

Report on Liquor Licencing and Regulatory Reforms

1. Background

In 2013 the WA Government established an independent review into the *Liquor Control Act 1988*. TCWA met with Minister Waldron, the review committee and made a formal [submission](#) to that review. TCWA also made media comment in support of reforms.

In December 2013 the independent review made 141 recommendations to the WA Government. TCWA made a formal [response](#) to those review recommendations and met with Tourism WA, Minister Harvey and Minister Waldron in March 2014 to further our response and proposals.

In November 2014 Minister Waldron announced the WA Government response to the review recommendations and their agenda to reform the *Liquor Control Act 1988*. The Government response is to be implemented in 2015 by regulatory changes and the passage of legislation through parliament.

2. Tourism Regulatory Reforms

The WA Government liquor review response was positive for tourism. If implemented, the liquor reforms would substantially assist to:

1. Develop new tourism product and infrastructure.
2. Develop regional food & wine and self-drive destinations.
3. Improve customer service and the visitor experience.

These outcomes will be achieved by the following reforms:

Developing new tourism product and infrastructure

- Accredited tourism operators may provide small quantities of alcohol without a liquor licence, this will enable product innovation without the delay and expense of licence applications.
- Parallel processing of liquor and local government planning applications, which will assist the development of tourism and leisure property.
- Recognise TCWA, Tourism WA and other industry submissions in support of liquor licence applications, which will help balance the standard objections from police and health authorities.
- Provide a more risk based licence application process, which will assist low-risk tourism ventures.
- Remove the requirement for public interest assessment to support non-contentious extended trading permit renewals, reducing costs for well managed tourism businesses.

Developing food & wine and self-drive destinations

- Wine and beer producers will be able to establish a collective cellar door retail outlet, this will assist develop viable visitor centres & attractions in regional destinations.
- Greater flexibility in the sale of liquor at farmers markets.
- Sunday trading will be introduced for liquor stores in major regional centres, which will provide price competition and better service – particularly for the self-drive caravan & camping market.

Improving customer service and the visitor experience

- Remove restrictions on patrons carrying drinks across footpaths to alfresco areas.
- Permitting restaurant patrons to purchase a drink from the bar and return to their seat.
- Permitting winery patrons to move between cellar door and restaurant licenced areas.

The WA Government response also rejected review recommendations 19, 51, 98 & 107 which would have imposed significant regulatory costs and restrictions on tourism and events.

3. Summary of Review Recommendations and Government Response

The following table summarises the relevant review recommendations, the TCWA response to those recommendations, the recent government response to those recommendations and the overall TCWA assessment of the government response.

Review Recommendation	Tourism Issue	TCWA Response	Government Response	TCWA Assessment
Recommendation 4	Licence Application Submissions	Support	Support	✓
Recommendation 19	Removing consumers from the Act	Major Concern	Not Supported	✓
Recommendation 32	Proof of Age Identification	Support	Support	✓
Recommendation 37	Licence Application Submissions	Support	Support	✓
Recommendation 41	Density assessment for licences	Needs enhancement	Note Intent	✓
Recommendation 45	Risk categorisation of licence types	Needs major amendment	Note Intent	✓
Recommendation 49	Small Bars	Support	Support	✓
Recommendation 51	New tax on tourism licensees	Major Concern	Not Supported	✓
Recommendation 59-60	Clubs	Needs enhancement	Support	✓ see note
Recommendation 63	Restaurants	Support	Support	✓
Recommendation 65-68	Producers Licence e.g. wineries	Needs enhancement	Support	✓ see note
Recommendation 70	Regional Liquor Stores	Support	Support	✓ see note
Recommendation 71	Sunday Trading Hours	Needs enhancement	Support	✓ see note
Recommendation 90-91	Movement of Patrons	Needs enhancement	Support	✓
Recommendation 98	Mandatory ID Scanning	Major Concern	Note Intent	✓
Recommendation 107	New Regulatory Burden on Events	Major Concern	Not Supported	✓
Recommendation 110	Accredited Tour Operators	Support	Support	✓
Recommendation 118	Licence & Planning Approvals	Needs enhancement	Support	✓
Recommendation 119	Major event licences	Support	Support	✓

Notes

- Some improvement for club licences but the Government did not embrace the TCWA proposal for visitors (more than 40km from home) to be able to enter Clubs.
- Collective cellar door outlet extended to beer producers following TCWA proposal.
- Liquor stores will be able to trade on Sunday but only in major regional centres
- Hotel, taverns and small bars will be able to trade on all Sundays following, not just Sundays on long weekends, following TCWA proposal.

Contact: Evan Hall | ehall@tourismcouncilwa.com.au | 08 9416 0700 | 0407 284 090