

Management Plan
House Management Policy
Code of Conduct

for

**Avocados Restaurant & Reception
Centre**

Management Plan

for

Avocados Restaurant & Reception Centre

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OBJECTIVES OF MANAGEMENT PLAN AND INTERPRETATION

This Management Plan contains details of the means by which the Licensee intends to implement the provisions of the Licensee's *House Policy and Code of Conduct*, and the strategies and procedures which the Licensee will put and keep in place at the Premises to adopt and reinforce the principles of responsible service of liquor, pursuant to the Director of Liquor Licensing's *Policy Guideline on Harm Minimisation* as amended on 19 December 2018, insofar as it relates to Tavern licensed premises.

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

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

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

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

“Premises” shall mean the licensed premises to which this Management Plan relates and is in force, namely Avocados Restaurant & Reception Centre

“Management” shall mean and include the Licensee, Approved Manager and any other person or persons directly involved in the practical management of the Premises.

“Licensee” shall mean the person or entity legally entitled to hold and operate the licence relating to the Premises, and by whom this Management Plan is adopted, namely Beandem Enterprises Pty Ltd.

TRAINING

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

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

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

Licensee

The Licensee/at least one director of the Licensee Company, will undergo training in accordance with the Directors Policy Mandatory Training last amended 12 June 2019.

Approved Manager

The Approved Manager is required to undertake the Course in Management of Licensed Premises.

Duty Managers

Duty Managers will be required to undertake the Course in Management of Licensed Premises.

Bar Staff

Bar staff will be required to undertake an approved course - Provide Responsible Service of Alcohol.

Ongoing Training

There will be regular meetings and training sessions convened by Management involving all staff. Training will be provided by in-house personnel, outside experts

and others and will cover all matters relating to the responsible service of liquor and its implementation within the Premises.

CUSTOMER SERVICE

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

The *Liquor Control Act 1988* allows staff at the Premises to sell liquor on the licensed premises at any time that the Premises are open for trade unless they have reasonable cause to refuse to sell liquor to a particular person. Refusal of service is necessary at times and is obligatory in certain circumstances. For example, it is obligatory to:

- Refuse to sell or supply liquor to a drunken person;
- Not allow a drunken person to consume liquor on licensed premises;
- Not allow violent, quarrelsome, disorderly or indecent behaviour to take place on licensed premises;
- Not permit drunkenness on licensed premises;
- Refuse to sell or supply liquor to a juvenile, or refuse to allow a juvenile to remain on licensed premises (see the section on *Juveniles* in this Management Plan).

In order to identify and emphasise the professionalism and commitment of staff, the following staff dress code and conduct will be adopted:

Dress Code

- Staff will wear a distinctive uniform whilst on duty.
- Staff will wear name badges whilst on duty.

Conduct

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

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

REFUSAL OF SERVICE

Refusal of service to a patron in appropriate circumstances is a fundamental aspect of the responsible service of liquor. The refusal of service in circumstances where the law requires refusal can be difficult. Individual patrons and some sections of the public do not readily accept that such refusals are obligatory and that the failure of the Licensee to apply the law could place the licence in jeopardy or result in charges being laid against the Licensee, its employees or agents. To minimise any potential hostility or anti-social behaviour on the part of a patron who has been refused service, such refusals should always be done in a professional, polite, discreet but firm manner and where appropriate the reasons for refusal of service should be explained to the patron.

Where refusal of service takes place, the person or persons who have been refused service should be requested to leave the Premises. If the person/s refuse to leave at the request of the Licensee, Approved Manager or other staff member, other persons can be asked to remove the person using such force as may be necessary.

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

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

- Senior and supervisory staff to be available to assist bar staff in the refusal of service.
- Diversionary and alternative strategies to minimise conflict when service is refused.

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

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

Staff who consider that a patron is drunk or suspect that a person may be drunk or showing signs of approaching intoxication should bring the matter to the attention of a supervisor prior to the refusal of service. Staff who observe that patrons are becoming violent, quarrelsome or disorderly will, where possible, bring the matter to the attention of a supervisor prior to taking steps to having the activity stopped.

It is important that patrons who are refused service or who are asked to leave are dealt with in a professional but firm manner.

