



This Information Bulletin briefly explains some of the requirements when applying to remove an existing liquor licence from the current premises to a new premises as per the *Liquor Control Act 1988* (the Act).

WHAT IS A REMOVAL OF LICENCE?

A removal application is used to move an existing liquor licence from the current licensed premises to a new premises. This application does not permit a licensee to trade from more than one premises at a time under one licence. If the application is approved the current premises will no longer be licensed.

The new premises will be assessed in a manner similar to the licensing of a grant of licence application.

The applicant must retain exclusive tenure of the current licensed premises for the duration of the application. Failure to do so will result in the licensee losing the rights over the licence and any subsequent applications lodged under it.

LODGING THE APPLICATION

Applicants must lodge *completed* applications at the Department of Racing, Gaming and Liquor. An application should be made using the forms provided in this application kit.

Application Fees

The application fee must be lodged with the application. Please refer to the fee schedule available upon request or on the [Department's website](#). Please note that the application cannot be examined until the fee is received. Generally, the application fee is not refundable, even if the application is refused or withdrawn.

Public Interest Submissions

In order for the licensing authority to consider an application to remove the licence the applicant must submit a public interest. For more information please refer to the Director's Policy '*Public Interest Assessment*' and the [PIA Form 2A](#) available on our website.

Disclaimer

This Bulletin is designed to provide authoritative information in regard to the subject matter covered, and with the understanding that the Director is not passing legal opinion or interpretation or other professional advice.

The information is provided on the understanding that all persons undertake responsibility for assessing the relevance and accuracy of its contents.



Please ensure that all documentation is provided with your application to avoid delays. To assist with this please complete the checklist below and submit with your application. Applications may be returned to the applicant or their solicitor/consultant if the application is incomplete.

DOCUMENTATION TO BE LODGED - MINIMUM REQUIREMENTS

Please tick boxes to show item lodged with application and sign and date at the bottom.

- Completed **Form 9** – Notice of Application
- Prescribed **Application Fee** (refer to *'Fee Schedule for Liquor Activities'*)
- Public Interest Assessment** (PIA) submissions (refer to Director's Policy *'Public Interest Assessment'* and the [PIA Form 2A](#))
- Plans and specifications** of licensed premises (refer to Information Bulletin 25 *'Plans and Specifications'* and Director's Policy *'Standards of Licensed Premises'*)
- Proof that the freehold owner has been notified** – Provide evidence that the applicant has notified the freehold owner that they are applying to remove the liquor licence from the current premises
- Section 39 Certificate** – Certificate of Local Government to be completed by the Local Government. This certificate is not required to be lodged at the same time as the application if the applicant is seeking the conditional grant of a licence. The certificate, however, must be lodged prior to the issue of the licence.
- Section 40 Certificate/Development Approval** – a Certificate of Local Planning Authority to be completed by the Local Government or Development Approval specifying the type of liquor licence currently approved and all conditions. The certificate or development approval is not required to be lodged at the same time as the application, however, the application cannot be determined until the certificate or development approval has been provided, unless the licensing authority otherwise determines.
- Certificate of Title**, including sketch of the land
- Evidence of tenure** – where the applicant is not the freehold owner of the premises. This document must give the applicant exclusive right to occupy the premises (pro forma evidence of tenure document available in the application kit).

I confirm that the required documentation accompanying this application is attached.

Applicant/agent signature and date



Office Use Only	
Paid Date	
Receipt No.	
Amount Paid	

NOTICE OF APPLICATION FOR APPROVAL OF REMOVAL OF LICENCE

LIQUOR CONTROL ACT 1988

Sections 68 & 81

Please print neatly in **BLOCK LETTERS** with a *black* pen only

1. DETAILS OF LICENCE

(a) Licence Number: _____

(b) Name of Licensed Premises: _____

(c) Address of Licensed Premises: _____
 _____ Postcode: _____

(d) Name of Licensee: _____

(e) Contact Person: _____ Email: _____
 Telephone Number: (____) _____ Mobile: _____

2. DETAILS OF APPLICATION

(a) Address of Proposed Premises: _____
 _____ Postcode: _____

(b) Address where the application and Public Interest Assessment can be viewed during the advertising period:
 (Please note that this address must be within the same locality as the proposed premises)
 _____ Postcode: _____

(c) Date from which removal is sought, if known: ____/____/____

(d) Is the removal sought conditional upon the construction or completion of the proposed premises? YES NO

(e) A section 40 Certificate of Local Planning Authority or Development Approval specifying the type of liquor licence sought is required to be lodged prior to the determination of the application. Please specify the date on which an application for planning approval in respect of the proposed premises will/has been lodged with the relevant local government authority ____/____/____.

