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Liquor & Gaming NSW – Policy and Legislation
Liquor Amendment (24-hour Economy) Bill 2020

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Submission re. Division 5 Cumulative impact assessments, NSW Liquor Amendment Bill 2020

I am encouraged to see the inclusion of cumulative impact assessments in the above Bill. However, there are some ways in which what is proposed does not reflect best practice or the relevant advice of other government agencies.

The aim of this submission is to draw your attention to these issues and provide some recommendations for improvement.

Yours sincerely



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Submission re. Division 5 Cumulative Impact Assessments of the NSW Liquor Amendment Bill 2020

Context

The NSW Liquor Act 2007 states that the Independent Liquor and Gaming Authority [ILGA] must not approve an application for a liquor licence, or an authorisation or approval, unless satisfied that

... the overall social impact of the [licence](#), authorisation or approval being granted will not be detrimental to the well-being of the local or broader community (s48(5)).

These social impact assessments [SIAs] are focused on individual licences and their conditions. The Liquor Amendment Bill 2020 proposes to provide ILGA with the capacity to also conduct social impact assessments on an area basis. These area based SIAs are to be known as cumulative impact assessments [CIAs]. They will be nonetheless social impact assessments.

I understand that Division 5 of the Bill has been modelled on s5A of the UK's Licencing Act 2003.¹ Cumulative impact assessments are the responsibility of councils in the UK and some examples are available, for example from Leeds City Council, St Helens Council, the London Borough of Islington, Sunderland City Council and Ribble Valley Borough Council.² Maps of areas to which a cumulative impact assessment has been applied reveal that these are often small areas – perhaps 'trouble spots' within larger urban areas.³ Some Councils have identified several cumulative impact zones in a larger urban area.⁴

Section 5(3) of the UK Licencing Act states

Before determining its policy for a five year period, a licensing authority must consult—

- (a) the chief officer of police for the licensing authority's area,
- (b) the fire and rescue authority] for that area,
- (ba) each Local Health Board for an area any part of which is in the licensing authority's area,

¹ <http://www.legislation.gov.uk/ukpga/2003/17/section/5A>

² Leeds City Council: <https://www.leeds.gov.uk/docs/Cumulative%20Impact%20Assessment.pdf>

St.Helens Council: <https://www.sthelens.gov.uk/media/9466/cia-and-evidence.pdf>

Islington Local Authority: <https://www.islington.gov.uk/~media/sharepoint-lists/public-records/environmentalprotection/information/adviceandguidance/20172018/20180115licensingpolicy201820221.pdf>

Sunderland City Council: <https://www.sunderland.gov.uk/media/20892/Cumulative-Impact-Assessment/pdf/CIA.pdf?m=636803075685000000>

Ribble Valley Borough Council:

https://www.ribblevalley.gov.uk/download/downloads/id/12106/cumulative_impact_assessment.pdf

³ see for example. Islington

⁴ See for example Sunderland

- (bb) each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's area,
- (c) such persons as the licensing authority considers to be representative of holders of premises licences issued by that authority,
- (d) such persons as the licensing authority considers to be representative of holders of club premises certificates issued by that authority,
- (e) such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority, and
- (f) such other persons as the licensing authority considers to be representative of businesses and residents in its area.

It is evident in the cumulative impact policies [CIPs] reviewed that councils have undertaken extensive consultation in accordance with this section, including with the general public via surveys and other methods. As Leeds City Council noted

A cumulative impact assessment must set out the evidence for the authority's opinion and before publishing it, the licensing authority must consult with people affected by the assessment, including the responsible authorities, businesses and the public. (Leeds City Council, CIA 2018, p1)

Specifically, this council established locality teams and community committees to examine current evidence, consult with residents, hold a public meeting and enable residents to 'air their views'. (Leeds CC CIA 2018, p4)

As this policy has been in place in the UK since 2003, enough time has elapsed to permit an assessment of the efficacy of cumulative impact assessments and policies. The findings of several studies have been summarised in a Briefing Paper for the House of Commons⁵ which advises

The London Borough of Islington introduced a CIP in 2013. A March 2017 report by the School for Public Health at the London School of Hygiene and Tropical Medicine found that the CIP had been "broadly effective":

The results of the evaluation show that the Licencing Strategy overall, and the Cumulative Impact Policy specifically, have been broadly effective. The implementation of the strategy has met the objectives of reducing crime, anti-social behaviour and alcohol-related ambulance call outs, reducing the rate of successful applications for off-licences, reducing the average weekly trading times of alcohol licences granted.

