



Public Interest Assessment Pursuant to section 38 of the *Liquor Control Act 1988*

Disclaimer

This Guideline is designed to provide information in regard to the subject matter covered, and with the understanding that the Director of Liquor Licensing is not passing legal opinion or interpretation or other professional advice. The information is provided on the understanding that all persons undertake responsibility for assessing the relevance and accuracy of its contents.

Purpose

The purpose of this Policy is to provide guidance on the *possible* content of Public Interest Assessment (PIA) submissions and the issues that an applicant should consider, including the reports decision makers may have regard to in forming their decisions (Attachment 1). This document should also be read in conjunction with Attachment 2, '*Specification of Locality*'.

Introduction

Background to the Public Interest Test

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

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

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

There is no general template that exists for, or that can be applied to, all applications because each community is different and has individual characteristics. Similarly, each licensee's business or proposed manner of trade is unique to the particular premises. A PIA outlines how the premises/proposed premises will impact the community and provide an outline of how the applicant will manage any impact.

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

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

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

With respect to section 38 of the Act, sub section 2 requires applicants, for certain applications, to satisfy the authority that this is in the public interest. In this regard, applicants will be required to lodge a PIA with the application. The requirements of a PIA will apply to:

- applications for the grant or removal of licences;
- applications for extended trading permits, for ongoing extended hours or the sale or supply of liquor without a meal in restaurants that are not restricted to a maximum of 120 persons on the premises at any one time; and
- any other application the Director deems appropriate (such as an application to vary the conditions of a licence or permit or an application to alter or redefine a licensed premises).

Legislative Provisions

As stated previously, the licensing authority will take into account the objects of the Act as provided in section 5 and for certain applications the matters set out in section 38(4):

Section 5

The primary objects of the Act are:

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

The secondary objects of the Act are:

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

Section 38(4)

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

- (a) the harm or ill-health that might be caused to people, or any group of people, due to the use of liquor; and
- (b) the impact on the amenity of the locality in which the licensed premises, or proposed licensed premises are, or are to be, situated; 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
- (d) any other prescribed matter. *(Please note: there are no prescribed requirements at this time)*

The licensing authority has discretion to impose conditions on the licence or permit that has regard to the public interest, the objects of the Act and the information provided in the applicant's PIA submission. For example, the Director may impose a condition stating the maximum number of patrons that may be permitted on a licensed premises or any part of a licensed premises.

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

Licensing Authority's Expectations for a PIA

Completing the PIA should be part of an applicant's business planning. A PIA assists the licensing authority in assessing the impact of the application, if granted, on the community, including existing services and amenity. It is also a valuable document for informing the community about the proposed manner of trade. It is important to note that there is no requirement in the Act for PIA's to be prepared by legal counsel or industry consultants.

Applicants can either complete a Form 2A or prepare a PIA submission by following the guidelines contained within this policy and by taking a common-sense approach to their submission, where applicable, after liaising with the relevant key stakeholders and interest groups in the community.

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

The public interest issues associated with premises such as hotel/taverns, nightclubs, liquor stores and some special facility licences are often more complex than small bars, restaurants, clubs, producers, wholesalers, bed and breakfast facilities or works canteens in remote locations, and typically have a greater impact on the surrounding community. In this regard, the former types of applications are expected to supply supporting information that covers a wider and more detailed scope of public interest issues. Details an applicant should consider (but not limited to) can be found under *PIA Submissions for Complex Applications* contained later in this document.

PIA Submissions for Small Bars, Restaurants, Clubs, Producers, Wholesalers, Online Wine Sales, Bed and Breakfast Facilities or Works Canteens

The PIA to be submitted with applications for small bars, restaurants, clubs, producers, wholesalers, bed and breakfast facilities or works canteens in remote locations, may be able to address public interest matters (unless otherwise directed by the licensing authority) by lodging a Form 2A or a submission which includes:

- a risk assessment with respect to the harm or ill health that might be caused to people, or groups of people within the locality, due to the use of liquor;
- a descriptive report on the amenity of the locality of the proposed premises- including who lives and works in the locality and assessing the impacts (if any);
- a report on the location – listing existing licensed premises within 500 metres of the premises, highlighting the diversity of the current services;
- a description of the proposed business – what facilities and services will be provided, including other information, for example, on any theme or decor; and
- a description of the manner of proposed trade and target client base, why it is in the public interest and how it might benefit the community.

