

cis.evaluation@justice.nsw.gov.au

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

The Live Music Office appreciates the opportunity to provide a response to this review.

Established in July 2013, the Live Music Office works to increase opportunities for live music in Australia by identifying and advocating for better policy, regulation and strategy. Our advocacy encompasses regulation, research, audience development initiatives and support for music industry development.

We recognise that the liquor licensing regulatory framework is closely associated with the development of the music industry:

- Many live music performances are provided by dedicated licensed live music venues which may also be hotels, clubs, or nightclubs or as ancillary entertainment in hospitality industry premises also including cafes and restaurants.
- Licensed festivals, concerts and events also provide significant jobs and opportunities for musicians, as do community organisations.

Given this relationship, this review has far reaching implications for the provision of employment, creative opportunities, and the cultural and economic development of the music sector in NSW.

For the record, the Objects of the LIQUOR ACT under SECT 3 are as follows -

LIQUOR ACT 2007 - SECT 3

3 Objects of Act

(1) The objects of this Act are as follows:

(a) 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,

(b) to facilitate the balanced development, in the public interest, of the [liquor](#) industry, through a flexible and practical regulatory system with minimal formality and technicality,

(c) to contribute to the responsible development of related industries such as the live music, entertainment, tourism and hospitality industries.

(2) In order to secure the objects of this Act, each person who exercises [functions](#) under this Act (including a [licensee](#)) is required to have due regard to the following:

(a) the need to minimise harm associated with misuse and abuse of [liquor](#) (including harm arising from violence and other anti-social behaviour),

(b) the need to encourage responsible attitudes and practices towards the promotion, sale, [supply](#), service and consumption of [liquor](#),

(c) the need to ensure that the sale, [supply](#) and consumption of [liquor](#) contributes to, and does not detract from, the amenity of community life.

If we look to section C, we can see a specific reference to the Live Music Industry, as well as entertainment, tourism, and hospitality industries.

We submit that the CIS be rebalanced to also provide an equal opportunity for the positive contributions that licensed premises – particularly for our industry, those employing performers – make to our community, our identity, and of course, our economy.

This would give effect to the associated provisions in the objectives, evidence of which can be hard to find referenced in licensing submissions and decisions.

These could include providing the opportunity to submit in favour of a licence application referencing such great things as:

- Jobs for musicians
- Arts and cultural development
- Contribution to a diverse and creative night economy

This is a great opportunity to provide a formal process for the cultural and economic contribution of licensed premises, events or program that provide jobs and opportunities for artists to be a specific matter for consideration.

Looking to the various organisations that are notified when a liquor licence application is lodged, is it the case that RMS and Health are advised as a matter of process? Why not then the state music organisation MusicNSW, APRA AMCOS, and the Live Music Office then if a premises might be used for entertainment, so we can provide references in support given the value of licensed premises to the development of our industry.

We understand that the outcomes of the evaluation are expected to inform a broader review seeking to better align the planning and liquor approvals processes, which is proposed for later in 2017.

Clearly this is a necessary step to take if much of the unnecessary cost and process of the current duplicate and often unclear process is to be made more workable.

Ensuring as much as possible that the licensing and planning process can be aligned without duplication whilst still ensuring that appropriate community and safety standards are met should be a priority for this government, which if achieved, would much better support the establishment of arts and culturally orientated licensed premises through lowering costly and time consuming barriers to entry.

Yours sincerely,

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Director

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