

LGNSW SUBMISSION

LIQUOR LICENSING REFORM OPTIONS

DEC 2022

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing NSW general purpose councils and related entities. LGNSW facilitates the development of an effective community-based system of local government in the State.

OVERVIEW OF THE LOCAL GOVERNMENT SECTOR



Local government in NSW employs **55,000 people**



Local government in NSW looks after more than **\$177 billion of community assets**



Local government in NSW spends more than **\$2.2 billion each year on caring for the environment, including recycling and waste management, stormwater management and preserving and protecting native flora and fauna**



NSW has more than **350 council-run libraries that attract tens of millions of visits each year, and more than 400 public swimming and ocean pools**



Local government in NSW is responsible for about **90% of the state's roads and bridges**



NSW councils manage an estimated **4 million tonnes of waste each year**



NSW councils own and manage more than **600 museums, galleries, theatres and art centres**

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INTRODUCTION

Thank you for the opportunity to provide a submission on the *Liquor Licensing Reform Options* as outlined in the October 2022 Discussion Paper circulated by Liquor & Gaming NSW (L&G NSW).

Local Government NSW (LGNSW) is the peak body for local government in the State, representing all 128 NSW general purpose councils as well as a number of related entities. LGNSW supports our member councils and advocates on their behalf to help strengthen and protect an effective, democratic system of local government across NSW.

This submission is informed by input from councils across metropolitan and regional NSW as well as long standing policy platforms of the organisation.

This submission was endorsed by the LGNSW Board in February 2023.

PURPOSE

The NSW Government has stated that the purpose of the proposed Liquor Licensing Reforms is to modernise the liquor licensing system and make it easier for licensed businesses in NSW to “start, grow and diversify”, while managing the risk of alcohol-related harm and “making it easier for the community to have their say”¹.

The proposed reforms are partly the result of the NSW Government’s commitment made under the 24-hour Economy Strategy for Greater Sydney (‘the Strategy’) released in September 2020. Through Action 15 of the Strategy, the Government committed to:

- continue to streamline approval processes for licensing and planning applications, develop a plan for integrated processes wherever possible, and reduce overall approval timeframes and duplication.
- explore the introduction of a new risk-based licensing model to reduce the number of liquor licence types and classes and minimise complexity and red tape.

The Liquor Licensing Reform Options Discussion Paper produced by Liquor & Gaming NSW (L&G NSW) sets out possible reform options which are broken up into Part A and Part B.

Part A: Provides options to streamline the approval processes for licensing and planning applications with a stated aim of achieving:

- quicker, easier application processes;
- enhanced, more accessible public consultation;

¹ HaveYourSay website – Exploring Liquor Licensing Reform Options [Exploring liquor licensing reform options | Have your say NSW](#)

- reduced overlap of conditions and Plans of Management.

Part B: Provides options for a new risk-based liquor licence model which seeks to achieve:

- more flexible ongoing licence options, fewer licences and classes, with more opportunities for diversity in licensed premises;
- simpler conditions and expanded trading opportunities that support a vibrant, safe 24-hour economy;
- customer-centric, risk-based licensing and regulation enabled by digital solutions;
- improved temporary licensing options to support more one-off events, pop-up bars and producer's promotions.

GENERAL COMMENTS

LGNSW welcomes the opportunity to provide comment and feedback on the proposed reform to the State's Liquor Licensing regime.

Councils regularly report that the current planning and liquor licence approval system is confusing and duplicative. It can cause a degree of inconsistency with final approvals, and it can be confusing for applicants and members of the community alike. This in turn causes many compliance issues for both local government and L&G NSW. For affected communities it can create a feeling of frustration or perceptions of being sidelined in the planning process.

LGNSW has a long-standing policy position regarding planning that is based firmly on the principle that local government is best placed to lead and influence local and regional planning processes according to the needs and expectations of local communities. Councils across NSW support an efficient, fair, and locally led planning system that prioritises quality of life while maintaining the balance between strong economic development and enjoyable and safe public amenity.

