

Liquor Control Reform Act 1998
DECISION-MAKING GUIDELINES

Pursuant to Section 5 of the
Victorian Commission for Gambling and Liquor Regulation Act 2011

Assessment of the Cumulative Impact of Licensed Premises

I, Michael O'Brien, being the Minister for Consumer Affairs and the Minister responsible for administering the **Liquor Control Reform Act 1998**, publish the following guidelines representing the policy of the Victorian Government concerning the assessment of the cumulative impact of licensed premises.

The Victorian Government aims to ensure that Victoria remains one of the most liveable, attractive and prosperous areas in the world for residents, business and visitors. In the planning (licensed venues) and liquor licensing contexts, the Victorian Government believes that harm minimisation; cultural vibrancy; competitive liquor, hospitality and tourism industries; economic wellbeing; and liveability should all be considered, with particular emphasis on harm minimisation.

These decision-making guidelines provide guidance to the Victorian Commission for Gambling and Liquor Regulation in assessing the cumulative impact of licensed premises.

Cumulative Impact refers to the impacts arising from a concentration of licensed premises in a defined area. Evidence has identified that cumulative impact is associated with a range of positive and negative effects, depending on the physical and environmental setting, the mix of premises, and their operating conditions.

Positive outcomes can include the creation of a local identity or status as an entertainment destination, enhanced vitality, economic benefits, and an increase in consumer choice. Negative outcomes of cumulative impact can include crime, a loss of amenity, and anti-social behaviours.

Potential cumulative impacts vary between locations, depending on the number and type of licensed premises and the capacity of the local area to accommodate the concentration of premises (for example, through the availability of late-night transport).

Under the Victoria Planning Provisions, responsible planning authorities are required to consider cumulative impact when determining planning permit applications for licensed premises (except for limited licences and licences to manufacture liquor). However, the Victorian Government considers that, in meeting the harm minimisation objects of the **Liquor Control Reform Act 1998**, the Victorian Commission for Gambling and Liquor Regulation may also deem it necessary to consider cumulative impact when determining liquor licence applications.

Matters to be considered by the Victorian Commission of Gambling and Liquor Regulation when assessing cumulative impact

It is the policy of the Victorian Government that the Victorian Commission for Gambling and Liquor Regulation may assess the contribution of a new licensed premises, or the variation or relocation of an existing licensed premises, to the cumulative impact of a concentration of licensed premises in an area.

This may include consideration of:

- The situational context with regard to:
 - any cumulative impact assessment already undertaken by the responsible planning authority;
 - proximity to sensitive uses (for example, schools, kindergartens, or drug or alcohol treatment facilities);
 - activity mix (the balance between licensed premises and other uses);
 - existing levels of local amenity;
 - available public amenities, including transport;
 - the number and types of existing licensed premises in the area and their patron numbers and operating hours;

- any current enforcement proceedings against existing licensed premises in the area;
- any existing patron behaviour issues involving intoxicated persons; and
- any other relevant matter that the Victorian Commission for Gambling and Liquor Regulation can consider under the **Liquor Control Reform Act 1998**;
- whether the proposed use would contribute positively to the diversity of uses and activities in the area;
- whether the proposed use would generate unreasonable amenity impacts or significantly increase the number of people in the street at any given time; and
- whether any negative impacts could be satisfactorily mitigated by the application of liquor licence conditions or changes to the venue management plan.

Commencement

These guidelines apply to applications for the grant, relocation or variation of liquor licences under the **Liquor Control Reform Act 1998** submitted on or after the date of gazettal. It does not affect applications submitted before the date of gazettal.

From its date of gazettal, these guidelines supersede the Statements of Policy gazetted on 5 October 2010 and on 4 August 2011, on the assessment of the cumulative impact of licensed premises. These guidelines will apply from the date of gazettal.

Dated 7 June 2012

HON. MICHAEL O'BRIEN MP
Minister for Consumer Affairs
