strongly that the loss of venues such as the Hopetoun, Annandale hotel, Excelsior on Fouveaux, Spectrum on Oxford has limited the opportunity of young people to perform and ply their craft with either the possibility of forging a creative career or simply to enjoy the experience of performing to an audience

Some submitters made the point that venues supporting live music and performance are more desirable than venues solely providing alcohol to patrons and that antisocial behaviour was reduced in venues that promote music and performance. There were several comments lamenting the loss of a music scene in Sydney.

Most importantly: Sydney used to be a thriving hub for music. The introduction of poker machines in pubs has contributed to destroy this, along with lockout laws. Melbourne is now apparently the live music capital of the world. Please give extended hours to venues that promote live music and dancing and not to venues where idiots get drunk. Most people who go to see live music and bands have little interest in fighting or getting drunk.

One submitter raised the link between culture and identity and the opportunity to express oneself through music.

...businesses will have more opportunities for growth and reinforce the culture, in particular music, we once had before. Thus, these are the means where creativity and innovation are derived from, from small venues that empower artists and individuals to express themselves and subsequently, a new wave of culture is formed which will influence other people, highlighting greater diversity, acceptance and art

The Office of the NSW Businesses Commissioner were supportive of performance provisions as music and creative activity are important parts of a vibrant night-time economy. They welcomed amendments that make venue provision a criterion for determining trading hours and a recognition that performance venues may have a low impact on public amenity. They also advocate for the adaptable use of commercial

space and therefore commended the extension of operating hours for venues on days they host creative activities.

The Committee for Sydney was also supportive of performance provisions and noted live music on offer is limited. They believe new controls will encourage small-scale venues currently not in use at night to be activated, therefore contributing the cultural fabric of Sydney.

The Edinburgh Castle pub in the CBD supports the DCP, suggesting music culture should be celebrated and not heavily restricted because of a few “loud rogue voices”.

The CEO of the Oxford Art Factory expressed broad approval for the proposal and noted the importance of live music venues being nurtured given their potential to create economic vibrancy, with positive impacts for retail outlets, restaurants, cafés, bars and hotels.

Owners of Cake Wines stated that they are supporters of creative culture in the city. They support an extra hour at closing time on nights that performance is held and consider that this would impact positively on their business:

allowing 1 extra hour at closing time on performance nights would have an incredible impact on the viability of our business.

Venues like Cake Wines which are not located on a main street stated they should be considered on a case by case basis and the investment and efforts to mitigate sound should be a matter for consideration in the assessment of DAs. Cake Wines also submitted that venues that fall outside of late-night trading areas should be able to take advantage of the new changes upon submission / approval by Council and venues that are dedicated to making a genuine contribution to the culture of the city should be rewarded and assisted through DA processes.

Pymont Action believed local areas in Sydney have a shortage of performance spaces and have sought provision of suitable community performance and rehearsal space in Pymont/Ultimo. Pymont Action considered that performance spaces and other venues like local cinema would encourage workers to remain in the area after work and boost trade for cafes, restaurants and bars, which they considered to be struggling. Pymont Action wanted to see the re-establishment of venues that serve food and beverages accompanying live music such as the Basement and Soup Plus with a closing time no later than 2am.

LOW IMPACT VENUES

20 COMMENTS

Low impact venues were supported by a moderate number of submitters. Discussion of low impact venues more generally is included in Section 4, *Comments on the draft DCP*. These comments only include submissions where specific plan terminology was used.

Submissions discussed support for extended hours of trading for low impact venues in local centres and the provisions of the plan affecting them.

I support the proposed changes to City of Sydney DCP. Particularly around making Sydney a 24-hour city and increasing hours for low impact venues. So glad this is up for review!

Other submitters made the point that the provisions for low impact venues would support local small businesses.

Allowing low impact licensed premises to operate after midnight, will help the financial sustainability of these small business

Favourable outcomes

CURRENT SITUATION/POLICIES

164 COMMENTS

A very large number of comments included discussion of current late-night trading policies in their support for the proposed changes. A number of supporting arguments were offered as to how current restrictions are detrimental to the late-night trading in the City of Sydney.

Submitters stated that Sydney is currently: dead at night; desolate; lacks sufficient night time options and activities; is dull and boring; is embarrassing and compares unfavourably to other cities.

I think it's so, so important for the culture and nightlife to be active in Sydney. We are becoming one of the most boring cities in the world yet are one of the most beautiful to visit. Let's bring back the nightlife culture

As a young person in Sydney, it has been sad to see how restrictions have changed our nightlight over the past 5 years (particularly while the casino thrives).

Adding to this point, many submitters spoke of the proposed changes affecting the Sydney nightlife in positive ways. Submitters stated that proposed changes would: revive the City; make Sydney become more culturally rich; bring life back to the City; be convenient for residents (i.e., because of increased services); mark the return of fun nightlife; make Sydney come to life after dark; renew the city centre; encourage tourism and business; and, increase turnover. See *Revitalisation of Sydney*, below for further discussion on this topic.

A small number of submitters expressed frustration at the casino's ability to remain open, some suggesting that this is unjust.

The Sydney Business Chamber referred to the current situation in their general support of the five proposed changes. It raised the changes in residential, student and transient population and in part-time, shift and weekend works that have occurred in the city which signal the need for a more lively and inclusive nightlife. The Chamber notes the benefits to residents and tourism from increased late-night trading and that successful tourist destinations cater for a range of cultures, ages and lifestyles with a range of activities including those which do not involve the consumption of alcohol. It noted that the lockout laws and significant infrastructure development in the CBD has impacted on late night foot traffic and 88% of businesses in Darlinghurst alone have seen a reduction in turnover. They suggested that to compete with other global cities, there is significant scope for improvement.

Additionally, Coca-Cola Amatil stated their internal analysis showed the lockout laws resulted in a downturn in retail trade and consequently supported the broad benefits of the proposal.

ECONOMY

115 COMMENTS

A large number of submitters referenced the economy in their support of the proposed changes to the DCP. A considerable number of submissions supported a '24-hour economy'.

A great initiative to invigorate the night economy in Sydney and adopt a 24-hour city culture

Submitters stated they anticipated the proposed changes would be good for businesses, support/improve the economy, support business operators, give businesses opportunity for growth, boost revenue for businesses, create a strong economy, and create jobs.

I support a late-night economy because we're a major international city, that deserves to be treated like adults, provide alternative job prospects and foster talent across many sectors.

Those who elaborated listed the perceived benefits of the proposed changes, these included: that families and employees would benefit from the increased work available to them; promote Sydney as an economic power house, improve financial sustainability for small businesses and improve tourism opportunities. One submitter noted that seemingly small changes (such as 1 hour extended trading times) can have large effects on the ability of the establishment to survive and thrive.

Consumer spending in central Sydney at night-time is proportionally lower than for many other global cities. Responsive, supportive policy at both the local and state levels is therefore necessary to ensure a successful night economy for Sydney into the future.

Global city

A considerable number of submitters referenced Sydney as falling short of its standing as a global, international, or world city. They supported proposed changes to the DCP for the ways in which changes would reinstate Sydney's reputation as a global city.

Submitters argued that Sydney needed an improved nightlife in order to be considered a truly global city, conveying the impression that people would be drawn to the City if it had more attractions at night.

Simply, make sure that Sydney has a good city centre. As a major world city, it should be world class and a sought-after destination at all hours.

I believe the proposals opening up the city to a 24-hour cycle will help to create an international vibe to the city and will help to cultivate the arts community and also build tourism.

International comparisons

International impressions of Sydney were important to submitters. A considerable number of comments addressed the ways in which Sydney is viewed and regarded by other cities worldwide. The reputation of Sydney was considered by submitters to be at risk, with several stating tourists are currently avoiding the City in favour of more exciting destinations.

The concept of the current state of Sydney as 'embarrassing' was raised by a moderate number of submitters. These comments linked the lack of night-time economy with a failure to project an appropriate image to visitors and potential visitors. They state that a thriving nightlife would attract more visitors to the City.

I have lived and worked around the globe and in recent years Sydney's approach to late night trading has become an international joke. A city in which you struggle to find a restaurant kitchen open past 9:30pm cannot call itself an international city.

A considerable number of submitters cited other cities worldwide in their comments supporting the proposed changes. Comments included reference to locations such as: New York, London, Singapore, Hong Kong, New Orleans, Barcelona, Paris, Las Vegas, Tokyo, Bangkok, Berlin, and Amsterdam. One submitter cited the need to have less regulation, more entertainment and management of the streets to ensure the success of international cities.

In addition, European centres were cited as examples of successful 24-hour cities, as were Asian, South American and North American cities.

These cities were noted in most cases in aspirational terms, places which Sydney could compete with or model itself on, places with thriving, diverse, and safe night-time economies.

I agree with the draft planning controls for late night trading. Many of the most vibrant cities in the world including Las Vegas, Barcelona, Paris, New York City, New Orleans, Hong Kong Tokyo have had 24-hour trading successfully for many years.

Sydney is one of the most beautiful cities in the world and deserves to have a culture on par with New York or London. Culture takes a long time to change but this proposition is a good start.

REVITALISATION OF SYDNEY

A sizeable number of comments supported proposed changes because they would revitalise Sydney.

Comments consistently contained the notion that extended trading hours and relaxed regulations would encourage more businesses in the city, or that increased activity and would "breathe life into the city".

I want to reinvigorate Sydney's nightlife! For local residents and visitors, to get Sydney's reputation as vibrant global city back. I want to support Sydney's business operators and jobs too.

Submitters used a variety of phrases to convey this sentiment, including: support Sydney's nightlife; re/invigorate the night economy; encourages growth, opportunity, vibrancy and diversity; restore some dignity to the city; encourage "more entertainment happening" in the CBD.

Most comments were short, simply stating the opinion that the proposed changes would revitalise Sydney in some way. Longer comments gave supporting detail about how various areas had suffered for lack of patronage, and how the reduced night-time activity negatively affected the city in general. In many cases, comments were nostalgic, for the loss of nightlife in Sydney.

The Night Time Industries Association noted the recent downturn in business patronage and stated Sydney needs “to pull every lever possible to reinvigorate a vibrant, diverse, safe and fun night-life”. They support a 24hr city centre and extended 2am local centres and the identification of new 24hr and late-night areas to accommodate the changing landscape of the city. They recognised there is no “silver bullet” but were widely supportive of the proposal.

The Redfern Small Bar Liquor Accord supported the proposals. The submission states a desire to see a city where night time trade is spread evenly and that people have the choice to stay in an area for an evening out if they choose, without being forced to move on should they wish to finish their night in that area.

LOCKOUT LAWS

80 COMMENTS

Lockout laws were specifically cited as adversely affecting the city's nightlife. A sizeable number of submitters described the detrimental effects of lockout laws. They did this in various ways, including noting that lockout laws: have destroyed Sydney's nightlife; have led to the closure of many viable businesses; have not worked; have 'hollowed out' the city centre; have harmed the local economy; destroyed the life and soul of the city; are draconian; are outdated; have encouraged people (particularly young people) to move away; and, have drastically changed the City.

Some submitters made their points using passionate language, conveying a sense of frustration and the idea that the current situation is untenable.

Open Sydney again - too many businesses have suffered - some areas are unrecognisable.

Appreciate some changes are needed for safety - but lock-out has failed in allowing Sydney to fully flourish as an international destination.

