



# Public Interest Assessment

## Form 2A

Under the *Liquor Control Act 1988* (LC Act), the Director of Liquor Licensing (DLL) has the discretion to grant or refuse any application if the DLL considers this to be in the public interest.<sup>1</sup> The DLL requires certain applicants to fill in this Public Interest Assessment (PIA) form and provide supporting evidence that their application is in the public interest.<sup>2</sup> If you are applying for the grant of any of the following licences, or the removal of one of these types of existing licence to another premises, you will need to complete a PIA to provide evidence that your application is in the public interest:

- hotel/hotel restricted
- tavern/tavern restricted
- liquor store
- nightclub.<sup>3</sup>

A PIA is also required if you are applying for an extended trading permit for extended hours, which has a duration of more than 3 weeks<sup>4</sup>, or for a temporary bar (refer to the [Temporary bars policy](#)). The DLL may also ask for a PIA to be prepared as part of any application under the LC Act, and will ask for one if it would assist in deciding whether the grant of the application is in the public interest.

The DLL will consider the following factors when determining whether granting the application is in the public interest, but this list is not exhaustive:

- the harm that might be caused due to the use of alcohol
- whether there might be a decrease in the amenity, quiet or good order of the locality
- whether people who live or work nearby might suffer offence, annoyance, disturbance or inconvenience
- how it might affect tourism, culture and the community.<sup>5</sup>

The level of detail required will be unique to each PIA. If you do not provide enough information, your application might not succeed or you might be asked to provide further information.

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<sup>1</sup> LC Act s33(1).

<sup>2</sup> LC Act s38(3).

<sup>3</sup> Liquor Control Regulations (LC Regs) r9EA.

<sup>4</sup> LC Regs r9F.

<sup>5</sup> LC Act s5 and s38(4).

Your completed PIA will be made publicly available and may be [advertised on the DLGSC website](#), allowing the community an opportunity to make submissions on it. Because it will be made public, do not include sensitive or personal information on this form. You can complete this PIA by taking a common-sense approach and you don't need a lawyer or a consultant to fill it in. The PIA form is a guide, and it is up to the applicant to satisfy the DLL that their application is in the public interest. If you do not have enough space, attach extra pages or prepare a separate submission. If you prepare your PIA as a separate submission, please refer to each of the question numbers on this form, so we know what question you are responding to. Lodge this form by submitting it with your application at [portal.dlgsc.wa.gov.au](http://portal.dlgsc.wa.gov.au)

## Part 1 — Application details

<b>Applicant name:</b>	Roo Brew Pty Ltd T/A Lucky Bay Brewing
<b>What licence or permit type are you applying for?</b>	Tavern License
<b>Are you applying for:</b>	<input checked="" type="checkbox"/> New licence <input checked="" type="checkbox"/> Removal of existing licence (which licence/permit type) <b>Producer</b>
<b>Premises trading name:</b>	Lucky Bay Brewing (Roo Brew Pty Ltd)
<b>Address of proposed premises:</b>	66 Bandy Creek Rd, Esperance WA 6450

If you are lodging an application for an extended trading permit for extended hours at the same time as an application for the grant of a licence, you should submit separate PIAs for each. This is because the information required for each may be different and the DLL may approve the licence but not the extended trading hours.

## Part 2 — Manner of trade

Please provide enough information for us to understand how you are intending to run your business, so we can understand the impact it will have on the community and the potential for it to cause alcohol related harm.

### 2.1 What is the proposed manner of trade and your target client base?

Lucky Bay Brewing has been a proud part of the Esperance Community since 2015, offering locally produced craft beers and a welcoming space for visitors to enjoy the region's natural beauty. Currently under the Producers License, we also offer a curated selection of local wines and ciders, available for purchase ancillary to a meal. Patrons are able to enjoy drinks on-site in a casual indoor/outdoor setting, with food available from an on-site kitchen. Live music and community events have been hosted over the past 4+ years. The proposed license change from 'producer' to 'tavern' will not change these trading conditions, and there is not expected to be any change of impact on the community except that we will no longer need to keep applying for occasional licenses to host events such as weddings, and we will not continually have to ask if patrons are "having food" with their wine or cider purchase, which negatively affects customer experience.

