



**Australian Government**

**Department of Health**

Office of Drug Control

## Application for a major variation to a medicinal cannabis licence under the *Narcotic Drugs Act 1967* – changes affecting location of a licensed premises

### Screening Questions

1. Does the application relate to a medicinal cannabis licence issued by the Office of Drug Control (ODC) under the *Narcotic Drugs Act 1967* (the Narcotic Drugs Act)?
  - o Yes- proceed to Q.2.
  - o No- variations cannot be sought until a licence has been granted under the Narcotic Drugs Act.
2. Does the proposed variation relate to a change of location or adding an additional location to an existing licence?
  - o Yes- proceed with this application form.
  - o No- a different application form is required for any other type of variation, please see the ODC website.

### Important information

This is an application to the Secretary of the Department of Health made under section 10N of the *Narcotic Drugs Act* to vary a medicinal cannabis licence issued under that Act relating to changes affecting the location of a licensed premises.

Irrespective of the person(s) completing this licence variation application form, the licence holder is accountable for the accuracy of the information entered and submitted as part of the application, including any supporting documents.

The application may be withdrawn at any time before a decision has been made, but the application fee is not refundable. If you decide to withdraw your application, then an email to this effect should be sent to [MCS.application@health.gov.au](mailto:MCS.application@health.gov.au).

### Implementation of variations

Variations sought through this application must not be implemented by the licence holder until a decision approving the application, when made by the delegate, is notified in writing by the ODC. It should be noted that the lodgment of an application to vary a licence does not constitute approval to commence or continue activities that would be unauthorised under an existing licence. Conducting authorised activities where facilities or security arrangements have not been approved may be a breach of the licence and unlawful.

### Privacy

The ODC collects a variety of personal information in performing its function. Personal information is defined in the *Privacy Act 1988* (Privacy Act). Your personal information is protected by law under the Privacy Act, which contains the Australian Privacy Principles. The ODC is part of the Australian Government Department of Health. The Privacy Policy for this Department is available at [www.health.gov.au](http://www.health.gov.au).

The ODC may validate any information provided with this application with Commonwealth, State and Territory law enforcement authorities and State and Territory regulatory, planning and/or infrastructure authorities.

### Providing Incorrect Information

Under Divisions 136 and 137 of the *Criminal Code Act 1995*, it is an offence to provide a false or misleading statement, information, or documents to the Commonwealth, including as part of an application for a licence.

SECTION 1 Licence details	
Licence holder:	
Licence number:	_____
	_____

SECTION 2 Change of location/adding an additional location – Reason/s for proposed variation			
The variation seeks to:	change location <input type="checkbox"/>	add additional location <input type="checkbox"/>	
Provide an overview of why the licence holder is seeking to change, or add an additional, location to the licence			
Does the licence holder continue to have access to, or control of, the location/s currently listed on the licence?			
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
<i>If no, provide details</i>			
Does the licence holder intend to continue conducting authorised activities at the location/s currently on the licence?			
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If no, does this variation seek to remove a site from the licence?			
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, provide the following details on the site to be removed from the licence			
Address line 1			
Address line 2			
Suburb		State	
		Postcode	

**SECTION 3 Change of location/adding an additional location – Details of new location**

Address line 1					
Address line 2					
Suburb		State		Postcode	
If address is not available, GPS Coordinates of the location:					
Latitude		Longitude			
Total area of the land at the address				_____m <sup>2</sup>	
The total area at the address which will be enclosed within the primary border, and will considered the licensed premises				_____m <sup>2</sup>	
Provide details on the local government zoning for the land					
Is the proposed site currently owned by the licence holder? <i>Document requirement</i> - If yes provide evidence					
Yes		<input type="checkbox"/>		No <input type="checkbox"/>	
Is the proposed site currently leased by the licence holder?					
Yes		<input type="checkbox"/>		No <input type="checkbox"/>	
If yes, provide the following details of the lessor					
Given name/entity name			Surname		
Address of landlord					
Is the landlord aware of the activities to be conducted at the location?					

If the proposed location is neither owned nor leased by the licence holder, provide details on of the licence holder's legal right to use or occupy the premises at the location, including the right to construct, maintain, and exclusively use facilities at the location.

**Document/s requirement** - Provide such documents as are necessary to establish the legal right to use or occupy the premises at the location, including the right to construct, maintain, and exclusively use facilities at the location. This should include a lease agreement, if one is in place.

#### SECTION 4 Change of location/adding an additional location - Suitability of the proposed location

Describe why you believe the proposed new/additional site will be located at a suitable location to conduct the proposed authorised activities.

*The response may include the zoning for the land, and the appropriateness of the site with regard to council and state regulation. Include details of nearby businesses, schools and other facilities in particular details of any sensitive or vulnerable populations that may be in the vicinity.*

**Document requirement** - Provide evidence that the local government authority is aware that the licence holder intends to conduct the proposed activities at the chosen location.

Are there any other businesses co-located within the proposed location?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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If yes, provide details on these businesses and provide details on the measures that will be in place to ensure that the businesses remain separated.

