



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**STANDING COMMITTEE ON ECONOMICS, INDUSTRY
AND RECREATION**

(Reference: [Inquiry into Canberra's Night-Time Economy](#))

Members:

MR T WERNER-GIBBINGS (Chair)
MS F CARRICK (Deputy Chair)
MR T EMERSON
MS E LEE
MR S RATTENBURY

PROOF TRANSCRIPT OF EVIDENCE

CANBERRA

WEDNESDAY, 13 MAY 2026

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Secretary to the committee:
Ms S Milne (Ph: 620 50435)

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Amended 20 May 2013

The committee met at 1.00 pm

GATFIELD, MR CHRISTOPHER, General Manager, Australian Hotels Association ACT

HARFORD, MR GREG, Chief Executive Officer, Canberra Business Chamber

SHANNON, MR CRAIG, Chief Executive Officer, ClubsACT

WEIR, DR BRIAN, Director Policy Coordination, Canberra Region Tourism Leaders Forum

THE CHAIR: Good afternoon, and welcome to the second day of public hearings of the Standing Committee on Economics, Industry and Recreation, for its Inquiry into Canberra's Night-Time Economy. The committee will today hear from a range of representatives from industry associations, multicultural and community organisations, and the Minister for the Night-Time Economy.

The committee wishes to acknowledge the traditional custodians of the lands we are meeting on, the Ngunnawal people. We wish to acknowledge and respect their continuing culture and the contribution that they make to the life of this city and this region. We would also like to acknowledge and welcome other Aboriginal and Torres Strait Islander people who may be attending today's event.

This hearing is a legal proceeding of the Assembly and has the same standing as proceedings of the Assembly itself. Therefore, today's evidence attracts parliamentary privilege. The giving of false or misleading evidence is a serious matter and may be regarded as contempt of the Assembly.

This hearing is being recorded and transcribed by Hansard and will be published. The proceedings are also being broadcast and web streamed live.

If taking a question on notice, it would be useful if witnesses used these words, "I will take that question on notice". This will help the committee and witnesses to confirm questions taken on notice from the transcript.

We welcome representatives from Clubs ACT, the Australian Hotels Association, Canberra Region Tourism Leaders Forum, and the Canberra Business Chamber.

Please note that as witnesses, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. Would anyone like to make a brief opening statement?

Mr Gatfield: Chair, members of the committee. My name is Chris Gatfield. I am the General Manager of the Australian Hotels Association ACT. Thank you for the opportunity to appear before you today.

I welcome this inquiry into the night-time economy, particularly because for many years Canberra's nightlife has unfairly carried the reputation that it shuts down basically straight after question time.

The reality, of course, is obviously very different. Canberra has a thriving and very

vibrant, and increasingly sophisticated night-time economy. Hotels, pubs, bars, and cafes across this city employ around 17,000 people. We are significant employers. We are also absolutely critical to the social and cultural elements of what makes Canberra a really great place to live, work and visit.

So, we appreciate the committee's focus on this issue. I look forward to contributing—hopefully constructively—to the discussion, although I do note that this hearing is a bit of a missed opportunity in that it could have been held at midnight, at Bar Beirut, over a wasabi martini. I am happy to take any questions.

THE CHAIR: Well said. I have a question for ClubsACT first. In your proposal there is a three-tier precinct framework for noise reform. A little bit more information, please, on how you see this working? Is this the sort of thing that is practiced in other jurisdictions?

Mr Shannon: Thank you for the question. I am Craig Shannon, CEO for ClubsACT. My understanding is the practice is quite common in other jurisdictions. Certainly, it is nothing novel, particularly in the hospitality space. I am sure my colleague would agree with me in terms of, particularly, order-of-occupancy issues which are a constant problem for our sector. I think, as we see a lot of urban infill across the ACT moving into areas that are historically entertainment precincts, the need to actually have these issues addressed is pretty significant from our point of view. Residents moving into locations should have a certain expectation as to what they may have to endure in terms of noise or otherwise.

THE CHAIR: So, buyer beware.

Mr Shannon: Yes, absolutely. The best example I have is living in Sydney under the flight path, when they sold a lot of properties and then suddenly people who bought in cheap housing accommodation starting to complain about the planes overhead. At some point, there have got to be some reality checks in terms of the facts that these are entertainment precincts. They are significant to the community and economy more broadly, and there should be a lot more transparency and a more effective noise management model in place.

THE CHAIR: How would this proposal for the three-tier framework improve the situation? How is it different to what is going on now?

Mr Shannon: I think by having a transparent statement in terms of expectations, particularly for residents.

THE CHAIR: Okay, the statement as one of the key factors.

Mr Shannon: That is right. That is very important at the end of the day. And as you said, “buyer beware”. I think there is a significant element of that involved. But also in the planning space, I think there is a little less consideration in terms of planning requirements, particularly on noise suppression, in terms of unit development and other things that could be dealt with, particularly through this process.

I lived in Western Australia, in the Perth CBD in an apartment that backed onto a pub

that was very vibrant on a Friday night, but you would not have known it when you had the door closed on the patio. The moment you opened it I was basically in the middle of a disco. But I do not think a lot of that development is taking place, in terms of our planning and planning requirements on residential developments around entertainment areas.

THE CHAIR: Thank you. I might come back to that later on. A quick question for AHA. This is very different, but it is regarding the potential solutions to the shortage of qualified chefs in the ACT. One, I did not realise this was an issue. But what practical, measurable steps can the government take, presumably in concert with industry, to mitigate, rectify and improve? What would you be looking for? I guess, what are the implications? What is the situation now?

Mr Gatfield: The situation now is that it is very, very difficult to convince particularly an Australian to undertake an apprenticeship to become a chef. The hours are anti-social, the work environment is, by its very nature, pretty hot, very intense.

THE CHAIR: We have all watched *The Bear*.

Mr Gatfield: We have all watched *The Bear*, right. So, we are struggling to fill particularly chef positions among other skilled roles within our industry. But chefs are absolutely critical.

THE CHAIR: Sorry, you said Australia; is that Australia more generally, as well as the ACT, or is the ACT uniquely deficient?

Mr Gatfield: Australia more generally. The ACT has the comparative disadvantage of not being Brisbane, Sydney, Melbourne; along the tourist trail; working holiday makers. So, we do struggle more than other jurisdictions to attract and retain skilled staff. That is just the reality of the situation.

With chefs, keeping the migration pathways open which, happily, was announced in the federal government budget last night, is absolutely critical. But apprenticeship pathways, the number of—

THE CHAIR: That is where the ACT government could be—

Mr Gatfield: Absolutely. So, getting CIT involved. Making sure that there are people who are entering into apprenticeships; who stay in apprenticeships. The numbers are pretty diabolical. I can provide them on notice to the committee, if you so wish.

THE CHAIR: Yes.

Mr Gatfield: In terms of the number of commencements of apprenticeships, they are going down every year. There are fewer incentives for people to begin an apprenticeship—both on the employer's side, as well as the apprentice's side. And without some sort of action there, I think you are going to see a continuation of that pattern and that is going to present a real challenge for our industry going forward.

Mr Harford: Can I just add to that? Greg Harford from the Canberra Business

Chamber. I am the Chief Executive there. I completely agree with everything that Chris has just said, but the issue is that the other lens that we need to put over that is that Canberra, I think, has a bit of an image issue around the country. People often do not want to live here. They do not know Canberra. They have often never been here—or if they were it was part of their primary school trip 20 years ago—but Canberra has a reputation for being boring, quiet, full of politicians up on the hill who argue about things.

Yet actually we all know that it is a beautiful place. And I think one thing the government could usefully do here in the ACT is actually to help promote the city a little bit better, which helps from the tourism point of view but also helps with that talent attraction and recognition as well.

THE CHAIR: Thank you, very much.

MS CARRICK: A lot of the conversation today will be about the city but I want to ask about the town centres. It is part of the terms of reference. Do you think that there is enough planning in, you mentioned, the entertainment precincts? The city and Gungahlin are the only ones that have designated entertainment precincts. The rest do not. So, there is noise; there is not, for example, the gender planning framework safety activation.

If you read the ACT government submission, it is all about what goes into the city. Do you have any views about the state of the nightlife in the town centres and how it can be approved?

Dr Weir: Brian Weir, Canberra Region Tourism Leaders Forum. As a proud citizen of Weston Creek, I think it is not just the town centres, I think it is down to the group centres as well.

A couple of points: first one is the issue around chefs and so on. One of the changes that is happening in the tourism industry is growth of venues, restaurants, cafes in the suburban centres and in the group centres. That is good in one way—more diversity and so on—but it is pulling trade away from the restaurants and venues in the city.

The second thing, I think, is that the town centres have been—not ignored, but—not as well supported in terms of promoting diversity in the offering to residents. Part of the night-time economy is certainly about visitors, but it is also about residents as well. And I do not think the government, so far, in its planning and its regulation, in its fees and charges—which I am sure we will get to—are really helping that.

The other point I would make is about some of the odd planning decisions in terms of the density. For example, you would know, in north Weston there is proposal now for RSPCA to move somewhere else and for a seven-storey or nine-storey residential building to go up next to that service station. So, I think there is an appropriateness element to the planning stuff as well, which the government is not really addressing.

MS CARRICK: So, they have got access to the local centres and to the night-time economy. There are high levels of densification happening. I am just wondering if there are commensurate places for bands, for example, or public spaces for such a high level

of population. For example, Woden will potentially have over 10,000 apartments and 20,000 people living in a very small area, but a lack of amenity and active public spaces for the night-time economy—outside of the clubs. There are big clubs. But just views about the government support to activate these sorts of areas?

Mr Shannon: If I can follow up on that? I am sure we touched on this in some detail in our submission, but our view is that all club sites should be considered entertainment precincts. I will give you a very good example of it: The Harmonie German Club. It is a very significant entertainment precinct in and of itself, and it is getting urban densification going on around that location. Oktoberfest is held there, as most people would know.

We want all club sites to be treated as entertainment precincts, particularly because they should become the lifeblood of the entertainment area within those increasingly growing residential areas.

We have raised this with government before. The over concentration of focus just on the CBD, while it is worthy in its own right, should not be an exclusive option. It should be considering every town centre and every location that is a club facility site. I think it lends itself to great opportunities for social hubs for the Canberra community as it grows.

Mr Gatfield: The entertainment precinct model, I think, has shown itself to be a success in the limited locations in which it has been rolled out. We would be very, very firmly in favour of replicating that success in town centres, particularly sites like Woden which, as you say, is probably under-resourced from a hospitality and amenity perspective—probably from a transport perspective as well, I would venture.

The ability to get patrons to and from venues safely and with confidence, so that they know that they can actually leave the house and get home at the end of a night, relatively easily without having to rely on taxis or Uber, is absolutely critical. So, you can build it and they will come, but you need to give them a way to get there.

Those two things, in our view, go hand in hand: putting on the services, but then also promoting the availability of those services both at the transport hubs and within venues as well.

MS CARRICK: And with the Gender Sensitive Urban Design Guidelines, do you see the government applying those to our entertainment areas? Because it is about safety. In the Gender Sensitive Urban Design Guidelines, one of the issues is feeling safe in the areas.

Mr Harford: I think, certainly from the feedback I get from people, there are concerns about safety right through the city and in the CBD, but also in town centres. Some of that is around lighting. Some of that is around how many people are around. Some of that is around homeless people or anti-social behaviour that is going on, on the street.

There are a whole lot of issues in there that perhaps fall outside my purview as the Canberra Business Chamber, but we certainly need to see a greater focus on making those spaces safe or, importantly, seem to be safe. Because I think a lot of the feedback I get anecdotally is, “It seems a bit unsavoury”, “I am not sure if it is safe”, rather than

necessarily specific concerns. But there are definitely questions, I think, in the minds of some members of the public about whether it is safe to go out at night.

Dr Weir: I think that would lead into look and feel issues as well. So, walking outside this building right now we can see examples of graffiti and rubbish and so on. It is tackled in our submission, and I am sure the others have mentioned it as well, but it is a disincentive for people to come into the city and I think even to go to the town centres, as well.

Coupled with that safety issue, I think we are almost arguing against ourselves in terms of encouraging people to come to the town centres, come to the city to enjoy the night-time economy. Certainly in terms of visitors, if it does not look good, it does not feel safe, we are not going to get them stepping out and contributing, having a good time, then going home and saying what a great place it is.

The government's tourism strategy talks about building a global city. It talks a lot about making Canberra a place to visit, a place to invest, a place to reside. Some of these safety issues and the look and feel stuff, I think, are not insignificant in mitigating against the government's ambitions in that.

There have been many attempts to encourage government to do more. We know the City Renewal Authority make the best effort they can in terms of the budget they have got. But I think a greater investment in some of this stuff would be a real step forward.

Mr Shannon: If I can add further to my colleagues' comments? I think safety is probably the single largest issue from our point of view outside of noise, in terms of the night-time economy debate—particularly if you look at the previous inquiry on municipal services. We have attached our submission to that inquiry to the back of this document.

We have a growing problem in Canberra on the perception and, I think, on the real level in terms of safety across the town centres and across the suburban centres—including Dickson, for example, where I live. There is not only a perception problem in terms of people feeling safe at night and then wanting to indulge in the night-time economy, but it is actually dissuading people. It is not just failing to attract; it is now dissuading people from participating in that part of the ACT community.

Canberra has the single lowest number of police per population in Australia, which to my mind is an outrageous statistic—particularly as we are the only jurisdiction in Australia that has decriminalised methamphetamine use, and you have a societal blowout in terms of other impacts from the decriminalisation of methamphetamine and its relationship to safety, and then its relationship to the night-time economy more broadly.

I think it is an area that warrants specific and very serious consideration more generally, in terms of whether or not you can achieve the goals you want to achieve in terms of night-time economy in the absence of addressing this issue very directly.

MS CARRICK: In terms of achieving the goals in the night-time economy, people talk about, and we have talked about, safety, place-making activity, passive surveillance;

how you need that critical mass of people to feel safe and to feel like you are in an active place.

Do you think with the number of precincts we have, not only between the city and the town centres and the group centres, but within the city—Lonsdale Street, Garema Place, City Walk, Melbourne Building, Sydney Building, the new Convention Centre, West Basin, New Acton—is there a beating heart or is it too distributed, too decentralised, even within the city?

Mr Shannon: I do not think you would call the middle of the Garema Place area, which used to be the beating heart of the CBD, a beating anything anymore. It has been beaten.

MS CARRICK: Is that what we are aiming for, though? We keep trying to activate it.

Mr Shannon: Quite frankly, you would not know that if you walked across the road today and around that area. I mean, it is almost a national disgrace that that is the CBD of the national capital, and it looks like a ghost town. On a Saturday night, you can walk from one end of the civic area to the other and it looks like it has been abandoned.

And not just because of the construction but, generally speaking, I think a lack of integration between Braddon, the city area, and the new other areas that you are talking about. They have all been done piecemeal and there is no strategic sort of linkage in the way those are developed and planned.

It also makes it harder for safety issues, for police responsiveness and things like that, to be dealt with effectively. So, I do not think there has been an integrated view in terms of that. And that is one of the reasons why we have made a submission in terms of trying to centralise the consideration of all these issues under one structure.

Mr Harford: I think you raise a really valid point because the city is very spread out and it is not very densely populated. So, that in itself creates challenges because there are big gaps between things.

But I would add to that these other issues around demand, that I think are not helping the situation because in order to have a thriving night-time economy, we need to have lots of people getting out and about. That is challenging in a less dense environment. So, one of the things that we would certainly support is greater densification in the CBD; more people living here and being based here.

Also, working from home is a real issue, because it has meant that very large numbers of people who otherwise and historically have been working in offices here in the CBD, and even at the town centres, are now not here at all—often many days a week.

So, if you are not here on a Friday, or if you are not even in the Tuggeranong town centre or the Gungahlin town centre on a Friday, you are perhaps less likely to be going out for that drink or that dinner after work. So, part of our plea to governments of all persuasions is to try and get people back into the office because it is good for business, but it is also good for the night-time economy and the surrounding environments.

MS CARRICK: Thank you.

MR EMERSON: Thank you for your submissions, and thanks for being here. I wanted to reference the ClubsACT submission which says that Canberra's night-time economy is constrained by a system that has not yet aligned regulation, planning intent and precinct delivery with the realities of a modern mixed-use city. I am curious about everyone's views on the role for a dedicated night-time economy office or coordinator, aligning within the ACT government, to help align these things—aligning regulation, planning intent, precinct development, economic development, and so on.

Mr Shannon: We definitely support the proposition because the lack of integration of the municipal services has a real impact on the night-time precincts. And I think that is pretty well evidenced, and we have tried to put as much into our submission as we can to give evidence to that—and I am pretty confident my colleagues will back us up on this.

The problem with the ACT government structure at the moment is there is a lot of siloing that seems to take place between different functions. You find yourself frequently running from one to another, to another, and you do not seem to get any conclusion. There is no one responsible party, in terms of all the decision making. And licensing issues are different from a lot of the other issues, so you are dealing with one part of government for licensing and then dealing with another—even just food and alcohol licensing can be a different issue and have different parts of the government to work with.