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### 2.2 Describe the premises/proposed premises. Include a map of the locality and a floor plan detailing the nature and layout of the premises, highlighting the unique aspects of the proposed facility. What is the maximum number of patrons permitted on the premises? How will the proposed premises contribute to the streetscape and atmosphere of the area?

Lucky Bay Brewing is a locally owned and operated craft brewery located at 66 Bandy Creek Road, Esperance, Western Australia. Prior to subdivision the location was described as "63 Bandy Creek Rd", under which the original development application and brewery was developed. Post subdivision, the location has now formally been split into 2 separate land titles, and the formal location of the brewery is now updated across all platforms to be known as "66 Bandy Creek Road". The premises comprises a modern brewhouse, a spacious indoor tasting and dining area, and an inviting outdoor beer garden that includes shaded seating, lawn area, and a small stage for live entertainment. The venue has been designed to reflect the coastal charm of Esperance, incorporating natural materials, sustainable design principles, and a family-friendly layout.

The brewery's layout includes:

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- A working brewhouse visible from the main public area, allowing patrons to observe the brewing process.
- A bar and service counter with seating, offering Lucky Bay's craft beers alongside locally produced beverages.
- A commercial kitchen
- Accessible toilets and ample parking for cars and bicycles.
- An alfresco area with picnic tables, children's play space, and occasional live music setups.

Maps of the locality and a floor plan have been provided as attachments with this submission.

The current approved patron capacity is 288pax.

Lucky Bay Brewing contributes positively to the streetscape by offering a vibrant and welcoming community hub that enhances the semi-rural character of Bandy Creek. The building's low-profile design, native landscaping, and use of local timber and materials create a visually appealing frontage that complements the natural environment.

The premises adds to the local atmosphere by:

- Creating a social gathering space for locals and tourists.
- Supporting live local music and cultural events.
- Promoting local produce and beverages.
- Sourcing grain and honey direct from local farmers for beer production.
- Providing family-friendly facilities that encourage safe and inclusive socialising.
- Provides a tourism asset on "non beach days".

As one of the few venues of its kind in Esperance, Lucky Bay Brewing plays a key role in fostering community engagement and boosting the region's tourism appeal.

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**2.3 If you intend to sell packaged liquor, give the names and addresses of all existing licensed premises within the locality.** The LC Act puts limitations on how many packaged liquor premises can be in a certain location. Refer to [Outlet Density — Packaged liquor premises](#) for more information.

The existing licensed premises selling packaged liquor in the Esperance town are:

The Pier Hotel Bottle shop – 47 The Esplanade, Esperance WA 6450

Liquor Barons Esperance – 95 Dempster St, Esperance WA 6450

BWS (Woolworths Liquor) – Esperance Boulevard Shopping Centre, Forrest St, Esperance WA 6450

Liquorland Esperance – 86 Pink Lake Rd, Esperance WA 6450

Travellers Inn – 16 Phyllis St, Castletown WA 6450

Castletown Liquor - 2/67 Goldfields Rd, Esperance WA 6450

A letter addressing Packaged Liquor Availability (Section 36b) has been provided as an attachment with this submission.

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## Part 3 — The profile of the local community

The better you capture the characteristics of the local community, the better the DLL will be able to understand the potential impact the grant of your application could have on the public interest. Your local government may have information about the area around the proposed premises, and you should seek useful data and statistics from a variety of sites, such as: [www.police.wa.gov.au/crime/crimestatistics](http://www.police.wa.gov.au/crime/crimestatistics) and [www.abs.gov.au](http://www.abs.gov.au)

You need to provide profile information from the *locality* that is within a certain distance to your intended business. If your intended business is:

- within 15km of the Perth CBD, the locality is a radius of 2km of it
- anywhere else (unless remote), the locality is a radius of 3km of it
- in a remote area, you should make a submission on what the appropriate size of the locality should be. Remote areas are those where the nearest town is at least 200km away and Perth is at least 400km away.

If you think the above definitions of locality are not appropriate for your intended business, make a separate submission on what you think the size should be.

**3.1 Please outline the population characteristics in the locality.** Helpful demographic information will include the total population, estimated population growth, average age, income and employment status, and the type of people who live and work in the community.

