

Public Interest Assessment

Where a Public Interest Assessment is required this form can be completed and lodged with the licensing authority. Applicants should ensure they read the Director of Liquor Licensing's policy - *Public Interest Assessment* prior to completing this form.

PART 1 - Application details

1.1 Applicant name: WESTERN LEISURE TRADING AS THE GERALDTON HOTEL

1.2 Application for:

<input type="checkbox"/>	Hotel (inc Hotel Restricted)	<input type="checkbox"/>	New licence	<input type="checkbox"/>	Removal of licence
<input type="checkbox"/>	Tavern (inc Tavern Restricted)	<input type="checkbox"/>	New licence	<input type="checkbox"/>	Removal of licence
<input type="checkbox"/>	Small Bar	<input type="checkbox"/>	New licence	<input type="checkbox"/>	Removal of licence
<input type="checkbox"/>	Liquor Store	<input type="checkbox"/>	New licence	<input type="checkbox"/>	Removal of licence
<input type="checkbox"/>	Nightclub	<input type="checkbox"/>	New licence	<input type="checkbox"/>	Removal of licence
<input type="checkbox"/>	Special Facility	<input type="checkbox"/>	New licence	<input type="checkbox"/>	Removal of licence
<input type="checkbox"/>	Restaurant	<input type="checkbox"/>	New licence	<input type="checkbox"/>	Removal of licence
<input type="checkbox"/>	Club	<input type="checkbox"/>	New licence		
<input type="checkbox"/>	Club Restricted	<input type="checkbox"/>	New licence		
<input checked="" type="checkbox"/>	Extended Trading Permit	<input checked="" type="checkbox"/>	Ongoing Hours	<input type="checkbox"/>	Liquor Without a Meal (more than 120 persons)
<input type="checkbox"/>	Other _____				

1.3 Premises name: THE GERALDTON HOTEL

1.4 Address of proposed premises:
19 GREGORY STREET, GERALDTON WA 6530

Introduction

The public interest test is based on the principle that licensed premises must operate within the interests of the local community. The Butterworth's Australian Legal Dictionary defines the term "public interest" as:

"an interest in common to the public at large or a significant portion of the public and which may, or may not involve the personal or propriety rights of individual people"

The public interest provisions enable the licensing authority to consider a broad range of issues specific to each licence or permit application, and flexibility exists to assess each individual application on its merits.

Each community is different and has individual characteristics. Similarly, each licensee's business or proposed manner of trade is unique to the particular premises. A Public Interest Assessment (PIA) outlines how the premises/proposed premises will impact the community and provide an outline of how the applicant will manage any impact.

Section 31 of the *Liquor Control Act 1988* ('the Act') provides the licensing authority with the discretion to grant licences.

Under section 33(1) *'the licensing authority has an absolute discretion to grant or refuse an application on any grounds, or for any reason, that the licensing authority considers in the public interest.'*

In considering the public interest, the licensing authority will take into account the objects of the Act as provided in section 5 and the matters set out in section 38(4).

In this regard, applicants will be required to lodge a PIA with the application.

Legislative Provisions

The primary objects of the Act as set out in section 5 are:

- a) to regulate the sale, supply and consumption of liquor;
- b) to minimise harm or ill-health caused to people, or any group of people, due to the use of liquor; and
- c) to cater for the requirements of consumers for liquor and related services, with regard to the proper development of the liquor industry, the tourism industry and other hospitality industries in the State.

The secondary objects of the Act are:

- a) to facilitate the use and development of licensed facilities, including their use and development for the performance of live original music, reflecting the diversity of the requirements of consumers in the State;
- b) to provide adequate controls over, and over the persons directly or indirectly involved in, the sale, disposal and consumption of liquor; and
- c) to provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act.
- d) to encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor that are consistent with the interests of the community.

Section 38(4) of the Act provides that the matters the licensing authority may have regard to in determining whether the granting of an application is in the public interest include:

- a) the harm or ill-health that might be caused to people, or any group of people, due to the use of liquor;
- b) whether the amenity, quiet or good order of the locality in which the licensed premises or proposed licensed premises are, or are to be, situated might in some manner be lessened;
- c) whether offence, annoyance, disturbance or inconvenience might be caused to people who reside or work in the vicinity of the licensed premises or proposed licensed premises;
- ca) any effect the granting of the application might have in relation to tourism, or community or cultural matters; and
- d) any other prescribed matter. (Please note: there are no prescribed requirements at this time).