While it is up to the applicant to determine how much information to include in a PIA, in consideration of precedent decisions of the Liquor Commission, the PIA must be supported by objective evidence. Assumptions, opinions, speculation and generalised statements alone will not demonstrate that the application is in the public interest. Applicants should ensure that they provide sufficient supporting evidence that is objective, accurate and relevant to their application.

In decision [LC51/2011] the Commission stated: ‘...an Applicant must present supporting evidence at the appropriate level to satisfy the Commission that there is a real and demonstrable consumer requirement to justify the granting of the licence...Information that would be probative to the Commission includes market surveys, petitions of substance and information that demonstrates a real consumer requirement.’

Evidence to support an application being in the public interest may include, but is not limited to:

- petitions;
- survey results; and
- letters of support and statements,

of consumers having a requirement for the type of liquor to be sold and supplied under the licence sought.

Locality

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

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

Generally, the size of the locality will be that which is stipulated in ‘*Specification of Locality*’ at ATTACHMENT 2. However, depending on the nature of the application, the licensing authority may also determine a broader locality.

Where an applicant considers that the licensing authority's determination of the locality in accordance with the policy is not suitable having regard to its intended nature of business, the applicant may make submissions as to the appropriate size of the locality to the specific nature of the proposed business.¹

In regard to applications of a less complex nature, the applicant may lodge a submission with the licensing authority for a lesser area to be specified.²

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

PIA Submissions for Complex Applications (such as Hotels, Nightclubs, Liquor Stores, Taverns and some Special Facilities)

Applicants will be expected to lodge PIA submissions having regard to the matters outlined in sections 5 and 38(4). In relation to section 38(4) matters, depending on the nature of the premises/proposed premises, the type of licence and its locality, applicants need to address the following:

Harm or Ill Health – Section 38(4)(a)

¹ Submissions relating to locality should not be included in the PIA, but attached as a separate document.

² Submissions relating to locality should not be included in the PIA, but attached as a separate document.

When addressing harm or ill-health caused due to the use of liquor, applicants need to consider:

- a) are there any 'at risk' groups or sub-communities within the locality, travelling through the locality or resorting to the locality?
- b) what are the groups or sub communities in the locality that may be affected?
- c) what are the social health indicators for the locality? and
- d) what will be the strategies the licensee will implement to minimise harm or ill health?

In regard to 'at risk' groups and sub-communities, there are a range of groups that may be more vulnerable to the impact of alcohol. Examples of these groups have been identified under the *Drug and Alcohol Interagency Framework for Western Australia 2011-2015* and may include:

- children and young people;
- aboriginal people and communities;
- people from regional, rural and remote communities;
- families;
- migrant groups from non-English speaking countries;
- people in low socio-economic areas;
- mining communities or communities with a high number of itinerant workers; and/or
- communities that experience high tourist numbers.

This list is not exhaustive and you are encouraged to consider other 'at risk' groups that may be present in the locality.

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

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

In addressing social health indicators, applicants should also consider the proximity of the premises to bordering suburbs.

Impact on Amenity – Section 38(4)(b)

When addressing the impact on amenity on a community, applicants need to consider:

- a) what is the nature and character of the local community?
- b) what are the facilities and services of the proposed premises?
- c) how will the proposed premises fit into the amenity of the locality (positively and negatively)?
- d) what will be the positive recreational, cultural, employment or tourism benefits for the community? and
- e) how has the consultation with local government regarding the proposed premises been taken into account in establishing a business plan?

