

General Manager
PO Box 211
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Australia

20 November 2017

Re: NSLHD Submission regarding a Development Application to Change the Hours of Operation of Dan Murphy's Mosman (Ref Number: 008.2017.00000217.001)

Thank you for providing the opportunity to comment on the Dan Murphy's Mosman development application for a change of hours of operation of a retail premises.

Northern Sydney Local Health District has an active interest in measures to prevent or reduce alcohol-related harm such as malicious damage, interpersonal violence, accidental injury and long-term health impacts. We also have a history of working to reduce the potential of liquor outlets to be a source of alcohol for minors, either by direct purchase attempts or secondary supply avenues, through projects such as the highly successful "Stop the Supply" campaign.

We do not support the granting of development consent for the proposed changes to trading hours for the Dan Murphy's Mosman due to the following concerns:

The applicant contends in the Statement of Environmental Effects (SEE) that the difference between the existing and proposed trading hours represents only a minor extension of one hour per week (See Table 1 below).

Table 1 – Existing and proposed hours for the Dan Murphy's tenancy

Day	Existing Approved Hours (as approved under CDC)	Proposed Hours	Difference	
			AM	PM
Monday	7am – 7pm	9am – 9pm	-2 hours	+2 hours
Tuesday	7am – 7pm	9am – 9pm	-2 hours	+2 hours
Wednesday	7am – 7pm	9am – 9pm	-2 hours	+2 hours
Thursday	7am – 7pm	9am – 9pm	-2 hours	+2 hours
Friday	7am – 7pm	9am – 9pm	-2 hours	+2 hours
Saturday	7am – 7pm	9am – 9pm	-2 hours	+2 hours
Sunday	9am – 6pm	10am – 8pm	-1 hour	+2 hours

However, the store’s current trading hours are 9am – 7pm from Monday to Saturday and 10am – 6pm on Sundays¹. Furthermore, the 9am opening time is mandated as a condition on the liquor licence which states:

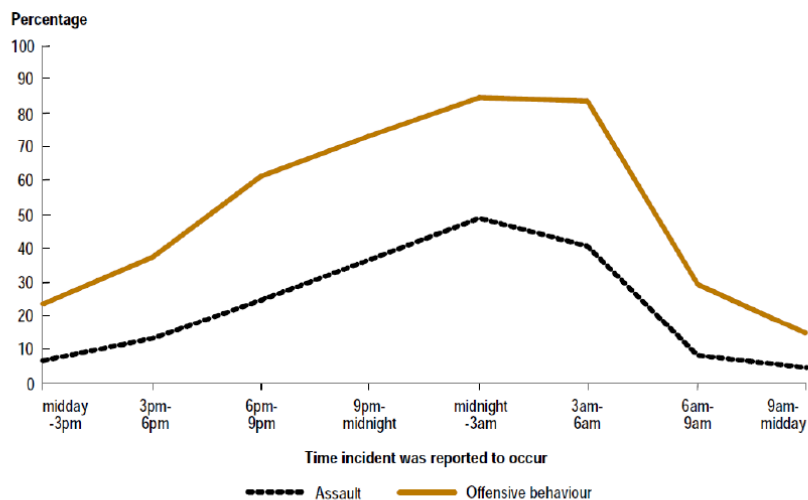
“Section 11A of the Liquor Act 2007 applies to this licence. Liquor must not be sold by retail on the licensed premises for a continuous period of 6 hours between 3:00 AM and 9:00 AM during each consecutive period of 24 hours. The licensee must comply with this 6-hour closure period along with any other limits specified in the trading hours for this licence.”²

This actually represents a substantial increase in trading hours of 13 hours per week, which is a 19% increase on the existing approved hours.

An Evidence Check conducted by Livingston et al, 2015 identifies a strong association between the volume of sales from packaged liquor outlets and increased rates of violence in a given area³. It is reasonable to assume that the Applicant intends to increase the volume of alcohol sold from the premises to offset/outweigh the operational costs of opening for an additional 13 hours per week.