One of our key advocacy positions is that local government "retain control over the determination of locally appropriate development".² It is important that local government's role as a consent authority has been recognised and enshrined in the proposed reforms. In particular, we support L&G NSW's decision not to include integrated development and concurrence in this scope of reform options.

Similarly, we support the decision not to explore the option to remove the requirement for a Development Application (DA) to be determined prior to a Liquor Licence being granted. Such a move would likely create increased pressure and enforcement issues for local councils and create situations of inadvertent non-compliance from applicants. The removal of the requirement that a DA be determined prior to a Liquor Licence being granted would cause confusion for regulators, applicants and the community.

LGNSW also has a clear position on the provision and regulation of gaming machines in licensed establishments across NSW. Position 14.9 in our policy platform advocates

² LGNSW Policy Platform item 7.2 (page 13)
https://lgnsw.org.au/common/Uploaded%20files/Policy/LGNSW_Policy_Platform_2022_V2.pdf

for “Increased local government involvement in determination of gaming machine applications with priority consideration given to social impact.”³

LGNSW would not support any reforms leading to a relaxation of restrictions or making it easier for licensed establishments to apply for new or an increased number of gaming machine licences. LGNSW supports the view that applications for gaming machines involve “unique regulatory considerations”, and the Independent Liquor and Gaming Authority (ILGA) “takes a risk-based approach to each application under select statutory criteria”⁴. These types of applications are better suited to case-by-case assessment, so we are pleased to see such applications were not included in the scope of the proposed reforms.

On the whole LGNSW supports the intention of these reforms to:

- streamline the application process;
- reduce duplication of effort;
- provide consistency in trading conditions; and
- avoid frustration, confusion and delays for all parties.

This support is on the basis that any reforms must not compromise the rights of the local community nor the role of councils in determining locally appropriate development and must not create added enforcement or assessment burdens on to staff of local government.

RESPONSES TO ISSUES RAISED IN THE LIQUOR LICENSING REFORM OPTIONS – DISCUSSION PAPER:

3. APPLICATION REFORM OPTIONS (PAGE 9)

Digitisation of Application Process /NSW Planning Portal digital platform:

Quicker, easier application processes on a digital platform to support a single joint DA and Liquor Licence process are supported in the proposed reforms.

The discussion paper focuses on short-term (within two years) to medium-term (two to five years) actions that can be implemented as the first steps towards more complete integration in the long-term future (beyond five years) but the long-term aspirations such as achieving integrated development are considered beyond the scope of the discussion paper.

With a focus on ‘quick wins’ it is important not to preclude longer term outcomes that will comprehensively bring the two processes together rather than maintaining parallel systems.

The mandated use of the Planning Portal that is already in use for DA lodgement is the logical digital platform host and is supported by LGNSW. However, the NSW Planning Portal has had, and continues to have, integration issues requiring much additional work for councils in entering duplicate data. Councils also report that they receive frequent feedback from both regular users and one-off applicants about the difficulties

³ LGNSW Policy Platform item 14.9 (page 21)
https://lgnsw.org.au/common/Uploaded%20files/Policy/LGNSW_Policy_Platform_2022_V2.pdf

⁴ L&G NSW Liquor Licensing Reform Options Discussion Paper – page 14

and frustrations with the portal. The proposal for a *'tell us once'* system for applicants as customers has merit but should not be offset by an unintended *"enter it twice"* system of administration for councils as principal users.

While the move to an online application and assessment process will ideally lead to a quicker and easier experience for the majority of users, the Government must be mindful of providing options for those who are less experienced with various technology or for reasons of ability or impairment are unable to use such technology.

Culturally and linguistically diverse populations of the community should also be considered in messaging and communication. Governments at all levels need to be conscious of not creating a society of technology haves and have nots and must ensure equitable and fair access to all parties looking to contribute.

