

Social Impact Assessment Lyrique Bar DA modification



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**This report has been prepared for
City of Newcastle**

by



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1 Executive Summary

1.1 Introduction

City of Newcastle has requested Judith Stubbs and Associates to undertake a peer review of a Social Impact Assessment accompanying a Development Application (DA) modification to alter the operating hours of the Lyrique Bar, at 169-185 Hunter Street, Newcastle. This report undertakes an independent assessment of the likely social impacts of the proposal. The report identifies and assesses four potential areas of social impact; impacts associated with alcohol, impacts associated with gaming, impacts on the night time economy and amenity impacts in the locality.

The Lyrique Bar is one of three venues within the QT Hotel, with the other two being a Rooftop Bar and the Jana Restaurant and Bar. The current hours of operation of the Lyrique Bar are 10 am to midnight Monday to Saturday and 10 am to 10 pm on Sunday. The DA modification will allow trading to 2 am Monday to Saturday and midnight on Sunday.

The Lyrique Bar is separate from the QT Hotel complex, being self contained with no access to and from the QT Hotel complex. Access to the Lyrique Bar is from a lane off Perkins Street. By contrast, the Rooftop Bar and the Jana Restaurant and Bar are both accessed from the Hotel lobby. The three bars are quite different in their offerings, with the Lyrique Bar offering a sports bar and gaming machine area, The Jana Restaurant offering largely dining, and the Rooftop Bar aims at a 'high end' experience with a dress code and expensive food and cocktails. At the time of the site visit, there was a security guard on the door of the Lyrique Bar checking IDs on entry. Patronage of the Lyrique Bar was observed to be quite low, with between four and eight patrons through the night, and with the majority using the gaming machines.

1.2 Demographic and Housing context

The immediate locality (SA1) is of relatively average disadvantage on the ABS SEIFA Index of Relative Socio-economic Disadvantage; of relatively high status on SEIFA Education and Occupation; with a somewhat younger than average median age; just below average median income; and slightly higher rate of households on very low and low incomes. The SA1 has almost four times the average rate of flats and units, and double the NSW rate of private rental related to this higher density development, as well as a much higher than average rate of unoccupied private dwellings, likely used for short-term lettings and holiday properties.

The wider localities of Newcastle Suburb and Newcastle-Cooks Hill SA2 are much less disadvantaged than average on relevant SEIFA Indexes, particularly related to education and occupation; and have a somewhat higher than average median income and less households on very low and low incomes. These localities also have a much higher than average rate of flats and units, private rental, and unoccupied private dwellings, particularly Newcastle Suburb.

1.3 The Night Time Economy

In 2018, the City of Newcastle established its Night-time Economy Strategy 2018-2022, *Newcastle After Dark*. The Strategy emphasised that the City was considered a ‘pioneer in strategic alcohol management’ following the supply-side-focused interventions that contributed to sustained decrease in alcohol-related violence and anti-social behaviour, but that Newcastle was ‘not the city it was ten years ago.’ As such, the Strategy was seen as an opportunity for re-visioning a safe and vibrant nightlife, and notes that approaches for managing the city at night must evolve apace.

At the time of the site visit, there appeared to be three major precincts in the areas around the Lyrique Bar.

The first area is a strip between the waterfront and Hunter and Scott Streets. This area appears to have been previously industrial in nature, consisting of wharfs and associated rail lines, and the old main rail line to the now disused Newcastle Station and associated workshops. The area has been extensively redeveloped, with large paved areas, repurposed historical buildings and new development. The focus has been on creation of a civic space, including restaurants, hotels and bars, walking paths and the like. Based on observation, the area is well used, with people fishing from the waterfront, restaurants and cafes busy during the evening, and runners and cyclists using the area in the morning. The area has low levels of pedestrian activity at night, with people inside venues but not in public spaces.

The second is the area around the old Newcastle Station. This area includes commercial buildings and repurposed civic buildings such as the Post Office and Customs House. The area is currently zoned MU1, and redevelopment for residential is taking place.

The third is the area along Hunter Street, and contains the subject premises. This is the centre of Newcastle CBD. Historically, the area provided retail and commercial space; however, there are currently few retail outlets in the area. It is likely that retail has relocated to mall type developments in suburban settings. There is limited public parking, and this likely restricts retail activity. The area is currently zoned MU1, and redevelopment for residential purposes is taking place. The area appears to have largely transitioned to an entertainment and residential precinct.

Based on site visits to a sample of venues within the area, the major contributors to the night time economy are larger licensed venues, particularly those offering food and live entertainment. There was little pedestrian traffic in the area, and it is likely that people travel to a particular venue for entertainment or for dining.

A large part of the night time economy takes place in the early evening. Of the 12 venues visited, six had ceased live music or had closed by 11 pm. One late night venue was identified; M J Finnigans Hotel, with this appearing to provide a disco offering, likely going into the early hours of the morning.

1.4 Literature

1.4.1 Alcohol Related Harm

The literature identifies a number of relationships predictive of alcohol related harm. These include positive relationships between:

- alcohol and violent crime;
- violence and proximity to licenced premises;
- venue and assault, with assaults much more likely to occur in hotels, taverns and nightclubs;
- alcohol related harm and disadvantage;
liquor outlet density and clustering and amenity impacts; and
- alcohol and hospitalisation, death, accident and injury.

A number of socio-economic indicators are associated with increased risk of alcohol related harm according to the literature. These include:

- ABS SEIFA Index of Relative Socio-economic Disadvantage (SEIFA Disadvantage) as an aggregate measure of overall community disadvantage
- Lower educational achievement and lower employment status, noting that a range of relevant indicators of overall educational and occupational status are included in the ABS SEIFA Index of Education and Occupation (SEIFA Education and Occupation);
- Poor, unstable population, concentrations of disadvantage (e.g. homeless, social housing)
- Aboriginality
- Smaller households
- Sole parents
- Separated, divorced, widowed households
- Young people (15-29 years)
- A range of other indicators of social disadvantage, such as low income, high unemployment, non-school completion, although these are covered more comprehensively in the two ABS SEIFA Indexes referred to above.

Each of these indicators has been found in different studies to be independently associated with increased risk of alcohol related harm although the literature notes that almost any indicator of social disadvantage will increase the risk of such harm.

1.4.2 Gaming Related Harm

Similarly, the literature identifies a number of relationships predictive of gaming related harm. These include positive relationships between:

- alcohol consumption at risky levels and higher risk gambling;
- problem gambling and density of gaming machines;
- risk of more vulnerable people being at increased risk of being a victim of crime, including violent crime and robbery.

A number of factors are also associated with increased risk of gaming harm, including problem gambling. These include:

- Regular poker machine player;
- Extended hours of play and playing late at night;
- Left school before year 10;
- Single (not married);
- 18-34 yrs;
- Unemployed;
- Separated/widowed/divorced;
- 35-54 yrs;
- Year 12 or diploma only (no university qualifications); and
- Male.

Relevant to this application, people with characteristics of problem gamblers on EGMs (for example frequency and length of play, amount of money spent on EGMs) were strongly associated with EGM play after 12 midnight. It is also noted that such gamblers were quite sensitive to venue closure, with venue closure disrupting patterns of play and providing a reassessment of losses and other benefits, so that venue closure was seen as of benefit to problems gamblers, and a positive harm minimisation strategy, which did not affect other groups, such as recreational gamblers.

1.5 Liquor Licencing in Newcastle

The relationship between alcohol-related violence and the operation of licensed premises in the Newcastle CBD has been the subject of intense scrutiny, novel approaches, and evaluation of imposed mitigations for over 15 years. The following provides a brief timeline of events associated with liquor licence conditions that have been imposed on premises in the Newcastle CBD since 2008.

- 2008 – The Liquor Administration Board imposed a series of conditions upon the liquor licenses held by 14 specified premises in the Newcastle CBD following complaints by NSW Police.

- 2010 – similar conditions were imposed on licenses of six venues in the adjacent suburb of Hamilton.
- 2016 – The Honourable IDF Callinan AC completed a review of the liquor amendment for the Independent Liquor and Gaming Authority (ILGA). He concluded that the relevant policy objectives remained valid, but that constraints could be relaxed to some degree. Liquor Amendment Regulation 2016 enacted these changes and licensees could apply for exemptions if they met certain conditions.
- 2018 – Following a submission by the Australian Hotels Association NSW, Dr Jonathan Horton QC was engaged to inform the ILGA’s consideration of whether and how to vary or revoke the conditions in Newcastle that had been in place for 10 years. Horton formed a view that some conditions could be varied and/or revoked following appropriate trial periods, evaluation and monitoring; but that there was not a case to support either the extension or reduction of trading hours, or for a change to the lockout time of 1am.
- 2020-2021 (6 months) – Trial 1 relaxed certain conditions for participating small bar and on-premises licenced venues. Findings from the evaluation of Trial 1 reported that there was no evidence of an increase in alcohol-related violence during the trial.
- 2021-2022 (12 months) – Trial 2 relaxed certain conditions for participating venues (hotels, general bars and public entertainment venues) including removal of lockouts, extension of liquor trading hours until 3.30am on any night for venues authorized to sell liquor until at least 2.30am, and easing restriction on type of drinks that can be served.

Findings from the evaluation of Trial 2 reported that there was an increase in on-premises alcohol-related offences for participating venues of 17% from the FY17 period (a control type year outside of pandemic years) mainly associated with larger venues, two venues particularly. Off-premises offences linked to participating venues were down 31% from the FY17; whilst drink driving offences linked to participating venues during the trial were 21% higher than FY17 but 10% less than the peak in FY18.

- July 2023 - ILGA carefully considered the findings of the Trial 2 evaluation and decided that participating venues could apply to have their liquor licence conditions relaxed permanently (for those conditions included under Trial 2). ILGA reports that relaxed conditions for 15 venues have continued following the trial.

1.6 Risk of alcohol related harm

In general, the immediate locality (SA1), and wider localities of Newcastle State Suburb and Newcastle-Cooks Hills SA2 do not have socio-economic indicators that are related to an elevated risk of alcohol-related harm.

The exceptions are in relation to the rate of young people and separated or divorced people, where the SA1 and Newcastle suburb were above the NSW average; and in relation to social housing, where Newcastle-Cooks Hill SA2 was almost double the State average, although there were much lower than average rates of social housing in the SA1 and Newcastle Suburb.

1.7 Risk of gaming related harm

Under the Local Impact Assessment Bands published by Liquor and Gaming NSW, Newcastle-Cooks Hill SA2 is a Band 1 SA2 and is ranked 329 out of 626 SA2s in NSW. The rankings consider disadvantage, gaming machine density per capita, and gaming machine expenditure per capita. Newcastle-Cooks Hill SA2 is considered a relatively low risk area for gaming harm on this measure.

Demographic indicators for risk of gambling harm are mixed, with above average risk factors in the SA1, suburb and SA2 including being single; being 18-34 years; being separated, widowed or divorced; and being male.

Overall, Newcastle-Cooks Hill SA2 is unlikely to be a high risk area with regard to gambling harms.

1.8 Licenced premises context

The locality of the subject premises has a very high relative rate of licensed premises, at whatever scale it is considered, particularly for areas closest to the premises, and density and clustering is found in the literature to be associated with alcohol related harm, including assault (domestic assault), assault (non domestic assault) and malicious damage.

Both the suburb of Newcastle and Newcastle-Cooks Hill SA2 have a particularly high rate of **total licenses** (14 times and 6.5 times the NSW rate respectively).

At the scale of **Newcastle suburb**, the rate was extremely high, with 18 times the NSW rate for **hotel licenses**; 17 times the NSW rate for **on-premises licenses**; and 63 times the average rate of **small bar licenses**. There was also very high relative rate of licensed clubs (around 4 times the State average). This is not surprising given the large entertainment precinct associated with the suburb and environs, and the relatively small resident population.

Newcastle-Cooks Hill SA2 may provide a more reasonable scale to understand density, as it is a much larger geographic area, which includes and extends beyond the entertainment precinct, and has a population of around 13,000 people. The SA2 has 10 times the average rate for **hotel licenses**; 8 times the NSW rate for **on-premises licenses**; and 28 times the rate of **small bar licenses**. It has around 2.5 times the average rate for **licensed clubs**.

1.9 Crime Impacts

For the most recent 12 month period to March 2024, crime statistics for the selected offences in the local community are unfavourable to the proposal, particularly crimes more often associated with Alcohol; including Assault (Non-Domestic), Assault (Domestic) and Malicious Damage. This would be expected given the very high density of liquor licences in the locality.

The following is noted in relation to **Assault Domestic**:

- **Newcastle suburb** had a 27% higher than average rate of **Assault Domestic** for the twelve months to March 2024. The proposal site is located within a medium density hotspot for this offence.
- When **Alcohol Related Assault Domestic** is considered, the Newcastle suburb had a rate nearly twice that of NSW while the rate for Newcastle LGA was nearly three times that of NSW.

The following is noted in relation to **Assault Non-Domestic**:

- The rate of **Non-Domestic Assault** in Newcastle suburb is nearly 8 times the NSW rate, while the LGA had a rate 1.6 times that of NSW. The proposal site is located in an extensive high density hotspot for this offence, with the hotspot covering the wider entertainment precinct.
- When **Alcohol Related Assault non-Domestic** is considered, the rate for Newcastle suburb was more than 15 times that of NSW while the LGA had a rate twice that of NSW.

In terms of **Malicious Damage to Property**:

- The rate of **Malicious damage to property** in Newcastle suburb was 5 times the NSW rate, while the LGA had a rate 1.6 times that of NSW. The proposal site is located in a high density hotspot for this offence. Rates of malicious damage offences occurring on weekends in the Newcastle suburb were 6 times that of the NSW average, while the rate of offences that occurred on weekdays was 4.4 times that of NSW.

1.10 Adverse Social Impacts of the proposal

1.10.1 Impacts associated with alcohol

While there is likely to be some increase in adverse social impacts from the extended hours, given the low level of patronage observed at the Lyrique Bar, and its relatively isolated location, adverse impacts associated with alcohol from the extended hours are likely to be small. Adverse impacts could increase if the extended hours meant that the venue became an attractor for people leaving venues closing earlier than the Lyrique Bar.

1.10.2 Impacts associated with gaming

Section 209(3)(b) of the *Gaming Machines Act 2001* restricts the degree to which such matters can be considered with regard to a development application. Specifically, this section of the Act provides that a consent authority cannot 'refuse to grant any such development consent to a hotel or club for any reason that relates to the installation, keeping or operation of approved gaming machines in a hotel...'.

Similar to findings for alcohol related harm, the low level of patronage observed at the Lyrique Bar, and its' relatively isolated location, is likely to mean adverse impacts associated with gaming from the extended hours will be small.

The most likely adverse impact is that people using the gaming machines late at night will gamble for an extra two hours, with consequent financial and related social costs and noting that problem

gamblers are more likely to play late at night and to play regularly. This was observed during the site visit, with 2 people in the sports bar at 11 pm and with 5 people in the gaming area. Based on the literature, site visit and nature of the premises, the main motivation of the increased trading hours appears to be to increase gaming revenue. Adverse impacts could increase if the extended hours meant that the venue became an attractor for people leaving venues closing earlier than the Lyrique Bar.

Relevant to this application, people with characteristics of problem gamblers on EGMs (for example frequency and length of play, amount of money spent on EGMs) was strongly associated with EGM play after 12 midnight. It is also noted that such gamblers were quite sensitive to venue closure, with venue closure disrupting patterns of play and providing a reassessment of losses and other benefits, so that venue closure was seen as of benefit to problems gamblers, and a positive harm minimisation strategy, which did not affect other groups, such as recreational gamblers.

1.10.3 Amenity impacts in the locality

Based on submissions received by Council, the immediate locality is already experiencing adverse amenity impacts from the venue. These include noise impacts both from operation of the venue and from patrons arriving and leaving; noise impacts from fights and passive smoking from fumes from the venue. Despite the apparent low level of patronage, these impacts are likely to be exacerbated by such factors as the entrance being contained in a narrow alley between high rise buildings leading to echoing and reverberation; overlooking of the venue and its entrance by residential apartments including windows and balconies; and 'outdoor' nature of the venue (a permeable façade) to allow for smoking within the venue.

The security guard at the entrance observed during the site visit may be a mitigation provided by the venue to address concerns raised by residents.

1.10.4 Cumulative Impacts

Given the continuing very high crime environment, noting the very high density and clustering of licenced premises, the historical problems, and the progressive relaxation of relevant controls on a case by case basis on various premises, it is also important that this application be viewed in the context of cumulative impacts arising from this changing policy environment. While it is unlikely that the extension of trading hours by two hours for this premises will lead in and of itself to a significant increase in crime, given its small size and observed patronage, the amenity impacts in terms of noise from congregation and people leaving venues needs to be considered in the context of the existing density and clustering of premises and the surrounding residential land uses.

Council should also consider the cumulative impacts of case by case relaxation of controls for other premises in the locality, particularly higher impact venues such as larger hotels and busy bars, in further applications that come before it. This includes consideration of whether the crime environment of the locality is improving prior to any further, or substantial relaxation of controls, particularly for high impact premises.

1.11 Positive Social Impacts

1.11.1 Contribution to the night time economy

It is likely that the venue makes a small or negligible contribution to the night time economy. This is because of the low level of patronage and the lack of offerings such as food and entertainment. The relatively small size and isolation of the venue suggests that it provides limited opportunities to expand its contribution to the night time economy.

1.12 Assessment of Overall Social Impact

1.12.1 Overall Assessment

The proposal for extended opening hours is likely to provide a relatively minor positive benefit through providing a small format bar open later at night, including for patrons with a particular interest in sports, and for recreational gamblers. However, given the small number of patrons observed after 10pm, the extended trading hours of the venue are unlikely to contribute to the night time economy in any meaningful way, particularly in the context of the larger number of existing licensed venues and the format and patronage of these venues. There is also likely to be a benefit to the operator of the venue from the increased operating hours through increased revenue.

Against this is the likelihood of adverse impacts on people using gaming machines during the extended hours, who are more likely to be problem gamblers, and may also experience other harms associated with the increased risk of consumption of alcohol at risky levels; and potential for more vulnerable people to be victims of crime as they leave the premises. However, it is noted that section 209(3)(b) of the *Gaming Machines Act 2001* provides that a consent authority cannot 'refuse to grant any such development consent to a hotel or club for any reason that relates to the installation, keeping or operation of approved gaming machines in a hotel...'. As such, although such gaming related impacts are properly considered as part of a social impact assessment, they cannot be grounds for the refusal of the application for the extended hours of trading.

The adverse impacts of the existing high concentration of licensed premises in the locality are evidenced by the high rate of alcohol related violence, as well as amenity impacts such as noise and annoyance, as noted in submissions. However, it is unlikely that the application to increase trading hours for this particular venue will significantly increase alcohol related harm in the locality in relation to alcohol related violence, malicious damage or adverse health impacts. This is due to its small size, the nature of observed clientele, and the relatively low risk demographic indicators in the locality. The attractors of entertainment and food are not provided at the venue and the venue has a low profile in terms of access and visibility which is likely to reduce the number of customers as observed on the site visit.

Given the configuration and proximity of the venue and surrounding residential uses, existing amenity impacts may be exacerbated with the extended hours and mitigation of amenity impacts may be important under the Plan of Management and other conditions of consent. Always having a security guard at the venue entrance after 8 pm is likely to reduce impacts associated with noise

from people leaving the venue, as will the relatively small number of patrons likely to exit on closure, and the low profile nature of the offering at the venue. With regard to noise impacts from the operation of the venue, there appear to be deficiencies in the applicant's noise report as set out in Section 12.2 below. Likewise, the matter of passive smoking has not been addressed by the applicant. These need to be considered under the Plan of Management.

1.12.2 Conclusions and proposed mitigations

The benefits of the extended trading hours for this premises are likely to be relatively minor in terms of the contribution to the night time economy, although there will be some benefit to the small number of patrons who are likely to attend the premises after midnight, including those with an interest in sport and recreational gambling.

There are unlikely to be significant negative impacts arising from extended trading hours in terms of an increase in alcohol related harm, including alcohol related violence, malicious damage and alcohol related health impacts; as the venue is of small format, low profile and is not a significant attractor, as well as the observed level and nature of patronage in the evening.

The most significant adverse social impact is likely to be related to increased opportunities for problem and moderate risk gamblers to play for longer periods of time with increased financial losses and impacts on wellbeing, noting that problem gamblers are far more likely to engage in late night EGM playing.

However, it is noted that section 209(3)(b) of the *Gaming Machines Act 2001* provides that a consent authority cannot 'refuse to grant any such development consent to a hotel or club for any reason that relates to the installation, keeping or operation of approved gaming machines in a hotel...'. As such, although such gaming related impacts are properly considered as part of a social impact assessment, they cannot be grounds for the refusal of the application for the extended hours of trading.

There may some amenity impacts related to noise from patrons leaving late at night, passive smoking and noise from gaming machines; however the size and nature of the premises indicates that these could be adequately mitigated through appropriate provisions in a plan of management and other conditions.

As such, it is recommended that the plan of management or other conditions of consent include the following:

- Implementation of mitigations contained in the acoustic report, including
 - The proposed operating hours;
 - Closure of entry doors after 10 pm except for access and egress;
 - Installation of a noise limiter;
 - Installation of an acoustic louvre;
 - Appropriate signage; and
 - Keeping a complaints register.

- Provide for a permanent security guard at the entrance to the Lyrique Bar from 10 pm to 30 minutes after closing to ensure that patrons leave in a quiet and timely manner and do not smoke in the immediate environs of the premises;
- That a complaints procedure be included in the plan of management and be publicised to residents of the locality;
- That a complaints register be kept, including responses to complaints and remedial action, and made available to Council on request;
- Given concerns raised in submissions regarding amenity impacts, the granting of the variation of the hours be for a trial period of 12 months, after which time Council consider any ongoing impacts, including arising from complaints received, and provide opportunities for residents to make further submissions prior to the extended hours becoming permanent; and
- Council continue to consider the cumulative impact of applications that come before it for variations in trading hours and other operational changes to surrounding venues in consideration of the existing problematic crime and amenity environment.

2 Overview of Proposal & Premises Context

The proposal is for a section 4.55(2) modification to DA2019/1150 to change operating hours of ground floor gaming /lounge bar, known as the Lyrique Bar, at **169-185 Hunter Street, Newcastle**. The Bar has a 100-person capacity, and an entitlement to keep 10 Electronic Gaming Machines (EGMs).

The Lyrique Bar is one of three venues within the QT Hotel, with the other two being a Rooftop Bar and the Jana Restaurant and Bar. Although operating under the same liquor licence as the QT Hotel (a hotel liquor licence), the Lyrique Bar appears to operate independently, and is not listed as a venue on the QT Hotel website. The existing hotel liquor licence, granted on 16 November 2020 for an unlimited duration, allows trading from 10am to 4am daily, apart from selected public holidays.

The proposed modification will extend the current operating hours of the Lyrique Bar under the DA Conditions of Consent by two hours seven days per week. Existing Monday to Saturday hours of 10am to midnight are proposed to be extended to 2am and existing Sunday hours of 10am to 10pm are proposed to be extended to 12am midnight.

The other venues within the QT Hotel are understood to operate until 10 pm. Current operating hours of the **Rooftop Bar** are understood to be:

- Monday: Closed
- Tuesday – Thursday: 4pm-10pm
- Friday: 3pm-10pm
- Saturday: 2pm-10pm
- Sunday: 2pm-10pm

However, a recent DA modification (3 September 2024) allows the outside bar to extend its operating hours from 10pm to 12 midnight, Monday to Saturday for a trial period of 12 months, with the option to apply for these as permanent trading hours prior to expiry of the trial period.

Currently, the bar component of the **Jana Restaurant and Bar** is understood to be operating as follows:

- Monday – Thursday: 12pm – 10pm
- Friday – Saturday: 12pm – 12am
- Sunday: Closed

The Lyrique Bar has a separate access from Lyric Lane, while the other two venues are accessed through the QT Hotel main lobby.

The Lyrique Bar markets itself as a premium ‘sports bar’, providing ‘live viewing of almost every sport on offer from baseball to tennis, cricket, AFL, motorsports, rugby league, horse racing, and

more'. Its website notes that it offers 'sports live and loud, the TAB, VIP [EGM] room, and everything you would expect to find in a dedicated sports bar but in a high-end atmosphere which works in with the aesthetic and service level of the QT brand overall'.

It also notes that, the Lyrique Bar 'is an offering that will suit the current residents of Newcastle's East End as well as guests of the QT Hotel, and people who work in the city, particularly in the new business precinct directly adjacent' and that the Bar 'can be accessed by a range of public transport options including the light rail, ferry, and buses'.

The offering of the three main venues within the QT Hotel appear to be quite different. For example, the Lyrique Bar promotes itself as a good place to have a beer and watch sports, without a menu publicised or drinks list publicised on its website. Its Facebook page shows a range of pictures of mostly men in casual dress relaxing over a beer, watching sport on TVs, and the TAB area. (See for example <https://www.facebook.com/p/Lyrique-Bar-East-End-100083593351026/>).

The Jana Restaurant and Bar includes restaurant main courses and dishes 'from the grill' that range in price from \$32 to \$250; and wine from \$15 to around \$58 dollars from a small (150 ml) glass. Bottles of wine start at around \$50, and include a wide range high end wines, with the most expensive selling for \$910 for Louis Roederer Cristal Champaign. The Bar food menu is somewhat less expensive, with 'toasties' for \$19, whole fish for \$56, and Oven Prepared Rib for \$250. (See website at: <https://www.qthotels.com/newcastle/eat-drink/jana/>)

The Rooftop Bar has cocktails ranging in price from \$21 to \$24, and a small (10ml) glass of wine from around \$15 to \$19. The food menu tends toward the medium to high end price wise, and includes a cheese plate for \$42, and meals from between \$26 and \$250. The ambience of the Rooftop Bar is very different to that of the Lyrique Bar (see website: <https://www.qthotels.com/newcastle/eat-drink/rooftop-at-qt/>)

3 The Night Time Economy

3.1 Overview

A site visit was conducted on 20 September 2024 between 5 pm and 11.30 pm to understand the night time economy in the environs of the Lyrique Bar. Twelve hotels in the area between King Street, Wharf Road, Watt Street and Worth Place were visited at regular times through the evening and patron counts were conducted. A further visit was conducted early in the morning of 21 September 2024 to photograph various premises. The results of the site visit are set out below.

3.2 Overview of precinct

There are three main areas in the Precinct.

The first area is a strip between the waterfront and Hunter and Scott Streets. This area appears to have been previously industrial in nature, consisting of wharfs and associated rail lines, and the old main rail line to the now disused Newcastle Station and associated workshops. The area has been extensively redeveloped, with large paved areas, repurposed historical buildings and new development. The focus has been on creation of a civic space, including restaurants, hotels and bars, walking paths and the like. Based on observation, the area is well used, with people fishing from the waterfront, restaurants and cafes busy during the evening, and runners and cyclists using the area in the morning. The area has low levels of pedestrian activity at night, with people inside venues but not in public spaces.

The second is the area around the old Newcastle Station. This area includes commercial buildings and repurposed civic buildings such as the Post Office and Customs House. The area is currently zoned MU1, and redevelopment for residential is taking place.

The third is the area along Hunter Street. This is the centre of Newcastle CBD. Historically, the area provided retail and commercial space, however there are currently few retail outlets in the area. It is likely that retail has relocated to mall type developments in suburban settings. There is limited public parking, and this likely restricts retail activity. The area is currently zoned MU1, and redevelopment for residential is taking place. The area appears to have largely transitioned to an entertainment and residential precinct.

3.3 Pedestrian Activity

Low levels of pedestrian traffic and public transport use were observed, with many streets deserted. In the early evening, cars were observed dropping off groups of people at venues, with the driver then parking. Later in the evening, around 11 pm, groups of pedestrians of 7-10 people were observed. Some groups were quite boisterous, especially those containing young men. These

groups were related to venue closures, and people were either leaving to go home or relocating to another venue.

3.4 Licenced Premises

3.4.1 Queen's Wharf Brewery Hotel

The venue is located on the water front near Market Street. There is a hotel building containing bars and restaurants, and an area on the wharf covered by an awning. At 17.23 there were 29 people inside, many of these dining, and 48 people in the wharf area. At 20.01, there were 14 people inside and 48 outside, with live music being offered in the wharf side area. At 22.21, there were 7 people inside, and 40 outside with live music still being played.



Figure 3.1: Queen's Wharf Brewery Hotel showing undercover area on the wharf

Source: JSA 2024

3.4.2 Customs House Hotel

The venue is located in the old Customs House. The main building contains formal dining areas, with smaller bar areas and a terrace area. At 17.33, there were 88 people in the venue, many of them dining, and there was a DJ on the terrace. At 20.09, there were 48 people, including 26 outside on the terrace with the DJ. By 22.26 the venue was closed.



Figure 3.2: Customs House Hotel

Source: JSA 2024

3.4.3 Great Northern Hotel

This building is a large old hotel with five floors of accommodation above a ground floor bar area. At 17.33 there were 36 people in the bar areas and live music was playing. There were 12 people in the gaming machine area. At 20.18, there were 119 people in the bar area including some dancing to live music. There were 7 people in the gaming machine area. By 22.32, there were 29 people in the bar area and 18 people in the gaming machine area, with many of these part of groups playing socially.

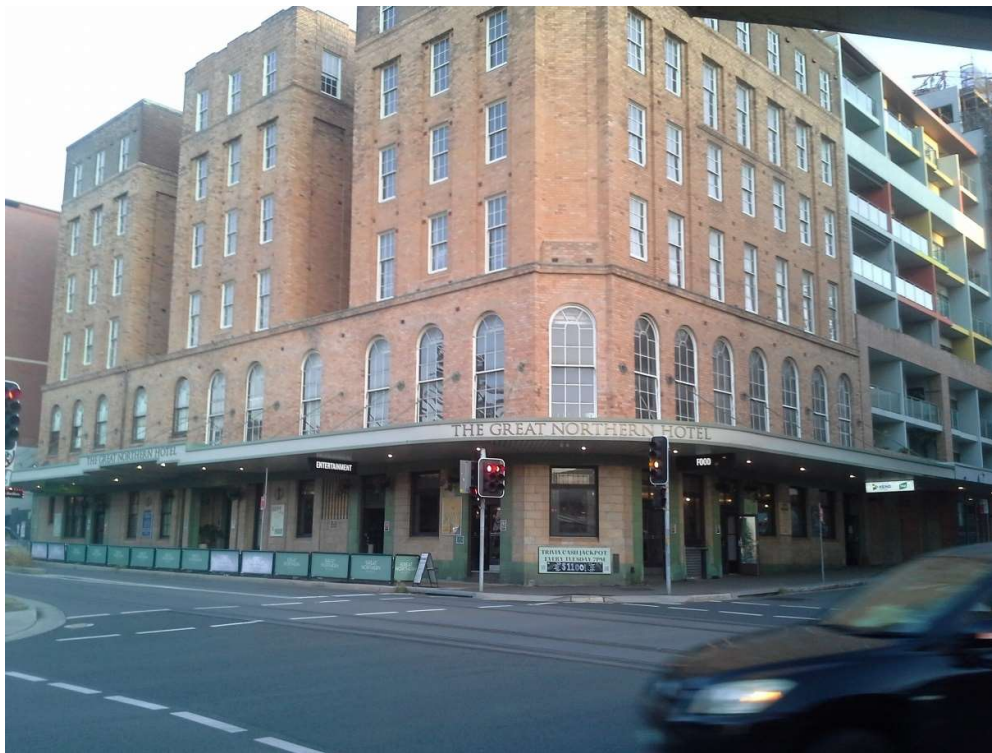


Figure 3.3: The Great Northern Hotel

Source: JSA 2024

3.4.4 The Ship Inn Newcastle

The Ship Inn is a 19th century hotel building, with four stories of commercial space above a ground floor bar. There is some seating outside on the footpath. At 17.46 there were 25 people in the premises. At 20.23 there were 23 people, and at 22.36 there were 48 people.

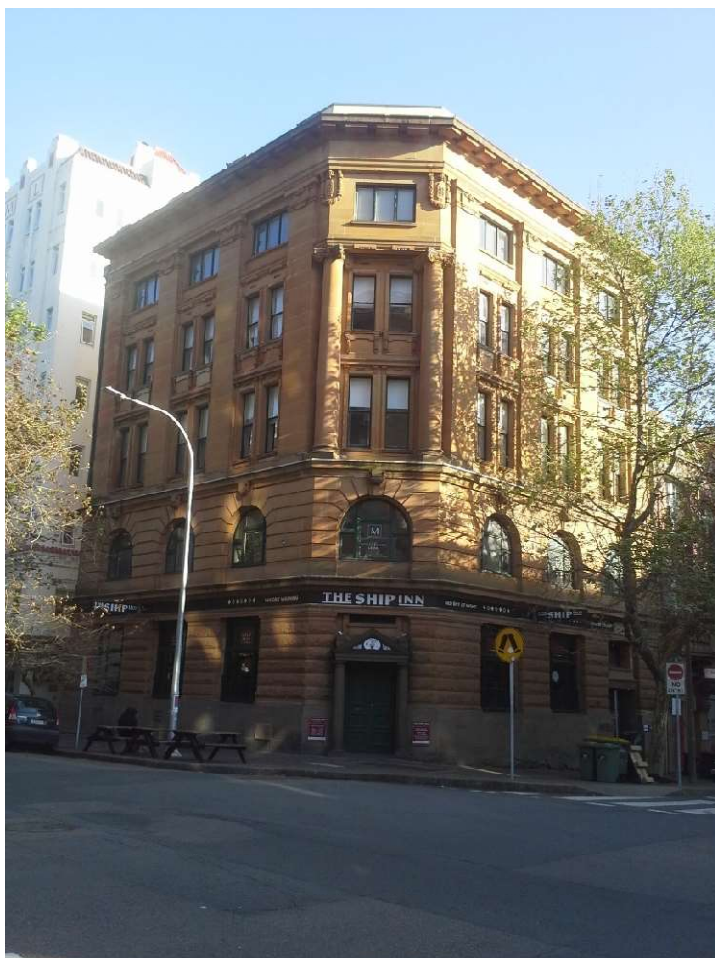


Figure 3.4: The Ship Inn

Source: JSA 2024

3.4.5 The QT Bar

The bar is housed in the ground floor of a recently constructed building offering hotel accommodation. The bar mostly consists of formal dining areas. There is also a roof top bar, but this was not visited. The QT bar was lightly patronised in the early evening. At 20.30 there were 30 people, the majority dining. By 22.42 there were 9 people in the bar.



Figure 3.5: The QT Bar and building

Source: JSA 2024

3.4.6 The Lyrique Bar

The Lyrique Bar is Part of the QT building complex and provides a sports bar and gaming machines. The Lyrique Bar is in the rear of the building, with access from a lane off Perkins Street. The bar is a small venue, divided equally between a gaming machine area and a sports area with betting and television screen. The bar is not well patronised.

At 17.10 there were 2 people in the sports bar, and 6 in the gaming machine area. At 20.32 there were 2 people in the sports bar, and 2 in the gaming machine area, with an ID check conducted on entry. At 22.44 there were 2 people in the sports bar, and 5 in the gaming machine area, with an ID check conducted on entry.

