



SOSA HOSPITALITY GROUP PTY LTD

trading as Yanchep Beach Club

PUBLIC INTEREST ASSESSMENT SUBMISSIONS

APPLICATION FOR TAVERN RESTRICTED LICENCE



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1. PARTICULARS

1.1 Application

Tavern Restricted Licence

1.2 Applicant

SOSA Hospitality Group Pty Ltd (ACN 677 722 762)

1.3 Premises

Lot 986, 222 Capricorn Esplanade, Yanchep, Western Australia (**the Premises**)

2. BACKGROUND

The Applicant is seeking a tavern restricted licence for the to-be-constructed, purpose built Premises to be known as Yanchep Beach Club located along Capricorn Esplanade, Yanchep, Western Australia. The Applicant is seeking to establish a sister-venue to Hillarys Beach Club, a beachside haven offering an array of enticing food and beverage options for the whole family.



Yanchep started out as a remote coastal village, however, with Perth's continuing growth Yanchep has become part of the metropolitan corridor and one of the fastest growing suburbs, with significant growth expected over the next 20 years. The Applicant proposes that the new premises will offer a comfortable and family friendly beachside space to enjoy a great meal and a few drinks.

The Premises will have a family friendly atmosphere, catering for the growing residential estate and providing much needed early activation and amenity at the foreshore coastal node, fostering social interaction and creating a community hub within the broader Capricorn Beach Estate. It is expected that the Premises will create a level of reciprocity

across the uses in the immediate area, with many visitors anticipated to visit to the foreshore reserve or beach and the Family Bistro.

The proposed name ‘Yanchep Beach Club’ reflects the coastal location of the proposed Premises, on Yanchep Beach, whilst the ‘Club’ provides a sense of belonging for local residents and patrons. It also seeks to connect with its sister-venue, Hillarys Beach Club, offering coastal elegance, exquisite dining, and lasting memories from sunrise to starlit evenings.

The director behind the Applicant is an experienced hotelier, operating the Hillarys Beach Club with the intention that the Premises will have a similar feel, with a contemporary coastal, family friendly vibe and community hub.

The Applicant has carefully considered the Director’s requirements for a Public Interest Assessment¹ in the preparation of these submissions which is submitted in support of the Application. These submissions will detail how the proposed Premises will satisfy the public interest and meet the key objects of the *Liquor Control Act 1988* (WA) (**the Act**).

3. THE LEGISLATION REQUIREMENTS

This Public Interest Assessment has been prepared pursuant to section 38 of the Act in support of the Application. The purpose of the public interest test is based on the principle that all licensed premises should operate within the interests of the affected individual 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 proprietary rights of individual people.”

The public interest is also to be consistent with the primary and secondary objects of the Act.

The primary objects of the Act (section 5(1)) are:

- (a) to regulate the sale, supply and consumption of liquor; and
- (b) to minimise harm or ill-health caused to people, or any group of people, due to the use of liquor; and

¹ Director’s Policy, Public Interest Assessment (<https://www.cits.wa.gov.au/department/publications/publication/public-interest-assessment>).

- (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:

- (d) 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
- (e) to provide adequate controls over, and over the persons directly or indirectly involved in the sale, disposal and consumption of liquor;
- (f) to provide a flexible system, with as little formality or technicality as may be practicable, for the administration of the Act; and
- (g) to encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor that are consistent with the interests of the community.

4. SUBMISSIONS

4.1 The Applicant

The Applicant is a small, family operated, proprietary company that is locally owned and operated. The Applicant falls within the SOSA Group that currently operates Hillarys Beach Club and Bar Ole Iluka.

Director, Ryan Esquant, and his wife Nikki, have considerable experience in the creation, operation and management of licensed hospitality venues throughout Western Australia and in the United Kingdom.

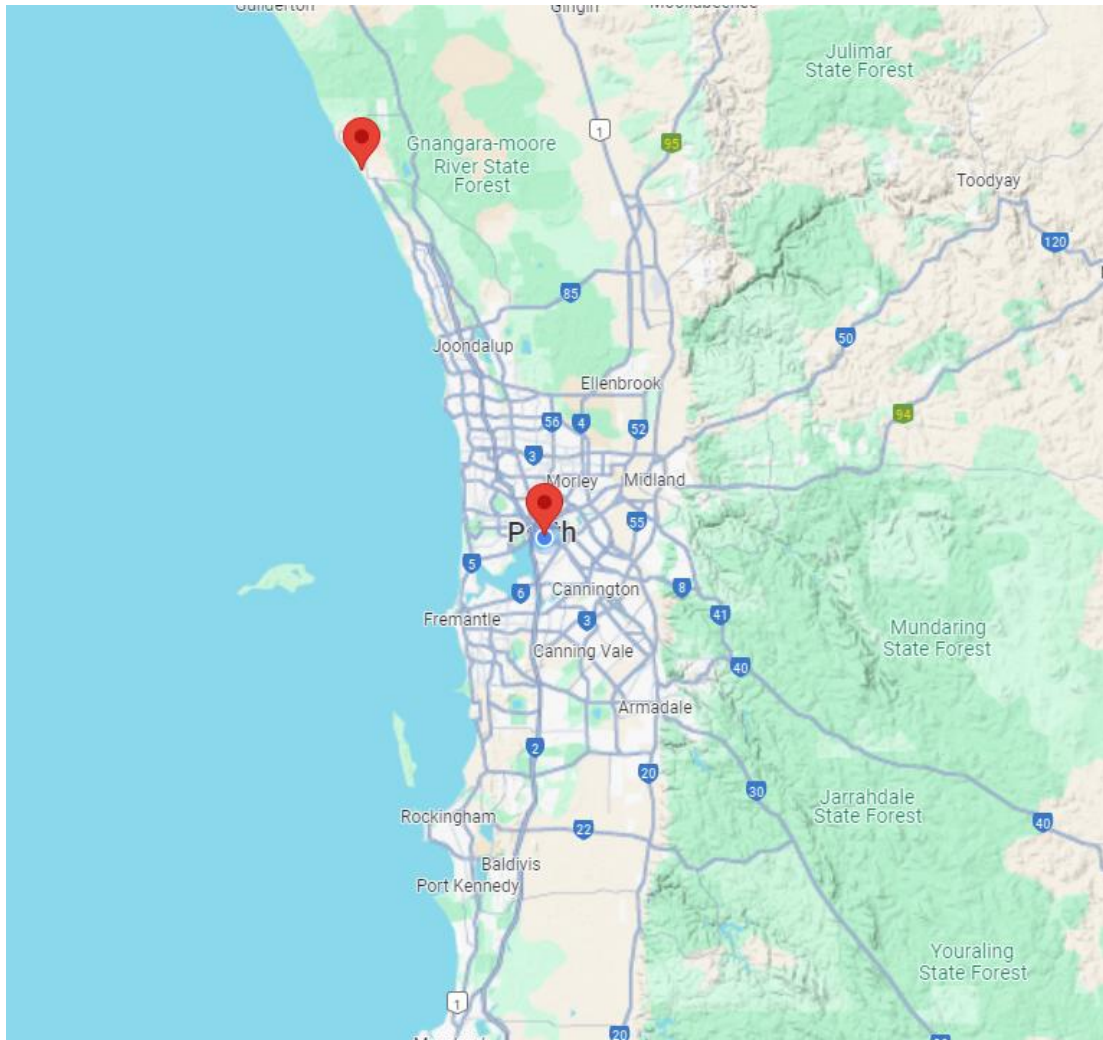
Mr Esquant began his career working in the family-owned pub, The Golden Heart Hotel, in London where he acquired the skills needed to operate a successful hospitality business. After this, he and his wife Nikki owned and operated the Princess Alice Tavern, also located in the United Kingdom.

In 2019, following a move to Perth and various other business ventures, the Esquants returned to the hospitality industry as a partner in the successful Iluka Bar + Kitchen. Following, The Iluka Bar + Kitchen, the Esquants now operate the successful Hillarys Beach Club. This two-storey premises offers a variety of casual dining and drinking options targeted towards local families and visitors to the area.

These skills and experience will assist in ensuring that the Premises operates under the highest standards and adopts stringent harm minimisation strategies and policies, should the Application be granted.

4.2 Locality

The Premises is located in Yanchep, approximately 53 kilometres north of Perth. The Premises falls within the local government area of the City of Wanneroo. The location of the Premises in proximity to Perth is shown in the map below:

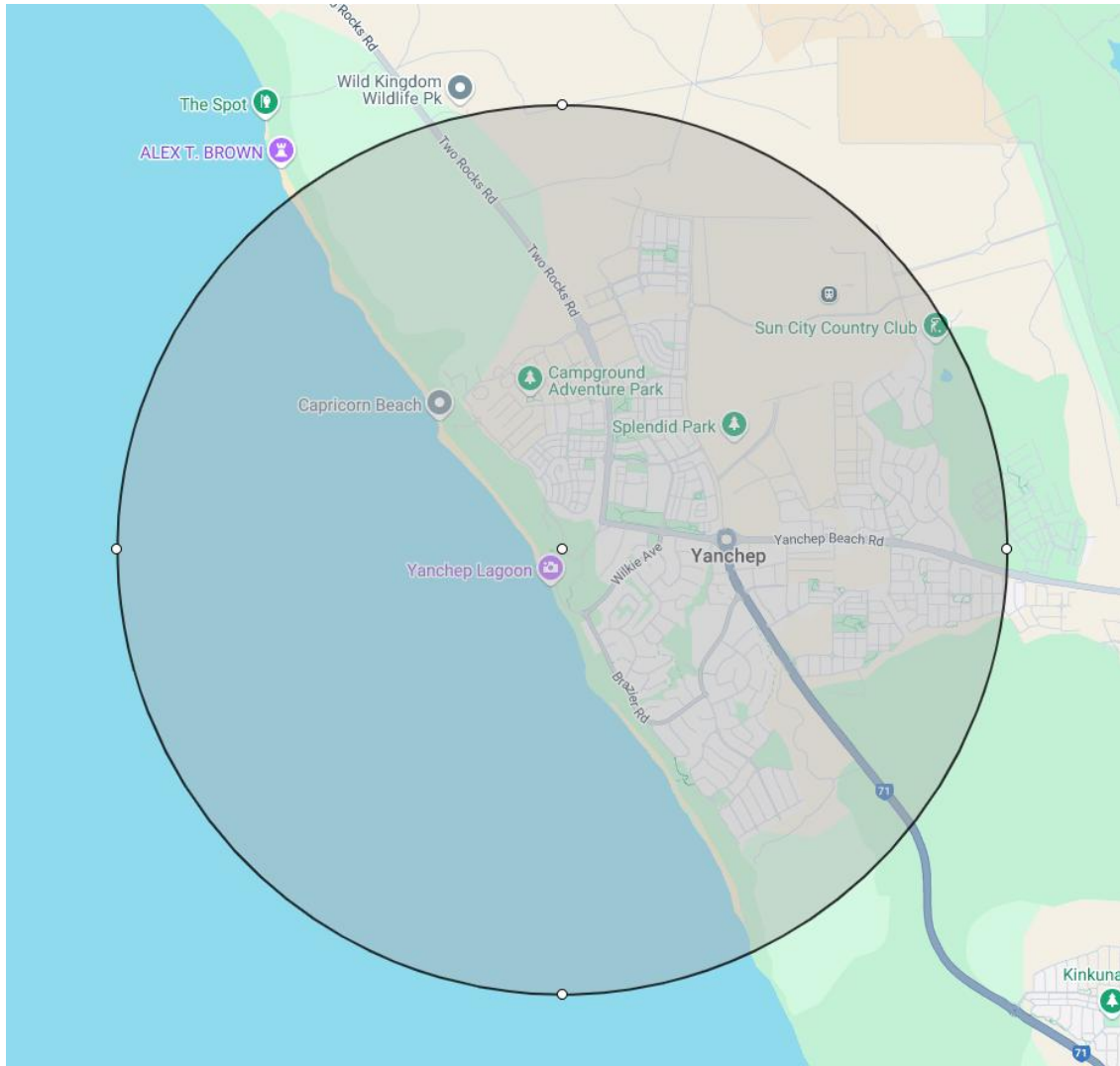


The concept 'locality' as it relates to a premises under the Act has no strict definition. As a legal concept, locality has been described as an area that surrounds and is geographically close to the location of a premises.² However, applying this concept to determine the locality of a premises can be difficult. This is because each application gives

² *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2021] WASC 366, 181.

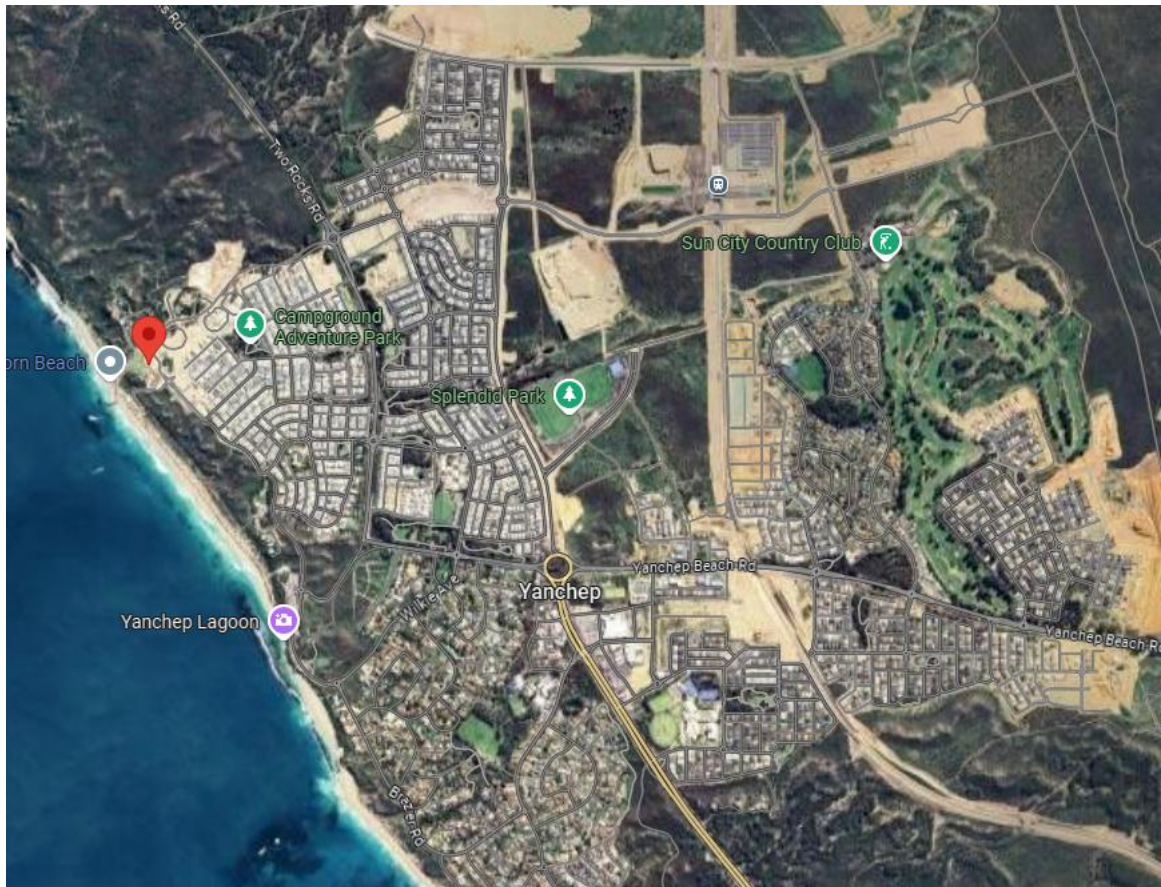
rise to various and unique factual situations such that a definitive test and exhaustive list of factors cannot be arrived at.³

The Applicant notes that a three-kilometre radius from the Premises is the ‘starting point’ for determining the locality. The Premises is located on the northern beaches of Yanchep. The image below shows a three kilometre radius from the Premises:



³ *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2021] WASC 366, 186.

As can be seen in the aerial image below, Yanchep is surrounded by bushland and ocean, with only the suburb of Yanchep predominant in the locality:



Given the above, the Applicant considers that the locality for the purposes of the Application would consist primarily of the suburb of Yanchep.

Yanchep was established as a small crayfishing village and later developed in the 1970's for the 1977 America's Cup. In 2003, the area was identified by the State Government as a future satellite city and major metropolitan area which is reflected in the recent growth in size, amenities and Alation in the area. Adjacent to the urban area, Yanchep contains the Yanchep National Park, noted for its caves, native flora and koala colonies. The name Yanchep is derived from the Noongar word "Yandjip", which is a common bullrush reed found in local wetlands.⁴

⁴ inHerit - Yanchep National Park Precinct (<http://inherit.stateheritage.wa.gov.au/Public/Inventory/PrintSingleRecord/a5916264-6661-4251-9ff5-4f665b6dfab0#:~:text=The%20name%20Yanchep%20is%20believed,stray%20cattle%20north%20of%20Perth>).

4.3 Yanchep Beach Club

The Applicant is seeking to create a new purpose-built hospitality venue on the beaches of Yanchep. The 510m² premises will offer residents and visitors to the area a place to meet, have a meal and a drink and socialise in a relaxing and family friendly environment. The Applicant is seeking to create a community hub.

The design has carefully considered the location and siting of development to ensure it respectfully integrates into and takes advantage of the surrounding coastal and residential context, whilst taking into account the operational requirements of the Applicant.



The building itself includes a mixture of feature timber cladding, stone wall cladding and metal/aluminium paint finishes in 'Woodland Grey'. Extensive glazing is incorporated to enhance natural light into the building and ensure visual permeability to the surrounding public realm.

The Applicant anticipates the Premises opening in late 2025. The capacity of the Premises is anticipated to be approximately 300 persons.



4.4 Food

Given the location, the premises will have a range of fresh seafood dishes available with a modern Australian theme. Coffee and cake specials will be available during the day, as well as daily lunch specials for beachgoers and residents. The kiosk offering will be simple, fresh and available to dine in or take away.

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before close), with a focus on all day dining including a casual breakfast, lunch, and dinner service.⁵

The Premises will cater to all people and will feature a kid's menu to ensure a family-friendly experience can be enjoyed by all. Accordingly, substantial seating, including dining tables and chairs, will be set up in various parts of the Premises, for the comfort of diners and their families.

4.5 Beverages

The wine list will comprise a wide range of varieties and regions covering Western Australian, Australian and international wines. A range of beers and ciders will also be available with an emphasis on local and craft varieties. A range of mid and low strength products will be available at all times. Spirits will also be available as well as an innovative cocktail list.⁶

Staff will be given notes on how to match food and beverages, to assist patrons with any selection queries. The Applicant will utilise these tasting notes to assist staff and patrons to better understand the reasons behind enjoying a particular beverage. This will lead to staff being able to suggest food and beverage pairings and make appropriate recommendations.

The Applicant is aware of increased popularity in the community of zero-alcohol and low alcohol beverages which encourage responsible drinking practices. To satisfy these patrons, the Applicant will provide zero-alcohol beverages to patrons who don't want to consume alcohol, yet still desire the taste of a crisp-beer or quality wine.

The non-alcohol selections include a range of soft drinks, juices, teas and coffees. Free tap water will be available at all times in accordance with the Director's Policy on Free Drinking Water.⁷

The Applicant will also incorporate an external coffee takeaway counter which will be open early for those exercising along the beach.

4.6 Functions & Events

The Applicant anticipates that functions and events will form an important part of business. Whilst the Premises will not have a dedicated function area, various parts of the Premises can be temporarily allocated for functions, as required.

⁵ Proposed Menus (**Annexure A**).

⁶ Proposed Menus (**Annexure A**).

⁷ Factsheet, Free Drinking Water (<https://www.cits.wa.gov.au/departments/publications/publication/free-drinking-water>).

4.7 Demographics

The target market includes adults of all ages who are looking for a relaxed food and beverage experience, not just a place to eat or drink. Whilst the Premises caters to a wide-ranging demographic, patrons are likely to consist of the following groups:

- (a) residents/families living in or near Yanchep;
- (b) tourists and visitors to the Yanchep area;
- (c) guests and visitors for functions; and
- (d) people who work in or near Yanchep.

