

Licensed Premises and Liquor Licences

Who should read this guide?

Anyone who wishes to lodge a development application with City of Adelaide for a licensed premises or apply for a liquor licence.

Introduction

Licensed premises such as restaurants, cafés, bars and nightclubs contribute to the vibrancy of the city for residents and visitors. These premises are encouraged in several key areas of the city but should be carefully managed to ensure their compatibility with sensitive land uses such as housing. The most common issues associated with licensed premises are noise, long hours of operation and inappropriate patron behaviour.

There are two approval processes required for licensed premises:

1. Approval of the land use and any associated building works. This requires the lodging of a development application on the Plan SA Planning Portal.
2. Approval of the liquor licence. This requires the lodging of an application with the Office of Consumer and Business Services (Liquor and Gambling Commission).

The Development Application

Development approval is required if a new licensed premises is being established in a new building or a change in land use in an existing building is proposed (e.g. from an office to a restaurant).

The proposed development is assessed against the State Government's Planning and Design Code, which contains planning guidelines that seek to balance the impacts of a new development with the amenity of existing developments.

When assessing a development application for a licensed premise several issues are taken into account, including:

The Zone or Subzone in which the site is located

Licensed premises are desired in some parts of the city but not all. Licensed premises are envisaged within the Capital City Zone, the City Main Street Zone and appropriate sites in the East Terrace Subzone in the City Living Zone.

New licensed premises are generally not envisaged within residential areas in the south of the city and the residential areas of North Adelaide.

The proposed hours of operation of the development

Licensed premises should operate in a way that reinforces the character of their locality and encourages the appropriate behaviour of their patrons within and around their premises.

The proposed development's likely noise and nuisance impacts on surrounding developments

Noise emanating from licensed premises and associated with patrons arriving and leaving the premises must be carefully considered. Music and entertainment within the venue itself, as well as noise associated with patrons walking through the surrounding area to their vehicles/transport late at night, can have significant impact on the amenity of nearby residents.

There is often a correlation between late closing hours of licensed premises and anti-social behaviour in surrounding areas. Limiting the hours of operation, even within different parts of a venue, as well as incorporating noise attenuation measures such as sound proofed walls, double glazed windows and music-limiting devices inside can help minimise the venue's impacts on the surrounding area.

Licensed Premises

The City of Adelaide may require a detailed report from an acoustic engineer to accompany a development application for licensed premises where it is anticipated that there will be potential for noise impact.

The size and scale of the licensed premises is also considered in assessing the potential noise impact. Depending on the nature of the application, the City of Adelaide may require the preparation of a management plan that addresses matters such as patron behaviour and techniques that may be used to minimise disturbance of nearby properties.

Where refuse will be stored and collected on site

A designated area that is easily accessible within the site must be provided for the storage and collection of refuse, such as bottles, food scraps and cardboard. The collection of refuse should take place at times when the noise will have the least impact on nearby sensitive land uses such as residential land uses.

Building Assessment

An assessment against the requirements of the Building Code generally considers the following (but is not limited to):

- Is the number of toilets provided (for male and female as well as people with a disability) suitable for the total area or the number of customers proposed?
- Is appropriate access provided for people with a disability?
- Where and how many emergency exits and exit signs are provided?

A building assessment may be required if a new licensed premises is being established in a new building, if a change in land use in an existing building is proposed and/or when internal fit out works are proposed. It is recommended that you contact the City of Adelaide's Development Assessment team for advice.

It is important to note that a building assessment and certificate of occupancy will determine the maximum occupancy of the building at any one time. The certificate of occupancy will determine the maximum occupancy and should be considered in any liquor licence application.

Licensing and the Office for Consumer and Business Services

If you are considering the sale and/or consumption of alcohol, you will need to apply for a liquor licence. Consumer and Business Services are responsible for administering the Liquor Licensing Act 1997 (SA). Information on lodging an application for a liquor licence can be found on the office's website www.cbs.sa.gov.au or by contacting them on 13 18 82.

Consumer and Business Services will require all necessary planning and building consents to be obtained before issuing a liquor licence.

Local Government Involvement in Liquor Licensing

An applicant for a liquor or gaming licence under the *Liquor Licensing Act 1997* (SA) will be required to provide relevant permits and approval documents to the Licensing Authority or provide written consent from a council.

Consumer and Business Services requires the completion of a 'Council Approvals Form' for liquor licenses.

The Council Approval Forms for [short term liquor licences](#) and [liquor licences](#) can be found on the Consumer and Business Services website.

The applicant must also post a notice of their application in a prominent position on the premises so that it is clearly visible to people passing the premises. Applications are also advertised online in the Advertised Liquor and Gaming Notices.

Licensed Premises

Under the Liquor Licensing Act 1997 (SA), the City of Adelaide can take the following action with regard to applications for liquor licenses:

1. General right to make a written submission - when an application is advertised, any person may make a written submission to the Commissioner in regard to the application if there are concerns regarding inconsistency with the Liquor Licensing Act 1997 (SA), it is not in the community interest, the applicant has a non-compliant reputation, or if granted would cause undue offence, annoyance, disturbance or inconvenience to people who reside, work or worship in the vicinity of the premises or proposed premises e.g. in the vicinity of a school or kindergarten and issue such as undue noise from the premises or from patrons arriving at / leaving the premises etc.
2. Complaints - the City of Adelaide can lodge complaints with the Office of the Liquor and Gambling Commission regarding the operation of a licensed premise (e.g. if noise or patron behaviour is proving to be problematic for surrounding residents).

Outdoor Dining

If you wish to have outdoor tables and chairs on a City of Adelaide footpath, an Outdoor Dining Permit is required. While the City of Adelaide supports outdoor dining and the activity contributes to the vibrancy of the city, there are requirements as to where it is permitted and how much of the footpath can be used.

Please contact the City of Adelaide's Outdoor Dining team on 8203 7203 or via email: outdoordining@cityofadelaide.com.au to discuss the specifics of your site. More information, including how to lodge an outdoor dining application online, can be found on the City of Adelaide website.

Events

Development approval may be required for events exceeding 60 days and for events on private land.

Information regarding events can be found on the [City of Adelaide's website](http://cityofadelaide.com.au).

Further Information

For further information or to discuss your specific requirements, please contact:

- Office of Consumer and Business Services (Liquor and Gambling Commission), www.cbs.sa.gov.au or can be contacted on 131 882
- City of Adelaide Development Assessment team on 8203 7183
- City of Adelaide Outdoor Dining team on 8203 7203 or via email: outdoordining@cityofadelaide.com.au.