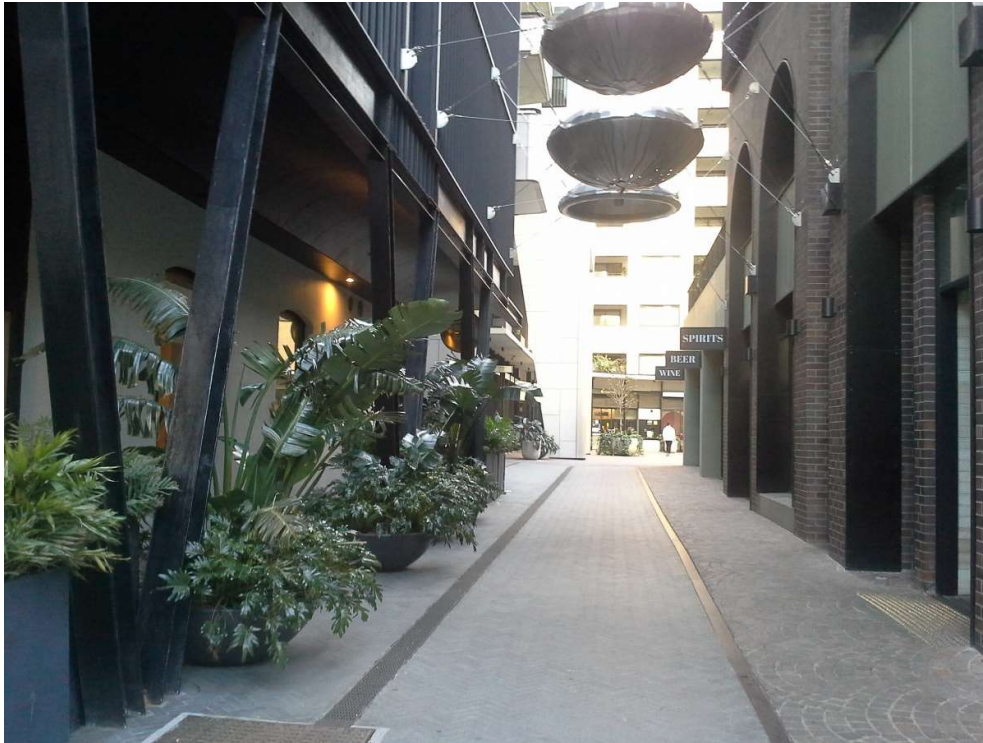


Figure 3.6: Lane accessing the Lyrique Bar

Source: JSA 2024



Figure 3.7: The Lyrique Bar

Source: JSA 2024

3.4.7 The Crown and Anchor Hotel

The Crown and Anchor Hotel is a 19th century hotel building, with two stories of accommodation above a ground floor bar. There is some seating outside on the footpath. At 17.15 there were 15 people in the premises and on the footpath. At 20.34 there were 46 people with live music playing, and at 22.50 there were 38 people and the music had ceased.



Figure 3.8: The Crown and Anchor Hotel

Source: JSA 2024

3.4.8 The Lucky Hotel

The Lucky Hotel is a 19th century hotel building, with two stories of accommodation above a ground floor bar. There is some seating outside on the plaza area in Crown Street. At 17.55 there were 15 people in the plaza, 22 in the courtyard and 16 in the bar, for a total of 53 people. At 20.55 there were 62 people outside and in the courtyard, and 59 people inside, with live music playing in the courtyard (total 121 people). There were 8 people in the gaming machine area. At 22.55 there were 69 people outside and in the courtyard, and 34 in the bar area (total 103 people) and the music had just finished for the night.



Figure 3.9: The Lucky Hotel

Source: JSA 2024

3.4.9 M J Finnegans Hotel

MJ Finnegans Hotel is an older hotel with one floor of residential or commercial above a ground floor bar area. The hotel appears to be a late night venue.

At 18.04 it was very quiet with no patrons evident. There were roped areas and doorman in place for checking of ID. At 20.55 there were 13 people, and at 22.55 there were 38 people with a disco in progress (electronic music, flashing coloured lights) and a strong security presence.



Figure 3.10: MJ Finnegan's Hotel

Source: JSA 2024

3.4.10 The Clarendon Hotel

The Clarendon Hotel is an older hotel with two floors of accommodation above a ground floor bar area.

At 18.09 there were 22 people in the bar area. At 21.00 there were 66 people in the bar area and 6 people in the gaming machine area, and at 23.02 the doorman advised the venue was on lockout and there were around 10 people inside, with groups leaving the hotel.



Figure 3.11: MJ Finnegan's Hotel

Source: JSA 2024

3.4.11 The Honeysuckle Hotel

The venue is located in a repurposed industrial building on the water front near Honeysuckle Park. There is a hotel building containing bars, and an open terrace on the water front accessible to the general public. At 18.27 there were 197 people in the venue, with many of these dining. At 21.09, there were 215 people in the venue and 9 people in the gaming machine areas, with live music being offered. At 23.10, there were 66 people in the venue with 4 people in the gaming machine area, and the band had just finished playing for the night



Figure 3.12: The Honeysuckle Hotel

Source: JSA 2024

3.4.12 Rydges Newcastle

The venue is a recently constructed chain hotel providing a ground floor bar and restaurant area to support the accommodation offering. At 18.36, there were 70 people in the venue, with the majority dining and live music playing. At 21.19 there were 23 people in the venue, and at 23.16 the venue was closed.



Figure 3.13: Rydges Newcastle

Source: JSA 2024

4 Demographic & Housing Context

4.1 Overview of Key Indicators

The following table provides a summary of key demographic and housing indicators for relevant localities (the immediate locality at the SA1 scale, and wider locality at the suburb and SA2 scale), and the benchmark areas of Newcastle LGA and NSW.

This indicates that the immediate locality is of relatively average disadvantage of the ABS SEIFA Index of Relative Socio-economic Disadvantage, of relatively high status on SEIFA Education and Occupation; with a somewhat younger than average median age, just below average median income, and slightly higher rate of households on very low and low incomes. The SA1 has almost four times the average rate of flats and units, and double the NSW rate of private rental related to this higher density development, as well as a much higher than average rate of unoccupied private dwellings, likely used for short-term lettings and holiday properties.

The wider localities of Newcastle Suburb and Newcastle-Cooks Hill SA2 are much less disadvantaged than average on relevant SEIFA Indexes, particularly related to education and occupation; and have a somewhat higher than average median income and less households on very low and low incomes. These localities also have a much higher than average rate of flats and units, private rental and unoccupied private dwellings, particularly Newcastle Suburb.

This is shown in summary below, with detailed data provided at **Appendix A**.

Table 4.1: Summary of Key Indicators, 2021

Indicator	11103122905 SA1	Newcastle suburb	Newcastle- Cooks Hill SA2	Newcastle LGA	NSW
Total persons	962	3,852	12,805	168,873	8,072,163
SEIFA Disadvantage (percentile)	47	77	71	75	n/a
SEIFA Education and Occupation (percentile)	81	96	89	84	n/a
Median age	37	41	38	37	39
Age 70+ (%)	10%	13%	11%	12%	12%
Median household income	\$1,728	\$1,943	\$1,929	\$1,760	\$1,829
Very low and low income households (%)	34%	26%	28%	33%	31%
Has need for assistance (%)	4%	4%	4%	7%	6%
Total dwellings	625	2,666	7,454	71,658	3,199,988
Unoccupied private dwellings (%)	21%	23%	18%	8%	9%
Social housing (%)	0%	2%	7%	6%	4%

Private rental (%)	56%	52%	47%	31%	29%
Being purchased (%)	19%	19%	20%	32%	33%
Separate houses (%)	7%	2%	12%	69%	66%
Attached dwellings (%)	9%	4%	24%	16%	12%
Flats and units (%)	83%	93%	64%	14%	22%

Source: JSA 2024; ABS (2021) Census, General Community Profile, G01, G02, G04, G18, G36, and G37; ABS (2021) SEIFA; ABS (2021) Census, TableBuilder Pro, counting dwellings, place of enumeration, by Total Household Income (weekly).

4.2 Maps of Selected Indicators

As outlined above, the areas closest to the subject premises are generally far less disadvantaged than average, although there are two very disadvantaged SA1s to the east and north (parts of Newcastle East and Stockton) within around one kilometre, and to the west (Hamilton South).

SA1s within one to three kilometres are also generally much more advantaged in terms of overall educational and occupational status, although some areas of Stockton within around one kilometre are in the least advantaged one-third of areas for Australia.

This is shown in the following two maps.

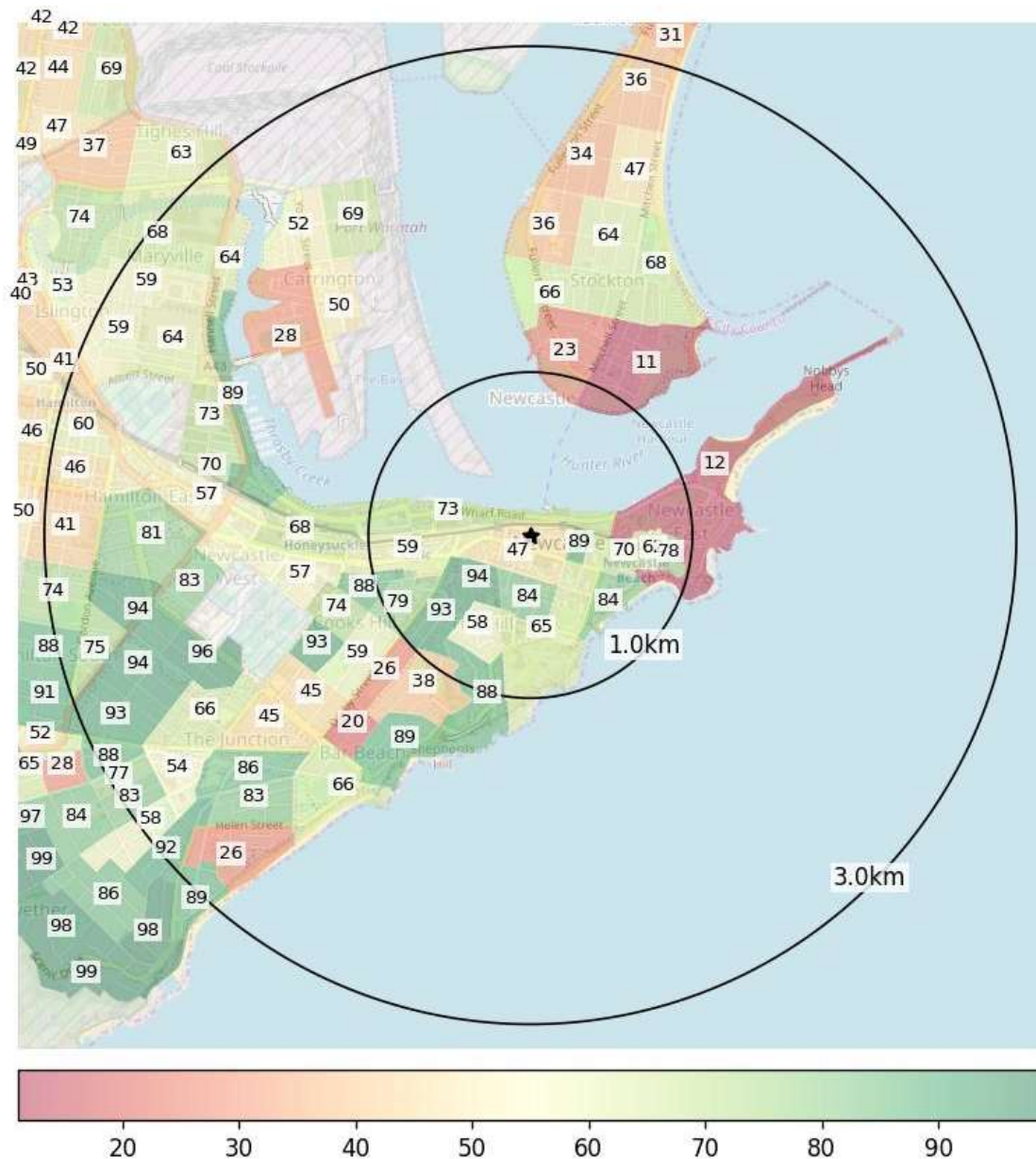


Figure 4-1: SEIFA Index of Relative Socio-economic Disadvantage (percentile for Australia) in SA1s within 1 km and 3 kms of the Subject Premises (shown with star)

Source: JSA 2024 and ABS 2021

NOTE: Numbers on the maps, and at the bottom of the maps, indicate percentiles for Australia (that is, '9' on the map indicates that the SA1 is in the most disadvantaged 9% of areas in Australia; and '80' at the bottom indicates that that degree of 'green' shading places an SA1 in the **most** disadvantaged 80% of areas for Australia, or the **least** disadvantaged 20% of areas).

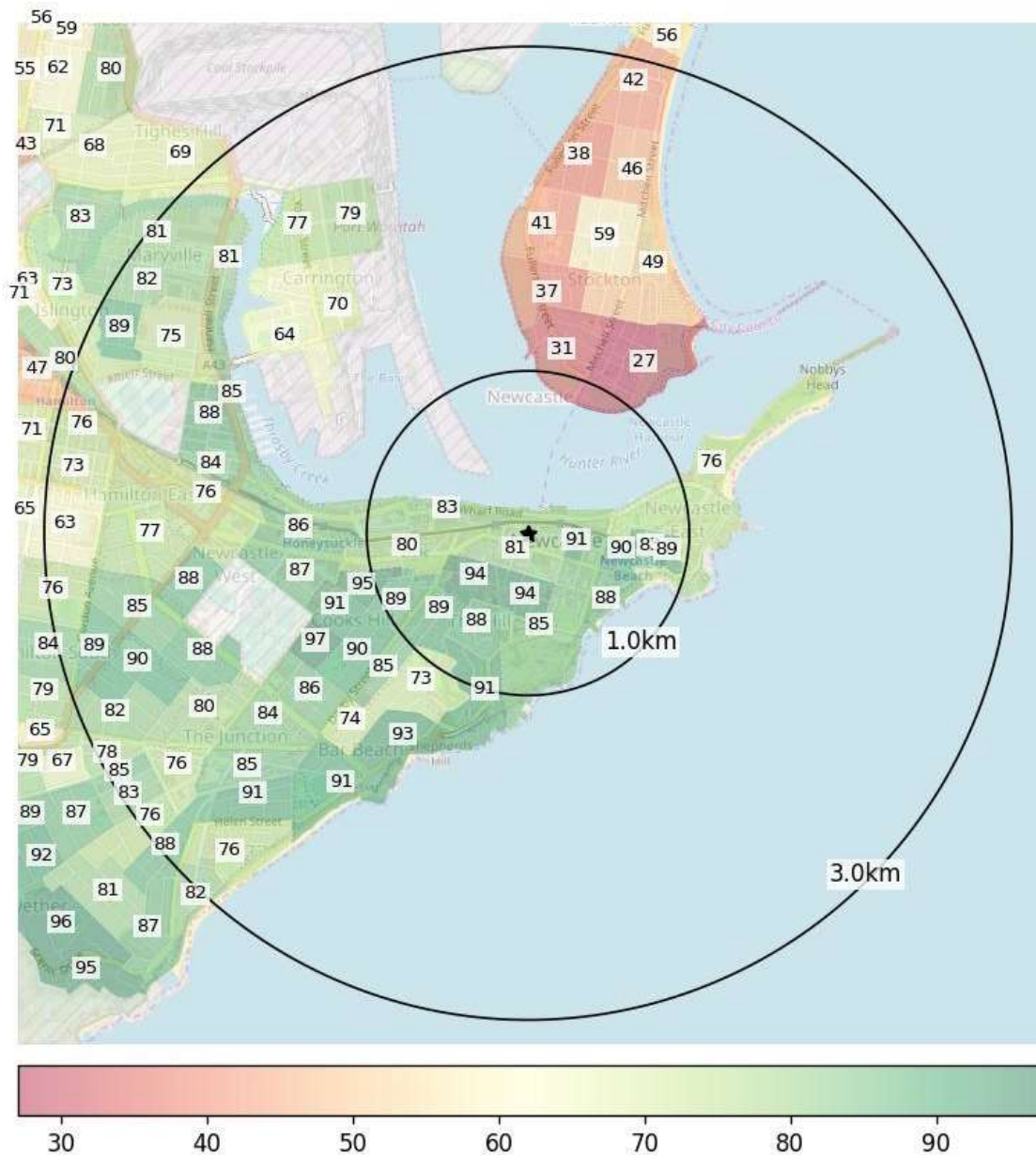


Figure 4-2: SEIFA Index of Education and Occupation (percentile for Australia) in SA1s within 1 km and 3 kms of the Subject Premises (shown with star)

Source: JSA 2024 and ABS 2021

There is quite a diversity of median age within SA1s most proximate to the proposed development, with those to the west generally much younger, and those to the east generally much older than average.

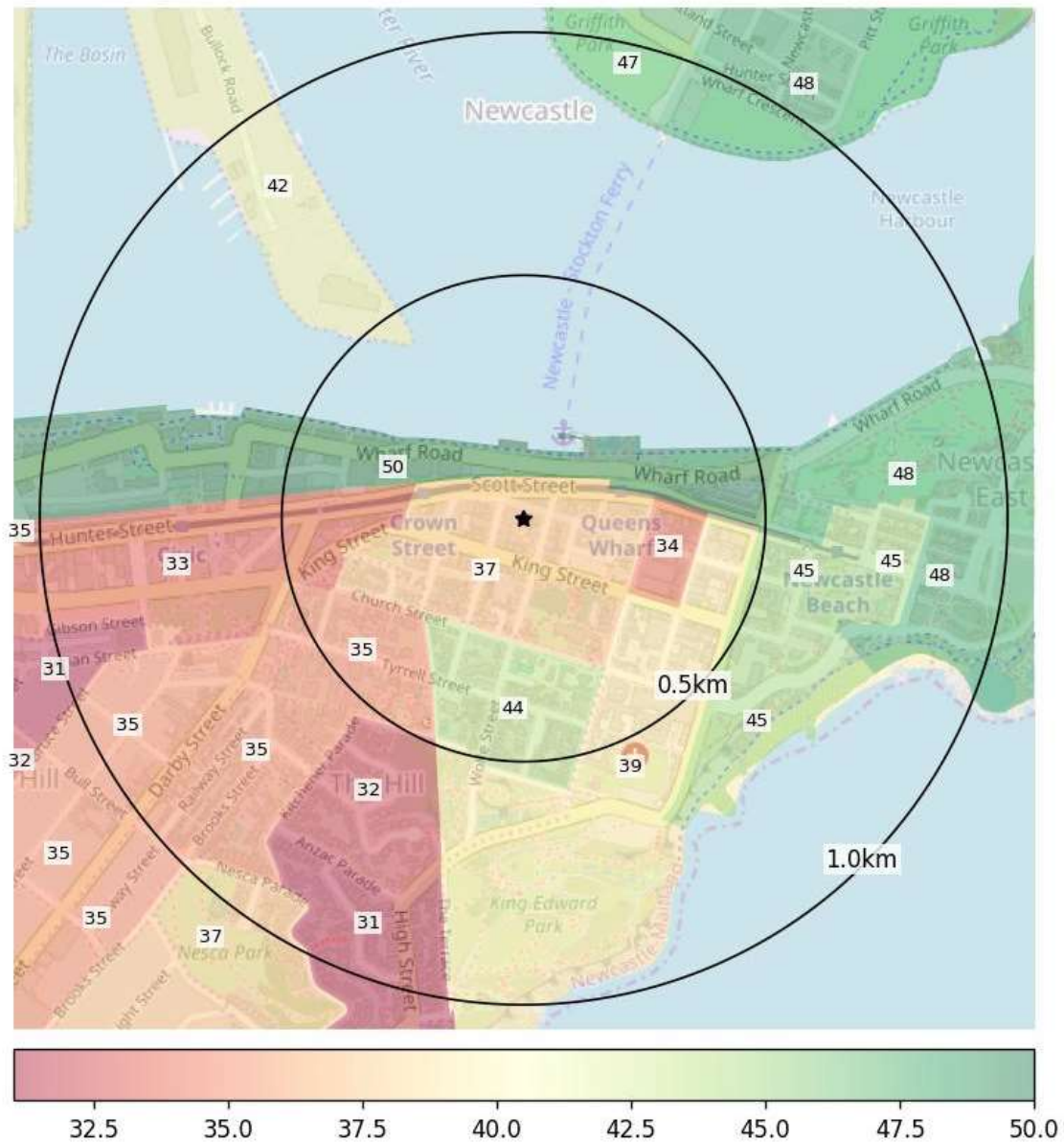


Figure 4-3: Median Age in SA1s within 0.5 km and 1 km of the Subject Premises (shown with star)

Source: JSA 2024 and ABS 2021

As discussed above, most SA1s proximate to the subject premises have a much higher than average rate of flats and units, and a commensurately high rate private rental, as shown in the two maps below.

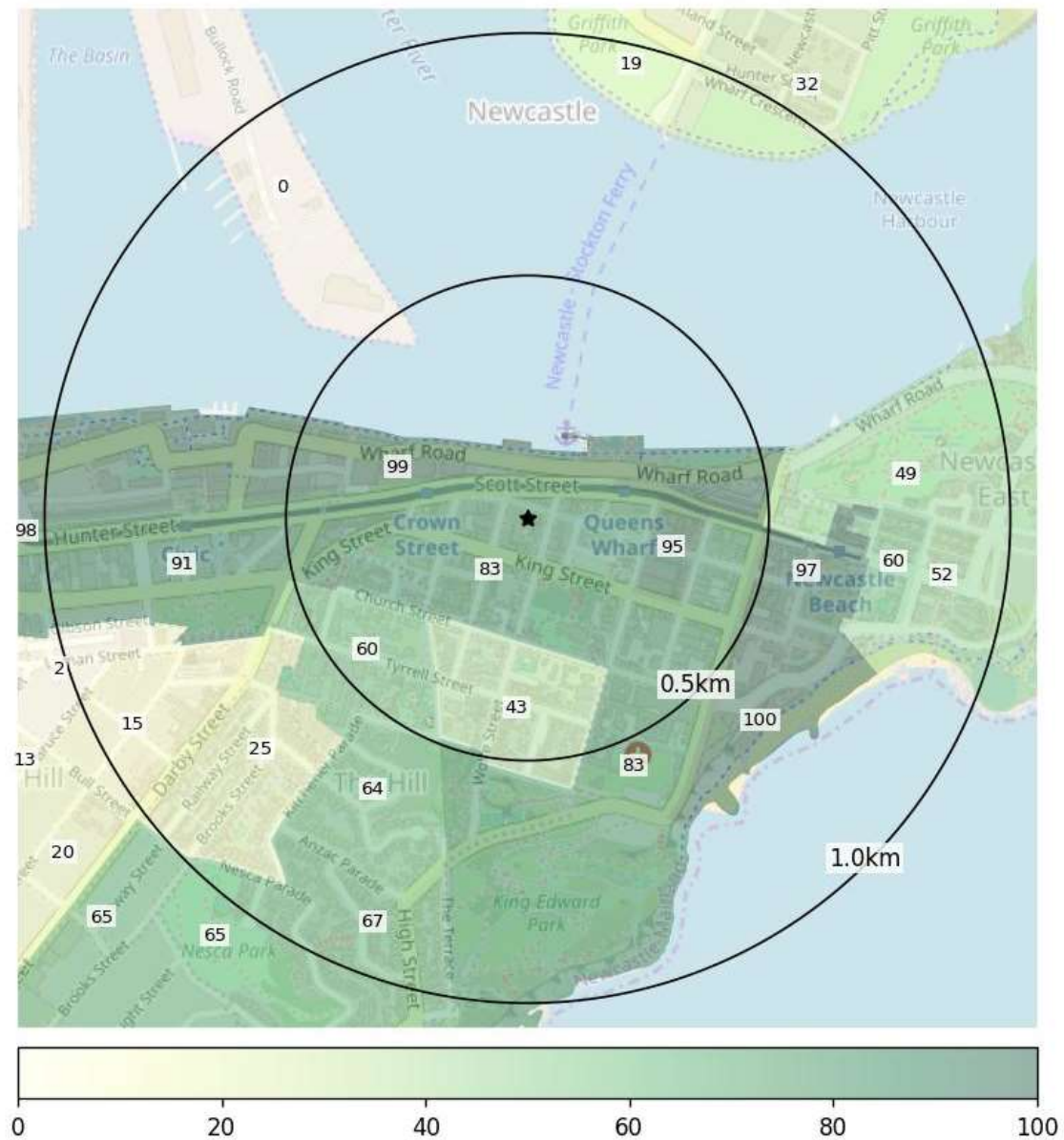


Figure 4-4: % of Flats and Units in SA1s within 0.5 km and 1 km of the Subject Premises (shown with star)

Source: JSA 2024 and ABS 2021

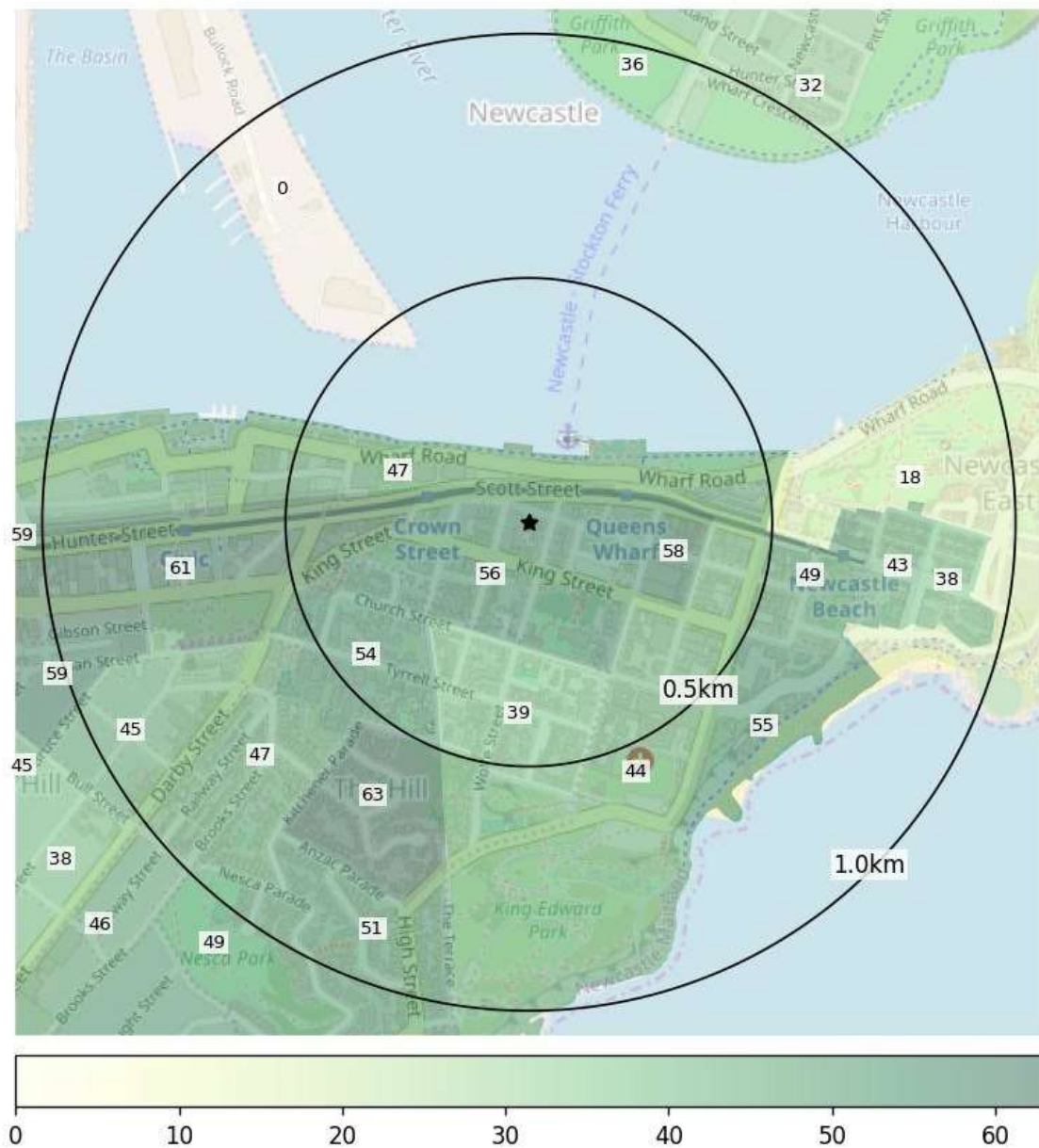


Figure 4-5: % of Private Rental in SA1s within 0.5 km and 1 km of the Subject Premises (shown with star)

Source: JSA 2024 and ABS 2021

5 Review of Relevant Literature

5.1 Review of Relevant Alcohol Literature

5.1.1 Overview

There is now a substantial body of scientific research in Australia, the UK and the United States examining the interrelationship between the concentration of licensed premises in a given area, and/or proximity to licensed premises, socio-demographic characteristics of the population inhabiting that area (“indicators of risk”), and a variety of social impacts, including incidence of assault and other types of crime, accidents and injuries, health impacts, increased antisocial behaviour, and other impacts on the amenity of that area. Literature also explores impacts related to different forms of licensed premises, including of hotels and packaged liquor outlets where these can be distinguished.

Whilst there is a large amount of literature exploring the association between alcohol and crime and other alcohol-related harms generally,¹ the following review focuses on studies that have examined the spatial and socio-demographic dimensions of impacts of licensed premises relevant to the current proposal in its social context.

5.1.2 Alcohol-related harm and proximity to licensed premises

A consistent theme in the substantial body of literature on alcohol related harm is the positive relationship between alcohol and violent crime. An Australian study which reviewed the findings of over 1,100 local and overseas studies reports (Loxley et al 2004) that around 40-50% of assaultive violence,² 50% of sexual assault as victim and perpetrator,³ and 25%-50% of domestic violence are alcohol-related.⁴

The relationship between violence and proximity to licensed premises is also relevant. **Burgess and Moffatt (2011)**, for example, found that more than 50% of assaults in Sydney LGA occurred within 50 metres of licensed premises, and virtually all occurred within 200 metres of licensed premises. They also indicate that most assaults (domestic and non-domestic violence related) occur in the

¹ For a detailed discussion of relevant literature on this point, see S. Briscoe & N. Donnelly (2001), ‘Temporal and Regional Aspects of Alcohol-Related Violence and Disorder’, *Alcohol Studies Bulletin*, no. 1, NSW Bureau of Crime Statistics and Research, Sydney. Note that in the United States more crime is committed under the influence of alcohol than under the influence of all illegal drugs combined: United States Department of Justice (1998), *Profile of Jail Inmates, 1996*, Bureau of Justice Statistics, special report NCJ-164620, Washington, D. C.

² Loxley, W. et al (2004) *The Prevention of Substance Use, Risk and Harm in Australia: a review of the evidence*, National Drug Research Institute and the Centre for Adolescent Health, p. 52.

³ Loxley, W. et al (2004) *The Prevention of Substance Use, Risk and Harm in Australia: a review of the evidence*, National Drug Research Institute and the Centre for Adolescent Health, p. 54.

⁴ Loxley, W. et al (2004) *The Prevention of Substance Use, Risk and Harm in Australia: a review of the evidence*, National Drug Research Institute and the Centre for Adolescent Health, p. 55.

home (43%) or the public domain (29%) rather than within licensed premises (9%).⁵ Moreover, **Chikritzhs et al (2007)** note that the link between density and accessibility of licensed premises and a range of harms, in particular violence, is 'robust' and 'reassuringly predictable'.⁶

5.1.3 Effects by licence type

In Australia, on-premises assaults are far more likely to occur at certain types of licensed premises. **Stockwell, Somerford and Lang (1992)** compared 369 premises in the inner Perth metropolitan area and found that licence type was highly predictive of risk, with hotels, taverns and nightclubs evidencing higher levels of harm than either restaurants or registered clubs.⁷

Briscoe and Donnelly (2001) examined police-recorded assaults on licensed premises in the inner-urban areas of Sydney, Newcastle and Wollongong. They found that a disproportionate number of assaults occurred on both hotels and nightclubs in each of these areas. In inner Sydney, hotels accounted for 75% of all on-premises assaults despite representing only 21% of licensed premises in the area, whilst nightclubs accounted for 6% of on-premises assaults despite representing less than 3% of licensed premises. The authors also found that a small number of problematic licensed premises were associated with a disproportionate amount of violence.⁸

5.1.4 Alcohol-related harm and demography

As noted, there is a wide body of evidence demonstrating an increase in violence with increasing outlet density as well as proximity to licensed premises, in particular hotels and nightclubs.⁹ However the relationship is not simple and is dependent on social and physical context. In their 2009 paper, Livingston, Chikritzhs and Room (2009) note that,

Many cross-sectional studies have examined the spatial relationship between outlet density and rates of violence, almost all of which have found significant positive relationships [28 – 41]. Despite the broad similarities in findings, the specifics of the relationships between outlet and violence vary markedly from place to place and from study to study.¹⁰

A number of recent studies note that there is a relationship between proximity to licensed premises and increased risk of a number of alcohol related harms, independent of demography. However,

⁵ Burgess, M., and S. Moffatt (2011). "The association between alcohol outlet density and assaults on and around licensed premises." *Crime and Justice Bulletin: Contemporary Issues in Crime and Justice* Number 147, NSW Bureau of Crime Statistics and Research.

⁶ Chikritzhs, T., P. Catalano, et al. (2007). Predicting alcohol-related harms from licensed outlet density: A feasibility study, Commonwealth of Australia. Monograph Series No. 28.

⁷ T. Stockwell, P. Somerford & E. Lang (1992), 'The relationship between licence type and alcohol-related problems attributed to licensed premises in Perth, Western Australia', *Journal of Studies on Alcohol*, 53, 495-498.

⁸ S. Briscoe & N. Donnelly (2001), 'Assaults on licensed premises in inner-urban areas', *Alcohol Studies Bulletin*, no. 2, NSW Bureau of Crime Statistics and Research, Sydney.

⁹ Loxley, W. et al (2004) *The Prevention of Substance Use, Risk and Harm in Australia: a review of the evidence*, National Drug Research Institute and the Centre for Adolescent Health, p. xvi.

¹⁰ Livingston, M, Chikritzhs, T, and Room, R (2009), Changing the density of liquor outlets to reduce alcohol related harm, *Drug and Alcohol Review*, 26:557-566; page 559.

the literature also indicates that general or area disadvantage (however measured) is the main indicator of increased alcohol related harm. Examples include the following.

- **Livingston (2008)**¹¹ identifies decreasing SEIFA Disadvantage as having a statistically significant relationship with violence, with each 10% deviation from the mean score predicting a 50-60% increased alcohol-related assaults (and thus a higher base rate in such communities independent of venue density). The addition of each hotel predicts a 70-130% increase in alcohol-related assaults from the base level.
- **Donnelly et al (2006)**¹² found that being an area in the lowest 20% of SEIFA Disadvantage scores has the greatest effect of any indicator in predicting adverse experiences of drunkenness in the neighbourhood, independent of other factors.
- **Spooner et al (2005)**¹³ note that community disadvantage is associated with many health, social and other problems, with evidence of increased drug use (alcohol, tobacco and illicit drugs) in low socio-economic areas.
- **Galea et al (2004)** identify increasing social deprivation in an area as predicting a statistically significant increase in increased alcohol consumption.¹⁴
- **Loxley et al 2004** note that the link between poor health and disadvantage is 'beyond dispute'.¹⁵

As well as general area disadvantage, the literature also identifies a number of demographic groups who are deemed to be at greater risk of alcohol related harm (with many of these also deemed to be at greater risk of playing gaming machines at risky levels regarding frequency and/or duration of play and increased risk of alcohol addiction, as discussed later). Using specific 'proxy' indicators of disadvantage, some researchers have found different relationships between such indicators and alcohol-related harm. For example, the following found statistically significant relationships:

- **Caswell et al 2003** identify decreasing educational achievement as having a statistically significant relationship with increased amount of alcohol drunk and increased frequency of drinking;

¹¹ Livingston, M. (2008) 'Alcohol Outlet Density and Assault: a Spatial Analysis' in *Addiction*, 103: 619-628.

¹² N. Donnelly, S. Poynton, D. Weatherburn, E. Bamford & J. Nottage (2006), 'Liquor outlet concentrations and alcohol-related neighbourhood problems', *Alcohol Studies Bulletin*, no. 8, NSW Bureau of Crime Statistics and Research, Sydney.

¹³ Spooner et al (2005) *Social Determinants of Drug Use, Technical Report No 228*, NDAARS

¹⁴ Galea, S., Nandi, A. and Vlahov, D. 2004. 'The Social Epidemiology of Substance Use', in *Epidemiologic Reviews*, Vol 26, 36-52.

¹⁵ Loxley, W. et al (2004) *The Prevention of Substance Use, Risk and Harm in Australia: a review of the evidence*, National Drug Research Institute and the Centre for Adolescent Health, p 61.

