



# Victoria Government Gazette

No. S 489 Thursday 24 December 2009  
By Authority of Victorian Government Printer

## Liquor Control Reform Act 1998

### STATEMENT OF POLICY

I, Bob Cameron MP, being the Acting Minister for Consumer Affairs and the Minister responsible for administering the **Liquor Control Reform Act 1998** (the Act), publish the following statement representing the policy of the Victorian Government concerning applications (including the grant, relocation or variation of a licence) for liquor licences to trade after 1.00 am. In particular, the policy covers licensing of premises in the municipalities of Melbourne [including the area known as Docklands], Stonnington, Yarra and Port Phillip (the affected municipalities) that operate for periods in excess of ordinary trading hours as defined in section 3 of the Act, including, but not exclusive to, licensed venues that operate on a 24 hour basis.

In releasing the Statement of Policy the Victorian Government has considered amongst other matters the following; that:

1. The **Liquor Control Reform Amendment (Licensing) Act 2009** amends both the objects of the Act and the categories of licences under it. References to licence or permit categories in this statement are to those in existence at the relevant date.
2. The objects of the Act as at the commencement of this Statement of Policy as stated in section 4 are proposed to be:
  - (a) to contribute to minimising harm arising from the misuse and abuse of alcohol including by –
    - i. providing adequate controls over the supply and consumption of liquor; and
    - ii. ensuring as far as practicable that the supply of liquor contributes to, and does not detract from, the amenity of community life; and
    - iii. restricting the supply of certain other alcoholic products; and
    - iv. encouraging a culture of responsible consumption of alcohol and reducing risky drinking of alcohol and its impact on the community; and
  - (b) to facilitate the development of a diversity of licensed facilities reflecting community expectations; and
  - (c) to contribute to the responsible development of the liquor and licensed hospitality industry.
3. The proposed amended Act states that it is the intention of Parliament that every power, authority, discretion, jurisdiction and duty conferred or imposed by the Act must be exercised and performed with due regard to harm minimisation and the risks associated with the misuse and abuse of alcohol.
4. The definition of ordinary trading hours is defined in section 3(1) of the Act and gives the Director of Liquor Licensing the ability to determine any other hours of operation.
5. The Victorian Government, through the Victorian Alcohol Action Plan, has committed to reducing anti-social behaviour and alcohol-related violence.
6. On evidence available to the Victorian Government, there is a correlation between anti-social behaviour occurring in the early hours of the morning and the operation of licensed venues that supply liquor after 1.00 am.
7. The current evidence of alcohol related anti-social behaviour is contrary to the objects of the Act in that it detracts from the amenity of community life, does not reflect community expectation and is harmful to the responsible development of the liquor and licensed hospitality industries.

**SPECIAL**

8. To reflect the community's expectations, the Government will introduce a risk based fee model for liquor licences from 1 January 2010 to ensure that venues that pose the greatest risk of harm pay the highest licence fees. Research demonstrates there is a greater risk of anti-social behaviour associated with late night trading.
9. This Policy will restrict further growth in late night venues to enable other long term strategies that have been put in place to improve the safety and amenity of entertainment precincts to take effect.
10. The Statement of Policy gazetted on 2 May 2008 and extended on 26 March 2009 concludes on 31 December 2009 (the current Statement of Policy). The Government is of the view that this policy has assisted in limiting anti-social behaviour in the affected Municipalities.
11. The Government's policy, intention and practice has always been that the general limitation on trading hours to 1.00 am set out in the Statement of Policy gazetted on 2 May 2008 and extended on 26 March 2009 applies to applications for relocation and variation of licences, as well as the granting of licences. The fact that this is stated explicitly in this Statement of Policy in no way derogates from the previous Statements of Policy.

The current Statement of Policy continues to operate until midnight 31 December 2009. This Statement of Policy will only apply from 1 January 2010 to 31 December 2011 (unless extended).

Based on the above matters, amongst other things, the Victorian Government provides the following Statement of Policy:

It is the policy of the Victorian Government that from 1 January 2010 until the period ending midnight 31 December 2011, no liquor licence, subject to the specific terms nominated below, shall be granted by the Director of Liquor Licensing with trading hours that exceed 1.00 am in the affected municipalities, unless exceptional circumstances can be demonstrated by the applicant to satisfy the Director of Liquor Licensing that trading hours after 1.00 am should be approved.

1. This policy statement does not affect:
  - pre-retail, vigneron, full club, restricted club or restaurant and cafe licences.
  - transfers of licences where no change is sought to the conditions of the licence.
  - current applications submitted to the Director of Liquor Licensing prior to 2 May 2008 but not yet determined.
2. This Statement of Policy applies to applications for the grant, relocation or variation of general, on-premises, late night (general, on-premises and packaged liquor), packaged liquor, limited (temporary and renewable) and major events licences and BYO Permits:
  - made to the Director of Liquor Licensing after 2 May 2008 but not determined by midnight 31 December 2009.
  - made to the Director of Liquor Licensing on or following 1 January 2010.

Dated 21 December 2009

BOB CAMERON MP  
Acting Minister for Consumer Affairs

This page was left blank intentionally

**bluestar**  **PRINT**

The *Victoria Government Gazette* is published by Blue Star Print with the authority of the Government Printer for the State of Victoria

© State of Victoria 2009

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria

Level 2 1 Macarthur Street  
Melbourne 3002  
Victoria Australia

**How To Order****Mail Order****Victoria Government Gazette**

Level 5 460 Bourke Street  
Melbourne 3000  
PO Box 1957 Melbourne 3001  
DX 106 Melbourne

**Telephone**

(03) 8523 4601

**Fax**

(03) 9600 0478

**email**

gazette@bspvg.com.au

**Retail &  
Mail Sales****Victoria Government Gazette**

Level 5 460 Bourke Street  
Melbourne 3000  
PO Box 1957 Melbourne 3001

**Telephone**

(03) 8523 4601

**Fax**

(03) 9600 0478

**Retail  
Sales****Information Victoria**

505 Little Collins Street  
Melbourne 3000

**Telephone**

1300 366 356

**Fax**

(03) 9603 9920

**Price Code A**