



This Information Bulletin briefly explains some of the requirements when the holder of a producer's licence is applying for an extended trading permit to authorise the sale of packaged wine or beer and tastings under the licence on specified premises on which the licensee would not otherwise be authorised (Cellar Door Operation). This bulletin is to be read in conjunction with the Director's policy on Extended Trading Permits – Producers – Cellar Door Operations.

REQUIREMENTS THAT MUST BE MET

A cellar door permit cannot be issued unless certain requirements are met including:

- the licensing authority approving the cellar door premises as being fit for the purpose of the sale of wine or beer; and
- in respect of the sale of wine, the premises are located in the wine region to which the producer's licence relates; and
- in respect of the sale of beer, the premises are located in the local government district where the beer is produced; and
- the licensing authority is satisfied that the purpose for which the permit is sought could not be more appropriately achieved by the grant of a different kind of licence; and
- the applicant will, at times when the sale of wine or beer under the permit is authorised, be entitled to use the premises for that purpose; and
- the applicant satisfies the licensing authority that the local government of the district within which the premises are situated has been consulted and has approved the application.

FURTHER REQUIREMENTS

In addition, a cellar door permit may only be issued to a licensee for the purposes of the sale at the cellar door premises if the licensee does not already hold a cellar door permit for the purposes of the sale of:

- wine – in the wine region for which the permit is sought; or
- beer – in the local government district for which the permit is sought.

A cellar door permit may be issued in respect of the same cellar door premises to 2 or more licensees of a producer's licence only if there is in force a management agreement between the licensees about the management of the cellar door premises.

Geographical indication has the same meaning as in the Australian Grape and Wine Authority Act 2013 (Cmnwth) s4(1).

Wine producing region means a region or locality of the State that is subject to a geographical indication.

LODGING THE APPLICATION

Applicants must lodge *completed* applications at the Department of Racing, Gaming and Liquor. An application should be made using the forms provided in this application kit.

Please note that this application can be submitted with an application for the grant of a new Producer's Liquor Licence without incurring an additional fee.

Disclaimer

This Bulletin is designed to provide authoritative information in regard to the subject matter covered, and with the understanding that the Director is not passing legal opinion or interpretation or other professional advice.

The information is provided on the understanding that all persons undertake responsibility for assessing the relevance and accuracy of its contents.



Please ensure that all documentation is provided with your application to avoid delays. To assist with this please complete the checklist below and submit with your application. Applications may be returned to the applicant or their solicitor/consultant if the application is incomplete.

DOCUMENTATION TO BE LODGED - MINIMUM REQUIREMENTS

Please tick boxes to show item lodged with application and sign and date at the bottom.

- Completed Form 22 – Notice of Application
- Prescribed **Application Fee** (refer to 'Fee Schedule for Liquor Activities')
- Brief submission outlining the details of the application and reasons in support of the application
- Plans and specifications of the Cellar Door Premises (refer to Information Bulletin 25 'Plans and Specifications' and Director's Policy 'Standards of Licensed Premises')
- Written approval from the local government authority to which the Cellar Door Premises will be situated (only applicable where the premises have not been approved by the licensing authority already)
- Copy of the management agreement (where two or more producers are involved in a cellar door operation)
- Evidence of tenure** – where the applicant is not the freehold owner of the premises. This document must give the applicant exclusive right to occupy the premises (pro forma evidence of tenure document available in the application kit).
- If required, completed Form 16 – Notice of Application; prescribed fee and copy of agreement (where the proceeds from the sale of liquor under the extended trading permit operation will be on a share basis). For further information refer to the Application Kit and Director's policy for Profit Sharing and Management Agreements

I confirm that the required documentation accompanying this application is attached.

