

Thursday 1 October 2009

## COALITION TO END PLANNING EXEMPTION FOR BOTTLE SHOPS

The Victorian Liberal Nationals Coalition will legislate to guarantee communities a say about packaged liquor sales in their local area by ending the exemption of bottle shops from the planning process.

Under the Coalition's plan, new bottle shops will be required to justify their presence in the community in the same way as other licensed premises.

There is something wrong when local communities are shut out of the planning process because bottle shops are exempt from planning laws.

Communities around Victoria are angry that their views have been ignored and under current law, bottle shops are able to obtain a liquor licence without going through the same planning process as other licensed premises.

Our plan means that local councils and the community would have an active role in deciding the location of new bottle shops.

Under clause 52.27 of the *Licensed Premises* section of the *Victorian Planning Provisions*, no planning permit is required for a liquor licensee who sells only packaged liquor for consumption elsewhere.

A Coalition Government would remove this exemption and give Victorian families the opportunity to comment to their local council under planning laws if they were concerned about the impact or appropriateness of a new bottle shop opening in their local shopping centre.

The Coalition's plan follows recent cases where bottle shops have been allowed to set up in inappropriate locations, including an example in Preston where a massive liquor warehouse was allowed to open 200 metres from a Salvation Army rehabilitation centre for recovering alcoholics, despite the protests of local police and Darebin Council.

In addition, Labor has failed to implement a recommendation from its own Liquor Control Advisory Council, which told the government in March 2008 that the planning exemption for bottle shops should be scrapped.

If you are going to get a planning permit as is required to serve liquor, then you should have to apply for a planning permit to sell liquor.

# Policy

Just like other licensed premises, bottle shops should have to make the case before council for their presence in local communities.

Groups that have previously supported removing planning exemptions for bottle shops in Victoria include:

Alcohol Policy Coalition (including VicHealth, Australian Drug Foundation, Cancer Council Victoria and Turning Point Alcohol and Drug Centre): *“Despite these recent developments, **there remain serious problems with the current liquor licensing arrangements in Victoria ... packaged liquor outlets do not require planning permission**, meaning that there is no possibility to assess their contribution to amenity or safety issues at the planning stage. Councils also report limited scope for their involvement during the liquor licensing phase, despite increasing attention paid to alcohol policy at the local level”* (Position Statement on The Physical Availability of Alcohol, August 2009, p3).

Liquor Control Advisory Council: *“That section 52.27 of the Victorian Planning Schemes be amended to **remove the exemption (from the requirement to obtain a planning permit) for a packaged liquor licence**”* (Recommendation 8(a), *Report on the appropriateness of the regulatory regime for the sale of packaged liquor in Victoria*, 25 March 2008, p8).

National Local Government Drug and Alcohol Advisory Committee: *“Development, building and liquor licence assessment and approval must occur at the one time to ensure consistency in decision-making. All liquor outlets **including packaged liquor outlets** should be assessed. Local government must be empowered through legislation with the rights to decide on outlet density and hours of operation with stronger rights to appeal on behalf of local communities”* (Committee’s submission to Ministerial Council on Drug Strategy’s National Alcohol Forum, 15 July 2008).