Sydney was stripped of its dignity when Lock out laws were passed. There was no trust, no civility and no respect shown to business/venue owners or patrons. It was an utter embarrassment to every Sydney sider.

Having grown up to watch the lockout laws get put into place and seeing many loved establishments closing their doors due to struggling business. Personally, I have never been much of a party person, but it is disheartening walking through a city that dies by 9 pm.

A moderate number of submitters noted with affection how Sydney used to be, conveying that they would like the City to return to a more vibrant and dynamic place as was the case before lockout laws were enacted.

A moderate number of submitters expressed dismay at the number of businesses that had closed due, they say, to the lock out laws and harsh restrictions. People wanted to see more businesses, particularly small businesses and services for residents, and felt that this would encourage more life in the City and more employment opportunities.

As someone who worked in the Kings Cross area for four years in various capacities, it is heartbreaking to see this area being destroyed by the lockout laws, with treasured and stalwart venues having to close down due to lack of trade and too tough restrictions.

A moderate number of submitters noted the impact of the lockout laws on freedom of choice and the ability of adults to enjoy nightlife:

We are adults and we did not 'vote' for lockout laws!!! Another move by the government to disregard our rights and freedom to make choices about our well being. Sydney is now a third world country in terms of its nightlife and the drinking is still going on in other areas of Sydney.

Seriously, these restrictions are killing the nightlife here. It's embarrassing when friends visit from overseas and I feel sorry for the kids growing up here who aren't having the same nightlife we had when growing up. Also, as a mature adult - why am I being treated like an idiot??! Please fix this!!! I support the proposed changes to City of Sydney DCP. I have had a number of friends lose work due to the lock out laws that were in hospitality or musicians. I also feel that sensible adults are not treated as such and with Sydney becoming such a nanny state it is being killed off completely. Tourists have said they do not find Sydney a good place to visit anymore and they prefer Melbourne. Stop trying to kill Sydney!

DIVERSITY OF USES

75 COMMENTS

Diverse range of options

A substantial number of submitters discussed the inner city as in need of a diverse array of food, drink, and entertainment options. Submitters stated that they wanted more options in the city centre, many noted that diversity was the key to an exciting city, and many highlighted music as a key aspect of this (for further discussion of music and the availability of performance venues see *Performance provision*, above). Many comments valued live music and bands, and many felt that this 'scene', far from generating violence or disorderly behaviour, provided meaningful entertainment for many.

The comments, in general, sought a greater range of options for evening entertainment.

I, like so many of my peers value the importance of a diverse night culture to a global city, as well as the importance of places where young people can go to express themselves, and create an empowered and active youth culture

I'm all for it, as it will generate jobs. Suiting all lifestyles. I like the idea of more retail to suit all needs. Also after a night out at the theatre, there would be so many choices for dinner.

Several comments lamented the lack of availability of places to go to meet people for a 'quiet' drink, including non-alcoholic drinks. People wanted to be able to have a glass of wine, cup of tea, or something to eat when out late at night, preferring not to have a nightclub experience.

When I think about my favourite experiences in other cities, it always comes down to availability and access to various precincts that promote engagement and enjoyment in the local businesses and performers. PLEASE! WE NEED THIS TO SURVIVE! Eating, drinking and merriment is the most important part of enjoying life.

Unlicensed venues and their ability to stay open late at night was perceived to be a significant enabler of strong urban culture and vitality. Submitters commented on how important small local business and low impact venues are for a vibrant city culture.

I agree with all of the planned changes regarding late night culture in Sydney. Extending hours for not only licensed premises but also unlicensed such as book shops and galleries plays a crucial part in developing culture in our city. By giving both young and older people activities to do other than expensive late night clubs or casinos - we will bring a diverse range of people out into the city engaging in activities that reflect the diverse and multicultural nature of Australia.

Some submissions also supported unlicensed shops and businesses, like bookshops.

I'm a writer who doesn't work conventional hours. Being able to hit a bookstore, a hairdresser or a coffee shop at 3am would be INCREDIBLE!

Pymont Action strongly supported the establishment of unlicensed shops and businesses across the city and noted that in most major cities in Europe, shops operate from 10am to 10pm.

Art/culture

Art and culture were noted by a moderate number of submitters as desirable aspects to reintroduce to the centre city. These comments spoke of promoting an arts/culture 'scene' in the city and encouraging creativity.

In most cases submitters simply noted the proposed changes would bring more culture to the city. This was viewed as a positive step, one that would rectify deficiencies in this area over past years.

A few noted creativity is related to increased wellbeing and a couple linked creativity with commercial opportunities. All were in favour of improving access to arts generally.

I am eager to see the diversity of entertainment and live music venues pop up throughout the city, and I hope there is an emphasis on establishments for creative arts instead of nightclubs.

A number of cultural venues and businesses with interests in cultural activity made submissions in support of the benefits to art and culture from the proposal. The founding directors of Venue 505 and the Old 505 theatre argued that despite cultural venues being vital to the cultural identity of the city, high rent, limited audience capacity and only one audience a night due to ticketing has led to such venues being viewed as “financially risky”. They support changes that reward good operators who offer cultural activity.

The Sydney Fringe Festival recognised the independent cultural sector as the “training ground for the next generation of artists” as well as the sector where artists build audiences and develop their work. Consequently, they argue supporting venue spaces is critical in building sustainable career pathways. They are supportive of proposed changes that encourage performance and cultural activity in unlicensed businesses as this will provide diversity in the streets and open opportunities for creatives to utilise existing infrastructure or unused spaces for creative sectors. They also state the additional hour of performance time will assist artists in negotiating the use of space and activate space for short, but intense periods of time.

The Oxford Art Factory and Surry Hills Creative Precinct both expressed similar sentiments of support. Each recognised the importance of art and culture in a vibrant and diverse nightlife. The Oxford Art Factory noted the changes would go a long way in preserving the cultural wellbeing of the city and argued the success of live music venues can create cultural and economic vibrancy. Additionally, the Surry Hills Creative Precinct spoke of positive feedback from a range of local businesses and discussed ideas for additional hours to be used for cultural events such as live music, readings and workshops.

PEOPLE

52 COMMENTS

The benefits to people of the proposed changes to the DCP were highlighted by a substantial number of submitters. Increased opportunities to access dining and entertainment in the city after dark were perceived to improve peoples’ lives. This group of comments had the common theme of supporting the proposed changes as this would allow people to enjoy themselves more and improve the liveability of the city.

In many cases the notion of people living in residential areas close to the CBD being able to go out in their neighbourhood for a drink was cited as a desirable activity.

Extended trading hours were also thought to better cater to the needs and lifestyles of shift workers. Nurses, emergency workers, hospitality workers and security guards were noted as potentially benefitting from the proposed changes as they would then be able to go out and socialise after they finished work. In addition, the proposals would increase job prospects in the hospitality industry with extended opening hours, several submitters noted that they, or others, would benefit from working in the CBD.

People deserve to have fun and know that they can pace their drinking without the concern the pub will be closed in few minutes.

As someone who lives between Melbourne and Sydney, I find it challenging to go for a late night drink or dance as everything is closed or you have to go to some seedy club just to enjoy the night. I would like to see more bars open, especially in the summer months and being able to enjoy the harbour.

The convenience that extended trading hours offer all people was also noted. Some submitters stated they would like the idea of browsing in a bookshop while waiting for a bus, do shopping or “get a decent meal” after work.

Extended trading hours after 12am were in several cases thought to promote a safer atmosphere in the City. The idea was proposed that more people and more businesses operating in the CBD would result in less crime such as theft. One submitter noted they “always feel safer out at night when there are more businesses open”.

A few submitters called for a safe nightlife, or safety as part of the considerations for the proposed changes. Safety was a concern for women, pedestrians, people in general, and those of the LGBTIQ community. One submitter noted that extended trading hours would encourage more pedestrians and increase their safety.

Within the LGBTIQ community, that I am a part of, the closing of late-night venues is keenly felt and creates an unsafe night time environment with less people around late at night, making people vulnerable to violence.

Other comments

CONDITIONAL SUPPORT

44 COMMENTS

A considerable number of submitters expressed approval for the proposal, subject to various concerns and how adverse impacts would be mitigated.

The most common concern included in these submissions was the consideration of central city residents and the level of disruption they could be exposed to. Some submitters encouraged the City of Sydney to consider an even balance between a vibrant and lively nightlife, and the amenity and well-being of central city residents. Sleep deprivation, safety and noise disturbance were the key concerns of residents.

Medical evidence suggests 8 hours minimum sleep for health and wellbeing. Trading hours until 1am and 2am or 24 hours impact the ability for residents to obtain minimum required sleep. The late-night trading plan should not contradict requirements for limiting noise and should remain in line with the EPA regulations.

Ensuring that patrons who are intoxicated or exhibiting antisocial, or disruptive behaviour, are managed and impacts on others are mitigated was a priority for submitters. Comments made the point that residents should be assured that any poor behaviour will be managed by security or police.

One submission suggests approval of the DCP be subject to considerations about the utilisation of trial periods. Specifically, that trial periods should not be renewed or extended unless the proposed hours of operations have actually been tested. The reasoning behind this is that a situation could occur where an application for a trial period of extended hours is approved by Council. For any number of reasons, intentional or otherwise, the approved hours of operation may not be utilised during the trial period. The business could be sold on with later hours that have not been tested with the local community. This could be an issue where adverse impacts could occur beyond the trial period, making it harder to control or revoke the right to late trading.

The Roosevelt venue supported the proposed DCP changes but raised concern for how the streets are defined in late night trading areas. The Roosevelt venue is not located on a main street, however, is located a couple of blocks down from a main street. The submission requested clarification, or a definition of main streets affects. The Roosevelt sees 2am as a sensible closing time for a small venue with a varied entertainment offering.

One submitter raised the need for Council to protect the trading hours of local venues in Chippendale and want to see other venues held to the same performance standards. Freda’s in Chippendale is supportive of the DCP and pleased that CoS is realising the future potential of Sydney as a viable nightlife economy. It is concerned, however, that Chippendale is located in a local centre rather than a City Living area and about the impact of this on its approved later DA hours. The venue believes that it has made a significant contribution to the vibrant creative and live music precinct and does not wish its trading hours

to 4am to be reduced to 2am. The submission requests clarification about the impact on the impact of the proposals on approved DA hours of existing venues in local centre areas.

DOES NOT GO FAR ENOUGH

17 COMMENTS

A moderate number of submissions argued that the proposal does not go far enough in encouraging vibrancy to Sydney's nightlife. Many of these submissions simply stated the plan is a good start or going in the right direction but could go further or be bolder in its proposed actions.

Submitters stated that the deterrence of people, particularly young people, from Sydney's nightlife will take significant action and effort to repair. Comments made the point that Sydney has become non-desirable for a number of residents who wish to engage in nightlife activities.

Many comments proposed extending the late-night trading areas further, or later to significantly improve Sydney's nightlife.

I sincerely support the draft plan for late night trading in Sydney. However, it is my opinion that the trading hours do not go far enough in securing and building a truly cosmopolitan, interesting atmosphere. Sydney should be truly looking to provide a 24-hour city not just in the CBD but extended as well.

