



Sale or consumption of liquor

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 or to modify an existing liquor licence.

Council requires certain information in order to properly assess your application against the planning controls contained in the Moonee Valley 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.

Please note that this is not an application for 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, visit mvcc.vic.gov.au, contact Council's Statutory Planning unit on 9243 8888 or visit the Statutory Planning counter at the Civic Centre, 9 Kellaway Avenue, Moonee Ponds. You can also access information on Business Victoria's website at business.vic.gov.au.

What information should be included with your application?

1 **Certificate of Title** one (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.

A copy of the *Certificate of Title* must be clear, legible, complete and obtained within the last (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 the land may be used and developed.

How to apply for a planning permit to use land for the sale and/or consumption of liquor

To apply for a permit follow these four steps:

1 **Complete an *Application for a planning permit form***

These are available at the Statutory Planning counter or on Council's website at mvcc.vic.gov.au

2 **Refer to the *Fee schedule***

Refer to the *Fee schedule* to determine what fee you need to pay to lodge your application. The *Fee schedule* is available at our Statutory Planning counter or on Council's website at mvcc.vic.gov.au

Please note the fee can only be paid by cheque or money order and must be made payable to the 'City of Moonee Valley'.

3 **Prepare your application**

Make sure to include all information described in this guide, such as plans and a written submission.

4 **Lodge your completed application:**

By post to:

Moonee Valley City Council
Statutory Planning unit
PO Box 126
Moonee Valley, VIC 3039

In person at: Civic Centre

9 Kellaway Avenue, Moonee Ponds

Online: mvcc.vic.gov.au – please go to the Planning and Building section



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 2831

online: land.vic.gov.au

2 **Site Analysis Plan** three (3) copies

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

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

3 **Proposed or Existing Floor Plan** three (3) copies

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

Proposed or Existing Floor Plans are clear drawings that show the location of the building/works and other structures on the site. It is drawn as if looking down from above the site.

A *Proposed or Existing Floor Plan* must be drawn to scale and show:

- the location and layout of the existing/proposed building(s) on the site, including all external windows
- 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

Proposed or Existing Floor Plans are clear drawings that show the location of the building/works and other structures on the site. It is drawn as if looking down from above the site.





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.

- 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

4 Written submission one (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 vcglr.vic.gov.au > alcohol)
- an assessment of your application pursuant to Clause 22.04 Licensed Premises Policy of the Moonee Valley Planning Scheme
- 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
- hours and days within which it is proposed to sell and/or consume alcohol

5 Noise and Amenity Action Plan three (3) copies

You may also be 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 license use
- any other measures to be undertaken to ensure minimal amenity impacts from proposed liquor license 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:

- **a Footpath Trading License** 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
- **a building permit** if the 'class' or category/type of the building occupancy/use changes

For more information, please contact Council on 9243 8888 or visit our website at mvcc.vic.gov.au.

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)

Moonee Valley Language Line

عربي	Arabic	9280 0738	Ελληνικά	Greek	9280 0741	Español	Spanish	9280 0744
中文	Cantonese	9280 0739	Italiano	Italian	9280 0742	Türkçe	Turkish	9280 0745
Hrvatski	Croatian	9280 0740	Somali	Somali	9280 0743	Việt-ngữ	Vietnamese	9280 0746

All other languages 9280 0747

National Relay Service 133 677 or iprelay.com.au

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 Telephone 03 9243 8888 | Facsimile 03 9377 2100
 Email council@mvcc.vic.gov.au | Website mvcc.vic.gov.au

