# Application

**OFFICE USE ONLY**

Date rec’d / /

Receipt No.

File no.

VCGLR form ref. CD/20/17222

# Variation to an existing outdoor area temp licence to remove seated drinking condition

# *Liquor Control Reform Act 1998*

This form is to be used by holders of an existing temporary limited licence that currently authorises the supply of liquor in an outdoor area (an outdoor area temp licence) in relation to seated drinking.

This form enables holders of existing outdoor area temp licences to apply to the VCGLR to remove the seated drinking condition that states “The consumption of liquor may only occur when patrons are seated.”

If this application is granted, the holder of the varied outdoor area temp licence will have authority for patrons to engage in non-seated drinking (that is, patrons may stand and do not have to be seated when being supplied with or consuming liquor) in the outdoor area already licensed under the outdoor area temp licence.

There are additional requirements in order for this variation to be granted, in particular:

* You must provide evidence from your local council that they do not object to the area licensing under the current outdoor area temp licence being used for non-seated drinking
* You must display a “notice of display” (see page 5) for **ten business days**
* There is a 30-day period commencing on the day your “notice of display” is made for the public to object to the variation
* This application will be given to Victoria Police who will have a minimum **30 days** to comment.

Please note that you must also abide by all conditions of your permanent licence, including patron capacities and seating requirements.

As of 1 January 2021, there will be a fee of **$216.50** associated with this application.

## Part A: Outdoor area temp licence details

Enter number of the existing outdoor area temp licence:

## Part B: Licensed premises details

Enter address (including suburb and postcode) of the outdoor area that is licensed under the existing outdoor area temp licence:

## Part C: Applicant name

**Enter name of licensee (person/company/body corporate):**

**Note. the name of the licensee should be identical to the name of the licensee appearing on the existing outdoor area temp licence.**

**Australian Business Number (if applicable)**

**Australian Company Number (if applicable)**

## Part D: Applicant’s contact details

Enter contact name or representative name of applicant:

Enter daytime telephone number or mobile of applicant’s contact or representative:

Enter applicant’s address for service of notices (including suburb and postcode):

Enter email address of applicant’s contact or representative:

Enter licensee’s/permittee’s address for service of notices (including suburb and postcode):

Enter email address of licensee’s/permittee’s contact or representative:

## Part G: Details of variation

[ ]  I would like the existing outdoor area temp licence to be varied to **remove** the current seated drinking condition requiring that “The consumption of liquor may only occur when patrons are seated.” (please tick)

## Part H: Signature of the licensee

Who must sign?

If the licensee is:

* a person, that person makes the declaration
* a company, one director of the company makes the declaration
* a partnership, one partner of the partnership
* an incorporated association, one office holder (such as one committee member or the secretary) of the incorporated association.

As the licensee or permit holder, I/we apply to vary the licence or permit as described in this application.

Name:

Signature:

Note: the Commission will accept a typed signature (that is, the person may type in their name) in the above signature box. If you choose to enter a typed signature (rather than printing this form and using a pen to insert a signature), you acknowledge that by doing so, you have signed this form. Please also include your daytime contact number or mobile, and direct email address below, should the Commission wish to contact you for verification purposes.

**Enter the daytime telephone number or mobile of the person who has inserted their typed signature above:**

**Enter the email address of the person who has inserted their typed signature above:**

## Part I: Other requirements

***The application fee***

After 1 January 2021, there will be an application fee of **$216.50** associated with this variation.

There is no GST payable on this fee.

The fee can be paid by cheque, money order or credit card.

Cheques and money orders are to be made payable to ‘Victorian Commission for Gambling and Liquor Regulation’

If paying by credit card fill in your card details at the end of this form.

