



CUMMULATIVE IMPACT ASSESSMENT

Packaged Liquor Outlet - Acland Street

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1 Introduction

This report has been prepared to assist in the assessment of an application for a planning permit to allow for a Packaged Liquor Outlet at 161-165 Acland Street, St. Kilda. The proposed outlet would operate from 9am to 9pm seven days per week.

The purpose of the report is twofold:

- To assess the proposal in the context of Clause 52.27 of the Port Phillip Planning Scheme and *Practice Note 61 - Licensed premises: Assessing cumulative impact*. Clause 52.27 and Practice Note 61 focus on the potential effect of a proposed licensed premises on the amenity of the 'surrounding area'.
- To provide information regarding broader social impacts which may arise in conjunction with the proposed outlet.

The report is broken into four sections:

- Introduction (Section 1).
- Background Information (Section 2).
- The Proposal in Context (Section 3).
- Assessment (Section 4).

2 Background

2.1 Introduction

Alcohol consumption is a common and accepted part of life in Australia.¹ Alcohol is consumed in religious and cultural ceremonies, social and business functions, and in conjunction with celebrations and recreational activities. For many Australians, 'having a drink' is synonymous with relaxation, socialisation and good times. Moreover, licensed premises are popular venues for entertainment and an important location for socialising.

However, at times excessive consumption of alcohol may be associated with antisocial behaviour and violence, which can result in amenity impacts for local areas. Excessive consumption can also result in acute and chronic health problems for the drinker.

2.2 Licenced Premises and Amenity

There are clear and consistent spatial and temporal patterns in alcohol related social disorder and amenity impacts in Australian cities and cities throughout the world. Specifically:

- Alcohol-related social disorder is concentrated between the hours of between 9pm and 3am peaking between midnight and 3am.²
- Alcohol-related social disorder is concentrated in areas with extensive night-time economies.³

These trends arise due to the congregation of drinkers in entertainment precincts. The congregation of drinkers may enhance the relative safety of the drinking environment, due to formal and informal surveillance and because the consumption of alcohol in licensed venues is moderated by responsible serving guidelines. However, congregation also opens up the possibility of conflict and may intensify amenity impacts for nearby residents.

2.3 Packaged Liquor Outlets and Amenity

2.3.1 Outlet density

Research conducted in Victoria and elsewhere finds positive associations between the number of packaged liquor outlets in an area (outlet density) and various social harms including violence (Gmel *et.al*, 2016 and Livingstone 2007 provide overviews). A noteworthy and often cited example is Livingstone (2008), a longitudinal study which investigated the relationship between the density of different liquor outlet types and alcohol related assaults in Melbourne. The study found that over the period 1996-2005, the addition of one packaged liquor outlet in a suburban area was associated with an increase in alcohol related assaults of between 0.51 and 0.66 assaults per annum.

There are two main potential explanations for the observed associations. The first is that surrounding each packaged liquor outlet is a localised zone of elevated risk of alcohol related violence, which arises due to the congregation of drinkers in the immediate vicinity of the outlet. In seeking to explain the findings of the study, the author speculates as follows:

¹ To illustrate, in 2011-12, 82.4% of Australians aged 18 years and over had consumed alcohol in the past year. A further 7.5% had consumed alcohol 12 or more months ago (ABS 2012)

² See Briscoe and Donnelley 2001 and Rumbold et al. 1998.

³ Law Enforcement Assistance Program (LEAP) data base – Assault data.

It is worth considering whether packaged liquor outlets provide a place for people to meet and entertain themselves in suburban areas where fewer on-premise and hotel establishments are available (Livingston 2008).

However, given that packaged liquor outlets are retail premises rather than on premises venues, the 'congregation hypothesis' should be treated with caution. An alternative explanation is that counts of packaged liquor outlets is an (imprecise) indicator of the total amount of packaged liquor consumed within a community, and that higher consumption is the driver of harm, rather than the physical presence of packaged liquor outlets *per se*. Unfortunately, due to data access restrictions in Victoria, Livingstone's analysis (and indeed that conducted as part of most density-based studies)⁴ did not include alcohol sales as a control variable, leaving the question of causation open.

In contrast, similar research conducted by Liang and Chikritzhs (2011) in Western Australia was undertaken with the benefit of access to data on alcohol sales from packaged liquor outlets. In this study, when a control variable for sales was included in a statistical model linking violence and counts of outlets no significant relationship was observed, but when the sales variable was removed a statistical association between outlet density and violence became evident. That is, the study shows that counts of packaged liquor outlets act as a proxy for alcohol sales in a statistical model, if the model does not include a variable for alcohol sales.

Put in simple terms, the work of Liang and Chikritzhs (2011) implies that if the same alcohol is bought from one or multiples stores, it carries the same risk. This is because the location and timing of packaged liquor consumption is directed by the intentions of the purchaser (that is, they may intend to consume the liquor at a dinner party to be held three days and five kilometres from the point of sale), as opposed to the location and trading hours of the outlet. This finding runs counter to the speculations of Livingston that packaged liquor outlets increase alcohol related violence due to their role as a place where people congregate to consume alcohol.

2.3.2 Published Research - Proximity

There is only limited published research which investigates amenity conditions with varying distance from packaged liquor outlets. One example is Wilkinson and Livingston (2012) who explored the relationship between the experience of particular alcohol related amenity impacts and the proximity of a person's residence to off-premises outlets in Australia. Five potential amenity impacts were explored:

1. Kept awake or disturbed (by people who have been drinking).
2. Felt unsafe in public place (due to the drinking behaviours of others).
3. Avoided drunk people.
4. Been annoyed by vomiting, urinating or littering (by people who are drunk).
5. Have had house, car or property damaged (by people who are drunk).

