



## Public Interest Assessment Submission Application for the conditional grant of a Tavern Restricted Licence

**Premises Name:** Dave & Buster's Clarkson  
**Applicant:** NightOwl FEC Pty Ltd  
**Location:** Tenancy 11, 61 Key Largo Drive, Clarkson,  
WA 6030



**Prepared by:**



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## **1. Introduction**

1.1 NightOwl FEC Pty Ltd (the Applicant) is seeking approval from the Director General at the Department of Local Government, Sport and Cultural Industries (DLGSC) for the conditional grant of a Tavern Restricted Licence for the premises to be known as Dave & Buster's Clarkson, to be located at Tenancy 11, 61 Key Largo Drive, Clarkson, WA, 6030.

1.2 This Public Interest Assessment (PIA) submission has been prepared by Hospitality Total Services (Aus) Pty Ltd on behalf of the Applicant, and the application is in accordance with Section 41 of the Liquor Control Act 1988 (the Act), which states:

### **LIQUOR CONTROL ACT 1988 - SECT 41**

*Section 41 of the Act provides for a Hotel License, which has sub categories including a Hotel License, a Hotel Restricted license, a Tavern License, a Tavern Restricted License and a Small Bar License. These types of licenses have different types of restricted trading conditions which differentiate them from each other.*

### **LIQUOR CONTROL ACT 1988 - SECT 41**

#### **41. Hotel licence, kinds, conditions and effect of**

*[(1aa) deleted]*

**(1)** *For the purposes of this Act —*

**(a)** *where a hotel licence is not subject to any condition referred to in subsection (4) it shall be referred to as a Tavern Licence; and*

1.3 The experienced Director of the Applicant entity has diligently addressed the matters relating to the primary and secondary objects of Section 5, Section 36B(4) and Section 38(4) of the Act in this PIA, as required by the Director's Policy on Public Interest Assessment<sup>1</sup> submissions.

1.4 The documentation for this application is in accordance with Section 68 of the Act and has been compiled by Hospitality Total Services (Aus) Pty Ltd on behalf of NightOwl FEC Pty Ltd.

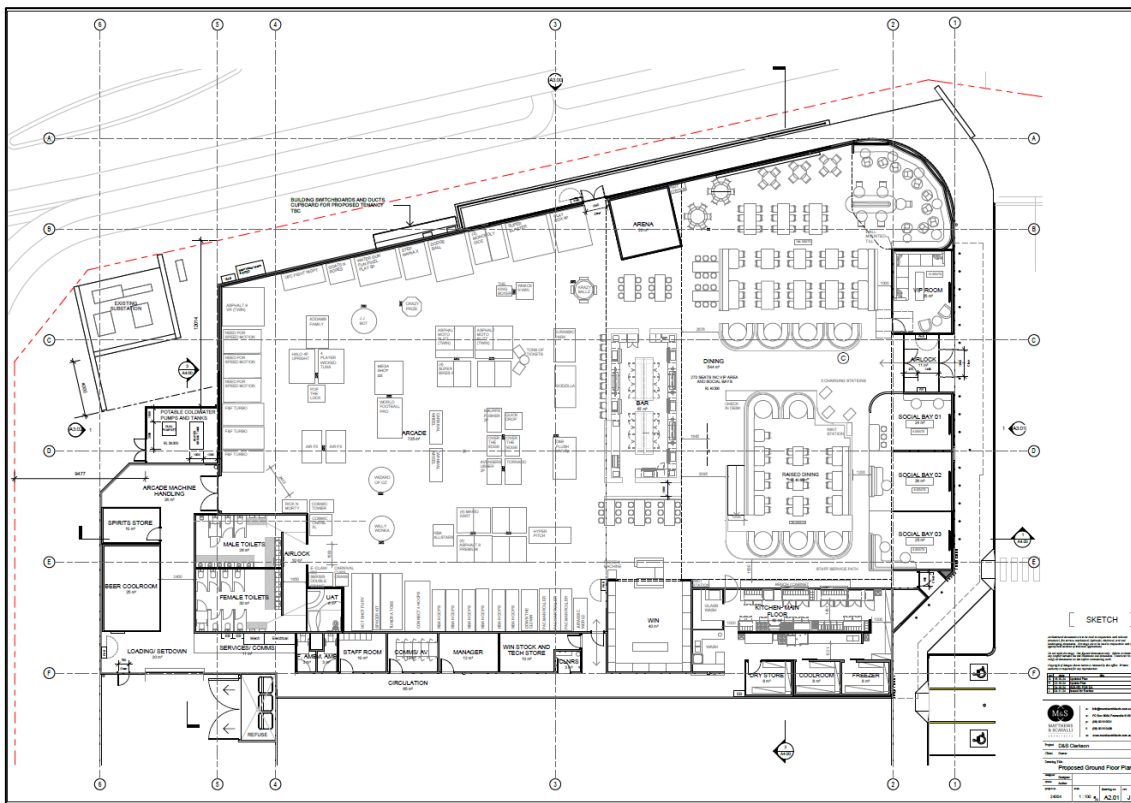
1.5 Dave & Buster's is a popular dining and entertainment concept that originated in Dallas, Texas, in 1982. There are 160 Dave & Buster's venues around North America, and Dave & Buster's Clarkson will be the first location in Australia.

1.6 The proposed premises, to be operated by NightOwl FEC Pty Ltd under Dave & Buster's concept, will offer a new contemporary entertainment venue featuring arcade games, casual dining, and a fully licensed bar. The menu will include popular options such as burgers, wings, pizzas, and shareable appetisers, all made from fresh, high-quality ingredients. By delivering a family-friendly atmosphere and the same standard of service seen at Dave & Buster's locations globally, the proposed premises will cater to

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<sup>1</sup><https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment-policy>

a wide range of consumers, ensuring a unique and enjoyable experience for both locals and visitors.



**Figure 1: Dave & Buster’s Layout<sup>2</sup>**

- 1.7 NightOwl FEC Pty Ltd is a NightOwl Entertainment Group subsidiary with an established track record in operating successful hospitality venues across Perth, Melbourne and Sydney. With a commitment to high customer service standards and compliance with the Act, the group ensures responsible alcohol service and a safe environment for patrons. The proposed premises will further enhance the entertainment offerings in the Clarkson Lifestyle Zone<sup>3</sup>, contributing to local tourism and aligning with Section 38(4)(ca) of the Act, which emphasises the promotion of tourism, community engagement, and cultural development.
- 1.8 With an established track record in developing and managing contemporary venues, the Applicant adheres to a high standard of excellence, prioritising safety, comfort, and efficient operation of its licensed premises. Through this application for a Tavern Restricted Licence for the proposed premises, the Applicant aims to contribute positively to the Clarkson entertainment landscape by providing a well-managed, safe, and enjoyable consumer experience.
- 1.9 NightOwl FEC Pty Ltd, demonstrating extensive experience in managing and administering hospitality and entertainment venues, has showcased its expertise

<sup>2</sup> Attachment 1 - Dave & Buster's Plans and Concepts

<sup>3</sup><https://www.realcommercial.com.au/leased/property-61-key-largo-drive-clarkson-wa-6030-504520808>

through the successful operation of multiple establishments. The proposed premises, under their management, is intended to become a key entertainment amenity in Clarkson, offering a modern and dynamic experience while reflecting the Applicant's commitment to delivering quality entertainment and hospitality services.

1.10 Some of the notable venues currently operated by the Group include (but are not limited to):

- Amplifier Bar, Perth.<sup>4</sup>
- Magnet House, Perth.<sup>5</sup>
- Metropolis Fremantle, Fremantle.<sup>6</sup>
- Flight Club Perth, Perth.<sup>7</sup>
- Flight Club Fremantle, Fremantle.<sup>8</sup>
- The Lookout Bar, Scarborough.<sup>9</sup>
- The Breakwater, Hillarys.<sup>10</sup>
- Print Hall, Perth.<sup>11</sup>
- Loop Nightclub, Joondalup.<sup>12</sup>
- Edison Late Night Bar, Perth.<sup>13</sup>

1.11 The primary aim of the Applicant is to establish the proposed premises as a well-regulated, safe, and welcoming licensed venue operating under a Tavern Restricted Licence. The operation will prioritise harm minimisation in the Clarkson locality and among its patrons, adhering to responsible and ethical business practices. The proposed premises seeks to cater to the requirements of consumers seeking alcohol and entertainment amenities in accordance with the Objects of the Act.

1.12 The Harm Minimisation Plan<sup>14</sup> and strategies have been comprehensively addressed in this PIA submission, in alignment with Section 38(4) of the Act concerning Harm or Ill health. The Applicant is committed to minimising harm and promoting the responsible consumption of alcohol at the proposed premises through clear policies and procedures. This Harm Minimisation Plan has been developed in accordance with the Director's new guidelines (August 2024), and the Applicant is confident in its ability to minimise the undue risks of harm or ill health associated with alcohol consumption.

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<sup>4</sup> <https://www.amplifierbar.com/>

<sup>5</sup> <https://www.magnethouse.com.au/>

<sup>6</sup> <https://metropolisfremantle.com.au/>

<sup>7</sup> <https://flightclubdarts.com.au/location-perth>

<sup>8</sup> <https://flightclubdarts.com.au/location-fremantle>

<sup>9</sup> <https://www.thelookoutscarbs.com.au/>

<sup>10</sup> <https://thebreakwater.com.au/>

<sup>11</sup> <https://www.printhall.com.au/>

<sup>12</sup> <https://www.loopclub.au/>

<sup>13</sup> <https://edisonbar.com.au/>

<sup>14</sup> Attachment 4 – Harm Minimisation Plan

- 1.13 To ensure safety and mitigate crime, the proposed premises will incorporate CCTV systems internally and externally, monitoring all entry and exit points in compliance with the Director of Liquor Licensing's Policy on *Safety and Security at Licensed Premises*<sup>15</sup>. The Applicant is dedicated to maintaining a safe and secure environment for both patrons and staff, with CCTV being a critical measure in achieving this objective.
- 1.14 Guided by the expertise of NightOwl Entertainment Group, Dave & Buster's Clarkson is poised to become a distinctive entertainment destination in the Clarkson locality. While maintaining the high standards established by the Dave & Buster's brand globally, the proposed premises will cater to the contemporary requirements of consumers in the locality by offering a unique combination of arcade games, casual dining, and social amenities, in line with the growing demand for all-inclusive entertainment venues.



**Figure 2: Dave & Buster's Bar Seating**

- 1.15 The Applicant submits that the locality will benefit from a food, beverage, and entertainment offering (operating under a Tavern Restricted Licence), with a quality fit-out across the premises<sup>16</sup> with areas to accommodate a variety of uses, including (but not limited to):
- A casual dining experience offering a diverse menu of burgers, wings, and shareable appetisers,
  - Spaces for formal and informal meetings,
  - Function areas suitable for corporate events, birthday parties, and group gatherings,

<sup>15</sup> <https://www.dlgsc.wa.gov.au/department/publications/publication/security-licensing-conditions>

<sup>16</sup> Attachment 1 – Dave & Buster's Plans and Concepts

- The ability to host special events, including game nights and themed parties,
- Social spaces where patrons can enjoy a unique mix of entertainment, including arcade games and a licensed bar, and
- A broad range of beverages, including premium cocktails, local craft beers, and non-alcoholic options, aligning with consumer preferences for both social and family-friendly settings..

1.16 Section 38(4)(ca) of the Act was recently introduced, stating that the licensing authority will give weight to applications that relate to tourism, community, and cultural matters when determining if the grant of the application is in the public interest.

1.17 As per the Director's Policy on '*Public Interest Assessments*<sup>17</sup> (PIA), the Applicant is required to demonstrate that the application is in the public interest.

1.18 To meet this requirement, the Applicant has provided Consumer Surveys<sup>18</sup> as cogent and objective evidence in support of the application, demonstrating that the proposed premises will cater to the requirements and preferences of the community and contribute positively in the public interest.

1.19 The Applicant accepts the following conditions to be applied on the Tavern Restricted Licence, subject to approval:

**Trading Hours:**

The permitted trading hours will be aligned with those prescribed in Section 98 of the Act for a Tavern licence.

**Trading Conditions:**

- 1 The licensee is authorised to sell and supply liquor in accordance with the provisions of Section 41 of the Act as it relates to a Tavern Restricted Licence.
- 2 There will be no sale of packaged liquor for consumption off the premises to the public.
- 3 The premises will maintain a CCTV system in line with the Director of Liquor Licensing policies.
- 4 Food will be available up to one hour before closing.
- 5 Seating for 80% of patrons in the dining area except when there is a pre-booked function or event.
- 6 The maximum number of persons permitted to be on the licensed premises at any time is 740 subject to the local council final inspection.
- 7 A variety of drink options, including those with low alcohol content and a range of non-alcoholic beverages, will be available at all times.
- 8 No unaccompanied juveniles will be allowed on the premises at all times.

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<sup>17</sup><https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment-policy>

<sup>18</sup> Attachment 2 - Consumer Surveys

- 9 Will comply with EPA guidelines at all times.
- 10 The licensee shall not promote drinks which offer liquor by virtue of their 'emotive' titles such as, but not limited to 'laybacks', 'shooters', 'test tubes', 'shots'; 'jelly shots', 'blasters', or 'bombs'.
- 11 Outlaw Motorcycle Gangs' attire or any associated insignia are not permitted within the licensed premises.

**Entertainment Conditions:**

1. A person resorting to, or on the premises, including the licensee or manager, or an employee or agent of the licensee or manager, shall not:
    - Be immodestly or indecently dressed on the licensed premises, and/or
      - Take part in, undertake or perform any activity or entertainment on the licensed premises in a lewd or indecent manner.
  2. The licensee or manager, or an employee or agent of the licensee or manager, is prohibited from:
    - Exhibiting or showing, or causing, suffering or permitting to be exhibited or shown, on the licensed premises any "R 18+", "X 18+" or "RC" classified film or computer game or "Category 1 – Restricted" or "Category 2 – Restricted" publication, or extract therefrom; or
    - Causing, suffering or permitting any person employed, engaged or otherwise contracted to undertake any activity or perform any entertainment on the licensed premises to be immodestly or indecently dressed on the licensed premises; or
    - Causing, suffering or permitting any person to take part in, undertake or perform any activity or entertainment on the licensed premises in a lewd or indecent manner.
  3. In this condition, "licensed premises" includes any premises, place or area:
    - which is appurtenant to the licensed premises; or
    - in respect of which an extended trading permit granted to the licensee is for the time being in force but does not include any part of the premises which is reserved for the private use of the licensee, manager or employees of the licensee and to which the public does not have access.
- 1.20 The Applicant respectfully submits that this application for a Tavern Restricted Licence for the proposed premises of Dave & Buster's, strategically located to cater to consumers in the growing Clarkson locality, should be conditionally granted in the public interest, based on the premises providing a unique combination of dining, social, and entertainment amenities that align with community needs and preferences.



