

Cumulative Impact Assessment — Sydney CBD Entertainment and Kings Cross Precincts



1. Introduction

- 1.1. On 30 April 2021, the NSW Government lifted the temporary liquor licence freeze in the Sydney CBD Entertainment and Kings Cross precincts (the Precincts) formerly under Division 1A of Part 4 of the *Liquor Act 2007* (the Act) as part of reforms to support Sydney's 24-hour economy.
- 1.2. To replace the freeze, the Government established a new, evidence-based framework to manage the concentration of licensed premises in the Precincts, which is contained in Division 5 of Part 4 of the Act.
- 1.3. The Independent Liquor & Gaming Authority (the Authority) has issued this Cumulative Impact Assessment (the Assessment) under the new framework.
- 1.4. Cumulative impacts include the shared impact, both positive and negative, that results from the clustering of licensed premises.
- 1.5. Large numbers of licensed premises in a local area may see an increase in crime and disorder, antisocial behaviour and the demand on services in a local community. There can also be positive impacts, such as greater choice of local options, a more appealing neighbourhood, increased employment and more business opportunities.
- 1.6. In issuing this Assessment, the Authority has reviewed and considered information on the number of licensed premises in the Precincts and their impacts, as well as the opinions of stakeholders.
- 1.7. Based on the evidence, this Assessment assigns four geographical areas in the Precincts as 'Cumulative Impact Areas'. These are areas where additional measures need to be considered before certain licence types, authorisations and approvals can be granted as they could have a negative overall social impact on the well-being of the local or broader community.
- 1.8. Designated Cumulative Impact Areas (see Chart 1) include:
 - Area 1 – South CBD
 - Area 2 – Darlinghurst/Oxford Street
 - Area 3 – Wynyard Station and surrounds
 - Area 4 – Kings Cross
- 1.9. Licensed businesses located in Cumulative Impact Areas, or people wanting to apply for a licence in these areas, should read this document to understand the additional factors that will be considered for a licence or extended trading authorisation to be approved for hotels, registered clubs, nightclubs, strip clubs, karaoke bars, or packaged liquor outlets. This also applies where patron capacity increases are sought for these types of businesses.
- 1.10. This approach aims to ensure that the risk of alcohol-related harm continues to be carefully managed in both Precincts, given they continue to have high concentrations of licensed premises and risks of alcohol-related problems have persisted in some locations.
- 1.11. This Assessment was undertaken in April 2021 and remains in place unless withdrawn by the Authority.

2. What licence applications are affected by this Assessment?

2.1. This Assessment applies to applications set out in Table 1 below if the premises are located within one of the four Cumulative Impact Areas shown in Chart 1 on page 5.

Table 1: Relevant licence types and affected applications in Cumulative Impact Areas

Licence types (relevant licences)	Affected applications in Cumulative Impact Areas
<ul style="list-style-type: none"> • A hotel licence <ul style="list-style-type: none"> – Except where the licence is used for operating a tourist accommodation establishment, as defined under clause 3 of the Liquor Regulation 2018 • A registered club licence <ul style="list-style-type: none"> – Except where the licence is used for operating a tourist accommodation establishment, as defined under clause 3 of the Liquor Regulation 2018 • An on-premises licence that relates to a public entertainment venue such as a nightclub, or a late-trading karaoke bar or strip club¹ <ul style="list-style-type: none"> – Except where the licence is for a cinema, theatre, or an excluded live music and entertainment venue as defined under clause 123A(2) of the Liquor Regulation 2018 • A packaged liquor licence 	<ul style="list-style-type: none"> • An application for a relevant liquor licence. • An application to remove a relevant licence to another premises in a Cumulative Impact Area. • An application relating to a relevant licence to permanently extend trading hours after the end of the standard trading period², including: <ul style="list-style-type: none"> – an application for an extended trading authorisation for a relevant licence, or – an application to vary or revoke a licence condition for a relevant licence that would have this effect. • An application relating to a relevant licence that would permanently increase the licensed area or number of persons who might be present in the licensed area, including: <ul style="list-style-type: none"> – an application to change the licensed boundaries that would increase the floor space of the licensed area so that more patrons can be admitted, or – an application to vary or revoke a licence condition for a relevant licence that would have this effect.

22. The Authority must consider this Assessment when making determinations on the affected applications in Cumulative Impact Areas.

23. The Assessment does not apply to licences not listed in Table 1 above, including applications for:

- On-premises licences for:
 - Restaurants and cafés
 - Accommodation premises
 - Cinemas and theatres
 - Music halls, concert halls, dance halls or other spaces used primarily for the purpose of live music, live performances or creative or other cultural uses
- Small bar licences
- Producer/wholesaler licences
- Hotel and club licences used for tourist accommodation establishments (see definition under clause 3 of the Liquor Regulation 2018)

2.4 These exclusions are intended to support more diversity in the range of premises in Cumulative Impact Areas, particularly premises that are lower risk or that strongly contribute to the local live music industry, or arts, tourism, community and/or cultural sectors. Applications for these types of licences in Cumulative Impact Areas are subject to standard licensing and consultation processes, and this Assessment does not apply.

2.5 This approach is consistent with the objects of the *Liquor Act 2007*, and related changes on 30 April 2021 to emphasise that licensing decision-makers must consider the need to support employment and other opportunities in the live music industry, and the arts, tourism, community and cultural sectors.

1. Includes entertainment venues that are karaoke bars or strip clubs that trade beyond the standard closing times specified in section 12 of the *Liquor Act 2007*.
 2. The standard trading period is specified under section 12 of the *Liquor Act 2007*.

3. Why is the Cumulative Impact Assessment necessary?

- 3.1 The Sydney CBD Entertainment and Kings Cross precincts continue to have the highest concentrations of licensed premises in NSW. While improvements in safety have been observed across these areas over the years, and alcohol-related assaults have reduced overall, it is important that measures are put in place to ensure that there is not a return to historical levels of violence seen in these areas.
- 3.2. Research has shown high concentrations of higher-risk licensed premises are associated with higher rates of alcohol-related harm (see Annexure A of ILGA Guideline 6 at liquorandgaming.nsw.gov.au). Extending late-night trading hours, as well as increasing the patron capacity or scale of existing premises, can also heighten the risk of significant negative social impacts in locations where there are clusters of premises.
- 3.3. To help manage related risks in the Precincts, certain special conditions apply for many venues, including a 3.30am last drinks time and 'Round the Clock' incident registers.
- 3.4. With the lifting of the licence freeze, there is a need for the Authority to also take a balanced approach as part of the licensing application process to manage risks specific to the Precincts. This is particularly important for locations inside the Precincts with high concentrations of licensed premises, where evidence also shows negative social impacts – including higher levels of alcohol-related violence and/or anti-social behaviour.
- 3.5. This Assessment will assist with the ongoing management of areas in the Precincts that are hotspots for alcohol-related harm and ensure that higher risk areas are carefully managed and reviewed on an ongoing basis.

4. The Cumulative Impact Assessment Framework

- 4.1. Cumulative impacts, both positive and negative, may arise because of the clustering of licensed premises.
- 4.2. In some areas, relevant evidence reviewed from time to time may suggest that the type or number of licensed premises is having a negative social impact on the local or broader community,

particularly where there are high concentrations of licensed premises and high levels of alcohol-related violence and/or anti-social behaviour.

- 4.3. In such areas, the addition of further higher impact licensed premises, or late-night trading or increased patron capacity for these premises, can add to pre-existing problems.
- 4.4. The Authority, when making decisions on applications, is required under the Act to consider the need to minimise harm associated with misuse and abuse of liquor – including harm arising from violence and other anti-social behaviour.
- 4.5. In determining higher risk applications, the Authority must not grant new licences or extended trading authorisations unless satisfied the overall social impact will not be detrimental to the well-being of the local or broader community.
- 4.6. If the Authority considers the granting of certain licences and extended trading authorisations in a particular geographical location is likely to conflict with this social impact duty, it can specify this area as a 'Cumulative Impact Area'³.
- 4.7. The Authority is also able to specify other types of approvals in these Areas that it considers are likely to have an overall social impact that is detrimental to the well-being of the local or broader community.
- 4.8. The Authority publishes related information in a Cumulative Impact Assessment so that the community understands:
 - the location of Cumulative Impact Areas
 - the reasons why these Areas have been established, including the key evidence relied upon, and
 - specific factors the Authority may consider when determining licensing applications in these areas.
- 4.9. This provides more certainty for industry, community and government by providing clear and transparent guidelines for how any issues will be managed. It also provides clarity to potential applicants around the suitability of their proposed venue in either Precinct.

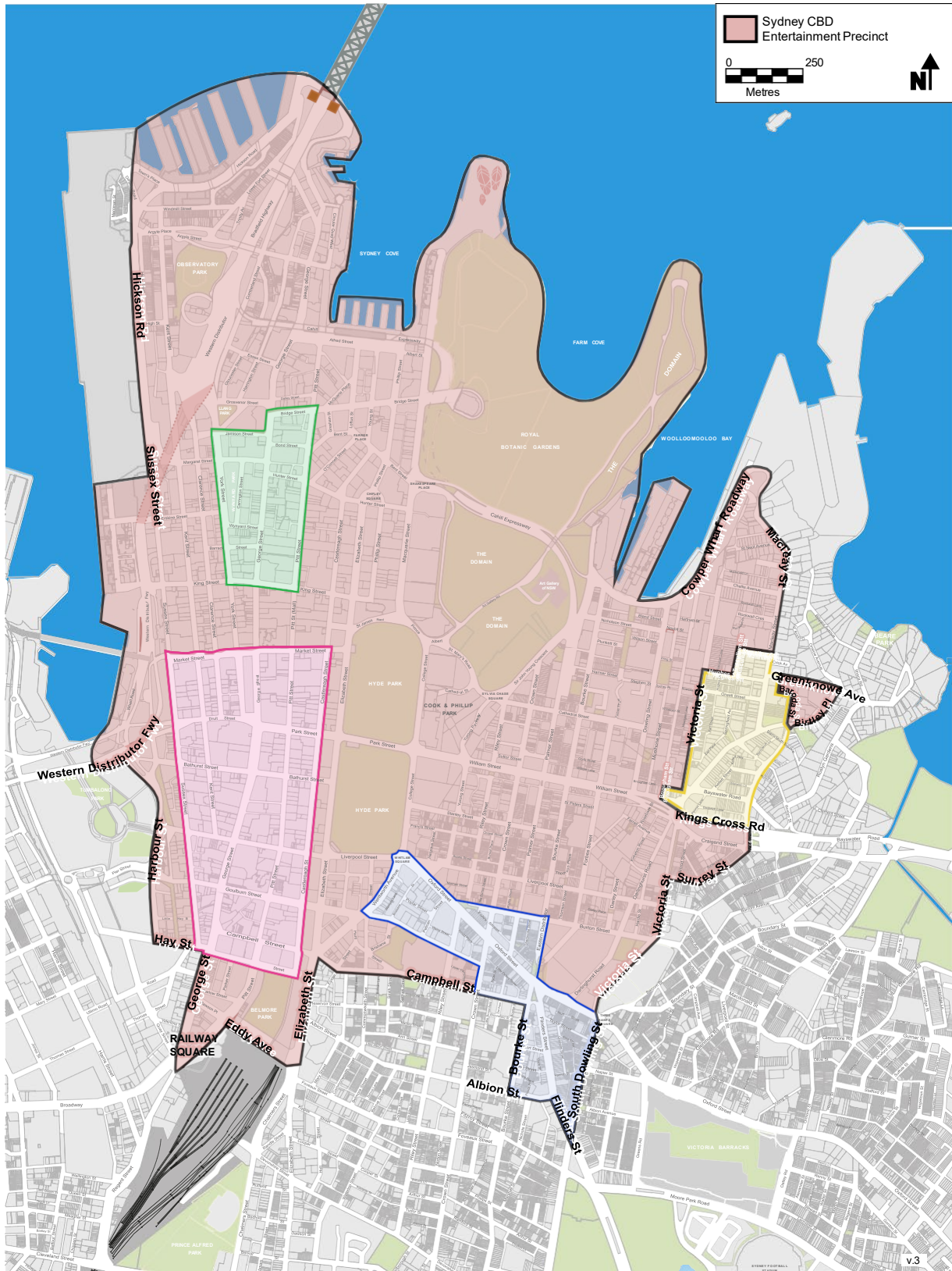
5. Designated Cumulative Impact Areas in the Precincts

- 5.1. The Authority, in publishing this Assessment, has considered its powers and obligations under the Cumulative Impact Assessment Framework contained in Division 5 of Part 4 of the Act. The Authority is satisfied there is an appropriate evidence base to support the need for the Assessment based on the information contained in Section 8.
- 5.2. Based on this evidence, it is the Authority's view that granting relevant licences, authorisations and approvals referred to in Table 1 is *likely* to have an overall detrimental social impact on the well-being of the local or broader community in the four designated Cumulative Impact Areas in Chart 1 below.
- 5.3. The methodology the Authority has applied in making this Assessment is consistent with the risk-based liquor licensing approach in NSW.
- 5.4. In determining the relevant licence types and affected applications to which this Assessment applies and the boundaries of Cumulative Impact Areas, the Authority has considered:
- the 'relevant licences' captured under the cumulative impact assessment framework under the *Liquor Act 2007* (and formerly under the liquor licence freeze) due to their associated risks;
 - underpinning research and academic publications relating to the density of licensed premises and its association with alcohol-related harm, as detailed in ILGA Guideline 6;
 - the overall risk-based legislative and administrative approach that is applied to liquor licensing in NSW, including what constitutes a 'higher-risk application' for the purposes of liquor-related decision-making and relevant heightened requirements that apply (e.g. Community Impact Statement requirements);
 - liquor licensing data held by Liquor & Gaming NSW;
- crime data from the NSW Bureau of Crime Statistics and Research (BOCSAR) on alcohol-related violence and offensive conduct⁴; and
 - operational insights from Liquor & Gaming NSW and NSW Police, including compliance data; and
 - feedback from industry, community and government stakeholders provided as part of a public consultation process that ran from 3 March 2021 to 31 March 2021.
- 5.5. For the purposes of this Assessment, the term 'higher impact premises' is used to denote the types of premises that are affected by this assessment. It includes hotels, registered clubs, on-premises venues that are public entertainment venues such as nightclubs, and late-trading karaoke bars and strip clubs (not cinemas and theatres), and packaged liquor outlets.
- 5.6. The scope of the Assessment is limited to the Sydney CBD Entertainment and Kings Cross precincts, addressing the removal of the liquor licence freeze in these areas from 30 April 2021. The Authority may consider whether there is a need to designate any further Cumulative Impact Areas in the City of Sydney LGA as part of any future review of the Assessment.
- 5.7. This Assessment only applies to decision-making on the affected liquor licensing applications in Table 1. While the Authority may consider whether the City of Sydney Council supports a licensing application, the separate approval of an application under the *Environmental Planning and Assessment Act 1979* has no bearing on the assessment of a liquor licence application in a Cumulative Impact Area under the *Liquor Act 2007*.