⁴ As Liang and Chikritzhs (2011) state: *With only a few exceptions the outlet density and violence literature is dominated by studies, which are restricted to measuring outlet density by counting numbers of outlets and then converting them to a rate (e.g. per resident, per unit geographical area, per road miles) while excluding measures that actually quantify alcohol sales made by these outlets.*

The study found that persons living closer to packaged liquor outlets are not more (or less) likely to experience the first four types of alcohol related amenity impact.

The statistical model developed indicates that respondents were 7% less likely to report experiencing property damage with each further kilometre they live from a packaged liquor outlet. Taken at face value, the reported effect size is very small, particularly in the context of an urban area such as St. Kilda where all locations are within one kilometre of multiple packaged liquor outlets. Moreover, the study did not control for urban density and therefore the observed correlation may simply reflect the fact that inner city areas are both more compact, and affected by more crime. Given this, similar findings would likely arise from a study focussed on any retail use.

In summary, the work conducted by Wilkinson and Livingston (2012) is consistent with the density-based work of Liang & Chikritzhs (2011), in that it suggests that the immediate environs of packaged liquor outlets are not hot spots for alcohol related social disorder.

2.3.3 Primary Research

The author has previously conducted/overseen qualitative research in the form of interviews with traders and local police to explore amenity impacts in close proximity to packaged liquor outlets in suburban Melbourne and in regional Victoria.

The information collected suggests that alcohol purchased from packaged liquor outlets is typically consumed away from the premises. Specifically, those interviewed had not observed packaged liquor outlet customers using the outlets as places to meet for social/entertainment purposes, or drinking in close proximity to the outlets. As a result, any harms resulting from consumption of packaged liquor purchased from these stores would be dispersed throughout the community and not concentrated in the immediate vicinity of the outlets.

2.3.4 Pre' and 'side' loading

The available published research and qualitative research undertaken by the author indicates that the immediate environs of packaged liquor outlets are not hot spots for alcohol related social disorder. However, it is possible that packaged liquor may contribute to alcohol related social disorder within a night-time entertainment precinct if patrons of the precinct consume packaged liquor before they arrive (pre-loading) and/or if patrons purchase packaged liquor within the entertainment precinct for immediate consumption in the public realm (side-loading).

In the case of pre-loading, this behaviour is not dependent on the presence of a packaged liquor within an entertainment precinct, and thus cannot be directly influenced through planning.

In contrast, the presence of packaged liquor outlets within an entertainment precinct does have the potential to facilitate 'side-loading' by patrons of on-premises venues as they move between venues or travel home. If this occurs, a packaged liquor outlet may exacerbate amenity impacts associated with the presence of patrons of on-premises venues.

2.4 Packaged Liquor Outlets and Consumption

The physical presence of packaged outlets does not typically result in lowered amenity in the immediate environs of the outlet. However, the misuse of packaged liquor does have the potential to result in reductions in neighbourhood amenity and/or the health and wellbeing of the community, with the effects being distributed throughout the community and not necessarily concentrated in the immediate vicinity of the point of sale. The prevalence of excessive alcohol consumption is the key driver of harm in this respect, and therefore the potential influence of a new outlet on excessive consumption is discussed below.

Development of new packaged outlets reduces the average distance people have to travel to access a store (i.e. physical availability is increased). It is also possible that when a new outlet is developed, the intensity of competitive pricing practices may increase, enhancing the relative buying power of consumers (i.e. economic availability is increased). That is, by increasing the accessibility of packaged liquor (physical and/or economic) new packaged liquor outlets have the potential to influence consumption patterns within the community. However, in areas where there are many existing opportunities to buy alcohol, and where price competition is already high, a new outlet has less potential to influence consumption patterns than in area with few outlets and little competition (see Livingstone *et. al.* 2007 and Marsden and Jacobs 2005) (also see Figure 2.1).

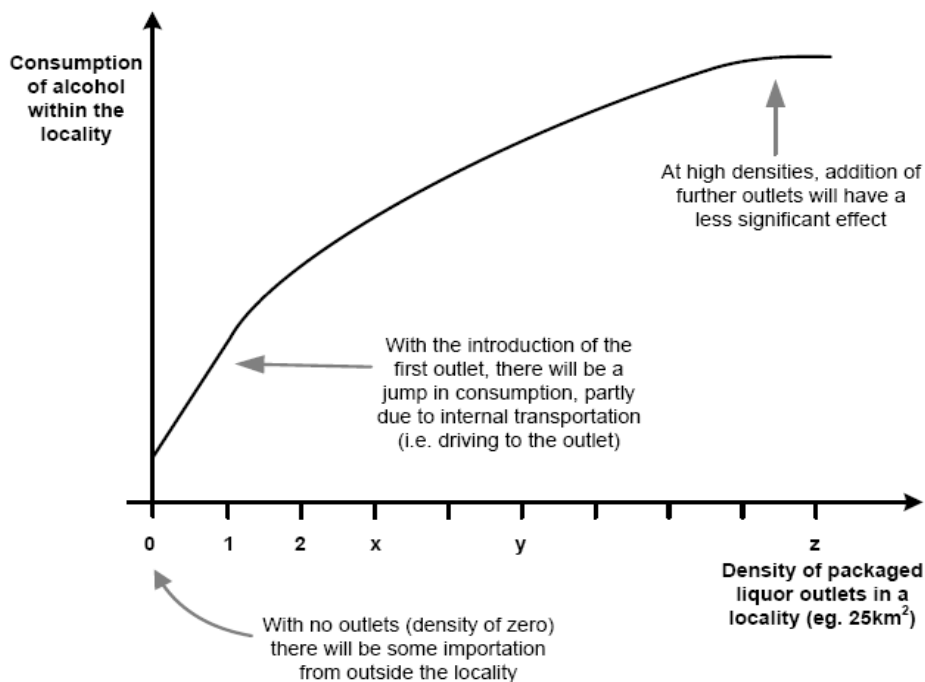


Figure 2-1 – Theorised Relationship between liquor outlets numbers and alcohol sales (Source: Marsden and Jacobs 2005).