*Please select your payment method*

Cheque [ ]  Money order [ ]  Credit card[ ]

***Local council permission/consent***

Irrespective of whether the outdoor area licensed under the existing outdoor area temp licence is public or privately-owned, you must attach to this application evidence that your local council approves, supports or does not object to the use of the outdoor area for non-seated drinking of liquor. This evidence may take the form of, for example, a permit or licence issued by local council, or a letter from local council advising it supports or has no concerns if patrons are engaging in non-seated drinking in the outdoor area.

***Display of application***

A public notice must be displayed at the premises that are the subject of this variation application.

After the application has been accepted by the VCGLR, you or your representative will be advised in writing of the period the public notice must be displayed. The enclosed 'Statement of display' must be returned at the end of the display period. Refer to the enclosed 'Guidelines for displaying public notices'.

***Note: The Commission may request an applicant to provide any other information. If required to do so you will be notified in writing.***

## Part I: How to lodge this application

**By email to:**

contact@vcglr.vic.gov.au

**By post to:**

Victorian Commission for Gambling and Liquor Regulation

GPO Box 1988, Melbourne VIC 3001

## Part J: What happens next

If your application is accepted, you will be emailed or sent an acknowledgement letter. This will confirm that the VCGLR has received your application and outline any further information required and the date by which it must be submitted. Your application will be served on Victoria Police, and you will be contacted regarding when you are required to display the public notice.

Once the VCGLR has received all required information and documents, and **no earlier than 30 days after the day that you first publicly displayed this application**, your application will be determined. You will be advised of the outcome in writing.

## Part K: Credit card details

Visa [ ]  Mastercard [ ]  Amex[ ]

Amount:

$

Card Number

 XXXX XXXX XXXX XXXX

Name of cardholder Card expiry date

 /

Daytime telephone number of cardholder

Signature:

Note: the Commission will accept a typed signature (that is, the person may type in their name) in the above signature box. If you choose to enter a typed signature (rather than printing this form and using a pen to insert a signature), you acknowledge that by doing so, you have signed this form.

|  |  |
| --- | --- |
| **PUBLIC NOTICE** | **v16-10** |
| **Details of liquor licence application lodged** |
| **Liquor licence application** | **with the Victorian Commission for Gambling** |
| *Liquor Control Reform Act 1998* | **and Liquor Regulation (the Commission)** |

****

|  |  |  |  |
| --- | --- | --- | --- |
| **Name of applicant (person/** |  |  |  |
| **partnership/company/club)** |  |  |
| **Display period** |  | Start date: | / | / | End date: | / | / |  |
| **Type of application** |  |  | Application No: |  |  |
| **Name and address of prem-** |  |  |
| **ises to which the applica-** |  |
| **tion relates** |  |
| **Address of previous** |  |  |
| **premises if relocating** |  |
| **The purpose of the****application is to** |  |  |
|  |
|  |
|  |
|  |
| **The proposed days and hours of trade are****hours of trade are** |  |  |
|  |  |
|  |  |
|  |
|  |  |
|  |
|  |  |  |
| **Will these hours apply to an external area?****to an external area?** |  | Yes [ ]  | No [ ]  |  |
|  |  |
|  |  |
| **The current days and****hours of trade are****(if existing licensee)** |  |  |
|  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |
|  |
|  |  |
| **I/we have requested author-****ity to supply liquor****at the kerbside area** |  | Yes [ ]  | No [ ]  |
|  |
|  |



**Objections**

*All objections will be treated as public documents. Full details of the objection, including the name and address of the objector will be provided to the applicant.*

**Grounds for objection**

Any person may object to the grant of this application on the ground that it would detract from, or be detrimental to, the amenity of the area in which the premises are located.

**Objection periods**

All objections must state the grounds and the reasons for the objection and be made within 30 days of this notice being first displayed.

**Additional grounds for objection to the grant relating to a packaged liquor licence**

Any person may object to the grant of an application relating to a packaged liquor licence on the ground that the grant, variation or relocation would be conducive to or encourage the misuse or abuse of alcohol.

**The following are not valid reasons for objection:**

* the business would not be successful
* another licensed business would be adversely affected, or
* there is insufficient need or demand to justify the grant of the application.

