

# Late night general or On-premises liquor licence

This kit contains all the forms and related materials required to apply for a late night general or On-premises liquor licence in Victoria.

## Contents:

1. Useful information and definitions
2. Lodgement checklist
3. Application form – late night general or on-premises liquor licence
4. Right to occupy the premises declaration
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8. Statement of display
9. Guidelines for displaying public notices
10. Companion guides:
  - ‘Plans of licensed premises’ fact sheet
  - ‘Maximum patron capacity’ fact sheet
  - ‘Training for licence applicants’ fact sheet

To confirm the current fee, please refer to 'Liquor licence fees' on our website at [vgccc.vic.gov.au](http://vgccc.vic.gov.au)

## How to apply

This is an interactive PDF form which allows you to:

- complete the form using a computer or tablet
- save your progress and continue at a later time
- print the completed form to sign and return.

You are still able to print the form and complete it by hand if you prefer.

This form has been designed to be completed using the free Adobe Acrobat Reader software. To download this free software, [please visit the following link](#) or search for the free “Adobe Acrobat Reader” on your devices app store.

**This form may not function as intended if you use any other software.**

### Send application to:

Victorian Commission for  
Gambling and Liquor  
Regulation  
GPO Box 1988  
Melbourne Vic 3001

### or lodge in person at:

Level 3, 12 Shelley Street  
Richmond Vic 3121

### or via email to:

[contact@vgccc.vic.gov.au](mailto:contact@vgccc.vic.gov.au)

## Need help?

For more information on how to apply for a liquor or gambling licence or permit:

- visit the Victorian Gambling and Casino Control Commission (VGCCC) website at [vgccc.vic.gov.au](http://vgccc.vic.gov.au)
- telephone the VGCCC on 1300 182 457
- email the VGCCC at [contact@vgccc.vic.gov.au](mailto:contact@vgccc.vic.gov.au)

## Privacy

The Victorian Gambling and Casino Control Commission (the VGCCC) is committed to protecting the privacy of your personal information. The VGCCC endorses fair information handling practices and uses of information in compliance with its obligations under the *Privacy and Data Protection Act 2014 (Vic)*. Personal information collected from you is only used for the purposes of the application for the licence or permit and Acts administered by the VGCCC.

Personal information is not disclosed to third parties unless required or authorised by law, or with your consent. As part of the application process information provided may be forwarded to and retained by Victoria Police.

# Late night general or On-premises liquor licence

## Late night general or on-premises liquor licence

This application form must be completed when applying for a general licence or an on-premises licence where trading hours extend beyond 1am. A general licence authorises the licensee to supply liquor for consumption on and off the licensed premises (e.g. hotel with bottleshop).

**Note:** For all general licences granted after 20 February 2012, the licensee is not authorised to only supply packaged liquor for off-premises consumption. An on-premises licence authorises the supply of liquor for consumption on the premises (e.g. a bar or nightclub).

In addition to completing this form, applicants for a licence to trade past 1am in the municipalities of Melbourne (including Docklands), Stonnington, Yarra and Port Phillip must satisfy the VGCCC that:

- the premises is used as an accommodation hotel, a venue that regularly provides live music entertainment or a venue that supplies liquor for consumption on the premises provided food is available at all times when alcohol is supplied, where the patron capacity of the venue does not exceed 200 persons
- the venue regularly provides live music entertainment where the patron capacity does not exceed 500 patrons at any time
- the economic and social benefit of granting the licence will outweigh the impact of alcohol misuse and abuse and community amenity
- a venue management plan is in place.

Please download and lodge the 'late night liquor licence supplementary forms kit' available from [vgccc.vic.gov.au](http://vgccc.vic.gov.au)

## Application fee

The application fee must be paid at the time of application. If your application is granted, the renewal fee for the following year is due annually on 31 December, irrespective of when the licence is granted. A renewal notice will be issued prior to this date detailing how to make payment to the State Revenue Office and the cost. There is no GST payable on this fee. Please refer to the liquor licence fees fact sheet for current details. The fee can be paid by cheque, money order or credit card. Cheques and money orders are to be made payable to Victorian Gambling and Casino Control Commission.

## Declaration of the right to occupy the premises

For a licence to be issued, the applicant must have the right to occupy the premises. You will need to provide a declaration of your right to occupy the premises once the lease agreement has been executed and/or settlement has occurred for the sale of the property and/or you have otherwise acquired the legal right to occupy the premises (i.e. you are the freehold owner of the premises, the Certificate of Title is in your name or your name is on the executed lease agreement etc).

If you do not have the right to occupy when you lodge your application, you will need to provide a declaration once you have acquired the right to occupy the premises. Please send or email the VGCCC your declaration.

## Declaration of associates

The purpose of the declaration of associates form is to identify an applicant's associates. The application must be accompanied by completed declaration of associates form(s).

- If the applicant is an individual, the individual must complete the form.
- If the applicant is a partnership, each partner must complete the form separately.
- If the applicant is a body corporate, the body corporate must complete the form advising of its associates and each director of the body corporate must complete this form separately.

## Current and Historical Company Extract – company applicants only

If you are applying for a licence in the name of a company you are required to provide a recent (no more than 90 days old) Current and Historical Company Extract from the Australian Security and Investments Commission (ASIC). Current and Historical Company Extract identifies the type, status, registered address, roles within the organisation, share structure, members and charges and documents lodged (current and historical) of organisations registered with ASIC.

When making a search application to ASIC, ensure that you specify that you require a Current and Historical Company Extract and not a Current Company Extract. A Current and Historical Company Extract identifies both current and historical information about the applicant, while the Current Extract identifies only current information.

You can purchase a Current and Historical Company Extract from the ASIC website at [asic.gov.au](http://asic.gov.au).

# Late night general or On-premises liquor licence

## Incorporated association information

If you are applying for a licence in the name of an incorporated association you must provide the certificate of incorporation, rules and minutes of the most recent meeting confirming the committee members.

## Display of application

A public notice must be displayed at the premises to which this application relates. Once your application has been accepted for processing, the VGCCC will notify you or your representative in writing of the period the public notice must be displayed.

**Important: You must NOT display your public notice until the VGCCC has advised you to do so.**

After the display of notice has ended, you must then lodge a 'Statement of display' to the VGCCC certifying that you have undertaken a public notice of display. Please refer to the enclosed 'Guidelines for displaying public notices' and 'Statement of display'.

## Maximum patron capacity

Patron capacity is the maximum number of patrons allowed on the licensed premises at any one time. A maximum patron capacity is required to be endorsed on the licence.

Please refer to the 'Maximum patron capacity' fact sheet for information on what documentation is required to be submitted for the VGCCC to determine a maximum patron capacity.

## Standard licence conditions

Please refer to the 'Standard licence conditions for late night (general) and late night (on-premises) licences' fact sheet attached to this kit for details of conditions which may be applied to late night licences.

## Planning permission

Please provide a copy of the planning permit from the local council (or responsible planning authority) which shows that you have planning permission to supply liquor as outlined in your application.

For example, this should show that you have planning permission for the activities permitted by the licence type, the trading hours you are applying for and the area where you would like to supply liquor (red-line area). If a planning permit has not been granted at the time of application, you are required to provide a copy of an application for a planning permit made to the local council (or responsible planning authority).

**Note: Kerbside trading** - If the area where you would like to supply liquor includes the kerbside trading area, please provide a copy of a permit that shows you have permission to use that area.

Alternatively, you can provide evidence that a planning permit is not required to supply liquor as outlined in your application. For example, a letter from the local council (or responsible planning authority) or a copy of the relevant planning scheme.

## Red-line plan

When a liquor licence is granted, it is for a defined area. The defined area indicates where liquor can be supplied and consumed and is shown by a red-line drawn on a plan of the premises. A plan is required to be submitted to the VGCCC as part of the application process and may also be required upon request at any time.