So, I think a simple, regulated structure that would bring all of these under one tent and allow industry and business to actually coordinate through that process would make a lot more efficiency for government. It would certainly achieve better outcomes, I think, in terms of the way government expenditure is going into investing in these areas.

Mr Gatfield: Similarly to Craig, we support the establishment of some sort of night-time economy coordinator role. We think that there is no silver bullet to a number of the challenges that the sector faces when interfacing with government or trying to solve a problem. However, that said, if there is a role that could be established that is principally focused on connecting business with government, making sure that people are talking to the right people, we think that would actually be a really, really useful thing.

I am less convinced about the need for someone to be sort of the night-time economy tsar or a champion, or something like that. It is the role of my members to promote their own businesses. I do not think that should be the role of government. However, facilitating those connections, I think, is increasingly important. The proximity of business to government in the ACT is probably a hell of a lot closer than it is in other jurisdictions. That said, there are still complexities and complications, and sometimes it is difficult to find the right person to talk to, to solve a problem. So, that is a long way of saying yes, we would support the establishment of a role whether it is within the ACT public service, or Access Canberra, or somewhere else.

Mr Harford: Can I just add, though, that I agree there is value in the proposition but it has to be meaningful. What we would not want to see was somebody who had no power to act and no power to make things happen. So, however it is configured and constructed,

that role needs to be able to actually deliver outcomes for businesses.

Dr Weir: I agree with all of my colleagues here. Two other perspectives: first one is that we have been talking about business talking to government, and needing to multiple-shop various departments. Another element of that, of course, is the different parts of government not talking or being aware of the priorities or works or issues of other parts of government. They might have someone busily beavering away on their priority, and someone else over here is doing something else.

So, a stronger coordination role would help not only businesses—and residents, of course—trying to address the government about particular things, but it would also, I think, be a strong signal within the bureaucracy for the various directorates to work together more productively—particularly given the value of the night-time economy. I think all of our submissions have lots of figures in there about the value of this. So, we should give it our best shot in terms of arranging ourselves so that we are supporting that.

The other point I would like to make is that, to my knowledge, a lot of the responses of government are reactive. You have got a problem, I will react to it: yes, no, maybe, or go and do another study. Having a function, whether it is a person or a function, would be another signal to change the attitude, perhaps, of government to be more proactive. Like, this new development is happening so, “Right, well who is talking to Fred and Harry? And are we all getting our act together here?”—particularly picking up on some of the issues that Fiona has raised about the coordination.

So, changing attitude but also greater awareness across the bureaucracy and hopefully greater coordination as well as tackling some of the challenges of businesses fronting up to government, and residents fronting up to government as well.

Mr Harford: The other part of that, though, is we would be strongly encouraging government to be thinking about how it can actually just reduce some of the red tape and compliance requirements that businesses face anyway. Because it is all very well to put in a coordinator and to help manage those compliance requirements but, actually, are they always necessary? There does seem to be a tendency to conclude that you have to regulate, you have to license. “Why?” is, in all cases, I think, a question that needs to be asked.

MR EMERSON: The government has indicated that the Access Canberra Business Assist team is intended as a kind of front door for hospitality businesses, within the ACT government. I would love to tease out the difference between the kind of a function office, role or coordinator—which you are talking about being more proactive, and I take that point—and the existing function that is there to provide advice, that people can reach out to but that might not be able to coordinate. Is that something you hear from your members, that they are regularly in contact with the Business Assist team or not?

Mr Gatfield: Thanks for the question. The short answer is “yes”. I have not had any direct interactions with the team there because I do not run a venue, but the feedback I get is that they do provide useful, meaningful and timely advice. They are perhaps somewhat constrained in terms of putting people in front of the other people that they

might need to be put in front of, who are outside of government.

So, I think that is where perhaps that coordinator role could look outside of the public service and look outside of government. For example, if you are looking to put on live entertainment, they might have connections within the live music industry and put you in contact with a promoter. That is probably not the role for Access Canberra at this point, and understandably so.

However, it is that central coordination function that would be able to put people in a room to solve problems—and not necessarily make that the government's problem to solve, if that makes sense.

Mr Shannon: Just to add a little bit to that. I think part of the issue is—and it goes back to the comment that was made by Greg earlier—in terms of having some authority, in terms of the processes. One of the frustrations, for instance, the Labor Club in the city area has had is a three-year process that it has been indulged by government with, in terms of outdoor licensing for alcohol consumption. I mean, the timeframes in this jurisdiction to get anything approved are ridiculous, quite frankly.

If it takes you nearly a four-year term of government to get a liquor licensing approval process done, a 10-year process to get planning approvals done—

So, unless there is a process where the coordination of licensing, planning, noise events and other things can actually be done and handled meaningfully in terms of assisting business—if Business Assist is basically just telling people what the lay of the land is but it does not actually assist them in getting outcomes in an expedited timeframe, then it really does not have an effective function.

MR EMERSON: Information provision is not sufficient, right?

Mr Shannon: Yes.

Mr Harford: Can I just add: one of the things that we often hear concerns about from businesses is that it is hard to contact people inside government. You cannot talk to anyone inside the ACT public service. There are never any phone numbers. If you do get a phone number, people do not answer. They do not return calls. There are no names on the email addresses, so you do not necessarily know who you are trying to contact.

I think it is important that if this role is here, that it is not facing the same issues.

And I do wonder if a good chunk of those issues exist because we have got members of the public service often working from home, they are not in the same space where they can pop their head over the cubicle and talk to their colleagues about things. And if external people are having those issues, I certainly would worry that internal people might as well.

So, I think there needs to be some cultural work done around speediness, timeliness, customer service when coming back to people.

Mr Shannon: If I can support Greg in that: in terms of the broad range of functions our

members are involved in, the lack of an identifiable, accessible contact officer and having the requirement to go through Access Canberra—which I call in-Access Canberra a lot of the time—is more like a firewall than it is actually a process to get contact with somebody. It is this anonymity in terms of who you are meant to be dealing with to get an outcome. The Revenue Office is another classic example where emails are not responded to; phone calls are not responded to; there is no contact officer who can give you any answer to a crisis of your rates being assessed at an outrageous level, or whatever.

I think the ACT government, more generally, needs to look at its contact officer base and say that every public-facing or business-facing entry point to government should have at least an identifiable contact officer who has got a responsibility to be available.

MS LEE: I thank all of you for coming in and giving evidence. I want to go to fees and charges; that was referred to earlier. In particular, we heard from some witnesses yesterday about the astronomical liquor licensing fees. Mr Gatfield, has the AHA done any research or is it aware of why there is such a difference? Mr Dotta yesterday mentioned that, in the ACT, it was 10 times what it would be in Queensland. That is a major difference.

Mr Gatfield: In this jurisdiction, liquor licence fees are far higher than in any other jurisdiction in Australia. If you have a pub that closes at 3 am and you have a 500-person capacity, you pay about \$22,000 in liquor licence fees annually. If you somehow managed to pick that up, throw it over the border and establish that in Queanbeyan, you would be looking at around \$7,800. Some other jurisdictions are well below that; I think WA comes in at about \$1,000, or something along those lines.

In terms of what that fee covers, fundamentally, it is the same thing. It is the cost of regulation. It reflects your risk profile or perceived risk profile. Where I think the current framework presents challenges for my members is that, with a lot of those venues, if you have a 3 am close and a 500-person capacity, if you are renting those premises, there is absolutely no way at this point that you are allowed to change your patron capacity or your trading hours, without that having some effect on the value of your business. “Hashtag not all landlords”, but a lot of landlords would not permit you to do it, full-stop.

One of the things that we think would be really useful is for people to be able to manage those capacity and trading hour issues, if you are not using those hours or you do not need that capacity, by using a RAMP—your Risk-Assessment Management Plan. You could put a voluntary cap on your trading hours or a voluntary cap on your patron capacity and have your liquor licence fees reflect the actual risk profile of the business. If you are generally shutting up shop at 11 pm, clearly, you are not using those hours; and if you only ever have 200 people in the venue, you should not be paying that kind of exorbitant fee.

I believe our submission contains data on the differences in terms of state by state, territory by territory.

MS LEE: Yes; that is where I got that from.

Mr Gatfield: We are happy to provide more information on that, if you would like that. Realistically, that is the reason why the fees are where they are. I am not entirely sure what the justification is for that level of differentiation between states and territories.

MS LEE: In terms of the RAMP, which you were talking about, do you have real-life examples of where you have assisted one of your members, or one of your members has done that, and it has resulted in a reduction? Is that what is happening in practice?

Mr Gatfield: That is what we are asking for in our submission. At the moment that kind of flexibility does not exist. However, in other jurisdictions, it does. In New South Wales, for example, you can apply to have what is called an Occasional Extended Trading Condition added to your liquor licence. It keeps the hours on your liquor licence, so it maintains the value of the business, and it allows you to trade, 12 times a year, a little bit later, with notification to police, the council and a range of other bodies. Fundamentally, when that business is either sold or someone else takes it over, they can choose whether to use those full hours or maintain the limited hours. It is a way to minimise your costs, reflecting your actual risk profile and the way in which you operate the business.

We think that that has legs in Canberra, because there are a lot of very large venues which have very late trade, who do not necessarily use those hours. During winter, a lot of people are going to be inside, and your beer garden will be empty. If there are 350 people who are meant to be out there, you are paying for nothing.

MS LEE: Correct me if I am wrong: was that trialled during the COVID era?

Mr Gatfield: I think a lot of things were trialled during the COVID era.

MS LEE: Yes, true.

Mr Gatfield: I might have to take that on notice. There were a range of measures that were put in place during COVID.

MS LEE: Yes, there were a couple of measures and some of them sound familiar.

Mr Gatfield: Yes.

MS LEE: There was a reference in your submission to the agent of change principle in relation to land use conflict. Are you able to expand a little bit more on that for the committee?

Mr Gatfield: Yes. It probably reflects evidence given by my colleagues earlier. In terms of that increasing densification of Canberra, one of the things that is inevitably going to come up is Australia's oldest sport, which is residents moving in next door to a live music venue and complaining until either the music is turned off or the venue gets shut down. That is not a good outcome for either the industry or the residents who actually enjoy going to that venue.

The agent of change principle effectively ensures that new developments adjacent to existing live music venues or entertainment venues bear the responsibility for

appropriate noise attenuation. Similarly, if a new venue is established next to a resident, absolutely, it should be on the venue to make sure that noise attenuation is part of the design principle of the building. Fundamentally, whoever is last in the door should be responsible for making sure that the amenity of the suburb is protected and that residents and patrons can both enjoy it.

MS LEE: Mr Shannon, you spoke earlier about noise being one of the major barriers. In terms of the New South Wales vibrancy reforms, which include, as I understand it, some changes to the way noise complaints are made—that is, it cannot just be one person; it has to be five, and that kind of stuff—are you in support of those changes for the ACT?

Mr Shannon: Absolutely. With both the AHA and ourselves, our members are subject frequently to quite vexatious complaining, often by an individual, rather than any volume of concern within an area around one of the venues. I mentioned Oktoberfest earlier; that has certainly been the experience of the Harmonie German Club. I did not realise this until I got involved in that issue; apparently, they checked the sound level from outside the residence rather than inside the residence. Unless that individual who was complaining about the noise was standing on their lawn all night, until 10 o'clock, to hear the noise some distance away, some streets away, I do not quite understand the basis of the way they even make the noise assessments. It really should be what the sound volume is within your premises, rather than on your doorstep, for instance.

With this whole area of noise, and particularly if we are going to look at broadening out these night-time economy precincts to areas that are more suburban, we have to look at this more directly. If there is a genuine volume of concern in a community around a venue, that is not an unreasonable issue to be dealt with. But we have a single individual who is often not identified or identifiable by the venue itself. In the case I was talking about before, the club was more than happy to pay for the individual to go and stay in a hotel somewhere, to allow the Oktoberfest to go complaint-free. It is a significant event in Canberra every year, and every year there is this one individual who seems to take it on themselves to try and shut it down. We need to stop the tail wagging the dog, so to speak, in some of these cases.

MS LEE: Mr Shannon, you spoke about how the night-time economy is being constrained by regulations that have not kept pace with the changes in consumer behaviour and modern live music standards. What are some of the things that you would like to see changed that have not already been covered?

Mr Shannon: A lot of the key issues have been panned out through some of this. At the end of the day, Canberra has a very big aspiration in terms of these matters, and particularly as part of the tourism economy as well. Again, all these debates seem to be taking place in singular silos. At the end of the day, if we want to be a modern, international city and if we want to deal with these issues more effectively, you have to start bringing them all into the prism of a single vision for the way Canberra is going to evolve, and we are not getting that at the moment.

We have to stop seeing the CBD as distinct from the interests of the suburban precincts and town centres, around those areas. We used to have a satellite city structure, where these things were looked at more broadly and cohesively than seems to have been done

in the last 20 years or so. We are breaking it down to almost partisan Balkanisation going on in different parts of Canberra, rather than saying, “How can Canberra be best developed as an integrated product for the broader tourism market and the local community?”

Dr Weir: There are many individual examples; we have several as well. There is a more strategic issue about policy. We recommend a review of the policy around fees and charges, and some of the things that led to the fees and charges, like the way noise is measured. It is adding to this idea that we deal with things one by one by one, as a one-off, and by saying, “That’s done; next.” A review of the policy structure would enable us to be a bit smarter about it and, hopefully, come up with more win-win solutions that address the issues not only of business but also of residents and other stakeholders. A review of the policy, rather than trying to fix one thing, then the next thing and the next thing after that, was certainly one of our recommendations.

Mr Harford: You cannot look at the night-time economy in isolation from the other policy settings that drive business activity in the ACT. There are federal issues around penalty rates that apply in the hospo sector which impact the viability of businesses; you have ACT government-driven things like portable long service leave coming in from 1 January, which will add effectively another one-point-something per cent onto the wage bill when you are running a hospo business.

Workers compensation policies in the ACT are more expensive, we think, than they are anywhere else in the country. There is a whole other cost that does make it harder to run businesses. That drives up prices and reduces consumer demand. We have to look at how we can get costs down. Liquor licences are another aspect of that. It is about looking at how we reduce the cost of doing business. How do we give people more money in their pocket, so that they are more likely to go out and support the night-time economy?

MR MILLIGAN: I want to give you a good opportunity to tell us what you think, but I thought I might give you a bit of a “choose your own adventure”. We could talk about insurance costs and see whether you have had a response from the government in terms of the inquiry that they have just conducted. The other area is safety—safety in relation to your staff, any instances that may have occurred and how you handled those instances. The next one is: in March last year, I moved a motion calling on the government to provide relief for businesses that have been affected by light rail in the town centre; we can look at what feedback may have come from there.

The last one involves pretty much a business concierge. What would that look like? If we set up a business concierge with the ACT government and we put in specialists in that field with business experience, with a business background, who understand business, and turn them into pretty much a client manager for businesses—that would be their point of contact—what would that look like and how would that benefit your members? Would anyone like to start off with any of those topics?

Mr Gatfield: I will take worker safety, Mr Milligan. We have received a number of reports recently—an increasing number of reports—about staff experiencing verbal abuse, harassment, intimidation or, on occasion, physical assault while they are at work. This is not just in pub-land; this is across restaurants, cafes, accommodation, hotels—

you name it. It does not seem to be particularly a CBD problem. It is widespread.

We—along with colleagues in the retail sector, who are largely experiencing the same thing—are firmly of the view that everyone has the right to feel safe at work. I think that is incontrovertible. People should be aware that, even though this is a workplace that necessarily involves the sale of alcohol, it is absolutely inappropriate for staff to have to experience anything other than a safe workplace. We are very firm advocates for raising the penalties for assaulting frontline hospitality staff. Whether that applies to the retail sector, I will let the Retailers Association answer that. It should be complemented by a public-facing campaign to make sure that the public realise that that kind of behaviour is not okay.

We are also, unfortunately, in a position where I have one particular member who has become the resident expert on workplace protection orders, because he has had to go through the process many times. That particular process—while we welcome it, and it is a fantastic framework—is very clunky. It is very time consuming. It is time consuming for the applicant. It has holes in it that, unfortunately, mean that a lot of the time the people to whom a WPO is directed cannot be located; therefore, they cannot be served. They may not turn up to court.

We think that, while the framework is good, it could be improved. It could be a lot more human-centred and a lot more victim-centric. We would love to be able to make some recommendations around how possibly to streamline that. As I said, I have one particular member who has been incredibly involved in WPOs and making applications for them. I am happy to provide the committee with information on that on notice, if that would be helpful. To my mind, worker safety is my number one priority, because they are basically the best asset that we have as an industry.

Mr Shannon: I would like to double-down on the safety element. The problem with growing the night-time economy—which is basically an economy operating under the cover of darkness—is that it is singularly affected by the safety issue, in a way that any other element of business activity in the ACT is not. In terms of worker safety, the city area is a classic example, where a staff member has some considerable distance, often, to go from their venue to get to a vehicle. This goes back to the gender safety element that Ms Carrick mentioned earlier.

The public should be stunned when they realise that we have less than 200 sworn officers in the ACT for a growing population. If you break that up amongst multiple shift rotations, and small, dedicated teams amongst that, in terms of, for instance, child protection and other areas, we have a very limited number of general duties police available to respond to matters.

