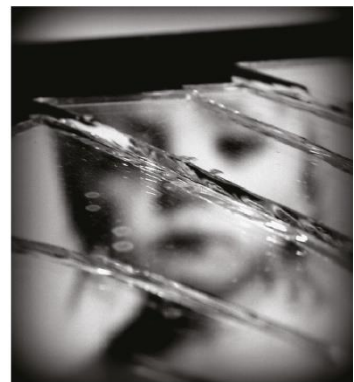
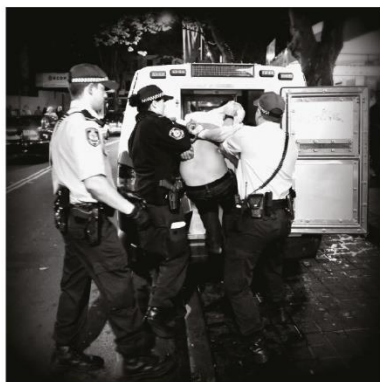




**Submission to the Liquor & Gaming NSW evaluation of the
Community Impact Statement requirement for liquor applications**



About the NSW ACT Alcohol Policy Alliance

The NSW ACT Alcohol Policy Alliance (NAAPA) aims to reduce alcohol harms by ensuring that evidence-based solutions inform alcohol policy discussions in New South Wales (NSW) and the Australian Capital Territory (ACT). NAAPA currently has 48 member organisations from a range of fields including health, community, law enforcement, emergency services and research.

To contact the NAAPA secretariat email info@naapa.org.au or for more information about NAAPA visit www.naapa.org.au

The following are the NSW members of NAAPA:

- Network of Alcohol and Drug Agencies (NADA)
- Darlinghurst Resident Action Group (DRAG)
- Newcastle Community Drug Action Team
- Police Association of NSW
- Australian Medical Association (AMA) NSW
- The Royal Australasian College of Surgeons (RACS) NSW
- Public Health Association NSW Branch
- Cancer Council NSW
- National Drug and Alcohol Research Centre (NDARC)
- Centre for Health Initiatives, University of Wollongong
- Hello Sunday Morning
- The Australasian College for Emergency Medicine (ACEM) NSW
- Jewish House
- Inspire Foundation
- The Asia Pacific Centre for Crime Prevention Griffith University (Sydney)
- University of Newcastle
- Ulladulla Community Drug Action Team
- Drug and Alcohol Research and Training Australia (DARTA)
- Bondi Residents Association
- Noffs Foundation (NSW)
- St Vincent's Hospital
- Australian Drug Foundation
- Health Services Union
- Pedestrian Council of Australia
- The Salvation Army NSW
- Awabakal Newcastle Aboriginal Co Operative Ltd
- The Royal Australasian College of Physicians (RACP) NSW
- Byron Bay Youth Service
- Law Enforcement Against Prohibition
- NSW Nurses and Midwives Association
- 2011 Residents Association
- Bondi beach precinct
- Last drinks in Byron
- CatholicCare Goulburn
- Mental Health Association of NSW
- The Royal Australian College of General Practitioners (RACGP) NSW
- The Potts Point and Kings Cross Heritage Conservation Society
- Thomas Kelly Youth Foundation
- Australian Salaried Medical Officer's Federation NSW (ASMOF NSW)

Contents

Introduction	1
Supporting documentation.....	2
Recommendations	3
1. The need for greater transparency and objectivity	4
Current situation.....	4
Future directions.....	6
2. Giving communities a voice	7
Current situation.....	7
Future directions.....	8
3. Reversing the onus of proof.....	9
Current situation.....	9
Future directions.....	10
4. Properly resourcing assessors and regulators	10
Current situation.....	10
Future directions.....	11
References	12

Introduction

Community participation in licensing matters is a function of democratic governance and procedural fairness. It enables local autonomy and informed community choice in the direction of local health, safety and amenity issues related to alcohol. Informing the public of licence applications, and supporting them to exercise their rights to object or submit complaints, underpins regulatory decision-making to best serve the 'public interest' and is consistent with the Objects of the *Liquor Act 2007 (NSW)*.