A large proportion of comments in this section argued that the authorities are too heavy handed and need to let vibrant areas develop organically, as opposed to zoning and regulating. Comments were in favour of a more case-by-case approach where venues were given freedom, and those that operate in a dangerous or anti-social way be restricted. One particular submission stated regulations brought in since 2007 needed to be retracted to promote nightlife in Sydney.

Please just let businesses - all types of businesses - operate how and when they want. Ditch planning controls completely. Look at the most vibrant, interesting, fun cities around the world - Bangkok, Mumbai, Mexico City etc. All these places have pretty much zero planning controls and are vibrant because of their lively street food scenes, late night bars that don't even kick off until 2am, all that sort of stuff. The most regulated cities in the world - think London, Sydney, Singapore - are the most boring ones in the world. Just drop all planning and zoning restrictions and let the city do its own thing organically.

SPECIFIC SUGGESTIONS

97 COMMENTS

A sizable number of submissions made specific suggestions to improve the proposal, particularly in ways they thought would create vibrancy and liveliness in Sydney's city centre.

Control and security (31 comments)

A considerable number of submitters made specific suggestions that related to control or security. Most comments discussed the level of control that city authority should have over nightlife and venues, while others discussed security and ways to manage future demand on nightlife.

Three submissions from Mirvac Retail expressed concerns regarding security implications of 24-hour trading. While extended trading hours was generally supported, they noted the potential cumulative implications of multiple 24-hour trading venues allowed in specific locations and sought greater consideration of security and safety for employees and tenants at the Broadway, MetCentre, Harbourside and East Village shopping centres.

A small number of submitters suggested increased police presence, security and CCTV controls in areas where trading hours could be extended to mitigate any illegal or irresponsible behaviour. One submitter called on venues to pay a levy to emergency services to support their callouts to central city areas as opposed to taxpayers funding the service.

I feel that to combat violence and alcohol related incidents, cctv, public transport and police presence should be looked into. Sydney is on the world stage and is currently in need of some change for the best.

A small number of submitters mentioned controls for poor behaviour, stating current policy to deal with drunk or drugged patrons was not working. Submitters suggested having a more supportive nightlife scene where venues were open and able to entertain patrons rather than sending them into the street. People argued for giving streets and public space back to the people and letting adults be adults without heavy-handed restrictions.

Entertainment (19 comments)

A moderate number of submitters made specific suggestions for provisions that could support entertainment. Suggestions included: making live music mandatory for venues to open, expanded support for music to electronic artists, entertainment on the beaches, increased opportunity for buskers, up to 24-hour trading for live performance venues, support or subsidies for venues to purchase high quality sound equipment and noise mitigating infrastructure (i.e. PA's, foldback, mixing desk, speakers, instruments and sound-proofing materials), and support for venues in conflict with residents regarding noise, especially when venues were located in the area first.

As someone that enjoys electronic music, it is important to me that clubs with electronic music are supported by this plan. In the last 5-10 years the number of clubs in Sydney has declined rapidly due to lockouts, police treatment and noise complaints. Frankly for a big, global city it is embarrassing.

Residents (15 comments)

A moderate number of submitters mentioned specific suggestions directed towards residents' response to late night trading policy. Most submissions believed residents or potential residents need to acknowledge the value of venues in the area and decide to move there with full knowledge of potential noise. Submitters felt that resident's opposition and continuous noise complaints made business difficult for venues, especially those that had existed long before residential developments.

I think the issue of noise needs to be addressed so venues are protected from limitations on their activity due to one or two complaining parties. I don't want to see regulatory compromises that push out the collectives and individuals who have in this prohibitive environment made sacrifices with regard to their housing security and economic prosperity to enable culturally free spaces for young people to enjoy and express themselves and listen to the music they like broadcasted on loud speakers!

Food (10 comments)

Several submitters suggested specific changes to the policy to improve dining experiences and accessibility of food.

Submitters suggested more late-night food options for patrons of bars, better provisions for food trucks, more outdoor seating and dining in public spaces, less regulation of food and dining destinations, management of food delivery services when trading hours are extended, more laneway eating options, food service in all bars, and allowing food to be served after midnight. Most people agreed that these provisions would make Sydney a more desirable eating destination, as well as creating a safer nightlife.

Plans of management (5 comments)

A small number of submitters discussed plans of management. Their reasons varied, and included: management of Hickson Road to manage traffic, all businesses should have trading hours extended and monitored by plans of management for six months, and plans of management for small venues are needed to streamline and simplify policy.

Trading hours should be extended for all businesses regardless of being licensed or not. Plans of management should be made and followed for at least 6 months after complaints against businesses. Business restriction should be a last resort as an outcome of noise complaints and should only be put on the table if a cohort of people are being disturbed, not just one residence.

Other submitters including the Australian Hotels Association and the Kings Cross and City North Liquor Accord called for Plans of Management to be downgraded to best practice or guidance documents, to avoid punitive enforcement by the Police.

Other (23 comments)

A moderate number of submitters made various other specific suggestions to add or consider in the proposal. These included: recharge points throughout the city for electric scooters and wheelchairs, increased pedestrian connectivity to public transport; support for small venues; safe open green spaces for everyone, including dogs; underground bars and venues; education campaigns about alcohol and violence; encouragement of noisy vehicles out of the city; ensure fit for community; ensure economic justification before extending trading hours; restrict hours for venues that facilitate gambling; and, create safe spaces for women at night.

PUBLIC TRANSPORT

23 COMMENTS

A moderate number of submitters mentioned public transport, suggesting ways the public transport system could be integrated with late night trading policy to be more accessible for patrons in areas with extended trading hours.

Several submitters specifically asked for a 24-hour public transport system. Submitters emphasised the need for safe and affordable transport to and from central city destinations where business is open 24-hours. Some made the point that some people would not engage with 24-hour trading if accessible public transport is not also provided.

I agree with all 5 points of the proposed DCP amendment. Having multiple 24-hour venues and 24-hour public transport on Fridays and Saturdays is a must.

A small number of comments mentioned the affordability of public transport, suggesting a subsidised or free central city transport system should be implemented to encourage people to travel around the city centre.

I support 24-hour trading, longer licence hours for venues also public transport should be free on weekends

Several submitters commented on the general transport network that will support late night trading in Sydney. Some comments included concern for transport and accessibility late at night in general terms. A few submitters argued the current public transport service is not adequate and people do not have safe or affordable transport choices. The comments were relatively consistent, and the general sentiment was that without accessible transport options, the vibrancy will not return to Sydney's nightlife.

Please provide better and more transport options. All the suggestions and plans will be useless and pointless if people can't easily access the city or get home late at night.

GAMBLING

18 COMMENTS

A moderate number of submitters mentioned gambling or casinos and the impact this type of nightlife has on Sydney.

Submitters supported extended trading hours to provide more diverse nightlife options beyond just the casino. Submitters were disappointed that currently the only venue open late is the casino, perceived to be a negative policy that encourages harmful gambling.

I support the proposed changes to City of Sydney DCP. Get our kids off the street and out of the casino late at night in Sydney CBD. They don't have anywhere to go when they are waiting for the 5am trains and end up gambling in the casino or wondering the streets.

Some submitters noted that venues had resorted to hosting poker machines to survive financially after lockout laws were enacted. There was widespread disapproval of the message this sends to people, promoting gambling.

I would like to see gambling/poker machines excluded from the definition of 'entertainment'. Poker machines are already a massive and destructive element in the community. I think that the

gambling industry would find a way to exploit the good will of this proposal to their benefit. There are many studies that correlate the rise in poker machines with the decline of live music venues. Also all the studies that show how much of a negative impact poker machines cause to individuals. There is no reason that poker machines should be considered entertainment, a leisure activity, or part of the City's cultural and social fabric.

The Pyrmont Action Group also noted the prevalence of gambling and the promotion of alcohol in the night time economy and supported an increase in the service of food after 9pm in later trading cafes and restaurants to mitigate the impact of alcohol consumption.

The overall sentiment of comments was opposed to gambling. Submitters did not want the casino to be the only choice of nightlife, and noted the dangers associated with gambling such as addiction. Some submissions expressed a desire for support and education around harmful gambling to be implemented by the City of Sydney.

OTHER

19 COMMENTS

A few submitters discussed drug and alcohol consumption and violence. One stated education of these issues is needed to help Australians realise the harmful impacts. Two other comments focused on existing policy arguing the desired outcome (safer nightlife) was not being reached in the most appropriate way. Significant pre-loading to avoid the rising cost of in-bar drinks, as well as bars not sticking to RSA rules meant safety and wellbeing of patrons is still compromised.

Some submitters mentioned various unintended consequences of trading hours and nightlife policy in Sydney. Comments discussed topics including: the positive urban renewal of public and green spaces and how they can contribute to a vibrant nightlife; the ability to start a business is more enticing with proposed controls; smoker's conflict with lockout laws when wanting a cigarette but restricted from re-entering a venue after; cab drivers and venues shutting down or losing business; and conflicts between security staff and patrons.

Theme 2: Opposition to late-night trading planning controls

Section summary

- This section discusses submissions made in opposition to the proposal. Two key sections focus on the key DCP changes and unfavourable outcomes. The final section presents other varied comments.
- Significantly fewer submissions were made in opposition to the proposal, but submissions were often far more detailed and recounted personal experience with the adverse impacts of later trading. Submitters rarely spoke explicitly about the DCP changes. Nearly all submissions, however, related to specific areas in Sydney. Submitters may not have necessarily been opposed to the changes as a whole, but did not want to see late-night trading in areas that directly impacted them or existing residents in general.
- Submitters were particularly concerned about a select number of potential unfavourable outcomes from the proposal, with noise the major concern. Many submitters reported having trouble with existing noise levels and believed an increase in trading hours would only make things worse. It was stressed that noise issues are not solely related to the activities of venues, but also from patrons gathering in residential areas and causing disruption. Antisocial behaviour and safety were also notable concerns. Many believed later trading would result in increases in drunk and disorderly behaviour, drug-use, property damage and littering, ultimately leading to a decrease in safety. Some noted the dramatic improvement seen following the restriction of trading hours and did not want to see the situation revert to conditions prior to the lockout laws.
- Other submitters conveyed a sense of skepticism that later trading would be effectively managed as they believed the current situation was already not well managed. Some also believed residents' concerns had not adequately been considered, which was viewed as unjust as they were most affected by the proposals.

Key DCP changes

GENERAL OPPOSITION

6 COMMENTS

Very few submitters expressed general opposition without offering further explanation. Unlike those that supported the changes to the late-night planning controls, a small number of submitters stated their disapproval in simple terms. Most of these comments expressed basic negative sentiments such as “I DO NOT support the changes”; “no to late night trading”; and “no to additional trading hours for licensed premises, theatres etc.”. One submitter elaborated slightly by urging the Council not place commercial interests over those of the community and questioned how the changes benefit the community and contribute to the quiet enjoyment of life for residents.

24-HOUR TRADING

11 COMMENTS

Several submitters shared negative sentiments towards 24-hour trading in Sydney. Nearly half of these comments mentioned the potential impacts to amenity as a result of late-night trading. Negative effects included increases in noise from traffic as well as people shouting and arguing, and antisocial behaviour such as fighting, bottle smashing, drug use, crime and property damage. These effects are discussed in

greater detail in *Unfavourable outcomes* sections. Such outcomes were identified as harmful to residential amenity and residents' ability to sleep.

