



Mr Michael Smith
162 Redfern St
Redfern NSW 2016

15 September 2016

Dear Mr Smith,

APPLICATION NO: 1-3592601801
APPLICATION FOR: New Hotel (General Bar) Licence
(Application)

PROPOSED TRADING HOURS: Monday to Saturday 12:00- 24:00
Sunday 12:00 – 22:00

APPROVED TRADING HOURS: Monday to Saturday 12:00- 23:00
Sunday 12:00 – 22:00

**PROPOSED LICENSED PREMISES
NAME:** Cake Wines Cellar Door

PREMISES LOCATION: 16 Eveleigh Street, Redfern (Premises)

ISSUE: Whether to grant an application for a new
hotel (general bar) licence.

LEGISLATION: Sections 3, 14, 15, 15A, 16, 17, 40, 45, and
48 of the *Liquor Act 2007*

**INDEPENDENT LIQUOR AND GAMING AUTHORITY DECISION - APPLICATION FOR NEW
HOTEL (GENERAL BAR) LICENCE – CAKE WINES CELLAR DOOR**

The Independent Liquor and Gaming Authority considered the Application at its meeting on 13 April 2016 and pursuant to section 45 of the *Liquor Act 2007* (Act), has decided to **grant** the Application subject to the following conditions:

1. Section 11A of the Liquor Act 2007 applies to this licence. Liquor must not be sold by retail on the licensed premises for a continuous period of 6 hours between 4:00AM and 10:00AM during each consecutive period of 24 hours. The licensee must comply with this 6-hour closure period along with any other limits specified in the trading hours for this licence.
2. Consumption on premises

Good Friday 12:00 noon - 10:00 PM
Christmas Day 12:00 noon - 10:00 PM (liquor can only be served with or ancillary to a meal
in a dining area)

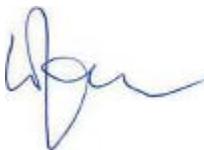
December 31st Normal opening time until normal closing time or 2:00 AM on New Year's Day,
whichever is the later

Note: Trading is also allowed after midnight into the early morning of Good Friday and Christmas Day if authorised by an extended trading authorisation. Trading must cease at the time specified under the authorisation. The latest time that can be specified is 5:00 AM.

3. The business authorised by this licence must not operate with a greater overall level of social impact on the well-being of the local and broader community than what could be reasonably expected from the information contained in the Community Impact Statement, application and other information submitted in the process of obtaining this licence.
4. The licensee or its representative must join and be an active participant in the local liquor accord.
5. The premises are to be operated at all times in accordance with the Plan of Management dated March 2016 as may be varied from time to time after endorsement by the Local Area Commander.
6. The premises are only permitted to trade the hours approved by the local consent authority for the trial period whilst it remains in force.
7. The maximum number of persons permitted in the premises at any one time is 120 (85 seated and 35 standing).
8. The licensee will engage security guards at the premises from 8:00pm on Friday, Saturday and Sunday nights and any night preceding a public holiday at a ratio of 1 security guard per 100 patrons or part thereof. Security are to conduct regular patrols of Eveleigh and Hudson Streets and are to remain at the premises for at least 30 minutes after closing to ensure patrons do not disturb the amenity of the neighbourhood.

The decision was notified to the Applicant on 13 April 2016. This letter provides a record of the reasons for the decision. If you have any enquiries, please contact the case manager via email to santina.causa@ilga.nsw.gov.au

Yours faithfully



Philip Crawford
Chairperson

For and on behalf of the **Independent Liquor & Gaming Authority**

STATEMENT OF REASONS

Material Before the Authority

1. The following is a summary only of the material and submissions before the Independent Liquor and Gaming Authority (Authority) for the purposes of publication of a statement of reasons, as soon as practicable, in a high volume jurisdiction.
2. In making this decision, the Authority has considered the application for a new hotel (general bar subcategory) licence, the accompanying community impact statement (CIS) and all submissions received in relation to the Application. As foreshadowed in Authority Guideline 6, the Authority has also had regard to relevant liquor licensing records and licence density data maintained by Liquor and Gaming NSW (LGNSW), Bureau of Crime Statistics and Research (BOCSAR) crime data and Australian Bureau of Statistics (ABS) data pertaining to the local and broader communities sourced by licensing staff from publicly available sources. That material is listed and briefly summarised in the Schedule.