In order for the public to effectively engage in licensing matters they need to be appropriately supported and informed, processes need to be transparent and the regulators need to be sufficiently resourced and act with the highest levels of objectivity and impartiality. The CIS attempts to engage the local community in liquor licence decisions but fails to do so due to fundamental flaws within the system. There is an inherent lack of transparency surrounding licence applications as not all applicants are required to complete a CIS and the local community are often left unaware of an application. What is even more concerning is that it is left to under resourced community members to prove that a liquor licence will cause harm to the community. The burden of proof rests heavily and unfairly on the shoulders of community members. These concerned groups and individuals lack the knowledge and resources to properly formulate an evidence-based argument against the well-funded industry bodies.

The current system is not adequately addressing or assessing community impact. The majority (83 per cent) of NSW adults believe more needs to be done to address alcohol harm.ⁱ The regulatory systems are complicated, outdated and don't properly inform the community or provide them with sufficient opportunity to engage in the planning and development processes let alone the licensing processes. This complex dual system contributes to the failure to minimise alcohol harm as communities are left confused and frustrated. They don't understand the two distinct processes and therefore fail to engage and provide input into them.

There are numerous examples where community concerns have been ignored, including a rejection of a development application of a Dan Murphy's in Nowra by the Shoalhaven Council that went on to be approved by the NSW Land and Environment Court on the grounds of supposed appropriate mitigating harm minimisation conditions to the Development Application.ⁱⁱ Both the development processes and the liquor licensing processes favour industry, as they have the money and resources to object decisions made by the Independent Liquor and Gaming Authority (ILGA) and Local Council in court. A recent study conducted by the Australian Prevention Partnership Centre found that courts favoured the alcohol industry in more than 75 per cent of cases across Australia.ⁱⁱⁱ

The current system is flawed and is not adequately addressing the social impact of liquor licences and community members are not being genuinely consulted. There is a clear need for reform. Reform of the CIS must ensure that it addresses four key areas:

1. the need for greater transparency and objectivity
2. giving communities a voice
3. reversing the onus of proof
4. properly resourcing assessors and regulators.

The NSW ACT Alcohol Policy Alliance (NAAPA) welcomes the opportunity to provide comment on the Liquor & Gaming NSW *Evaluation of the Community Impact Statement requirement for liquor licence applications Discussion Paper*. NAAPA's submission supports the 2013 research report conducted by the Foundation for Alcohol Research and Education (FARE) on *Breaking down barriers: community involvement in liquor licensing decisions in NSW*.^{iv} A copy of this report is enclosed for your reference. NAAPA supports the involvement of community members in liquor licensing decisions.

Supporting documentation

The following provides further evidence about community input into liquor licensing decisions. The NSW Government should read these in conjunction with the NAAPA submission.

- Foundation for Alcohol Research and Education (FARE). (2013). *Breaking down barriers: community involvement in liquor licensing decisions in NSW*. Canberra: FARE.
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Recommendations

1. That the NSW Government make liquor licencing processes more transparent and improve public awareness, engagement and community input to these processes.
2. That the NSW Government make the CIS a requirement for all licence applications and notify at a minimum the local consent authority, local police and all occupants of neighbouring premises within the primary trade area.
3. That the NSW Government make the CIS and all supporting documentation, including the social impact assessment, publicly available in real time on the Liquor and Gaming Application Noticeboard. Any submissions made in favour or opposition of a licence application should also be published.
4. That the NSW Government establish an independent Community Defender's Office (CDO) to support communities in licensing matters. The CDO should consist of an advisory service and central information service, with staff that have appropriate skills and expertise in alcohol related planning and licensing systems, including legal skills and an understanding of community needs and expectations.
5. That the NSW Government ensure that the onus of proof is on applicants, not community objectors.
6. That the NSW Government properly resource ILGA to monitor compliance and independently assess every application.
7. That the NSW Government keep community consultations at the Development Application (DA) process and the liquor licence CIS process separate. Local Council should also be resourced and supported to adequately assess a DA.

