

Community Impact Assessment Guidelines

General Information

The following guidelines have been published by the Liquor and Gambling Commissioner under section 53B of the *Liquor Licensing Act 1997*.

Introduction

Under section 53A of the *Liquor Licensing Act 1997* (the Act), the licensing authority may only grant a *designated application* if satisfied that to grant the application is in the **community interest**. Applications which are classified as designated applications are set out in Schedule 1.

Whether or not a designated application is in the community interest is determined on a case by case basis by the licensing authority. The licensing authority takes the unique circumstances of each case into account when making a decision and will inform itself on whether a designated application is in the community interest, relying in part on the Community Impact Submission prepared by the applicant.

Community Impact Assessment

Considerations

The onus is on the applicant to satisfy the licensing authority that the grant of the application is in the community interest and to provide relevant evidence and submissions to discharge this onus.

When determining whether or not a designated application is in the community interest the licensing authority will have regard to:

- (a) the harm that might be caused (whether to a community as a whole or a group within a community) due to the excessive or inappropriate consumption of liquor;
- (b) the cultural, recreational, employment or tourism impacts;
- (c) the social impact in, and the impact on the amenity of, the locality of the premises or proposed premises (see Schedule 2 for description of locality); and
- (d) the nature of the business conducted or to be conducted under the licence.

When determining an application, the licensing authority will have regard to:

- the application;
- the Community Impact Submission; and
- any other information that the licensing authority considers appropriate.



What do each of the considerations mean?

To assist applicants in forming their submissions, a brief explanation of each of the considerations is set out below.

(a) The **harm that might be caused (whether to a community as a whole or a group within a community) due to the excessive or inappropriate consumption of liquor** is quite broad and may include a consideration of the following:

- whether there are any 'at-risk' groups or sub-communities within the locality (see Schedule 2);
- whether there are any community buildings, facilities and areas within the locality which may include: schools and educational institutions; hospitals, drug and alcohol treatment centres; accommodation or refuges for young or disadvantaged people; child care centres; recreational areas; dry areas; and, any other areas where young people may congregate or be attracted to; and
- any policies and procedures that the applicant intends to implement to minimise any potential harm or health impacts to 'at-risk' groups and sub-communities in the locality.

Harm caused by the excessive or inappropriate consumption of liquor includes:

- the risk of harm to children, vulnerable people and communities (whether to a community as a whole or a group within a community);
- the adverse economic, social and cultural effects on communities (whether to a community as a whole or a group within a community);
- the adverse effects on a person's health;
- alcohol abuse or misuse; and
- domestic violence or anti-social behaviour, including causing personal injury and property damage.

(b) The **cultural, recreational, employment or tourism impacts** may include a consideration of whether the licensed premises/proposed licensed premises will provide economic benefits or any additional employment opportunities to the local community area.

(c) The **social impact in, and the impact on the amenity of, the locality** (see Schedule 2) **of the premises or proposed premises** may include a consideration of relevant crime statistics, social profile information such as population, unemployment and the location of existing licensed premises within the locality.

(d) The **nature of the business conducted or to be conducted under the licence** may include a consideration of the business to be conducted under the licence/proposed licence.

Completing a Community Impact Submission

Designated applications, at the time of lodgement, must be accompanied by a submission addressing how the application is in the community interest (except where otherwise indicated in Schedule 1). Consumer and Business Services has developed a form to help guide applicants as to the type of information they need to provide in support of their application. Applicants may complete the form, or may choose to instead prepare a submission in support of the application.

There is no requirement for a Community Impact Submission to be prepared by legal counsel or industry consultants. Applicants can complete their own Community Impact Submissions after liaising with the relevant key stakeholders and interest groups in the community and obtaining all other required information. Applicants are required to show, as part of their application, that they have engaged with members of the community and any relevant stakeholders. Evidence of this may include petitions, survey results and/or letters of support.

In addition to addressing the criteria set out under 'Considerations', applicants, in their Community Impact Submission, are also asked to address the following, where applicable:

- the applicants products/services in terms of key features and potential customers;
- business/professional experience, in particular relevant knowledge, experience and competency in relation to the service of liquor;
- general description of facilities and services;
- construction details (e.g. materials, finishes, acoustic treatment, etc.);
- details of any food, including menu;
- liquor services (e.g. bar) and range of liquor;
- types of entertainment;
- types of accommodation;
- a statement as to whether the community supports the proposed business, including providing evidence of such support; and
- a statement as to why the granting of the application is in the community interest.

