

## **22.09 ENTERTAINMENT VENUES AND LICENSED PREMISES**

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This clause applies to all planning permit applications for a place of assembly, food and drink premises (excluding take away food premises) where a permit is required pursuant to Clause 52.27 of the Moreland Planning Scheme.

### **22.09-1 Policy Basis**

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Licensed premises and late night entertainment venues can have important economic, social and cultural benefits. Well managed premises can contribute positively to the activity and image of an area. While being valuable contributors to a vibrant city, such premises have the potential to create considerable detrimental amenity and public safety impacts.

This policy provides guidance for the consideration of all applications for late night entertainment venues, new licensed premises, the expansion of a licensed area, and the extension of the trading hours of existing licensed premises.

### **22.09-2 Objectives**

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To manage the potential negative amenity and public safety impacts of licensed premises.

To ensure that licensed premises and late night entertainment venues make a positive contribution to the mix of activities available in activity centres.

### **22.09-3 Policy**

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It is policy to:

- Minimise the impacts associated with noise, car parking, patron movement, traffic and other amenity issues.
- Require licensed premises to be operated to ensure that noise emissions from the premises do not have an unreasonable impact on the amenity of the surrounding area and comply with the standards as specified in relevant State Environmental Protection Policies.
- Ensure patron numbers are reasonable having regard to the size of the premises, its location, hours of operation and proximity to residential uses.
- Ensure licensed venues trading after 11pm are located within Activity Centres, unless the responsible authority is satisfied that later hours will not detrimentally affect the area.
- Ensure licensed venues located within Neighbourhood Activity Centres and Local Activity Centres cease serving or selling alcohol at 11pm or earlier, unless the responsible authority is satisfied that later hours will not detrimentally affect the area.
- Discourage packaged liquor licensed premises (bottle shops) from locating outside of Activity Centres.

### **22.09-4 Application Requirements**

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An application should be accompanied by the following information, as appropriate:

- A 'Cumulative Impact Assessment Report' for all land within a 500m radius of the venue based on the DELWP Practice Note, '*Licensed premises: Assessing Cumulative Impact*'.

- The provision of site plans, location plans and checklists as set out in the DELWP Practice Note.
- For venues trading after 11pm, provision of an acoustic report to demonstrate compliance with relevant State Environmental Protection Policies.
- For venues trading after 11pm, a Venue and Patron Management Plan that specifies the following:
  - Hours of operation of all parts of the premises
  - Patron capacity
  - Patron security
  - Pass out process
  - Identify all queuing areas provided on private property
  - Complaint handling processes
  - Staff training for patron management
  - Management of outdoor areas
  - Noise attenuation measures
  - Outdoor smoking areas
  - Music provision
  - Lighting outside the premises
  - Rubbish storage and disposal (including hours of disposal and collection)

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**Decision guidelines**

When deciding on an application for a late night entertainment venue or a licensed premise, the responsible authority will consider, as relevant:

- The zoning of surrounding land, and whether the premise has a direct abuttal to land within the General or Neighbourhood Residential Zone or Mixed Use Zone.
- Whether patron parking is located on site or in residential streets, and the proximity of the parking to the venue.
- The hours of operation proposed (for both indoor and outdoor areas of the venue).
- Whether the size of the venue is appropriate for the number of patrons to be accommodated.
- The venue type, including provision of entertainment, music, seating, food and smoking areas within the venue.
- Whether smoking areas are provided internal to the venue or rely on the footpath.
- The adequacy of noise attenuation measures within the venue.
- Whether the internal venue design has had regard to the safety principles outlined in the *Department of Justice 'Design Guidelines for Licensed Venues' 2009*.
- Any previous complaints and problems with the premises and breaches of planning or liquor license permit conditions.

**22.09-6 Reference Documents**

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Planning Practice Note 61 – Licensed Premises: Assessing Cumulative Impact, *Department of Environment, Land, Water and Planning, June 2015* (or as amended).

*Planning Practice Note 81 – Live music and entertainment noise, Department of Environment, Land, Water and Planning, September 2015* (or as amended).