Applicant/agent signature and date



Office Use Only	
Paid Date	
Receipt No.	
Amount Paid	

**NOTICE OF APPLICATION FOR AN EXTENDED TRADING PERMIT
(ESTABLISHMENT OF A CELLAR DOOR OPERATION OTHER THAN LICENSED PREMISES UNDER A
PRODUCER'S LICENCE TO SELL PACKAGED WINE OR BEER AND CONDUCT TASTINGS)**

LIQUOR CONTROL ACT 1988

Sections 60(4)(ia) & 76

Please print neatly in **BLOCK LETTERS** with a *black* pen only

1. DETAILS OF LICENSEE

- (a) Licence number: _____
- (b) Name of Licensed Premises: _____
- (c) Address of Licensed Premises: _____
 _____ Post Code: _____
- (d) Name of Licensee: _____
- (e) Daytime contact Name: _____ Email: _____
 Daytime Telephone number: () _____ Mobile: _____

2. DETAILS OF APPLICATION

- (a) Proposed address of cellar door operation? _____
- (b) Proposed Trading Name in respect of Cellar Door Operation: _____
- (c) (Wine producers) If the permit is sought for the purposes of the sale of packaged wine, is the premises located in the wine region to which the licence relates? YES NO
- (d) (Beer producers) If the permit is sought for the purposes of the sale of packaged beer, is the premises located in the local government district where the beer is produced? YES NO
- (e) Is the proposed cellar door premises currently subject of a Cellar Door permit? YES NO If Yes, please specify each permit number(s)? _____

- (f) Will the permit apply to part of the premises? YES NO
 If YES, what part? _____

(g) Is there any arrangement to share any proceeds arising from the permit? YES NO

(i) If yes, please provide details below stating the type and amount of benefit to the licensee and the other person(s) respectively (please note an application will be required to be lodged pursuant to section 104 of the Act if the proceeds from the sale of liquor under the extended trading permit operation is on a share basis):

(h) Has the freehold owner of the premises to which the application relates consented to the establishment of a Cellar Door Operation? YES

3. DECLARATION

Notice of application is hereby given for an extended trading permit in accordance with and on the basis of the information set out above. It is declared that all information and details provided in this form and in any plan or document lodged in support of the application are true and correct and do not omit any relevant information.

Dated the _____ day of _____ / _____

WHERE THE LICENSEE IS A COMPANY THAT HAS A COMMON SEAL

The common seal of _____
was hereunto affixed in accordance with section 127 of the *Corporations Act 2001* and the Articles of Association in the presence of:

Signature of Director

Name of Director (Please print clearly)

Signature of Director

Name of Director (Please print clearly)

WHERE THE LICENSEE IS A COMPANY THAT DOES NOT HAVE A COMMON SEAL

Executed in accordance with section 127 of the *Corporations Act 2001* and the Articles of Association

Signature of Director

Name of Director (Please print clearly)

Signature of Director

Name of Director (Please print clearly)

WHERE THE LICENSEE IS ONE OR MORE INDIVIDUAL PERSONS:-

Signature of Licensee

Signature of Witness

Signature of Licensee

Signature of Witness

4. PAYMENT DETAILS

Entering your credit card details below, you give consent for the appropriate application fee to be deducted from your card

Card Type: Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>	Copy of Receipt (<i>email only</i>): YES <input type="checkbox"/> NO <input type="checkbox"/>
Card Number:	Expiry Date:
Cardholder's Name:	Cardholder's Signature:
Email Address:	

Level 2, Gordon Stephenson House, 140 William Street, Perth Western Australia, 6000
Postal Address: PO Box 6119, East Perth, Western Australia, 6892
Tel: (08) 6551 4888 Facsimile: (08)9325 1041 Country Callers: 1800 634 541
Email: rql@rql.wa.gov.au Web Site: www.rql.wa.gov.au



Attach copy
of certificate
of title

EVIDENCE OF EXCLUSIVE RIGHT OF OCCUPANCY AND PROFIT SHARING
SECTIONS 37(5) AND 104 OF THE LIQUOR CONTROL ACT 1988

1. Exclusive Right of Occupancy

I/We _____ being the registered proprietor/director of the company _____ identified as the registered proprietor on certificate of title volume no _____ folio no _____ hereby confirm that **(name of applicant)** _____

_____ will have the exclusive right to occupy the premises and operate a business at **(proposed address**

where liquor will be sold and supplied _____

_____ under a **(specify type of liquor)** _____ licence, upon the grant issue/transfer/removal of the liquor licence (please circle relevant application).