Furthermore, a study undertaken by the Bureau of Crime Statistic and Research (BOCSAR) in NSW identifies a substantial increase in the percentage of alcohol-related assaults and offensive behaviour commencing from 6pm and continuing to increase until 3am (see Graph 1 below)⁴. The applicant is proposing to extend trading for an additional two hours during a period identified as problematic for alcohol-related assaults and offensive behaviour.

Graph 1 – Time Periods Alcohol-Related Assaults and Offensive Behaviour Occurred



Source: Briscoe, S., Donnelly, N. (2001). ‘Temporal and regional aspects of alcohol-related violence and disorder’. Alcohol Studies Bulletin.

This BOCSAR data is particularly significant for an area already experiencing significant harms associated with alcohol. The alcohol-attributable health and crime impacts for Mosman are provided below, and provide additional context as to why this change of hours of operation should be refused, to limit any further negative impacts associated with this problematic liquor licence.

¹ Dan Murphy’s Website, Available at <https://www.danmurphys.com.au/Stores/NSW-Mosman-1038> (Accessed 20/11/2017)

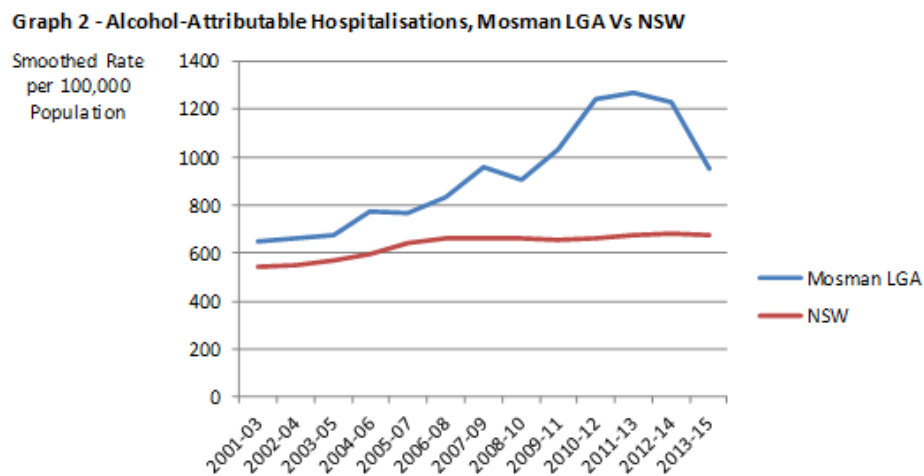
² Service NSW Website, Lic # LIQP770016982, Available at <https://www.onegov.nsw.gov.au/PublicRegister/#/publicregisterdetails/1-1ULQS3D> (Accessed 20/11/2017)

³ Livingston M., Wilkinson C., and Room R., Community impact of liquor licences: An Evidence Check rapid review brokered by the Sax Institute (www.saxinstitute.org.au) for the NSW Ministry of Health. 2015.

⁴ Briscoe, S., Donnelly, N., Temporal and regional aspects of alcohol-related violence and disorder. Alcohol Studies Bulletin, 2001

Whilst the Mosman LGA has a high SEIFA score and falls within the highest SEIFA quintile, it doesn't preclude residents from the significant harms associated with alcohol. According to an Australian Institute of Health and Welfare analysis of the Australian Health Survey 2011-12, adults living in the least disadvantaged areas are 1.4 times as likely to exceed alcohol consumption guidelines as those living in the most disadvantaged areas⁵. Healthstats NSW data also indicates that the most advantaged (ie least disadvantaged) population are more likely to drink daily or weekly than the rest of the population⁶.

Mosman LGA's alcohol-attributable hospitalisation rate has consistently exceeded the NSW average over the past 10 years. The most recent data from the 2013-15 period indicates that the Mosman LGA has a 40% higher alcohol-attributable hospitalisation rate than the NSW average. Graph 2 below compares the rate of alcohol-attributable hospitalisations for the Mosman LGA and the NSW average since 2001.