As noted above, the locality consists primarily of the suburb Yanchep. The following image shows the boundary of Yanchep Suburbs and Localities (SL) for the purposes of the Census data:



The Applicant has analysed statistics for Yanchep SL as well as the Wanneroo LGA. Some of the key statistics are summarised in the following table:

2021 Census	Yanchep SL ⁸	Wanneroo LGA ⁹	WA
Population	11,022	209,111	2,660,026
Median Age	35	35	38
Aboriginal and Torres Strait Islander people	3.0%	1.9%	3.3%
Children and young people/people aged 19 and under	31.1%	28.7%	24.8%
Persons aged 60 years and over	18.3%	16.8%	21.8%
Couple family without children	33.3%	31.3%	38.8%
Couple family with children	46.8%	50.1%	44.6%
One parent family	18.8%	17.2%	15.1%
Place of Birth – Australia	57.0%	55.1%	62.0%
Place of Birth – Country (next three top responses)	England, New Zealand, South Africa	England, New Zealand, South Africa	England, New Zealand, India
Full time workers	54.7%	56.3%	57.1%
Part time workers	31.1%	32.2%	32.0%
Unemployed	6.8%	5.7%	5.1%
Tenure Type - Owned with a mortgage	56.4%	54%	40%
Median weekly income – individual	\$762	\$817	\$848
Median weekly income – household	\$1,699	\$1,894	\$1,815

According to the 2021 Census data from the Australian Bureau of Statistics, the locality is younger (35) than the State average (38). The indigenous population in the locality accounted for 3%, which is less than the State average of 3.3%. The place of birth data found that 57% of persons were born in Australia, compared to the State average of 62%, with a number of residents born in England, New Zealand and South Africa.

⁸ 2021 Census QuickStats: Yanchep SL (**Annexure B**).

⁹ 2021 Census QuickStats: Wanneroo LGA (**Annexure C**).

The family composition shows that the locality is home to a high number of families, including a number of children under the age of 19 years.

Whilst the median weekly incomes for individuals and for families was slightly below the State average, home ownership (with a mortgage) was well above the State average, with over 56% owing their home, compared to the State average of only 40%.

The Census data supports the findings that the locality is a fairly typical northern suburbs area, consisting of young families seeking home ownership.

In terms of socio-economic indicators, the Applicant has considered the socio-economic status of the locality. The Index of Relative Socio-Economic Advantage and Disadvantage, compiled by the Australian Bureau of Statistics with reference to income, education, employment status and occupation, provides the best indication of economic advantage or disadvantage. In 2021 the Local Government Area of Wanneroo scored 988 on the SEIFA Index of Disadvantage whilst the suburb of Yanchep itself scored 954.¹⁰ A higher score on the index (above 1,000) means a *lower* level of disadvantage. A lower score on the index (less than 1,000) means a *higher* level of disadvantage. Based on this, the Applicant notes that the locality sits just below average on the Index, however, the significant changes and development in the last five years suggests that its ranking will increase at the next Census.

The expected population growth in Yanchep over the next 20 years is significant, with the population growing from just over 11,000 in 2021 to over 37,000 by 2046.¹¹ An overall increase of 26,000 people in the next 25 years.

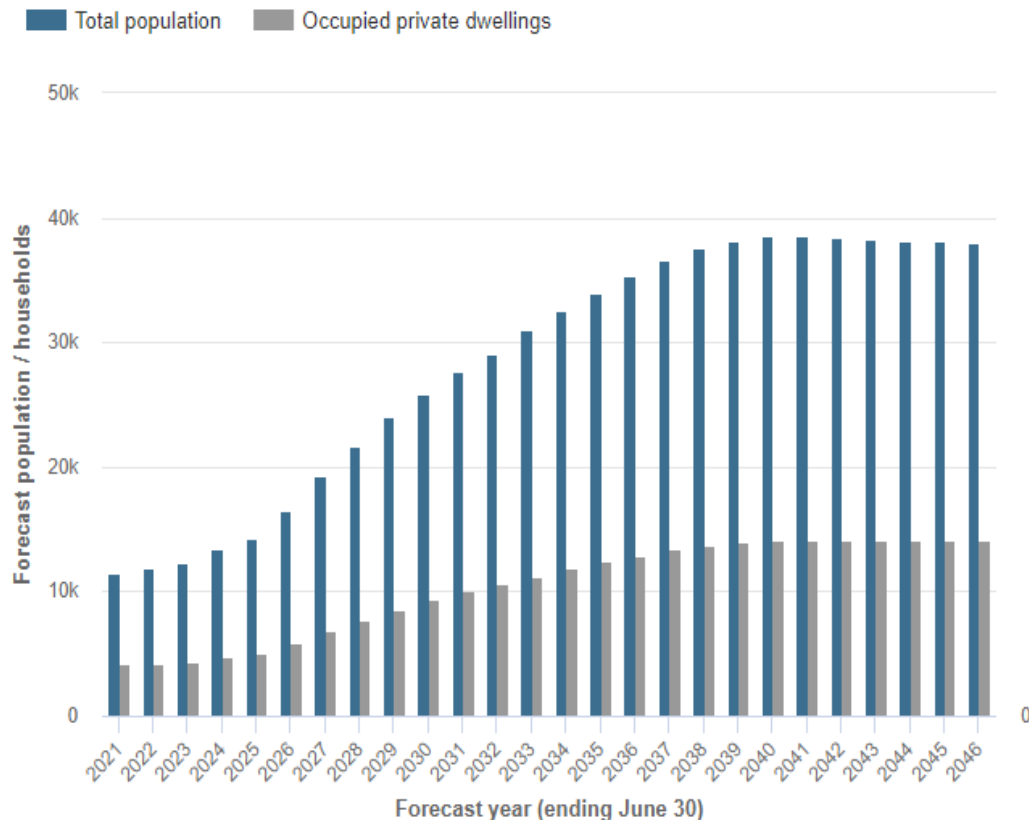
¹⁰ SEIFA Indexes (<https://www.abs.gov.au/statistics/people/people-and-communities/socio-economic-indexes-areas-seifa-australia/latest-release>).

¹¹ Yanchep Population Forecast (**Annexure D**).

Forecast population, households

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Yanchep



Source: Population and household forecasts, 2021 to 2046, prepared by .id (informed decisions), March 2024.

It is submitted that the expected population growth dictates the continuing development of the locality. It is submitted that the population growth necessitates increased service offerings, including hospitality venues offering liquor, dining and entertainment services.

4.8 Tourism

With the Indian Ocean to its west, including a number of lagoons, and a unique National Park to its east, Yanchep offers a unique destination of wildlife and outdoor adventure in equal abundance.

Yanchep National Park offers nine walking trails, ranging from 500 metres to a more challenging 55 kilometres, from wetlands and woodlands to the gorges and caves of an ancient cave system.¹² Estimates suggest that the National Park attracts over 326,000 visitors per year, making it the highest number of visitors to any single area of a national park in the State.¹³

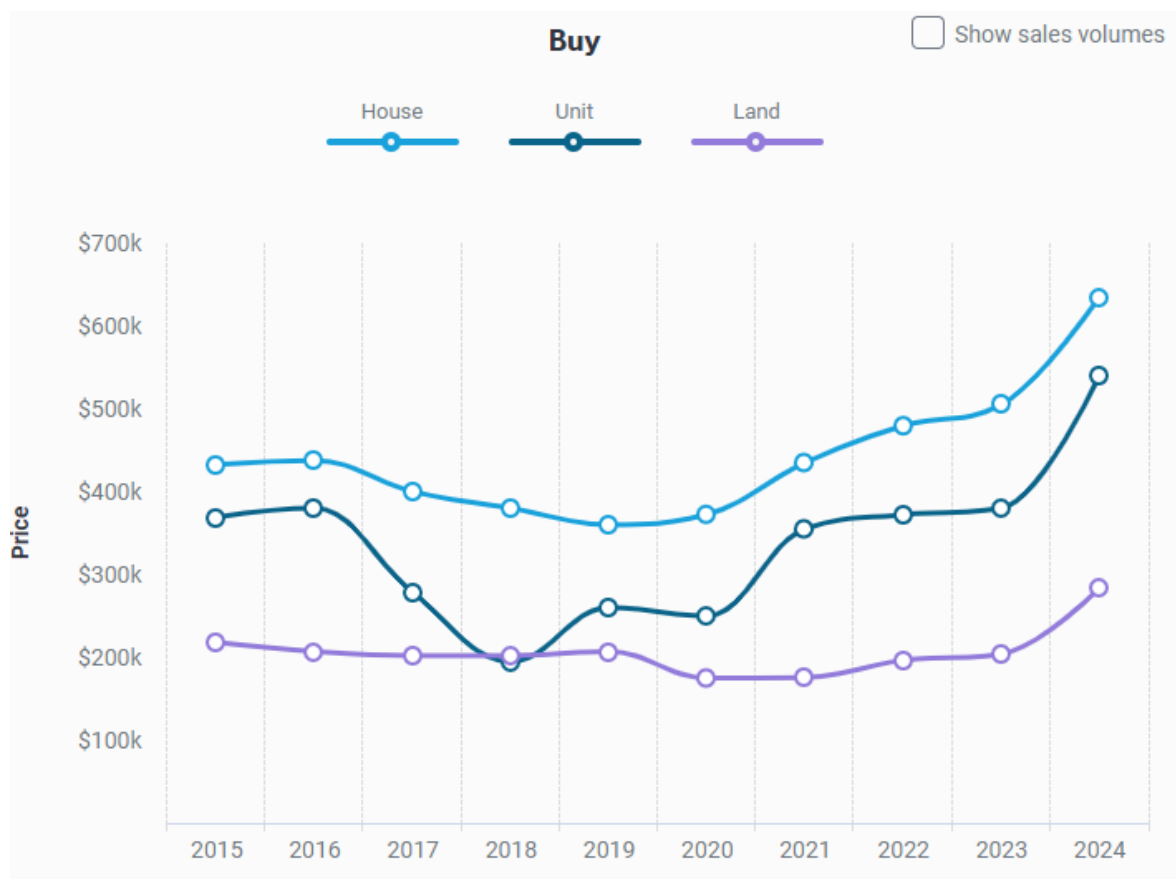
¹² Tourism Western Australia – Yanchep (<https://www.westernaustralia.com/au/places/yanchep/56b266c2aeaaaf773cf9635>).

¹³ Yanchep Lagoon, Master Plan (**Annexure E**).

It is submitted that tourists should be afforded with a range and variety of licensed premises to ensure the continued and proper development of the liquor, tourism and hospitality industries in Western Australia. Maintaining and evolving tourist attractions and a vibrant and diverse entertainment and dining precinct in is essential to the health of the State's tourism industry.

4.9 Property and Development

According to the Real Estate Institute of Western Australia, the median house price in Yanchep was \$685,000 at February 2025. This is compared to the median house price of \$705,000 for the Perth Metropolitan region.¹⁴ The Yanchep median price data is shown in the graph below:



As can be seen from the graph above, the housing prices have continued to increase whilst the land prices have experienced recent and significant growth.