DATED: _____

**Signature of registered proprietor
(Director/Individual/Partner)**

**Signature of applicant
(Director/Individual/Partner)**

2. Profit Sharing

I/We _____ **(name of applicant)** certify that no other person or party is involved in any arrangement or agreement with me/us which will allow them to participate in the proceeds of the business (including percentage rent payment) under the **(specify type of liquor)** _____ licence, upon the grant/issue/transfer/removal of the liquor licence. (If a profit sharing arrangement is proposed under the liquor licence, an application for approval of arrangement or agreement will need to be lodged. Refer to the [application kit](#) in respect of profit sharing and management agreements for further information.

**Signature of Applicant
(Director/Individual/Partner)**



FEE SCHEDULE FOR LIQUOR ACTIVITIES
EXTRACT FROM LIQUOR CONTROL REGULATIONS 1989
EFFECTIVE AS FROM 1 JANUARY 2017

DESCRIPTION <i>(Please note: Fees are generally not refunded if an application is not approved)</i>	FEE
ADD, VARY OR CANCEL a condition of a licence or permit	
Permanent	
• Club restricted licence	\$43.00
• Any other type of licence	\$237.00
One-Off <i>(for a period of 21 days or less)</i>	
• Club restricted licence	\$43.00
• ¹ Any other licence type if the anticipated number of patrons is:	
○ Up to 500	\$110.00
○ Between 501 and 1,000	\$226.00
○ Between 1,001 and 5,000	\$1137.00
○ Between 5,001 and 10,000	\$2275.00
○ Over 10,000	\$4560.00
Alteration or redefinition of a licensed premises	\$399.00
APPROVAL OF MANAGER	
Application for Approval of Manager lodged at Australia Post	\$168.00
Upgrade from restricted licence to unrestricted licence	
• Lodged at Australia Post	\$56.00
• Lodged online	\$15.00
Renewal of Manager's Approval (Identification Card) for a period of five years	
• Application for renewal lodged at Australia Post	\$164.00
• Lodged online	\$126.00
Replacement identification Card	
○ Lodged at Australia Post	\$52.00
○ Lodged online	\$10.00
⁴ Approval of person in position of authority	\$159.00
Approval to conduct non-liquor business on licensed premises	\$221.00
Change of name of licensed premises	\$73.00
EXTENDED TRADING PERMIT	
Ongoing	
• Alfresco	\$348.00
• Liquor without a meal (not restricted to 120 persons)	\$466.00
• Liquor without a meal (restricted to 120 persons or less)	\$53.00
• Associations	\$348.00
• Hours, dining, late delivery, restaurant with accommodation	\$1168.00
• Cellar Door Operation (producers only):	
- new cellar door operation (one licensee only)	\$345.00
- new cellar door operation (two or more licensees) – applications must be lodged concurrently	\$345.00 plus \$290.00 per additional licensee
- existing cellar door permit where an additional licensee is seeking approval to operate under a permit	\$290 per additional licensee