⁵ Woodhouse John 2019, Alcohol licensing: cumulative impact assessments: Briefing Paper no 07269, 16 April: <https://www.google.com/search?client=safari&rls=en&q=Woodhouse+John+2019,+Alcohol+licensing:+cumulative+impact+assessments:+Briefing+Paper+no+07269&ie=UTF-8&oe=UTF-8>

Concurrently, three years after CIP introduction there have actually been increases in rates of alcohol licences granted overall. There also appears to be little or no impact on alcohol retail sales volume and sales revenues since 2013.

This evaluation appears to show that the London Borough of Islington's Licencing Strategy and the CIP have reduced alcohol related harms without negatively impacting on the overall night-time economy in Islington and the ability of alcohol retailers to operate if they meet the conditions required.⁶

It will be noted that the items of social impact success reported in this Briefing Paper and supporting studies, relate to social disorder rather than health harms. Further, the summary did not report problems with the CIA policy identified in the literature including the fact that the requirements of the policy tended to be 'framed differentially according to the interests and viewpoints of diverse stakeholders', the policy tended to favour 'well resourced' licence applicants who could pitch their case for a new premises on the basis of their sincerity and cooperation with authorities, rather than on a public benefit to an area basis.⁷

The supporting studies also reveal that while reductions in crime and anti-social behaviour are reported for the cumulative impact areas, the policy only 'led to short-term decreases in rates of alcohol licences granted and these reductions were not sustained over time.'⁸ There is also no information about the impact on bordering neighbourhoods. The Lancet, for example, notes

'Although CIPs led to short-term decreases in rates of alcohol licences granted, these reductions were not sustained. Previous research proposed that CIPs mainly affect premise type and licence conditions (e.g. opening hours) rather than number of premises. Further research should explore these other potential impacts and whether non-CIZs are affected by spillover effects from CIZs.'⁹

In the NSW context, spillover effects are a concern as the NSW Bureau of Crime Statistics and Research has shown that the 'lockout' laws in the Sydney CBD and Kings Cross resulted in displacement of alcohol-related violence to nearby Sydney suburbs.¹⁰

Review of this research and several UK cumulative impact assessment policy documents indicates that

⁶ Karen Lock et al, Evaluating the impact of a Cumulative Impact Zone Policy to reduce alcohol-related harms in Islington Local Authority", London School of Hygiene and Tropical Medicine, March 2017, p3

⁷ Grace D, M Egan and K Lock 2016, Examining local processes when applying a cumulative impact policy to address harms of alcohol outlet density, *Health & Place*, 40, 76-82

⁸ NIHR School for Public Health Research, summary poster: <https://sphr.nihr.ac.uk/wp-content/uploads/2018/08/SPHR-project-poster-Evaluating-impact-of-CIP-on-alcohol-harms.pdf>

⁹ Triantafyllos Pliakas, Matt Egan, Janice Gibbons, Charlotte Ashton, Jan Hart, Karen Lock 2016, Do cumulative impact zones reduce alcohol availability in UK high streets? Assessment of a natural experiment introducing a new policy. *The Lancet*, Nov 25: [https://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736\(16\)32330-3.pdf](https://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736(16)32330-3.pdf) Note: a CIZ refers to a cumulative impact zone

¹⁰ Donnelly N and S Poynton 2019, The effect of lockout and last drinks laws on non-domestic assaults in Sydney: an update to March 2019, *NSW Bureau of Crime Statistics and Research*, Crime and Justice statistics, Issue paper no 142, August: <https://www.bocsar.nsw.gov.au/Publications/BB/2019-Report-Effect-of-lockout-and-last-drinks-laws-on-assaults-BB142.pdf>

- cumulative impact assessment policies and zones have some but a limited and possibly short term benefit in terms of law and order, and
- as for any other SIA, effective consultation and appropriate demographic, crime and public health indicators should be used to identify areas to be quarantined from a liquor licence increase.

This submission raises concerns related to these findings on the basis that the UK model is not an unequivocal success and its adoption in NSW should both apply its good points and address identified shortfalls. In the following sections I address the adequacy of:

- 1 the definition of who should be consulted when a CIA is prepared, reviewed, varied or revoked, and
- 2 the use of L&GNSW LiveData as evidence in a CIA process.

