



## Victorian Commission for Gambling and Liquor Regulation

### Liquor Licensing Fact Sheet

# Modifications to plans of licensed premises

A liquor licence or BYO permit authorises the supply and/or consumption of liquor within a defined area, known as the licensed premises. This area is shown by a red line drawn on a plan of the licensed premises.

#### When an application to vary a licence or permit is required

If a licensee or permittee wishes to increase or decrease the size of a licensed premises, or change the perimeter of a licensed premises, they must apply to the VCGLR for permission to do so. If the VCGLR grants the application, the change will be reflected by amending the red-line on the plan of the licensed premises.

The 'size' of a licensed premises is the area of the space that is licensed, and is measurable in square feet or metres. The 'perimeter' of a licensed premises is the distance around the area of a licensed premises. Both are delineated by the red-line on the plan of the licensed premises.

#### When an application to vary a licence or permit is not required

If a licensee or permittee makes a change to the internal area of a licensed premises (for example, by adding or removing a particular structure such as a stage, a service area, or a wall) that has no effect on the size or perimeter of the licensed premises, an application to vary the licence or permit is not required.

However, if the internal change results in more room being available, and the licensee or permittee wishes to increase the maximum number of patrons permitted on the licensed premises, then they will need to apply to the VCGLR to vary the licence or permit to increase the maximum patron capacity.

Refer to the *Maximum patron capacity* fact sheet for further information about what must be included in an application to vary a licence or permit to increase the maximum patron capacity.

#### Compliance with conditions of licence or permit

Regardless of any internal changes a licensee or permittee may make, they must continue to ensure compliance with the conditions of the licence or permit. For example, if the internal changes increase noise emissions from the licensed premises, this may have a detrimental impact on the amenity of the area in which the premises is situated and be a breach of the conditions of the licence or permit. In these circumstances, the licensee or permittee may be prosecuted under section 108 of the *Liquor Control Reform Act 1998*, or disciplinary action may be initiated.

#### Providing an updated plan to the VCGLR

When a licensee or permittee applies for a licence or permit, they must provide a plan of the premises in the form specified by the VCGLR. Amongst other things, the plan must show basic functions or fixtures. If the functions or fixtures shown on the plan approved by the VCGLR are changed, a new plan should be submitted to the VCGLR.

Refer to the *Plans of licensed premises* fact sheet for further information about what must be included in a plan of a licensed premises.

#### Plan of the licensed premises to be given to the VCGLR if requested

Section 101A of the *Liquor Control Reform Act 1998* provides that the VCGLR may at any time request that a licensee submit a current plan of the licensed premises.

This publication avoids the use of legal language. Information about the law may have been summarised or expressed in general statements. This information should not be relied upon as a substitute for professional legal advice or reference to the actual legislation. Authorised by the Victorian Government.