Summary of Further Submissions

3. Submission from local resident, Mr A Meier, dated 20 October 2015 objecting to the Application. Mr Meier contends that there is already a lack of parking in Eveleigh Street, that there are a number of alcohol free areas nearby that the new business could compromise, that there are concerns about noise for nearby residential complexes and that more rubbish would be dumped and mess created (the writer provides four photographs by way of example).
4. Letter from Council of the City of Sydney (Council) addressed to the Applicant dated 15 December 2015 advising that Council has “no matters of concern” but Council has granted the DA subject to operational conditions addressing, inter alia, the use of breakout/garden area; primary purpose of the licensed premises; patron capacity; hours of operation; plan of management; security; incident reporting and notification; and noise control.
5. Submission from a local resident, “Simon” (undisclosed last name) dated 23 December 2015 objecting to the Application. In this one-paragraph submission, the writer questions the “need” for another bar and refers to the experience in Darlinghurst and Surry Hills, contending generally that “drunk young people linger around the surrounding areas long after the bars and venues close” and “the locals are left to clean up their mess”.
6. Email from the Applicant to the Authority dated 16 February 2016 advising, in response to questions from licensing staff:
 - (a) That page 2 of the CIS was intentionally left blank as there were no relevant special interest groups within 100m of the Premises; and
 - (b) That with regard to the proposed use of “Cellar Door” in the licensed business name that “we are a wine producer (our vineyards are in Adelaide)” who will be utilising the Premises as a “new kind of cellar door” – one which “does not entail the sale of alcohol for take-away purposes”. The Applicant submits that the legislation “only states that Cellar Door operators (using the cellar door provision under the producer/wholesaler license) “have the right” to sell alcohol for take-away purposes.
7. Submission from Superintendent Luke Freudenstein, Local Area Commander of Redfern Local Area Command (Police) to Council dated 18 February 2016. In this six-page letter,

Police note the modifications to the DA sought for the Premises and advise that Police have tendered to Council a submission “opposing the original application”. However, development consent was granted in December 2015 and the venue is “yet to commence trading”. Police raise concerns in response to this (liquor) Application including:

- a) The patron capacity of 120 which will make it “physically impossible” for a cultural wine appreciation experience to occur due to the disproportionate wine to staff ratio;
 - b) The proposal is an “experimental operation” and should that experiment fail to be financially viable, the operators of the general bar “will resort to altering their business model” with the “most obvious adoption being to attract and utilise more patrons from a lower socio-economic background, ATSI background or large student base” as the venue is situated with a “large availability of both”;
 - c) The absence of other recent general bar licences issued in the Redfern LAC catering for patrons beyond 120 persons and that any venues enjoying a capacity of 120 “have usually spent several years trading using a good trading history and positive community feedback to support increases up to 120 patrons”;
 - d) Numerous other licensed venues are within a short walk of the Premises;
 - e) The “added night time crowd of drinkers” will “create an increase in street offences, offensive behaviour and noise with the migration of patrons floating between the host of drinking alternatives available to them in the Chippendale/Redfern precincts”;
 - f) The lack of experience by the Applicant in operating a general bar and the Applicant’s experience in operating “numerous pop up bars and festival bars involving large numbers of patrons” which is the opposite of the vision proposed in this Application; and
 - g) The location of the Premises both near an area known as “The Block” which Police submit “does not need at any level” another liquor outlet and a short walk from Sydney CBD which is subject to the lockout laws.
8. Report to the Authority dated 25 February 2016 from a Delegate of the Secretary of the Department of Justice via the Compliance Branch, LGNSW. In this document, LGNSW report that a “general assessment” has been carried out in respect of the Application. LGNSW advise that Compliance records disclose that a Compliance Notice (warning) was issued to Cake Wines Pty Ltd for contravention of section 9(1)(b) alleging failure to sell/supply liquor in accordance with the authority granted by a licence. LGNSW note BOCSAR data for October 2014 to September 2015 recording:
- a) The rate of *alcohol related assaults* (domestic and non-domestic) in Redfern was 1,063 (per 100,000 population) compared to the whole of NSW, which had a rate of 288 per 100,000 population; and
 - b) The rate of *alcohol related disorderly conduct* offences in Redfern was 128 (per 100,000 population) compared to the whole of NSW, which had a rate of 89 per 100,000 population.
9. LGNSW observe that while the *Plan of Management* raises a number of strategies to address potential noise disturbance issues, in light of student accommodation and residential

apartments “in the near vicinity” of the Premises the “practical implementation of these strategies are open to interpretation”. LGNSW note that the Premises is located in a hotspot for alcohol related assault.

