



**Liquor Control Act 1988  
OCCASIONAL LICENCE**

Monaghan Lawyers  
26 Norfolk Street  
FREMANTLE WA 6160

Licensee: Quay Hospitality Pty Ltd

The licensee named above is authorised to sell liquor at the premises below, in accordance with the *Liquor Control Act 1988* ("the Act"). The licensee and approved manager must comply with all requirements and conditions imposed by the Act, and all conditions and requirements set out below, and each is liable if any of those conditions or requirements are breached.

**1. FUNCTION DETAILS**

**Function:** Kartel  
**Function Address:** Elizabeth Quay,  
The Esplanade  
PERTH WA 6000  
**Function Dates:** 06/12/2018 to 21/12/2018;  
24/12/2018; and  
26/12/2018.

**2. AUTHORISATIONS AND CONDITIONS**

The following conditions and/or requirements apply to the licence. Where there is any inconsistency between these and other conditions, these conditions/requirements prevail:

**TRADING HOURS**

The permitted trading hours are as follows:  
Monday to Sunday - 11 a.m. to 12 midnight

**NUMBERS LIMITATION**

The number of people permitted entry to the licensed area(s) is not to exceed 1500 at any one time.

**SEATING REQUIREMENTS**

Seating shall be provided for a minimum of 50% of the total patron capacity.

**MAP OF DEFINED LICENSED AREA**

The sale, supply and consumption of liquor is only authorised in that area outlined in red on the attached map dated 14 November 2018.

**FENCING REQUIREMENTS**

Appropriate fencing is to be erected around the boundary of the licensed area so as to clearly delineate the licensed premises.

**UNSEALED CONTAINERS ONLY**

Liquor sold and supplied at this function must only be supplied in unsealed containers.

**PACKAGED LIQUOR PROHIBITED**

The sale and supply of packaged liquor for consumption off the licensed premises is prohibited.

## UNACCOMPANIED JUVENILES PROHIBITED

Only juveniles accompanied and supervised by a responsible adult (as defined by s 125(2)(b) of the Liquor Control Act 1988) are permitted to enter and remain on the licensed premises. However, pursuant to s 121(5)(d) this does not apply to the presence of a juvenile employed by the Licensee on the premises otherwise than in the sale or supply of liquor.

## LICENSED SECURITY REQUIREMENTS

Crowd controllers (licensed under the Securities and Related Activities (Control) Act 1996) are to be employed at a ratio of two (2) crowd controllers for the first one-hundred (100) patrons, and one (1) crowd controller for each additional one-hundred (100) patrons or part thereof, from 3 p.m. (or the time of opening the premises if after 3 p.m.) each Friday, Saturday and Sunday and any Public Holidays until thirty (30) minutes after closing. In addition, the above ratio applies on any other day where expected attendance exceeds 500 patrons in the licensed area at any one time.

- Crowd Controllers are to actively patrol the licensed areas and wear high visibility fluorescent shirts or vests that identify them as security or crowd controllers.

## IDENTIFICATION SCANNING

An identification system shall be installed and operated on Friday, Saturday and Sunday from 7.00 p.m. to close of business to record the details of all patrons entering/re-entering and record for a period of not less than 28 days the personal details (by means of them being retained by the identification system in a format that is able to be provided to a member of the Police Force) of every person (other than an authorised person) entering the licensed area on that day.

## GENERAL

1. The holder of an unrestricted manager approval must be present at each bar service area for the duration of the event.
2. Any person attempting to enter the event with liquor in their possession must dispose of it at entry.
3. The removal of unsealed liquor from the licensed area is prohibited.
4. A range of food is to be available for the duration of the event.
5. Adequate lighting is required to assist with the monitoring of patrons and the perimeter fencing during the hours of darkness.

## DRINKS

1. The serving of spirits in jugs is prohibited.
2. Non-standard measures of spirits (ie. more than 50mls) is prohibited.
3. The supply of pre-mix drinks is permitted, however the individual container quantity is not to exceed 375mls.
4. Low-strength liquor must be readily available for sale and supply for the duration of the event.
5. A range of non alcoholic drinks must be readily available for sale and supply for the duration of the event.