We would take some comfort from the expansion of the CCTV network across these entertainment areas, but you still need responsiveness capacity within that framework. There is no point in putting in security cameras everywhere when you do not have enough police deployable to respond to a problem.

Clubs are in a unique situation because they are safe harbours, in some respects, because you have to sign in to get into the venue, and they are not quite as open for public egress as, potentially, the AHA's members are. We often find that members of the public seek

refuge in the clubs in these areas when they feel threatened at night. We have certainly heard from families. Canberra used to be a significantly popular family destination for holidays and other things, and the night-time economy played a large part in that. That is not the case anymore. There would be very few people who are Canberra residents who would feel comfortable walking around Garema Place at night with their young children anymore.

There is that lack of visibility of policing and the lack of capacity for responsiveness. I am not criticising the police. I feel sorry for them. But there is definitely a resourcing issue that needs to be looked at. If you want to grow the night-time economy, you cannot deal with it unless you deal with this issue.

Mr Harford: I completely agree, but it is more than just policing. It is a social change issue, somewhere in our society. It is not unique to the ACT. It is not even unique to Australia. Somewhere, we have become broken, as a society, if we think it is okay to abuse hospo workers, retail workers, health workers and teachers, and there are no consequences for any of that. I strongly echo Mr Gatfield's suggestion that there needs to be some really strong messaging from government about what is acceptable and how we should be behaving as a society.

THE CHAIR: With the police, is there an understanding or evidence that more police hanging around outside properties or buildings will encourage more people to go into those buildings? Particularly with young people, would they tend to find more police in a night-time economy area encouraging, when it comes to going to the night-time economy area?

Mr Shannon: I think there is significant anecdotal and other evidence that suggests that higher visibility of policing, particularly at night-time, gives a sense of surety to people about embracing those areas for their own entertainment or social activities. Certainly, in the ACT at the moment, at night-time, you are very fortunate if you see a police officer walking around in the CBD area, in Garema Place, who might be there if you need to avail yourself of their support, particularly in terms of the gender safety issues.

We see this on sporting fields and in other areas that are underlit at night. Lighting and police visibility are a significant inducement for people to want to go into areas when they might otherwise feel threatened in the night-time environment. There is plenty of research in regard to this, but, anecdotally even, particularly because of the nature of some of the activities that Greg just referred to, where people are more prone to get attacked by somebody who might otherwise be under the influence of substances or—

THE CHAIR: Which is another thing.

Mr Shannon: That is a real concern.

THE CHAIR: How much of it relates to police dealing with excessive drinking? How much is it about people's safety, as a result of—

Mr Shannon: You could say that drinking is almost the least of our problems in this town at the moment. You see a lot more homeless people having fights with people that they cannot see, and that is not alcohol.

THE CHAIR: Is there evidence? Is that anecdotal—

Mr Shannon: It is methamphetamine. There is no point in anecdotes. I have seen it myself. Even in Dickson, at night, you see people who are frequently wandering around screaming at people that are not there. Even with the people wiping your windscreen, someone did it the other day and they were talking to themselves excessively.

I have a bit of background in police enforcement in the methamphetamine area, particularly. Sustained use of that substance breeds very different societal outcomes than nearly any other drug substance available, and it breeds aggression and hypersexualisation. They are two issues that are not being dealt with, with an under-resourcing of policing presence or otherwise. I think we are seeing that across these town centres and night precinct areas.

THE CHAIR: Methamphetamine is more of a problem than alcohol?

Mr Shannon: Absolutely, particularly sustained—

THE CHAIR: It is more pernicious, more pervasive?

Mr Shannon: The indicators are more aggressive. It is one of the most aggressive consequences, in terms of extended use of the substance. Only the odd person is aggressive on alcohol. We are actually seeing a decline in alcohol consumption going on across the ACT. That is another thing. We are not seeing excessive alcohol problems—certainly not in our venues, anyway. I will not speak on behalf of the AHA.

Our members and their staff are dealing excessively with extended problems with drug-abuse individuals who are being refused entry to premises or otherwise and then take that out on the staff members. We had that problem near the carousel by the city central club. We had what I used to call the “meth tent embassy” sitting out there. You had overdoses, and people who were aggressive and getting aggressive with the staff. That was becoming a real problem and a point of concern which I had to take up directly with the police minister.

MR MILLIGAN: In terms of insurance and safety, when an incident occurs, the premises would need to report that incident and put it through their insurance, no matter what venue it is or what type of business it is. Have your clients seen an increase in the number of incidents that have occurred, an increase in the number of reports that they have had to lodge with their insurance? Has there been an increase in their insurance premiums because of that? We all know that insurance companies record areas and locations, and what happens in those areas. Has that contributed to the premiums going up?

Mr Gatfield: The primary driver in the hospitality industry, in terms of increased insurance premiums, is psychological injury claims. They are rising at a rate that is far outstripping physical injury claims, largely because it is much easier to manage the physical injury risks within a workplace. I do not have any data around the number of those claims that might relate to—

MR MILLIGAN: Safety.

Mr Gatfield: incidents that are happening on the street or driven by patron behaviour or drugs. I may be able to access data from specifically the New South Wales market, if that might interest you, but I will have to ask our specialised insurer within that jurisdiction. I am happy to take it on notice.

Mr Shannon: There are issues, though, like graffiti removal, which is becoming an increasingly expensive cost for a lot of businesses, including our members, particularly around the CBD area. Every time someone puts a big tag on a premises, it will cost those premises several thousand dollars to remove it.

MR MILLIGAN: It is their responsibility, because it is on their property.

Mr Shannon: Yes, that is right. It is putting an on-cost to the operation of business to maintain a reasonable look of the CBD area, for instance.

MR EMERSON: Among capital cities, Canberra ranked equal last with Hobart in the total proportion of venues open after 9 pm, according to a report released last year by the Council of Capital City Lord Mayors. Leaving safety aside—we have spoken about that a bit—why do you think that is the case? Is there a role for a dedicated night-time activation strategy, or something like that, to address that?

Mr Harford: There are two things that underpin that. As I was alluding to before, there is the cost side of it. It costs more to keep venues open outside standard operating hours. Remember that retail needs to be seen as part of the night-time economy, as well as hospo. Also, there is a customer demand issue. We just do not have enough people wanting to go out at night, right across the town centres but including the CBD. We need to see more people living in proximity, wanting to go out and being able to afford to go out. That affordability issue, the cost-of-living crisis, is really biting.

Mr Shannon: There is a lack of incentive for people to want to go out and indulge in these venues in these locations, in large part because of what we have talked about today. There are also cost issues, in terms of alcohol consumption and other things. There is a demographic shift going on with younger people, in terms of the way they engage in nightlife in the ACT compared to—except maybe for Chris—how our generation did. You are getting a combination of different factors there. You have to make these locations attractive for people to want to go to and stay in, and at the moment there is a want for that.

Mr Gatfield: Possibly building on that, it is one of those chicken-and-egg scenarios. If there are no people in an area, there is no reason for a business to stay open late, be that a club, a pub, a café or a restaurant, for example. If people know that there are no restaurants open in a certain area after 8 pm, they simply will not come. There is an audience development thing that needs to happen and a cultural shift that needs to happen. Also, we are faced with another headwind, which is young people and their relationship with alcohol. More and more young people are abstaining completely from alcohol. As someone born in 1984, I can barely believe that that is the case. So I am not that much younger than you!

Mr Shannon: You have aged better than I have!

Mr Gatfield: Thanks, mate! Young people are less likely to want to go out and drink alcohol. If the offering of the night-time economy in Canberra is a monoculture of places that only serve alcohol, that presents a problem for young people who want to go out and do other things, like watch live music, go to a show, go to an art gallery or whatever it happens to be. Is there a place for some sort of audience development strategy? Yes, absolutely, there is. But it cannot just focus on making sure that my members open late or that there are more restaurants open. It needs to focus on having a holistic night-time economy that offers something for the people who do not necessarily—and I cannot believe I am saying this in a public inquiry—want to participate in what my member venues offer.

MR EMERSON: Diversity.

Mr Shannon: I will flag something that we have not talked about at all today. Transport and parking are big issues for a lot of locations around town. You cannot get a car park, or there is no readily available access to public transport after the 9 o'clock period, particularly for getting back to residential areas. That is a real disincentive for people to stay after that 9 o'clock period.

MS CARRICK: When I was growing up, there was nightlife everywhere. Through Phillip, there was nightlife. There were bands everywhere. It is what we used to do. We used to go and watch bands locally. All the kids locally played music. They were in bands. But we do not have that anymore. For my kids, who are growing up in the same area, there is nothing like that anymore. While I was trained to go out and see bands, my kids are not. They do not know about that.

How do you expect young people to go out and see bands when it has not been part of their life growing up, because it is not local to them anymore? It is really important to look at the youth centres, the pathways to get young people playing in their bands locally and creating that vibe for kids in their local areas, so that they learn how to do it—how to go out to music venues. What do you think about that? It is just not out there anymore. If you look on the south side, how many band venues are there, outside the clubs?

Mr Gatfield: Yes, absolutely. Part of it is absolutely the fact that there are very few incentives for venues to put on live entertainment at the moment. With live music, everyone loves it and it is nice to have it, but, fundamentally, it is not really a money maker for venues. In fact, most of the time it is a bit of a loss leader. You are trying to offer something that gets people in the door, so that they can engage in all the other services that you provide—bar, bistro or whatever it happens to be.

There are incentives in place at the moment, which I think the government should be commended for, in terms of venues of under 350 capacity receiving liquor licence fee discounts if they regularly program live music, art shows or cultural events. In our view, venues over 350 capacity are generally the spaces where they have more room to put on things like bands, rather than just a solo artist. They have the capacity to install dedicated sound equipment, for example, where you can possibly get an even better quality of band, for example.

You need to give venues a bit of a carrot, in order for them to say, “Okay, this is something I want to invest in my venue for, and something that I want to regularly program.” In our view, those incentives are fantastic and, again, government should be commended for them, but the arbitrary cap on the 350 capacity has never really been explained to me, in terms of why it stops there. Those venues are the perfect venues where young kids can cut their teeth.

Mr Shannon: Picking up on what you said, I grew up in Canberra. From my point of view, most clubs used to have live music in them regularly, but the capacity of any venue—not just a club—to have floor space that does not generate revenue every moment you are open is becoming increasingly difficult. We have a reduced number of clubs that now have that kind of function space or live venues in terms of the broader hospitality market, because you have to have that space sitting there when you are not getting people in the door; it cannot cost you a fortune when it could be otherwise used for another purpose. I think the cost of that floor space is a real leader, in terms of the problem there.

MS LEE: Chair, Mr Gatfield took a number of questions on notice, but it was not very clear, so I wanted to clarify that.

THE CHAIR: Okay. You are happy with the questions on notice?

Mr Gatfield: Sure.

MS LEE: You said that you might take it on notice, but it was not clear whether it was actually determined that you would take it on notice, so I am just confirming that.

Mr Gatfield: I will take it on notice, yes.

MS LEE: The numbers in relation to apprenticeships for chefs: taken on notice?

Mr Gatfield: Yes.

MS LEE: The RAMP plan stuff—

Mr Gatfield: RAMP reform, yes.

MS LEE: Insurance premiums about psychological injury; I think that was mentioned. You might see whether you have information?

Mr Shannon: A bit of homework.

Mr Gatfield: Yes, I know. Specifically for the New South Wales market, yes. I do not have that data for the ACT because of the privatised nature of the industry.

MS LEE: Of course, yes. I think you mentioned that you had some more information in relation to workers’ safety—a question that Mr Milligan asked you.

Mr Gatfield: On workplace protection orders?

MS LEE: Yes.

Mr Gatfield: Yes.

MS LEE: Okay. I wanted to confirm and clarify that, because it was not clear throughout that.

THE CHAIR: Thank you. I found the no-one answering when you are reaching out for assistance or advice from the government quite concerning. Could you take on notice providing specific examples—ideally, specific examples—about when, what the issue was about, the time it took or the absence of a response; that would be helpful in terms of making some useful recommendations.

Mr Harford: I do not have specifics on that, but it is feedback that I often get from members. I am happy to ask whether there are specific examples.

THE CHAIR: That would be great. Thank you, Mr Harford.

MR EMERSON: We are hearing from the government this afternoon. Presumably, they have standard turnaround times. Are there specific requests that we could—

Mr Shannon: Do they have standard turnaround times?

MR EMERSON: We could ask for their average turnaround time on liquor licence requests.

Mr Harford: I would love them to measure that.

MR EMERSON: We could ask; are there specific things that we should ask about?

Mr Harford: I forget the exact detail of what we have suggested previously, but we certainly think it would be really valuable for government to set some—

Mr Shannon: Benchmarks.

Mr Harford: targets for how quickly they will respond to things, and to report against that. Those targets need to be reasonable. If you are ringing someone, you should have someone calling you back on the same day, and an email should be responded to on the same day.

Mr Shannon: It took the Labor Club three years to get a licensing matter progressed.

MS LEE: Yes, that is absolutely ridiculous.

MR EMERSON: I can ask about that—the average time for a liquor licence application.

Mr Shannon: There is a case study at the back of our submission from the Labor Club that deals with some of those things.

MS LEE: Dealing with the Revenue Office, I have an example of a constituent—

Mr Shannon: The Revenue Office? We could have an inquiry just on their lack of responsiveness, frankly.

MS LEE: People have waited on the phone for 40 minutes to be transferred; then they get told, “Here’s an answering machine.”

THE CHAIR: This is not a question; this is a comment.

MS LEE: You asked for one. You asked for an example.

THE CHAIR: No, I did not; not from you. On behalf of the committee, I thank you all for your attendance today. You have taken some questions on notice; please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*. The committee will suspend the proceedings for a short break.

Short suspension.

KRISHNAMURTHY, MR RAVI, President, Australian Multicultural Action Network
NG, MR ANDREW, Chair, ACT Multicultural Council

THE CHAIR: We welcome representatives from the ACT Multicultural Council and the Australian Multicultural Action Network. Please note that, as witnesses, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. We have half an hour and four people with lots of questions. Would either of you like to make a brief opening statement or are you happy for us to go to questions?

Mr Krishnamurthy: I am ready. Good morning, everyone. Chair and committee members, thank you for giving me the opportunity to appear today. I represent CALD communities and seniors, and we have members who have disability. Also, people in multicultural small-business networks are working with us within our association. As I have said in my submission, we are focusing mainly on building a safer, more inclusive and culturally-vibrant night economy. That was the key point in my submission. Once again, thank you.

THE CHAIR: Thank you very much. We will go to questions, and I will pass to the deputy chair.

MS CARRICK: Thank you, Chair. I would like to first ask about safety issues and barriers to multicultural communities participating in the night-time economy, and also whether it is in the big areas, like the city and the town centres, as opposed to local areas and community halls where people live.

Mr Krishnamurthy: I am happy to answer that one. From our view, the night-time economy is not just about spending; it should also be inclusive and welcoming of everyone. In my submission, I mentioned including some culturally-diverse participants and music programs. The main reason is that some of our community members from different countries who migrated here have low trust of the authorities, and this is creating a bit of hesitation in approaching police or reporting incidents. Also, women from multicultural backgrounds face some additional cultural and safety concerns. The Canberra city centre is a fantastic and thriving places, but then, in the night-time, after 8.30 or 9, including the fountain area and all that, it is completely unsafe. That is often what we hear from people. Compared to the town centres, as you asked that question, I think Canberra city centre is not that safe in the night. That is the overall opinion of our members.

MS CARRICK: Thank you. Is there a lack of community places where night-time activities can take place, such as in Gungahlin and Molonglo, so you can stay local and have events?

Mr Krishnamurthy: The suburbs around the city's centres are a bit different than the areas that we are discussing here, like the Molonglo and Gungahlin areas. I would say there is a shortage of flexible, multicultural community hubs in those areas. When they gather together, people speak in their own language, but in the night-time they feel this is a bit different and unsafe.

About the other areas that we are discussing here—Gungahlin and Molonglo—if we can introduce wellness sessions and different types of arts and music programs, that will definitely attract the local crowd, rather than them travelling all the way to the city centre to spend time with their friends.

MS CARRICK: I was going to ask about transport. If you head into the city, does your community have issues with getting home by public transport?

Mr Krishnamurthy: In the night-time?

MS CARRICK: Yes.

Mr Krishnamurthy: Regarding the night-time, I hear from youth workers and young members in our community. They dedicate someone—they call them different names—so there is one person who is always sober. They do not drink at all, and that makes sure that there is one driver who can take them back home. That is in most families—youth members that I have heard about. That adds a bit of restriction on that person, obviously, because, when friends gather together, they want to spend equal time, rather than one person caring for the others. There is a limitation in public transport when members leave the city centre and go back to their suburbs. It is happening.

MS CARRICK: Thank you.

MR EMERSON: This is to both of you: what measures would you like to see the ACT government put in place to support a more diversified night-time economy, where we perhaps have more activities that do not involve drinking but still happen after dark and get people together outside, within those night-time hours?

