

Submission: Evaluation of the Community Impact Statement requirement for liquor licence applications

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The ultimate criteria for evaluating the importance and effectiveness of the role of Community Impact Statements is the absolute level of the negative impacts of alcohol consumption on communities. In previous submissions on alcohol-related enquiries I have argued that the alcohol industry has captured the legislative and regulatory process driven by a lengthy period of high levels of political donations. ICAC has demonstrated that donation channels remain despite bans on direct donations. It follows that the extant NSW Government arrangements for licensing and compliance encourage conflicts of interest that at the end of the day favour the industry. In recent days we are seeing this dysfunctional type of arrangement play out in regard to water licences. In the case of alcohol, blinded by donations government has lost sight of its duty of care to the community.

The terms of reference for this particular evaluation demonstrate the conflict of interest in current organisational arrangements for liquor licensing. The evaluation focuses on the CIS process. The CIS process focuses on individual licences. It does not concern how the overall level of community concern can regularly feed into liquor licensing and compliance strategy on a district, regional or state-wide basis. My overall perception of this evaluation is that it is another component of the government's walking back of the restrictions introduced in 2014. It follows the disappointing Callinan Review. The balance of discussion points favours the industry, complementing the paucity of community information, resources and assistance available on the L&GNSW website. The L&GNSW newsletter is dominated by industry matters. Where is the community equivalent?

The BOCSAR three year annual trend for assaults in Bondi Beach is currently for an increase of 24.1% per annum (April 2014-April 2017). Despite 43.9% of the assaults (April 2016-April 2017) occurring on public lands and a further 25.8% occurring in licenced premises that operate under Council development approvals, Waverley Council is in denial that there is a problem. In our residential street, an alcohol-prohibited zone, local police have described the streetscape at the corner as "a prominent backpacker locations subject to residential complaints due to noise and street drinking."

Considering the entire LGA, which also hosts the high assault-rate Bondi Junction, is there an LGA in NSW that has a larger portion of its land classified as assault hotspots as described by BOCSAR statistics?

What input does our community have? How will this evaluation improve the situation? The discussion issues that favour industry swamp those that favour the community. The single community-directed issue is whether the current process is effective. Conspicuously effectiveness is listed twice in different forms in the list on page 2. Industry-favouring discussion issues include reducing consultation processes, excluding more licences from the need for CIS-type requirements, and reducing the requirements on industry (cut red tape, reduce delays). 'Relevant stakeholders' consultation is to be discussed in terms of whether they are consulted under the process with a suggestion that there may be issues with transparency. The scope of consultation is not an issue.

When the problems of alcohol are so widespread why should the CIS process be limited to individual households? Why aren't independent experts, paid for by this rent-seeking industry, employed in a conflict-of-interest-free environment to advise the licensing authorities when enough is enough?

I'll conclude with some predictions:

- Waverley Council doesn't make a submission
- The CIS onus on applicants is reduced
- There will be no significant change to the focus on individual household involvement in CIS
- There will be no significant change to the focus on individual licences for CIS.

Thank you for considering this brief submission.

END