

Planning Application Fact Sheet

Sale and Consumption of Liquor



The sale and consumption of liquor can be associated with a number of different uses. It's important that the places people purchase or consume liquor do not detrimentally affect the surrounding areas. This fact sheet provides information on when and how to apply for a planning permit to use land to sell or consume liquor.

How do I know if I need a planning permit to use land to sell or consume liquor?

In addition to a planning permit, and even if one is not required, you may need a license from the Victorian Commission for Gambling and Liquor Reform (VCGLR). Further information on liquor licenses can be found at the [VCGLR website](#).

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

- you require a licence, or a change in license category under the Liquor Control Reform Act 1998 except for:
 - a limited licence
 - to a licence to manufacture liquor
- the hours of trading allowed under a licence are to be extended. No permit is required to reduce the hours of trading

- the number of patrons allowed under a licence is to be increased. No permit is required to reduce the number of patrons
- the area that liquor is allowed to be consumed or supplied under a licence is to be increased or changed. No permit is required to reduce the area within which liquor is allowed to be consumed or supplied

Are there any other requirements?

The VCGLR may require you to provide a planning permit or written permission from Council with your liquor license application. You can make a request for a written response by contacting the Town Planning Team on the details provided on the next page.

If you want to occupy the footpath area, and allow the consumption of liquor within this area associated with your use, you will need a permit from Council's Local Laws Team. The Footpath Trading Code of Practice can be found on [Council's website](#) and outlines the requirements for occupying the footpath.

Finally, if the license is required as part of a use that includes the handling, preparation, packaging, storing, serving, supply, or repackaging of food you must be registered with Council's Public Health Unit. Further information can be found on [Council's website](#).

Application Checklist:

Applications should be lodged through Council's [Greenlight Portal](#), and be accompanied by an electronic copy of the following information:

- application fee: identified as Class 1 on Council's [Schedule of Fees](#)
- a recent full copy of title (less than 90 days old) and details of any restrictive covenant. A full copy of title can be obtained from the LANDATA website, <https://www.landata.vic.gov.au/>
- a description of the proposal, including but not limited to:
 - the type of use that is or will be carried out on the site
 - the hours of operation (including any requested extension to existing hours)
 - numbers of seats required for the proposed use, or number of patrons
 - the likely effects, if any, on adjoining land, including noise levels
 - if applicable, details of the provision of music including the frequency and hours of entertainment provided by live bands, live music (DJ), amplified music and any other forms of entertainment
 - if applicable, security arrangements including the number of personnel and their hours of operation and pass-out arrangements
 - noise attenuation measures (if proposed), including the recommendations of any acoustic report submitted in support of the proposal
- for a new use, a car parking plan in accordance with the requirements of [Clause 52.06-7](#) of the Hobsons Bay Planning Scheme and an assessment against the provisions of [Clause 52.06-5](#) of the Hobsons Bay Planning Scheme. [Clause 52.06-5](#) of the Hobsons Bay Planning Scheme (If you can't comply with the car parking requirements, see fact sheet "Reducing Car Parking Requirements")

- a site plan drawn to an appropriate scale, showing:
 - the boundaries and dimensions of the site. Footpath trading tables and chairs should not be located on the plan as these don't form part of the planning permit approval
 - the layout of all proposed buildings on the site and those directly adjoining the site
 - dimensioned setbacks from all boundaries
 - any significant vegetation
 - the current areas identified for the sale and consumption of liquor, and the areas showing the proposed increase in area (on a separate plan if required)
 - the location of all car parking (if any), including dimensions of all car parking spaces (as above)
 - details of any additional proposed signage (see the Town Planning Application Fact Sheet - Outdoor Advertising Signage for further information)

Please note that applications not lodged through the Greenlight Portal must also be accompanied by a fully completed Application for Planning Permit form.

Further information may be required once an initial assessment of the application has occurred.

The Department of Environment, Land, Water and Planning's Planning Practice Note 61 – [Licensed Premises: Assessing cumulative impact](#) provides further information on liquor license applications.

If you would like to find out more or speak to one of Council's planners, please call 9932 1000 or email townplanning@hobsonsbay.vic.gov.au