Applicants will also need to provide:

- a map depicting the locality of the proposed premises;
- a description of the nature and type of facilities to be provided which includes a floor plan and premises layout information and highlights the unique aspects of the proposed facility;

- the maximum number of patrons to be permitted on the premises or on different parts of the premises at any one time; and
- outlet density information that includes:
 - if the applicant intends to sell packaged liquor, the location of all existing licensed premises within the locality;
 - if the applicant does not intend to sell packaged liquor, the location of all existing licensed premises within 500 metres
 - nature of services provided by the other licensed premises; and
 - the level of access to, and diversity of the services.

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

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

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

When considering the positive and negative amenity issues in respect to the locality of the premises/proposed premises, applicants will need to consider:

- what are the public transport facilities (including taxi services) that would be available to patrons or any other transport facilities proposed to be provided by the applicant for patrons?
- what parking facilities exist in the locality?
- what is the contribution of the premise/proposed premises to the streetscape and atmosphere of the area?
- what is the potential impact of the premises/proposed premises on the level of noise and anti-social activities in the locality and the management strategies to minimise the impact? and
- what is the potential impact of the premises/proposed premises on vandalism, litter, criminal acts (especially violent crimes including domestic violence), which may include improvements in the passive and active security of the area?

Offence, Annoyance, Disturbance or Inconvenience – Section 38(4)(c)

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

If there are any high risk factors, potential harms, personal offence, annoyance or disturbance associated with the grant of the application, applicants must provide a Business Management Plan identifying the strategies the applicant intends to implement to address these matters.

Strategies that could be implemented (but not limited to) to combat offence, disturbance or inconvenience may include:

- engagement of licensed crowd controllers and installation of a CCTV camera system;
- the provision of food;
- liquor to be provided by table service only;
- limitation on the types of liquor available and the types of containers;
- restricted advertising or liquor promotions;
- installation of noise limiters on all amplification equipment;
- types of entertainment being provided;
- furniture (e.g. adequate seating) and premises layout design;
- lighting in and around the proposed premises;
- noise attenuation of the building; and
- maximum accommodation numbers.

Additional Requirements and Procedures

In lodging an application, in addition to submitting the PIA submission or Form 2A and supporting documentation specified in the relevant Department lodgement guide, the applicant may be required to:

1. Undertake a letter drop to residents and businesses within a 200 metre radius of the proposed premises, giving notice of the application and the intended manner of trade (a template notice will be provided by the Department). This notice must be delivered on the first day of the advertising period and clearly identify the last date by which objections may be lodged with the licensing authority.

In the case of hotels, taverns, small bars, nightclubs, liquor stores and some special facility licences the advertising period will be 28 days.

For applications relating to clubs, restaurants, producers, wholesalers and some special facility licences (such as a bed and breakfast facility), a 14 day advertising period (or such other period as determined by the licensing authority) will apply.

2. Serve notice of the application and intended manner of trade on all: schools and educational institutions; hospitals; hospices; aged care facilities; any drug and alcohol treatment centres; any short term accommodation or refuges for young people; child care centres; churches; any local government authority; any local police stations, which may be situated in the specified locality of the proposed premises; and any other such places at the Director's discretion (a template notice will be provided by the Department). This notice must be served on the first day of the advertising period, clearly identify the last date by which objections may be lodged with the licensing authority and specify an address, within the locality, at which the applicant's PIA submissions may be inspected by interested persons.
3. a) Applications in respect of hotels, taverns, nightclubs, liquor stores, small bars and some special facility licences are to be advertised in *The West Australian* newspaper and on the site of the premises for a 28 day period (forms in this regard will be provided by the Department).
b) Applications in respect of clubs, restaurants, producers, wholesalers and some special facility licences are to be advertised on the site of the premises for a 14 day period or

such other period as determined by the licensing authority (forms in this regard will be provided by the Department).

4. Make a copy of the PIA submission or Form 2A available for public inspection at the address that has been identified in the letter drop and notice served to the parties in point 2 and 3 above. In addition, the licensing authority will make available on its website for the duration of the advertising period the applicant's PIA. PIAs are accessible from www.rgl.wa.gov.au.
5. Lodge a copy of the House Management Policy, Code of Conduct, and Management Plan, with the application (*for further information on these documents, refer to the Director's policy on Harm Minimisation.*)
6. Provide a written declaration that these requirements have been met and that all information contained in the PIA submission is accurate and valid as at the date of application.