**The Commission may refuse to accept an objection if:**

* the person making the objection is not affected by the application,
* the objection is frivolous or vexatious, or
* the objection is not otherwise in accordance with the *Liquor Control Reform Act 1998*.

Objections must be made in writing and delivered to the VCGLR

* via email at contact@vcglr.vic.gov.au;
* in person at Level 3, 12 Shelley Street Richmond
* or via post to: The Victorian Commission for Gambling and Liquor Regulation, GPO Box 1988, Melbourne VIC 3001

**Display Requirements**

**This notice must be displayed as A3 size.**

This notice must be continuously displayed as A3 size on the site or premises that are the subject of the application for the period advised in writing by **the Commission.**

If you are unable to print the public notices as A3 size, email contact@vcglr.vic.gov.au or telephone 1300 182 457 to request a copy.

The notice must be displayed in a manner that invites public attention to the application on the main street frontage of the site or premises in a visible position and at eye level.

**Statement of Display requirements** Statement of Display forms cannot be lodged until the Public Notice display period has ended.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Statement of display** |  |  |  |  |  |
|  | **OFFICE USE ONLY** | **v16-03** |  |
|  |  |  |  |  |
|  | Date rec’d  /  / |  |  |
| **To be completed after the 10 business day public notice period has passed** |  |  |
| File no. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| *Liquor Control Reform Act 1998* |  |
|  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

**Details of application lodged with the Victorian Commission for Gambling and Liquor Regulation (the Commission)**

|  |  |
| --- | --- |
| Licence number (if licence has already been granted) | File number (this can be found on correspondence sent to you by the Commission) |
|  |  |  |  |  |  |
|  |  |  |
| Name of licence applicant (person/partnership/company/club) |  |  | ACN (if applicable) |  |
|  |  |  |
| Address of premises |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  | Postcode |
|  |  |  |  |  |  |
| Display period required by the Commission |  |  |  |  |
|  |  |  |  |  |  |  |  |
| Start date: | / / |  |  |  | End date: |  / / |
|  |  |  |  |  |  |  |  |

**Signature and certification of public notice display**

**Certification**

I being the applicant, or on behalf of the applicant certify that:

* during the period specified in this form, a public notice of the size and in the format required by the Commission and containing all relevant details of the application was displayed on the premises or site to which the application relates; and
* the public notice was continuously and conspicuously displayed during the period advised by the Commission in accordance with the guidelines for the display of liquor licensing applications.

I understand that it is an offence under Section 118 of the *Liquor Control Reform Act 1998* to make a false or misleading statement and that penalties apply.

Signature

Printed name Date



/ /



Address

Postcode

Daytime telephone number

**How to lodge this form**

**By post to:**

Victorian Commission for Gambling and Liquor Regulation GPO Box 1988, Melbourne VIC 3001

**In person to:**

Victorian Commission for Gambling and Liquor Regulation Level 3, 12 Shelley Street, Richmond

**Privacy** – the Victorian Commission for Gambling and Liquor Regulation is committed

to responsible and fair handling of personal information consistent with the *Privacy and*

*Data Protection Act 2014* and its obligations under the *Liquor Control Reform Act 1998*.

All information provided in this application is available for public viewing, except for the

Victoria Police questionnaire form (if applicable) which is forwarded to and retained by

Victoria Police.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Victorian Commission for Gambling and Liquor Regulation | **Email** contact@vcglr.vic.gov.au |  |  |  |
| Level 3, 12 Shelley Street, Richmond VIC 3121 | **Telephone** 1300 182 457 |  |  |  |
|  |  |  |
| GPO Box 1988, Melbourne VIC 3001 | **vcglr.vic.gov.au** |  |  |  |
|  |  |  |
|  | **ABN** 56 832 742 797 |  | VELP-1906-f6uxf |
|  |  |  |



11

**Guidelines for displaying public notices**

*Liquor Control Reform Act 1998*

Issued by the Victorian Commission for Gambling and Liquor Regulation



Insert the full name of the applicant(s) as written on the application form.