## Body corporate definition

A body corporate is an organisation which has a separate legal status to its members (i.e. it can own property, sue and be sued, and enter into contracts in its own name). Examples of body corporates include companies, incorporated associations, incorporated partnerships, municipal councils and co-operatives. Unincorporated clubs/associations and unincorporated partnerships are not body corporates. A minimum of one director must reside in Victoria unless a proposed nominee has been nominated.

## Nominee definition

A body corporate may apply to the VGCCC for the approval of a person to be the nominee of the applicant. Once approved, the nominee then becomes liable as if they were the licensee or permit holder. The nominee will cease being a nominee if they cease to manage or control the licensed premises. Where this occurs, the licensee or permit holder needs to notify the VGCCC within 14 days. The nominee must reside in Victoria.

# Late night general or On-premises liquor licence

This checklist details the documents required to accompany your application. Supplying these with your application will allow the Victorian Gambling and Casino Control Commission (VGCCC) to commence assessment of the application and can reduce processing time. Your application may be returned if the accompanying documents do not meet the requirements below. The VGCCC may contact applicants to request additional documentation depending on the circumstances of their business. All forms and fact sheets referred to are available on the VGCCC website [vgccc.vic.gov.au](http://vgccc.vic.gov.au).

**Please tick that you have provided all the required documents with lodgement of your application**

## Application form

Please ensure:

- all fields on the application form are completed
- the nature of the business is detailed, clearly demonstrating why a liquor licence is sought
- application form is signed and dated by the applicant
- that correct fees are attached, as detailed in the 'Liquor licence fees' fact sheet.

## Planning permit OR evidence that a permit is not required

A copy of the planning permit from the local council (or responsible planning authority) showing that you have planning permission to supply liquor as detailed in your application **OR** a copy of an application for a planning permit made to the local council (or responsible planning authority). If the area where you would like to supply liquor includes the kerbside trading area, please provide a copy of a permit that shows you have permission to use that area

Alternatively, you can provide evidence that a planning permit is not required to supply liquor as outlined in your application. For example, a letter from the local council (or responsible planning authority) or a copy of the relevant planning scheme.

## Responsible Service of Alcohol (RSA) training

Evidence of completion on an approved RSA training course for all required persons is needed in order to determine the application, as detailed in the 'Training for licence applicants' fact sheet.

## New entrant training

A copy of an approved new entrant training certificate for all required persons is needed in order to determine the application, as detailed in the 'Training for licence applicants' fact sheet.

## Late night liquor freeze

If applicable, please ensure the following is attached:

- late night liquor licence supplementary forms kit.

Please refer to the 'useful information' section for further information.

## Declaration of the right to occupy the premises

For a licence to be issued, the applicant must have the right to occupy the premises. If you already have the right to occupy the premises, you must sign and attach the declaration provided at the end of this form.

## Questionnaire

Each person listed on the application, including any nominee, must complete a 'Questionnaire' attached in this application kit. For companies, partnerships or clubs, questionnaires are required from each director, partner or executive committee member respectively. Questionnaires will only be accepted if they are dated within the last three months.

## Declaration of Associates

The declaration of associates form attached within this application kit must be completed by each of the following:

- If the applicant is an individual, the individual must complete the form.
- If the applicant is a partnership, each partner must complete the form separately.
- If the applicant is a body corporate, the body corporate must complete the form advising of its associates and each director of the body corporate must complete this form separately.

## Four copies of the red-line plan

A licence is granted for a defined area on the premises. Four copies of the plan of the premises with the proposed licensed area outlined in red are required for an application to be accepted. The plan must meet requirements detailed in the 'Plans of licensed premises' fact sheet.

# Late night general or On-premises liquor licence

Please tick that you have provided all the required documents with lodgement of your application

## Maximum patron capacity documents

Patron capacity is the maximum number of patrons allowed on the licensed premises at any one time. Please refer to the 'Maximum patron capacity' fact sheet and the 'Useful information' section.

## Business name certificate (if applicable)

A business name certificate is required if an individual or partnership is applying for a liquor licence, or if the trading name of the business registered with Australian Securities and Investment Commission (ASIC) is different to the company's name or incorporated club's name. A copy of the business name certificate from ASIC is required. To register your business name, go to the ASIC website at [asic.gov.au](http://asic.gov.au) for further information.

## Current and Historical Company Extract

A recent (no more than 90 days old) Current and Historical Company Extract is required if a company is applying for a liquor licence. A Current and Historical Company Extract can be purchased from the ASIC website at [asic.gov.au](http://asic.gov.au). Refer to the 'Useful information' section for further information.

## Incorporated association information

If you are applying for a licence in the name of an incorporated association you must provide the certificate of incorporation, rules and minutes of the most recent meeting confirming the committee members.

## How to lodge this form

### By post

Victorian Gambling and Casino Control  
Commission  
GPO Box 1988, Melbourne VIC 3001

### In person

Victorian Gambling and Casino Control  
Commission  
Level 3, 12 Shelley Street, Richmond

### By email

[contact@vgccc.vic.gov.au](mailto:contact@vgccc.vic.gov.au)

## What happens next

If your application is accepted, you will be sent an email or an acknowledgement letter. This will confirm that the VGCCC has received your application and outline any further information required and the date by which it must be submitted. Once the VGCCC has received all required information and documents, your application will be determined. You will be advised of the outcome in writing.

## Application

# Late night general or On-premises liquor licence

Liquor Control Reform Act 1998

## 1. Type of licence

What type of licence are you applying for?

Late night (general) licence

Late night (on-premises) licence

## 2. Details of premises

Trading name of premises to be licensed\*  
(as stated on your certificate of registered business name)

\* Please tick that you have attached a copy of your business name certificate from ASIC as it is required to finalise processing of your application (see lodgement checklist for further information)

Street address of premises to be licensed

Postal address of premises to be licensed  
(for service of documents if different from street address)

Premises email

Correspondence may be sent by email. Please mark the box if you DO NOT wish to receive correspondence by email.

Owner (landlord) of premises to be licensed

Owner's (landlord) postal address (for service of documents if required)

## 3. Applicant details

Type of applicant (tick one box)

Person

Partnership

Company

Club

Australian Business Number (ABN)\*

Name(s) of applicant (person/partnership/company/body corporate/club)

Australian Company Number (ACN)\*\*

Contact name (business hours contact details)

Daytime telephone number (business hours contact details)

Email address

Mobile telephone number (business hours contact details)

Correspondence may be sent by email. Please mark the box if you DO NOT wish to receive correspondence by email.

Give details of each person, partner, director or executive committee member who is part of this application (if more than four people, attach a separate page which lists all names and addresses).

Each individual listed below will need to complete a 'Questionnaire', which forms part of this application.

Full name	Residential address	Position held/Relationship to applicant (i.e. director etc.)

\*ABN is a unique identifier issued by the Australian Business Register which is operated by the Australian Tax Office.

\*\*ACN is a unique nine-digit number issued by the Australian Securities and Investments Commission to companies.

Victorian Gambling  
and Casino Control  
Commission

Level 3, 12 Shelley Street  
Richmond VIC 3121  
GPO Box 1988  
Melbourne VIC 3001

E: [contact@vgccc.vic.gov.au](mailto:contact@vgccc.vic.gov.au)  
T: 1300 182 457  
[vgccc.vic.gov.au](http://vgccc.vic.gov.au)  
ABN 56 832 742 797







## 9. Entertainment

Will you be providing amplified music other than background music on the premises?

NO

YES – Give details of the anticipated days and times (e.g. Friday 9pm - 11pm)

Will you be providing karaoke entertainment?