## 2. Venue and Operation

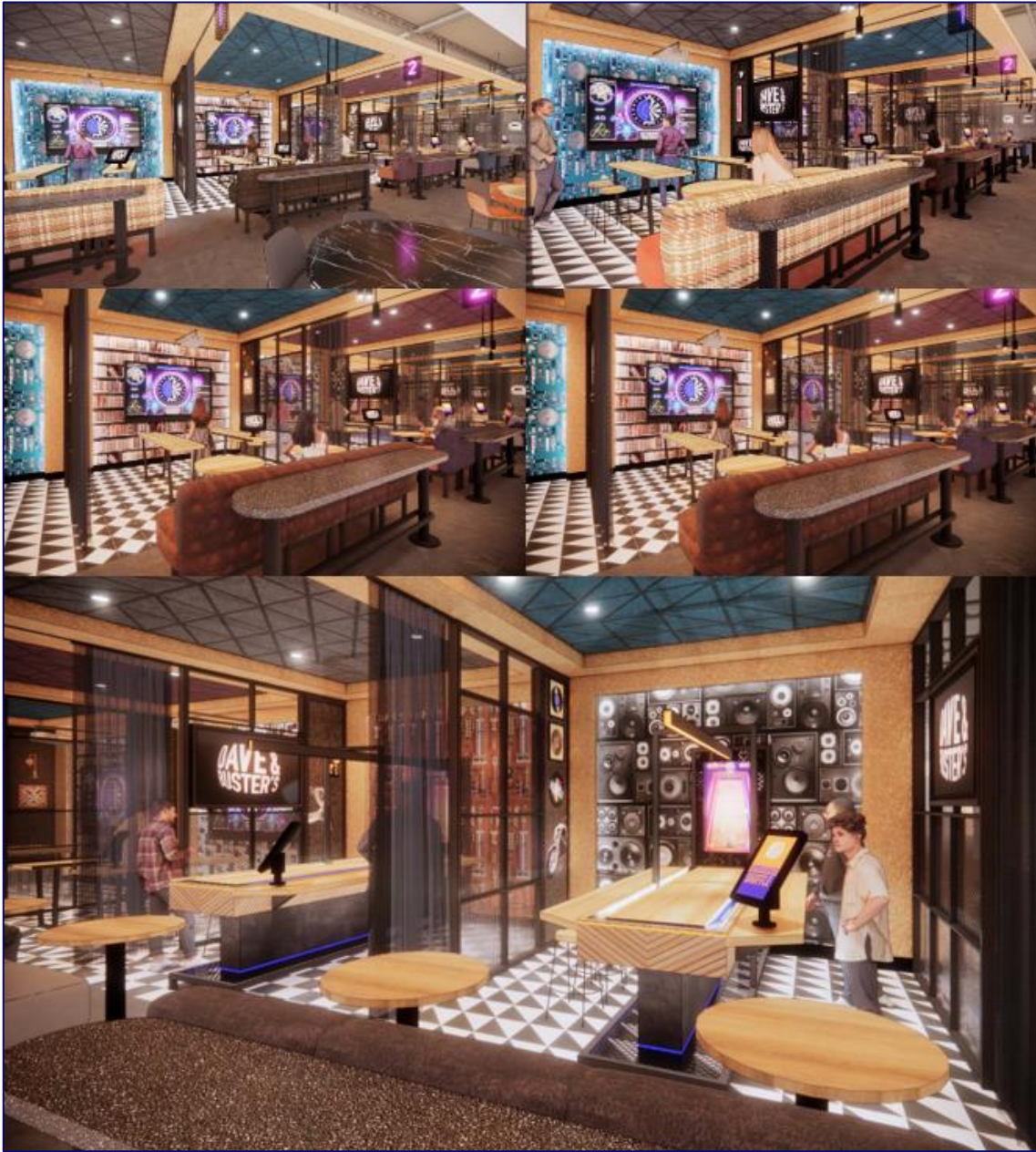


Figure 3: Dave & Buster's - Concept Entertainment Amenity<sup>19</sup>

<sup>19</sup> Attachment 1 - Dave & Buster's Plans and Concepts

- 2.1 The proposed premises, subject to approval, will be located in a prime position within the Clarkson Activity Centre<sup>20</sup>, specifically on Key Largo Drive. The location aligns with the strategic development objectives outlined in the Clarkson Activity Centre Plan, which emphasises the creation of a vibrant, mixed-use area supporting retail, dining, and entertainment. Dave & Buster’s will offer both residents and visitors a dynamic, multi-use entertainment destination, combining dining, arcade gaming, and social spaces, catering to the contemporary requirements of consumers in the locality.



**Figure 4: Dave & Busters - Food & Beverage**

- 2.2 The Applicant submits that the proposed licensed premises will accommodate diverse consumer amenity, including (but not limited to) designated dining areas, a large arcade section, and spaces for private functions and corporate events. A mix of indoor activity will be provided to enhance the customer experience, in line with the Clarkson Activity Centre Plan’s<sup>21</sup> focus on active frontages and flexible use of space.

<sup>20</sup> Attachment 6 - Clarkson Activity Centre Plan

<sup>21</sup> Attachment 6 - Clarkson Activity Centre Plan

- 2.3 As shown in the plans submitted with this application, ample seating will be in the dining areas, allowing for efficient management of patrons. This layout will enable staff to monitor the premises and ensure a safe, welcoming environment for all patrons, in accordance with the harm minimisation strategies and safety considerations highlighted in the Clarkson Activity Centre Plan<sup>22</sup>.
- 2.4 Patrons attending Dave & Buster's can expect a high-quality fit-out that balances functionality and contemporary design, creating a vibrant and engaging space suitable for a broad clientele, including families and young adults. While offering a dynamic entertainment amenity, the proposed premises will prioritise patron safety and security at all times.
- 2.5 The "*Safer Places by Design*"<sup>23</sup> planning guidelines, which incorporate the latest Crime Prevention Through Environmental Design (CPTED) principles, have been carefully integrated into the design of the proposed premises. This approach includes strategic lighting, clear sightlines, and secure access points to enhance safety. These features will streamline the monitoring and management processes for staff, ensuring a secure and welcoming environment for all patrons.



Figure 5: Dave & Buster's - Seating Arrangements<sup>24</sup>

<sup>22</sup> Attachment 6 - Clarkson Activity Centre Plan

<sup>23</sup> <https://www.wa.gov.au/government/publications/planning-guidelines-safer-places-design>

<sup>24</sup> Attachment 1 - Dave & Buster's Plans and Concepts

## Food & Beverage



**Figure 6: Dave & Buster's - Food<sup>25</sup>**

- 2.6 Dave & Buster's, will serve as a multi-use establishment, combining a casual dining experience with interactive arcade entertainment. The food offering will focus on popular, crowd-pleasing options such as burgers, wings, pizzas, and shareable entrees, all prepared with high-quality local ingredients.
- 2.7 Dave & Buster's will continue the brand's tradition of offering a well-rounded menu that complements its entertainment focus. Patrons can expect an array of freshly prepared dishes suitable for a wide range of dietary preferences, including vegetarian and gluten-free options, ensuring a welcoming and inclusive dining experience for all consumers in the locality.
- 2.8 The food menu at Dave & Buster's will be thoughtfully paired with an extensive beverage selection. The proposed premises will feature a range of local and international beers, wines, spirits, and craft cocktails, offering a diverse selection catering to social and family-friendly gatherings. Premium non-alcoholic beverages will also be available, ensuring that the proposed premises caters to the diverse requirements of all consumers<sup>26</sup>.
- 2.9 In addition to the wide range of cocktails and alcoholic beverages, Dave & Buster's Clarkson will also offer popular soft drinks and signature non-alcoholic drinks, including the D&B Teamonade and Watermelon Red Bull Lemonade. This broad selection ensures that all patrons, regardless of preference, have access to quality beverages that enhance their dining and entertainment experience. Potable water will be provided free of charge to all patrons.

<sup>25</sup> [https://www.facebook.com/daveandbusters/?checkpoint\\_src=any](https://www.facebook.com/daveandbusters/?checkpoint_src=any)

<sup>26</sup> Attachment 5 - Dave & Buster's Menus



Figure 7: Dave & Buster's – Spring Drink Trio (for 3 persons)<sup>27</sup>

## Hospitality Tourism

2.10 Dave & Buster's Clarkson is committed to supporting *'Taste 2020 – a strategy for food and wine tourism in Western Australia for the next five years & beyond'*<sup>28</sup> by providing entertainment and dining experience that aligns with Western Australia's broader goals of promoting hospitality and leisure tourism. By offering a dynamic premises that combines food, beverages, and entertainment, Dave & Buster's contributes to the vision of enhancing Western Australia's appeal as a destination for leisure and social engagement, supporting tourism growth in the Clarkson Activity Centre.

2.11 Taste 2020 states:

*"Culinary tourism is one of the fastest growing sectors of the tourism industry. Within our well-established hospitality, viticulture, agriculture and fishing industries,*

<sup>27</sup> [https://www.facebook.com/daveandbusters/?checkpoint\\_src=any](https://www.facebook.com/daveandbusters/?checkpoint_src=any)

<sup>28</sup> <https://www.readkong.com/page/taste-2020-tourism-wa-4348907?p=3>

*Western Australia has the potential to be one of the world's foremost culinary tourism destinations."*

2.12 The Taste 2020 report further states:

*"In 2012, tourism Australia conducted a Consumer Demand Research Project in 15 of Australia's key tourism markets, which identified that food and wine is a key factor in holiday decision making and the next most important emotive trigger after world class natural beauty."*

### **Standards of Licensed Premises**<sup>29</sup>

2.13 Section 33(7) of the Liquor Control Act 1988 (the Act):

*"requires that where the licensing authority is to determine whether any premises are of a sufficient standard or suitable for the proper conduct of the business:*

- a. the class of licence sought,*
- b. the obligations imposed, and*
- c. the facilities required,*

*must be taken as relevant and amongst the matters to which consideration should be given.*

*Furthermore, section 37 of the Act also emphasises the importance of the suitability of the premises by requiring that the licensing authority shall not grant an application for a licence unless it is satisfied that the premises to which the application relates are of a sufficient standard and suitable for the conduct of the business."*

2.14 In compliance with the Director's Policy on 'Standards at Licensed Premises'<sup>30</sup>, the proposed premises will feature toilet amenities that meet the required standards, ensuring comfort and accessibility for all patrons.

2.15 In compliance with Regulation 11 of the Liquor Control Regulations 1989<sup>31</sup>, the Applicant's submitted plans provide a detailed and accurate depiction of the proposed licensed premises. These plans, to scale and with clear dimensions, illustrate all entrances, exits, bars, patron toilets, kitchen areas, and back-of-house facilities. This ensures full transparency and compliance with the Liquor Control Regulations 1989 requirements.

2.16 The Applicant's vision for Dave & Buster's Clarkson is to create a welcoming entertainment venue offering a variety of liquor-related services and amenities. The design, interior, and atmosphere of the proposed premises have been carefully

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<sup>29</sup><https://www.dlgsc.wa.gov.au/department/publications/publication/standards-of-licensed-premises-policy>

<sup>30</sup><https://www.dlgsc.wa.gov.au/department/publications/publication/standards-of-licensed-premises>

<sup>31</sup>[https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc\\_41386.pdf/\\$FILE/Liquor%20Control%20Regulations%201989%20-%20%5B14-o0-00%5D.pdf?OpenElement](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_41386.pdf/$FILE/Liquor%20Control%20Regulations%201989%20-%20%5B14-o0-00%5D.pdf?OpenElement)

planned to accommodate both local residents and tourists. Emphasis has been placed on creating a hospitable environment while ensuring the safety and security of all patrons. This commitment is demonstrated by the proactive Harm Minimisation Plan<sup>32</sup> and the implementation of best management practices aimed at reducing the potential risks associated with alcohol consumption.

## **Socioeconomic Benchmarks for the City of Wanneroo**<sup>33</sup>

### 2.17 Socioeconomic benefits:

- **Community Connection and Identity:** *The City of Wanneroo Strategic Community Plan 2021–2031*<sup>34</sup> emphasises the importance of fostering a strong sense of community and connection. The proposed premises, Dave & Buster’s, will contribute to this by providing a social space where families, friends, and community members can engage in entertainment and dining activities.
- **Economic Growth and Business Support:** The strategic plan highlights the City’s commitment to supporting local businesses and promoting economic growth. Dave & Buster’s will contribute to this objective by attracting visitors to the area, creating jobs, and enhancing local business activity.
- **Tourism and Lifestyle Enhancement:** Clarkson’s strategic location within the growing Clarkson Activity Centre makes it ideal for attracting tourists and fostering economic activity. By providing a premises that offers both dining and entertainment, Dave & Buster’s will appeal to both locals and visitors, enriching the local tourism and hospitality offerings.
- **Active and Inclusive Spaces:** The City values accessible services for all ages and abilities. Dave & Buster’s will offer a family-friendly environment with a variety of entertainment options, contributing to the goal of fostering active lifestyles and inclusive community spaces.

### 2.18 Benchmarks for Hospitality and Tourism:

- **Business Engagement:** Increased participation in local business forums and the premises’ contribution to the local economy will serve as a measure of success. Dave & Buster’s will foster engagement with local stakeholders and support the City’s vision for economic development.
- **Community Perception:** The perception of the community towards the proposed premises will be an important benchmark. Dave & Buster’s will work closely with the community to ensure the premises is seen as a valuable addition that promotes economic and social benefits.
- **Facilities and Amenities:** The City prioritises the provision of high-quality facilities that support active and healthy lifestyles. Dave & Buster’s will feature

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<sup>32</sup> Attachment 4 – Harm Minimisation Plan

<sup>33</sup> Attachment 7 - City of Wanneroo Strategic Community Plan 2021-2031

<sup>34</sup> Attachment 7 - City of Wanneroo Strategic Community Plan 2021-2031

modern amenities and entertainment options, ensuring the proposed premises aligns with the City's focus on providing vibrant community spaces.

- 2.19 In accordance with Section 5(1)(c) of the Act, the Applicant aims 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 by offering high-quality entertainment and dining services through Dave & Buster's.

### **Harm Minimisation Strategies**

- 2.20 The Applicant's comprehensive Harm Minimisation Plan is designed to effectively reduce and manage any undue harm or ill health that may arise from the consumption of alcohol at Dave & Buster's. This plan adheres to the objectives outlined in the Act, ensuring that the premises operates safely and responsibly.
- 2.21 The Applicant is committed to providing ongoing, comprehensive staff training to enhance patron assistance and safety. This training includes awareness programs, strict adherence to Responsible Service of Alcohol (RSA) practices, and protocols for managing situations involving intoxicated patrons and juveniles. The goal is to maintain a safe and responsible service environment throughout the proposed premises.
- 2.22 The Applicant will fully comply with the Department of Local Government, Sport and Cultural Industries' policies relating to the sale and supply of liquor for consumption on the premises, in line with section 41 of the Act.
- 2.23 The Applicant is dedicated to responsible marketing practices, ensuring that all promotions and advertisements for Dave & Buster's are directed exclusively at adults. The Applicant supports programs, policies, and practices that minimise the undue risk of harm or ill health from the consumption of alcohol.
- 2.24 Signage promoting responsible alcohol practices will be strategically placed throughout Dave & Buster's, serving as a constant reminder for guests about the importance of responsible alcohol sale, supply, and consumption. This measure aligns with the Applicant's broader commitment to ensuring a safe and positive experience for all consumers, while upholding the community's well-being and responsible alcohol service practices.
- 2.25 The Applicant will strictly adhere to the DLGSC's Industry Guideline on the Responsible Promotion of Alcohol – *Consumption of Liquor on Licensed Premises*<sup>35</sup> at all times.

*"The Liquor Control Act 1988 (the Act) places an obligation on licensees to sell and supply liquor in a responsible manner.*

*One of the primary objects of the Act is to minimise harm or ill-health caused to people, or any group of people, due to the use of liquor. A secondary object of the*

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<sup>35</sup><https://www.dlgsc.wa.gov.au/departments/publications/publication/responsible-promotion-of-liquor-consumption-of-liquor-on-licensed-premises-and-the-sale-of-packaged-liquor-policy>



*Act is 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.*

*The principles contained in this guideline are designed to assist licensees to ensure that any promotion or advertising is consistent with the requirements of the Act.*

*Section 64(3) of the Act empowers the licensing authority to impose conditions on a licence which:*

- *ensure liquor is sold and consumed in a responsible manner;*
- *limit the manner or the containers, or number or type of containers, in which liquor may be sold;*
- *prohibit promotional activity in which drinks are offered free or at reduced prices, or limit the circumstances in which this may be done; and*
- *prohibit any practices which encourage irresponsible drinking.*

*Where there is evidence that a licensee has not promoted, advertised, sold or supplied liquor in a responsible manner, the licensing authority may impose restrictive conditions on the licence.”*

- 2.26 At Dave & Buster’s, all staff involved in the sale and supply of liquor will be required to hold RSA (Responsible Service of Alcohol) certificates, with copies kept on the premises at all times, in accordance with the Director’s Policy on Management and training<sup>36</sup>. These certificates will be readily available on-site for inspection. Staffing levels will be managed proactively to ensure guest satisfaction and service quality, with adjustments made during peak periods to meet higher demand while maintaining the venue’s commitment to excellent service.
- 2.27 Staffing levels at Dave & Buster’s will be closely monitored and adjusted to ensure that guests consistently receive high-quality service. During peak periods, additional staff will be rostered to accommodate increased patronage, ensuring that customer satisfaction and service quality remain top priorities.

