

*From the President's Office
Dr Kean-Seng Lim*



Policy and Legislation Team
Liquor & Gaming NSW
Department of Industry
policy.legislation@liquorandgaming.nsw.gov.au

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Dear Review Manager,

**SUBMISSION TO THE CONSULTATION ON THE PROPOSED LIQUOR
REGULATION 2018**

Thank you for the opportunity to provide a submission to the consultation on the proposed *Liquor Regulation 2018* (NSW) (the Regulation).

The regulation of the sale, promotion and service of alcohol is necessarily an issue of health and community safety. In NSW, alcohol is responsible for 13,624 emergency department presentations, 53,924 hospitalisations and 1,300 deaths every year.ⁱ

Alcohol has been causally linked to more than 60 different medical conditions, including cirrhosis of the liver, inflammation of the gut and pancreas, heart and circulatory problems, sleep disorders, eye diseases and alcohol dependence. Alcohol consumption also raises the overall risk of cancer, including cancer of the mouth, throat and oesophagus, breast cancer and bowel cancer.

AMA (NSW) is a medico-political organisation that represents more than 9,000 doctors-in-training, career medical officers, staff specialists, visiting medical officers and specialists and general practitioners in private practice in NSW. AMA (NSW) is a former founding member of the Last Drinks Coalition, and also a prominent member of the NSW/ACT Alcohol Policy Alliance (NAAPA). NAAPA is a coalition of 48 organisations working to reduce alcohol-related harms by ensuring that evidence-based solutions inform alcohol policy discussions in NSW and the ACT.

AMA (NSW) endorses the NSW ACT Alcohol Policy Alliance's (NAAPA) submission to this consultation.

AMA (NSW) supports in particular NAAPA'S condemnation of the proposed removal of the Community Impact Statement (CIS) requirements for licence applicants (proposed clause 118).

Australian Medical Association (NSW) Ltd

The CIS requirement was introduced to describe the potential harm that a liquor licence may have on the community. Without a CIS there is no system or requirement for applicants to assess and determine the impact on the community.

While the current CIS process does not adequately address or assess community impact, as outlined in submissions to the CIS evaluation, the solution cannot be to simply remove the CIS leaving nothing in its place. As they stand, the proposed amendments to the Regulations will simply water down consultation processes.

The system needs proper reform. Any changes must ensure there is an appropriate replacement that achieves the aims of the CIS process. Merely notifying applicant, as would occur if the CIS is removed, is not sufficient and places the burden of proof on the community. Its removal, without the implementation of a better alternative process, will not assist the Independent Liquor and Gaming Authority (ILGA) to identify the impact of a licence on the community and will not improve community consultation.

As you are aware, there is an ongoing review into the CIS requirement. Moves to change the Regulation before the finalisation and public release of the CIS consultation report pre-empt the findings of that report and recommendations arising.

AMA (NSW) would like to further express our strong concern over the consultation process on the proposed changes to the Regulation. In particular, we are concerned over the lack of proactive stakeholder consultation and the short timeframes for response.

AMA (NSW) therefore submits that the proposed removal of the CIS does not proceed. Changes should only be made to the CIS component of the Regulation:

- after the final report of the Community Impact Statement review are made public and reviewed; and
- when alternative arrangements are put in place that ensure an equal or greater level of community consultation and risk assessment from the applicant.

The current Regulations have not been comprehensively reviewed in the last 10 years and are overdue for a proper review. This current consultation into the proposed Liquor Regulation 2018 is not sufficient and does not constitute a meaningful and comprehensive review. AMA (NSW)'s is calling on the NSW Government to conduct a comprehensive review into the Liquor Regulations and in the interim renew the current regulations until the final review is complete.

Thank you once again for the opportunity to raise these important issues with you.

Yours sincerely

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Dr Kean-Seng Lim
President, AMA (NSW)

ⁱ New South Wales Health (2017). NSW health stats. Retrieved from:

http://www.healthstats.nsw.gov.au/Indicatorgroup/indicatorViewList?code=beh_alc&topic=topic_alcohol&name=AlcoholTopic