L&G NSW to receive Notice of Determination from Council

The proposal to ensure that L&G NSW automatically receives the Notice of Determination on a DA is supported as it increases communication and cooperation between the two regulatory bodies. The automatic notification of consents on a DA will increase the likelihood of consistency in conditions subsequently contained in an approved Liquor Licence.

LGNSW supports the concept of an application progress tracker and real-time automated alerts as potential features of a single-entry portal as proposed in the Discussion Paper.

RECOMMENDATION 1: The NSW Planning Portal should continue to be developed to improve both the applicant (customer) and council (administrator) experience in a *'tell us once'* system.

RECOMMENDATION 2: In developing the online application process, consideration should be given to accommodating those participants who are less experienced with the use of such technology or for various reasons are unable to use that level of technology. Culturally and linguistically diverse populations of the community should also be considered in messaging and communication.

RECOMMENDATION 3: Automated progress alerts should be included as part of the "Application Tracker" functionality. The use of automated progress alerts for all interested parties (applicants, objectors, regulators and observers) will increase the transparency of the application process and assist with creating a robust and thorough public consultation process.

4. CONSULTATION REFORM OPTIONS (PAGE 11)

Streamlining consultation processes:

The current system of running two public consultation processes – one for the DA and one for the Liquor Licence – encourages duplication and causes confusion for participants. In order to maximise community participation in public consultation, it would be ideal for a single consistent period of public consultation to be run that covers both the development and Liquor Licence applications. Many members of the community do not realise there are two processes or they assume that each regulatory

body shares their information and observations with the other. This regularly creates a situation whereby participants are providing comment on only one, not both of the applications - either the DA or the Liquor Licence.

The Discussion Paper identified that aligning these consultation processes is a long term aspiration so has therefore placed it outside the scope of this discussion paper. As an interim measure, LGNSW would like to see a system whereby parties who contribute to the public consultation process are provided with automated messages reminding them of the separate public consultation process and encouraging them to comment on the other corresponding application.

LGNSW therefore supports the proposal to link the live DA and Liquor Licence application exhibitions, providing stakeholders with the opportunity to comment on both applications. A further beneficial outcome of such a system could be that it provides an educational service, informing the public about the roles and responsibilities of each approving authority.

Single Consultation Process for medium-higher risk liquor licences by removing current requirement for a Community Impact Statement (CIS):

The Discussion Paper seeks feedback on a proposal to abandon the current requirement for a Community Impact Statement (CIS) for liquor licences deemed to be medium-high risk. Instead, it is proposed that applicants engage in informal public consultation prior to lodging a liquor licence application and that the formal public consultation be run by L&G NSW as part of the assessment of that application. The rationale for this proposal is to avoid repetitious public consultation or situations whereby third parties with a vested interest in a successful application process are in charge of this initial consultation.

LGNSW does not support abandoning the current CIS process and replacing it instead with a system whereby applicants are encouraged to undertake “proactive, voluntary engagement with their community” prior to their liquor licence application being lodged. The proposed new system would rely on the goodwill of the applicant to engage with the local community and inform them of the application process. Although the intended aim is to provide unfiltered community feedback and increase the transparency of the consultation process, the reverse may be true as there is less public awareness of the application being lodged.

Further, as the CIS process takes place before a liquor licence application is lodged, the CIS also better supports applicants reviewing stakeholder feedback on the potential impacts of their premises and considering whether changes to the proposed application would lessen any adverse impacts.

Demonstrating that adverse impacts identified through a CIS have been addressed can save time and money for an applicant, and their application for a liquor licence may be less likely to be denied.

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| <p>RECOMMENDATION 4: The current requirement for Community Impact Statements for medium to higher risk liquor licence applications should not be removed.</p> |
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Standardised Submission Templates:

In the interests of increasing transparency and maximising valuable community input in the consultation process, LGNSW would support the proposal to provide stakeholders with an optional standardised submission template. This would help guide stakeholders in compiling their submission and encourage them to focus on the key issues that are considered in any liquor licence application process. Such a template should provide adequate opportunities for stakeholders to provide additional feedback on other issues, unique to their situation that may not be covered by the template.