1. The need for greater transparency and objectivity

Public participation and engagement in licensing matters is essential to the achievement of transparent and democratic governance. It also results in administrative decision-making being more responsive to the public interest.^v

The primary object of the *Liquor Act 2007* is as follows:

“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.”

Enhancing community awareness, engagement and input in licensing, serves to make policy decision-making more responsive to the increasing community concern regarding alcohol harm. Each day in NSW, alcohol is responsible for 32 emergency department presentations, 149 hospitalisations and four deaths.^{vi}

It is in the public interest for communities to have an informed say in the introduction of, or prevailing existence of alcohol outlets in their local area. For this, it is essential that the regulatory system values community input to elements which affect local safety, amenity, health and wellbeing.

Current situation

The Liquor Regulation provides for two approaches to raising public awareness of new licence applications:

- A public notice relating to the application must be fixed to the relevant premises.^{vii}
- Applicants are required to notify and consult special interest groups and local authorities pursuant to completing their community impact statements (CIS).^{viii}

CIS requirements depend on the type of licence application. Not all licence applications require the completion of a CIS. Small Bar licence applications do not need to include a CIS if development consent has been sought from the local council to use the premises as such. Restaurants that only serve alcohol with food also do not require a CIS.

CIS are broken into two categories. ‘Category A’ CIS apply to applicants for licences deemed to be ‘low’ risk (for example primary service authorisation). ‘Category B’ CIS apply to licence applications for venues deemed to be of a higher ‘risk’ (for example hotel and club licences).^{ix, x} Both Category A and B CISs require consultation with local consent authorities and the local police. Category B CIS require further consultation with the NSW Department of Health, NSW Department of Community Services, NSW Roads and Traffic Authority, recognised leaders or representatives of the local Aboriginal community in the area, the occupier(s) of any neighbouring premises (within 100m of proposed premise boundary), and special interest groups or individuals identified or referred to the applicant by the Independent Liquor and Gaming Authority (ILGA).

However, the current CIS format does not appropriately or accurately assess community impact. The applicant can summarise community consultations thereby removing all accuracy and transparency of the assessment, as there is no way to know if it is complete or if information has been excluded.

The CIS is required to be published on the Liquor and Gaming Noticeboard (the Noticeboard) along with the liquor licence application. Publication of the CIS notice is not the same as publication of all the documentation, including attachments. For example the extended trading hours application for the Bay View Hotel in Woy Woy (application no. 1-5759278115) provides a copy of the CIS listing relevant stakeholders and referring to a supposed attachment. Details of potential feedback from

stakeholders are said to be listed on this document, but this is not publicly available. Applicants are using the CIS as a tick box 'cover sheet' to a more detailed social impact assessment (SIA) that is a requirement under the *Environmental Planning and Assessment Act 1979* as part of the development assessment by NSW Department of Planning and Environment. An SIA under the planning legislation does not adequately address the social impact of a liquor licence. The CIS should be a thorough and separate consultation process about the liquor licence impact on community wellbeing.

It is not a requirement that the SIA, decisions made by local council or the courts in the planning and development stage, or any other supporting documentation be published with the CIS on the Noticeboard. Licence application processes are not transparent and community concerns are being ignored.

Further to this, the results from the Environment and Venue Assessment Tool (EVAT) are still not being reported. In 2012 the NSW Government trialled the EVAT which is used to provide a risk assessment of a liquor licence application by considering a number of risk factors, including rate of alcohol-related assaults, presence or absence of late night transport, radial estimate of liquor licence density, licence type and many more. It appears to still be used occasionally by Liquor & Gaming NSW, although results from EVAT reports are not publicly available.

Case Study – Dan Murphy’s Mosman (1-4027289017) approved by ILGA^{xi, xii}

Despite overwhelming opposition from the local council, local police, fire services and residents, ILGA approved the liquor licence application for the proposed Dan Murphy’s in Mosman.

