



Your Ref:

Our Ref: A319006304

Enquiries: Mary Ioannidis
☎ (08) 6551 4957

Mr M Sequeira
Hospitality Total Services (Aus) Pty Ltd
PO Box 1154 Canning Bridge
APPLECROSS WA 6153

Dear Mr Sequeira

Club Paradiso - Conditional Grant of a Nightclub Licence - A319006304

I refer to the above application and advise that it has been approved and that the licence has been conditionally granted, subject to:

- a Certificate under s 39 of the *Liquor Control Act 1988* (the Act) being lodged before the operation of the licence;
- compliance with the Local Government Act 1995, Health (Miscellaneous Provisions) Act 1911 and any written law relating to the sewerage and drainage of these premises;
- all work being completed within 12 months in accordance with the plans and specifications dated 18 December 2020, subject to the lodgement of new plans of the second floor showing the proposed airlock to be situated next to the exit to the balcony, in accordance with the Applicant's submissions of 19 April 2021;
- the recommendations of the Inspector of Licensed Premises on the Schedule of Requirements dated 15 March 2021 being satisfactorily completed and the Director of Liquor Licensing (the Director) being notified in writing at least 21 days prior to applicant wishing to trade under the licence;
- a final inspection by an Inspector of Licensed Premises being conducted to ensure that all requirements have been satisfactorily completed; and
- the Applicant seeking confirmation of the grant on or before 14 July 2022, pursuant to s 62(4)(c) of the Act.

On confirmation of the conditional grant, trading conditions will be imposed on the issue of the licence, as detailed in the attached schedule.

In consideration of the matters raised on behalf of the Chief Health Officer, I am of the view that the imposition of conditions will, to a large extent, mitigate the harm concerns raised in the intervention.

Further, in relation to the objection by Gregory Branchi and Elizabeth Branchi, I note that their contentions were unsupported by any evidence to establish that the grant of the licence would lead to a risk of an increase in unsociable behaviour and violence, or add to noise already experienced in the locality. Consequently, I consider the objector has failed to discharge its onus under s 73(10) of the Act.

Please ensure that the Applicant is informed that:

- prescribed licence fee must be paid prior to the operation of the licence; and
- sale and supply of liquor may not commence without the prior written approval of the licensing authority.

This notice has been issued pursuant s 18AA of the Act. Parties to this matter may request written reasons for this Decision within 28 days. Should a party then be dissatisfied with those written reasons, it may seek a review of the Decision under s 25 of the Act. The application for review must be lodged with the Liquor Commission within one month after the date upon which the parties receive notice of the written reasons.

Should you have any enquiries in respect of this matter or any condition of the licence, please contact Mary Ioannidis, Regulatory Support Officer, on (08) 6551 4957.

Yours sincerely



Brett Snell
DELEGATE OF THE DIRECTOR OF LIQUOR LICENSING

15 July 2021

[Enc]



SCHEDULE OF TRADING CONDITIONS NIGHTCLUB LICENCE: CLUB PARADISO

TRADING HOURS

The permitted trading hours are those prescribed in s 98A of the Act for a nightclub licence.

TRADING CONDITIONS

1. The licensee is authorised to sell and supply liquor on the licensed premises, for consumption on the licensed premises only, ancillary to continuous entertainment provided live by one or more artist present in person performing there or by way of recorded music presented personally by a person employed or engaged to do so, in accordance with the provisions of s 42 of the Act.
2. The sale of packaged liquor for consumption off the licensed premises is prohibited.
3. The imposition of a maximum number of patrons, based on the Maximum Accommodation Certificate issued by the Local Government Authority prior to the activation of the licence.
4. Patron seating to be available as follows:
 - (a) seating for 50% of the maximum patron capacity in that part of the premises known as the 'Casual Front Bar';
 - (b) seating for 100% of the patrons of that part of the premises known as the 'Theatre Room' during performances of comedy or similar shows and seating for 30% of the maximum patron capacity for the 'Theatre Room' during other types of live performances;
 - (c) seating in the form of lounge seating against the walls in that part of the premises known as the 'Lobby Bar'; and
 - (d) seating for 30% of the maximum patron capacity for that part of the premises known as the 'Lounge Bar'.
5. The licensee shall not promote, advertise or employ incentives which encourage the excessive consumption of liquor by virtue of their 'emotive' titles such as (but not exclusive to) 'laybacks', 'slammers', 'jelly-shots', 'test tubes' and 'blasters'.
6. The sale of 'shooters' are:
 - (a) limited to only one shot per person per transaction during those permitted trading hours prior to midnight; and
 - (b) prohibited after 12 midnight.
7. Drink options that contain low alcohol liquor content as well as a range of non-alcoholic drink options must be available during trading hours.
8. All liquor products must be sold from behind the bar serveries, with no 'roving' or 'promo' liquor to be sold or supplied elsewhere on the licensed premises.
9. Food must be available during trading hours.

10. The licensee is to demonstrate compliance with all recommendations contained within item '6.1 Noise Attenuation Requirements to Comply with Assigned Noise Levels' of the Acoustic Report, dated 4 March 2021 by EcoAcoustics Pty Ltd.
11. Noise limiters are to be installed to ensure compliance with the stipulated maximum noise levels. The noise limiters are to be calibrated by an appropriately qualified person and fitted with a tamper proof seal.
12. Windows and entry doors are to be kept closed.

SECURITY REQUIREMENTS

1. Crowd controllers, (licensed under the *Securities and Related Activities (Control) Act 1996*), are to be employed at a ratio of two crowd controllers for the first 100 patrons, and one crowd controller for each additional 100 patrons or part thereof, from 8 p.m. (or the time of opening the premises if after 8 p.m.).
2. A video surveillance system must be in place and operational prior to the confirmation of the grant. The system must comply with the minimum requirements identified in the Director of Liquor Licensing's *Safety and Security at Licensed Premises* policy or with requirements otherwise approved by this authority. In accordance with the policy, it is expected that this system will provide and record continuous images of the entrances to the premises from 8 p.m. (or the time of opening the premises if after 8 p.m.), until one hour after trading ceases.

DRESS STANDARDS - OUTLAW MOTORCYCLE GANGS

1. The following dress standard applies during the permitted trading hours:
 - (a) Jackets or any other clothing or accessory, or any clearly visible body marking, bearing patches or insignia of any Outlaw Motor Cycle Gangs not limited to, but including, the following listed Outlaw Motor Cycle Gangs, are not permitted to be worn or to be visible on the licensed premises:
 - (i) Coffin Cheaters;
 - (ii) Club Deroes;
 - (iii) Gods Garbage;
 - (iv) Gypsy Jokers;
 - (v) Outlaws;
 - (vi) Finks;
 - (vii) Rebels;
 - (viii) Comancheroes;
 - (ix) Hell's Angels;
 - (x) Rock Machine;
 - (xi) Mongols;
 - (xii) Lone Wolf;
 - (xiii) Bandidos; and
 - (xiv) Brothers 4 Life.
2. A notice is to be displayed at all entrances to the licensed area/event reflecting this condition.

COMPLIANCE WITH HARM MINIMISATION POLICY

The licensee has lodged a copy of the House Management Policy, Code of Conduct and Management Plan developed for these premises in accordance with the Harm Minimisation Policy. These documents must be retained on the licensed premises and produced to any Authorised Officer if required.