



Ms Natasha Mann
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23 August 2017

Dear Natasha,

Response from the Independent Liquor & Gaming Authority to the *Evaluation of the Community Impact Statement requirement for liquor licence applications – Discussion Paper*

The Independent Liquor & Gaming Authority (the Authority) welcomes the opportunity to provide a response to the Community Impact Statement (CIS) evaluation. In summary, whilst the Authority acknowledges the benefits of the current CIS process, and believes that some version of this is indispensable to the regulatory regime, it is of the view that there is scope for improvement. This includes:

- a better understanding and description of the local communities, their environments and issues;
- more targeted approaches to obtain increased feedback from all relevant local communities;
- the removal of any duplication in the provision of information.

The Authority recommends that Liquor & Gaming NSW (L&GNSW) explore more fully the barriers that impact on the current level of stakeholder participation and proposes improvements so as to ensure that the Authority receives the best possible information to inform its decision making.

1. Are community stakeholders being appropriately consulted?

The Authority would like to see a more targeted approach in identifying relevant local communities and consideration of how best to notify and consult with those communities. The Authority considers that notification is not always effective in reaching local communities and thus consultation is hindered. The Authority considers that more attention needs to be given to seeking input from culturally and linguistically and other diverse communities in the identified consultation areas.

Social media might be appropriate for certain demographics, whereas letter box drops and local newspapers might be more effective for other demographics. The opportunities to respond to notifications need to be accessible.

Recommendation: The adoption of a greater diversity of communication methods to maximise local awareness and engagement.

2. Does the CIS capture local community concerns and feedback?

Under the current process, summaries of responses from local stakeholders are included in the CIS form that accompanies relevant applications submitted to the Authority.

The Authority notes that in some instances the level of response from the local community is lower than might be expected and this may indicate barriers in capturing local community concerns and feedback. Targeted consultation could be improved by options suggested under paragraph 1.

Recommendation: That it is more appropriate for copies of the submissions prepared by local stakeholders be provided, rather than the paraphrased summaries offered by the applicant.

3. Is the information collected during the CIS process useful?

Recommendation: That the current information collected and provided is reviewed by L&GNSW to ensure that improvements in evaluation and analysis of statistical information and contemporary research on associations between alcohol outlet density and adverse social outcomes are appropriately captured in the CIS process. It may be that some information is no longer needed as it hasn't been useful or that better evidence is available from other sources.

Recommendation: That members of the local and broader communities are made aware that they may express their observations and opinions regarding the social impact of a proposed licensed premises without providing expert or statistical evidence, as per Guideline 6, November 2015. This could be achieved by developing a user-friendly communication guide on how to make a submission that is accessible to broader audiences as represented by the communities rather than focussed on those with technical or legal backgrounds.

4. Are there opportunities to cut red-tape and minimise delays from the CIS process?

Recommendation: That consideration be given to removing the initial part of the CIS process and encouraging stakeholders to make direct submissions to the Authority.

Recommendation: That consideration be given to the adoption of a discretionary power to excuse minor technical incidences of non-compliance with regards to the application process. For example, if a site notice is inadvertently obscured or missing for a short period of time.

5. Are there opportunities to minimise overlaps in the community consultation processes across local and state government?

The Authority acknowledges that there is some overlap with the current local government Development Application (DA) and the CIS processes. If L&GNSW were to streamline the CIS process it should only do so if satisfied that all NSW councils have an adequate consultation process in place. The Authority notes also that the focus on planning and development by Councils differs from the social impacts focus of liquor and gaming legislation. In particular, the Authority notes that local councils and the Land and Environment Court are legislatively precluded from considering gaming-related social impacts when deliberating on development applications.

With 140 Local Government Areas in NSW it is highly unlikely that there is enough commonality in the DA processes to provide adequate information for social impact assessments the Authority is required to make.

6. Are the separate CIS categories (A&B) necessary and appropriate?

The Authority considers that the separate categories are appropriate at this stage. However, this would need to be revisited if there were modifications to risk classifications or other changes to categories.

7. What types of liquor licences and authorisations should be required to complete a CIS?

The Authority considers it important that the community has an opportunity to provide feedback in all relevant instances with regards to liquor licences and authorisations. This should include instances of increased availability of liquor licences and authorisations regardless of type.

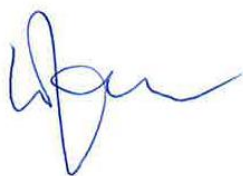
If the current CIS process is modified or transformed, it would be appropriate to review all types of liquor licences and authorisations to consider what level of consultation is suitable. The Authority is of the view that consideration should be given to better defining the community with regards to packaged liquor and producer/wholesaler licence applications that rely on telephone/online ordering and delivery as the impacts are not necessarily related only to the community in the immediate vicinity of the business.

8. Further comment

The Authority considers there needs to be improved consultation with local Aboriginal communities and agencies with broader community health responsibilities.

The Authority supports any modifications to the current CIS process that improve consultation with local and broader communities, enhance decision making and streamline processes.

Yours sincerely,

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

Philip Crawford

Chairperson

For and on behalf of the Independent Liquor and Gaming Authority