Definition of ‘relevant stakeholder’

The Bill states (s72D) that the Authority must consult a draft CIA with relevant stakeholders and s72A(d) defines a relevant stakeholder as ‘any other person or class of persons prescribed by the regulations’.

I am advised that

The 24-hour Economy Bill’s proposed cumulative impact assessment framework has been modelled off the UK approach and includes similar consultation requirements. Under the framework, ‘relevant stakeholders’ that the Authority must engage before publishing a cumulative impact assessment include: the local council, local police, the Ministry of Health, and any person the Authority considers representative of the holders of the type of licence to which the assessment applies. The Bill also provides that any other relevant stakeholders may be prescribed by the Liquor Regulation. If there are specific views on other health or community groups that would proactively engage in the process, such groups could be recommended as part of any submission. **It is not intended to run a broader public consultation process** inviting submissions from the general public each time a cumulative impact assessment is prepared.¹¹ (emphasis added)

Excluding the general public runs contrary to practice in the UK, the model on which this Bill is based, as well as best practice in NSW. For example, The Department of Planning’s 2017 Social Impact Assessment Guideline for State significant mining, petroleum production and extractive industry development states

Key engagement objectives for SIA include:

- ensuring potentially affected people, groups, organisations and the community are identified and have a sufficient understanding of:

¹¹ Email from the Director of Liquor and Gaming Policy to Tony Brown dated 4 June 2020

- o the proposed project
 - o how it may affect them
 - o the EIA process for State significant projects in NSW, and how SIA contributes to that process
 - o how they can participate and be informed and consulted
 - collecting qualitative and quantitative data, evidence and insights for scoping the SIA and preparing the SIA component of the EIS, in ways that maximise diversity and representativeness
 - understanding the interests that potentially affected and interested people have in the project; and how potential impacts are predicted to be experienced from their perspectives
 - considering the views of potentially affected and interested people in a meaningful way, and using these insights to inform project planning and design, mitigation and enhancement measures, and monitoring and management frameworks
 - confirming data, assumptions, findings and recommendations
- ensuring people know how their input and views have been taken into account helping people understand how other specialist studies prepared for the EIS (for example, air quality, noise), and any associated proposed mitigation measures, address social impacts
- respecting people’s privacy, allowing them to communicate their views anonymously if they desire. (DPIE SIA Guideline 2017, p12)

These points reflect numerous publications guiding social impact assessment.¹² They are also designed to ensure that people likely to be affected by a decision are not deprived of an opportunity to put their case simply because they are not a member of a particular group or do not live within a notional boundary of impact (particularly a notification boundary¹³).

In addition to the desirability of ensuring assessing agencies understand the concerns of affected residents and communities, one of the hallmarks of due process in impact assessment is procedural justice. Procedural justice allows people whose interests may be affected by a decision, the opportunity to put forward arguments in their favour and to show cause why a proposed action should or should not be taken. The Federal Merit Protection Commission and the NSW Information and Privacy Commission are among the public agencies which have published guidelines to these requirements.¹⁴

As it stands, it appears that the ‘relevant stakeholder’ may be defined to exclude the general public including residents in proposed cumulative impact areas as well as likely

¹² For example, Vanclay F 2003 International Principles for Social Impact Assessment, *Impact Assessment and Project Appraisal* p9 and Vanclay F et al 2015, Social Impact Assessment Guidance for assessing and managing the impacts of projects, *International Association for Impact Assessment*: https://www.iaia.org/uploads/pdf/SIA_Guidance_Document_IAIA.pdf

¹³ Such as the 120m notification requirement specified in a Category B CIS.

¹⁴ for example <https://www.meritprotectioncommission.gov.au/what-procedural-fairness-and-how-does-it-apply-reviews/what-procedural-fairness> and the Information and Privacy Commission’s Charter for Public Participation

displacement areas who have a legitimate stake or interest in the management of alcohol saturation zones. By contrast, it appears the licensee / applicant is proposed to be consulted regarding the draft CIA (s72D), its publication, (s72E), its review (s72F), variation (s72G) and possible revocation (s72H). In all, 5 opportunities for consultation from which members of the community, including those who live and/or have businesses or professional practices in or near the area, are excluded. Such exclusion is unjustified and unfair. If the policy has similar results to the UK experience (no sustained reduction in alcohol licences in a cumulative impact area) this exclusion is likely to result in a lack of public support for the policy.