(f) Certificate of Title – Volume No: _____ Folio No: _____

(g) Does the licensee own the proposed premises? YES NO If NO:

(I) What is the name of the owner? _____

(II) Address of owner: _____
 _____ Postcode: _____

(III) What form of tenure of the premises will the applicant have? _____

(IV) Term of tenure: _____

3. EXTENDED TRADING PERMITS

Are there any extended trading permits attached to this licence? YES NO

If YES, Permit Number/s: _____

6. PAYMENT DETAILS

Entering your credit card details below, you give consent for the appropriate application fee to be deducted from your card

Card Type: Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>	Copy of Receipt (<i>email only</i>): YES <input type="checkbox"/> NO <input type="checkbox"/>
Card Number:	Expiry Date:
Cardholder's Name:	Cardholder's Signature:
Email Address:	

CERTIFICATE OF LOCAL GOVERNMENT
LIQUOR CONTROL ACT 1988
Section 39

THIS SECTION TO BE COMPLETED BY THE LOCAL GOVERNMENT

I, (full name) _____

being the (title) _____

for the (name of Local Government) _____

with respect to an application by

(Name of applicant)

hereby certify that the premises known as _____

and situated at _____

Postcode _____

comply with all relevant requirements under the *Health Act 1911*, under the *Food Act 2008*, under any written law relating to the sewerage or drainage of those premises and under the *Local Government Act 1995* and the *Building Act 2011*;

OR

do not comply with the requirements set out above and could not reasonably be made to comply;

OR

Do not comply with the requirements set out above but could be made to conform if the following requirements were carried out:-

Dated the _____ day of _____

Signature of Authorised Officer

THIS SECTION TO BE COMPLETED BY THE APPLICANT BEFORE SUBMISSION TO THE LOCAL GOVERNMENT

Type of Licence:

- | | | | |
|------------------------------------------|----------------------------------------------------|---------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Casino | <input type="checkbox"/> Hotel (Restricted) | <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Special Facility |
| <input type="checkbox"/> Club | <input type="checkbox"/> Hotel (Tavern) | <input type="checkbox"/> Nightclub | <input type="checkbox"/> Wholesaler's |
| <input type="checkbox"/> Club Restricted | <input type="checkbox"/> Hotel (Tavern Restricted) | <input type="checkbox"/> Producer's | |
| <input type="checkbox"/> Hotel | <input type="checkbox"/> Hotel (Small Bar) | <input type="checkbox"/> Restaurant | |

Nature of application and an outline of proposed use of the premises _____

In the case of a **Special Facility Licence** application:

a) What category is sought? Pursuant to Regulation 9A of the Liquor Control Regulations 1989)

- | | | |
|------------------------------------------------------|---------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Works Canteen | <input type="checkbox"/> Theatre/Cinema | <input type="checkbox"/> Reception/Function Centre |
| <input type="checkbox"/> Transport | <input type="checkbox"/> Tourism | <input type="checkbox"/> Education & Training Institution |
| <input type="checkbox"/> Education & Training Course | <input type="checkbox"/> Sports Arena | <input type="checkbox"/> Foodhall |
| <input type="checkbox"/> Catering | <input type="checkbox"/> Bed & Breakfast Facility | <input type="checkbox"/> Room Service Restaurant |
| <input type="checkbox"/> Amusement Venue | <input type="checkbox"/> Auction | |

b) What trading hours are sought?

Monday:	_____	am/pm	to	_____	am/pm
Tuesday:	_____	am/pm	to	_____	am/pm
Wednesday:	_____	am/pm	to	_____	am/pm
Thursday:	_____	am/pm	to	_____	am/pm
Friday:	_____	am/pm	to	_____	am/pm

c) Is approval sought to sell and supply liquor on:

Christmas Day: YES NO ; Good Friday: YES NO ; ANZAC Day: YES NO

d) Is approval sought to sell liquor for consumption off the licensed premises: YES NO

e) Please detail the trading conditions sought and provide an outline on how it is proposed the premises will operate (attach separate submission if necessary):

LIQUOR CONTROL ACT 1988 CERTIFICATE OF LOCAL PLANNING AUTHORITY – SECTION 40

Reverse side to be completed by applicant BEFORE SUBMISSION TO THE LOCAL AUTHORITY

THIS SECTION TO BE COMPLETED BY THE LOCAL AUTHORITY

I, (full name)

being the

(Title)

for the.....

