

Fact sheet FS3076

How to prepare a category B CIS

If you are making a new liquor licence or licence-related authorisation application, you must include a community impact statement (CIS) with the application you lodge with Liquor & Gaming NSW (L&GNSW). Where a CIS is required, the licence, authorisation or approval cannot be granted unless the decision-maker is satisfied that the overall social impact will not be detrimental to the well-being of the local or broader community.

Different types of liquor licence applications require either a category A or a category B CIS. The main difference is who you need to notify. You must consult more people to prepare a Category B CIS.

What is a CIS?

A CIS is a written summary that provides information on the potential impact that granting an application will have on the local community. It does this by ensuring the potential applicant consults with the local community before deciding to make an application. It summarises the results of consultation between the applicant and the local community about any issues and concerns with a licensing proposal.

You must be careful how you prepare and complete your CIS. You may need professional advice for more complex or contentious applications, and you may have to revise your CIS if it is incomplete or unsatisfactory.

Be sure to:

- ▲ consult all relevant community members
- ▲ describe how you conducted the consultation
- ▲ include discussion on issues people raise
- ▲ include information on how you will deal with any concerns.

Application types requiring a category B CIS

You'll need to provide a category B CIS for any of these liquor licences or licence-related authorisations:

- ▲ hotel licence
- ▲ club licence
- ▲ small bar licence
- ▲ on-premises licence for a public entertainment venue other than a cinema or a theatre
- ▲ extended trading authorisation for each of the above licences
- ▲ application to remove each of the above licences to other premises
- ▲ extended trading authorisation for an on-premises licence or a producer/wholesaler licence if the authorisation will allow the sale of alcohol at any time between 12 midnight and 5am (not including sales to the residents of the licensed premises and their guests)
- ▲ any other application where the L&GNSW considers there may be potential for community impact associated with a new licensed premises or a change to existing premises – applicants will be notified if this is required.

Other licence types or authorisations may require a category A CIS. For further information see the FS3075 'How to complete a category A CIS' fact sheet' at liquorandgaming.nsw.gov.au.

Note: A small bar application does not have to be accompanied by a CIS if development consent has been sought from the local council to use the premises as a small bar or to sell liquor during the times sought in the application, and police and the Secretary have been provided with notification of the development application within two working days of it and any amendments to it being lodged with the local council.

How to prepare a category B CIS

3 steps to prepare a CIS

Step 1

Notify the community

Step 2

Gather feedback and arrange further consultation

Step 3

Prepare the CIS

Step 1

Notify the community

Provide written notice to stakeholders and invite feedback

The written notice is usually distributed by via mail or a letterbox drop. You can use the formatted FM2007 'Notice of intention to apply for liquor licence or authorisation' available as a Word document at liquorandgaming.nsw.gov.au to help you produce this notice with the required information.

- ▲ You need to make all relevant stakeholders in your community aware of the application you are proposing – you can also use this as an opportunity to invite feedback from them (see Step 2).
- ▲ All stakeholders who receive the written notice must be given 30 days from the date of the notice to respond.
- ▲ You must also display a copy of the written notice on the premises the proposal relates to. It must remain there for at least 30 days before the CIS is finalised.

Note: The more personal your communication, the higher the level of engagement you can expect. If you are approaching specific stakeholders or conducting a letterbox drop, draft text for a covering letter you may wish to include is available on the 'Community impact statements' landing page at liquorandgaming.nsw.gov.au

The stakeholders you must notify

Your local consent authority

Your local consent authority is your local council, which represents your local government area (LGA). Find your LGA and its address at the Office of Local Government website olg.nsw.gov.au.

Neighbouring LGA, if applicable

If the premises the relevant application relates to are, or will be, located within 500 metres of the boundary of another LGA, you must also notify the LGA for that other area. Find your neighbouring LGA and its address at the Office of Local Government website olg.nsw.gov.au.

The local police

Find your local police station at the NSW Police website police.nsw.gov.au.

NSW Health

Manager

Population Health and Partnerships Drug and Alcohol Clinical Program

Mental Health and Drug & Alcohol Office

 73 Miller Street, North Sydney NSW 2060

 Locked Mail Bag 961, North Sydney NSW 2059

Department of Family and Community Services (FACS)

The Secretary

Department of Family and Community Services

 4–6 Cavill Avenue, Ashfield NSW 2131

 Locked Bag 4028, Ashfield NSW 2131

NSW Roads and Maritime Services

The Chief Executive, NSW Roads and Maritime Services

 20-44 Ennis Road Milsons Point NSW 2061

 Locked Bag 928 North Sydney NSW 2059

Recognised leaders of the local Aboriginal community in the area

For assistance in finding the leaders of the local Aboriginal community, visit the NSW Aboriginal Land Council website alc.org.au and go to Land Councils > LALC Regions & Boundaries.