We at the (Surry Hills Business) Alliance are opposed to the extended hours up to 24 hours trading for ALL registered and non-registered businesses. When will residents sleep? Late night trading of hotels bars and music venues has attracted unwelcome and dangerous behaviour, caused property damage, brought crime and noise to overpopulated areas. Now these areas are to face the prospect of further social unrest and misbehaviour.

A couple of submitters were concerned about the economic viability of 24-hour trading. One was open to the idea on a trial basis, yet stressed the Council should not create an environment where 24-hour trading is necessary for economic success as it will "cause great pain" and community conflict if the rules were ever reversed again. The other suggested imposing a 24-hour framework may not be viable at all since businesses will require extra staff, salaries and insurance premiums for potentially little gain.

Pymont Action was opposed to 24-hour trading in general and argued there are other ways to enliven a city. They welcome the activation of cafés/small bars/restaurants and suggested closing lanes and narrow streets to vehicles and establishing cafés and bars with outdoor seating. They also wanted to see re-establishment of venues that serve food and beverages accompanying live music such as the Basement and Soup Plus with a closing time no later than 2am.

One submitter believed 24-hour trading was an overreaction to existing lockout laws, while another suggested a 24-hour or late-night party precinct must have the necessary infrastructure and not impact existing residents. Darling Harbour and Barangaroo were suggested.

EXTENDED TRADING HOURS

21 COMMENTS

A moderate number of submitters made comments in opposition to the extension of trading hours in Sydney. Around one quarter of these comments specifically related to proposed provisions for Local Centres.

Submitters stated they were not involved in the early consultation on the review of the late-night trading DCP and as they are directly affected by the proposals to extend trading for low impact venues to 2am feel that they have not been adequately consulted. Submitters noted noise from these venues is not limited to hours of operation, and disruption occurs from the setting up and closing of businesses that would cause noise to continue later into the night. Additionally, submitters reported there is often excessive noise caused by patrons leaving venues and congregating for extended periods of time. One submitter from Zetland urged the council not to extend trading hours in the proposed East Village local centre area because noise is already excessive. One sought more clarity regarding the definition of "low impact" venues. They did not want to see any hotels fall into this category irrespective of how small they are.

Noise at 1 or 2 a.m. is not limited to patrons leaving a restaurant/venue etc, at those times. In reality, any congregation of people in an outside area will generate noise over a prolonged period, and will directly impact on surrounding residential neighbours, their amenity and sleep. I am not confident that any long-term management of that noise is possible.

Remaining comments generally opposed later trading and did not specify whether they were referring to Local Centres or otherwise. Noise was again a major concern, particularly the impact it has on sleep. A couple of submitters stressed the need for good sleep to perform well in their jobs, while one noted the link between sleep deprivation and poor physical and mental health.

For residents, the main problem with late night trading is noise. Noise is something that can deeply affect people's lives, with sleep deprivation being a major contributing factor to poor physical and mental health. Residents are the ones most significantly affected by noise.

Antisocial behaviour was also a concern. Submitters believed an increase in trading hours would increase impacts such as social misbehaviour, crime, drug-use and property damage. One submitter was happy to deal with such impacts until midnight, but beyond that noted people need to sleep without fear of

“drunken brawling groups”. Closely linked with comments on antisocial behaviour were concerns for safety. One submitter believed young people would be put in danger in “criminal environments” and suggested they would be encouraged to drink large amounts of alcohol as well as take drugs to remain awake for longer. Another submitter perceived that advice from police, ambulance drivers and doctors was being ignored and argued it was evident that the number of serious assaults had been reduced since the introduction of shorter trading hours. One submitter stated the risks of the proposals to ambulance, hospital and medical staff and costs on a strained system.

A couple of submitters expressed concern about increased traffic. They noted inner-city streets are already busy and these changes would only increase traffic, adding further frustrations for residents.

OPPOSED TO PLANS FOR SPECIFIC LOCATIONS

90 COMMENTS

The majority of submissions in opposition to the proposed late-night trading planning controls focussed on specific locations. In many cases, submitters were not necessarily opposed to later trading in general, they simply did not want to see changes in areas that would directly affect them.

This section addresses comments relating to individual suburbs in turn.

Kings Cross (20 comments)

Most submitters raising objection to late night trading in Kings Cross fear the return of dangerous drunk/drugged and disorderly behaviour as previously experienced prior to NSW lockout laws.

One submitter expressed concerns that the new proposal does not recognise changes that have occurred to Kings Cross in recent years. They noted that the description of Kings Cross as a late night management area applies to a historic single-use monoculture and does not acknowledge the shift to a diverse day-time business model in the area. They argued changes should support this newer model, which has been successful in providing for the needs of local residents. The submitter implied the proposal would continue to aggravate the conflict between an alcohol-driven economy and residents and suggested changes should instead support a range of mixed-use businesses with minimal impacts on residential areas.

The 2011 Postcode Residents Association argued Kings Cross has changed dramatically since 2012 and no longer attracts significant groups of young people. The area now operates as a new and successful area with daytime business models. The 2011 Residents Association suggested “to re-impose 24 hour or late-night trading on it just because of its historical connections would be as illogical and irrational as treating any other suburb as an ‘entertainment precinct’ just because they happen to have a pub at one end of their high street and a pub at the other end”. The submission raised the need for venues that are introduced to residential areas to provide soundproofing. It supported the late opening of facilities such as the NSW Art Gallery and outdoor cinema and events such as Opera in the Domain. The submission recommended CoS simplifies the DCP to encourage new businesses that can demonstrate minimal impacts on the surrounding residential areas. It suggested the DCP needs to consider former late-night areas and sites that are devolving and no longer attract such establishments and patrons.

Another submitter addressed the impact of patron parking on local residents and the costs of staffing venues which may make late night trading in Kings Cross unviable.

Potts Point (17 Comments)

A moderate number of submitters were opposed to late-night trading in Potts Point. Over half of these comments specifically discussed either Llanckelly Place or Springfield Avenue and were typically residents of these two streets. It was argued there has been a shift in the demographic profile of the area, and it is not the party hub it once was. Instead it has shifted to an “inner-city residential neighbourhood”. A couple of submitters noted that upon moving into their apartment, the area was not well managed and the lockout laws significantly improved their quality of life. Others recounted stories of the regular disruption already caused by businesses in the area and believed extending trading hours would bring about more noise and nuisance.

Submitters claim that Springfield Avenue as the western boundary of the local centre is poor policy as it is primarily residential. It is considered that the extension of the local centre onto Lankelly Place will bring added people, traffic, waste, energy and water use and the need for safety management. Another submitters raised the additional setup and pack down time of businesses in Lankelly Place which can mean that activity and noise extend beyond the permitted trading hours.

A couple of submitters mentioned the design of lanes in the area served to amplify the noise of patrons leaving businesses in the streets below. One argued Potts Point is one of the most densely populated areas in the world and suggested there was no way extended late-night trading would not interfere with residents.

Chippendale (14 comments)

Several submitters were opposed to the idea of later trading in Chippendale. These submitters were residents who consider that they are experiencing hardships as a result of late-night trading in the area. Comments address the demographics and built form of Chippendale, claiming it is a densely populated residential area with a block building form and narrow laneways that amplify noise from the streets below. One submitter argued the streets were unsuitable for later trading as they are narrow, poorly lit and in need of upgrading. Another claimed they are barely able to cope with the current noise from existing bars in the area and any extension to trading hours would pose serious concerns for peace of mind and mental health. The Pyrmont Action group also suggested opposition to late night trading in Chippendale due to disturbance of residents.

One submitter stated:

Most of the people living in this network of small terraces, factories and low-rise homes have lived here for decades and are working class people whom have suffered through the demolition congestion and disruption of Central Park. It is unfair and extremely inappropriate to now push out these long-term residents in order to gentrify this area and flood it with 'pissed idiots' from the proposed 24-hour trading zones. Nobody wanted to live here when most of us moved in because the streets are so narrow and the housing stock so poor. Most of the homes here are bald faced terraces built just 600mm from the kerbs or have less than 1 meter from bedroom walls to the kerb.

Two submissions detail why Chippendale is not considered suitable for extended trading. One provided several reasons why local hotels should not be allowed to trade later. They argue that later trading does not align with the current demographic of the area with apartment complexes and student accommodation interspersed with dining and bar entertainment. Currently these venues are not open past midnight, which is well suited to the city living area. They considered any additional hours will be detrimental to the amenity and safety of the area, particularly those in the DUO tower. Moreover, they draw attention to several sensitive sites that may be adversely impacted by extended trading, including St Benedict's Catholic Church and Greenwood childcare centre.

Another submitter discussed the size and location of Chippendale, arguing facilities on Broadway and Regent Street are already highly accessible, negating the need for commercial facilities in the immediate vicinity. They also discuss the differences between laneways and main streets and note that some streets such as Balfour, Meagher and Chippen Streets are very narrow and pose risks of patrons spilling out and filling residential areas. They consider that existing businesses in Chippendale do not receive enough visitors to warrant trading until 2am and do not wish to imitate Newtown with regard to economic activity. The Chippendale Residents Interest Group (CRIG) objected to the proposal. They note that Chippendale has one of the highest population densities in Australia, with nearly 1000 people per hectare made up of a mix of large volume student housing and established long-term demographics. This contrasting population is already causing challenges with an influx of youth at night and during weekends. The cubic form of Chippendale was said to be an issue with sound reverberating from traffic and pedestrian movement. While the residents hope for Chippendale to become a "nexus for arts and science", this vision is not intended to promote later trading. The group commends the proposal's emphasis on lower

impact premises but are concerned a “broad-brush” approach will have cumulative impacts on residents, particularly regarding sleep disturbance, which is already a significant issue. Attention was drawn to the large number of licensed premises already in Chippendale, a number that CRIG estimates to grow to 75 by 2020. CRIG stated that licensed premises are already causing negative impacts for residents and there is concern the situation will worsen if venues are allowed to trade later. CRIG noted the current system is sufficient, where Chippendale is not a Local Centre area and late-night trading applications are notified, and the community is able to comment on a case by case basis.

Glebe (13 comments and 88 signatory petition)

Several submissions were opposed to late-night trading in Glebe. Many of these submitters claimed the area to be predominantly residential and not suitable for late-night trading. Residents claimed to already be dealing with compliance issues and the negative impacts of current trading hours.

One submitter with health issues rendering them housebound stated they had been dealing with years of thumping music, which they cannot further tolerate. They equated the proposal to a “traumatic home invasion”. Another submitter claimed the current trading hours to 11pm worked well for the diverse Glebe demographic of community housing, student accommodation and private dwellings. After 11pm party-goers fill the streets to seek late entertainment in the inner city. At 11.30pm the streets are generally quiet and residents are able to sleep. They argue that later trading would simply push back this process to the detriment of local inhabitants. Two local venues were specifically identified as causing disruption to a couple of submitters. While these submitters were not opposed to later trading in general, they wished for these venues to be excluded. A couple of submitters questioned whether the more affluent residents in Glebe would be impacted, rather than just residents of community and student accommodation. One submitter claimed a trading centre in Glebe would not be successful due to the poor quality of the neighbourhood.

The St Barnabas Anglican Church drew attention to several properties they are operating as low-cost student housing along Glebe Point Road. They argued that extending trading hours to 2am will significantly impact the amenity of these buildings. It is their preference that extended trading not be granted in this area, but if plans were to proceed, they expect the council to make appropriate and supporting decisions regarding development applications for residences that are likely to be impacted, and support grants for not-for-profits to reimagine the use of facilities as their original purpose is compromised.