Applicants are also required to provide, where applicable:

- a map and report regarding the locality generated through the Community Impact Portal;¹
- a business plan/plan of management; and
- a site or property plan, floor plan and/or photographs/artists impressions of site/building.

When providing information, applicants should keep in mind that Community Impact Submissions will be made public. Any information that an applicant does not wish to be made public should be redacted or omitted from the Community Impact Submission.

As each application is different, the level of detail required in a Community Impact Submission may differ depending on the complexity of the application and the impact the premises/proposed premises will have on the surrounding community. If a Community Impact Submission does not adequately address all necessary issues, the licensing authority may require additional information to be provided prior to determining an application.

When is a Community Impact Submission not required?

Unless exceptional circumstances exist, all other designated applications must be accompanied by a Community Impact Submission at the time of lodgement.

Can the requirement for a Community Impact Submission be waived?

The licensing authority may vary or waive the requirement for a Community Impact Submission if:

- the application does not propose a significant change to the licensed premises or the nature or extent of the business carried on from the licensed premises;
- the purpose of the Community Impact Submission can be achieved by other means; or
- other special circumstances exist.

The application will remain a designated application for the purposes of the Act.

¹ The Community Impact Portal can be found at cbs.sa.gov.au/ciportal.

Schedule 1

Designated Applications

For the purposes of section 53A of the Act, a designated application is:

- an application for the *grant or removal* of:
 - a **general and hotel licence**;
 - an **on premises licence**, unless –
 - (i) the premises to which the proposed licence relates is a public conveyance;²
 - (ii) the licence is, or is proposed to be, subject to a condition that the business conducted at the licensed premises be such that at all times the primary service provided to the public at the premises is the provision of accommodation; or
 - a **club licence**, if –
 - (i) the licence is, or is proposed to be, subject to a condition authorising –
 - the sale of liquor to persons (other than a resident) for consumption off the licensed premises; or
 - the sale of liquor after 2am on any day; or
 - (ii) in the opinion of the licensing authority,³ the business conducted under the licence and activities on the premises or proposed premises will have a substantial adverse impact on the amenity of the locality in which those premises are, or are to be, situated, taking into account –
 - the size of the premises or proposed premises; and
 - the trading hours or proposed trading hours under the licence; and
 - any other matter the licensing authority considers relevant; and
 - a **packaged liquor sales licence**, other than if the licence is, or is proposed to be, subject to a condition authorising the licensee to only sell liquor through direct sales transactions; and
- any other application that the licensing authority has determined, in accordance with these guidelines, to be a designated application (see below).

In addition, the licensing authority has determined that the following applications are also designated applications:

- an application to *redefine* or *alter* a **general and hotel licence** to provide for a bottle shop;⁴

² A public conveyance means an aeroplane, vessel, bus, train, tram or other vehicle used for public transport or available for hire by members of the public, but does not include a conveyance hired on a self-drive basis if all passengers (if any) are to be transported free of charge or other consideration.

³ The licensing authority will inform an applicant if their application is a designated application. Unless the conditions set out under (i) are satisfied and/or unless and until the licensing authority informs an applicant otherwise, applicants are to lodge and proceed with their applications as if they were not designated applications.

⁴ A bottle shop is a specific area of a licensed premises which is dedicated primarily to the selling of packaged liquor. This includes facilities commonly known as bottle shops, drive-ins or drive through bottle shops, but does not include the sale of packaged liquor across the bar.

- an application to *vary* an **on premises licence** to allow for the sale of liquor after 2am on any day, unless –
 - the premises to which the proposed licence relates is a public conveyance;⁵ or
 - the licence already authorised the sale of liquor after 2am on any day;
- an application to *vary* a **club licence** to authorise –
 - the sale of liquor to persons (other than a resident) for consumption off the licensed premises; or
 - the sale of liquor after 2am on any day unless the licence already authorises the same of liquor after 2am on any other day;
- an application to *redefine* a **packaged liquor sales licence**; and
- an application to *vary* a **packaged liquor sales licence** to:
 - remove a condition restricting the licensee to the sale of liquor through direct sales transactions only; or
 - removing or varying a condition restricting the type of liquor that the licensee can sell or supply under the licence.