## RESPONSIBLE DRINK PRACTICES

The licensee is prohibited from selling and supplying beverages in such a way that would encourage rapid consumption of liquor (e.g., but not limited to, unadulterated spirit or liqueur in a shot glass); or drinks known as 'laybacks', 'shots', 'shooters', 'test tubes', 'jelly shots', 'blasters', or 'bombs' or any other emotive title.

## MANDATORY TRAINING - RESPONSIBLE SERVICE OF ALCOHOL (301+)

Where the anticipated attendance is more than 300, the licensee\* and all servers of liquor must complete the nationally accredited unit of competency Provide responsible service of alcohol (SITHFAB201).

\* Where the licensee is a company, a director of the company will be required to undertake training.

Where the licensee is a partnership, at least one of the partners will be required to undertake training.

Where the licensee is a club or organisation, the committee members will not be required to undertake training, however, the approved manager/s, supervisory staff and bar staff must comply with the requirements outlined above.

## TRAINING REGISTER

Pursuant to r 14AG, the licensee shall maintain a training register that records training compliance for all staff. This training register must be retained in the form approved by the Director of Liquor Licensing and must be made available at the request of an authorised officer.

## INCIDENT REGISTER

Pursuant to section 116A of the Liquor Control Act 1988 and Regulation 18EB, the licensee must maintain a register of incidents that take place at the licensed premises. This incident register must be retained in the form approved by the Director of Liquor Licensing and must be made available at the request of an authorised officer.

## SIGNAGE REQUIREMENTS

Signage is to be placed at each bar area, which reflects the following offences:

- Sell liquor to a drunk person;
- Aid a drunk person in obtaining or consuming liquor; and
- Supply liquor to a juvenile on licensed or regulated premises.

## DRESS STANDARDS - OUTLAW MOTORCYCLE GANGS

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; | (viii) Comancheroes;   |
| (ii) Club Deroes;    | (ix) Hell's Angels;    |
| (iii) Gods Garbage;  | (x) Rock Machine;      |
| (iv) Gypsy Jokers;   | (xi) Mongols;          |
| (v) Outlaws;         | (xii) Lone Wolf;       |
| (vi) Finks;          | (xiii) Bandidos; and   |
| (vii) Rebels;        | (xiv) Brothers 4 Life. |

A notice is to be displayed at all entrance to the licensed area/event reflecting this condition.

## PROFIT SHARING AUTHORISED

Pursuant to s 59(3) of the Liquor Control Act 1988, approval is given for a profit arrangement to occur between the licensee and The Event Mill Pty Ltd. However, in the event that concerns are raised over the suitability of any particular third party, the licensing authority reserves the right to conduct an investigation into that person to ascertain if they are 'fit and proper', pursuant to the provisions of s 37(1)(d) of the Act.

## ENTERTAINMENT CONDITION

(a) 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:

- i. be immodestly or indecently dressed on the licensed premises, and/or
- ii. take part in, undertake or perform any activity or entertainment on the licensed premises in a lewd or indecent manner.

(b) The licensee or manager, or an employee or agent of the licensee or manager, is prohibited from:

- i. 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
- ii. 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
- iii. 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.

(c) In this condition "licensed premises" includes any premises, place or area:

- i. which is appurtenant to the licensed premises; or
- ii. 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.

## FREE DRINKING WATER

Pursuant to s 115A of the Liquor Control Act 1988, the licensee shall provide potable drinking water, free of charge, at all times liquor is sold and supplied for consumption on the licensed premises. This condition is to be met through the provision of water dispensers located at or adjacent to all bar service areas, as well as water dispensers provided separate to the bar service areas. The water must be refreshed regularly, with clean glasses or disposable cups being available for use.



