

# Sale or consumption of liquor

## Planning guide and checklist



Find out how to apply for a planning permit to use your land or premises for the sale and/or consumption of liquor.

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If you intend to sell alcohol from your premises and/or allow people to consume alcohol at your premises you will require a liquor license and in most cases a planning permit. Some typical examples include restaurants, bottle shops, hotels and sporting clubs.

Liquor licenses are issued by the State Government, through the Victorian Commission for Gambling and Liquor Regulation (VCGLR). You can find out more about the liquor license application process at the VCGLR website [vcglr.vic.gov.au](http://vcglr.vic.gov.au)

In most cases you must have a valid planning permit from Council before being able to submit your liquor license application.



tip

If you are unsure whether you require a planning permit, please contact us on (03) 9581 4131 Or visit the Planning Enquiry Counter on level one at the Cheltenham Office.

tip

To find out what other licensed premises are located within your area you can search an interactive map at [geomaps.vcglr.vic.gov.au](http://geomaps.vcglr.vic.gov.au)

Council supports the responsible service and consumption of alcohol in the community and considers a range of factors when deciding on permits. These include the number and location of other licensed premises within the surrounding area and measures to reduce potential amenity impacts, such as noise and parking.

As a result, detailed information is required as part of your permit application. To ensure that your application can be processed quickly and efficiently, it is important that all the relevant information, as outlined in this guide, is provided.

# What does your application need to include?

## Certificate of Title – 1 copy

A Certificate of Title is the formal legal record of a piece of land. It contains basic information such as current ownership and a 'plan of subdivision', a plan of the property that also shows adjoining properties and roads.

Please provide an up-to-date Certificate of Title and plan of subdivision with your application. The Certificate of Title must be clear, legible, complete and issued 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.

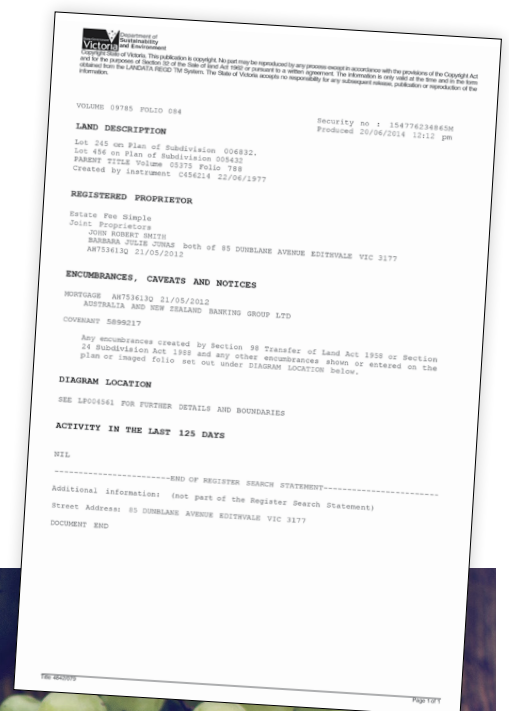
A Section 173 Agreement is a legal contract between a land owner and the council which may restrict the way land may be used or developed.

If you need an up-to-date copy of the Certificate of Title, you can purchase a copy from:

Landata: [landata.vic.gov.au](http://landata.vic.gov.au)

Council: **Electronic - Complete the request form available on our website [kingston.vic.gov.au/planning](http://kingston.vic.gov.au/planning) and email to [planningapplications@kingston.vic.gov.au](mailto:planningapplications@kingston.vic.gov.au);**

**In Person - Planning Enquiry Counter**  
Level 1, 1230 Nepean Hwy  
Cheltenham  
Operating hours:  
8:30am–5:30pm (Mon–Fri)  
Telephone: (03) 9581 4131



## ✓ Site Analysis Plan - 3 copies

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.

Please submit three (3) copies of the Site Analysis Plan with your application.