### **3. The Applicant**

- 3.1 NightOwl FEC Pty Ltd will operate Dave & Buster’s Clarkson with an unwavering commitment to harm minimisation, ongoing staff training in hospitality and entertainment, and a firm commitment to the Responsible Service of Alcohol (RSA) at all times.
- 3.2 Mr David Heaton, the Chief Executive Officer (CEO) of NightOwl FEC Pty Ltd, brings extensive experience to the industry and has recently been inducted as a Legend of Hospitality at the Australian Hotels Association WA Awards Night 2024<sup>37</sup>.

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<sup>36</sup> <https://www.dlgsc.wa.gov.au/racing-gaming-and-liquor/liquor/training>

<sup>37</sup> <https://www.ahawa.asn.au/events/2024-hospitality-supplier-legends-awards/>

- 3.3 Mr Heaton brings over 20 years of hospitality and retail industry experience and oversees some of Perth's most successful entertainment venues, each with a unique brand and personality.



**Figure 8: Mr David Heaton - AHA Legends Award 2024<sup>38</sup>**

- 3.4 Dave & Buster's will maintain rigorous training, performance, and procedural standards, which will be regularly reviewed for quality assurance. Management will undergo annual performance reviews, and all staff will be evaluated with refresher training provided as needed. This training will encompass RSA, product knowledge, and service delivery to ensure the highest standards are consistently met.
- 3.5 The Applicant has successfully completed the required training to serve as the Licensee at the proposed premises. Upon approval, a qualified Approved Manager will be appointed, further reinforcing the company's commitment to operating in the public interest and in full compliance with relevant licensing laws.
- 3.6 With a prominent background in the hospitality industry, the Applicant has consistently demonstrated a commitment to developing unique and sustainable venues throughout Perth. Print Hall, a multi-level dining and bar precinct that pays homage to its original use as a print house, Flight Club Perth, an innovative social darts bar that combines competition and social interaction; and The Breakwater, a waterfront pub and restaurant in Hillarys that offers patrons a variety of dining options amidst scenic views, are examples of their industry commitment. Each establishment demonstrates the Applicant's commitment to quality, innovation, and the creation of consumer-centric licensed premises.

<sup>38</sup>[https://www.linkedin.com/posts/nightowlentertainment\\_australia-award-legend-activity-7212277804653035520-yULM/](https://www.linkedin.com/posts/nightowlentertainment_australia-award-legend-activity-7212277804653035520-yULM/)

## The Print Hall<sup>39</sup>



Figure 9: Print Hall<sup>40</sup>

- 3.7 Print Hall, located in the heart of Perth's CBD, demonstrates the Applicant's ability to reclaim and adaptively reuse heritage spaces. Formerly a dynamic print house, this multi-level bar and dining precinct features a variety of distinct spaces, including a ground-floor bar and a rooftop sanctuary. Print Hall, while retaining its architectural significance, is renowned for its extensive beverages menu and contemporary Australian cuisine, blending historical ambience with contemporary culinary experiences.

## Flight Club Perth<sup>41</sup>

- 3.8 Situated on Murray Street, Flight Club Perth is a testament to the Applicant's innovative approach to entertainment. As Australia's pioneer Flight Club location, this social darts bar offers patrons a unique blend of competitive fun and social interaction. Flight Club Perth demonstrates the Applicant's commitment to creating distinctive and engaging venues with private darts booths, a diverse range of games, and a well-curated food and drink menu.

<sup>39</sup> <https://www.broadsheet.com.au/perth/restaurants/print-hall>

<sup>40</sup> <https://www.broadsheet.com.au/perth/restaurants/print-hall>

<sup>41</sup> <https://www.theurbanlist.com/perth/a-list/flight-club-perth>



Figure 10: Flight Club Perth

## The Breakwater<sup>42</sup>



Figure 11: The Breakwater<sup>43</sup>

3.9 Located on the scenic Southside Drive in Hillarys, The Breakwater is a beacon of the Applicant's dedication to offering premium hospitality experiences. With its waterfront location, patrons are treated to breathtaking marina views. The Breakwater's diverse dining options, from its main bar to its elegant lounge, coupled with its shuffleboard room and event-hosting capabilities, further underscore the Applicant's expertise in crafting venues that cater to a wide range of preferences and occasions. Also available

<sup>42</sup><https://www.perthnow.com.au/community-news/joondalup-times/new-owners-set-to-drop-obscene-price-tag-at-the-breakwater-in-hillarys-c-872446>

<sup>43</sup><https://www.perthnow.com.au/community-news/joondalup-times/new-owners-set-to-drop-obscene-price-tag-at-the-breakwater-in-hillarys-c-872446>

at the Breakwater is a bowling alley amenity demonstrating the Applicant's experience in this niche entertainment sector.

### **The Applicant as a Fit and Proper Person to hold a Licence**

3.10 Section 33(6) of the Act refers to the creditworthiness, character, convictions, conduct of other businesses and reports or interventions made against an applicant, stating:

*“Where the licensing authority is to determine whether an applicant is a fit and proper person to hold a licence or whether approval should be given to a person seeking to occupy a position of authority in a body corporate that holds a licence, or to approve a natural person as an approved unrestricted manager, an approved restricted manager or a trustee —*

*(a) the creditworthiness of that person; and*

*(aa) the character and reputation of that person; and*

*(b) the number and nature of any convictions of that person for offences in any jurisdiction; and*

*(c) the conduct of that person in respect to other businesses or to matters to which this Act relates; and*

*(d) any report submitted, or intervention made, under section 69,”*

3.11 Mr David Heaton, the director of NightOwl FEC Pty Ltd, has established themselves as a distinguished business operator with a proven track record in managing licensed venues. There is confidence in their recognition as a fit and proper person to oversee the operations of Dave & Buster's Clarkson under a Tavern Restricted Licence, subject to approval.

3.12 The Director of NightOwl FEC Pty Ltd has demonstrated financial reliability, exemplary character, and successful management of other licensed premises. The company's engagement with key stakeholders and its commitment to advancing the liquor, hospitality, and tourism sectors affirm its qualifications to hold a Liquor Licence in Western Australia.

## 4. Location and Locality

4.1 The proposed Dave & Buster's will be situated at Tenancy 11, 61 Key Largo Dr, Clarkson, WA 6030.

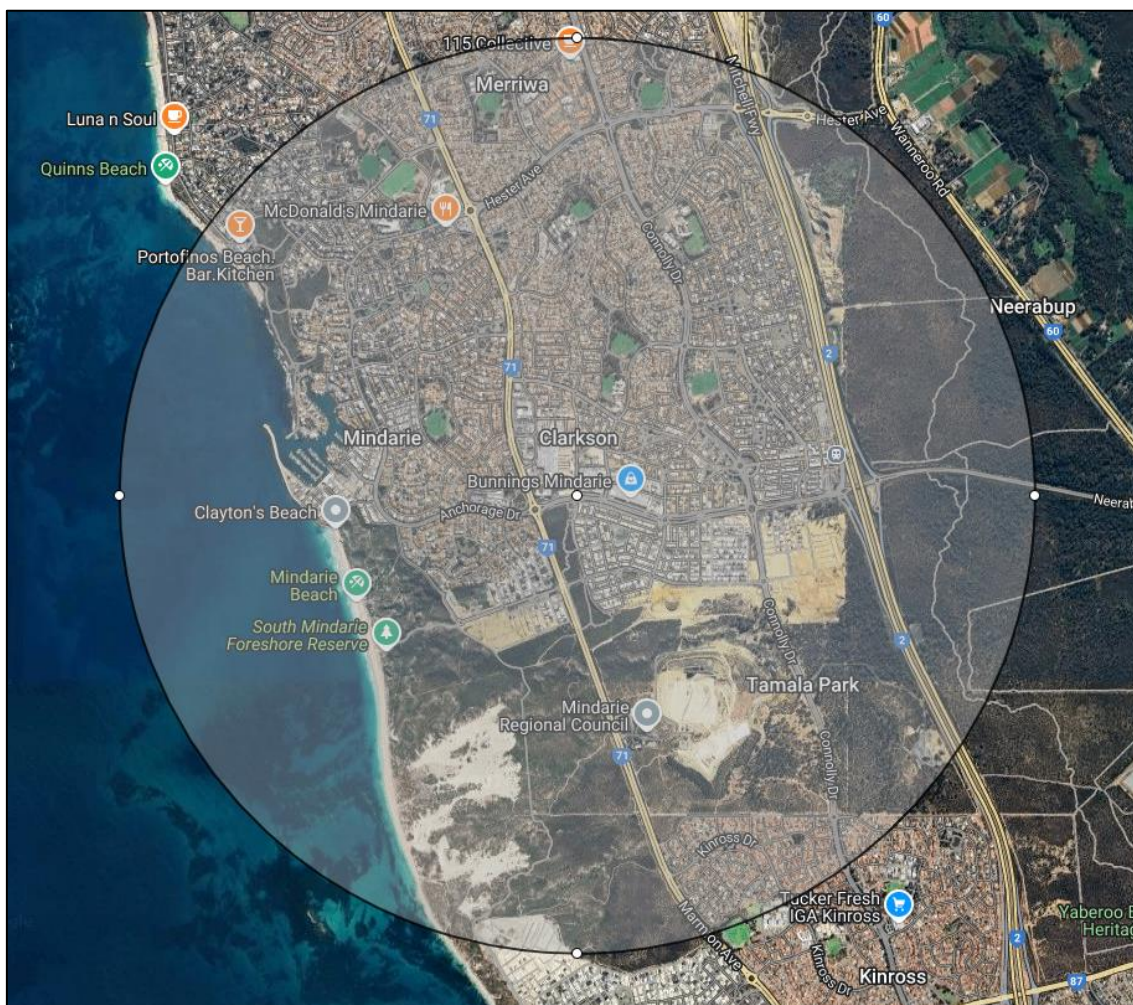


Figure 12: Dave & Buster's 3km Locality Radius<sup>44</sup>

4.2 As per the application of the Public Interest Policy 'Specification of Locality'<sup>45</sup> (which determines the "locality" affected by an application under the Act), the map above (Figure 12) indicates the 3km radius that forms the locality surrounding Dave & Buster's.

*"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."*

4.3 The term "amenity" refers to various aspects that contribute to the overall character of a particular location. This includes both present and anticipated future amenities, and has been interpreted by the Supreme Court:

<sup>44</sup> [https://www.mapdevelopers.com/draw-circle-tool.php#google\\_vignette](https://www.mapdevelopers.com/draw-circle-tool.php#google_vignette)

<sup>45</sup> <https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment-policy>

*“In my opinion, the term 'amenity' in s 38(4)(b) is concerned with whether and, if so, to what extent the granting of the application would be likely to have any positive or negative effects or consequences upon the overall character, quality and enjoyment of life within the locality.”<sup>46</sup>*

- 4.4 For the purposes of this submission, the defined locality encompasses all of Clarkson and parts of Mindarie and Mirriwa, where the proposed premises will be located.
- 4.5 As required by the Director's Guideline on 'Specification of Locality' as part of the Public Interest Assessment Policy, data from the Australian Bureau of Statistics 2021 Census<sup>47</sup> for the locality.
- 4.6 The table below demonstrates the general population demographics of the suburbs that make up the defined locality as identified above.

	LOCALITY	GREATER PERTH	WESTERN AUSTRALIA
Population	27358	2116647	2660026
Median Age	40	37	38
Median Individual Income (Weekly)	\$796.33	\$859.00	\$848.00
Median Household Income (Weekly)	\$1,857.00	\$1,865.00	\$1,815.00
Median Family Income (Weekly)	\$2,113.33	\$2,259.00	\$2,214.00
Population Under 14 years	19.43%	18.96%	19.01%
Indigenous Persons	4.45%	1.99%	3.33%
Australian Born	51.47%	59.46%	61.98%
Speak English only at Home	78.93%	73.99%	75.29%
Couple Family without Children	35.60%	37.60%	38.80%
Couple Family with Children	43.77%	45.70%	44.60%
One Parent Family	19.17%	15.10%	15.10%
Other Family	1.50%	1.60%	1.60%

- 4.7 Demographic overview of the locality:
- **Population:** The locality has a population of 27,358, marking it as a substantial community within Greater Perth and Western Australia.
  - **Median Age:** The median age in the locality is 40, indicating a slightly older population compared to Greater Perth (37 years) and Western Australia (38 years).
- 4.8 Socio-economic Characteristics:
- **Median Household Income:** The locality's median household income is \$1,857.00 weekly, closely matching Greater Perth (\$1,865.00) and slightly higher than Western Australia (\$1,815.00).

<sup>46</sup> [https://www.dlgsc.wa.gov.au/docs/default-source/racing-gaming-and-liquor/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a\\_0](https://www.dlgsc.wa.gov.au/docs/default-source/racing-gaming-and-liquor/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

<sup>47</sup> <https://www.abs.gov.au/census>

- **Median Individual Income:** The median individual income is **\$796.33 weekly**, which is lower than both Greater Perth (\$859.00) and Western Australia (\$848.00).

#### 4.9 Family Composition and Diversity:

- **Population under 14 years:** 19.43% of the population is under 14 years, slightly higher than Greater Perth (18.96%) and Western Australia (19.01%).
- **Indigenous Population:** Indigenous persons make up 4.45% of the population, higher than both Greater Perth (1.99%) and Western Australia (3.33%).
- **Australia Born:** **51.47%** of residents were born in Australia, which is lower than both Greater Perth (59.46%) and Western Australia (61.98%).
- **Language:** **78.93%** of the population speaks only English at home, higher than Greater Perth (73.99%) and Western Australia (75.29%).

#### 4.10 Family Types:

- **Couple Families without Children:** Account for 35.60% of households, which is slightly lower than Greater Perth (37.60%) and Western Australia (38.80%).
- **Couple Families with Children:** Represent **43.77%**, close to the figures for Greater Perth (45.70%) and Western Australia (44.60%).
- **One Parent Family:** The locality has **19.17%** one-parent families, which is higher than Greater Perth and Western Australia (both 15.10%).

4.11 The locality reflects a diverse cultural makeup, with a significant percentage of the population born in Australia, although lower than state averages. The high percentage of English speakers at home suggests a blend of cultural backgrounds and linguistic preferences.

### City of Wanneroo – Economic Profile<sup>48</sup>

4.12 The City of Wanneroo's objectives align with sustainable economic development, business growth, and enhancing the quality of life for its residents. According to the City's Economic Development Strategy 2021-2031<sup>49</sup>, the focus is on diversifying the local economy, fostering sustainability, creating employment opportunities, and driving robust economic growth.

*The City's Vision - A welcoming community, connected through local opportunities.*

4.13 The City of Wanneroo encourages responsible use of resources, the development of lifestyle infrastructure and services, and a diverse range of business and investment opportunities. In line with the City's Economic Development Strategy, there is a focus on fostering collaboration among industry stakeholders, the community, and government to spur regional economic growth.

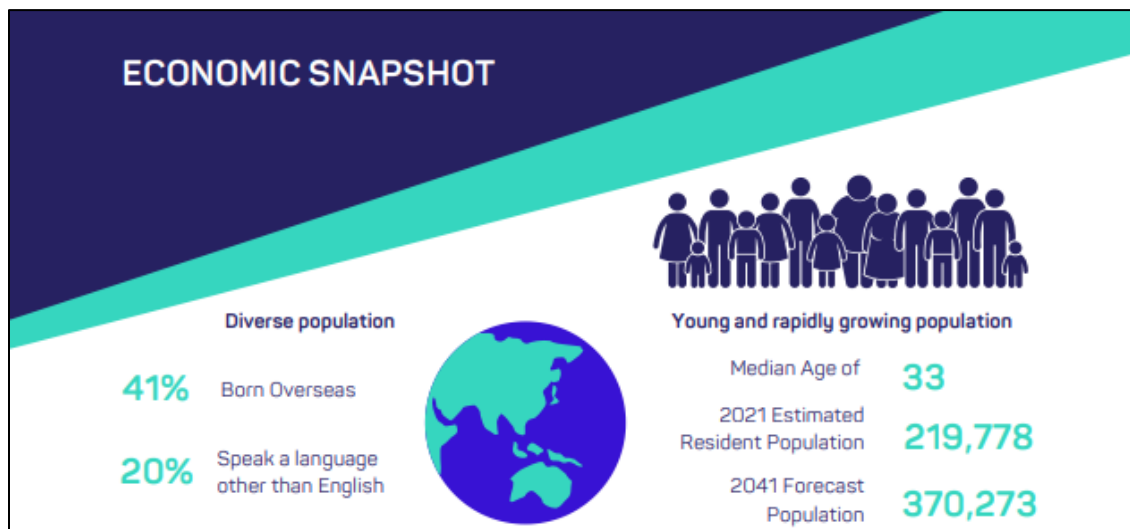
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<sup>48</sup>Attachment 8 - City of Wanneroo Economic Development Strategy 2022-2032

<sup>49</sup> Attachment 8 - City of Wanneroo Economic Development Strategy 2022-2032



*“To enable businesses to provide diverse and quality local job opportunities; facilitate the delivery of economic growth; and enhance social and environmental outcomes for intergenerational equality.”*



**Figure 13: City of Wanneroo Economic Snapshot**

4.14 The City of Wanneroo has identified key areas of focus to support local economic growth, as outlined in its Economic Development Strategy 2022-2032<sup>50</sup>:

- Business Engagement & Support,
- Investment Attraction,
- Planning for the Future,
- Leadership,
- Innovation & Sustainability,
- Tourism Industry Support and Development, and
- Strategic Economic Advocacy

4.15 The City of Wanneroo has a robust economic development strategy aimed at sustainable growth, business expansion, and employment creation. Their Economic Development Strategy 2022-2032<sup>51</sup> outlines a future vision that encompasses economic diversity, job creation, and investment, contributing to the vibrancy and liveability of the City of Wanneroo.