DIRECTOR OF LIQUOR LICENSING

**Date of Issue: 26 November 2018**

**Print Date: 26 November 2018**

# Licence Checklist

This checklist is a risk assessment tool that can help your Occasional Licensed event become and remain compliant with the liquor laws. It is a valuable tool to have and we encourage you to use it regularly to ensure you are complying with the *Liquor Control Act 1988*, *Liquor Control Regulations 1989* and your occasional liquor licence.

This checklist addresses important legislative requirements such as signage and documents, supervision and management, training, responsible service of liquor and juveniles.

The Department has a range of free resource material available, please visit our website at [www.rgl.wa.gov.au](http://www.rgl.wa.gov.au) or contact our office on (08) 6551 4888.

**The following checklist has been based on observed problems within licensed areas, and is an initiative to rectify some common issues observed within licensed areas.**

**It is important to note, that the checklist is not exhaustive and that this does not replace enforcement.**

## Occasional Liquor Licence

Approval Number	0212287718
Licensee	Quay Hospitality Pty Ltd
Venue	Elizabeth Quay
Address	The Esplanade PERTH WA 6000
Email Address	tim@monlaw.com.au

Completed by	
Position	
Date	

# OPERATIONS

## A 'NO' ANSWER MAY BE A BREACH AND REQUIRE FURTHER INQUIRY

This section operates under the *Liquor Control Act 1988* and *Liquor Control Regulations 1989*

### LICENCE DOCUMENT

Y N

S59; S110(1)(aa)	Is liquor sold and supplied in accordance with statutory and licence conditions?		
S116(4)	Is your current <b>liquor licence</b> displayed in a conspicuous position on the licensed premises?		

### MANAGEMENT OF THE LICENSED AREA

Y N

S100(2a)	Is an <b>approved manager</b> who holds a valid Identification card present within the licensed area?		
R14ADE	Does the on duty approved manager have their Identification card with them to present to an authorised officer if directed to do so?		
S59(1)(c); S59(2)(a)(iii)	Have steps been taken to ensure the number of patrons in the licensed area at any one time will not exceed the numbers limitation imposed on the licence?		
S116A; R18EB	Is your <b>Incident Register</b> maintained available for inspection by an authorised officer?		
S116A(1)	Have all <b>refusals of service</b> been recorded in the incident register?		
S116A	Have all <b>refusals of service to juveniles</b> been recorded in the incident register?		
S116A	Have all <b>refusals of entry</b> been recorded in the incident register?		
S59(2)(b)(ii)	Has the owner consented to consumption of liquor in the area?		
S116(1)	Is your current <b>plan(s)</b> approved, by the licensing authority, kept on the licensed premises and available for inspection by an authorised officer? Is the plan accurate?		
S110(3)	Is the boundary of the licensed area clearly defined to ensure patrons do not remove liquor from the licensed area?		
	Are all <b>liquor promotions</b> operated in consideration of the Director's Policy <i>Responsible Promotion of Liquor</i> ?		
S120; S121(5)	If juveniles are on the premises and not accompanied by a responsible adult, are they permitted to be there under the prescribed situations in the Act? <ul style="list-style-type: none"> <li>• Lawful business purposes (i.e. apprentice electrician etc)</li> <li>• Present with the approval of the Director of Liquor Licensing</li> <li>• In an area not licensed</li> </ul>		

## MANNER OF TRADE

Y    N

S115	Do you have procedures and controls to prevent liquor being sold or supplied to a drunk person?		
S121(1)	Does your venue have procedures and controls to <b>prevent juveniles being sold or supplied liquor</b> ?		
S115A	Is <b>drinking water</b> available free of charge to all patrons at all times and is it clearly advertised?		
S104(1)	Have all <b>arrangements or agreements</b> that the licensee has entered into under which another person may share in the proceeds of the event/function been approved by the Director of Liquor Licensing?		
	Do you have strategies in place to prevent intoxication such as available food, clearly signed water stations, etc?		
	Have you ensured liquor is not being provided in a manner which promotes rapid consumption such as mixing liquor with energy drinks, serving liquor in shots or use of emotive titles such as "slammers", "laybacks", "jelly shots", etc?		

