



Ms Jade Hall
Liquor and Gaming Solutions

By email to: jade@lgsgroup.com.au

5 August 2023

Dear Ms Hall

Application No. 1-8633109707

Applicant Liquor and Gaming Solutions Pty Ltd

Application for Amendment – on-premises (catering service, cinema and theatre public entertainment and public arena and events) – change of conditions

Application date 29 March 2023

Decision date 28 June 2023

Licence name The Station Newcastle NSW

Licence number LIQO660034691

Trading hours Consumption on premises: Area 3
Monday to Saturday 10:00 AM – 09:00 PM
Sunday 10:00 AM – 09:00 PM
Consumption on premises: Area 4 (indoor)
Monday to Wednesday 10:00 AM – 06:00 PM
Thursday 10:00 AM – 09:00 PM
Friday 10:00 AM – 06:00 PM
Saturday to Sunday 10:00 AM – 04:00 PM
Consumption on premises: Area 5 (indoor)
Monday to Saturday 10:00 AM – 10:00 PM
Sunday 10:00 AM – 10:00 PM
Consumption on premises: Area 7 (Outdoor)
Monday to Saturday 10:00 AM – 10:00 PM
Sunday 10:00 AM – 10:00 PM
Consumption on premises: Areas 1, 2 and 6 (indoor)
Monday to Saturday 10:00 AM – 06:00 PM
Sunday 10:00 AM – 06:00 PM

Premises Corner Of Scott and Watt Street,
Newcastle NSW 2300

Legislation Sections 3, 11, 12, 25, 40, 44, 45 and 48 of the *Liquor Act 2007*

**Decision of the Independent Liquor & Gaming Authority
Application for a change of conditions – The Station Newcastle NSW**

We **approve** the application above under section 45 of the *Liquor Act 2007* — with the conditions to be imposed and revoked as set out in Schedule 1.

Statement of reasons

The statement of reasons will be published on the [Liquor & Gaming NSW website](#) in accordance with section 36C of the *Gaming and Liquor Administration Act 2007*.

If you have any questions

Please contact the case manager, Glenn Barry, at Glenn.Barry@liquorandgaming.nsw.gov.au if you have any questions.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Philip Crawford'.

Philip Crawford

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

STATEMENT OF REASONS

Our decision

We have considered the objects of the *Liquor Act 2007* (the Act) and the relevant legislative provisions and have approved the application under section 45 of the Act and impose and revoke conditions as listed in Schedule 1 under section 53 of the Act.

Overall, we are satisfied that the social impact of approving the application will not be harmful to the well-being of the local or broader community.

The decision achieves the aim of the Act to regulate the liquor industry to meet the community's expectations, needs, and aspirations, while also promoting a balanced and responsible development of the industry.

Our main findings

The local community for the purposes of this decision is Newcastle. The broader community is the Local Government Area (LGA) of Newcastle.

Positive social impacts

We are satisfied that the conditions as proposed are modernised and suitable. Revoked conditions have been replaced by updated conditions, or satisfactorily addressed through the updated plan of management.

Negative social impacts

We accept that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities because of the:

- size of the premises (4,700 sqm)
- irregular licensed trading hours hosting live, theatre, cinema, and other public events, with designated bars throughout
- higher than average liquor licence density in the Newcastle LGA
- the venue being in a high-density hotspot for non-domestic assault, alcohol-related assault, and malicious damage to property; and medium-density hotspot for domestic assault
- higher crime rates in the suburb compared to NSW for all offence categories usually considered by the Authority
- rate of alcohol-attributable deaths in the LGA is higher than the NSW rate.

However, we are satisfied that these risks may be reduced by:

- nil adverse findings for the venue relating to the eased conditions and their participation in the Stage Two trial
- crime comparison data indicating that the rates for all four categories usually considered by the Authority are lower than those rates in 2013 for the suburb and Newcastle LGA
- SEIFA data indicating relative socio-economic advantage in both the suburb and the Newcastle LGA are above average
- the rate of alcohol-attributable hospitalisations in the Newcastle LGA being lower than the NSW rate
- the harm-minimisation measures outlined in the updated plan of management and licence conditions (including some that are not on the current licence) as set out in Schedule 1
- the reduced trading hours until 10:00 PM.

The material we considered

We considered the following material when making our decision:

- the application material — including evidence that stakeholders and the community were notified about the application
- the plan of the licensed premises and any authorisations
- a plan of management for the licensed business
- a development consent for the premises
- statistics from Liquor & Gaming NSW, Bureau of Crime Statistics and Research, NSW Health and Australian Bureau of Statistics on the socio-economic status, liquor licence density, alcohol-related crimes rates and health issues in the local and broader communities
- stakeholder submissions and the applicant's response them
- the Newcastle Stage 2 Evaluation Report.

We also considered [Guideline 6](#) to assess the likely social impact to the local and broader community.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Philip Crawford', with a stylized, cursive script.