- **Tatlow *et al* (2000)** identify decreasing income and increasing male population as each independently predicting an increased rate of alcohol-related hospital admissions;¹⁶
- **Livingston (2008)** found that cultural background was also statistically significant in predicting alcohol-related harm, but with a weak effect, with each 10% increase in CALD people predicting a 4% decrease in assaults (see also Donnelly *et al* 2006).¹⁷
- **Loxley *et al* (2004)** (citing various studies) note the link between a range of alcohol-related harms and unemployment, low income, lower occupational status and insecure housing.¹⁸

5.1.5 Impacts related to neighbourhood amenity

Proximity to licensed premises

In 2006, **Donnelly *et al***¹⁹ examined the extent to which increased levels of liquor outlet concentrations are predictive of neighbourhood problems such as drunkenness, property damage and assault victimization in the home. The authors utilized a sample of over 9,300 NSW residents from the 2002 National Crime and Safety Survey conducted by the ABS and constructed a range of alcohol outlet density/accessibility measures from liquor licensing data. It was found that those who live closer to liquor outlets (especially those within 500 metres) were more likely to report problems in their neighbourhood with both drunkenness and property damage.

It was also found that respondents living in areas with a higher density of liquor outlets per 10,000 (SLA) population were more likely to report problems with drunkenness. Each of these relationships was independent of socio-demographic factors.²⁰

Wilkinson and Livingston (2012) also found increased impacts related to neighbourhood amenity related to hotels and packaged liquor outlets. Respondents who lived closest to bars, clubs or pubs were more likely to report 'being kept awake or disturbed at night because of drunken noises, feeling unsafe in public places, and being annoyed by vomit, urination and litter.' After controlling for socio-demographic factors, only 'being kept awake or disturbed at night because of drunken noises'

¹⁶ Tatlow, J., Clapp, J. and Hohman, M. 2000. 'The Relationship between the Geographic Density of Alcohol Outlets and Alcohol-Related Hospital Admissions in San Diego County' in *Journal of Community Health*, Vol 25. No 1.

¹⁷ N. Donnelly, S. Poynton, D. Weatherburn, E. Bamford & J. Nottage (2006), 'Liquor outlet concentrations and alcohol-related neighbourhood problems', *Alcohol Studies Bulletin*, no. 8, NSW Bureau of Crime Statistics and Research, Sydney.

¹⁸ Loxley, W. *et al* (2004) *The Prevention of Substance Use, Risk and Harm in Australia: a review of the evidence*, National Drug Research Institute and the Centre for Adolescent Health, p. 61;

¹⁹ N. Donnelly, S. Poynton, D. Weatherburn, E. Bamford & J. Nottage (2006), 'Liquor outlet concentrations and alcohol-related neighbourhood problems', *Alcohol Studies Bulletin*, no. 8, NSW Bureau of Crime Statistics and Research, Sydney.

²⁰ N. Donnelly, S. Poynton, D. Weatherburn, E. Bamford & J. Nottage (2006), 'Liquor outlet concentrations and alcohol-related neighbourhood problems', *Alcohol Studies Bulletin*, no. 8, NSW Bureau of Crime Statistics and Research, Sydney.

was found to be statistically significant.²¹ Packaged liquor outlets were found to be associated with malicious damage to property after controlling for socio-demographic factors.

The study notes that the level of noise coming from an on-premises license, such as live music, is more readily controlled in a regulatory sense, although this becomes more difficult in the context of high density living around CBDs, for example. However, the study notes that 'Noise may also be linked to on-premises outlets from patrons as they leave a venue, although this is harder to control'.²²

The study also notes that,

These differences between the relationship between distances to different kinds of licensed premises and reporting alcohol-related problems were found with a measure of proximity, and not one incorporating density of licensed premises, suggesting that the closer one lives to a single licensed venue the greater the likelihood of experiencing these alcohol-related amenity problems, irrespective of whether these are many or few other licensed venues in the area.²³

As well, a range of demographic factors have been found to be independently associated with alcohol-related harm, and to increase susceptibility from a base rate.

The Wilkinson and Livingston study cites a number of methodological issues that may have affected their results. This includes the fact that the distance to the closest licensed premises was self-reported, which can be inaccurate, and that questions asked were at the individual level and did not provide for an assessment of whether the effects experienced were actually in the neighbourhood where the respondent lived. In contrast, the Donnelly et al study had verified geo-coded spatial data in relation to the proximity of the licensed premises to the residence of the respondent, and asked about relevant effects that had been experienced in their neighbourhood. Together with the much larger sample in the Donnelly et al study, the findings of this study are preferred to the extent of any inconsistencies in findings.

5.1.6 Hospitalisation, deaths, accidents and injuries

In 2004, the Ministerial Council on Drug Strategy (MCDS) published its report, *The Prevention of Substance Use, Risk and Harm in Australia: a review of the evidence* (Loxley et al 2004).²⁴ The authors found that the physical availability of alcohol had increased in Australia over the past decade. While tobacco is the leading cause of premature death and hospitalisation amongst Australians, it was also noted that alcohol causes more premature deaths or hospitalisations than all types of illicit drugs combined. In the case of young Australians, alcohol is responsible for far

²¹ Wilkinson, C. and Livingston, M. 2012. 'Distance to on- and off-premises alcohol outlets and experiences of alcohol-related amenity problems' in *Drug and Alcohol Review*, 31, 394-401, p. 397.

²² Wilkinson, C. and Livingston, M. 2012. 'Distance to on- and off-premises alcohol outlets and experiences of alcohol-related amenity problems' in *Drug and Alcohol Review*, 31, 394-401, p. 400.

²³ Wilkinson, C. and Livingston, M. 2012. 'Distance to on- and off-premises alcohol outlets and experiences of alcohol-related amenity problems' in *Drug and Alcohol Review*, 31, 394-401, p. 400.

²⁴ Loxley, W. et al (2004) *The Prevention of Substance Use, Risk and Harm in Australia: a review of the evidence*, National Drug Research Institute and the Centre for Adolescent Health, p. 55.

more premature deaths or cases of hospitalisation than tobacco. It is also noted that in recent years alcohol consumption has increased in Australia overall, and markedly so amongst young people.

As noted, almost any measure of disadvantage is associated with risk or alcohol-related harm, independent of gender or age.²⁵

US studies reviewed by the NSW Bureau of Crime Research and Statistics²⁶ (BOCSAR) have found strong relationships between outlet density and alcohol-related hospital admissions,²⁷ child abuse and neglect,²⁸ motor vehicle accidents,²⁹ pedestrian injuries,³⁰ drink driving,³¹ and a range of mortality outcomes.³²

These factors are considered further in relation to the response to the Applicant's SIA and my further assessment in Section 4 below.

5.2 Relevant Literature on Gaming-Related Issues

5.2.1 Overview

Despite limitations to considering the impacts of gaming machines in the determination of an application for a licensed premises under the *Gaming Machines Act 2001* and relevant case law,³³ the increase in the density and accessibility of gaming machines is a relevant consideration in an assessment of the social impacts of such a development under s4.15(1)(b) of the *Environmental Planning and Assessment Act 1979* (NSW). This is due to the increased risk of other harms related to increased alcohol consumption and safety for those who engage in more frequent and extended periods of gaming machine play.

In the case of the first, increased levels of alcohol-consumption accompany more frequent gaming machine play. Consistent with other studies, an important OLGR (2012) study also found that

²⁵ Loxley, W. et al (2004) *The Prevention of Substance Use, Risk and Harm in Australia: a review of the evidence*, National Drug Research Institute and the Centre for Adolescent Health, p. 55.

²⁶ Donnelly et al (2006), *op cit*.

²⁷ J. R. Tatlow, J. D. Clapp, & M. M. Hohman (2000), 'The relationship between geographic density of alcohol outlets and alcohol-related hospital admissions in San Diego County', *Journal of Community Health*, vol. 25, 79-88.

²⁸ B. Freisthler, L. T. Midanik & P. J. Gruenewald (2004), 'Alcohol outlets and child physical abuse and neglect: Applying routine activities theory to the study of child maltreatment', *Journal of Studies on Alcohol*, vol. 66, 586-592. [See also B. Freisthler, P. J. Gruenewald, L. G. Remer, B. Lery & B. Needell (2007), 'Exploring the spatial dynamics of alcohol outlets and child protective service referrals, substantiations, and foster care entries', *Child Maltreatment*, vol. 12(2), 114-124.]

²⁹ R. T. Jewell & R. W. Brown (1995), 'Alcohol availability and alcohol-related motor vehicle accidents', *Applied Economics*, vol. 27, 759-765.

³⁰ E. A. LaScala, D. Gerber & P. J. Gruenewald (2000), 'Demographic and environmental correlates of pedestrians injury collisions: a spatial analysis', *Accident Analysis and Prevention*, vol. 32, 651-658.

³¹ P. J. Gruenewald, F. W. Johnson & A. J. Treno (2002), 'Outlets, drinking and driving: A multilevel analysis of availability', *Addiction*, vol. 63, 460-468.

³² L. G. Escobedo & M. Ortiz (2002), 'The relationship between liquor outlet density and injury and violence in New Mexico', *Accident Analysis and Prevention*, vol 34, 689-694.

³³ See for example *Waugh Hotels Management v Marrickville Council* [2007] NSWLEC 775 (27 November 2007)

problem/moderate risk gamblers were far more likely than non-problem gamblers to drink alcohol while gambling, and four times more likely to self-report an alcohol problem.³⁴

In terms of safety, there is also likely to be an increased risk of experiencing crime and violence for those leaving the premises late at night when they have engaged in extended hours of gaming machine play, with the OLGR study also finding that those at risk of problem gamblers were more likely to normally gamble during the evening (5pm to midnight).³⁵

The risk of harm is also context-specific, with demographic vulnerability to gaming related to a number of key socio-economic indicators.

Relevant to this application, people with characteristics of problem gamblers on EGMs (for example frequency and length of play, amount of money spent on EGMs) were strongly associated with EGM play after 12 midnight. It is also noted that such gamblers were quite sensitive to venue closure, with venue closure disrupting patterns of play and providing a reassessment of losses and other benefits, so that venue closure was seen as of benefit to problem gamblers, but did not affect other groups, such as recreational gamblers.

Relevant factors related to density, accessibility and demographic vulnerability are first outlined below as a context to later assessment of the vulnerability of this locality.

5.2.2 Density and Accessibility of Gaming Machines

Factors from the Literature

The academic literature indicates that relative **density of gaming machines** appears to be the key factor in elevated levels of problem gambling.³⁶ There is a very high level of confidence in these findings, with density of EGMs predicting 72% of the variation in the incidence of problem gambling using the SOGS5 instrument.

‘Density’ is a useful measure, and is an important indicator in itself. ‘Density’ is also likely to be a proxy for ‘accessibility’. As noted by Storer *et al*,

...other aspects of availability, such as the number and location of licensed venue in particular localities and the number of machines per venue, may also warrant investigation to complement the geographic scale of our analysis.³⁷

Other studies have sought to understand more nuanced factors that increase the risk of problem gambling, including demography, configuration of land uses, proximity of licenced premises to shopping centres, opening hours and venue attractiveness. Such studies indicate that concentrating

³⁴ Sproston, K., Hing, N. and Palankay, C. 2012. *Prevalence of Gaming and Problem Gambling in New South Wales 2012-13*, Office of Liquor, Gaming and Racing. P. vi.

³⁵ Sproston, K., Hing, N. and Palankay, C. 2012. *Prevalence of Gaming and Problem Gambling in New South Wales 2012-13*, Office of Liquor, Gaming and Racing. P. vi.

³⁶ Storer, J., Abbott, M. and Stubbs, J. 2009. ‘Access or Adaptation? A meta-analysis of surveys of problem gambling prevalence in Australia and New Zealand with respect to concentration of electronic gaming machines, *International Journal of Gambling Studies*, Vol 9 No 3, December 2009, 225-244, p 239.

³⁷ Storer, J., Abbott, M. and Stubbs, J. 2009. ‘Access or Adaptation? A meta-analysis of surveys of problem gambling prevalence in Australia and New Zealand with respect to concentration of electronic gaming machines, *International Journal of Gambling Studies*, Vol 9 No 3, December 2009, 225-244, p 239.

gaming machines in high exposure localities with other attractors, such as supermarkets, retail and service opportunities, also increase access and thus at risk of increased and problem levels of play.³⁸

5.2.3 Demographic factors that predispose *individuals* to increased problem gambling behaviour related to EGMs

As well as studies that indicate the importance of density and accessibility, certain demographic factors have been found to increase *individual vulnerability* to problem gambling in a recent OLGR report.³⁹

The following table summarises the odds ratio that applies to different demographic indicators, and indicates increased vulnerability to at risk and problem gambling for some groups.

Table 5-1: Results from the OLGR report on increased risk of gaming harm

Variable	Odds Ratio
Regular poker machine player	10.7
Left school before year 10	2.7
Single (not married)	2.6
18-34 yrs	2.6
Unemployed	2.5
Separated/widowed/divorced	2.2
35-54 yrs	2.1
Year 12 or diploma only (no university qualifications)	2.0
Male	2.0

Source: Derived from Sproston et al (2012)

³⁸ See for example Young, M., Markham, F. & Doran, B. (2012). Placing Bets: gambling venues and the distribution of harm. *Australian Geographer*, 43(4), 425-444; Thomas, A.C., Bates, G., Moore, S., Kyrios, M., Meredyth, D. & Jessop, G. (2011). Gambling and the Multi-dimensionality of Accessibility: More Than Just Proximity to Venues; Sophie D. Vasiliadis, Alun C. Jackson, Darren Christensen, and Kate Francis (2013). Physical accessibility of gaming opportunity and its relationship to gaming involvement and problem gambling: A systematic review. *Journal of Gambling Issues: Issue 28*, pp. 1-46; Markham, F., Doran, B. & Young, M. (2013). Estimating gambling venue catchments for impact assessment using a calibrated gravity model [Electronic version]. *International Journal of Geographical Information Science*, 28(2), 326-42, p 335; The Centre for Gambling Research Australian National University (2003). GRP REPORT NO. 6 – 2003 Victorian Longitudinal Community Attitudes Survey.

³⁹ Sproston, K., Hing, N. and Palankay, C. 2012. Prevalence of Gaming and Problem Gambling in New South Wales 2012-13, Office of Liquor, Gaming and Racing.

5.2.4 Extended hours of EGM play

A recent paper by Stevens et al (2023)⁴⁰ explored the relationship between problem gambling and extended hours of play, in particular the time at which EGMs were played. The study found that gaming behaviours associated with risky or problem gambling were strongly associated with EGM play after 12 midnight; and also that such late night gamblers were quite sensitive to venue closure, with most of these players not seeking out another venue after closure of the venue in which they had been playing. Among the findings, the following are noted:

- Around 10.5% of EGM players who gambled in pubs did so after midnight (classified in the study as ‘late night gamblers’;
- Around 46% of late-night gamblers gambled monthly or more often on EGMs in a pub, compared with 11.9% of daytime (8am-7pm) and 18.9% of evening (7pm-12am) EGM gamblers;
- Almost two-thirds (63.3%) of late-night EGM gamblers needed to gamble with larger amounts of money over time for the same excitement sometimes or more often, compared with 15.1% of daytime (8am-7pm) and 24.9% of evening (7pm-12am) EGM gamblers;
- Problem gambling was 3.1% for those gambling between 8am-10pm, 7.3% for those gambling between 10pm and 12am, 12.1% for 12am to 2am, and 22.6% for those gambling between 2am-8am.
- EGM gamblers classified at moderate risk of problem gambling doubled in prevalence moving from gambling before 10pm (less than 22%), to usually gambling after 12am (42%-44%).
- Of EGM gamblers who usually gamble after midnight, between 23% and 26% were classified as recreational gamblers, compared with between 47% and 54% for those gambling before 10pm.

The study also examines venue closure as a harm minimisation strategy in the context of relationship between problem gambling and late night EGM play. It notes the following.

Findings from this research strongly suggest that venue closures would have a positive impact on EGM gamblers experiencing problem gambling, EGM gamblers under 30 years, and those at-risk of problem gambling. Having a break from continuous EGM gambling allows the gambler to reassess losses and time spent gambling. Additionally, less than 6% of recreational gamblers were in a venue when it closed and wanted to continue EGM gambling, and this occurred just once or twice for this group, so venue closing times have little impact on recreational EGM gamblers.

⁴⁰ Stevens, M. and Roy Morgan Research (2023) Impact of electronic gaming machine (EGM) late night play on EGM player behaviours. Commissioned by the NSW Responsible Gambling Fund.

However, amongst those with problem gambling, 31.7% experienced venue closure monthly or more often, and wanted to continue EGM gambling, and a further 35.5% experienced this once or twice. Of note, all EGM gamblers that did travel to another venue after the one they were in closed, were at some level of risk of problem gambling (i.e. no recreational EGM gamblers), with a quarter experiencing problem gambling. This group would benefit from having a break from gambling through venue closures.

Late-night EGM gambling was significantly associated with problem gambling risk, with around three-quarters of EGM gamblers whose usual gambling time was 10pm-12am, 12am-2am and 4am-10am being classified as having some risk of problem gambling, with problem gambling increasing the later the usual gambling time into the early hours of the morning. As a percentage of EGM gamblers, around 12% gambled on EGMs between 2am and 8am, with just 3% between 4am and 10am. Further, statistical modelling of late-night EGM gamblers found that they were more intensive gamblers who gambled more frequently (mostly at pubs), were members of multiple loyalty schemes (i.e., at a pub, club and the Star casino), and needed to gamble with larger amounts to get the same feelings of excitement (i.e., increasingly risky gambling behaviours).

Late-night workers were more likely to have later usual EGM gambling times, and were significantly over-represented in the group of EGM gamblers being in a venue when it closed and wanted to continue EGM gambling. However, they were also at higher risk of problem gambling (13.6% cf. 4.2%), and were no less likely to be in a venue at closure time, when wanting to continue EGM gambling, indicating this group would largely not be affected by venue closure, and may benefit given their higher problem gambling risk.⁴¹

⁴¹ Stevens, M. and Roy Morgan Research (2023) Impact of electronic gaming machine (EGM) late night play on EGM player behaviours. Commissioned by the NSW Responsible Gambling Fund, p 6.

6 Liquor licence conditions in Newcastle CBD & surrounding areas

6.1 Overview

The relationship between alcohol-related violence and the operation of licensed premises in the Newcastle CBD has been the subject of intense scrutiny, novel approaches, and evaluation of imposed mitigations for over 15 years. The following provides a brief timeline of events associated with liquor licence conditions that have been imposed on premises in the Newcastle CBD since 2008.

- 2008 – After receiving a series of complaints including from NSW Police, the Liquor Administration Board imposed a series of conditions upon the liquor licenses held by 14 specified premises in the Newcastle CBD. These conditions became known collectively as the ‘Newcastle Conditions’ and/or the ‘Newcastle Solution’.
- 2010 – similar conditions were imposed on licenses of six venues in the adjacent suburb of Hamilton. There were some differences including requirement for the maintenance of an orderly precinct, and that these conditions did not reduce trading hours but rather the venues voluntarily agreed to cease trading at 3am.⁴²
- 2014 – following a series of high profile ‘one punch’ attacks⁴³ and subsequent community pressure to reduce alcohol-related violence, the NSW Parliament enacted the *Liquor Amendment Act 2014* that applied some aspects of the ‘Newcastle Conditions’ to all licensed premises in the Sydney CBD Entertainment and Kings Cross precincts including a 1.30am lockout and 3am cessation of sale, and required that the sale of takeaway alcohol across the State cease at 10pm.⁴⁴
- 2016 – The Honourable IDF Callinan AC completed a review of the liquor amendment for the Independent Liquor and Gaming Authority (ILGA). He concluded that the relevant policy objectives remained valid, but that lockout could commence later (2am), cessation of liquor sales could be extended to 3.30am for venues with live entertainment to that time, and that sale of takeaway alcohol could be until 11pm and home delivery until midnight. Liquor Amendment Regulation 2016 enacted these changes and licensees could apply for exemptions if they met certain conditions.

⁴² Horton J (2018) Review of Liquor Licence Conditions in the Newcastle Central Business District and Surrounding Areas, Advice to the Independent Liquor and Gaming Authority, 16 March, Clause 27 and 32, Pg 15-16.

⁴³ See for example: Dow, Aisha (2013) 90 killed in single-punch assaults since 2000, Sydney Morning Herald, 2 December, <https://www.smh.com.au/national/90-killed-in-single-punch-assaults-since-2000-20131201-2yjtr.html>, accessed 17/09/2024.

⁴⁴ Horton J (2018) Review of Liquor Licence Conditions in the Newcastle Central Business District and Surrounding Areas, Advice to the Independent Liquor and Gaming Authority, 16 March, Pg 15-16.

- 2018 – Following a submission by the Australian Hotels Association NSW to the Independent Liquor and Gaming to exercise its powers under the Liquor Act 2007 to vary or revoke the 2008 Conditions, Dr Jonathan Horton QC was engaged to review the ‘Newcastle Conditions’ to inform the ILGA’s consideration of whether and how to vary or revoke the conditions that had been in place for 10 years. Horton formed a view that some conditions could be varied and/or revoked following appropriate trial periods, evaluation and monitoring; but that there was not a case to support either the extension or reduction of trading hours, or for a change to the lockout time of 1am.
- 2020-2021 (6 months) – Trial 1 relaxed certain conditions for participating small bar and on-premises licenced venues. Findings from the evaluation of Trial 1 reported that there was no evidence of an increase in alcohol-related violence during the trial.
- 2021-2022 (12 months) – Trial 2 relaxed certain conditions for participating venues (hotels, general bars and public entertainment venues) including removal of lockouts, extension of liquor trading hours until 3.30am on any night for venues authorized to sell liquor until at least 2.30am, and easing restriction on type of drinks that can be served.

Findings from the evaluation of Trial 2 reported that there was an increase in on-premises alcohol-related offences for participating venues of 17% from the FY17 period (a control type year outside of pandemic years) mainly associated with larger venues, two venues particularly. Off-premises offences linked to participating venues were down 31% from the FY17; whilst drink driving offences linked to participating venues during the trial were 21% higher than FY17 but 10% less than the peak in FY18.

- July 2023 - ILGA carefully considered the findings of the Trial 2 evaluation and decided that participating venues could apply to have their liquor licence conditions relaxed permanently (for those conditions included under Trial 2). ILGA reports that relax conditions for 15 venues have continued following the trial. It is unknown if since July 2023 additional participating venues have applied for, and had their conditions, permanently relaxed.

6.2 The Newcastle Conditions

In March 2008, the former Liquor Administration Board imposed special liquor license conditions on 14 hotels⁴⁵ in the Newcastle CBD to address the level of alcohol-fuelled violence and anti-social behaviour in the area, after receiving a number of complaints about ‘undue disturbance of the quiet

⁴⁵ Names of the 14 venues subject to (some if not all of) the 2008 Conditions: The Cambridge, Civic Hotel (destroyed by fire in 2009), Clarendon Hotel, Crown and Anchor Hotel, Customs House, Ducks Nuts (changed to The Family Hotel), Fanny’s of Newcastle (changed to Argyle House), Hotel CBD, King Street Hotel, Lucky Country Hotel (changed to The Lucky Hotel), MJ Finnegan’s (changed to Finnegan’s Hotel), Queens Wharf Brewery, Grand Hotel, Great Northern Hotel and The Dockyard; as per Table 1: Status of venues subject to the 2008 Conditions, Horton J (2018) Review of Liquor Licence Conditions in the Newcastle Central Business District and Surrounding Areas, Advice to the Independent Liquor and Gaming Authority, 16 March, Pg 32-34.

and good order of certain neighbourhoods in the vicinity of those premises'.⁴⁶ These conditions⁴⁷, which became known as the 'Newcastle Conditions' or the 'Newcastle Solution', were as follows:

1. Patrons not already within the licensed premises are prohibited from entering after 1am.
2. Licensed premises previously trading to 3am must close at 2.30am, and those previously trading to 5am must close at 3am.
3. The licensee must submit a Plan of Management to the Liquor Administration Board within six weeks of the introduction of the conditions.
4. The licensee must ensure a compliance audit of the premises is carried out by a person not employed or in an ongoing financial arrangement with the hotel, at least every three months, to ensure continuous compliance with the Plan of Management.
5. From 11pm until closure, the licensee must retain an employee whose sole function is to supervise responsible service of alcohol practices at the bar and observe the responsible consumption of alcohol throughout the premises.
6. The following restrictions and conditions will apply upon the sale of alcohol after 10pm:
 - a. No shots
 - b. No mixed drinks with more than 30mls of alcohol
 - c. No RTD⁴⁸ drinks with alcohol by volume greater than 5%
 - d. Not more than 4 drinks may be served to any patron at the one time
 - e. Free water stations must be placed on every bar
7. The sale and supply of alcohol shall cease 30 minutes prior to closing time.
8. The licensee shall ensure, by adequate supervision methods throughout the premises, that no patron is stockpiling drinks⁴⁹.
9. Within 14 days of the introduction of the conditions the licensee shall cause every member of staff to be notified in writing of these conditions and to be advised of the need to apply responsible service of alcohol practices.
10. Within three months of the introduction of the conditions the licensee shall have, whether under the provisions of a uniform Plan of Management or otherwise, entered into an agreement with each of the other licensees the subject of the imposition of these conditions an arrangement for the sharing of a radio network to be used by management and security for the purposes of communicating with each of the other premises.

⁴⁶ Horton J (2018) Review of Liquor Licence Conditions in the Newcastle Central Business District and Surrounding Areas, Advice to the Independent Liquor and Gaming Authority, 16 March, Pg 1.

⁴⁷ Horton J (2018) Ibid, Pg 1-3.

⁴⁸ Ready-to-drink beverages, or RTDs, are single-use beverages that are packaged ready for immediate consumption upon purchase.

⁴⁹ For this purpose, stockpiling means that any one patron has more than two unconsumed drinks at any one time (n.b. a patron may purchase up to four drinks at the one time).

Between 2008 and 2023, while there were no precinct-wide conditions mandated across the Newcastle CBD versions of some of the ‘Newcastle conditions’ were imposed on a number of new liquor licenses granted by the Independent Liquor and Gaming Authority.

6.3 2018 Horton Report – Review of 2008 Newcastle Conditions

In 2018, Dr Jonathan Horton QC was engaged to provide the Independent Liquor and Gaming Authority with advice that would inform its consideration on whether and how to exercise its statutory discretion to vary or revoke the liquor licence conditions that had been imposed and in place in the Newcastle CBD since 2008.

Horton found that the 2008 Conditions had brought about a reduction in alcohol-related violence in the Newcastle CBD (and later in Hamilton) without noticeable displacement to other areas, and had created an environment where more licensed venues appeared without an increase in violence.⁵⁰ He noted that the risk of alcohol-related violence should be considered within the current context, which had changed over time in terms of demography, development and revitalization efforts in the CBD, and the regulatory landscape in NSW.⁵¹ Horton considered that after ten years of implementation, Newcastle required a licensing regime that would prevent a return to past problems as well as allow for the City to develop in a balanced way and in accordance with community expectations, needs and aspirations.⁵²

As part of the review, Horton considered the ‘reputable body of scholarly work’ that has made systematic and scientific study of the extent of the effect of the 2008 Conditions and rates of non-domestic assault in and around the Newcastle CBD. Jones et al (2009) found that in the 12 months following the introduction of the conditions there was a significant downward trend in assaults in the CBD particularly those taking place between 3am and 6am, but no significant change in Hamilton, suggesting no geographic displacement of assaults from the CBD outward.⁵³ A few years later, Kyri et al (2011) also found a significant reduction in assaults in the CBD, an estimate of 33 assaults avoided per quarter, without displacement.⁵⁴

Horton reviewed a number of other studies that looked at aspects of the 2008 Conditions⁵⁵, such as the effect of lockouts, and considered the literature reviewed by Mr Callinan AC in 2016. He noted

⁵⁰ Horton J (2018) Ibid, Pg 1.

⁵¹ Changes to the regulatory landscape included reduced times that retail outlets may sell takeaway alcohol across NSW, additional responsible service and management regimes to reduce alcohol-related violence and the introduction of small bar licences that permit late night alcohol consumption in an environment considered less likely than others (e.g. hotels) to result in alcohol-related harms.

⁵² Horton J (2018) Ibid, Pg 1-3.

⁵³ Horton J (2018) Ibid, Pg 21; Citing - Jones et al (2009) The Impact of Restricted Alcohol availability on alcohol related violence Newcastle, NSW, Crime and Justice Bulletin, No 137, November.

⁵⁴ Horton J (2018) Ibid, Pg 21; Citing - Kypros Kypri et al (2011) Effects of restricting pub closing times on night-time assaults in an Australian city, Addiction, 106, 303.

⁵⁵ Miller et al (2012) ‘Dealing with alcohol-related harm and the night-time economy (DANTE)’, National Drug Law Enforcement Research Fund, April; Miller et al (2014) ‘Key stakeholder views of venue lockouts in Newcastle and Geelong’, Crime Prevention and Community Safety, 38, 16(1); Miller et al (2014) ‘Changes

that, 'Of importance is that late night trading is consistently associated with increased alcohol-related harms and violence, primarily driven by increased levels of intoxication. The literature on the effect of lockouts and their desirability is less unanimous in its conclusions'; and that while 'studies *do* show a reduction in alcohol-related violence coinciding with the imposition of the 2008 Conditions, none were able to (understandably) isolate one or more restrictions as having that effect'.

That said, Horton's opinion was that 'despite the limitations of the studies (mostly very fairly acknowledged in the studies themselves) the 2008 Conditions seem probably to have brought about a substantial lessening of alcohol-related violence'. These findings underpinned his view that any change to the conditions related to closing times and lockout times should be considered very carefully, as these types of restrictions 'can be the most closely and reliably linked to the reduction of alcohol-related violence.'⁵⁶

Horton agreed that the context had changed considerably since the conditions were introduced, including population growth, revitalization and urban renewal of the Newcastle CBD and Honeysuckle precincts, changes to and development of the rail and public transport network, a greater diversity of licensed premises and changes in the regulatory environment.⁵⁷ Horton considered 'outlet saturation' or outlets per 1,000 population and 'outlet clustering' or number of outlets per one kilometre radius of each venue – considered easy walking distance for patrons within an entertainment strip. There has been movement by both measures with and increase in clustering and overall increase in saturation, despite some decreases among certain license types. Horton reports that despite the greater number of licensed venues operating since 2008, the rates of alcohol-related violence have not increased.⁵⁸

Horton received and reviewed 93 submissions and an online petition from those who support variation or revocation of condition and those who do not. Many of those in support of some kind of relaxation were based around 'a desire to see a vibrant nightlife culture, with a diversity of night time offerings including live music, and a reduction in restrictions with a greater emphasis on personal and venue accountability for alcohol-related violence and anti-social behaviour of patrons.'⁵⁹ Horton noted that the various measures and management strategies put forward 'have not, yet at least, proved to be as effective as the kinds of factors the subject of the 2008 Conditions...[which] have a demonstrated effect in reducing alcohol-related violence.'⁶⁰

Submissions received in favour of retaining or strengthening the 2008 Conditions were largely from 'medically trained people', medical institutions, academics and research bodies, and healthcare advocacy groups. These groups noted the evidence base that showed the significant reductions in

in Injury related hospital emergency department presentations associated with the imposition of regulatory versus voluntary licensing conditions on licensed venues in two cities', Drug and Alcohol Review, 33, 314. Miller et al (2015) 'Correlates and Motives of pre-drinking with intoxication and harm around licensed venues in two cities', Drug and Alcohol Review, 35, 177. Hoffman et al (2017) 'Liquor Legislation, Last Drinks, and Lockouts: The Newcastle (Australia) solution', Int. J. Oral Maxillofac Surg, 46, 740. Also see Horton J (2018) Ibid, Select Bibliography, Pg 87-89.

⁵⁶ Horton J (2018) Ibid, Clause 81-83, Pg 21;

⁵⁷ Horton J (2018) Ibid, Clause 89-134, Pg 35-49.

⁵⁸ Horton J (2018) Ibid, Clauses 104-113, Pg 39-41.

⁵⁹ Horton J (2018) Ibid, Clause 168, Pg 58.

⁶⁰ Horton J (2018) Ibid, Clause 167, Pg 58.

alcohol-related non-domestic violence and anti-social behaviour following the Conditions, as well as the increase on-premises liquor licences that has occurred without noticeable increases in alcohol-related violence.⁶¹

Newcastle City Council's submission to the review reportedly included a number of points and recommendations.⁶² Noting that it 'controls trading hours by its development assessment process'; Council anticipated that it would assess 'venues as being of low, medium or high impact and imposing trading hours accordingly via exemptions which could be revoked for failure to comply with criteria to be devised...[and] that low impact venues be permitted to trade beyond midnight within this system'.⁶³

The Newcastle City Local Area Command also strongly supported the retention of the 2008 Conditions, and resisting any alteration at all to them. Rather, Newcastle Police submitted that 'consideration ought be given to strengthening the conditions by bringing forward the time at which licensed venues must cease to trade (2am was suggested) and imposing the lockout at an earlier time (perhaps midnight)'.⁶⁴

Ultimately, Horton advised that the ILGA could consider adjusting and varying some aspects of the 2008 Conditions including required use of shared radio networks, frequency of audits of Plans of Management and adjusting restrictions on drinks that can be sold after 10pm; and that any variations should be introduced on a trial basis and that granting exemptions be considered for well-performing venues only. Such an approach would allow the ILGA to monitor the effect of any variation in practice and decide whether to make the variation permanent for participating venues or be extended to other venues.⁶⁵

That said, Horton ultimately did **'not support the case for either the *extension or reduction of trading hours, or for a change to the time at which the lockout comes into operation.*'**⁶⁶

He found that earlier closing times, earlier lockouts and further curtailment of trading hours would not be consistent with the expectations of the community and the balanced development of related industries, such as tourism and hospitality activities including the live music industry; but that the extension of trading hours was associated with risks to 'the amenity of community life and harm associated with the misuse and abuse of liquor' noting that a return to the violence and anti-social behaviour that existed before the conditions were imposed in 2008 must be avoided.⁶⁷

⁶¹ Horton J (2018) Ibid, Clause 170, Pg 59.

⁶² Horton J (2018) Ibid, Clause 180-190, Pg 62-64.

⁶³ Horton J (2018) Ibid, Clause 185, Pg 63.

⁶⁴ Horton J (2018) Ibid, Clause 191, Pg 64.

⁶⁵ Horton J (2018) Ibid, Pg 1-3.

⁶⁶ Horton J (2018) Ibid, Pg 2.

⁶⁷ Horton J (2018) Ibid, Pg 1-3.

6.4 City of Newcastle Night-time Economy Strategy 2018-2022

In 2018, the City of Newcastle established its Night-time Economy Strategy 2018-2022, Newcastle After Dark. The Strategy emphasised that the City was considered a ‘pioneer in strategic alcohol management’ following the supply-side-focused interventions that contributed to sustained decrease in alcohol-related violence and anti-social behaviour, but that Newcastle was ‘not the city it was ten years ago’ and that the Strategy was an opportunity for re-visioning a safe and vibrant nightlife and that approaches for managing the city at night must evolve apace.⁶⁸

The Strategy described the structural change and ‘major transformation’ that has occurred in Newcastle over the last two decades, with three particular current challenges present at the time of writing including:

1. Venue Diversity, Density and Availability
2. Noise and Land Use Conflicts
3. Alcohol-related violence, lockouts and last drinks

With regards to the first challenge, the Strategy reports that ultimately it ‘seeks to steer growth in licensed premises density toward low impact venues, and ensure that liquor licenses density reflects an appropriate mix of venue types including non-alcohol-related entertainment options, and adequate public infrastructure to mitigate potential negative outcomes and support safe and activated public places’, including the creation of nodes or ‘activity centres’ along the length of Hunter Street rather than activity along its full length.⁶⁹

Concerning the second point, Council notes that much of the residential growth that has occurred in the CBD in the East End and West End/Wickham areas is within mixed use zoning. The Strategy notes that responsibility, risk and cost for introducing change into the built environment such as new residents into an active night-life precinct, or extended venue space or performances should be distributed fairly, and that ‘ultimately there needs to be acceptance on behalf of city centre residents that city life involves a degree of noise and activity’.⁷⁰

In terms of the third point, whilst Council acknowledges the success of the interventions it also notes that Newcastle ‘continues to rank above the NSW State average for public violence’ indicating that further work needs to be done on community safety, noting in particular that the City will ‘continue the case-by-case determination of premise trading hours through its development assessment process and consider the status of a licensed venue as low, medium or high impact within all development assessments. Low impact venues would be approved to trade beyond 12am, in accordance with the restrictions of the relevant liquor license category.’⁷¹

⁶⁸ City of Newcastle (2018) Newcastle After Dark: Night-time Economy Strategy 2018-2022, Pg 1.