Similarly, the proposal to provide applicants with a template for responding to submissions made in their consultation process and for those responses to be publicly available is a commendable step towards increasing public transparency. Such a move would also assist in the education of members of the public about the process in general and the roles and responsibilities of all parties involved in granting a liquor licence.

Improving Community Inclusion in Consultation Processes:

Similar to concerns about the application process becoming increasingly digitised, LGNSW would have concerns about the move towards public consultation becoming less and less accessible to those that do not or cannot access technology. Culturally and linguistically diverse populations of the community should also be considered in messaging and communication. We would support any move towards ensuring that non-digital methods of consultation are retained – such as face-to-face consultation for high-risk applications or the use of printed deliverable material inviting feedback and comment.

RECOMMENDATION 5: An automated system be established to notify participants in public consultation that there are two processes and two opportunities to contribute – via the DA process AND via the Liquor Licence application process.

RECOMMENDATION 6: In developing the online consultation process, consideration should be given to accommodating those participants who are less experienced with the use of such technology or for various reasons are unable to use that level of technology. Culturally and linguistically diverse populations of the community should also be considered in messaging and communication.

5. CONDITIONS AND PLANS OF MANAGEMENT (POMS) (PAGE 19)

Reducing overlap in conditions and Plans of Management:

Approvals for a DA and a Liquor Licence are often subject to similar or inconsistent conditions, which can create confusion and uncertainty for business owners, regulators and the community at large. Inconsistency in conditions can lead to uncertainty about which set of conditions should be adhered to. Plans of Management (POMs) add a layer of complexity for conditions as a licensed premises may be subject to multiple POMs that are duplicated or inconsistent. As the discussion paper highlights, even the definition of a “Plan of Management” differs between the Department of Planning and Environment (DA approval) and L&G NSW (liquor licence approval). Similarly, the criteria for enforcing a POM or the process for amending one, can differ considerably between councils and other approval bodies.

Shared Conditions:

For this reason, LGNSW would support a move towards shared conditions thereby reducing inconsistencies or duplication in DAs and liquor licences. Whether those conditions be prescribed, or model conditions would require further consideration and detail, but it is vital that councils retain the ability to impose unique or tailored conditions for local and site-specific issues in their communities. It is also important that any list of proposed conditions remains flexible and is developed with input from local government authorities.

Single Public Database for Conditions applied to a venue:

The proposal to streamline a single public database that would display all conditions imposed by regulators on a premises is supported by LGNSW. Having one single resource listing all conditions would increase transparency for the public and also improve enforcement capability for regulatory authorities. Consideration should also be given to a physical list of conditions being displayed or at least available at a licensed venue, in the interests of transparency and ensuring ease of access to information for all parties.

Plans of Management (POMS)

In regard to POMS specifically, while the proposal for a single shared plan is commendable and would appear to streamline the process, LGNSW would have concerns that it would significantly add to the burden already faced by council planning staff. It would create the need to liaise and negotiate with L&G NSW officers on every single application to create an agreed single Plan of Management.

Instead, LGNSW would support the second option outlined in the discussion paper whereby separate POMS are retained by council and L&G NSW/ILGA with a clear delineation of matters to be included by each approval body. LGNSW supports the discussion paper's assertion that "Ideally, the liquor POM would deal with all alcohol management matters, while the council POM would be restricted to planning matters"⁵.

The discussion paper also raises the fact that amending a council issued POM generally requires a modification to the development consent. The suggestion is then made that to enable councils to impose more flexible POMS, the *Environmental Planning and Assessment Act 1979* (EP&A Act) could be amended to provide councils with the power to impose a special condition on a development consent under Schedule 8 of the EP&A Act in relation to POMS. The special condition would allow the POM to be reviewed and amended without the need to amend the condition of consent. The reviewable matters would be confined to discrete matters, which could be identified through the discussion paper consultation process and agreed to by the DPE and the OLG.