3. Under cl. 123B of the Liquor Regulation 2018, the Authority may only issue a Cumulative Impact Assessment for the City of Sydney LGA, or part of this LGA.

4. Alcohol-related crime data used in this Assessment is based on the period up to 31 December 2019. Due to the COVID-19 pandemic and related temporary restrictions under NSW Public Health Orders, data on alcohol-related crime during 2020 is highly atypical, and of relatively limited use for managing long-term impacts from the concentrations of licensed premises in the Precincts.

Chart 1: Designated Cumulative Impact Areas



The above areas include any premises located within the defined boundaries of each area on the map, including premises that front, back onto or abut the boundary markings.

- Area 1 - South CBD
 - Area 2 - Darlinghurst/Oxford Street
- Area 3 - Wynyard Station and surrounds
 - Area 4 - Kings Cross precinct

6. The Cumulative Impact Assessment in practice

- 6.1. In publishing this Assessment, the Authority is stating how it intends to approach certain applications in a Cumulative Impact Area.
- 6.2. The Assessment creates a 'rebuttable presumption' against the granting of a new licence or related authorisation or approval specified in Table 1 in the four designated Cumulative Impact Areas. This means that these applications are likely to be refused unless the applicant can satisfy the Authority that the overall social impact would not be detrimental to the well-being of the local or broader community.
- 6.3. The Assessment does not change the way in which licensing decisions by the Authority are made under the Act. The Authority considers each application on its own merits and individual circumstances.
- 6.4. In line with its obligations under section 48(5) of the Act, the Authority will continue to consider the matters referred to in ILGA Guideline 6 and consider the Community Impact Statement (where applicable) and any other relevant factors to consider the overall social impact. The Authority also considers any public submissions on the application, which can be made through the application noticeboard on the Liquor & Gaming NSW website at liquorandgaming.nsw.gov.au.
- 6.5. The Authority recognises that a range of positive social impacts may arise from applications for the relevant licences, authorisations or approvals referred to in Table 1. These impacts, and any support from the City of Sydney Council, will still be examined as part of an application process if an affected application is submitted for premises located in a Cumulative Impact Area.

7. Making liquor-related applications in a Cumulative Impact Area

- 7.1. If making an application for a licence, authorisation or approval referred to in Table 1 in a Cumulative Impact Area, the application must consider the risk profile of the area. At a minimum, the application would need to clearly demonstrate that it would not have an overall detrimental social impact by showing:

- that what is being proposed would have a significant positive social impact on the local and broader community. Given the existing density-related issues, the Authority will be particularly focused on benefits that are unique or distinct from other licensed businesses already operating in the area and/or that significantly add to the vibrancy or enhance the overall character of an area; and
- how specific harm reduction measures, over and above those required by legislation, would contribute to reducing the risks of social harm of the application, given existing problems in these areas with alcohol related violence and/or anti-social behaviour.

ILGA Guideline 6 paragraph 14 includes information on the range of factors the Authority will consider, without limitation, when assessing overall social impact. This includes some examples of specific measures that may be relevant to help reduce negative social impacts. You can find ILGA Guideline 6 at liquorandgaming.nsw.gov.au.

- 7.2. In assessing affected applications made in Cumulative Impact Areas, the Authority will consider the level of support from the City of Sydney Council and the community. This includes any views about how a proposal would support the live music industry, the arts, tourism, community and/or cultural sectors.
- 7.3. The Authority will also consider views from the local police and whether they support any measures proposed to lessen the risk of increased alcohol-related harm in the local or broader community.
- 7.4. The Authority may approve the application if satisfied through this process that the overall social impact will not be detrimental to the well-being of the local or broader community.
- 7.5. The Authority recognises that certain types of licensing proposals may be more successful in Cumulative Impact Areas where they have stronger positive social impacts and/or lower associated risks due to harm reduction measures or the nature of the business. While applications will always be considered on a case by case basis, Table 2 provides examples of the types of offerings that may be more likely to demonstrate an overall positive social impact.

Table 2: Examples of offerings that may be able to demonstrate overall positive impact

For venues that sell liquor for on-premises consumption.

- Strong ongoing support for live music or the arts, tourism, community and/or cultural sectors: When making decisions, the Authority must consider the need to support employment in, or other opportunities for, the live music industry, and the arts, tourism, community and/or cultural sectors. In making its assessment the Authority will consider the degree to which the business is specifically oriented toward those sectors and would expect to see more than incidental connection to them.
- Community and cultural facilities where alcohol service is not a central focus: Community-oriented and/or cultural venues with a business model where the sale, supply and service of alcohol is not a central focus and that have low dependence on the sale of alcohol for business sustainability – e.g. a multi-purpose function centre or cultural venue.
- Highly unique and beneficial community offerings: Venues that offer a completely new or different entertainment experience in a designated Cumulative Impact Area and can show that their business would have an overall benefit to the community.
- Al fresco dining for existing venues: Venues seeking approval to provide outdoor dining in a low-risk setting where patrons are seated. Factors such as venue compliance history and the nature of the proposed outdoor area will be carefully considered.

For venues that sell liquor for off-premises consumption.

- Take-away ancillary to another primary purpose: Specialist stores or mixed-use premises where the business focus is not primarily on the sale of takeaway liquor, such as specialist deli's or florists that sell wine and champagne along with their other products from a designated liquor sales area and the supply of take-away alcohol will be limited. The supply may be limited in scale (e.g. quantity of alcohol) and/or scope (e.g. complementary to another product only) by licence condition. It should improve the variety of low-risk business offerings in the community.
- Market orientation towards selling craft and boutique liquor products: Liquor stores oriented towards selling craft beer, cider and spirits and boutique wines produced on a small scale where this enhances the diversity of offerings in a local area. Supply would be limited by certain licence conditions that the Authority generally places on boutique liquor stores.
- Small increases to the floor space of the licensed area proposed as part of a refurbishment (including relocations): Limited increases in the retail floor space of a packaged liquor store (of 20 per cent or less) as part of a refurbishment, where this would accommodate a reasonable change to the layout of the premises. This does not include any increases that would result in 'big-box' retail of packaged liquor.

7.6. In assessing positive cumulative impacts, the Authority will consider the nature of the proposed business, any potential negative impacts, and associated measures the venue proposes to put in place to lessen the risk of alcohol-related harms. The Authority will generally look favourably upon those applicants who indicate a willingness to be a member of the local Liquor Accord. The Authority may also consider any industry self-regulatory initiatives such as voluntary programs and initiatives adopted by a venue to help reduce the risk of alcohol-related harm.

7.7. The examples given in Table 2 above are not definitive, and do not mean that an application for these types of offerings will be automatically granted. The Authority will always consider each case on its individual merits. As such, the impacts of an application can be expected to be different for each premises depending on the business model and other features.

8. Relevant data and information

In preparing this Assessment, the Authority considered a range of alcohol-related crime data sourced from the Bureau of Crime Statistics and Research (BOCSAR). BOCSAR is responsible for developing and maintaining statistical databases on crime and criminal justice in NSW. According to BOCSAR, alcohol is significantly involved in violence in our community - around a third of both non-domestic assaults and domestic assaults are alcohol-related⁵.

BOCSAR crime mapping⁶ is used extensively in this Assessment to show where the high crime areas are located in the Precincts. It helps to provide an understanding of factors affecting the distribution and frequency of alcohol-related crime in the Precincts and supports the identification of at-risk areas and peak times for alcohol-related crime.

The Authority also considered liquor licence data supplied by Liquor & Gaming NSW.

The Authority makes the following observations from the data:

Despite improvements, there continue to be elevated alcohol-related risks in Sydney

BOCSAR data shows that alcohol-related assaults have reduced in the City of Sydney Local Government Area (LGA) over the past five years. From January 2015 to December 2019, alcohol related non-domestic assaults reduced in the LGA by 5.6 percent each year. Alcohol-related domestic violence rates remained stable over the same period.

However, the City of Sydney LGA continues to have the highest overall numbers of alcohol-related non-domestic assault and offensive conduct in NSW. Alcohol-related non-domestic assault incidents in Sydney (1396 assaults) accounted for around 15 percent of the NSW total in the year to December 2019. Alcohol-related offensive conduct incidents in Sydney (654 incidents) accounted for around 24 percent of the NSW total in the year to December 2019.

There continues to be substantial concentrations of licensed premises in the Precincts, over a relatively small area. Kings Cross, for example, has 94 liquor licences in an area of approx. 0.15 square kilometres.

The number of licences, by licence type in each Precinct, is shown in Table 3 below.

A large proportion of licensed premises are higher impact premises, which when clustered together may be more associated with alcohol-related harm. These premises are spread widely across the Precincts, with the highest concentrations in areas like the South CBD, Oxford Street and Kings Cross, as shown in Chart 2 below.

Table 3: Total licence numbers in each Precinct

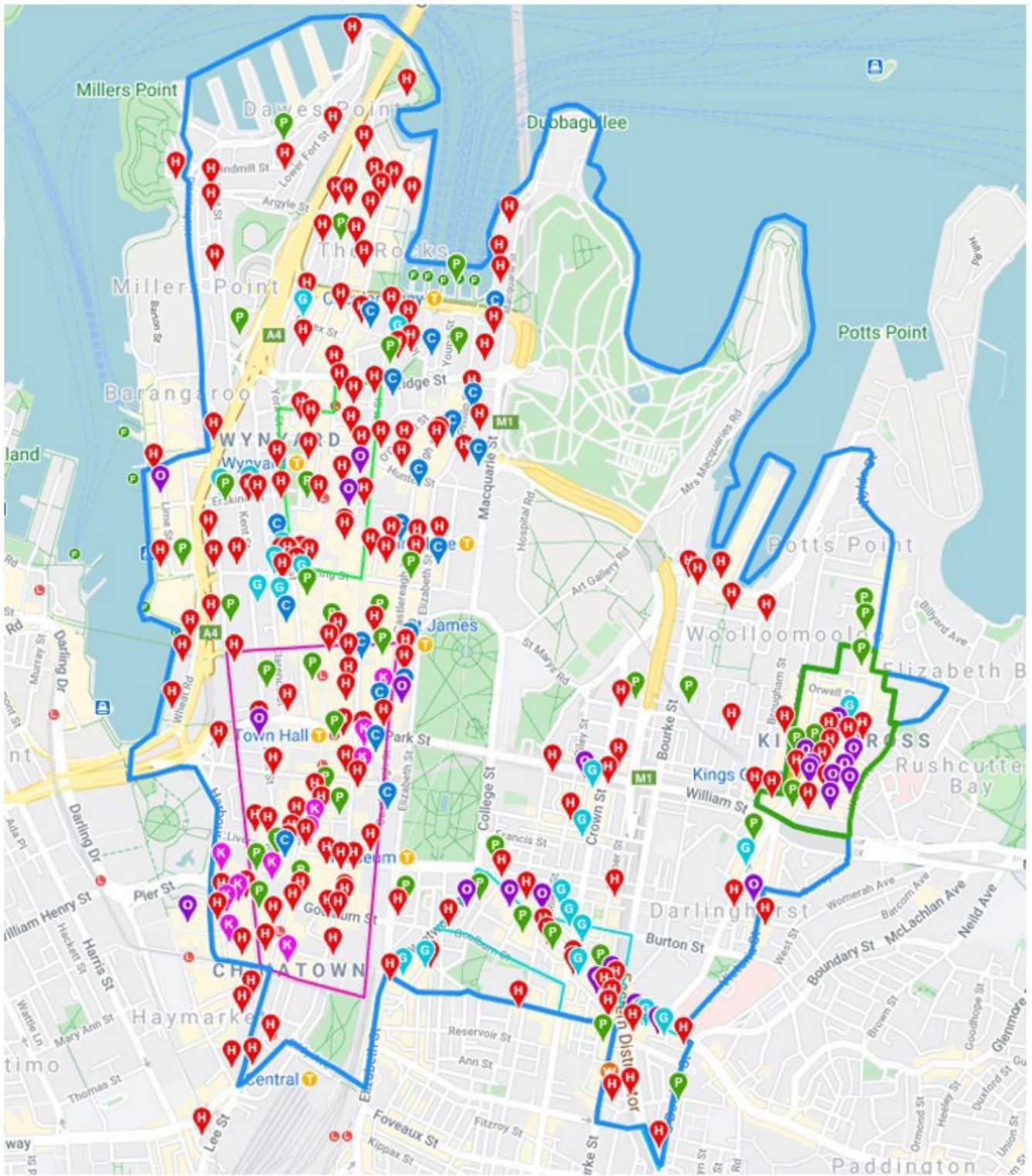
Licence Type	Count of Licence No.	
	Sydney CBD	Kings Cross
Hotel	170	11
General Bar	22	1
Club	19	0
On-premises (all other)	799	75
Packaged Liquor	49	5
Small bar	51	1
Producer/Wholesaler	42	1
Total	1152	94

Source: L&GNSW Premises list – as at January 2021

5. https://www.bocsar.nsw.gov.au/Pages/bocsar_pages/Alcohol_Related_Violence.aspx

6. For more information about understanding BOCSAR crime hotspot maps see: <https://www.bocsar.nsw.gov.au/Publications/BB/bb60.pdf>

Chart 2: Location and density map of higher impact premises



Premises type	Total
H Hotel	181
C Club	19
P Package Liquor	54
G General Bar	23
O On-premise public entertainment venue	23
K Karaoke	11

There is higher alcohol-related crime density in locations of the Precincts with large concentrations of relevant licences

Alcohol-related crime data supplied by BOCSAR shows crime hotspots in parts of the Precincts. These hotspots represent areas with the highest density of recorded alcohol-related crimes per square metre.