4.16 The City's strategic objective is to enable businesses to provide diverse and high-quality local employment opportunities, facilitate economic development, and improve social and environmental outcomes. Dave & Buster's aligns with these objectives by providing an environmentally sustainable tourism amenity that will

<sup>50</sup> Attachment 8 - City of Wanneroo Economic Development Strategy 2022-2032

<sup>51</sup> Attachment 8 - City of Wanneroo Economic Development Strategy 2022-2032

stimulate the local economy and contribute to advancing social and environmental conditions<sup>52</sup>.

- 4.17 The City of Wanneroo's Economic Development Strategy 2022-2032 identifies key industries and sectors that offer significant long-term, sustainable growth opportunities. These industries include tourism, hospitality, and entertainment, aligning with the development of Dave & Buster's. By providing a unique entertainment and dining venue, the proposed premises will contribute to the city's long-term economic vision. The venue is positioned to attract both local and regional visitors, thereby supporting the city's focus on tourism and economic growth.
- 4.18 The City's research has identified the industries and sectors that present the greatest opportunity for long-term, sustainable growth.

## **5. Legislative Framework – Liquor Control Act 1988**

- 5.1 This application is for the conditional grant of a Tavern Restricted Licence in accordance with Section 41 of the Act.
- 5.2 Throughout this Public Interest Assessment (PIA), critical considerations have been given to Section 38(4)(a), (b), and (c) of the Act. NightOwl FEC Pty Ltd respectfully asserts that the application meets the primary and secondary Objects outlined in Section 5 of the Act, details of which will be elaborated on in the subsequent sections of this submission.
- 5.3 **The primary objects of the Act as set out in Section 5 (1) are:**

***a) To regulate the sale, supply and consumption of liquor:***

- As demonstrated by the Harm Minimisation Plan<sup>53</sup> attached, the Applicant, Dave & Buster's, is committed to adopting responsible practices in the sale and supply of liquor, including (but not limited to):
  - a selection of low and mid-alcohol beer to be available,
  - include zero-alcohol wine, beer and spirits options,
  - not permitting service of alcohol to persons in school uniform (regardless of ability to produce legal photo ID),
  - All drinks will be served in an open container as required under the Act.
- CCTV coverage will be provided throughout the premises, including the entrance, exit, and delivery area. The footage will be recorded throughout

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<sup>52</sup> Attachment 8 - City of Wanneroo Economic Development Strategy 2022-2032

<sup>53</sup> Attachment 3 – Harm Minimisation Plan

the premises' operational hours and accessible by staff, WA Police, and any other authorised person as required by the Director's Policy<sup>54</sup>.

- A variety of seating options will be provided in the dining area. Seating can be rearranged or moved for functions or large groups if and as required.
- All duty managers will hold a higher qualification to '*Manage legislative responsibilities for the sale, supply and service of liquor*' (MLP1) and support the staff in their daily duties.
- All staff of the proposed Dave & Buster's involved in the sale and supply of liquor will be required to undergo and complete the appropriate RSA training in accordance with Sections 33 and 103A of the Act.
- A copy of each staff member's RSA certificate is kept on premises in a Training Register per the Director's Policy relating to Training<sup>55</sup>.
- Subject to approval, the Applicant will join the 'Local Liquor Accord', participate in meetings and abide by any resolutions or strategies the Liquor Accord deems appropriate.
- Incident Reports will be completed as required to ensure compliance with the Act and best practices in managing the sale and supply of liquor.

**b) to minimise the harm or ill-health caused to people, or any group of people, due to the use of liquor:**

- The proposed premises layout will comply with *Safer Places by Design*<sup>56</sup> standards, including full CCTV coverage in line with the Director's Policies.
- The Harm Minimisation Plan will always be thoroughly adhered to.
- The Applicant will stock a variety of low, zero, and non-alcoholic products to promote responsible drinking practices.
- Persons in school uniform will not be served alcohol, regardless of age and ability to produce relevant photo ID.
- All policies of the Directors of Liquor Licensing will be complied with at all times.
- The Applicant will also provide staff with comprehensive in-house training, which will focus on customer service, product knowledge, and harm minimisation, including the prevention of undue intoxication and anti-social behaviour.
- As an experienced Licensee, the Director of the Applicant Company has ample experience in minimising and mitigating potential, undue harm or ill-health due to the use of liquor.

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<sup>54</sup><https://www.dlgsc.wa.gov.au/department/publications/publication/safety-and-security-at-licensed-premises-policy>

<sup>55</sup><https://www.dlgsc.wa.gov.au/racing-gaming-and-liquor/liquor/training>

<sup>56</sup><https://www.wa.gov.au/system/files/2023-07/safer-places-by-design-cpted-guidelines.pdf>

**c) *To cater to the requirements of consumers of liquor-related services, with regard to the proposed development of the liquor industry, the tourism industry and hospitality industries in the state:***

- Dave & Buster's will revitalise a currently underutilised location in the Clarkson Activity Centre, enriching the locality's entertainment and social landscape by offering a dynamic combination of food, beverages, and interactive entertainment.
- Dave & Buster's plans to craft its food and beverage offerings with a focus on high-quality local products, contributing to the support of Western Australia's agricultural and hospitality sectors.
- By showcasing locally sourced beers, wines, and spirits, Dave & Buster's aims to positively contribute to the state's liquor, tourism, and hospitality industries, addressing the contemporary requirements and preferences of consumers.
- Subject to approval, this unique entertainment and dining venue (operating under a Tavern Restricted Licence) will support the local Western Australian liquor, hospitality, and tourism industries. It will introduce a new feature that will attract both residents and visitors and improve the social environment of the Clarkson Lifestyle Zone.

**5.4 The secondary objects of the Act, as set out in Section 5(2), are:**

**a) *To facilitate the use and development of licensed facilities, including their use and development of live original music, reflecting the diversity of requirements of consumers in the state:***

- The Applicant has an Agreement to Lease the premises, demonstrating a strong commitment to the proposed premises at Dave & Buster's.
- Dave & Buster's (subject to approval) will focus on catering to the entertainment, leisure, hospitality, and tourism needs of residents and visitors to the Clarkson locality.
- The proposed premises will offer a range of dietary-specific menu options, including gluten-free, vegetarian, and dairy-free choices, as demonstrated by the Allergen Menu<sup>57</sup>, with trained staff available to assist patrons in making informed selections.
- The premises and offerings are designed to attract a diverse range of consumers at various times throughout the week, providing entertainment and dining experiences tailored to different preferences and requirements.
- Committed to collaborative regulatory compliance, Dave & Buster's will engage closely with the Department of Local Government, Sport and Cultural Industries, WA Police, WA Department of Health, the City of

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<sup>57</sup> Attachment 5 – Dave & Buster's Menu

Wanneroo, and other relevant local bodies, ensuring a streamlined application process and responsible operation of the premises (subject to approval).

**d) To provide adequate controls over the persons directly or indirectly involved in the sale, disposal and consumption of liquor:**

- All employees involved in selling and supplying alcohol need to complete RSA training from a Nationally Accredited Training Provider. Their qualifications will be recorded and kept in a Training Register at the premises as per the Director's Policy on *Management and Training*<sup>58</sup>.
- An Approved Manager will be present at all times to oversee the operation of the premises in compliance with all licensing and regulatory requirements. The Approved Manager will be available to address concerns from patrons, local residents, and law enforcement officers.
- The Harm Minimisation Plan, which includes a Code of Conduct, Management Policy, and House Management Plan, will be implemented and followed by patrons, staff, and management at all times in accordance with the Department's policy on Harm Minimisation<sup>59</sup>.
- Visual signage will be strategically placed to remind patrons and staff of the Liquor Licensing requirements concerning the safe and responsible sale and supply of liquor.
- A CCTV system will be installed at the proposed premises, covering the entrance, exit, and delivery areas, in compliance with the Director's policy on *Safety and Security at Licensed Premises*<sup>60</sup>.
- The Applicant will ensure that all liquor licence conditions (subject to approval) are always adhered to. Staff will be notified that compliance with the licence conditions is a condition of employment.
- During the advertising period (14 days), a Notice of Application will be mailed to schools, hospitals, hospices, aged care facilities, drug and alcohol treatment centres, short-term accommodation or refuges for young people, childcare centres, churches, local government authority, local police station, which are situated in the specified locality of the proposed premises, who will then have the opportunity to comment on the application should they choose to do so.

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<sup>58</sup><https://www.dlgsc.wa.gov.au/racing-gaming-and-liquor/liquor/training>

<sup>59</sup><https://www.dlgsc.wa.gov.au/department/publications/publication/harm-minimisation-policy>

<sup>60</sup><https://www.dlgsc.wa.gov.au/department/publications/publication/safety-and-security-at-licensed-premises-policy>

***e) To provide a flexible system with as little formality or technicality as may be practicable for the administration of this Act:***

- The Applicant acknowledges that this PIA submission has provided all requirements to satisfy Section 5 and address Section 38(2) and (4) of the Act.
- The relevant documentation to comply with Section 68 of the Act has also been submitted by the Applicant.
- Should there be a minor perceived deficiency (if any) in the Applicant's submission, the Applicant respectfully requests that the Director apply an appropriate level of discretion and flexibility in conditionally granting the licence in the public interest as afforded by this section of the Act.

***f) 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.***

- The Applicant will always adhere to the Directors Policy on the responsible promotion of liquor.
- The Applicant will ensure that any in-house promotion is suitable and does not support excessive consumption of liquor.

5.5 Section 16 of the Act outlines how the Licensing Authority is to act according to equity, good conscience, and the substantial merits of the case.

5.6 Section 33(1) of the Act states that the Licensing Authority has absolute discretion to grant or refuse an application based on any reason it deems to be in the public interest.

## **6. Public Interest**

6.1 The Applicant submits that the conditional grant of a Tavern Restricted Licence for the proposed premises aligns with the public interest as outlined in Section 38(4) of the Act while supporting the primary objects of Section 5 of the Act, for several key reasons:

- To offer a safe, engaging, and diverse entertainment and dining option within the Clarkson Lifestyle Zone.
- To design and manage the proposed premises in a way that provides diverse amenities for both residents and visitors to the locality.
- To provide a menu that accommodates various dietary restrictions, including offering low-alcoholic beverage options and a variety of non-alcoholic drinks.
- To enact a comprehensive Harm Minimisation Plan in the public interest, ensuring the responsible sale and supply of alcohol, and minimising any potential undue harm.

- 6.2 The proposed premises have been specifically designed to cater to the needs of a wide range of consumers in the locality, in line with the objectives outlined in the *City of Wanneroo Strategic Community Plan 2021–2031*<sup>61</sup>. The plan emphasises creating vibrant, inclusive spaces that support local businesses, tourism, and social engagement. Dave & Buster’s seeks to contribute to these goals by offering a dynamic, multi-use venue that enhances the entertainment and hospitality offerings within the Clarkson locality.
- 6.3 The City of Wanneroo Strategic Community Plan includes several Strategic Focus Areas that align with the Applicant’s vision, including:
- Economic growth and development,
  - Community inclusiveness and well-being,
  - Enhancing the use and activation of public spaces,
  - Environmental sustainability, and
  - Promoting tourism and leisure activities that contribute to the vibrancy of the locality.<sup>62</sup>
- 6.4 One of the Strategic Community Plan's<sup>63</sup> key focus areas is "Vibrant and Connected Communities," the Applicant intends to contribute to these goals by providing a new amenity within the Clarkson entertainment and retail precinct. Dave & Buster’s will create a space for people to connect, relax, and enjoy high-quality food, beverages, and entertainment.
- 6.5 The proposed premises will contribute to the "Health and Happiness" focus area of the Strategic Community Plan<sup>64</sup> by:
- Creating an environment where people feel safe and welcome,
  - Enhancing the health and well-being of those who live, work, and visit Clarkson,
  - Promoting inclusiveness and participation in community life, and
  - Facilitating a sense of community and social connection through leisure activities.
- 6.6 The Applicant is dedicated to establishing Dave & Buster’s as a welcoming venue that fosters social connections, promotes inclusivity, and offers diverse opportunities for community engagement. By aligning with the City of Wanneroo’s vision and objectives, the proposed premises aims to contribute positively to community life and create a harmonious relationship that benefits the broader community.

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<sup>61</sup> Attachment 7 - City of Wanneroo Strategic Community Plan 2021-2031

<sup>62</sup> Attachment 7 - City of Wanneroo Strategic Community Plan 2021-2031

<sup>63</sup> Attachment 7 - City of Wanneroo Strategic Community Plan 2021-2031

<sup>64</sup> Attachment 7 - City of Wanneroo Strategic Community Plan 2021-2031

## **Positive Impacts**

- 6.7 Dave & Buster's aims to deliver a venue that not only brings people together for entertainment and dining but also contributes to the social and economic vibrancy of the Clarkson Lifestyle Zone.
- 6.8 The Applicant aspires to make Dave & Buster's a hub that fosters community connections while contributing to the City of Wanneroo's environmental goals through sustainable practices. This aligns with the City's focus on Leadership, Innovation, and Sustainability, as outlined in the Economic Development Strategy<sup>65</sup>.
- 6.9 From an economic standpoint, the proposed premises will support economic growth and development in the region with employment and training opportunities. The Applicant is committed to maintaining good governance and transparency in its operations, aligning with the City of Wanneroo's priority to facilitate the delivery of sustainable economic growth.
- 6.10 Dave & Buster's aims to offer a dynamic entertainment venue that addresses the evolving needs of Wanneroo's residents and visitors. By revitalising an underutilised space in the Clarkson Activity Centre, the premises will enhance the area's appeal as a local and regional tourism and leisure destination, supporting the City's goal of tourism industry development.
- 6.11 As the proposed premises will be independently owned and operated, the Applicant can tailor the entertainment and dining offerings to cater to the specific preferences of local residents and visitors, promoting economic resilience and adaptability in line with the City's Business Engagement and Support initiative.

## **Potential Negative Impacts**

- 6.12 The Applicant is committed to the responsible consumption of liquor, the Applicant has considered the Australian Institute of Criminology: Research in Practice SUMMARY PAPER No. 04 December<sup>66</sup> which refers to the following regarding the negative social impact of Alcohol-related violence in residential locations; *"Hotels and nightclubs are the most problematic licensed venues for violence, particularly those with extended or 24-hour trading."*
- 6.13 To be effective in reducing alcohol-related violence, the research notes that the implications for policy and practice need to give importance to; *"The need for a range of partners within the community to work together to set appropriate standards for the consumption of alcohol and set formal and informal controls on the misuse of alcohol and the problem behaviours that result"*.

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<sup>65</sup> Attachment 8 - City of Wanneroo Economic Development Strategy 2022-2032

<sup>66</sup> <https://www.aic.gov.au/sites/default/files/2020-05/rip04.pdf>



6.14 The Applicant is committed to working with the local Clarkson Police, Liquor Enforcement Unit (LEU), and Chief Health Officer (CHO), as required under the Liquor Control Act 1988, to mitigate and minimise any undue risk of alcohol related harm within the locality.