Submissions in opposition to the Dan Murphy’s application were made by a number of members of the local community detailing the adverse effects it would pose, including increased alcohol harm, increased traffic and noise, adverse impacts on the neighbouring child care, increased fire risk and increased outlet density in an area that already exceeds the state average.

A number of submissions outlined concerns and referred to previous submissions made to ILGA two years prior in the CIS phase. It is apparent that community consultation during the CIS has been ignored by both Dan Murphy’s and ILGA.

It was also indicated in a number of submissions that the Dan Murphy’s complying development certificate (CDC) J140110 was being challenged by the Mosman Council in the Land and Environment Court on the grounds that a previous development application, with virtually the same proposal, had already been rejected for that site. It is evident that the local community did not want the Dan Murphy’s in Mosman yet those concerns were ignored through the approval of development and approval of the liquor licence.

Despite the community presenting dozens of evidence-based submissions in opposition to the application, this body of evidence was ignored in favour of Dan Murphy’s. ILGA gave undue weight to 'consumer convenience' that is not specifically recognised in the Liquor Act. Dan Murphy’s submitted to ILGA that another packaged liquor licence in Mosman for Camperdown Cellars was approved "in the face of significant local community opposition" and a near identical police response in opposition, thereby implying that they too should be approved despite overwhelming resistance. This does not constitute a sufficient reason for a liquor licence approval. In fact it goes to show that the regulatory processes ignore community wishes time and time again.

ILGA received submissions in opposition to Dan Murphy's quoting peer reviewed literature on the harm of alcohol. These came from the Deputy Mayor of Mosman, local Councillors, the Mosman Police, NSW Fire and Rescue and even the compliance branch of Liquor & Gaming NSW stating:

"LGNSW acknowledges there has been a significant amount of concern and objection raised by local residents, and observes that those concerns are reasonable in nature. LGNSW observe that it would not be prudent to disregard the issues raised in these submissions, particularly by Council."

It is incredibly concerning that despite the overwhelming resistance, ILGA proceeded to grant the licence application. The Mosman community, police and health officials presented ILGA with detailed submissions and evidence-based research outlining the harm that another packaged liquor store would cause, yet ILGA decided that

"having considered together the positive and negative impacts...the overall social impact of granting this licence would not be detrimental to the well-being of these local and broader communities."

This is a clear example of the failures of the current regulatory processes.

Future directions

The CIS attempts to engage community participation, but there is an inherent lack of transparency surrounding processes and notification, thereby making participation extremely difficult. Public notice is only required by certain applicants and only given to select groups. All licence applicants should be required to complete a legitimate CIS, which at minimum requires consultation with the local consent authorities, local police and the local community.

The consultation lists for both categories of CIS are too narrow. The local community is limited within a 100m radius of the proposed premise and only Category B applicants are required to notify these individuals. Although the locality of a building can be described in metres, alcohol-related trade is mostly described in kilometres.^{xiii} In the case of off-licence premises, catchment areas from which premises may draw customers can extend several kilometres from the positioning of a 'big box store', meaning the impact of a liquor licence extends well beyond 100m of the premise.

The NSW Land and Environment Court considers locality as a relative concept in that "the nature of the development and its impacts will influence the scope of the locality to be considered" (para 24).^{xiv} Therefore, the primary trade area for a licensed premise should be considered as the locality for potential impact. Licensees will have already assessed their primary trade area when considering the financial viability of their business model.^{xv} Changing locality to be the primary trade area will therefore pose no extra onus on applicants as they will have already determined this information. It will also make the licence application process more transparent by increasing the number of community members within the area who are notified.

In the current system, if a concerned citizen or community group is not "identified or referred" to the applicant by ILGA, or if the notice is not properly affixed to the premises or in plain view for the general public, then concerned citizens may be neither consulted nor made aware of the licence application and of their right to object to the application.

