

**GUIDELINE 38
COMMUNITY IMPACT STATEMENT**

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COMMUNITY IMPACT STATEMENTS

PART A – General Information

1. Introduction

Amendments to the *Liquor Act 1992* which commenced on 1 January 2009 have refocused Section 116 of the Act from an examination of applications in terms of ‘public interest’ to ‘community impact’. This means that the applicant, the Chief Executive of the Office of Liquor, Gaming and Racing and, where relevant, the Commercial & Consumer Tribunal must now give greater weight to the impact the application may have on the surrounding community. The following guidelines provide applicants with the information needed to complete a Community Impact Statement (CIS) for a thorough examination of these issues.

2. Types of Community Impact Statements

There are two types of CIS – ‘Standard’ and ‘Full’ assessments. Every applicant for a licence (other than a community club or community other), a detached bottle shop or approved extended trading hours on a regular basis will be required to submit at least a Standard CIS. A Full CIS will be mandatory for certain licence categories or styles of venue.

Additionally, some applicants required to complete a Standard CIS may later be requested by the Chief Executive to submit a Full CIS after advertising has been carried out and the application has been initially examined. A Full CIS *may* be requested as a result of the Chief Executive’s concerns in relation to:

- the size, nature, location or internal layout of the proposed or existing premises;
- the number and nature of objections received;
- location of the proposed application within a low socio-economic area;
- location of the proposed application within 200 metres of sensitive facilities of concern;
- the previous trading history of the applicant in licensed premises;
- if the application is the first of its kind in the locality;
- if the application is for an area where there is a high concentration of licensed premises. These areas include Gold Coast, Brisbane CBD, Fortitude Valley, Noosa, Maroochydore, Mooloolaba, Mackay, Airlie Beach, Cannonvale, Townsville and Cairns.

3. Mandatory Full CIS

A Full CIS will be mandatory for the following applications:

- commercial hotel licences;
- commercial other (subsidiary on-premises) licences with the principal activity of provision of entertainment (nightclubs);
- any other category where entertainment is to be provided after 8 p.m. where the noise level generated will exceed 90dBA;
- approved extended trading hours for trading on a regular basis after 2 a.m.

PART B – The Standard Community Impact Statement

4. Requirements for a Standard CIS

All applicants must submit a Standard Community Impact Statement which provides details on the health and social impact of their proposal. The submission must address a number of areas and issues and provide any mitigating factors or proposals by the applicant to reduce any negative impacts. Impacts may be positive or negative, and applicants should attempt to define the magnitude, duration and probability of the occurrence of particular impacts. The submission should address, but not be limited to the following issues:

- the nature and type of facilities to be provided;
- the positive and negative impact on the local community as a whole and in particular, residents and businesses within 200 metres;
- details of any sensitive facilities within 200 metres of the site. Sensitive facilities include:
 - ❑ a home or hostel for people with psychiatric illness or intellectual disability;
 - ❑ short term accommodation or refuges for young people;
 - ❑ educational institutions including a school for children/young people who have been expelled or excluded from mainstream schooling;
 - ❑ premises used by welfare groups or for counselling or treatment of alcoholism, other substance abuse or gambling problems;
- any noise impact or change to the amenity of the local area;
- any cultural, recreational, employment or tourism benefits;
- impact on traffic;
- safety issues – in terms of public disorder, vandalism, public drunkenness; and
- whether there would be any impact on, or change to the character or identity of the local community. For example, local areas such as Mt Tamborine and Montville have a unique character developed over time, and infiltration or proliferation of certain venues or styles of venues could threaten the character of the community.

These details should be provided when the application is lodged with the Office of Liquor, Gaming and Racing. As mentioned previously, the Chief Executive may request a Full CIS be undertaken in certain circumstances.

PART C – The Full Community Impact Statement

A Full CIS must contain:

- Delineation of the Local Community Area.
- Social profile of the Local Community Area.
- Assessment of community risk.
- The likely health and social impacts (positive and negative impacts).
- Consultation with residents and businesses within 200 metres of the site.
- Consultation via a survey with residents in the Local Community Area.

- Consultation with key advisers.

5. Delineation of the Local Community Area

For the purpose of this guideline the area that may be affected by a licence is called the “Local Community Area”. It is insufficient to examine community impact in relation to the catchment area or primary trade area. The meaning of “Local Community Area” is considered synonymous with the term “locality” as used in the Liquor Act.

Local Community Area is defined as the community most affected by the application. The boundaries of the Local Community Area will normally be defined by examining the following factors:

- physical proximity to the proposed licence;
- the presence of natural or human made boundaries that effectively separate one local community from another;
- the perception of the local community and/or key advisers relevant to that community.

