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Date: 23rd January 2018

To Hon. Johnathan Horton QC,

It is with great pleasure that I am afforded the opportunity to make application for your perusal of review of Newcastle CBD Liquor Licence Conditions. I am the director of Cicada Group Pty Ltd, the leasee of the Great Northern Hotel on the corner of Scott and Watt St, Newcastle. It has been a two year project thus far, undertaking significant restoration and renovations to the property to return it to its former glory. Also a co-owner of the ArtHouse Hotel, in Sydney CBD and TreeHouse in North Sydney, I am well-rehearsed in the lockout laws of Sydney's Entertainment Precinct and the Newcastle lockout laws.

As we are all very intimately aware, Newcastle has always been a vibrant city, with a myriad of offerings and expansive opportunities. The last 10 years since the introduction of a swath of restrictive conditions were imposed on the hotels of Newcastle's CBD, aiming to curtail the actions of the few, the changes have been both damaging, yet also some positives. The effect of these conditions, it could be argued, did little to affect the behaviours of the people it was aimed to discourage, but displace problem people to other areas around Newcastle, or into the domestic arena.

Newcastle and its CBD hotel operators have been vigilantly upholding these conditions, with the intent to (as always) discourage problem patrons. This could be said for most venues nationally. It is not a profitable business model to encourage such behaviour in any case and our rigid intent to eliminate it at all opportunities. The effect of these conditions, not unlike the ones most recently imposed on my venues in Sydney's CBD in 2014, has had a greater affect on real numbers visiting the vicinity, rather than the real cultural change it was aiming. This has and should not be, the goal of any vibrant city or its legislators.

Newcastle CBD and surrounding suburbs have become a far more vibrant CBD and place of destination over the past 10 years, that has been of no consequence of these imposed laws on the few hotels it hosted. Playing host to events such as V8 supercars, Surf Fest and local festivals, that are attracting many domestic and international guests to the area, has seen some real positive

change. With these above mentioned (but not limited to) events, there is a demand to extend the late night economy well past its current times, to encourage the diversity and expansion, that has only just begun to scrape the surface in the CBD. The Great Northern wishes to be a pioneer of the night time revolution, offering food and beverage to its hotel guests and local community throughout the 24 hours available. Not just the restricted times handed down in 2008.

The Great Northern Hotel has been a site visited by many over the years and holds a nostalgic memory for most Newcastle residents, or visiting holiday maker for the past 78 years. Most notably the Queen. With the current restoration of the site due to open stage-one shortly after Easter 2018, our multi-faceted offering of food, beverages and (stage 2) Newcastle's only roof bar, our premium service will be something of a bucket-list demand for locals and tourists. Housing over 90 rooms and 3 eateries, cocktail bars, function spaces, entertainment etc, the current conditions have outlived their need when looking at what the Great Northern will provide.

As with any rule, condition or legislation, it should be considered to move with the times, human conditions, behaviour and demand. Our premium offering of cocktails, world class food and beverage, should be met with support and encouragement from the local and state authority. It is our belief and that of most of NSW, that we treat everyone with respect and expect it in return. It is in fact, one of our Core Values in our business model, written into every staff's welcome aboard package and mantra we iterate at meetings. The expectation that our patrons will enjoy and partake in well behaved and responsible consumption of their food, beverage, cocktail, gaming or otherwise, is a simple, but reasonable one. Not one that is now determined firmly by a clock, that only 1 minute before 1:30am were 'ok' to enter, but one minute after are now unruly and unwelcome. It would be particularly confronting to a patron trying to check into the 24 hour reception, but has to go through a licensed area to do so. Currently, they would be turned away and told to sleep on the street. Certainly not the targeted trouble makers that wandered the streets and caused community harm.

Moreover, the condition to limit mixed drinks to 30ml for a standard cocktail, is very outdated and certainly not giving scope to the amazing talents of world class bar persons and mixologists and/or what is seen as a reasonable elsewhere in the world. This condition should be reviewed to allow such drinks to be served, as it was surely an unintended victim of the conditions in the first place. This should also apply to premium spirits that are designed to be drunk neat, instead of mixed. Premium scotch and cognac drinkers etc, should not be another victim of these unintended conditions. Small bars have managed to garner the support to allow this, but the hotels being reviewed have not yet been considered and should be offered the same opportunity to remain competitive and deliver a service demanded by our patrons without being forced somewhere else to partake in their desired beverage.

Plans of Management are a very positive and mutually agreed foundation of our business. It is something that we highly encourage all businesses to undertake, not just hotels. It is a guide to good performance and training new staff and management about the importance of our role in responsibly and diligently caring for the community at large. It is however a very expensive process to manage if quarterly reviews by an unrelated party are required to be commissioned. Especially when changes to businesses and the model does not happen this regularly. It would be far less onerous to have these reviewed at a time that a DA or licence alteration has been applied for, with any of the regulatory departments. The regularity these need review, at this stage is largely a draconian measure, that has achieved its intended outcome and ensure rouge operators

are weaned out and/or sharpen their act. I believe this is reflected in the significantly improved conditions within the CBD. This is possibly one of the more significant and positive installations enforced, that has achieved more positive results than any other facet of the conditions implemented in 2008.