⁶⁹ City of Newcastle (2018) Newcastle After Dark: Night-time Economy Strategy 2018-2022, Pg 6.

⁷⁰ City of Newcastle (2018) Newcastle After Dark: Night-time Economy Strategy 2018-2022, Pg 8.

⁷¹ City of Newcastle (2018) Newcastle After Dark: Night-time Economy Strategy 2018-2022, Pg 10.

Strategic Priority 1 – Strategic Alcohol Management, aims to prevent and mitigate the harmful and anti-social impacts of irresponsible supply and consumption of alcohol. The initiatives/actions under this priority included:

- Develop the night-time activities mapping Project and utilize to inform strategic development;
- Develop cumulative impact and licensed venue saturation criteria;
- Undertake precinct and cluster needs assessment and curation planning;
- Assess and evaluate precincts for access and safety of night-time amenities;
- Require more stringent Plans of Management from venues for addressing alcohol-related harms and neighbourhood impacts; and
- Continue to coordinate collaborative approaches to managing alcohol related impacts in the city through the Licensed Premises Reference Group.⁷²

These activities were to be delivered by the end of the timeframe for the Strategy in 2022. As at September 2024, there is no publicly available information on Council's website about outcomes or updates to the Strategy.⁷³

6.5 Trial 1 (2020)

Since 2020, the Liquor & Gaming NSW and City of Newcastle established two trials to examine the impact of relaxing certain licence conditions for participating venues in the Newcastle CBD with the aim of re-invigorating the night-time economy, particularly since the public health measures and lockdown restrictions of the COVID-19 pandemic.

Trial 1 ran for six months from 1 October 2020 to April 2021, and relaxed licence conditions of participating venues with either a small bar or on-premises liquor licence including:

- removal of drink restrictions after 10pm, and
- extension of trading hours for small bars from midnight to 2am on any night of the week, and for restaurants until midnight (Monday to Saturday) or until 10pm on Sunday.

Only 17 of the 127 eligible venues in the four trial suburbs (Newcastle, Newcastle East, Newcastle West and Cooks Hill) participated for the full length of the trial and made use of the relaxed conditions during the trial period.⁷⁴ 100% of eligible venues with small bar licences participated, only 9% of eligible venues with on-premises licences participated. There were limitations of the trial including that only 11 participating venues provided data.

⁷² City of Newcastle (2018) Newcastle After Dark: Night-time Economy Strategy 2018-2022, Pg 30.

⁷³ <https://newcastle.nsw.gov.au/business/our-economic-vision/newcastle-after-dark-strategy>, accessed 23/09/2024.

⁷⁴ Liquor & Gaming NSW (2021) Evaluation of the trial relaxation of certain liquor license restrictions for venues with a small bar and on-premises liquor licence in Newcastle, June, Pg 4.

Findings of the evaluation included that:

- There was an overall level of support for the trial among local residents and a majority of respondents did not experience any negative impacts in their neighbourhood after 10pm;
- There was no evidence of an increase in alcohol-related violence across the four participating suburbs during the trial; and
- There were three noise complaints reported for the same participating venue during the trial, with two of these related to the extended trading period.⁷⁵

6.6 Trial 2 (2021-2022)

Trial 2 ran for 12 months from October 2021 to October 2022, and involved participating venues (hotels, general bars and public entertainment venues) being able to utilise the following changes or relaxation to conditions:

- Removal of the 1am and 1:30am lockout restrictions;
- Extension of liquor trading hours until 3.30am on any night venues normally authorised to sell liquor until at least 2.30am; and
- Easing of restrictions on the types of drinks that may be served, allowing higher strength cocktails, neat spirits and shooters.⁷⁶

Twenty-one (21) venues participated in the second trial, including those listed in the Table below by capacity size. Not all participating venues made use of all three eased conditions. Sixteen venues made use of easing lockout restrictions at least once a week, while 11 venues made use of the extending trading hours condition at least once a week on average.⁷⁷ The timing of trial 2 was impacted by the COVID-19 pandemic and the restrictions that were in place for venues, particularly in 2021.

⁷⁵ Liquor & Gaming NSW (2021) Evaluation of the trial relaxation of certain liquor license restrictions for venues with a small bar and on-premises liquor licence in Newcastle, June, Pg 8.

⁷⁶ Woolcott Research & Engagement (2022) Newcastle Liquor Licensing Trial Stage 2 – Evaluation Report, Prepared for Liquor & Gaming NSW, December, Pg 7-8.

⁷⁷ Woolcott Research & Engagement (2022) Newcastle Liquor Licensing Trial Stage 2 – Evaluation Report, Prepared for Liquor & Gaming NSW, December, Pg 15.

Table 1: List of participating venues in Stage 2

Smaller (n=11) Participating Venues: Capacity up to 500	Larger (n=10) Participating Venues: Capacity 500+
Bar Petite	Argyle House
Clarendon Hotel	Cambridge Hotel
Crown & Anchor Hotel	Customs House Hotel
Grand Hotel	Hamilton Station Hotel
Great Northern Hotel	King Street Hotel
Kent Hotel	M J Finnigans
Sydney Junction Hotel	Newcastle Hotel
The Beaumont Exchange Hotel	Northern Star Hotel
The Greenroof Hamilton	Queens Wharf Brewery Hotel
The Lucky Hotel Newcastle	The Station Newcastle NSW
The Rogue Scholar	

Note: these groupings are based on approximate venue capacity figures provided by each venue.

Figure 6.1: List of participating venues in Stage 2 Trial

Source: Woolcott Research, 2022, Pg 14.

The independent evaluation of Trial 2 sought to understand the extent to which the relaxed licence conditions in participating venues supported employment, increased patronage, increased business turnover, contributed to any increase in alcohol-related violence, offensive behaviour or malicious damage in the Newcastle CBD; contributed to any increase in noise-related disturbances; contributed to any reduction in liquor licence compliance; and contributed to any positive and/or negative impacts for local residents. Sixteen of the 21 participating venues provided survey data for the evaluation.

The key findings regarding alcohol-related violence, offensive behaviour and malicious damage set out in the evaluation were that:⁷⁸

- Stakeholders were generally of the belief that there had not been an increase in the level of reported violence resulting from the trial.
- 11 out of 16 respondents from participating venues (in the Venue Survey) suggested that there was no change in alcohol-related violence or anti-social behaviour since the beginning of the trial.
- The Alcohol-related Offence Data shows that there was a 65% increase in the total number of on-premises offences for participating venues - in comparison to the FY21 period, and a 17% increase from the FY17 period. This increase was mainly associated with larger venues.
- Almost two thirds (64%) of the on-premises offences during the trial period were recorded at larger venues (those with a capacity more than 500).

⁷⁸ Woolcott Research & Engagement (2022) Newcastle Liquor Licensing Trial Stage 2 – Evaluation Report, Prepared for Liquor & Gaming NSW, December, Pg 44.

- However, as a more long-term trend four of the participating venues (two smaller and two larger) account for more than 50% of all on-premises offenses since the FY17 period (up to and including the trial period).
- The Alcohol-related Offence Data also shows that there was a small decrease (4%) in off-premises offences linked to participating venues when compared to the FY21 baseline, and a much larger decrease in relation to the FY17 baseline (down 31%).
- Drink driving offences that were linked to participating venues increased by 119% in comparison to the FY21 baseline, but decreased by 10% in comparison to the peak levels recorded in FY18.

6.7 Outcome of Trial 2 – relaxed conditions continue for 15 venues

The ILGA reports that after carefully considering the findings of the evaluation of Trial 2, it decided that participating venues could apply to have their liquor licence conditions relaxed permanently. Because the results of Trial 2 were not uniform, all proposals submitted to ILGA were considered on a case-by-case basis. Some of the venues applied for relaxed conditions to be removed from their licences permanently but were not fully approved.

Relaxed liquor licence conditions for **15 venues** that participated in the Trial 2 have continued to date, which again included removal of the 1am and 1:30am lockout restrictions; extension of liquor trading hours until 3.30am on any night venues normally authorised to sell liquor until at least 2.30am; and easing of restrictions on the types of drinks that may be served, allowing higher strength cocktails, neat spirits and shooters.⁷⁹

⁷⁹ Relaxed liquor licence conditions for some Newcastle venues, 04 July 2023, <https://www.nsw.gov.au/media-releases/relaxed-liquor-licence-conditions-for-some-newcastle-venues>, accessed 24/09/2024.

7 Risk of Alcohol Related Harm

7.1 Indicators of Alcohol-Related Harm

Section 3 above provided an overview of demographic indicators that have been found to increase the risk of alcohol-related harm in a given community from relevant literature. These are:

- ABS SEIFA Index of Relative Socio-economic Disadvantage (SEIFA Disadvantage) as an aggregate measure of overall community disadvantage
- Lower educational achievement and lower employment status, noting that a range of relevant indicators of overall educational and occupational status are included in the ABS SEIFA Index of Education and Occupation (SEIFA Education and Occupation);
- Poor, unstable population, concentrations of disadvantage (e.g. homeless, social housing)
- Aboriginality
- Smaller households
- Sole parents
- Separated, divorced, widowed households
- Young people (15-29 years)
- A range of other indicators of social disadvantage, such as low income, high unemployment, non-school completion, although these are covered more comprehensively in the two ABS SEIFA Indexes referred to above.

Each of these indicators has been found in different studies to be independently associated with increased risk of alcohol related harm although the literature notes that almost any indicator of social disadvantage will increase the risk of such harm.

7.2 Risk of Alcohol-Related Harm in Locality

In general, the immediate locality (SA1), and wider localities of Newcastle State Suburb and Newcastle-Cooks Hills SA2 do not have socio-economic indicators that are related to an elevated risk of alcohol-related harm. This is also the case for the LGA more generally, although there are areas of severe disadvantage in the LGA that would indicate a significant risk, such as the suburbs of Jesmond and Hamilton South, in the most disadvantaged 5% and 7% of areas for Australia, and areas in close proximity to the subject premises, such as precincts around East Newcastle, Stockton and Cooks Hill, as shown in the maps below.

The exceptions are in relation to the rate of young people and separated or divorced people, where the SA1 and Newcastle suburb were above the NSW average; and in relation to social housing, where Newcastle-Cooks Hill SA2 was almost double the State average, although there were much lower than average rates of social housing in the SA1 and Newcastle Suburb.

Lone person households were much higher in the immediate and wider locality, although this was likely related to the nature of high density housing in the locality, and the presence of younger professionals and possibly students, with a very high rate of private renting in the locality.

Table 7.1: Summary Indicators of Risk of Alcohol-Related Harm, 2021

Indicator	11103122905 SA1	Newcastle suburb	Newcastle- Cooks Hill SA2	Newcastle LGA	NSW
Total persons	962	3,852	12,805	168,873	8,072,163
Median age	37	41	38	37	39
Median household income	\$1,728	\$1,943	\$1,929	\$1,760	\$1,829
SEIFA Disadvantage (Aust percentile)	47	77	71	75	n/a
SEIFA Education and Occupation (Aust percentile)	81	96	89	84	n/a
Aboriginal (%)	2%	3%	3%	5%	4%
Social housing (%)	0%	2%	7%	6%	4%
Separated, divorced, widowed (%)	20%	20%	17%	18%	17%
Age 15-29 (%)	27%	24%	26%	23%	19%
Did not complete year 10 (%)	2%	3%	4%	8%	9%
No post-secondary qualifications (%)	27%	26%	28%	39%	40%
Sole Parent Households (%)	6%	5%	6%	11%	11%
Lone person (%)	44%	47%	41%	29%	25%
Unemployment rate (%)	5.4%	4.7%	4.3%	4.9%	4.9%

Source: JSA 2024; ABS (2021) Census, General Community Profile, G01, G02, G04, G05, G07, G37, G43, and G46; ABS (2021) SEIFA.

The following maps show selected indicators of elevated risk of alcohol-related harm in SA1s within one kilometre of the subject premises. These indicate that there may be some elevated risk on a few of these indicators, in particular, the very high relative rate of young people aged 15-29 years in some proximate SA1s, and the low SEIFA values in parts of Newcastle East and Southern Stockton, which accesses the CBD via the ferry.

The immediate locality has average to above average levels of advantage, apart from three SA1s within 1km to the east and north of the premises (parts of Newcastle East and Stockton), which are among the most disadvantaged 11%, 12% and 23% of areas respectively for Australia on the SEIFA

Disadvantage Index. It is also far more advantaged than average on the SEIFA Education and Occupation Index, apart from areas of south Stockton, as shown in the two maps below.

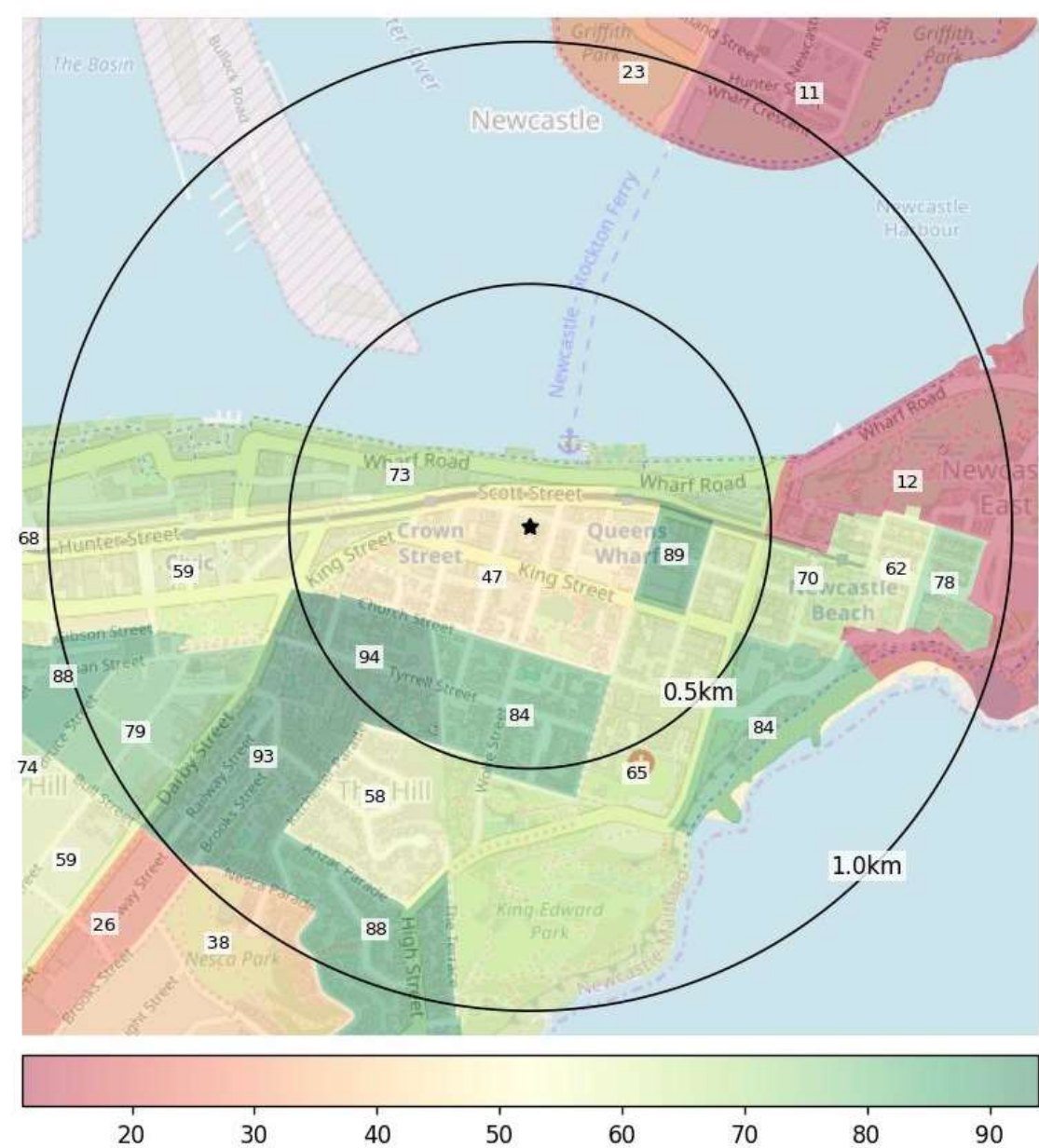


Figure 7-1: SEIFA Index of Relative Socio-economic Disadvantage (percentile for Australia) in SA1s within 0.5 kms and 1 km of the Subject Premises (shown with star)

Source: JSA 2024 and ABS 2021

NOTE: Numbers on the maps, and at the bottom of the maps, indicate percentiles for Australia (that is, '9' on the map indicates that the SA1 is in the most disadvantaged 9% of areas in Australia; and '80' at the bottom indicates that that degree of 'green' shading places an SA1 in the **most** disadvantaged 80% of areas for Australia, or the **least** disadvantaged 20% of areas).

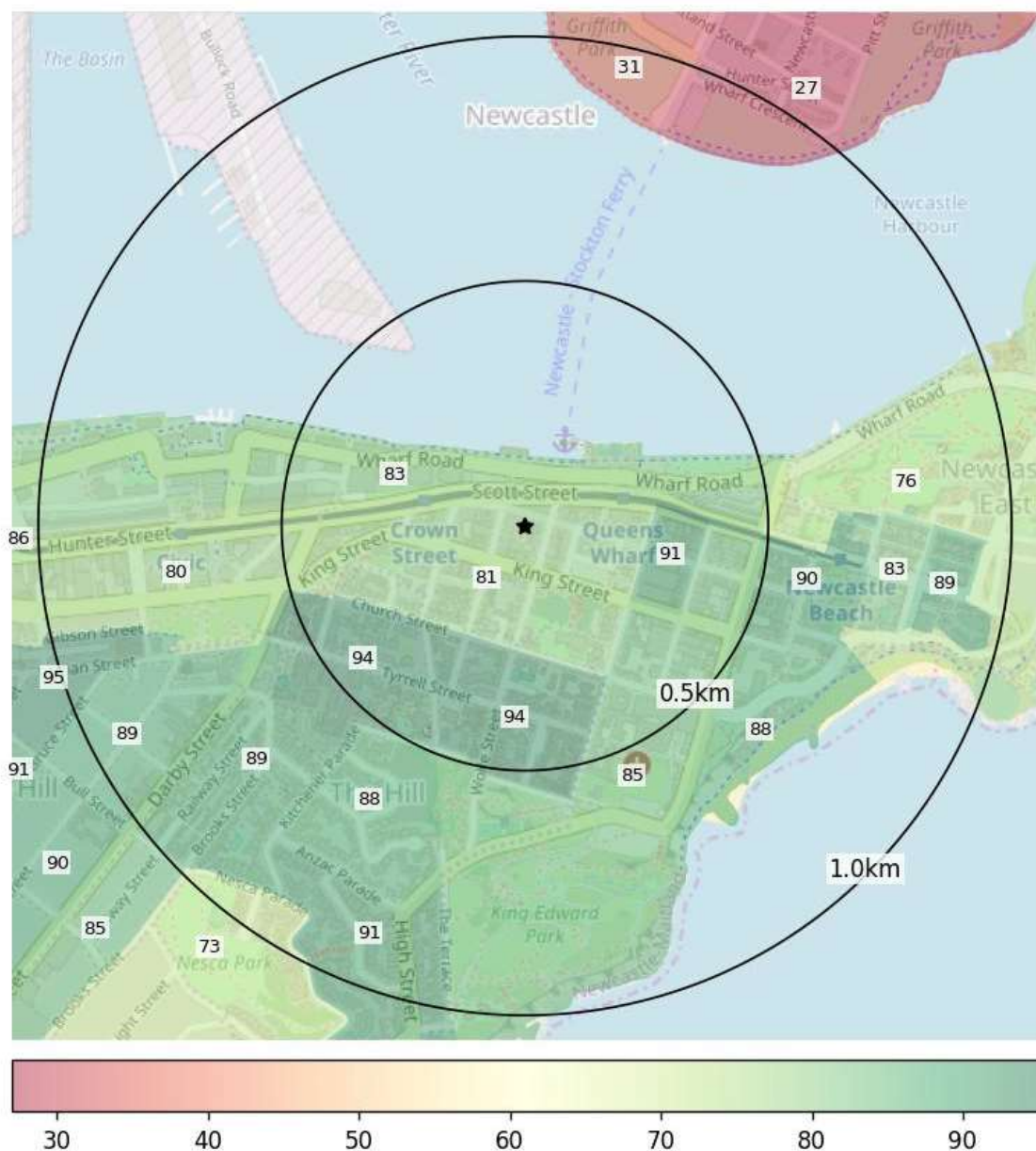


Figure 7-2: SEIFA Index of Education and Occupation (percentile for Australia) in SA1s within 0.5 and 1 km of the Subject Premises (shown with star)

Source: JSA 2024 and ABS 2021

SA1s in close proximity to the subject premises generally have a far higher than average rate of young people aged 15-29 years, with some as high as 39% compared with the NSW average of 19%.

8 Risk of gaming related harm

8.1 Liquor and Gaming Assessment of Risk

Under the Local Impact Assessment Bands published by Liquor and Gaming NSW,⁸⁰ Newcastle-Cooks Hill SA2 is a Band 1 SA2 and is ranked 329 out of 626 SA2s in NSW. The rankings consider disadvantage, gaming machine density per capita, and gaming machine expenditure per capita. Newcastle-Cooks Hill SA2 is considered a relatively low risk area for gaming harm on this measure.

8.2 Demographic Factors

The table below shows indicators for risk of gaming related harm for the locality and compared to various benchmarks. Indicators for risk of gambling harm are mixed, with above average risk factors in the SA1, suburb and SA2 including being single; being 18-34 years; being separated, widowed or divorced; and being male.

Table 8-1: Indicators for gaming related harm

Variable	SA1 11103122905	Newcastle Suburb	Newcastle- Cooks Hill SA2	Newcastle LGA	NSW
Left school before year 10	4.1%	5.0%	5.1%	10.7%	11.3%
Single (not married)	51.1%	49.2%	50.5%	46.6%	42.1%
18-34 yrs	39.6%	33.2%	33.6%	26.9%	22.5%
Unemployed	4.5%	4.4%	4.2%	4.8%	4.9%
Separated/widowed/divorced	20.0%	19.8%	17.4%	18.2%	17.0%
35-54 yrs	25.2%	26.3%	25.4%	25.3%	26.3%
Year 12 or diploma only (no university qualifications)	53.3%	54.7%	53.1%	69.4%	69.6%
Male	60.0%	51.3%	49.4%	49.1%	49.4%

Source: ABS Census 2021

⁸⁰ <https://www.liquorandgaming.nsw.gov.au/operating-a-business/community-involvement/Find-my-LIA-Band> accessed 13 October 2024.

9 Licensed Premises Context

9.1 Liquor Licenses in Newcastle suburb

There are 110 liquor licenses in the Newcastle suburb including 2 club licences, 18 hotel licences, 76 on-premises licenses, 6 packaged liquor licenses and 8 small bar licenses (a total of 110 liquor licensed in Newcastle suburb).

At the LGA scale, there are 437 total licenses, including 79 hotel licences, 66 packaged liquor licenses and 33 club licences.

The at **Appendix C** provides details about the 110 liquor licenses in Newcastle suburb as at 1 July 2024 including licence type, trading status, license name and address for these 110 licenses; as well as whether or not the license includes extended trading, reduced trading, right to keep gaming machines, trading hrs unrestricted, trading hrs to 12am, trading hrs to 3am, trading hrs to 5am and the number of Electronic Gaming Machines (EGMs).

There are nine hotel licenses and one on-premises licence within the **Newcastle suburb** that were among the 14 hotels subject to the 2008 Newcastle Conditions. The liquor license that applies to the proposal is a hotel license in the name of QT Hotel East End at 185 Hunter Street. It is not subject to the 2008 Conditions.

9.2 Relative Outlet Density

The locality of the subject premises has a very high relative rate of licensed premises, at whatever scale it is considered, particularly for areas closest to the premises.

At the LGA scale, there are particularly high rates of **small bars** at around 2.5 times the NSW rates, and of **hotels** at double the State rate.

Both the suburb of Newcastle and Newcastle-Cooks Hill SA2 have a particularly high rate of **total licenses** (14 times and 6.5 times the NSW rate respectively).

At the scale of **Newcastle suburb**, the rate was extremely high, with 18 times the NSW rate for **hotel licenses**; 17 times the NSW rate for **on-premises licenses**; and 63 times the average rate of **small bar licenses**. There was also very high relative rate of licensed clubs (around 4 times the State average). This is not surprising given the large entertainment precinct associated with the suburb and environs, and the relatively small resident population.

Newcastle-Cooks Hill SA2 may provide a more reasonable scale to understand density, as it is a much larger geographic area, which includes and extends beyond the entertainment precinct, and has a population of around 13,000 people. The SA2 has 10 times the average rate for **hotel licenses**; 8 times the NSW rate for **on-premises licenses**; and 28 times the rate of **small bar licenses**. It has around 2.5 times the average rate for **licensed clubs**.

Table 9.1: Relative Outlet Density

Licence Numbers					Licences per 100,000 population			
	NSW	Newcastle LGA	Newcastle Cooks Hill SA2	Newcastle Suburb	NSW	Newcastle LGA	Newcastle Cooks Hill SA2	Newcastle Suburb
Population	8,072,163	168,873	12,805	3,852				
Clubs	1,258	33	5	2	15.58	19.54	39.05	51.92
Hotel	2,117	79	26	18	26.23	46.78	203.05	467.29
On premises	9,351	245	114	76	115.84	145.08	890.28	1,973.00
Packaged Liquor	3,187	66	11	6	39.48	39.08	85.90	155.76
Small Bar	264	14	12	8	3.27	8.29	93.71	207.68
Total	16,177	437	168	110	200.40	258.77	1,311.99	2,855.66

Source: NSW Government Creative Industries, Tourism, Hospitality & Sport Licensed Premises List as at 1/7/24 and JSA calculations 2024

9.3 Clustering of Licensed Premises at Relevant Scales

As well as the density of licensed premises discussed above, the clustering of licensed premises is also a relevant factor in alcohol-related harm according to the literature.

Three geographic scales have been considered in relation to clustering of licensed premises, these being:

- Newcastle LGA;
- The four precincts most proximate to the subject premises from Newcastle City Council's (2018) *Newcastle After Dark: Night Time Economy Strategy*, these being East End, in which the premises is located, as well as Civic/CBD, Honeysuckle and West End (see precinct map below); and
- A one kilometre radius of the subject premises.

The maps below show this for selected license types at different scales, with all licensed premises and hotels shown at the LGA and Precinct scale; and all license types (total and separately) for licensed premises at the 1 km radius.

At the **LGA and Precinct scale**, it can be seen that there is:

- a high degree of clustering of licensed premises (all types) along the southern shore of the Hunter River within the four main entertainment precincts (East End, Civic/CBD, Honeysuckle and West End Precincts), as well as in Darby Street, Hamilton and Junction-Merewether Precincts; and
- a significant clustering of hotel licenses, particularly in East End (8 hotel licenses), West End (7 hotel licenses), and Civic/CBD (7 hotel licenses).

At the **1 km radius**, there is:

- a particularly high clustering of licensed premises, with 18 hotel licences; 98 on-premises licences; 9 small bar licences; 7 packaged liquor licences; and 2 licensed clubs (a total of 133 licenses within 1 km of the subject premises).

Selected maps are shown below.

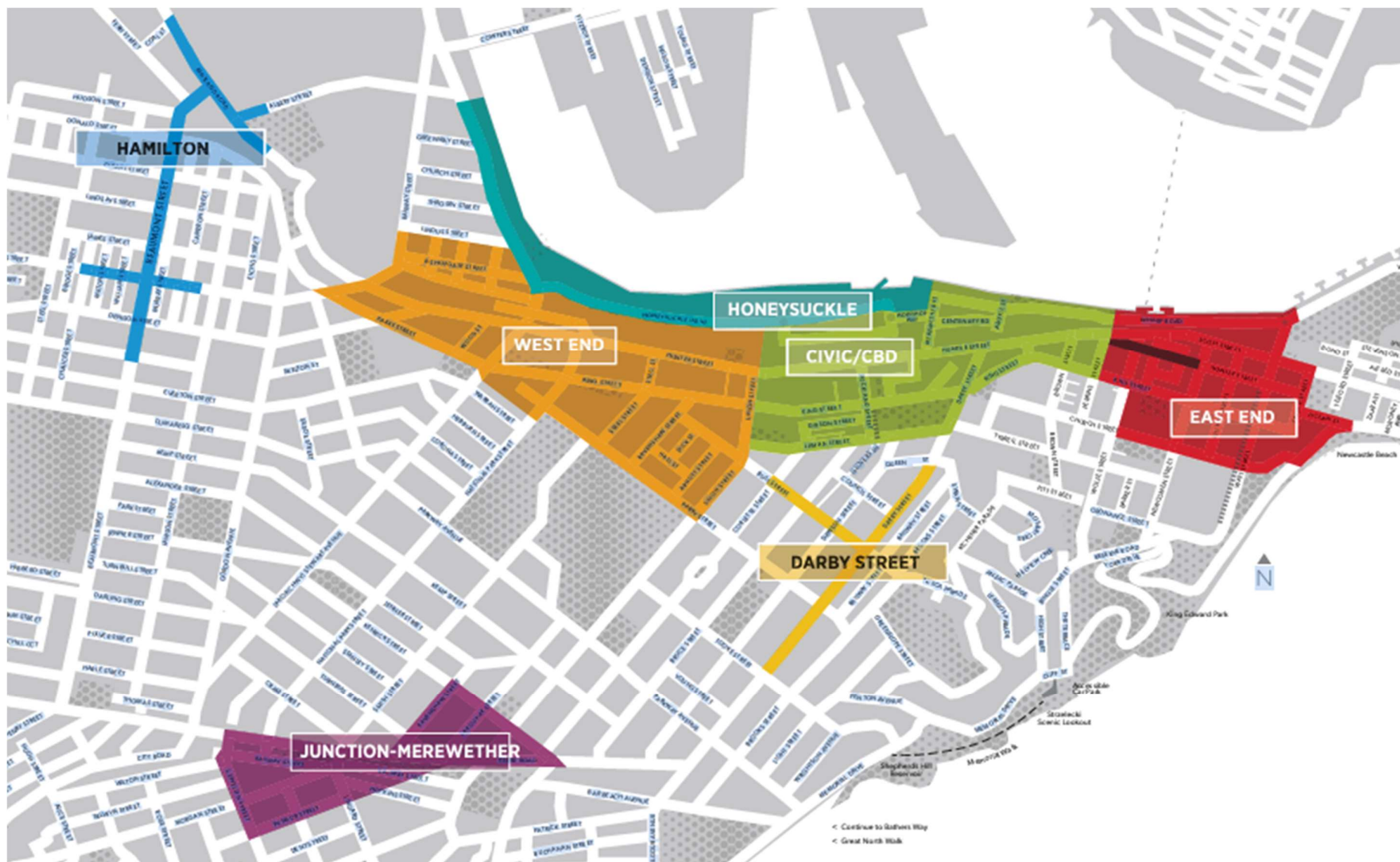


Figure 9-1: Newcastle After Dark: Night Time Economy Strategy – Precinct Map

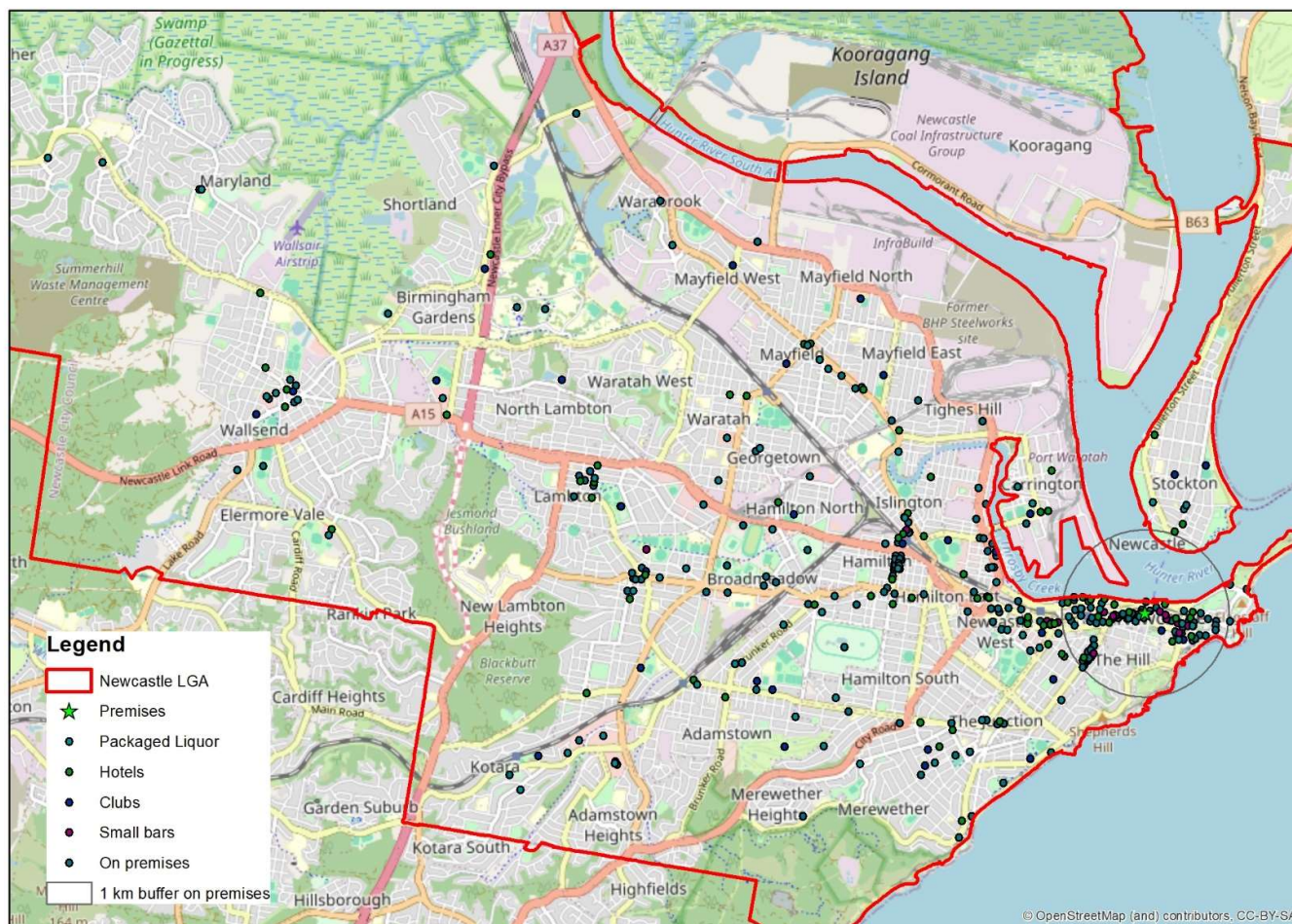


Figure 9-2: All Licences (hotel, packaged liquor, licensed club, small bar and on-premises) in Newcastle LGA (premises shown with a green star)

