



SECTION 40 (LIQUOR LICENSE) APPLICATIONS

What is a Section 40 application?

Section 40 of the *Liquor Control Act 1988* ("the Act") is the Certificate of Local Planning Authority. A Section 40 Liquor Licence is granted by the relevant local government for the sale of liquor on site for licensed premises. A person/s who would like to supply liquor on their premises must be granted support in the form of an approved Section 40 Certificate from their relevant local authority.

What do I need to submit?

The Section 40 Certificate Application form can be found on the City's website. This application form outlines all of the information that needs to be submitted to the City in order for an assessment to be undertaken.

How much does a Section 40 application cost?

Applications for Section 40 Certificates cost \$73.00 per application.

How is a Section 40 application assessed?

It is the role of the Planning Officer to ensure that the proposed use submitted under a Section 40 application complies with The City of Vincent Local Planning Scheme No.2 (LPS 2). A Planning Officer will review the current approved use of the site, to ensure the applicant is operating an approved or permitted use on the site.

What if I don't have the required planning approvals?

If the Planning Officer identifies the premises does not have the appropriate planning approvals, the applicant will be advised that an application for development approval will be required to be submitted to the City. A Liquor License cannot be issued by the City until the appropriate planning approvals are granted by the City for the site.

How long does a Section 40 application take?

There is no statutory timeframe for the City to review and issue a Section 40 certificate however the City have set internal targets to process and determine each application within 14 calendar days from acceptance.

Applicants must ensure that all information required by the Section 40 Certificate application form is provided to facilitate the most efficient assessment timeframes (copy of previous approvals and associated plans). If the City requires additional information to be submitted following lodgement, the timeframes may increase.

What do I do after receiving my Section 40?

Once the City has issued a Section 40 Certificate, applicants must enquire with the City's Health Services team about the requirement for a Section 39 Certificate application – which ensures the premises meets the relevant requirements under the *Health Act 1911*, the *Food Act 2008*, *Local Government Act 1995* and the *Building Act 2011*. Once a Section 40 and Section 39 have been issued by the City, applicants must lodge their application with the Department of Racing, Gaming and Liquor who are the determining authority for Liquor License applications.

Do you have more questions?

The City is unable to confirm if a proposal will be supported in the absence of a formal development applications. However, applicants can discuss planning proposals and preliminary plans with the City's Urban Planners. Urban Planners can provide general advice to applicants on a proposed development or land use and the information required to lodge a complete application.



A Duty Planner is available to talk to at the City's Administration Office Monday to Friday, 8.30am to 5.00pm, in person or on the phone.

Phone: 9273 6000

Email: mail@vincent.wa.gov.au

Address: [Main Administration Building, 244 Vincent Street, Leederville 6007, WA](#)

Disclaimer: This information is produced by the City of Vincent in good faith and the City accepts no responsibility for any ramifications or repercussions for providing this information. Verification with the original Local Laws, planning schemes and other relevant documents is recommended for detailed references.