JUVENILES

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

- The juvenile is at all times accompanied by and under the supervision of a responsible adult;
- The juvenile is on the Premises for the purpose of obtaining a meal; or
- The juvenile is on part of the Premises which has been approved by the Licensing Authority for the provision of entertainment mainly for juveniles and where liquor is not being sold, supplied or consumed.

Management undertakes that it will support staff refusing service to and/or denying a patron access to the Premises, and will facilitate that patrons' removal from the Premises, if the staff member has reason to believe that the patron is a juvenile. The Licensee, Approved Manager and staff will have reason to remove a patron from the Premises whom they suspect to be a juvenile if that patron cannot produce acceptable ID verifying their age, or if the patron is confirmed to be a juvenile.

An acceptable ID will only include the following documents:

- a current Australian driver's licence with a photograph;
- a current passport with a photograph;
- a current Australian learner driver permit with a photograph;
- a Western Australian Proof of Age Card (will not be issued after 1 January 2015);
- a Proof of Age card or equivalent issued in an Australia state or territory;
- a current Western Australian Photo Card;
- a current New South Wales Photo Card;
- a Photo Card issued by an Australian state or territory similar to the New South Wales/Western Australian Photo Card.

The Licensee, Approved Manager and a staff member or agent of the Licensee is an "authorised person" under the *Liquor Control Act 1988* and as such is authorised to ask a suspected juvenile to produce evidence of their age. If the juvenile does not satisfy the Licensee, Approved Manager, staff member or agent as to their age, or if the ID produced is not acceptable, the staff member is legally entitled to ask the suspected juvenile to leave the Premises and can remove the juvenile (or ask any other person to do so) using such force as may be necessary. The juvenile commits an offence if he or she does not leave the Premises and the vicinity of the Premises.

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

Staff who suspect that juvenile is present on the Premises; should request the production of an acceptable ID by the suspected juvenile and if no acceptable ID is produced the suspected juvenile should be immediately refused service and asked to leave the Premises. The assistance of supervisory staff or security staff if any should be obtained if the suspected juvenile refuses to leave.

Staff must not:

- Permit a juvenile on the Premises without being accompanied by and remaining under the supervision of a responsible adult at all times;
- Sell or supply liquor to juveniles either on or off the Premises;
- Permit a juvenile to consume liquor on the Premises; or
- Permit liquor to be sold or supplied to a juvenile on the Premises.

ENTERTAINMENT

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

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

- Entertainment will be of a kind that complies with the law and any conditions imposed on the licence by the Licensing Authority, or any requirements of or directions given by other relevant authorities.
- The providers of entertainment will be made aware by the Approved Manager of requirements both general and special that are in place concerning the provision of entertainment at the Premises, as follows:
 - No sound amplification shall take place outside the reception centre building;
 - All entertainment at the Premises is restricted to low level, background ambient music;

- The doors to the Premises are to remain closed when any entertainment which is not ambient, or of a background nature is occurring at the Premises;
- The volume on any amplification being utilised within the Premises during a function is to be set to a maximum noise level of 85dB(A) throughout the course of the event;
- Any entertainment occurring outside the building of the premises shall be of background or ambient nature only.

ADVERTISING AND DRINK PROMOTIONS

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

There will be no drink discount cards, special promotions, contests or games allowed that are in conflict with the list of acceptable and unacceptable practices identified by the Director of Liquor Licensing in the *Industry Guideline – Responsible Promotion of Liquor for Consumption on Premises* as amended on 26 June 2017, which are as follows:

Acceptable

- A maximum of two “*traditional happy hours*” (of a maximum of 60 minutes duration) per day, provided there is at least four hours separation between each happy hour and any happy hour has ceased by 7:00pm.
- Promotions involving low alcohol products where it is clear from the promotional material that it is a low alcohol product promotion.
- Undertake promotions of particular brands of liquor that provide incentives to purchase the brand by virtue of a consistent discounted price across the entire trading hours of the premises on a given day or night or to offer a prize or merchandise etc. This is provided that the promotion does not:
 - provide an incentive to consume the product rapidly and to excess;
 - promote a drinking culture inconsistent with recommended guidelines for responsible consumption of liquor; and
 - enable liquor to be readily stockpiled by patrons or transferred to other patrons.