Source: JSA 2024 from ILGA License Data

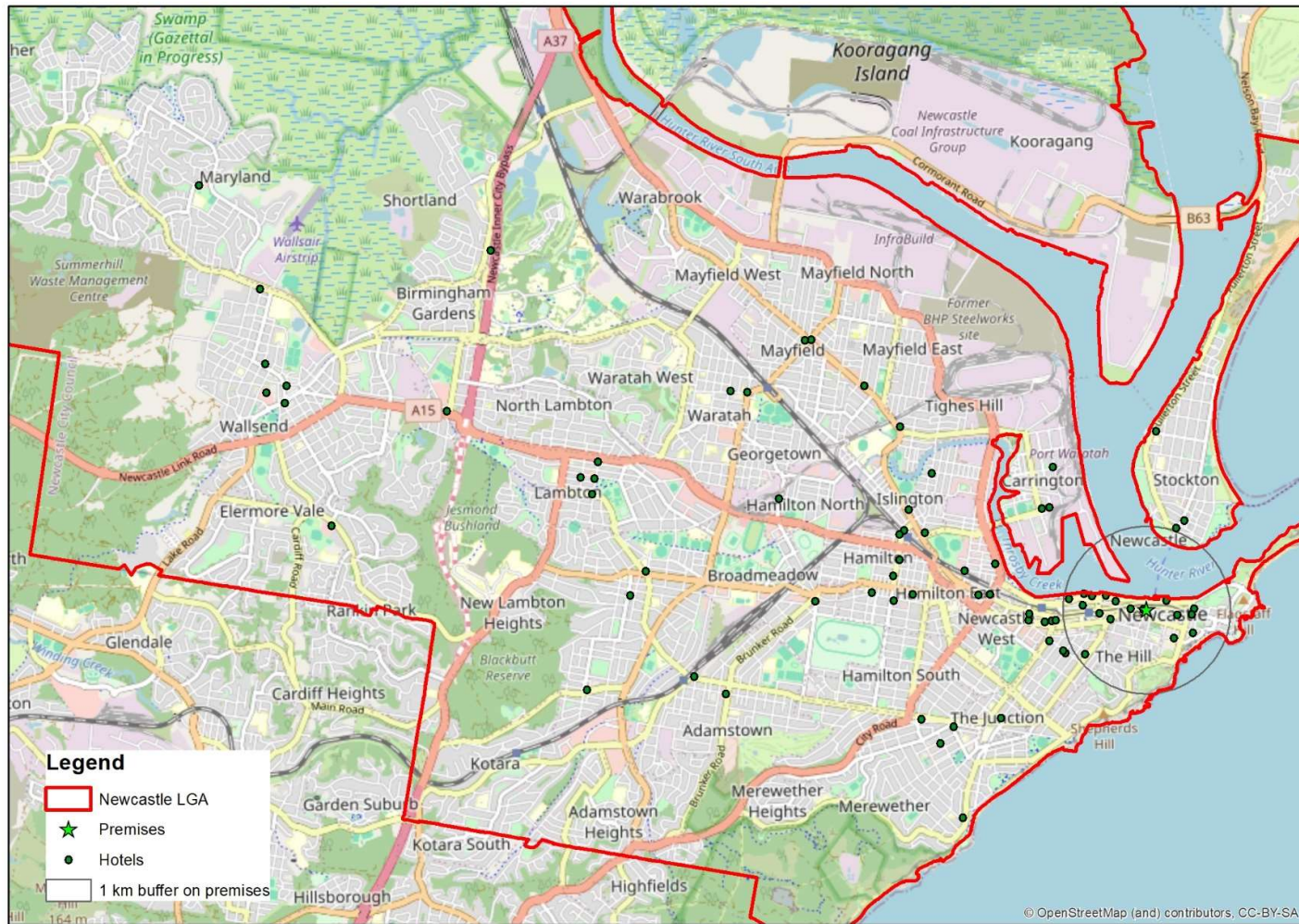


Figure 9-3: Hotel Licences in Newcastle LGA (subject premises shown with a green star)

Source: JSA 2024 from ILGA License Data

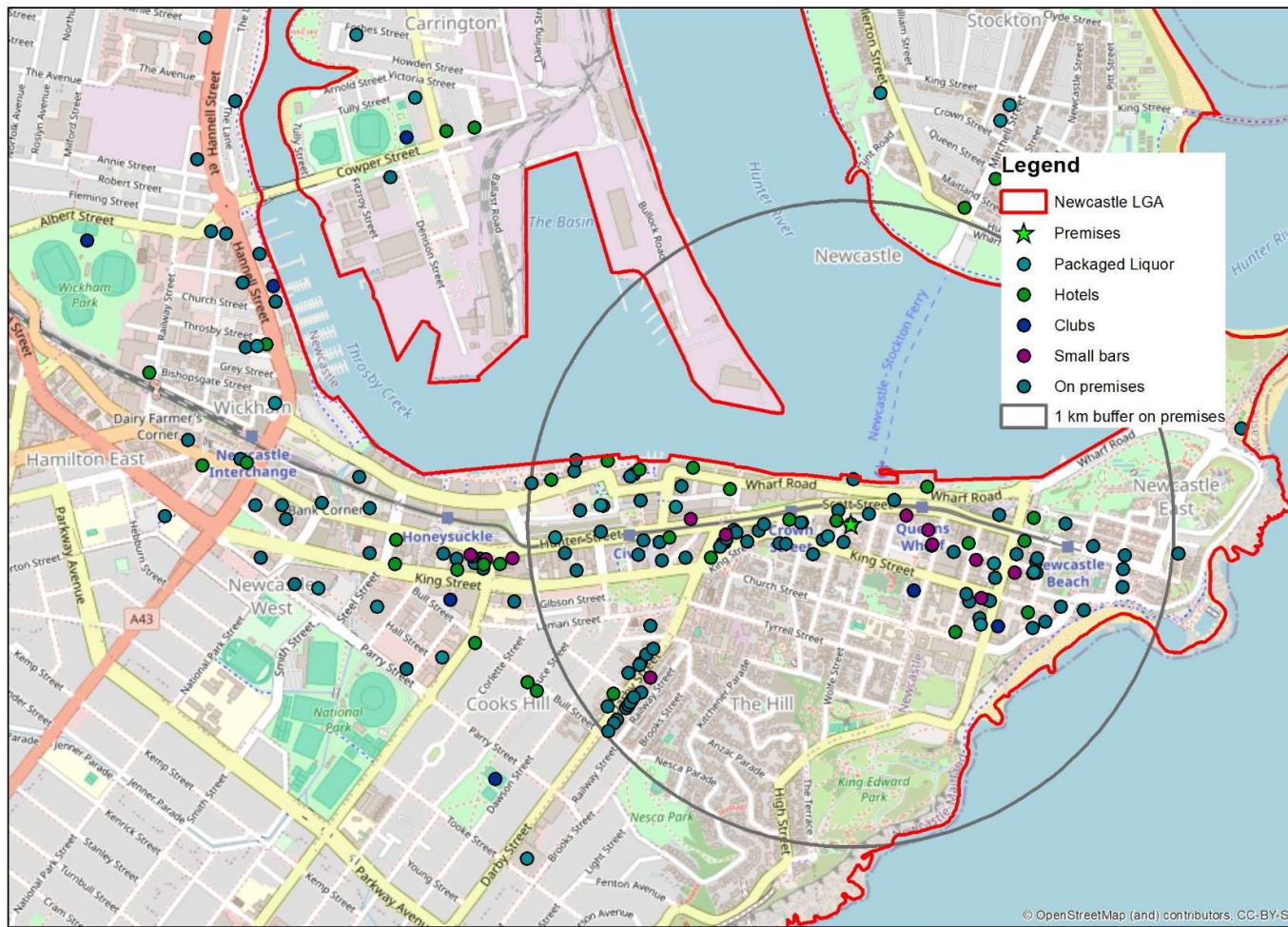


Figure 9-4: All Licences (hotel, packaged liquor, licensed club, small bar and on-premises) in East End, Civic/CBD, Honeysuckle and West End Precincts (premises shown green star)

Source: JSA 2024 from ILGA License Data

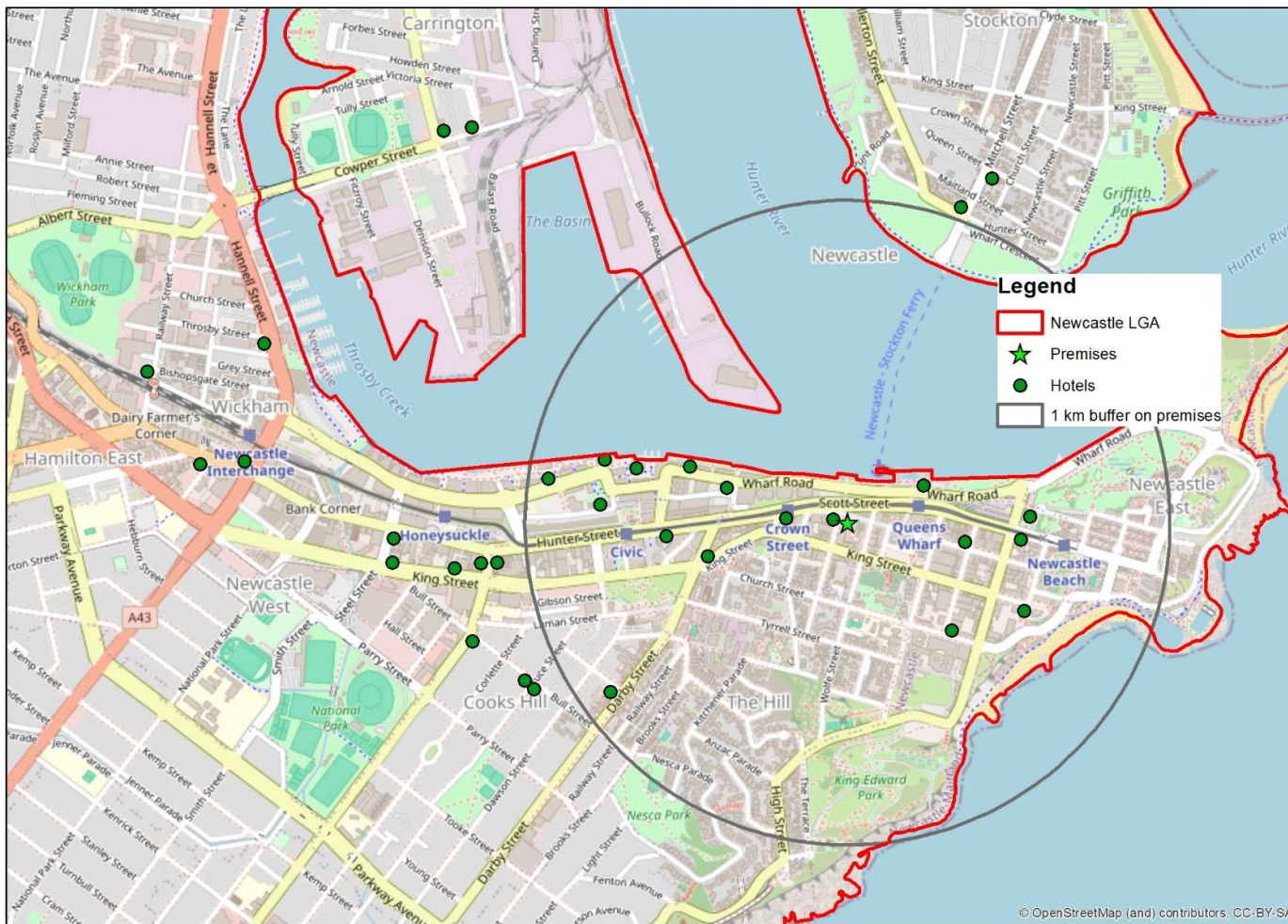


Figure 9-5: Hotel Licences in East End, Civic/CBD, Honeysuckle and West End Precincts (premises shown green star)

Source: JSA 2024 from ILGA License Data

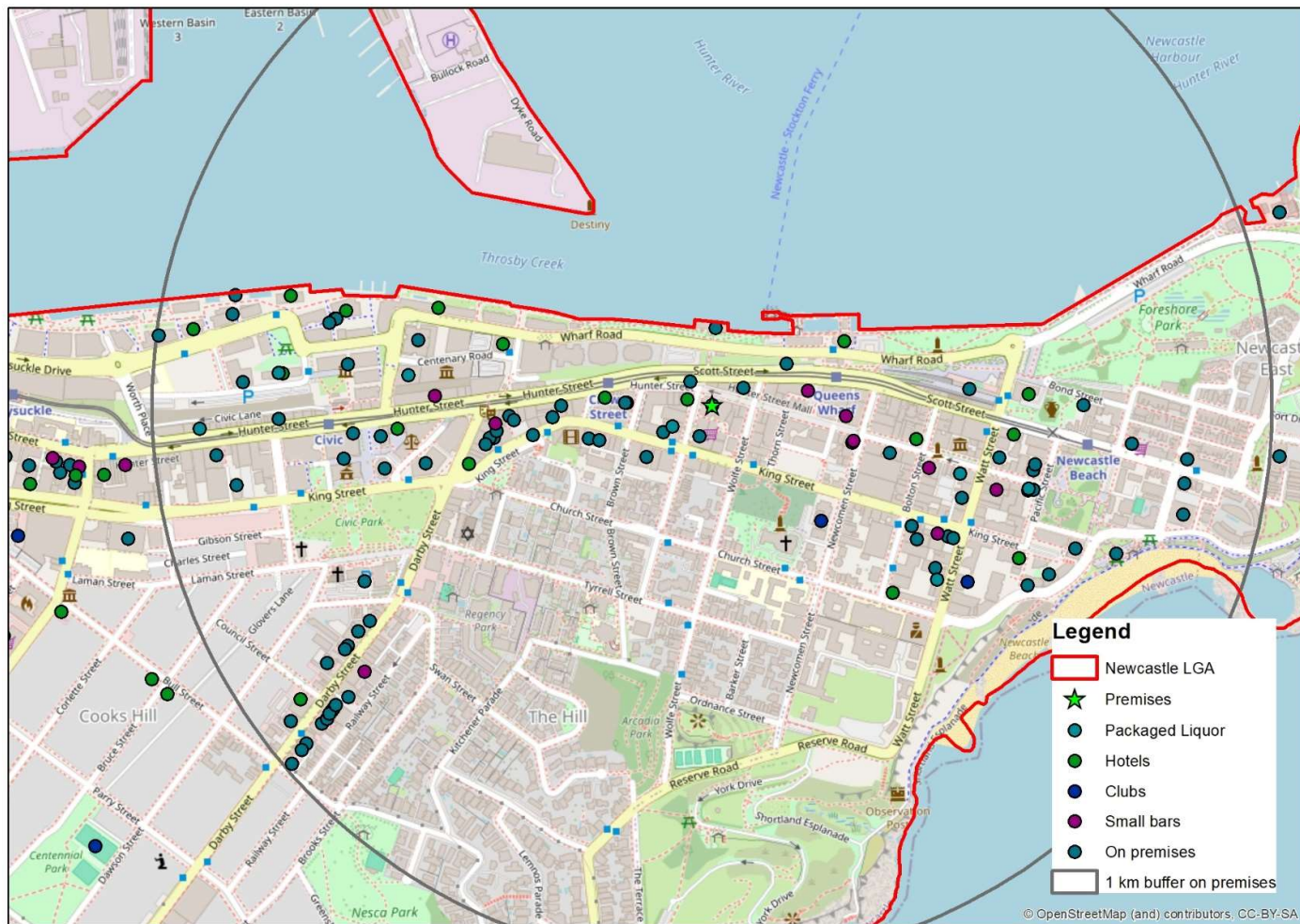


Figure 9-6: All Licences (hotel, packaged liquor, licensed club, small bar and on-premises) within 1 km radius of subject premises (green star)
Source: JSA 2024 from ILGA License Data

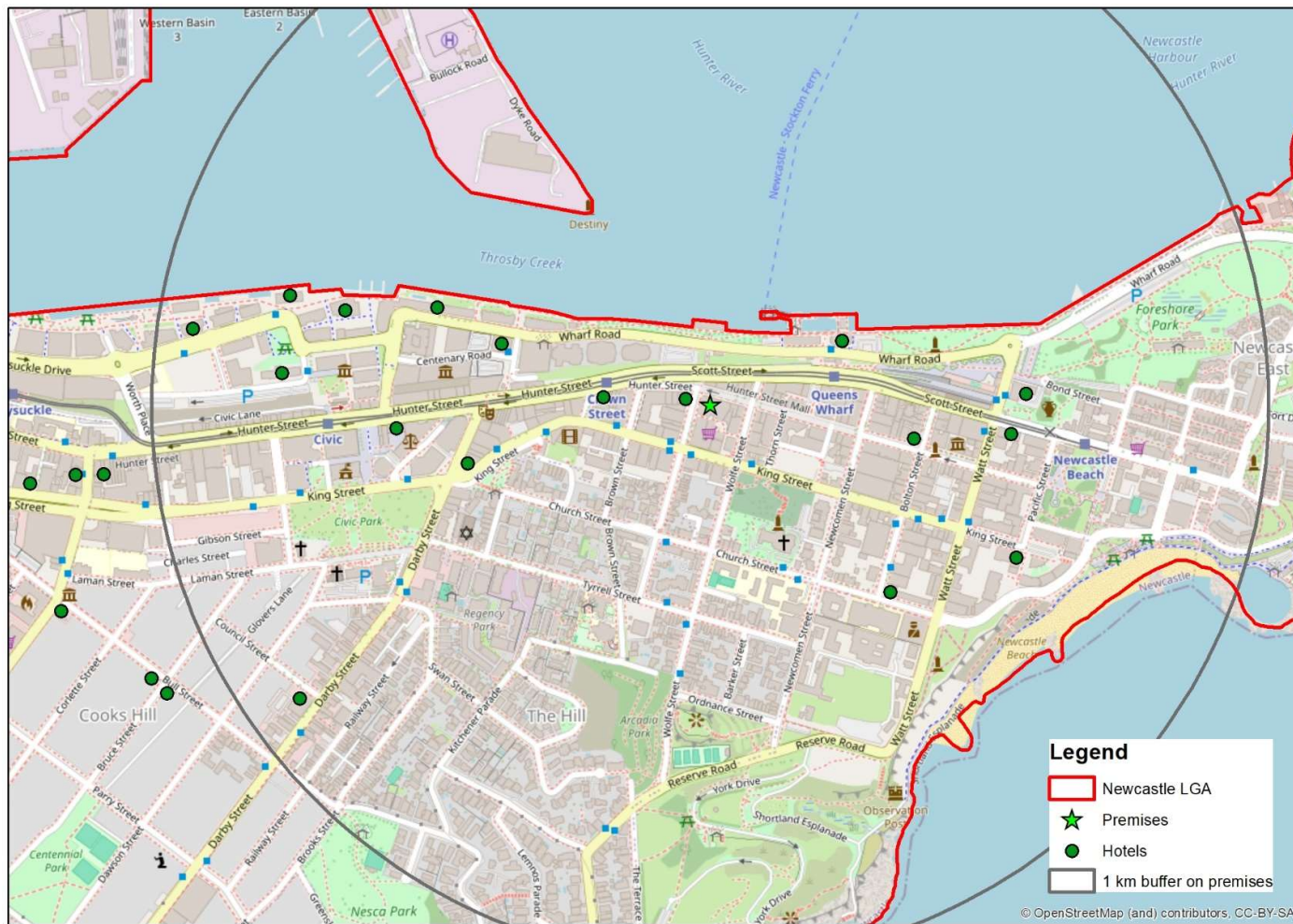


Figure 9-7: Hotel Licences within 1 km radius of subject premises (shown with a green star)

Source: JSA 2024 from ILGA License Data

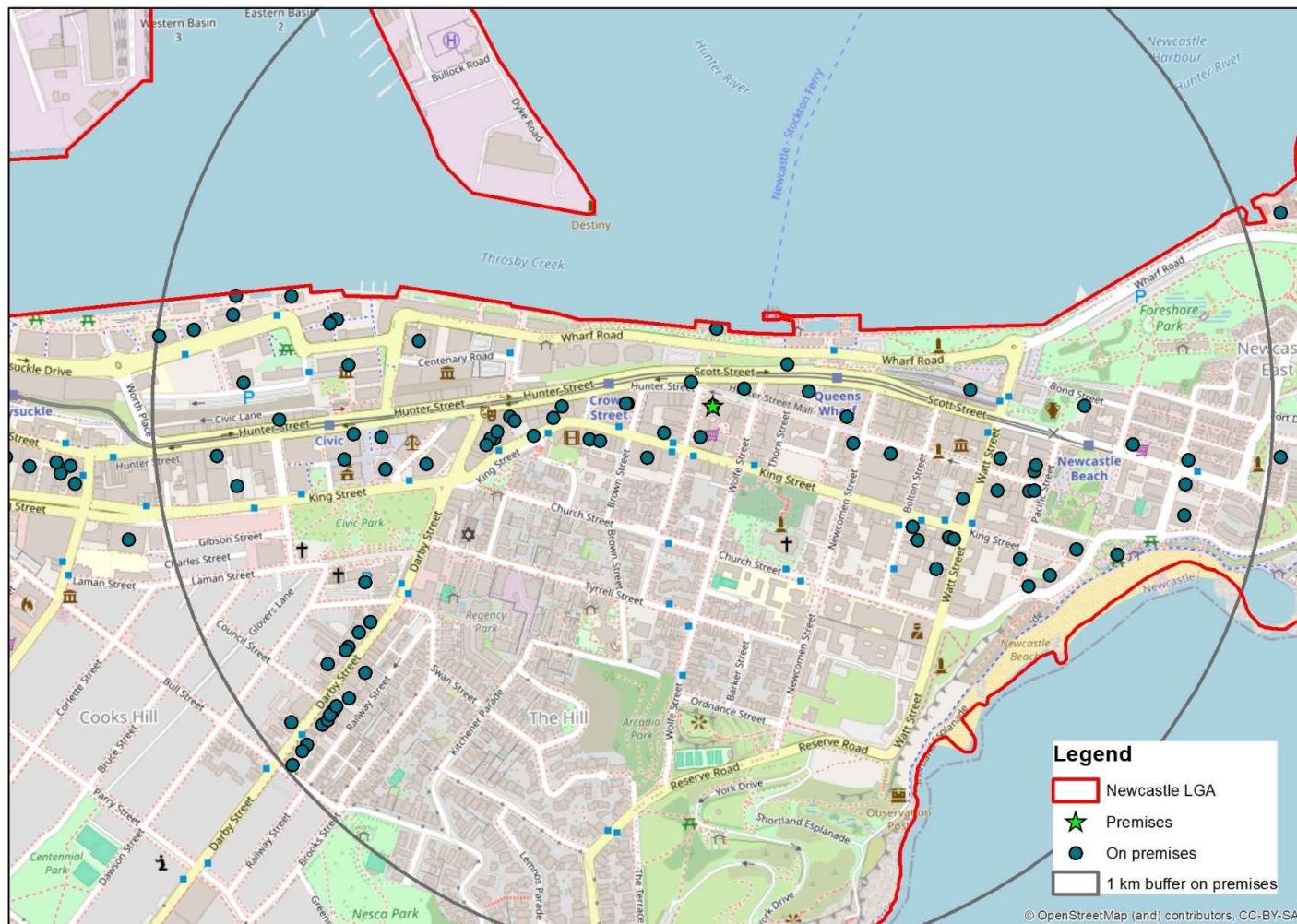


Figure 9-8: On-Premises Licences within 1 km radius of subject premises (shown with a green star)

Source: JSA 2024 from ILGA License Data

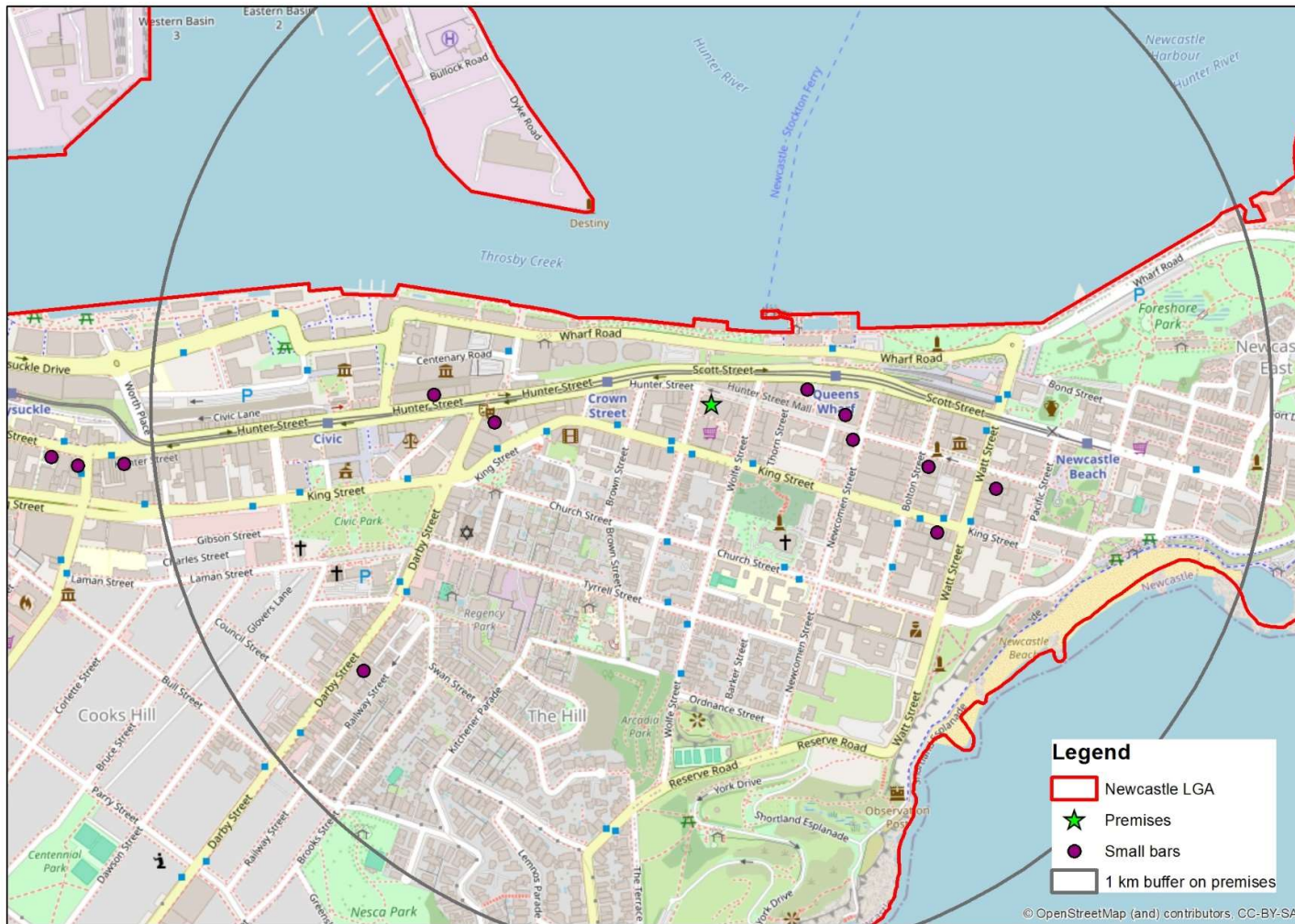


Figure 9-9: Small Bar Licences within 1 km radius of subject premises (shown with a green star)

Source: [JSA 2024 from ILGA License Data](#)

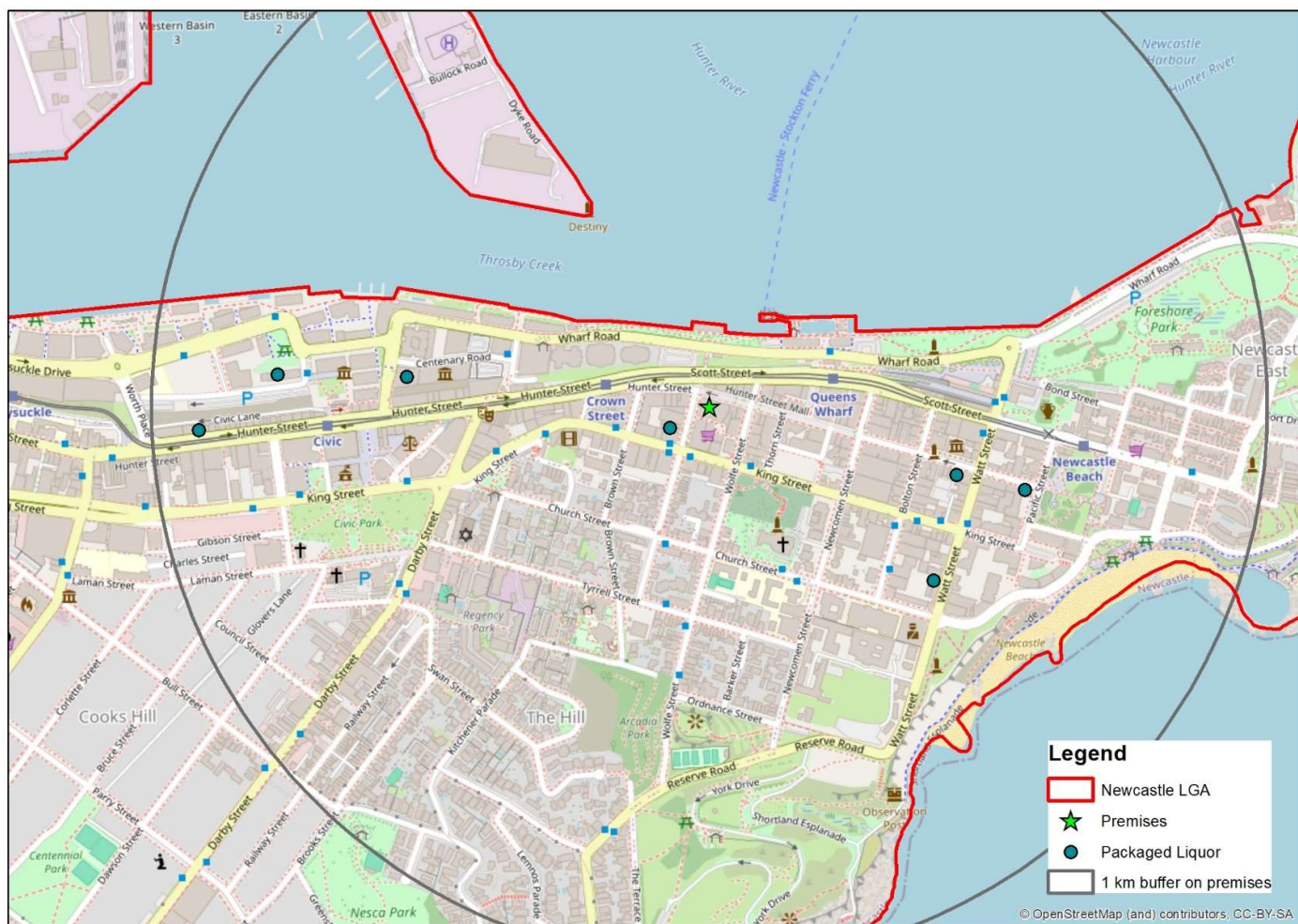


Figure 9-10: Packaged Liquor Licences within 1 km radius of subject premises (shown with a green star)

Source: JSA 2024 from ILGA License Data

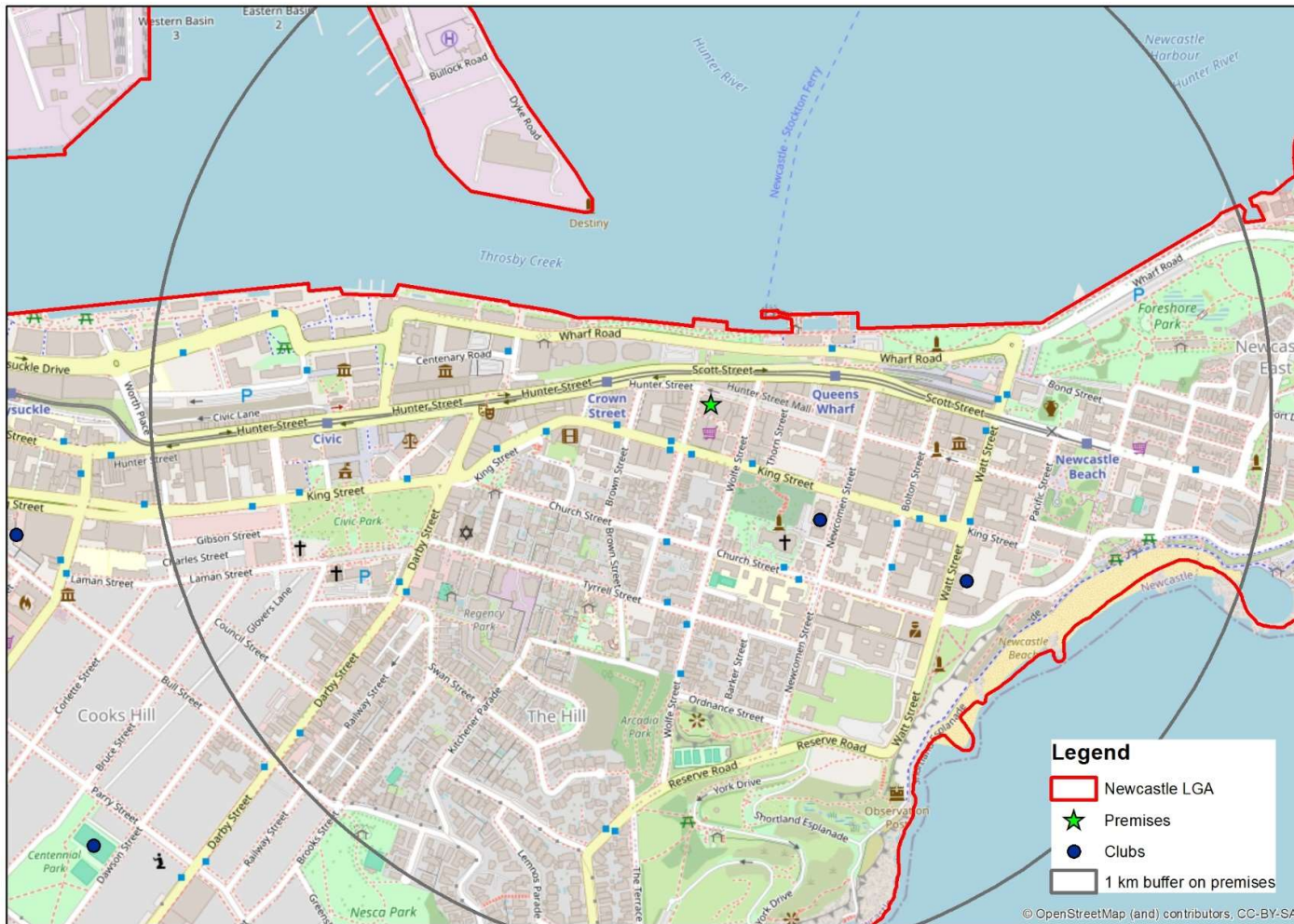


Figure 9-11: Club Licences within 1 km radius of subject premises (shown with a green star)

Source: JSA 2024 from ILGA License Data

9.4 Hotel Licenses in the vicinity

Nine of the 18 hotels currently trading within the 1 km radius were subject to the original Newcastle Conditions 2008, with one hotel that was subject to these conditions (The Civic) burning down and no longer in existence. The Dockyards, around 850 metres from the subject premises, has an on-premises licence, but is one of the 14 premises subject to the original Newcastle Conditions 2008.

As outlined in **Section 6** above, there was some small variability in opening hours under these Conditions, but there was a maximum closing time to 3am (originally 2.30 am for some) and no patrons to be admitted from 1.30 am (originally 1.00 am for some).

Although there is the opportunity to apply for amendments to the 2008 Conditions, it is understood that only one (The Lucky Hotel) has done so, and that the amended conditions do not include an amendment to opening hours. Such amendments are on a case-by-case basis.

It is also understood that other hotels that have opened in more recent years are also subject to restricted trading hours and certain other conditions under the original 2008 Conditions, with decisions again on a case-by-case basis.