References and Information Sources

To assist applicants in preparing their submissions, the following sources of information including Attachment 1 may be useful:

- Details of licensed premises in the locality can be obtained from the Department of Racing, Gaming and Liquor – fees may apply. The Department’s website address is www.rgl.wa.gov.au or on telephone (08) 9425 1888.
- Australian Bureau of Statistics – some statistics may be accessed through the State library or via the ABS website at www.abs.gov.au or on telephone 1300 135 070.
- Local Government Authority – contact details for each local government authority in Western Australia and other statistical information can be obtained from the Department of Local Government at www.dlg.wa.gov.au or on telephone (08) 6551 8700.
- WA Police Service – contact details for the Licensing Enforcement Unit and other information relating to policing issues in Western Australia can be obtained from the Police website at www.police.wa.gov.au.
- Australian Institute of Criminology – information relating to crime and the links between criminal activity and alcohol may be obtained via the Institute’s website at www.aic.gov.au.
- Crime Prevention – information on crime prevention strategies, as well as CPTED principles, may be obtained from the Office of Crime Prevention website at <https://www.wa.gov.au/information-about/community-safety/crime-prevention>. Information relating to local community and local crime statistics may also be obtained from either the relevant local government or from the Office of Crime Prevention.
- National Drug Strategy - information about the National Drug Strategy and key research and data components supporting the Strategy can be obtained at the NDS website at www.nationaldrugstrategy.gov.au.
- Drug & Alcohol Office – information relating to harm reduction and research on drug and alcohol use in Western Australia can be obtained from the Drug & Alcohol Office website at www.dao.health.wa.gov.au.
- Department of Health – information relating to health data on the State, regional and local level may be obtained from www.health.wa.gov.au.
- Road Safety Commission – information relating to the issues that affect road safety and research on road crash statistics etc, may be obtained from the Office of Road Safety website at www.rsc.wa.gov.au.
- WA Planning Commission – information on *Crime Prevention through Environmental Design* (CPTED) and guidelines on ways of reducing the opportunities for crime can be obtained from the Planning Commission’s website at www.planning.wa.gov.au.

(Copies of these documents are not required to be lodged with the PIA.)

REPORTS THAT DECISION MAKERS MAY HAVE REGARD TO:

This table shows the current version of the various reports however, the Director will access updated amendments and editions as they are published.