FEE SCHEDULE FOR LIQUOR ACTIVITIES
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EFFECTIVE AS FROM 1 JANUARY 2017

EXTENDED TRADING PERMIT	
One-Off	
Increase hours, extend the licensed area and/or sell liquor to non-members	
<ul style="list-style-type: none"> • Club restricted licence 	\$43.00
<ul style="list-style-type: none"> • ^{1&3}For all other licence types <ul style="list-style-type: none"> ○ Up to 500 ○ Between 501 and 1,000 ○ Between 1,001 and 5,000 ○ Between 5,001 and 10,000 ○ Over 10,000 	\$110.00 \$226.00 \$1137.00 \$2275.00 \$4560.00
² Grant or Removal of a club, club restricted, restaurant, producer's or wholesaler's licence	\$886.00
² Grant or Removal of a hotel, hotel restricted, tavern, tavern restricted, small bar, casino liquor licence, nightclub, special facility or liquor store licence	\$3454.00
Juvenile function (under section 126A)	\$64.00
Application for Liquor Restricted Premises Declaration:	
<ul style="list-style-type: none"> • Where the applicant is the occupier of the premises • Where the applicant is the owner of the restricted premises; or a prescribed class of persons as defined in the <i>Liquor Control Regulations 1989</i> 	No Charge
^{1&3} OCCASIONAL LICENCE	
<ul style="list-style-type: none"> • Up to 250 • Between 251 and 500 • Between 501 and 1,000 • Between 1,001 and 5,000 • Between 5,001 and 10,000 • Over 10,000 	\$53.00 \$110.00 \$226.00 \$1137.00 \$2275.00 \$4560.00
³ Profit Sharing	\$231.00
² Protection order under section 87(1)	\$231.00
² Transfer of liquor licence	\$849.00
Vary or substitute plans approved under a conditionally granted licence	\$277.00
ANNUAL LICENCE FEE	
⁵ Club Restricted	\$288.00
⁵ For all other licence types	\$584.00
Extended Trading Permit – Ongoing:	
<ul style="list-style-type: none"> • No more than 2 • 3 or more 	\$277.00 \$556.00
SEARCH AND SUPPLY FEES	
Address labels for licensed premises	\$142.00
Advertising Banner "Liquor Control Act – Notice of Application"	\$25.00



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Copy of a decision of the Commission or Director	
<ul style="list-style-type: none"> For each Additional fee for certification 	<p>\$25.00 \$25.00</p>
Copy of documentation, other than already prescribed, per page	\$4.00
Copy of plan (requires licensee's consent)	
<ul style="list-style-type: none"> For each sheet (up to a maximum of \$200) Certified (for each sheet) 	<p>\$25.00 \$35.00</p>
Database printout of record of general licence details	\$35.00
Duplicate licence (requires licensee's consent)	\$35.00
Full search of a licence record (requires licensee's consent and will incur additional fees for copies of documents as listed above)	\$52.00
Issue of a summons to a witness	\$20.00
List of licensed premises or owners of licensed premises	
<ul style="list-style-type: none"> Hardcopy Electronic format 	<p>\$89.00 \$58.00</p>
Search of postcodes	
<ul style="list-style-type: none"> 1 to 10 postcodes More than 10 postcodes 	<p>\$35.00 \$77.00</p>

FOOTNOTES

¹ Where an application is for a function or event that takes place over a number of consecutive dates, the fee will be based upon the total maximum number of persons expected to be present in the licensed/permit area at any one time over the consecutive dates. For example: if a function or event runs for 2 days and the maximum number of persons expected to be present in the licensed/permit area at any one time is 300, then the fee will be calculated on an attendance of 600 people in total and will be \$226.

² In addition to the application fee, new applicants in respect of protection orders and permanent liquor licences (i.e. grant or transfer applications, with the exception of a club or club restricted licence) will pay an additional \$148.00 fee for each individual in a position of authority (including each director and shareholder of a company and adult trust beneficiary or unit holder).

³ In addition to the application fee, new applicants in respect of profit sharing agreements or arrangements will pay an additional \$148.00 fee for each individual who is party to the agreement or arrangement and in relation to whom a background check is sought from the Police Service.

⁴ In addition to the application fee, in respect of a body corporate seeking to be approved as a shareholder in the licensee company after the licence is granted, an additional \$148.00 fee applies for each individual to whom a background check is sought from the Police Service (including each director and shareholder and adult trust beneficiary or unit holder related to that body corporate) other than for the first individual, which will be captured by the application fee.

⁵ Annual licence fees for newly granted licences are charged on a quarterly pro-rata basis as follows:

Licence Effective	Fee: Club Restricted	Fee – All Other Licences
1 January - 31 March (100%)	\$288.00	\$584.00
1 April – 30 June (75%)	\$216.00	\$438.00
1 July – 30 September (50%)	\$144.00	\$292.00
1 October – 31 December (25%)	\$72.00	\$146.00