In addition, there are two registered clubs within the 1 km radius, these being:

- The United Service Club Ltd at 55-57 Watt St Newcastle, around 700 metres from the Lyrique Bar with no EGMs. Although on its liquor licence it can trade to 5am, it is a smaller club with more niche appeal, that trades at more limited hours (Thursday night to 9pm and Friday night to 10pm);
- The Newcastle Club at 40 Newcomen St Newcastle, around 450 metres from the Lyrique Bar. As a 'members only' club, trading hours vary with attendance, but would not be any later than 11.30 pm on a Friday or Saturday night;

There is another larger licensed club, Wests City Club at 309 King St Newcastle West, around 1.3 kms walking distance, trading to 3am, with 132 EGMs.

There are also a further seven hotels located in Newcastle West within **around 2kms of the Lyrique Bar**, three of which were subject to the original Newcastle Conditions 2008. Of the seven hotels, four are reported to have extended trading hours, and three (or four) are licensed to trade until 3am (see **Table 6.3** below).

Table 9.2: Hotels within a one kilometre radius

Licence name	Distance to QT (m)	Address	Suburb	NAD Precinct	Original 2008 Conditions (14)	2008 L/Licence Conditions Revoked?	Extended trading hours?	To 12am	To 3am	To 5am	EGMs	Conditions of Consent
QT Hotel East End	0	185 Hunter St	Newcastle	East End	No	No	No	No	No	No	10	
Crown & Anchor Hotel	50	189 Hunter St	Newcastle	Civic/CBD	Yes	No	Yes	Yes	Yes	No	9	
The Lucky Hotel Newcastle	200	1C Crown St	Newcastle	Civic/CBD	Yes	Yes (April 2024) (1)	Yes	Yes	Yes	No	17	
Queens Wharf Brewery Hotel	350	150 Wharf Rd	Newcastle	East End	Yes	No	Yes	Yes	Yes	No	15	
The Ship Inn Newcastle	350	102 Hunter St	Newcastle	East End	No		No	No	No	No	0	
Argyle House	500	311 Wharf Rd	Newcastle	Civic/CBD	Yes	No	Yes	Yes	Yes	No	1	
Clarendon Hotel	550	347 Hunter St	Newcastle	Civic/CBD	Yes	No	Yes	Yes	Yes	No	15	
M J Finnigans	550	21-23 Darby St	Newcastle	Civic/CBD	Yes	No	Yes	Yes	No	No	15	
Great Northern Hotel	600	89 Scott St	Newcastle	East End	Yes	No	Yes	Yes	Yes	No	14	
Customs House Hotel	650	1 Bond St	Newcastle	East End	Yes	No	Yes	Yes	Yes	No	0	
Grand Hotel	650	Church & Bolton Sts	Newcastle	East End	Yes	No	Yes	Yes	Yes	No	0	
Bar Petite	700	Shop 5 5 King St	Newcastle	East End	No		No	No	No	No	0	
Rydges Newcastle	700	Wharf Rd	Newcastle	Honeysuckle	No		Yes	Yes	Yes	Yes	0	

Licence name	Distance to QT (m)	Address	Suburb	NAD Precinct	Original 2008 Conditions (14)	2008 L/Licence Conditions Revoked?	Extended trading hours?	To 12am	To 3am	To 5am	EGMs	Conditions of Consent
Wine Centre Tavern	900	Lot 3 Wright Lane	Newcastle	Civic/CBD	No		Yes	Yes	Yes	Yes	0	
Hope @ Honeysuckle	900	3C Honeysuckle Dr	Newcastle	Honeysuckle	No		No	No	No	No	0	
Delaney Hotel	1000		Cooks Hill		No							
Hideout on the Harbour	1100	Unit 1 11 Honeysuckle Dr	Newcastle	Honeysuckle	No		No	No	No	No	0	
Honeysuckle Hotel Lee Wharf	1100	Building C Lee Wharf Rd	Newcastle	Honeysuckle	No		No	No	No	No	9	

(1) But not a variation to the restricted hours under the Newcastle Conditions 2008

Table 9.3: Additional Hotels within around two kilometre radius (in Newcastle West)

Licence name	Distance to QT (m)	Address	Suburb	NAD Precinct	Original 2008 Conditions (14)	2008 L/Licence Conditions Revoked?	Extended trading hours?	To 12am	To 3am	To 5am	EGMs
The Rogue Scholar	1200m	4-6 Union Street	Newcastle West	West End	No	n/a	Yes	Yes	No	No	0
Bernie's Bar Newcastle	1300m	410 King St	Newcastle West	West End	No	n/a	Yes	Yes	No	No	0
West's City	1300m	309 King St	Newcastle West	West End	No	n/a	No	Yes	Yes	Yes	132
Family Hotel Newcastle	1400m	635 Hunter St	Newcastle West	West End	Yes	No	No	No	No	No	0
King Street Newcastle	1500m	13-15 Steel Street	Newcastle West	West End	Yes	No	Yes	Yes	Yes	No	0
Alloggio Hotels Pty Ltd	1900m	840 Hunter St	Newcastle West	West End	No	n/a	No	No	No	No	0
Cambridge Hotel	2100m	789 Hunter Street	Newcastle West	West End	Yes	No	Yes	Yes	Yes	No	7

10 Crime Impacts

10.1 BoCSAR Crime Statistics and Maps

10.1.1 Overview of Crime Statistics

The table below shows the two-year trend to March 2024 and the incident rate (per 100,000 population) for the Year to March 2024, for **Newcastle Suburb** and **Newcastle LGA** compared with the NSW average for a range of offence types. Rates above NSW are **Red** and rates below are **Green**.

The most recent crime hotspot maps⁸¹ are also provided below for crimes most commonly associated with alcohol related harm (Assault Domestic, Assault Non-Domestic and Malicious Damage to Property) for the immediate area around the proposal site within the Newcastle Suburb. These are provided for the period January 2023 to December 2024.

For the most recent 12 month period to March 2024, crime statistics for the selected offences in the local community are unfavourable to the proposal, particularly crimes more often associated with Alcohol – Assault (Non-Domestic), Assault (Domestic) and Malicious Damage.

The following is noted in relation to **Assault Domestic**:

- **Newcastle suburb** had a 27% higher than average rate of **Assault Domestic** for the twelve months to March 2024. The proposal site is located within a medium density hotspot for this offence. While the rate for Newcastle LGA was equivalent to NSW.
- When **Alcohol Related Assault Domestic** is considered, the Newcastle suburb had a rate nearly twice that of NSW while the rate for Newcastle LGA was nearly three times that of NSW.

The following is noted in relation to **Assault Non-Domestic**:

- The rate of **Non-Domestic Assault** in Newcastle suburb is nearly 8 times the NSW rate, while the LGA had a rate 1.6 times that of NSW. The proposal site is located in a high density hotspot for this offence.
- When **Alcohol Related Assault non-Domestic** is considered, the rate for Newcastle suburb was more than 15 times that of NSW while the LGA had a rate twice that of NSW.

⁸¹ NSW Bureau of Crime Statistics and Research (BoCSAR) reports that, 'Hotspot maps illustrate areas of high crime density relative to crime concentrations in NSW. The hotspots indicate areas with a high level of clustering of recorded criminal incidents for the selected offence...LGAs with crime hotspots do not necessarily have high count of incidents relative to other LGAs. This is because hotspots reflect the density of incidents in specific areas and not the number of incidents in the entire LGA. Hotspots are not adjusted for the number of people residing in or visiting the LGA and so do not necessarily reflect areas where people have a higher than average risk of victimisation' in Burgess, M (2011) Understanding crime hotspot maps, NSW Bureau of Crime Statistics and Research, Crime and Justice Statistics, Bureau Brief, Issue paper no 60, April, p 3.

In terms of **Malicious Damage to Property**:

- The rate of **Malicious damage to property** in Newcastle suburb was 5 times the NSW rate, while the LGA had a rate 1.6 times that of NSW. The proposal site is located in a high density hotspot for this offence. Rates of malicious damage offences occurring on weekends in the Newcastle suburb were 6 times that of the NSW average, while the rate of offences that occurred on weekdays was 4.4 times that of NSW. Data showing ‘alcohol related’ malicious damage offences if not available from the NSW Crime Tool.

Table 10-1: NSW BoCSAR Incident Rates Newcastle Suburb, Newcastle LGA & Subject Site w/in Hotspot

Offence Type	Area	2 Yr Trend to Mar 2024	Rate (per 100,000 pop) Yr to Mar 2024 (x NSW rate)	Proposal site w/in Hotspot (Jan-Dec 2023)?
Assault – Domestic	Newcastle Suburb	Stable	568.6 (x1.2)	Medium
	Newcastle LGA	Stable	447.7	
	NSW	Up 5.5% per year	447.1	
Alcohol Related Assault (domestic)	Newcastle Suburb	n.c.	222.5 (x1.9)	Map not available
	Newcastle LGA	Stable	335.2 (x2.9)	
	NSW	Stable	116.2	
Assault – non- domestic	Newcastle Suburb	Stable	3263.3 (x7.7)	High
	Newcastle LGA	Up 7.6% per year	666.9 (x1.6)	
	NSW	Up 6.6% per year	423	
Alcohol Related Assault (non- domestic)	Newcastle Suburb	Stable	1384.4 (x15.1)	Map not available
	Newcastle LGA	Stable	194.7 (x2.1)	
	NSW	Stable	91.7	
Malicious Damage to Property	Newcastle Suburb	Stable	3040.8 (x5.0)	High
	Newcastle LGA	Stable	968.4 (x1.6)	
	NSW	Up 0.7% per year	605.3	
Malicious Damage to Property (weekends)	Newcastle Suburb	Stable	1433.9 (x6)	Map not available
	Newcastle LGA	Stable	403.4 (x1.7)	
	NSW	Stable	239.7	
Malicious Damage to Property (weekdays)	Newcastle Suburb	Stable	1606.9 (x4.4)	Map not available
	Newcastle LGA	Stable	564.9 (x1.5)	
	NSW	Stable	365.6	

Source: NSW BoCSAR, NSW Crime Tool, <http://crimetool.bocsar.nsw.gov.au/bocsar/>, accessed on 06/09/2024

10.1.2 Selected Crime Hotspot Maps

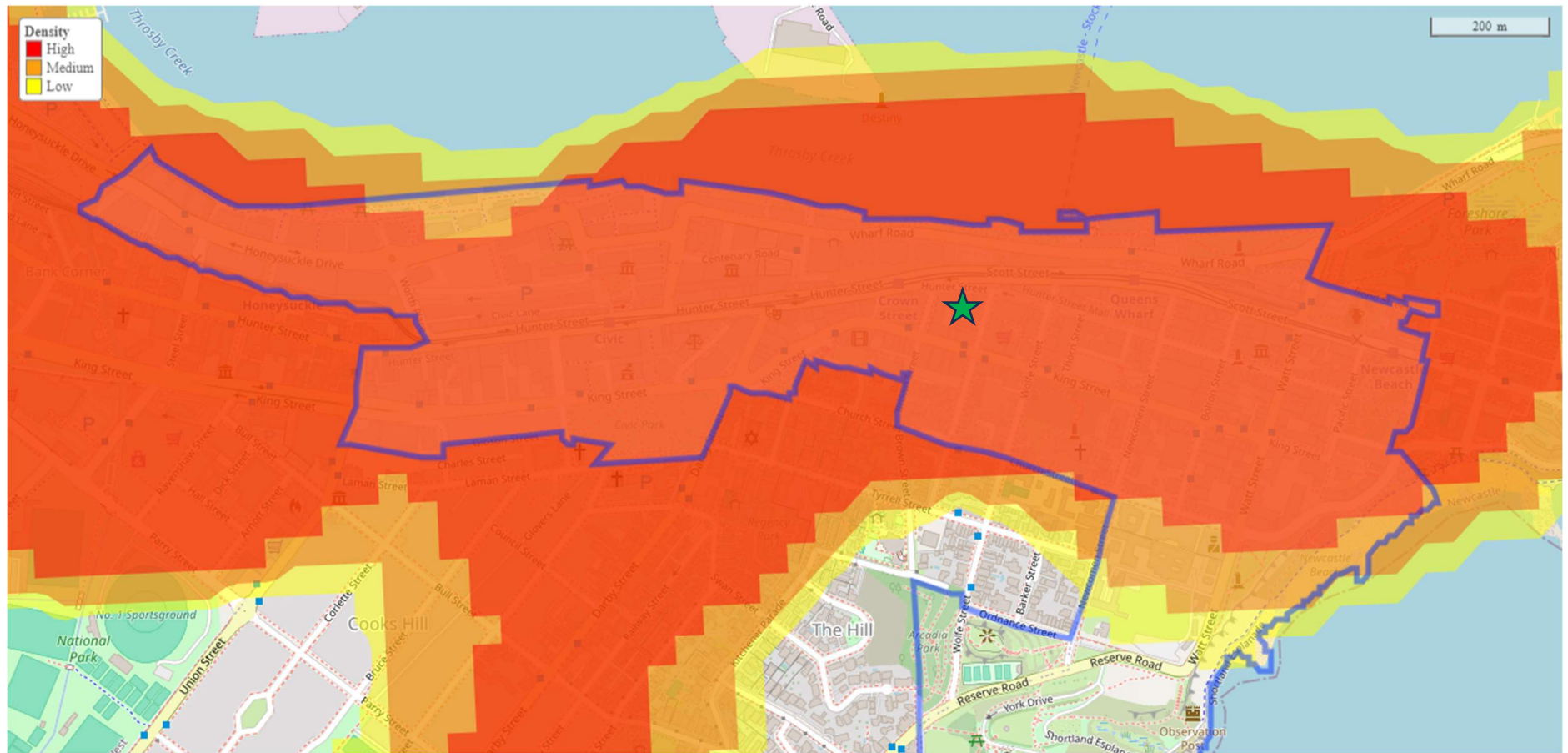
The following crime hotspot maps show crimes most often associated in the literature with alcohol consumption – Assault – Domestic, Assault – Non-Domestic and Malicious Damage. Hotspot maps are not available for Alcohol-Related Assault and Assault DV. The maps are provided two different zooms to provide a locality context.

The subject premises is located in a widespread high density hotspot for **Assault – Non-Domestic**, with the largest hotspot centred on Newcastle CBD and surrounding areas. There are also quite proximate high density hotspots to the west.

The premises is also located in a medium density hotspot for **Assault –Domestic Assault, and on the edge of a large Domestic Assault hotspot that extends to the west**, including areas that are more residential in nature. There are a number of other high density hotspots, to the south, and to the east apparently associated with residential areas in Newcastle East, and to the west in Hamilton South.

There is a very large and widespread **Malicious Damage** hotspot that covers the CBD and well beyond, as well as smaller high density hotspots to the north and the south, as shown below.

Assault Non-Domestic



Source: NSW Bureau of Crime Statistics and Research

Figure 10-1: Assault (Non-Domestic) from Jan 2023 to Dec 2023, Newcastle Suburb (CBD zoom), subject premises shown with star

Source: NSW BoCSAR, NSW Crime Tool, <http://crimetool.bocsar.nsw.gov.au/bocsar/>, accessed on 06/09/2024.

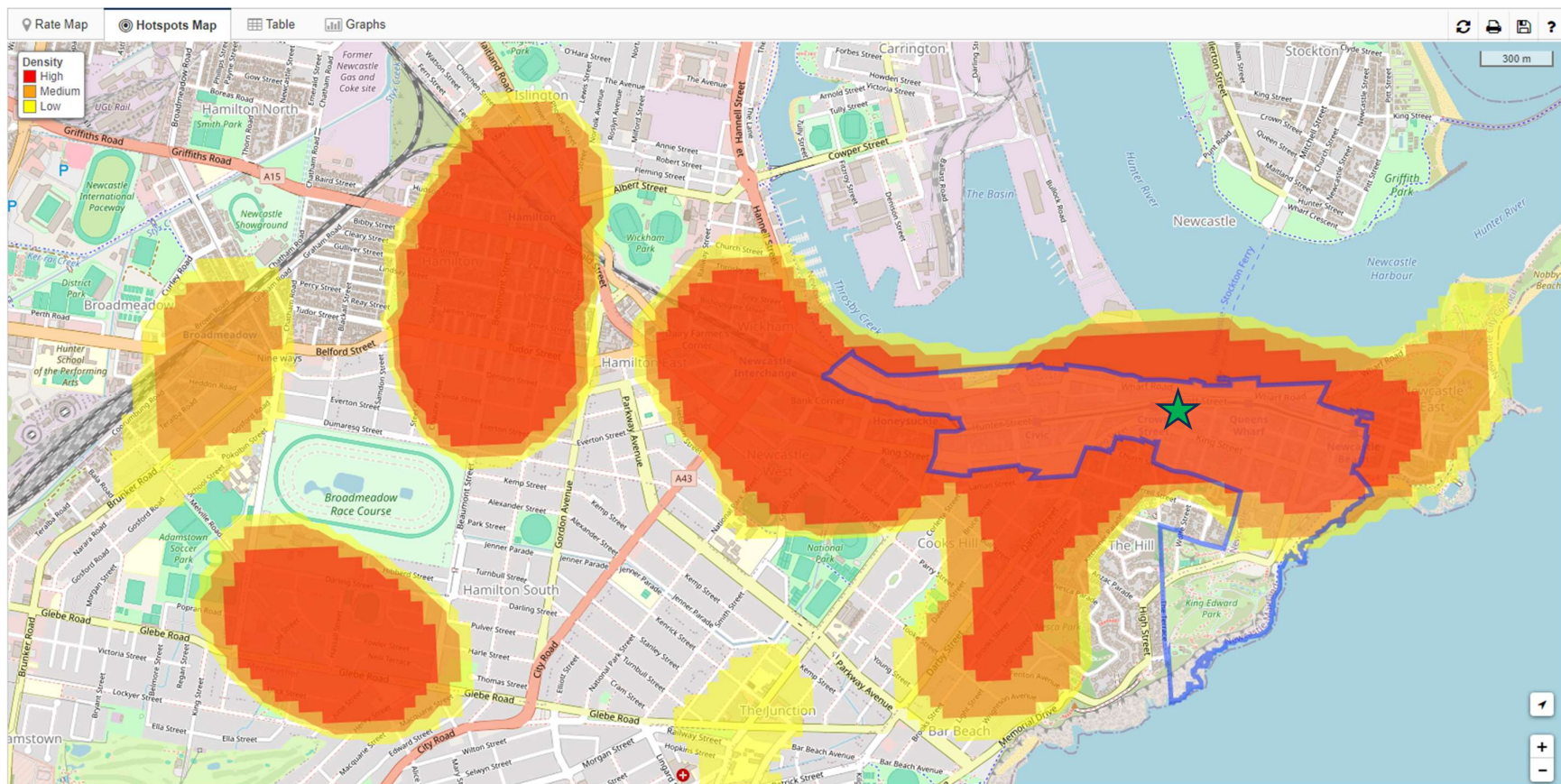
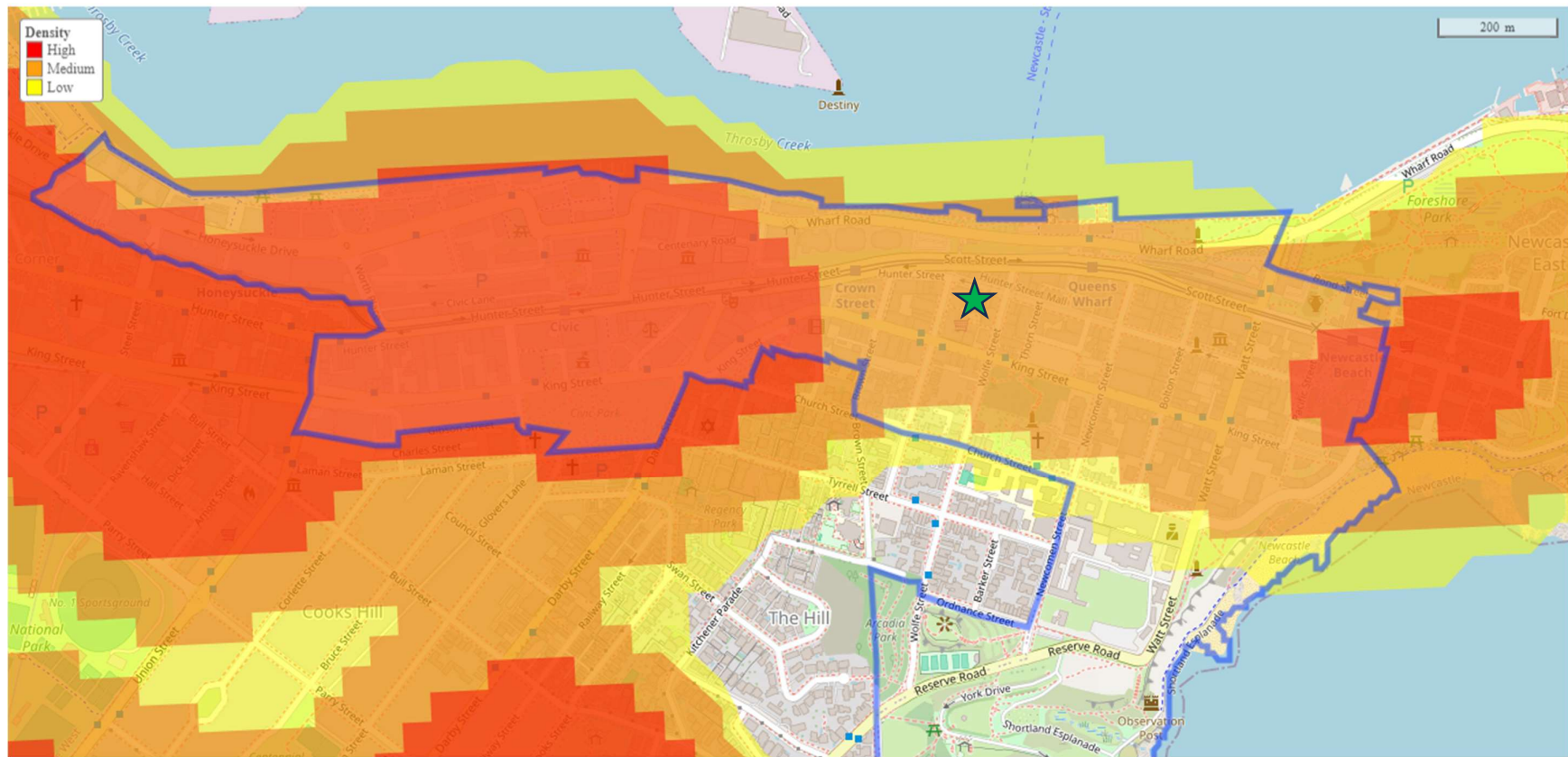


Figure 10-2: Assault (Non-Domestic) from Jan 2023 to Dec 2023, Newcastle Suburb (wider zoom), subject premises shown with star

Source: NSW BoCSAR, NSW Crime Tool, <http://crimetool.bocsar.nsw.gov.au/bocsar/>, accessed on 06/09/2024.

Assault Domestic



Source: NSW Bureau of Crime Statistics and Research

Figure 10-3: Assault (Domestic assault) from Jan 2023 to Dec 2023, Newcastle Suburb (CBD zoom), subject premises shown with star

Source: NSW BoCSAR, NSW Crime Tool, <http://crimetool.bocsar.nsw.gov.au/bocsar/>, accessed on 06/09/2024.

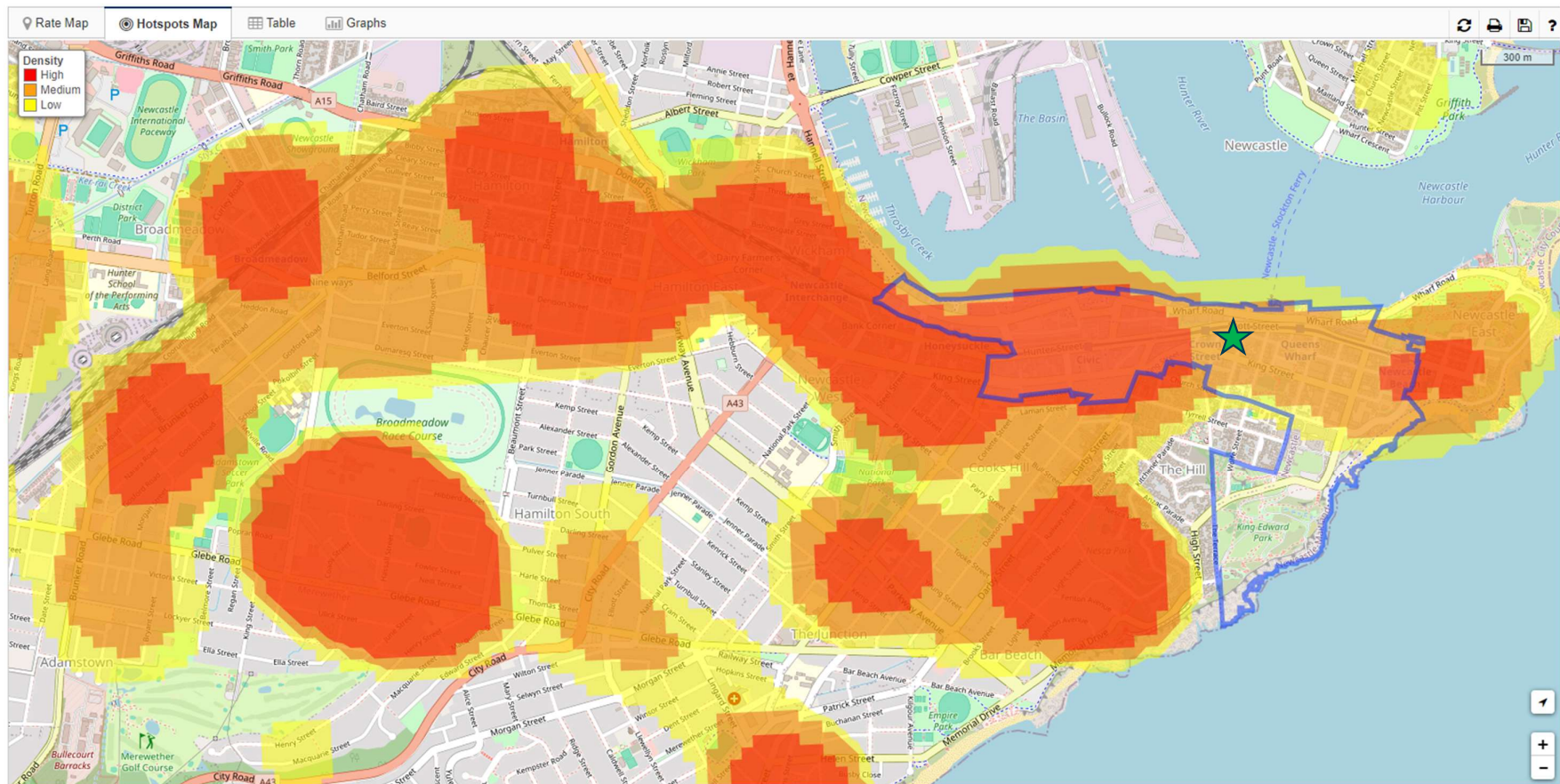
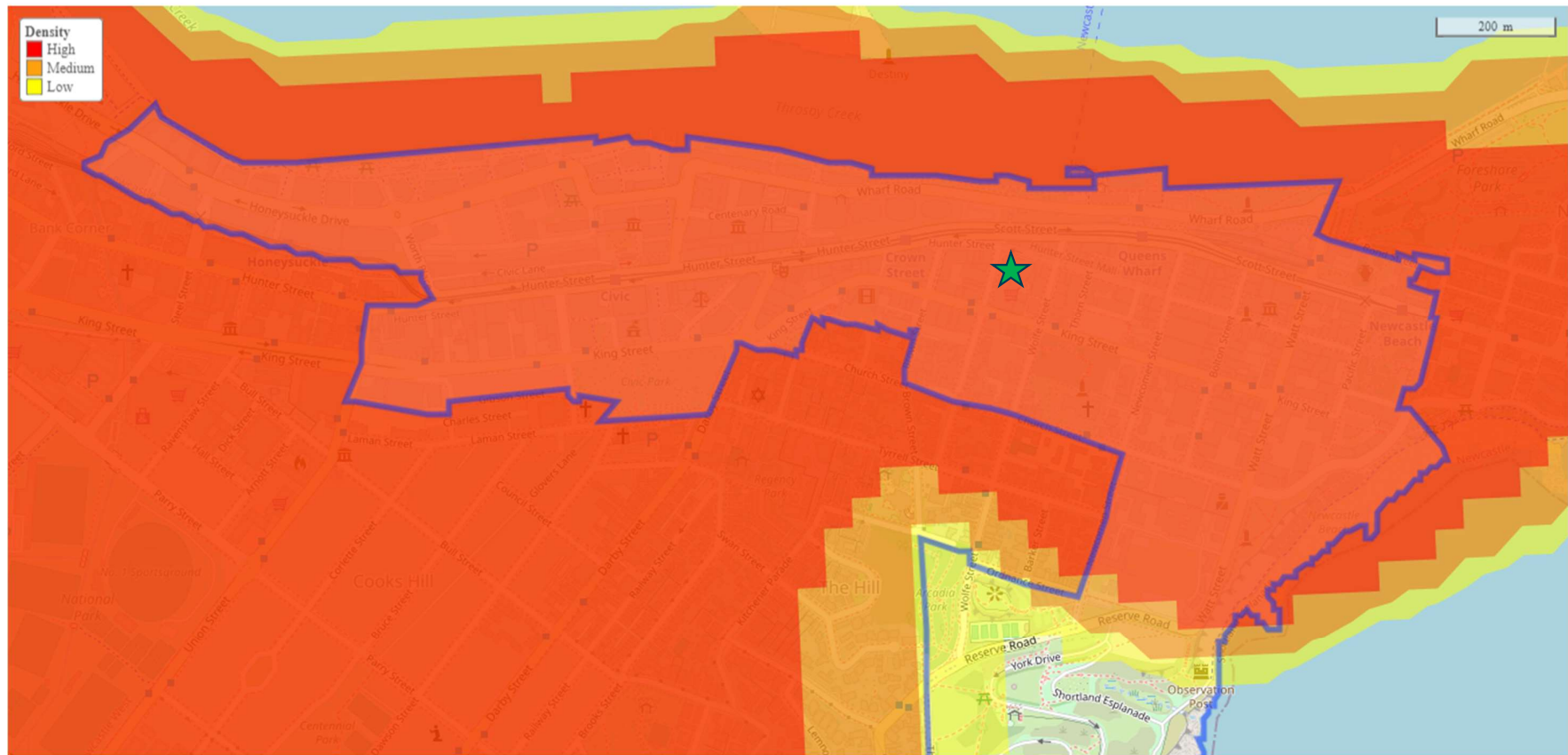


Figure 10-4: Assault (Domestic assault) from Jan 2023 to Dec 2023, Newcastle Suburb (wider zoom), subject premises shown with star

Source: NSW BoCSAR, NSW Crime Tool, <http://crimetool.bocsar.nsw.gov.au/bocsar/>, accessed on 06/09/2024.

Malicious Damage to Property



Source: NSW Bureau of Crime Statistics and Research

Figure 10-5: Malicious Damage to Property from Jan 2023 to Dec 2023, Newcastle Suburb (CBD zoom), subject premises shown with star

Source: NSW BoCSAR, NSW Crime Tool, <http://crimetool.bocsar.nsw.gov.au/bocsar/>, accessed on 06/09/2024.

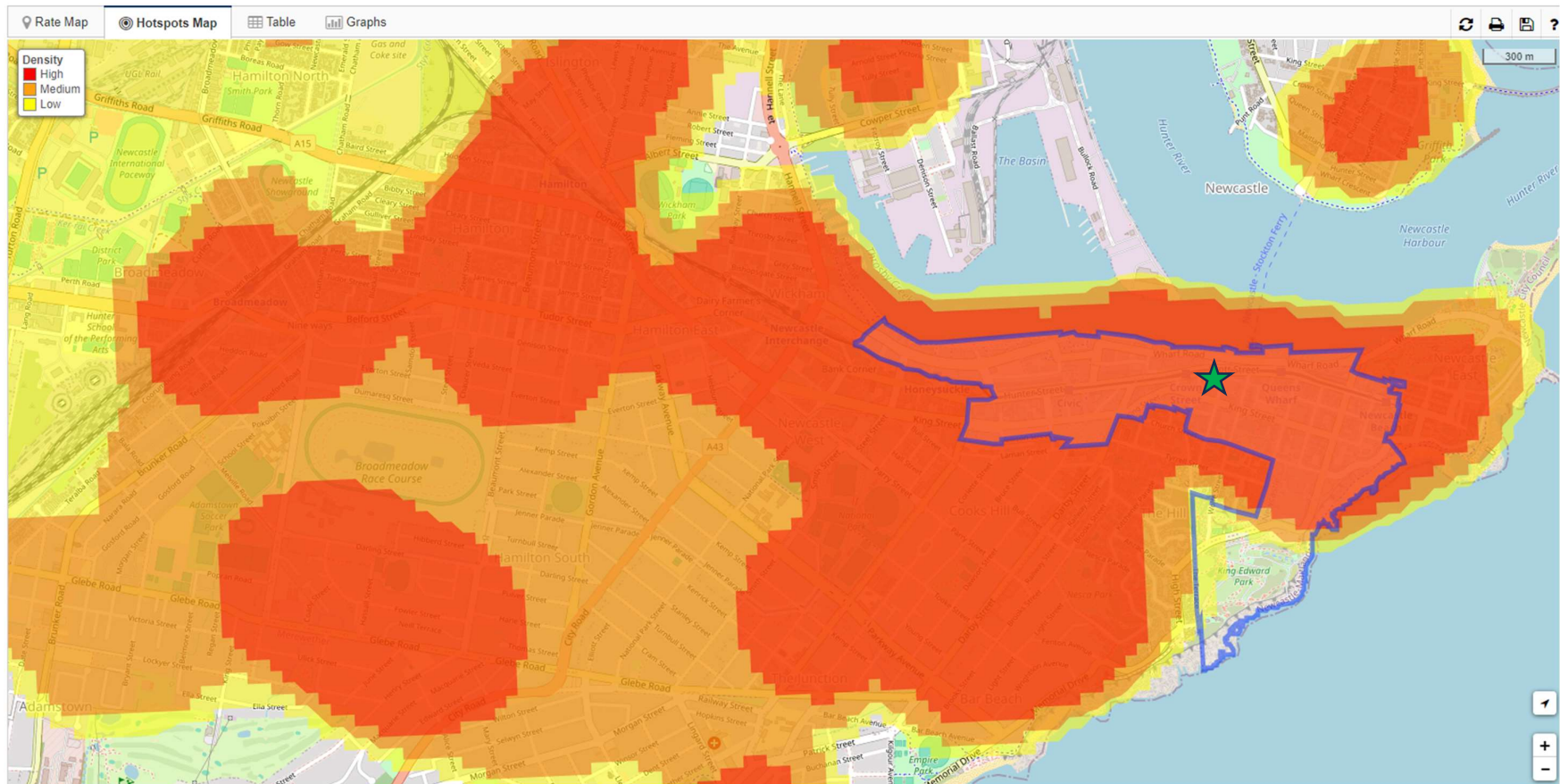


Figure 10-6: Incidents of Malicious Damage to Property from Jan 2023 to Dec 2023, Newcastle Suburb (wider zoom), subject premises shown with star

Source: NSW BoCSAR, NSW Crime Tool, <http://crimetool.bocsar.nsw.gov.au/bocsar/>, accessed on 06/09/2024

10.2 Longer Term Crime Trends

10.2.1 Overview

This section looks at longer-term trends in crimes most often associated with alcohol consumption. Data for the LGA and NSW have been analysed from the years 2000 to March 2024, the most recent date for which annual data is available.

For Newcastle Suburb, data has been analysed from 2013, which is as far back as published data is available from BOCSAR.

10.2.2 Assault – Non-Domestic

Rate of Assault – Non-Domestic for Newcastle suburb have consistently been far higher than the NSW average, ranging from 5 times the State average in 2021 to more than 12 times the NSW average in 2013, with an average of 5.3 times the NSW rate over the 12 year period.

The following graph shows the line of best fit, with a large and statistically significant downward trend over the period, and average decrease of 275.5 incidents of non-domestic assault per 100,000 people per annum, noting that data was only available from 2013, and the ‘lock out’ provisions came into force in 2008.