Lack of procedural fairness for any person likely to be affected by a decision arising from a cumulative impact assessment is contrary to established public guidelines and good practice and undermines the credibility of the proposed cumulative impact assessments. The NSW alcohol industry regulatory environment should not be the exception to the rule of affording individuals and communities procedural and substantive fairness.

Recommendation 1: 'relevant stakeholder' should be defined as a person who considers they are likely to be affected by the decision arising from a CIA.

Recommendation 2: public notice, with an unfettered opportunity to make a submission, should be given at the preparation, review, variation and revocation stages of a CIA.

2 LiveData

Liquor & Gaming LiveData¹⁵ site greatly improves public access to relevant information about a liquor licence in an area. However, there are several ways in which the information provided on this site is misleading or inadequate. Misleading or inadequate information undermines public confidence in the system as well as the quality of consultation inputs and thus procedural fairness. To the extent that the Department relies on LiveData it may also undermine the quality of assessments. The key concerns are as follows:

Boundary issues

The boundaries of many suburbs and LGAs in NSW are determined by major routes. However for commercial reasons, many licensed premises are located on or close to major routes. In practice this often means that the primary customer catchment of the premises crosses suburb and/or LGA boundaries, in some cases more than one boundary.

LiveData does not provide information for clusters of suburbs, but this information is needed in order to assess the likely risk of increased density or clustering. Guideline 6 already envisages this problem so LiveData should also take it into account

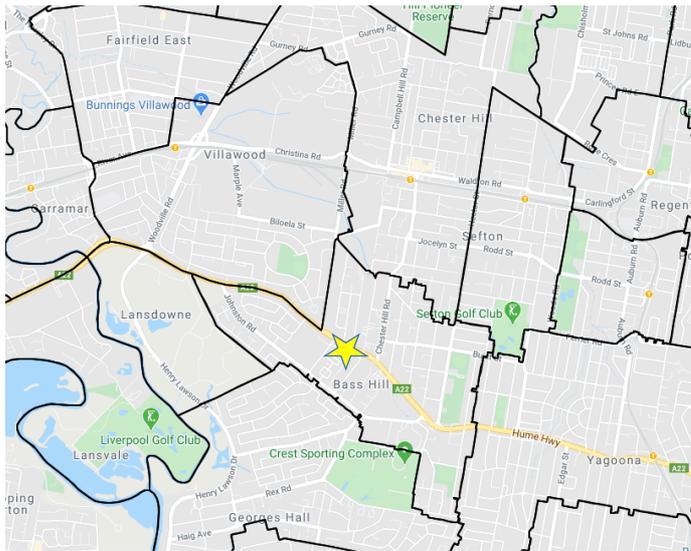
Example: Twins Willows hotel in Bass Hill (Map 1 starred) is within easy walking distance of parts of Villawood, Chester Hill and Sefton suburbs for many of whose residents this is

¹⁵ <https://livedata.liquorandgaming.nsw.gov.au> Although this site is in 'demonstration mode' till February 2020, its current form is the available data source.

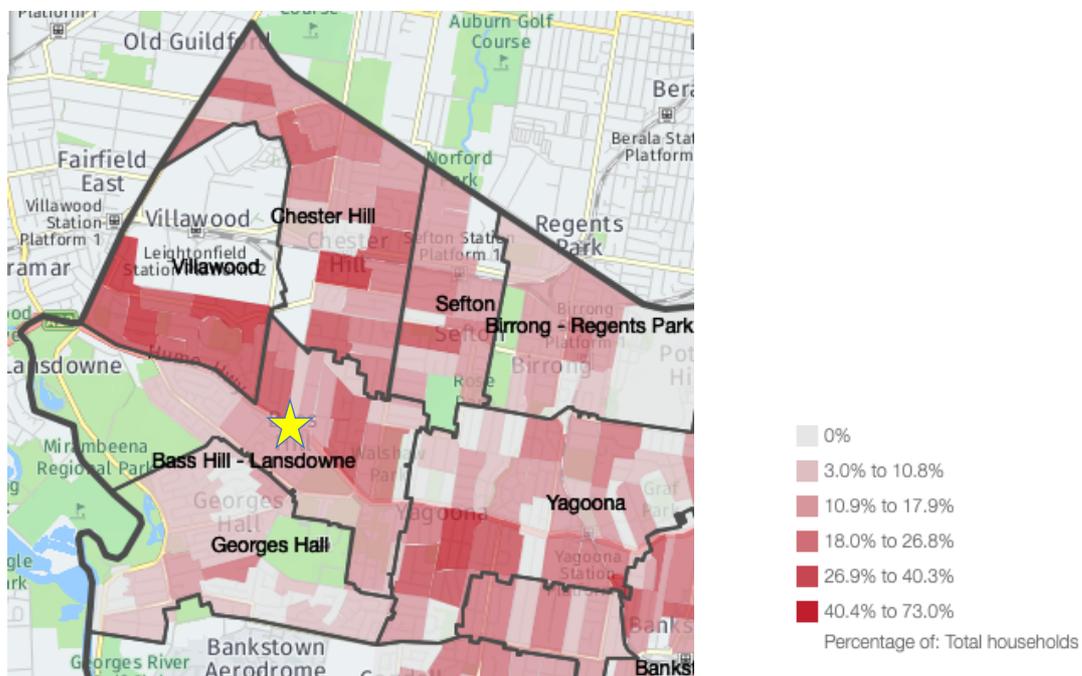
the closest hotel. Profiling Bass Hill suburb without taking these other suburbs into account would be misleading.