Agency/Report	Contact details/report synopsis
DRUG AND ALCOHOL OFFICE/MENTAL HEALTH COMMISSION and HEALTH DEPARTMENT OF WESTERN AUSTRALIA	http://www.dao.health.wa.gov.au
A. <i>National Drug Strategy Household Survey 2013: Western Australian Introduction, Executive Summary, Supplementary Tables</i>	A study of the alcohol drinking status of West Australians 14 years and over and the trends in alcohol drinking status for West Australians 14 years and older .
B. Australian School Student Alcohol and Drug Survey: Alcohol Report 2011 – Western Australian Results. Surveillance Report Number 8	Self-reported alcohol consumption prevalence information regarding Western Australia school students aged 12 to 17 years.
C. <i>Broad Strategic Directions of West Australian Drug and Alcohol Strategy 2005-2009</i>	Directions of the department in responding to alcohol and other drug problems in Western Australia.
E. <i>Drug & Alcohol Interagency Strategic Framework for Western Australia 2011-2015</i>	Provides drug and alcohol action plans for the associated government departments to follow.
F. <i>Strong Spirit Strong Mind: Western Australian Aboriginal Drug and Alcohol Framework for Western Australia 2011-2015</i>	<i>Strong Spirit Strong Mind</i> underpins the <i>Drug and Alcohol Interagency Strategic Framework for Western Australia 2011-2015</i> and its supporting documents. Identifies and sets out Recommended directions and activity particular to the needs and circumstances of the Aboriginal people.
G. <i>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.</i>	Evaluation of the effects of alcohol restrictions relating to measurable health and social outcomes, community perceptions and alcohol-related behaviours 24 months after introduction of restrictions
H. <i>Drug and Alcohol Office WA (2012). The impact of liquor restrictions in Kununurra and Wyndham: a twelve month review</i>	Evaluation of the effects of alcohol restrictions 12 months after introduction of restrictions
I. <i>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.</i>	Evaluation of the effects of alcohol restrictions 24 months after introduction of restrictions
J. <i>The impact of liquor restrictions in Halls Creek: Quantitative data – Five years post-restriction</i>	Evaluation of the effects of alcohol restrictions 5 years after introduction of restrictions.
K. <i>Alcohol-related hospitalisations and deaths in Western Australia: State Profile (2014)</i> Drug and Alcohol Office WA and Epidemiology Branch of Department of Health WA.	Reports on alcohol-related hospitalisations and deaths in Western Australia. Includes information on prevalence of alcohol consumption, alcohol-related conditions and alcohol-related deaths. The regional reports quantify the effects of alcohol consumption on the WA population in different health regions with regard to hospitalisations and deaths and monitor the trends in alcohol use and harm.
L. <i>Alcohol-related hospitalisations and deaths in Western Australia: Regional Profile (2014)</i> Drug and Alcohol Office WA and Epidemiology Branch of Department of Health WA.	Regional profiles: Kimberley, Pilbara, Goldfields, Mid West, Wheat belt, Great Southern, South West, North Metro & South Metro.
M. <i>Alcohol and Other Drug Indicators Report – Western Australia (2015)</i> R. Bridle, A. Christou & T. Lembo.	The reports provide regional information on alcohol and other drug related indicators from a variety of sources. Topics covered include the proportion of the population drinking at risky levels, alcohol and other drug related hospitalisations and deaths, alcohol-related assaults, driving offences and road accidents.
N. <i>Alcohol and Other Drug Indicators Report – Regional Reports (2015)</i> R. Bridle, A. Christou & T. Lembo.	Regional profiles: Kimberley, Pilbara, Goldfields, Mid West, Wheat belt, Great Southern, South West, North Metro & South Metro.

Agency/Report	Contact details/report synopsis
NATIONAL DRUG RESEARCH INSTITUTE Curtin University of Technology, Perth WA	http://ndri.curtin.edu.au/
A. <i>An Evaluation of Liquor Licensing restrictions in the Western Australian Community of Port Hedland. Preventing Harmful Drug Use in Australia.</i> Prepared with assistance from the Combined Universities Centre for Rural Health.	Evaluates the community impact of the mandatory restrictions imposed by the Director of Liquor Licensing and mandated from 1 January 2004 in the town of Port Hedland.
B. <i>Restrictions on the sale and supply of alcohol: Evidence and Outcomes. (2007)</i> Dr. T Chikritzhs, Prof. D. Gray, Z Lyons, Prof. S Sagers.	Identifies and describes a range of informal and formal, published and unpublished studies with evaluations and reviews on the impact of international, national and local studies on alcohol restrictions.
C. <i>Study of Extended Trading Permits (May 1997)</i> Dr. T. Chikritzhs.	Provides national and international experience with extended trading hours. Their impacts on public opinion regarding extended trading hours, reports on ETP's in WA on levels of alcohol purchases, assaults in and around licensed premises, drink driving offences and road crashes involving persons who last drank on licensed premises.
D. <i>Drinking After Driving in Western Australia. (2002).</i> Catalano, P and Stockwell, T. R.	Funded by the Road Safety Council of WA to evaluate a system for monitoring the last place of drinking.
E. <i>Predicting Alcohol-Related Harms from licensed outlet density: A Feasibility Study. 2007 Monograph Series No.28.</i> T Chikritzhs, I Catalano, R Pascal and N. Henrickson	29 tables with significant correlations between alcohol attributable situations and types of licensed outlets for 140 Western Australian Local Government Areas (LGA's) 2000/2001 and 15 maps showing geographic distribution by LGA's 2000/2001.
F. National Alcohol Indicators <i>Bulletin No. 5 (April 2002).</i> Trends in alcohol-related violence in Australia. 1991/92 – 1999/00. S. Matthews, T Chikritzhs, P Catalano, T Stockwell, S Donath. <i>Bulletin No. 6 (November 2004)</i> Trends in Youth Alcohol Consumption Related Harms in Australia Jurisdiction, 1990-2002. <i>Bulletin No. 11 (January 2007)</i> Trends in alcohol-related deaths among Indigenous Australians 1998-2004 <i>Bulletin No. 12 (September 2009)</i> Trends in estimated alcohol-attributed deaths and hospitalisations in Australia, 1996-2005. <i>Bulletin No. 14 (June 2015)</i> Trends in estimated alcohol-related emergency department presentations in Australia, 2005-06 to 2011-12.	Presents indicators of alcohol- related violence for Australia. Health data compiled from hospital admission records and police data of serious assaults reported to police. Documents the trends in alcohol attributed harms due to risky and high risk drinking for young people across Australia. Comparisons between indigenous and non-indigenous youth and metropolitan and non-metropolitan regions. Rates shown are age specific to the 15-24 year old residential population. Documents trends in the alcohol-attributable harms among Indigenous Australians 1998-2004. Annual figures and rates are presented for all states and territories. Documents trends in alcohol-attributable deaths and hospitalisations across all Australian Jurisdictions; and includes non-alcohol attributed deaths and hospitalisations. Documents trends in estimated alcohol-related emergency department presentations in Australia. Trends are shown by age for all states and territories.