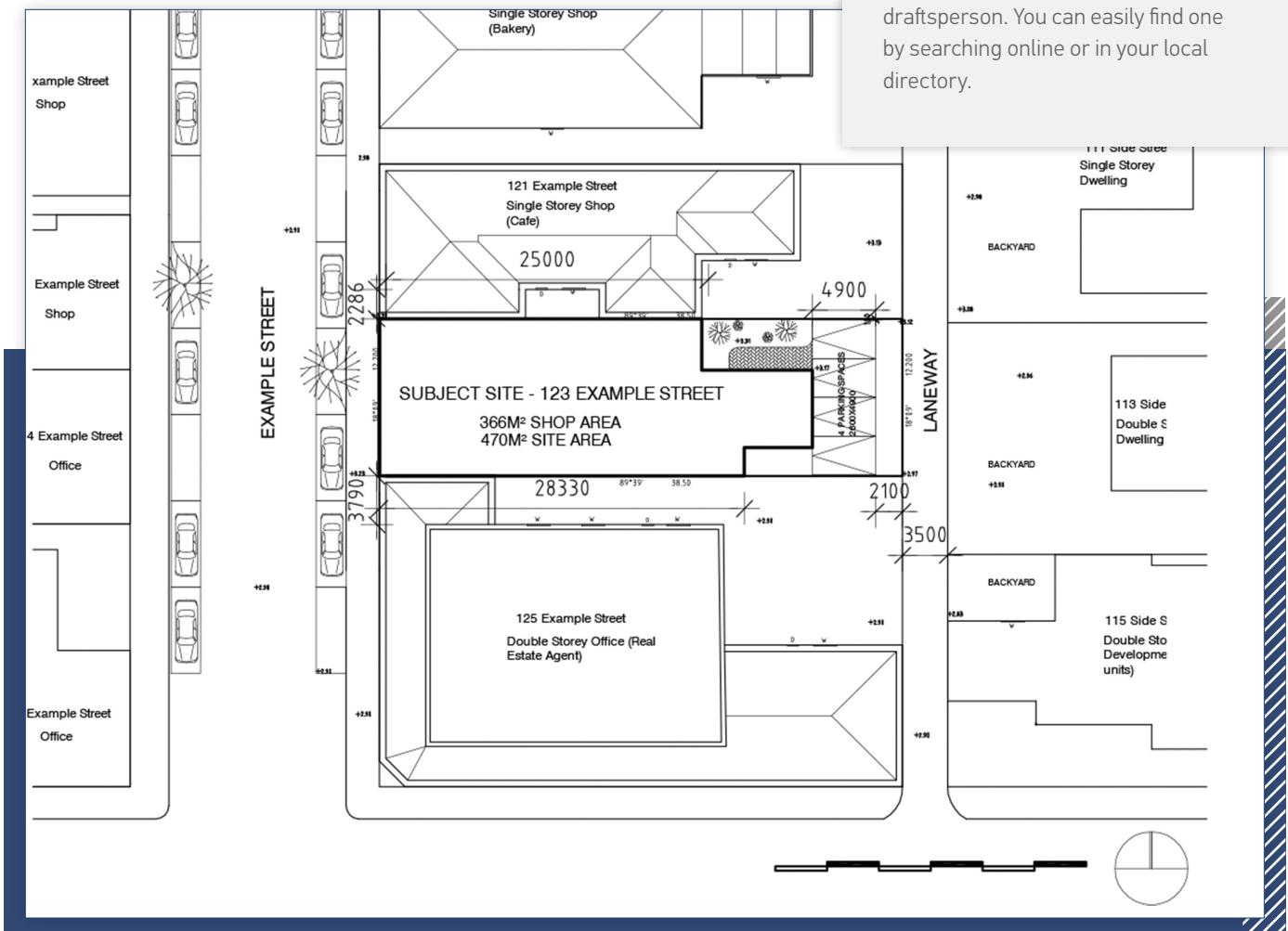
The Site Analysis Plan must be drawn to a scale of 1:200 and show:

- ▶ The boundaries and dimensions of the site
- ▶ 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
- ▶ The distance of the site to residential properties and details of doors, windows and outdoor areas for all residential properties bordering the site
- ▶ The existing use(s) of all areas of the site
- ▶ Any existing car parking
- ▶ Adjoining roads
- ▶ The land's orientation to the north



tip

If you require assistance drawing these plans, you can hire a drafts person. You can easily find one by searching online or in your local directory.

