



Section 39 (Liquor Licensing) Certificate

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 premises. Local government certification is required to be submitted with the application. Prior to submitting an application for a Liquor Licence, the applicant must seek Section 39 Certificate from the relevant local government.

A Section 39 Certificate is required for all new liquor licensing applications and applications for any alterations to existing licensed premises, including hotels, taverns, liquor stores, special facility licences, restaurants and cellar doors. Additional detailed information on how to apply for a liquor licence is available from the Department's website www.rgl.wa.gov.au (also refer menu Liquor, Liquor Licensing, click The Role of Local Government).

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 under the *Health (Miscellaneous Provisions) Act 1911*, under the *Food Act 2008*, under 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. Local governments may also impose conditions requiring that music not be amplified over a specified level.

Section 40 Certificate (Local Planning Approval)

Refer to the attached Section 40 information sheet.

Details of Application

To obtain a Section 39 Certificate the applicant must submit the following information to the Shire of Nannup:

- A detailed site plan demonstrating the location of premises to be licensed;
- A detailed internal layout plan of the premises, demonstrating the area of the premises to which the liquor licence will apply;
- Completed attached form.

A \$103.00 fee applies for Section 39 certificate requests.

Applicants should ensure that requests for Section 39 certificates are lodged promptly to ensure that the local government has sufficient time to process the application.

For enquiries regarding Section 39 Certificates, please contact the Shire of Nannup's Environmental Health Officer on (08) 9756 1018 or at nannup@nannup.wa.gov.au.



**Liquor Licence Application & Inspection Request
(Section 39 Certificate)**

I _____ of _____
(Full name in BLOCK LETTERS) (address in BLOCK LETTERS)

request the Shire of Nannup undertake an inspection of and provide a Section 39 Certificate for the premises known as:

_____ situated at:
(Name of premises in BLOCK LETTERS)

(Address of premises in BLOCK LETTERS)

I enclose the fee of \$103.00 (GST included) as payment for this service.

Signature

Date

Contact Phone Number: _____

Please note this form is to be submitted with the completed 'Liquor Control Act 1988 Certificate of Local Health Authority – Section 39' application.

CERTIFICATE OF LOCAL GOVERNMENT
LIQUOR CONTROL ACT 1988
Section 39

THIS SECTION TO BE COMPLETED BY THE LOCAL GOVERNMENT

I, (full name) _____

being the (title) _____

for the (name of Local Government) _____

with respect to an application by

(Name of applicant)

hereby certify that the premises known as _____

and situated at _____

Postcode _____

comply with all relevant requirements under the *Health Act 1911*, under the *Food Act 2008*, under any written law relating to the sewerage or drainage of those premises and under the *Local Government Act 1995* and the *Building Act 2011*;

OR

do not comply with the requirements set out above and could not reasonably be made to comply;

OR

Do not comply with the requirements set out above but could be made to conform if the following requirements were carried out:-

Dated the _____ day of _____

Signature of Authorised Officer

THIS SECTION TO BE COMPLETED BY THE APPLICANT BEFORE SUBMISSION TO THE LOCAL GOVERNMENT

Type of Licence:

- | | | | |
|--|--|---------------------------------------|---|
| <input type="checkbox"/> Casino | <input type="checkbox"/> Hotel (Restricted) | <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Special Facility |
| <input type="checkbox"/> Club | <input type="checkbox"/> Hotel (Tavern) | <input type="checkbox"/> Nightclub | <input type="checkbox"/> Wholesaler's |
| <input type="checkbox"/> Club Restricted | <input type="checkbox"/> Hotel (Tavern Restricted) | <input type="checkbox"/> Producer's | |
| <input type="checkbox"/> Hotel | <input type="checkbox"/> Hotel (Small Bar) | <input type="checkbox"/> Restaurant | |

Nature of application and an outline of proposed use of the premises _____

In the case of a Special Facility Licence application:

a) What category is sought? *Pursuant to Regulation 9A of the Liquor Control Regulations 1989*

- | | | |
|--|---|---|
| <input type="checkbox"/> Works Canteen | <input type="checkbox"/> Theatre/Cinema | <input type="checkbox"/> Reception/Function Centre |
| <input type="checkbox"/> Transport | <input type="checkbox"/> Tourism | <input type="checkbox"/> Education & Training Institution |
| <input type="checkbox"/> Education & Training Course | <input type="checkbox"/> Sports Arena | <input type="checkbox"/> Food Hall |
| <input type="checkbox"/> Catering | <input type="checkbox"/> Bed & Breakfast Facility | <input type="checkbox"/> Room Service Restaurant |
| <input type="checkbox"/> Amusement Venue | <input type="checkbox"/> Auction | <input type="checkbox"/> Online Wine Sales |

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

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 (attach separate submission if necessary):



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Liquor Licensing

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A Section 40 Certificate is required for all new liquor licensing applications and applications for any alterations to existing licensed premises, including hotels, taverns, liquor stores, special facility licences, restaurants and cellar doors. Additional detailed information on how to apply for a liquor licence is available from the Department's website www.rgl.wa.gov.au (also refer menu Liquor, Liquor Licensing, click The Role of Local Government).

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.

Section 39 Certificate (Local Health Approval)

Refer to the attached Section 39 information sheet.

Details of Application

To obtain a Section 40 Certificate the applicant must submit the following information to the Shire of Nannup:

- Detailed site plan demonstrating the location of premises to be licensed;
- Detailed internal layout of the premises, demonstrating the area of the premises to which the liquor licence will apply;
- Completed attached proforma describing type of liquor licence which is being sought, the nature of the proposed business, and trading hours.

An \$85.00 fee applies for Section 40 certificate requests as processing of the application involves land use information and property history searches.

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

For enquiries regarding Section 40 Certificates, please contact the Shire of Nannup's Development Services Coordinator on (08) 9756 1018 or at nannup@nannup.wa.gov.au.

LIQUOR CONTROL ACT 1988 CERTIFICATE OF LOCAL PLANNING AUTHORITY – SECTION 40

Reverse side to be completed by applicant BEFORE SUBMISSION TO THE LOCAL AUTHORITY

THIS SECTION TO BE COMPLETED BY THE LOCAL AUTHORITY

I, (full name)

being the

(Title)

for the.....

(Name of Local Planning Authority)

with respect to an application by

(Name of applicant)

hereby certify that the premises known as.....

and situated at.....

.....Post Code.....

will comply with all relevant planning laws, namely;

OR

would comply with the relevant planning laws if consent were to be given by the following authority;

(i) It is not known whether the authority will give their consent; or

(ii) It is known that the authority will give that consent subject to the following probable condition/restrictions;

.....
.....

OR

will not comply with the relevant planning laws for the following reasons:-

.....
.....

Dated the day of

Signature of Authorised Officer

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

APPLICATION DETAILS

Category and Type of Licence:.....

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

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.....

.....

.....

In the case of a *SPECIAL FACILITY LICENCE* application:-

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

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(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 (attach separate submission if necessary):

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