Esperance is rural coastal community of approximately 14,000 residents. The primary economic drivers are agriculture, mining and associated service industries. These sectors support a workforce that includes skilled tradespeople, hospitality workers, and

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professionals. The region is vibrant with a relatively mature demographic and a median age of 42 years. Overall, Esperance is fortunate to have an active local community with numerous sporting and social clubs. The region is also renowned for its amazing beaches which draws tourist visitors over summer and Easter.

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**3.3 List the community buildings in the locality** If any of the following are in the locality, please provide their names and addresses: schools and educational institutions, hospitals, hospices, aged care facilities, churches/places of worship, drug and alcohol treatment centres, short term accommodation or refuges, childcare centres, or a local government.

Lucky Bay Brewing is situated in the Bandy Creek area, approximately 8 kilometers east of the Esperance town center. Within a 3-kilometer radius, the locality is primarily semi-rural and residential, with limited community facilities.

While there are no schools, hospitals, aged care facilities, churches, drug and alcohol treatment centers, short-term accommodations or refuges, childcare centers, or local government offices within this immediate radius, the broader Esperance region offers a range of such facilities.

The location of Lucky Bay Brewing in a semi-rural setting minimizes potential impacts on sensitive community facilities, while still being accessible to the broader Esperance community.

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## Part 4 — Minimising the potential for alcohol to cause harm

Excessive consumption of alcohol can cause health problems, increase the risk of accidents and contribute to societal problems such as domestic violence. You must demonstrate how the responsible conduct of your business will minimise the potential for alcohol to cause harm. This could be through promoting a culture of responsible consumption of alcohol amongst staff and patrons, having strategies to prevent alcohol being served to juveniles, discouraging rapid or excessive consumption of alcohol, being alert for signs of intoxication and not serving drunk people.

**4.1 What strategies will you use to minimise harm from the use of alcohol?**

As Lucky Bay Brewing will be operating as usual, we expect no change to our current harm minimisation strategies. Lucky Bay Brewing is aimed at a flavour experience rather than a budget volume sales product. Lucky Bay Brewing management have previously attended Local Liquor Accord meetings and are aware of antisocial behaviour that has been mainly linked to the town centre area (8km away from our location).

Harm Minimisation strategies currently in place include:

- Responsible Service of Alcohol (RSA) Training
- Strict ID Checks
- Refusal of Service to Intoxicated Persons
- Availability of Food and Non-Alcoholic Options
- Clear Signage and House Policy
- Community Engagement and Education

Overall, the accessibility of liquor will not be increased by this new license beyond what currently exists in the Esperance region. While the license change will not require patrons to have “a meal” with non-beer products, the overall alcohol service at the venue is not expected to change.

We have attached our House Management Plan with this submission.

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## Part 5 — Impact on the amenity, quiet or good order of the locality

A well designed premises will make it easier to prevent negative impacts on the locality. For example if a premises is:

- in good repair, well lit, with operational CCTV and designed to allow passive surveillance of areas such as the car park and entrances, it will tend to discourage anti-social behaviours such as vandalism or crime
- designed with sufficient parking and with good transport options available, it will allow patrons to leave the area quickly rather than potentially inconveniencing the neighbours
- provided with sound insulation sufficient for the proposed entertainment, it will prevent the surrounds from being exposed to unacceptable noise.

### **5.1 How will your premises design protect the amenity, quiet or good order of the locality?**

As mentioned previously, Lucky Bay Brewing has been operating at the same location as a producer for close to 5 years. The proposed license change will have minimal effect on trading operations and therefore continue to protect the amenity of the locality.

Lucky Bay Brewing is located in a semi-rural setting with minimal neighbours, providing a natural buffer that further protects surrounding amenity. Vegetation and landscaping also serve to soften noise and enhance the visual appeal of the venue. The premises is well maintained, clean, and in good physical repair. Exterior lighting ensures visibility of car parks and entrances, enhancing safety and discouraging anti-social behaviour. The layout of the building and outdoor areas allows for effective passive surveillance, particularly of entry/exit points and parking areas. Operational CCTV is in place to monitor key locations and deter crime, vandalism or unsafe behaviour. Footage is reviewed as necessary to support incident response. The premises is constructed with consideration for acoustic control, and music or entertainment is managed to avoid excessive noise emissions. Outdoor entertainment is time-restricted and subject to volume controls, with sound equipment positioned away from residential directions to minimise disturbance. The venue includes sufficient on-site parking to meet typical demand, helping to reduce congestion. Clear information is provided about local taxi services to support safe and quick patron departure.