Apart from other businesses, are there any other activities that occur at the location that are not related to the activities authorised by the licence? <i>If yes provide details</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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**Document requirement** - Provide a satellite image of the site. Indicate on the image where the premises will be positioned at the location, and where the location is in relation to infrastructure and other properties or businesses.

Provide details of the premises and facilities at (or to be constructed at) the location. Include information about building and room usage and construction materials.		
Are there any existing buildings on the proposed location?	Yes <input type="checkbox"/>	No <input type="checkbox"/> Partial <input type="checkbox"/>
If yes, will all existing buildings be used to undertake authorised activities?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Identify the intended use of each existing building and indicate each building on a site plan.		
Will the buildings where the licence holder intends to conduct authorised activities need to be constructed or fitted out, should the proposed variation be granted?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Document requirement</b> - If yes, provide evidence of the projected costs of the construction and fit out.		
<p><b>Document requirement</b> - Provide a site plan showing how the land will be used for the proposed activities. Indicate where any other businesses/ activities (if any) will be conducted if occurring on the same site. Ensure the site plan is clearly labelled and displays the following:</p> <ul style="list-style-type: none"> <li>i. The boundary of the proposed site</li> <li>ii. All buildings/ structures that are/ will be on the site</li> <li>iii. All entrances/ exits and point of access to the site</li> <li>iv. Any fencing or physical barriers</li> <li>v. Any cultivation areas, indicating indoor/ outdoor, low or high THC as appropriate</li> <li>vi. Areas where different authorised activities will take place</li> </ul>		
Does the licence holder hold a State/ Territory licence to cultivate industrial hemp or manufacture narcotic drugs?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Document requirement</b> - If yes, provide a copy of the relevant state/territory licence		

## SECTION 5 Change of location/adding an additional location – Physical Security

### Physical Security:

**Document requirement** - Provide a detailed floor plan/s of the facilities at the new/additional location where activities to be authorised by the licence will be undertaken. Ensure the floor plans are clearly labelled, contain a scale, and display the following:

- i. All entry and exit points
- ii. All rooms/ areas within each building/ structure (including toilets and break rooms)
- iii. Vault/ storage areas
- iv. All internal doors
- v. All external doors and windows
- vi. Internal walls
- vii. A security overlay which includes, but is not limited to, CCTV cameras, motion sensors, all access controls etc.

### EXTERNAL PERIMETER

Provide details of any security measures that will be in place around the external perimeter, that will ensure the physical security of the cannabis plants or cannabis drugs. Include details on the below security measures:

Perimeter fence or barrier:

Gate to access site:

Any other equipment to control access:

*Note- where possible, these details should be reflected on the site plan.*

### SECONDARY BARRIERS

Provide details of the security measures that will be in place within the secondary barriers that will ensure the physical security of the cannabis plants or cannabis drugs. Include details on the below security measures:

Construction of the facility or secondary barrier:

How external doors are secured:
How windows are secured:
<b>TERTIARY BARRIERS OR MEASURES</b> Provide details of the tertiary barriers (security measures or equipment) that will be in place within the facility that will ensure the physical security of the cannabis plants or cannabis drugs.
<b>STORAGE</b> Outline of the security arrangements that will be in place to ensure that all cannabis materials will be securely stored.
What is the capacity of the vault/ safe? _____ m <sup>3</sup>
What is the maximum capacity of areas that will be used for cannabis waste? _____ m <sup>3</sup>

<b>SECTION 6 Change of location/adding an additional location - Safety and security of supply, delivery and transportation</b>
Provide details of the measures that will be in place to ensure the safety and security of the supply, delivery and transportation of cannabis plants or cannabis drugs.
Outline the intended arrangements that will be in place to ensure secure disposal/ destruction of cannabis plants or cannabis drugs.

**SECTION 7 Change of location/adding an additional location – Loss/ Theft mitigation**

Outline the arrangements that will be in place to detect the loss/ theft of cannabis plants or cannabis drugs.

**Document requirement** - Provide at least one policy document or standard operating procedure that deals with the following matters:

- i. The measures to be used to prevent unauthorised access (physical and electronic);
- ii. The equipment to be used to prevent, monitor, detect and record unauthorised access; and
- iii. The measures to be used for physical security at the location.

**SECTION 8 Change of location/ adding an additional location – Further information to support application**

**Arrangements with emergency services**

Provide details on how the licence holder intends to establish arrangements with emergency services to deal with loss, theft, spoilage, disposal and destruction of cannabis plants or cannabis drugs at the new/additional location.

**SECTION 9 Declaration and consent**

I am authorised by the licence holder to submit this proposal to vary a licence on its behalf.

I declare that, to the best of my knowledge, all the information in this proposal is true, correct and complete. I am aware that giving false or misleading information is a serious offence – see Division 136 and 137 of the *Criminal Code Act 1995*.

Name:	Contact number:	Email:
Signature		Date:

Version control

Updates to this document will occur automatically on the Office of Drug Control website and the revision table below will list the amendments as they are approved.

Date	Version	Amendments	Approved by
March 2022	1.0	Initial publication	ODC