

Liquor Licensing Certificates

A Liquor Licence is required under the Liquor Control Act 1988 by the Department of Racing, Gaming and Liquor (RGL) for the sale of liquor from a premises.

Local government certification is required to be submitted with the application to the Department of RGL.

Prior to submitting an application for a Liquor Licence, the applicant must seek a Section 39 Certificate (Local Health Approval) and Section 40 Certificate (Certificate of Local Planning Authority) from the relevant local government.

These certificates are required for all new liquor licensing applications and applications for any alterations to existing licensed premises, including hotels, taverns, cabarets, liquor stores, special facility licences, restaurants and club licences.

It is required to confirm that areas of a premise subject to the Liquor Licence application have planning approval and meet health requirements from the City.

Section 39 Certificate (Local Health Approval)

A certificate issued by a local government under Section 39 of the Liquor Control Act 1988 confirms that the premises or proposed premises complies with all the relevant requirements of the Health Act 1911; the Food Act 2008; any written law relating to the sewerage or drainage of that premises under the Local Government Act 1995 and the Local Government (Miscellaneous Provisions) Act 1960.

Local governments are able to condition Section 39 certificates if a premises has outstanding work to be completed, or withhold the certificate until the premises has been made to comply.

Section 40 Certificate (Local Planning Approval)

A certificate issued by a local government in accordance with Section 40 of the Liquor Control Act 1988, confirms that the premises or proposed premises complies with the local government's Town Planning Scheme.

Local governments are able to condition Section 40 certificates, if the premises can only be made to comply with the planning laws, through the imposition of specified trading restrictions.

Usually, any trading restrictions specified by a local government would be imposed by the Liquor Licensing Authority as conditions on any licence issued.

For example, such restrictions could include limitation on hours of operation and licensing area etc.

Application Submission

The following information and details must be submitted to obtain a Section 39 and/or Section 40 Certificate:

- Copy of Department of RGL application form under the Liquor Control Act 1988.
- City's Liquor Licence Application and Inspection Request (for Section 39).
- Completed Liquor Licence Application Request (for Section 40).
- A non-refundable application fee as per the Schedule of Fees and Charges.
- Detailed site plan (scale of no less than 1:500). The site plan is to include the internal layout of the premises, demonstrating the area of the premises to which the liquor licence will apply.
- Alcohol Management Plan as per Council policy (HLTH3).

Incomplete applications will not be processed until all information is received, or may be returned to the applicant for their completion. Additional information may be required at the City's discretion.

Further Information

For further information, refer to the Planning section of the City's website where the following information is available:

- Town Planning Scheme No. 4
- Local Planning Policies
- Council Policies
- Information Sheets
- Schedule of Fees and Charges
- Application for Development Approval
- Development Application Checklist

Additional information on how to apply for a Liquor Licence is available from the Department of Racing, Gaming and Liquor's website: www.rgl.wa.gov.au

For further information regarding the Section 39 you are advised to contact City's Health Services on 9394 5000. Contact the City's Planning Services for further information.

Please note the information contained within this brochure is intended as a guide only. It is recommended that advice and assistance of City's Planning Services staff be sought prior to lodgement of a development application. The City of Armadale disclaims any liability for any damages sustained by a person acting on the basis of this information.