Mr Ng: Of course we need that. We talk about “multicultural”, and I consider Canberra to be the most multicultural city in the whole of Australia. We are from a background where life does not stop until midnight. We call it a “night market”. For a lot of non-migrants, this is time to take advantage of music, cultural festivals and a food market. Going back to Ravi’s point about safety, you probably have to have this towards the Canberra centre area, because it is just not viable to have it in different suburbs. The numbers do not work. You cannot have transportation linking up all this. There would be cultural activities, food stalls, and things like that. There would be live music from different cultures. Music is an integral part of different cultures. I would think that those are the areas that we can look at.

Mr Krishnamurthy: Improving lighting, seating and safe public gathering spaces outside of the Canberra city centre may be one of the options that is possible, and that can be done by the ACT government. Also, supporting multicultural food, arts and performance across businesses. This is one of the other options I would like to mention. In my submission, I added African drumming and all the different types of music. That would attract a crowd to stay in their area rather than relying on the Canberra city centre all the time. And more family-friendly events. As you mentioned, Thomas, alcohol-free evening activities are more preferred as well. Have some approvals in place to make things easier for diversified members in the community to run some cultural events or even pop-up activities, like in Sydney. At Darling Harbour, there are jugglers and all

that sort of thing. If we can somehow bring it to Canberra and then attract those performers, that is more of a family-friendly and fun activity for everyone, rather than just drinking.

Licensing is a bit tough at the moment. That is one thing that I would like to mention as well. Having licensing options for different cultural activities or event venues would open more options to engage with the community, other than pubs. That is another option I would like to mention as well. Creating some form of community night hubs around Gungahlin, Molonglo and all those areas would avoid everyone travelling and then converging in a small space in the city centre. Those are some of the options that we would like to mention. We added some in our submission as well.

MR EMERSON: Thank you for that. Coming back to your point, Andrew—and I have often reflected on this—we have so many markets in the ACT, but we do not have any night markets, at least as far as I know, or no regular night markets. This is a common feature of many of the countries that members of our multicultural community come from. Do you, as a multicultural leader in our community, feel that you have an interface with the ACT government when it comes to the development of night-time economy policies? It is a question for both of you. I am going to start with Andrew.

Mr Ng: I think that is a very viable option that we can look into—to expand our markets. The issue is probably centred around how we are going to go through it. You have to understand: they are migrants. It is not the red tape; it is the kind of procedure we have to go through before we get the licensing. For example, there are health issues and things like that. Perhaps there could be some sort of one-stop panel or advisory place to smooth out the application process—maybe some sort of a multilingual place that can help people who ask, “Hey, what kind of licence do I need? What kind of insurance do I need?”

For example, liability insurance is great, but a lot of people in Australia do not understand liability insurance. “You want \$20 million? How am I going to get \$20 million?” “You do not need \$20 million; you need the insurance policy.” For example, we were involved in the Multicultural Festival. People have to go through a lot of hurdles before they can put a little stall there. The first thing they say is: “An insurance company? What is all this about?” We could say, “You can get a blanket policy and you can do this all year round.” This is an integral part of living fairly and safely in society, and liability insurance is a very important part of it, but they have to have an understanding and an easier way to get an insurance policy. If they can get through that, an outside night market is a very good and viable option to enhance our economy in Canberra.

MR EMERSON: This may be a question to you, Ravi: how we could perhaps ensure multicultural voices and these sorts of ideas are actually being communicated to government. Do you currently feel that there is an “in” for you within the ACT government when it comes to the development of their night-time economy policies?

Mr Krishnamurthy: Before I go to that question, I would like to expand on this. Andrew nailed it about the night-time markets. Having a permanent night-time market happening in Canberra would be really good. There are the local markets that happen once a year around Old Parliament House. That is well received by everyone. It is

crowded, it is family-friendly, and all the kids go. Having a night-time market is a fantastic idea. However, with the Canberra winter, which we all know is slowly picking up, it is a bit different. Outdoor night events are a bit restrictive when it comes to winter.

Also, we have diversified members in the community. There are CALD members and the whole system behind permits. Perhaps it can be made much simpler, and then it would be easier for them to continue this part of it. I am not sure whether they would be very happy to run the night-time markets 365 days a year. That is another question. If there is a dedicated place to bring in the market, then there is lighting, security and management. All those things need to be considered.

For public transport and car parking, there may be some limitations too, because, when the noodle markets happen around Old Parliament House, we know how difficult it is to find parking. Then people put their car anywhere and try to go there. That needs to be considered.

As far as our influence with the ACT government goes, I would like to mention that we are involved in all sorts of submissions. We discuss with our members and then we bring forward all the points and put them on the table, such as for the inquiry that is happening now. We have tried to be part of several inquiries and raise our advice. After all these inquiries, I receive the *Hansard*, so I am sure that, as elected members, you are all looking at all those submissions and inquiries. That is what I would like to mention.

MR EMERSON: Thanks for all your submissions.

MS LEE: One of the suggestions that was made in AMAN's submission was in relation to the establishment of a multicultural workforce strategy. Perhaps you could expand on that. Are there specific challenges that the CALD workforce is facing that you would like to see addressed through the establishment of that strategy, particularly when it comes to the night-time economy and businesses?

Mr Krishnamurthy: Many workers in the night-time economy have a CALD background. We know that lots of security staff and taxi drivers come from a CALD background. There are a lot of Bangladeshi and Nepalese workers. They are increasing in Canberra as well. Some of the hospitality workers, cleaners, and even delivery drivers and ride-share drivers are international students. They are participating in the night-time economy. An important contribution by the CALD members is the diversified workforce that we can see. Lots of taxi drivers come from different backgrounds. So more support is needed to help these workers, because, if they can access stable jobs, a good leadership opportunity and even a safe workspace would help them to some extent. The ACT government can definitely help. They can create some form of a multicultural workforce program, training pathways or mentoring opportunities. Various programs have been run by the ACT government for several years. Our members have taken advantage of such programs to improve their lifestyle and then settle into a better workforce. Those are the main challenges that I would like to mention here.

We are always mentioning, in every submission of ours, the language barrier. Communication and understanding workplace rights are a bit hard for them. Those are

some key barriers. Some even experience discrimination, which we are well aware of. It is mainly the night-time workers. There is racism. Some of them go through some unfair treatment too. There is support with transport and then they put themselves at risk while dealing with all sorts of night-time participants around city—helping them to travel safely at night. They also get into all sorts of trouble. I would like to mention that here.

And some of the systems that we have are new to international students. This is the story that we hear from everyone, even new migrants. They do not understand the different workforce systems—how do they work, and what are the different support services they can access? These are the barriers for them at the moment. Obviously, there are some cultural differences, and there is also lack of representation. I would call it leadership. That is also a key barrier. I have heard on many occasions that shift workers fear social isolation. Stress is leading to mental health pressures.

MS LEE: Thank you so much, Mr Krishnamurthy. Mr Ng, do you have anything to add to that?

Mr Ng: I think Ravi said it well. That is the direction we are going. I agree with that.

MS LEE: Going back to one of the questions that Mr Emerson asked, you talked about the need perhaps for a single point of contact with government for multicultural communities to be able to get support and assistance to navigate some of the government systems. I very much know what you mean. With the current support systems or structures that are in place, obviously, the ACT government has a Multicultural Advisory Council, and there are different ways that you can engage. Is that fragmented? Do you find that that is not quite serving its purpose?

Mr Ng: Yes. For example, with the advisory council, they are, in the long term, more like a policy reflection of what is happening, rather than supporting the practicality of it. I would suggest a one-stop advisory services centre.

MS LEE: Within the public service?

Mr Ng: Exactly. It could be right on the spot, staffed by people who understand what is going on. It could be very practical, and go through it step by step. That would be more viable.

THE CHAIR: I am interested in the views from both of you, but particularly from ACT MC. The submission, at page 4, recommends the ACT government streamline approvals. You have touched on this, in talking about the difficulty of getting a stall up in the Multicultural Festival, for example.

Mr Ng: Yes.

THE CHAIR: There is also the matter of reducing costs of community-led night-time events, as Mr Emerson was talking about. What would be, in your experience, the best process that would support and enable people in multicultural communities to participate and be involved in community-led events? By what mechanisms do you need the government to reduce the costs?

Mr Ng: We need to single out a separate department or directorate for the purpose of monitoring. We have liaison with the ethnic communities in Canberra. There are the languages that are involved; what is the process? There should be some sort of format so that people know that, in step 1, you have to do this; and, in step 2, you have to do this—a directory for how to get through—

THE CHAIR: A clear process.

Mr Ng: the processing of it. I think that would help. This is the multicultural aspect; I am also a businessperson. I understand that you have to look at the economic part of it. With transportation, you cannot involve every single suburb. With the one we are living in, Fadden, you cannot have a night market because it does not justify having that.

There are certain centres; Civic is a very good spot because it is the centre of Canberra. We have the building there; the MARSS organisation is there. We have the multicultural centre. This is where everything starts, I think.

In the north, there is Belconnen; also, there is Gungahlin. Gungahlin is the new multicultural hub or centre. Down south, there is Woden; you cannot get away from Woden. Maybe further south, I do not know. I live in the Tuggeranong area; it is not very structured. We had Harmony Week in South Point. We had a function there for Harmony Week. Again, the market does not justify that.

It would be difficult for a government to have the right amount of resources to cater for this type of need. I would imagine that these three or four hubs would be at least a starting point for the night market.

THE CHAIR: That is really helpful; thank you very much. Ravi, do you have anything to add? I have another question for you as well.

Mr Krishnamurthy: I think that community-led cultural initiatives and activities are the preferred approach. We always talk about the disability area; that applies to the CALD diversified community as well. Supporting these CALD communities by organising music, dance, arts and storytelling events and sessions is one other way to encourage more of them to come forward and do community leadership and culturally authentic programs.

From the government perspective, there could be a simple grant system—some form of simple grants and easy approvals. We have mentioned some of the permits; that would be very helpful. With the small grants, simplifying the approval process would help lots of our members. What I mean by simplifying the process is relieving the administrative burden by not requiring all sorts of documentation all the time; that would be a way forward and a welcome approach.

Government can provide support through providing some of the basic infrastructure—assisting with writing the grants and advising how to get the permits. They could help our different members to fill out these applications and safety guidance. There are so many reports that need to be compiled and produced, when you hold a public event.

Having some form of support available for promoting that is always welcome.

The last one I would like to mention is creating a partnership, because a partnership always reduces the cost. Rather than having two different teams running a fully-fledged program, if they come together, there is definitely a cost saving that we can action there. There could be partnerships, even with local businesses, volunteer-driven activities, and community organisations coming together and presenting activities—the same as with the Multicultural Festival. These are all fantastic initiatives. If we can improve and implement these initiatives, that would be fantastic. Canberra would definitely lead the nation in that space.

MR EMERSON: You spoke about coordination and building partnerships. You spoke, Andrew, about the need for a kind of one-stop shop. We have been hearing a lot about that; I have been asking through the hearings about a dedicated night-time economy office or coordinator within the ACT government. Is that something that you would support? I know it is in one of your submissions. If so, would you want to see clear multicultural representation, if that office was supported by an advisory council of some kind, like it is in New South Wales?

Mr Ng: Yes; that would be easiest. My submission actually points towards this one. It is like having this partnership, this liaison or this understanding. ACT Multicultural Council appreciate that we can be part of the advisory council, so that we can be more like the missing link between government, the council and the ethnic communities. I think language is a big issue. If you can sort that out, that will help us to smooth out a lot of the difficulties that migrants and the CALD community experience. Definitely, we support that very strongly.

MS CARRICK: There has been discussion around how society is changing, and that young people do not go out and drink like they used to. With some of the night-time economy, that is a bit problematic for them. Things are changing. Is it the same in your community? With a lot of the young people, do they do what they have always done traditionally or are things changing since COVID? How has it impacted your young people?

Mr Krishnamurthy: I think CALD communities, from what I have seen, and from what I am hearing from parents—not just CALD but widely in Canberra—are becoming more health conscious. A balanced lifestyle is something that they really look for. Every gym is thriving. In every centre, every gym is thriving, which is fantastic.

Younger generations, increasingly, are more interested in wellness and fitness. They look after their mental health very well. I can see that with my own children. They try to make a meaningful social connection—definitely not the heavy drinking. Also, socialising is often centred around music. I know lots of kids enjoy fantastic music, arts and culture.

There are a lot of art exhibitions and programs that youngsters go to these days. They enjoy all those digital spaces and a different community experience. They come along with their family, which is great. That sort of thing is definitely improving. It is a lot different these days compared to how Canberra was 10 years ago.

With central Canberra, I am sure Lonsdale Street was totally different at the time, with fewer pubs; there were different things in the street. Now, I think it is all changing. This trend is strong. I can see it; it is very visible in CALD communities. Multiculturally, the habits are different. People come from different religions and there are some religions that mean they do not consume alcohol at all. As long as we provide a comfortable environment for everyone, I think the night-time economy will thrive, and it will be fantastic in Canberra.

Mr Ng: COVID-19 actually stopped you going out. Obviously, the younger person yearned to go out. But what can they find, and what do they expect? Sometimes I encounter students from China. Do you know what they call Canberra? The “Canberra village”, because there is nothing. They want to come and do things, and they see the places for sale.

Why are we not taking advantage of it? We can do things. We can make things happen. I remember when I came to Canberra from Hong Kong, in 1988. The Canberra Centre had not been built. I think it opened in 1990. In those days, you could do bowling on Sundays; you would not hit anybody! I left; I went to the US. I went to Los Angeles in 1992. I lived in Los Angeles for 17½ years. I came back to Canberra, and it had changed.

I have to compliment the current government. For the last four years, six years, I have seen changes that I have not seen before. You cannot find a place to park on a Sunday here in Civic, which is good. I am a business guy; I like to see things happen. Where does the money go? Where do you have the money, to pay for all these facilities that we are getting? Are there enough taxes to create a vibrant economy?

We are all for it. They are ready to come out. It is just that we need to provide them with some sort of platform. We need activities that align with them—functions, sports games and music. You could have a mini Eurovision, a mini Asia-vision or whatever, something like this, to make this place boom, and go forward.

THE CHAIR: Andrew and Ravi, on behalf of the committee, I thank you for your attendance today. Neither of you took a question on notice, from my recollection. We really appreciate your evidence.

BERRY, MS ASHLEE, ACT and Capital Region Executive Director, Property Council of Australia

THE ACTING CHAIR (Ms Carrick): We welcome Ashlee Berry, from the Property Council of Australia. Please note that, as a witness, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. Would you like to make a brief opening statement? For this session, we have 30 minutes.

Ms Berry: I am more than happy not to make an opening statement.

THE ACTING CHAIR: Thank you. I will start with a question. Although the night-time economy is across Canberra, primarily, the main space is the city. Do you think that we have the right strategic planning to plan for the needs across the city?

Ms Berry: In short, no. We also need to identify what we mean when we say “night-time economy”. I think for different people it probably means very different things. Often you hear it and people automatically only think of restaurants, bars and nightclubs. Yes, that is a large part of it—because that is what happens after 6.00 pm and before 6.00 am—but there is so much more that could be included in that night-time economy. It is culture, sporting facilities and community sporting facilities, all through to professional sports—it is the whole gamut. I think we need to make sure that, when we are talking about a night-time economy, that is what we are focusing on. It is not just the bars, the cafes and the restaurants. Although they are a very important part of it, it is so much more than that. Because of that, we need to be looking at what that means for our city centre and then, what that means for each of our town centres, which are perhaps more closer to where people live. They could be different. Not all of them need to be the same. They need to fit populations, they need to fit the infrastructure and they need to almost have that precinct type approach and model where you have that interplay of planning, transport, safety and culture all mixed into one.

But, no, I do not think we have the right settings at the moment. This inquiry is a really good opportunity—hopefully as part of the report and the recommendations—for there to be a real focus on what the night-time economy should look like across the entire ACT, not just the city centre—the city centre and our town centres—and what we need to do from a government perspective, but also across all industries, to actually get to that ideal point.

THE ACTING CHAIR: It is interesting that you should say that, because sports have not really been mentioned that much during the hearings. I know that, with my kids playing indoor sports, I would be going to play indoor sports or taking them up until 10 o'clock at night. So it is a major part of it. People who do that, in a social sense, then might go and have game of something with their mates and then slip over to the pub and have a beer before they go home.

Ms Berry: It is a really untapped part of what is the night-time economy and what people are doing essentially after work. Whether they are playing social sport or taking their kids to training or things like that, it is about what they then do after. Are they

going to grab a meal? Are they hanging around in public spaces—probably more so in summer rather than through the winter months? I think we need to be considering that as well. If we have those cultural and sporting facilities, that would help support the restaurants, the cafes and the bars that, traditionally, have been part of that night-time economy.

THE ACTING CHAIR: Excellent idea. We have the Gender Sensitive Urban Design Guidelines, but are they actually being applied in some of our public spaces where you might have entertainment—like our big hubs in the city and town centres? We hear a lot about safety and we hear a lot about there not being the foot traffic. I continually whinge that the public spaces, the town square and the new CIT plaza, in my area, are not activated. They do not have active fronts on them, and they are our public spaces. Is the government doing a good enough job or should they be doing more in place-making and activity, and making sure that the public spaces, where we would have our entertainment precincts, actually enabled to be active?