(Name of Local Planning Authority)

with respect to an application by

(Name of applicant)

hereby certify that the premises known as.....

and situated at.....

.....Post Code.....

will comply with all relevant planning laws, namely;

OR

would comply with the relevant planning laws if consent were to be given by the following authority;

- (i) It is not known whether the authority will give their consent; or
- (ii) It is known that the authority will give that consent subject to the following probable condition/restrictions;

.....
.....

OR

will not comply with the relevant planning laws for the following reasons:-

.....
.....

Dated the day of

Signature of Authorised Officer

**THIS SECTION MUST BE COMPLETED BY THE APPLICANT
BEFORE SUBMISSION TO THE LOCAL AUTHORITY**

APPLICATION DETAILS

Category and Type of Licence:.....

Nature of application and an outline of proposed use of the premises:

.....

.....

.....

.....

In the case of a *SPECIAL FACILITY LICENCE* application:-

(a) For what purpose is the licence sought? (Refer to Regulation 9A of the *Liquor Control Regulations 1989*)

.....

.....

(b) What trading hours are sought?

Monday: am/pm to am/pm

Tuesday: am/pm to am/pm

Wednesday: am/pm to am/pm

Thursday am/pm to am/pm

Friday am/pm to am/pm

Saturday am/pm to am/pm

Sunday am/pm to am/pm

(c) Is approval sought to sell and supply liquor on:-

Christmas Day YES NO Good Friday YES NO Anzac Day YES NO

(d) Is approval sought to sell liquor for consumption off the licensed premises? YES NO

(e) Please detail the trading conditions sought and provide an outline on how it is proposed the premises will operate (attach separate submission if necessary):

.....

.....

.....



FEE SCHEDULE FOR LIQUOR ACTIVITIES
EXTRACT FROM LIQUOR CONTROL REGULATIONS 1989
EFFECTIVE AS FROM 1 JANUARY 2017

DESCRIPTION <i>(Please note: Fees are generally not refunded if an application is not approved)</i>	FEE
ADD, VARY OR CANCEL a condition of a licence or permit	
Permanent	
• Club restricted licence	\$43.00
• Any other type of licence	\$237.00
One-Off <i>(for a period of 21 days or less)</i>	
• Club restricted licence	\$43.00
• ¹ Any other licence type if the anticipated number of patrons is:	
○ Up to 500	\$110.00
○ Between 501 and 1,000	\$226.00
○ Between 1,001 and 5,000	\$1137.00
○ Between 5,001 and 10,000	\$2275.00
○ Over 10,000	\$4560.00
Alteration or redefinition of a licensed premises	\$399.00
APPROVAL OF MANAGER	
Application for Approval of Manager lodged at Australia Post	\$168.00
Upgrade from restricted licence to unrestricted licence	
• Lodged at Australia Post	\$56.00
• Lodged online	\$15.00
Renewal of Manager's Approval (Identification Card) for a period of five years	
• Application for renewal lodged at Australia Post	\$164.00
• Lodged online	\$126.00
Replacement identification Card	
○ Lodged at Australia Post	\$52.00
○ Lodged online	\$10.00
⁴ Approval of person in position of authority	\$159.00
Approval to conduct non-liquor business on licensed premises	\$221.00
Change of name of licensed premises	\$73.00
EXTENDED TRADING PERMIT	
Ongoing	
• Alfresco	\$348.00
• Liquor without a meal (not restricted to 120 persons)	\$466.00
• Liquor without a meal (restricted to 120 persons or less)	\$53.00
• Associations	\$348.00
• Hours, dining, late delivery, restaurant with accommodation	\$1168.00
• Cellar Door Operation (producers only):	
- new cellar door operation (one licensee only)	\$345.00
- new cellar door operation (two or more licensees) – applications must be lodged concurrently	\$345.00 plus \$290.00 per additional licensee
- existing cellar door permit where an additional licensee is seeking approval to operate under a permit	\$290 per additional licensee
EXTENDED TRADING PERMIT <i>continued</i>	



