

Liquor Licencing Information

Premises that have a liquor licence (referred to as licensed premises) are governed by the Liquor Control Act 1988. The Act regulates the sale, supply and consumption of liquor, the use of premises on which liquor is sold, and the services and facilities provided in conjunction with the sale of liquor. The WA Department of Racing, Gaming and Liquor (RGL) are the regulatory body that issues the licence and carries out inspections of premises to ensure compliance with the Act and responsible service of alcohol.

The Role of the Shire

Prior to RGL making a determination on a liquor application the Shire may be requested to provide advice where:

- A new licence is sought; or
- Amendments to an existing licence is sought

Section 39 Certification (Local Health Approval)

A certificate issued by the local government under section 39 of the Liquor Control Act 1988 confirms that the premises (or proposed premises) complies with all relevant requirements under the Health Act 2011 and the Food Act 2008, under any written requirements relating to sewerage and drainage of the premises under the Local Government Act 1995, and Local Government (Miscellaneous Provisions) Act 1960. A Local Government is able to condition a Section 39 Certificate if the premises has any outstanding work to be completed, or withhold the Certificate until the premises has been made to comply.

Section 40 Certification (Local Planning Approval)

A certificate issued by the local government under Section 40 of the Liquor Control Act 1988 confirms that the premises (or proposed premises) complies with the local planning scheme. The Shires Planning department provides feedback on the applicants compliance with the Shires Town Planning Scheme and other planning laws. A Local Government is able to condition a Section 40 Certificate if the premises can only be made to comply with the planning laws, through the imposition of specific trading restrictions.

Application requirements

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

- Relevant Section application form under the Liquor Control Act
- Payment of non-refundable application fees for assessments conducted by both the Shires Environmental Health and Planning Departments
- Detailed scale plans. The site plan is to include:
 - Indication of number of seats to be provided

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- The internal layout of the premises, clearly demonstrating the area of the premises for which the liquor licence is to apply.

Complaints relating to licenced premises

Please note that the Shire of Coolgardie is not the approving or licencing authority for liquor licences. Section 117 of the Liquor Control Act 1988 (The Act) provides for a complaint to be lodged against a licensee if the noise coming from, or the behaviour of patrons at, a licenced premises is affecting the amenity of a neighbourhood. This can be people residing nearby or those attending other premises such as a school or hospital in the neighbourhood.

To lodge a complaint with the Department of Racing, Gaming and Liquor in relation to the activities at a licenced premises, please refer to the fact sheet and form of the DRGL's website titled "*complaints related to licenced premises*" at www.rgl.wa.gov.au

Further information

Further information and application forms can be obtained from the Department of Racing, Gaming and Liquor website at www.rgl.wa.gov.au