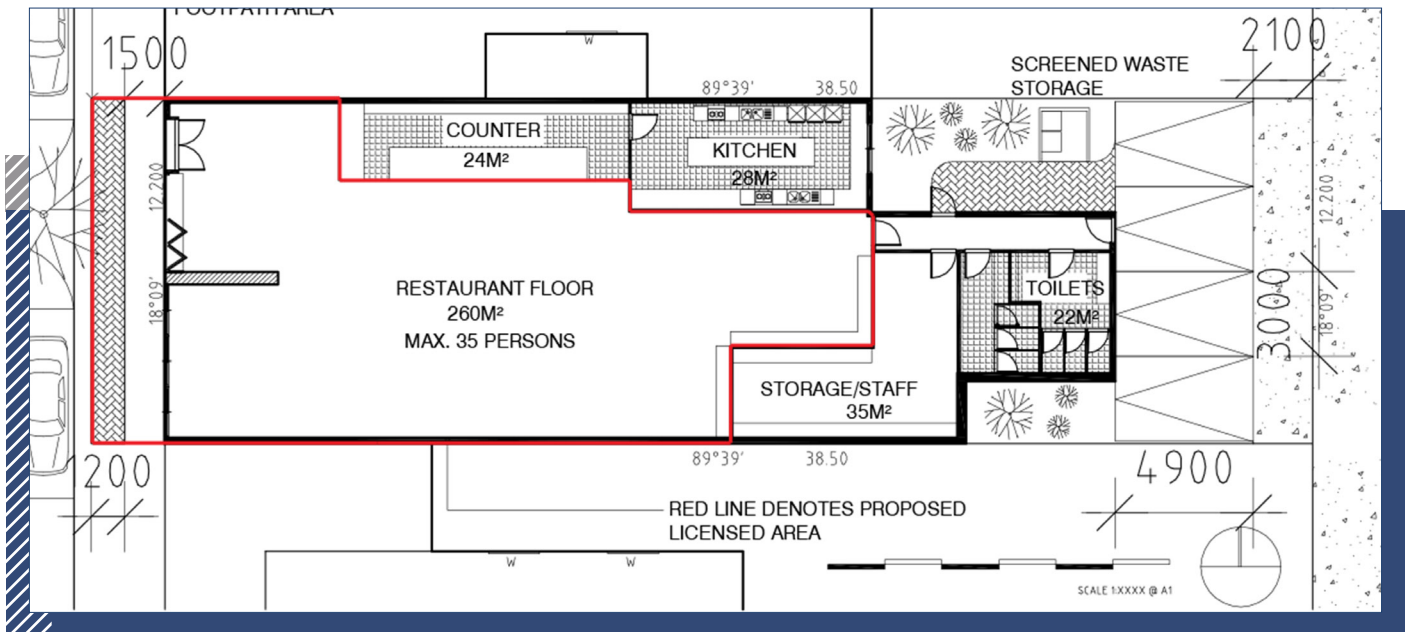




## ✓ Proposed Floor Plan - 3 copies

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

Please submit three (3) copies of the Proposed Floor Plan with your application.  
For buildings with multiple storeys, separate floor plans are required for each level.



The Proposed Floor Plan must be drawn to a scale of 1:100 and show:

- ▶ The shape of the site, including dimensions (i.e. length, width and total site area)
- ▶ The location and layout of any proposed building(s) on the site (or existing buildings if no works are proposed), including all external doors and windows
- ▶ All areas to be used by patrons of the premises, including toilets and all outdoor areas
- ▶ The floor area of the premises
- ▶ A red line around the area in which you wish to sell and/or allow liquor to be consumed (refer to the example shown)
- ▶ The proposed use of all areas of the site (e.g. restaurant, bar, lounge)
- ▶ 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

To help us process your application efficiently please provide a copy of all plans and reports in electronic format, via CD, USB or by email to [planningapplications@kingston.vic.gov.au](mailto:planningapplications@kingston.vic.gov.au) (please include the address in the subject line).



## Written Submission - 1 copy

A Written Submission helps Council get a good understanding of your proposal and is an opportunity for you to explain the merits of your application.

Please provide a Written Submission explaining your plans in detail and why you believe your proposal is appropriate for the area.