The licensing authority has discretion to impose conditions on the licence or permit that has regard to the public interest, the objects of the Act and the information provided in the applicant's PIA submission. Conditions may also be imposed based on the content of the PIA submission.

In considering the public interest, applicants should demonstrate the positive aspects of their application including the social, economic and health impacts. It is not sufficient for applicants to merely demonstrate that the grant of the application will not have any negative impact.

Locality

As part of a PIA submission, applicants must provide details regarding the community in the vicinity of the licensed premises (or proposed licensed premises) and any amenity issues in the locality.

The term 'locality' in this instance refers to the area surrounding the proposed licensed premises. This locality will be the area most likely to be affected by the granting of an application in relation to amenity issues.

However, in terms of potential harm or ill-health impacts on the community an applicant may need to consider a wider geographic area depending on the intended nature of the business.

In this regard, in terms of addressing objects 5(1)(b) and 5(1)(c) of the Act, an applicant may need to consider an area which is much broader than the 'locality' used for consideration of amenity issues. For example, an application for a destination liquor store, which may draw its clientele from a large geographic area, would need to address 5(1)(b) and 5(1)(c) of the Act in a much broader context. The onus is on the applicant to satisfy the licensing authority that the grant of the application is in the public interest and provide relevant evidence and submissions to discharge this onus. An applicant should address all relevant considerations under the Act, bearing in mind all the circumstances and unique features of its particular application.

Licensing Authority's Expectations for a PIA

Completing the PIA should be part of an applicant's business planning. A PIA assists the licensing authority in assessing the impact of the application, if granted, on the community, including existing services and amenity. It is also a valuable document for informing the community about the proposed manner of trade. It is important to note that there is no requirement in the Act for PIAs to be prepared by legal counsel or industry consultants. Applicants can complete their own PIA by taking a common-sense approach after liaising with the relevant key stakeholders and interest groups in the community.

Evidence to support an application being in the public interest should include, but is not limited to petitions; survey results; and letters of support and statements of consumers having a requirement for the type of liquor to be sold and supplied under the licence sought.

It is important to note, however, that because each community is different, the level of detail required in a PIA will be different for individual applications. The required level of detail is subject to the complexity of the application and the impact the premises/proposed premises will have on the surrounding community.

The following questions have been developed to guide applicants through the PIA process and highlight the areas which should be considered.

The information provided should not be limited to the space provided on the form. If you need to attach additional information, please refer to the relevant attachment in the space provided.

PART 2 – Manner of trade

Description of the proposed business, manner of proposed trade and target client base. This information should be consistent with your business plan/model.

2.1 What facilities and services will be provided by the proposed premises?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

2.1 Our hotel is quite unique in town in that it has a very large beer garden which firstly means that people don't have to leave the licensed area to smoke negating groups gathering outside a bar. Located in this beer garden are two bars along with a stage which has a huge screen on it with a surround sound system attached to it, makes it perfect for watching live sport on.

Also on this stage we have regular live entertainment which can, and has in the past involved interstate and international acts which are always well received by the people of Geraldton and surrounding areas as well as having tourists attending these events. This has resulted in promoters of these acts contacting us asking for their artists to play at the hotel instead of the other way around.

Some examples of these acts include Havana Brown, Jenny Talia, Ministry of Sound, Tigerlilly, Timmy Trumpet, Jay Hoad, Boston Switch, The Bread Gang, Holly J, Horizon and the list goes on introducing both original and cover music to everyone who attends.

2.2 What is the proposed manner of trade?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Our proposed manner of trade would be much the same as usual for an extra hour each night perhaps with the

implementation of a lockout prior to that extra hour.

2.3 What is the target client base?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number). Include objective, accurate and relevant evidence such as a petition, customer survey results and letters of support and statements from potential/existing customers.

This particular License extension is aimed mainly at the younger crowd from the local and surrounding areas, as well as Sporting groups and tourists in the area.

