

## Section 39 Certificate of Local Government – Information Sheet

### What is a Liquor License and why must one be obtained?

A Liquor Licence is required by any person wanting to sell alcohol.

As part of the State Government Department of Racing, Gaming and Liquor's (The Department) licensing requirements, applicants must provide The Department with Local Government (The City) approval under sections 39 and 40 of the *Liquor Control Act 1988*. The Department will not commence processing your application until you can provide them with Local Government Certificates under sections 39 and 40.

The Section 39 Certificate of Local Government approval is to verify that The City is satisfied that the premises to be licensed complies with relevant legislation such as the *Food Act 2008*, *Health Act 1911* and *Building Act 2011* and *Local Government Act 1995*. This process is administered by the City's Environmental Health Officers and cannot be completed until the Section 40 Certificate of Local Planning Authority has been issued.

Section 40 approval is to verify that the City is satisfied that the premises to be licensed meets the City's planning requirements under the *Planning and Development Act 2005* and associated policies.

This process is administered by the City's Planning Officers. Section 40 information is available separately on the City's webpage.

### Section 39 Certificate of Local Government

Section 39 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).

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.

In most cases an inspection of the premises will need to be completed by the City's Environmental Health Officer in order to confirm compliance with the relevant requirements.

### CHECKLIST for submitting a Section 39 Application

To obtain a Section 39 Certificate, the applicant must submit the following information to the City of Canning:

- Department of Racing, Gaming and Liquor s.39 Application Forms;
- Site plan – showing street and lot numbers (to scale);
- Floor plan – identification of area proposed to be used as part of licence including alfresco areas; and

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.