The occupier of any neighbouring premises

Neighbouring premises are classified as:

- ▲ any building situated on land within 100 metres of the boundary of the premises to which the proposal relates
- ▲ any building situated on land adjoining the boundary of the land on which the premises to which the proposal relates are or will be situated (or land adjoining that boundary if it were not for a road separating the land).

If neighbouring premises are strata title buildings, notification should be given to:

- ▲ the Owners Corporation
- ▲ individual occupiers of any premises within the building where those premises immediately adjoin the proposed premises.

Provided the Owners Corporation agrees, a copy of the notice should also be placed in the foyer (or adjacent to the foyer) of the strata title building.

How to prepare a category B CIS

For hotels only: Gambling Help counselling services in the LGA

For assistance in finding local Gambling Help service providers, visit the Gambling Help website gamblinghelp.nsw.gov.au and search for 'help near you'.

Special-interest groups or individuals

Each local community differs with each licence application, so you need to consider special-interest groups and other individuals who may be affected by the application. The local community may not be limited to the persons and organisations listed in this fact sheet. It also includes people who will use the services and facilities provided on the licensed premises, people who are likely to be affected by the application and may derive social benefit or suffer social harm as a result of the application being approved, and people who live and work in the area.

Groups that may need special consideration include:

- ▲ Aboriginal communities
- ▲ people from culturally and linguistically diverse backgrounds
- ▲ people with disabilities
- ▲ young people
- ▲ local schools or colleges
- ▲ older Australians
- ▲ socio-economically disadvantaged groups.

To get a better understanding of the local community and whether special-interest groups should be notified, consider whether any of these community buildings, facilities or places are located near the licensed premises:

- ▲ hospitals
- ▲ nursing homes
- ▲ places of worship
- ▲ facilities for people who are homeless
- ▲ detoxification facilities for people with alcohol-related problems
- ▲ public parks
- ▲ alcohol-free zones.

Local council social or community plans may help you to identify special-interest groups or individuals who may be affected.

As with other stakeholders, you must notify the special-interest groups or individuals of the application and give them the opportunity to comment and discuss any concerns they may have. Like all other stakeholders who receive the notice, they must be given 30 days from the date of the notice to respond.

Step 2 Gather feedback and arrange further consultation

You must allow stakeholders 30 days from the date of the written notice (see Step 1) to give feedback on the proposal. Gather feedback, identify key issues and assess if further consultation is required.

You may need to conduct further consultation if stakeholders identify significant issues of concern. We suggest some engagement tools for you to consider.

It is important to take into consideration the following questions when reviewing stakeholder responses:

- ▲ What were the main issues raised?
- ▲ What were the negative responses to the proposal?
- ▲ What were the positive responses to the proposal?
- ▲ What issues needed further discussion, and how strongly did stakeholders feel about these issues?
- ▲ Were similar or recurring issues raised by different stakeholders?
- ▲ Have any ongoing relationships been established between the applicant and stakeholders that may help resolve future issues as they arise?
- ▲ Have any ideas been developed as a result of the consultation, and will changes be made to the proposed application as a result of the stakeholder feedback?

It is important that any issues and concerns raised in consultation are discussed with stakeholders and resolved before the application is lodged wherever possible.

Engagement tools

The following tools may be used to consult with relevant stakeholders about a proposed application.

The written notice

The written notice distributed in Step 1 is your first opportunity to invite feedback. Stakeholders may respond to it by email or mail, or they may provide verbal input over the phone.

Method

- ▲ The notice is prepared and distributed to stakeholders – usually via mail or a letterbox drop. You may wish to encourage personal engagement using a covering letter.

How to prepare a category B CIS

- ▲ This method does not require face-to-face consultation and is primarily to inform the community of the liquor licence proposal.
- ▲ A website can be established or an email address provided so that stakeholders can provide electronic feedback.
- ▲ Stakeholders must be given 30 days from the date of the notice to respond.

Considerations

- ▲ This approach can be inexpensive, allowing wide participation and information-sharing.
- ▲ Time to prepare and response time from stakeholders must be taken into consideration.

Surveys and questionnaires

Prepare a description of the proposal and identify specific questions to generate feedback from the community. This may be distributed at the same time as the written notice above to allow specific and more focused feedback from the community.

Method

- ▲ Stakeholders can be contacted by mail, phone or email.
- ▲ Websites can be established or email addresses provided so that stakeholders can provide feedback electronically.
- ▲ Stakeholders must be given 30 days from the date of the notice to respond.

Considerations

- ▲ It's inexpensive and allows for wide participation.
- ▲ Consider distributing the survey or questionnaire through an organisation or service, for example, a school or youth service.
- ▲ Online distribution may increase response rates due to immediacy and convenience – especially from young people.
- ▲ This method can make it difficult to clarify issues with stakeholders and may not encourage comprehensive responses.
- ▲ Quality of the response depends on the quality of the questions asked.