These suburbs have quite different characteristics relevant to alcohol-related harm (Map 2). For example, the hotel in question is located in a part of Bass Hill in which 10.9%-17.9% of households are on low incomes (less than \$605 per week). But a short distance away are areas where more than 26.% and as many as 73% of households are on low incomes.

Map 1: Selected suburbs in Canterbury-Bankstown



Map 2: Low income households in suburbs of Canterbury-Bankstown



Source: Canterbury-Bankstown social atlas

Recommendation 3: LiveData should provide the capacity to examine more than one suburb at a time – i.e. in aggregate. – and this information should be taken into account in an impact assessment.

SEIFA Indices

An important issue for liquor licencing is the relationship between relative disadvantage and alcohol-related harm. The Australian Bureau of Statistics [ABS] calculates a Social and Economic Indicator For Areas [SEIFA] Index expressly for the purpose of identifying areas of relative socio-economic disadvantage [SEIFA IRSD]. The NSW Land and Environment Court has relied on the SEIFA IRSD to define disadvantage regarding the social impact of a licensed premises.¹⁶

There is another SEIFA Index – of Relative Advantage and Disadvantage [SEIFA IRSAD]. The SEIFA IRSAD is relied on by the alcohol industry when alleging the relative advantage of the location of the proposed venues.

The LiveData report for Miller, a suburb within Liverpool LGA says:

Households in **Miller** and **Liverpool** LGA are socio-economically **disadvantaged** and **advantaged** respectively (**Bottom 1%** and **Top 38%** of NSW households, in terms of household income and residents in skilled occupations).

This is neither helpful nor accurate. First, the report does not state which SEIFA Index is being used. Second, the paragraph refers to households whereas SEIFA is an index for areas. Third, as the scores of these indices show (Table 1), Miller is indeed seriously disadvantaged, it is in the lowest decile (10%) of areas (state suburbs) in NSW on both scores. Liverpool LGA is in the 4th decile of LGAs in NSW on the SEIFA IRSD score and when indicators of advantage are included (IRSAD score) the LGA is in the 7th decile. The paragraph quoted appears to use this score to say that 38% of households in Liverpool LGA are relatively advantaged.¹⁷ A better interpretation is Liverpool LGA area scores are below the average for NSW (1000) on both indicators.

Table 1: SEIFA IRSD and SEIFA IRSAD scores, 2016, for Miller suburb and Liverpool LGA

	SEIFA IRSD	SEIFA IRSD decile (NSW)	SEIFA IRSAD	SEIFA IRSAD decile (NSW)
Liverpool LGA	952	4	972	7
Miller state suburb	701	1	754	1

Source: ABS¹⁸

Fourth, this examination of SEIFA scores suggests that LiveData is using the SEIFA IRSAD. This is a further concern as the ABS advises in its Technical Paper that the SEIFA

¹⁶ Mina Suh v Liverpool City Council and Casula Community Group for Responsible Planning Inc No.2, para 83.

¹⁷ Though the precise meaning of the paragraph quoted is unclear

¹⁸ <https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/2033.0.55.0012016?OpenDocument>

IRSAD has the potential to mask the extent of disadvantage in an area ‘because the pockets of advantage may offset the pockets of disadvantage’.¹⁹ Since this warning is provided by the ABS, it is unclear why the IRSAD is relied on to identify relative disadvantage in areas.