FEE SCHEDULE FOR LIQUOR ACTIVITIES
EXTRACT FROM LIQUOR CONTROL REGULATIONS 1989
EFFECTIVE AS FROM 1 JANUARY 2017

One-Off	
Increase hours, extend the licensed area and/or sell liquor to non-members	
<ul style="list-style-type: none"> • Club restricted licence 	\$43.00
<ul style="list-style-type: none"> • ^{1 & 3}For all other licence types <ul style="list-style-type: none"> ○ Up to 500 ○ Between 501 and 1,000 ○ Between 1,001 and 5,000 ○ Between 5,001 and 10,000 ○ Over 10,000 	\$110.00 \$226.00 \$1137.00 \$2275.00 \$4560.00
² Grant or removal of a club, club restricted, restaurant, producer's or wholesaler's licence	\$886.00
² Grant or removal of a hotel, hotel restricted, tavern, tavern restricted, small bar, casino liquor licence, nightclub, special facility or liquor store licence	\$3454.00
Juvenile function (under section 126A)	\$64.00
Application for Liquor Restricted Premises Declaration:	
<ul style="list-style-type: none"> • Where the applicant is the occupier of the premises • Where the applicant is the owner of the restricted premises; or a prescribed class of persons as defined in the <i>Liquor Control Regulations 1989</i> 	No charge
^{1 & 3} OCCASIONAL LICENCE	
<ul style="list-style-type: none"> • Up to 250 • Between 251 and 500 • Between 501 and 1,000 • Between 1,001 and 5,000 • Between 5,001 and 10,000 • Over 10,000 	\$53.00 \$110.00 \$226.00 \$1137.00 \$2275.00 \$4560.00
³ Profit Sharing	\$231.00
² Protection order under section 87(1)	\$231.00
² Transfer of liquor licence	\$849.00
Vary or substitute plans approved under a conditionally granted licence	\$277.00
ANNUAL LICENCE FEE	
⁵ Club Restricted	\$288.00
⁵ For all other licence types	\$584.00
Extended Trading Permit – Ongoing:	
<ul style="list-style-type: none"> • No more than 2 • 3 or more 	\$277.00 \$556.00
SEARCH AND SUPPLY FEES	
Address labels for licensed premises	\$142.00
Advertising Banner "Liquor Control Act – Notice of Application"	\$25.00
Copy of a decision of the Commission or Director	



FEE SCHEDULE FOR LIQUOR ACTIVITIES
EXTRACT FROM LIQUOR CONTROL REGULATIONS 1989
EFFECTIVE AS FROM 1 JANUARY 2017

<ul style="list-style-type: none"> • For each • Additional fee for certification 	<p>\$25.00 \$25.00</p>
Copy of documentation, other than already prescribed, per page	\$4.00
Copy of plan (requires licensee’s consent)	
<ul style="list-style-type: none"> • For each sheet (up to a maximum of \$200) • Certified (for each sheet) 	<p>\$25.00 \$35.00</p>
Database printout of record of general licence details	\$35.00
Duplicate licence (requires licensee’s consent)	\$35.00
Full search of a licence record (requires licensee’s consent and will incur additional fees for copies of documents as listed above)	\$52.00
Issue of a summons to a witness	\$20.00
List of licensed premises or owners of licensed premises	
<ul style="list-style-type: none"> • Hardcopy • Electronic format 	<p>\$89.00 \$58.00</p>
Search of postcodes	
<ul style="list-style-type: none"> • 1 to 10 postcodes • More than 10 postcodes 	<p>\$35.00 \$77.00</p>

FOOTNOTES

¹ Where an application is for a function or event that takes place over a number of consecutive dates, the fee will be based upon the total maximum number of persons expected to be present in the licensed/permit area at any one time over the consecutive dates. For example: if a function or event runs for 2 days and the maximum number of persons expected to be present in the licensed/permit area at any one time is 300, then the fee will be calculated on an attendance of 600 people in total and will be \$224.

² In addition to the application fee, new applicants in respect of protection orders and permanent liquor licences (i.e. grant or transfer applications, with the exception of a club or club restricted licence) will pay an additional \$148.00 fee for each individual in a position of authority (including each director and shareholder of a company and adult trust beneficiary or unit holder).

³ In addition to the application fee, new applicants in respect of profit sharing agreements or arrangements will pay an additional \$148.00 fee for each individual who is party to the agreement or arrangement and in relation to whom a background check is sought from the Police Service.