NO

YES – Give details of the anticipated days and times (e.g. Friday 9pm - 11pm)

## 10. Conditional approval

If the licence is granted, are you able to commence trading immediately?

YES

NO – provide details of likely date of commencement.

## 11. Approvals

The Commission may authorise the holder of an on-premises licence to supply liquor on premises other than the licensed premises, e.g. a kerbside area or for the purpose of catering for off-site social functions. Do you require such an approval?

YES – for Kerbside Trading

NO

YES – food court

NO

YES – for Off-site Catering

NO

Please specify premises required

For more information in relation to Kerbside Trading or Off-site Catering, please contact the VGCCC.

## 12. Mandatory training - new entrant training and Responsible Service Alcohol (RSA) training

Please refer to the 'Training for licence applicants' fact sheet to determine if you require new entrant and/or RSA training.

Have all required person(s) completed a VGCCC approved new entrant training course?

YES – please attach a copy of your certificate.

NO – a copy of your certificate must be attached or this application form may be returned.

Have all required person(s) completed a VGCCC approved RSA training course within the past three years?

YES – please provide details below.

NO – details of course completion must be provided below or this application form may be returned.

Full name	Position	RSA certificate number	Date of completion	Training provider



## 13. Right to occupy

For a licence to be issued, the applicant must have the right to occupy the premises. You need to provide a declaration of your right to occupy the premises once the lease agreement has been executed and/or settlement has occurred for the sale of the property and/or you otherwise acquired the legal right to occupy the premises.

Please tick that you have attached the 'Right to occupy the premises declaration' form with your application if you already have the right to occupy the premises to which this application relates.

If you do **not** have the right to occupy the premises to which this application relates, please provide the proposed date on which you expect to have the right to occupy the premises.

**Please send or email the VGCCC your declaration once you have the right to occupy the premises. The VGCCC cannot finalise your application until this declaration has been received.**

## Signature by applicant

This application must be signed by the applicant if the applicant is:

**A person –**  
That person

**A company –**  
One director of the company

**A partnership –**  
All partners

**A club –**  
One committee member

**I/ we declare/certify that:**

- the information contained in this application, including attachments is true and correct.
- if a body corporate applicant, I am authorised to sign this application on behalf of the body corporate.

Signature:

Date (dd/mm/yyyy):

Signature:

Date (dd/mm/yyyy):

Print name and position:

Print name and position:

Signature:

Date (dd/mm/yyyy):

Signature:

Date (dd/mm/yyyy):

Print name and position:

Print name and position:

It is an offence under section 118 of the *Liquor Control Reform Act 1998* to make a statement that is false or misleading in relation to this application. An offence under section 118 of the *Liquor Control Reform Act 1998* carries a maximum penalty of 60 penalty units.

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## Payment method

### IMPORTANT INFORMATION

The prescribed fee must accompany this application. Please note that once an application has been registered, the application fee is non-refundable. The application fee can be paid by:

- cheque or money order, made payable to the Victorian Gambling and Casino Control Commission;
- credit card (Visa or MasterCard) payment at the VGCCC's office at Level 3, 12 Shelley Street, Richmond; or
- credit card by completing the appropriate details below.

Please select your payment method:

Money order

Cheque

Credit card

For credit card payments, please enter your payment details below.

## Credit card payment details

Visa          Mastercard          AMEX

Amount (\$):

Card number:

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Name of cardholder:

Card expiry date:

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>
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Signature

Date (dd/mm/yyyy):

<input type="text"/>
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Daytime telephone contact number of card holder:

**Privacy** – the VGCCC is committed to responsible and fair handling of personal information consistent with the *Policy and Data Protection Act 2014* and its obligations under the *Liquor Control Reform Act 1998*. This page will be destroyed once your payment has been processed.

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# Declaration - right to occupy

*Liquor Control Reform Act 1998*

Date rec'd     /     /

File no. \_\_\_\_\_

CD/15/67517

For a liquor licence to be issued, **the proposed licensee must have the right to occupy the premises**. A right to occupy the premises may arise from being a tenant under a lease agreement, as a freehold owner of the property, or through some other legal arrangement.

If you do not have the right to occupy the premises when you lodge your liquor licence application, you will need to sign and submit this declaration once you have acquired the right to occupy the premises. Please mail or email your declaration to the Victorian Gambling and Casino Control Commission (VGCCC).

## Section A: Right to occupy the premises

Address of premises where right to occupy is held:

Please provide details of how you have obtained the right to occupy the premises by completing the section below that applies to your situation.

### 1. Freehold owner of property

Name the certificate of title is held in (person(s)/company/club):

### 2. Tenants of premises

Name of the tenant on the lease (person(s)/company/club):

### 3. Legal right to occupy premises

Name on the agreement or other document providing legal right to occupy premises is held in (person(s)/company/club):

Please specify how you have acquired the legal right to occupy the premises:

**Please proceed to Section B if you are a transfer applicant, if not proceed to Section C.**

## Section B: Date of settlement (transfers only)

**Do not submit this form until settlement has occurred. The VGCCC cannot accept your declaration until settlement has occurred.**

Please specify the date settlement occurred:

(dd/mm/yyyy)

## Section C: Applicant declaration

**Who must declare?**

**If the applicant or proposed licensee is:**

- **A person:** That person
- **A company:** One director of the company
- **A partnership:** One partner
- **A club:** One committee member

I/we declare that this statement is true and correct and that the person(s)/company/club listed under section A has the right to occupy the premises, and I/we are authorised to make and sign this declaration:

Name of person making this declaration:

Signature of person making this declaration: Date (dd/mm/yyyy):

Name of person making this declaration:

Signature of person making this declaration: Date (dd/mm/yyyy):

**It is an offence under section 118 of the *Liquor Control Reform Act 1998* to make a statement that is false or misleading in relation to this application. Penalties may apply.**

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# Questionnaire

*Liquor Control Reform Act 1998***OFFICE USE ONLY**

v19-10

Date rec'd        /        /

File no. \_\_\_\_\_

The following information is required from each applicant for a liquor licence or permit. If the application is from a company, partnership or club, a questionnaire is required from each director, partner or executive committee member. If a nominee is to be appointed, then they are also required to provide the following information.

**Important information you must read and note before completing this form**

The information supplied on this form to the Victorian Gambling and Casino Control Commission (the Commission) will be disclosed to Victoria Police as part of your application under the *Liquor Control Reform Act 1998* (the Act).

Victoria Police will use the information you supply to make an informed decision on whether to object to your application on the grounds that you or anyone named on this form are not suitable to be involved directly or indirectly in the sale of liquor.

**Please Note:**

- Complete all sections of this form in **BLOCK CAPITALS ONLY**.
- If you require any help in completing this form, assistance can be obtained from a legal practitioner or liquor consultant.
- Failure to provide requested information (no matter how minor) may be detrimental to the outcome of your application.
- Having a criminal record in itself may not prevent you or a body corporate you are involved with from being successful with your application.
- It is a criminal offence under Section 118 of the Act to provide false or misleading statements.
- This form is to be completed and dated no more than three months prior to your application being submitted.

**Personal information**

Surname:

First name:

Middle name(s):

Date of Birth (dd/mm/yyyy):

Gender: Man        Woman

Self-described:

**Residential address****Contact details**

Daytime telephone number        Mobile telephone number

Business telephone number        Fax number

Email address

Drivers licence number

If you do not hold a drivers licence, please provide details of another form of photo identification

State of issue

**Business address****Business details**

Name of business

Details of any other person who will, or is likely to directly or indirectly have a management role or exercise control over the business.

Surname:

First name:

Middle name(s):

Date of Birth (dd/mm/yyyy):

Gender: Man        Woman

Self-described:

*continued over the page*



## Business details *continued*

Surname:

First name:

Date of Birth (dd/mm/yyyy):

Gender: Man      Woman

Self-described:

If you require further space, please photocopy this section and attach it to the questionnaire.