⁵ See footnote 2.

Schedule 2

Locality Guidelines

The term 'locality' refers to the area surrounding the licensed premises/proposed licensed premises and is the area most likely to be affected by the granting of the application. As part of the Community Impact Submission, applicants are required to identify the geographic area from which they expect to draw customers.

The following has been prepared as a guide for applicants.

Guide to Locality Area

The following is intended as a guide only. Applicants are required to identify the geographic area from which they expect to draw customers having regard to the intended nature of business of the licensed premises.

Adelaide Metropolitan Area: The locality of a premises in the Adelaide Metropolitan Area is the area within a 2km radius of the site of the relevant premises. A list of the suburbs considered to be in the Adelaide Metropolitan Area can be found below. The list is intended to be used as a guide only.

Outside the Metropolitan Area: With regards to country cities, town or communities, unless remotely located, the locality of the premises is the area within a 5km radius of the site of the relevant premises.

Regional: Where a premises/proposed premises is remotely located, the applicant should, as part of their Community Impact Submission, choose an appropriate locality to address in their submission, keeping in mind that the locality of a premises is the area most likely to be affected by the grant of the application.

Suburbs located in the Adelaide Metropolitan Area

Aberfoyle Park	Brahma Lodge	Craigburn Farm	Evanston South
Adelaide	Bridgewater	Craigmore	Everard Park
Adelaide Airport	Brighton	Croydon	Exeter
Albert Park	Broadview	Croydon Park	Eyre
Alberton	Brompton	Cumberland Park	Fairview Park
Aldgate	Brooklyn Park	Darlington	Felixstow
Aldinga	Brown Hill Creek	Davoren Park	Ferryden Park
Aldinga Beach	Buckland Park	Daw Park	Findon
Allenby Gardens	Burnside	Dernancourt	Firle
Andrews Farm	Burton	Devon Park	Fitzroy
Angle Park	Camden Park	Direk	Flagstaff Hill
Angle Vale	Campbelltown	Dorset Vale	Flinders Park
Ascot Park	Carey Gully	Dover Gardens	Forestville
Ashford	Castambul	Dry Creek	Frewville
Ashton	Cavan	Dudley Park	Fulham
Athelstone	Chandlers Hill	Dulwich	Fulham Gardens
Athol Park	Cheltenham	Eastwood	Fullarton
Auldana	Cherry Gardens	Eden Hills	Garden Island
Banksia Park	Cherryville	Edinburgh	Gawler
Basket Range	Christie Downs	Edinburgh North	Gawler East
Beaumont	Christies Beach	Edwardstown	Gawler South
Bedford Park	Clapham	Elizabeth	Gawler West
Belair	Clarence Gardens	Elizabeth Downs	Gepps Cross
Bellevue Heights	Clarence Park	Elizabeth East	Gilberton
Beulah Park	Clarendon	Elizabeth Grove	Gilles Plains
Beverley	Clearview	Elizabeth North	Gillman
Bibaringa	Cleland	Elizabeth Park	Glandore
Birkenhead	Clovelly Park	Elizabeth South	Glanville
Black Forest	College Park	Elizabeth Vale	Glen Osmond
Blackwood	Collinswood	Enfield	Glenalta
Blair Athol	Colonel Light Gardens	Erindale	Glenelg
Blakeview	Coromandel East	Ethelton	Glenelg East
Blewitt Springs	Coromandel Valley	Evandale	Glenelg North
Bolivar	Cowandilla	Evanston	Glenelg South
Bowden	Crafers	Evanston Gardens	Glengowrie
Bradbury	Crafers West	Evanston Park	Glenside