Provide as much information as possible, however as a minimum the submission should address the list of items below:

### 1. General explanation of your proposal:

- ▶ Details of any amplified music including the frequency and hours of entertainment provided by live bands and/or DJs
- ▶ Rationale for any intended variation to the standard hours of operation and/or standard conditions as set by the VLGLR
- ▶ Proposed hours of operation for all parts of the premises
- ▶ A copy of any existing planning permits and liquor licenses for the property
- ▶ The type of liquor license you intend to apply for (see the VCGLR website [vcglr.vic.gov.au](http://vcglr.vic.gov.au) for further information about the various license types)
- ▶ Proposed maximum number of patrons to be on the premises at any one time
- ▶ Details of staffing arrangements including numbers and working hours of all security staff, bar staff, waiters/waitresses, on-premises manager, and others
- ▶ Information about the waste management plan including storage and hours of collection for general rubbish and bottles associated with the liquor license

### 2. An assessment of your application against the Licensed Premises Policy (Clause 52.27) in the Kingston Planning Scheme. Visit [planningschemes.dpcd.vic.gov.au/schemes/kingston](http://planningschemes.dpcd.vic.gov.au/schemes/kingston) or ask us for a copy. This assessment should explain how you will protect the amenity of surrounding properties, including:

- ▶ Identifying all associated sources of noise likely to impact adjoining residents (such as 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 a VCGLR Officer
- ▶ Details of training provided for bar staff in the responsible serving of alcohol
- ▶ Any other measures to be undertaken to ensure minimal amenity impacts from the proposed liquor license, such as noise attenuation or acoustic reports

A Cumulative Impact Assessment may also be required, particularly if the premises will be licensed after 11pm. Cumulative impact refers to both positive and negative impacts that can result from clustering of licensed venues in a particular area. For more information about how to prepare this assessment, see the Victorian Government document 'Practice Note 61 – Licensed premises: Assessing Cumulative Impact', available on the Department of Transport Planning and Local Infrastructure website [dtpli.vic.gov.au](http://dtpli.vic.gov.au)



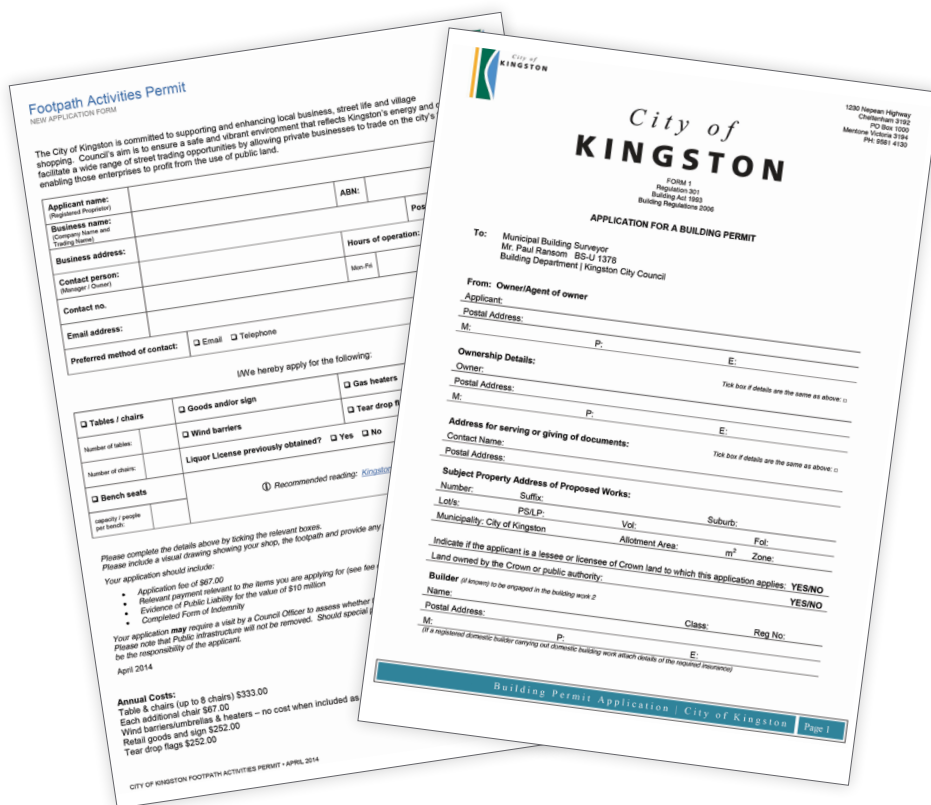
Some of these elements may not be relevant to your application. However, to ensure that your application can be processed quickly and efficiently, it is important that you provide as much information as possible.



