

# Harm Minimisation Plan

*Crown Collie*

*Hotel Licence*

*Stanley Capital Pty Ltd "Licensee"*

*Updated November 2024*



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## Objectives of Management Plan

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This Management Plan provides detail of the Licensee's intention as it relates to the implementation of the measures and practices for harm minimisation.

Setting out the practical strategies and actions that approved managers and staff will take at the licensed premises so that alcohol will be sold and consumed in a responsible manner, and alcohol related harm will be minimised

The strategies and procedures which the Licensee will put and keep in place at the Premises to adopt and reinforce the principles of responsible service of alcohol (RSA), pursuant to the Director of Liquor Licensing's Policy *Harm minimisation plan* insofar as it relates to the licensed premises.

It is an aim of the Licensee, in adopting the provisions of this Management Plan and the RSA to minimise incidents of harm or ill health that may be caused to people or any group of people due to the use of liquor within the Premises.

Management accepts that the minimising of harm not only applies to our patrons but also to the residents of homes located within the vicinity of the Premises and to others who are also members of our local community.

It is not an aim of this Management Plan to create legal obligations on the part of the Licensee in replacement of or additional to those legal obligations imposed upon the Licensee pursuant to the *Liquor Control Act 1988* and subsidiary legislation (as amended from time to time) and any other State or Commonwealth legislation relevant or having application to the business carried on by the Licensee at the Premises or the fact of the Licensee's proprietorship, occupation or use of the Premises, or to create obligations or liability on the part of the Licensee, whether contractual or tortious in nature, towards any person or entity at common law or otherwise.

In this Management Plan, unless the context demands otherwise, the following words and phrases shall have the following meanings:

- "Premises"** shall mean the licensed premises to which this Management Plan relates and is in force;
- "Management"** shall mean and include the Licensee, Licensed Approved Managers and any other person or persons directly involved in the practical management of the Premises;
- "Licensee"** shall mean the person or entity legally entitled to hold and operate the licence relating to the Premises, and by whom this Management Plan is adopted.



## Statement of Intent

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It is the policy and intent of the licensee and management of this premises to provide a licensed venue where the public can enjoy hospitality, which includes the purchase and consumption of food & beverage, in a safe and friendly environment.

We aim to provide services of the highest quality by staff properly trained in the performance of their duties.

It is the intention of the Licensee to ensure that the venue operates in strict accordance with all relevant legislation and any conditions that might be imposed on the Liquor Licence and any related Permit.

The obligations and rights of the licensee and our staff relating to the sale and consumption of liquor on licensed premises will be politely but firmly enforced.

## Training

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Management believes that the proper and regular training of all bar staff in the responsible service of liquor is essential for the success of its business.

Management requires all staff to undertake appropriate training to a level that is commensurate with their roles and duties at the Premises.

In order to demonstrate its commitment to training Management will adopt the following training requirements:

### Licensee

The Licensee/at least one director of the Licensee will undergo training in Western Australia's liquor laws as well as responsible service of alcohol training.

### Approved Managers

All Approved managers will hold a current approved manager's licence as required under the *Liquor Control Act 1988* and subsidiary legislation (as amended from time to time).

### Service Staff

All service staff involved in the sale service or supply of liquor will be required to undertake an approved course in responsible service of alcohol

### Ongoing Training

There will be regular meetings and training sessions convened by Management involving all staff. Training will be provided by in-house personnel, outside experts and others and will cover all matters relating to the responsible service of liquor and its implementation and other relevant matter relating to operation of the venue.



## Customer Service

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There is a firm commitment by Management to provide a well-run and friendly licensed premise. Patrons may be expected to feel confident that the sale of liquor and the provision of other services at the Premises will be provided by staff who are professional in their manner and who understand their responsibilities under the law as it applies to the sale of liquor.

The *Liquor Control Act 1988* allows staff at this Premise to sell liquor on the licensed premises at any time that the Premises are open for trade unless they have reasonable cause to refuse to sell liquor to a particular person.

Refusal of service is necessary at times and is obligatory in certain circumstances. For example, it is obligatory to:

- Make sure free potable drinking water will be available at all times
- Refuse to sell or supply liquor to a drunk person.
- Not allow a drunk person to consume liquor on licensed premises.
- Not allow a drunk person to remain on licensed premises
- Not allow violent, quarrelsome, disorderly or indecent behaviour to take place on licensed premises.
- Refuse to sell or supply liquor to a juvenile, or any person they have reasonable cause to believe will supply liquor to a juvenile
- Refuse to allow a juvenile to remain on licensed premises (see the section on *Juveniles* in this Management Plan).
- Operate in accordance with the conditions of the venue liquor licence and any extended trading permit.