The Local Community Area could comprise a suburb/s, parts of suburbs or a rural township. Applicants are required to delineate the Local Community Area in map and text format, taking into consideration the relevant licence type and the nature of the locality. The purpose of this information is to characterise the community and to identify any groups that potentially may be affected as a result of the granting of a licence. Each CIS must contain a map depicting the Local Community Area and a written description of the area.

The following may be used as a guide in determining local community boundaries. However, it should be noted that the locality will vary depending on local circumstances and the licence type relevant to the application.

- Brisbane CBD – the City Centre as defined in the Brisbane City Plan 2000;
- Brisbane metropolitan area – generally a suburb or parts of a suburb/s;
- major cities and towns outside Brisbane – the relevant city/town centre, or a suburb or parts of a suburb/s;
- other – as per the definition of Local Community Area.

To enable the required demographic data to be collected for the application, the Local Community Area will generally comprise at least one Australian Bureau of Statistics Census Collection District (CCD). The boundary of the Local Community Area must, where possible, be matched to census boundaries to assist in the collection of relevant data. Where this is the case, applicants should specify the CCD and Statistical Local Area (SLA) numbers that comprise the Local Community Area. It is envisaged that a Local Community Area will comprise at least one CCD, a collection of CCDs, or a combination of SLA and CCDs.

Basic Australian Bureau of Statistics (ABS) community profile information may be found at local libraries.

6. Social profile of the Local Community Area

6.1 Description of the Local Community Area

A qualitative assessment must be made of the Local Community Area, in terms of its local character, identity and aspirations. The meaning of ‘aspirations’ is understood here to embrace future hopes, and plans for community change and progress. This data should be obtained through contact with local government personnel and discussion with relevant key advisers who have close knowledge of that community. Key advisers are discussed further on page 11.

6.2 Demographic profile and description of key elements

6.2.1 Published data

One of the major issues to be taken into consideration for demographic data is that details from the most recent census can become quite dated. Therefore, it would be appropriate for applicants to attempt to obtain more recent data, and, where possible, refer to:

- the most recent total population data available;
- population projections;
- include comparisons with the whole of Queensland.

Time series comparisons published by the Australian Bureau of Statistics may be used. However, care will need to be taken where ABS boundaries have changed (particularly for Census Collector Districts).

The following minimum demographic parameters for the Local Community Area must be included in a CIS:

- persons aged 15 years and over, with no qualifications;
- Aboriginal or Torres Strait Islander people;
- Recent migrants from non-English speaking countries;
- Occupied private dwellings with two or more families;
- Households renting;
- One-parent families with dependent offspring;
- Males (in labour force) unemployed;
- Females (in labour force) unemployed;
- Employed males classified as “labourers and related workers”;
- Employed females classified as “labourers and related workers”;
- Tourist numbers and projections (where the identified Local Community Area is a recognised tourist locality).

Any population projections (including tourist numbers) should be clearly explained in terms of methodology and sourcing. Published data can be obtained from sources such as:

- Australian Bureau of Statistics – some statistics may be accessed through State or tertiary libraries or via the ABS website at www.abs.gov.au. The ABS also offers internet and mail order purchase for information (a prepared basic community profile in the ABS inventory

is approximately \$45). Consultancy services are also available to collate information for parts of data collection areas).

- Local Government Authority
- Department of Local Government and Planning – Population and Forecasting Unit telephone 3235 4580 or www.dlqp.qld.gov.au/pifu. Consultancy services for a customised catchment or small area projection data and analysis are available at a fee for service, telephone 3237 1153.

6.2.2 Supplementary data

The published demographic data should be supplemented by accessing local community data from an appropriate range of community professionals. These would include, but not be restricted to:

- people working in human services, in particular welfare organisations;
- health workers;
- in the case of some areas, staff at local hospitals;
- educators, especially school administrators;
- police;
- religious leaders;
- tourist operators;
- members of other community organisations (eg Rotary, Lions, Country Women’s Association);
- local government.

The information obtained must be from a credible source able to comment with authority on behalf of the organisation or agency.

7. Assessment of community risk

In considering an application, the Chief Executive will consider whether the Local Community Area may be deemed ‘at risk’ in terms of social and economic factors. The following table provides a mechanism for assessing the risk.

Where a Local Community Area is identified as high risk, the applicant will be required to provide compelling evidence of mitigation measures which demonstrably address these high-risk factors. The factors and their relative weightings are derived from a consideration of the ABS Socioeconomic Index for Areas (SEIFA) data, and academic research relevant to alcohol.