6.15 In addition, the Applicant will join the local Liquor Accord<sup>67</sup> and actively participate in its resolutions. Liquor Accords are designed to address harm and ill-health issues while creating safe spaces around licensed premises. They are part of an overall strategy that seeks to:

- Foster a responsible drinking culture,
- Ensure safety in the local community, and
- Promote effective communication and problem-solving between licensees and key stakeholders.

6.16 Liquor Accords may include representatives from licensed premises, businesses, councils, police, government departments, and other community organisations. The intended outcomes include:

- Reducing anti-social behaviour in and around licensed premises,
- Reducing alcohol-related violence, ill-health, and other harm,
- Increasing responsible service of alcohol,
- Improving licensees' and staff's knowledge of legislative obligations and
- Enhancing community cooperation and engagement in strategies that affect the community.

6.17 To be effective in reducing alcohol-related violence, the research notes that the implications for policy and practice need to give importance to:

*“The need for a range of partners within the community to work together to set appropriate standards for the consumption of alcohol and set formal and informal controls on the misuse of alcohol and the problem behaviours that result.”<sup>68</sup>*

6.18 The Applicant will maintain control over the supply of liquor in the community through formal controls such as:

- harm minimisation measures,
- juvenile management and procedural policies,
- adhering to any resolutions of the ‘Local Accord’,
- responsible service of alcohol practices etc.,

and informal controls including:

- community involvement, and

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<sup>67</sup> <https://www.dlgsc.wa.gov.au/racing-gaming-and-liquor/liquor/liquor-accords>

<sup>68</sup> <https://www.aic.gov.au/publications/rip/rip4>

- ongoing engagement with 'At Risk' groups and organisations.

## **Consumer Surveys<sup>69</sup>**

- 6.19 The Applicant undertook a Consumer Survey of residents and visitors to gauge the public interest in the proposed Dave & Buster's which was completed by numerous respondents.
- 6.20 The data from the Consumer Survey provides significant insights into catering to consumer requirements and the public interest in the proposed Tavern Restricted Licence. Below is a summary of the key findings of the survey:
- A substantial majority of respondents (100%) support the proposed Dave & Buster's operating under a Tavern Restricted Licence.
  - A total of some 96% of the respondents intend to visit the premises monthly, weekly or fortnightly.
  - 84% of respondents believe that the operation of Dave & Buster's will not result in undue harm or ill health in the locality.
  - Similarly, 90.67% also agree that the operations will not cause undue offence, annoyance, disturbance, or inconvenience.
  - A high percentage (86.67%) of the respondents indicated that Dave & Buster's will not negatively impact the amenity of the locality.
- 6.21 The positive feedback from the Consumer Survey highlights the strong consumer interest in the proposed premises. This support aligns with the Objects of the Act, demonstrating that the proposed premises' Tavern Restricted Licence application is in the public interest and will cater to consumers' reasonable requirements.

## **7. Section 38 (4) (a) of the Act – Harm or Ill-health**

- 7.1 As part of the Public Interest Assessment, the Applicant has reviewed several recommended information sources in accordance with the Directors Policy on Public Interest Assessments<sup>70</sup>. These sources have been reviewed and considered to understand better the harmful effects of alcohol abuse and the recommended strategies for reducing them. The findings from these sources have been included in this submission for the Public Interest Assessment.
- 7.2 The public interest matters to be considered under Section 38(4) of the Act include:
- “Without limiting subsection (2), the matters the licensing authority may have regard to in determining whether granting an application is in the public interest include —*

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<sup>69</sup> Attachment 2 – Consumer Surveys

<sup>70</sup><https://www.dlgsc.wa.gov.au/departments/publications/publication/public-interest-assessment-policy>

- (a) the harm or ill health that might be caused to people, or any group of people, due to the use of liquor; and*
- (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; and*
- (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; and*
- (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.”<sup>71</sup>*

7.3 The information sources considered (but not limited to) are as follows:

**Drug and Alcohol Office, Mental Health Commission and the Department of Health (WA)**

Mental Health Commission website

- National Drug Strategy Household Survey 2013: Western Australian Introduction, Executive Summary, Supplementary Tables
- Australian School Student Alcohol and Drug Survey: Alcohol Report 2011 – Western Australian Results. Surveillance Report Number 8
- Broad Strategic Directions of West Australian Drug and Alcohol Strategy 2005-2009
- Drug & Alcohol Interagency Strategic Framework for Western Australia 2011-2015
- Strong Spirit Strong Mind: Western Australian Aboriginal Drug and Alcohol Framework for Western Australia 2011-2015
- Fitzroy Valley Alcohol Restriction Report: An evaluation of the effects of a restriction on take-away alcohol relating to measurable health and social outcomes, community perceptions and behaviours after a two-year period, 2010.
- Drug and Alcohol Office WA (2012). The impact of liquor restrictions in Kununurra and Wyndham: a twelve-month review
- Halls Creek Alcohol Restriction Report 2012: a 24-month review of the impact of alcohol restrictions on health and social outcomes, community perceptions and behaviours.
- The impact of liquor restrictions in Halls Creek: Quantitative data — Five years post-restriction

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<sup>71</sup>[https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc\\_41184.pdf/\\$FILE/Liquor%20Control%20Act%201988%20-%20%5B08-g0-00%5D.pdf?OpenElement](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_41184.pdf/$FILE/Liquor%20Control%20Act%201988%20-%20%5B08-g0-00%5D.pdf?OpenElement)

- Alcohol-related hospitalisations and deaths in Western Australia: State Profile (2014) Drug and Alcohol Office WA and Epidemiology Branch of Department of Health WA. Note: this report may incur a cost, see note on previous page.
- Alcohol-related hospitalisations and deaths in Western Australia: Regional Profile (2014) Drug and Alcohol Office WA and Epidemiology Branch of Department of Health WA. Note: This report may incur a cost, see note on previous page.
- Alcohol and Other Drug Indicators Report — Western Australia (2015) R. Bridle, A. Christou & T. Lembo.
- Alcohol and Other Drug Indicators Report — Regional Reports (2015) R. Bridle, A. Christou & T. Lembo.

### **National Drug Research Institute, Curtin University of Technology (Perth)**

#### National Drug Research Institute website

- An Evaluation of Liquor Licensing restrictions in the Western Australian Community of Port Hedland. Preventing Harmful Drug Use in Australia. Prepared with assistance from the Combined Universities Centre for Rural Health.
- Restrictions on the sale and supply of alcohol: Evidence and Outcomes. (2007) Dr. T Chikritzhs, Prof. D. Gray, Z Lyons, Prof. S Saggars.
- Study of Extended Trading Permits (May 1997) Dr. T. Chikritzhs.
- Drinking After Driving in Western Australia. (2002). Catalano, P and Stockwell, T. R.
- Predicting Alcohol-Related Harms from licensed outlet density: A Feasibility Study. 2007 Monograph Series No.28. T Chikritzhs, I Catalano, R Pascal and N. Henrickson
- National Alcohol Indicators
- The Prevention of Substance Use, Risk and Harm in Australia - a review of the evidence. Loxley, et al, 2004. (The National Drug Research Institute and the Centre for Adolescent Health Published for Commonwealth Department of Health and Ageing 2004)
  - The researchers examined international and national data, literature and programs that provide evidence of good practice in preventing or delaying the onset of alcohol and drug use and that address the risk and harm known to be associated with alcohol and drug use. The monograph outlines patterns of substance use and harm, considers risk and protective factors predictive of harmful alcohol and drug use and extensively reviews the evidence available on national and international prevention strategies and approaches.

### **Department of Aboriginal Affairs**

- State Government response to the Hope Report. 7 April 2008.
- Gordon Inquiry – Putting People First. July 2002.

### **Alice Springs Liquor Trail**

- By Ian Cundall and Chris Moon for Northern Territory Government. Department of Health and Community Services. May 2003.

### **National Alcohol Strategy 2016-2009**

- Towards Safer Drinking Cultures

### **National Health and Medical Research Council**

- Australian Guidelines to Reduce Health Risks from Drinking Alcohol. Commonwealth of Australia, 2009

### **National Centre for Education and Training on Addictions (Adelaide)**

- Young People and Alcohol: The Role of Cultural Influences. Roche, A.M., Bywood, P.T., Borlagdan, J., Lunnay, B., Freeman, T., Lawton, L., Tovell, A. & Nicholas, R. (2007).

### **Australian Bureau of Statistics and Australian Institute of Health and Welfare (AIHW Cat. no IHW 147)**

- The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples 2015.

### **Australian Government Department of Health and Ageing**

- Australian Government Implementation Plan 2003-2008 - National Strategic Framework for Aboriginal and Torres Strait Islander Health.
- Australian Government Implementation Plan 2007-2013 - National Strategic Framework for Aboriginal and Torres Strait Islander Health 2003-2013

### **Other relevant sources**

- Effects of restricting pub closing times on night-time assaults in an Australian city (2010). K. Kypri, C. Jones, P. McElduff, and D. Barker.
- Dealing with alcohol-related problems in the Night-Time Economy: A study protocol for mapping trends in harm and stakeholder views surrounding local community level interventions (DANTE) (2011). P. Miller et al.
- Patron offending and intoxication in Night-Time entertainment districts (POINTED) (2013). P. Miller et al.

7.4 A comprehensive review of available reports highlights that individual, community and environmental factors influence violence. According to *Preventing Violence: The State Community Violence Prevention Strategy 2005, A Green Paper Policy Framework for Development*<sup>72</sup>, violence can be linked to various causes, including socioeconomic status, cultural norms, and environmental influences. This strategy, developed with input from multiple government departments and agencies, outlines that:

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<sup>72</sup> Attachment 13 – Preventing Violence

- Crime outcomes are shaped by a complex relationship between individual circumstances, the community, and the specific environment in which incidents occur.
- Low socio-economic status and social exclusion are closely linked to criminal behaviour.
- Appropriate early intervention, targeting both "risk" and "protective" factors, can influence crime and behavioural outcomes.

7.5 The research emphasises that while various factors contribute to violence, no single cause can fully address the issue. Nonetheless, violence is not acceptable, and there is clear evidence that targeted interventions can significantly reduce its occurrence.

7.6 In line with this understanding, the Applicant is committed to implementing harm minimisation strategies at the proposed premises. These measures will address individual, community, and environmental factors that contribute to alcohol-related harm in compliance with the objects of the Act. The Applicant's commitment to the responsible service of alcohol, collaboration with local stakeholders, and engagement in community partnerships will help mitigate any potential negative impacts.

7.7 The WA State Government and the Department of Child Protection (DCP), in the *WA Strategic Plan for Family and Domestic Violence*<sup>73</sup>, emphasise that addressing family and domestic violence requires a holistic, integrated response across government and community sectors, supported by effective legislation and community awareness.

7.8 The plan outlines key strategies to prevent and respond to family and domestic violence, including:

- Raising community awareness that domestic violence is unacceptable,
- Focusing on early intervention initiatives, particularly for children and young people, to promote healthy and respectful relationships,
- Supporting Aboriginal and emerging communities to increase their awareness of family and domestic violence,
- Developing a statewide integrated response for those affected by family and domestic violence,
- Providing accessible, integrated 24-hour responses across the state, including crisis intervention,
- Ensuring safe, supported housing options for victims, particularly in regional and remote areas, and
- Offering counselling, advocacy, and support services for victims, focusing on regional and Aboriginal communities.<sup>74</sup>

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<sup>73</sup> <https://www.wa.gov.au/system/files/2021-04/fdv-strategy-2020-2030.pdf>

<sup>74</sup> <https://www.wa.gov.au/system/files/2021-04/fdv-strategy-2020-2030.pdf>

7.9 These strategies are supported by legislative and statutory responses aimed at reducing family and domestic violence. The Applicant acknowledges the importance of these initiatives and is committed to implementing policies and procedures that minimise the harm or ill health from the consumption of alcohol. By adhering to responsible service of alcohol and engaging with local community services, the Applicant will play a role in supporting the broader efforts to address family and domestic violence in the locality.

7.10 Further, the '*Safer Places by Design*<sup>75</sup>' guidelines produced by the *Western Australian Planning Commission (2006)* were also considered within this submission. The guidelines, coupled with a comprehensive harm minimisation plan and a pledge to maintain safe and efficiently managed licensed premises, effectively mitigate crime and thereby reduce potential undue harm or ill health risks to the locality.

7.11 The principal criteria for '*Safer Places by Design*<sup>76</sup>' as recognised by environmental design practitioners and educationalists in Australia, which can be considered and developed at a local level, are based on five design and usage concepts:

- Surveillance
- Access Control
- Territorial Reinforcement
- Target Hardening (Security Measures); and
- Management and Maintenance

#### 7.12 **Surveillance**

- CCTV will cover the proposed premises, including the exit, entry, and delivery points. The CCTV will adhere to the DLGSC's policy on *Safety and Security at Licensed Premises*<sup>77</sup>.
- An appropriate number of RSA-qualified staff shall constantly monitor the premises.

#### 7.13 **Access Control**

- The Applicant will use devices and techniques to prevent unauthorised access after hours and guide legitimate patrons safely through the proposed premises. Alcoholic beverages will only be accessible through RSA-trained staff.

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<sup>75</sup> Attachment 15 – CPTED guidelines

<sup>76</sup> Attachment 15 – CPTED guidelines

<sup>77</sup> <https://www.dlgsc.wa.gov.au/department/publications/publication/safety-and-security-at-licensed-premises-policy>

#### 7.14 **Territorial Reinforcement**

- Appropriate signage will substantially identify the proposed premises and the perimeter of the licenced area, including entry for deliveries, which will be clearly marked and secured.

#### 7.15 **Target Hardening (Security Measures)**

- Quality locking devices will secure the entry/exit points to the proposed premises.

#### 7.16 **Management and Maintenance**

- The proposed premises will remain in good repair and well-maintained at all times. Staff will be trained to identify and report problems immediately to management should they notice graffiti, broken locks and/or other damage to the premises.

7.17 The Applicant has incorporated a range of crime reduction and safety measures into the design of Dave & Buster's, ensuring a secure environment and minimising the potential for anti-social behaviour. These measures include:

7.18 The Applicant has incorporated additional crime reduction measures in the design of Dave & Buster's, aimed at ensuring safety and minimising anti-social behaviour. These measures include:

- **Lighting**— The proposed premises will feature well-lit interior and exterior areas to deter potential anti-social activities and enhance visibility for both patrons and staff.
- **Landscaping**— Careful consideration has been given to the landscaping, avoiding designs that could provide concealment for offenders, in line with the proposed premises' location.
- **General appearance**—The proposed premises will maintain a high-quality fit-out with regular upkeep to discourage loitering and anti-social behaviour, contributing to a positive and welcoming atmosphere.
- **Entrapment places** – Design strategies have been implemented to eliminate potential entrapment areas, such as avoiding recessed ATMs or narrow alleyways that could compromise personal safety.
- **Activity generators**— By offering a variety of entertainment and dining options throughout the day, the premises will foster a lively, active environment that encourages natural surveillance and deters criminal activities.



## 8. Applied Research Section 38 (4) (a) of the Act – Harm or Ill-health

### Social Health Indicators - “At-Risk” Groups

8.1 In preparing this submission, the Applicant has given due consideration to those groups deemed the most "At Risk" of alcohol-related harm and ill-health, as identified by the *Western Australian Alcohol and Drug Interagency Strategy 2018-2022*<sup>78</sup> and noted in the Director's Policy on Public Interest Assessments. The statistical data used in this submission was compiled using the latest available figures from the Australian Bureau of Statistics 2021 Census<sup>79</sup>.

	LOCALITY	GREATER PERTH	WESTERN AUSTRALIA
Population Under 14 years	19.43%	18.96%	19.01%
Indigenous Persons	4.45%	1.99%	3.33%
Australian Born	51.47%	59.46%	61.98%
Couple Family with Children	43.77%	45.70%	44.60%

8.2 In alignment with the Western Australian Alcohol and Drug Interagency Strategy 2018-2022, the Applicant recognises the importance of addressing the needs of priority population groups within the Clarkson locality through the operations of Dave & Buster's:

- **Aboriginal People and Communities:** Ensuring culturally sensitive practices that acknowledge and support the local Aboriginal population.
- **Children and Young People:** Unaccompanied juveniles will not be permitted on the premises. Enforcing strict ID checks and refusing service to juveniles to promote responsible alcohol consumption while providing a family-friendly environment.
- **People from Regional, Rural, and Remote Communities:** Offering an inclusive entertainment experience for visitors from all areas, ensuring that diverse needs are met.
- **Families:** Supporting a safe, inclusive environment for families by addressing alcohol-related issues and fostering a positive community atmosphere.
- **Justice and Corrections Systems:** Collaborating with local law enforcement and justice systems to support individuals in need and contribute to a rehabilitative approach.