Face-to-face meetings

Small face-to-face meetings allow you to informally discuss issues about a proposal. This method is recommended if concerns are identified in response to the initial notice. Meetings allow stakeholders to be well informed about a proposal, and individuals can give feedback immediately on issues and concerns.

Method

- ▲ Can be a spontaneous discussion or a formally planned event where stakeholders are officially invited to meet.
- ▲ Rules on how feedback will be recorded and used in the CIS should be established up front.
- ▲ Sensitive issues must be managed, and all participants should be encouraged to participate in discussion.
- ▲ Can be an informal venue setting – such as at someone's home or a coffee shop.
- ▲ Discussion may need to be recorded, and possibly facilitated.

Considerations

- ▲ The venue chosen should be a neutral space, not associated with a particular group or stakeholder.
- ▲ It is preferable that the meeting is not held at the licensed premises in question if the premises are already operating.
- ▲ If there is more than one interest group participating, plan carefully to ensure the discussion is not dominated by one opinion or perspective.
- ▲ All opinions must be considered valuable to the discussion.
- ▲ The facilitator of the discussion group must be polite and relaxed to encourage a free exchange of interests and opinions.
- ▲ This method can encourage ongoing participation by stakeholders and establish networks within the community.

How to prepare a category B CIS

Small group consultation

This approach is suitable for applications where significant impacts are anticipated or many concerns have been raised by stakeholders.

Try convening small groups of up to 15 people for face-to-face discussions with the focus on a specific issue. For example, a session could involve all occupants of any neighbouring premises to discuss local neighbourhood impacts.

Meetings allow stakeholders to be well informed about a proposal, and feedback can be given immediately regarding issues and concerns.

Method

- ▲ Select participants (preferably randomly), book a venue, and arrange catering.
- ▲ Hire a facilitator if necessary, and prepare preliminary questions.
- ▲ Advise participants of the aims and objectives of the session, and establish ground rules for the discussion.
- ▲ Encourage involvement from all participants and record all discussion and issues raised in sessions.
- ▲ Debrief participants by advising of the next steps of the project and future opportunities for them to comment.
- ▲ Prepare a report on the session offering a copy to all participants.

Considerations

- ▲ This method is most effective when participants already know something about the proposal.
- ▲ Small group discussions can be used to resolve issues of concern identified by stakeholders.
- ▲ Recognise that small groups may not be truly representative of the community, and you may need to consider multiple sessions.

Public meeting

This is appropriate for applications where significant impacts to many stakeholders are anticipated. The meeting can involve a large group of participants and is primarily used to share and discuss information regarding a proposal.

Method

- ▲ Schedule meeting dates and invite stakeholders – this can be done at the same time as the notice is provided.

- ▲ Introduce the project and key contacts at the meeting.
- ▲ Inform stakeholders of the proposal and how it may impact the local community.
- ▲ Allow for stakeholders to ask questions.
- ▲ Provide contact points, and identify groups where more focused discussion may be needed.

Considerations

- ▲ Allows for input from a wide range of stakeholders, which can be useful for informing the community and establishing concerns with the proposal.
- ▲ Recognise that unless the meeting is well facilitated certain opinions will dominate discussions, and so all opinions and participants may not be heard.
- ▲ This method may not attract participation from young people.
- ▲ Public meetings can be time consuming and costly, but the trade-offs may justify this.

Step 3 Prepare the CIS

Carefully prepare and complete the questions on the FM2010 'Category B Community Impact Statement (CIS)' form available at liquorandgaming.nsw.gov.au.

The CIS must show how stakeholder concerns have been resolved and describe any changes that have been made to the proposal as a result of stakeholder discussions. If resolution could not be reached, the CIS must note the issues raised and include a brief description of the attempts that were made to resolve these concerns. All information provided in the CIS must accurately reflect stakeholder responses.

It is important that you obtain consent before identifying individuals who provide comment about a liquor licence proposal, as the CIS will be placed on public display.

You can find out about the factors and evidence considered when determining whether or not the social impact of the licence or authorisation will be detrimental to the local or broader community at liquorandgaming.nsw.gov.au.

How to prepare a category B CIS

Useful resources

Websites that may assist in identifying and engaging stakeholders:

- Office of Local Government
olg.nsw.gov.au
- NSW Aboriginal Land Council
alc.org.au
- Office of the Children's Guardian
kidsguardian.nsw.gov.au
- NSW Department of Aboriginal Affairs
aboriginalaffairs.nsw.gov.au
- NSW Department of Family and Community Services
community.nsw.gov.au
- NSW Health
health.nsw.gov.au
- NSW Police
police.nsw.gov.au
- Roads and Maritime Services
rms.nsw.gov.au

For further information

To find out more about the liquor laws, contact L&GNSW:

 liquorandgaming.nsw.gov.au

 contact.us@liquorandgaming.nsw.gov.au

 1300 024 720

You can also access the *Liquor Act 2007* and the Liquor Regulation 2018 at legislation.nsw.gov.au.