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## Part 6 — Impact on the people who live or work nearby, and whether they might suffer offence, annoyance, disturbance or inconvenience

You need to demonstrate how your business will be a responsible member of the community and minimise negative impacts on the people who live or work nearby. For example, this could include:

- keeping the premises and surrounds clean and tidy, monitoring patron behaviour and discouraging anti-social behaviour
- ensuring that any entertainment is in keeping with the locality, that those present are within the allowed accommodation numbers and licensed crowd controllers are used if required
- asking departing patrons to keep the noise down so they do not disturb the neighbourhood
- being responsive to any complaints from neighbours and working with them to resolve issues.



## **6.1 What actions will you take to minimise the impact on people who live or work nearby?**

Lucky Bay Brewing is committed to being a responsible and respectful member of the Esperance community. While our premises is located in a semi-rural area with few immediate neighbours, we recognise the importance of proactively managing any potential impacts on those who live or work nearby. As we have already been operating at our current site for close to 5 years, we have developed good relationships with our neighbours, who actively support the business.

As mentioned in Part 5.1, the brewery and its surrounding areas, including car parks and outdoor seating spaces, are regularly cleaned and maintained. All entertainment offerings are appropriate for the setting, with volume controls and restrictions to ensure noise levels remain within regulatory limits. Live music or events are time-limited, and any amplification is carefully managed to avoid disturbing the peace of the surrounding area.

Signage is prominently displayed at exits encouraging patrons to depart quietly and respectfully. Staff remain visible and present during closing times to monitor exits and assist with the safe and quiet departure of guests. Patron numbers are always kept within the licensed maximum capacity. As a locally owned and operated business, we value our reputation and relationships in the community and actively work to promote a safe, welcoming and positive environment for all.

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## **Part 7 — Impact on tourism, culture and the community**

When making licensing decisions under the LC Act, the DLL is required to consider the proper development of the liquor industry, the tourism industry and other hospitality industries in the State.<sup>6</sup> This is your opportunity to expand on how the grant of your application would result in positive developments to tourism, culture and the community. This could include increased local employment opportunities, the provision of unique entertainment or food options, and the creation of new leisure opportunities in the area.

### **7.1 Are there any tourism, cultural and community benefits that would result from the grant of your application?**

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<sup>6</sup> LC Act s5(1)(c).

The grant of a tavern licence would enhance the tourism, cultural, and community offering in the Esperance region. As mentioned previously, Lucky Bay Brewing has been a proud part of the Esperance Community since 2015. Over this time, we have established ourselves as a destination for both locals and tourists, contributing to the local economy and fostering a sense of community. In addition to our regular operations, we have also become a popular venue for hosting private events, including weddings, celebrations, and community gatherings.

The Esperance region produces more than 500,000 tonnes of barley annually with a strong agricultural focus amongst the local community. Lucky Bay Brewing has a strong technical connection to local grain growers and sources barley direct from farmers for beer production.

Lucky Bay Brewing has already established itself as a popular destination for both locals and visitors. Currently under our “Producers Licence” alcohol not manufactured on site must be consumed “ancillary to a meal”. As a result, all customers consuming wine or cider are asked “if they are having food with us today”. This formality often causes agitation to tourists and international visitors who are perplexed by this liquor licence situation. Upgrading the licence to a tavern licence will allow us to improve the visitor experience. A tavern licence would also allow greater flexibility in hosting events that foster community spirit and cultural connection. Currently, we have to apply for occasional licenses each time we host a function. A tavern license would help us to streamline this process.

A letter of support from Australia’s Golden Outback (AGO) Esperance Tourism Development Manager has been attached as part of this submission.

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**7.2 If you have any other information to provide in support of your application, include it here.**

After consultation with the local planning authority, we have received planning approval for the license change. However, this is not in the form of a Section 40. The planning approval has been attached as part of this submission.

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## Part 8 — Declaration

I declare that the contents of this document and attachments are true, correct and complete and that I have made all reasonable inquiries to obtain the information required.

I acknowledge that under section 159 of the *Liquor Control Act 1988* it is an offence to provide false, misleading or incomplete information in this document.



15/06/2025

Signature of applicant/s

Date



15/06/2025

Signature of applicant/s

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