

# Sale or Consumption of Liquor

## Commercial planning guide and checklist



This guide describes what information you need to provide to Council when applying for a planning permit to use land for the sale and/or consumption of liquor. **Please note:** this is not an application for a Liquor Licence.

People often confuse this planning permit requirement with a Liquor Licence. A Liquor Licence can only be issued by Consumer Affairs Victoria, however the process requires that Council's regulations are met first.

Not all cases require a planning permit to use land for the sale and consumption of liquor. If you are unsure if you require a planning permit, please follow the step by step guide on the business section of Council's website, contact Council on 9205 5555 or visit the Planning Counter at the Richmond Town Hall.

Council requires certain information in order to properly assess your application against the planning controls contained in the Yarra Planning Scheme. To ensure that your application can be processed quickly and efficiently, it is important that all the relevant information is included – this guide will help you do this.

### How to apply for a planning permit

To apply for a permit to use land for the sale and/or consumption of liquor, simply follow these four steps:

**1. Complete an *Application for Planning Permit Form*.** These are available at our Statutory Planning counter or on Council's website ([www.yarracity.vic.gov.au/planning](http://www.yarracity.vic.gov.au/planning)).

**2. Refer to the *Fee Schedule*** to determine what fee you need to pay to lodge your application. The *Fee Schedule* is also available at our Statutory Planning counter or on Council's website ([www.yarracity.vic.gov.au/planning](http://www.yarracity.vic.gov.au/planning)).

**Please note:** The fee can only be paid by cheque or money order and must be made payable to the 'City of Yarra'.

**3. Prepare your application,** making sure to include all the information described in this guide, such as plans and a written submission.

**4. Lodge your completed application by:**

> **Post:** Statutory Planning Branch  
City of Yarra  
PO Box 168  
Richmond VIC 3121

or

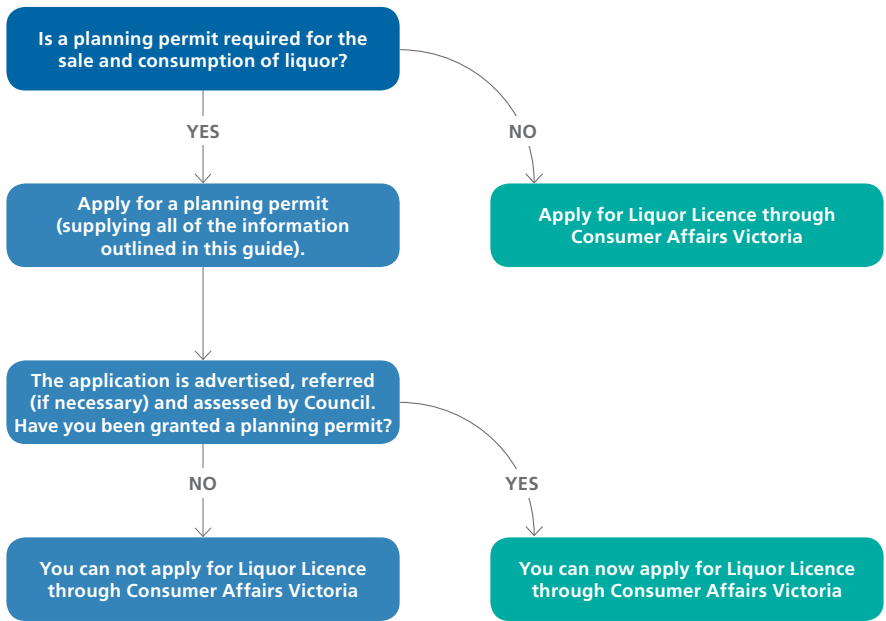
> **In Person:**  
Statutory Planning counter  
Richmond Town Hall  
333 Bridge Road  
Richmond VIC

### Checklist

- Completed Application Form
- Fee (either cheque or money order)
- *Certificate of Title* (obtained or produced within the last 3 months)
- Site Analysis Plan (3 copies)
- Proposed Floor Plan (3 copies)
- Written Submission (1 copy)
- Noise and Amenity Action Plan (1 copy)