10. Email from Senior Constable Phillip Tucker dated 8 March 2016. Police reiterate their above concerns regarding the Application and submit that should the liquor licence be granted, an additional condition be imposed requiring the use of licensed security “whenever the venue supplies live (including DJ’s) entertainment”.
11. Email from the Applicant to Authority staff dated 15 March 2016. The Applicant agreed to the ten Police proposed conditions save for a condition regarding the sale and service of liquor ceasing 30 minutes prior to the approved closing time to allow for the orderly dispersal of patrons which the Applicant submits is contrary to the DA. The Applicant consents to the conditions proposed by licensing staff in their email dated 7 March 2015 save for a condition regarding security guards.
12. *Plan of Management* for the hotel dated 16 March 2016. In this 76-page internal business policy document the Applicant discusses *inter alia* the proposed business, its expected audience, key personnel, the “customer experience” at the proposed business, the available transport for patrons, pedestrian routes to the Premises, a breakdown of commercial and residential properties surrounding the Premises, nearby late trading businesses, Council’s Late Night Development Control Plan, an organisational overview of the business, staffing, licensing and signage authorities, the Local Liquor Accord, liaison with Police and community, noise emissions and management, safety and security procedures and plans, CCTV, incident monitoring, complaint resolution, impact on amenity, a summary of action taken by the Applicant prior to and during the first three months of operating, waste management, cleaning, work safety, food handling, RSA Management Policy and Procedures and emergency evacuation procedures. Notably, the Applicant contends in this policy document that the proposed business will have “a very limited spirit offering”, will “not serve shots at any time” and will “not serve cocktails or other high-alcohol mixed drinks”.
13. Application to Change Approved Manager Approval Form dated 21 March 2016 requesting that the approved manager for catering licence LIQO660030921 Phoenix IC Pty Ltd be changed to Mr Glen Cassidy.
14. Email from the Applicant to licensing staff dated 21 March 2016, providing responses to the submissions from LGNSW and the public. The Applicant responds to the public submissions with the following submissions and contentions:
 - a) The venue will have no effect on nearby “dry-areas” as it is not selling takeaway liquor;
 - b) The Applicant does “not anticipate many driving to our venue” due to the venue being a “drink and dine” venue. The Premises is also located in close proximity to Redfern train station and bus stops on Cleveland St;
 - c) Over \$50,000 has been spent on sound proofing which has been certified by Council;
 - d) As a result of these works a person “cannot hear a single noise from our premises when standing outside it – let alone inside a neighbouring residential tenancy”;

- e) The Premises was not operational on 4/10 so the rubbish (photographed by a submitter) was not applicable to this venue; and
 - f) The venue has a “thorough waste management plan” as part of the *Plan of Management*, which has been approved by Council.
15. The Applicant responds to the LGNSW submissions with the following submissions and contentions:
- a) The venue has “significant management controls in place to manage patrons entering and exiting” the Premises;
 - b) The provision of DJs and live music “will have ZERO impact on neighbouring premises”;
 - c) The food, music and cultural programming is “precisely” how the venue will redefine the traditional cellar door experience;
 - d) There is “no statistical evidence” to back up the claim that there is a link between “cellar door” style liquor business patronage and alcohol related assaults; and
 - e) After “significant consultation” with liquor licence experts and (then) OLGR (now) LGNSW, it was agreed that “the most appropriate license type” for the operation of the Cellar Door in Redfern was a General Bar licence.