2.4 Will the premises be distinguished by any particular theme or decor?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

This does happen from time to time (eg : Halloween, Oktoberfest etc) and if we could get the extension in time we would most likely go with an Australian coloured them (Green & Gold) for the Olympics.

Part 3 – Public Interest – section 38(2)

3.1 Why is the grant of a licence in the public interest and how will it benefit the community?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

A Lot of the younger clientele we have express that they feel

inferior to their friends in Perth as they don't have late night options here in Geraldton. Also their parents express this concern and so we are looking to fill that void for them. The interstate and international promoters we have been dealing with have also encouraged me to apply for this extension as it would bring us more into line with a number of other venues which they play at around the world. Broadening this horizon would also benefit the community both socially and culturally bringing more new and diverse acts into the community whilst also further developing tourism in the area as well as heightening public interest through the granting of this license extension.

PART 4 - Harm or Ill Health - section 38(4)(a)

Risk assessment with respect to the harm or ill health that might be caused to people, or groups of people within the locality, due to the use of liquor.

4.1 List any 'at risk' groups or sub-communities within the locality, travelling through the locality or resorting to the locality?¹

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

There are low Socio-economic areas in Geraldton but they are located on the other side of town (would be outside our locality). To be honest, if we were located there we wouldn't be making this application.

4.2 What are the social health indicators for the locality?²

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

This extension would surely improve the social life of the community after speaking to many people in the area, this is something they are all looking for in the area and this being the case it would also create more employment in the town. As mentioned earlier, this would also have a cultural benefit for the community as the word gets out to the promoters we deal with it would result in even more new and diverse

¹ In regard to 'at risk' groups and sub-communities, these have been identified under the *Drug and Alcohol Interagency Framework for Western Australia 2011-2015* and may include: children and young people; aboriginal people and communities; people from regional, rural and remote communities; families; migrant groups from non-English speaking countries; people in low socio-economic areas; mining communities or communities with a high number of itinerant workers; and/or communities that experience high tourist numbers.

² In regard to social health indicators, these may include (but are not limited to) the:

- incidence of alcohol related crime in the area. (Data may be reported by local Police, the Australian Institute of Criminology or may be provided by the Office of Crime Prevention); and
- rates of, and trends in, alcohol related hospital presentations/admissions. (Data may be available from country local area health services; the metropolitan health service and the Drug & Alcohol Office).

In addressing social health indicators, applicants should also consider the proximity of the premises to bordering suburbs. In terms of addressing objects 5(1)(b) and 5(1)(c) of the Act, an applicant may need to consider an area which is much broader than the 'locality' used for consideration of amenity issues.

entertainment being brought to the hotel for the community and surrounding areas enjoyment.

4.3 What are the proposed strategies the applicant will implement to minimise harm or ill health?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

We have a number of strategies at our hotel to minimise harm or ill health which include,

- We have been using Scantek machine voluntarily for over 10 years to identify undesirables and under agers whilst discouraging anti social behaviour.
 - Our CCTV system is state of the art and has been referred to by local police as the best they've seen. It also discourages anti-social behaviour as it also covers areas which are external to the hotel.
 - At 9pm on these nights the application is being made for, we use paper cups or cans where possible for drinks taking glasses out of the equation.
 - Supplying food to patrons later in the evening.
 - Making water readily available to all patrons (as in no or very little queuing)
 - Not selling high alcohol shots (shooters)
 - Our sound system has a governor on it making it possible for us to control music volume and we also have a sound meter which we use to take sound readings with from over the road of the hotel at regular intervals during live entertainment.
 - We have a direct paging system to the local taxi service.
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Part 5 - Impact on Amenity - section 38(4)(b)

Descriptive report on the impact on the amenity of the locality of the proposed premises to people who reside or work in the vicinity of the proposed licensed premises.

The key consideration for the licensing authority is the impact of the facilities and services of the proposed premises on the nature and character of the local communities.

When designing licensed premises, consideration should be given to the principles of *Crime Prevention through Environmental Design* (CPTED). Information on CPTED can be obtained from the WA Planning Commission, The WA Office of Crime Prevention, and the Australian Institute of Criminology.