The influence of differing levels of access to packaged liquor on excessive alcohol consumption in Melbourne has been investigated by Kavanagh *et al.* (2011). The study found:

- No relationship between the distance between a person's residence and their closest packaged liquor outlet and frequent or heavy drinking.
- No significant association between the price of a commonly stocked basket of beverages in the closest store to a person's residence and frequent or heavy drinking (short or long term).
- No significant association between the range of products stocked in the store closest to a person's residence and frequent or heavy drinking (short or long term).

In the above context, while it is reasonable to expect large changes in physical and/or economic accessibility of packaged liquor to influence rates of frequent and/or heavy drinking in a community (see Figure 2-1), the actual differences which exist in Australian cities are typically small and not sufficient to influence frequent and/or heavy drinking rates. The fact that heavy drinkers have been found to be less sensitive to price changes than the general population likely contributes to and re-enforces the above.⁵

⁵ For example Wagenaar *et al.* (2009) conducted a review of 112 studies examining measures of beverage price levels and self-reported drinking. Simple means of reported elasticity were -0.46 for beer, -0.69 for wine and -0.80 for spirits. The researchers also found that the mean reported elasticity for heavy drinking was -0.28.

3 Proposal in Context

3.1 Policy Context

Neighbourhoods Strategies

Clause 21.06 - *Neighbourhoods* details the key planning challenges, vision and strategies that relate to particular neighbourhood areas within City of Port Phillip. In relation to the Acland Street retail strip, the scheme sets out a number of strategies which seek to consolidate and enhance Acland Street's role as an entertainment and retail precinct. For example:

- 6.6.15 - Support the role of Acland Street Major Activity Centre as an entertainment, tourist, and specialty retail precinct, whilst preventing the cumulative impacts of such uses on amenity and community safety.
- 6.6.16 - Maintain the daily and weekly and convenience retail goods and services to meet the needs of local residents.
- 6.6.17 - Support the important role of Acland Street as a location for cosmopolitan food outlets that enhances the centre's tourist appeal.

Licensed Premises

The City of Port Philip Planning Scheme does not include an overarching local policy relating to licensed premises. Rather, the suitability of particular locations for the development of licensed premises is addressed in Clauses relating to desired outcomes in specific neighbourhoods and particular land use categories (such as Backpackers' Lodges). In this respect the scheme focusses on-premises licensed venues and does not specifically address packaged liquor outlets.

3.2 Existing Distribution of Licensed Premises

Figure 3-1 shows the distribution of licensed premises throughout Melbourne's inner south and south-east. As can be seen, all of the CBD and the majority of Richmond, South Yarra, Prahran, Windsor and St Kilda are within a '500 metre cluster' of licensed premises as defined by Practice Note 61.⁶ The CBD, and strip shopping areas such as Chapel Street, Fitzroy Street and are also within '100 metre clusters', reflecting the presence of night time entertainment precincts in the CBD and throughout Melbourne's inner suburbs. Licenced premises operating under a packaged liquor license are common across Melbourne's inner east and south east and many are situated within '100 metre clusters'.

Of particular note in the context of this assessment, the section of Acland Street from the Esplanade and Carlisle Street intersection to Barkly Street, is within a 100-metre cluster of licensed premises (the 'Acland Cluster'). There are also 100-metre clusters in relatively close proximity, along Fitzroy Street to the north, at the intersection of Inkerman and Barkly Street and along Carlisle Street to the east, near Balaclava Station. These nearby clusters would be within walking distance of patrons of licensed premises within the Acland Cluster.

⁶ Three or more licensed premises (including the proposed premises) within a radius of 100 metres from the subject land; or 15 or more licensed premises (including the proposed premises) within a radius of 500 metres from the subject land.

