

Background

The new Liquor Act commenced on 1 July 2008. This repealed the Liquor Act 1982 and dissolved the Liquor Administration Board and the Liquor Licensing Court. These authorities have been replaced by the Casino, Liquor and Gaming Control Authority (the Authority).

The Authority is responsible for granting or refusing Liquor Licence applications.

What is Council's Involvement in the process?

Council's role in the liquor licence application process is a referral role. Council may be involved in two (2) stages of the new process:

- (1) During the preparation of a Community Impact Statement, and
- (2) During the assessment of a liquor licence application.

Community Impact Statement (CIS)

A Community Impact Statement is required to be prepared by an applicant prior to the lodgement of some types of liquor licence applications.

To prepare a Community Impact Statement, the applicant must distribute a *Notice of Intention to apply for a Liquor Licence* or a *Liquor Authorisation* form to Council and other relevant stakeholders. Council will assess whether the proposed liquor licence will have any negative impacts on the area. Council will consider a number of factors, which may include: the need for development consent, surrounding land uses, trading hours, noise, waste management, traffic and site access, amenity, and the potential for anti-social behaviour and crime.

Council will then send a letter to the applicant containing comments about the proposed liquor licence. A copy of this correspondence will be forwarded to the Authority for their records.

Liquor Licence (LL)

After lodging a liquor licence application with the Authority, a copy of this application is required to be submitted to Council within two (2) days. The following information is required to be submitted to Council at a minimum:

- i A copy of the entire LL application, including a sketch or plan of the proposed licensed area;
- ii A complete CIS (if applicable);
- iii An indication as to whether development consent is required for the activity and, if so, whether it is in place; and
- iv Relevant information concerning current lease agreements with Council (if applicable).

In the case of a single function LL application lodged online, a copy of the application will be automatically emailed to Council.

Council will consider the LL application and will inform the Authority as to whether development consent is required (and if so, whether a valid development consent exists) in order to allow the serving/selling of liquor at the subject premises. The Authority cannot approve any liquor licence application which requires development consent where no legal approval can be found.

Council may provide comment, recommend conditions, or even object to the liquor licence, if it is felt that the application has not adequately addressed potential issues listed under (1).

Following consideration of the LL application, Council will complete the required section of the LL application and provide written comment to the Authority. The Authority will then consider the application, the CIS (if applicable) and any submissions before making a determination.

Serving Liquor on Council Land

Where a LL Application relates to an activity on Council land, a lease/licence agreement or booking with Council's Property and Recreation Division is required. The activity may also require development consent.

If a lease/licence agreement already exists, the applicant should ensure it is current and valid before lodging a LL Application.

Contacts

Casino, Liquor and Gaming Control Authority

Phone (02) 9995 0894

http://www.olgr.nsw.gov.au/contact_home.asp

Wollongong Police Command

Phone (02) 42267 7652

Wollongong City Council

Customer Service Centre (and Duty Planning Officer available from 9 am-1 pm)

Phone (02) 4227 7111

Useful Websites

Office of Liquor Gaming and Racing (OLGR) liquor licence fact sheets and guidelines

http://www.olgr.nsw.gov.au/liquor_fact_sheets.asp

OLGR - Community Impact Statement Toolkit

http://www.olgr.nsw.gov.au/liquor_CIS_home.asp

Disclaimers

This Fact Sheet was believed to be correct at the date of its approval.

This Fact Sheet is for general information purposes only.