



Victoria Government Gazette

No. S 88 Friday 18 March 2011
By Authority of Victorian Government Printer

Liquor Control Reform Act 1998

STATEMENT OF POLICY

Applications for Liquor Licences to Trade after 1.00 am

I, Michael O'Brien, being the 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 this Statement of Policy the Victorian Government has considered amongst other matters the following:

1. The objects of the Act as at the commencement of this Statement of Policy as stated in section 4(1) are:
 - 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; and
 - d. to regulate licensed premises that provide sexually explicit entertainment.
2. Further, section 4(2) of the Act provides that it is the intention of Parliament that every power, authority, discretion, jurisdiction and duty conferred or imposed by this Act must be exercised and performed with due regard to harm minimisation and the risks associated with the misuse and abuse of alcohol.
3. The Victorian Government has committed to delivering a system of responsible liquor licensing that contributes to a safer Victorian community.
4. On evidence available to the Victorian Government, there is a correlation between anti-social behaviour in the early hours of the morning, and the operation of licensed venues that supply liquor after 1.00 am.
5. 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.
6. This policy restricts further growth in late night venues to enable other long-term strategies that have been implemented to improve the safety and amenity of entertainment precincts, to take effect.

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7. Ordinary trading hours are defined under section 3(1) of the Act, however the Director of Liquor Licensing has the ability to determine any other hours of operation.
8. The previous government issued a number of Statements of Policy in relation to the grant, relocation and variation of licences for trade after 1.00 am. The first Statement of Policy was gazetted on 2 May 2008. The most recent Statement of Policy was gazetted on 24 December 2009 and applies between 1 January 2010 and midnight on 31 December 2011.
9. The Victorian Government has committed to maintaining the policy in relation to the grant, relocation and variation of licences for trade after 1.00 am for an additional 18 months after its 31 December 2011 conclusion date.

From the date of its gazettal, this Statement of Policy supersedes the Statement of Policy, gazetted on 24 December 2009, in relation to the grant, relocation or variation of liquor licences for trade after 1.00 am.

This Statement of Policy will apply from the date of its gazettal until midnight on 30 June 2013.

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

It is the policy of the Victorian Government that from the date of gazettal of this Statement of Policy until the period ending 30 June 2013, no liquor licence, subject to the specific terms nominated below, shall be granted or varied 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 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 café 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 the date of gazettal of this Statement of Policy
 - made to the Director of Liquor Licensing on or following the date of gazettal of this Statement of Policy.

Dated 18 March 2011

MICHAEL O'BRIEN
Minister for Consumer Affairs

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