

LICENSED PREMISES**Purpose**

To ensure that licensed premises are situated in appropriate locations.

To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

Scope

These provisions apply to premises licensed, or to be licensed, under the Liquor Control Reform Act 1998.

Permit required

A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the Liquor Control Reform Act 1998.
- A different licence, or category of licence is required from that which is in force.
- The hours of trading allowed under any licence are to be extended.
- The number of patrons allowed under any licence are to be increased.

This does not apply:

- To a limited licence.
- To a licence to manufacture liquor.
- To a licence to sell only packaged liquor for consumption elsewhere.
- If the schedule to this clause specifies that a permit is not required to use land to sell or consume liquor under a particular type of licence.
- To a change that reduces the hours of trading allowed under any licence.
- To a change that reduces the number of patrons allowed under any licence.
- To a change that reduces the area within which liquor is allowed to be consumed under any licence.
- To a variation of licence at the initiative of the Director, pursuant to Section 58 of the Liquor Control Reform Act 1998.
- To a variation of licence for a variation prescribed in Part 6, Regulation 31 of the Liquor Control Reform Regulations 2009.
- If a different licence or category of licence is required solely as a result of the changes to licence categories introduced on 1 January 2010.

The schedule to this clause may specify that a permit may not be granted to use land to sell or consume liquor under a particular type of licence.

Referral of applications

An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.

- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of surrounding area.
- The cumulative impact of any existing and the proposed liquor licence, the hours of operation and number of patrons, on the amenity of the area.