Increasing the locality area of neighbouring premises to the primary trade area will help reduce the number of people overlooked in the consultation process. The primary trade area is not commercial in-confidence information, it is geography. A general rule for primary trade could be considered five kilometres within urban areas and 20 kilometres in regional and rural areas.^{xvi} This area captures all potential local customers, local business and concerned community members.

A legitimate CIS should be published on the Noticeboard along with all supporting documentation including the SIA and any decisions made by local council or the courts in the planning stages of the premise. Any submissions made in favour or opposition of a licence application should also be published on the Noticeboard in a timely fashion.

Recommendations:

1. That the NSW Government make liquor licencing processes more transparent and improve public awareness, engagement and community input to these processes.
2. That the NSW Government make the CIS a requirement for all licence applications and notify at a minimum the local consent authority, local police and all occupants of neighbouring premises within the primary trade area.
3. That the NSW Government make the CIS and all supporting documentation, including the social impact assessment, publicly available in real time on the Liquor and Gaming Application Noticeboard. Any submissions made in favour or opposition of a licence application should also be published.

2. Giving communities a voice

Communities need sufficient support services in order to properly engage in liquor licensing decisions and have their concerns heard.

The purpose of the CIS is to help ILGA understand the impact a licence will have on the local community. However, applicants have to engage with very few community members and if communities were unaware of the application and missed the opportunity to provide a submission, they have no claim to appeal an ILGA decision.

Current situation

Liquor & Gaming NSW has a community access team that is apparently dedicated to helping local communities have an input in licensing matters. This is an inherent conflict of interest as Liquor & Gaming NSW also has the ability to make decisions on licence applications and therefore should not have the ability to simultaneously advise concerned communities. Any community advisory team should be independent of regulatory bodies.

It is not clear what the function of the community access team is, how big it is or whether they are appropriately trained and educated in licensing processes. Furthermore, there is no information on the CIS webpage about the community access team and any information provided by Liquor & Gaming NSW is vague and uninformative.

A media release dated 10 October 2015 from the then Deputy Premier, Troy Grant stated that “community members affected by liquor licence decisions will have a far greater say with a new ability to lodge a low-cost appeal...supported by a new community access team who will be dedicated to providing information and education to the general public.”^{xvii} There is no evidence that this commitment has been realised by Liquor & Gaming NSW.

If the purpose of the community access team is to serve only as an information providing service, this will not address or resolve the challenges that are faced by the community when dealing with the increasingly complex liquor licensing system and its laws.

The current system unequivocally favours the alcohol industry. The industry has access to finances and resources to gain legal and other social planning advice and run costly and protracted appeals and defences. Concerned communities do not.

Future directions

There is no targeted support for communities interacting with liquor licensing or planning systems. This results in unsuccessful but valid objections and complaints, or community members not engaging with these systems at all. The development and funding of an independent Community Defender's Office (CDO) based on the Alcohol Community Action Project (ACAP) pilot would help individuals and communities in navigating and interacting with the liquor licensing system. The CDO is a more effective substitute for the community access team.

The purpose of the ACAP pilot was to assist individuals and organisations who wanted to interact with the liquor licensing and planning systems with the aim to reduce alcohol harms in their community.^{xviii} The project consisted of two key resources, a community adviser and a website. The ACAP successfully assisted numerous communities within NSW to lodge objections to liquor related development applications and liquor licence applications and provided advice to individuals who were not aware of their rights when dealing with licensing applications. The demand experienced by the ACAP demonstrates the need within the community for such a service.

The lessons from the ACAP serve as a clear case study to help inform the development and requirements of the CDO. For the CDO to be as successful as possible there are two main functions that must exist within the service:

1. An advisory service that provides communities with free and timely access to skilled personnel.
2. A central information service, or 'Knowledge Bank'.

An advisory service with access to skilled personnel

The advisory service function of the CDO would provide further support to supplement the information available through the web-based platforms. Specific supports that may be provided by the CDO include, but are not limited to: developing the public profile of the issues and public engagement options within the community; and the provision of in-house legal and related advice, communications and researchers.