Interestingly, around half of the actual decrease in incidences for the LGA occurred in the Newcastle suburb.⁸²

Though too early to detect a trend, the slight upward trend from 2022 or so in the suburb (as well as the LGA and NSW) is also interesting.

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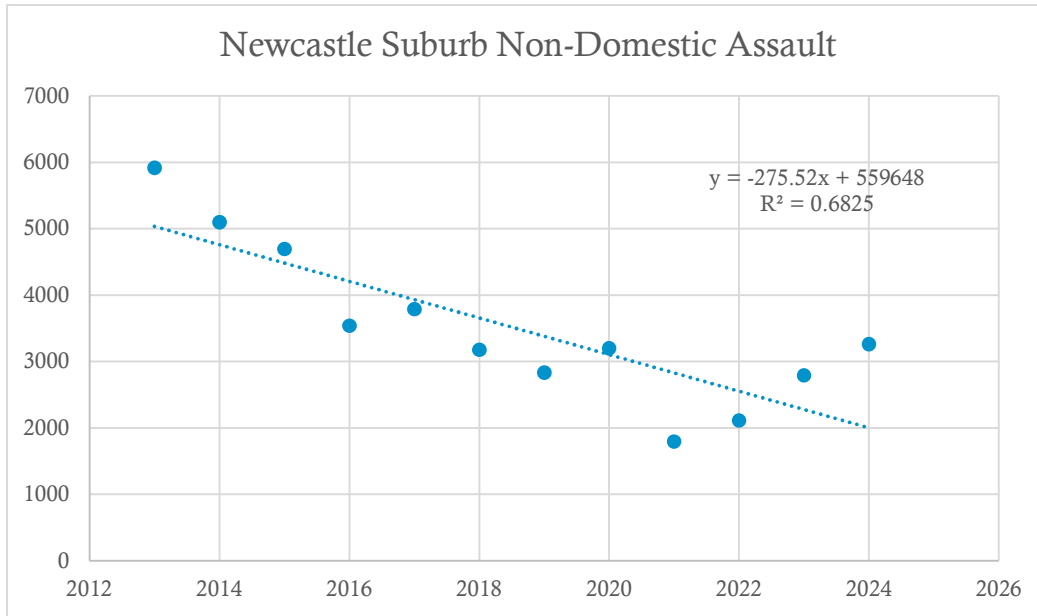


Figure 10.7: Change in Assault (Non domestic assault) over time – Newcastle suburb

Source: JSA 2024; BOCSAR.

The LGA rates were also higher than NSW, but by a much lower factor than for Newcastle suburb (on average, 1.6 times the NSW rate over the period). Rates in the LGA declined at around 22 incidents per 100,000 people from 2007 (the year before the ‘lock out’ laws came into force), which again was statistically significant with a high level of confidence. This trend is shown in the graph below.

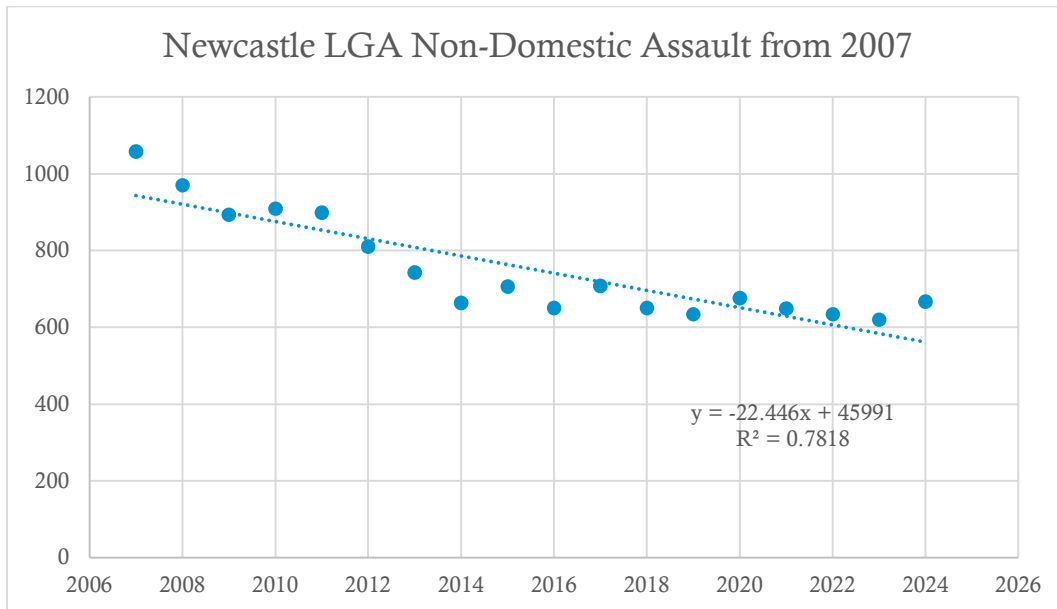


Figure 10.8: Change in Assault (Non domestic assault) over time – Newcastle LGA

Source: JSA 2024; BOCSAR.

Incidents per 100,000 people in the LGA declined at a greater rate than NSW as a whole (-22 per annum compared with -15 per annum in NSW), and at a dramatically higher rate in Newcastle suburb (-275.5 per annum), with the trend for NSW shown in the graph below.

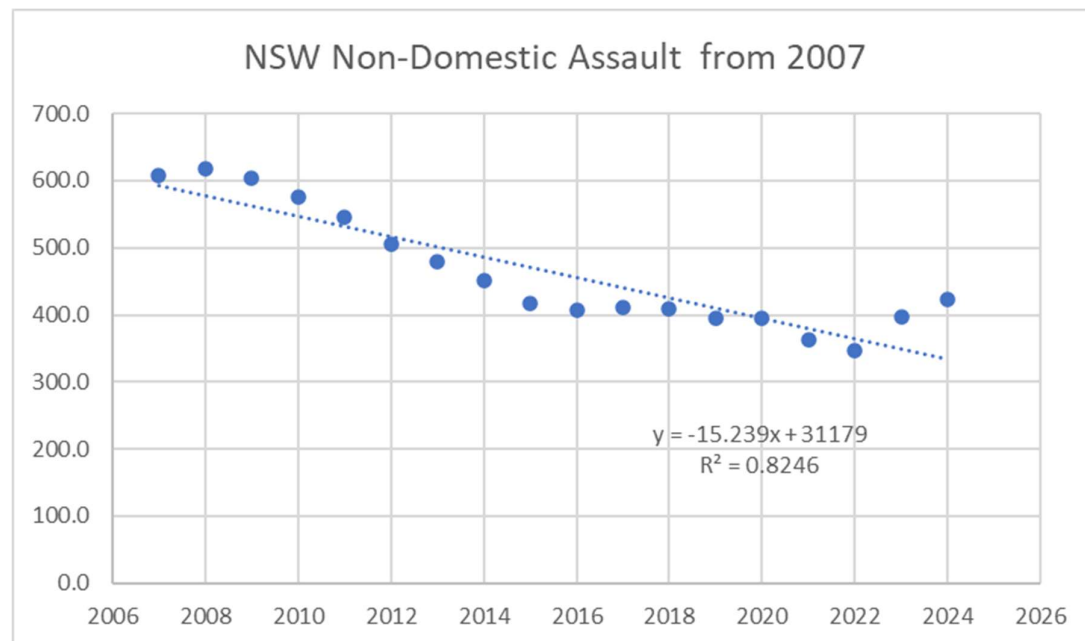


Figure 10.9: Change in Assault (Non domestic assault) over time – NSW

Source: JSA 2024; BOCSAR.

The following table shows this comparative analysis in more detail.

Table 10.2: Comparative assault (non domestic assault) rates over time

12 Months (April-March)	Non-Domestic Assault rate per 100,000 pop	X NSW Rate	Non-Domestic Assault rate per 100,000 pop	X NSW Rate	Non-Domestic Assault rate per 100,000 pop
	Newcastle Suburb	Newcastle suburb v. NSW	Newcastle LGA	Newcastle LGA v. NSW	NSW
2024	3263.3	7.7	666.9	1.6	423.0
2023	2793.6	7.0	619.7	1.6	396.7
2022	2116.8	6.1	634.1	1.8	346.5
2021	1796.4	5.0	648.9	1.8	362.9
2020	3200.3	8.1	676.5	1.7	395.9
2019	2833.7	7.2	634.1	1.6	394.8
2018	3179.4	7.8	650.3	1.6	409.9
2017	3787.9	9.2	707.3	1.7	410.2
2016	3542.3	8.7	650.1	1.6	406.2
2015	4694.6	11.2	705.9	1.7	417.3
2014	5095.7	11.3	663.6	1.5	452.00

12 Months (April-March)	Non-Domestic Assault rate per 100,000 pop	X NSW Rate	Non-Domestic Assault rate per 100,000 pop	X NSW Rate	Non-Domestic Assault rate per 100,000 pop
	Newcastle Suburb	Newcastle suburb v. NSW	Newcastle LGA	Newcastle LGA v. NSW	NSW
2013	5917.5	12.4	742.9	1.6	478.6
2012	n.c.	n.c.	810.1	1.6	505.6
2011	n.c.	n.c.	898.8	1.6	546.5
2010	n.c.	n.c.	909.1	1.6	576.6
2009	n.c.	n.c.	893.2	1.5	603.4
2008	n.c.	n.c.	969.6	1.6	617.5
2007	n.c.	n.c.	1058.1	1.7	608.5
2006	n.c.	n.c.	1020.6	1.7	617.6
2005	n.c.	n.c.	1050.9	1.8	599.4
2004	n.c.	n.c.	1113.8	1.8	614.8
2003	n.c.	n.c.	1192.4	1.8	655.6
2002	n.c.	n.c.	955.0	1.5	637.9
2001	n.c.	n.c.	903.5	1.5	603.7
2000	n.c.	n.c.	846.7	1.5	576.9

Source: BoCSAR.

10.2.3 Assault – Non-Domestic (Alcohol Related)

The difference between Newcastle suburb and NSW is even more stark for **Assault – Non-Domestic (Alcohol Related)**, with the suburb rate more than **15 times the NSW rate** in 2024, and double the NSW rate in the LGA.

The average difference between Newcastle suburb and NSW was even higher from 2013-24 (17 times the NSW rate), with an average of twice the NSW rate from 2007-24 for the LGA.

Table 10.3: Comparative assault (non domestic assault alcohol related) rates over time

12 Months (April- March)	Non-Domestic Assault Alcohol Related rate per 100,000 pop	X NSW Rate	Non-Domestic Assault Alcohol Related rate per 100,000 pop	X NSW Rate	Non-Domestic Assault Alcohol Related rate per 100,000 pop
	Newcastle Suburb	Newcastle suburb v. NSW	Newcastle LGA	Newcastle LGA v. NSW	NSW
2024	1384.4	15.1	194.7	2.1	91.7
2023	1755.3	17.3	204.0	2.0	101.4
2022	1227.2	14.1	196.5	2.3	87.3
2021	882.8	9.8	181.8	2.0	90.4
2020	1661.4	15.2	234.2	2.1	109.5
2019	1612.5	13.7	244.7	2.1	117.4
2018	1836.8	14.2	248.1	1.9	128.9
2017	2027.5	15.3	276.8	2.1	132.3

12 Months (April-March)	Non-Domestic Assault Alcohol Related rate per 100,000 pop	X NSW Rate	Non-Domestic Assault Alcohol Related rate per 100,000 pop	X NSW Rate	Non-Domestic Assault Alcohol Related rate per 100,000 pop
	Newcastle Suburb	Newcastle suburb v. NSW	Newcastle LGA	Newcastle LGA v. NSW	NSW
2016	2189.3	16.1	250.7	1.8	136.1
2015	3177.3	21.2	301.4	2.0	149.6
2014	3626.6	20.7	323.3	1.8	174.9
2013	4235.5	22.3	347.8	1.8	189.7
2012	n.c.	n.c.	421.8	2.1	204.5
2011	n.c.	n.c.	461.8	2.0	228.2
2010	n.c.	n.c.	454.9	1.8	255.1
2009	n.c.	n.c.	471.9	1.7	273.4
2008	n.c.	n.c.	525.3	1.9	280.2
2007	n.c.	n.c.	537.4	2.1	260.3
2006	n.c.	n.c.	526.4	2.1	256.3
2005	n.c.	n.c.	505.8	2.2	233.5
2004	n.c.	n.c.	498.2	2.4	206.3
2003	n.c.	n.c.	555.5	2.8	198.4
2002	n.c.	n.c.	340.9	2.2	154.5
2001	n.c.	n.c.	296.9	2.1	142.8
2000	n.c.	n.c.	251.3	1.8	140.3

Source: BoCSAR.

Again, Newcastle suburb, the LGA and NSW all showed statistically significant downward trends for the periods for which data were available, although again the suburb had a very high decline in the rate of incidents per 100,000 from 2013-24 (-244 incidence/100,000 on average per annum) compared with the LGA (-22 incidence/100,000 per annum) and NSW (-12 incidence/100,000 per annum). It is likely that the decline in the suburb would be even greater if data were available from 2007.

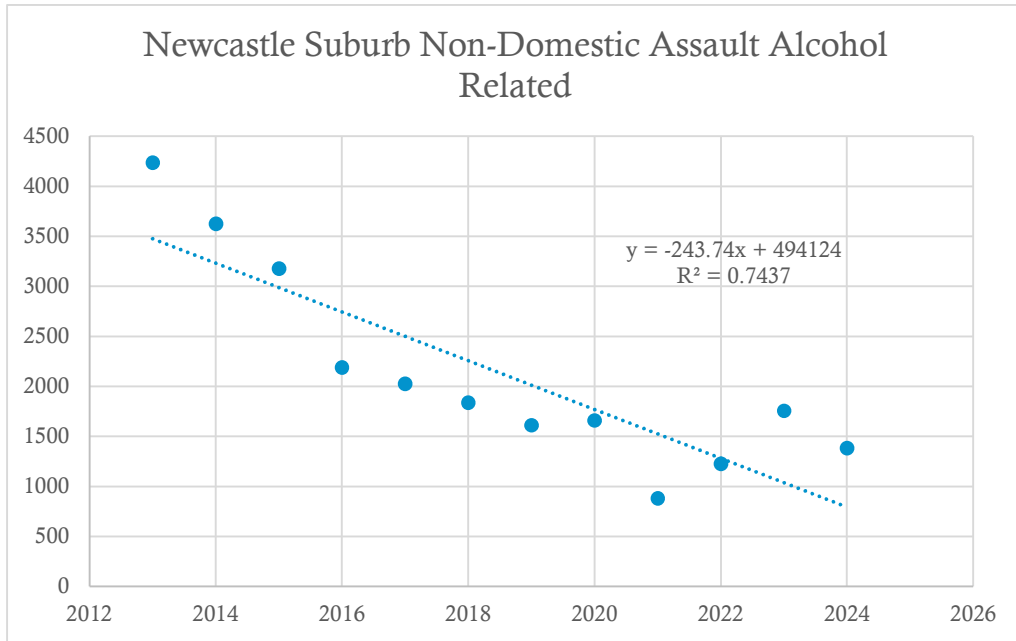


Figure 10.10: Change in Assault (Non domestic assault alcohol related) over time – Newcastle suburb

Source: JSA 2024; BOCSAR.

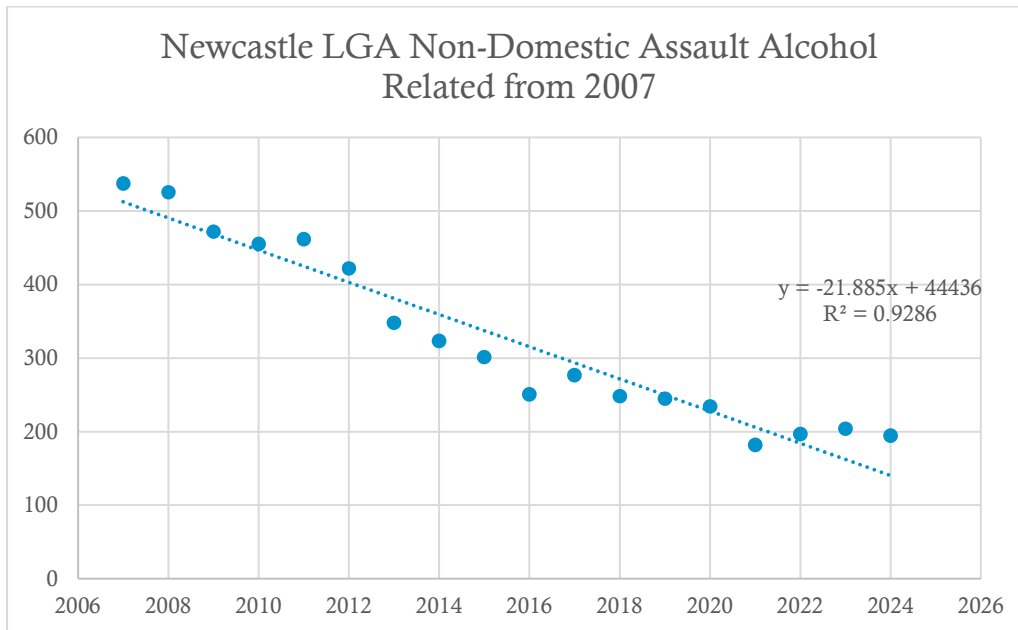


Figure 10.11: Change in Assault (Non domestic assault alcohol related) over time – Newcastle LGA

Source: JSA 2024; BOCSAR.

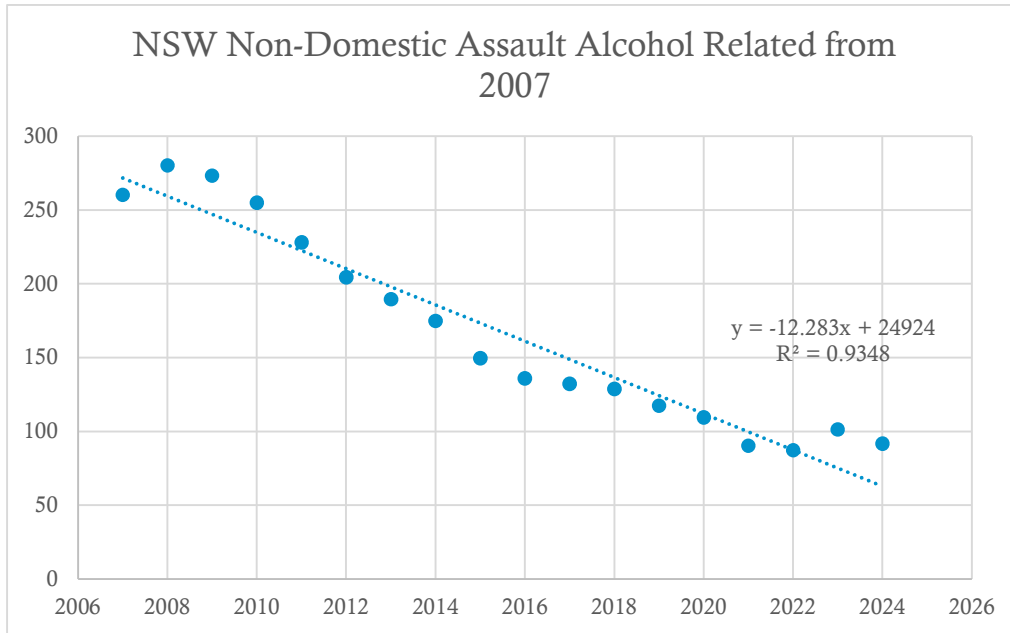


Figure 10.12: Change in Assault (Non domestic assault alcohol related) over time – NSW

Source: JSA 2024; BOCSAR.

It is also interesting to look at LGA trends in the years preceding the ‘lock out’ laws, with a steep increase in the number of incidents/100,000 from at least 2000 to 2007, and a significant decline in the years following this to the present. It is likely that the suburb would have also followed this trend, although from a much higher base over the period based on the trends discussed above.

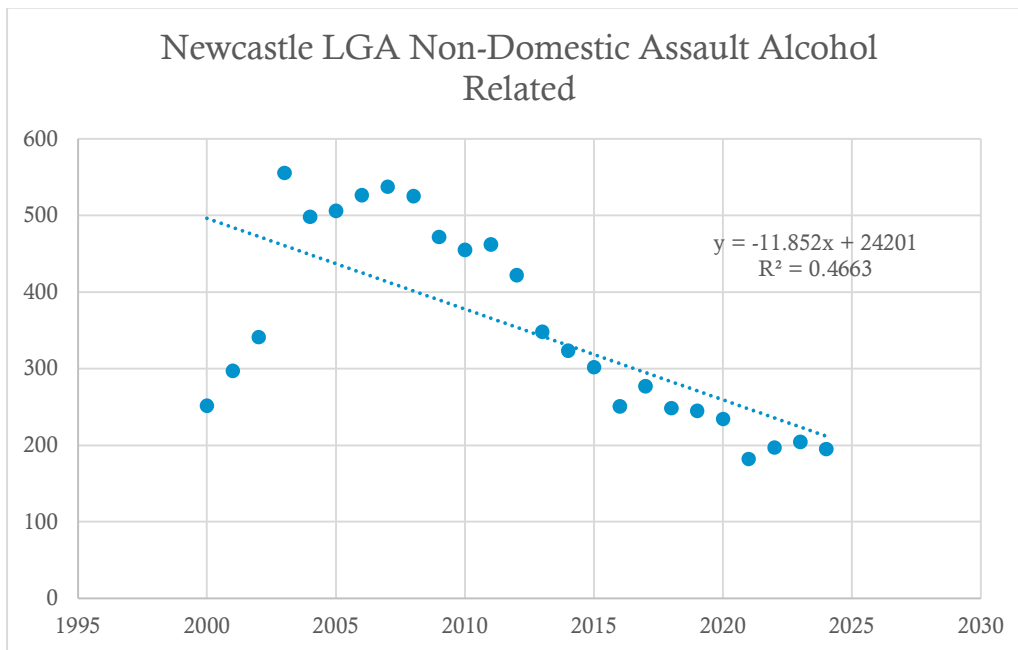


Figure 10.13: Change in Assault (Non domestic assault alcohol related) over time – Newcastle LGA

Source: JSA 2024; BOCSAR.

This steep upward trend to around 2008, and steep downward trend from 2008 to the present is also evident for NSW, which is likely to be strongly influenced by urban population centres, including Sydney and Newcastle.

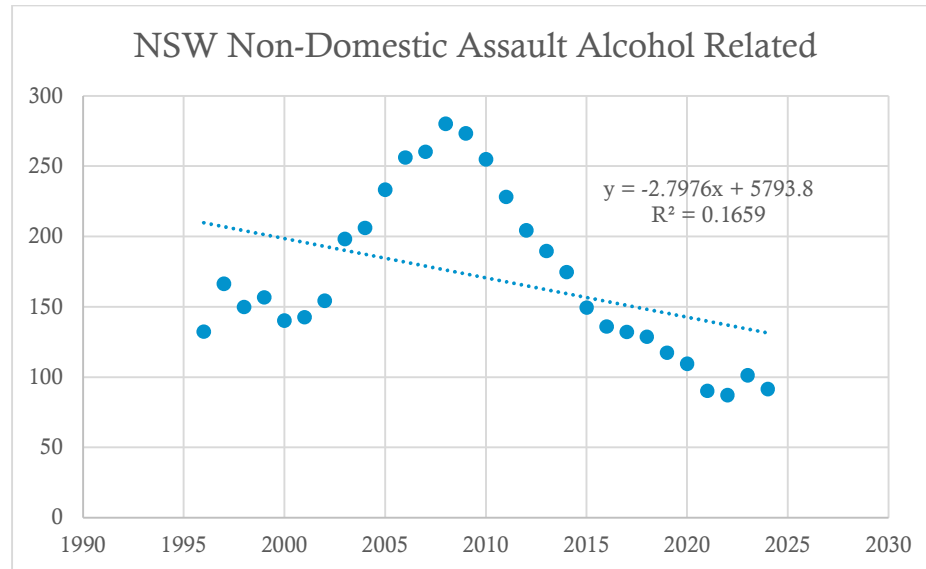


Figure 10.14: Change in Assault (Non domestic assault alcohol related) over time – NSW

Source: JSA 2024; BOCSAR.

10.2.4 Assault – Domestic Assault

Table 10.4: Comparative assault (domestic assault) rates over time

12 Months (April- March)	Domestic Assault rate per 100,000 pop	X NSW Rate	Domestic Assault rate per 100,000 pop	X NSW Rate	Domestic Assault rate per 100,000 pop
	Newcastle Suburb	Newcastle suburb v. NSW	Newcastle LGA	Newcastle LGA v. NSW	NSW
2024	568.6	1.3	447.7	1.0	447.1
2023	667.5	1.6	480.4	1.1	423.8
2022	537.7	1.3	438.7	1.1	398.6
2021	509.2	1.3	391.2	1.0	397.5
2020	712.8	1.8	406.5	1.0	391
2019	675.5	1.8	394.8	1.0	377.6
2018	524.6	1.5	390.0	1.1	359.2
2017	817.7	2.2	443.0	1.2	374.0
2016	348.2	0.9	421.3	1.1	383.4
2015	648.1	1.7	466.1	1.2	385.1
2014	637.4	1.6	412.5	1.1	387.1
2013	1137.3	3.0	481.7	1.3	381.7
2012	n.c.	n.c.	406.2	1.1	366.7
2011	n.c.	n.c.	380.8	1.0	369.9
2010	n.c.	n.c.	385.3	1.0	368.5
2009	n.c.	n.c.	447.1	1.2	373.1

12 Months (April- March)	Domestic Assault rate per 100,000 pop	X NSW Rate	Domestic Assault rate per 100,000 pop	X NSW Rate	Domestic Assault rate per 100,000 pop
	Newcastle Suburb	Newcastle suburb v. NSW	Newcastle LGA	Newcastle LGA v. NSW	NSW
2008	n.c.	n.c.	471.7	1.2	378.4
2007	n.c.	n.c.	519.1	1.3	389.8
2006	n.c.	n.c.	493.5	1.3	383.7
2005	n.c.	n.c.	479.5	1.3	383.5
2004	n.c.	n.c.	515.5	1.3	386.4
2003	n.c.	n.c.	547.0	1.4	393.4
2002	n.c.	n.c.	490.5	1.4	356.9
2001	n.c.	n.c.	436.8	1.3	326.1
2000	n.c.	n.c.	305.4	1.1	278.9

Source: BoCSAR.

Table 10.5: Comparative assault (domestic assault alcohol related) rates over time

12 months April- March	Domestic Assault Alcohol Related rate per 100,000 pop	X NSW Rate	Domestic Assault Alcohol Related rate per 100,000 pop	X NSW Rate	Domestic Assault Alcohol Related rate per 100,000 pop
	Newcastle Suburb	Newcastle suburb v. NSW	Newcastle LGA	Newcastle LGA v. NSW	NSW
2024	222.5	1.9	108.4	0.9	116.2
2023	321.4	2.7	134.7	1.1	118.3
2022	180.0	1.6	135.9	1.2	113.5
2021	188.7	1.7	102.3	0.9	113.3
2020	426.6	3.7	122.2	1.1	114.1
2019	257.5	2.3	115.6	1.0	114.0
2018	163.5	1.5	135.0	1.2	112.5
2017	272.6	2.4	136.5	1.2	112.8
2016	209.1	1.8	147.6	1.2	118.4
2015	361.1	2.9	154.7	1.2	125.4
2014	374.8	2.8	148.2	1.1	134.2
2013	511.7	3.6	176.7	1.3	141.0
2012	n.c.	n.c.	161.1	1.1	140.6
2011	n.c.	n.c.	168.7	1.1	149.3
2010	n.c.	n.c.	187.7	1.2	160.6
2009	n.c.	n.c.	229.2	1.4	169.4
2008	n.c.	n.c.	216.1	1.3	165.7
2007	n.c.	n.c.	221.5	1.4	163.8
2006	n.c.	n.c.	193.0	1.2	162.9
2005	n.c.	n.c.	199.1	1.3	148.6
2004	n.c.	n.c.	226.5	1.8	125.1
2003	n.c.	n.c.	224.4	2.1	107.3
2002	n.c.	n.c.	118.2	1.7	71.5
2001	n.c.	n.c.	89.5	1.4	63.4

12 months April-March	Domestic Assault Alcohol Related rate per 100,000 pop	X NSW Rate	Domestic Assault Alcohol Related rate per 100,000 pop	X NSW Rate	Domestic Assault Alcohol Related rate per 100,000 pop
	Newcastle Suburb	Newcastle suburb v. NSW	Newcastle LGA	Newcastle LGA v. NSW	NSW
2000	n.c.	n.c.	42.9	0.8	53.1

Source: BoCSAR.

10.2.5 Malicious Damage

Table 10.6: Comparative malicious damage rates over time

12 months April-March	Malicious Damage to Property rate per 100,000 pop	X NSW Rate	Malicious Damage to Property rate per 100,000 pop	X NSW Rate	Malicious Damage to Property rate per 100,000 pop
	Newcastle Suburb	Newcastle suburb v. NSW	Newcastle LGA	Newcastle LGA v. NSW	NSW
2024	3040.8	5.0	968.4	1.6	605.3
2023	2002.5	3.3	1006.8	1.7	601.1
2022	2505.0	4.2	1043.5	1.7	596.5
2021	2255.1	3.5	1125.0	1.7	651.3
2020	3503.4	5.0	1206.2	1.7	694.5
2019	3994.9	5.5	1221.3	1.7	726.2
2018	4598.8	6.0	1359.1	1.8	765.9
2017	3882.3	4.8	1361.4	1.7	802.2
2016	3446.6	4.1	1135.3	1.4	837.6
2015	3859.00	4.4	1194.1	1.3	885.9
2014	5565.2	5.5	1366.0	1.4	1005.9
2013	5095.5	4.6	1610.3	1.5	1102.4
2012	n.c.	n.c.	1942.8	1.6	1191.7
2011	n.c.	n.c.	2084.6	1.7	1261.6
2010	n.c.	n.c.	2185.2	1.6	1400.8
2009	n.c.	n.c.	2549.9	1.6	1562.0
2008	n.c.	n.c.	2295.8	1.5	1552.4
2007	n.c.	n.c.	2432.5	1.5	1625.3
2006	n.c.	n.c.	2176.8	1.4	1545.9
2005	n.c.	n.c.	2166.5	1.5	1452.1
2004	n.c.	n.c.	2113.5	1.5	1428.5
2003	n.c.	n.c.	2260.9	1.6	1434.5
2002	n.c.	n.c.	2255.9	1.5	1465.0
2001	n.c.	n.c.	2136.6	1.5	1442.1
2000	n.c.	n.c.	2176.8	1.5	1449.5

Source: BoCSAR.

11 Submissions

A total of 27 submissions were received from 24 people and organisations.

Of these submissions, 26 (96%) were opposed and one was neutral, with the latter pertaining to an administrative concern.

The overwhelming concern of objectors (23 submissions, 85%) related to adverse amenity impacts, and particularly an exacerbation of existing amenity impacts experienced by nearby residents. Amenity impacts raised included noise from patrons entering and exiting (the majority of amenity impacts), noise from gaming machines, drunken behaviour including fighting on exiting, and smoking.

Other concerns raised included:

Gambling (5 submissions, 19%);

Safety (4 submissions, 15%);

Character, traffic and alcohol (1-2 submission reporting each).

12 Amenity Impacts

12.1 Overview

Based on submissions, there are amenity impacts associated with the existing operation of the premises. These typically relate to noise impacts both from operation and from patrons arriving and leaving; noise impacts from fights and passive smoking from fumes from the venue. The applicant has proposed mitigations to address these impacts including the recommendations contained in the noise report and the plan of management.

12.2 The Applicant's noise report

The applicants noise report⁸³ finds that 'Provided that the recommendations in Section 7 of this report are adopted, noise emissions to all nearby development will be compliant with the noise emission guidelines.'

While deferring to other experts in this area, the following are noted:

- There is no assessment against the criterion '*After midnight, noise emissions from the Place of Public Entertainment are to be inaudible within any habitable rooms in nearby residential properties.*'
- No background noise measurements were conducted within the laneway and plaza providing access to the Lyrique bar, with background noise measurements made at the Hunter Street frontage.
- No assessment has been made of the noise impacts of patrons entering and leaving the venue.
- There is no consideration of a sleep disturbance criterion.

12.3 The Applicants Plan of Management

The applicant's Plan of Management⁸⁴ provides for the employment of a security guard for the whole development from 8 pm until 30 minutes after closing with additional security guards on Fridays and Saturdays to ensure there is one guard for each 100 patrons (or part thereof). One of the security guard's duties is to:

'Monitor patron behaviour in, and in the vicinity of, the Hotel until all patrons have left that area, taking all practical steps to ensure the quiet and orderly departure of patrons.'

Using a methodology adopted from health and safety, in terms of the hierarchy of controls, this is an administrative control, and is the second lowest level of control in terms of effectiveness. The

⁸³ Acoustic Logic 185 Hunter Street, East End, QT Newcastle Building B, Lyrique Bar Noise Assessment

⁸⁴ East End Stage 1 Hotel Plan of Management In accordance with Approved Hotel Development DA 2019/01150 Revision: Modification – 27 November 2023

control relies on people modifying their behaviour, including to the extent to which a security guard can get people to modify their behaviour.

13 Appendix A: Selected Demographic Data

13.1 Age

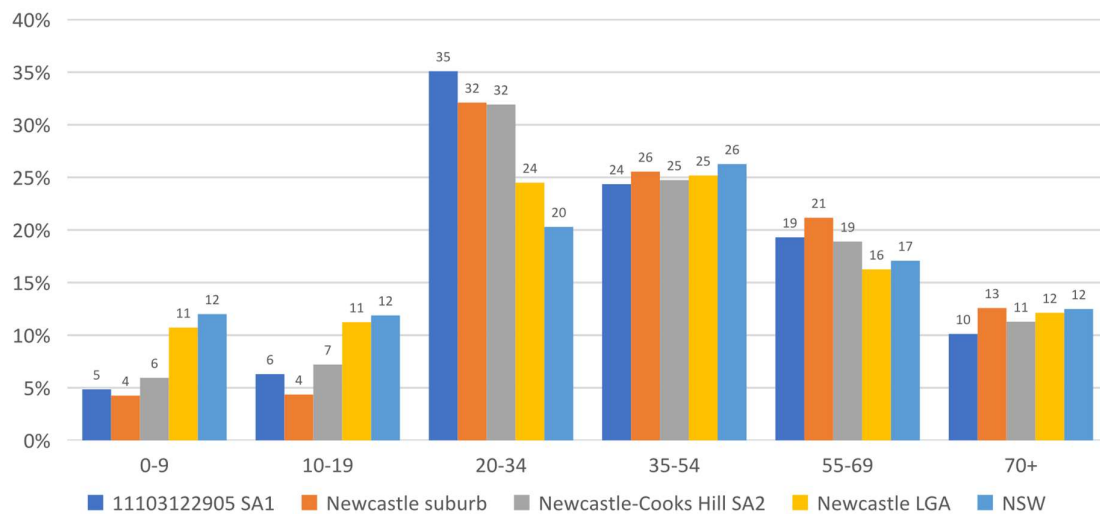


Figure 13.1: Age of persons, 2021 (%)

Source: JSA 2024; ABS (2021) Census, General Community Profile, G04.