## RUNNING A LARGE EVENT

Y    N

S103A(1)(a); R14AD	For events in excess of 300 patrons in the premises, have all staff who are involved in the sale and supply of liquor completed the appropriate training?		
S103AA	Is your <a href="#">Training Register</a> completed and available for inspection by an Authorised Officer?		
R14AG(2)	Do you have copies of <b>Training Certificates</b> on the licensed premises for an authorised officer to view if required to do so?		
S110(1)(aa)	If conditions of the licence require liquor to be sold in limited quantities per transaction, have all bar staff been briefed on this requirement?		
S5(1)	If liquor is being sold in glassware containers, are procedures in place to deal with breakages and to reduce the risks of possible harm?		
S126C; S115(4)(c); S121(7)(b); S126(3)	If security personnel will be used to assist in the monitor and control of patrons, have the security been hired from a licensed crowd control agent?		
S126	Will procedures be in place to check the ID's of patrons under the age of 25 when they are entering the licensed area or ordering drinks at the bar?		
S115(4a)(c)	If you have imposed dress standards as a condition of entry to the licensed area have you displayed signage of this condition at the entrance of the area?		
S59(2)(a)(iii)	Have sufficient toilet facilities been arranged to cater to the number of patrons in attendance at your event?		
	Have you ensured that all necessary stakeholders, such as the police, council and emergency services have been consulted about your event?		



## Want to know more about the liquor laws in WA?

The Department conducts free seminars on a monthly basis for existing licensees covering the following topics:

- ❖ What constitutes the licensing authority
- ❖ Selling liquor in accordance with licence conditions and liquor legislation
- ❖ Obligations and responsibilities as a licensee and approved manager
- ❖ Sections of the liquor legislation not well known
- ❖ What can happen if things go wrong
- ❖ Accords and what they are about.

**If you are interested in attending a seminar please register via our website. The link is located on our homepage. Alternatively, please call the Department on 6551 4888.**

# INCIDENT REPORT

Name of licensed premises: \_\_\_\_\_

Address: \_\_\_\_\_

Date of incident: \_\_\_\_\_ Time: \_\_\_\_\_ am/pm

Location of incident: \_\_\_\_\_

Name of each employee/crowd controller involved in incident:

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Name of each approved manager on duty during incident: \_\_\_\_\_

## Type of incident:

- |   |   |
|---|---|
| <input type="checkbox"/> Complaint – noise  | <input type="checkbox"/> Complaint – other                      |
| <input type="checkbox"/> Juvenile – no ID   | <input type="checkbox"/> Juvenile – forged/false/counterfeit ID |
| <input type="checkbox"/> Patron injured   | <input type="checkbox"/> Staff injured                          |
| <input type="checkbox"/> Patron drunk   | <input type="checkbox"/> Patron indecent behaviour              |
| <input type="checkbox"/> Patron asked to leave  | <input type="checkbox"/> Patron refused entry - drunk           |
| <input type="checkbox"/> Patron refused entry – offensive behaviour (including violent, quarrelsome, disorderly & indecent behaviour) |   |

If patron refused entry:

Did the patron repeatedly attempt to gain entry? Yes/No

Did the patron engage in offensive behaviour after being refused entry? Yes/No

Was the patron physically restrained/removed/refused entry by crowd controller/s? Yes/No

If so, state the name, address and licence number of the crowd controller/s who used physical contact:

**Details of the Incident:** (include reason physical contact was used by crowd controller/s if applicable)

**Action taken:** (including manner in which patron was physically restrained/removed/prevented from entering by crowd controller/s, if applicable)

**Authorities notified:** (if applicable)

WA Police

Emergency Services

Racing, Gaming and Liquor

Other

To be completed by manager or licensee if physical contact was used by crowd controller/s:

I verify that each crowd controller named in this report has been requested to verify the accuracy of the report. If any crowd controller/s declined to verify the accuracy of the report, list name/s here: \_\_\_\_\_

Copy of this report provided to crowd control agent (if applicable) on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

**Name** of manager/licensee completing this report: \_\_\_\_\_