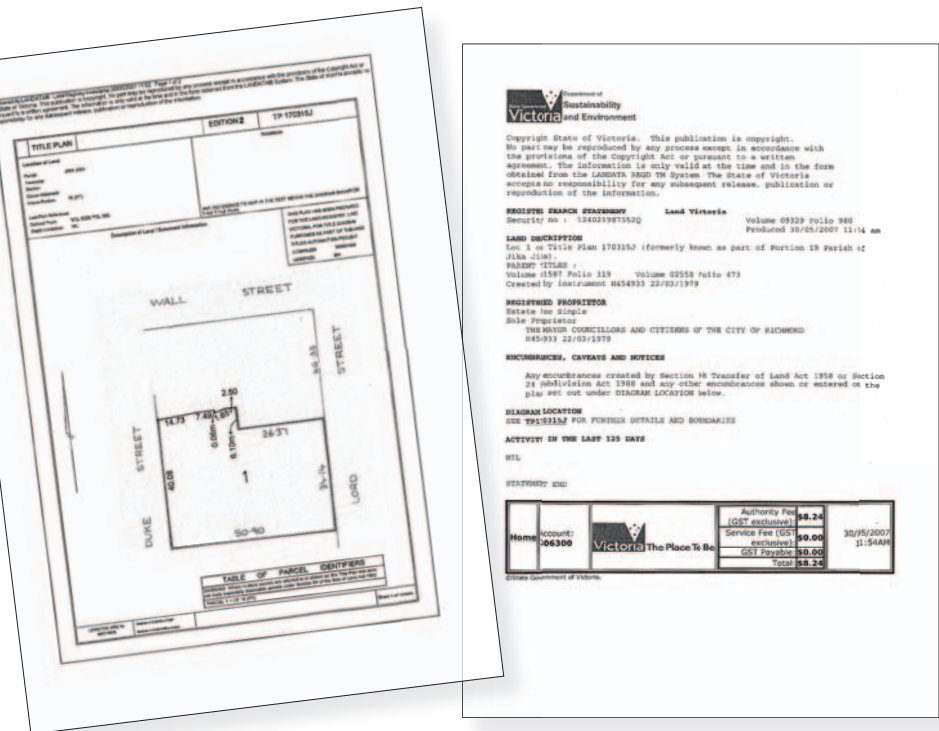
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The diagram below depicts the **process for obtaining a Liquor Licence**.



## Certificate of Title (below)

A *Certificate of Title* is a formal legal record about a particular piece of land. It contains basic information about the land including current ownership.



## What information should be included with your application?

### Certificate of Title – 1 copy

You will need to provide an up-to-date *Certificate of Title* with your application.

A *Certificate of Title* is a formal legal record about a particular piece of land. It contains basic information about the land including current ownership (see example below left).

The copy of the *Certificate of Title* must be: clear, legible, complete and obtained within the last three (3) months.

If the land is covered by a *Restrictive Covenant* or Section 173 Agreement, a copy will also need to be provided. This will be registered on the *Certificate of Title*.

A *Restrictive Covenant* is a private agreement between land owners which may restrict the way land may be used and developed

If you do not have a copy of the *Certificate of Title*, you can obtain a copy:

- > **In Person:**
  - Land Information Centre
  - Level 10, 570 Bourke Street
  - Melbourne
  - Telephone 8636 2456

or

- > **Order online:**
  - [www.land.vic.gov.au](http://www.land.vic.gov.au)

### Site Analysis Plan – 3 copies

You need to submit with your application three (3) copies of the *Site Analysis Plan*.

**Note:** Plans are usually drawn up by an architect or draftsman, however you may feel comfortable to prepare the plan yourself.

A *Site Analysis Plan* is a clear drawing that shows your site and all bordering sites, including the location of buildings and their uses. It is drawn as if looking down from above the site.

The *Site Analysis Plan* must be drawn to scale and show:

- > The location, use and layout of the existing building(s) on the site, including the location of all external windows and doors
- > The location and layout of the existing building(s) on adjoining properties, including the location of all external windows, doors and outdoor areas
- > How close the site is to residential properties, including details of doors, windows and outdoor areas on all residential properties bordering the site
- > The existing use(s) of all areas of the site
- > Any existing car parking (see example).

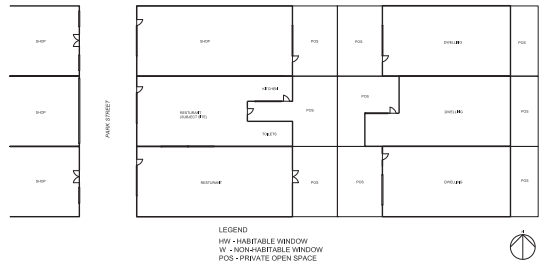
### Proposed Floor Plan - 3 copies

You need to submit with your application three (3) copies of the *Proposed Floor Plan*.

A *Proposed Floor Plan* is a clear drawing that shows the location of the proposed building/works and other structures on the site. It is drawn as if looking down from above the site.