Unacceptable

- The external advertising of a complimentary drink upon arrival, unless the drink is provided ancillary to another service such as food.
- Promote or sell drinks that offer alcohol:

- in non-standard measures (unless a lesser amount); and/or
- by virtue of their emotive titles such as “laybacks”, “shooters”, “slammers”, “test tubes”, “blasters”.
- Drink cards that provide a multiple of free drinks, extreme discounts such as two for the price of one or discounts of limited duration on a given day or night and/or have the capacity to be readily stockpiled by patrons or transferred to other patrons. In other words, the drink card must not, by design or potential misuse, create an incentive for patrons to consume liquor more rapidly, and/or in greater amounts than they otherwise might.
- Promotional cards, vouchers or incentives providing free or discount drinks which are distributed away from the licensed premises.
- Promotions of cheap alcohol, for a limited duration, in which cheap alcohol is the enticement for people to consume liquor on the Premises and which may encourage the irresponsible consumption of liquor (unless indicated as an “Acceptable Practice”).
- Any labelling or titling of promotions that may encourage patrons to consume liquor irresponsibly and excessively to an intoxicated state.
- The refusal to serve half measures of spirits on request or provide reasonably priced non-alcoholic drinks.
- Any promotion that encourages a patron to consume liquor excessively – “all you can drink” offers, “free drinks for women”, “free drinks for women all night”, “two for one” – and to consume liquor in an unreasonable time period.
- Neither staff nor agents of the licensee are to “talk up” alcoholic beverages to patrons (i.e. promote a beverage due to its higher alcohol content) or to sell the promotion of drinks from a drink belt, backpack or other gimmick devices.

Staff will discourage and deter patrons from indulging in activities within the Premises that have been identified as being of the kind that are likely to lead to binge or irresponsible drinking of liquor.

Staff are to promote the consumption of non-alcoholic “light” or low alcohol drinks.

Staff are to encourage the consumption of food by patrons.

Staff are to indicate a willingness to serve half measures of spirits.

Staff will provide free, potable (tap) water upon request to any patron.

CREATING A SAFE ENVIRONMENT

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

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

To facilitate these objectives:

- Staff should ensure that reasonable measures are in place to minimise the escape of undue noise from the Premises.
- Staff should promote and encourage amongst patrons a respect for the locality in which the Premises is situated, and the rights of its neighbours not to be unduly disturbed by patrons' behaviour on or off the Premises.
- Staff will take reasonable steps to prevent patrons from leaving the Premises with open cans, bottles or with glasses.
- Staff will collect, on a regular basis, empty and discarded glasses, cans and bottles throughout the Premises.
- Management will arrange for the removal of litter from accommodation areas and natural environment surrounding the Premises, if it is established that such litter is directly linked to products sold at the Premises and the established behaviour of patrons of the Premises.
- Any complaint by a member of the public that they are experiencing undue offence, noise or disturbance as a result of the operation of the Premises will be brought to the attention of Management who will take reasonable steps to resolve the matter (if possible).

BEHAVIOUR CODE

It is our responsibility to provide a safe, friendly and enjoyable venue for both our staff and patrons alike. Henceforth, any of the following behaviour will result in the offender/offenders being asked to leave the property. Failure to leave the Premises when directed by Management, security or other staff may result in the police being called and charges being pressed.

- Failure to follow ANY directive from ANY staff member of the Premises
- Loud or unruly behaviour
- Drunken or intoxicated behaviour
- Fighting or acting aggressively to any staff member or fellow patron
- Use of excessive foul language or swearing
- Lewd or inappropriate behaviour
- Any illegal act

- Any other act deemed by staff to be anti-social or outside the bounds of reasonable within this type of environment

INCIDENT REGISTER

All staff and employees at the Premises will complete and maintain the incident reports register by completing an Incident Report when required under the Act, pursuant to the Director of Liquor Licensing's Policy: Incident Register at License Premises as amended on October 2018, insofar as it relates to Tavern licensed premises.