When considering the nature and character of a community, applicants need to address the community's social profile in terms of:

- its identity;
- the quality of life;
- the type of people who live and work in the community;
- the average age, income, and employment status of people living in the community;
- the total population numbers and population projections; and
- whether there are any plans for community change/development (information may be obtained from the Australian Bureau of Statistics (ABS) and the relevant local government authority).

In addition to answering the questions below, applicants will also need to provide:

- a map depicting the locality of the proposed premises; and
- a floor plan which highlights the unique aspects of the proposed facility.

5.1 What is the nature and character of the local community?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

The community has a very large Agricultural and Fishing industry along with a large port which handles large imports and exports coming from these aforementioned industries along with a very quickly developing mining and green power energy industry.

All of these are moving ahead in leaps and bounds with alot of people moving to Geraldton as it has become a fly in / out town for Rio Tinto. Alot of these people are moving from areas where they have late night options and obviously have a higher disposable income which makes a recipe for people looking for late night entertainment.

Local sport is also very big in Geraldton and we endeavor to sponsor local sporting clubs where possible which is where we make contact with alot of our patrons and they pass on what is going on around the community, some of these

sporting events go as late as 10.30pm and have teams coming from as far as the Goldfields and Mandurah from which there are teams and their supporters looking for somewhere to go after their games.

Geraldton is a very multicultural community and the licenses which we had for the EUFA and the Rugby to show tournaments on the other side of the world was a great way to bring these different parts of the community along with tourists together as it would be for such events in the future, even the Olympics which is just around the corner.

5.2 How will the proposed premises integrate with the amenity of the locality (both positively and negatively)?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

At the end of the day, the application is only for one extra hour on each day and we feel that answers in previous questions outline how we plan to negate any negatives as much as possible as well as outline positives from this small change.

5.3 What will be the positive recreational, cultural, employment or tourism benefits for the community?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Answered in previous questions.

5.4 What consultation with local government regarding the proposed premises has been taken into account in establishing a business plan?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

The Geraldton Hotel has been established since 1860 and we are hoping to move with the times which has been discussed with the local government.

Existing licensed premises within the locality of the premises, including the diversity of the current services.

5.5 If you intend to sell packaged liquor, provide the name and address of all existing licensed premises within the locality?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Not during the extension

5.6 If you do not intend to sell packaged liquor, provide the name and address of all existing licensed premises within 500 metres of your premises?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Geraldton Beach Hotel
Batavia Brewery

Vibe Nightclub
The Provincial

Positive and negative amenity issues in respect to the locality of the premises/proposed premises

5.7 What are the public transport facilities (including taxi services) that would be available to patrons, or any other transport facilities proposed to be provided by the applicant for patrons?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Taxis & Pay to ride scooters

5.8 What publicly available parking facilities exist in the locality?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Roadside
Our own carpark
Carpark across the road

5.9 What is the contribution of the proposed premises to the streetscape and atmosphere of the area?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

The Hotel is a newly renovated Heritage listed building located in the town's entertainment precinct, quite unique with a very large beer garden.

5.10 What is the potential impact of the proposed premises on the level of noise and anti-social

activities in the locality, and the management strategies to minimise this impact?

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Our security company is highly skilled at moving patrons in a quiet and efficient manner. Our sound system is governed as well as being regularly monitored with a sound meter from across the road from the venue. These strategies have worked well in the past and we see no reason why they wouldn't continue to an hour later.

5.11 What is the potential impact of the proposed premises on vandalism, litter, criminal acts? (especially violent crimes including domestic violence). This may include improvements in the passive and active security of the area.

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

I feel this is answered in Harm Minimization apart from the fact that we already employ someone to clean up the surrounding area of the hotel on the mornings after the nights in question.

On the point of domestic violence however, it rarely spills over to the hotel however on occasions that it could, we feel that our extensive CCTV system is a good deterrent along with our scantek machine which we can use to bar people for such offences.

Part 6 - Offence, annoyance, disturbance or inconvenience – section 38(4)(c)

When addressing the level of offence, annoyance, disturbance or inconvenience in a community, applicants need to consider the impact that may be caused to people who reside or work in the vicinity of the proposed licensed premises.