Agency/Report	Contact details/report synopsis
G. <i>The Prevention of Substance Use, Risk and Harm in Australia - a review of the evidence.</i> 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	http://www.daa.gov.au
A. <i>State Government response to the Hope Report. 7 April 2008.</i>	Section 3 refers specifically to Drug and Alcohol Management.
B. <i>Gordon Inquiry – Putting People First. July 2002.</i>	See government response of December 2003, on future direction of government responses to addressing family violence and child abuse in indigenous communities in WA.
ALICE SPRINGS LIQUOR TRIAL	
By Ian Cundall and Chris Moon for Northern Territory Government. Department of Health and Community Services. May 2003.	From 1 March 2002 a 12 month trial in Alice Springs township on the strength of alcohol sold, opening hours of liquor outlets and the size of the takeaway containers sold. This report is an evaluation of the trial.
NATIONAL ALCOHOL STRATEGY 2006-2009	http://www.nationaldrugstrategy.gov.au
<i>Towards Safer Drinking Cultures.</i>	Have 4 priority areas of intoxication, public safety and amenity, health impacts and cultural place availability.
NATIONAL HEALTH AND MEDICAL RESEARCH COUNCIL	http://www.nhmrc.gov.au/your_health/healthy/alcohol/index.htm
<i>Australian Guidelines to Reduce Health Risks from Drinking Alcohol.</i> Commonwealth of Australia, 2009	The National Health and Medical Research Councils released Australian Guidelines to reduce Health Risks from Drinking Alcohol on 6 March 2009. Information and resources relating to the new guidelines are available from the above.
NATIONAL CENTRE FOR EDUCATION AND TRAINING ON ADDICTION, ADELAIDE	http://www.nceta.flinders.edu.au/projects/documents/Young_People_and_Alcohol_report.pdf
<i>Young People and Alcohol: The Role of Cultural Influences.</i> 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	http://www.aihw.gov.au/indigenous-observatory/reports/health-and-welfare-2015/
<i>The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples 2015.</i>	One of the content categories in health risk factors includes alcohol consumption.
AUSTRALIAN GOVERNMENT DEPARTMENT OF HEALTH AND AGEING	http://health.wa.gov.au
<i>Australian Government Implementation Plan 2003-2008 - National Strategic Framework for Aboriginal and Torres Strait Islander Health.</i>	Effective interventions that have shown to have positive impacts on selected and environmental factors and are relevant to Aboriginal and Torres Strait Islander people and communities.