Inaccurate use and disregard of the technical advice provided by the ABS undermines the credibility of LiveData and the validity of its use for impact assessment.

Recommendation 4: SEIFA Index scores for relative disadvantage (IRSD) should be provided for the areas being described by a LiveData report and taken into account in an impact assessment.

Alcohol-related crime data

Crime data is a record of matters reported to, or observed by, the police and categorised by the police officer attending the scene. It is well known that assault crime data understates the number of actual assaults. This is the case for both domestic and non-domestic assault. However, assaults recorded as alcohol-related are even less reliable. Recording an assault as alcohol-related is a matter of officer discretion and choice,^{20 21} not an objective measure such as a blood alcohol reading. Perceptions of intoxication vary, often inaccurately,²² and as BOCSAR advised the government recently ‘... we are not entirely confident that all alcohol-related assaults would be coded as alcohol-related’.²³

The following table shows the number of domestic and non-domestic assaults recorded in Miller suburb and Liverpool LGA in the year ended December 2019 and compares these with the number actually recorded as alcohol-related.

Table 2: Reported number and rate per100 000 population, domestic and non-domestic assaults, Miller suburb, Liverpool LGA and NSW, year to December 2019

Area	All reported domestic assaults		Alcohol-related domestic assaults		% reduction in rate*	All reported non-domestic assaults		Alcohol-related non-domestic assaults		% reduction in rate*
	no.	rate	no.	rate		no.	rate	no.	rate	
Miller suburb	30	877.2	3	87.7	90%	50	1462.0	6	175.4	88%
Liverpool LGA	892	399.5	139	62.3	71%	771	354.3	95	42.5	88%
NSW	31187	390.4	9282	116.2	70%	32210	403.2	9211	115.3	71%

Source: BOCSAR Crime Maps, 2019 * % reduction in the rate of reported assaults due to only reporting those assaults recorded as alcohol related.

¹⁹ ABS SEIFA 2016 Technical Paper, p7

²⁰ Weatherburn D 2011, Uses and abuses of crime statistics, Crime and Justice Bulletin, *Contemporary Issues in Crime and Justice*, No 153, November. NSW Bureau of Crime Statistics and Research

²¹ BOCSAR Glossary: **Alcohol related:** Shows offences which the NSW Police Force choose to flag as 'alcohol related'

²² J Brick and CK Erickson, “Intoxication Is not Always Visible: An Unrecognized Prevention Challenge” (2009) 33 *Alcoholism: Clinical and Experimental Research* 1489; N Donnelly, “Young Adult’s Experience of Responsible Service Practice in NSW: 2011 Update” *Crime and Justice Bulletin, Contemporary Issues in Crime and Justice* (April 2012) 162 <<https://www.bocsar.nsw.gov.au/Documents/CJB/cjb162.pdf>

²³ Fitzgerald J, 2019, Report on proceedings before the Joint Select Committee on Sydney’s Night time economy, 9 August 2019, p 75 <https://www.parliament.nsw.gov.au/ladocs/transcripts/2200/Joint%20Select%20Committee%20on%20Sydney%20s%20night%20time%20economy%20-%20corrected%20transcript%20-%202019%20August%202019.pdf>

As the table shows, reporting only those domestic assaults recorded as alcohol-related reduces the apparent assault rate in the year to December 2019 from 877.2 to 87.7 for Miller suburb. Reducing the rate by 90% is seriously misleading. Similarly the rate of non-domestic assaults is reduced by 88%.

There is no valid basis on which to suggest that the rates of these assaults should be under-reported in an impact assessment. Alcohol is a known risk factor for family as well as non-domestic violence. As the Australian Institute of Criminology recently reported

Alcohol consumption reduces inhibitions and increases the likelihood and severity of violence (Fulu et al. 2013; Graham et al. 2011). Alcohol use is a risk factor for family violence (Klostermann & Fals-Stewart 2006), and increased alcohol availability is spatially associated with increased community violence (Gruenewald & Remer 2006) and family violence (Livingston 2011). An Australian study using Harm to Others Survey data estimated that up to 65 percent of 30,000 family violence incidents were alcohol-related (Laslett et al. 2015). Furthermore, policies restricting alcohol availability have reduced violence (Fitterer, Nelson & Stockwell 2015), suggesting that alcohol is an important factor in violence.²⁴

Using the survey estimate that up to 65% of family violence incidents are alcohol-related and the most recent population statistics,²⁵ provides a quite different picture from that shown in LiveData.