Ms Berry: We need to get the foot traffic. That is a huge part of it. You mentioned safety, and I know that has come up a number of times through this inquiry. Having our public spaces not just being safe but people feeling like they are safe is such an important part of this. If people do not feel safe, they just will not utilise them. If people are not utilising them, that ground floor activation space, whether it be in the city with commercial or whether it be around Woden, those spaces will not be activated, because no-one can actually make them stack up from the private sector and you do not get that return on investments.

So it is that holistic approach about how we get people actually walking through spaces. Do we need to make them safer? Lighting is one part, but it is not the only part. It is making sure that they are clean, that people feel safe and that there are people around all the time—and we do not get that. We do not have the foot traffic, particularly here in the city where we perhaps once did. With a lot of public service departments going over to Barton, especially over the next sort of six to 12 or 18 months, there is going to be less foot traffic in the city So we need a real concerted effort about what we are doing to get people actually walking around the city between that five and six.

I noticed in the session previously that there was talk about different habits and how habits have changed. It is not just about going to the pub and needing to have beers; people want to be able to be active in the city as well. It is all those lifestyle choices. You can still cater for that. I think that is what we need to be doing. Government could lead that. We have spoken repeatedly about work-from-home policies and that sort of thing. But just making it easier to get into the city through transport is a big part of it as well.

THE ACTING CHAIR: In the city, Garema Place, presumably, is the heart of the public spaces. But a lot of people say it is not active. The city is quite decentralised in that you have Lonsdale Street, New Acton and they are going to have the new convention centre. It is quite scattered. I know businesses are allowed to setup wherever they want to set up, but is there a way of having a beating heart and planning for activation, so you have the main core area and it spreads out from there?

Ms Berry: It is an interesting point. The footprint of our city centre is a very similar

size to Sydney and Melbourne and we have 10 per cent of the population. So we are very spread out. If you look at Canberra as a whole, we have got our city centre and then we have all our town centres as essentially little satellites off that. Perhaps we need to look at whether that is an approach that could be applied in the city centre, given, as you said, there is Lonsdale Street, there is the Acton waterfront, there will be the convention centre and so on. We need to make them easier to travel through. That can be done. There are people who are experts in wayfinding and place-making—they do this for a living—who can make it more palatable for people to want to be able to walk between these precincts or districts or for there to be some form of other transport between these precincts or districts.

THE ACTING CHAIR: Thank you.

MR EMERSON: We are hearing about all sorts of different challenges and how it is a diverse issue. I really appreciate you saying that it is not just about going out and drinking. Do you think there would be value in a dedicated night-time economy activation strategy for the ACT government? Do you have clarity on what their policy aim is and how they are intending to achieve that? Your submission mentioned having a dedicated night-time economy coordinator. Do you want to see them tasked with developing and delivering such a strategy?

Ms Berry: I think we definitely need a coordinator, a commissioner, whatever name we want to give the person, who has that sole focus on how we can have a really vibrant, lively, night-time economy—however “night-time economy” ultimately is defined. In my view, it is everything that happens between 6.00 pm and 6.00 am. That is what we need to be focusing on.

At the moment, if you look across government and who has responsibility for those parts of the night-time economy, we now have planning and transport in the one department—which is fabulous—but they are still operating slightly in silos, particularly from a night-time economy perspective. No-one has that one focus. We also then have things from an economic development perspective with culture; we have the police and JACS with safety; and then we have licensing. They are the five things—planning, transport, culture, licensing and safety—that need to be considered for a night-time economy to be really vibrant and thriving. We need one person to be able to bring all of the ACT government priorities for that together. Otherwise, I think we will still have a situation where Planning is doing their thing in the city, Transport is doing theirs and the police are doing their thing. It is a bit disjointed.

In terms of a strategy, we need to have a vision—and, again, not just for the city. That needs to be made really clear. It needs to be Canberra-wide, but with the city as probably a focal point, given it is the city centre. It needs a bit of vibrancy and it needs something to happen with it. We hear over and over again about restaurants and bars who are going out of business. We have commercial shopfronts that have been vacant for far too long. We have buildings that are waiting on planning approvals and they just keep getting vandalised in the meantime, because there is not that foot traffic.

So I think there is a need to have a dedicated night-time economy commissioner or coordinator who drives that strategy. I think it would need to be built from the ground up. This inquiry would have a lot of material on what people are looking for, from a

community perspective but also for an industry perspective. But it would need to be built up—what is the government’s vision and how are we going to achieve that? We should all get to have say in that.

MR EMERSON: The city centre entertainment precinct was established in November 2023. Do you think the government have done enough to actually activate this precinct? One thing is establishing regulatory settings that make activation possible and the other is activating. Have they done enough? Your submission speaks to how we can activate some of our vacant commercial tenancies.

Ms Berry: It is hard to activate an area that is increasingly difficult to get to. Whether part of that is still perception or actual reality, it is a challenge to get to. Parking is a challenge. Yes, there are carparks, but it can be a challenge. People know that the Melbourne Building and Sydney Building carparks have been closed. People do not necessarily see the city as an inviting place to come to. I think governments can do everything to try and revitalise and activate it, but that perception is still there. Until such time as that perception is changed, it is just not going to happen.

From my perspective, some of the festivals that are put on by City Renewal Authority are fabulous, but they are only for a short period of time. They might be great for those few days, and businesses probably love it, but it does not get ongoing customer base—and that is what we need. We need the foot traffic. We need the people who just want to duck somewhere quickly after work or after a sporting match or after something at the theatre or just to catch up—and to be able to do so in a way that they have choice. They do not have that choice at the moment. I think there is a whole lot more that could be done. But it is not just about saying, “Hey, great; we are going to activate this precinct”; it is actually about how we can make it easier for people to get there safer and for people to be able to walk around and be outside. Again, I would not necessarily see that happening as much in winter. But, during the summer months, Garema Place, for example, should be thriving.

MR EMERSON: It should be pumping, yes.

Ms Berry: Absolutely. We have two universities that are anchoring the city and we have a student population—albeit less sometimes over summer, but still here. Why don’t we have these vibrant outdoor spaces that people want to go to to have picnics and do those sorts of things? That then supports the local businesses and, ultimately, from my perspective, supports the property industry too.

Onto your point about commercial vacancies, the lease system that we have in the ACT really holds us back and prevents us from being innovative and getting short-term tenants in. If you do not have your lease purpose clause that you could have, for argument’s sake, an art gallery or something like that, for you to go and change your lease you are paying to start with but you are also waiting. Sometimes it is not even about the money; you might be waiting six to nine months. It stifles the ability for members to think, “I have a vacant building here, but I know someone who could activate my shopfloor front and do x, y, z.” They cannot do it because it just takes too long to get that approval.

We have certainly put in our budget submission to the ACT government, from a

separate perspective, that you need to do something so that, on ground floor commercial tenancies, particularly, if you are doing something that is allowed in that zone and in that precinct, you do not need to go through a lease variation process. It just takes too long, and it means that we have all of these vacant shopfronts. If we could get them there, that is another business or multiple businesses who are trying to attract people in. Walking around helps with footfall but helps with safety as well.

MR EMERSON: Okay.

MS LEE: Ms Berry, your submission spoke about a creative land trust and the potential for that to be a model to be utilised in the ACT. Could you give the committee an example of where it works in other jurisdictions and how you see that playing out here in the ACT?

Ms Berry: Yes. I can take on notice other jurisdictions where it has been successful. It has certainly been proposed in many others. It is something that a night-time economy commissioner could really give some thought to and look into whether it would work. Ultimately, we have a really vibrant, innovative and exciting arts and cultural industry and community here in the ACT. But it often is not just under-funded—but where do they go and have a bit of a permanent space. Part of what I was just speaking about with Mr Emerson is that it is really difficult for these building owners to be innovative and to say, “We could have an arts and cultural hub here,” because they cannot change their lease purpose clause.

It is about thinking outside of the box. Also, as I said in my submission, it is about having a way that landlords would actually be incentivised to do this. Often, from a creative arts and a creative industry perspective, they probably cannot pay the same sort of rent that other commercial tenancies would be able to pay. It is about what is the vision from the government—if there is one—and what sorts of businesses and industries do we want here in the city that would create that foot traffic?

Having art galleries and museums would generate people coming into the city and actually exploring and looking around. Again, it would be something that is a little bit different from needing to go up to the nightclub. It would just create that foot traffic. It is a bit of an innovative and different way of looking at it. It is about how we incentivise, make it appropriate and make it viable for commercial landlords. Not all of them would be interested in doing that, but it should be something that at least is on the table, so that, if they were those that were willing to explore it or were interested in it, they would not be prevented from doing it.

MS LEE: Yesterday we heard some evidence that classifying an entertainment precinct at the moment lies solely with the government. There was a proposal that maybe perhaps we could be a bit more flexible and give developers an opportunity to actually seek it out or apply for it. From a Property Council perspective, do you think that that might help? What are your thoughts on that?

Ms Berry: We will always advocate for that balance between flexibility and certainty in the planning space. We need to make sure that industry has some certainty around what is an entertainment precinct. It is a challenge for the city at the moment. We are talking about getting more people to live in the city. But how that actually interacts with

having an entertainment precinct and district is something that developers and government need to work out. What we do not want to happen is to have an influx of residents to certain parts of the city and then that starts to impact the entertainment district, because they do not want the pubs there and they do not want that night-time vibrancy. It is a really fine balance. I think we can manage it, by having buffer zones and by having really good planning where there is some certainty.

But, from a flexibility perspective, if the developer had a vision and wanted to pursue having an entertainment precinct or extending it, I think that that should absolutely be something that they could make an application to the City and Environment Directorate for. It is just about providing that certainty. We do not want a situation where, as I said, people start to move into the city and then the city changes again, after we have done all this work to really create a vibrant city and vibrant night-time economy. We need to get that balance right. I think we can with the appropriate buffer zones, open public spaces and things like that. But it does take some work, and it takes a lot of strategic planning and big picture thinking.

MS LEE: Thank you.

THE ACTING CHAIR: We have talked about Garema Place not being active and there not being enough foot traffic. Do you think that the building heights is a problem here? Do you think that they should be allowed to go higher to bring more people into the city area?

Ms Berry: We absolutely have an issue with the building heights at the moment in the city. They are holding back a number of developments and stopping them from being what we would say is feasible. They do not stack up anymore, and developers are struggling to get the appropriate financing and the appropriate approvals to make the viable and build. While we have this RL 617 total limit across the city, the challenge in the city is that we are not building to RL 617. We have some marker buildings across the city, but so many of our buildings are below that.

For a commercial building, about 12 storeys would be the maximum under RL 617. We do not have that many 12-storey buildings in the city. It is a missed opportunity. If we actually took the time and said we can have more buildings at that RL 617 limit or even just 10 storeys—because we do not have that many 10-storey buildings either—we could work on a proper strategic plan and having more open spaces. If we can go up, it means that, from a developer's perspective, they are able to then go, "Right; we can have the proper, appropriate public realm and make it more inviting and create that precinct and those amenities." So, yes, we need to look at building heights across the city. It is something that we have been advocating strongly for, because it is holding back that precinct development. It is holding back development—full stop.

THE ACTING CHAIR: We have the other problem in Woden. With the proposals that are on the books and what is there, there will be up to 60 residential towers and over 10,000 apartments, up to 55 storeys. Maybe the city could take a leaf out of our book. In the Woden situation, there is the development and the apartments but there is not the amenity. With Scentre Group, which is a proposal of over 17 new towers up to 55 storeys, there is an opportunity there for the government to use its levers for planning approvals and for lease variation charge to ask Scentre Group to put in more community

facilities. There are podiums they could put indoor sports facilities in; they could put street theatre out onto the public spaces. Do you think that is a missed opportunity where the government is not necessarily using its leverage with the developers well enough?

Ms Berry: I think there is a whole range of ways that government and industry can work together more closely in a way that is still transparent and still follows guidelines but actually recognises that, when a developer is building, for example, an apartment tower, that is the best opportunity and the best time for community facilities to be developed as well. We see good examples around Canberra where community facilities are built at the same time or actually prior to people moving in. Then they can move straight in and use the shopping centre, a community centre or whatever it is. They do not want to wait until all the residents of a suburb have moved in. You need to be doing it from the beginning to actually get the best benefits out of it.

LBC, is a great way that the ACT government could use its essentially purchasing power and ability to offset potentially these community facilities. The challenge at the moment is a lot of projects just do not stack up where there is LBC. But it is not the only charge. We have development contributions that need to be paid to Icon Water and to Evoenergy and it is roads—it is the bigger picture. If, for these larger development, the ACT government were prepared to sit down and have a genuine discussion with industry about, “You are doing this. We will facilitate this, but you need to deliver x, y, z”—almost like a development agreement or deed—I think that that would be something that we would be really happy to explore, because, at the moment, it is just not getting done.

THE ACTING CHAIR: It is not getting done. I am not just talking about community facilities for that tower; I am talking about the developer building them and then handing them back to the ACT government as a public facility. Some of these podiums are up to 9,000 square metres—nearly a hectare.

Ms Berry: I think in most circumstances, if that was offered and there were appropriate leverages and appropriate gives and takes, most developers would be more than happy to deal with that. Again, the best time to be delivering these facilities is when they are there on site. It is actually not for them to finish, fix it all up, hand it over or start selling and then for the ACT government to come in and actually do it themselves. The private sector can do things more efficiently. They can just get on with it, without the government needing to run a separate procurement process, which we know always takes time, adds money. It is about how we can do this where it is all still transparent and the government still have certainty that they are getting value for money—that is important. I think that there are ways that that can happen.

MR EMERSON: I have a quick question—though it may have already been talked about. Have you mentioned the creative land trust? Has that been mentioned?

THE ACTING CHAIR: Yes; I asked.

Ms Berry: Yes.

MR EMERSON: Great—in which case, I will go and check the *Hansard*.

Ms Berry: I took on notice to come back with some examples of where it has worked.

MR EMERSON: Superb—and stuff like this in Newcastle and maybe Wollongong?

Ms Berry: Yes.

MR EMERSON: I have a quick question on noise. We touched on it a little bit with the entertainment precincts, I think. I am curious about the Property Council's position. Through this inquiry we have heard about a kind of "who was there first" policy and or a multiple complainant's policy, which you might have less strong views on. Is this something that comes up with your members?

Ms Berry: It is a challenge, particularly as we see precincts change over time. I think that is where having a really long-term strategic vision from government helps, to say, "In five years or in 10 years, we see this as being a really vibrant entertainment precinct"—to make it abundantly clear what it is going to be. I think the worst thing we can have are developments sprouting up and there being resident angst and commercial tenants not gelling because they are unhappy with each other, and then ending in ACAT. That is not going to help our night-time economy. It is not going to drive anyone to think, "How can I be a little bit innovative? How can I have that mixed-use precinct where we maybe have people there in the office during the day but then it transforms at night and we have people living there?" We need to be really careful. I do not have all the answers. We need to be mindful that, perhaps if something is framed as an entertainment precinct, when people are moving in, they need to be aware of that.

Newcastle and Honeysuckle is probably a really good example of that, where there is that sort of separation for a lot of residents but then there are also residents near that night-time precinct. I think it is just about being as clear as possible so that we do not have disputes. The worst thing that we could have is if this ended up in ACAT every time we have a mixed precinct. We do not want that.

THE ACTING CHAIR: So it takes planning.

MR EMERSON: Yes, it takes planning.

Ms Berry: All roads lead to planning.

THE ACTING CHAIR: Ms Berry, on behalf of the committee, I thank you for your attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*.

Short adjournment

TANG, MR NELSON, President, Woden Valley Community Council

THE CHAIR: We welcome Nelson Tang from the Woden Valley Community Council. Please note that, as a witness, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. We have until a quarter to four. Would you like to make a brief opening statement?

Mr Tang: Yes. Thank you, Mr Werner-Gibbins. Today I am making sure that Woden is on the map of this inquiry into the Canberra night-time economy. As a community council, we think that Woden is a natural location for the night-time economy to take place. We are in the centre of the Woden Valley, which has a lot of suburbs, a lot of population, and there are already a lot of transport hubs that go into Woden. People work in Woden. There are already lots of restaurants and lots of shops. But we can also see that, for many people in the community, even amongst my friends, Woden is perhaps not the location that people would think of first when it comes to a night out, enjoying a meal, or something like that.

The community council has been asking ourselves questions. What would make us a destination for people, to visit Woden? The ACT government can do a lot in that respect. For example, one of the first things that we thought of as a community council is that there are no dedicated places for gigs—for entertainment. There is also the very big question regarding our town centre’s residential and commercial development—whether we want it to be a place with lots of apartments or whether it is going to be shops or mixed use. We do not quite get an idea about where the planning is going. There is also the initial impression about the shops in Woden. They are a bit disparate. They can be found in several locations within the town centre. Geographically, it is very big. These are some of the initial concerns we came up with, having considered the terms of reference.