For example, they could include security guard and CCTV requirements. This would enable councils to review and amend POMS in response to changing circumstances, without the need for an applicant to apply to council for a modification of a development consent every time a POM condition is proposed to be changed.

LGNSW supports any measures such as this proposal that would help reduce the overall load on the volume of DAs that councils have to assess. The development and

⁵ Discussion Paper, p 22

review of any standard special conditions should form part of work that is currently being undertaken on the standard condition framework by the Department of Planning and Environment (DPE).

Greater engagement & information exchange between L&G NSW and Councils:

LGNSW would welcome any measures that increase and streamline the contact between local councils and officers at L&G NSW. An improved stream of communication between the two agencies would maximise opportunities to align conditions and Plans of Management prior to development approval being granted. We would encourage the development of specific methods or platforms for this contact to be made to avoid any increase in workload on council staff or prolonging the assessment process.

RECOMMENDATION 7: That the Department of Planning and Environment continue to work on a standardised list of shared conditions for licensed premises with an avenue for regular input from local government.

RECOMMENDATION 8: That an online database be created for the display of all conditions applying to a licensed venue, assisting all enforcement agencies with regulation and increasing public visibility and awareness. Such a database could start initially with details of new DAs and liquor licences and eventually be used to capture retrospective information on existing licensed premises. Consideration should also be given to a physical list of conditions being displayed or at least available at a licensed venue, in the interests of transparency and ensuring ease of access to information for all parties.

RECOMMENDATION 9: The current system of separate Plans of Management be retained but with greater clarity and distinction about responsibilities and delineation to avoid duplication or inconsistencies.

RECOMMENDATION 10: That the Department of Planning and Environment consider amendments to planning legislation that would give councils more flexibility to review and amend POMs without the need to for a new modification DA.

7. ONGOING LICENSING REFORM OPTIONS (PAGE 27)

Reducing number of licences, red tape and complexity:

LGNSW supports any moves to reform the current licensing regime to create more flexible ongoing licence options, fewer licences and classes, with more opportunities for diversity in licensed premises. This reduction in complexity and 'red tape' is consistent with LGNSW's support of local economic development, providing opportunities for businesses to thrive and diversify.

More flexibility the a "licence-builder" approach:

The proposed new licence-builder model could allow individuals and businesses to build a licence to suit their needs and run diverse business activities on their premises. help to reduce licensing costs and approval timeframes for licensed premises where the sale and supply of liquor is limited in nature.

The 'licence builder' approach could allow a licensee to combine endorsements to develop more innovative business models. As multiple endorsements would be attached to the one ongoing licence, businesses would only have a single licence with one set of conditions and annual fees.

If this type of model were adopted, existing licence holders could automatically receive all necessary endorsements to continue to sell and supply liquor and operate gaming machines as they currently can. They could also apply for extra endorsements, opening more opportunities to diversify, grow and provide new offerings to the community. If this approach was adopted, mechanisms and safeguards would have to be in place to ensure that community safety and amenity is considered when new endorsements are sought and added to a licence. Any move towards a licence-builder model would need to clearly articulate the community consultation process that would be used. This would be especially important in instances where applicants were applying for gaming endorsements.

RECOMMENDATION 11: A licence-builder approach be further explored with greater detail provided regarding the community consultation process that would be utilised when additional endorsements to a licence are sought by applicants, particularly in regard to the application for a gaming endorsement.

8. CUSTOMER-CENTRIC, RISK-BASED LICENSING (PAGE 37)

Primary Business Activities:

In a similar move to the proposal above to allow for greater flexibility and diversification within the licensing regime, the discussion paper suggests the implementation of a new method of identifying a premises' primary purpose or activity. It is suggested this improved process would encourage diversity within venues and would assist in assessing the degree of risk an applicant's business activity might pose.

Allowing applicants to have multiple primary business activities is supported as long as it does not create an added, unresourced burden for enforcement by local government officers.