<sup>78</sup><https://www.mhc.wa.gov.au/media/2831/western-australian-alcohol-and-drug-interagency-strategy-2018-2022.pdf>

<sup>79</sup><https://www.abs.gov.au/census>

- **Addressing Other Target Groups of Concern:** Committing to inclusivity by addressing the needs of older adults, culturally and linguistically diverse communities, LGBTQI+ individuals, and people experiencing homelessness ensuring that Dave & Buster's is a welcoming space for all.

8.3 The Applicant acknowledges the need to address drug and alcohol-related challenges in the locality, particularly among identified "At Risk" groups. Aligning with *"The Western Australian Alcohol and Drug Interagency Strategy 2018-2022,"* the responsible Applicant is committed to adopting a holistic approach that encompasses proactive prevention for undue harm or ill health from the consumption of alcohol in the locality.

8.4 The Applicant is aware of the potential impact on the community and will enforce a robust Harm Management Plan<sup>80</sup>, which includes, but is not limited to, the following measures to minimise harm and promote responsible alcohol consumption:

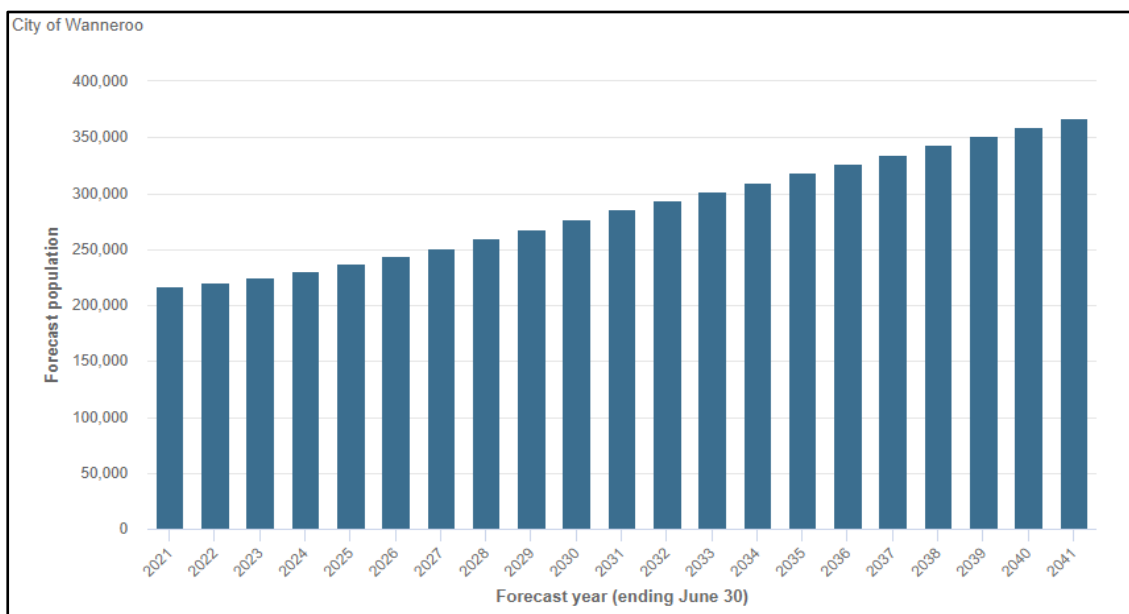
- Comprehensive staff training on responsible alcohol service in compliance with the Act.
- Unaccompanied juveniles not permitted on the premises.
- Strict ID-checking procedures to prevent underage drinking.
- Implementing security measures, including CCTV, to ensure patron safety and prevent anti-social behaviour.
- Seating for 100% of patrons in the dining area except when there is a pre-booked function or event.
- Promoting responsible alcohol consumption by avoiding excessive promotions or discounts that encourage binge drinking.
- Offering a variety of non-alcoholic drink options and food service to balance alcohol consumption.
- Effectively managing incidents and complaints to ensure quick and appropriate responses.
- Collaborating with local community organisations and services to support harm minimisation efforts.
- Controlling noise levels to minimise any disturbance to nearby residents.
- Encouraging safe transportation options for patrons, such as designated driver programs or partnerships with ride-sharing services.

8.5 Based on recent Australian Bureau of Statistics estimates and key projects that would likely fuel economic and demographic growth, the population estimate for the City of Wanneroo as of June 30, 2022, is 220,932. Since the previous year, the population has grown by 2.07%. Population growth in Greater Perth was 1.47%<sup>81</sup>.

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<sup>80</sup> Attachment 2 – Harm Minimisation Plan

<sup>81</sup> <https://profile.id.com.au/wanneroo/population-estimate?WebID=10>



**Figure 14: City of Wanneroo - Population Forecast<sup>82</sup>**

8.6 This *Community Development Plan 2021-2025*<sup>83</sup> was shaped in consultation with the people of Wanneroo to ensure that all residents can participate, be active, and feel secure. In alignment with the *City of Wanneroo's Strategic Community Plan*, this Community Development Plan outlines key social and community focus areas for the next four years:

- **Connection and inclusion:** fostering a socially active, inclusive and supportive community.
- **Wellbeing** – supporting a safe, healthy and happy community.
- **Lifelong learning** – enabling a curious, creative and skilled community.
- **Empowerment and engagement** – building a culture of participation and leadership in the community.

8.7 The plan builds on the City's ongoing efforts to support specific community groups, including youth, seniors, individuals with disabilities, and people from culturally and linguistically diverse backgrounds. Dave & Buster's aligns with these focus areas by providing premises that encourages social connection, promotes well-being through a safe and inclusive environment, and contributes to the community's overall development.

*This new integrated Community Development Plan provides a holistic framework catering for all members of our community so that everyone who lives or works in the City can contribute, be active, feel secure and belong.*<sup>84</sup>

**Former Mayor Tracey Roberts JP**

<sup>82</sup> <https://forecast.id.com.au/wanneroo>

<sup>83</sup> Attachment 9 - City of Wanneroo Community Development Plan 2021-2025

<sup>84</sup> Attachment 9 - City of Wanneroo Community Development Plan 2021-2025

## Socioeconomic

### SEIFA

*“Socio-Economic Indexes for Areas (SEIFA)<sup>85</sup> is a product developed by the ABS<sup>86</sup> that ranks areas in Australia according to relative socioeconomic advantage and disadvantage. The indexes are based on information from the five-yearly Census.”*

- 8.8 The SEIFA Index of Disadvantage for the City of Wanneroo in 2021 stands at 1,005<sup>87</sup>, indicating that the area is slightly disadvantaged compared to the national average, which is typically around 1,000. This score suggests that residents in the locality may face some socioeconomic challenges, such as lower average incomes, lower educational attainment, or higher unemployment rates, compared to more advantaged areas.
- 8.9 It's important to note that SEIFA is a relative measure, comparing areas to each other rather than providing an absolute assessment of disadvantage. While Wanneroo's score is close to the national average, internal variation within the city means some suburbs or neighbourhoods may be more advantaged or disadvantaged than others<sup>88</sup>.
- 8.10 Given the multifaceted nature of disadvantage, it is essential to consider other factors alongside the SEIFA score to understand Wanneroo's socioeconomic conditions entirely. Understanding this context helps shape services and initiatives, ensuring that venues like Dave & Buster's can contribute positively to the community by providing accessible employment opportunities, safe social spaces, and engagement with local residents<sup>89</sup>.
- 8.11 Having considered the above “At-Risk” groups and reviewed the priorities for each group, the Applicant confirms a commitment to supporting the local community and community groups tasked with devising strategies to reduce the effects of alcohol in the defined locality.
- 8.12 The Applicant has carefully reviewed the City of *Wanneroo's Economic Development Strategy 2022-2032*<sup>90</sup> to assess the locality's needs and consumer requirements. Dave & Buster's aims to align with the strategic objectives outlined in the Economic Development Strategy, thereby serving the public interest effectively.
- 8.13 The International Economic Development Council (IEDC, 2016) defines local economic development as:

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<sup>85</sup>[https://www.abs.gov.au/websitedbs/censushome.nsf/home/seifa#:~:text=Socio%2DEconomic%20Indexes%20for%20Areas%20\(SEIFA\)%20is%20a%20product,from%20the%20five%2Dyearly%20Census.](https://www.abs.gov.au/websitedbs/censushome.nsf/home/seifa#:~:text=Socio%2DEconomic%20Indexes%20for%20Areas%20(SEIFA)%20is%20a%20product,from%20the%20five%2Dyearly%20Census.)

<sup>86</sup> <https://www.abs.gov.au/>

<sup>87</sup> <https://profile.id.com.au/wanneroo/seifa-disadvantage>

<sup>88</sup> <https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/2033.0.55.001~2016~Main%20Features~IRSD~19#:~:text=The%20Index%20of%20Relative%20Socio,only%20measures%20of%20relative%20disadvantage.>

<sup>89</sup> <https://www.abs.gov.au/methodologies/socio-economic-indexes-areas-seifa-australia-methodology/2021>

<sup>90</sup> Attachment 8 - City of Wanneroo Economic Development Strategy 2022-2032

*“a program, group of policies, or activity that seeks to improve the economic well-being and quality of life for a community, by creating and/or retaining jobs that facilitate growth and provide a stable tax base.”*

This definition underscores the connection between a locality's appeal as a residential and investment destination.

8.14 This principle guides the City of Wanneroo's Economic Development Strategy, and Dave & Buster intends to contribute to this vision by creating local employment opportunities and attracting visitors to the Clarkson locality. This aligns with the City's long-term goals for economic growth and resilience.

8.15 The Applicant has examined the strategic intent, key challenges, and outcome areas outlined in the City of Wanneroo's Economic Development Strategy. These elements aim to cultivate a diverse and resilient local economy by engaging and supporting local businesses through genuine engagement, process improvement, local business services, training, and networking.

8.16 **Strategic Intent:**

- Enable businesses to provide diverse and quality local job opportunities.
- Facilitate the delivery of economic growth.
- Enhance social and environmental outcomes for intergenerational equality.

8.17 **Key Challenges:**

- Number and diversity of jobs.
- Retention and optimisation of employment land.
- Provision of key economic infrastructure.
- Attraction of public and private investment.
- Climate change and sustainability.

8.18 **Outcome Areas:**

- A high level of support services is provided to local businesses.
- The City has strong strategic partnerships.

8.19 The International Economic Development Council (IEDC, 2016) defines local economic development as:

*“the vision translates to a continued focus on welcoming, supporting and enabling the business community to flourish, providing local employment opportunities so that our community can choose to live, work and play locally ultimately enhancing quality of life for our residents.”<sup>91</sup>*

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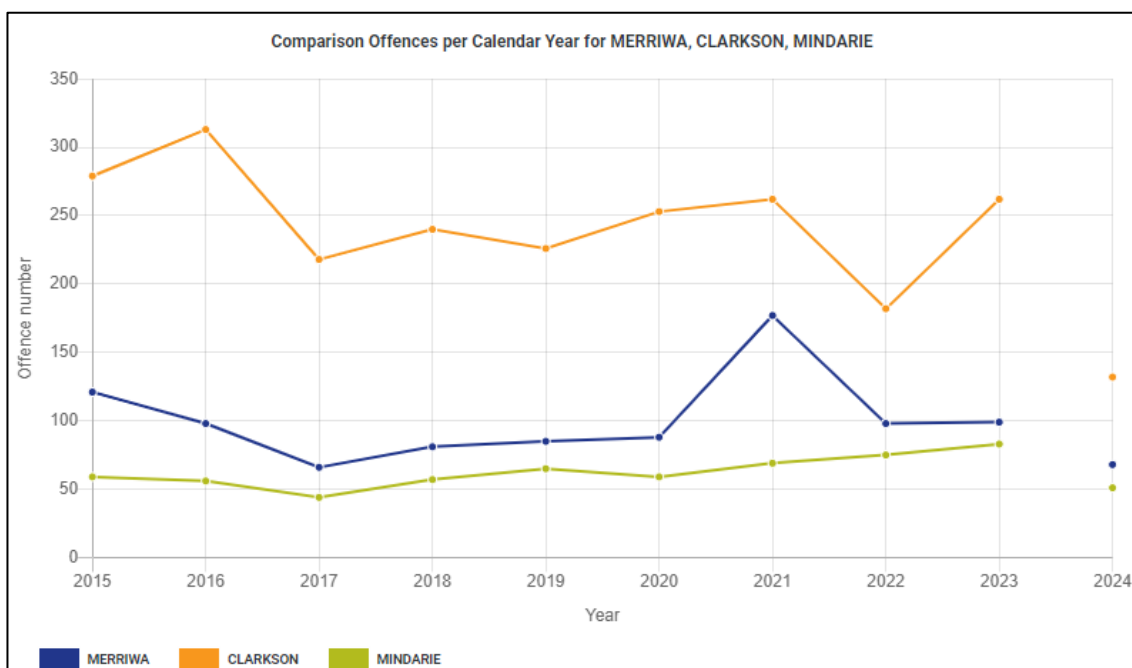
<sup>91</sup> Attachment 8 - City of Wanneroo Economic Development Strategy 2022-2032

## Crime Statistics for the Locality

8.20 The data presented in the table above was sourced from the Western Australian Police website<sup>92</sup> and contains the verified criminal offences for the locality between 2023 and 2024.

YEAR	HOMICIDE	SEXUAL OFFENCES	ASSAULT (FAMILY)	ASSAULT (NON - FAMILY)	THREATENING BEHAVIOUR (FAMILY)	THREATENING BEHAVIOUR (NON-FAMILY)	DEPRIVATION OF LIBERTY	ROBBERY
<b>2023</b>	1	54	198	104	36	28	5	18
<b>2024</b>	0	26	100	73	14	30	1	7
<b>TOTAL</b>	1	80	298	177	50	58	6	25

8.21 The crime statistics indicate that criminal activity in the locality has significantly decreased from 2023 to 2024, demonstrating a positive trend toward reducing crime.



**Figure 15: Crimes Against Persons<sup>93</sup>**

8.22 The Applicant acknowledges the complexities within the crime statistics data sourced from the WA Police website, noting the absence of specific details in several critical areas. These limitations include the inability to:

- Ascertain whether alcohol consumption influenced the crime.

<sup>92</sup> [www.police.wa.gov.au](http://www.police.wa.gov.au)

<sup>93</sup> <https://www.police.wa.gov.au/Crime/CrimeStatistics#/start>

- Determine the source of alcohol consumed by individuals involved in crimes, whether from a tavern, restaurant, or liquor store.
- Identify whether a single offender committed crimes or involved repeat offenders, especially in cases related to family assaults.

8.23 The Applicant recognises the diverse nature of the Clarkson community, as reflected in the demographic and crime statistics. The operations of Dave & Buster's will be tailored to align with the unique social dynamics of the locality, with a focus on fostering a positive, family-friendly atmosphere and mitigating the potential for harm through responsible service practices.

8.24 The Applicant commits to maintaining open communication channels with local law enforcement, community groups, and relevant authorities to ensure the proposed premises operates in the public interest. By actively engaging with the community and integrating feedback into operational strategies, Dave & Buster's will remain responsive to consumers' evolving requirements in the locality and continue to support the positive trend in reducing crime.

### **Alcohol-Related Hospitalisations**

9.14 For the period 2007-2011, residents of the Northern Metropolitan area were hospitalised 29,816 times for alcohol-related causes, resulting in a cost of \$186,691,694 over 165,106 bed days. This data underscores the significant impact of alcohol-related issues in the Northern Metropolitan region, which includes the locality<sup>94</sup>.

9.15 In recognition of the importance of effective harm minimisation and public health strategies in the locality, the Applicant emphasises their comprehensive Harm Minimisation Plan<sup>95</sup>. This plan demonstrates the Applicant's strong commitment to promoting responsible alcohol consumption and minimising alcohol-related harm, ensuring the safety and well-being of the community are prioritised.

9.16 The Applicant's ongoing engagement with stakeholders across all of their licensed facilities, including Dave & Buster's, showcases their dedication to community welfare. This commitment aligns with the Director's objectives to reduce alcohol-related harm and is crucial in evaluating the liquor licence application. The Applicant's approach reflects a broader public health and safety strategy corresponding to evidence-based best practices.