## Criminal and other proceedings history

Have you ever been convicted of any offence in Australia or overseas? *(not including traffic offences)*

NO                      YES *provide details in the history detail section*

Have you been found guilty of any offence in Australia or overseas? (includes findings without conviction and good behaviour bonds) *(not including traffic offences)*

NO                      YES *provide details in the history detail section*

Have you ever been the subject of a diversion order?

NO                      YES *provide details in the history detail section*

Do you have any charges pending against you?  
*(not including traffic offences)*

NO                      YES *provide details in the history detail section*

Have you ever been charged with drink driving or driving whilst disqualified?

NO                      YES *provide details in the history detail section*

Has the Commission (or prior to 6 February 2012, the Director of Liquor Licensing or VCAT) previously made a finding that you were unsuitable under the Act?

NO                      YES *provide details in the history detail section*

Have police previously objected to your suitability in an application under the Act?

NO                      YES *provide details in the history detail section*

Have you, or have you been a director or a nominee of a body corporate and been found guilty of an offence under the Act?

NO                      YES *provide details in the history detail section*

Have you, as an individual received an infringement notice, or been a director or nominee of a body corporate that has received an infringement notice under the Act?

NO                      YES *provide details in the history detail section*

Have you been a director, nominee of a licensee, or a person who was concerned in or who took part in the management of licensed premises, that was the subject of a disciplinary action under the *Victorian Gambling and Casino Control Commission Act 2011* or a disciplinary hearing (VCAT) under the *Liquor Control Reform Act 1998*?

NO                      YES *provide details in the history detail section*

Has a licensed venue where you have been a director, nominee or licensee incurred liquor licence demerit points?

NO                      YES *provide details in the history detail section*

LNGO20211104

## History details

If you have answered yes to any of the questions under the criminal and other proceedings history section, please provide full details below:

Date (dd/mm/yyyy):

Court:

Offence:

Result:

Date (dd/mm/yyyy):

Court:

Offence:

Result:

If you require further space, please photocopy this section and attach it to the questionnaire.

## Personal bankruptcy

Are you currently insolvent or under administration?

NO                      YES *provide full details*

Have you ever been declared bankrupt? *provide full details*

NO                      YES *provide full details*

**Please ensure this form is completed in full, as incomplete, or partially completed forms may require you to submit a further questionnaire and will delay your application.**

## Signature of applicant

I acknowledge that this declaration is true and correct and is made in the belief that a person making a false declaration is liable to prosecution for making a misleading statement.

Signature of applicant:

Date (dd/mm/yyyy):

Name of applicant:

# Declaration of associates

Liquor Control Reform Act 1998

OFFICE USE ONLY

v19-01

Date rec'd / /

File no. \_\_\_\_\_

## Directions for completing the form

This is an interactive PDF form which allows you to:

- complete the form using a computer or tablet
- save your progress and continue at a later time
- print the completed form to sign and return.

You may still print this form and complete it by hand if you prefer.

This form has been design to be completed using the free Adobe Acrobat Reader software. To download this free software, [please visit the following link](#) or search for the free “Adobe Acrobat Reader” on your devices app store.

**This form may not function as intended if you use any other software.**

## Who should complete this form?

If the applicant is a **body corporate**:

- the body corporate must complete PART A: Declaration of associates – Body corporate (only) (page three).
- each director of the body corporate must also complete a separate PART B: Declaration of associates – Individual/s (pages four and five).

If the applicant is an **individual**:

- the individual must only complete PART B: Declaration of associates – Individual/s (pages four and five).

If the applicant is a **partnership**:

- each partner must complete a separate PART B: Declaration of associates – Individual/s (pages four and five).

### Examples:

Where the applicant is a body corporate:

1. ABC Pty Ltd is applying for a restaurant and café liquor licence. There are two directors, John Smith and Jane Smith.
2. ABC Pty Ltd completes PART A: Declaration of associates – Body corporate (only).
3. John Smith and Jane Smith both complete separate PART B: Declaration of associates – Individual/s.

Where the applicant is an individual:

4. John Smith is applying for a BYO permit.
5. John Smith only needs to complete PART B: Declaration of associates – Individual/s.

Where the applicant is a partnership:

6. John Smith and Jane Smith are applying for a pre-retail liquor licence and have entered a partnership agreement.
7. John and Jane Smith both complete separate PART B: Declaration of associates – Individual/s.

Where the applicant is an Associated Incorporation:

1. ABC Inc is applying for a Full Club liquor licence. There are 4 Executive Committee members, John Smith, Jane Smith, Tony Smith and Carl Smith.
2. ABC Inc completes PART A: Declaration of associates - Body Corporate (only).
3. John Smith, Jane Smith, Tony Smith and Carl Smith complete separate PART B: Declaration of associates - Individual/s.

## Definitions - Associate

Before completing this declaration, please ensure that you read and understand the explanation of what is meant by “associate”.

Section 3AC of the *Liquor Control Reform Act 1998* (“the Act”), defines an associate as

1. For the purposes of this Act, an associate of a person (the “first person”) is-
  - a) a person who-
    - i. holds or will hold any relevant financial interest, or is or will be entitled to exercise any relevant power (whether in right of the person or on behalf of any other person) in any business of the first person involving the sale of liquor; and
    - ii. by virtue of that interest or power, is able or will be able to exercise a significant influence over or with respect to the management or operation of that business, or

## Definitions - Associate (cont'd)

- b). a person who is or will be a director, whether in right of the person or on behalf of another person, of any business of the first person involving the sale of liquor; or
- c). if the first person is a natural person, a person who is a relative of the first person, other than a relative -
  - i. who is not, and has never been, involved in any business of the first person involving the sale of liquor; or
  - ii. who will not be involved in the business the first person proposes to conduct as a licensee or permittee.

4. In this section-

**“relative”**, in relation to a person, means-

- a). the spouse or domestic partner of the person, or
- b). a parent, son, daughter, brother or sister of the person; or
- c). a parent, son, daughter, brother or sister of the spouse or domestic partner of the person;

**“relevant financial interest”**, in relation to a business involving the sale of liquor, means-

- a). any share in the capital of the business; or
- b). any entitlement to receive any payment as a result of money advanced;

**“relevant power”** means any power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others-

- a). to participate in any directorial, managerial or executive decision; or
- b). to elect or appoint any person as a director.

Please note: Further to the above, a person who is or will be able to exercise a significant influence over includes a shareholder owning 10 percent or more of the shares of any business of the first person involving the sale of liquor.

## Definitions - Body Corporate

A body corporate is an organisation which has a separate legal status to its members (i.e. it can own property, sue and be sued, and enter into contracts in its own name).

Examples of body corporates include companies, incorporated associations, incorporated partnerships, municipal councils and co-operatives.

Unincorporated clubs/associations and unincorporated partnerships are not body corporates.

The director of a body corporate includes –

- any person occupying or acting in the position of director of the body corporate, by whatever name called (including partner, office holder, chief executive officer, executive committee member) and whether or not validly appointed to occupy or duly authorised to act in the position; and
- any person in accordance with whose directions or instructions the directors of the body corporate are instructed to act.

Please note that Directors of a Council, university or TAFE institute are not required to complete a declaration.

## Who should be declared as an associate?

Examples of persons who may be captured as associates include, but are not limited to, the following:

- each director, public officer, secretary, chief executive, chief financial officer, committee member of a body corporate.
- shareholders who are able to exercise a significant influence over or with respect to the management or operation of any business of the applicant/director of the body corporate involving the sale of liquor.
- where the applicant is a trustee of a trust, associates may include trust unit holders or beneficiaries who, by virtue of the Trust Deed, have voting rights enabling them to remove or change the trustee, or to influence decisions of the trustee.