⁴ In addition to the application fee, in respect of a body corporate seeking to be approved as a shareholder in the licensee company after the licence is granted, an additional \$148.00 fee applies for each individual to whom a background check is sought from the Police Service (including each director and shareholder and adult trust beneficiary or unit holder related to that body corporate) other than for the first individual, which will be captured by the application fee.

⁵ Annual licence fees for newly granted licences are charged on a quarterly pro-rata basis as follows:

Licence Effective	Fee: Club Restricted	Fee – All Other Licences
1 January - 31 March (100%)	\$288.00	\$584.00
1 April – 30 June (75%)	\$216.00	\$438.00
1 July – 30 September (50%)	\$144.00	\$292.00
1 October – 31 December (25%)	\$72.00	\$146.00



PLANS AND SPECIFICATIONS

Information Bulletin No.25

Liquor Control Act 1988

INTRODUCTION

Plans of the proposed premises are required to be lodged with the application in order for the licensing authority to define the area in which the sale, supply and in some cases, the consumption of liquor will occur if the licence is granted.

If the licence is granted, the defined plans must be kept on the premises and be made available for inspection by an authorised officer upon request.

LODGING PLANS ELECTRONICALLY

Applicants are encouraged to lodge plans in an electronic format wherever possible, with PDF a preferred format.

GENERAL REQUIREMENTS AND SPECIFICATIONS

In order to be accepted by the licensing authority, the plans of the proposed premises to which the application relates must include the following –

- (a) Floor plans in duplicate, at least A3 size and to a scale of 1:100, of each level of each building forming part of the licensed premises showing the uses of each room; the location of all doors, windows, servery hatches and toilets; and fit out details for all toilets; the floor layout; the location of all bars, any areas that are not part of the building that showing how the boundary will be defined.
- (b) a site plan drawn to a suitable scale according the size of the lot showing –
 - an outline of every building on the relevant lot; and
 - the boundary of the relevant lot; and
 - features on the relevant lot such as car parks, vehicle access and adjacent streets and swimming pools; and
 - the name and location of any street forming part of the boundary of the relevant lot.
- (c) a map of the relevant district showing the locality of the relevant premises.
- (d) a plan drawn to a scale of 1:100 showing the front external elevation. If the premises is existing, photos of the external buildings will suffice.
- (e) in the case of an application to alter the licensed premises, a plan showing those premises as they would be if the proposed alteration or redefinition had taken place, distinguishing the areas of the current licensed premises from the areas of the proposed alteration or redefinition.

OTHER REQUIREMENTS

In addition to the above requirements, the plan must be drawn –

- by any person capable of preparing plans on good quality paper of at least A3 size.
- so as to comply with Australian Standard 1100, Technical Drawing Part 101-1984 General Principles and Part 301-1985 Architectural Drawing of the Standards Australia, and shall show the date of preparation, the scale, the direction of north and the name of the person who prepared the plan.

The specifications to be submitted must include the wall and ceiling finishes and the fit equipment in any bar, toilet or kitchen.

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Attach copy
of certificate
of title

EVIDENCE OF EXCLUSIVE RIGHT OF OCCUPANCY AND PROFIT SHARING

SECTIONS 37(5) AND 104 OF THE LIQUOR CONTROL ACT 1988

1. Exclusive Right of Occupancy

I/We _____ being the registered proprietor/director of the company _____ identified as the registered proprietor on certificate of title volume no _____ folio no _____ hereby confirm that **(name of applicant)** _____

_____ will have the exclusive right to occupy the premises and operate a business at **(proposed address**

where liquor will be sold and supplied _____

_____ under a **(specify type of liquor)** _____ licence, upon the grant issue/transfer/removal of the liquor licence (please circle relevant application).

DATED: _____

**Signature of registered proprietor
(Director/Individual/Partner)**

**Signature of applicant
(Director/Individual/Partner)**

2. Profit Sharing

I/We _____ **(name of applicant)** certify that no other person or party is involved in any arrangement or agreement with me/us which will allow them to participate in the proceeds of the business (including percentage rent payment) under the **(specify type of liquor)** _____ licence, upon the grant/issue/transfer/removal of the liquor licence. (If a profit sharing arrangement is proposed under the liquor licence, an application for approval of arrangement or agreement will need to be lodged. Refer to the [application kit](#) in respect of profit sharing and management agreements for further information.

**Signature of Applicant
(Director/Individual/Partner)**