Given the significant population increase expected in Yanchep, it is estimated that another 10,000 houses will need to be constructed to accommodate new residents over the next twenty years.¹⁵

¹⁴ REIWA Insights – Yanchep (<https://reiwa.com.au/suburb/yanchep>).

¹⁵ Yanchep Population Forecast (Annexure D).

Forecast population, households and dwellings

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Yanchep	Forecast year					
Summary	2021	2026	2031	2036	2041	2046
Population	11,405	16,456	27,620	35,320	38,484	37,948
Change in population (5yrs)	--	5,051	11,165	7,700	3,164	-536
Average annual change	--	7.61%	10.91%	5.04%	1.73%	-0.28%
Households	4,169	5,802	9,991	12,891	14,157	14,115
Average household size	2.70	2.80	2.73	2.71	2.69	2.66
Dwellings	4,325	5,986	10,540	13,887	15,353	15,360
Dwelling occupancy rate	96.39	96.93	94.79	92.83	92.21	91.89

 Source: Population and household forecasts, 2021 to 2046, prepared by [.id](#) (informed decisions), March 2024.

To accommodate the growth in the region, there are several major projects and developments that are proposed, in the development stage or recently completed in the locality. These include the following:

- Yanchep Rail Extension – Part of the Metronet rail expansion program, the Joondalup rail line has been extended to connect Butler and Yanchep, a distance of 14.5 kilometres and at a cost of over \$700 million. The project's aim is to ease congestion on roads and provide new transport opportunities to Alkimos, Eglinton and Yanchep residents. The project was with completed in July 2024.¹⁶
- Capricorn Beach Foreshore Development – This development will transform 12 acres of beachfront land into 2,500 residential lots as well as commercial and parkland use. With recreational landscaping work completed in 2023 and a number of residences already constructed, the development will further increase the size of the Yanchep locality and draw new residents and visitors to the area.¹⁷

¹⁶ Metronet – Yanchep Rail Extension (<https://www.metronet.wa.gov.au/projects/yanchep-rail-extension>) and Department of Infrastructure, Transport, Regional Development, Communications and the Arts - https://investment.infrastructure.gov.au/projects/ProjectDetails.aspx?Project_id=097127-17WA-OFF and Metronet – Yanchep Line Officially Open (<https://www.metronet.wa.gov.au/news/latest-news/category/yanchep-rail-extension/yanchep-line-officially-open>).

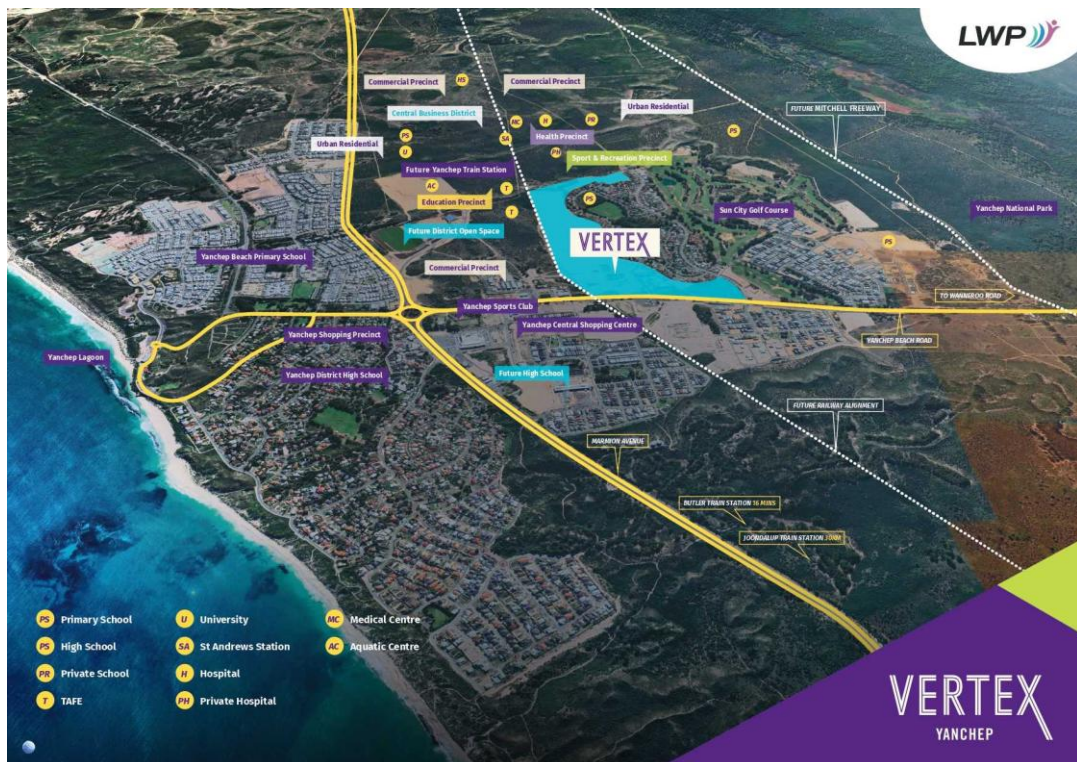
¹⁷ Capricorn Beach Yanchep Masterplan (**Annexure F**) and Foreshore by Capricorn Beach (<https://capricornyanchep.com.au/foreshore/>).



- Jindowie Estate – 1,200 land lots in a master-planned coastal community with some of the most affordable coastal living north of Perth.¹⁸



- Vertex Estate - This development will transform acres of coastal land into numerous residential lots including parkland recreation areas, sports facilities and featuring two childcare centres. A number of lots have already been completed with more to be completed in the near future, adding to the population and growth in Yanchep.¹⁹



¹⁸ Jindowie Estate Masterplan (**Annexure G**).

¹⁹ Satterley - Investment opportunities in Vertex, Yanchep (<https://vertex-yanchep.com.au/investors/>).

- Yanchep Junction – Featuring 550 lots over 39 hectares, this new development will be located beside the Yanchep train station and aims to house 2,000 residents.²⁰



- Whiteman Yanchep Highway is a proposed new north-south route in the North-West Corridor of Perth. A Planning Control Area has been declared over the land to protect the land for that purpose.²¹
- The 5.6 kilometre, \$230 million Mitchell Freeway extension to Romeo Road to the south of Yanchep opened to road users in July 2023.²² This project has increased access and transport to Yanchep.
- \$23 million upgrade of Marmion Avenue to Yanchep which transformed the single-lane stretch Camborne Parkway in Butler and Yanchep Beach Road, Yanchep to four lanes catering for the population growth in the northern suburbs.²³

The locality is continuing to experience significant development, in particular in attracting both workers and residents, where those persons will be expecting a range of diverse hospitality venues within walking distance. It is submitted that the continued development and growth of the area, occurring now and in the years to come, necessitates the suburb to evolve with improved facilities and offerings in the locality.

²⁰ Woldene – Yanchep Junction (<https://yanchepjunction.com.au>) and Yanchep Junction Overall Community Plan (**Annexure H**).

²¹ Main Roads Western Australia - Whiteman Yanchep Highway (<https://www.mainroads.wa.gov.au/projects-initiatives/all-projects/metropolitan/Whiteman-Yanchep-Highway/>).

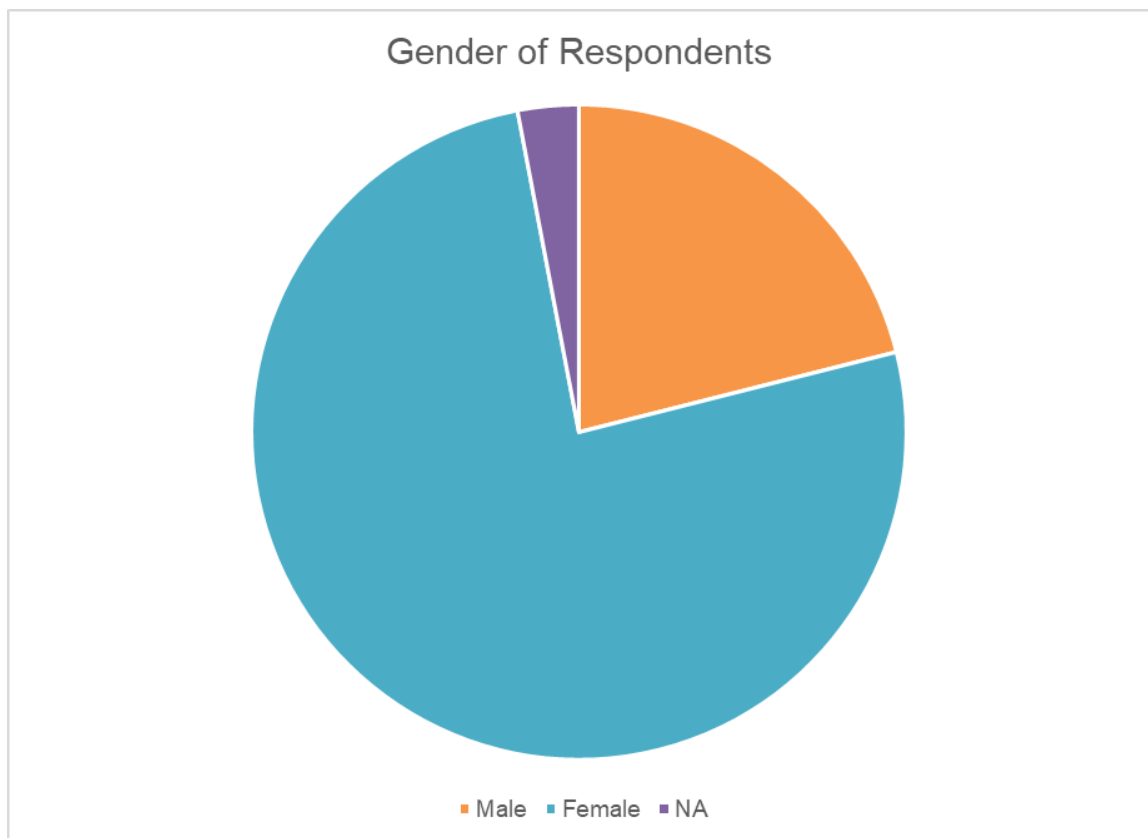
²² Department of Infrastructure, Transport, Regional Development, Communications and the Arts - Mitchell Freeway Extension - Hester Avenue to Romeo Road (https://investment.infrastructure.gov.au/projects/ProjectDetails.aspx?Project_id=097098-17WA-NP).

