

Office of Liquor and Gaming Regulation

Guideline 37: Sale of liquor from premises that also sell petrol

(Withdrawn 3/11/2020)



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Guideline 37: Sale of liquor from premises that also sell petrol

Liquor Act 1992
Liquor Regulations 2002
Wine Industry Act 1994

This guideline is to inform applicants/licensees of the attitude of the Commissioner for Liquor and Gaming in making a determination of the suitability of premises where the sale and supply of liquor occurs at premises located within the same complex as the sale of petrol or in an adjoining complex.

Applications in relation to a liquor licence for premises selling petrol must fundamentally be considered on their own merits, in accordance with the guidelines set out below.

Questionnaire

On receiving an application that would allow the sale of liquor within the same complex as the sale of petrol, or in an adjoining complex, the Commissioner should immediately request the applicant complete Form 31: Site assessment for service station/fuel depot. This will help establish the correlation between the sale of liquor and petrol, and determine if special consideration must be given to the application in light of concerns about drinking and driving.

Categories of premises that are considered unsuitable to hold a liquor licence

The Commissioner is likely to refuse applications if any of the following criteria are met:

- the sale of liquor and petrol is from the same point of sale or in the same business, other than in a remote part of the State; or
- consumption on the premises is proposed and the premises is a dedicated truck stop, providing facilities such as heavy vehicle parking areas, showers and change rooms.

Applications that require close scrutiny

The Commissioner will give careful consideration to applications which meet the following criteria:

- the petrol and liquor outlets are in the same or adjoining buildings; or
- the premises is in a remote location and there are no liquor outlets in the locality from the proposed premises; or
- the sale of petrol is only a minor part of the business, providing a service to patrons visiting the premises for other purposes, rather than visiting the premises with the specific intent of purchasing petrol.

The Commissioner may determine that the imposition of conditions would sufficiently address concerns. The Commissioner will have regard to ensuring appropriate demarcation between the two businesses.

Applications that do not need any special consideration under this guideline

Where the application is for any type of licence in a large complex, where the liquor outlet and petrol outlet are well separated by other buildings, car parks, etc and -

- (i) there is no direct line of sight; or
- (ii) there is no other link between the outlets;

and the sale of liquor is proposed for take away only;

the Commissioner should consider such an application as it would any other application.

Re-issued 5 December 2013

Re-issued 24 January 2013

Withdrawn 3 November 2020

WITHDRAWN