## PART A: Declaration of associates - Body Corporate (only) to complete

NOTE: Individuals, partnerships and directors of a body corporate are not required to complete this part. Please proceed to **Part B**.

### 1: Name of body corporate making declaration

### 2: Businesses involving the sale of liquor

Provide details of all businesses that the body corporate has that involve the sale of liquor (including the business which is the subject of this declaration).

Business name/ Company name	Type of business	Registered address	ACN/ABN

### 3: Declaration of associates - Relevant financial interest/relevant power and significant influence or director

For each business listed above in question two, provide details of all individuals who are associates. This includes:

- directors (either in their own right or on behalf of another person) of the business.
- individuals that hold a relevant financial interest in the business AND is/will be able to exercise a significant influence over the management or operation of the business.
- individuals that will be entitled to exercise any relevant power in the business (either in their own right or on behalf of another person) AND is/will be able to exercise a significant influence over the management or operation of the business.

Name of individual	Residential address	Date of birth (dd/mm/yyyy)	Business name/ (as listed in Part 2)	Tick if also a director of this business

### 4: No associates to declare (if applicable)

I have read the definition of associates and confirm that the body corporate has no associates as defined in the *Liquor Control Reform Act 1998*.

### Signature/declaration of person/body corporate who is making this declaration

I declare that:

- the information contained in this form is true and correct
- if a body corporate is making this declaration by declaring its associates, I am authorised to sign this application on behalf of the body corporate.

Name:

Position (if body corporate):

Signature:

Date (dd/mm/yyyy):

## PART B: Declaration of associates - Individual/s to complete

NOTE: Directors of the body corporate in PART A, applications in an individual's name and all members of a partnership need to complete this form. Please refer to the 'Who should complete this form' section on page one.

### 1: Name of individual completing this declaration

### 2: Relationship to applicant (for example director of body corporate)

### 3: Businesses involving the sale of liquor

Provide details of all businesses that you have an interest in, that involve the sale of liquor (including the business which is the subject of this declaration).

Business name/ Company Name	Type of business	Registered Address	ACN/ABN

### 4: Declaration of associates - Relevant financial interest/relevant power and significant influence or director

If you are part of a body corporate completing this form, the directors that are part of that body corporate do not need to be listed below. For every business you are involved in listed above in question three, provide details of all individuals who are associated with those businesses. This includes:

- directors (either in their own right or on behalf of another person) of the business
- individuals that hold a relevant financial interest in the business AND is/will be able to exercise a significant influence over the management or operation of the business
- individuals that will be entitled to exercise any relevant power in the business (either in their own right or on behalf of another person) AND is or will be able to exercise a significant influence over the management or operation of the business.

Name of individual	Residential address	Date of birth (dd/mm/yyyy)	Business name/ (as listed in Part 3)	Tick if also a director of this business

### 5: Declaration of associates - Relatives

Please refer to the definition on page one of this form prior to completing this section.

Name	Residential address	Date of birth (dd/mm/yyyy)

## 6: No associates to declare (if applicable)

I have read the definition of associates and confirm that I have no associates as defined in the *Liquor Control Reform Act 1998*.

## Signature/declaration of individual who is making this declaration

I declare that the information contained in this form is true and correct

Name:

Date (dd/mm/yyyy):

Signature:

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# PUBLIC NOTICE

## Liquor licence application

Liquor Control Reform Act 1998

v22-02

Details of liquor licence application lodged  
with the Victorian Gambling and Casino  
Control Commission (the Commission)

<b>Name of applicant:</b> (person/partnership/company/ incorporated association)	
<b>Display period:</b>	Start date (dd/mm/yyyy): _____ End date:(dd/mm/yyyy): _____
<b>Type of application:</b>	Application no: _____
<b>Name and address of premises to which the application relates:</b>	
<b>The purpose of the application is to:</b>	
<b>Proposed hours of trade are:</b> (noting that for restaurant and cafe, general, on-premises and late night licences, authorised hours are between 7am and 1am, subject to planning permission)	
<b>Will these hours apply to an external area?</b>	YES NO
<b>The current days and hours of trade are: (if existing licensee)</b>	
<b>I/we have requested authority to supply liquor at the kerbside area</b>	YES NO

### Objections

All objections will be treated as public documents. Full details of the objection, including the name and address of the objector will be provided to the applicant.

#### Grounds for objection

Any person may object to the grant of this application on the ground that it would detract from, or be detrimental to, the amenity of the area in which the premises are located.

#### Objection periods

All objections must state the grounds and the reasons for the objection and be made within 30 days of this notice being first displayed.

#### Additional grounds for objection to the grant relating to a packaged liquor licence

Any person may object to the grant of an application relating to a packaged liquor licence on the ground that the grant, variation or relocation would be conducive to or encourage the misuse or abuse of alcohol.

#### The following are not valid reasons for objection:

- the business would not be successful
- another licensed business would be adversely affected, or
- there is insufficient need or demand to justify the grant of the application.

#### Trading hours of a liquor licence:

Please note that, as per the Liquor Control Reform Act 1998, the Commission cannot restrict trading hours for restaurant and cafe, general, on-premises and late night licences between 7am and 1am. Any objections to these hours for these licence categories must address specific concerns about the trading hours (for example amenity or noise). These hours do not override the trading hours allowed under the planning permit issued by local Council.

#### The Commission may refuse to accept an objection if:

- the person making the objection is not affected by the application,
- the objection is frivolous or vexatious, or
- the objection is not otherwise in accordance with the *Liquor Control Reform Act 1998*.

#### Objections must be made in writing to the VGCCC:

- online at [vgccc.vic.gov.au](http://vgccc.vic.gov.au)
- via email at [contact@vgccc.vic.gov.au](mailto:contact@vgccc.vic.gov.au)
- or via post to: VGCCC, GPO Box 1988, Melbourne VIC 3001

### Display Requirements

#### This notice must be displayed as A3 size.

This notice must be continuously displayed as A3 size on the site or premises that are the subject of the application for the period advised in writing by the Commission. If you are unable to print the public notices as A3 size, email [contact@vgccc.vic.gov.au](mailto:contact@vgccc.vic.gov.au) or telephone 1300 182 457 to request a copy.

The notice must be displayed in a manner that invites public attention to the application on the main street frontage of the site or premises in a visible position and at eye level.

#### Statement of Display requirements

Statement of Display forms cannot be lodged until the Public Notice display period has ended.

 Victorian Gambling and Casino Control Commission

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# Statement of display

To be completed after the 28 day public notice period has passed

Liquor Control Reform Act 1998

**OFFICE USE ONLY**

v17-11

Date rec'd     /     /

File no. \_\_\_\_\_

## Details of application lodged with the Victorian Gambling and Casino Control Commission (the Commission)

Licence number: (if licence has already been granted)

File number: (this can be found on correspondence sent to you by the Commission)

Name of licence applicant: (person/partnership/company/club)

ACN: (if applicable)

Address of premises:

Display period required by the Commission:

Start date (dd/mm/yyyy):

End date:(dd/mm/yyyy):

## Signature and certification of public notice display

### Certification

I being the applicant, or on behalf of the applicant certify that:

- during the period specified in this form, a public notice of the size and in the format required by the Commission and containing all relevant details of the application was displayed on the premises or site to which the application relates; and
- the public notice was continuously and conspicuously displayed during the period advised by the Commission in accordance with the guidelines for the display of liquor licensing applications.

I understand that it is an offence under Section 118 of the *Liquor Control Reform Act 1998* to make a false or misleading statement and that penalties apply.