²³ Western Australia State Government Media Releases ([https://www.mediastatements.wa.gov.au/Pages/McGowan/2020/07/\\$23-million-Marmion-Avenue-dual-carriageway-to-Yanchep-complete.aspx#:~:text=The%20%2423%20million%20project%20was,growth%20in%20the%20northern%20suburbs](https://www.mediastatements.wa.gov.au/Pages/McGowan/2020/07/$23-million-Marmion-Avenue-dual-carriageway-to-Yanchep-complete.aspx#:~:text=The%20%2423%20million%20project%20was,growth%20in%20the%20northern%20suburbs)).

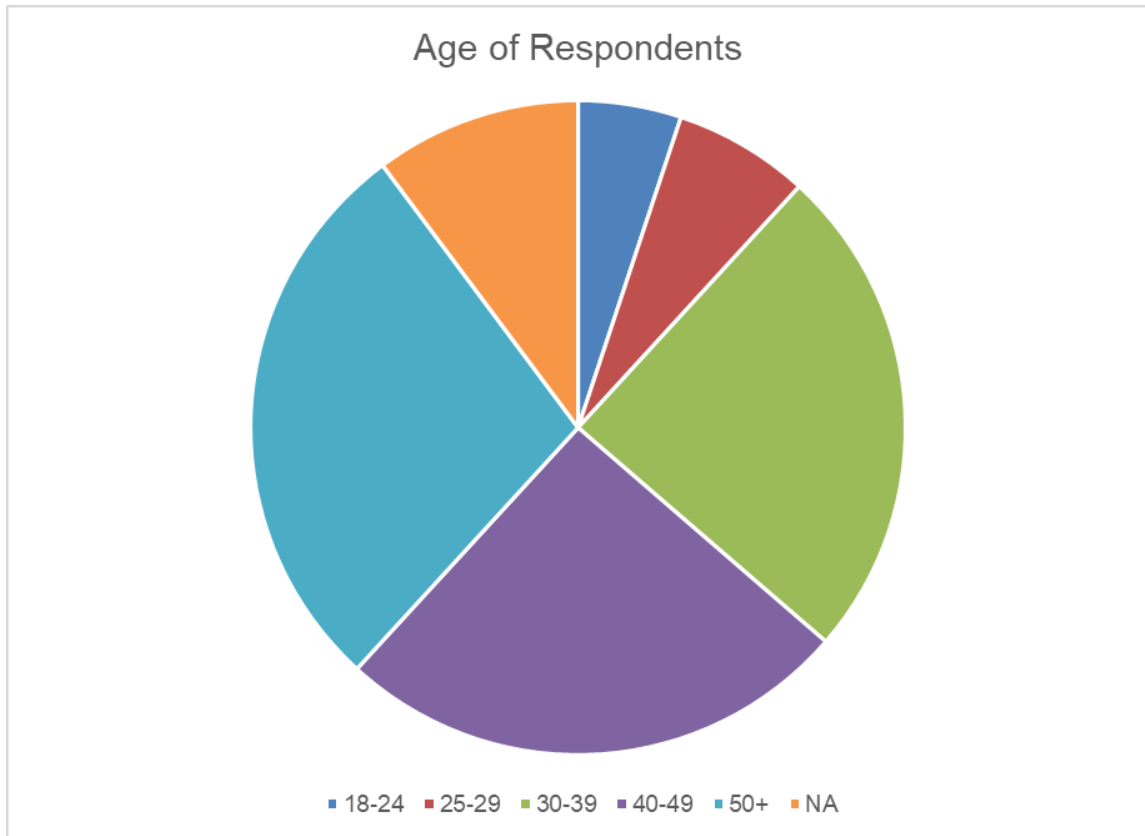
4.10 Market Research

In determining the community's views in relation to the Application, the Applicant undertook market research. The Applicant commissioned an online survey whereby respondents were asked to answer eleven questions about the proposed Premises. 432 surveys were completed.²⁴ The questionnaire evinces the level of support for the Application and a premises such as the one proposed in the locality. It is submitted that the questionnaire is a representative sample of the population of the locality and therefore provides probative evidence in support of the Application.

The age and gender distribution of respondents is shown in the following graphs and evinces a good cross-section of the locality:



²⁴ Market Research Report (**Annexure I**).



Over 95% of respondents were supportive of the Application, with 96% of respondents stating that they consider Yanchep requires a venue such as the one proposed. 90% of respondents considered the proposal to be unique and different to the other licensed premises in the Yanchep locality. The Applicant notes the following comments in response to this question:

Beach side and high quality – *Helen, 43, Quinns Rocks*

Best set up and location, will be very popular – *Adele, 35, Yanchep*

A venue that has the option of both formal and informal dining – *Sarah, 39, Yanchep*

I think it will be a beautiful bar/ restaurant. Close to home where you can have a drink and something to eat with family and friends. I'll be super proud to go there – *Leyarna, 32, Two Rocks*

Looks like it will be more classy, more to offer – *Julie, 59, Yanchep*

Food and drink on offer we don't have anywhere that offers the same quality – *Marvin, 49, Yanchep*

It's nice to have a selection of restaurants and bars to enjoy – *Justine, 55, Yanchep*

There are no other beach Clubs as such in Yanchep – *Erin, 27,*

Bigger venue and fab location – *Leanne, 45, Yanchep*

There's not a lot here yet to dine out – *Amy, 43, Yanchep*

Coastal with lunch dinner and occasion options. Close to my residence. Ambience would be different to other establishments. A place can take family – *Andrea, 44, Yanchep*

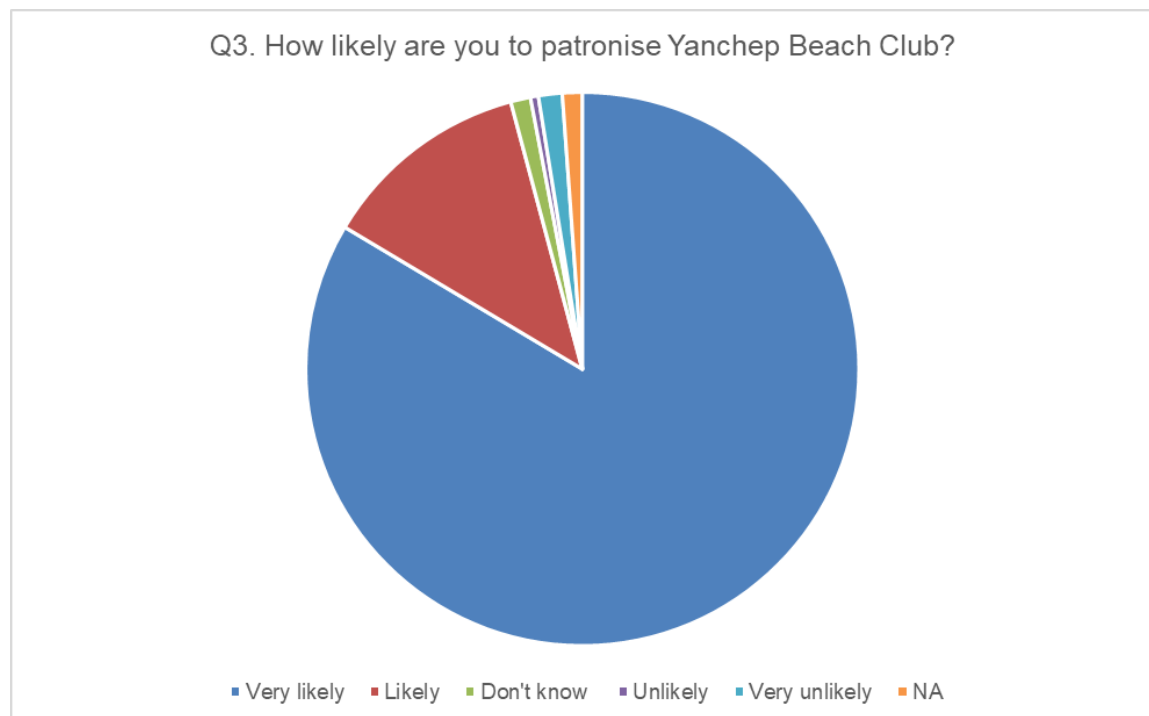
It offers an alternative more formal to the 1 other restaurant near by – *Alicia, 40, Yanchep*

No modern dining and drinking, family friendly venues at all in the area – *Anna, 47, Yanchep*

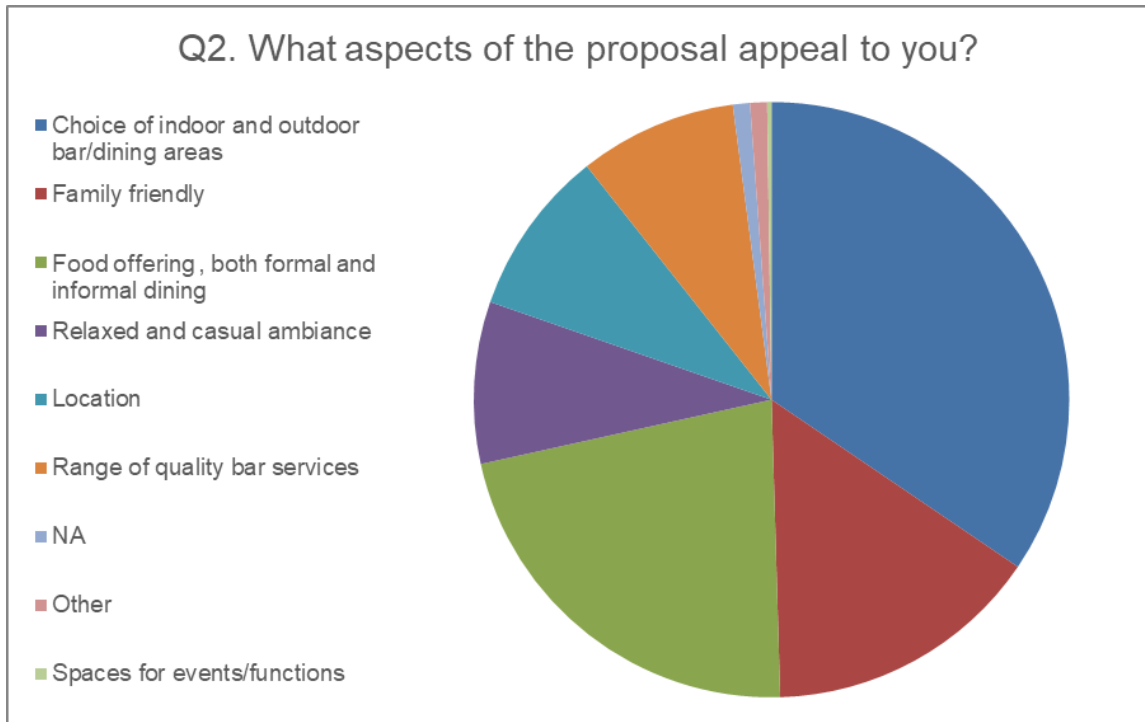
Hopefully offering a more formal dining experience – *Deborah, 64, Yanchep*

The Yanchep beach club will be a modern establishment like no other in Yanchep, It'll bring more people to the suburb and offer a more elegant dining experience. – *Rhys, 25, Mindarie*

The Applicant notes that over 96% of respondents are at least likely to patronise the Premises.