In terms of user experience, I want to take members through a typical night out in Woden. It is usually nothing fancy. From my personal experience, I usually go into Woden. If I am going for a meal, I would go to a dedicated restaurant. I would be driving in and parking at Woden in one of the public carparks available. Regarding the shops, I would have to think about exactly where I need to go before going there, because I would have to think about parking. As I said, the shops are disjointed and not concentrated in a particular area. That would be typical: going to a restaurant. The first thing you would see is that it is not for a gig and it is not for an event, and that is probably because there are no dedicated spaces. There is no arts centre and there is no lyric theatre. There are no street theatres or anything like that in Woden. That is a missed opportunity, being a hub south of the lake.

Compare that, for example, to Kingston Foreshore, where you get a range of restaurants in a dedicated space. You can bar hop, if you would like to. Compare that to Braddon, where you would have a night out by going to the Civic Pub, for example, followed by ice cream at Messina, et cetera. All these shops are very close by. It seems really planned. It seems like someone has thought about it.

As a solution to all this experience and initial impression, the Woden Valley Community Council is calling on the ACT government to work better on the planning.

When it comes to dedicating an area for shops and restaurants, they should be looking at bringing restaurants together. We do not live in a vacuum. We know a lot of these are commercial decisions, especially for Westfield Woden, which takes up a lot of space. It takes up a lot of shopfronts area. The ACT government is a player with leverage and can liaise with Westfield to make sure that there are dedicated areas that suit the transport needs. When you get out of the bus interchange, which has just been built, you would go straight into areas where you can access shops by foot. You would go to a restaurant without needing to think about it first. It is almost like an organic experience: you walk out of the bus interchange and go to a restaurant. You have fewer decisions to make. You can look. That is something that is really nice about all the other areas that I have identified.

In terms of entertainment, it would really help our area if we could call for a mixed use space that maybe during the day could be dedicated to community use and at night maybe something entertainment related.

Those a few of the things that we thought could be good solutions to the problems we are facing. They are very general solutions, and we are asking for the government to investigate more. Certainly, that is something that the community council is minded for, and there is role for government to do this.

One more forward-looking thing that the community council is aware of is that light rail is coming to Woden. It is in the 2032 plan. The constructions we have seen in the city have had an impact on the night-time economy. We are asking that the ACT government more broadly consider that—to think forward and make sure that we have mitigations measured before construction starts. That is one particular thing that we are hoping to get across. We think that would improve Canberra's night-time economy, particularly in Woden.

THE CHAIR: Thank you very much, Mr Tang. That was a quite lengthy opening statement. It has probably answered all our questions! Deputy Chair, because this was about Woden, would you like to start with some questions?

MS CARRICK: Thank you, Chair. Mr Tang, the little square at Curtin is pretty dynamic. It is active and people love it. There are great trees there. They are active fronts. Do you think that sort of model could be used in Woden Town Square, if it had active fronts and a little stage where you could have bands? There is the public space down the stairs, at West Plaza. Do you think there is a role for the government to help activate that area?

Mr Tang: The Curtin shops, where you have bars in the square and restaurants are very close by, and there is Coles—all next to each other—is the kind of organic thing I am talking about. A precinct, definitely. In short, if we could have that sort of concentration at a bigger level for Woden town centre, that would certainly be good. In terms of design, it is more user-friendly and would allow people to, as I mentioned, have meal and do some shopping, instead of needing to walk around so much. That is what I think is important.

MS CARRICK: Some alfresco dining perhaps. Because there is no activity after 6 pm in that central area, when people go home, people feel unsafe walking through there.

There is The Alby in the north bit and there is the eat street in the south, but you have to go through a very dead area in the middle, where people look over their shoulder and feel unsafe. It is like Garema Place. It is what is supposed to be the heart, but it is not active. I just make that point about it. Ms Berry said that the night-time economy is not just about bars and pubs; it is also about anything that happens after 6 pm and before 6 am. You need the ability to have some culture and some recreation, so that people could do some sporting activity and then have a beer. Do you think that would help with keeping people in the area and bringing people in?

Mr Tang: Ms Carrick, I want to first go to your point about safety. Safety is very important in any night-time economy. Actually, a lot of people have raised concerns about walking in the quite, as you described it, dead areas of Woden. They are concerned. I can sympathise, particularly if you are alone and you are walking in the dark. It could be scary, and there are areas in Woden where I could see that .

In terms of pubs and restaurants and linking them together, a lot of areas—for example, Dickson, Braddon, and areas that I would say are more successful in terms of getting a night-time economy going—are centred around pubs. It is the nature of people to hang out in pubs. It would be nice to enliven them in areas. There is probably a good opportunity to put them in quieter areas.

MS CARRICK: Thank you.

MS LEE: I have a follow-up question. My question is around safety concerns. We have had a lot of evidence about perceptions and genuine experiences of safety concerns in the CBD area. Maybe you could expand on whether you are getting the same kind of feedback about that in Woden. Of course, it can be a huge disincentive for people to go out, even if there are things to do.

Mr Tang: I think that one of the most fundamental things about a night-time economy is that you need to feel safe in order to get out in the first place. It is an underlying fact that needs to be addressed in any first instance. In terms of Woden, I have heard reports in the community council. People come to me and say, for example, that in the current plaza area it is quite dark at night, especially in some of the alleyways connecting other areas of town. They are worried. While I do not feel the same level of stress, I can sympathise and I can understand that it is certainly a possibility. I think they are called help points—where you can dial security or police. Even that would be helpful. Of course, if you are looking at a higher level, you could also have police patrolling. That would be the best scenario, but I understand that is very costly and resource-intensive as well.

MS CARRICK: There is a police station just across the road.

Mr Tang: There is.

MS CARRICK: There is antisocial behaviour. I have seen young people punching on and burning shrubs. People feel quite unsafe walking through that core area.

Mr Tang: That is a quite extreme scenario, Ms Carrick—people punching on in the square. Lower down, people are vaping in areas that have clear signs saying “No

vaping”—the new bus interchange, for example. That puts an image and perception in the community about whether the community has a grip on the rules that we are imposing. I am not particularly saying that their individual actions need to be accounted for at every moment. It is an image that we are projecting, and I think we, as a community, need to fix it more broadly.

MS CARRICK: On that point, there is the level of graffiti. Walking from the town square, up north and to the public servant buildings, there is a lack of horticultural maintenance. I know it is around town, but it is really stark when things become really untidy and they look unloved and not looked after.

Mr Tang: Graffiti is an ongoing problem in Woden. I notice that it is cleaned up from time to time, but it comes back. What are you going to do? You are going to spend a lot of money cleaning it up again. There is a broader community message that we have to instil in people. Maybe if we had an entertainment area, there would be more leisure. If we had a dedicated entertainment space, people would be using it for more artistic expression perhaps.

MR EMERSON: Earlier, you raised your role in government connecting differently to, I suppose, private sector entities, Westfield, and perhaps other businesses in the area. One of the functions of the New South Wales 24-Hour Economy Commissioner, is to deliver the Uptown Program, which is about building precincts and grant funding. The commissioner’s office plays a role in building local business communities and creating lively precincts. In your submission, you mentioned supporting the establishment of a night-time economy coordinator office in the ACT. Is that the kind of thing that you would hope they would do?

Mr Tang: It is certainly something that we would like to see a bit more. In terms of involvement in government, we are very open to different suggestions. The role of the night-time economy coordinator would certainly help towards establishing a better night-time economy in Canberra generally. If you think about it, individuals have all these ideas about where the shops should be and where the restaurants should be, but individual voices are quite limited. I am thinking about leverage for the private sector to do anything about where to put the shops. They have complete control of that at the moment—Westfield completely controls where restaurants should be, for example. That has to come from something greater—government; something that actually has a voice and some leverage to say, “Actually, Bradley Street is a very logical place to put all the shops, so why don’t we try to work towards that, instead of putting them on Corinna Street or somewhere else.”

That comes over time as well. It is not an overnight thing. We are not moving the shops and saying, “Everyone has to go over to this spot.” It comes with years of good planning and knowing where you are going to put apartments as opposed to commercial spaces. The idea of an office or a coordinator over time makes a lot of sense, because someone is dedicated to overseeing that particular role.

MR EMERSON: The coordinator might have a strategy that they have developed, obviously in consultation with the community and organisations like yours, that they then use to shape what happens in Woden town square, what happens in terms of the development of the Scentre Group’s proposals, and so on, rather than being hands-off

and leaving it to the market.

Mr Tang: Yes; absolutely. They would probably have an immediate focus on what is happening now and would be getting good stakeholder relationships with the shop owners and business owners. But most importantly, from a community council's perspective, it is about the long-term vision. We want to see someone lead a project and see that they are going to build a better Woden in the future.

MS CARRICK: With a bit of luck, where we will be in 20 years.

MR EMERSON: What are we aiming at?

MS CARRICK: Yes. I have a supp on the planning. At the moment, the buildings are getting higher towards the centre. Around the town square, they are around 28 storeys, and that is on the north side of the public space. Once they start putting 28 storeys on the north side of the public space, it becomes a vertical tunnel. Do you think that the government needs to be proactive and revisit the planning for not only the activation but also the impact of the built form and building heights overshadowing our public spaces and minimise it from now on?

Mr Tang: There are several points that I want to address in that question. The overshadowing aspect is very important. There is a conscious role in planning to make sure that the town square, for example, is not overshadowed, and that where West Plaza is at the moment is not overshadowed. I can tell you, as a user of West Plaza currently every day—I am lucky enough to work next door to West Plaza—going there for a sandwich in the middle of the day is brilliant. Over wintertime, that would be particularly important. I would hope to see that element preserved, making sure that it is open, bright and sunny. With planning, we can avoid that overshadowing.

In terms of the built form and noise control, I am very conscious—and the community is also very conscious—that, in the city, there are a lot of residentials going up. A lot of entertainment precincts have gone backwards, in terms of having space, because of noise complaints. A very conscious point that we are aware of is that we need to make sure there is dedicated entertainment space, if there is going to be a night-time economy, that factors in the clear divide between residential and commercial space. It is up to government, but it is about ensuring that people who live in that area will be able to withstand entertainment maybe in the middle of the night. That may involve double glazing or something that reduces noise. It is definitely a discussion that we are very conscious of. There is a bit of deference to the government on how it would like to approach the issue.

THE CHAIR: My question was about noise complaints, or the potential of noise complaints through the organic mixture of entertainment and residential areas. One often feeds off the other. You have just answered that. The submission, on page 3, is about encouraging investment in small- to mid-sized venues, outdoor dining and a cultural program. What is the best way for this sort of investment—regulatory support; investment in time? Presumably not government investment in the venues, but making it easier for small- to mid-sized venues to try to set up in Woden?

Mr Tang: Government support can come in a range. Having a dedicated plan for where

shops will go would be one of the biggest forms of help for any small business—an indication that it is going to be a lively area and that there will be foot traffic. Those kinds of things are more fundamentally the role of government. Of course, we can look at grants—if you can. This is something that the ACT government are open to and they have the resources. They should be looking at grants to try to attract more entertainment areas in Woden. For example, some establishments are closed in Woden town centre, right next to the cinemas. That was disappointing. We also have a range of establishments that have recently opened: The Southern, The Alby—all of that. They are relatively new. It is also about ongoing support from the government. In short, a range of support is needed to attract that.

MS CARRICK: Talking about a range of support, I noticed in the ACT government submission that there is a lot of effort going into activating the city with the CRA. There are grants, pop-ups, events and all sorts of things. In Woden, there is no government support for any events—for activation of anything. Do you think that the ACT government could play a role in helping to bring the community together with events and activity?

Mr Tang: By reference to the CRA, Ms Carrick, I think it is the City Renewal Authority, not the Curtin Residents Association—

MS CARRICK: Yes; that is right.

Mr Tang: I am not aware that the CRA has done individual projects in Woden. It is possible that they have. It would be nice to see dedicated events taking place in Woden, because that would turn the government's mind to probably reactivating some of the spaces and how to use the plaza. It would make it think about what venues are good for gigs—entertainment. They are the kinds of supports that would really help grow that aspect—entertainment in Woden.

MS CARRICK: We have the new CIT, which is pretty fantastic.

Mr Tang: Lovely—yes.

MS CARRICK: It is a lovely CIT, but I have not noticed much activity there. Surely there are spaces in the CIT that could be activated.

Mr Tang: From the outside of the CIT, I could see that there is a cafe and a restaurant that is external facing that people could use. But I think you are right. I have never seen them open during my time. Again, it is a missed opportunity if we do not do that. My understanding is that it was going to happen—that there would be cafes that the public could use that were training CIT students. It is a good interaction. I think it is a good story. The community council would like to see that happen.

MS CARRICK: The cafe only opens during the school terms, so when it is summer holidays it does not open, and it opens eight hours a week, so it is hardly a destination that people can rely on to visit—eight hours a week during the school term. It has not really done anything to activate the place.

Mr Tang: Even if it were working in conjunction with contractors, or someone who

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operates the cafe at other times, that would be a good opportunity. It would be a destination, especially given its location right next to the bus interchange. People could come to Woden and say, "I'll go to the CIT cafe. Wouldn't that be a novelty!" I think that is a great idea.

MS LEE: The next outing for the committee. How is that?

THE CHAIR: I don't know that it would be night-time, if we go there at 12 o'clock. Anyway, thank you, Nelson. On behalf of the committee, I thank you for your attendance today. Did you take a question on notice?

Mr Tang: I do not think so.

THE CHAIR: In which case, have a lovely rest of your day. Thanks very much for coming in.

Short adjournment

CHEYNE, MS TARA, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy

ENGELE, MR SAM, Deputy Director-General, Environment, Planning and Policy, City and Environment Directorate

RYNEHART, MR JOSH, Head, Access Canberra, City and Environment Directorate

THE CHAIR: We welcome Ms Tara Cheyne MLA, Minister for the Night-Time Economy, and officials. Please note that, as witnesses, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. I understand, Minister, that you would like to make an opening statement?

Ms Cheyne: I would, thank you. The government welcomes this inquiry, and we welcome the candour with which submitters, and those who have provided evidence in these hearings, have participated.

I want to recognise from the outset that the problems that have been identified are real, but the reforms are real, too. Our position is not that we have solved the challenges that exist in the night-time economy, but that it is one where we have built the institutional foundations from which integrated reform is now possible.

I think there is a diagnosis across the submissions that Canberra's night-time economy has real strengths and real stress points, that current settings are not yet entirely aligned with how the sector actually functions, and that coordination across government can certainly be sharper.

I also want to acknowledge, importantly, that there is a difference between issues needing to be addressed and the sector being on its knees. I say that, not because we do not want to know about the issues—we absolutely do want to know about the issues, and we want operators to speak up and tell us—but because the solutions and the reforms that we need to pursue, and the story that we tell about our city and our night-time economy, move together.

Neither one delivers customers on its own, and none of this investment will matter, none of these reforms that we are considering will matter, if the people that we are designing them for have decided that the city, Woden, Belconnen or Gungahlin—wherever—is not worth the trip.

I think we can all recognise that a busy venue gets busier. People walk past, see that it is full, and decide to come in. An empty venue gets emptier for the same reason. That dynamic operates at a venue level, but it also operates at a precinct level. If the message about Civic on a Friday night is that it is empty, dangerous and nothing is on, the next Friday it will be emptier. Operators, government and the community at large have a collective interest in not running that loop against ourselves.

With the data that we have presented, respectfully, I appreciate that there has been some commentary about a rosy picture that we are trying to paint, and that is not the case. We are presenting the data we have, and we are being realistic about what is working. But we also want to be honest with everybody about where there are some further things

that we can change.

The Mill at Dairy Road is producing work that people travel for. Bar Rochford is one of the best small bars in the country. The activations like Wonderful World have produced amazing results. I would respectfully argue that these are not artefacts of a dying city; they are what we are building from.

In July last year, we co-located the major policy and operational units effecting the night-time economy, and enabling the night-time economy, within the City and Environment Directorate. We have delivered fee reductions, extended trading allowances and entertainment precinct planning. We have just funded again the CBR NightCrew, and we have improved rideshare access and other reforms.

I recognise that there are other challenges, including in the city and in our built form. I also recognise that submitters have shared that these measures are welcome but, ultimately, there is more that can be done. In particular, the coordination role is a theme across submissions and evidence.

Where the committee has the biggest challenge, and where government would really appreciate your work—and I think plenty of the questions today and yesterday have gone to this—relates to exactly what this position or function will undertake. Across the submissions, the suggestions have varied from data analyst to regulator, to activator, to coordinator. All those things are legitimate. I am asking: what are the existing systems and structures in government where we do not need to add another layer, but where we could just be operating better? And where does a new position or role have the biggest impact?

I have watched, with interest, the London Night Czar. You have probably heard, or reflected, that that position has been abolished—effectively, no power, it did not do much and, ultimately, it became a joke.

I accept that there is consistency among the calls for a position, but I want to be engaging with suggestions for a position that will meaningfully contribute and not go the way of what we have seen in London. I would greatly value the committee's efforts there. We are ready to engage seriously with the committee's findings and its recommendations, and I welcome your questions.