<i>Where there is a relatively¹ higher proportion of:</i>	<i>Weighting = Risk Factor</i>
Persons aged 15 years and over, with no qualifications (derived from ABS 1996 Census Tables B01 and B17)	2
Aboriginal or Torres Strait Islander people (ABS 1996 Census Table B01)	4

Recent migrants from Non-English Speaking countries (ABS 1996 Census Table B01 and B09, use only the most recent year of arrival as a proportion of the total population)	0.5
Occupied private dwellings with two or more families (ABS 1996 Census Table B26)	0.5
Households renting (ABS 1996 Census Table B14)	0.5
One-parent families with dependent offspring (ABS 1996 Census Table B22 – ‘dependent offspring’ in this context is taken to mean children under 15 and students aged 15–24.)	2
Males (in labour force) unemployed (ABS 1996 Census Table B18)	3
Females (in labour force) unemployed (ABS 1996 Census Table B18)	3
Employed males classified as “labourers and related workers” (ABS 1996 Census Table B20)	1
Employed females classified as “labourers and related workers” (ABS 1996 Census Table B20)	1

¹ relatively is defined here as 5 or more percentage points higher than Queensland as a whole.

Where the demographic analysis reveals that the risk factors add to a total score of 8 or more, the Local Community Area shall be deemed ‘high-risk’.

8. Likely health and social impacts (positive and negative impacts)

Social impact may be defined as an effect upon a person or group of persons with respect to health, socioeconomic circumstances, and quality of life, and may include a person or group’s perception of that quality of life.

Social impact incorporates not only the physical aspects of the application (noise, litter, and excessive traffic) but also the negative impacts upon quality of life. This may be linked to factors such as an increase in alcohol consumption; increased exposure to disturbances caused by people affected by alcohol, or an increased socioeconomic vulnerability due to increased alcohol consumption.

An applicant is to consider the likely health and social impact that may occur if the application is granted. Impacts may be positive or negative, and applicants should attempt to define the magnitude, duration and probability of occurrence of particular impacts. Submissions need to include the following:

- nature and type of facilities to be provided;
- impact on the local community as a whole;

- impact upon vulnerable groups, in particular children and young people. Valuable data sources here include school administrators and childcare centre staff as these groups of professionals routinely collect data on families and children in their area;
- noise/amenity;
- employment (in particular number and types of jobs to be generated);
- cultural and recreational benefits that will accrue from the proposal;
- benefits to the local community;
- benefits in terms of tourists and visitors;
- impact on traffic;
- safety issues – in terms of public disorder, vandalism, public drunkenness. Data sources here would include police officers, and members of relevant community organisations;
- impact on vandalism, litter, criminal acts, especially crimes of violence (including domestic violence). Data sources would include local police, welfare professionals and other service providers who are in a position to comment on these aspects;
- whether there would be a significant change to the character or identity of the local community. For example local areas such as Mt Tamborine and Montville have a unique character developed over time, and infiltration or proliferation of certain venues or styles of venues could threaten the traditional character of a community;
- proximity to sensitive community facilities;
- the impact of trading hours.

8.1 Remote communities

In the case of any Local Community Area deemed to be a ‘remote’ community, particular attention must be given to potential risk factors relating to this remoteness. These factors might include the impact on drink driving, and community support services available. ‘Remote’ in this context is defined as an urban settlement with a population of fewer than 1000 *and* located further than 50 kilometres from an urban settlement with a population of 2500 or more.

8.2 Infiltration and high concentration

Introducing a new liquor outlet, or style of venue into an area where these businesses have not previously operated, carries a measure of potential risk that requires assessment. For this reason, ‘infiltration’ is given a particular weighting in the CIS. This can also include applications for extended hours where the proposed hours are unique for the locality.

Where a venue is not the first of its kind for a Local Community Area, the applicant must demonstrate that an approval will not result in a detrimental concentration of venues. The applicant must consider any associated potential health and social impacts arising from practices such as irresponsible promotion and/or management practices, and demonstrate how such practices will be avoided. In assessing applications and the potential social effects of a high concentration, the Chief Executive will examine factors such as the following within the Local Community Area:

- the number and type of premises whose ownership and/or licence have been transferred in the last 2–3 years;

- the number of premises that have closed down;
- complaints from the community and/or police records regarding social impact issues;
- evidence of any irresponsible hospitality practices (including liquor discounting) identified in the Local Community Area;
- the number and type of premises that are currently under-utilising their licensed trading hours;
- the number of active and inactive licences.