The Applicant note the following comments as to why respondents would patronise the Premises:



The Applicant notes that 96% of respondents stated that the Premises would cater to the requirements of residents, visitors and tourists in the area, with the following comments made:

We need some places to go to instead of traveling south of Butler to have good food and ambiance – *Ian, 70, Yanchep*

Absolutely because it has the best food/drink options – *Adele, 35, Yanchep*

Definitely- it will be a beautiful asset to the Yanchep area – *Julie, 59, Yanchep*

We need so much more than what is currently on offer in Yanchep. Locals are crying out for somewhere like Hillary's to go and it would contribute to the local economy bringing in people from other areas. The current infrastructure isn't anywhere near good enough. – *Anna, 47, Yanchep*

Along time coming – *Judith, 60, Yanchep*

More like this should be available rather than pubs in shopping mall car parks – *Leasha, 49, Yanchep*

It's modern family friendly upmarket venue that appeals to everyone – *Charlotte, 42, Yanchep*

Yanchep needs to modernise – *Paul, 56, Yanchep*

Tourism and jobs – *Anneliese, 48, Yanchep*

Nothing like it in the area – *Brooke, 38, Yanchep*

It's just what Yanchep needs – *Rebecca, 53, Yanchep*

Great venue added vibrancy to the area without ruining the beach and public space surrounding – *Megan, 45, Ocean Reef*

The level of consumer requirement for a venue such as the proposed Premises is evident from the market research conducted and the general support in the community for the Application. Accordingly, it is submitted that a unique venue such as the one proposed in the locality is in the public interest. It is submitted that the Application is consistent with the objects of the Act, as it caters for the requirements of consumers in a growing suburb.

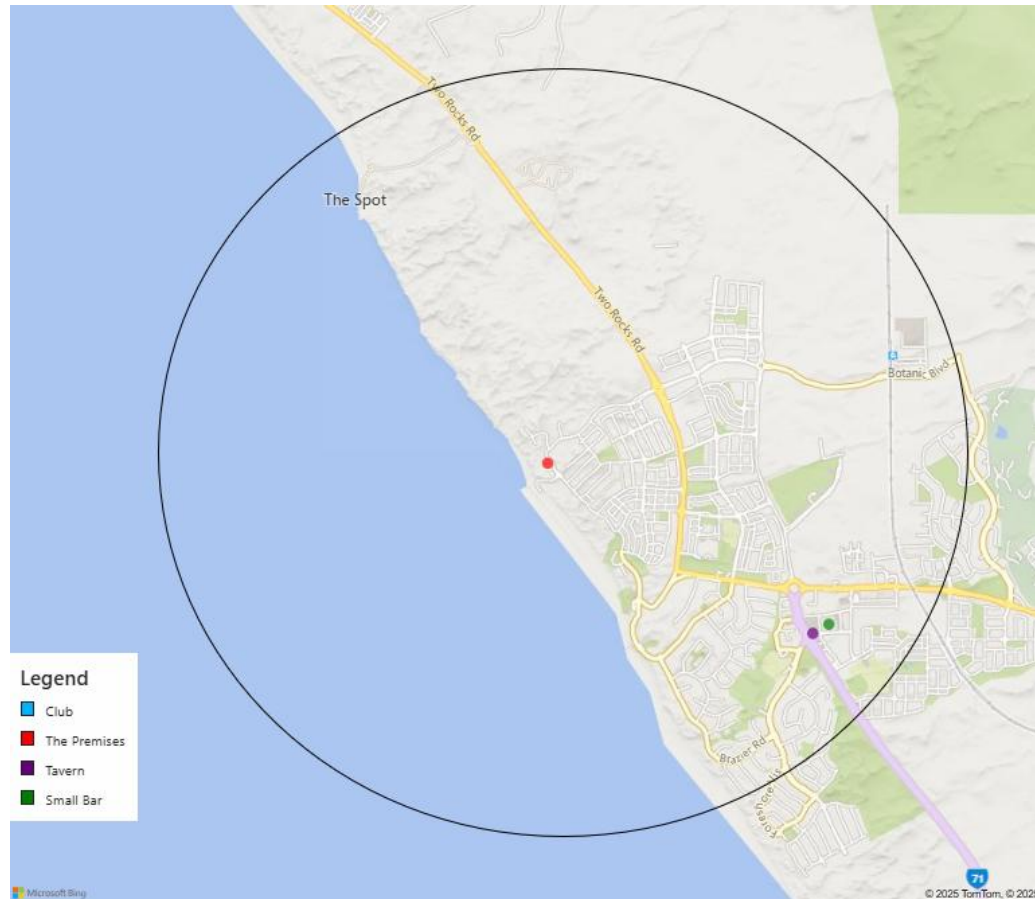
4.11 Existing Liquor Premises

The Applicant notes that the locality currently has the following comparable on-premises licensed venues:²⁵

Premises	Address	Licensee
Tavern		
Yanchep Tavern (conditionally granted)	1 Peony Boulevard YANCHEP WA 6035	Miley Holdings Pty Ltd
Small Bar		
The Bulrush	Shop 24 Yanchep Central 1 Peony Boulevard YANCHEP WA 6035	Blue2 Entertainment Pty Ltd

²⁵ Liquor Licensing Authority – Tavern and Small Bar Licensed Premises in “Yanchep” in the locality (<https://portal.dlgsc.wa.gov.au/licencesearch?suburb=YANCHEP&group=Liquor+Premises>). Note that Yanchep National Park does not fall within the Census boundary for Yanchep SL.

These licensed premises are shown on the map below, with the circle indicating a three kilometre radius from the Premises:



As can be seen from the above, there is currently only one small bar and one conditionally granted tavern licence located within the locality, both of which are located quite some distance from the Premises. This is surprising, especially in a growing area such as Yanchep where visitors and residents would expect to have a variety of options available to them. Consumers are becoming increasingly sophisticated and require new, modern and stylish venues that cater to the evolving concepts of dining and socialising whilst relaxing in a casual and friendly environment for a meal and a drink. It is this type of venue that the Applicant is set to create on the beaches of Yanchep.

The area has seen significant development and growth recently which is expected to continue in years to come. The Applicant is looking to create a new venue that will stand the test of time and become an iconic attraction to the area.

The Applicant submits that its proposal will contribute to the development of Yanchep by offering a new, hospitality venue that will attract patrons from not only the immediate locality, but from Perth's northernmost suburbs.

4.12 Harm or ill-health

The Applicant acknowledges the potential harm or ill health that can be caused through the supply and consumption of alcohol. It is also acknowledged that certain sectors of the community are more “at risk”, as identified in the review of the *Drug and Alcohol Interagency Framework for Western Australia 2011-2015*. These groups include:

- (a) children and young people;
- (b) Aboriginal people and communities;
- (c) people from regional, rural and remote communities;
- (d) families;
- (e) migrant groups from non-English speaking countries;
- (f) people in low socio-economic areas;
- (g) mining communities or communities with a high number of itinerant workers; and/or
- (h) communities that experience high tourist numbers.

In order to assess the level of harm and ill-health occurring in the locality, the Applicant has considered a range of publicly available information. In considering these ‘at risk’ groups, the Applicant notes the following in regards to the locality:

- (a) children and young people are present in the locality with the Census data finding that the locality is home to more children under the age of 19 years (31.3%) than the State average (24.8%). Whilst the Applicant is seeking a tavern licence, it is proposing a family friendly venue;
- (b) whilst aboriginal people live in the locality, the Census data evinces that the numbers are less (3%) than the State average (3.3%);
- (c) the Applicant is not aware of any Aboriginal community groups or communes living near the proposed Premises;
- (d) the locality is not regional, rural or remote location, with the Premises located within the Perth metropolitan area;
- (e) families are present in the locality, but as noted above, the Premises is seeking to create a family friendly environment;
- (f) the Census data shows that the number of residents born in Australia is similar to the State average with the place of birth for residents born outside of Australia in other English speaking countries, such as England, New Zealand and South Africa;

- (g) the locality sits above average on the social-economic index levels;
- (h) there are no mines nearby or communities with a high number of itinerant workers;
- (i) the locality is a destination for tourists however, the Applicant appreciates that whilst tourists are generally considered to be ‘at-risk’, the Applicant does not consider the Premises will attract backpackers or other high-risk tourist groups given the manner of operation of the Premises.

The Applicant acknowledges that ‘at risk’ groups live in and visit the locality and can contribute towards the level of alcohol related harm and ill-health experienced in the locality. In recognising this, the Applicant appreciates its obligation to ensure that appropriate harm minimisation strategies are adopted and effectively implemented. This will minimise any harm that might occur as a result of the operation of the Premises.