Legislative Framework

16. The legal requirements for the making of a valid application for a liquor licence are provided by section 40 of the Act and the *Liquor Regulations 2008* (Liquor Regulations). The power to grant an application for a new liquor licence is provided by section 45 of the Act.
17. Any person exercising functions under the Act must also have regard to the objects and considerations set out in section 3 of the Act which states:
- (1) *The objects of this Act are as follows:*
 - (a) *to regulate and control the sale, supply and consumption of liquor in a way that is consistent with the expectations, needs and aspirations of the community,*
 - (b) *to facilitate the balanced development, in the public interest, of the liquor industry, through a flexible and practical regulatory system with minimal formality and technicality,*
 - (c) *to contribute to the responsible development of related industries such as the live music, entertainment, tourism and hospitality industries.*
 - (2) *In order to secure the objects of this Act, each person who exercises functions under this Act (including a licensee) is required to have due regard to the following:*
 - (a) *the need to minimise harm associated with misuse and abuse of liquor (including harm arising from violence and other anti-social behaviour),*
 - (b) *the need to encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor,*
 - (c) *the need to ensure that the sale, supply and consumption of liquor contributes to, and does not detract from, the amenity of community life.*

18. Section 48(5) of the Act requires the Authority, in certain circumstances, to consider a CIS (as well as any other matter the Authority is made aware of during the application process) in order to ensure that the overall impact of the licence, authorisation or approval being considered will not be detrimental to the local or broader community.
19. An application for a new hotel licence is a “relevant application” within the meaning of section 48(2) of the Act for which a CIS is required.
20. Section 48(5) of the Act requires that the Authority must not grant the Application unless satisfied that “the overall social impact of the licence, authorisation or approval being granted will not be detrimental to the well-being of the local or broader community”.

Analysis of Relevant Facts

21. The Authority is satisfied, on the basis of the Application material before the Authority that, for the purposes of Section 40 of the Act, the Application has been validly made and minimum procedural requirements with regard to the Application, CIS and community consultation have been satisfied. This finding is made on the basis of the Application and CIS material and Certification of Advertising provided by the Applicant.
22. The Authority is satisfied, for the purposes of section 45(3)(a) of the Act, that the Applicant is a fit and proper person to carry on the business of a packaged liquor licenced venue of the kind proposed in the Application material. This finding has been made having regard to the submissions from Police and LGNSW.
23. The Authority is satisfied, for the purposes of section 45(3)(b) of the Act that responsible service practices will be in place with the commencement of licensed trading. This finding is made on the basis of the *Plan of Management* dated 16 March 2016 provided by the Applicant.
24. The Authority is satisfied, for the purposes of section 45(3)(c) of the Act that the required development consent is in force for the proposed activity to be conducted on the Premises pursuant to this licence during the proposed licensed trading hours. This finding is made on the basis of D/2015/1039 issued by Council dated 11 December 2015.

Social Impact – Positive Benefits

25. The Authority is satisfied, on the basis of the CIS and the submissions made by the Applicant in the *Plan of Management* that the Applicant has substantiated its case in support of the Application and has demonstrated that granting this licence will provide substantial consumer benefits to members of the local and broader community who wish to have a “cellar door” style experience from a venue located in Redfern that is focused on providing a refined, boutique, considered drinking experience that differs from many other mainstream hotel licensed venues in the local and broader community.
26. Notwithstanding the number of hotel licensed premises in the local and broader community the type of general bar model proposed in this instance will diversity the licensed venues in the area. That is, it will not provide just another mainstream hotel business.
27. The Authority is satisfied on the material before it that there has been very limited opposition expressed by local residents and is satisfied, on the basis of the CIS and *Plan of Management* that the Applicant has established that granting the Application will be

consistent with the “expectations, needs and aspirations of the community” being an object of section 3(1)(a).

28. The Authority is satisfied, on the basis of the Applicant’s CIS and submissions that this proposed general bar will provide a “cellar door” type of licensed business that is linked to an associated wholesale wine business and in this sense will be the first of its kind in Sydney. In this respect, there is a degree of innovation apparent from the business model and the Authority is satisfied that granting the licence will promote the balanced development, in the public interest, of the liquor industry, which is an object of section 3(1)(b) of the Act.
29. The Application and CIS also satisfy the Authority that the proposed business model will contribute to the responsible development of related industries, such as hospitality and music, for the purposes of section 3(1)(c) of the Act.