One submitter was concerned that nightlife like that experienced in Kings Cross would be introduced to Glebe. Another raised the potential for antisocial behaviour, garbage and parking problems to be exacerbated in the area.

The Glebe Society noted the pedestrian, parking and transport impacts of attracting more activity on Glebe Point Road. It raised the impacts on shop-top dwellings and on heritage buildings. The Society questioned the inclusion of the properties between Mitchell Street and Bridge Road in the Local Centre area. It supported reducing trial periods to six months, retaining existing noise limits and providing greater support for complaint processes and enforcement.

A petition was submitted with the names and details of 88 Glebe residents who were opposed to the extension of trading hours. The submitter noted many of these residents are frail or of a non-English speaking background and did not fully comprehend the situation, but were “horrified” when it was explained to them. They reported that existing venues as well as several unnamed wine bars are already either breaching licensing conditions or significantly disrupting amenity. The submitter reported that, despite the signatures collected, they still believed residents have not adequately been consulted. They were certain that many people that would be impacted by the proposal are simply unaware of it. Residents claimed the letter they received appeared to be a piece of junk mail and omitted vital pieces of information such as the proposal being for 2am closing times. The submitter stressed that residents are generally unopposed to extended trading in the CBD and around Broadway, but the character of Glebe with a high ratio of residents made it unsuitable for later trading.

One submitter has undertaken her own survey of Glebe Point Road, between the Glebe Public School and St Johns Road on the western side of Glebe Point Road and calculated there are 179 people residing at the premises. The submitter considers Glebe to have a different character to other areas under consideration such as Broadway and Oxford Street. It was argued it has a high ratio of residents and a unique character and amenity derived from the proximity of the university and the historic social housing estates first established by the Anglican Church and continuously occupied to this day.

Newtown (7 Comments)

A small number of submitters mentioned Newtown in their comments opposing the proposed planning controls. Four of these comments came from two identical submissions focussing on the southern end of King Street. These submissions were concerned the proposal would initiate future changes to zoning and land use to the detriment of the residential population. It was argued that daytime eateries may take advantage of later trading hours in future, resulting in more disruption without adequate consultation. There was also fears premises currently zoned residential may eventually be zoned as mixed use, allowing for food and entertainment venues to abut residential properties. Two submissions stated the neighbourhood on Longdown Street does not support 24-hour trading as they have a long history of trespassing, assault and noise. One submitter was “deeply concerned” about plans for 24-hour trading as they had a family member that had been assaulted and others that have to deal with stress-inducing noise.

Central areas (6 Comments)

A small number of submitters were opposed to later trading in central areas of Sydney. Four of these submitters lived in Millennium Towers on the corner of Day/Bathurst and Sussex Streets. They were opposed to 24-hour trading plans in their area as it locates them in the middle of premises that are able to obtain licenses without offering a buffer zone. It was noted that the building has been there for 20 years and existing noise levels are already causing them great suffering and sleep deprivation. They raise the need to double glaze their apartments as a result of the introduction of licensed premises. One resident of York Street was concerned about the impact of revised provisions and drew on experiences of a local food outlet that opened several years ago. They argued that despite seating being provided, it was often used as a takeaway venue, prompting taxis to congregate up on the footpath and at the kerbside by the building.

Residents of the Summit Apartments on George Street also objected to any liberalisation of trading hours and reported already being regularly disturbed by loud music from venues in the area. They do not want this situation to deteriorate and believe that the amenity of residents should be considered.

The owner of Low302 in Darlinghurst made a submission and stated their business had suffered dramatically since the lockout laws. They argued they had worked hard to create a vibrant and diverse business and jumped through several unfair regulatory hurdles, yet business was still declining due to the “arbitrary line” defining the lockout zone. They opposed central 24-hour entertainment districts as they pose unfair competition for existing local businesses in nearby areas.

Surry Hills (5 comments)

Late-night trading was opposed in Surry Hills by a small number of submitters. Nearly all these submitters expressed experience of the adverse impacts of later trading. Three noted they have young families who were consistently woken by people “screaming, laughing and fighting”. They believed any addition to trading hours in the area would make matters worse, particularly on Elizabeth Street and Reservoir Street. One submitter discussed their experiences with a large hotel in the area and stated the noise from patrons leaving the venue is not well managed. They claimed the venue is in breach of council conditions as they are failing to maintain a quiet buffer zone for 50m either side of the hotel, causing significant disruption in the highly residential area. This submitter was concerned the proposed performance provisions would allow the hotel to stay open later and cause further disruption. Another raised the impact of inebriated patrons leaving venues and travelling through local streets and engaging in antisocial behaviour.

Darlinghurst (5 comments)

A small number of submitters mentioned Darlinghurst in their opposition to later trading. A couple noted the precinct has shifted from a party focus to a more residential precinct and suggested this trend was set to continue. One was concerned if Oxford Street had extended hours, then historic issues with noise, waste, traffic and antisocial behaviour would return. One submitter argued Surrey Street in Darlinghurst has been thriving under the lockout laws with a recent notable shift in businesses from low impact food venues to higher impact wine bars and function venues producing significantly more noise. Consequently, they suggested an increase in trading hours is not necessary. Another raises current issues with noise from patrons, staff parking and waste disposal at licensed premises.

Alexandria (5 comments)

A few submitters opposed late-night trading in Alexandria.

Pressure on the transport network was noted in a couple of submissions. It was argued that increased venues and destinations would increase traffic volumes in areas that may not have infrastructure to cope with heavy demand.

I do question whether McEvoy Street is the BEST option for a nightlife hub - it seems a little strange to have a thriving bar scene on what is already an arterial road and will only get busier if WestConnex is successfully built. It feels like Regent Street is a more logical solution, and also further into Elizabeth Street near Green Square.

The other owned a property backing onto McEvoy street and wished to be assured there would not be unacceptable noise all nights of the week. They could accept a gym, hairdresser or shop, but were opposed to anything that combined people, music and alcohol. They suggested the development area would be better suited a building back from the road. The last submitter raised concerns about the suitability of Alexandria for late-night trading. They wondered if the area had adequately been upgraded; if it was safe for people to walk in these areas; and, if there was sufficient security to keep people safe. Ultimately, they suggested high quality roads, parking, footpaths, lighting and security are necessary in the area.

In addition, a couple of submitters elaborated on a number of concerns with Alexandria becoming a cultural precinct. One landowner supported the development of a 24-hour precinct, subject to issues relating to diversity, street connectivity and development rights were being resolved. The landowner expressed concern that existing planning and development rights would be compromised and the new precinct would become a single-use concentration of unfavourable entertainment options such as bars, night clubs, strip clubs and sex shops. The submitter sought that the planning controls mandate a mix of uses to balance night clubs, live music venues and bars with uses that do not promote the consumption of alcohol. The poor connectivity of the area to the Green Square train station and between the streets and lanes in the precinct because it is currently considered like a cul de sac bounded by McEvoy Street, the Alexandria Canal and back-to-back industrial buildings was also raised. It was argued that for the area to become successful diverse and safe, the City should acquire the necessary properties to develop pedestrian connections.

Another landowner raised the need for lighting improvements in the area and measures such as waste collection and rules about antisocial behaviour, which may affect commercial occupiers in the area the next day.

Another submitter expressed concerns that residents of North Alexandria have not properly been engaged regarding the proposal. They noted that while Alexandria has historically been an industrial suburb, a large residential population has emerged in recent decades. Particular concerns were noted surrounding the Alexandria Park Community School, located across the road from the proposed area. They suggest there would be significant impacts to the children, noting "they do not need to see the aftermath of a late night out on the doorstep of their school". Issues surrounding warehouse venues were also raised, claiming they are not fit for purpose as entertainment spaces. They suggested these buildings

were not designed for live music and would require major noise mitigation renovation to avoid impacts to residents, which may jeopardise their heritage listing.

Redfern (3 Comments)

Late trading in Redfern was opposed by a few people. One respondent resides on Redfern Street and noted there are at least 12 licensed venues on or near the street where noise is already impacting the sleep of residents in the neighbourhood. They stated noise associated with these venues already extends well past closing and any later trading times would have adverse noise and health impacts on residents. One submitter simply stated they are opposed to 2am licenses for Redfern Village. A submitter raised the impact of patrons parking in Walker Street near Cleveland Street and creating noise when they return from late night venues to enter their cars.

The Redfern Police Area Command also did not support the clustering of licensed premises, the inclusion of sex services in late night managed areas, and would like ID scanners on venues open later than 2am.

Waterloo (2 comments)

One submitter argued Waterloo is already a heavily residential area and they already experience a lot of noise from a local retailer, bar and restaurant. The Redfern Police Area Command also opposed the inclusion of sex services in Danks Street. Pymont Action does not support late night trading in Danks Street due to the location of a large residential population in the area.

Zetland (2 Comments)

A submitter opposed later trading in Zetland as there is already “too much noise in the area at night”. The Redfern Police Area Command also opposed the inclusion of sex services in Defries Avenue or Bourke Street.

Barangaroo (1 Comment)

One person stated the proposal is “outrageous and defies logic” due to the number of residents in Barangaroo that would be severely impacted by the proposal on the Barangaroo site and across the Harbour.

Erskineville (1 Comment)

One submitter stated current trading hours suit the “low scale mixed use context” of Erskineville. Given the high rent and vacant tenancies in the area, they argued later trading is unsuitable as the only profitable businesses would be licensed premises. They discussed the merits of implementing concentration controls for the area and argued controls should be determined at a strategic level, to match the character of the area in question. The submitter was critical that the proposal is based on trial periods, as these rely on residential complaints, which places the onus on the community to be the policeman. It was noted that it is difficult to attain evidence of poor management as rangers often arrive after a breach in the rules has occurred. The submitter suggested further research into cumulative impacts be carried out as once hours have been extended it is extremely difficult to wind them back again.

The same submitter also noted performance provisions in the proposal may be problematic and sought clarification as to whether additional hours for performances will be allowed on a random basis, or defined by DA consent and how hotels will prove that they have provided entertainment.

Pymont (1 Comment)

One submission from Pymont Action group argued against the late-night trading proposal. The main cause of concern is alcohol related harm and disturbance. The submission suggests approval for activation of the central city with performance, culture and unlicensed businesses, but states concern for the way Sydney as a city encourages alcohol consumption without mitigating measures or policies to control behaviour. The submission noted there are already several 24-hour venues operating in Pymont, creating a “locus of reported criminal and anti-social events”. They argue current trading hours cater well to local residents and suggest any increase in hours would simply attract out-of-area patrons interested in getting drunk and causing trouble.

Ultimo (1 Comment)

One submitter was simply opposed to later trading in Ultimo, providing no further explanation.

Woolloomooloo (1 comment)

One submitter outlined historic problems they have had with a local venue. The submitter resides directly above the venue, which has repeatedly been extremely noisy in the past beyond regular trading hours. They are concerned an increase in trading hours would encourage more noise. They note that residents in this area are largely public housing residents, many of which are older or have serious health issues. These residents have been forced to endure a significant increase in street-level noise over time, along with intoxicated people and anti-social activity. Residents reportedly feel helpless to change the impacts of this increasing noise as they do not have access to email, or do not have the ability to write to authorities and make their voices heard. Some do not want to raise issues due to fear of losing their homes. The submitter raised concern that conditions on the consents of existing shops/venues which expressly prohibit live entertainment could be repealed as a result of the proposals.