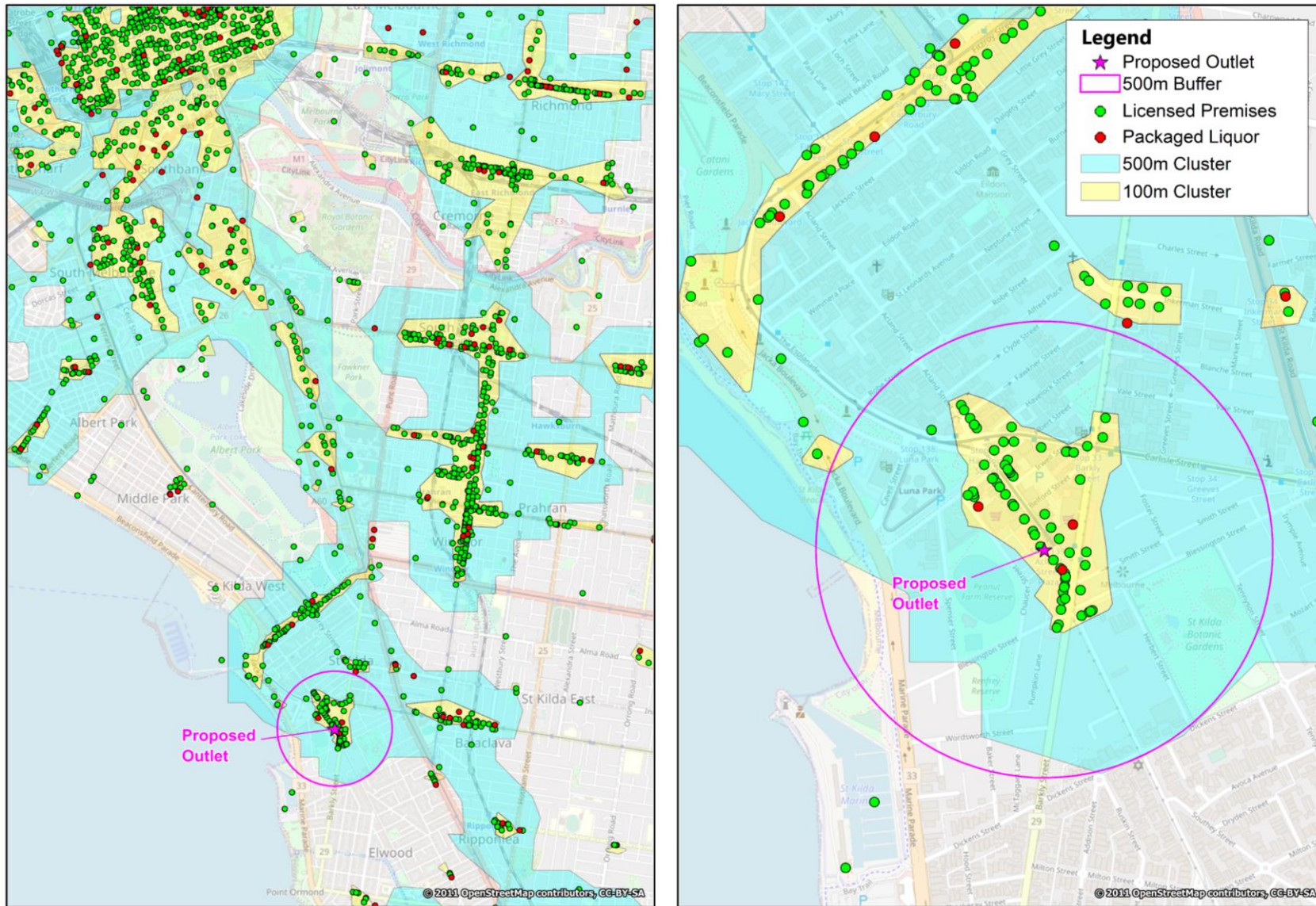


Figure 3-1: Distribution of Licensed Premises in Melbourne's South and South East (Left) and in St Kilda (right)

Figure 3-2 shows the distribution of licensed premises within the Acland Cluster. Table 3-1 and 3-2 provide details regarding the premises.

As the Figure and Tables show, there are 71 licensed premises located within the Acland Cluster. The majority of these (41) operate under a Restaurant and Café licence and/or are licensed to operate until 11pm only. However, there are a relatively large number of on-premises venues and restaurants which operate beyond 11pm with 14 of these operating until at least 3am.

The late-night venues within the Acland Cluster include a number of bar and/or nightclub style venues with relatively large patron capacity, such as the Village Belle (850 patrons), the Vineyard (428 patrons), Veludo (300 patrons) and Big Mouth (200 patrons). The concentration of late-night venues in the Acland Street Cluster and in nearby clusters along Fitzroy Street, Barkly Street and Carlisle Street make St. Kilda one of Melbourne’s most significant night-time entertainment precincts outside the CBD, along with Swan Street Richmond and Brunswick Street and Smith Street in Fitzroy and Collingwood.

There are currently three packaged liquor outlets operating within the Acland Street cluster: Acland Cellars which is located near the corner of Acland and Barkly Street approximately 60 metres from the proposed outlet; a Celebrations outlet located approximately 80 metres from the proposed outlet on Barkly Street; and a Beer, Wine, Spirits outlet located approximately 170 metres from the proposed outlet and which can be accessed via Acland Street using the Acland Arcade.

Table 3-1: Licensed Premises by Operating Hours

Licensed till	11 pm	1 am	3 am	>3am	Total
Restaurant/Café	16	20	4	1	41
On Premises	9	10	5	2	26
Packaged Liquor	3	-	-	-	3
Club	-	-	-	1	1
Total	28	30	9	4	71