Once the application has been accepted, the applicant will be advised in writing of the start and end date that the public notice must be continuously displayed.



Describe the type of application (eg new packaged liquor licence, variation to an on-premises licence, relocation of a general licence).



Insert the full name and address of the premises for which a licence is sought.



If relocating a licence, insert the address of the previous premises.

Provide details of your application.



(Applications to vary the conditions of existing licences must clearly contrast your proposed conditions with your current conditions).

This section must be completed for all applications. Hours of trade for consumption off the premises must be shown separately.



Insert “No change” if the hours on your existing licence are to remain unchanged.



Indicate “yes” or “no” if the proposed trading hours apply to an external area.

This section must be completed for all variation and relocation applications. Hours of trade for consumption on and off the premises must be shown separately.



On-premises licence holders may, with the consent of the local municipal authority, offer a kerbside area. Indicate “Yes” or “No” if you have requested an authority to supply liquor in such an area.



**Example of Completed Notice**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **PUBLIC NOTICE** |  |  |  |  |  |  |  |  |  | **04/16** |
|  |  |  |  |  |  |  |  |  |
| **Liquor Licence Application** |  |  | **Details of liquor licence application lodged** |
|  |  | **with the Victorian Commission for Gambling** |
| *Liquor Control Reform Act 1998* |  |  |  |  |  |  | **and Liquor Regulation (the Commission)** |
|  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Name of applicant (person/** |  |  |  |  |  |  |  |  |  |  |  |  |
| **partnership/company/club)** |  | Smithies Pty Ltd |  |  |  |  |  |  |  |  |  |
| **Display period** |  | Start date: | 13 | / | 10 | / | 2010 | End date: | 11 | / | 11 | / |
|  |  |  |  |  |  |  | 2010 |
| **Type of application** |  | Variation of a General Licence |  |  |  |  |  |
|  |  |  |  |  |  |  |
| **Name and address of** |  |  |  |  |  |  |  |  |  |  |  |  |
| **premises to which the** |  | Smithies Bar, 400 Smith Street, Smithville |  |  |  |  |
| **application relates** |  |  |  |  |  |  |  |  |  |  |  |  |
| **Address of previous** |  |  |  |  |  |  |  |  |  |  |  |  |
| **premises if relocating** |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |

Operate a restaurant, operate a bar, extend my licensed area,

**The purpose of the** increase the patron numbers to 500. Extend trading hours on Friday **application is to**

and Saturday nights to 1am.

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |
| **The proposed days and** |  |  | Sunday 10m to 12 Midnight |  |
|  |  | Good Friday and ANZAC Day 12 noon to 12 Midnight |  |  |
| **hours of trade are** |  |  |  |
|  |  | On any other day 7am to 1am |  |  |
|  |  |  |  |
| **Will these hours apply** |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  | Yes |  | No |  |  |  |  |  |
| **to an external area?** |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| **The current days and** |  |  | Sunday 10am to 11pm |  |  |  |
|  |  |
|  |  | Good Friday and ANZAC Day 12 noon to 11pm |  |  |  |
| **hours of trade are** |  |  |  |
| **(if existing licensee)** |  |  | On any other day 7am to 11pm |  |  |  |
|  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
| **I/we have requested** |  |  |  |  |  |  |  |  |  |  |
| **authority to supply liquor** |  |  | Yes |  | No |  |  |  |
| **at the kerbside area** |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |



**The public notice must be displayed in a manner that invites public attention to the application on the main street frontage of the site or premises in a visible position and at eye level.**

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**(If you are unable to print the public notices as A3 size, email contact@vcglr.vic.gov.au or telephone 1300 182 457 to request a copy)**

**Objections**

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**Grounds for objection**

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**Display Requirements**

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