Other localities (8 comments)

A small number of submissions were made in opposition to later trading in other Sydney localities. Green Square was raised by a submitter who has lived in the area for over 10 years and was worried an increase in trading hours would reduce their feelings of safety on public transport, which they rely on to get around. They also do not want “drunk and probably drugged young people out on the street”. The Redfern Police Area Command also do not support the inclusion of sex services in Green Square.

A couple of submissions were made from the residents of the DUO building in central park they believed that later trading of local venues in particular would have a negative impact on safety and amenity of the extensive residential population in the area.

A couple of submissions from residents of Hickson Road in Walsh Bay requested that the residential addresses; 17, 19, 19a, 21 and 21a on Hickson Road be excluded from the late-night trading area. Pymont Action does not support late night trading in Walsh Bay due to the location of a large residential population in the area.

A few residents in the Rocks do not support the inclusion of the Campbell’s Stores building and the Park Hyatt as a Late Night Management Area because it is located within 20 metres of a residential building and 40 metres of a hotel. It is considered that the current City Living area provides an appropriate buffer between these uses.

PERFORMANCE PROVISIONS

6 COMMENTS

A small number of submitters put forward comments in opposition of the proposed performance provisions. Four made short comments in opposition to the provisions, arguing they would encourage noise and anti-social impacts, therefore reducing the chances of sleep for residents. One suggested the provisions were discriminatory:

Exceptions for performances or creative events are discriminatory and provide excuse for the perpetuation of unacceptable behaviour.

One submitter lives in an area with a lot of live music and described it as unbearable at times. They noted that while at street level it may not sound loud, but the volume carries and can sound amplified in apartments above. One other submitter was specifically opposed to performance provisions applying to a local hotel as they already have trouble managing noise associated with that venue.

LOW IMPACT VENUES

3 COMMENTS

A few people generally mentioned low impact venues. All were opposed to low impact venues for reasons related to noise, particularly the noise of patrons leaving these venues at the end of the night.

Unfavourable outcomes

Many submissions in opposition to the proposed changes to late-night trading planning controls did not speak directly about the 5 key changes outlined by the CoS. Instead opposition was largely focussed on the potentially unfavourable outcomes from extending late night trading. Key unfavourable outcomes are outlined below.

NOISE

66 COMMENTS

A substantial number of submissions expressed concerns about noise associated with late-night trading. There was particular concern that excessive noise would impact residents' ability to sleep. Submitters reported they already had trouble sleeping during current trading hours and any extensions would be difficult to deal with. Some viewed a lack of sleep as a health and safety issue and noted the connection between poor sleep and mental health. It was also suggested that a lack of sleep could impact the ability of residents to safely and productively carry out their jobs during the day.

In this climate, the needs of the residents, many of whom have mental health issues, small children and work commitments are sleep-deprived and unable to face the needs of the following day.

Other submitters raised the noise impacts on residents of earlier start times to allow for breakfast service in food and drink premises.

While music and operational noise from businesses and venues was a significant issue, submitters suggested this was not the only source of noise to consider. Many had been woken by patrons leaving venues late at night and congregating near residential areas where they would talk, shout and argue before moving to their next destination.

At present I'm just able to cope with the noise from patrons leaving and milling around smoking and yell talking with the bar closing at 12am. I'm extremely worried about my peace of mind and mental health if the trading hours are extended. I often have to get up early for work and it's really hard to stay calm.

Others were concerned about the increase in noise from traffic as areas become more popular at night. Many related personal stories of negative experiences they had with noise from later trading. They spoke of areas that were already highly residential and therefore unsuitable for late-night trading or areas designed in such a way that noise is amplified for residents in surrounding apartments. Some of these areas included parts of Potts Point and Chippendale.

ANTISOCIAL BEHAVIOUR

43 COMMENTS

Antisocial behaviour was an unfavourable outcome for a considerable number of submitters. Types of identified behaviour varied, yet all were viewed as undesirable and a burden on neighbourhood residents. Such behaviour included trespassing, property damage, drunkenness, drug-use, violence, littering, crime and general nuisance. There was a sense that late-night trading areas would act as hubs for illegal activity and attract this undesirable behaviour. Some believed the financial burden would fall to rate-payers and property owners to deal with this.

Property owners are also subject to the late night wanderers. Study the vomit stained streets, glasses, bottles, rubbish ratepayers must carry of the cost burden to clean up. No to extended hours.

A small number of submitters reflected on experiences prior to the lockout laws. They believed the situation had significantly improved since the laws were put in place and they did not want to see behaviour revert as later trading is established.

We consider that bringing again late night trading, the area will revert to its previous feral atmosphere where late night revellers will destroy our recently achieved quality of living.

Another submitter stated:

I live in Elizabeth Bay and well remember the hell on earth we had to endure up here when there were 24 hour pubs and clubs.

SAFETY

27 COMMENTS

Safety was a concern for a considerable number of submitters. Sentiments were closely linked with comments about antisocial behaviour with the notion that such behaviour is contributing to the public feeling unsafe. Again, submitters referenced the lockout laws and suggested feelings of safety have dramatically improved with less drunk or drugged people out on the streets. One woman has recognised a notable reduction in gendered harassment and crimes and now feels much safer in her own neighbourhood. Others noted the dramatic downturn in injury and death since late-night trading was restricted. Prior to restrictions, hospital emergency rooms were described as “war zones” and submitters did not want to see any pressure put back on hospitals with a relaxing of policy.

I support the retention of the existing laws, why? - lives have been saved!!! - hospitals are dealing with fewer casualties! ...and people still have opportunities for entertainment

One submitter stated keeping residents safe from alcohol fuelled violence should be the first priority for governments and that the lockout laws have been successful. The submitter called on the Australian Hotels Association to help meet escalating public costs of alcohol related injuries, crimes and late-night transport.

A small number of submitters argued noise and a corresponding lack of sleep is a significant safety issue. They suggested the poor mental stability caused by a lack of sleep can put the safety of the individual and the public at risk.

One submitter went into significant detail about the negative consequences of a lack of sleep. Such consequences included: poor judgement coordination and reaction times; increase risk of depression and impaired brain activity; and, more serious medical conditions such as stroke, heart disease, Alzheimer's and certain cancers.

A couple of submitters believed alcohol is a dangerous drug that should not be encouraged by increasing trading hours. One believed the proposal would encourage young people to drink large amounts of alcohol in unsafe environments. The other condemned the council for encouraging the consumption of alcohol.

One submitter with over 40 years of experience as an Emergency Physician stated they have “personally witnessed the dramatic decline in tragic head injury and death among young people since late-night trading was restricted”. They discuss the harm alcohol causes to society and argues one of the government's main roles is to protect citizens from this harm.

One submitter believed infrastructure is not safe enough to support large quantities of people that would be driven into late-night trading areas. They argued streets are narrow, poorly lit and in need of upgrading.

TRAFFIC

8 COMMENTS

Impacts to traffic was a concern for several submitters. Submitters believed later trading would result in increases in congestion as well as noise from drivers honking their horns and revving their engines. Problems with parking were also noted with submitters concerned illegal parking will increase and availability of parking for residents will decrease.

Other comments

The following section discusses other comments made in opposition of the proposed late-night trading planning controls. Such comments offered other reasons for not supporting the plan and provided specific suggestions for how late-night trading should proceed.

A considerable number of submissions in opposition of the proposal offered specific suggestions for how late-night trading should be planned for and implemented. Suggestions typically related to noise; planning and decision-making; compliance; and, specific locations.

Noise (14 Comments)

Several submitters made suggestions regarding noise. Around half of these suggestions related to limiting noise from commercial venues. Four comments wanted to see a greater consideration of noise in policy. Two simply wanted a “new noise compliance regime”. One wanted to see clear principles that any late-night commercial activity must not cause noise. One wanted controls about how music is amplified.

I'd like the plan for the city to include controls on how music is amplified, and notice taken about its volume and range up in the air where the apartments are.

A few wanted the responsibility to be shifted to bars to ensure noise is eliminated through appropriate amplification and insulation methods. A couple of submitters stressed the importance of sound insulation and argued venues should not be able to host live performances unless insulation is adequate. This includes protection from ancillary noise such as disturbance from deliveries, cleaning, storage container use and waste removal. One suggested bars be shifted underground with sound-proof walls and windows and no open doors.

One suggested the CoS should offer financial incentives to upgrade and soundproof residential apartments.

A few submitters wanted strict buffer zones of either 75 or 100m between residences and venues.

One submitter stated the map should define the Central CBD area for longer trading while distinguishing from inner city areas populated with a high density of students and young professionals to maintain a high quality of life.

One submitter expressed concern about the proposals because they consider that noise from World Square and Pitt Street Mall is already not well managed.

Planning and decision-making (10 Comments)

Suggestions regarding planning and decision-making were varied. One submitter suggested that unless there was an appropriate plan in place that ensures the proposal would not interfere with residents, the City should not proceed. One submitter said that the proposals were just a ‘slackening’ of existing controls.

One submitter expected the Council to make appropriate decisions regarding development applications, so residences were not impacted as well as support grants to reimagine the use of facilities when their original purposes are compromised.

One suggested late-night trading for Category C premises be considered on a case-by-case basis, rather than allowing them as-of-right 24-hour trading.

A couple of submitters suggested stricter controls that limit the number of similar venues in a location. It was argued this should be done at a strategic level, so controls match the character of the area.

One argued implementation will be fraught when applied with an “ad hoc DA process”.

Another submitter wanted to see better controls surrounding the service of alcohol to limit the number of drunk and disorderly people.

One business owner condemned the CoS for the amount of red tape restricting the operation of small businesses.

One submitter raised the need for Voluntary Planning Agreements between the Council and venue owners when extended trading hours are approved. This could contribute towards benefits to the community including for example, the provision of sound insulation for local buildings, all hours public toilets, late night buses and support for local youth centres.

Compliance (8 Comments)

Several submitters made comments regarding compliance to planning controls. Most recognised the importance of support from law enforcement if the changes go ahead. A few suggested increasing the presence of police and enforcement officers to ensure later trading is managed appropriately.

One submitter suggested CCTV and facial recognition in “risky hotspots” to discourage antisocial behaviour.

One suggested a collaborative approach to the process, fostering a sense of responsibility was necessary for compliance. Another believed a strict “one strike and you’re out” policy is necessary for venues that breach noise limits.

Locations (7 Comments)

A small number of suggestions mentioned specific locations. Many noted areas with existing infrastructure to support late-night trading. Broadway, Central Park, Regent Street, Newtown, Barangaroo and Darling Harbour were all suggested, but not in smaller residential streets. One submitter suggested using Kings Cross and Broadway for their traditional purposes as commercial thoroughfares.

A couple of submitters wished to see the Local Centre boundary in Potts Point shifted away from Springfield Avenue and Springfield Mall to encourage patrons entering and exiting via Llanckelly Place.

Other suggestions (4 comments)

A small number of submitters made other suggestions.

One noted waste would increase with additional people in an area so suggested the City increase garbage collection services.