13.2 Household type

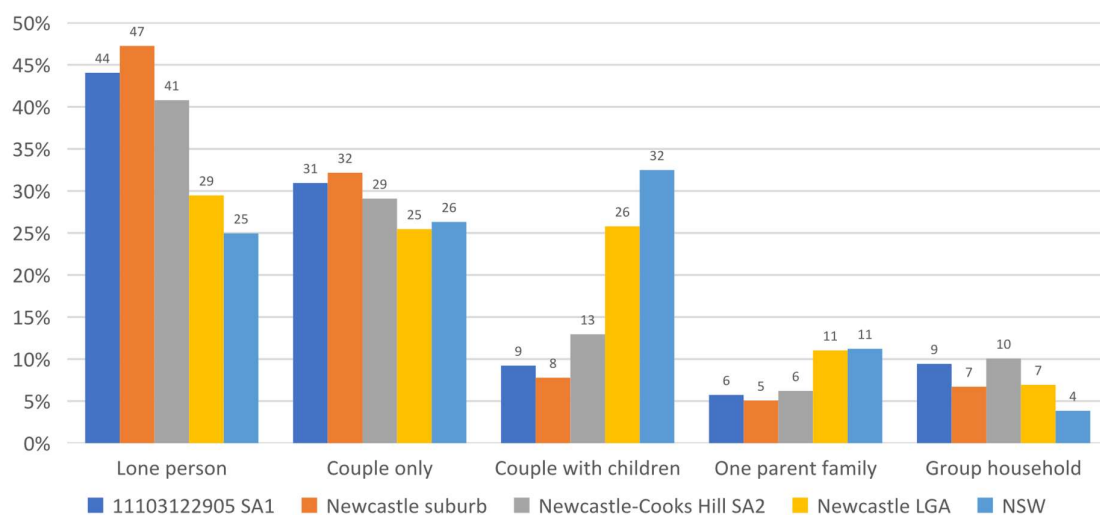


Figure 13.2: Household type of households in private dwellings, 2021 (%)

Source: JSA 2024; ABS (2021) Census, General Community Profile, G42.

13.3 Household income

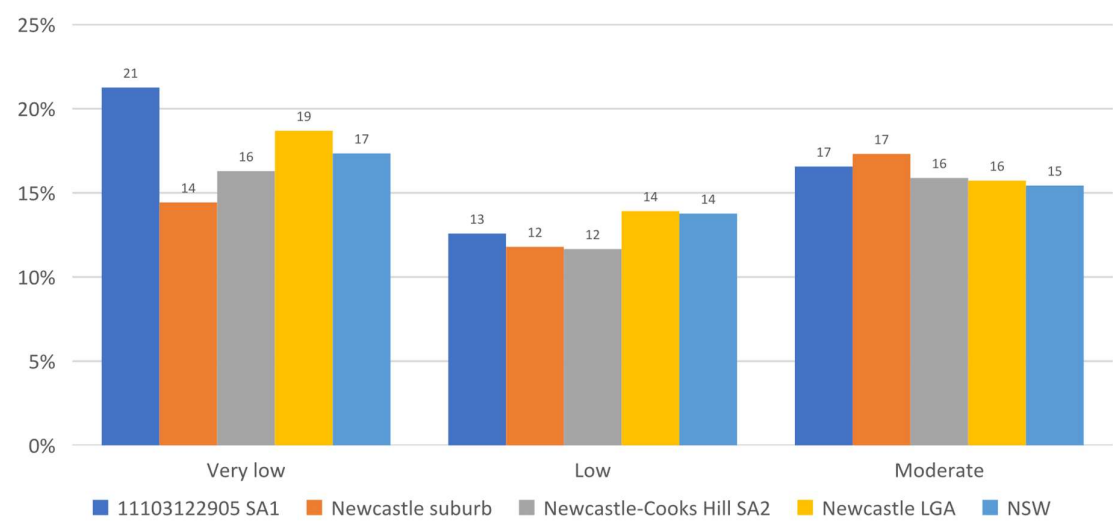


Figure 13.3: Income band of households in private dwellings, 2021 (%)
Source: JSA 2024; ABS (2021) Census, TableBuilder Pro, counting dwellings, place of enumeration, by Total Household Income (weekly).

13.4 Labour force status

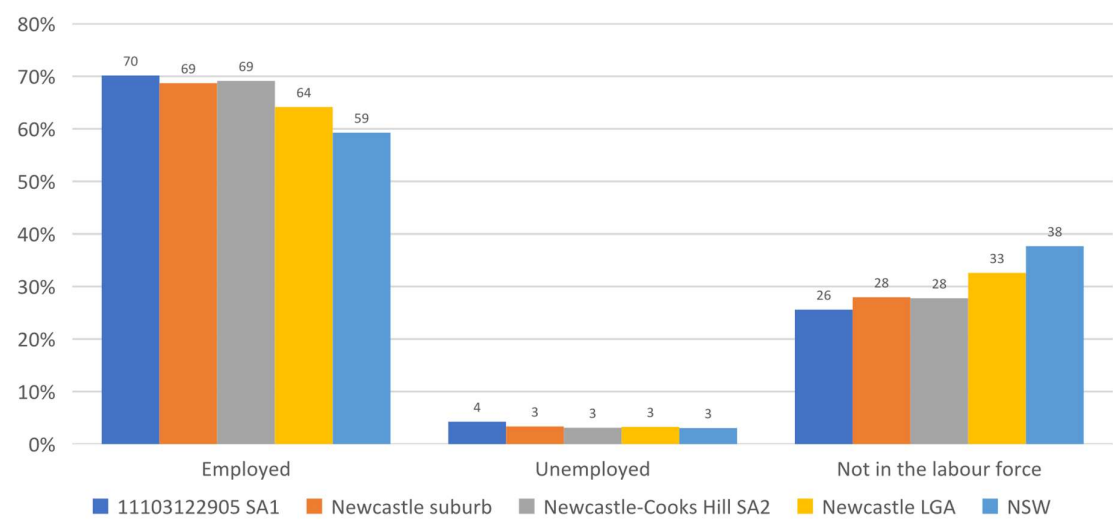


Figure 13.4: Labour force status of persons, 2021 (%)
Source: JSA 2024; ABS (2021) Census, General Community Profile, G46.

13.5 Occupation

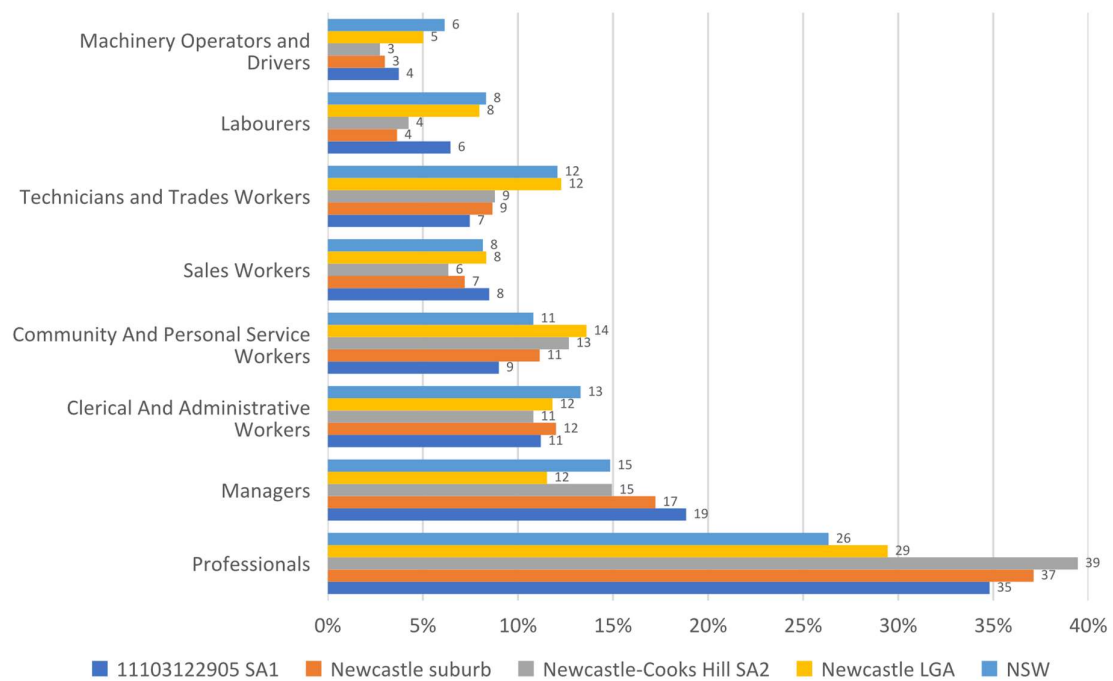


Figure 13.5: Occupation of persons, 2021 (%)

Source: JSA 2024; ABS (2021) Census, General Community Profile, G60.

13.6 Industry

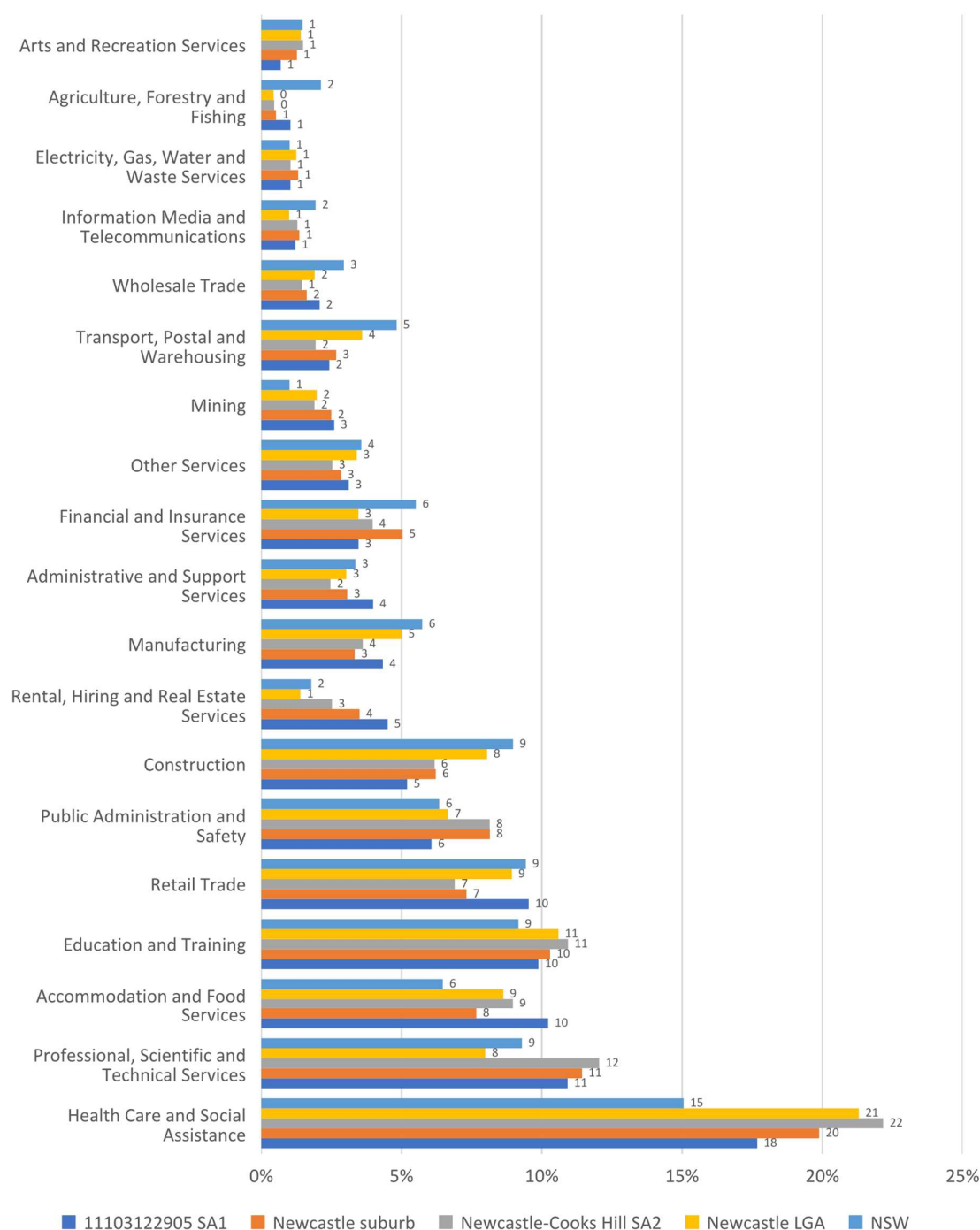


Figure 13.6: Industry of occupation of persons, 2021 (%)

Source: JSA 2024; ABS (2021) Census, General Community Profile, G54.

13.7 Tenure and landlord type

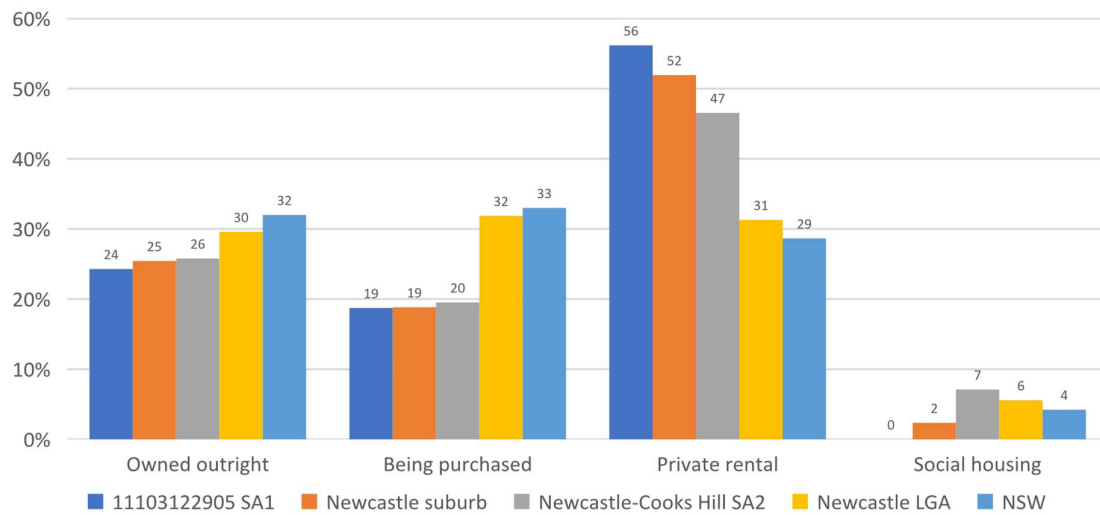


Figure 13.7: Tenure and landlord type of households in private dwellings, 2021 (%)

Source: JSA 2024; ABS (2021) Census, General Community Profile, G37.

13.8 Dwelling structure

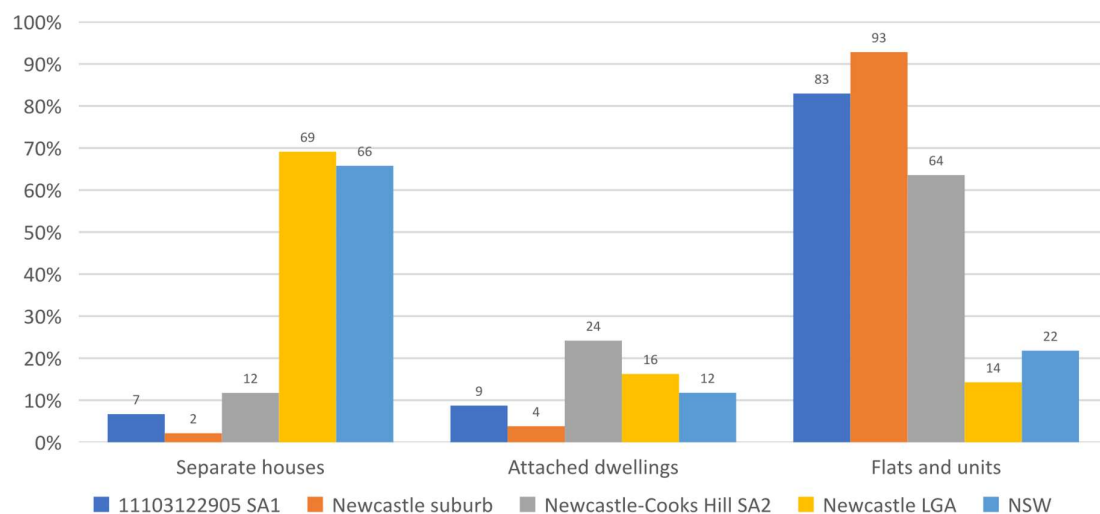


Figure 13.8: Dwelling structure of occupied private dwellings, 2021 (%)

Source: JSA 2024; ABS (2021) Census, General Community Profile, G36.

14 Appendix B: Liquor Licenses within Newcastle Suburb

Table 14.1: Licensed Premises List for the Newcastle suburb (as at 1 July, 2024)

Licence number	Licence type	Trading Status	Licence name	Address	Extended trading	Reduced trading	Right to keep gaming machines	Trading hrs unrestricted	Trading hrs to 12am	Trading hrs to 3am	Trading hrs to 5am	EGMs (#)
Club												
LIQC300241238	Liquor - club licence	Trading	United Service Club Ltd	55-57 Watt St	No	No	Yes	Yes	Yes	Yes	Yes	0
LIQC300240827	Liquor - club licence	Trading	Newcastle Club Limited	40 Newcomen St	No	Yes	Yes	Yes	Yes	Yes	Yes	0
Hotel												
LIQH440019036	Liquor - hotel licence	Trading	Hideout on the Harbour	UNIT 1 11 HONEYSUCKLE DR	No	Yes	No	No	No	No	No	0
LIQH440019028	Liquor - hotel licence	Trading	QT Hotel East End	185 Hunter Street	No	Yes	Yes	No	No	No	No	10
LIQH440018940	Liquor - hotel licence	Trading	The Ship Inn Newcastle	102 Hunter St	No	Yes	No	No	No	No	No	0
LIQH440018913	Liquor - hotel licence	Trading	Charlie's Rooftop	529 Hunter St	No	Yes	No	No	No	No	No	0
LIQH440010046	Liquor - hotel licence	Trading	Bar Petite	Shop 5 5 King St	No	Yes	No	No	No	No	No	0
LIQH400117256	Liquor - hotel licence	Trading	Clarendon Hotel	347 Hunter St	Yes	No	Yes	No	Yes	Yes	No	15
LIQH400118090	Liquor - hotel licence	Temporarily Ceased Trading	Hope @ Honeysuckle	3C HONEYSUCKLE DR	No	No	Yes	No	No	No	No	0

Licence number	Licence type	Trading Status	Licence name	Address	Extended trading	Reduced trading	Right to keep gaming machines	Trading hrs unrestricted	Trading hrs to 12am	Trading hrs to 3am	Trading hrs to 5am	EGMs (#)
LIQH400118147	Liquor - hotel licence	Trading	Queens Wharf Brewery Hotel	150 Wharf Rd	Yes	Yes	Yes	No	Yes	Yes	No	15
LIQH400117515	Liquor - hotel licence	Trading	Rydges Newcastle	Wharf Rd	Yes	Yes	Yes	No	Yes	Yes	Yes	0
LIQH400117450	Liquor - hotel licence	Trading	Honeysuckle Hotel Lee Wharf	Building C Lee Wharf Rd	No	Yes	Yes	No	No	No	No	9
LIQH400117922	Liquor - hotel licence	Trading	Customs House Hotel	1 Bond St	Yes	Yes	Yes	No	Yes	Yes	No	0
LIQH400117914	Liquor - hotel licence	Trading	The Lucky Hotel Newcastle	1C Crown St	Yes	Yes	Yes	No	Yes	Yes	No	17
LIQH400118163	Liquor - hotel licence	Trading	M J Finnegans	21-23 Darby St	Yes	Yes	Yes	No	Yes	No	No	15
LIQH400117574	Liquor - hotel licence	Trading	Grand Hotel	Church & Bolton Sts	Yes	Yes	Yes	No	Yes	Yes	No	0
LIQH400117140	Liquor - hotel licence	Trading	Wine Centre Tavern	Lot 3 Wright Lane	Yes	No	Yes	No	Yes	Yes	Yes	0
LIQH400117590	Liquor - hotel licence	Trading	Great Northern Hotel	89 Scott St	Yes	Yes	Yes	No	Yes	Yes	No	14
LIQH400117418	Liquor - hotel licence	Suspended	Crown & Anchor Hotel	189 Hunter St	Yes	Yes	Yes	No	Yes	Yes	No	9

Licence number	Licence type	Trading Status	Licence name	Address	Extended trading	Reduced trading	Right to keep gaming machines	Trading hrs unrestricted	Trading hrs to 12am	Trading hrs to 3am	Trading hrs to 5am	EGMs (#)
LIQH400117108	Liquor - hotel licence	Trading	Argyle House	311 Wharf Rd	Yes	Yes	Yes	No	Yes	Yes	No	1
On-premises												
LIQO660037783	Liquor - on-premises licence	Trading	Little National Hotel Newcastle	42 HONEYSUCKLE DR	No	Yes	No	No	No	No	No	0
LIQO660037777	Liquor - on-premises licence	Trading	menya makoto	SHOP 1 301 HUNTER ST	No	Yes	No	No	No	No	No	0
LIQO660037679	Liquor - on-premises licence	Trading	Flame On	365 HUNTER ST,	No	Yes	No	No	No	No	No	0
LIQO660037583	Liquor - on-premises licence	Trading	Liquid Gold Beach Cafe	UNIT 102 61 SHORTLAND ESP	No	Yes	No	No	No	No	No	0
LIQO660037531	Liquor - on-premises licence	Trading	Blanca Honeysuckle	UNIT 2 11 HONEYSUCKLE DR	No	Yes	No	No	No	No	No	0
LIQO660037362	Liquor - on-premises licence	Trading	Thermidor	SHOP 1 7 HONEYSUCKLE DR	No	Yes	No	No	No	No	No	0
LIQO660037281	Liquor - on-premises licence	Trading	291 On King St PTY LTD	291 KING ST	No	Yes	No	No	No	No	No	0
LIQO660036468	Liquor - on-premises licence	Trading	The Press Book and Coffee House	462 HUNTER ST	No	No	No	No	No	No	No	0
LIQO660036319	Liquor - on-premises licence	Trading	Bangkok on Darby	1 9 DARBY ST	No	Yes	No	No	No	No	No	0

Licence number	Licence type	Trading Status	Licence name	Address	Extended trading	Reduced trading	Right to keep gaming machines	Trading hrs unrestricted	Trading hrs to 12am	Trading hrs to 3am	Trading hrs to 5am	EGMs (#)
LIQO660036304	Liquor - on-premises licence	Trading	One Penny Black	196 HUNTER ST	No	Yes	No	No	No	No	No	0
LIQO660036270	Liquor - on-premises licence	Trading	Betty's Burgers & Concrete Co. Newcastle	Shop R20 / 5 Perkins Street	No	Yes	No	No	No	No	No	0
LIQO660036115	Liquor - on-premises licence	Suspended	Chiefly East	UNIT 7 175-181 KING ST	No	Yes	No	No	No	No	No	0
LIQO660036061	Liquor - on-premises licence	Trading	Oh My Papa	Shop R14/185 Hunter Street	No	Yes	No	No	No	No	No	0
LIQO660035997	Liquor - on-premises licence	Trading	Kingsley	282 King Street	Yes	No	No	No	Yes	Yes	Yes	0
LIQO660035946	Liquor - on-premises licence	Trading	The Icon Thai	UNIT 2 15 HONEYSUCKLE DR	No	Yes	No	No	No	No	No	0
LIQO660035212	Liquor - on-premises licence	Trading	The Newcastle Signal Box	150 Scott Street	No	Yes	No	No	No	No	No	0
LIQO660035205	Liquor - on-premises licence	Trading	Humbug Newcastle	87-89 Hunter Street	No	Yes	No	No	No	No	No	0
LIQO660035010	Liquor - on-premises licence	Trading	GB Espresso	40 King Street	No	Yes	No	No	No	No	No	0
LIQO660034963	Liquor - on-premises licence	Suspended	Milky Lane Newcastle	13 Darby St	No	Yes	No	No	No	No	No	0

Licence number	Licence type	Trading Status	Licence name	Address	Extended trading	Reduced trading	Right to keep gaming machines	Trading hrs unrestricted	Trading hrs to 12am	Trading hrs to 3am	Trading hrs to 5am	EGMs (#)
LIQO660034870	Liquor - on-premises licence	Trading	MEET Restaurant	9 Darby St	No	Yes	No	No	No	No	No	0
LIQO660034752	Liquor - on-premises licence	Trading	The Humble Thai	27 King St	No	Yes	No	No	No	No	No	0
LIQO660034691	Liquor - on-premises licence	Trading	The Station Newcastle NSW	Corner Of Scott And Watt Street	No	Yes	No	No	No	No	No	0
LIQO660034427	Liquor - on-premises licence	Trading	The Kingfish	U 19 15-17 Honeysuckle Dr	No	Yes	No	No	No	No	No	0
LIQO660034209	Liquor - on-premises licence	Trading	Terminus Apartment Hotel	111 Scott St	No	Yes	No	No	No	No	No	0
LIQO660033997	Liquor - on-premises licence	Trading	Zaffran Indian Restaurant & Takeaway	226 King Street	No	Yes	No	No	No	No	No	0
LIQO660033924	Liquor - on-premises licence	Trading	Susuru Ramen & Gyoza Restaurant	Ground Floor 140 King Street	No	Yes	No	No	No	No	No	0
LIQO660033735	Liquor - on-premises licence	Trading	Café Watt	Level 3 6 23 Watt Street	No	Yes	No	No	No	No	No	0
LIQO660033495	Liquor - on-premises licence	Trading	Arno Deli	U 5 175-181 King St	No	Yes	No	No	No	No	No	0
LIQO660033482	Liquor - on-premises licence	Trading	Neighbours on Market St	L 3 2 Market St	No	Yes	No	No	No	No	No	0

Licence number	Licence type	Trading Status	Licence name	Address	Extended trading	Reduced trading	Right to keep gaming machines	Trading hrs unrestricted	Trading hrs to 12am	Trading hrs to 3am	Trading hrs to 5am	EGMs (#)
LIQO660033343	Liquor - on-premises licence	Trading	Rascals	266 King St	No	Yes	No	No	No	No	No	0
LIQO660033280	Liquor - on-premises licence	Trading	NEWY BURGER CO.	451 Hunter St	No	Yes	No	No	No	No	No	0
LIQO660033135	Liquor - on-premises licence	Trading	The Beehive Honeysuckle	Lot 3 15 Honeysuckle Drive	No	Yes	No	No	No	No	No	0
LIQO660033018	Liquor - on-premises licence	Trading	Bolton Street Pantry	45 Bolton St	No	Yes	No	No	No	No	No	0
LIQO660032688	Liquor - on-premises licence	Suspended	CIMS ON HUNTER	231 Hunter St	No	Yes	No	No	No	No	No	0
LIQO660032442	Liquor - on-premises licence	Trading	SUSHI CASTLE	15-17 Honeysuckle Dr	No	No	No	No	No	No	No	0
LIQO660032220	Liquor - on-premises licence	Trading	FogHorn Brewhouse Restaurant	218 King St	No	Yes	No	No	No	No	No	0
LIQO660031865	Liquor - on-premises licence	Trading	Napoli Centrale	169-173 King St	No	Yes	No	No	No	No	No	0
LIQO660031859	Liquor - on-premises licence	Trading	GINGER MEG'S	212 King St	No	Yes	No	No	No	No	No	0
LIQO660031575	Liquor - on-premises licence	Trading	Ground Floor Cafe	103 Hunter St	No	Yes	No	No	No	No	No	0

Licence number	Licence type	Trading Status	Licence name	Address	Extended trading	Reduced trading	Right to keep gaming machines	Trading hrs unrestricted	Trading hrs to 12am	Trading hrs to 3am	Trading hrs to 5am	EGMs (#)
LIQO660031515	Liquor - on-premises licence	Suspended	The Residency Collaborative Kitchen	43 Bolton St	No	Yes	No	No	No	No	No	0
LIQO660031511	Liquor - on-premises licence	Trading	Ka-fey cafe	146 Hunter St	No	Yes	No	No	No	No	No	0
LIQO660031366	Liquor - on-premises licence	Trading	Light Years Newcastle	5-7 Darby St	No	Yes	No	No	No	No	No	0
LIQO660031123	Liquor - on-premises licence	Trading	NOVA Cruises Pty Ltd	Lee Wharf Pontoon Honeysuckle Dr	No	Yes	No	No	No	No	No	0
LIQO660030914	Liquor - on-premises licence	Trading	Momo Wholefood	227 Hunter St	No	Yes	No	No	No	No	No	0
LIQO660030888	Liquor - on-premises licence	Trading	Newcastle Museum	6 Workshop Way	No	Yes	No	No	No	No	No	0
LIQO660030864	Liquor - on-premises licence	Trading	Maniax Newcastle	188 King St	No	Yes	No	No	No	No	No	0
LIQO660030811	Liquor - on-premises licence	Trading	Lock's Paddock	16 Watt St	No	Yes	No	No	No	No	No	0
LIQO660011461	Liquor - on-premises licence	Trading	HARBOUR PIER PTY LTD	Shop 3 335 Wharf Rd	No	Yes	No	No	No	No	No	0
LIQO660011449	Liquor - on-premises licence	Trading	Rustica Newcastle Beach	The Royal Newcastle Shop 2 Shortland Esp	No	Yes	No	No	No	No	No	0

Licence number	Licence type	Trading Status	Licence name	Address	Extended trading	Reduced trading	Right to keep gaming machines	Trading hrs unrestricted	Trading hrs to 12am	Trading hrs to 3am	Trading hrs to 5am	EGMs (#)
LIQO660011254	Liquor - on-premises licence	Trading	Ravella Newcastle	48 Watt St	No	Yes	No	No	No	No	No	0
LIQO660011127	Liquor - on-premises licence	Trading	East End Hub	3 3 King St	No	Yes	No	No	No	No	No	0
LIQO660010972	Liquor - on-premises licence	Trading	Novotel Newcastle Beach	5 King St	No	Yes	No	No	No	No	No	0
LIQO660010941	Liquor - on-premises licence	Trading	Newcastle Surf Life Saving Club	Shortland Esplanade	No	Yes	No	No	No	No	No	0
LIQO660010728	Liquor - on-premises licence	Suspended	Sprocket Roasters	68 Hunter St	No	Yes	No	No	No	No	No	0
LIQO660010462	Liquor - on-premises licence	Trading	Bread & Water	14 Pacific St	No	Yes	No	No	No	No	No	0
LIQO660010259	Liquor - on-premises licence	Trading	Chifley on the Wharf	14 Honeysuckle Dr	No	Yes	No	No	No	No	No	0
LIQO624015335	Liquor - on-premises licence	Trading	Paymaster's Cafe	18 Bond St	No	Yes	No	No	No	No	No	0
LIQO624014811	Liquor - on-premises licence	Trading	Larnna Thai	Shop 1, 1 Honeysuckle Dr	No	Yes	No	No	No	No	No	0
LIQO624014707	Liquor - on-premises licence	Trading	Bartholomews	141-147 King St	No	No	No	No	No	No	No	0

Licence number	Licence type	Trading Status	Licence name	Address	Extended trading	Reduced trading	Right to keep gaming machines	Trading hrs unrestricted	Trading hrs to 12am	Trading hrs to 3am	Trading hrs to 5am	EGMs (#)
LIQO624014091	Liquor - on-premises licence	Trading	Newcastle City Hall	290 King St	Yes	No	No	No	Yes	Yes	No	0
LIQO624013754	Liquor - on-premises licence	Suspended	Hope Estate at the Landing	1 Honeysuckle Dr	No	Yes	No	No	No	No	No	0
LIQO624013170	Liquor - on-premises licence	Trading	Ape Yakitori Bar	The Boardwalk, N3, Honeysuckle Dr	No	Yes	No	No	No	No	No	0
LIQO624013033	Liquor - on-premises licence	Trading	Nagisa Japanese Restaurant	N2, 1 Honeysuckle Dr	No	Yes	No	No	No	No	No	0
LIQO624013034	Liquor - on-premises licence	Trading	Harbour Bar & Grill	The Boardwalk, Lots 17 & 18 1-3 Honeysuckle St	No	No	No	No	No	No	No	0
LIQO624012930	Liquor - on-premises licence	Trading	Moneypenny Newcastle	1(e) 19 Workshop Way	No	Yes	No	No	No	No	No	0
LIQO624012824	Liquor - on-premises licence	Trading	Casa- nova Honeysuckle	E1, 1 Honeysuckle Dr	No	Yes	No	No	No	No	No	0
LIQO624009901	Liquor - on-premises licence	Trading	CorEat	3/35 Hunter St	No	Yes	No	No	No	No	No	0
LIQO624008683	Liquor - on-premises licence	Trading	MV Moonshadow V	Moored at Nelson Bay &	No	Yes	No	No	No	No	No	0

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				Newcastle Harbour								
LIQO624008613	Liquor - on-premises licence	Trading	Moor Newcastle East	33 Hunter St	No	Yes	No	No	No	No	No	0
LIQO624007729	Liquor - on-premises licence	Trading	Scratchley's on the Wharf Restaurant	200 Wharf Rd	No	Yes	No	No	No	No	No	0
LIQO624005755	Liquor - on-premises licence	Trading	PUNJAB PAVILION INDIAN RESTAURANT	265 Hunter St	No	Yes	No	No	No	No	No	0
LIQO624005179	Liquor - on-premises licence	Trading	Civic Theatre	375 Hunter St	Yes	Yes	No	No	Yes	No	No	0
LIQO624002865	Liquor - on-premises licence	Trading	The Falcon Restaurant	10 Pacific St	No	Yes	No	No	No	No	No	0
LIQO624002674	Liquor - on-premises licence	Trading	Bocados Spanish Kitchen	25 King St	No	Yes	No	No	No	No	No	0
LIQO600492355	Liquor - on-premises licence	Trading	Hao Chi by Lee's Yum Cha	326 King St	Yes	Yes	No	No	Yes	No	No	0
LIQO600672567	Liquor - on-premises licence	Trading	The Dockyard	N1, 1 Honeysuckle Dr	No	Yes	No	No	No	No	No	0
Packaged liquor												
LIQP770018092	Liquor - packaged liquor licence	Trading	Australian Wine Selectors	Lavel 1 1 WRIGHT LANE	No	Yes	No	No	No	No	No	0

Licence number	Licence type	Trading Status	Licence name	Address	Extended trading	Reduced trading	Right to keep gaming machines	Trading hrs unrestricted	Trading hrs to 12am	Trading hrs to 3am	Trading hrs to 5am	EGMs (#)
LIQP770010127	Liquor - packaged liquor licence	Temporarily Ceased Trading	Ice Box Liquor	1 Merewether St	No	Yes	No	No	No	No	No	0
LIQP770010108	Liquor - packaged liquor licence	Trading	Solitaire Australia	14 Perkins St	No	Yes	No	No	No	No	No	0
LIQP724014905	Liquor - packaged liquor licence	Trading	Cellarbrations at Newcastle	516 Hunter St	No	Yes	No	No	No	No	No	0
LIQP700357061	Liquor - packaged liquor licence	Trading	Artisanal Cellars Newcastle	Tenancy R.17 Hunter Street	No	No	No	No	No	No	No	0
LIQP700357088	Liquor - packaged liquor licence	Trading	BWS - Beer Wine Spirits	55 Hunter St	No	No	No	No	No	No	No	0
Small Bar												
LIQS220000304	Liquor - small bar licence	Trading	Granddad Jacks Newcastle	515 HUNTER ST	No	Yes	No	No	No	No	No	0
LIQS220000301	Liquor - small bar licence	Trading	Roxanne Cocktail Bar	73 HUNTER ST	No	No	No	No	No	No	No	0
LIQS220000186	Liquor - small bar licence	Trading	Members Only	313-315 HUNTER ST	No	Yes	No	No	No	No	No	0

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LIQS220000133	Liquor - small bar licence	Trading	Blue Kahunas	U 3 146 Hunter St	No	Yes	No	No	Yes	No	No	0
LIQS220000081	Liquor - small bar licence	Trading	Uptowns Bar	Level 1 6 23 Watt Street	Yes	Yes	No	No	Yes	No	No	0
LIQS220000039	Liquor - small bar licence	Trading	Market St Basement	L 1 2 Market St	Yes	Yes	No	No	No	No	No	0
LIQS220000017	Liquor - small bar licence	Trading	Coal & Cedar	U 2 380-382 Hunter St	Yes	Yes	No	No	Yes	No	No	0
LIQS220000012	Liquor - small bar licence	Trading	Castle del Mar	31 King St	No	Yes	No	No	No	No	No	0

Source: NSW Government Creative Industries, Tourism, Hospitality & Sport Licensed Premises List as at 1/7/2024.