In order to maintain the standards expected by our customers the following dress code and conduct will be adopted.

### Dress Codes

- Staff will conform to the venue uniform/dress code whilst on duty.
- Patron Dress Code:

Management reserves the right to refuse admission or service to any person failing to comply with the following dress requirements:

- neat casual dress and footwear to be worn at all times
- no insignia of identified organisations under the "*Unlawful Consorting and Prohibited Insignia Act 2021*".

### Conduct

- Staff will carry out their duties at all times in a friendly and professional manner.
- Staff will not drink liquor whilst they are on duty.
- Staff will discourage any activity by patrons that may lead to the irresponsible consumption of liquor.



- Staff will not dress, perform any act, or engage in any activity that is immodest or lewd.

The provision of food and beverage remains the primary focus of this venue in accordance with the conditions of our liquor licence, staff will provide professional service in accordance with all of the conditions of the venue liquor licence.

### **Packaged Liquor**

The sale of Packaged Liquor on or from the licensed premises will be conducted in accordance with the venue licence conditions, within the permitted times, and form the designated area within the premises.

## **Refusal of Service**

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Refusal of service to a patron in appropriate circumstances is a fundamental aspect of RSA. The refusal of service in circumstances where the law requires refusal can be difficult.

Individual patrons and some sections of the public do not readily accept that such refusals are obligatory and that the failure of the Licensee to apply the law could place the licence in jeopardy or result in charges being laid against the Licensee, its employees or agents.

To minimise any potential hostility or anti-social behaviour on the part of a patron who has been refused service, such refusals should always be done in a professional, polite, discreet but firm manner and where appropriate the reasons for refusal of service should be explained to the patron.

Where refusal of service takes place the person or persons who have been refused service should be required to leave the Premises. If the person/s refuse to leave as required by the Licensee, Approved Manager or other staff member, staff are permitted to remove the person using such force as may be necessary as long as it is safe to do so.

Under the *Liquor Control Act 1988* it is the duty and obligation of a Police Officer at the request of the Licensee, Approved Manager or other staff member, to remove a drunken, quarrelsome or disorderly person, or juvenile person, from the Premises or the vicinity of the Premises.

Management will support staff in the refusal of service by providing:

- Senior and supervisory staff available to assist staff in the refusal of service.
- Adequate and qualified security staff (when required) on immediate call.
- Diversionary and alternative strategies to minimise conflict when service is refused.
- Appropriate signage prominently displayed within the Premises emphasising the Licensee's and the staff's obligations under the law to refuse service.



No staff will be directed to sell or supply liquor to a person if the staff member reasonably believes that the person is drunk. The *Liquor Control Act 1988* provides in Section **3A**:

1. "A person is **"drunk"** for the purposes of this Act if;
  - a) The person is on a licensed premises or regulated premises; and
  - b) The person's speech, balance, co-ordination or behaviour appears to be noticeably impaired; and
  - c) It is reasonable in the circumstances to believe that that impairment results from the consumption of liquor
2. If an authorised officer or a person on whom a duty is imposed ... decides... that a person is drunk at a particular time, then, in the absence of proof to the contrary, that person is to be taken to be drunk at that time.

Staff will monitor patrons in regard to their consumption of liquor and behaviour whilst on the premises.

Patrons who are observed to be approaching a level of intoxication, may be offered refreshment alternatives such as non-alcoholic drinks, coffee, food and water as a means to assist in preventing intoxication, and the matter will be communicated to a supervisor.

Staff who consider that a patron is drunk or suspect that a person may be drunk should bring the matter to the attention of a supervisor prior to the refusal of service and requiring the patron to leave, noting it is illegal to allow a drunk person to remain on licensed premises.

Staff who observe that patrons are displaying violent, quarrelsome or disorderly behaviour will, where possible, bring the matter to the attention of a supervisor prior to taking steps to intervene where it is safe to do so.

It is important that patrons who are refused service or who are required to leave are dealt with in a professional but firm manner. The patron should be directed to the obligations under the law to leave the premises when required to do so. Where appropriate alternative transport options may also be offered at the time of refusal.