Another commented on the “terrorist incident environment” and stressed the need for safe zones with multiple access routes and appropriate monitoring services.

The Redfern Police Area Command suggested mandatory CCTV and ID scanners to deter antisocial and criminal behaviour and remove anonymity of offenders.

CURRENT INEFFICIENT MANAGEMENT

36 COMMENTS

A considerable number of submitters suggested they did not support the proposed changes given historical experience with poor management of venues. Many provided specific examples of venues that regularly breached trading restrictions, causing significant disruption. Others suggested enforcement from Council officers and the police was inefficient and rarely provided permanent solutions to the problem.

On top of that, extremely understaffed police departments of NSW are unable to properly cope with existing problems, let alone proposed nightlife expansion. Trust me, myself or my neighbours have to call the police at least twice a week due to such reasons.

We ring the rangers and they try and do a good job but they need to be inside the house to assess the impact of the level of the noise. We have to wait up for the rangers to arrive and let them in. This process is frustrating and sometime we just put up with the noise pollution to avoid it and wait until 12am when we can finally get some peace after the patrons have left the area which can take another 30 minutes or so.

RESIDENT CONSIDERATION

35 COMMENTS

A considerable number of submitters felt the residents that are likely to be most significantly impacted by the proposal have not been adequately considered. Comments expressed concerns that commercial interests are being placed before the rights of residents even though in many cases they may have been living in an area long before commercial interests were established.

It is a commonly held view that city dwellers should put up with whatever is thrown at them in terms of noise, regardless of the time of day. This attitude reflects a view of the city as little more than a precinct for various entertainment-focused venues and their servicing needs. It sees city residents as a group of whingers who have no rights. They should keep quiet and accept their lot,

while watching the lifestyle that drew them there in the first place being constantly undermined and eroded. Cities come to life when people come to live in them. If they exist only as a variety of glitzy precincts and venues, all they attract are transient populations and all they offer is a superficial experience.

CURRENT CONTROLS ARE ADEQUATE

28 COMMENTS

A considerable number of submitters believed existing trading restrictions are acceptable and should not be changed. Many recognised that since the introduction of stricter trading regulations, crime, injury and death have decreased, while safety, peace and general amenity have improved. Others noted current regulations are adequate and there are still available entertainment options so questioned why they should be changed at the expense of an increase in noise, traffic and general nuisance.

With the current restrictions in trading hours over the last few years, for me, there has been a noticeable improvement in the quality of my neighbourhood. In the past, extended trading hours were largely a factor of a push from greedy venue proprietors and landlords, ultimately offering little in the way of overall advantage to local residents or community services.

PUBLIC TRANSPORT

9 COMMENTS

A small number of submitters referred to public transport in opposition of the proposed planning controls. Most comments suggested current public transport would not adequately service trading areas and therefore fail to clear people and prevent congregation and troublemaking.

One submitter raised the need for the controls to better address the cumulative impacts of patron dispersal and adequate policing and public transport to avoid the congregation of people late at night.

One submitter argued public transport provision is irrelevant and instead it is necessary to regulate and provide for ride sharing services such as Uber. Another suggested more set-down and pickup points for Uber were required in the city away from residential development. Another suggested taxi changeovers be staged so a large number of people are not out on the street trying to find rides home at the same time.

The Redfern Police Area Command requested consideration be given to dedicated parking for emergency vehicles.

OTHER

13 COMMENTS

Several submitters made other opposing comments. A few of these comments questioned the lobbying interests behind the proposed changes. One believed the plan is an “overt attempt by business interests to lobby the council for something that will have an extremely detrimental effect on long term residents”. Another urged the City not to be pressured by media as later trading hours will only increase revenue for nightclubs at the expense of patronage for smaller businesses. One stated “the voice of a minority has been listened to in the changes you have proposed” and argued rapid commercial expansion in Sydney has impacted the viability of venues in other parts of the city.

A couple of submitters talked about Sydney's status as a global city. One argued there is no benefit in trying to compete and outdo other cities and instead the focus should be on quality of life for residents. The other stated 24-hour trading is not a necessary requirement to be an international city.

One submitter provided an extensive summary of the pros and cons of the proposal and ultimately concluded extended trading should be rejected as “Sydney does not have to imitate New York or Paris to be a vibrant tourist destination and indeed there may be advantage in being different”.

One suggested later trading is uneconomical due to overtime costs.

One stated it is a property and common law right to peace, comfort and privacy..

One submitter raised issues surrounding worker exploitation, suggesting workers would not be adequately compensated for later hours of work and immigrants may be exploited and employed illegally. The current environment was described as lacking in representation of specific groups including African, Northern European, Australian (ATSI) and Trans/Pan sexual groups. It was argued the proposals do not

address this and can therefore not be considered truly inclusive. The proposal was described as “more of the same”, suggesting the Council is simply trying to revive the historical party culture without acknowledging the significant change in residential demographics since restricted trading hours were implemented.

Issues regarding conflict between security staff and patrons were also acknowledged. The submitter noted witnessing security staff engaging in physical confrontation with people and suggested incidents would become more frequent with later trading. They also suggested a CPTED (Crime Prevention Through Environmental Design) analysis be implemented as part of the proposal.

A submission from Inca’s Restaurant in Newtown and Darlinghurst discussed their management plan and measures to control patrons, noise and disturbance if given permission to have later trading hours. The restaurant owner believes the restaurant offers a great food and entertainment opportunities, which they will adequately manage to avoid harm. Measures such as security staff, focus on food and encouraging people to drink safely, zero tolerance to harassment and controlling noise are some of the ways this destination hopes to become part of Sydney’s nightlife.

One submitter of a business in Darlinghurst adversely affected by the lockout laws objected to the ‘red tape’ involved in changing the usage of their premises and the costs of preparing a DA.

Theme 3: Neutral suggestions

Section summary

- Comments discussed in this section refer to those which offered no firm positive or negative point of view on the proposed changes to the City's planning controls for late-night trading. These comments frequently focused on issues such as transport, or the music industry. In addition, some comments presented pros and cons for the proposed changes giving no preference.

NEUTRAL COMMENTS

36 COMMENTS

Several comments included accounts about musicians, the music scene and music venues. Submitters generally wanted to see local music respected and encouraged. The promotion of music was thought to be facilitated by: less "red tape" and corresponding costs for venues to have live bands; not allowing noise complaints from residents affected by live music; recognition and pride in music's ability to showcase Australian identity; and, broadening tax laws to allow deductible donations for free rent to apply to arts/music enterprises.

Council needs to ensure that the 'trial period' is what it's intended to be – an actual test of the impact of the operating conditions for which the venue seeks approval. This should be clearly stated within the DCP and Council should enforce it.

A small number of comments included listing the pros and cons of proposed changes. These included lists of potential effects (from increased revenue for businesses to increased noise for residents). One submitter spoke of the difficulty of finding balance for communities and businesses.

A small number of comments addressed public transport, stating that this service must improve (to meet the needs of those using the areas already, and those who would require additional services if trading hours were extended).

A few comments noted that communities are impacted by changes.

A few comments included discussion of 'pokie' machines, specifically the view that these did not constitute a form of entertainment that should be encouraged through later operating hours.

A few submitters noted that other costs should be considered when addressing change to trading hours. The cost of additional demand for ancillary public services such as emergency services and waste disposal. The impact on residents of repeated development and consultations around them was raised by one submitter as an issue. Lastly, one person wanted acknowledgement of the contributions to climate change that increased operating hours would encourage.

A couple of comments included discussion of bars, one submitter wanted bars to be less focussed on drunk patrons (unless they are very drunk), and another felt that bars were unfairly held to account for the actions of drunk patrons.

One suggested performances should start an hour earlier rather than finish an hour later.

Submitters commented on the following topics: support for a 30km/h speed limit in the CBD; a reduction in the influence that old licences have on the issuing of a new one and acknowledgement that venues may not be able to adopt quickly to a 24-hour model and may need Council's assistance in transitioning. One submitter questioned use of the term 12am, stating that there is confusion about whether this refers to midnight or noon.

Theme 4: Comments on the draft DCP

Section summary

- This section discusses comments made about the specific provisions in the plan and the consultation process as a whole.
- Responses were varied and often related to specific sections or wording within the plan.
- A sizeable number of submitters discussed category A, B or C premises, often providing feedback on how venues should be classified or arguing the extent of restrictions that should be placed of each category.
- A considerable number of submitters simply quoted and supported the five key changes.
- A moderate number of submitters offered feedback on the consultation process. Many of these were grateful for the opportunity to offer feedback, others expressed concerns about the questions within the survey or doubted their voices would be heard.

CATEGORY A, B, OR C

84 COMMENTS

Feedback on the consultation process and on the wording and/or content of the Draft Sydney Development Control Plan: Late Night Trading 2018 was offered by a very large number of submitters. Submitters whose comments included quoted sections of the plan are discussed together to allow comparisons. Comments discussed under this heading include all those from submitters who referred to categories, A, B, or C in their comments. Because submitters did not always use terminology consistent with the proposed changes in the draft DCP, those who referred to high or low impact premises are also included. Note that when submitters expressed support or opposition to the proposed changes, these have also been discussed above, under *Support for late-night trading planning controls* and *Opposition to late-night trading planning controls*.

Category A - high impact premises

Almost a third of the submitters who directly referenced Categories cited Category A in their comments. In several cases submitters cited Category A as part of background information, clarifying the current situation. Several others cited Category A as part of a larger discussion around specific locations.

A small number of submitters specifically requested amendment to the classification of Category A High Impact Premises to “include restaurants with a capacity of more than 120 patrons and function centres with a capacity of more than 80 patrons”. The reason for this amendment is suggested that larger capacity premises can have louder levels of noise and increased intoxication.

A couple of submitters noted Category A premises should be better monitored to ensure they are well-run. In addition, the other submitters noted Category A in the following ways:

There is no differentiation between extended outdoor trading hours for Category A to Category B Premises. This means you are expecting a pub or a dance club to have the same outdoor impact as a restaurant which could have 2 tables outside.

The potential one hour extension of Category A uses in the local centre area is problematic - how will hotels provide evidence of having included entertainment and will it be on adhoc nights or locked down in a DA consent?

There needs to be some predictability around these additional hours. Given within the small footprint of Erskineville there are 4 Category A premises - how will this be predictably managed?

Category B- low impact premises

Two-thirds of the submitters who referred to impact categories did so regarding Category B low impact premises. Most frequently this was as part of a larger discussion on a certain area or point relating to the proposed changes. Amongst those who cited Category B in their comments, there was a relatively even split between those who opposed the proposed changes to the plan and those who supported proposed changes.

Support for and opposition to extended hours for low impact businesses was based around the following arguments:

- that low impact businesses should be able to operate later (i.e., to enable patrons to be out enjoying the city in the evenings and improve business viability), and,
- that residents should be able to enjoy peace and quiet in the evening hours (i.e., that hours should not be extended).

*I would also support the same 24/7 allowance for performance spaces and "low-impact venues".
I also support bringing regulations in line with NSW Govt regs for residential areas*

While we enjoy the vibrancy and 'buzz' of living in the city, we have the right to peace and quiet in our homes and to the provision of services and venues related to ordinary life, rather than just 'glitz'. We expect Council to recognise and support this.

One submitter stated that Category B should include an additional definition for a performance venue, similar to the proposed definitions in Category A and B, which allows up to 150 patrons (rather than 250 patrons). This is considered to have a lower impact and encourage more live entertainment in a range of locations in the city.