Source: VCGLR 2021

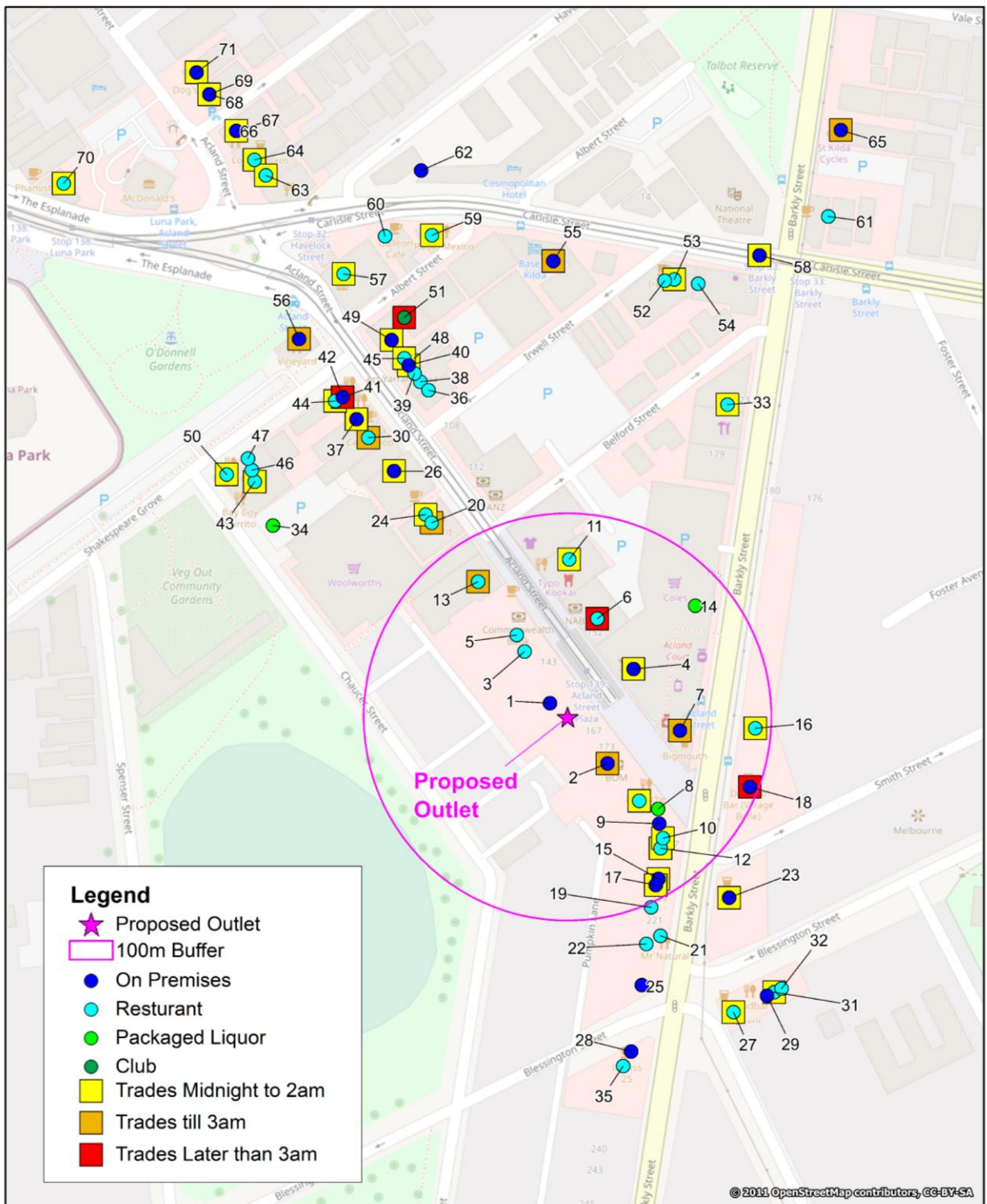


Figure 3-2: Licensed Premises – Licensed Premises in the Acland Cluster (Read in Conjunction with Table 3-2).

Table 3-2: Licensed Premises Within the Acland Street Cluster

Map Ref	Distance (m)	Name	License Type	Licensed Till	Capacity
1	11	SHIFU	On-Premises	11pm	100
2	30	VELUDO	Late night (on-preM)	3am	300
3	38	TOMMY TUCKER'S FISH & BURGERS	Restaurant and cafe	11pm	37
4	40	JIMMY O'NEILL'S WHISKEY & ALEHOUSE	On-Premises	1am	100
5	47	FALAFEL EXTRA	Restaurant and cafe	11pm	28
6	54	LA ROCHE CAFE	Restaurant and cafe	7am	114
7	56	BIG MOUTH	Late night (on-prem)	3am	200
8	59	ACLAND CELLARS	Packaged Liquor	11pm	0
9	69	LEROY ESPRESSO	On-Premises	11pm	83
10	76	DAVE'S CHINESE	Restaurant and cafe	1am	44
11	77	CICCIOLINA	Restaurant and cafe	1am	90
12	79	FAT JAKS	Restaurant and cafe	1am	0
13	80	ABBEY ROAD CAFE	Restaurant and cafe	3am	259
14	83	ST KILDA CELLARBRATIONS	Packaged Liquor	11pm	0
15	91	LOST ON BARKLY	On-Premises	1am	110
16	92	FAT LULU'S PIZZA & BAR	Restaurant and cafe	1am	100
17	93	CLAYPOTS SEAFOOD BAR ST KILDA	On-Premises	1am	145
18	96	VILLAGE BELLE HOTEL	Late night (general)	24 Hours	850
19	102	QUAN 88 ON BARKLY ST	Restaurant and cafe	11pm	40
20	116	MEDITERRANEAN BAR & RESTAURANT	Restaurant and cafe	3am	65
21	117	THAT BURGER JOINT	Restaurant and cafe	11pm	49
22	118	MR. NATURAL	Restaurant and cafe	11pm	50
23	119	THE ST KILDA BRANCH	On-Premises	1am	52
24	121	MONROE'S BURGERS & BEERS	Restaurant and cafe	1am	104
25	137	MEATSMITH HERITAGE BUTCHER	General	11pm	0
26	148	95 ESPRESSO AND BAR	On-Premises	1am	48
27	166	IDDY BIDDY BAR	Restaurant and cafe	1am	50
28	167	I CARUSI 11	On-Premises	11pm	101
29	168	ST KILDA PIZZA HOME	On-Premises	11pm	8
30	168	ROCOCO ST KILDA	Restaurant and cafe	3am	150
31	169	SURABAYA JOHNNY'S	Restaurant and cafe	Midnight	-
32	170	KOTCH LANE	Restaurant and cafe	11pm	-
33	172	BWS - BEER, WINE, SPIRITS	Packaged Liquor	11pm	-
34	172	NUVOLO	Restaurant and cafe	1am	120
35	174	CHINTA RIA SOUL	Restaurant and cafe	11pm	91
36	174	SORSI E MORSI	Restaurant and cafe	11pm	70
37	179	ADRICATIC ST KILDA	On-Premises	1am	100
38	180	OKI2GO	Restaurant and cafe	11pm	-
39	185	MR VEGGIE	Restaurant and cafe	11pm	48
40	189	LITTLE DRAMS	On-Premises	1am	100
41	192	JIMMY GRANTS	Restaurant and cafe	1am	62
42	192	FLOUR CHILD ST KILDA	Restaurant and cafe	3am	150
43	192	SISTER OF SOUL	Late night (on-prem)	7am	70
44	193	PINK FLAKE	Restaurant and cafe	12 midnight	24
45	193	BALA'S CAFE	Restaurant and cafe	1am	30
46	197	BAY CITY BURRITO	Restaurant and cafe	11pm	85
47	202	GYOZA KING ST. KILDA	Restaurant and cafe	11pm	59
48	204	THE SAINT KILLED A BURGER	On-Premises	11pm	54
49	204	MEMO MUSIC HALL	On-Premises	1am	400
50	205	TBC	Restaurant and cafe	1am	62