Signature of person making this declaration:     Printed name:

Date (dd/mm/yyyy):

Address:

Daytime telephone number:

## How to lodge this form

### By post

Victorian Gambling and Casino Control  
Commission  
GPO Box 1988, Melbourne VIC 3001

### In person

Victorian Gambling and Casino Control  
Commission  
Level 3, 12 Shelley Street, Richmond

### By email

contact@vgccc.vic.gov.au

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# Guidelines for displaying public notices

Liquor Control Reform Act 1998

Issued by the Victorian Gambling and Casino Control Commission

Insert the full name of the applicant(s) as written on the application form.

Once the application has been accepted, the applicant will be advised in writing of the start and end date that the public notice must be continuously displayed.

Describe the type of application (eg new packaged liquor licence, variation to an on-premises licence, relocation of a general licence).

Insert the full name and address of the premises for which a licence is sought.

If relocating a licence, insert the address of the previous premises.

Provide details of your application.  
(Applications to vary the conditions of existing licences must clearly contrast your proposed conditions with your current conditions).

This section must be completed for all applications. Hours of trade for consumption off the premises must be shown separately. Insert "No change" if the hours on your existing licence are to remain unchanged.

Indicate "yes" or "no" if the proposed trading hours apply to an external area.

This section must be completed for all variation and relocation applications. Hours of trade for consumption on and off the premises must be shown separately.

On-premises licence holders may, with the consent of the local municipal authority, offer a kerbside area. Indicate "Yes" or "No" if you have requested an authority to supply liquor in such an area.

**The public notice must be displayed in a manner that invites public attention to the application on the main street frontage of the site or premises in a visible position and at eye level.**  
**(If you are unable to print the public notices as A3 size, email contact@vgccc.vic.gov.au or telephone 1300 182 457 to request a copy)**

Example of Completed Notice

## PUBLIC NOTICE

### Liquor licence application

Liquor Control Reform Act 1998

v22-02

Details of liquor licence application lodged with the Victorian Gambling and Casino Control Commission (the Commission)

<b>Name of applicant:</b> (person/partnership/company/ incorporated association)	Smithies Pty Ltd
<b>Display period:</b>	Start date (dd/mm/yyyy): 13/10/2010 End date (dd/mm/yyyy): 11/11/2010
<b>Type of application:</b>	Variation of a General Licence Application no:
<b>Name and address of premises to which the application relates:</b>	Smithies Bar, 400 Smith Street, Smithville
<b>The purpose of the application is to:</b>	Operate a restaurant, operate a bar, extend my licensed area, increase the patron numbers to 500. Extend trading hours on Friday and Saturday nights to 1am.
<b>Proposed hours of trade are:</b> (noting that for restaurant and cafe, general, on-premises and late night licences, authorised hours are between 7am and 1am, subject to planning permission)	Sunday 10am to 12 Midnight Good Friday and ANZAC Day 12 noon to 12 Midnight On any other day 7am to 1am
<b>Will these hours apply to an external area?</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>The current days and hours of trade are:</b> (if existing licensee)	Sunday 10am to 11pm Good Friday and ANZAC Day 12 noon to 11pm On any other day 7am to 11pm
<b>I/we have requested authority to supply liquor at the kerbside area</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

### Objections

All objections will be treated as public documents. Full details of the objection, including the name and address of the objector, will be provided to the applicant.

#### Grounds for objection

Any person may object to the grant of this application on the ground that it would detract from, or be detrimental to, the amenity of the area in which the premises are located.

#### Objection periods

All objections must state the grounds and the reasons for the objection and be made within 30 days of this notice being first displayed.

#### Additional grounds for objection to a packaged liquor licence

Any person may object to the grant of an application relating to a packaged liquor licence on the ground that the grant, variation or relocation would be conducive to or encourage the misuse or abuse of alcohol.

#### The following are not valid reasons for objection:

- the business would not be successful
- another licensed business would be adversely affected, or
- there is insufficient need or demand to justify the grant of the application.

#### Trading hours of a liquor licence:

Please note that, as per the Liquor Control Reform Act 1998, the Commission cannot restrict trading hours for restaurant and cafe, general, on-premises and late night licences between 7am and 1am. Any objections to these hours for these licence categories must address specific concerns about the trading hours (for example amenity or noise). These hours do not override the trading hours allowed under the planning permit issued by local Council.

#### The Commission may refuse to accept an objection if:

- the person making the objection is not affected by the application,
- the objection is frivolous or vexatious, or
- the objection is not otherwise in accordance with the Liquor Control Reform Act 1998.

#### Objections must be made in writing to the VGCCC:

- online at [vgccc.vic.gov.au](http://vgccc.vic.gov.au)
- via email at [contact@vgccc.vic.gov.au](mailto:contact@vgccc.vic.gov.au)
- or via post to: VGCCC, GPO Box 1988, Melbourne VIC 3001

### Display Requirements

#### This notice must be displayed as A3 size.

This notice must be continuously displayed as A3 size on the site or premises that are the subject of the application for the period advised in writing by the Commission. If you are unable to print the public notices as A3 size, email [contact@vgccc.vic.gov.au](mailto:contact@vgccc.vic.gov.au) or telephone 1300 182 457 to request a copy.

The notice must be displayed in a manner that invites public attention to the application on the main street frontage of the site or premises in a visible position and at eye level.

#### Statement of Display requirements

Statement of Display forms cannot be lodged until the Public Notice display period has ended.



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## Victorian Commission for Gambling and Liquor Regulation

### Liquor licensing fact sheet

## Plans of licensed premises

When a liquor licence or BYO permit is granted, it is for a defined area where liquor can be supplied and/or consumed. This is shown by a red-line drawn on a plan of the premises. This plan needs to be submitted to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) as part of the application process and may be required upon request at any time.

### The plan of the premises must accompany applications for:

- a licence or BYO permit excluding a pre-retail licence or a BYO permit for party bus
- a variation of a licence or BYO permit that involves a change to the size or perimeter of the licensed premises
- a transfer of a licence or BYO permit if the current floor layout of the premises differs from the plan held at the VCGLR
- the relocation of a licence or BYO permit.

Four copies of the plan should be lodged when submitting an application form.

### Why do I need to submit four copies of the plan?

Four copies are required to enable:

- a copy to be endorsed as an approved plan and retained by the VCGLR
- a copy to be provided to Victoria Police as part of the application process
- a copy to be provided to the relevant local council as part of the application process
- an approved copy to be provided to the applicant on the grant of an application.

### Plan of premises should be given to the VCGLR if internal changes are made.

If a change is made to the internal area of licensed premises (for example, by adding or removing a particular structure), the licensee should submit an updated plan of the licensed premises.

### Plan of the premises to be given to the VCGLR if requested

In addition to the above, section 101A of the *Liquor Control Reform Act 1998* provides that the VCGLR may at any time request that a licensee submit a current plan of a licensed premises.

### What form should a plan take?

The VCGLR has specified that a plan must contain the following elements:

- be on suitably sized paper, minimum A4 size (graph paper is not acceptable)
- be drawn in ink and be neat and legible
- show the floor plan(s) of the owned or leased property
- outline in red the boundaries of the proposed area to be licensed
- if the proposed area does not follow a physical barrier (such as a wall), describe what is being used to separate the area
- show clear and consistent measurements on the plan
- include the address of the premises
- include a compass point showing north and names of the surrounding streets
- show basic functions or fixtures, for example, bar and dining area/kitchen area or in the case of a packaged liquor outlet, shelf areas where alcohol is displayed and the cash register is located
- a plan should be drawn to a suitable scale so that all elements above are clearly identified. A suggested scale is 1:100 (1cm = 1m).



## Restaurant and cafe licences and On-premises licences

If applying for kerbside trading, identify the area to be licensed and separately outline this area in red on the plan. The VCGLR will mark this area with an A.A on the approved copy of the plan. This area is referred to as the Authorised Area.

