



# CONSIDER YOUR LIQUOR LICENCE OPTIONS

## Early consideration of your immediate and long-term business goals will help you make informed liquor licence application decisions.

When starting or scaling a beverage business in Western Australia you will need both state ([liquor licence - Department of Local Government, Industry Regulation and Safety/Liquor Licensing](#)) and federal ([manufacturer and excise licences - Australian Taxation Office](#)) licences.

There are many factors that will need to be considered to help inform your operational and financial decisions, future proof your business and assist in applying for the best licence category. Thinking about your immediate and long-term business goals and site/premise selection will influence your liquor licences. This includes but is not limited to:

- What do I want to do to get started (eg. over the next 1-5 years)?
- What do I want to do in the future (eg. 5+ years – helps define licence needs)?
- What liquor do I want to sell (eg. beer, wine, spirits, cider etc.)?
- How do I want to sell the liquor I produce (eg. packaged for takeaway, wholesale, consumed on site, with a meal, tastings etc.)?
- Where do I want to sell the liquor I produce (eg. onsite consumption and takeaway sales, at other business venues, festivals/exhibitions/shows, liquor stores)?
- Do I want to sell products produced by others (eg. if you produce beer, do you also want the ability to serve wine, cider, spirits to your customers)?
- Have I been clear in my discussions with local government about how I intend to start business operations and my future business goals? Noting dependent on your site/premise location you may find your liquor licence conditions could be restricted by land use planning/zoning and trade waste management capabilities if you plan to scale your production volumes and/or service offerings.

### TOP TIP



Being clear on your short and long-term business goals will greatly assist when connecting with relevant government agencies. This will help you and the regulators identify applicable compliance requirements early in your business journey. These factors will impact time and cost so being fully aware upfront will contribute to making informed business and financial decisions.

# CONSIDER YOUR LIQUOR LICENCE OPTIONS

CATEGORY Licence type is under the <i>Liquor Control Act 1998</i>	CAN YOU PRODUCE LIQUOR	CUSTOMERS CONSUMING ON PREMISES	SELLING PACKAGED LIQUOR	SELLING OTHER PEOPLE'S LIQUOR	TASTINGS <sup>2</sup>	THINGS TO BE AWARE OF
PRODUCER	✓	✓	✓	✓ <sup>1</sup>	✓	Within your approved licenced area, customers can consume (seated or standing) and takeaway the packaged liquor you have produced. However, customers consuming liquor made by others must have a substantial meal and be seated in a dining area.
WHOLESALER	✓	X	✓	✓	✓	Cannot do consumption onsite, tastings only. Can only sell a maximum of 10% of their gross turnover to the general public – 90% must be to other liquor merchants.
SMALL BAR/ RESTRICTED TAVERN	✓	✓	X	✓	✓	Cannot purchase liquor for takeaway.
TAVERN	✓	✓	✓	✓	✓	Can sell other products based on licence conditions.
RESTAURANT	✓	✓	X	✓	✓	Can only consume liquor with a meal and if seated. Tastings must be seated.

<sup>1</sup> Yes, provided it is ancillary to a substantial meal.

<sup>2</sup> Tasting equates to: 15ml spirits, 50ml wine, 100ml beer.

# CONSIDER YOUR LIQUOR LICENCE OPTIONS

**When scaling and diversifying your business model be aware of the following factors before investing time and money, as you have been approved for your current business model only. Dependent on your plans you may need to apply for additional approvals, with no guarantee that they will be successful, even if you are fully operational.**

## 1. Variations to your current licence

Before you consider changes to your current liquor licence ensure that you have spoken to the local government who placed the original conditions on the licence. Understand what your current licence allows, being aware that to add, vary, or cancel a condition of your licence you will need to:

- Look at the venue and why the licence is conditioned
- Present evidence that the local government is supportive of your proposed changes eg.:
  - An increase in numbers/venue capacity
  - Live performance/bands/events/festivals/functions
  - Introducing a dining area.

## 2. Production capacity

Be aware that if you are altering your production capacity and planning to add, increase or modify your production equipment you will need to:

- Contact the [Department of Local Government, Industry Regulation and Safety/Liquor Licensing](#) who will need to consider your proposed changes and see new plans.
- Speak to your local government regarding the approvals you will need, based on your plans to grow and/or diversify. Be aware that greater production volumes or the introduction of a new product will result in more effluent waste and you may need to revisit trade waste approvals ([Trade Waste Guide](#)).

# CONSIDER YOUR LIQUOR LICENCE OPTIONS

## 3. Change in liquor type

Adding, varying or cancelling liquor conditions relating to the type of liquor being produced (eg. wineries also making cider, breweries making spirits, wineries making beer or spirits, removing alcohol from beverages/non-alcoholic product line) will require you to resubmit applications and seek approval for the changes. This is to ensure you have the right licence for your business pivot and that the equipment to be used based on these changes, has been independently assessed and approved.

In addition to the [Department of Local Government, Industry Regulation and Safety/Liquor Licensing](#), you will also need to contact the [Australian Taxation Office](#), your local government and other regulators eg. those related to domestic and trade waste (see the [Trade Waste Guide](#)).

## 4. Expansion of venue

If you are considering expanding your business, be aware this will result in an alteration redefinition. This will require you to engage the services of a consultant (eg. draftsperson, architect, interior designer etc. to draw up new plans for assessment by the [Department of Local Government, Industry Regulation and Safety/Liquor Licensing](#) and gain local government approval. Included in this assessment will be considerations of the impact of your expansion on the local amenity (eg. noise and patron conduct).

## 5. Cellar Door Extended Trading Permit (ETP) - ongoing

If your site/premise has restrictions you may want to explore and discuss with the [Department of Local Government, Industry Regulation and Safety/Liquor Licensing](#) if there is an option based on your licence category, to allow you to trade away from your licenced site/premise in the same local government area. For example, you may have a beer/spirits producer's licence that will allow you to consider producing on the licenced property and extend the licence to sell/serve your product in an appropriately zoned hospitality area within your same local government area.

For wineries, the option applies by 'wine region'. (eg. you may be licenced to produce wine in Waroona and have a 'shop front' in a hospitality zoned area in Mandurah, both located within the 'Peel Wine Region').

**NOTE:** you can only apply for one ETP per licence, you will need local government approval, and owner consent for alterations and tenure. [Learn more about what ETPs are and their specific requirements.](#) For producers review the cellar door permit section to see if this will apply to you.