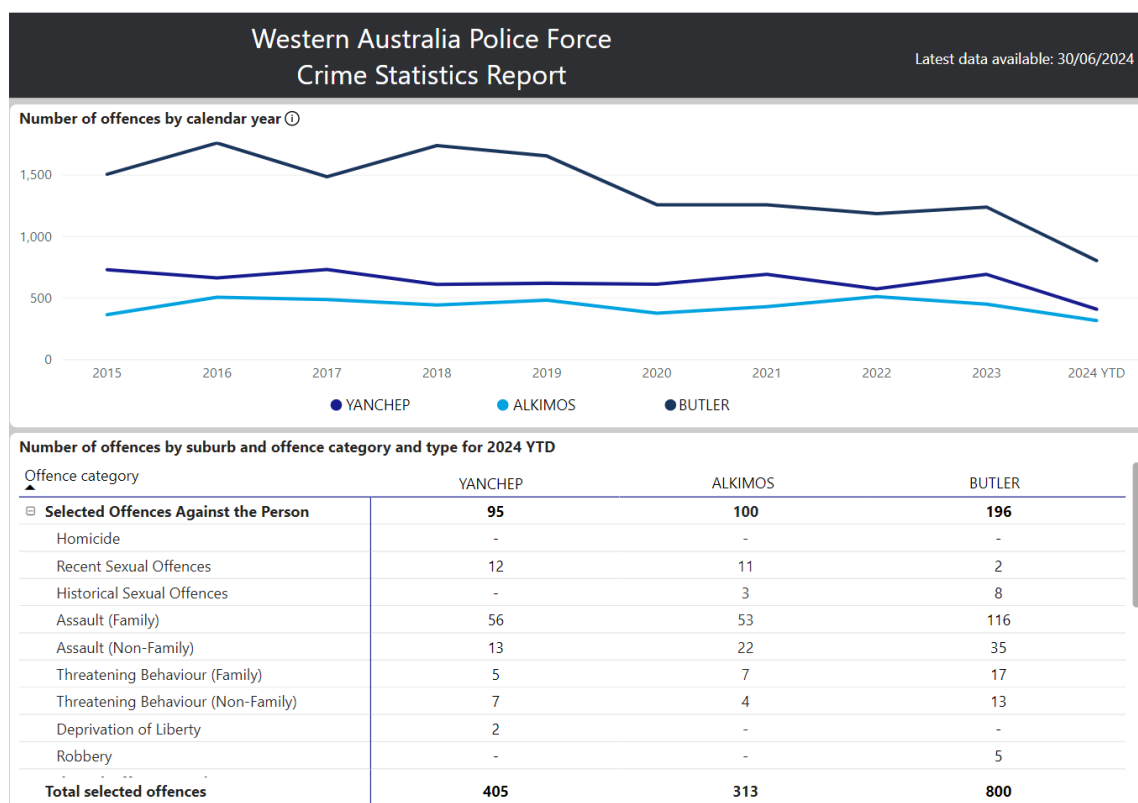
The most recent ABS data has revealed no specific alcohol-related health condition associated with residents of the locality. The majority of persons in Yanchep (60.1%) reported at the 2021 Census that they have no long-term health condition,²⁶ which is similar to the State figure (61.2%). It is acknowledged that a small percentage of people did indicate that they experience some long-term health conditions.²⁷

Whilst not specific to alcohol related incidents, the following table details the crime statistics in Yanchep, Alkimos and Butler for the period 2015 to 2024:²⁸

²⁶ 2021 Census QuickStats: Yanchep SL (**Annexure B**).

²⁷ 2021 Census QuickStats: Yanchep SL (**Annexure B**).

²⁸ WAPOL - Crime statistics (<https://www.wa.gov.au/organisation/western-australia-police-force/crime-statistics>).



The following table shows the type of offences occurring in Yanchep, Alkimos and Butler for 2024.²⁹

Number of offences by suburb and offence category and type for 2024 YTD

Offence category	YANCHEP	ALKIMOS	BUTLER
Selected Offences Against the Person	95	100	196
Homicide	-	-	-
Recent Sexual Offences	12	11	2
Historical Sexual Offences	-	3	8
Assault (Family)	56	53	116
Assault (Non-Family)	13	22	35
Threatening Behaviour (Family)	5	7	17
Threatening Behaviour (Non-Family)	7	4	13
Deprivation of Liberty	2	-	-
Robbery	-	-	5
Selected Offences Against Property	162	136	386
Burglary	18	15	30
Stealing of Motor Vehicle	6	1	12
Stealing	96	85	286
Property Damage	42	35	57
Arson	-	-	1
Detected Offences	56	24	75
Drug Offences	44	19	57
Receiving and Possession of Stolen Property	3	2	6
Regulated Weapons Offences	9	3	12
Miscellaneous Offences	92	53	143
Graffiti	20	3	5
Fraud & Related Offences	35	9	100
Breach of Violence Restraint Order	37	41	38
Total selected offences	405	313	800

²⁹ WAPOL - Crime statistics (<https://www.wa.gov.au/organisation/western-australia-police-force/crime-statistics>).

Whilst it is evident from the above that some crime is occurring in the locality, it is significantly less than what is occurring in Butler and similar to Alkimos. It is also important to note the following:

- (a) the figures provided do not indicate the number of alcohol related offences;
- (b) the figures do not indicate whether the offence was caused by alcohol;
- (c) the figures do not indicate if any offences relate to conduct at licensed premises or off licensed premises; and
- (d) the figures do not indicate in what part of the locality the offences occurred.

The Applicant has carefully considered the existing levels of harm and ill-health occurring in the locality and based on the information that the Applicant has been able to obtain, in addition to the understanding of the director of the Applicant, it is submitted that the levels of harm and ill-health in the locality are minimal and do not reveal anything to suggest that the locality experiences a concerning or unusual levels relevant to the Application and having regard to State and national trends.

4.13 Harm Minimisation Strategies

The Applicant is aware of its obligations and responsibilities as licensee to minimise the potential harmful effects from the supply of liquor. The Applicant will implement a number of strategies to minimise the potential for harm and ill-health as a result of operating the Premises.

The Applicant will ensure that all employees have appropriate experience and training to ensure that customers are treated in a responsible and professional manner. The Applicant will conduct regular training sessions for all staff to ensure that the high standards are maintained, and to ensure that the harm minimisation strategies are at the forefront.

The Applicant will implement various policies in relation to the operation of the Premises, including a House Management Plan. In addition, the Applicant will ensure that all staff complete RSA training, and that appropriate signage is in place advising customers of their responsibilities.³⁰

³⁰ Code of Conduct and Harm Minimisation Management Plan (**Annexure J**).

The Management Plan clearly sets out the Applicant's policies and procedures for a variety of harm minimisation initiatives that have been implemented, including:

- (a) refusal of service;
- (b) juveniles;
- (c) creating a safe environment; and
- (d) education and training of staff.

The policies and procedures will be strictly enforced to ensure that no liquor is sold or supplied to minors, or anyone who is or may be affected by alcohol. Further, the Applicant will display signage around the Premises in regard to the requirement for identification and sale of liquor to persons 18+. The Applicant will implement a policy that requires persons who look younger than 25 years of age to produce valid identification on demand, otherwise service will be refused.

The Applicant has considered the potential impact that the Application might have on the locality and the 'at-risk' groups, if granted. After careful evaluation of a wide range of available information, the Applicant has identified the following risk factors that will assist in reducing harm should the Application be granted:

- (a) the nature, operation and style of the Premises;
- (b) the layout of the Premises, including a significant number of tables and chairs to allow for seating;
- (c) the extensive food menus and availability of food;
- (d) the various practices, policies and procedures that will be implemented;
- (e) the active role that the director of the Applicant will have in the business;
- (f) the pricing of liquor which will deter excess consumption;
- (g) the voluntary trading conditions that the Applicant will have imposed on the licence (if granted).

The Applicant will install extensive CCTV at the Premises, with cameras positioned to cover the Premises internally.

4.14 Experience in the Liquor Industry

As mentioned above, the director of the Applicant has extensive experience in the hospitality industry. This will assist in ensuring that the Premises operates under the highest standards and adopts stringent harm minimisation policies. It is submitted that this

experience will be invaluable in implementing appropriate and effective plans to minimise disturbance and harm as a result of the operation of the Premises.

In addition to the experienced director of the Applicant, its staff will have the valuable knowledge, experience, skills and industry relationships required to provide a quality service to customers attending the Premises.

4.15 Consultation

In order to gauge the views of the broader community, the Applicant engaged in consultation with the City of Wanneroo, the Developer of Capricorn Beach Estate and members of the community.

The consultation covered a wide range of considerations, including harm and ill-health, amenity, convenience and consumer requirement. The Applicant believes that collaboration and consultation will achieve a successful business operation.

4.16 Community Buildings & Facilities

The Applicant has identified community groups in the locality in the table below.

Community Group	Address	Facility
Bethanie Beachside Retirement Village	629 Two Rocks Rd, Yanchep	Aged care
Yanchep Medical Centre	Unit 1/5 Village Row, Yanchep	Health care
Atlantis Early Learning - Yanchep	93 Lindsay Beach Blvd, Yanchep	Child care
Tiny Kingdom Early Learning Yanchep	61 & 63 Lagoon Dr, Yanchep	Child care
New Horizons Preschool - Yanchep	60 St Ives Dr, Yanchep	Child care
Busy Bees at Yanchep	29 Morwell St, Yanchep	Child care
Buttercups Childcare & Early Learning Centre – Yanchep	5 Ikara La, Yanchep	Child care
Great Beginnings Yanchep	121 Moorpark Ave, Yanchep	Child care
Atlantis Early Learning - Yanchep Vertex	319 Castlemead Dr, Yanchep	Child care
Genius Childcare Yanchep	5 Ikara La, Yanchep WA 6037	Child care

Community Group	Address	Facility
Yanchep Beach Primary School	100 Lindsay Beach Blvd, Yanchep	Education
Yanchep Lagoon Primary School	15 Primary Rd, Yanchep	Education
Yanchep Secondary College	21 Ravensbourne St, Yanchep	Education
Yanchep Rise Primary School	110 Moorpark Ave, Yanchep	Education
Yanchep Community Church	100 Lindsay Beach Blvd, Yanchep	Place of worship
Yanchep Two Rocks Access Centre (YTRAC)	7 Lagoon Dr, Yanchep	Local government

No hospitals, hospices, short-term accommodation or drug and alcohol treatment facilities were identified.

As the Premises sits at the border of the locality, a number of these premises are not within close proximity to the Premises, nor can the Premises be readily viewed from these community group locations.

4.17 Trading Conditions

The Applicant has carefully considered the conditions imposed on other tavern licences in the wider Perth metropolitan area. The Applicant is agreeable to the following conditions being imposed on the licence for the Premises, should the Application be granted:

- (a) the sale of packaged liquor for consumption off the licensed premises is not permitted;
- (b) the licensee shall not promote, advertise or employ incentives which encourage the excessive consumption of liquor by virtue of their 'emotive' titles such as (but not exclusive to) 'laybacks', 'slammers', 'jelly-shots', 'test tubes' and 'blasters'.
- (c) drink options that contain low alcohol liquor content as well as a range of non-alcoholic drink options must be available during trading hours.
- (d) food must be available on the licensed premises until one (1) hour before closing time;
- (e) dress Standards will apply, including jackets, clothing or other accessories indicating an outlaw motorcycle gang;

- (f) a CCTV video surveillance system must be in place and operational. The system must comply with the minimum requirements identified and be maintained in accordance with the Director's Safety and Security at Licensed Premises policy.
- (g) the standard condition to apply regarding immodestly or indecently dressed persons on licensed premises;

The Applicant considers that the imposition of the above conditions confirms its commitment to operating a safe premises which seeks to adopt the most efficient and effective harm minimisation strategies.