Social Impact – Negative Impacts

30. The Authority accepts that over time there will more likely than not be some contribution from the liquor sold at the Premises to alcohol related crime, disturbance or impact on amenity from a minority of customers who abuse liquor purchased at this Premises. The nature of the licensed business is a hotel and its primary purpose is the sale of liquor by retail for consumption on the Premises.
31. The Authority notes that Police initially objected to the Application if a related development application to modify the scope of the use of the Premises was approved by Council. However, further submissions from the Applicant satisfy the Authority that the business will proceed on the basis of the current DA, not the modified DA application.
32. The Authority is satisfied, on the basis of the submission dated 12 January 2016 that Police do not oppose the Application provided that the DA is not modified to increase patron numbers, trading hours or a reduction of security requirements.
33. The Authority is satisfied that there is prima facie cause for concern arising from the prevailing rates of alcohol related crime across the local and broader community. BOCSAR crime data from October 2014 to September 2015 detailing hotspots for the concentration of offences near the location of the Premises indicate that the Premises is located within high density hotspots for incidents of *alcohol related assault, domestic assault, non-domestic assault and malicious damage to property*.
34. The Authority also notes that the BOCSAR *Crime by LGA and Alcohol Related Status* for July 2014 and June 2015 indicates that the Sydney LGA has substantially higher rates per 100,000 population of *domestic violence related assault, non-domestic violence related assault, offensive behaviour and assault police* than NSW as a whole. The Authority refers to the rates for these incidents set out above.
35. The Authority is satisfied, on the basis of licence density data, that the licence density across the broader community of Sydney LGA is at *lower* rates in respect of full hotel licences, hotel (general bar) licences, packaged liquor licences, club licences, limited licences, on-premises licences and producer wholesaler licences. There is also some cause for concern arising from the hotel licence density data for the state suburb of Redfern.

36. The elevated rates of crime in the broader community is a function of the great many licensed premises and the concentration of residents, city workers and visitors to the Sydney LGA, but the crime data remains pertinent to the Authority's assessment of the overall social impact of granting this Application. The prevailing crime data for the local and broader community demands very careful scrutiny of the licence type, business model, trading hours and scale of the individual business proposed before another licence is issued.
37. The Authority is satisfied on the basis of the ABS SEIFA scores that the local and broader communities are relatively advantaged in socio demographic terms. The SEIFA data indicates that Sydney LGA ranked in the 9th decile while postcode 2016 ranked in the 7th decile on the Index of Relative Socio-Economic Advantage and Disadvantage.
38. The Authority considers the scale of the Premises to be moderate in size, noting that the Applicant has accepted the imposition of a licence condition that will limit the number of patrons in the Premises to 120 (85 seated and 35 standing) at any time. The Authority is further satisfied that the Applicant has agreed to ensure that patrons and staff do not utilise the breakout/garden courtyard and will also ensure that no persons are to be permitted to drink or queue outside the Premises at any time.
39. The Authority is satisfied on the basis of the consented licence conditions that the licensed business will not engage in late trading and its licensed hours will be less extensive than those available under the standard hours permitted by section 12 of the Act. This factor (the licensed hours) has been given some weight when granting this Application as a harm limitation measure and reducing adverse impact on local amenity in the evening. The Authority is further satisfied, on the basis of the Applicant's submissions that the Applicant has accepted the imposition of a number of conditions upon the liquor licence that were sought by Police and which will further constrain adverse social impact.
40. The Authority is satisfied that the Applicant has also provided a comprehensive *Plan of Management*, which outlines security measures for the Premises as well as strategies for the management of patrons and the responsible service of alcohol.
41. The Authority has considered the two adverse submissions made by local residents. The Authority notes that these submissions tend to focus on planning related issues rather than alcohol related impacts per se. The Authority is satisfied that Council has considered these issues during its assessment prior to issuing development consent. While the Authority accepts that local residents have a genuine and credible concern that patrons from the Premises may also impact local amenity, the Authority is not persuaded, on the material before it, that the issues identified in these submissions are sufficiently supported by evidence to warrant decisive weight being accorded to such submissions in this case.
42. One local resident questions the "need" for another bar in the local area. While licence density is relevant to an assessment of overall social impact, the "needs" test that was previously a part of liquor legislation in New South Wales is no longer a barrier to the grant of a new liquor licence.