Philip Crawford

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

**Schedule 1 – Licence conditions to be imposed
The Station Newcastle**

No.	Condition to be imposed	Description
1)	Plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated May 2023 as may be varied from time to time after consultation with NSW Police. A copy of the Plan of Management is to be kept on the premises, and made available for inspection on the request of a police officer, council officer, Liquor and Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.
2)	Liquor Accord	The licensee or its representative must join and be an active participant in the local liquor accord.
3)	Requirement to maintain an incident register	<ol style="list-style-type: none"> 1) The licensee must maintain a register, in which the licensee is to record the details of any of the following incidents and any action taken in response to any such incident: <ol style="list-style-type: none"> a) any incident involving violence or anti-social behaviour occurring on the premises, b) any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the premises and that involves a person who has recently left, or been refused admission to, the premises, c) any incident that results in a person being turned out of the premises under section 77 of the <i>Liquor Act 2007</i>, d) any incident that results in a patron of the premises requiring medical assistance. 2) The licensee must, if requested to do so by a police officer or Liquor & Gaming NSW inspector: <ol style="list-style-type: none"> a) make any such incident register immediately available for inspection by a police officer or Liquor & Gaming NSW inspector, and b) allow a police officer or Liquor & Gaming NSW inspector to take copies of the register or to remove the register from the premises. 3) The licensee must ensure that the information recorded in the incident register under this condition is retained for at least 3 years from when the record was made.
4)	Crime scene preservation	<p>Immediately after the person in charge of the licensed premises or a staff member becomes aware of any incident involving an act of violence causing injury to a person on the premises, the person in charge of the licensed premises and/or staff member must:</p> <ol style="list-style-type: none"> 1) take all practical steps to preserve and keep intact the area where the act of violence occurred, 2) retain all material and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by NSW Police, as published from time to time on the Liquor and Gaming NSW website, 3) make direct and personal contact with NSW Police to advise it of the incident, and 4) comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred. 5) In this condition, 'staff member' means any person employed by, or acting on behalf of, the licensee of the premises, and includes any person who is employed to carry on security activities (eg. crowd controller or bouncer) on or about the premises.
5)	CCTV	<ol style="list-style-type: none"> 1) The licensee must maintain a closed-circuit television (CCTV) system on the premises in accordance with the following requirements:

No.	Condition to be imposed	Description
		<ul style="list-style-type: none"> a) the system must record continuously from opening time until one hour after the premises is required to close (or, in the case of a premises that is not required to cease trading, continuously at all times), b) recordings must be in digital format and at a minimum of ten (10) frames per second, c) any recorded image must specify the time and date of the recorded image, d) the system's cameras must cover the following areas: <ul style="list-style-type: none"> (i) all entry and exit points on the premises, (ii) the footpath immediately adjacent to the premises, and (iii) all publicly accessible areas (other than toilets) within the premises. <p>2) The licensee must also:</p> <ul style="list-style-type: none"> a) keep all recordings made by the CCTV system for at least 30 days, b) ensure that the CCTV system is accessible at all times the system is required to operate pursuant to sub-clause 1(a), by at least one person able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and c) provide any recordings made by the system to a police officer or Liquor and Gaming NSW inspector within 24 hours of any request by the police officer or Liquor and Gaming NSW inspector to provide such recordings.
6)	No Stockpiling	The licensee shall ensure, by adequate supervision methods throughout the premises, that no patron is stockpiling drinks. For this purpose stockpiling shall mean that any one patron has more than two (2) unconsumed drinks at any one time.

Conditions to be revoked - The Station Newcastle

Condition to be revoked	Description
3010 (replaced by imposition of condition 6)	No drinks commonly referred to as shots, shooters, slammers, and/or bombs, or any drink designed for rapid consumption are to be sold or supplied.
3020 Crime Scene Preservation (replaced by imposition of condition 4)	<p>Immediately after the person in charge of the licensed premises become aware of an incident involving an act of violence causing an injury to a person on the premises, the person must:</p> <ul style="list-style-type: none"> a. Take all practical steps to preserve and keep intact the area where the act of violence occurred b. Retain all materials and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by the NSW Police Force. c. Make direct and personal contact with the Police District Commander and his/her delegate and advise the Commander or delegate of the incident and d. Comply with any directions given by the Commander or delegate to preserve or keep intact the area where the violence occurred.
3030 Closed-circuit television system (replaced by imposition of condition 5)	<p>The licensee must maintain a closed-circuit television (CCTV) system on the premises in accordance with the following requirements:</p> <p>(a) the system must record continuously from opening time until one hour after the premises is required to close (or, in the case of a premises that is not required to cease trading, continuously at all times),</p>

Condition to be revoked	Description
	<p>(b) recordings must be in digital format and at a minimum of six (6) frames per second,</p> <p>(c) any recorded image must specify the time and date of the recorded image,</p> <p>(d) the system's cameras must cover the following areas:</p> <ul style="list-style-type: none"> (i) all entry and exit points on the premises, and (ii) the footpath immediately adjacent to the premises. <p>The licensee must also:</p> <p>(a) keep all recordings made by the CCTV system for at least 30 days,</p> <p>(b) ensure that the CCTV system is accessible at all times the system is required to operate pursuant to clause 1(a), by at least one person able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and</p> <p>(c) provide any recordings made by the system to a police officer or Liquor and Gaming NSW inspector within 24 hours of any request by the police officer or Liquor and Gaming NSW inspector to provide such recordings.</p>
<p>3040</p> <p>(replaced by imposition of condition 3)</p>	<p>The licensee is to maintain an approved Incident Register with incidents and details of the action taken, to be recorded in the Incident Register at all times.</p>
<p>3050</p> <p>No Stockpiling</p> <p>(replaced by imposition of varied condition 6)</p>	<p>The licensee shall ensure, by adequate supervision methods throughout the premises, that no patron is stockpiling drinks. For this purpose stockpiling shall mean that any one patron has more than two (2) unconsumed drinks at any one time (a patron may purchase up to four (4) drinks at one time).</p>
<p>3100</p> <p>(replaced by imposition of condition 1)</p>	<p>The premises are to be operated in accordance with the Alcohol Plan of Management dated November 2018 as may be varied from time to time after consultation with NSW Police. A copy of this plan is to be kept on the premises, and made available for inspection on the request of a police officer, council officer, Liquor and Gaming NSW Inspector, or any other person authorised by the Independent Liquor and Gaming Authority.</p>