House Management Policy

for

**Avocados Restaurant & Reception
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HOUSE MANAGEMENT POLICY

Beandem Enterprises Pty Ltd, its Management and Staff are committed to offering patrons an enjoyable experience whilst on the premise.

To ensure patrons enjoy the experience, Avocados Restaurant & Reception Centre's management and staff adhere to a number of principles detailed in its Code of Conduct and House Management Plan, including the responsible service of liquor within the premises, no tolerance of intoxicated and/or aggressive behaviour by patrons and priority for the care of all who attend the venue.

We hope you enjoy Avocados Restaurant & Reception Centre and ask you to show the same respect for both the premises and our neighbours, as we will extend to you.

Code of Conduct

for

Avocados Restaurant & Reception Centre

CODE OF CONDUCT

Beandem Enterprises Pty Ltd is committed to the principles for the responsible service of liquor within the licensed premises, and the ongoing implementation of its Code of Conduct, including:

JUVENILES

- The *Liquor Control Act 1988* prohibits juveniles being present on licensed premises except in certain circumstances.
- Management is authorised to ask a suspected juvenile to produce evidence of their age. An acceptable ID, will only include the following documents:
 - a current Australian driver's licence with a photograph;
 - a current passport with a photograph;
 - a current Australian learner driver permit with a photograph;
 - a Western Australian Proof of Age Card (will not be issued after 1 January 2015);
 - a Proof of Age card or equivalent issued in an Australia state or territory;
 - a current Western Australian Photo Card;
 - a current New South Wales Photo Card;
 - a Photo Card issued by an Australian state or territory similar to the New South Wales/Western Australian Photo Card.
- Any patron who does not satisfy Management as to their age, or if the ID produced is not acceptable, will be refused service and asked to leave the premises and/or denied access to the premises.

INTOXICATED PATRONS

- Refusal of service is necessary at times and is obligatory in certain circumstances.
- Management and staff will not sell or supply liquor to a person if the staff member reasonably believes that the person is drunk, and will neither permit drunkenness nor allow a drunken person to consume liquor on the licensed premises.
- Where refusal of service takes place the person or persons who have been refused service will be requested to leave the premises.

PATRON CARE

- Management is committed to providing well-run premises by staff who are professional in their manner and who understand their responsibilities under the law as it applies to the sale of liquor.
- Management and staff both discourage and will not allow violent, quarrelsome, disorderly or indecent behaviour to take place on the licensed premises. Any patron or patrons displaying such behaviour may be requested by staff to leave the premises.
- Management makes available to patrons refreshment alternatives including non-alcoholic drinks and water, and are happy to provide assistance to patrons to obtain taxis if requested.

RESPONSIBLE SERVER PRACTICES

- Management and staff discourage and deter patrons from indulging in activities within the premises that have been identified as being of the kind that are likely to lead to binge or irresponsible drinking of liquor.
- Management does not endorse or partake in any promotions in the premises, which encourages patrons to consume liquor irresponsibly, rapidly, and/or excessively to an intoxicated state.

PATRON RESPECT FOR THE NEIGHBOURS

- Management and staff support the rights of our neighbours not to be unduly disturbed by our patrons' behaviour, and encourage patrons to also respect the rights of residents within the vicinity both when on the premises and as they leave the premises.

NOISE

- Management and staff support the rights of our neighbours not to be unduly disturbed due to the daily operational noise caused by the Premises (e.g. deliveries, air conditioners, security, entertainment), particularly with respect to live and electronic music performances.

RESOLVING COMPLAINTS

- Management will take reasonable steps to resolve, where possible, any matter brought to their attention by a member of the public that they are

experiencing undue offence, noise or disturbance as a result of the operation of the Premises.

- All complaints made by a patron or a member of the public are to be brought immediately to the attention of the Duty Manager who will:
 1. Liaise with the complainant and assess the complaint as quickly as possible;
 2. Record the complaint in the Premises' Incident Register;
 3. Engage with relevant parties where necessary in order to determine the issues and possible solutions;
 4. Respond to the complainant as soon as is practicable in order to confirm agreed mutual steps to resolve the matter (where possible).
 5. Update the Premises' Incident Register accordingly to confirm the outcome.