43. The Authority notes that a local resident raises concern as to the alcohol free areas located near the venue. The Authority is satisfied on the basis of this submission that there are alcohol free areas nearby but this Application is for a general bar licence and liquor cannot be sold for consumption *off* the premises, reducing the risk of alcohol related litter.
44. The Authority notes the concerns raised by LGNSW about the scope for this licensed premises to operate in the mode of a bar or nightclub with live entertainment rather than a cellar door style business as proposed by the Applicant. The Authority accepts that once licensed, this new business will have the capacity to provide entertainment.
45. The Authority has taken into account the detailed planning and licence conditions regarding security, CCTV and the less than standard trading hours sought by the Applicant. These are measures that go above and beyond the requirements of the legislation to minimise harm. The Authority also accepts the Applicant's representation that over \$50,000 has been spent on sound proofing the Premises and that the venue's acoustic treatment measures have been certified by both an Acoustic Engineer and a Building Certifier to the satisfaction of Council's Health & Building Unit. The Authority further notes the detailed *Plan of Management* and the licence conditions to which the Applicant has consented during the course of this Application.

Conclusion

46. Considering together the demonstrated positive benefits and the factors which objectively constrain or reduce the extent of likely negative impacts that would otherwise arise from the liquor supplied or sold from the proposed business to be conducted on the Premises, the Authority is satisfied, on the material before it, that the overall social impact of granting this Application for a new hotel (general bar) licence will not be detrimental to the well-being of the local or broader community for the purposes of section 48(5) of the Act.
47. The Application is granted pursuant to section 45 of the Act.
48. In making this decision the Authority has considered all of the statutory objects provided by section 3(1) of the Act and has had regard to all of the considerations prescribed by section 3(2) of the Act.
49. In making this decision, the Authority has determined the 6-hour daily closure period required by section 11A of the Act to be fixed at the standard period from 4:00am to 10:00am.

Decision Date: 13 April 2016



Philip Crawford
Chairperson

SCHEDULE

Material Before the Authority

1. Application Hotel Application form – lodged on 28 September 2015.
2. CIS and supporting material lodged on 28 September 2015. Briefly, the Applicant contends that the new venue will provide the following benefits to the community: providing entertainment in the form of talks and workshops; wine education classes; food and wine matching courses; wine appreciation seminars; art exhibitions; film screenings; cooking classes and “live music”.
3. The following material was provided with the CIS:
 - a. A list of stakeholders and special interest groups consulted;
 - b. Plans relevant to the overall development of the hotel and layout plans;
 - c. Submission from c/o Neustein Urban Planning and Design, a consultant engaged by the Applicant, dated 11 September 2015.
 - d. ASIC Current Organisation Extract for the Premises dated 24 September 2015.
4. Email from the Applicant to the Authority dated 7 October 2015.
5. Submission from local resident, Mr A Meier, dated 20 October 2015 objecting to the Application.
6. DA number D/2015/1039 issued by Council dated 11 December 2015.
7. Letter from Mr Nick Pitchuev, Licensed Premises Coordinator – Health and Building, on behalf of Council addressed to the Applicant dated 15 December 2015.
8. Submission from local resident, Simon (undisclosed last name) dated 23 December 2015 objecting to the Application.
9. Submission from Senior Constable Phillip Tucker of Redfern Police Licensing Unit, NSW Police, dated 12 January 2016. Police “are not opposed” to the Application but request that should the licence be granted, ten conditions be imposed addressing, *inter alia*, appointment of an approved manager; trading hours; patron capacity; compliance with DA conditions; provision of copies of development consents, plan of management, floor plans and liquor licence to Police and their maintenance at the Premises; CCTV; incident register; and security considerations.
10. Letter notifying neighbours of D/2015/1039/A – modification of previous DA, issued by Council on 8 February 2016.
11. Email from Authority staff to the Applicant dated 16 February 2016. Authority staff invited the Applicant to consider an alternative name for the Premises as the proposed name, “Cellar Door”, may be misleading as it could be construed that take-away sales are available from the Premises.
12. Email from the Applicant to the Authority dated 16 February 2016.
13. Further submission from Senior Constable Phillip Tucker of Redfern Police Licensing Unit, NSW Police, dated 17 February 2016. Police provide an updated submission in light of the modified DA sought by the Applicant. Police submit that they are “concerned” that if this DA

was successful, the venue could operate “with a capacity of 180 patrons and until 12 midnight and with no security”. Police attach a copy of the Police submission made to Council in relation to this DA and advise that Police are “not in favour of a bar with such large numbers and hours especially since it has yet to display any trading experience”.