THE CHAIR: Thank you very much. I have a couple of questions, to start with. There was something that I have just noted down. At the start of your statement, you talked about the government's work to put the institutional framework in place, which you are satisfied exists now—I am sorry if I am putting words into your mouth—and from which to launch some serious reforms, or perhaps more expansive reforms. Can you flesh out for me what the framework looks like now, and what sort of reforms would the government be looking to do, using this as a launch pad?

Ms Cheyne: I would say they are structural, regulatory and then built form, on the ground. Structural means having a ministerial portfolio that is looking at the night-time economy and, indeed, the 24-hour economy as a whole. There is then the machinery of government consolidation that has been brought together under the City and Environment Directorate. I think every witness here is in the same directorate. That has

not been in place for 12 months yet. That does remove barriers, in terms of all the silos that have been existing, or that may have existed

The regulatory reforms have been, obviously, the fee reductions, extended trading allowances, the entertainment precinct planning, and what we were able to achieve last term, led by Sam, with the city entertainment precinct. We are at the point of concluding the review of that, and how we can then apply at least the principles, if not exactly the same design, to other parts of Canberra. These have been areas of targeted reform.

There is then what happens on the ground—everything from better lighting to better footpaths, the CBR NightCrew operating late at night, the fact that we have a sobering-up shelter, that rideshare access has improved, and that we have things like better CCTV in our precincts—things that should make the experience on the ground as healthy, safe and enjoyable as possible.

In terms of where we go from here, one of the two main areas that are a priority for me has been about noise concerns more generally. I know you have talked lots, and you probably have lots of questions, about order of occupancy, and what is an appropriate noise level in different areas. The other is finalising that evaluation of our entertainment precincts and looking to roll that out, particularly to areas that we know have had a lot of change and would benefit from some of that certainty that the planning principles for a precinct would provide.

THE CHAIR: You noted, towards the end, that we have heard a range of views about what a potential night-time economy commissioner, manager or activator—a point person—might look like. It would be remiss of me not to ask you: what is the ideal, if any, from the government’s perspective? I presume it is not the New South Wales commissioner, with 25 staff, \$60 million and interventional powers, perhaps, or even one person at the back of the room.

Ms Cheyne: The government is open to this. Our submission did ask whether this was necessarily appropriate for the ACT. That is probably a line that I would rewrite now, if I had my time again, and I am pretty sure that I wrote it. It is not so much about whether the role should exist but what specific functions it will have.

THE CHAIR: And the remit—the city, or all of Canberra.

Ms Cheyne: Exactly. I do not want to prejudice the committee’s conclusions or recommendations, but, having listened to the evidence over the last few days, and having reading the submissions, I think it is where that role can create connections, can interpret, can be a bit of an expert on what the government’s rules are, or what regulation applies, and be that business touchpoint, at least in the first instance, and then connect a business to the regulator—not necessarily solving the problems but at least trying to demystify things, explain them, or get them in touch with the right person. That seems to be where there might be some value-add.

Where I have struggled with the calls for this generally is that there has been lots of rhetoric or lots of blanket statements about, “No-one’s picking up the phone,” or “We don’t know where we’re going.” I then heard contradictions yesterday, positive ones, saying that, actually, our relationship in Access Canberra is excellent, and we have built

those relationships over time. That is the challenge that I have.

The challenge that the committee has is: are some of those perceptions that are being shared reflecting a point in time of a year or two ago, when our real focus on this was in its infancy, or are there real examples that they can point to where they can say, “I had to go here, here and here”? It is true. There are some things where we do have multiple levels of government and multiple agencies, and there are some areas that have an NCA overlay. We cannot change some of those things.

I am not sure, but I hope that, if a position did exist, that it was intended to smooth the coordination there; ultimately, it would need to have the buy-in of all those different agencies and parts of the system that sit outside the ACT government. I did not mean to give such a long answer. Let us just say that that is a minister’s view, not a government position.

THE CHAIR: Heard. Ms Carrick?

MS CARRICK: I would like to start at the higher-end planning. I would like to understand your view about the strategic planning for the night-time economy across Canberra. Obviously, the city is the primary space for the night-time activity and tourists, but we do have people living out in the districts, in the town centres. I am sure you want Belco not to be a dormitory and dead. And I do not want Woden to be a dormitory and dead. What is your view about how we spread the night-time economy and the roles of those different, big centres?

Ms Cheyne: Distributed activation is appropriate. The city certainly has a place as a heart, just like other cities. As you know, we are living in the Y-plan, from 60 or 70 years ago. The city cannot be the be-all and end-all. I think it can be a big node—perhaps the biggest node. But it would be inappropriate for us to focus all our efforts just on the city, particularly because many of our other planning policies and strategies are about densifying our other town centres, like Woden and Belconnen, as well as Gungahlin and, to a smaller extent, Tuggeranong.

I was at the Hellenic Club this morning for a retirement villages conference. That is the first time I have seen CIT—I took the bus—and the interchange. It is totally different. I was blown away, and jealous. That effectively shows that there is the opportunity for that night-time hub to be developing there, and what some planning strategies can result in. I think that area will be a real anchor for that catchment.

Equally, we cannot discount—perhaps if I think about it in layers—the city, and then the town centres. I also could not dismiss somewhere like Dairy Road, and the Mill Theatre. Yesterday, Ms Sekules gave some pretty compelling evidence about how people will travel to go to that venue. It has some things around it, but not a huge amount. Also, the night she sells out is when there are other things open in the precinct. I do not think we can discount those smaller areas that are more of a group centre, for example.

MS CARRICK: Sure. I want to ask about governance. When we are trying to bring activity, with the CRA in the city, the ACT government submission outlines quite a lot of stuff that the CRA engages in, in the city. It is pretty light on, in any other areas.

What governance supports the town centres to activate?

Ms Cheyne: It is what we have that exists across government. I would point to Access Canberra's business and coordination service. With the Sly Fox markets, that is not a night-time thing that is happening, but next weekend they will have markets in the town centre in an area that I have always thought was prime for activation and was really under-activated. I feel pretty confident—but they will have to confirm—that they have engaged with parts of government to enable them to hold that.

That does not need, necessarily, a renewal authority to help them through that. They are probably the stories and the examples—I really hope that they have engaged with government—

MS CARRICK: Is that in Belco?

Ms Cheyne: It is in Belco, yes. Unfortunately, I will not be here, but you can go along and tell me all about it.

MS CARRICK: No, I might just get jealous!

Ms Cheyne: The point I am trying to make is that we have countless examples of where that team is assisting people to go through the different approvals processes, and it can be businesses in all sorts of areas. There are night-time economy ones. There are ones where we need to assist with a liquor permit approval for a pop-up, for example. Those things do happen without necessarily having a dedicated authority sitting over the top of them, either.

They are probably the stories that we need to be telling more loudly. Perhaps I can take this on notice; you are right to point out that CRA features heavily in terms of explaining what that looks like in the city. I would also reflect that we have businesses that pay a levy for that service level. But I do not think that businesses or the community are missing out in the town centres by not having that authority. I can give you some examples that are—

MS CARRICK: Give me some examples of what happens in the Woden town centre.

Ms Cheyne: Okay.

MS CARRICK: That would be good. With the Gender Sensitive Urban Design Guidelines, the built form helps there. Why is it that, in Woden, with the building heights around the public space, the town square—after 10 years, and we have had a planning review—we still have 28 storeys zoned for the core of the public space around the town square? People have raised this issue for 10 years, and a building has just been sold, right on the town square; it is four storeys now—perfect—and it is zoned for 28 storeys. The new buyer has bought it with that building height in mind. Why don't those sorts of things get fixed?

Ms Cheyne: I want to be as helpful as possible, noting that I am not the planning minister, but we do have officials here. What do you mean by “fixed”? What does the “fixed” look like?

MS CARRICK: Taking away the 28 storeys. It is like putting 28 storeys all the way around Garema Place, to activate it, to bring people in. We do not do that there; there is the hotel on the north side, but the rest of it is pretty low level, in order to have the sun come in. If you put 28 storeys around the perimeter of your core, your main public space, you are in a vertical tunnel of shade and cold. The issue has been raised for a long time—similarly with the Youth Foyer going right into the core, with blank walls. It is all blank walls. There is nothing active there.

I invite you to come and have a look at the public spaces—in a row, going through the public space. Rather than having active fronts, we have blank walls in a row going through. It is not really clear to me how the night-time economy thrives when the building form does not get addressed and planning does not get addressed.

Ms Cheyne: I will need to hand over to officials.

Mr Engele: Thank you for the question. In terms of the building heights in Woden, there is an element in the Territory Plan which does require sunlight in that area. Whilst there are height controls, it still also requires minimum times, and that drives the assessment outcomes in that space.

MS CARRICK: The cafe can just move with the sun, as a little strip of it just moves through?

Mr Engele: It is more intended to limit the width of the building heights. But we can take on notice and come back to you with the specific sections—

MS CARRICK: No other public space in a town centre has building heights like that.

Mr Engele: I am happy to take that on notice and come back to you on that specific question. There are also the active frontages. What we have seen across town centres is that there is a limit to how many active frontages you can put into any public space and have them filled with commercial activity. There will always be these decisions about where we want to put active frontages and whether they are commercially viable. What we do not want to see, obviously, are long-term vacancies in those, because in many ways that also detracts from areas.

It is about trying to balance what is commercially viable and trying to activate those spaces. There is also the use of those spaces. As you pointed out, the Youth Foyer does not have active frontages. Obviously, there is a specific building use in that area, and it would not be appropriate to have a commercial frontage on it. It is about trying to find those balances—trying to have those co-located areas.

In terms of planning, going back to your earlier question, what we are trying to think about, in city living, in the planning space, when we look at areas, is what is really driving the foot traffic in those areas, and what type of foot traffic is coming through. You mentioned residential density; the minister mentioned it as well. Obviously, that is one driver, but there are other levers that the government has. We look at what community facilities are available, and what community sporting facilities are available. We see a lot of isolated assets which could have much greater value if they

were better connected.

A good one that comes to mind is the basketball stadium in the Tuggeranong town centre; it has a huge amount of foot traffic that is utilised all year round, every night. But it has not been well connected into the commercial area. We are looking at those types of things, and trying to work with the commercial operators on them, and say, “How can we create these corridors where people feel safe, rather than having to walk through open car parks?”

MS CARRICK: You have been in government for 25 years, and the town square and the west plaza are as dead as doornails, and people feel really unsafe there at night-time.

THE CHAIR: That is a statement.

MS CARRICK: Yes.

THE CHAIR: Mr Emerson?

MR EMERSON: Thanks for the submission, and thanks for listening to all the other evidence that has been provided, and providing maybe not an updated government position, but an updated minister’s position. I do not know that I have seen that before. I appreciate your engaging with the inquiry in this way.

I want to ask about the commissioner idea. With the New South Wales 24-Hour Economy Commissioner, I think they have 64 FTE, so it is quite a bit bigger than 25, and a 28-person advisory council. If this kind of function is to be established, is there a need potentially for an activation strategy alongside that? We have an Office for Women, and we have a Women’s Plan, and they are tasked with delivering that. Obviously, specific elements sit across different parts of government. Has the government considered developing a specific night-time economy activation strategy that we might be able to recommend the commissioner or coordinator be tasked with delivering?

Ms Cheyne: Again, I am in the committee’s hands about your recommendations. Ultimately, I would work backwards from what is the outcome that you are trying to achieve. I will continue to single it out, because I thought there were some really compelling points made by Ms Sekules yesterday, about activation being one thing, but we need to have a mindset of “always on”.

I am very attracted to that kind of framing, because activations have a place, and have a place in bringing people in for a particular purpose. We will always support events and activations of that nature. I can think of other cities that I go out in. If I am there for whatever reason, and head out, if there are things around and just on, and places that are busy because they are busy, as I said in my opening statement, that makes me want to go in. It is not because they are particularly activated.

With respect to Mr Caffery’s evidence, I appreciate that there was a reasonable conflict there that he was very clear about, in being the activator of the city, and he has had some terrific success there. There is no doubt about it. But I think it is a matter of asking: what will lift the city so that people are going out all the time? Does that need a strategy,

or does it need us instead providing the best regulatory settings, and the best pathway navigation? That could be through a particular role to connect the right people so that something can happen and government otherwise gets out of the way.

The question I have is: will the strategy achieve the outcome that we are seeking here? Usually, strategies have some overarching claims, then we do an action plan, and the action plan has specifics. They are not all necessarily integrated, and sometimes it is easier to treat them as a checklist. If you have an “always on” mentality, it is like thinking, “What are the overall settings that allow the city to be thriving?”

MR EMERSON: Yes, I think you are right, and I take your point. I can think about when I went to Winter in the City last year. We have heard multiple witnesses say, “We feel like Garema Place is dead or unsafe.” On that night, it was not that way at all. It was full of families, and everyone felt safe and happy there.

How do you make that the norm? Obviously, maybe it would not be with that number of people every night. I take your point about temporary activations as opposed to the goal being, “You can go out in the city and know something’s happening without having to check what’s on”—at least on some nights of the week.

Ms Cheyne: Exactly. That is contained in the ambition for arts in the ACT, to be Australia’s arts capital—arts everywhere, all the time, for everyone. As I said at the time, hidden gems is not a strategy. It is cute to have hidden gems. Actually, I just want people to see things in their face and for things not to be hard to find.

Something that has come up in other submissions and evidence is graffiti. I would strongly encourage this committee to go to Enmore Road, given how many comparisons have been made to it. I went there to have a world-first meeting with the only other night-time economy minister, in New South Wales, who was first. Minister Graham and I walked around. I said to my adviser, who was with me, “Look how much graffiti there is.” There was graffiti everywhere. I think Enmore Road is held together by graffiti.

THE CHAIR: Festooned.

Ms Cheyne: Yes. Some of it is clearly murals, some of it has clearly been intentional, and some of it is just tagging—tagging everywhere, which I think, in this city, we really hate. It took me a long time to even notice that there was graffiti everywhere, because there were people everywhere. It was the people, the structures and the moving around that made a place feel safe, not the presence of graffiti. I think that goes to the heart of what you were observing. With Garema Place, if there is no-one there, that is when you notice the graffiti, and those things will start to contribute to your feeling unsafe. But if there is more of that passive movement, you do not notice it.

MS CARRICK: Do you mean Newtown?

Ms Cheyne: Yes.

MS CARRICK: Yes, because there is life and activity and it is thriving and bustling. Whereas the tagging here has a more derelict feeling, as opposed to a thriving feeling.

Ms Cheyne: And yet, I would say that the amount of graffiti in that area well outpaces anything that we have got here but, again, the impression that you get is that it is thriving.

MR EMERSON: On the potential role of a coordinator, one of the things the 24-Hour Economy Commissioner in New South Wales leads is this the Uptown Program, which is focused on precinct development, building collaboration among private sector partners, local creators and with government—which I suppose the CRA does a bit, in the city, and does a good job of at times with the sorts of activations we are talking about.

Is that something that the ACT government has looked at? Whether through a commissioner, or otherwise, but a program like that? Because we have heard a lot about also the different town centres, and how it would be valuable to have some kind of direction from government in connecting up different partners in different parts of the city to help cultivate precincts?

Ms Cheyne: I think “yes”. And, in some ways, we have tried to create settings that have encouraged that without necessarily government inserting itself. Because I think sometimes government is a great enabler and sometimes government complicates things.

The example that I would give—and I will try to make this the last time I refer to Lexi’s evidence yesterday—and I did not know this until she said it, which is kind of why I found it so like, “That is exactly what we wanted”—is the fact that if venues in Canberra can show that they have had some sort of cultural event or activation or whatever 10 times—just 10 times, and that is not difficult in terms of what they have to show to prove it—then they get pretty significant liquor license fee reductions. That is on top of anything else that they might already be automatically getting because of their size.

And the fact that Ambrosia, I think it was, reached out to her when she was not going shopping for a venue—they came to her—that is the exact kind of setting that I would love to see replicated more, in that we are providing the incentives for a business to reach out to an artist and to collaborate, and to bring those things together.

There is a great example in Belconnen and the city with Smith’s@Belco. So when Smith’s Alternative have got a performer who requires a slightly larger venue then they have been at Belconnen, at the arts centre there. That has been another great collaboration.

I think, again, potentially there is a role that can connect people to do that, to like-and-like, or whatever it might be. But I would also not want the role to be the be all and end all. I want the city to feel confident in a venue cold-calling an artist and saying, ‘Hey, I like your stuff. Can you come here?’

That is not an answer, is it?

MR EMERSON: I think what we are hearing, and you have heard the same evidence,

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is: imagine that scenario but there is a public unleased land permit required and industry would like to have someone they call who can say, “Yes, I know why you want to do this and actually I even know the artist you are connecting with. I get why you want to collaborate. How do I help make this happen for you?”

It is that kind of thing advocate within government. You know, like “There is another part that we have to check in with.”

Ms Cheyne: I would not say that does not exist. Not exactly how you are describing, because I think for our approvers and our coordinators to say, ‘You should talk to that business specifically’, that starts to bring in some concerns about cronyism or conflicts. So, connecting however they can—and there is a register of artists in the ACT for this very purpose—and directing a business to the register and saying, “You can filter by this sort of thing.”