# Other permits you may need

There are a range of other permits that may be required depending on how you intend to use your land. It's a good idea to speak to us about these early to make sure you have all the permits you need before you start making any changes to your land or buildings.

- ▶ Building Permit – required if you want to do any structural re-modelling to buildings, or the 'class' or category of the building's use/occupancy changes (for example removing an internal load-bearing wall or adding additional rooms or floor space). More details can be found in the 'Building' section of our website [kingston.vic.gov.au/building](http://kingston.vic.gov.au/building)



- ▶ Food Safety Regulations – depending on the type of business you are running and if you are serving food. More details can be found in the 'Environmental Health' section of our website [kingston.vic.gov.au/permits-and-waste/environmental-health](http://kingston.vic.gov.au/permits-and-waste/environmental-health)


- ▶ Footpath Activities Permit – if you wish to place anything on the footpath such as tables and chairs, umbrellas or signs (the planning permit covers only the use of the footpath but not the placement of any furniture). More details can be found in the 'Local Laws' section of our website [kingston.vic.gov.au/permits-and-waste/local-laws](http://kingston.vic.gov.au/permits-and-waste/local-laws)
- ▶ Health Permit – depending on the type of use (for example a hairdressing salon or hotel). More details can be found in the 'Environmental Health' section of our website [kingston.vic.gov.au/permits-and-waste/environmental-health](http://kingston.vic.gov.au/permits-and-waste/environmental-health)


## Further information




A range of information is available on our website and a suite of other guides and checklists that may be useful. For further assistance, please contact our Planning Team:

 **Online:** [kingston.vic.gov.au/planning](https://kingston.vic.gov.au/planning)

 **In person:** Planning Enquiry Counter  
Level 1, 1230 Nepean Hwy  
Cheltenham  
Operating hours:  
8:30am–5:30pm (Mon–Fri)

 **Telephone:** (03) 9581 4131

 **Email:** [info@kingston.vic.gov.au](mailto:info@kingston.vic.gov.au)

 **Translation service:**  131 450  
**TIS National**

To apply simply follow these five steps:

1. **Discuss your plans with Council.** Get initial feedback on your proposal, ensure you are aware of all planning requirements and include all necessary information in your application through a pre-application meeting.
2. **Prepare your application.** Follow this guide to make sure you include all the information required, such as plans and a written submission, including electronic versions to help speed up the process. Refer to the checklist provided.
3. **Complete an 'Application for Planning Permit' Form.** These are available at our Planning Enquiry Counter or on Council's website [kingston.vic.gov.au/planning](http://kingston.vic.gov.au/planning)
4. **Determine the fee that applies.** Fees vary depending on the type of application and need to be paid when your completed application is lodged. Refer to the fee schedule available at the Planning Enquiry Counter, on our website [kingston.vic.gov.au/planning](http://kingston.vic.gov.au/planning), or by contacting us on (03) 9581 4131.
5. **Lodge your completed application.** Submit your completed application, including the 'Application for a Planning Permit' form and the checklist included in this guide, and pay the required fee. You can do so via:

Mail: City Development, City of Kingston  
PO Box 1000  
Mentone VIC 3194

In Person: Planning Enquiry Counter  
Level 1, 1230 Nepean Hwy,  
Cheltenham VIC 3192



If you are new to the planning process, or have a complex application, you may wish to have more than one pre-application meeting.

The fee can be paid by credit card, cheque or money order (payable to 'City of Kingston').

## Checklist

One of the best ways you can help speed up the planning permit process is to make sure that your application includes all the information required. This checklist outlines everything you need to include with your application. Please complete it and submit with your application.

- Completed Application Form
- Fee (credit card, cheque or money order)
- Certificate of Title (1 copy, issued within the last 3 months)
- Site Analysis Plan (3 copies)
- Proposed Floor Plan with red line shown (3 copies)
- Written Submission (1 copy)
- An electronic version of all plans and documents

Further detail of all items of the checklist can be found in the previous pages of this guide.

Council use only

Officer: .....

Received: ..... Signed: .....