Agency/Report	Contact details/report synopsis
<p>Australian Government Implementation Plan 2007-2013 - National Strategic Framework for Aboriginal and Torres Strait Islander Health 2003-2013</p>	<p>Progress against the Australian Government Implementation Plan 2007-2013. Report to the Australian Health Minister's Conference – 1 July 2007 until June 2008.</p>
<p>OTHER RELEVANT RESOURCES</p>	
<p>A. <i>Effects of restricting pub closing times on night-time assaults in an Australian city (2010)</i>. K. Kypri, C. Jones, P. McElduff, and D. Barker.</p>	<p>An evaluation of the effectiveness of restricting pub closing times to determine whether restrictions reduce the incidence of assaults http://www.ncbi.nlm.nih.gov/pubmed/20840191</p>
<p>B. <i>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)</i>. P. Miller et al.</p>	<p>Study comparing the effectiveness of alcohol-related crime prevention measures put in place between 2005 and 2010 through licensing regulation in Newcastle (NSW) and the voluntary programs run in Geelong (Victoria) http://www.ndlerf.gov.au/publications/monographs/monograph-43</p>
<p>C. <i>Patron offending and intoxication in Night-Time entertainment districts (POINTED) (2013)</i>. P. Miller et al.</p>	<p>A study which interviewed almost 700 pub and club patrons between 2011-2012 in Melbourne, Perth, Sydney, Woollongong and Geelong night-time entertainment districts. http://www.ndlerf.gov.au/publications/monographs/monograph-46</p>

Specification of 'Locality'

Supplementary information relating to Public Interest Assessments

Purpose

The purpose of this document is to provide guidance as to what will generally be applied when determining the 'locality' affected by an application under the *Liquor Control Act 1988* ('the Act').

The Australian Concise Oxford Dictionary defines the terms:

'locality', as: 'a district or neighbourhood; the site or scene of something in relation to the surroundings'; and
'vicinity', as: 'a surrounding district; nearness or closeness of place or relationship'.

Underlying Principles

In accordance with section 38 of the Act, the licensing authority is required to assess whether the granting of an application is in the public interest.

One of the matters applicants must have regard to in their PIA under section 38(4) of the Act is in relation to the impact on the amenity of the locality in which the licensed premises or proposed licensed premises is/is to be located.

In general, 'locality' will be defined as the area surrounding the licensed premises or proposed licensed premises, which is *most* likely to be impacted by an application if granted.

However, depending on the nature of the application the licensing authority *may* determine the locality for a specific application, particularly, where the potential impact on a particular sub-community or 'at risk' group is such that reference to this sub-community should also be made, notwithstanding that this group may be situated outside of the locality of the proposed premises.

Therefore, the onus is on the applicant to ensure that it identifies any potential 'at risk' groups who may travel through or resort to the locality of the proposed premises, or who may be impacted by the proposed premises. This may include a group of people not situated within the boundaries of the town or suburb in which the proposed premises' suburb is located. The *Public Interest Assessment* policy outlines 'at risk' groups.

Locality Guide

The following tables are a guide when determining the specified 'locality' to which an application relates.

Generally, the size of the locality will be that which is stipulated below. However, depending on the nature of the application, the licensing authority may also determine the locality outside the 'Specification of Locality' guide. Where an applicant considers that the locality set out in this policy is not suitable having regard to its intended nature of business, the applicant may make submissions as to the appropriate size of the locality to the specific nature of the proposed business.

In regard to country cities, towns or communities, unless remotely located or the licensing authority determines otherwise, the locality is to be a radius of 3 km from the site of the intended business.

Where a premises/proposed premises is remotely located; that is, 200kms or beyond from the nearest town or country city, and more than 400kms from Perth, the applicant is to make a submission to the licensing authority regarding the appropriate size of the locality to suit the intended nature of the business.