8.3 Sensitive venues

Schools (defined as educational institutions where children and young people between the ages of 5 and 18 attend) warrant special consideration, particularly where hotels or nightclubs are proposed. The attitude and expectations of school staff should be addressed in any case where the proposed hotel or nightclub falls within the Local Community Area of that school.

It is not considered that churches or places of public worship warrant special consideration. These are not venues whose clients are necessarily socially or economically vulnerable. However, the exception to this rule is where the premises are used regularly for community welfare activities, such as alcohol and substance abuse counselling.

In assessing certain licensed premises proposed for establishment near to venues which are high-risk community facilities, a distance of 200 metres applies. In measuring a 200 metre distance, the criterion shall be the shortest route that reasonably may be used.

Additionally, the CIS should assess the seriousness or significance of any social impacts. It must make an evaluation or judgment on whether the social benefits of an application outweigh the social costs. In weighing social costs, serious or significant harm to even a small section of the community counts heavily. For this reason, a simple community poll asking whether there is support for the application may be insufficient in assessing the case. In a case where there was widespread community support, but it could be shown that significant levels of social harm would accrue to a small group within that community, the application could be viewed unfavourably. One example of this might be a case where the community consultation reveals a majority of the community support the application, but it will be located next to a hostel where people with psychiatric illness/disability reside. Another example might be a remote Aboriginal community where the majority of the community, males in particular, support the proposal, but the women and/or a group of key advisers oppose it.

Mitigation measures must be identified in every case where negative impacts are found.

9. Community consultation – residents and businesses within 200 metres

Community consultation forms an essential part of community impact statements. The onus is not on the community to organise and present their opposition, but rather, it rests with the applicant to at least demonstrate that efforts have been made to assess community views on the proposal. The purpose of community consultation is to seek the views and concerns of the community on the particular proposal, rather than their views and concerns on liquor in general.

Applicants will have to demonstrate consultation with the immediate adjoining residents and businesses or those in close proximity (i.e. 200 metres) who are likely to have issues of noise, traffic or other effects on lifestyle amenity.

In some cases, there may be no residents in the immediate area. For example, a bottle shop to be located in a shopping centre, or a tavern surrounded by bush and parkland. Interviews should be conducted with an appropriate sample of residents and/or business proprietors in the immediate proximity of the proposal. These may occur face-to-face or by telephone.

10. Survey consultation in the Local Community Area

A survey must also be conducted in the Local Community Area. It may be conducted either face-to-face or by telephone survey and must involve:

- a minimum of 100 local community members in Brisbane CBD, Brisbane metropolitan area, or major cities and towns outside Brisbane; or
- for all other areas, a minimum of 50 local community members.

Questions asked in the community survey should not be restricted to closed questions. That is, only requiring a yes or no answer. Open questions which ascertain the reasons why respondents hold their views are preferred. By way of example, the following types of questions would be appropriate for a Local Community Area survey for a commercial hotel licence application.

SAMPLE POSSIBLE SURVEY QUESTIONS

Q1. Do you think the proposed tavern will bring any benefits for you personally or your family?

Yes

No

Q2. If yes, what benefits do you think it will have for you personally or your family? If no benefits, explain why.

Q3. What concerns (if any) do you have about the possible impact of this tavern on the X community?

Q4. If this tavern is approved, in what ways do you think it may change this Local Community Area of X?

etc.

The interview or survey instruments and the interviewers must maintain objectivity and neutrality with respect to the proposal, and provide reasonable opportunities for respondents to comment on benefits, impacts, concerns and mitigation measures required. The method of gathering and assessing community opinion by survey must also be detailed in the Full CIS. It should include:

- the methodology for undertaking any community survey;
- the measures taken to ensure objectivity and validity in the community survey;
- a copy of any survey/questionnaire;
- a range of age groups, income levels, significant ethnic groups and gender balance.

The Chief Executive may request an applicant to undertake additional consultation if it is considered that the consultation is insufficient or unbalanced in some way.

11. Consultation with key community advisers

A Full CIS must also include a minimum of eight (8) interviews with a representative sample of community advisers for the locality. The advisers may include local government authority personnel; human services workers; police; health workers; educators or community organisation personnel who are qualified to speak on behalf of the community.

The sample will vary depending on the nature of the community. In the case of tourist oriented communities, the sample should include relevant people from the tourist industry.

An essential requirement is that the consultation process be rigorous and transparent. Evidence of this should be included in the CIS as follows:

- the names and qualifications or professional positions of any key advisers consulted;
- the timing and duration of consultation;
- the methodology for undertaking any interviews;
- where the community includes a significant percentage of non-English speaking people, especially newly arrived migrants, it should be demonstrated that relevant key advisers have been consulted to represent these cultural communities;
- where the community includes a significant percentage of people of Aboriginal or Torres Strait Islander background, the consultation process should be mindful of cultural sensitivities, and demonstrate that relevant community advisers have been included.

