

# Section 40 (Liquor Licensing) Certificates and Application Checklist

## Liquor Licensing

A Liquor Licence from the Department of Racing, Gaming and Liquor is required to be obtained for the sale of liquor from a premise. Local government certification is required to be submitted with the application. Prior to submitting an application for a Liquor Licence, the applicant must seek a Section 40 Certificate from the relevant local government.

Section 40 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. Additional detailed information on how to apply for a liquor licence is available from the Department's website [www.rgl.wa.gov.au](http://www.rgl.wa.gov.au).

## Section 40 Certificate (Local Planning Approval)

A certificate issued by a local government under Section 40 of the *Liquor Control Act 1988* confirms that the premises or proposed premises complies with the local government's Local 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 noise levels or hours of operation.

For businesses located at Perth Airport, the City's Planning Department does not issue Section 40 Certificates as it has no jurisdiction over land covered by the *Airport Act 1996*.

Applicants should ensure that requests for Section 40 certificates are lodged promptly to ensure that the City has sufficient time to process the application.

## Application Checklist

This checklist has been prepared to ensure development applications are complete and contain all required information to allow for the application to be processed in a timely manner. The City asks that you read the following information and complete the checklist to ensure all information is provided so that your application can be formally accepted.

Please note **incomplete applications** may not be accepted and may be returned to the applicant to lodge at a future date when all outstanding information is available.

## Lodgement of Applications Online

The City encourages customers to lodge development applications online ([www.belmont.wa.gov.au](http://www.belmont.wa.gov.au), refer Build, How to get Started, Lodge and Track an Application). Guest access is available.

Attachments with a total file size of 100MB can be uploaded. Application fees are paid on lodgment by credit card. Please note the Credit Card Merchant Service Fee will only be charged for credit card transactions of \$100,000 or above. Further information about the online lodgment process can be found in the Planning and Building Application Online Guide.

Minimum required information	Applicant Use Only	Council Use Only
<b>One (1) electronic copy of the complete application</b> is required. Electronic plans should be submitted in <b>PDF format</b> and meet the following requirements: <ul style="list-style-type: none"><li>• unlocked, no security or passwords</li><li>• to scale</li><li>• optimised for minimum file size.</li></ul>		
The following information is required:		
<ul style="list-style-type: none"><li>• Section 40 Application form (describing type of liquor licence which is being sought, the nature of the proposed business, and trading hours).</li></ul>		
<ul style="list-style-type: none"><li>• Detailed <b>site plan</b> demonstrating the location of premises to be licensed, including details of any external licensed areas;</li></ul>		
<ul style="list-style-type: none"><li>• Detailed <b>internal layout of the premises</b>, demonstrating the area of the premises to which the liquor licence will apply;</li></ul>		
<ul style="list-style-type: none"><li>• Correct <b>fee</b> paid (\$78.50) – refer to Schedule of Planning Fees.</li></ul>		

**SECTION 40 APPLICATIONS**  
**THIS SECTION MUST BE COMPLETED BY THE APPLICANT**  
**BEFORE SUBMISSION TO THE LOCAL AUTHORITY**



Applicant Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Phone No: \_\_\_\_\_ email: \_\_\_\_\_

Name of Premises subject of Section 40: \_\_\_\_\_

Premises Address: \_\_\_\_\_

**APPLICATION DETAILS**

Category and Type of Licence: \_\_\_\_\_

Nature of application and an outline of proposed use of the premises: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- (a) For what purposes is the licence sought? (Refer to Regulation 9A of the *Liquor Control Regulations 1989*).

\_\_\_\_\_

\_\_\_\_\_

- (b) What trading hours are sought?

Monday:	_____	am/pm	to	_____	am/pm
Tuesday:	_____	am/pm	to	_____	am/pm
Wednesday:	_____	am/pm	to	_____	am/pm
Thursday:	_____	am/pm	to	_____	am/pm
Friday:	_____	am/pm	to	_____	am/pm
Saturday:	_____	am/pm	to	_____	am/pm
Sunday:	_____	am/pm	to	_____	am/pm

- (c) Is approval sought to sell and supply liquor on:

Christmas Day YES ☐ / NO ☐    Good Friday YES ☐ / NO ☐    ANZAC Day YES ☐ / NO ☐

- (d) Is approval sought to sell liquor for consumption off the licensed premises? YES ☐ / NO ☐

- (e) Please detail the trading conditions sought and provide an outline on how it is proposed the premises will operate (attached separate submission if necessary):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_