Risk-based application and community consultation processes:

The proposal for digital tools to be used to inform applicants of the risk classification associated with their application would potentially speed up the licence approvals process but would also create a temptation for applicants to 'downplay' their risk profile in order to minimise fees and consultation requirements. If such digital tools were to be rolled out, LGNSW would like to see measures put in place to ensure accurate and realistic risk profiles were created.

This concern is reflected in the discussion paper within the section dealing with the potential for venues to "morph" into higher risk businesses. It is proposed that enforcement action could be taken with the owner compelled to correct their practices, and/or to undertake the appropriate community consultation. Concurrently, additional conditions may be imposed on their licence or penalties may be imposed. It is unclear which agency would be responsible for monitoring or investigating any instance of a venue 'morphing' or who would take the subsequent enforcement action.

RECOMMENDATION 12: Under a risk-based assessment model, greater clarity be provided as to who is responsible for monitoring levels of risk and providing enforcement measures if breaches are confirmed or if a venue is ‘morphing’ into a higher-risk business model.

9. OTHER OPTIONS TO SUPPORT A VIBRANT, SAFE 24-HOUR ECONOMY (PAGE 46)

In regards to the other options suggested to encourage and support a vibrant and safe 24-hour economy, LGNSW would want to see more extensive community consultation take place before some of those measures were introduced. This is particularly necessary in regards to the suggestion to introduce standard trading hours across all days of the week, allowing for venues to trade on currently restricted days such as Good Friday and Christmas Day.

In regard to the proposal to create a new primary activity category of “entertainment: live and creative”, LGNSW would welcome any measures to encourage more creative and cultural spaces and support for artists and entertainers. However, the mention of 24/7 trading at such venues would be of concern to councils and their communities.

The suggestion to allow brewers and distillers to operate one licence across multiple venues, similar to how wineries are permitted to do so, would be welcomed by LGNSW. This would minimise the workload on regulatory staff in processing, monitoring and enforcing multiple licences for the one producer. While it would ensure a consistency across trading venues, flexibility would still be required to have conditions that reflected the unique positioning or nature of each venue. Even within a 5km radius in metropolitan areas or a 20km radius in regional settings, there can be vastly different needs in terms of conditions.

LGNSW would support the suggestion to allow extended trading hours during special events to a broader range of licensed venues beyond just hotels and registered clubs. This would allow a greater diversity of venues for patrons to use during these events and creates a more equitable environment for licensed venues in a precinct. Again, any move towards broadening these opportunities would need to be accompanied by broad community consultation with the ability to impose conditions on a case by case basis. LGNSW would strongly support the suggestion that when the extended trading hours are applied for hotels and clubs in the future, they be applied to liquor trading only, with gambling explicitly excluded. This would appropriately reflect that the trading extensions are intended to support patrons socialising, watching and celebrating special events together at venues. Any application to extend hours of operation for gaming machines must be subject to a standalone application and community consultation process.

RECOMMENDATION 13: Extensive and far reaching community consultation take place before any move towards standardised trading hours takes place, particularly in regard to licensed venues trading on restricted days such as Christmas Day and Good Friday.

RECOMMENDATION 14: Any move to allow brewers and distillers to operate one licence across multiple venues be introduced with the ability for individual conditions to be imposed on any one of those particular venues.

RECOMMENDATION 15: A broadening of the opportunities to apply for extended trading hours for special events of regional, State or National significance, be accompanied by extensive community consultation.

RECOMMENDATION 16: Any future granting of extended trading hours for hotels and clubs during special events should apply only to liquor trading, with gambling explicitly excluded.

SUMMARY OF RECOMMENDATIONS

RECOMMENDATION 1: The NSW Planning Portal should continue to be developed to improve both the applicant (customer) and council (administrator) experience in a *'tell us once'* system.

RECOMMENDATION 2: In developing the online application process, consideration should be given to accommodating those participants who are less experienced with the use of such technology or for various reasons are unable to use that level of technology. Culturally and linguistically diverse populations of the community should also be considered in messaging and communication.