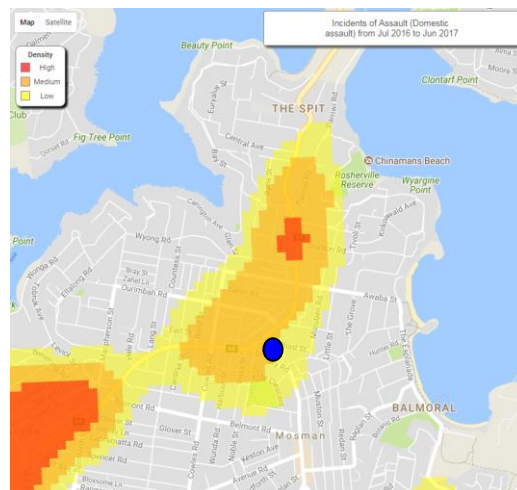


Source: NSW Combined Admitted Patient Epidemiology Data and ABS population estimates (SAPHaRI). Centre for Epidemiology and Evidence, NSW Ministry of Health.

There is strong evidence linking domestic violence with packaged liquor outlet density. Livingston (2011) identifies a 3.3% increase in domestic violence with a 10% increase in off-licence liquor⁷. Mapping data from the NSW Bureau of Crime Statistics and Research indicates that the packaged liquor outlet is located on the border of an area identified as a "medium" level hot spot for domestic assaults (Image 1).

Image 1 – Incidents of Assault (Domestic Assault) from July 2016 to June 2017

● - Dan Murphy's Mosman



Bureau of Crime Statistics and Research – Incidents of Alcohol Related Assault from Oct 2015 to Sep 2016. Available at <http://crimetool.bocsar.nsw.gov.au/bocsar/> (Accessed 22/11/2017)

⁵ AIHW analysis of ABS Microdata: Australian Health Survey, National Health Survey, 2011–12. Available at <http://www.aihw.gov.au/risk-factors/alcohol/> Accessed 1/3/2017

⁶ NSW Population Health Survey (SAPHaRI). Centre for Epidemiology and Evidence, NSW Ministry of Health.

⁷ Livingston, M., (2011). A Longitudinal analysis of alcohol outlet density and domestic violence. *Addiction*, 106(5): 919-925.

The recently released Domestic Violence Death Review Team Report 2015-2017 provides recommendations for implementation by government and non-government agencies to reduce the incidents of domestic violence caused deaths. Recommendation 14 of the report states:

“When making determinations regarding any alcohol licensing related applications in areas identified by the NSW Bureau of Crime Statistics and Research as domestic violence ‘hot spots’, apply the following criteria:

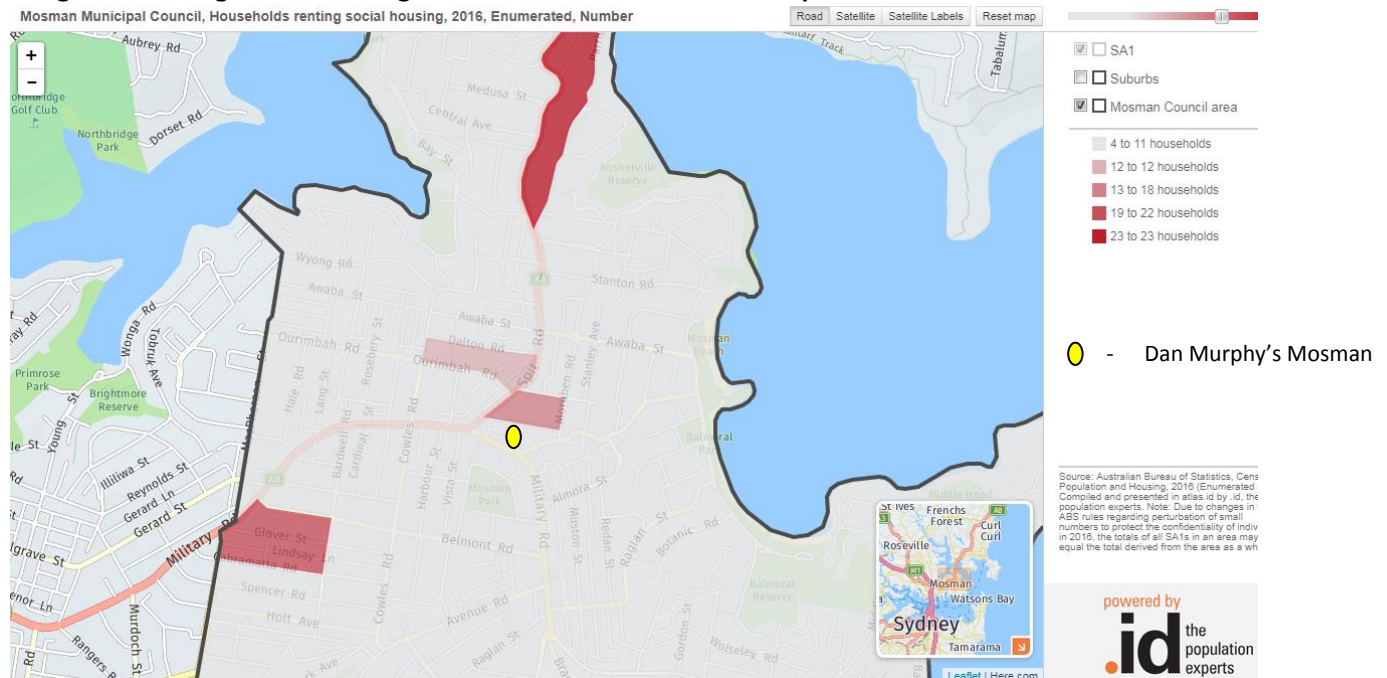
- *For any applications pertaining to an extension of trading hours, or the development of new liquor outlets or bottle-shops in domestic violence hot spots, there should be a rebuttable presumption against granting the application.⁸”*

The granting of an increase in trading hours to 9pm has the potential to increase the incidence of domestic assaults in the local area. We strongly encourage Mosman Council to implement Recommendation 14 outlined in the abovementioned report and refuse the application.

As mentioned previously, Mosman LGA has a high SEIFA score. However, pockets of disadvantage exist within the locality that must be considered. There are 25 social housing households within 500m of the outlet (Image 2) and 67 social housing households throughout the Mosman LGA.

Findings from the Household Expenditure Survey 2009-2010 highlight that the most disadvantaged portion of the population spend a larger proportion of total household income on alcohol⁹. This has particular relevance to health as money spent on alcohol cannot be spent on essential food and medical costs. The additional heavily discounted alcohol offered by the proposed extended trading hours for Dan Murphy’s Mosman will place this already vulnerable portion of the community further ‘at-risk’.

Image 2 – Renting Social Housing Households in Mosman Municipal Council



Atlas.Id – Mosman Council Households Renting Social Housing. Available at <http://atlas.id.com.au/mosman#MapNo=10059&SexKey=4&datatype=1&thetype=2&topicAlias=renting-social-housing&year=2011> (Accessed 22/11/2017)

⁸ NSW Domestic Violence Death Review Team Report 2015-2017. State Coroner’s Court of New South Wales, Department of Justice, 2017

⁹ Yusuf, F., Leeder, S.R., Making sense of alcohol consumption data in Australia. Medical Journal of Australia, 203(3): 128-30, 2015.

The original granting of the Dan Murphy's Mosman packaged liquor licence was problematic for the Mosman community in its own right. The anticipated increase in sales volume generated by increasing the trading hours by 19% will place the community further at risk. We therefore strongly recommend that this Change of Hours of Operation development application be refused.

Recommendation:

- 1. That the Dan Murphy's Mosman development application for a Change of Hours of Operation of a Retail Premises (Ref Number: 008.2017.00000217.001) be refused**

If you have any questions, please do not hesitate to contact Jonathon Noyes, NSLHD Health Promotion (Lower North Shore) at 02 9462 9568 or jonathon.noyes@health.nsw.gov.au.

Kind regards,

Paul Klarenaar
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