

**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 if any of the following 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.
- 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.

**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.