Map Ref	Distance (m)	Name	License Type	Licensed Till	Capacity
51	212	ST KILDA ARMY & NAVY CLUB	Full Club	24 Hours	-
52	219	NULLFAUR INDIAN RESTAURANT	Restaurant and cafe	11pm	16
53	221	BAR-ZAR	Restaurant and cafe	1am	77
54	222	JUANA TACO	Restaurant and cafe	11pm	43
55	224	BASE BACKPACKERS	Late night (general)	3am	231
56	228	VINEYARD RESTAURANT	Late night (on-prem)	3am	428
57	244	SOUVLAKI GR	Restaurant and cafe	1am	76
58	245	THE NATIONAL THEATRE	On-Premises	1am	300
59	246	RADIO MEXICO TAQUERIA AND BAR	Restaurant and cafe	1am	139
60	252	THE ST KILDA GALLEON CAFE	Restaurant and cafe	11pm	40
61	277	COOKASTEN	Restaurant and cafe	11pm	25
62	278	COSMOPOLITAN HOTEL	General	11pm	58
63	304	LA CABRA MODERN MEXICAN ST KILDA	Restaurant and cafe	1am	115
64	314	LONA PINTXOS BAR	Restaurant & cafe	1am	201
65	318	THE MASTERS BILLIARD & SNOOKER	Late night (on-prem)	3am	60
66	330	KRUA THAI	On-Premises	11pm	28
67	330	ST. KILDA WOODFIRED PIZZARIA	Restaurant & cafe	1am	0
68	353	CLODAGH	On-Premises	11pm	50
69	353	GOOD LOVE MELBOURNE	Restaurant & cafe	1am	72
70	360	LUNA'S CAFE & BAR	Restaurant & cafe	1am	-
71	365	THE DOGS BAR	General	1am	134

Source: VCGLR 2021

3.3 Evidence of Alcohol Related Issues in St Kilda

3.3.1 Consumption

Data on harmful alcohol consumption are published for local areas by the Public Health Information Development Unit (PHIDU). The PHIDU data show that problematic alcohol consumption is more common in St. Kilda than across Victoria as whole. The slightly elevated rate of harmful alcohol use reflects, at least in part, the relatively young demographic profile of St. Kilda, and the importance of restaurants, bars and nightclubs as places for socialising among younger people.

Table 3-3: Harmful use of alcohol

Area	Estimated number of people aged 18 years and over who consumed more than two standard alcoholic drinks per day
St. Kilda/St. Kilda East	17.2%
Fitzroy/Collingwood	17.1%
Prahran & Windsor	16.7%
Victoria	14.4%

Source: PHIDU 2018

3.3.2 Alcohol Related Assaults

Data on alcohol related assaults are a useful indicator of the degree of alcohol related social disorder within a community. Table 3-4 compares the annual rate of alcohol related assaults in postcode 3182 (St Kilda) with that observed for other postcodes in inner Melbourne which include night-time entertainment precincts. Incidents for which a family violence flag was recorded are domestic violence incidents and likely occurred at a private residence. Incidents without the flag are more likely to reflect the incidence of social disorder in public areas such as a night time entertainment precincts.

As the Table shows, there were 30.4 alcohol related assaults recorded in St. Kilda per 10,000 residents (no family violence flag), a notably higher rate than observed for Victoria as a whole. Notwithstanding, the observed rate is substantially lower than observed in the CBD and similar to that observed in Fitzroy. The data on assaults are consistent with the presence of a significant night-time entertainment precinct, which is visited by patrons from across a wide area (which effectively 'imports' alcohol related social disorder).

Table 3-4: Annual Alcohol Related Assaults per 10,000 people⁷

	Area	Total	No Flag	Family Violence Flag
3182	St. Kilda	42.8	30.4	12.4
3065	Fitzroy	45.0	35.4	9.6
3181	Prahran & Windsor	28.1	19.2	8.9
3000	Melbourne	113.8	95.1	18.7
-	Victoria	11.1	5.4	5.6

Source: Victoria Police, direct data request 2018

⁷ Assault data was available for 2018 but not population data by postcode. Therefore, assault figures for 2016 were used to calculate an assault rate. Assault numbers in the areas of interest increased marginally between 2016 and 2018 (for example, in St. Kilda total assaults increased from 369 to 389). It can reasonably be expected that the population of the areas of interest increased between 2016 and 2018 and therefore that the 2018 assault rate would be similar and potentially lower than that observed in 2016.