**Any refusal of service must be recorded in an appropriate incident report by staff involved and the manager on duty at the time of refusal.**

## Juveniles

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The *Liquor Control Act 1988* prohibits juveniles being present on licensed premises except in certain circumstances. A juvenile will only be permitted to be present on the Premises if:

- the juvenile is at all times accompanied by and under the supervision of a responsible adult;
- the juvenile is on the Premises for the purpose of obtaining a meal in a designated dining area (being an area used set apart primarily for the supply of meals)



- the juvenile is on part of the Premises which has been approved by the Licensing Authority for the provision of entertainment mainly for juveniles and where liquor is not being sold, supplied or consumed.
- other such legitimate reasons as determined by the Director of Liquor Licensing

Management undertakes that it will support staff refusing service to and/or denying a patron access to the Premises, and will facilitate that patron's removal from the Premises, if the staff member has reason to believe that the patron is a juvenile.

The Licensee, Approved Manager and staff will have reason to remove a patron from the Premises whom they suspect to be a juvenile if that patron cannot produce acceptable ID verifying their age, or if the patron is confirmed to be a juvenile and does not fall within one of the exceptions listed above.

An acceptable ID will only include the following documents:

- A current Australian driver's licence with a photograph, including a digital licence from:
  - New South Wales
  - South Australia
  - Queensland.
- A current passport
- A current Australian learner's driver permit with photograph
- WA Proof of Age Card (note new cards ceased being issued on 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
- A Photo Card issued by any Australian state or territory similar to the NSW/WA Photo Card
- A hard copy of the Keypass card issued by Australia Post.

The Licensee, Approved Manager and a staff member or agent of the Licensee is an "authorised person" under the *Liquor Control Act 1988* and as such is authorised to ask a suspected juvenile to produce evidence of their age.

If the juvenile does not satisfy the Licensee, Approved Manager, staff member or agent as to their age, or if the ID produced is not acceptable, the staff member is legally entitled to ask the suspected juvenile to leave the Premises and can remove the juvenile using such force as may be necessary.

The juvenile commits an offence if he or she does not leave the Premises and the vicinity of the Premises.

Staff should be aware that although there may be controlled access to the Premises and ID is required for entry to the Premises, there is still an obligation on serving staff to be sure that no juvenile is sold or supplied with liquor.





Staff who suspect that...

- a juvenile (who does not fall within one of the exceptions listed above) is present on the Premises; or
- a juvenile has attempted to purchase liquor or is consuming liquor;

should request the production of an acceptable ID by the suspected juvenile, and if no acceptable ID is produced the suspected juvenile should be immediately refused entry or service and required to leave the Premises.

The assistance of supervisory staff or security staff if any should be obtained if the suspected juvenile refuses to leave.

Staff must not:

- sell or supply liquor to juveniles either on or off the Premises;
- permit a juvenile to consume liquor on the Premises; or
- permit liquor to be sold or supplied to a juvenile on the Premises.

## **Entertainment**

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The provision of entertainment, which is appropriate and suitable to the Premises, is an important part of our business.

The entertainment provided has to be of a kind that is acceptable to our patrons but at the same time does not cause undue offence, noise or disturbance to persons who live in close proximity to the Premises.

In order to minimise any undue offence, noise or disturbance:

- Entertainment will be of a kind that complies with the law and any conditions imposed on the license by the Licensing Authority, or any requirements of or directions given by other relevant authorities.
- The providers of entertainment will be made aware by the Approved Manager of requirements both general and special that are in place concerning the provision of entertainment at the Premises.
- Any complaint by a member of the public that they are experiencing undue offence, noise or disturbance as a result of entertainment being provided at the Premises will be brought to the attention of the Duty Manager who will take reasonable steps to resolve the matter (if possible). All such complaints are to be recorded in the appropriate incident register.

## **Security**

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Over-crowding at licensed premises can lead to disruptive behaviour within licensed premises and a subsequent loss of proper control by Management and staff.

Appropriate authorities and management can determine the maximum number of patrons permitted to be on the Premises at any one time.



Management will provide adequate numbers of staff and approved managers, and crowd controllers (where appropriate) to properly control the conduct and behaviour of patrons within the Premises and in its immediate vicinity.

It will be the responsibility of Management to control and monitor the number of persons on the Premises to ensure that numbers are kept within acceptable limits.

## **Advertising and Drink Promotions**

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No advertising will be displayed nor will incentives be promoted at the Premises which encourage patrons to consume liquor in a manner that is considered irresponsible.

