



# Victoria Government Gazette

No. S 405 Tuesday 5 October 2010  
By Authority of Victorian Government Printer

## Liquor Control Reform Act 1998

### STATEMENT OF POLICY

#### Assessment of the cumulative impact of licensed premises

I, Tony Robinson MP, being the Minister for Consumer Affairs and the Minister responsible for administering the **Liquor Control Reform Act 1998** publish the following statement 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.

The Statement of Policy is to provide guidance to the Director of Liquor Licensing in assessing the contribution of a new, or variation to the operating conditions of an existing, licensed premises to the cumulative impact of a concentration of licensed premises in an area.

**Cumulative Impact** refers to the impacts that result 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 outcomes that arise from the combination of many factors such as physical and environmental setting, the mix of premises and their operating conditions.

The 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. The 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 e.g. the availability of late night transport.

#### Context

Consideration of cumulative impact is already a requirement for planning decisions about new applications for and variations to planning permits for a licensed premises (except for a limited licence, a licence to manufacture liquor and a licence to sell only packaged liquor for consumption elsewhere).

There are legitimate concerns about the impacts of packaged liquor sales, particularly where they are combined with other licensed venues as they can contribute to excessive alcohol consumption prior to or after attending licensed premises. Given the increasing concern about the impacts on consumption levels and harms, it is important that the contribution of packaged liquor outlets to the cumulative impact of a concentration of licensed premises in an area is assessed. Packaged liquor outlets are however, exempted from the requirement to obtain a planning permit.

#### Application of Cumulative Impact Assessment Policy by the Director of Liquor Licensing

The Statement of Policy applies to:

- A decision pursuant to the **Liquor Control Reform Act 1998** and related regulations, and
- A review of such decisions by the Victorian Civil and Administrative Tribunal (VCAT), including in circumstances where a certificate pursuant to section 57 of the **Victorian Civil and Administrative Tribunal Act 1998** is put before the VCAT, and the relevant requirements of section 57 are satisfied;

**SPECIAL**

**Matters to be considered by Director of Liquor Licensing**

It is policy that the Director of Liquor Licensing can assess the contribution of a new, or variation to the operating conditions of an existing, licensed premises to the cumulative impact of a concentration of licensed premises in an area.

This can include consideration of:

- The situational context with regard to:
  - any cumulative impact assessment already undertaken by local government;
  - proximity to sensitive uses, activity mix (balance between licensed premises and other uses);
  - other types of licensed premises in the area and their patron numbers and operating hours;
  - available public amenities, including transport;
  - current enforcement proceedings against existing venues;
  - existing levels of amenity;
  - existing patron behaviour issues involving intoxicated persons;
  - proximity of the licensed premises to other uses and the operational characteristics of the venue. Specifically including whether the location specified in the application has the potential to increase alcohol misuse and abuse in that area or local community. An example of this may be a packaged liquor outlet opening in close proximity to alcohol treatment services;
  - the number of existing venues in any area, specifically the effect a liquor licence may have on the characteristics and amenity of an area or local community; and
  - any other relevant matter that the Director of Liquor Licensing can consider under the **Liquor Control Reform Act 1998**.
- An assessment of the proposed use with regard to whether:
  - it would generate unreasonable amenity impacts or significantly increase the number of people in the street at any given time;
  - the local environment has the capacity to support the venue; and if it would contribute to the diversity of activities in the area, add to existing impacts arising from the mix of venues, venue closing times and patron dispersal.
- If the existing concentration of licensed premises generates negative impacts and whether, within this context, the impact of the proposal would be reasonable or unreasonable.
- Whether the proposal would provide any amenity benefits to mitigate the cumulative impact and whether these impacts could be satisfactorily mitigated by changes to the proposal or venue management plans.

**Commencement date**

This statement of policy commences on 1 January 2011 and applies to applications for new licensed premises and to applications for variations to existing licensed premises, submitted on or after 1 January 2011 and does not affect applications submitted to the Director of Liquor Licensing before 1 January 2011.

---

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 2010

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@bluestargroup.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**