3.3.3 Perceptions of Safety

Data on alcohol consumption and alcohol related social disorder point to higher consumption and related social disorder in St. Kilda compared with the state average. However, a comparable proportion of St. Kilda residents report feeling very safe/or safe walking alone in their local area after dark compared with other inner-city locations and higher proportion of St Kilda residents report feeling very safe/or safe compared with Victoria as whole.

Table 3-5: Feels safe or very safe walking alone at night

Area	Proportion of people aged 18+ who feel very safe/safe walking alone in local area after dark
St. Kilda/St. Kilda East	60.0%
Fitzroy/Collingwood	58.3%
Prahran & Windsor	64.9%
Victoria	53.0%

Source: PHIDU 2018

3.4 Sensitive Land Uses

Practice Note 61 states that land uses such as such as houses, schools or community and medical facilities, can increase amenity expectations for an area. The area within and near the Acland Cluster was inspected to identify any such sensitive uses (see Figure 3-3):

- Residential Dwellings: Land zoned for residential purposes is located in close proximity to the proposed outlet the south/south west, east and north. The closest residential dwellings are located immediately to the rear of commercial properties located on the southern side of Acland Street (on Chaucer Street).
- Schools
 - None.
- Children's Services
 - None.
- Medical facilities/community services
 - There two medical clinics located on Acland Street in close proximity to the proposed outlet and another outlet to the north at the corner of Carlisle and Barkly Street.

As the above shows, there are a limited number of sensitive land uses located within and near the Acland Cluster. All such uses are currently located in close proximity to existing licensed premises, some of which operate late into the night.

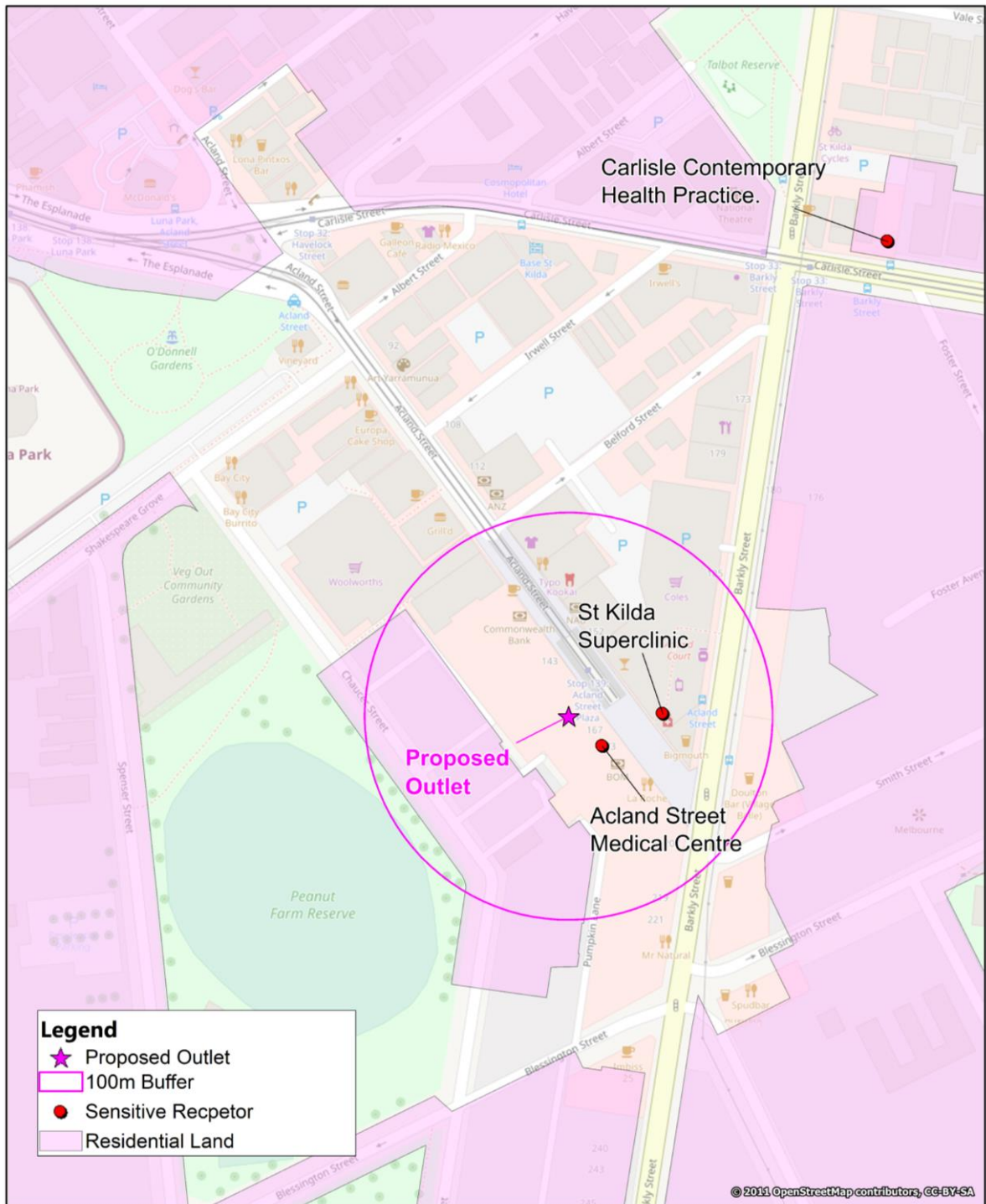


Figure 3-3: Distribution of sensitive land uses in relation to the Proposal Site

4 Assessment

This section presents an assessment in two parts:

- Part 1: addresses the decision guidelines Clause 52.27 of the Port Phillip Planning Scheme, taking account of guidance provided in Practice Note 61.
- Part 2: addresses broader issues associated with the misuse and abuse of alcohol.