One submitter addressing Rochford Street in Erskineville sought clarification that entry and egress onto a main street for any venue opening until 2am in a Local Centre must not allow access from a residential street in the case of corner sites, or cause an overspill of patrons into a residential area.

Category C- unlicensed premises

One submitter noted Category C premises and their concern that the proposed changes would not protect residents from the impacts of crowds congregating outside an outlet. This submitter appeared to believe Category C premises would be allowed as-of-right 24-hour trading, which they suggested would cause significant disruption to residents. One submitter raised the need to close large shops on a Sunday.

OUTDOOR TRADING HOURS

5 COMMENTS

A few submissions including the Australian Hotels Association specifically requested the extension of outdoor trading hours, especially in the instance of restaurants and dining venues. Submitters expressed dissatisfaction towards the fact that finding somewhere to eat outside past 8pm is typically very difficult. Taking advantage of Sydney's warm and comfortable climate was noted by these submitters.

*Restrictions on outdoor trading hours are particularly grating, as Sydney has such a great climate.
The fact that you can't dine on the footpath past 8pm (base trading hours) is beyond belief - many people don't even start dinner until 8:30pm There should be no restrictions on trading hours full stop.*

The Australian Hotels Association proposed that base outdoor hours be extended to a minimum of 10pm with the possibility of further extension until midnight dependent on the business case. They argued noise coming from these activities are not offensive but add to the local character of the suburb and reduce the perception of areas being sterile.

One submitter believed that base outdoor trading hours in Local Centres and City Living areas should be until 10pm and not 8pm. The submitter noted the lack of differentiation between extended outdoor trading hours for Category A and B premises in local centres which means that a pub or a dance club are expected to have the same outdoor trading impact as a restaurant which could have two tables outside.

Another submitter questioned why outdoor trading hours were limited in late night trading areas if the impacts can be managed on a case-by-case basis with trial periods.

PLANS OF MANAGEMENT

Submissions from the Australian Hotels Association and City North and Kings Cross Liquor Accord requested a review of the current requirements of the Plan of Management as a key mechanism of the Development Consent in light of duplication and requirement conditions for licensed premises under the NSW Liquor Act.

CONTENT OR WORDING OF THE PLAN

31 COMMENTS

A considerable number of submitters addressed the wording or content of the plan in their comments. Criticism of the DCP included: the mapping is overly complicated; points within the draft could be more clearly articulated; draft documents are idealistic (and rely too much on businesses 'doing the right thing'); outline of the controls is misleading; the draft contains poorly defined words/concepts (such as 'diversity' and 'vibrancy'); some aspects are too conservative/too prescriptive; and, the language and tone of the language in the documents is anonymous, cultural-less.

Mapping is overly complicated and difficult to understand. Suggest broader categories and fewer is better. Similar proposals were being advocated in 2010-12 and then State Legislation in 2014 seemed to dictate what local government had to abide by. How is this any different?

The Sydney Fringe Festival supported the "overall shift in tone" which they stated acknowledged the contribution that night-time businesses make.

The content of the plan was criticised for its lack of emphasis on several specific aspects. Several bemoaned its lack of emphasis on culture, and a moderate number of submitters wanted to see more areas included in the plans. Several of these wanted to see the PACT Centre for Emerging Artists included within the boundary. Several other specific businesses objected to being left out of the relevant area the draft changes pertain to. Note, these are included in discussion above, under *Support for late-night trading* → *Other*.

While not specifically related the content of the plan, the owner of the Strawberry and Shakespeare Hotels commented on broader late-night trading legislation. They note that section 49(2)(a) of the Liquor Act 2007 prohibits a hotel from trading after midnight on Sunday, but exceptions can be granted for hotels within the City of Sydney as of 1 July 1994. They state that the Strawberry Hotel falls outside this boundary despite being in what they consider to be a central part of Sydney and suggest the boundary be updated to avoid plans for later trading being hampered by "legislation in dire need of review".

A couple of submitters urged staff to be conscious that plans on paper don't always apply as intended "on the ground".

One submitter specifically stated control 3.15.4 (2) relating to table 3.7 should be deleted, arguing the strict wording would make it nearly impossible to approve a venue abutting a laneway. They also criticised control (4) as this would mean planners have no capacity to approve, for example, early trading of cafés in mixed use zones, despite minimal impacts to amenity they may have. It was argued that venues should be assessed on a case-by-case basis, rather than a blanket restriction.

Another submitter raised the complaints that the Council will review when it assesses whether a venue has demonstrated good management under proposed control 3.15.4(14). The submitter assumes the Council has policies to address the situation if a venue receives a large number of complaints but only from one or two people, and the validity of complaints will be assessed against the DCP objectives.

CONSULTATION PROCESS

24 COMMENTS

There were a considerable number of comments about the consultation process. Most criticised aspects of the consultation, including its reach, its documents (such as letters to affected residents), and the probability of the process accurately reflecting the views of the community.

Several submitters stated they had limited opportunity to comment on the plan, and criticised the process for not better including them or for the “lack of consultation”, see quote below:

Alexandria residents particularly those in North Alexandria were not engaged by Council as it was not part of the original survey proposal. They were not part of any pop up or physical engagement by Council as were other areas. The first time we became aware of the proposal was when a generic flyer which discussed a range of matters was left in our letter box.

No one had heard of this proposal. The letter which was eventually sent did not refer to alcohol premises being allowed to stay open until 2am.

In contrast, while many comments included thanks for the opportunity to contribute (discussed elsewhere in this report), a couple of submitters gave favourable comments regarding the consultation process. One congratulated the City on its public consultation, which they labelled extensive, and the other stated the City did an “excellent job in canvassing local residents, businesses, and patrons”.

A small number of submitters conveyed that they were sceptical of whether the process would consider their views, feeling that decisions are either predetermined or too heavily biased towards economic interests (i.e., the liquor industry).

A small number of submitters stated they doubted that residents’ views would be adequately considered.

Specific Sydney locations

Summary

Many submitters made comments that referred to specific Sydney locations. Table 1 presents the viewpoint of submitters referencing each location outside of the CBD. Typically, opposition came from local residents who had concerns for the impact of later trading on their and the community's personal wellbeing. Most comments supporting the proposal wanted to see more activity and liveliness.

Kings Cross was the most commonly referred to specific location. Comments supported an increase in night-time vibrancy to Sydney's central city, including Kings Cross. Submitters had doubts, however, that central city nightlife would be any different to violent and disorderly behaviour previously experienced at Kings Cross. Most submitters were in favour of the proposed cultural precinct in north Alexandria. Many residents of Potts Point, Glebe, and Chippendale expressed concerns for noise and disturbance to them as a result of proposed policy.

Locations are ordered by number of comments, with the most commonly mentioned location discussed first.

Table 1: Support and opposition by location

<i>Area</i>	Support	Reason summary	Oppose	Reason summary
Kings Cross	22	Want to bring liveliness and culture back to the area.	20	Fear of dangerous drunk/drugged and disorderly behaviour as previously experienced prior to NSW lockout laws. Many opposing later trading in Llanckelly Place specifically, perceived to be too disruptive to residents.
Alexandria	26	Strong support for 24-hour trading in Alexandria as a cultural precinct. Viewed as a good place to revitalise.	5	Concern for local infrastructure, lighting, waste collection, pedestrian connections and how noise/disturbance will increase in Alexandria.
Potts Point	6	Want to see more vibrancy in the local neighbourhood. Some residents of Potts Point feel there are not enough nightlife attractions.	17	Submitters generally concerned about disruptive drunk/drugged and unsafe behaviour for residents of Potts Point.
Glebe	6	Glebe residents wanting to encourage more unique shops and small businesses to make the area livelier. Request for Harold Park Tramsheds to be included in local centre	13 (plus 88 signatory petition)	Concern about antisocial behaviour, noise and sleep disturbance and current problems with existing venues. Residents do not believe that later trading is consistent with the residential character of the area.
Chippendale	1	Raised the difficulty with finding a place to have an after-dinner drink in Chippendale.	14	Residents of Chippendale believe the proposal would significantly harm the amenity of the area and be disruptive to residents. Late night trading is not considered appropriate given small scale of streets, composition of population and number of existing problems with licensed premises in the area.
Newtown	3	Desire for stronger night-time economy and nightlife in. Newtown is considered one of the current popular areas and vibrant night time economies in the city. Request for increased 24 unlicensed trading.	7	Concern for impact of poor behaviour, noise and local amenity on residents.

Surry Hills	1	Disappointed by lack of nightlife in Surry Hills.	5	Most submitters were residents with families who oppose the changes due to potential noise impacts and disturbance.
Darlinghurst	3	Support for proposal to increase culture, safety and liveliness, and the perception that this has been lost due to business closures as a result of NSW lockout laws. Later trading proposals support the viability of local business.	5	Impact on local amenity and residents. Impacts of increased trading on Little Surrey Street in Darlinghurst.
Waterloo	4	Support for proposal to have better social opportunity and nightlife.	2	Concern for peace and safety of the area.
Redfern	7	Specific support for later trading hours in Redfern. Request for former Australian Technology Park to be included as a local centre	3	Oppose due to noise disturbance to residents.
Green Square	5	Specific support for increased activity in Green Square. Request for Gazcorp site at 296-298 Botany Road to be included in local centre.	1	Long term resident feels the area will become unsafe.
Zetland	4	Encourage better food, bar and venue options in Zetland. East Village Shopping Centre supports for economic benefits.	2	Concern for potential noise disturbance from later hours at East Village shopping centre.
Erskineville	2	Request for PACT Centre for Emerging Artists to be included as a local centre. Support from Newtown Business Association for more unlicensed trading in Erskineville.	2	Concern that only licensed premises will trade late, there will not be long term noise management to reduce harm on residents. The need to ensure that there is no overspill of patrons into a residential area/street.
Barangaroo	1	Perception that destinations close to early in Barangaroo leaving minimal options.	1	Residents concern for noise and disturbance from bar and venue patrons. Highlights need for traffic management plan due to change of zone.
The Rocks	1	Perception that destinations close too early.	1	Concern from residents of apartment building 8 Hickson Road that noise and disturbance will be significant.
Walsh Bay	1	Trading in the area perceived as struggling and in need of creative thinking and revitalisation.	2	Adverse impacts on residential population from increased late-night trading in this area. Seeks exclusion of 17, 19, 19a, 21, 21a Hickson Road, from proposed Local Centre.
Paddington	1	Supports change as a business owner in Paddington, many tourists complain about early closing time.	0	-
Ultimo	1	A resident stated changes would be a significant improvement	1	Opposed late night trading in Ultimo/Pymont, as a resident of the area.
Pymont	3	Support for benefits to employment and nightlife	2	Opposed late night trading in Ultimo/Pymont, as a resident of the area. Oppose longer hours for hotels and out-of-area patrons solely interested in drinking, which will undermine local culture and activities
Woolloomooloo	0	-	1	Loud band and DJ music coming from the Woolloomooloo Bay Hotel. Impacts on social housing tenants. Issues with food venues and loud entertainment.

Note: Number of comments in the table were determined by counting all comments that refer to a specific location and offered a clear argument in support or opposition. Comments referring to locations in a general sense were not counted.

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Turning **Information** Into **Insight**