Some strategies that could be implemented to ameliorate offence, disturbance or inconvenience include:

- the use of licensed crowd controllers and installation of a CCTV camera system;
- the provision of food;

- liquor to be provided by table service only;
- limitation on the types of liquor and containers available for sale;
- restricted advertising or liquor promotions;
- installation of noise limiters on all amplification equipment;
- types of entertainment being provided;
- furniture and premises layout design;
- lighting in and around the proposed premises;
- noise attenuation of the building; and
- maximum accommodation numbers.

6.1 Identify the strategies you intend to implement to address potential offence, disturbance or inconvenience to local residents or business operators:

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Should we
be granted
this license
extension
we will
enforce a
lockout at
11.30pm.

We
intend to
call last
drinks 20
minutes
prior to
closing
time giving
patrons
ample
opportunity
to finish
their drinks
and while
getting
patrons to
move on in

an efficient
and quiet
manner at
the end of
the night,
our security
company
remains at
the
premises
half an
hour after
we have
closed to
make sure
this
happens.
Also, as
well as
having
CCTV
inside the
venue, we
also have
cameras
covering
external
areas of the
hotel to be
able to
Identify
any anti-
social
perpetrators

at the end
of the
night.

Other
strategies
that are
already in
place are
outlined in
section 4.3
earlier in
this
document.

Part 7 – Community consultation

7.1 Are any of the following community buildings or facilities located in the locality of the proposed licensed premises? (tick all boxes that apply)

Schools and Educational institutions

YES NO If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Geraldton Primary School, 75 Fitzgerald St. Geraldton

Geraldton Senior High School, Carson Tce. Geraldton

Hospitals, Hospices, Aged Care facilities

YES NO If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Geraldton Regional Hospital, 51 – 85 Shenton St. Geraldton

St John of God Hospital, 12 Hermitage St. Geraldton

Opal Geraldton, Residential Aged Care Facility, 20 Mliford St. Geraldton

Acacia Living Group Respite Centre, Gregory St. Geraldton

Churches/Places of worship (of any faith)

YES NO If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

St Francis Xavier Cathedral, 56 Cathedral Ave. Geraldton

Lighthouse Church, 43 Shenton St. Geraldton

Geraldton Anglican Cathedral, 101 Cathedral Ave. Geraldton

Drug and alcohol treatment centres

YES NO If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Short term accommodation or refuges for young people

YES NO If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Child Care Centres

YES NO If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Osca Chidcare, Ramshaw Place, Geraldton.

Bambi Daycare, Augustus St. Geraldton.

Ngala Daycare Centre, Gregory St. Geraldton.

Local Government Authority

YES NO If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

City Of Greater Geraldton, 63 Cathedral Avenue, Geraldton.

Police stations

YES NO If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

W.A. Police, 21 Marine Tce. Geraldton.

Regional Office of the Department of Indigenous Affairs

YES NO If YES, please provide name and address

Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Department of Indigenous Affairs, SGIO Building, Second floor, 45 Cathedral Avenue, Geraldton.

Who will be consulted

7.2 Identify the stakeholders who will be served with a Notice advising of the application

(tick all boxes that apply)



The occupier of neighbouring premises and businesses within 200 metres of the premises.

Stakeholders listed in item 5.1 within the locality of the premises. If not, please explain why:
Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Special interest groups or individuals within the locality of the premises. These include children and young people; Aboriginal people and communities; people from regional, rural and remote communities; families; migrant groups from non-English speaking countries; people in low socio-economic areas; mining communities or communities with a high number of itinerant workers; and communities that experience high tourist numbers.

Write the name of the relevant groups below:
Please provide sufficient information to answer this question by attaching additional information and referencing (by question number)

Groups outlined in sections 5.1 & 7.1 within our locality would be the stakeholders being advised.

PART 8 – Declaration

I declare that the information provided in this form is true, correct and complete and that I have made all reasonable enquiries.

I acknowledge that I am providing this information under the provisions of the *Statutory Declarations Act 1988* and it is an offence to provide false, misleading or incorrect information.

Signature of applicant/s: Graham Phease Date: 21/08/2024

Signature of applicant/s _____ Date _____

Signature of applicant/s _____ Date _____