Alcohol-related crime data is displayed in four key categories:

- Alcohol-related non-domestic violence occurring on licensed premises
- Alcohol-related non-domestic violence occurring on-premises and off premises combined
- Alcohol-related domestic violence
- Alcohol-related offensive conduct (non-verbal behaviour that is likely to be considered offensive by another person)

Although there has been an overall decline in alcohol-related assaults in the Sydney CBD and Kings Cross precincts over the past five years (from January 2015 to December 2019), BOCSAR alcohol-related crime data indicates there are still high levels of alcohol-related violence and alcohol-related offensive conduct in certain parts of the Precincts.

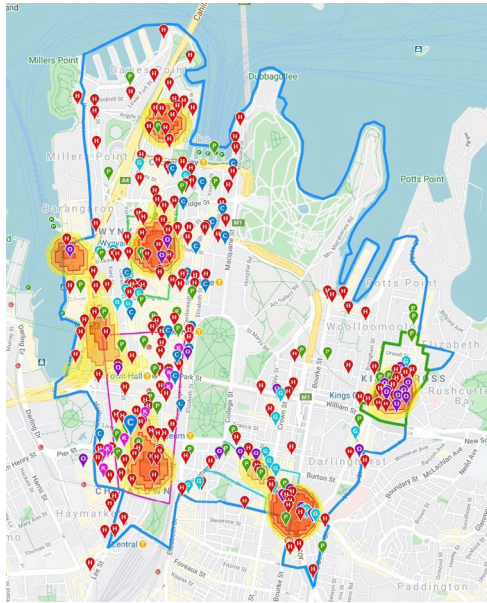
The data supports that:

- There are *four* areas of the Precincts where there are ongoing issues with high density of alcohol-related non-domestic violence (both on and off licensed premises) and alcohol-related offensive conduct through *all times of day* (charts 3.2 and 3.4). This includes the South CBD, Oxford Street/Darlinghurst, Wynyard Station and surrounds, and Kings Cross.
- These same four areas are affected by a high density of alcohol-related non-domestic violence between midnight and 5am (charts 4.2 and 5.2). After 1.30am, the South CBD and Taylor Square are the locations most heavily impacted (chart 5.2).
- The density of alcohol-related domestic violence is also high in the South CBD, Oxford Street/Darlinghurst, and Kings Cross through *all times of day* (chart 3.3). Wynyard Station and surrounds does not experience the same problems with this type of violence, although the density of alcohol-related domestic violence is at medium levels *between midnight and 1.30am* (chart 4.3).

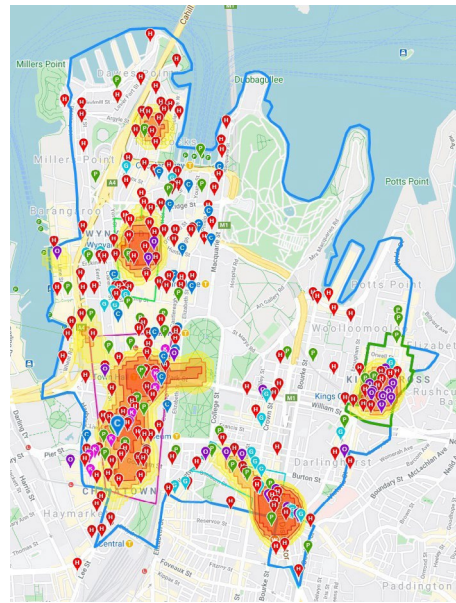
1. Figures in Section 8 reported for 'public entertainment venues' exclude theatres and cinemas

Chart 3 – Alcohol-related crime across all times of day 1 January to 31 December 2019

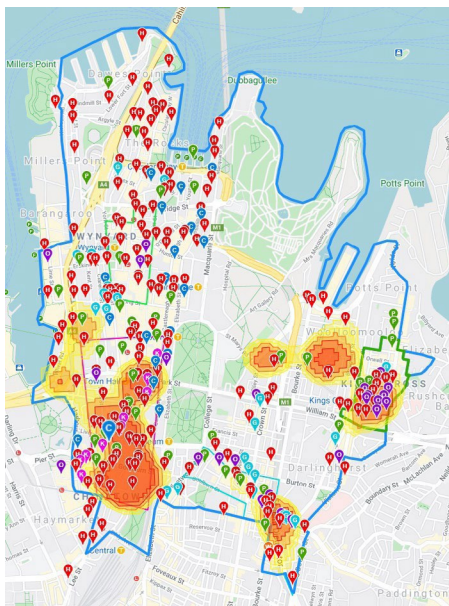
3.1 Alcohol-related non-domestic violence on licensed premises



3.2 Alcohol-related non-domestic violence on-premises and off-premises combined



3.3 Alcohol-related domestic violence



3.4 Alcohol-related offensive conduct

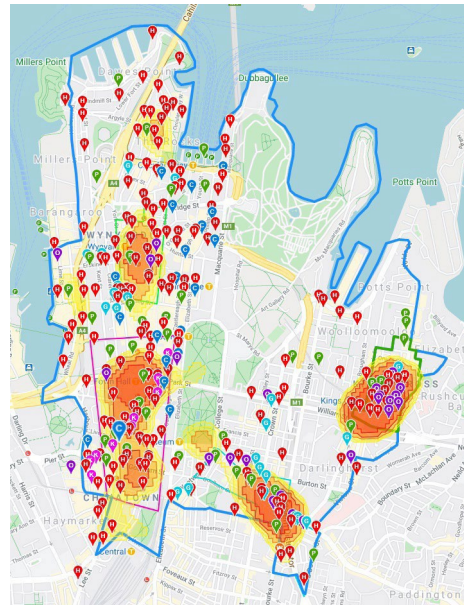
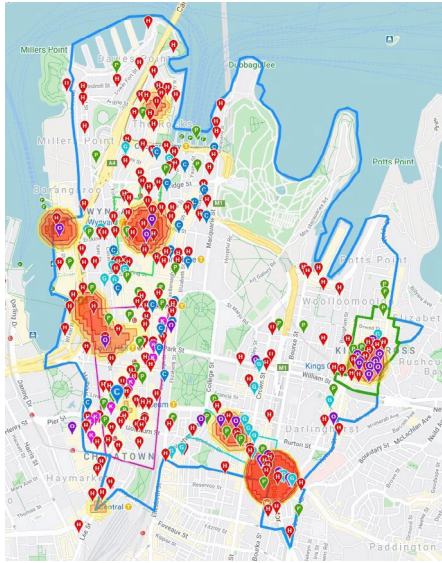
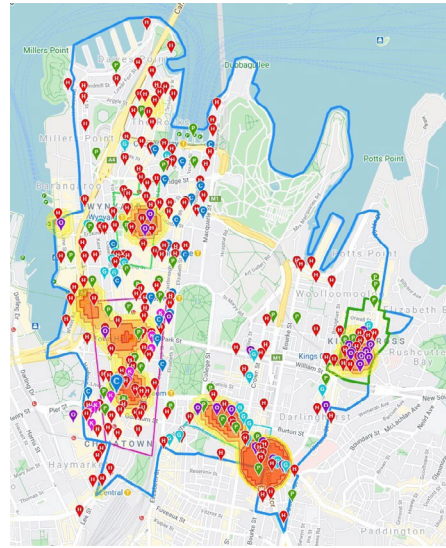


Chart 4: Alcohol-related crime midnight – 1:30am trading hours 1 January to 31 December 2019

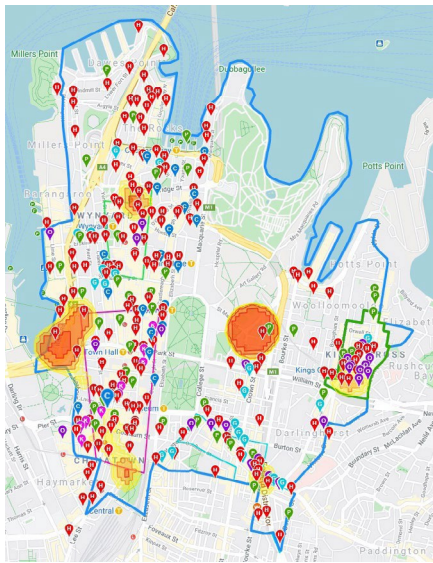
4.1 Alcohol-related non-domestic violence on-premises



4.2 Alcohol-related non-domestic violence on-premises and off-premises combined



4.3 Alcohol-related domestic violence



4.4 Alcohol-related offensive conduct

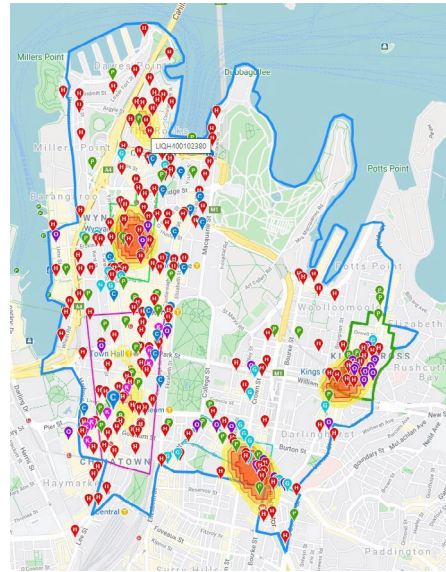
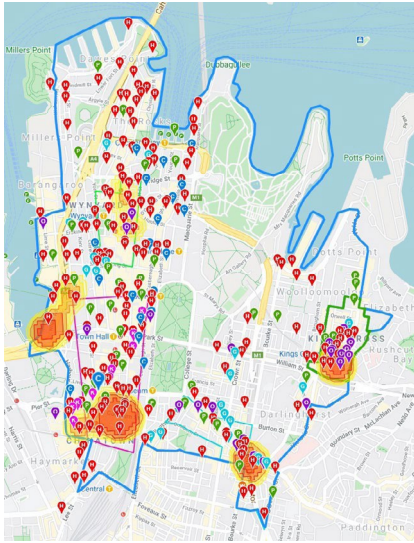
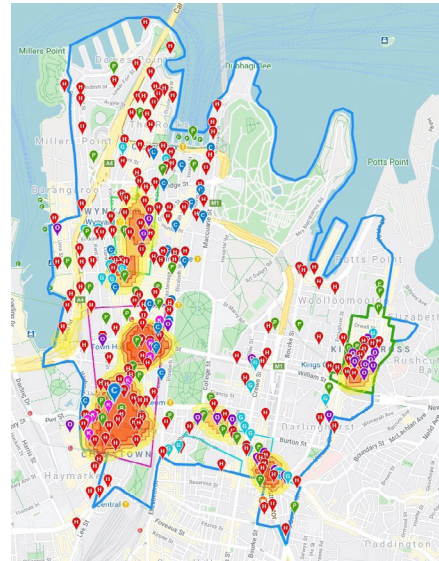


Chart 5: Alcohol-related crime 1:30am – 5am trading hours 1 January to 31 December 2019

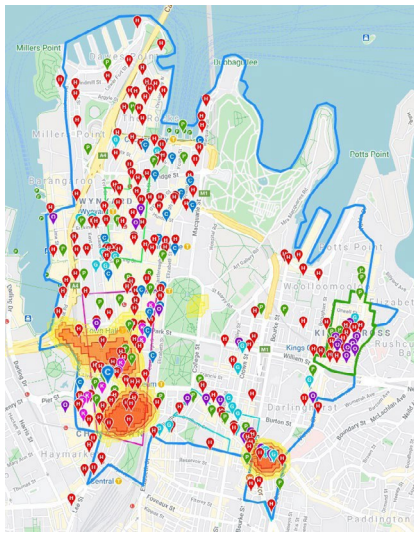
5.1 Alcohol-related non-domestic violence on-premises



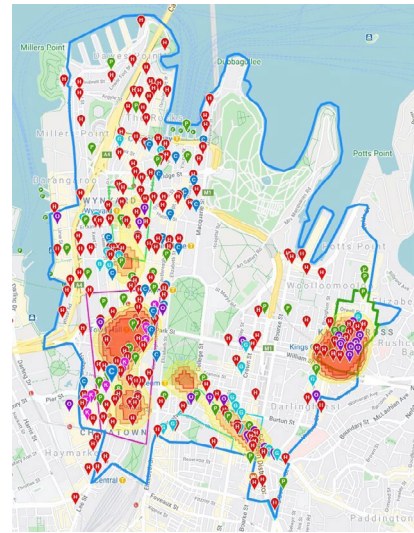
5.2 Alcohol-related non-domestic violence on-premises and off-premises combined



5.3 Alcohol-related domestic violence



5.4 Alcohol-related offensive conduct



Based on the geospatial crime and licensing data above, the Authority is designating four areas of concern as Cumulative Impact Areas.

Relevant insights and further data for each of the four areas are set out below.

Area 1 - South CBD

- There are 63 higher impact premises in Area 1, including a large number of hotels (40), five registered clubs, ten packaged liquor stores, one on-premises public entertainment venueⁱⁱ and seven karaoke bars (chart 6).
- Higher impact premises make up about 35 percent of all licensed premises in this area. Of these, 76 percent have late night trading hours past midnight.
- Large hotspots for alcohol-related crime can be observed throughout this area, including a high density of non-domestic and domestic violence and alcohol-related offensive conduct (charts 7.2 to 7.4). Crime levels are particularly high later into the night, from 1.30am to 5am (charts 7.10 to 7.12).
- The high density of alcohol-related non-domestic assault in the northern part of this area appears to be driven more by assaults occurring off premises, whereas in the southern locations there are clear issues with assaults both on-premises and off-premises (charts 7.1, 7.2, 7.9, 7.10).

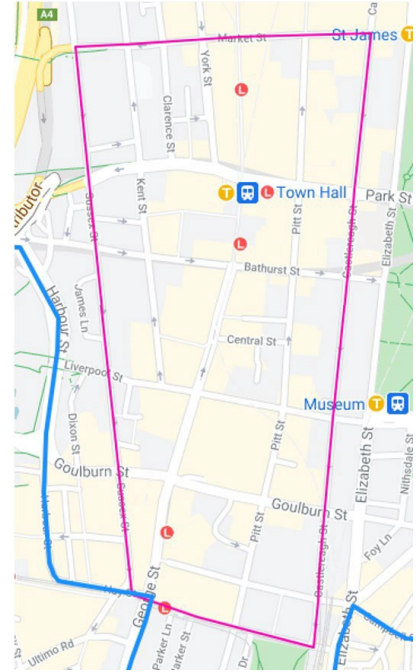


Chart 6: Higher impact premises in Area 1–South CBD

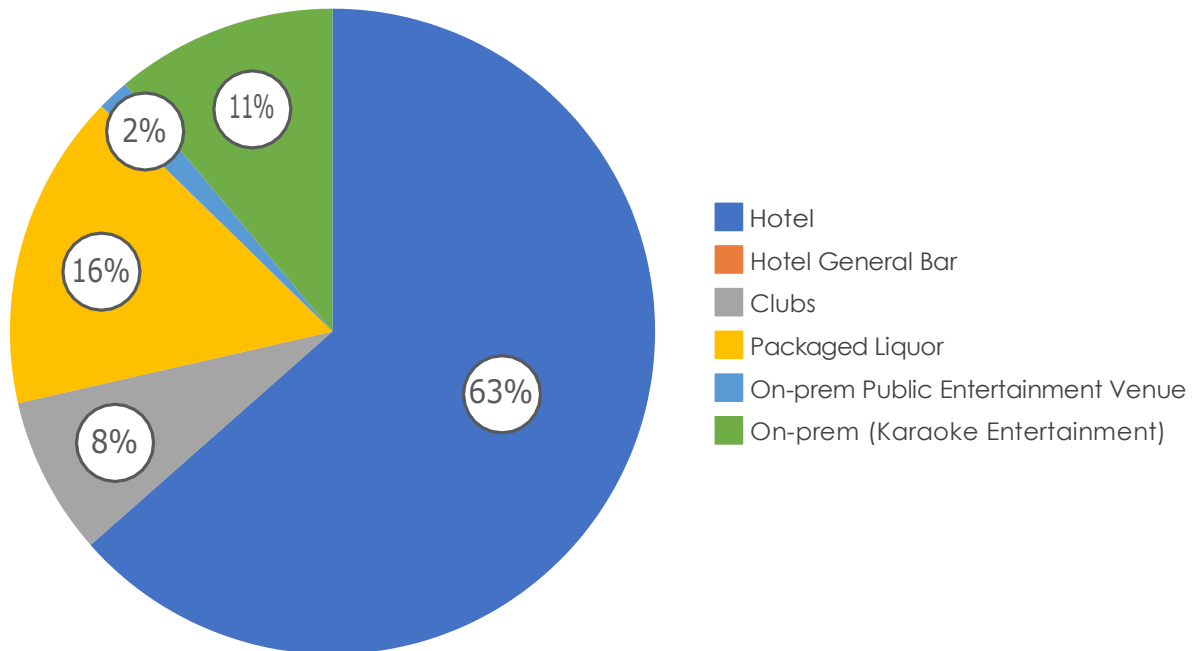
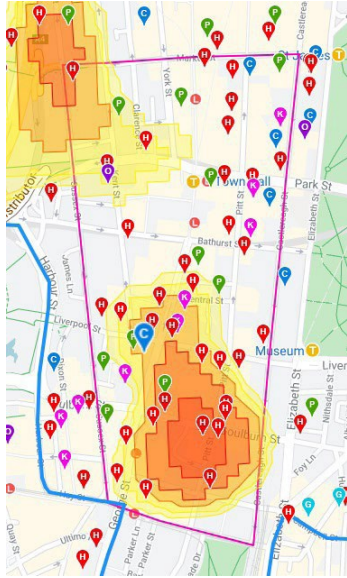
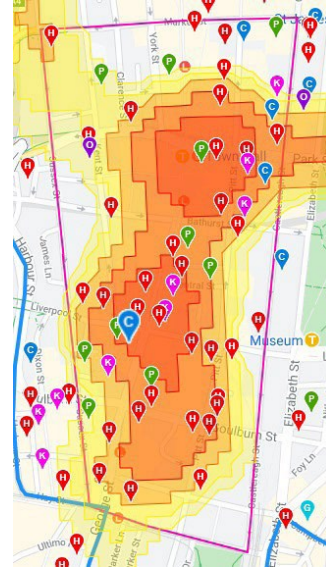


Chart 7: Alcohol-related crime heat maps
ALL DAY

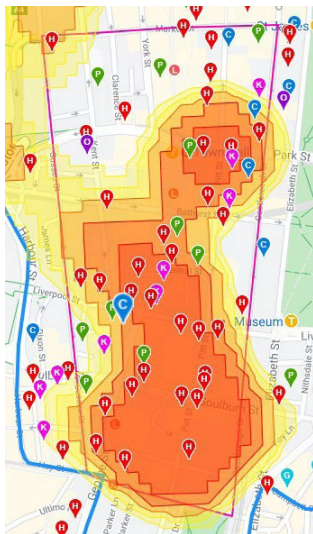
7.1 Alcohol-related non-domestic violence on-premises



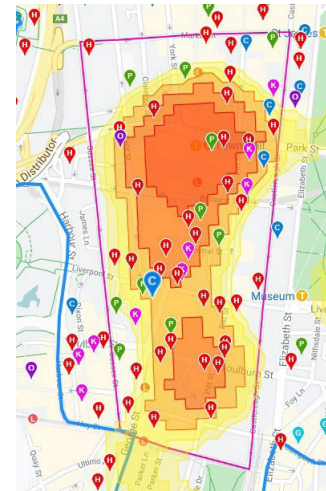
7.2 Alcohol-related non-domestic violence on-premises and off-premises combined



7.3 Alcohol-related domestic violence

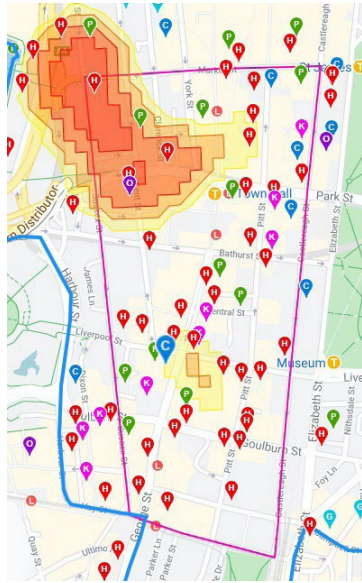


7.4 Alcohol-related offensive conduct

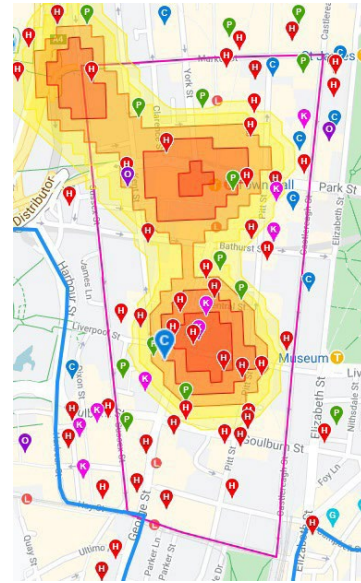


Midnight to 1.30am

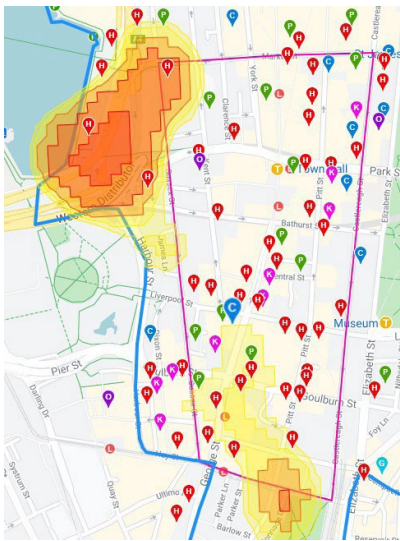
7.5 Alcohol-related non-domestic violence on-premises



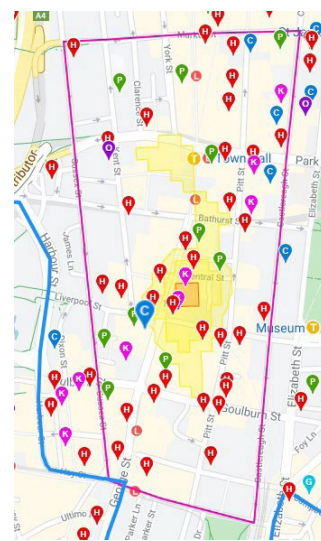
7.6 Alcohol-related non-domestic violence on-premises and off-premises combined



7.7 Alcohol-related domestic violence

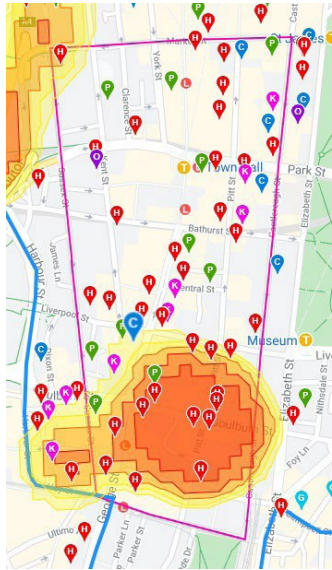


7.8 Alcohol-related offensive conduct

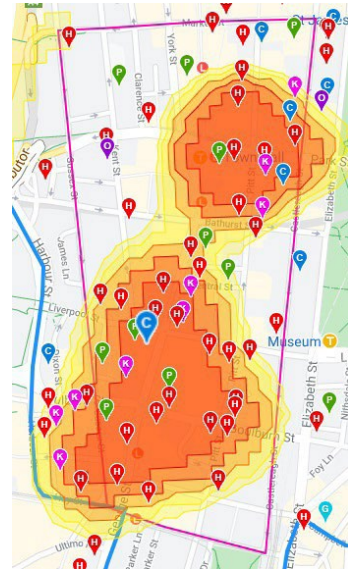


1.30am to 5am

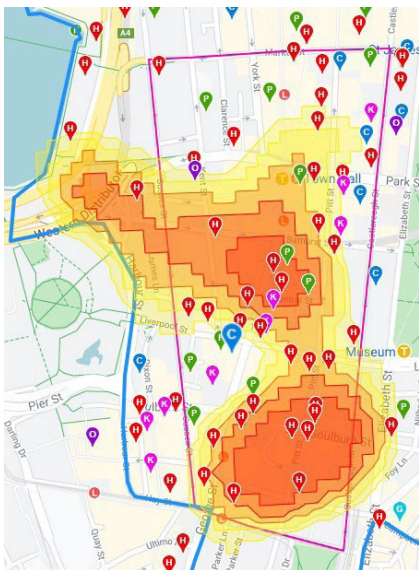
7.9 Alcohol-related non-domestic violence on-premises



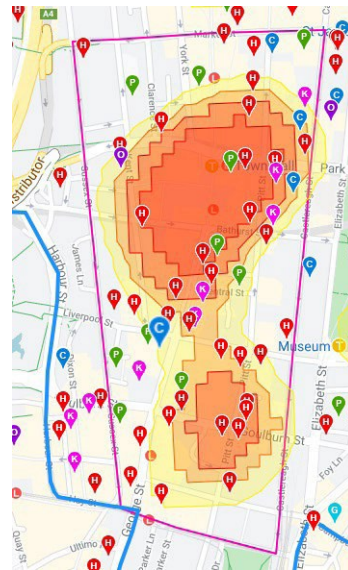
7.10 Alcohol-related non-domestic violence on-premises and off-premises combined



7.11 Alcohol-related domestic violence



7.12 Alcohol-related offensive conduct



Area 2 – Darlinghurst / Oxford Street

- There are 37 higher impact premises in Area 2 including 17 hotels, six general bars, seven on-premises public entertainment venues, and seven bottle shops.
- Higher impact premises make up about 46 percent of all licensed premises in this area. Of these, 68 percent have late night trading hours past midnight.
- There is a higher density of alcohol-related crime in locations along Oxford Street and south east towards the Eastern Distributor where there are larger clusters of higher impact licensed premises (charts 9.1 to 9.4). Much of the crime is concentrated towards the Taylor Square end of this area.
- Alcohol-related crime levels (excluding domestic assault) are particularly high between midnight and 1:30am (charts 9.5, 9.6, 9.8)
- Higher densities of alcohol-related domestic violence in this area are contained to the Taylor Square area, including surrounding residential areas (charts 9.3, 9.7, 9.11).

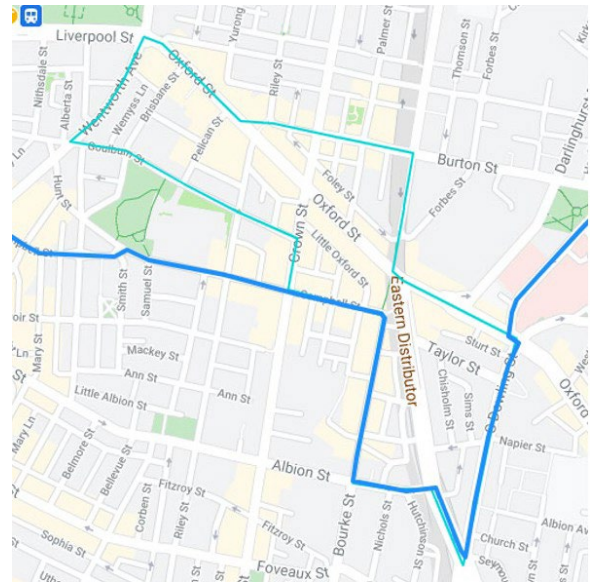


Chart 8: Higher impact premises in Area 2 Darlinghurst/Oxford Street

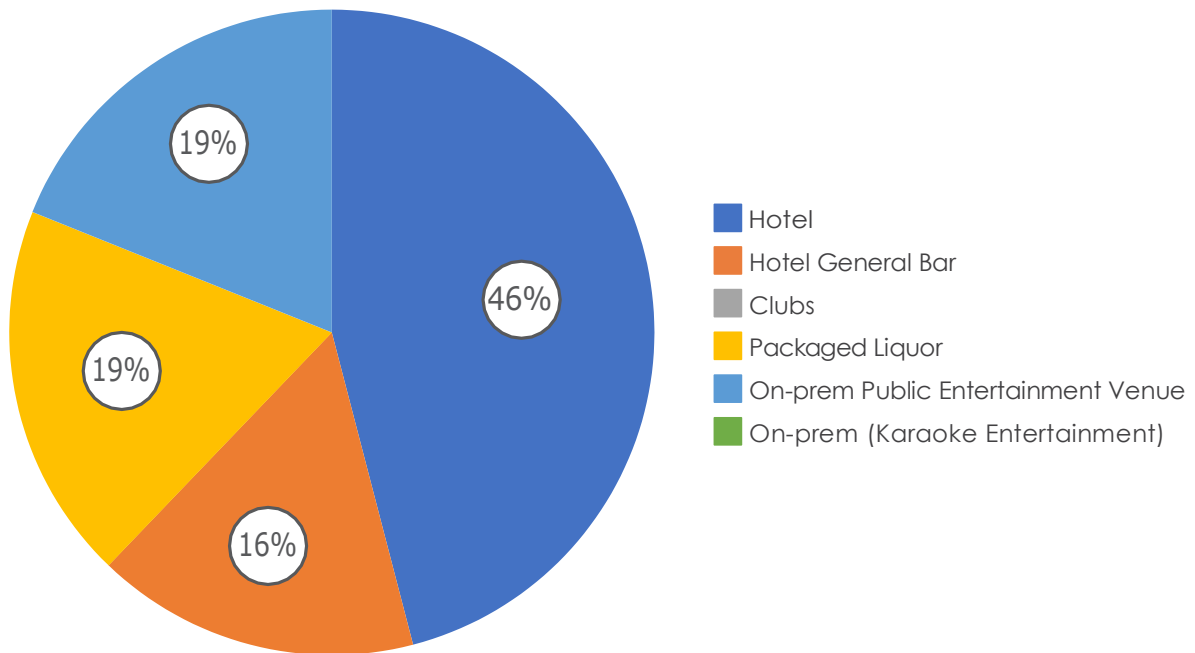
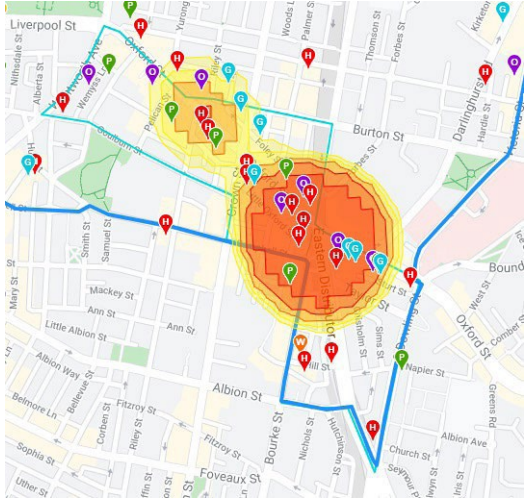


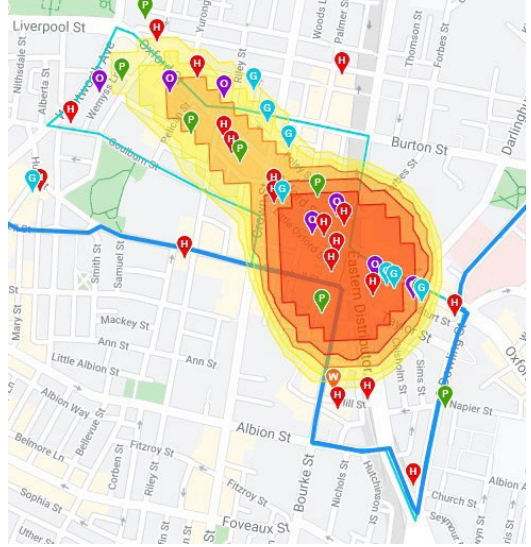
Chart 9: Alcohol-related crime heat maps

All Day

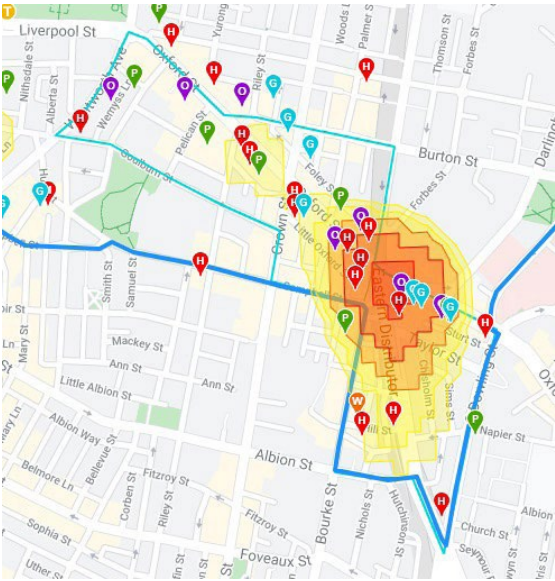
9.1 Alcohol-related non-domestic violence on-premises



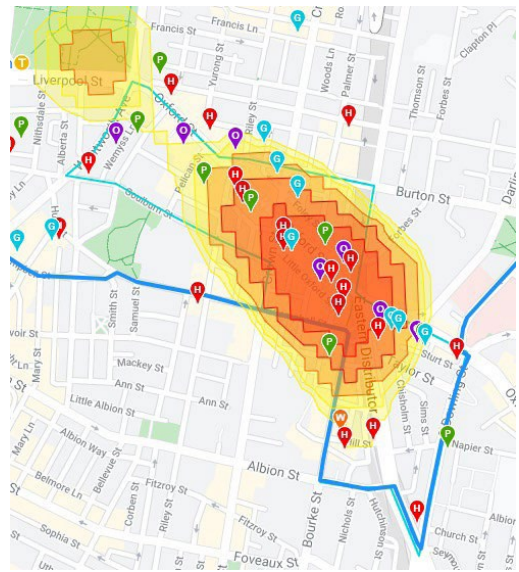
9.2 Alcohol-related non-domestic violence on-premises and off-premises combined



9.3 Alcohol-related domestic violence

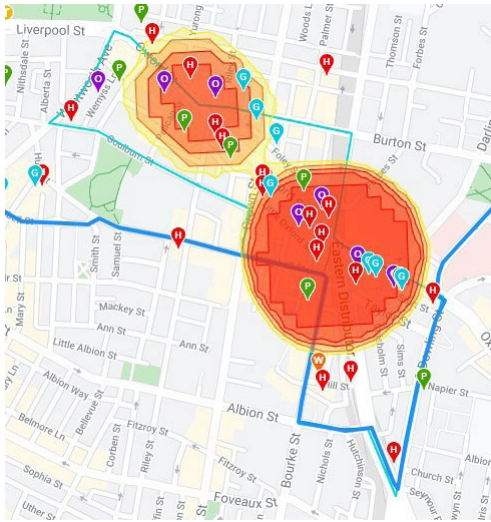


9.4 Alcohol-related offensive conduct

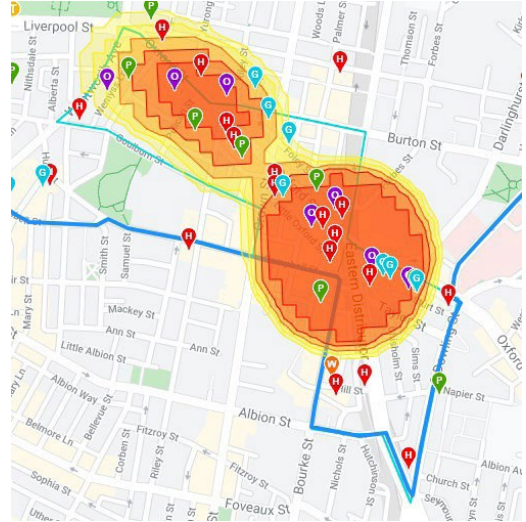


Midnight to 1.30 am

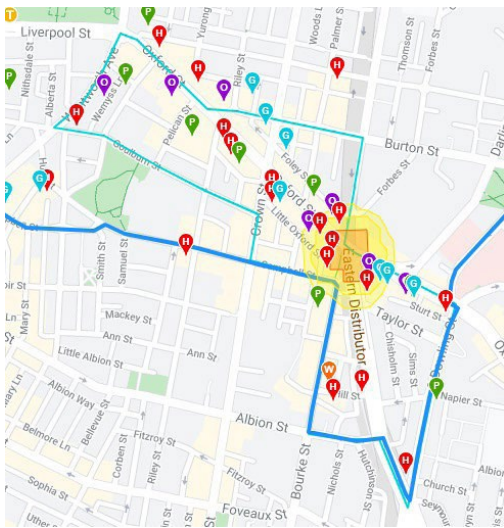
9.5 Alcohol-related non-domestic violence on-premises



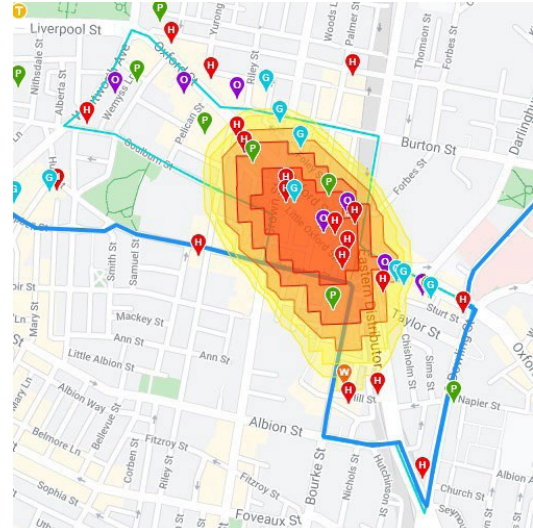
9.6 Alcohol-related non-domestic violence on-premises and off-premises combined



9.7 Alcohol-related domestic violence

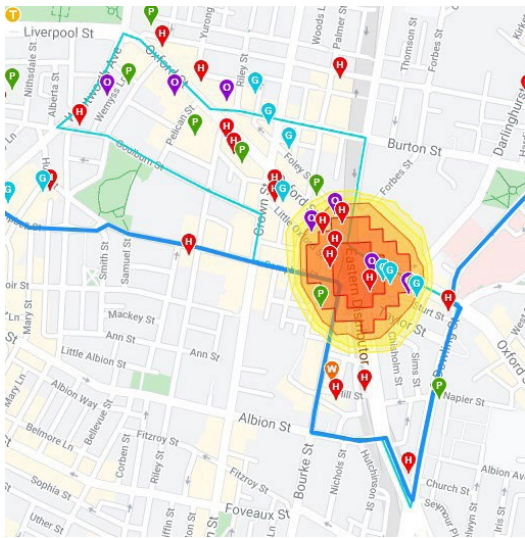


9.8 Alcohol-related offensive conduct

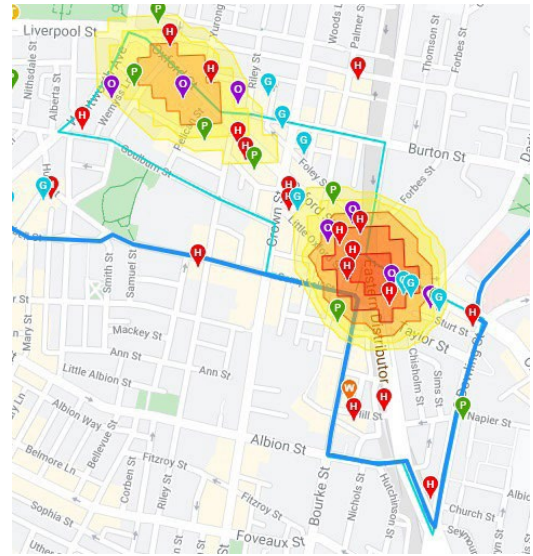


1.30am to 5am

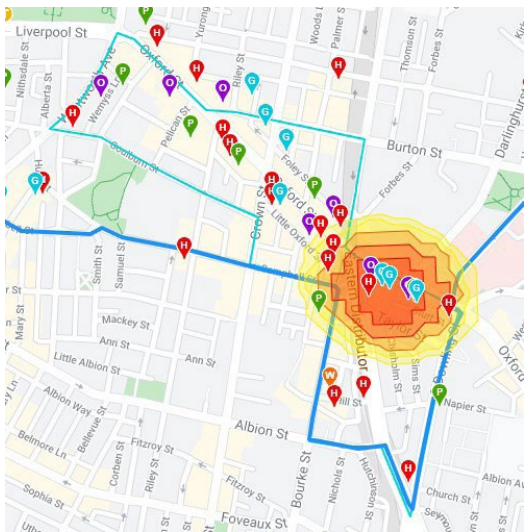
9.9 Alcohol-related non-domestic violence on-premises



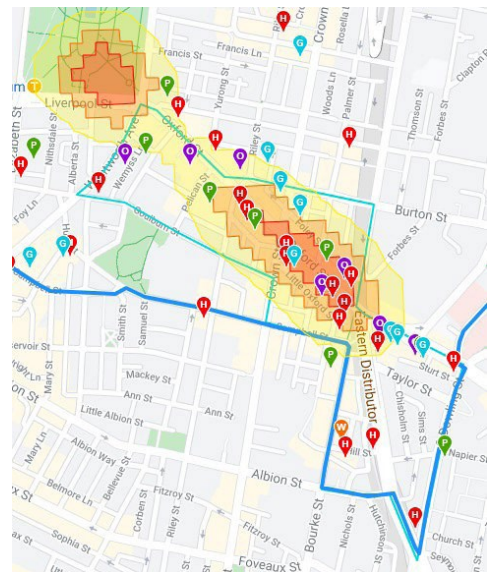
9.10 Alcohol-related non-domestic violence on-premises and off-premises combined



9.11 Alcohol-related domestic violence



9.12 Alcohol-related offensive conduct



Area 3 – Wynyard Station and Surrounds

- There are 22 higher impact premises in Area 3 including 18 hotels, one general bar, one packaged liquor store and two on-premises public entertainment venues.
- Higher impact premises make up about 38 percent of all licensed premises in this area. Of these, 95 percent have late night trading hours past midnight.
- There is a high density of alcohol-related crime (excluding domestic violence) around the centre of the Area 3, within a hotspot that spreads out to its borders (charts 11.1 to 11.4). This crime is particularly high between midnight and 1:30am, then reduces significantly after that time (charts 11.5 to 11.12)
- There is a medium density of alcohol-related domestic violence in the northern part of this Area between midnight and 1.30am (chart 11.7). At other times of day, the Area is not as heavily affected by this type of violence (chart 11.3, 11.11).

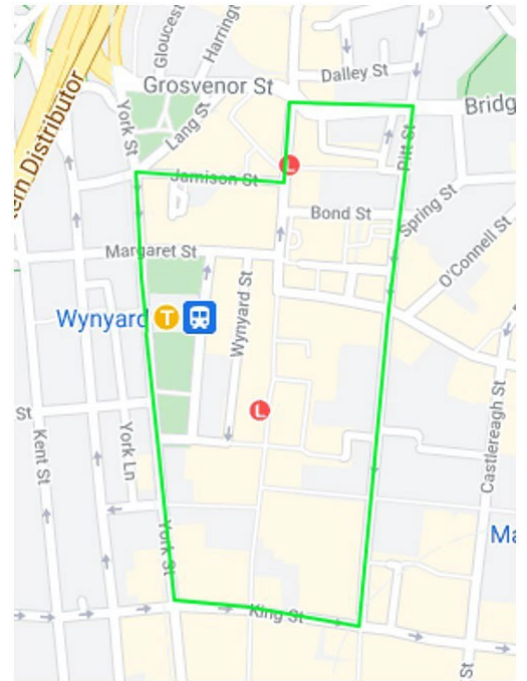


Chart 10: Higher impact premises in Area 3–Wynyard Station and surrounds

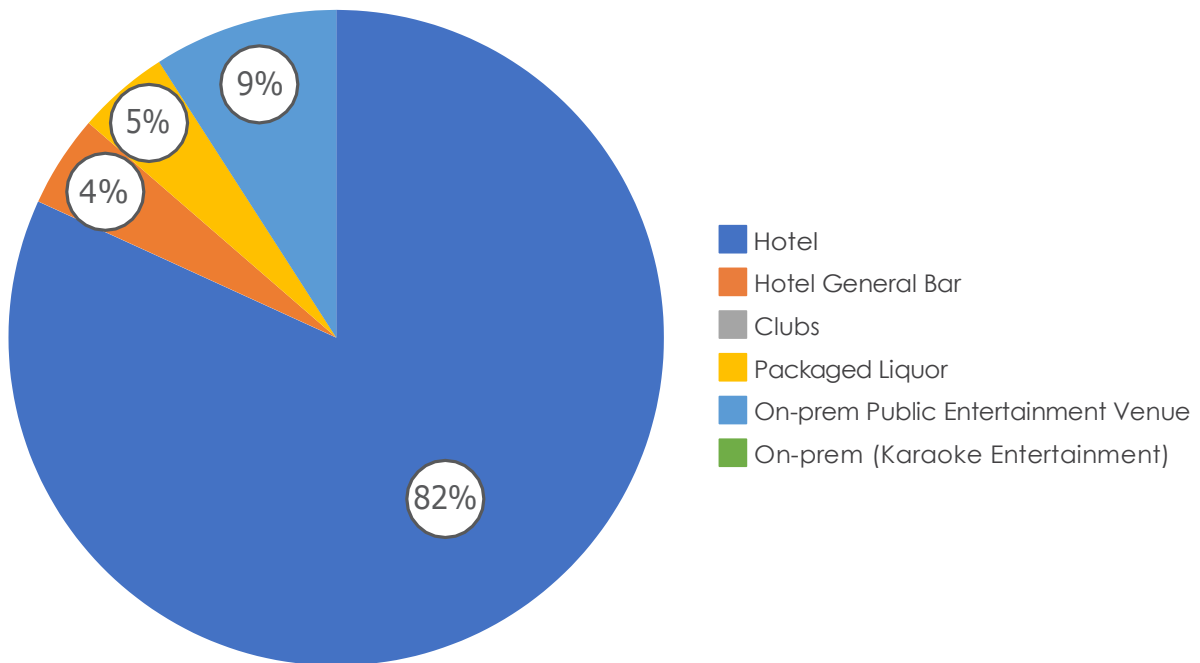
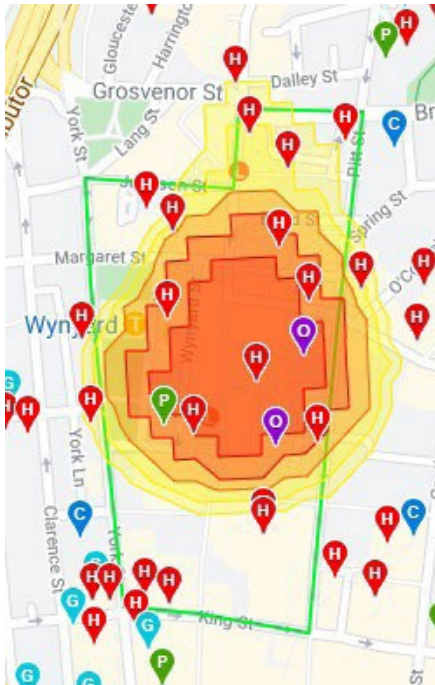


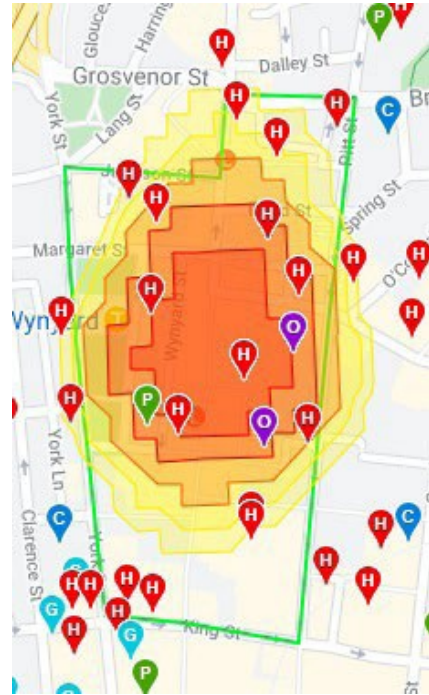
Chart 11: Alcohol-related crime heat maps

All day

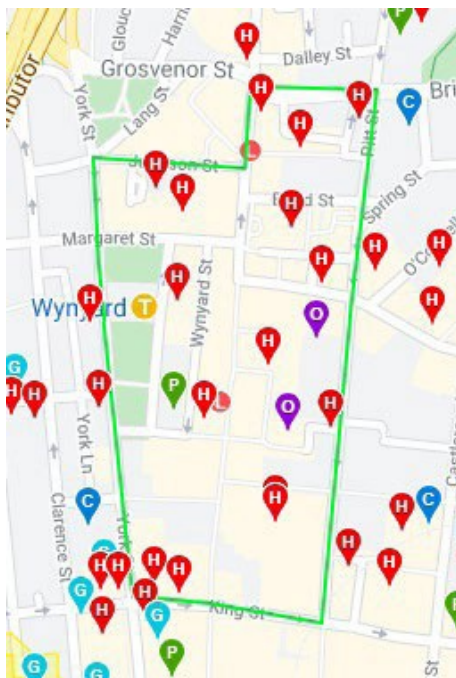
11.1 Alcohol-related non-domestic violence on-premises



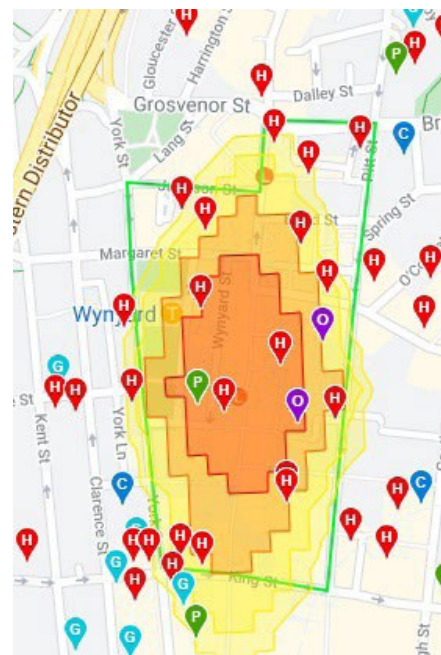
11.2 Alcohol-related non-domestic violence on-premises and off-premises combined



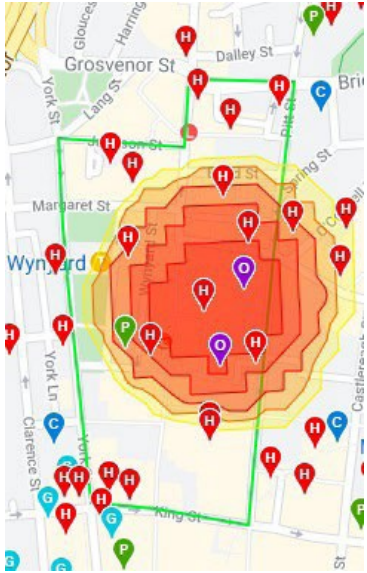
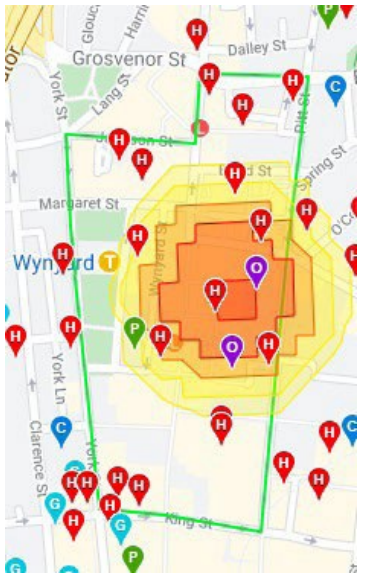
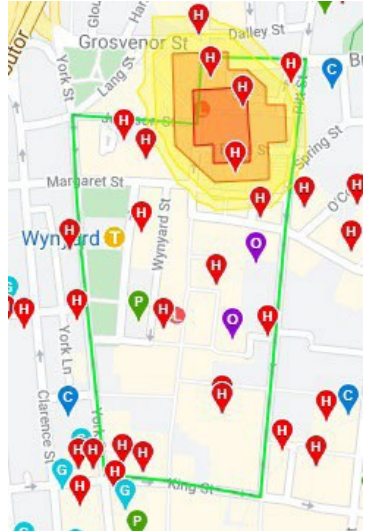
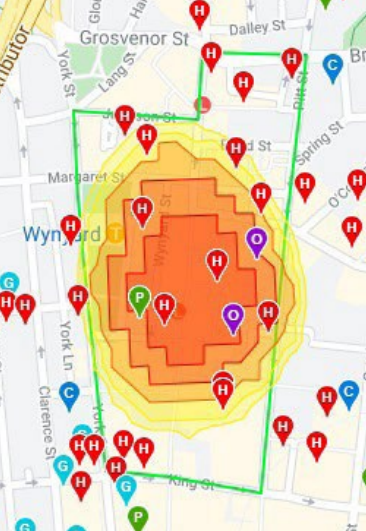
11.3 Alcohol-related domestic violence



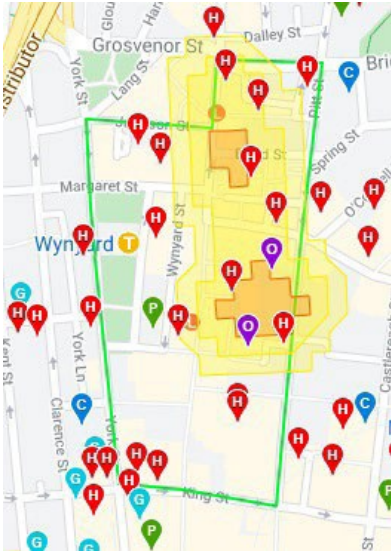
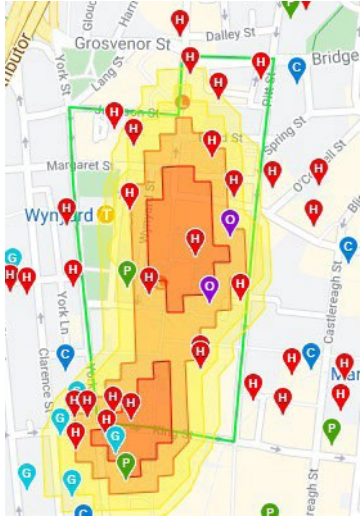
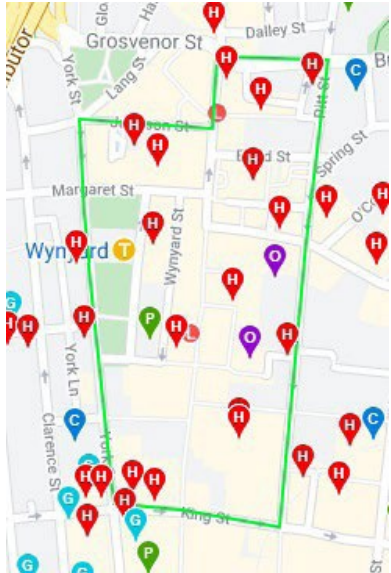
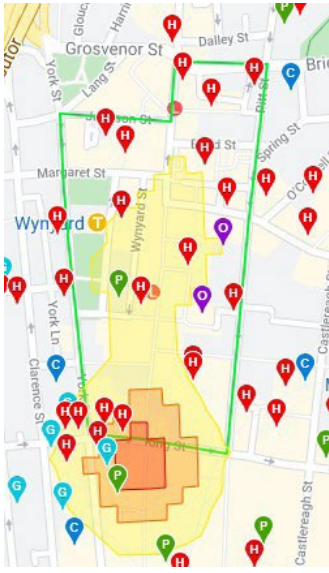
11.4 Alcohol-related offensive conduct



Midnight to 1.30 am

<p>11.5 Alcohol-related non-domestic violence on-premises</p> 	<p>11.6 Alcohol-related non-domestic violence on-premises and off-premises combined</p> 
<p>11.7 Alcohol-related domestic violence</p> 	<p>11.8 Alcohol-related offensive conduct</p> 

1.30am to 5am

<p>11.9 Alcohol-related non-domestic violence on-premises</p> 	<p>11.10 Alcohol-related non-domestic violence on-premises and off-premises combined</p> 
<p>11.11 Alcohol-related domestic violence</p> 	<p>11.12 Alcohol-related offensive conduct</p> 

Area 4 - Kings Cross

- There are 26 higher impact premises in Area 4 including 11 hotels, one general bar, nine on-premises public entertainment venues and five bottle shops. Most of these (25) are concentrated in an area of approximately one tenth of a square kilometre.
- Higher impact premises make up about 27 percent of all licensed premises in this area. Of these, 73 percent have late night trading hours past midnight.
- Alcohol-related crime density is high around the cluster of 25 higher impact premises (charts 13.1 to 13.4).
- The density of alcohol-related non-domestic assaults occurring on licensed premises around this cluster is high (charts 13.1, 13.5, 13.9).
- There is also a high density of alcohol-related domestic violence incidents around the cluster, which appears to be an issue that is prevalent during the daytime, rather than after midnight (charts 13.3, 13.7, 13.11).
- Alcohol-related offensive conduct incidents are particularly widespread throughout most of this Area across all times of day (chart 13.4)

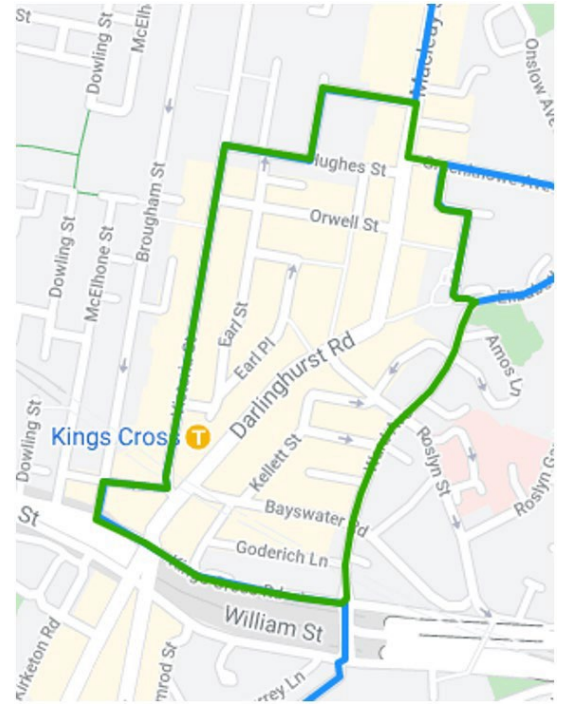


Chart 12: Higher impact premises in Area 4–Kings Cross

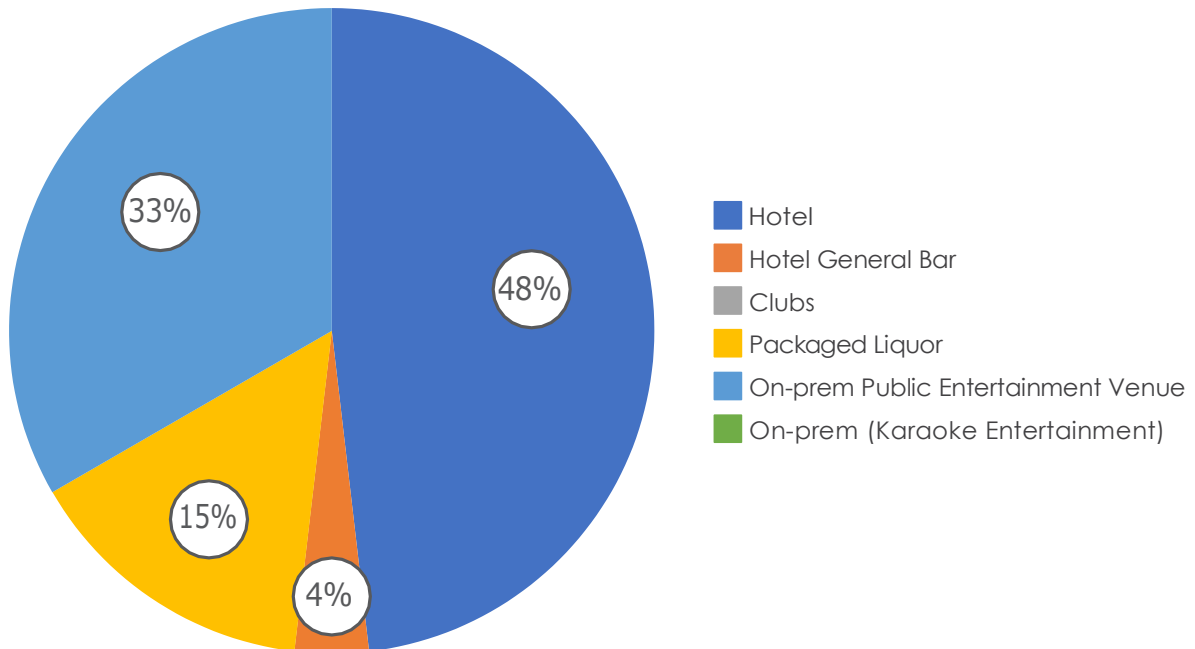


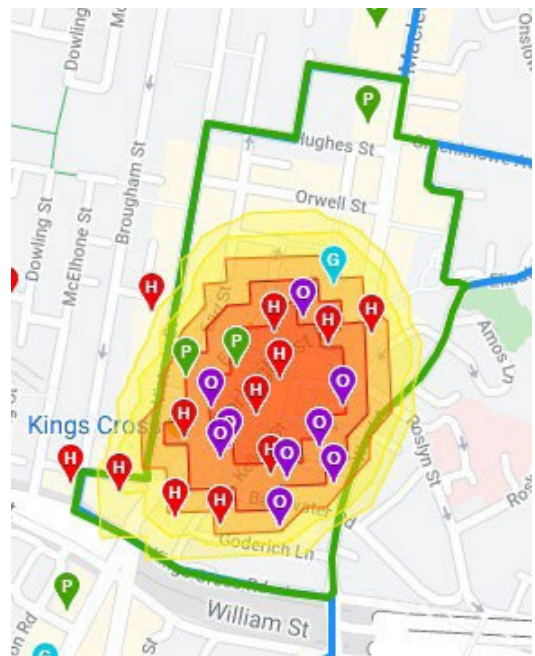
Chart 13: Alcohol-related crime heat maps

All day

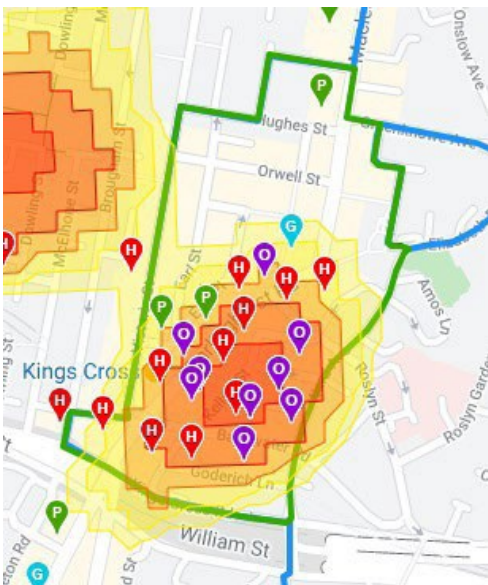
13.1 Alcohol-related non-domestic violence on-premises



13.2 Alcohol-related non-domestic violence on-premises and off-premises combined




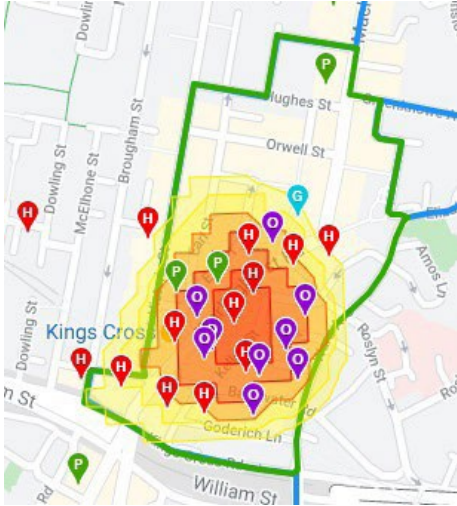
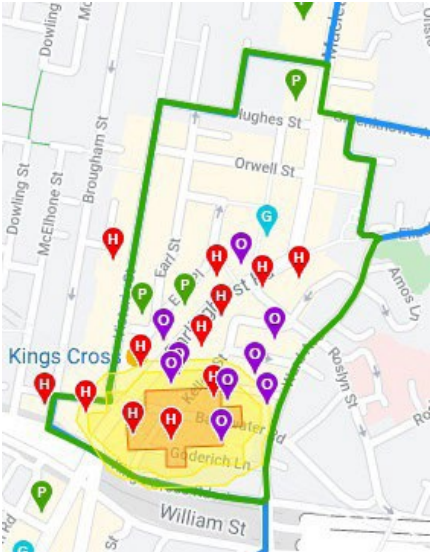
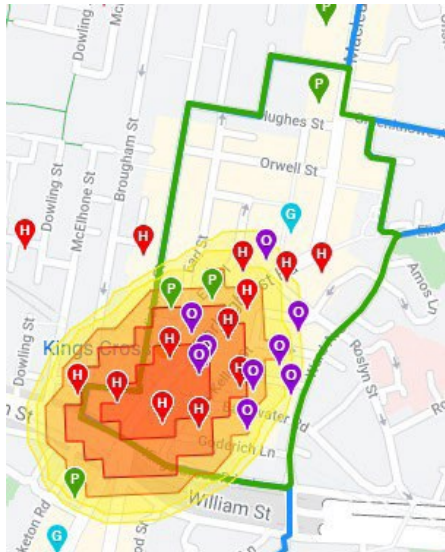
13.3 Alcohol-related domestic violence



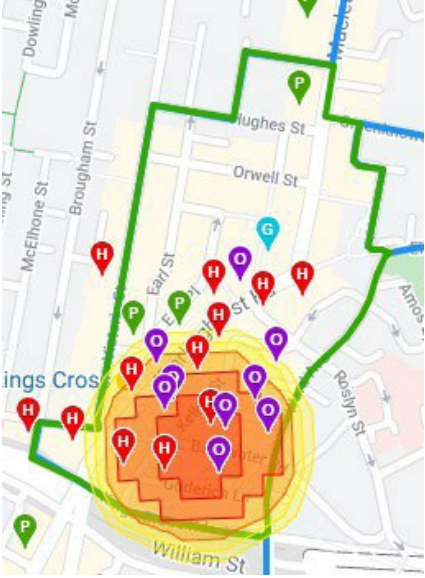
13.4 Alcohol-related offensive conduct



Midnight to 1.30 am

<p>13.5 Alcohol-related non-domestic violence on-premises</p> 	<p>13.6 Alcohol-related non-domestic violence on-premises and off-premises combined</p> 
<p>13.7 Alcohol-related domestic violence</p> 	<p>13.8 Alcohol-related offensive conduct</p> 

1.30am to 5am

<p>13.9 Alcohol-related non-domestic violence on-premises</p> 	<p>13.10 Alcohol-related non-domestic violence on-premises and off-premises combined</p> 
<p>13.11 Alcohol-related domestic violence</p> 	<p>13.12 Alcohol-related offensive conduct</p> 

While the Authority's primary concerns are with the four identified Cumulative Impact Areas, it also recognises the reported high levels of certain assaults in Woolloomooloo, Darling Harbour and The Rocks, and will monitor relevant issues in these locations over time.

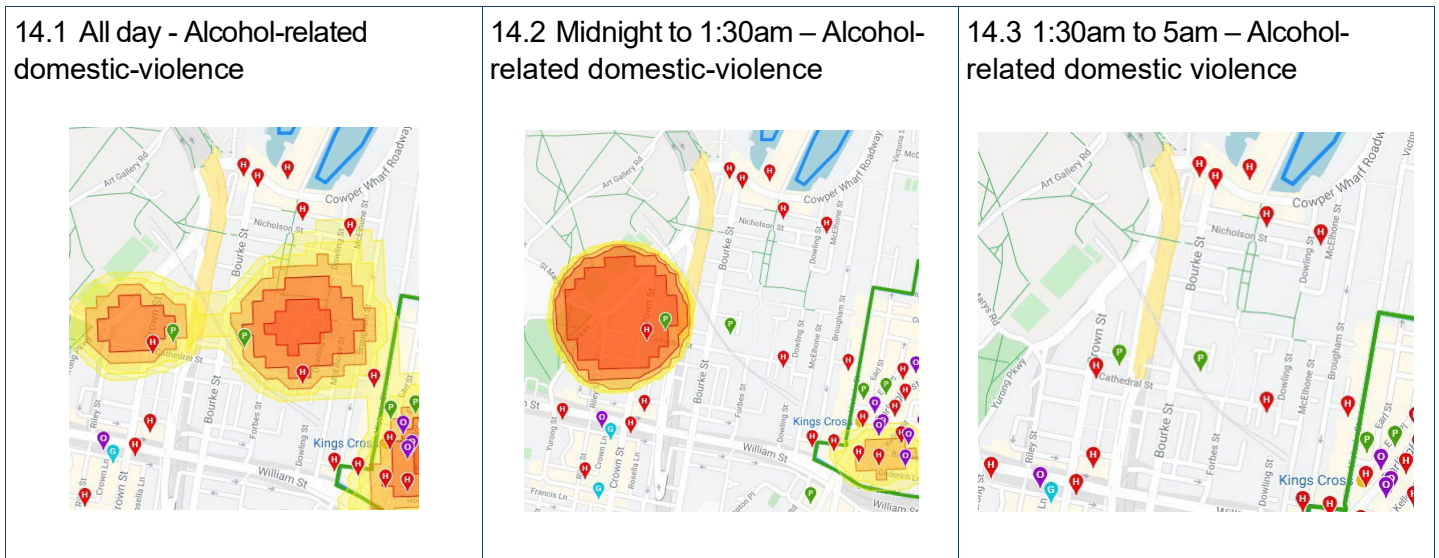
Woolloomooloo and surrounds

There are two density hotspots for alcohol-related domestic violence in Woolloomooloo, with one more problematic during the day and the other between midnight and 1.30am (charts 14.1, 14.2). These hotspots both dissipate after 1.30am (chart 14.3).

The Authority notes that there are 16 premises located within or nearby Woolloomooloo that are authorised to sell packaged liquor (not including those within Area 4 - Kings Cross).

The Authority has decided not to designate Woolloomooloo as a Cumulative Impact Area at this time. However, it will closely monitor the density of alcohol-related domestic violence in Woolloomooloo. The higher domestic violence rates may be particularly relevant when determining applications involving the sale of packaged liquor and additional trading hours in this location. The Authority will carefully consider the relevant crime data and associated issues when determining individual licensing applications.

Chart 14: Alcohol related heat maps
(Heat maps display licensed premises that supply takeaway liquor)



Darling Harbour

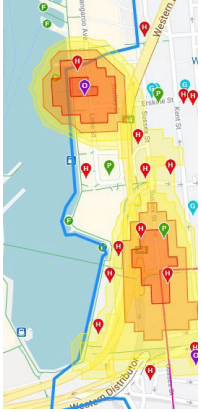
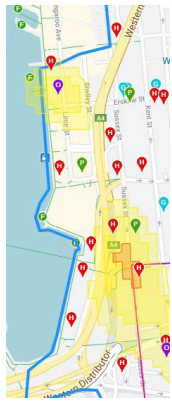
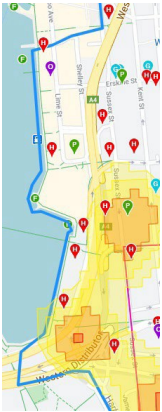
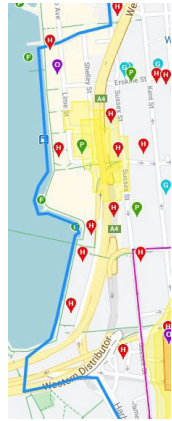
There are seven higher impact premises that are spread out along the Darling Harbour waterfront on the western side of the Western Distributor. Other higher impact premises are located back from the waterfront and are relatively well dispersed.

Although the concentration of higher impact premises is lower than in Cumulative Impact Areas, hotspot maps indicate the presence of some elevated levels of alcohol-related harm.

- There are some small areas with a medium to high density of alcohol-related non-domestic violence incidents on licensed premises (chart 15.1).
- There is a low to medium density of alcohol-related domestic violence, but this is not widespread (chart 15.3)
- The density of alcohol-related offensive conduct is low (chart 15.4).

The Authority has decided not to designate Darling Harbour a Cumulative Impact Area at this time. While some alcohol-related harms are present, higher crime levels are contained to a very small area. The Authority will monitor this location over time. The Authority will carefully consider the relevant crime data and associated issues when determining individual licensing applications.

Chart 15: Alcohol-related crime heat maps
All day

<p>15.1 Alcohol-related non-domestic violence on-premises</p> 	<p>15.2 Alcohol-related non-domestic violence on-premises and off-premises combined</p> 
<p>15.3 Alcohol-related domestic violence</p> 	<p>15.4 Alcohol-related offensive conduct</p> 

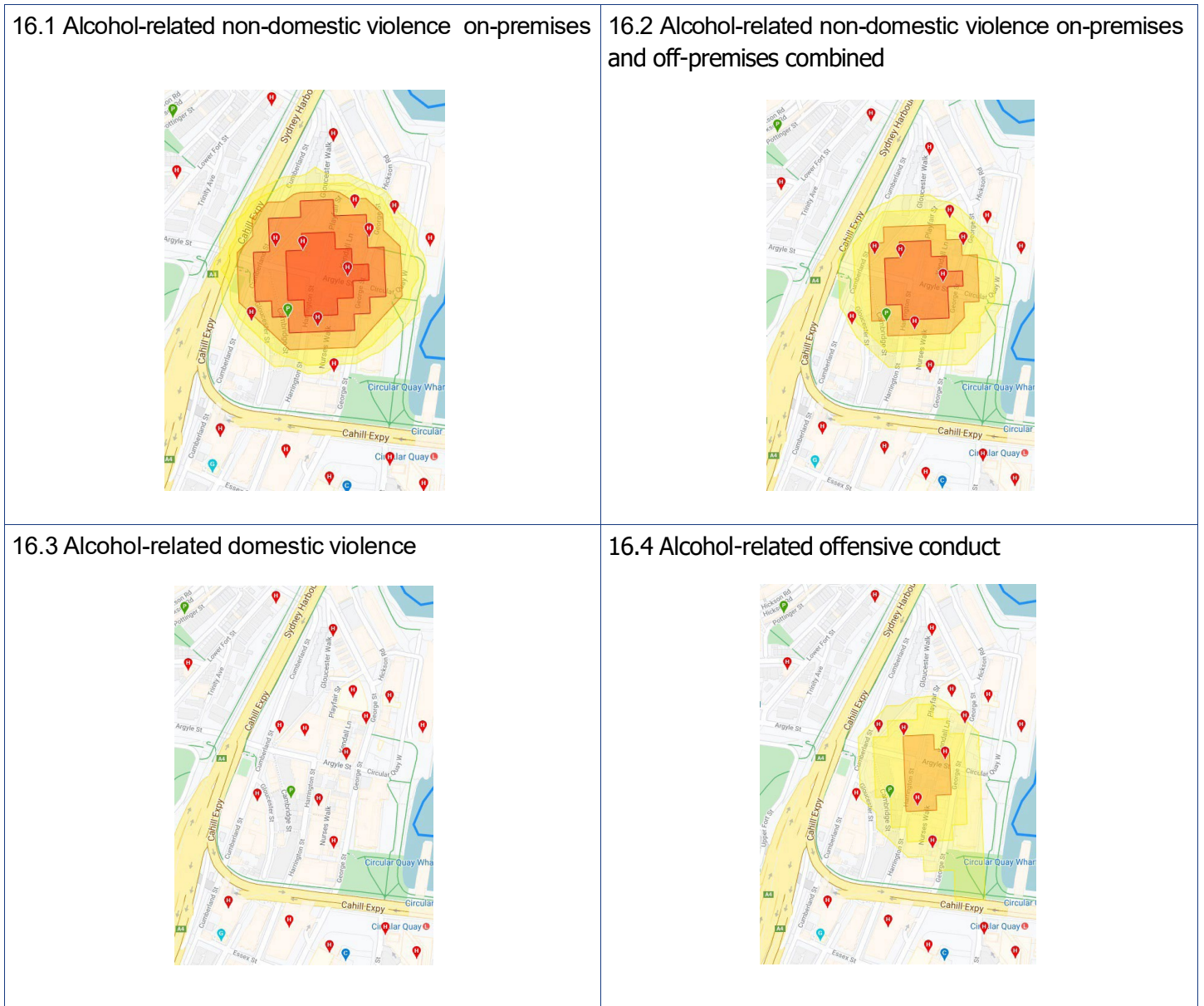
The Rocks

The Authority notes the presence of some elevated alcohol-related harms in The Rocks. These are centred in a small area where there is a cluster of higher impact licensed premises, including 11 hotels and one bottle shop in the northern area of The Rocks on the eastern side of the Bradfield Highway.

- A high density of alcohol-related non-domestic violence is recorded on and nearby Argyle Street, where there is a relatively small hotspot present (chart 16.1, 16.2).
- Alcohol-related domestic violence and offensive conduct levels are at low in The Rocks and do not present as significant problems comparative to other parts of the Precincts (chart 16.3, 16.4).

The Authority has decided not to designate The Rocks as a Cumulative Impact Area at this time. While alcohol-related harms are present, they are contained to a relatively small area. The Authority will monitor this location over time. The higher incidence of alcohol-related non-domestic violence on licensed premises may be particularly relevant when determining liquor-related applications relating to premises located in or nearby the existing cluster. The Authority will carefully consider the relevant crime data and associated issues when determining individual licensing applications.

Chart 16: Alcohol-related crime heat maps
All day



9. Review of the Cumulative Impact Assessment

- 9.1. The Liquor Act required the Authority to review the Cumulative Impact Assessment for the precincts by 30 April 2022, 12 months from the date it was first published. After this further reviews must occur every two years.
- 9.2. This review process provides the opportunity for the Authority to re-assess and determine if the approach needs to be changed based on the most relevant available data and evidence.
- 9.3. The Act requires that as part of the Assessment's review process the Authority must consult with the following 'relevant stakeholders':
- The local consent authority (the City of Sydney Council),
 - The local police,
 - The Secretary of the Ministry of Health,
 - Another person the Authority considers representative of — (i) holders of the type of relevant licence to which the Assessment applies, or (ii) businesses and residents in the area to which the Assessment applies

12-month review of the Cumulative Impact Assessment (1 May 2022 Update)

94. In April 2022, the Authority completed a 12-month review of the Cumulative Impact Assessment issued for the precincts, which included:
- a review of key Liquor & Gaming NSW licensing and BOCSAR crime data; and
 - consultation with the City of Sydney Council, the NSW Police, the Ministry of Health and peak industry bodies such as the Australian Hotels Association, ClubsNSW and Retail Drinks Australia.
95. The key review findings include:
- The high concentrations of licensed premises in the precincts did not reduce considerably beyond the levels reported in the April 2021 assessment. There was a decline in overall number of liquor licences of 4.5 per cent (or 56 licences) by March 2022 - most of these were on-premises restaurants. The number of higher impact premises remains similar with less of a decline (of 2.5 per cent or 8 licences).
 - BOCSAR data shows alcohol-related non-domestic assaults reduced across the City of Sydney LGA by 29.8% per year from October 2018 to September 2021. Alcohol-related domestic assaults reduced in the LGA by 9.4% over the same period.
 - Temporary COVID-19 Public Health Order restrictions are the most likely contributor to the reduction in alcohol-related crime observed in the City of Sydney LGA (including the precincts). Temporary restrictions such as patron density limits and venue closures since March 2020 will have contributed to reduced foot traffic, venue patronage and overcrowding, which in turn affects levels of alcohol-related crime.
 - Available research (as referred to in ILGA Guideline 6) suggests that the continued high concentrations of licensed premises in the precincts are likely to lead to a return to higher rates of alcohol-related harm when COVID-19 restrictions are fully lifted. In further support of this, BOCSAR data shows that for the month in 2021 when COVID restrictions on venues were most relaxed (April 2021), alcohol-related assaults and offensive conduct in the precincts rose to higher levels than in April the year before when strict COVID-19 restrictions were in place (see Table 4). With this increase, the levels were more comparable to April 2019 figures (pre-COVID).

Table 4: Alcohol-related incidents in the precincts for the month of April

Incidents	April 2017	April 2018	April 2019	April 2020	April 2021
Alcohol-related non-domestic assaults	108	77	69	5	48
Alcohol-related domestic assaults	16	14	11	8	16
Alcohol-related offensive conduct	38	35	39	6	45

Source: NSW Bureau of Crime Statistics and Research

- As temporary COVID-19 restrictions are wound back, there remains a high risk that alcohol-related problems will escalate and return to levels that are comparable to the April 2021 assessment.
- Some stakeholders have suggested extending the Cumulative Impact Areas to include areas like Barangaroo, Darling Harbour, The Rocks & The Star. However, the Authority considers that major changes like this should be informed by crime data that has not been affected by temporary COVID-19 restrictions. Currently, there is insufficient evidence to confirm that alcohol-related problems are worsening in these areas.
- Some stakeholders also suggested including additional data sets in future assessments – such as alcohol related health data on ambulance call outs and hospitalisations at Royal Prince Alfred Hospital, BOCSAR data on intoxicated persons and malicious damage, economic data, data on local amenity, alcohol delivery data, and data on venues selling takeaway alcohol under L&GNSW's statement of regulatory intent.

9.6. Based on the above findings, the Authority considers the Assessment issued on 1 May 2021 provides the most reliable way to manage the high concentrations of licensed premises in the precincts for the time being (noting this Assessment relies on pre-COVID data). As such, the Authority decided not to make immediate changes to sections 1-8 of the Assessment as a result of the 12-month review.

9.7 Before making any major changes to the approach in the Assessment, the Authority considers that a longer period is needed to collect additional licensing and crime data that can account for the environment in the precincts following the easing of temporary COVID-19 restrictions on venues. For the same reason, more time is also needed to consider including any additional relevant data sets in the Assessment, as suggested by stakeholders.

The Authority will continue to monitor Darling Harbour, The Rocks and Wollomooloo and surrounds over time, as noted in Section 8 of the Assessment. It will also consider any potential extension of the scope of the Assessment to areas outside the precincts (e.g. Barangaroo and The Star) as part of the next review, when more data is available.

Next review of the Cumulative Impact Assessment

9.8 While the next review of the Assessment is not scheduled to be completed until April 2024, the commencement of this review is planned to be brought forward so that it begins in 12 months' time (by 1 May 2023). This will ensure continued, close monitoring of circumstances in the precincts as data becomes available. It may inform any earlier changes to the Assessment before the review is due to be completed, if appropriate.

Variations to the Cumulative Impact Assessment

9.9 The Authority may change or remove the Assessment at any time if it decides that this action is needed to appropriately reflect any changes in the levels of cumulative impact in the Precincts.

9.10 Any review, change or removal of the Assessment must include consultation with relevant stakeholders, who will always have an opportunity to provide feedback on a draft Assessment before it is published.

9.11 On completing a review, the Authority must publish the latest edition of the Assessment on a publicly available website. If the Assessment has been changed, it must also include a statement explaining the reason for the changes.