14. Submission from Superintendent Luke Freudenstein, Local Area Commander of Redfern Local Area Command to Council dated 18 February 2016.
15. Email from the Applicant to the Authority dated 22 February 2016 attaching a list and map of the other premises notified of the Application. The Applicant contends that “over 400 letters” were distributed to commercial and residential buildings located within 500 metres.
16. Report to the Authority dated 25 February 2016 from a Delegate of the Secretary of the Department of Justice via the Compliance Branch, LGNSW.
17. Email from Senior Constable Phillip Tucker of Redfern Police Licensing Office, NSW Police dated 8 March 2016.
18. Email from Authority staff to the Applicant dated 7 March 2016.
19. Email from the Applicant to the Authority dated 15 March 2016.
20. Email from Mr C Carlin, Compliance Officer, LGNSW to the Authority dated 10 March 2016.
21. Email from Authority staff to the Applicant dated 16 March 2016.
22. Plan of Management for the hotel dated 16 March 2016.
23. Application to Change Approved Manager Approval Form dated 21 March 2016.
24. Email from the Applicant to Authority staff dated 21 March 2016, providing responses to the submissions received from LGNSW and the public.
25. Notice of Appointment of Manager filed with the Authority.
26. BOCSAR Crime Maps based upon data from October 2014 to September 2015 detailing hotspots for the concentration of offences near the location of the Premises which is publicly available on the BOCSAR website. This data indicates that the Premises:
 - a. Is located within a *high density* hotspot for incidents of *alcohol related assault*;
 - b. Is located within a *high density* hotspot for incidents of *domestic assault*;
 - c. Is located within a *high density* hotspot for incidents of *non-domestic assault*; and
 - d. Is located within a *high density* hotspot for incidents of *malicious damage to property*.
27. Liquor licensing records indicating that the suburb of Redfern has 2 registered club licences; 12 hotel full licences; 5 hotel general licensed premises; 23 on premises licensed premises; 3 packaged liquor licensed premises; and 4 produced wholesaler licensed premises.
28. Liquor licence density data derived from licensing records that are publicly available from LGNSW indicating that the Sydney LGA as a whole recorded:
 - a. A rate of **5.90 full hotel licences** per 100,000 persons, well below the NSW state wide rate of **30.36**;

- b. A rate of **7.67** *packaged liquor licences* per 100,000 persons, well below the NSW state wide rate of **32.85**; and
 - c. A rate of **2.95** *registered club licences* per 100,000 persons, significantly lower than the NSW state wide rate of **20.48**;
29. Liquor licence density data derived from licensing records that are publicly available from LGNSW indicating that the Redfern suburb as a whole recorded:
- a. A rate of **66.46** *full hotel licences* per 100,000 persons, well above the NSW state wide rate of **30.36**;
 - b. A rate of **33.23** *packaged liquor licences* per 100,000 persons, above the NSW state wide rate of **32.85**;
 - c. A rate of **24.92** *registered club licences* per 100,000 persons, above the NSW state wide rate of **20.48**;
 - d. A rate of **215.98** *on-premises licences* per 100,000 persons, significantly above the NSW state wide rate of **121.31**; and
30. Data on *Crime by LGA and Alcohol Related Status* obtained from published BOCSAR sources for incidents occurring between July 2014 and June 2015. This data indicates that:
- a. The rate of *domestic violence related assault* incidents flagged by reporting Police as *alcohol related* across the Sydney LGA was **213.3** per 100,000 persons, substantially above the New South Wales rate of **122.6** per 100,000 persons;
 - b. The rate of *non-domestic violence related assault* incidents flagged by reporting Police as *alcohol related* across the Sydney LGA for 2013 was **796.6** per 100,000 persons, well above the State wide rate of **144.0** per 100,000 persons;
 - c. The rate of *offensive conduct* offences flagged by reporting Police as *alcohol related* across the Sydney LGA was **525.4** per 100,000 persons, well above the State wide rate of **88.2** per 100,000 persons; and
 - d. The rate of *assault Police* incidents flagged by reporting Police as *alcohol related* across the Sydney LGA was **85.2** per 100,000 persons, well above the State wide rate of **18.2** per 100,000 persons.
31. ABS SEIFA data prepared on the basis of the 2011 census for Redfern and the Sydney LGA.