

22.11

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LICENSED PREMISES POLICY

This policy applies to the consideration of all applications for new uses and expansions of existing uses that involve the sale and consumption of liquor in the Glen Waverley and Oakleigh Activity Centres.

That is, the policy applies where a permit is triggered under Clause 52.27 of the Monash Planning Scheme in the Glen Waverley and Oakleigh Activity Centres.

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Policy basis

The Municipal Strategic Statement (MSS) recognises that the Glen Waverley Activity Centre is a major entertainment precinct in the south-eastern suburbs of metropolitan Melbourne. Council wishes to see the Glen Waverley Activity Centre continue to develop as a major entertainment centre for the region.

The Glen Waverley Activity Centre has approximately 80 licensed premises; including restaurants, nightclubs, bars and karaoke bars. These venues add to the vibrancy and character of the Activity Centre.

The Oakleigh Activity Centre has a strong sense of identity and a multi-cultural character which is enhanced by an active café society. The Oakleigh Activity Centre contains approximately 50 licensed premises which are predominantly restaurants. These venues stimulate social interaction and provide for a lively community focus.

Research shows that alcohol related violence or injury, and other forms of anti-social behaviour, is more likely to occur within or in close proximity to a licensed premises.

Small, well managed licensed premises generally present a lower risk of adverse impacts, whereas there is a higher risk of adverse impacts on safety and amenity from larger licensed premises, or from premises that operate well into the early hours of the morning.

The design characteristics of a licensed premise can be an important contributor to anti-social behaviour.

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Objectives

- To identify appropriate locations, uses, trading hours and patron numbers for licensed premises.
- To minimise the adverse amenity impacts associated with licensed premises in the Glen Waverley and Oakleigh Activity Centres.

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Policy

It is policy that:

- There should be no unreasonable impact on the amenity of the surrounding area due to the operation of a licensed premises.
- Licensed premises should operate in a manner that provides for the safety of patrons, the general public and nearby owners and occupiers of land.
- Noise emissions from licensed premises should comply with the standards specified in the State Environment Protection Policies.
- On-site noise attenuation measures should be implemented where amenity impacts on surrounding uses may result from the operation of the licensed premises.

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Application requirements

An application for use and/or development that is associated with the sale and/or consumption of liquor within the Glen Waverley and Oakleigh Activity Centres, including:

- new uses or the expansions of an existing use,

- change of use
- an increase in floor area and/or patron numbers
- extension in trading hours,
- an increase in the licensed area

must be accompanied by the following information, as appropriate:

- Site and floor plans which show:
 - existing site conditions.
 - site plan for proposal and floor plans of all levels of the building.
 - proposed use of all elements associated with the proposal, including all areas within the building, site and any areas adjacent to the site, such as queuing areas and seating on the footpath.
 - location of all external doors and windows.
 - location of waste storage areas.
- Hours of operation for all parts of the premises.
- Maximum patron numbers proposed within each identified area of the site.
- Detailed assessment of the potential off-site impact of venue.
- A Management Plan containing the following information:
 - details of all staffing arrangements, including numbers and working hours of security staff.
 - details of the proposed management of the premises, including crowd control, responsible serving of alcohol practices and location of queuing and outdoor smoking areas.
 - standard procedures to be undertaken in the event of a complaint.
 - waste management, including waste storage and collection times including the storage and collection of glass bottles etc.
- A Noise and Amenity Action Plan containing the following information:
 - the identification of all potential noise sources associated with the licensed premises, including air-conditioning, exhaust fan systems and security alarms.
 - details of the provision of music, including the frequency and hours of entertainment.
 - the location of any existing noise sensitive areas, such as residential uses in close proximity to the venue.
 - measures to be undertaken to address all noise sources identified, including on and off site noise attenuation measures.
 - location of all external lighting associated with the venue.
- Measures to be undertaken to minimise any identified adverse amenity impacts associated with the licensed premises.

If, the responsible authority considers that an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Decision guidelines

Before deciding on an application, the following matters should be considered in addition to the decision guidelines at Clause 65:

All applications

- The zoning of the land and the zoning of surrounding land.
- The location of the proposed licensed premises, the nature of its use, and proposed hours of operation.
- Whether the licensed premises caters for more than 200 patrons.
- The existing surrounding uses.
- The hours of operation of existing surrounding uses.
- The existing use of the land.
- The potential effect of the use on the amenity of the surrounding area.
- The proximity of the proposed licensed premises to residential uses.
- The impact of the proposal on the surrounding uses.
- The impact of the proposal on the vitality and viability of the Glen Waverley Activity Centre or Oakleigh Activity Centre.
- The adequacy of management of the licensed premises, including security.
- The adequacy of measures proposed in the Noise and Amenity Action Plan.
- The views of the Victoria Police.
- Any other relevant matter.

Additional decision guidelines for applications to expand the licensed area or extend the trading hours of an existing licensed premises

- The adequacy of existing management of the licensed premises having regard to:
 - complaints and/or problems with the premises, including breaches of planning permit or liquor licence conditions.
 - the conditions of the existing liquor licence or planning permit controlling noise, security, patron numbers and hours of operation.
- Any other relevant matter.

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Reference Documents

- Design Guidelines for Licensed Venues, Department of Justice, 2009.
- City of Monash Public Health and Wellbeing Partnership Plan 2013 - 201