Suburb - Inner Metropolitan Region				Locality definition	Suburb - Outer Metropolitan Area				Locality definition
Alexander Heights	Daglish	Langford	Redcliffe	<p style="text-align: center;">2 km radius</p> <p><i>This locality definition will generally apply to any suburb located within 15 kms of the Perth CBD.</i></p>	Armadale	Gooseberry Hill	Landsdale	Rostans	<p style="text-align: center;">3 km radius</p> <p><i>This locality definition will generally apply to any Perth metropolitan suburb located outside 15 km radius of the Perth CBD, but within the Metropolitan Region Scheme administered by the WA Planning Commission.</i></p> <p>(and any other suburb not listed but located within 15 kms to 30 kms of the Perth CBD)</p>
Alfred Cove	Dalkeith	Lathlain	Riverton		Banijup	Gosnells	Lesmurdie	Red Hill	
Applecross	Dianella	Leederville	Rivervale		Beaconsfield	Greenmount	Maddington	Roleystone	
Ardross	Doubleview	Leeming	Rossmoyne		Beldon	Hacketts Gully	Mahogany Creek	Sorrento	
Ascot	Duncraig	Lockridge	Salter Point		Belhus	Hamilton Hill	Maida Vale	South Fremantle	
Ashfield	East Cannington	Lynwood	Samson		Bellevue	Heathridge	Mandogulup	South Lake	
Attadale	East Fremantle	Malaga	Scarborough		Bibra Lake	Helena Valley	Mariginiup	Southern River	
Balcatta	East Perth	Manning	Shelley		Bickley	Henderson	Marmion	Spearwood	
Balgajura	East Victoria Park	Marangaroo	Shenton Park		Boya	Henley Brook	Martin	Stratton	
Bassendean	Eden Hill	Maylands	South Guildford		Brigadoon	Herne Hill	Middle Swan	Success	
Bateman	Embleton	Melville	South Perth		Brookton	Hillarys	Midvale	Swan View	
Bayswater	Ferndale	Menora	Saint James		Burns	Huntingdale	Millendon	Thornlie	
Beckenham	Floreat	Midland	Stirling		Canning Mills	Hovea	Mullaloo	Upper Swan	
Bedford	Forrestfield	Mirrabooka	Subiaco		Carmel	Iluka	Mundaring	Viveash	
Beechboro	Girrawheen	Morley	Swanbourne		Connolly	Jandabup	Munster	Walliston	
Belmont	Glendalough	Mosman Park	Trigg		Coogee	Jandakot	Neerabup	Wangara	
Bentley	Greenwood	Mount Hawthorn	Tuart Hill		Coolbellup	Jane Brook	Oakford	Wanneroo	
Bicton	Guildford	Mount Lawley	Victoria Park		Craigie	Joondalup	Ocean Reef	Wardil	
Booragoon	Gwelup	Mount Pleasant	Warwick		Currumbine	Kalamunda	Orange Grove	Wattle Grove	
Brentwood	Hamersley	Mount Claremont	Waterford		Darlington	Kallaroo	Padbury	Wattleup	
Brighton Beach	Hazelmere	Murdoch	Waterman		Edgewater	Karragullen	Parkerville	West Swan	
Bull Creek	Herdsmen	Myaree	Welshpool		Ellenbrook	Kelmscott	Paulls Valley	Westfield	
Burswood	High Wycombe	Nedlands	Wembley		Forrestdale	Kingsley	Pickering Brook	Woodvale	
Canning Vale	Highgate	Newburn	Wembley Downs		Glen Forrest	Kinross	Piesse Brook	Wungong	
Cannington	Hilton	Nollamara	West Perth		Gnangara	Koongamia		Yangebup	
Carine	Inglewood	Noranda	White Gum						
Carlisle	Innaloo	North Beach	Valley						
Caversham	Jolimont	North Fremantle	Whiteman						
Churchlands	Joondanna	North Lake	Willagee						
City Beach	Karawara	North Perth	Willetton						
Claremont	Kardinya	O'Connor	Wilson						
Cloverdale	Karrakatta	Osborne Park	Winthrop						
Como	Karrinyup	Palmyra	Woodlands						
Coolbinia	Kensington	Parkwood	Yokine						
Cottesloe	Kenwick	Peppermint Grove	(and any other suburb not listed but located within 15 kms of the Perth CBD)						
Crawley	Kewdale	Queens Park							
Cullacabardee	Kiara								
	Koondoola								