Table 3: Reported number and rate per100 000 population, domestic assaults, Miller suburb ,Liverpool LGA and NSW, year to December 2019²⁶

Area	All reported domestic assaults		65% of reported domestic assaults [survey estimate]		Domestic assaults recorded as alcohol-related	
	no.	rate	no.	rate	no.	rate
Miller suburb	30	877.2	19.5	576.2	3	87.7
Liverpool LGA	892	399.5	589.8	391.9	139	62.3
NSW	31187	390.4	20272	390.4	9282	116.2

Sources: BOCSAR and Liverpool community profile

LiveData’s use of assault data recorded as alcohol-related to indicate levels of alcohol-related violence in an area disregards not only the advice of a specialist government agency (BOCSAR) but a substantial body of research. These respected sources of

²⁴ Scott D et al, 2020, The feasibility and utility of using coded ambulance records for a violence surveillance system: A novel pilot study, Australian Institute of Criminology, Trends & issues in crime and criminal justice, no 595, April: www.aic.gov.au/file/7099/download?token=kzwo3Obp

²⁵ 2018 population in Miller estimated as 3384 and Liverpool as 227,585: <https://profile.id.com.au/liverpool>

²⁶ More recent data is available on the BOCSAR website, however, LiveData currently reports data for the year ended December 2019

expertise are being disregarded at a time when levels of domestic violence are increasing.²⁷

Recommendation 5: Crime data for all assaults frequently associated with alcohol (not just those recorded as alcohol-related) should be provided in LiveData and taken into account in an impact assessment.

Outlet saturation

This appears to be critical data for cumulative impact assessment. However, overall outlet saturation rates (all outlets per 100 000 residents) can be misleading. Miller suburb is again a case in point.

While the overall outlet saturation rate is much the same for Miller (61.8) as for Liverpool LGA (64.8), there are only two types of licensed premises in Miller suburb: packaged liquor and hotel. The saturation rate for packaged liquor outlets is almost twice as high in Miller (61.8 per 100 000 population) as in Liverpool (34 per 100 000). The saturation rate for hotels in Miller (30.9) is six times that of Liverpool LGA (8). The outlet saturation chart, Chart 1 on the Live Data site, fails to convey this. Rather it misleadingly implies that outlet saturation is not a problem in this suburb.

The term 'outlet saturation' suggests that what matters is the number of outlets in an area, but as this example shows, the saturation rate depends on which outlets are included. As well, the impact of these rates depends on other factors such as population size, relative disadvantage, and trading hours.

Recommendation 6: The outlet saturation chart in LiveData should refer the reader to the data sets for each premises type, and note that the overall saturation rates may be misleading when an impact assessment is being undertaken.

Gambling

Data on the number of gaming machines and gaming machine net profit is available for an LGA on another part of Liquor and Gaming NSW website. It would be useful to provide it also on the Live Data site since gaming machine profits are a significant factor in the profitability of hotel premises and frequently the basis for applications to extend trading hours.

Recommendation 7: gaming machine and gaming machine profit data should be provided on the Live Data site and taken into account in an impact assessment.

²⁷ BOCSAR Crime tool reports domestic violence rates in NSW increased by 4.1% per annum in the two years to March 2020

List of recommendations

Recommendation 1: 'relevant stakeholder' should be defined as a person who considers they are likely to be affected by the decision arising from a CIA.

Recommendation 2: public notice with an unfettered opportunity to make a submission should be given at the preparation, review, variation and revocation stages of a CIA.

Recommendation 3: LiveData should provide the capacity to examine more than one suburb at a time – i.e. in aggregate - and this information should be and taken into account in an impact assessment.

Recommendation 4: SEIFA Index scores for relative disadvantage (IRSD) should be provided for the areas being described by a Live Data report and taken into account in an impact assessment.

Recommendation 5: Crime data for all assaults frequently associated with alcohol (not just those recorded as alcohol-related) should be provided in LiveData and taken into account in an impact assessment.

Recommendation 6: The outlet saturation chart in LiveData should refer the reader to the data sets for each premises type, noting that the overall saturation rates may be misleading when an impact assessment is being undertaken.

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