It was the largest and most quoted fact of the conditions, 'the lockout laws', but they have been proven to show little effect on the desire to dissuade bad behaviour. It would be hard pressed to demonstrate a customer who is arriving from Sydney to Newcastle after an 1130pm flight and driven to the Great Northern Hotel to have their first drink at 2am was the target of these laws. As a director of the ArtHouse Hotel in Sydney's CBD, I have witnessed the immediate redistribution of patrons to unrestricted venues outside the 'lockout-laws' precinct. These other venues were often unprepared and throttled by an influx of people. There was also the mad-rush to gain access to venues before the lockout was in place, within the CBD. The laws did little to attend to the problem patrons, but did more to the venues that were discouraging their attendance and not letting them into the safe environment and entertainment within the venues. Not to mention, the violence and issues that triggered these laws, were all prior to the lockout time that were eventually enforced.

Newcastle has been a victim of the same outcomes, where venues outside the precinct, or under these conditions, were given an economic advantage and patron numbers far exceeding their available capacity. All whilst, doing little to change the behaviours or attitudes of the trouble makers. As its been argued many times, lockouts penalise the many, whilst trying to target the few. A completely lopsided law in any case, that could have been better drafted to significantly attend to the trouble makers, banning from the CBD and heavy penalties for braking the law. This would be positive for the community in two ways, the trouble makers are removed and the community can enjoy their time safely, for longer. Overall, anyone considering becoming a problem community member would think twice if they unwelcome to venues with friends, family or colleagues. This would be a culture shift like never seen in Australia.

If the intent was to reduce numbers into a CBD and number of the listed venues, the effect was great and successful on both fronts. If the effect was to target problem and violent people, the effect was a failure. It is without question, there is a need to put a spotlight on aggressive, quarrelsome and any illegal activity by a member of the community. Hotels and venues that have provided entertainment, food and beverage, The Great Northern included, strive to provide the safe, fun and ambient environment of the masses in its newly renovated space. By relaxing and/or removing these conditions, the hotel(s) in Newcastle would be on par with Melbourne, where I consider Newcastle to be a close second, rather than Sydney, where its growth has been exponential over the past 5 years.

The Great Northern, like most of the other hotels in the list of venues covered under these conditions, have dedicated security and management to ensure the safety and security of its staff and patrons. The need to have a dedicated RSA supervisor, whilst 20+ other staff and security are in the venue is at odds with the overall training held by each team member. Especially earlier in the week, when it tends to be only a few patrons, there is little value warranted in this condition, other than a commercial burden that only reduces viability to remain open past 11am and serve the good people either recently entering the hotel facilities or few existing patrons. It is not unreasonable to expect a manager, staff or security to look after both roles during these periods, as with any other venue I operate.

Lastly, the radios interconnecting hotels was something that appeared to be aimed to curtail bar-hopping of troublesome patrons and bar them for the night etc. There has been a significant improvement in technology since these conditions were introduced that champion removal and management of these patrons more effectively. Namely scanners and mobile phones. Hopping from one radio channel to another was unfortunately not a silver bullet to stop this, but scanners, used in the right circumstances can be effective. Whilst the Great Northern has no intention of hosting nightclubs and introducing a young reveller crowd to its establishment, there can be value in the other venues where a high turnover of young people and fake ID's, can be attempted to be used intelligently. The data is often managed and shared with other venues in the area, as they have been in Sydney's CBD for the past many years.

The overall gross effect of these conditions has achieved in part, some good results, but more commonly adverse effects that harm the many, to penalise the targeted few. With reasonable consideration and relaxing or removing these conditions as mentioned above, the cultural effect would be a heralding movement to reflect the good nature and developed culture of Newcastle, as a destination city and market leader in food and beverage. Allowing consumers to experience hospitality as they have elsewhere in Australia and the world and/or bring their skill back and show it off to the locals.

The Great Northern will be Newcastle's oldest and newest revolutionary venue, that will showcase all the best skills and facilities the city has to offer. By opening the doors to more people, during a time when social experiences creep later into the evening to enjoy a beverage or late-night supper, more resources, staff, management and ultimately economic growth occurs. These minor changes to reflect the good nature of our community will open the doors to economic growth and skills development, not seen in the city since mining began. It is a great time to share our wealth of food, beverage and entertainment and demonstrate the hard work that has gone into showing we are a mature and respectable community. We are only asking the respect is now returned and the shackles, if not removed, are loosened to show we can become one of Australia's most iconic destinations, with the diversity to rival any city around the world.

It has been an honour to become an integrated part of Newcastle's community and soon to be in a far greater capacity. It would be ever more encouraging to see the hard work, positive collective efforts and compliance rewarded with the recognition of the aforementioned. We, as hoteliers, understand the need to remain vigilant and aware of potential risks in the community. The clear majority have been actively aiming to eliminate adverse behaviours forever. With the change in times, operators in the area and a rapid expansion and development of our city, so to is the need to change the legislation to public demand and desires. Newcastle and its venues, specifically The Great Northern, is about to undertake a huge transformation to introduce a hotel that draws parallels from the worlds best. We only ask the conditions applied are in line with the offering and need to remain open later for its domestic and international guests arriving and staying. In turn, the economic benefits, through employment, skills training, development and community based cultural events and services will be exponentially developed. We, as a hotel team, hope you see the rational reasons to reward the efforts of the many, focus not on the negative impact previously demonstrated by the few 10+ years ago. We are a changed city. We are a great city. We wish to be the greatest city on the East coast of Australia. Your position to open our doors and allow equality of service, to rival international cities will encourage global guests, and local development not previously seen in our community.

I thank you for the opportunity to make this submission and your time for reading it. If you have any further questions, please do not hesitate to contact me directly on 9284 1252 or email at bmcbeath@theearthhousehotel.com.au.

Kind regards,

Ben McBeath
Managing Director