### General licences

A general licence authorises the supply of liquor to patrons for consumption off the licensed premises, being a footpath or kerbside area. Therefore this area does not need to be identified on the plan.

Please note that licensees must comply with relevant local planning laws.

Where a proposed licensed or authorised area includes large outdoor spaces, a separate site plan must be provided that shows:

- the entire site including internal and external areas drawn to a suitable scale
- outline in red the proposed area that is to be licensed

- clear descriptions of how the proposed outdoor area will be distinguished (for example, fence, portable barriers, warning signs).

If the plan does not meet these requirements, the applicant will be required to resubmit the plan.

## What am I required to do with my approved plan?

A copy of the approved plan must be kept on the licensed premises and must be available for inspection on request by a member of Victoria Police or a Compliance Inspector.

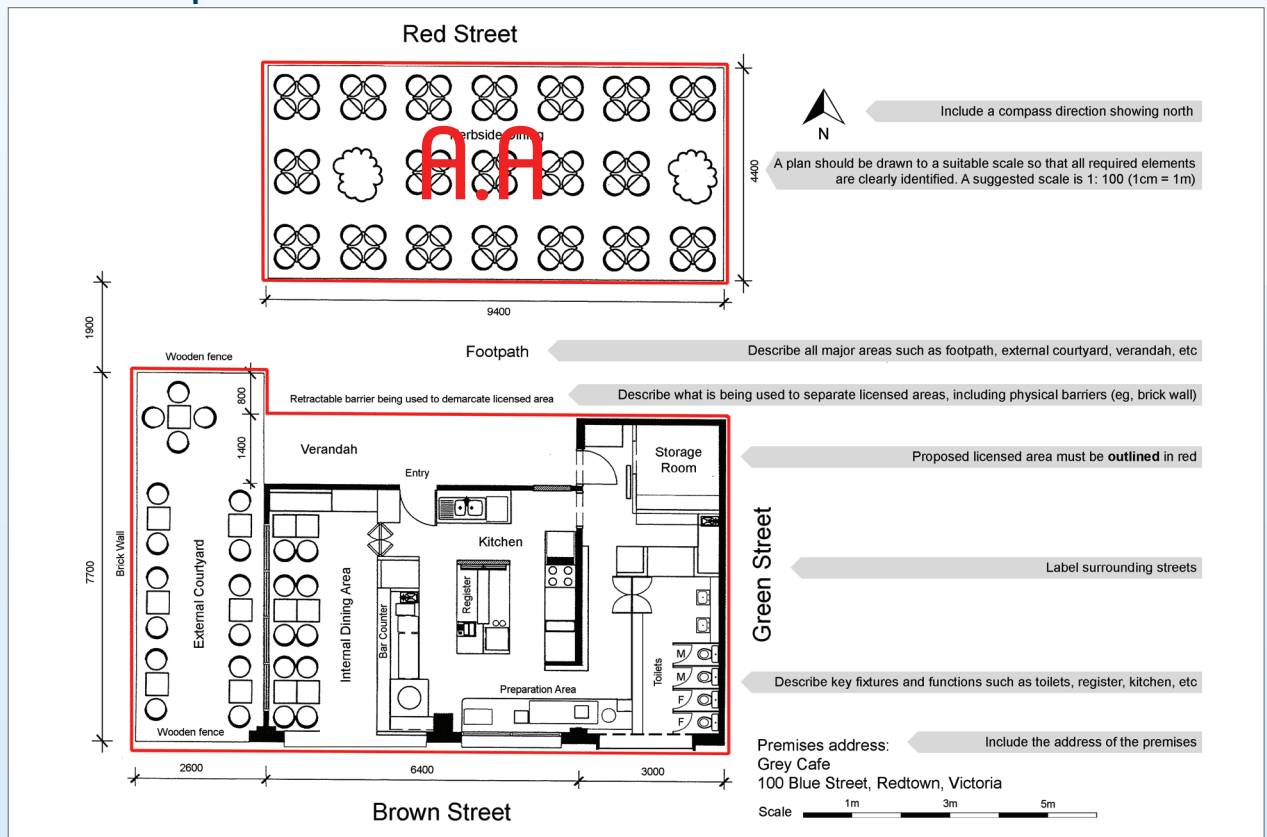
Failure to keep a copy of the plan on the licensed premises or produce a copy of the plan for inspection could result in a fine being issued.

## Where can I get a copy of my approved plan?

If you do not have a copy of your approved plan, you can obtain a copy from the VCGLR at no extra cost.

An example of a plan is provided below.

## Plan Example



This publication avoids the use of legal language. Information about the law may have been summarised or expressed in general statements. This information should not be relied upon as a substitute for professional legal advice or reference to the actual legislation. Authorised by the Victorian Government.



## Victorian Commission for Gambling and Liquor Regulation

### Liquor licensing fact sheet

## Maximum patron capacity

The Victorian Commission for Liquor and Gambling Regulation (VCGLR) has a maximum patron capacity policy that guides how patron capacity is determined for a liquor licence.

Maximum patron capacity is the maximum number of patrons allowed on a licensed premises at any one time. This is to prevent overcrowding inside the venue and to minimise impacts on local amenity. Patron capacity may be used to calculate the annual licence fee payable by each licensee.

Applicants will be required to provide specific documentation in order for the VCGLR to determine and endorse maximum patron capacity for a premises.

Under the *Liquor Control Reform Act 1998* (the Act) the VCGLR can set a maximum patron capacity as a condition of a liquor licence. This is enforceable, and penalties apply for licensees who do not comply.

This factsheet provides guidance as to how the VCGLR will determine maximum patron capacity for the purposes of the Act. It is the building owner's responsibility to ensure that building occupants comply with all other regulatory requirements.

### Which licences have a maximum patron capacity?

Maximum patron capacity will be endorsed in respect of applications for the following new licences:

- general
- on-premises
- restaurant and cafe
- late night (on-premises and general)
- full club
- restricted club.

Some existing licences may also be endorsed with maximum patron capacities.

Maximum patron capacities may also be required on some major event licences where appropriate.

### How does the VCGLR determine maximum patron capacity?

In the first instance, the VCGLR will determine maximum patron capacity based on the maximum patron capacity stated within the most recently issued planning permit provided with the application.

If the planning permit does not contain a maximum patron capacity, or if the planning permit has not been granted by the local council prior to the grant of the liquor licence, applicants are encouraged to contact their local council to obtain a copy of an occupancy permit. The VCGLR will then determine the maximum patron capacity based on the number stated on the occupancy permit.

In circumstances where neither the planning permit nor occupancy permit specify a maximum patron capacity, applicants are required to obtain a report from a registered building surveyor that states:

- the area in square metres available to the public for the whole of the internal premises (excluding toilets, passageways and the like) and (if applicable) for any external areas such as courtyards or decks, and
- the number of patrons that may be accommodated on the internal premises and (if applicable) on any external areas of the premises based on a ratio of one person per 0.75 square metres.

Please ensure that the report displays the building surveyor registration number.

**Note:** The VCGLR may request a building report from a registered building surveyor showing a calculation based on a ratio of one person per 0.75 square metres if the VCGLR considers that the capacity provided in the planning or occupancy permit is inaccurate or inappropriate. This may be requested in light of any information contained within the licence application and having regard to the objects of the Act.

## Restaurant and cafe licences

For restaurant and cafe licences, tables and chairs must be available for at least 75 per cent of patrons. For example, if the licence states that maximum patron capacity is 100 patrons then there must be tables and chairs available for at least 75 patrons. Likewise, if there are tables and chairs available for only 50 patrons, a maximum of 66 patrons may be legally accommodated on the premises.