Research and preparation of effective and evidence-based submissions is very time consuming for community members at both the DA and liquor licensing stages. Objectors and complainants do not necessarily possess the relevant skills and experience required to prepare submissions and are not necessarily in a position to afford the outsourcing of such activities to professional service providers. Communities without such skills and expertise may hold warranted concerns that deserve further investigation. However, their cause may be overlooked due to them not having access to the human resources needed to overcome the onus of proof.

A significant strength of the ACAP was the accessibility of the service. Advice and support was available at all times and not contained to business hours. The ACAP worked with communities within the local area that they were assisting, which enabled the ACAP to provide relevant and appropriate advice tailored to individual community needs. To ensure that the CDO is effective as possible, the service must ensure that it is not contained to the Sydney CBD office and is accessible for the community outside of business hours.

A central information service, or 'Knowledge Bank'

The information needs of community members must be supported to empower and facilitate community participation in licensing matters. Community members seeking to submit objections or complaints in relation to licensing matters need guidance on where to source information resources. Information and guidance is needed for communities on:

- data on local population demographics, alcohol-related local health (for example hospitalisations) and safety (such as crime) incidents and the number of existing liquor outlets and their trading conditions
- preparing and collecting of affidavits or statutory declarations from members of the community in relation to local alcohol-related harms and liquor outlets
- news sources and archived media reports in relation to alcohol-related harms in the local area;
- how to use and interpret the legislation and regulatory system
- preparing letters and submissions relating to complaints, objections, requests for decision reviews by ILGA, and requests for complaint initiation by authorities, and
- case studies on precedents and lessons for complainants and objectors from previous decisions by ILGA.

Along with providing this information the CDO should also provide an e-mail alert service on licence applications and CIS consultations.

Recommendation:

4. That the NSW Government establish an independent Community Defender's Office (CDO) to support communities in licensing matters. The CDO should consist of an advisory service and central information service, with staff that have appropriate skills and expertise in alcohol related planning and licensing systems, including legal skills and an understanding of community needs and expectations.

3. Reversing the onus of proof

The NSW community is affected by alcohol in many ways. Alcohol is one of four modifiable risk factors that contributes to a third of preventable chronic disease.^{xix} Alcohol is also associated with family violence,^{xx,xxi,xxii} road traffic accidents,^{xxiii} child maltreatment and neglect,^{xxiv} vandalism and lost productivity in the workplace.^{xxv} Alcohol harm affects not only the drinker but also others.

Communities should be afforded a say on how alcohol is made available in their surrounds, whether it be through participating in liquor licensing application processes or making complaints. However, for a range of reasons, communities' ability to do so is constrained. More than half of Australians feel they do not have enough say in the number of licensed venues in their community.^{xxvi}

Community objectors do not necessarily have the capabilities (in terms of time, financial costs, and research capacity) that are needed to meet the burden of proof in licensing matters.

Current situation

The current CIS system is flawed. The true intent of the CIS system is not being maximised, but rather being used by applicants as a tick box measure as part of the licence application process. As stated on the Liquor & Gaming NSW website the purpose of a CIS is to "help ILGA understand the impact a licence will have on your community".^{xxvii}

However, community members only have 30 days to respond to an application, which is insufficient time to formulate a substantiated evidence based objection when community groups don't have the resources. This often results in no response from community at all. A lack of objections should not constitute a passive endorsement.

Future directions

The onus of proof for demonstrating that a liquor licence will not contribute to harm within the community should rest on the applicant not community objectors.

A similar requirement exists in Western Australia where the onus is on the applicant to demonstrate that granting a liquor licence is in the public interest (under S.38(2) of the *Liquor Control Act 1988*).^{xxviii} As stated by the Western Australian Director General, it should not be sufficient that "applicants merely express opinions about the perceived benefits of their application without an appropriate level of evidence to support those opinions and assertions".^{xxix} NSW liquor licence applications should also require an appropriate amount of evidence to demonstrate that granting a liquor licence is in the public interest and will not contribute to further harm.