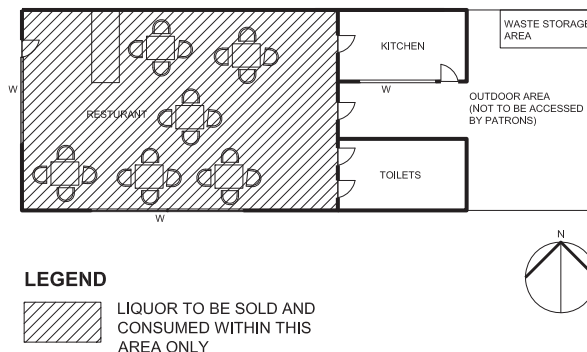
The *Proposed Floor Plan* must be drawn to scale and show:

- > The location and layout of the proposed building(s) on the site, including all external windows (the same as existing if there is no development or changes proposed)



### Site Analysis Plan (above)

A *Site Analysis Plan* is a clear drawing that shows your site and all bordering sites, including the location of buildings and their uses.



### Proposed Floor Plan (above)

A *Proposed Floor Plan* is a clear drawing that shows the location of the proposed building/works and other structures on the site.

- > All areas to be used by patrons of the premises, including all outdoor areas and car parking areas
- > Clearly highlight the area(s) which you wish to sell and allow liquor to be consumed
- > The proposed use of all areas of the site (e.g. restaurant, tavern, etc.)
- > The number of patrons proposed in each area
- > The location of waste storage areas
- > The location of all car parking (if any), including dimensions of all car parking spaces
- > The land's orientation to north (see above example).

### Written Submission – 1 copy

Council requires that you provide a written submission that justifies your proposal. It should contain as much information as possible, and will vary from case to case, however as a minimum it should address the following:

- > Details of how you would like to use the land and examples of the types of activities which will be carried out
- > Justification for any variation from standard Liquor Licensing Victoria hours of operation and/or standard conditions (which can be found at [www.consumer.vic.gov.au/liquor](http://www.consumer.vic.gov.au/liquor))
- > An assessment of your application pursuant to Clause 22.09 Licenced

**Note: Plans are usually drawn up by an architect or draftsman, however you may feel comfortable to prepare the plan yourself.**

Premises Policy of the Yarra Planning Scheme (available at [www.dpcd.vic.gov.au/planningschemes](http://www.dpcd.vic.gov.au/planningschemes))

- > The proposed maximum number of patrons to be on the premises at any one time
- > The proposed maximum number of staff at any one time.

### Noise and Amenity Action Plan – 3 copies

You are also required to submit three (3) copies of a *Noise and Amenity Action Plan*.

A *Noise and Amenity Action Plan* is a written document that details potential noise and amenity impacts that could result from the granting of the permit, and actions that could be undertaken to reduce these impacts.

There are a number of issues that must be addressed in the Plan including:

- > Identifying all noise sources associated with the premise likely to impact on adjoining residents (including, but not limited to, music noise, entries and exits to the premise and courtyards)
- > Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures
- > Standard procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, a Council officer or an officer of Liquor Licensing Victoria
- > Details of staffing arrangements including numbers and working hours of all security staff, bar staff, waiters/waitresses, on-premises manager, and other staff
- > Details of training provided for bar staff in the responsible serving of alcohol

- > Hours of operation for all parts of the premises
- > Lighting within the boundaries of the site
- > Security lighting outside the premises
- > Details of the provision of any music including the frequency and hours of entertainment provided by live bands and/or DJs
- > Details of waste management plan including storage and hours of collection for general rubbish and bottles associated with the liquor licenced use
- > Any other measures to be undertaken to ensure minimal amenity impacts from proposed liquor licenced use, such as noise attenuation or acoustic reports.

Please provide as much information as possible to reduce the likelihood that Council will need to request more information at a later date.

### Other permits/ regulations you may need to consider

If you obtain a planning permit from Council and Liquor Licensing Victoria, before you commence serving alcohol, you may also need to consider:

- > Footpath Trading Licence – if you wish to place anything on the footpath such as tables and chairs, umbrellas or signs.
- > Food safety and health regulations – depending on the type of business you are running and if you are serving food.
- > Building Permit – if the ‘class’ or category/type of the building occupancy/use changes.

For more information, please contact Council on 9205 5555.

### Further information

If you need more information about applying for a planning permit you can:

#### Visit our website

- > [www.yarracity.vic.gov.au/planning](http://www.yarracity.vic.gov.au/planning)

#### Telephone

- > 9205 5555 (between 8.30am and 5.00pm, Monday to Friday)

#### Visit the Statutory Planning counter

- > Richmond Town Hall  
333 Bridge Road, Richmond  
Monday to Friday  
8.30am to 5.00pm and  
Tuesday 8.30am to 6.00pm

#### Obtain a fact sheet

- > Available from Council’s website or at the Statutory Planning counter. There are fact sheets covering a range of planning issues, such as understanding planning, the planning permit application process, lodging an application, objecting to an application, and useful checklists for different types of applications.