4.1 Part 1 - Clause 52.27 Assessment

Amenity of the Surrounding Area

In contrast to on-premises venues, packaged liquor outlets do not provide for onsite consumption. Accordingly, locations near packaged liquor outlets are not typically affected by *alcohol related* amenity impacts as a direct result of the physical presence of the outlet. Rather, amenity impacts directly associated with the proposed outlet would be the same as for other retail premises.

The proposed outlet is located with a cluster of licensed premises. In this context, the outlet has the potential to facilitate side loading and in principle could indirectly influence amenity conditions within the Acland Street Cluster and across St. Kilda more broadly (see cumulative impacts below).

Operating Hours

See cumulative impacts below.

Number of Patrons

Store 'patrons' would be retail customers. The number of customers likely to visit the store may have broader amenity implications. However, these do not relate to the consumption of alcohol *per se*.

Cumulative Impacts

The proposed outlet is located within the Acland Street cluster which accommodates a notable concentration of licenced premises. The presence of packaged liquor outlets within an entertainment precinct may facilitate 'side-loading' by patrons of on-premises venues as they move between venues or travel home. If this occurs, a packaged liquor outlet may exacerbate amenity impacts associated with the presence of patrons of on-premises venues within a night-time entrainment precinct.

However, there are currently three packaged liquor outlets located within the Acland Street cluster and packaged liquor can be purchased from a number of the existing on-premise venues. That is, packaged liquor is readily available within the Acland Street cluster until 11pm in the evening. Moreover, packaged liquor outlets operate throughout St. Kilda including along Fitzroy Street and near the corner of Carlisle and Barley Street (see Figure 4-1)

The drinking habits of people living in Australian cities are not affected by extant differences in the spatial accessibility of packaged liquor outlets, packaged liquor pricing, etc. (see Section 2.4). In the case of potential 'side-loaders', sensitivity to the very minor improvements in spatial and economic accessibility associated with the proposed outlet would likely be lower than within the broader community, as the purpose of sideloading is to avoid the significantly higher prices charged within on-premises venues. All existing packaged liquor outlets within the Acland Street Cluster offer a convenient and affordable option in this context, as would the proposed outlet, and as such it is highly unlikely that the proposed outlet would stimulate additional sideloading.

That is, the risk of side-loading is an existing condition, and this risk would not be materially increased by the proposed outlet.

A practical way of balancing the competing objectives of enabling access to packaged liquor for local residents and visitors to the Acland Street cluster as well as limiting the occurrence of side-loading, is to ensure packaged liquor outlets are closed by 11 pm, before the peak period of alcohol related amenity impacts (between midnight and 3am). In this context, it is noteworthy that it is the applicant's intention to cease trading at 9 pm.

4.2 Part 2 - Use and Mis-use of Alcohol

In principle, the proposed outlet has the potential to influence the extent of alcohol mis-use and related social harms across the broader community. However, as discussed in Section 2.4, while it is reasonable to expect large changes in physical and/or economic access to packaged liquor to influence rates of frequent and/or heavy drinking, the relatively small differences which exist in Australian cities are not sufficient to influence drinking behaviours.

As observed previously, there are three packaged liquor outlets located within the Acland Street Cluster and packaged liquor can be purchased from a number of existing on-premise venues. That is, packaged liquor is readily available within the Acland Street Cluster until 11pm in the evening. In this context, the proposed packaged liquor outlet's effect on the accessibility of packaged liquor would be negligible and not sufficient stimulate a material change in the local rate of harmful alcohol consumption. Given this, the proposed outlet would have no material effect on alcohol related harms within the community, such as alcohol related health impacts, domestic violence, etc.

5 Concluding Remarks

- The proposed packaged liquor outlet would be located on Acland Street, St Kilda, which accommodates one of Melbourne most significant night-time entertainment precincts, outside of the CBD.
- The rate of alcohol related social disorder associated with the existing cluster of licensed premises on Acland Street, and other clusters within St. Kilda, is comparable with other locations in inner Melbourne which accommodate significant night time entertainment precincts. Nevertheless, alcohol related violence and other antisocial behaviour can and does occur within the Acland Street Cluster and the desire to limit this behaviour is reasonable.
- Published research and the experiences of the author indicate that locations near packaged liquor outlets are not typically affected by alcohol related amenity impacts as a direct result of the physical presence of the outlet.
- The operation of a packaged liquor outlet within a night-time entertainment precinct has the potential to exacerbate amenity impacts associated with the presence of patrons of on-premises venues, if the outlet is used to facilitate 'side loading'. However, given that packaged liquor can be purchased within the Acland Street Cluster until 11pm, the risk of side loading is an existing condition and this risk would not be materially increased by the proposed outlet.
- A practical way of balancing the competing objectives of enabling access to packaged liquor for residents and visitors to the Acland Street Cluster as well as limiting the occurrence of side-loading, is to ensure packaged liquor outlets are closed by 11pm, before the peak period of alcohol related amenity impacts (between midnight and 3am). In this context, it is noteworthy that the proposed outlet would close at 9 pm.
- The proposed packaged liquor outlet's effect on the accessibility of packaged liquor would be negligible and not sufficient stimulate a material change in the local rate of harmful alcohol consumption. Given this, the proposed outlet would have no effect alcohol related harms within the community, such as alcohol related health impacts, domestic violence, etc.

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