MR EMERSON: Sorry, I think I mis-communicated. I meant more if there is a government approval that is required to make this happen. The feeling is, if we had someone—

Now it is a three-way partnership: there is the venue; there is the creative; and they say, “We have got to get the government involved in this”. It is the feeling of having someone on the other end of the phone who really wants to be involved and is keen to collaborate.

Ms Cheyne: I guess I do think that exists. It can just be that sometimes there is a complicated part to it. It can be our friends at the NCA, but it can be that they are wanting to activate a particular area that does not have the same levels of—

Lennox Gardens is a great example. The power supply there—do not have a wedding there, please, yet—it was not designed for activations and yet we know that people want to activate it.

One of our election commitments is to, effectively, map out the public unleased land. Where do we want people to be activating? Where do we want people to not bother? And respond to those needs. And everyone have a say in the starting point, rather than say, “Gee that piece of unleased land looks not bad,” and then we might hear from the conservator that actually there is a pink worm tail lizard there, or whatever it might be.

So, having everyone on the same page and then making sure we have got the right infrastructure for the size of that area is really critical. I think that is probably the complication, the missing piece in all of this. It can be hard for those people who are really trying to help to get something to happen, to agree to everything—especially if an area has different purposes. Glebe Park is a classic example. I could go on all day. You can ask me a supplementary later.

MR MILLIGAN: Obviously, over the last couple of days I have been—

Ms Cheyne: Now, is this choose your own adventure? I saw what you did in that previous hearing.

MR MILLIGAN: I know! It was great.

Ms Cheyne: Are you going to give me a list of questions and I just choose which one? I am ready.

MR MILLIGAN: I did not have much time, so I thought it was a good option during the last hearing. But here, I am particularly focusing on liquor licensing costs. Obviously, there are a lot of other issues for the night-time economy like transportation, regulatory burden, planning issues, and also it being very difficult for business to coordinate and work with government.

But one witness in particular said that the differences between the liquor licensing between their business in New South Wales and the one here in the ACT, which is of a similar nature, one was \$16,000 here in the ACT, and it was \$1400 in New South Wales. Just wondering if you could sort of give a bit of an explanation as to why that may be the case?

Ms Cheyne: To a point. Mr Rynehart, if you might be able to assist me? I have been trying to unpick this myself and it is really hard. I do not say that to be defensive; more that we are comparing a regulatory scheme and another regulatory scheme that have totally different policy frameworks.

Not just totally different policy frameworks but in comparing ACT with New South Wales, New South Wales has been on a very long recovery from their lockout laws. Some of the major things that Minister Graham did in January or December, I could not believe some of the things that were still in their legislation. We have not had that. So, they have really tried to put in a totally new approach, and confidence in the system, that we have always had. Our system, I would say, overall, is one of clarity, certainty, and perhaps is less punitive, in terms of how we decide a venue's fees. But there is no real like-with-like.

I think Mr Rynehart might be able to assist me with some points.

Mr Rynehart: I can talk about the ACT liquor licensing fee model. Effectively, the way that liquor license fees are set is they utilise a model of the number of people, the time of day and the type of activity. That is probably the best way to describe them. So, the later in the day, the later in the night, the more people and the differing types of activity move the fees, and they escalate for the later, the more and the type. Nightclubs are the highest fee set. Underneath them are bars and restaurants. They were set a number of years ago, when the Liquor Act was replaced in 2010, I think it was. It was really a recognition at that time of the compliance costs, based from regulatory but also from policing and emergency services and then what was attracting those types of costs. So the fees somewhat recognise that. On the off-licenses, the fees are set purely by the amount of liquor that is put into the market in the ACT.

But there are a range of fee reductions and opportunities for later trading. Licensees that operate on an ordinary until midnight can, up to nine times a year, I believe, volunteer or nominate an extended trading hour. They just simply need to let us know that they are doing that. So that does not attract a new fee. There is also a process where, as commissioner, I sign off a range of special event determinations. At the moment, we

are looking at, for next financial year, opportunities for licensees to trade later where there are special events.

Ms Cheyne: Without having to apply in each specific example. Anzac Day is a great example. So, effectively, any venue could be opening at 6.00 am.

Mr Rynehart: Yes.

MR MILLIGAN: Just to sort of get back to the basis of the question, you mentioned that nightclubs, bars and restaurants have a different rate and that police and emergency services and other activities are a contributing factor—you might see more shenanigans happening later at night than compared to seven o'clock in a restaurant. Have you got any data or evidence to suggest why and what cost it is to the government to suggest that they need to pay this additional fee? Surely New South Wales, particularly, would potentially see more shenanigans happening than what we do here and yet their fees are extremely low?

Ms Cheyne: Are you suggesting that we do not have a fun population? Mr Milligan, I think the best way is for me to take this on notice. I have a very helpful table in front of me which, for me to read out to you, is going to be confusing. It is not perfect, but it shows an ACT nightclub, with an occupancy loading of 150 people or less and then what the fees are, depending on what time they trade until. Then it has a New South Wales nightclub with the patron capacity—again, there is no like with like—of 120 people or less and, assuming no compliance history, risk loading or discount, and then shows what the base fee and then what the patron capacity risk loading is. It then shows what the trading hour loading is—because in New South Wales, it is not hour by hour, like it is here; there is before 1.30 and after 1.30. So on that, it is not perfect. It is picking a particular size of venue. But it shows that, up to a certain point, it is cheaper in the ACT but, if you go later, it may be more expensive, unless you have a demerit point in New South Wales—or two or whatever—where it will start to be more expensive. So let me, if I may, take that on notice and get that presented to the committee so you can see it visually.

MR MILLIGAN: Yes; that would be good. Is any part of the license liquor fee a cost recovery for the government? Is that an element of any of the make-up of it?

Mr Rynehart: I believe the fees go in consolidated revenue. But, as I said, the initial design was looking at the costs across various activities. I believe it is consolidated revenue, but there is certainly a team within Access Canberra who focus on liquor based on licensing and compliance. There are activities that happen in ACT Policing and other areas as well focused on liquor compliance.

Ms Cheyne: I have some more on that actually, Mr Milligan. On the licensing fee framework that Mr Rynehart rightly pointed out, in the lead-up to those reforms, there was an additional ACT Policing capability established to collate Policing data to compare alcohol-related incidents at restaurants, cafes, clubs, bars, taverns and nightclubs. The data showed that the highest number of alcohol-related incidents occurred at nightclubs, followed by clubs, bars, and taverns and, after that, restaurants, and cafes. Most alcohol-related incidents occurred at larger venues; 61 per cent of incidents occurred at venues with occupancy loadings of more than 350 people; and,

during late night trading, 80 per cent of incidents occurred at venues trading to 4.00 am or to 5.00 am. So, in establishing our fee framework, the factor in the fee levels was the cost associated with the regulatory and police enforcement associated with licensed premises and alcohol related antisocial or violent behaviour. Our fees support the cost of ACT Policing's Territory Targeting Team, which enforces our liquor laws and provides policing in our nightlife districts. It has been subject to review several times.

MR MILLIGAN: Okay.

THE CHAIR: On the alcohol-related antisocial behaviour, do you have something that you can table or provide on notice on the information statistics about those sorts of levels?

Ms Cheyne: From the time or from the reviews?

THE CHAIR: For over the past 18 months or over the past two years.

Mr Rynehart: Happy to take on notice to what we can provide what we can. I am just conscious that it may cross a range of ACT Policing and others. But certainly we will have a look.

THE CHAIR: It is a request; not a demand. But it would be useful.

Mr Rynehart: Yes.

Ms Cheyne: If we can just be a bit flexible in exactly what we can provide, just given we have a five-day turnaround. We will reach out to Policing and see what they have to hand and see what we have to hand and how we can present that meaningfully.

THE CHAIR: Okay; thank you very much—and then whether or not that is sliced into alcohol versus other substance-related harm. There were conversations and comparisons about that earlier on today.

Ms Cheyne: I heard Mr Shannon's descriptions of what happens when you are on methamphetamine.

THE CHAIR: That would be interesting as well.

MR EMERSON: That data that you just pointed to, Minister, from before the 2010 changes, can you take on notice if there is any update on that data on violent incidents in venues based on size and or opening—like the time of evening?

Mr Rynehart: I believe we receive incident data in Access Canberra. I will do my absolute best to see if we can break it down to that level. There are a significant number of thresholds and categories in the licensing system, but we will do our absolute best to try and break it down to the license type if we can.

MR EMERSON: That would be really helpful. Thank you.

Ms Cheyne: I do not know if these reviews are public or could be made public.

Mr Rynehart: We will check.

MR EMERSON: So you will take that on notice too?

Ms Cheyne: We will be as useful as we can be.

THE CHAIR: This is a bit of a broader question, but hopefully there is a good news story there. There has been a lot of conversation about headwinds that have been faced—and you acknowledged it your opening statement as well. Looking through the submission, the number of establishments that could be considered as part of the night-time economy in the ACT has been increasing consistently since a low during the pandemic years. Is my understanding correct? Is that a trend that looks like it is continuing?

Ms Cheyne: Could you just say that again?

THE CHAIR: Has the number of establishments that could be considered as part of the night-time economy that have opened or are existing have increased since the low during the pandemic years?

Ms Cheyne: Yes.

THE CHAIR: Is this a trend that is looking like continuing? That is a bit of a following sea perhaps, as opposed to a headwind. What is this down to? What does the government—

Ms Cheyne: The data is complex. In the ACT, we can have some really big improvements and we can be way ahead of the national curve on all sorts of metrics and then we will have a weird one. We might have more venues now than we had before COVID—which is true—but the workforce might look different. So it is trying to pull that apart a bit and to really understand it.

I was alarmed by Mr Caffery's comment yesterday that we are the worst performing night-time economy of any capital city in Australia per capital by LGA. I am grateful to the committee for sharing what he tabled, because I think it is immediately apparent that he was not comparing like with like. The LGA comparison was the entirety—

THE CHAIR: LGA—the local government area?

Ms Cheyne: Yes; that is the entirety of the ACT. So 467,000 people at seven town centres—the whole territory—against Sydney's City of Sydney LGA, which is 231,000, CBD only; and city of Melbourne, 177,000, CBD only. So already you have a ratio loss there, because of how it has been compared. I think on the very next page, there is a like for like, which shows that the ACT has 47 night-time economy businesses per 10,000 people, and we are the fourth of nine jurisdictions—ahead of Tasmania, Queensland, South Australia, Western Australia and the Northern Territory. That is the only consistent geography comparison I could see in that data—and we are not last.

Again, I think that goes to the point I made in my opening statement: we are not trying

to hide behind “everything is fine”. Everything is not fine, but there are good stories to tell, and I do not think that any of the data shows that the ACT is on its knees. In fact, in that period in particular, we had extraordinary employment growth, sales turnover growth and business growth. There can be a rocky year or two but, overall, the story in the ACT for our night-time economy businesses is a strong one.

MS CARRICK: Your appendix A night-time economy principles look really good. But my question is: how do they get applied to all the town centres, including Molonglo, which is supposed to be having a plan come out, mid-year? Presumably, these principles will be applied to the proposed plan to make sure it develops well,

Ms Cheyne: These are principles that we developed with the community and with operators about what the outcomes are that we are trying to achieve here. If the committee has any suggestions about whether we are missing some outcomes here, I would be grateful to hear them—because I think these principles are really helpful in terms of the “how”. If we know what outcome we are trying to achieve then how do we get there and what is most appropriate to get there in those circumstances?

MS CARRICK: What is the process? For example, has anybody spoken to whoever is developing the Molonglo Town Centre Plan to make sure that these principles—

Ms Cheyne: I will hand over to Planning officials to tell you whether they have applied it or not

Mr Engele: The Molonglo town centre is still at a very early stage of planning. It is still looking at structure planning and broad zoning. I think what you are referring to is more at a place- planning level. As part of that, that will be a process that they will do, consulting within CD. The Suburban Land Agency is responsible for that work. As part of that process, those principles will come into that, along with a whole range of other things, when they do their consultations and pre-circulation applications.

MS CARRICK: But, when you are doing the broad outline of the town centre, assumably an entertainment precinct will be identified upfront and not later on, so that we know where the precinct is and where these principles will primarily be applied?

Mr Engele: At the moment, it is not at that level of detail. It is really just very large sort of spatial areas and sort of commercial law and residential. So it has not got into the level of detail where you would expect to see an entertainment precinct specifically outlined. But that will come in time.

MS CARRICK: Okay.

MR EMERSON: I want to talk to the document tabled by Mr Caffery. That research indicates that if we added just 282 core businesses to Canberra’s night-time economy, which would match our rate of NTE businesses per capital to that across New South Wales—sorry; the pages are not numbered and so I cannot direct you the page—that would generate a \$229 million value add to the industry, equating to a 0.5 per cent increase in gross state product. My question is: has the government has set any targets to increase the per capita number of NTE businesses in the ACT or is it considering doing so, including in relation to other parts of the country?

Ms Cheyne: Given I did not have access to what he was quoting from until today, no. What I think it shows is that there is substantial economic opportunity. Again, I think that goes to my earlier point that I think now we have a foundation that is better than it has ever been for this sort of uplift and for realising the opportunity. I think the fact that we have been growing at the rate that we have and, if our settings are right, that will naturally attract more businesses. It looks like there is quite a bit of opportunity for the taking in terms of what that can then deliver for the city. I think the way it was presented, or the framing, was that we are behind because we have not yet matched this. But I think what it actually shows is there is opportunity to do even more.

As to whether we should have a target, I have not turned my mind to that. I can muse on my thoughts as they come to me but I will try and be straightforward. I do not think it is just about raw numbers of venues. It is about whether the venues meeting the needs of the city. Things change over time. You can have a whole lot of venues that have pokies in them. Is that a measure of success if we have 400 new pokies venues? Probably not. But if we have a variety of venues that people are going out to and they are all full, but it has not necessarily met a set target, I would still see that as a form of success.

MR EMERSON: The *Measuring the Australian night-time economy 2025* report, that was published last year—and imagine you have read this one—showed that, among the capital cities, Canberra ranked equal last with Hobart in the total proportion of venues remaining open after 9.00 pm. Is that the sort of thing that you look at targets for as well? We have housing targets and tourism revenue targets. Is that the sort of thing you would consider perhaps a more valuable target to set?

Ms Cheyne: I would say, yes. I would say that is a more valuable target to set but perhaps even more variables associated with it—perhaps number one being, why would a venue stay open if it is empty? Why would a venue stay open if people are not in the city? When we are talking down our city—the cultural cringe, the city is dead, or whatever people might be saying—then you are not going to have people in the venue to stay open to make it economically worthwhile. But, if we are all looking and seeing that there are people in venues, then I think venues are more likely to stay open.

I think a target of that sort would be more appropriate than a particular venue number, because I think that is part of the unrealised opportunity. I think you have heard it from the submitters and even some of the other committees, and Dendy's own responses—about finishing at the theatre and going, “Gee, I'd love to get a drink.” Sometimes our neighbouring venues are open—and that is terrific—and they get some good clientele from there. But sometimes, if they have decided to stay open, Canberrans' behaviour is “Nothing will be open, so I will go home.” It is tricky.

MR MILLIGAN: As I understand, you have been in the role for two years. Was it 2024?

Ms Cheyne: For 16 months.

MR MILLIGAN: So 16 months—but who is counting? I am interested to know what the reason was for establishing this role? Was it based on particular issues that you

identified in the night-time economy? What were those issues were and where are they currently at? Have you actually addressed them? Have you resolved any of them? Are they actually worse or are they getting better? I pretty much just want to know the state of play.

Ms Cheyne: The way the position came about was because I specifically requested it. I had responsibility for the night-time economy in the last term, but it was not in my title. In fact, I think it was not even in the administrative arrangements until we were like, “Hold on; we should really set that out there.” With the change in portfolio, and having the City and Government Services portfolio, and the Attorney-General portfolio plus human rights, my concern was that the night-time economy being lumped into the portfolios that people see as the headlines might take away the significant investment, effort and significance the government places on it as an area of investment and reform. I wanted to make it as prominent as possible—New South Wales obviously being first, but we are second. We have now seen multiple independent night-time economy researchers and advocates say to New South Wales and the ACT, “You are actually leading the way, because you are putting this front and centre.”

It does mean—and a bit of Policing sits under me—that I have a much broader overview and lens through which things are being looked at and the authority through which to drive reforms. I appreciate that you missed my opening statement, but I certainly said that we have driven reforms. I am not shying away from that. Some of the reforms were ahead of New South Wales. New South Wales has now caught up to us. Some of ours are most in concert with New South Wales. There are others where we go, “There is definitely more to do there.” I would never say that we have solved everything and that my work here is done. Of course, this is an ongoing investment and one that the government has clearly got its eyes set on. But I note that, while you have been here, you have published an Instagram post that says differently, Mr Milligan. So I do not think I am going to be able to convince you otherwise.

MR MILLIGAN: Right.

THE CHAIR: On behalf of the committee, I would like to thank our witnesses today, who have assisted have assisted the committee through their experience and knowledge. We also thank broadcasting and Hansard for their support. If a member wishes to ask questions on notice, please upload them to the parliamentary portal as soon as possible and no later than five business days from today. There were some questions taken on notice this afternoon. Please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*.

The committee adjourned at 4.55 pm