The Chief Executive may request an applicant to undertake additional consultation if it is considered that the consultation is insufficient or unbalanced in some way.

PART D – Potential Consideration Outcomes*

A sample of possible results from conducting a community impact statement are detailed in the following table together with the potential decision of the Chief Executive.

APPLICATION TYPE	INFILTRATION 1	COMMUNITY RISK RATING (PUBLISHED DATA) 2 8 +	PROXIMITY TO SENSITIVE VENUES3 (within 200m)	COMMUNITY CONSULTATION RESULTS 4									HIGH CONCENTRATION IN A TOURIST LOCALITY or LICENSED PREMISES PRECINCT 5	LIKELY OUTCOME
				IMMEDIATE RESIDENTS		LOCAL COMMUNITY			KEY ADVISERS					
				Significant Impact	Low Impact/ Or Mitigation Possible	Opposed	Divided	In Favour	Opposed	Divided	In Favour			
Commercial other (subsidiary on-premises) with principal activity of entertainment (nightclub) or venue including a nightclub6 commercial hotel licence extended hours approval														
Possible scenarios and outcomes													Favourable	
													Unfavourable **	
													Unfavourable	
													Unfavourable	
													Unfavourable	
													Unfavourable A	
													Unfavourable B	
													Favourable	
													Unfavourable	
													Unfavourable C	
												Unfavourable		

NOTES:

This matrix does not provide a recommended outcome for every possible combination of consideration factor results. It does consider circumstances where a combination of factor results would support an unfavourable outcome for an application and others which would support a favourable outcome. The matrix also addresses a combination of factors where the decision may not be as 'obvious', to assist the Office of Liquor, Gaming and Racing to weigh these factors. In considering the various factors, emphasis is given to the Community Risk Rating and the views of the majority of the Local Community Area (where consultation is required). It should be emphasised that in weighing up the views of the Local Community Area, this relates to consultation conducted by an applicant which demonstrates broad consultation within a Local Community Area. Applicants should therefore avoid only obtaining the views of a vocal group within the community. Where community opinion and/or key adviser opinion is divided, the Community Risk Rating may assist in making a decision on the application.

* The Chief Executive retains the right to consider mitigating circumstances pertinent to an application and require and consider additional information on a case-by-case basis. The Chief Executive may also impose special conditions in order to address particular concerns.

** An application may be considered unfavourably unless mitigating circumstances are demonstrated.

1. Infiltration means that there are no premises of its type within a Local Community Area.
2. Community risk rating refers to the rating applied to the published demographic data collected (primarily this would be ABS data). A high rating is a score of 8 or more.
3. Sensitive venues include a home or hostel for people with psychiatric illness or intellectual disability; short-term accommodation/refuge for young people; and a school for children/young people who have been expelled or excluded from mainstream schooling.
4. Community consultation is required as part of the preparation of a Full CIS. A Full CIS must involve consultation with residents and/or businesses in immediate proximity to a venue. 'Immediate' has the meaning adjoining or within 200 metres. These residents/businesses are likely to have issues such as noise, traffic. In some cases, there may be no residents and/or businesses in the immediate area. Consultation with the Local Community Area and key advisers is to be undertaken for applications requiring a **Full CIS** because of the potential health and social impacts associated with those applications.
5. Tourist localities are areas that have marked seasonal highs and lows in tourist visitor numbers. Such areas would include, but are not limited to, Gold Coast, Noosa and Port Douglas. To remove any doubt, this does not include the Brisbane CBD or Fortitude Valley. A high concentration in tourist areas has been identified as a potential cause for concern as a result of seasonal variations and fluctuations in patron numbers. Particularly as struggling venues are more likely to engage in management practices which encourage dangerous drinking (such as happy hours and cut-price

drinks). A licensed premises precinct refers to an area where there is a readily identifiable group of premises, for example a nightclub precinct in Surfers Paradise. Further applications for new licences or extended hours in these areas need to be examined in relation to issues associated with a high concentration.

6. A nightclub means any premises where entertainment is provided after 8 p.m. where the noise level exceeds 90dBA
 - A. In case A, the application would be considered unfavourably because of the significant impact upon immediate residents.
 - B. In case B, the deciding factors in assisting with the determination, are the significant impact on the immediate local residents that cannot be mitigated by the applicant and the infiltration factor.
 - C. In case C, the views of the key advisers provide the basis for the decision.