Glenunga	Houghton	Magill	Netherby
Globe Derby Park	Hove	Malvern	Netley
Glynde	Humbug Scrub	Manningham	New Port
Golden Grove	Huntfield Heights	Mansfield Park	Newton
Goodwood	Hyde Park	Marble Hill	Noarlunga Centre
Gould Creek	Ingle Farm	Marden	Noarlunga Downs
Grange	Ironbank	Marino	North Adelaide
Green Fields	Joslin	Marion	North Brighton
Greenacres	Kangarilla	Marleston	North Haven
Greenhill	Kensington	Marryatville	North Plympton
Greenwith	Kensington Gardens	Maslin Beach	Northfield
Gulfview Heights	Kensington Park	Mawson Lakes	Northgate
Hackham	Kent Town	Maylands	Norton Summit
Hackham West	Keswick	Mclaren Flat	Norwood
Hackney	Keswick Terminal	Mclaren Vale	Novar Gardens
Hallett Cove	Kidman Park	Medindie	Oakden
Hampstead Gardens	Kilburn	Medindie Gardens	Oaklands Park
Happy Valley	Kilkenny	Melrose Park	O'Halloran Hill
Hawthorn	Kings Park	Mile End	Old Noarlunga
Hawthorndene	Kingston Park	Mile End South	Old Reynella
Hazelwood Park	Kingswood	Millswood	One Tree Hill
Heathfield	Klemzig	Mitcham	Onkaparinga Hills
Heathpool	Kudla	Mitchell Park	Osborne
Hectorville	Kuitpo	Moana	O'Sullivan Beach
Hendon	Kurralt Park	Modbury	Ottoway
Henley Beach	Largs Bay	Modbury Heights	Outer Harbor
Henley Beach South	Largs North	Modbury North	Ovingham
Hewett	Leabrook	Montacute	Panorama
Highbury	Leawood Gardens	Morphett Vale	Para Hills
Highgate	Lenswood	Morphettville	Para Hills West
Hillbank	Lightsview	Mount George	Para Vista
Hillcrest	Linden Park	Mount Osmond	Paracombe
Hillier	Lockleys	Munno Para	Paradise
Hilton	Longwood	Munno Para Downs	Parafield
Hindmarsh	Lonsdale	Munno Para West	Parafield Gardens
Holden Hill	Lower Mitcham	Mylor	Paralowie
Hope Valley	Lynton	Myrtle Bank	Park Holme
Horsnell Gully	Macdonald Park	Nailsworth	Parkside

Pasadena	Salisbury North	St Peters	Vista
Payneham	Salisbury Park	Stepney	Walkerville
Payneham South	Salisbury Plain	Stirling	Walkley Heights
Penfield	Salisbury South	Stonyfell	Warradale
Penfield Gardens	Sampson Flat	Sturt	Waterfall Gully
Pennington	Scott Creek	Summertown	Waterloo Corner
Peterhead	Seacliff	Surrey Downs	Wattle Park
Piccadilly	Seacliff Park	Taperoo	Wayville
Plympton	Seacombe Gardens	Tatachilla	Welland
Plympton Park	Seacombe Heights	Tea Tree Gully	West Beach
Pooraka	Seaford	Tennyson	West Croydon
Port Adelaide	Seaford Heights	Teringie	West Hindmarsh
Port Noarlunga	Seaford Meadows	The Range	West Lakes
Port Noarlunga South	Seaford Rise	Thebarton	West Lakes Shore
Port Willunga	Seaton	Thorngate	West Richmond
Prospect	Seaview Downs	Tonsley	Westbourne Park
Queenstown	Sefton Park	Toorak Gardens	Whites Valley
Redwood Park	Sellicks Beach	Torrens Island	Willaston
Regency Park	Sellicks Hill	Torrens Park	Willunga
Reid	Semaphore	Torrensville	Willunga South
Renown Park	Semaphore Park	Tranmere	Windsor Gardens
Reynella	Semaphore South	Trinity Gardens	Wingfield
Reynella East	Sheidow Park	Trott Park	Woodcroft
Richmond	Skye	Tusmore	Woodforde
Ridgehaven	Smithfield	Uleybury	Woodville
Ridleyton	Smithfield Plains	Underdale	Woodville Gardens
Rose Park	Somerton Park	Unley	Woodville North
Rosewater	South Brighton	Unley Park	Woodville Park
Roslyn Park	South Plympton	Upper Hermitage	Woodville South
Rostrevor	Springfield	Upper Sturt	Woodville West
Royal Park	St Agnes	Uraidla	Wynn Vale
Royston Park	St Clair	Urrbrae	Yatala Vale
Salisbury	St Georges	Vale Park	Yattalunga
Salisbury Downs	St Kilda	Valley View	
Salisbury East	St Marys	Verdun	
Salisbury Heights	St Morris	Virginia	