RECOMMENDATION 3: Automated progress alerts should be included as part of the "Application Tracker" functionality. The use of automated progress alerts for all interested parties (applicants, objectors, regulators and observers) will increase the transparency of the application process and assist with creating a robust and thorough public consultation process.

RECOMMENDATION 4: The current requirement for Community Impact Statements for medium to higher risk liquor licence applications should not be removed.

RECOMMENDATION 5: An automated system be established to notify participants in public consultation that there are two processes and two opportunities to contribute – via the DA process AND via the Liquor Licence application process.

RECOMMENDATION 6: In developing the online consultation process, consideration should be given to accommodating those participants who are less experienced with the use of such technology or for various reasons are unable to use that level of technology. Culturally and linguistically diverse populations of the community should also be considered in messaging and communication.

RECOMMENDATION 7: That the Department of Planning and Environment continue to work on a standardised list of shared conditions for licensed premises with an avenue for regular input from local government.

RECOMMENDATION 8: That an online database be created for the display of all conditions applying to a licensed venue, assisting all enforcement agencies with regulation and increasing public visibility and awareness. Such a database could start initially with details of new DAs and liquor licences and eventually be used to capture retrospective information on existing licensed premises. Consideration should also be given to a physical list of conditions being displayed or at least available at a licensed venue, in the interests of transparency and ensuring ease of access to information for all parties.

RECOMMENDATION 9: The current system of separate Plans of Management be retained but with greater clarity and distinction about responsibilities and delineation to avoid duplication or inconsistencies.

RECOMMENDATION 10: That the Department of Planning and Environment consider amendments to planning legislation that would give councils more flexibility to review and amend POMs without the need to for a new modification DA.

RECOMMENDATION 11: A licence-builder approach be further explored with greater detail provided regarding the community consultation process that would be utilised when additional endorsements to a licence are sought by applicants, particularly in regards to the application for a gaming endorsement.

RECOMMENDATION 12: Under a risk-based assessment model, greater clarity be provided as to who is responsible for monitoring levels of risk and providing enforcement measures if breaches are confirmed or if a venue is 'morphing' into a higher-risk business model.

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RECOMMENDATION 16: Any future granting of extended trading hours for hotels and clubs during special events should apply only to liquor trading, with gambling explicitly excluded.

CONCLUSION

LGNSW remains committed to supporting economic development in our communities by encouraging local businesses to “start, grow and diversify”. However, vigilance and care need to be taken in providing these opportunities for alcohol related businesses to ensure that public safety and community amenity are not compromised.

While LGNSW welcomes the approach to streamline the licensing arrangements and provide consistency, we recognise that one size does not necessarily fit all and flexibility needs to be incorporated to ensure councils retain the power to make individualised determinations on a venue by venue basis.

Further, we recognise that any attempt to harmonise the licensing process is complicated by the fact there are potentially three regulatory bodies being involved – the local council, L&G NSW and ILGA. Open and clear communication between these agencies is integral to implementing a consistent and unambiguous licensing regime. Supporting and encouraging a vibrant night time economy is an area where the NSW Government and local governments continue to work together in a spirit of collaboration, delivering positive outcomes across our communities.

LGNSW remains committed to continuing to work with the NSW Government to improve licensing processes and we recognise these proposed reforms are aimed at alleviating the time and cost burdens currently borne by applicants. It is vital however that these administrative and financial burdens are not instead transferred across to local government – a sector that is already struggling due to significant cost shifting and enforced restrictions on revenue raising. Any financial outlay required in implementing the reforms, such as technology upgrades and digital integration or changes to enforcement procedures, must be covered by the NSW Government.

Thank you again for the opportunity to comment on the proposed Liquor Licensing Reform Options. We look forward to seeing the outcome of this important consultation process.

If you would like further information on LGNSW’s position, please contact Bronwen Regan, Strategy Manager Social & Community on 02 9242 4043 or bronwen.regan@lgnsw.org.au