There will be no special promotions, contests or games allowed that are in conflict with the list of practices that are considered inappropriate for promoting alcohol in licensed premises for on-site consumption, as identified by the Director of Liquor Licensing in the *Responsible promotion and advertising of alcohol Policy* which are as follows:

*The Director of Liquor Licensing (DLL) will consider the promotion or advertising of alcohol irresponsible if it:*

- *encourages rapid consumption of alcohol; and/or*
- *encourages excessive consumption of alcohol; and/or*
- *portrays or encourages risk-taking or anti-social behaviour, or alludes to illicit drugs or illegal behaviour; and/or*
- *encourages underage drinking or is designed to appeal to people under 18 years old.*

*The DLL is likely to find the following promotions unacceptable:*

- *promotions encouraging unsafe levels of alcohol consumption*
- *excessively discounted alcohol for consumption on the premises, such as more than 50% off the retail price*
- *happy hours that run for more than 60 minutes at a time, more than twice per day or after 7pm*
- *encouraging patrons to drink quickly or stockpile drinks*
- *serving drinks in a way which would result in patrons drinking a large amount or drinking quickly, such as by pouring alcohol directly into patron's mouths*
- *a promotion that links the consumption of alcohol with a risky activity, such as sky diving, motor racing, drink driving or speed boating*
- *a promotion of packaged alcohol which is likely to appeal to minors.*

*To assess whether a promotion or activity is acceptable, licensees are encouraged to ask themselves, 'Does it encourage irresponsible consumption or portray the consumption of alcohol in an inappropriate way?' The following harm minimisation strategies can assist in answering this question:*



- **Timing of promotions** – the later in the trading period that the promotion is held, the more likely it is that a patron has already consumed alcohol and may be at risk of intoxication. Licensees are encouraged not to conduct promotions after 7pm.
- **Type and strength of alcohol** – consider running promotions offering lower strength alcohol products. Provide half measures of spirits if requested and reasonably priced non-alcoholic drinks (note that free drinking water must always be provided).
- **Frequency** – consider limiting the number of promotions that are held in a single trading period.
- **Duration** – consider limiting the length of promotions to reduce the risk of irresponsible drinking.
- **Price** – a common-sense approach should be taken when discounting alcohol to ensure that excessive discounts that could lead to irresponsible consumption are not offered.
- **National advertising standards** – consider codes and guidelines such as the ABAC Responsible Alcohol Marketing Code and Outdoor Media Association Alcohol Advertising Guidelines.

If the DLL finds your promotion or advertisement to be irresponsible, they have the power to impose conditions on your license, including what type of alcohol may be sold, and when, and prohibit or limit promotional activity where drinks are offered free or at reduced prices.

## Creating a Safe Environment

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The creation of a safe environment within the Premises and the local neighbourhood is a commitment of Management.

Within the Premises patrons are entitled to feel safe and relaxed. Patrons should not be made to feel uncomfortable, embarrassed or threatened by the behaviour of other patrons. It is one of the aims of Management in adopting responsible service practices at the Premises to create an environment at the Premises where the safety and enjoyment of patrons of the Premises can be maximised as far as may be possible.

In addition, residents of houses within the vicinity of the Premises should not have their peace and quiet unduly disturbed by noise from the Premises or the behaviour of patrons as they leave the Premises. To facilitate these objectives:

- Staff should ensure that reasonable measures are in place to minimise the escape of undue noise from the Premises.
- Staff should promote and encourage amongst patrons a respect for the amenity of the neighbourhood in which the Premises is situated, and rights of residents not to be unduly disturbed by patrons' behaviour on or off the Premises.



- Staff will take reasonable steps to prevent patrons from leaving the Premises with open cans, bottles or with glasses.
- Staff may cease the sale of liquor 15 minutes prior to closing time.
- Staff will collect on a regular basis empty and discarded glasses, cans and bottles throughout the Premises.
- Management may make provision for the engagement of licensed crowd controllers and security personnel (where necessary).
- Management will arrange for the removal of litter from residential areas surrounding the Premises, if it is established that such litter is directly linked to products sold at the Premises and the established behaviour of patrons of the Premises.
- Management if required will arrange and facilitate regular meetings with local residents and other interested persons relating to activities at the Premises.
- Any complaint by a member of the public that they are experiencing undue offence, noise or disturbance as a result of the operation of the Premises will be brought to the attention of Management who will take reasonable steps to resolve the matter (if possible). All complaints are to be recorded in the appropriate register.

## **Barring Notices**

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Barring notices are designed to target individuals who have displayed anti-social behaviour on or in the vicinity of licensed premises; to prohibit them from entering a specific licensed premises or a particular class of licensed premises (e.g. a nightclub).

Anti-social behaviour includes a person who:-

- is violent or disorderly;
- is engaged in indecent behaviour; or
- has contravened a provision of any written law

Barring notices can only be issued for a period of up to 12 months and can be issued by any member of the Police Force of or above the rank of Inspector.

