

22.20 LIQUOR LICENSING

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This policy applies to all applications for new licensed premises and for the extension of the licensed area (including the extension of hours and the extension of patron numbers), where a permit is required pursuant to Clause 52.27.

22.20-1 Policy Basis

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Council recognises that alcohol is an enjoyable part of Australian culture and that licensed premises have substantial economic, social and cultural benefits. Well managed licensed premises can contribute positively to the activity, appearance, character and image of an area.

However inappropriate sale and consumption of alcohol can be associated with a range of social, economic and health harms, particularly for vulnerable groups and individuals. In addition, the concentrated location of licensed premises can have negative cumulative impacts on an area.

The purpose of this policy is to provide guidance for new licensed premises and where existing licensed premises change their operation.

22.20-2 Objectives

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- To manage the appropriate locations, trading hours and patron numbers for licensed premises.
- To minimise amenity conflicts between licensed premises and other uses including cumulative impacts.
- To manage the impacts of licensed premises on the diversity of uses and economic viability of activity centres.
- To encourage an appropriate mix of licensed premises relative to other commercial, retail and residential uses within activity centres.
- To encourage daytime uses and active frontages within activity centres.
- To support reasonable commercial opportunities for the trading of licensed premises.
- To strongly encourage good venue design of licensed premises based on the Design Guidelines for Licensed Venues (Department of Justice).

22.20-3 Policy

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It is policy that:

- The operation of licensed premises should have no unreasonable impact on the amenity and safety of surrounding uses, in relation to noise, car parking, patron movement, traffic and other amenity issues.
- The location of the licenced premises, its use, nature of surrounding uses, its zoning and the zoning of surrounding land will be considered in the determination of the hours of operation of licensed premises to ensure minimal impact on neighbourhood amenity and alcohol related harms.
- Patron numbers are reasonable having regard to the size of the premises, its location, hours of operation and does not adversely affect the amenity of the surrounding area.
- Licenced premises should not be concentrated to the extent that there is an adverse cumulative effect on the area.
- Daytime uses and active street frontages are encouraged within activity centres.

22.20-4 Application Requirements19/10/2017
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All applications for new licensed premises and for the extension of a licensed area (including the extension of hours and the extension of patron numbers), where a permit is required under Clause 52.27, should include the following information as appropriate:

- Site and floor plans showing the:
 - Existing site and any proposed new floor areas.
 - Proposed use of all areas within the building and site including outdoor dining areas and areas adjacent to the boundaries of the site used in association with the licensed premises (i.e. outdoor seating, public spaces, kerbside dining, and car parking areas).
 - Location of the proposed site in relation to adjoining uses, sensitive uses, other licensed premises and their hours of operation.
 - Location of all external doors and windows.
 - Location of waste storage areas.
 - Identification of ‘active areas’ – queuing area, location of music performance areas or speakers.
 - Maximum number of patrons allocated in identified areas.
- A written submission including the following information:
 - A written description of the site context.
 - A description of the proposed use including type of uses, hours of operation, and type of music/entertainment.
 - An assessment by a registered building surveyor detailing the patron capacity of the licensed premises.
 - Details of proposed management of the premises including external areas allocated for smokers, seating ratios inside the licensed premises, waste management plan, security, noise and complaints procedure.
 - Any other measures to be undertaken to ensure minimal amenity impacts from the licensed premises (i.e. security, noise, complaints procedures).
 - For applications where there is a clustering of licensed premises, a cumulative impact assessment is required. The cumulative impact assessment considers the likely impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area. Applications to expand the licensed area or extend the trading hours of existing licensed premises should provide relevant information including:
 - any complaints and problems with the premises;
 - breach of planning or liquor license permit conditions;
 - the conditions of the existing liquor licence or planning permit controlling noise, security, patron numbers and hours of operation.

22.20-5 Decision Guidelines19/10/2017
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Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority will consider, as appropriate:

- The zoning of the land and the zoning of surrounding land.
- The location of the proposed licensed premises and the nature of its use.
- The nature of surrounding uses and their hours of operation.
- The existing uses of the land.
- The proximity of the proposed licensed premises to residential uses and accommodation.

- If adjacent to a residential zone/use, the impact of the licensed premises after 11:00pm caused by the operation of the use including noise emissions, patrons leaving the premises and the availability and location of car parking.
- Lighting within the boundaries of the site, security lighting outside the licensed premises and any overspill of lighting.
- The impact of the proposed licensed premises on the mix of uses located within the activity centre and the vitality and viability of the activity centre during the day and at night.
- The impact of the proposed licensed premises on the function, operation and economic viability of the activity centre.
- The impact of the proposed licensed premises on the local traffic network and car parking availability in the area.
- The proximity of the proposed premises to sensitive uses.
- Any other relevant matter.

Additional decision guidelines for applications to expand the licensed area or extend the trading hours of existing licensed premises

- The adequacy of existing management of the licensed premises having regard to:
 - Relevant information available to the responsible authority including records of attendances, complaints and/or problems with the premises, and breaches of planning permit or liquor licence conditions.
 - The conditions of the existing liquor licence or planning permit controlling noise, security, patron numbers and hours of operation.
 - Any other relevant matter.

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Reference Documents

Hume City Liquor Licensing Referral Policy, 2013