Primacy must be given to protecting the health and safety of the community. Ultimately, a liquor licence application should not be approved if the applicant cannot demonstrate that granting the liquor licence is in the public interest and will not contribute to further harm. Consideration should also be given to cumulative impact.

Recommendation:

5. That the NSW Government ensure that the onus of proof is on applicants, not community objectors.

4. Properly resourcing assessors and regulators

The current regulatory system in NSW is complex.

In order to maintain effective regulation, responsibility for regulating liquor licensing should be independent of industry interests and processes should be facilitative, timely and reduce the burden on community stakeholders. Belated interventions hinder actions to minimise alcohol-related harm and pose a barrier to engagement by community members.

Current situation

There are also two distinct legal processes regarding liquor licensing: the Development Application (DA) process relating to planning, land use and structural impact and the liquor licence application process relating to the licence to sell and serve alcohol. The DA is assessed by Local Council and the liquor licence application is assessed by ILGA. Communities wish to engage in both of these processes but are limited due to the complexity and confusion surrounding the two. Decisions made that oppose applications in either phase are frequently taken to court by the alcohol industry, thereby undermining the authorities' decisions regarding the health and safety of the community.

It is argued that the social impact of licence applications is not effectively being assessed due to the lack of compliance, the lack of data collected and the bias in applicants collating community concerns for the purpose of the CIS requirements. ILGA relies on the licence applicant as the primary reporter of social impact – assuming no independent complaints or objecting submissions are made to ILGA.^{xxx} ILGA is not properly supported to assess the social impact.

There are serious concerns as to the degree of compliance with notification requirements for CIS, and the lack of procedural fairness of the CIS system. ILGA previously conducted random “spot checks” of licence applicants’ compliance with public notice requirements in Balmain and the Sydney CBD. The investigations discovered that of the seven premises inspected in Balmain, three new applicants apparently did not comply with the site notice; and of the six premises inspected in the Sydney CBD, three did not comply.^{xxxi} Despite ILGA being aware of the lack of compliance, little has been done to improve this.

Future directions

It is important that ILGA is sufficiently resourced to independently review and assess concerns raised in CIS to gain a greater understanding of the social impact. Along with improving the requirements of a CIS, improving alcohol-related data collection and strengthening the role and responsibilities of authorities will support decision makers in assessing the broader social impact liquor licenses will have on communities.

There is the need for more checks on licence applicants to ensure their compliance with CIS and public notice requirements. Such actions secure the integrity of Liquor Act’s Objects as well as the right of the public to make submissions in relation to licence applications under section 44 of the Act.

Another component of assessing the social impact of a liquor licence can be seen in the DA phase which is important in providing community members with a platform to engage and express any concerns regarding a liquor licence application. The business model and liquor licence type are disclosed during this assessment period and open to comment from community members. However, a legitimate CIS should be carried out independently of the DA and not be amalgamated into one consultation process. ILGA should support decisions made in the DA phase unless they believe the Local Council has not given enough weight to the adverse impacts of a liquor licence.

ILGA and Liquor & Gaming NSW have the capacity to conduct a comprehensive social impact assessment. However, this cannot be achieved without sufficient resources and personnel. Furthermore, support needs to be given to local councils to make thorough social impact assessments during the development and planning stages.

Recommendations:

6. That the NSW Government properly resource ILGA to monitor compliance and independently assess every application.
7. That the NSW Government keep community consultations at the Development Application (DA) process and the liquor licence CIS process separate. Local councils should also be resourced and supported to adequately assess a DA.

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- ^{viii} *Liquor Regulation 2008* (NSW), clause 7-8, and Part 3 Division 2.
- ^{ix} *Liquor Regulation 2008* (NSW), clause 10(2)(b).
- ^x *Liquor Regulation 2008* (NSW), clause 10(3)(a)(b).
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