9.17 The Applicant highlights their Harm Minimisation Plan<sup>96</sup> and continual stakeholder engagement across their licensed venues. This demonstrates a commitment to responsible alcohol consumption and a proactive approach to addressing alcohol-

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<sup>94</sup>[https://www.wapha.org.au/wp-content/uploads/2016/03/8918\\_WAPHA\\_Population-Health-Needs-Assessment\\_PHN-North\\_FA.pdf](https://www.wapha.org.au/wp-content/uploads/2016/03/8918_WAPHA_Population-Health-Needs-Assessment_PHN-North_FA.pdf)

<sup>95</sup> Attachment 4 - Harm Minimisation Plan

<sup>96</sup> Attachment 4 – Harm Minimisation Plan

related harm, which should be considered when evaluating their liquor licence application in alignment with evidence-based strategies.

9.18 Additionally, the Applicant has considered the *WA State Priorities Alcohol and Other Drug Services Plan 2015-2025*<sup>97</sup>, as provided by the Mental Health Commission (formerly the Drug and Alcohol Office), ensuring that their operations contribute to the objectives of this long-term public health strategy.

9.19 The Applicant is aware of increasing concerns regarding Methamphetamine use in Western Australia, as highlighted in the *Western Australian Mental Health, Alcohol and Other Drug Services Plan 2015-2025*<sup>98</sup> and subsequent reports from the Mental Health Commission. Recognising the severe impact of Methamphetamine and other illicit drugs on community health and safety, the Applicant enforces a strict zero-tolerance policy towards all illicit drug activities. The Applicant will collaborate closely with law enforcement and promptly report any suspected illicit drug activities, ensuring a safe and secure environment for all patrons.

**Alcohol and other drugs**

The 2019 National Drug Strategy Household Survey states, of Western Australians aged 14 years and older:

- Most people in WA drank alcohol at levels that did not exceed the lifetime risk and single occasion risk guidelines for reducing health risks from alcohol. The proportion of people exceeding these guidelines (17.2% for lifetime harm and 26% for single occasion risk) was similar to 2016, but declined since 2007.
- 11.9% smoked tobacco
- 11.2% used cannabis (down from 11.6% in 2016)
- 2.9% used ecstasy (down from 3.2%)
- 2.4% used cocaine (up from 1.6% - but still substantially below the national average of 4.2%)
- 2.1% used meth/amphetamine (down from 2.7% - still higher than the national average which is 1.3%)
- 1.7% used pharmaceuticals for non medical purposes (down slightly from 1.8%)
- 15.6% of Western Australians over 14 reported recently using an illicit drug.

**Figure 16: Excerpt from MHC website<sup>99</sup>**

9.20 Research from the *Australian Institute of Health and Welfare (AIHW)*<sup>100</sup> indicates that Australians are increasingly consuming alcohol more responsibly. Risky drinking rates have declined, with per capita consumption at a 50-year low. Fewer Australians drink daily, and underage drinking has significantly reduced. Moderation is now the norm, reflecting a significant cultural shift towards responsible consumption.

<sup>97</sup> <https://www.mhc.wa.gov.au/media/3516/plan-update-2018-corrections-29-july-2020.pdf>

<sup>98</sup> <https://www.mhc.wa.gov.au/media/2578/draft-plan-update.pdf>

<sup>99</sup> <https://www.mhc.wa.gov.au/about-us/news-and-media/useful-statistics/>

<sup>100</sup> <https://www.alcoholbeveragesaustralia.org.au/trends-show-australians-drinking-responsibly/>



9.21 The Applicant has reviewed available statistics, leveraged their experience in operating licensed premises in the locality and applied a strict Harm Minimisation Plan tailored to the proposed premises. Considering the style, product range, and local knowledge, the Applicant submits that the proposed premises will not unduly contribute to alcohol-related harm, such as hospitalisations or deaths, within the locality. The careful planning and responsible service measures aim to promote a safe and secure environment for consumers.

### **Strategies to minimise harm or ill-health**

9.22 Dave & Buster's has developed a comprehensive Harm Minimisation Plan that addresses local and state objectives for reducing alcohol-related harm. This plan includes strategies such as responsible service of alcohol, preventing underage drinking, providing free drinking water, offering food alongside alcohol and non-alcoholic products, and maintaining CCTV systems for security. The Applicant's commitment reflects the highest public interest standards, actively contributing to a safer community environment.

9.23 Since its inception in 1995, Crime Stoppers has served as a crucial link between the community and the WA Police. The Applicant's alignment with Crime Stoppers' vision demonstrates a commitment to creating a safe and secure environment in the locality and the City of Wanneroo<sup>101</sup>.

9.24 The Applicant has also considered *The Western Australian Alcohol and Drug Interagency Strategy 2018-2022*<sup>102</sup> and the information contained therein, including (but not limited to):

- *Putting people and their needs at the centre of planning and responses to problems,*
- *Putting people's lives before political ideology,*
- *Providing the necessary supports to assist the Western Australian community,*
- *Ensuring that people are well informed about alcohol and other drug-related issues, services and programs,*
- *Addressing new challenges in a pragmatic way.*

9.25 In accordance with the *Western Australian Drug and Alcohol Interagency Strategy 2018–2022*, the applicant is dedicated to minimizing alcohol-related harm through evidence-based strategies and community engagement. The goal is to raise awareness about the risks of excessive alcohol consumption, promote responsible drinking, prevent underage drinking, and reduce harm to 'at-risk' groups in alignment with public interest objectives.

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<sup>101</sup> <https://www.crimestopperswa.com.au/>

<sup>102</sup> <https://www.mhc.wa.gov.au/media/2831/western-australian-alcohol-and-drug-interagency-strategy-2018-2022.pdf>

- 9.26 Further, the manner of trade, dress standards, price point for food and beverage, quality fit-out, and location will also assist in attracting the mature and responsible consumers the premises intends to cater to.



Figure 17: Dave & Buster's Quality Fit Out

## **Responsible Service and Promotion**

- 9.27 The Applicant emphasises its commitment to the responsible promotion and service of alcohol-related products. In accordance with responsible service guidelines, any consumer exhibiting signs of intoxication will not be served alcohol and will instead be offered a non-alcoholic alternative or a meal. If the patron declines these options, they will be politely asked to leave the licenced premises, thereby minimising the risk of unintentional harm and ill health.
- 9.28 To further ensure public safety and well-being, the proposed venue's personnel will, if necessary, assist guests in securing taxi services. The venue's public areas will be under constant staff surveillance. In accordance with the Applicant's Harm Minimisation Plan and in the public interest, doors will be locked daily at midnight, with access restricted to resort staff and resort guests.
- 9.29 The Applicant is steadfast in their commitment to comply with the Department of Racing, Gaming and Liquor's Industry Guideline on the Responsible Promotion of Liquor, as elaborated earlier in this submission.

*"This document provides the industry with a framework of practices which are considered acceptable in order to prevent the intoxication and antisocial behaviour of patrons and, in all other respects, to ensure that the premises are being properly*

*managed. The framework highlights those practices which are discouraged and are not in the public interest.”<sup>103</sup>*

9.30 The guideline aims to:

- Promote responsible drinking behaviours among patrons.
- Minimise the risk of undue harm and ill-health related to alcohol consumption.
- Ensure that liquor promotions do not encourage excessive or irresponsible drinking.
- Align with community expectations and legal requirements for the responsible service and promotion of alcohol.

9.31 The Act places an obligation on Licensees to sell and supply liquor in a responsible manner. The uses of “gimmick” promotions of cheap or discounted liquor that are likely to encourage the irresponsible consumption of alcohol are not acceptable. An activity by design or other use is not to create an incentive for patrons to consume liquor more rapidly and/or in greater amounts than they otherwise might do.

9.32 All staff employed at Dave & Buster’s will have completed the mandatory Responsible Service of Alcohol (RSA) training, and their RSA certificates will be maintained in a training register on the premises. This measure ensures that the resort is committed to minimising undue harm and ill-health related to alcohol consumption, aligning with the public interest.

## **CCTV**

9.33 The Applicant will install CCTV surveillance at the proposed premises, including the entrance and exit, and the CCTV system will be in operation at all times and footage will be retained in accordance with the Directors Policy on “*Security at Licensed Premises*”<sup>104</sup>.

9.34 The closed-circuit television video (CCTV) surveillance system will be able to identify individuals and showing times and dates is currently in place and is operational. The CCTV system will comply with the requirements as identified in the Director’s Policy ‘*Security at Licensed Premises*’.

9.35 The CCTV system will continue to provide and record continuous images of the entrances and exits to the premises during the regular trading hours and until one (1) hour after trading ceases. Images recorded via the CCTV system will continue to be retained for at least twenty-eight days (or such other period as the Director of Liquor Licensing specifies) and will be made available for viewing or removal by the Police or other persons authorised by the Director.

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<sup>103</sup> <https://www.dlgsc.wa.gov.au/department/publications/publication/responsible-promotion-of-liquor-consumption-of-liquor-on-licensed-premises-and-the-sale-of-packaged-liquor-policy>

<sup>104</sup> <https://www.dlgsc.wa.gov.au/department/publications/publication/safety-and-security-at-licensed-premises-policy>

- 9.36 Staff and the Approved Manager at the premises will be trained on how to access and view the CCTV footage, should it be required by Police, local government or any other authorised officer.

## **10 Community Consultation**<sup>105</sup>

- 10.1 As part of the Community Consultation, the key organisations were contacted to discuss the Tavern Restricted Licence application. They were asked to comment and provide feedback with concerns (if any) in relation to the application.

### **WA Police Liquor Enforcement Unit (LEU)**<sup>106</sup>

- 10.2 An email outlining the details of the application were sent to the LEU, along with the proposed conditions to minimise any potential for harm or ill health. The LEU provided valuable feedback with additional conditions. The Applicant respects that the LEU will consider the application in its entirety when advertised and intervene if required. The Applicant notes that any communication with the LEU does not constitute support for the application.

### **Chief Health Officer (CHO)**<sup>107</sup>

- 10.3 The Applicant's representative also sent an email brief outlining the details of the application to the Chief Health Officer at the WA Health Department. The Applicant respects that the CHO will consider the application in its entirety when advertised and intervene if required. The Applicant also confirms that any correspondence with the CHO does not constitute an endorsement of this application.

## **11 Section 38 (4) (b) of the Act – Impact on Amenity**

- 11.1 Dave & Buster's is mindful of the impact its operations may have on the local environment. In accordance with Section 38(4)(b) of the Act, the Applicant has taken proactive measures to ensure that the proposed premises will not negatively impact the local community or environment. The premises' operations will contribute to the local economy by creating jobs and attracting visitors, aligning with the City of Wanneroo's Economic Development Strategy.
- 11.2 The design and operational plans have been developed to minimise noise pollution, traffic congestion, and other potential disruptions. Entertainment areas are strategically placed away from residential zones, and acoustic materials will be used where necessary to further reduce noise impact.

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<sup>105</sup> Attachment 14 – Community Consult

<sup>106</sup> Attachment 14A - LEU Consult Email

<sup>107</sup> Attachment 14A - CHO Consult Email

- 11.3 The Applicant is dedicated to regular community engagement to address any concerns and assess the impact of the venue on local amenities. The location, close to diverse amenity in the Clarkson Lifestyle Zone, makes the venue an ideal choice for local, interstate, and international visitors attending various events and activities.
- 11.4 The Applicant aims to reduce alcohol-related harm through a robust Harm Minimisation Plan while maintaining a focus on sustainability and community well-being.
- 11.5 Given the premises' alignment with the City of Wanneroo's Economic Development Strategy<sup>108</sup>, the Applicant believes that the establishment of Dave & Buster's will bring economic and social benefits to the locality. The Applicant submits that there will be minimal potential for negative impact on local amenities, supported by strict harm minimisation strategies that mitigate alcohol-related harm in the locality.

### **Outlet Density**

- 11.6 As required by the PIA Policy, attached are the existing active, on-premises liquor Licences in the locality within 500 metres of the proposed premises.<sup>109</sup>
- 11.7 The Applicant acknowledges the unique landscape of licensed premises in the Clarkson Lifestyle Zone, which caters to a diverse consumer base and contributes to the vibrancy of the locality.
- 11.8 Dave & Buster's aims to complement this diversity by offering an entertainment-focused venue, contributing positively to the development of the local liquor, hospitality, and tourism industries.

## **12 Section 38 (4) (c) of the Act – Offence, Annoyance, Disturbance, or Inconvenience**

- 12.1 The Applicant is fully aware of the responsibilities involved in operating Dave & Buster's Clarkson, guided by the Director's policies and industry best practices. This forms the basis of their commitment to maintaining high operational standards and compliance with all regulations.
- 12.2 In preparing these Public Interest Assessment (PIA) submissions, the Applicant has carefully considered potential risks associated with the Tavern Restricted Licence application. To minimise offence, disturbance, or inconvenience, the Applicant will implement the following strategic measures:
- Appropriate staffing levels at all times,
  - No promotion of cheap discounted drinks,

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<sup>108</sup> Attachment 8 - City of Wanneroo Economic Development Strategy 2022-2032

<sup>109</sup> Attachment 10 – Outlet Density

- Unaccompanied juveniles not permitted on the premises,
- Intoxicated patrons will not be allowed entry,
- Professional, mature, and experienced staff will manage the venue,
- Low- and non-alcoholic beverages will be available,
- Packaged alcohol for takeaway will be limited to products produced on-site,
- No advertising or promotional material aimed at young people,
- Regular staff training on Responsible Service of Alcohol (RSA).

### **Code of Conduct**

- 12.3 The establishment of a Code of Conduct is integral to Dave & Buster's Harm Minimisation Plan<sup>110</sup>, ensuring that patrons, staff, and management maintain appropriate behaviour. This commitment to high standards fosters a safe and enjoyable atmosphere for everyone who enters the premises.
- 12.4 Management and staff will focus on minimising alcohol-related harm and actively promote the Code of Conduct. By ensuring that all patrons are aware of and follow the code, Dave & Buster's aims to create a culture of responsibility and safety within the premises.

### **Noise Management**

- 12.5 While the Clarkson Lifestyle Zone is a vibrant entertainment area, the Applicant is mindful of its responsibility to local residents. Dave & Buster is committed to maintaining a lively atmosphere while respecting the needs of its neighbours. Balancing entertainment and community concerns, the Applicant aims to foster a considerate and inclusive environment. Noise management strategies, including the placement of entertainment areas and using acoustic materials, will help minimise disruption to nearby residents.

### **Effective and Efficient Service Recovery**

- 12.6 Patrons of the proposed premises will be encouraged to discuss complaints, feedback and requests (if any) with the Approved Manager, who will address any issues and inform patrons of the outcome of these investigations.
- 12.7 Staff will undergo an initial induction and ongoing training across all aspects of the business, including (but not limited to):
- Customer service and service recovery,
  - Product knowledge,
  - Food and beverage matching,

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<sup>110</sup> Attachment 4 – Harm Minimisation Plan

- Understanding of the licensed premises layout design and where the licenced area ends,
- Specialised product information – particularly low and no-alcohol products as well as the craft spirits produced on-site and
- Managers working at the proposed premises will also undergo a course in Management of Licensed Premises (MLP1) to ensure absolute understanding of the Act and their responsibilities to operate a safe and well-managed premises.

## **Training**<sup>111</sup>

12.8 Staff will also receive comprehensive training in the following areas to ensure the highest level of service and adherence to regulations:

- How to identify and refuse intoxicated persons,
- Checking photo ID correctly,
- Emergency evacuation procedures,
- Identification of disorderly or anti-social behaviours,
- Responsibilities during employment,
- Basic level of understanding of the Act,
- Minimum dress code for premises,
- RSA and MLP1 qualifications will be required as part of employment and
- Ongoing product knowledge as required by the business.

## **Underage patrons**


12.9 The following strategies will be implemented by staff when checking patron IDs.

12.10 The following documents are the only forms of identification that a Licensee can accept to prove age in circumstances where they suspect a person is a juvenile seeking entry to licensed premises:

- a current Australian driver's licence with a photograph,
- A current passport,
- A current Australian learner's driver permit with photograph,
- WA Proof of Age Card (note new cards are not issued after 1/1/2015),
- Proof of Age card or equivalent issued in an Australian state or territory,
- A current WA Photo Card,
- A current NSW Photo Card, and
- A Photo Card issued by any Australian state or Territory similar to the NSW/WA Photo Card.

