

THE HOSPITALITY MESSENGER

Your Western Australian liquor licensing, hospitality, event and related industries news and information presented by Lavan

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LAVAN

Licensing activity afloat on the Swan

The way in which Perth City connects with the Swan River has changed dramatically in recent years following the opening of Elizabeth Quay and Fraser Point. With the nearby Perth Stadium due for completion shortly, the Swan River is set to become a greater focal point for the City in terms of hospitality and related activities for years to come.

These significant developments have started to attract new hospitality ventures to operate on the river itself.

On 30 October 2017, Barge Co Pty Ltd received a conditional tavern restricted licence to operate a 700m² purpose built two storey barge. It is intended that people with tender boats will be able to access the barge which will be moored on the Swan River, Coogee Beach and Port Beach at various times of the year. However, some further approvals are still required in order for this venture to become operational.

Meanwhile, a similar concept, known as The Raft, has received the tick from environmental authorities but is yet to receive any liquor licence. The Raft is said to be smaller than the Barge Co proposal with the \$1.5million vessel being 420m².

It will be interesting to see how these unique proposals ultimately affect the role of the Swan River in Perth's hospitality scene and what other new and (hopefully) interesting businesses are established on or around the River.



REMINDER: Annual licence fees were due to be paid by 1 January 2018 and penalties for late payment could now be applied. In our experience, the licensing authority will begin issuing notices of non-payment toward the end of this month. Failure to pay the annual licence fee can result in suspension or even cancellation of a licence so be sure to check that the payment has been made.

Licensing authority to review pop-up bar policy

The licensing authority is in the process of reviewing how it assesses and approves occasional licence applications for pop up venues. The licensing authority is hoping to implement a new system which will make it easier for existing "bricks and mortar" venues to operate their own pop ups near their existing premises. Watch this space.

2017 by the Numbers

There were 294 applications listed for advertising in 2017 in relation to new licences, permits, alterations and variations, as follows:

Application for...	No.
Hotel	5
Hotel Restricted	3
Tavern	13
Tavern Restricted	22
Nightclub	1
Small Bar	15
Liquor Store	45
Special Facility	18
Restaurant	102
Producer's	7
Wholesaler	1
Club	2
Club Restricted	11
Extended Trading Permit (hours)	7
Extended Trading Permit (alfresco)	1
Extended Trading Permit (liquor without a meal)	4
Alteration/redefinition	3
Variation of trading conditions (on licence or permit)	34

43 decisions were published by the Director of Liquor Licensing (or his delegate), as follows:

Decision in relation to an application for...	Granted	Refused
Hotel Restricted	1	0
Tavern	4	0
Tavern Restricted	9	0
Liquor Store	17	5
Small Bar	2	0
Extended Trading Permit (hours)	1	0
Variation of trading condition	2*	2

* One matter involved imposition of conditions following an inquiry

The Liquor Commission published 28 decisions, as follows:

Decision in relation to...	Granted/successful	Refused
New liquor store licence	4	1
Variation to special facility licence (one-off)	1	0
Variation to tavern licence	0	2
Whether person is "fit and proper"	1	1
Transfer of a licence	0	1
Section 117 complaint	1 (complaint dismissed)	0
ETP (hours)	0	1
Alteration/redefinition	2	0
Disciplinary action	1 (complaint upheld)	0

The Commission also dealt with 12 barring notices

Q: Why does it matter what trading name is used?

A: Approved or in breach

Q: How can one check whether a trading name is approved?

A: Read the current version of the licence document. The approved trading name will be stated alongside where it says "Premises Name:"

Licensed businesses are only permitted to operate under the trading name as approved by the licensing authority. Licensees are reminded that they must first apply and obtain approval from the licensing authority if they wish to trade under a name not already approved.

The Liquor, Hospitality and Events Team is pleased to have assisted owners and operators of Oyster Bar Elizabeth Quay to bring their concept to fruition.



The latest addition to Elizabeth Quay opened its doors in late December 2017 with breathtaking views of the Swan River, Kings Park and the City.

DID YOU KNOW?.....

Licensees can stop trading for a short period to take a holiday.

In years past there was an obligation in the liquor legislation for licensed premises to remain open for continuous trading, but that provision was repealed.

It is now permissible for licensed businesses to stop trading for a short period without prior permission and without the licence being suspended or cancelled.

The situation can be different, however, if there is an extended period of no trading under a licence.

Japanese specialist supermarket granted approval by the Liquor Commission to sell Japanese liquor (only!)



Following an initial refusal of the application by the Director of Liquor Licensing, the review authority handed down a decision on 20 December 2017 quashing the Director's decision and granting a liquor store licence.

The licence was granted for the applicant's Subiaco premises, despite two interventions, but subject to ten conditions.

The most interesting conditions are as follows:

- 1 The licence is conditional on the remainder of the store operating solely as a Japanese supermarket.
- 2 The supply of liquor products other than those of authentic Japanese origin is prohibited.
- 3 The licensed area within the supermarket must be delineated and separated from the remainder of the supermarket by way of a physical barrier, signage and clear demarcation on the floor.
- 4 Only staff are permitted to handle liquor products until the items are sold.
- 5 All sprits and alcohol equal to or higher than 19% alcohol per volume must be displayed behind lockable glass cabinets and be accessible only by authorised staff.
- 6 At least one checkout of the supermarket must not be located in the licensed area and at least one checkout must be located in the licensed area.
- 7 Liquor must be sold ancillary to the purchase of food products and signage reflecting this condition must be displayed.

[Click here to access a full copy of the Decision.](#)

OUR TEAM

Your business or club is an important contributor to the Western Australian community and to WA's growing liquor, hospitality, events, tourism and related industries.

Are you getting the most out of your business? Are you fulfilling all of your ideas and enjoying business success?

If you have an idea for a new business, we would love to help you develop it.

We encourage you to obtain modern business solutions from us and receive the benefits of a life long working relationship to help maximise your business potential. Any expenditure with us is an investment in your business and its future.

We enjoy visiting our clients' places of business and will be happy to visit yours.



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