4.18 Transport & Parking

The location of the Premises provides access to public transport options for patrons and staff alike.

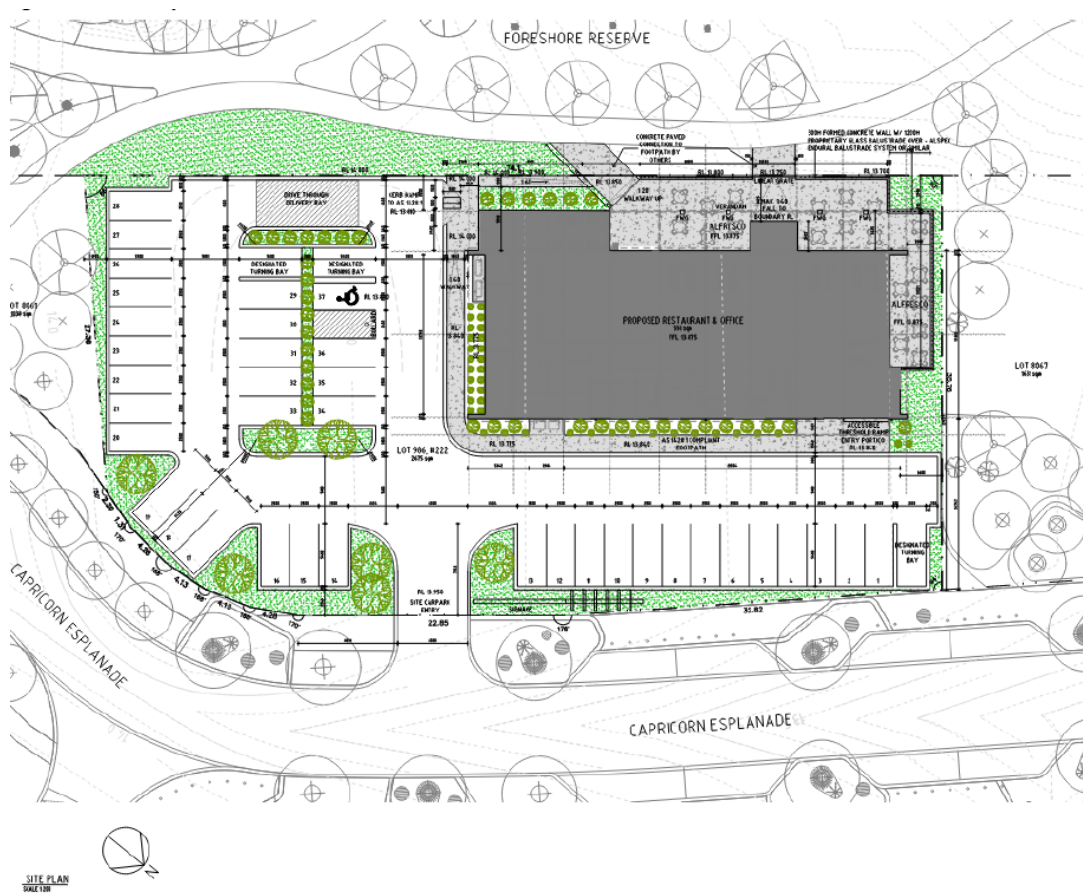
This location is serviced by the three Transperth bus services; the 494, 495 and 496. These services travel from Yanchep train station all throughout the suburb and then south to the nearby Eglinton train station. The map below shows the routes taken by these services:³¹



The nearest stop to the premises is located just under a kilometre from the premises. This stop forms part of the 494 route which travels from Yanchep train station, through western Yanchep and then south to Eglinton train station. This bus service allows patrons to travel

³¹ Transperth - Route 494, 495, 496 Timetable (Annexure K).

For patrons who are not drinking, it is proposed that there be 37 off-street car parking spaces (including one accessible space) provided for the Premises, supported by 9 on-street parking spaces aligning the site frontage (4 on the western verge and 5 on the eastern verge). Additionally, there are 74 car parking spaces (including 4 accessible spaces) provided within the public car parking area associated with the beach access directly adjacent to the subject site, and a further 34 at the beach front – approximately 200m walking distance. In total there are 154 car parking spaces available within a short walking distance of the Premises.

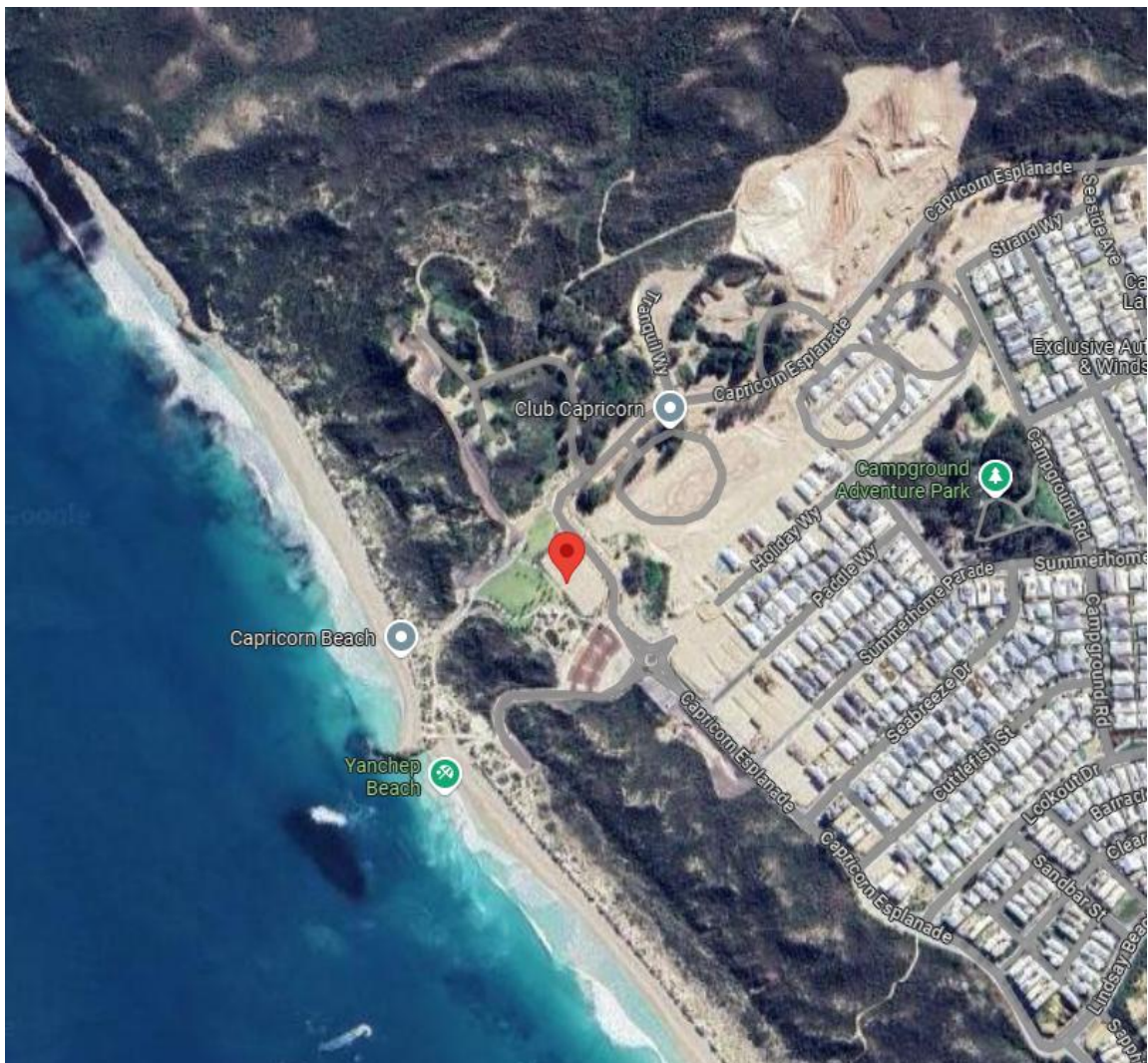


It is submitted that there is not expected to be any significant offence, annoyance, disturbance or inconvenience caused to people who reside or work in the vicinity of the Premises, if the Application were granted. The Premises is zoned as “Urban Development”, with the key objects including to provide for the “progressive and planned

development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.”³²

The proposal is a commercial use that will provide a convenient food and beverage offering to the local residential community and visitors to the area, as well as creating a hub spot for the community that will assist to social interaction amongst local residents. This proposed use is a commercial use associated with residential development and is clearly consistent with the intent of point three in the objectives of the “Urban Development” zone.

As can be seen from the following aerial image, the Premises is located on the extent of the Yanchep townsite, bounded by bush, beach and residential development.



³² City of Wanneroo District Planning Scheme No 2, Table 2 – Zone Objectives.

The following images show a street view of the surrounds of the proposed Premises site:³³



³³ Google Maps (<https://www.google.com/maps>).



As can be seen from the above, the proposed Premises site sits by the Capricorn Estate residential development and surrounding parkland and beach. Whilst residential housing is located nearby, the Premises is not anticipating causing disturbance to residents.

The Applicant notes that the Premises will generate many positive benefits to the locality, including employment and tourism. The Applicant anticipates that the Premises will engage approximately 20 employees, including both permanent and casual employees. The Applicant envisages that the Premises will operate harmoniously with the amenity of the locality and local businesses.

Further, unruly, disorderly and unsocial behaviour will not be tolerated at the Premises, and staff will refuse entry or ask such patrons to leave the venue if the behaviour standards are not met.

4.20 Entertainment

The entertainment provided at the Premises will vary depending on the time and day and the requirements of consumers. The Applicant proposes that the format and style of entertainment will seek to enhance the hospitality experience of patrons. The predominant form of entertainment offered during the majority of permitted trading hours for the venue will be background music played via the in-house sound system of the Premises with the potential for occasional live acts (i.e a jazz singer) and DJs performing on weekends/evenings or for private functions and special events. No live rock bands are proposed.

An Acoustic Report was prepared by Herring Storer Acoustics which addresses the *Environmental Protection (Noise) