

Western Australia

**Liquor Licensing Amendment (Petrol Stations
and Lodgers' Registers) Act 2000**

As at 30 Jun 2000

No. 23 of 2000

Extract from www.slp.wa.gov.au, see that website for further information

Liquor Licensing Amendment (Petrol Stations and Lodgers' Registers) Act 2000

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Liquor Licensing Amendment (Petrol Stations and Lodgers' Registers) Act 2000

No. 23 of 2000

An Act to amend the *Liquor Licensing Act 1988*.

[Assented to 30 June 2000]

The Parliament of Western Australia enacts as follows:

1. Short title

This Act may be cited as the *Liquor Licensing Amendment
(Petrol Stations and Lodgers' Registers) Act 2000*.

2. Commencement

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This Act comes into operation on a day fixed by proclamation.

3. The Act amended

The amendments in this Act are to the *Liquor Licensing Act 1988**.

[* Reprinted as at 12 June 1998.]

4. Section 3 amended

Section 3(1) is amended by inserting after the definition of “this Act” the following definition —

“

“**townsite**” means a townsite under the *Land Administration Act 1997*;

”.

5. Section 36A inserted

After section 36 the following section is inserted —

“

36A. Petrol stations in some areas not to be granted licences

(1) In this section —

“**country townsite**” means a townsite that is outside the metropolitan area;

“**packaged liquor outlet**” means licensed premises from which packaged liquor is sold but does not include premises in respect of which a club licence is in force;

“**petrol station**” means a business that involves the retail sale of fuel for road vehicles to people

travelling in them, whether or not other goods or services are also sold or supplied to those people.

- (2) The licensing authority shall not approve the grant or removal of a licence that would authorize the sale of packaged liquor from any premises if there is a petrol station on the premises and the premises are —
- (a) in the metropolitan area; or
 - (b) in, or within a prescribed distance outside, a country townsite in which there is a packaged liquor outlet.
- (3) Subsection (2) does not apply in the case of an application for the removal of a licence that is in respect of premises on which there is a petrol station to other premises situated not more than 500 metres from the premises from which the licence is sought to be removed.

”.

6. Section 65A inserted

After section 65 the following section is inserted —

“

65A. Petrol station not to be established on premises from which packaged liquor is sold

- (1) In this section —
- “**applicable day**” means the day on which the *Liquor Licensing Amendment (Petrol Stations and Lodgers' Registers) Act 2000* comes into operation;
- “**country townsite**” has the same meaning as it has in section 36A;

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“petrol station” has the same meaning as it has in section 36A.

- (2) A licence that authorizes the sale of packaged liquor and that is in respect of premises in the metropolitan area or in a country townsite is subject to the condition that after the applicable day a petrol station must not be established on the premises.
- (3) Subsection (2) does not apply to premises that are in a country townsite if the Director, on an application by the licensee of the premises, so orders.
- (4) In the case of a breach of the condition referred to in subsection (2) the licensing authority must cancel the licence in respect of the premises unless it is satisfied that the construction of the petrol station commenced before the applicable day in which case the authority may exercise any of the powers in section 96.

”.

7. Section 105 amended

Section 105(7)(a) is amended by deleting “6 years” and inserting instead —

“ 2 years ”.

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