It is important for all staff at the venue to be aware (where possible) of potential barred patrons, especially where photo ID is available.

Relevant staff (Approved Managers) should view these barring notices on the DRGL website.

It is an offence for a barred person to enter or remain on the licensed premises to which the barring refers to – penalty of \$10,000.

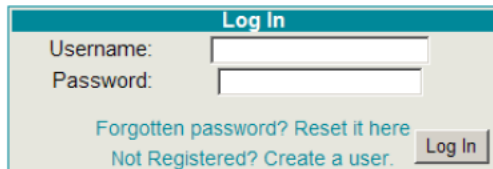
It is also an offence if a responsible person knows that a barring notice has been issued and permits the barred person to enter or remain on the licensed premises contrary to the barring notice – penalty of \$10,000.

Responsible Person in relation to licensed premises means the licensee or occupier of the premises, a manager of the premises or an employee or agent of the licensee or

occupier.

## How to view Barring Notices (Approved Managers)

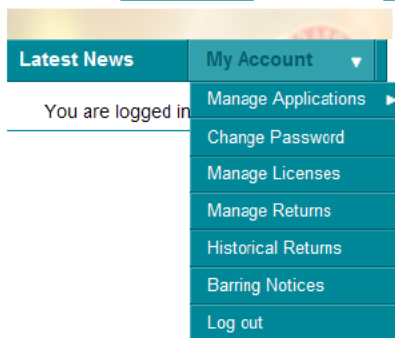
⇒ Select **Log In** on the top right hand corner of the home page – [www.rgl.wa.gov.au](http://www.rgl.wa.gov.au)




A screenshot of the 'Log In' form. It has a teal header with the text 'Log In'. Below the header are two input fields: 'Username:' and 'Password:'. Underneath the password field, there are two links: 'Forgotten password? Reset it here' and 'Not Registered? Create a user.'. To the right of these links is a 'Log In' button.

⇒ Enter your username and password and click on **Log In**

⇒ From the **My Account** list select **Barring Notices**



A screenshot of the 'My Account' dropdown menu. The menu is open, showing a list of options: 'Manage Applications', 'Change Password', 'Manage Licenses', 'Manage Returns', 'Historical Returns', 'Barring Notices', and 'Log out'. The 'Barring Notices' option is highlighted in teal.



⇒ Enter the licence number of the licensed premises where you are employed and click on 

⇒ A list of Barring Notices which apply to that licensed premises will be displayed

Please enter the liquor licence number of the premises for which you want to see current barring notices.

Liquor licence no:



Photo	Id	Given names	Surname	Suburb	Effective from	Effective to	Barred from
	10101010	Barring	Test3	TestingTown	01/02/2011	30/11/2011	All premises of type(s) Hotel
	weqe	Barring	Test1	East Perth	01/07/2011	01/07/2050	All premises in PERTH
	1234569999	Jonathan	asdas	Canning vale	16/06/2011	30/07/2011	All premises

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**Please note:**

This is a secure webpage and you should ensure that you secure your login details and do not allow unauthorised access to this webpage. A person who unlawfully discloses something that has been published on this webpage commits an offence which carries a penalty of \$10,000.

<https://www.dlgsc.wa.gov.au/department/sign-in/racing-gaming-and-liquor-portal/portal-guide>

## Prohibition Order

The Liquor Control Act 1988 states that the Commissioner of Police may apply to the Director of Liquor Licensing for a prohibition order to be made against a particular person.

Prohibition orders can be issued to people who are involved in anti-social behaviour in or around licensed premises, or whose employment in licensed premises is deemed to be problematic due to their involvement in serious or organised crime.

Essentially, a prohibition order can mean:

- A person is prohibited from being employed by a licensee at a specified licensed premises, licensed premises of a particular class or any licensed premises; or
- A person is prohibited from entering a specified licensed premises, licensed premises of a specified class or any licensed premises.

A prohibition order can be issued for a maximum of five years, or two years for a juvenile.

A \$10,000 penalty applies to a person who is given a prohibition order and fails to comply with that order. Any person given a copy of the prohibition order but continues to employ the person who is subject to the order also commits an offence. The penalty for this offence is \$10,000.



It is important that all relevant staff are aware of the people currently issued with a prohibition order are listed on the DRGL website.

<https://portal.dlgsc.wa.gov.au/prohibitionorders>

A responsible person in relation to licensed premises commits an offence if the responsible person –

(a) knows that a prohibition order has been made against a person in respect of the premises; and

(b) permits the person to enter or remain on the premises contrary to the order.

Penalty: a fine of \$10 000.