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<sup>111</sup> Attachment 4 – Harm Minimisation Plan




**Checking Identification Procedure – 1. Australian Drivers License**

The following points are important when checking an ID for validity.


1. Always ask for the licence to be taken out of the wallet or purse.
2. Tilt the licence to see the reflection from the holographic picture in the background.
  - a. **If there is no reflection then it is a fake licence**
3. Check the date –You need to ensure their 18th birthday has been before the current date exactly. So please check the day, month and year. Teenagers will try and come in earlier before their actual birthday as they often have friends of age.
4. If you are unsure about the picture on the licence, you must do all of the following:
  - a. Request to see another form of ID (ie; bank card or credit card) and ensure that the names match exactly.
  - b. Quiz the patron on their address, what star sign they are, middle name (they may make a mistake on giving you the correct answer)
5. If you come across a fake ID you **MUST CONFISCATE THE ID IMMEDIATELY and lodge with management.**

Please note that if you do not follow the correct ID checking procedures and we allow juveniles into the premise, you can be fined \$1000 minimum from the Liquor Licensing Department under the Liquor Control Act.



**2. A proof of age card**

- The proof of age card is a personal identity card which is available to anyone 18 years or over.
- The card shows only those details considered necessary for identification including:
  - a. Name, Date of Birth, Signature and Photograph
  - b. For Security reasons, your card does not show your address.
  - c. The same ID checking procedure applies to Proof of age card.



**3. A Passport with Photo**

- Current valid passport (not expired)
- Must have a Photo
- Can be International in nature (From another country)
- Note that you need to be careful looking at a passport picture as passport can be valid for 10 years so the picture of the person can be quite different to what they look like.
- Please follow the same ID checking procedures with the Drivers licence and request to see another form of ID with the patron's name.

Figure 18: ID25 Checking Strategies



## **13 Section 38(4)(ca) – Tourism, Cultural and Community Matters**

- 13.1 The City of Wanneroo has a rich history in agriculture and coastal living, evolving into an emerging tourist destination. Visitors are drawn to attractions like Yanchep National Park and Yellagonga Regional Park. As one of Australia’s fastest-growing regions, Wanneroo faces exciting opportunities, balancing urban growth with its diverse community fabric.
- 13.2 Tourism is a key economic driver in the City of Wanneroo, with total tourism and hospitality sales reaching \$286.5 million in 2016/17, employing over 2,136 people<sup>112</sup>.
- 13.3 Dave & Buster’s is well-positioned to contribute to the local economy by creating jobs and attracting residents and tourists, further enhancing the locality's appeal as a dynamic entertainment destination. The premises is equipped with comprehensive facilities designed to foster a safe and secure environment for consumers.
- 13.4 The *City of Wanneroo’s Tourism Plan 2019-2024*<sup>113</sup> identifies several key drivers of change that will shape the city’s development in the coming years:
- **Urban Growth:** One of Australia’s fastest-growing areas, the City expects population growth of over 8,000 new residents annually.
  - **Agriculture Adaptation:** A focus on high-quality, intensive agriculture with farm gate experiences.
  - **Coastal Living:** Increased desirability of coastal areas due to climate changes and urban expansion.
  - **Industry Shift:** Tourism will play a crucial role as construction activity slows.
  - **Changing Markets:** New international tourism opportunities, such as non-stop flights from London to Perth.
- 13.5 The importance of the tourism sector in the City of Wanneroo is highlighted in several ways<sup>114</sup>:
- **Economic Support:** An average of 745,959 domestic day trip visitors visited the city in 2016/17, representing 6.5% of the Greater Perth market. The total tourism and hospitality sales in the City of Wanneroo were \$286.5 million, employing approximately 2,136 people, which is about 4% of the total industry in Wanneroo.
  - **Entrepreneurial Opportunities:** The tourism sector provides support infrastructure for other export activities through the provision of accommodation and hospitality services. It offers opportunities for

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<sup>112</sup> Attachment 11 - City of Wanneroo Tourism Plan 2019-2024

<sup>113</sup> Attachment 11 - City of Wanneroo Tourism Plan 2019-2024

<sup>114</sup> Attachment 11 - City of Wanneroo Tourism Plan 2019-2024

entrepreneurs to develop new business opportunities. Tourism is a key sector for micro and small businesses.

- **Job Creation:** The sector supports creating a wide range of jobs, a significant proportion requiring a lower skill base.
- **Community Amenity:** It helps develop amenities and offerings highly valued by local communities.
- **Nature-Based Experiences and Cultural Tourism:** The city aims to capitalise on its natural attractions, including its coastline, bushlands, and wetlands. Increased awareness and promotion of cultural tourism are also part of the plan.
- **Local Economy:** The sector minimises resident and visitor expenditure leakage out of the local economy. In addition, it is building a wide range of events to attract tourists to the area.
- **Employment:** The city's current employment focuses more on the service and construction sectors. Over time, as construction slows down, employment opportunities will increase in other sectors, like tourism, which will be critical for the City.

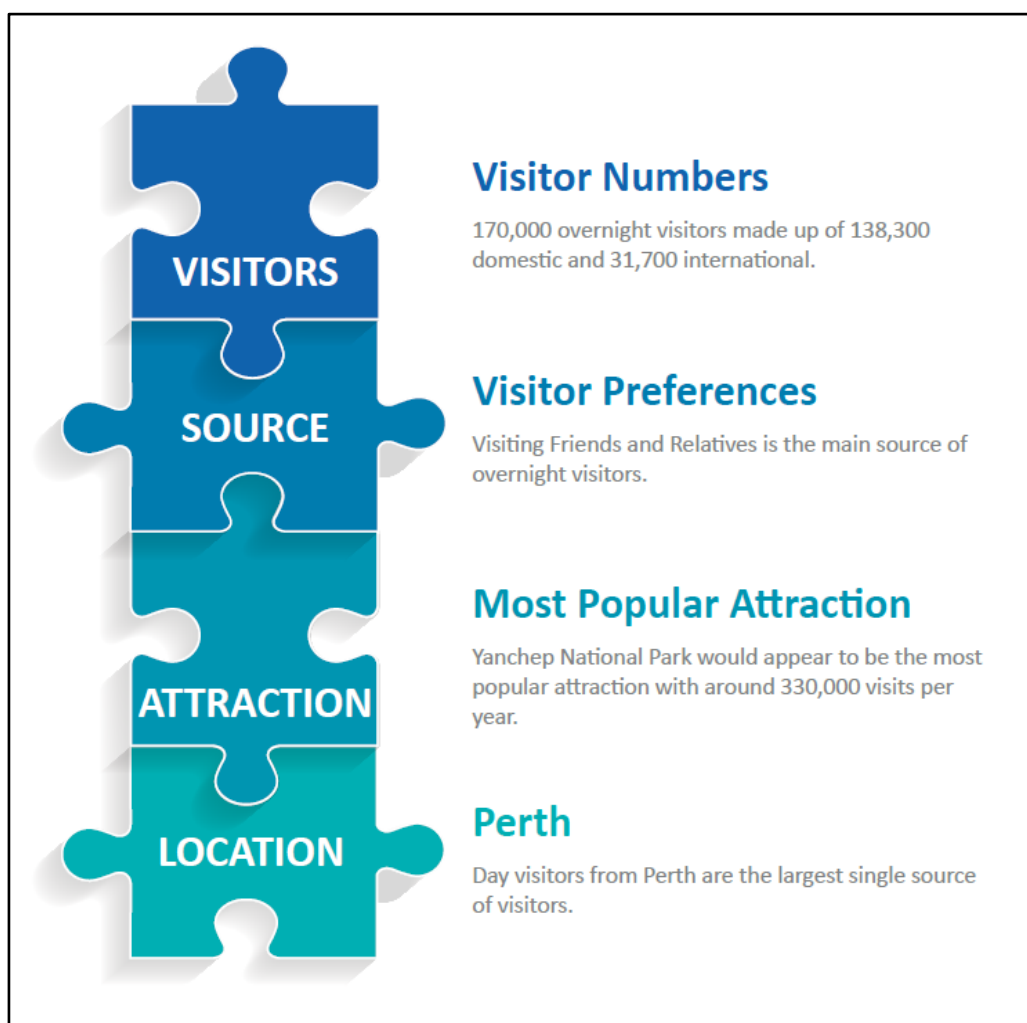


Figure 19: Visitor Economy<sup>115</sup>

<sup>115</sup> Attachment 11 - City of Wanneroo Tourism Plan 2019-2024

- **Businesses:** The City of Wanneroo has 1,360 businesses in tourism-related industry sectors, which make up 11.7% of the City's total businesses. These businesses are reliant on tourism patronage, or a significant proportion of their products are consumed by visitors.
- **Day Visitation:** Day visitation is the primary market, mainly from surrounding regions.
- **Strategic Areas:** The performance of the City's tourism sector is dependent upon a range of interrelated areas, including the attraction of visitation and expenditure from new and existing markets, the attraction of investment for new and existing initiatives, the realisation of the full potential of existing activities, the sustainability of existing activities, and collaboration between industry stakeholders.

13.6 Tourism is a major contributor to the Western Australian economy and employment in WA, as stated below:

*“Tourism is an important industry to our economy, filling 89,100 jobs and contributing \$8.7 billion to WA's economy (by Gross State Product) in 2021-22.”<sup>116</sup>*

13.7 These macro tourism trends include<sup>117</sup>:

- **Growth in the Tourism Sector:** The tourism sector is experiencing international growth, with Australia set to benefit from emerging Asian economies and strong domestic tourism growth.
- **Nature-Based Tourism:** This sector is growing more rapidly than other sectors and is forecast to grow from \$20.6 billion (2016 global value) to \$101 billion in 2030.
- **Consumer Focus on Experiences:** Consumers increasingly seek authentic, local, and personalised experiences that are out of the ordinary and offer personal connections.
- **Technology:** Consumers increasingly rely on mobile devices for information and bookings, emphasising the importance of Wi-Fi and internet connectivity.
- **Online Reviews and Reputation:** These are the most significant influences on bookings.
- **Growth of Short Breaks:** Consumers are seeking personal fulfilment through escape and immersive experiences.
- **Growing Chinese and Indian Visitors:** This includes visiting friends, relatives, and repeat visitors.

13.8 The proposed Dave & Buster's Clarkson seeks to provide a distinctive, secure, and vibrant destination for tourists in the City of Wanneroo, enhancing the city's dining,

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<sup>116</sup><https://www.tourism.wa.gov.au/Markets-and-research/Latest-tourism-statistics/Pages/Economic-contribution-of-tourism.aspx#/>

<sup>117</sup> Attachment 11 - City of Wanneroo Tourism Plan 2019-2024

and entertainment offerings. Consistent with the City of Wanneroo Tourism Plan 2019-2024, the proposed premises aligns with the city's emphasis on nature-based tourism and the growing demand for authentic local experiences. The premises will also generate employment opportunities for local residents, supporting the city's vision for sustainable tourism and catering to the increasing number of visitors to the locality.

*Welcome to Wanneroo*

*Located just a short drive from the Perth CBD, the City of Wanneroo is the ultimate day trip with stunning beaches, scenic nature-based experiences, exciting attractions and exceptional dining venues to try.<sup>118</sup>*

13.9 The diverse and appealing tourist attractions in the City of Wanneroo range from cuisine and beverage experiences to Indigenous cultural history and an abundance of outdoor activities. The City of Wanneroo truly has something for everyone.

13.10 Below is an overview of some of the incredible tourism experiences available that attract tourists from around the world to this Northern Metropolitan Region:

- **Yanchep National Park:** This park is known for its natural caves, native bushland, and koala colonies. It offers opportunities for picnicking, bird watching, and bushwalking.
- **Wanneroo Botanic Gardens:** A beautiful garden featuring a mini-golf course, this attraction is perfect for families and those interested in horticulture.
- **Wanneroo Markets:** Open on weekends, these markets offer a variety of goods, from fresh produce to crafts and antiques.
- **Mindarie Marina:** This marina offers various water activities, dining options, and beautiful views of the ocean.
- **Neerabup National Park:** Another natural reserve offering hiking trails and a chance to experience local flora and fauna.
- **Quinns Rocks Beach:** A popular beach for swimming, sunbathing, and other water activities.
- **Wanneroo Museum:** This museum offers insights into the history and development of the Wanneroo area.
- **Lake Joondalup:** A large freshwater lake offering opportunities for birdwatching and picnicking.
- **Carramar Golf Course:** A public golf course that is well-maintained and open to visitors.

13.11 Tourism visitation creates significant opportunities for businesses in the Northern Metropolitan Region, including the City of Wanneroo and Clarkson, to capitalise on the increasing influx of local, interstate, and international tourists.

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<sup>118</sup><https://discoverwanneroo.com.au/?type=everything&region=everywhere&mapType=roadmap&view=map&mode=discover>

- 13.12 The Applicant submits that Dave & Buster's Clarkson can support these visitors by offering a unique entertainment and dining experience that is aligned with the City's tourism objectives and increasing visitor demands.
- 13.13 The City of Wanneroo has focused heavily on expanding its tourism industry, and Dave & Buster's aims to be a direct and indirect beneficiary of this growth, contributing to the local economy and community enrichment.

## **14. Summary**

- 14.1 Hospitality Total Services (Aus) Pty Ltd, on behalf of NightOwl FEC Pty Ltd, submits this Public Interest Assessment to support the Tavern Restricted Licence Application for the proposed premises, Dave & Buster's Clarkson, located at Unit 11, 61 Key Largo Drive, Clarkson, WA, 6030.
- 14.2 A Tavern Restricted Licence, under Section 41 of the Act, will permit the sale and supply of liquor for consumption on-site. The proposed premises' entertainment offerings, dining experience, and compliance with the Act will contribute to the proper development of the local hospitality and tourism industries.
- 14.3 The experienced Applicant has complied with all relevant requirements for this application as per Section 68 of the Act.
- 14.4 Subject to approval, the Licensee will adhere to the Director's Policies and compliance measures, including the harm minimisation strategies outlined in these submissions, ensuring responsible management of the premises.
- 14.5 The Applicant has considered Section 38(4) (a, b, c, and ca) of the Act, particularly regarding harm minimisation, impact on amenity, and mitigating offence or inconvenience to the local community.
- 14.6 The Applicant is committed to adhering to the DLGSC Industry Guideline on the Responsible Promotion of Liquor, ensuring responsible service at all times.
- 14.7 The Applicant also notes that the Act relevantly provides that the licensing authority:
- (a) *is to provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act: **Section 5(2)(e)**,*
  - (b) *shall act without undue formality in any proceedings under this Act: **Section 16(1)**,*
  - (c) *is to act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms: **Section 16(7)(b)**,* and
  - (d) *is to act with as little formality and technicality as is practicable: **Section 16(7)(c)**.*

- 14.8 Accordingly, the Applicant requests with respect that the Director of Liquor Licensing consider approving this conditional grant for a Tavern Restricted Licence as it is in the public interest to do so.

## **15 Advertising**

- 15.1 Advertising will be completed when the Department of Local Government, Sport and Cultural Industries determines dates for the specified period.
- 15.2 A Notice of Application will be distributed to residents and businesses within a 200m radius.
- 15.3 A Notice of the Application will be mailed to any local Aboriginal community and regional office of the Department of Indigenous Affairs.
- 15.4 The Public Interest Assessment Submission will be available for public inspection.
- 15.5 A Notice of Application will be mailed to schools, hospitals, hospices, aged care facilities, drug and alcohol treatment centres, short-term accommodation or refuges for young people, childcare centres, churches, local government authorities, local police stations, which may be situated in the specified locality of the proposed premises.

## **16 Attachments**

- 1 Dave & Buster's Plans and Concepts
- 2 Consumer Surveys
- 3 Letters of Support
- 4 Harm Minimisation Plan
- 5 Dave & Buster's Menus
- 6 Clarkson Activity Centre Plan
- 7 City of Wanneroo Strategic Community Plan 2021-2031
- 8 City of Wanneroo Economic Development Strategy 2022-2032
- 9 City of Wanneroo Community Development Plan 2021-2025
- 10 Outlet Density
- 11 City of Wanneroo Tourism Plan 2019-2024
- 12 At Risk Groups
- 13 Preventing Violence WA (Excerpt)
- 14 Community Consult
- 15 CPTED guidelines