## Patron capacity for specific areas

In addition to the overall maximum patron capacity for the licensed area, the VCGLR may set separate patron capacities on specific areas within a licensed area, such as:

- balconies
- terraces and courtyards
- beer gardens.

Patron capacities allocated for specific areas are calculated in accordance with the methods listed above, as well as amenity considerations.

While the VCGLR considers amenity as part of the patron number calculation, the relevant local council also retains responsibility for managing issues of amenity in each council region.

## External areas

The overall maximum patron capacity for a licensed area is generally no larger than the maximum capacity allowed for the internal area of the premises.

This is to prevent overcrowding, and minimise sanitation and fire safety risks associated with patrons moving from outdoor to indoor areas, for example, to get a drink, to exit the premises or if it rains.

In some circumstances, the VCGLR may consider increasing the overall maximum patron capacity to allow for external areas.

Applicants with external licensed areas who wish to apply for this increase can submit a building report from a registered building surveyor demonstrating that fire safety and sanitation arrangements for the additional patrons will be met.

Features of an external area that may support an increase to the overall maximum patron capacity include:

- an external area that is large compared to the internal area, such as a large beer garden
- effective weather proofing
- separate entrances and exits
- separate facilities such as bars and toilets.

## Function and accommodation areas

Function and accommodation areas may be excluded from the overall maximum patron capacity, and may be given their own separate capacity limits.

This publication avoids the use of legal language. Information about the law may have been summarised or expressed in general statements. This information should not be relied upon as a substitute for professional legal advice or reference to the actual legislation. Authorised by the Victorian Government.

## Liquor licence fact sheet

# Training for liquor licence applicants

Training for licence applicants helps potential licensees to understand their obligations under the *Liquor Control Reform Act 1998*. Applicants must complete mandatory training requirements before a liquor licence is granted. There are three courses that applicants must complete depending on the licence type they are applying for. These are:

- A. New entrant training
- B. Responsible Service of Alcohol (RSA)
- C. Advanced Responsible Service of Alcohol (RSA)

It is the applicant's responsibility to ensure the correct course is completed and to provide evidence of completion with their application.

## A. New entrant training

### What is new entrant training?

New entrant training is a training course developed by the Victorian Gambling and Casino Control Commission (VGCCC) to ensure that liquor licence applicants have an adequate knowledge of the liquor law. This includes:

- liquor licensing legislation
- understanding liquor licence obligations
- best practice in managing licensed premises.

Section 44 (2)(iii) of the *Liquor Control Reform Act 1998* (the Act) provides that the VGCCC may refuse to grant a liquor licence application if the applicant does not have an adequate understanding of the Act.

### What must I do?

Applicants are required to complete one of the approved training courses to meet the new entrant requirements.

The approved courses and their providers are available on our website.

### Approved training courses

There are a number of Registered Training Organisations (RTOs) that provide new entrant training. Please refer to the VGCCC website for a list of RTOs that provide new entrant training, see [New entrant training](#)

### Which licence applications require evidence of new entrant training?

Applications for the following licences require evidence that the applicant has completed new entrant training:

- general
- on-premises
- packaged liquor
- late night (general, on-premises and packaged liquor)
- restaurant and cafe
- full club
- restricted club
- producer's
- renewable limited
- transfer of an existing licence or permit.

### Who must complete new entrant training?

The list below identifies who will need to complete new entrant training. If applying as:

- individuals – all natural persons
- partnerships – all partners
- company (body corporate) – at least one director
- club – at least one committee member

- association – at least one committee member.

In addition:

all persons being appointed as a liquor licence nominee must complete new entrant training.

all applicants seeking approval to sublet any part of the licensed premises, or to carry on the business of supplying liquor on the licensed premises, must complete new entrant training.

## B. Responsible Service of Alcohol (RSA)

### What is Responsible Service of Alcohol (RSA) training?

RSA training provides licensees and staff who work in licensed venues with the skills and knowledge necessary to contribute to a safe, enjoyable environment in licensed premises.

### Which licence applications require evidence of RSA training?

Applications for the following licences require evidence that the applicant has completed RSA training:

- general
- on-premises
- packaged liquor
- late night (general, on-premises and packaged liquor)
- restaurant and cafe
- full club
- restricted club
- producer's
- renewable limited (only where face-to-face sales occur)
- transfer of an existing licence or permit.

### Who must complete RSA training?

The list below identifies who will need to complete RSA training. If applying as:

- individuals – all natural persons
- partnerships – all partners
- body corporate applicants (companies, incorporated associations, co-operatives or municipal councils,) – the person who is or will be in management and control of the licensed premises and who will run the day-to-day operations of the business.

**Note:** Body corporate applicants must advise the VGCCC of the name of the person who manages or will manage the day-to-day operations of the business on the application form.

### Where can I find a Registered Training Organisation?

There are a number of registered training organisations that provide RSA training. Please refer to the VGCCC website at [vgccc.vic.gov.au](http://vgccc.vic.gov.au) for a list of RTOs that provide RSA training.

### I've previously completed an RSA course, is it still valid?

The approved RSA training course must have been completed within the past three years.

If you completed your RSA training course more than three years ago, you can complete a RSA refresher course online at [vgccc.vic.gov.au](http://vgccc.vic.gov.au).

### Can I be exempted from RSA training?

In exceptional circumstances, a liquor licence applicant may seek an exemption from one or all of the RSA training obligations.

General, on-premises, packaged liquor or late night (general, on-premises and packaged) licence applicants must complete the 'Application for the exemption from the Responsible Service of Alcohol training requirements' form available at [vgccc.vic.gov.au](http://vgccc.vic.gov.au)

All other liquor licence applicants are required to write a letter to the VGCCC detailing the reasons for seeking an exemption before the licence is granted.

## C. Advanced Responsible Service of Alcohol

### What is the Advanced Responsible Service of Alcohol (RSA) training?

The Advanced RSA training program was developed by William Angliss Institute in conjunction with the VGCCC. It is designed for licensees, managers and staff of late night venues who often face a range of challenges and issues.

For further information about the course and how to book, please visit the William Angliss Institute website at [shortcourses.angliss.edu.au](http://shortcourses.angliss.edu.au)

### Which licence applications require evidence of Advanced RSA training?

Applicants for a new late night (general) licence or late night (on-premises) licence that authorises the supply of liquor after 1am for on-premises consumption must complete the Advanced RSA training program.



This requirement does not apply in relation to late night (on-premises) licences with restaurant and café conditions.

### **When must Advanced RSA training be completed?**

For new applicants, the Advanced RSA training program must be completed within six months of the licence being granted. This is in addition to RSA training and new entrant training which must be completed prior to the licence being granted.

For licensees that receive a demerit point, the Advanced RSA training program must be completed within six months of the demerit point being recorded in the demerits register.

### **Who must complete the training program?**

The Advanced RSA training program must be completed by the holder of the licence and by the responsible person for the premises.

1. The holder of the licence means, in relation to a licence held by:
  - a natural person, that person
  - a partnership, one partner
  - a body corporate incorporated under the *Corporations Act 2001*, one director, and
  - an association incorporated under the *Associations Incorporation Reform Act 2012*, one committee member.
2. Responsible person is defined by section 3 of the *Liquor Control Reform Act 1998* as the person responsible for the management or control of licensed premises.

Where the holder of the licence is effectively the responsible person, only the holder of the licence is required to complete the training program.

Evidence of an approved new entrant and approved RSA training course must be provided to the VGCCC prior to a liquor licence being granted, transferred or endorsed. You will be required to provide this evidence with submission of your application.

For further information including frequently asked questions about new entrant and RSA training requirements, please visit the VGCCC website at [vgccc.vic.gov.au](http://vgccc.vic.gov.au)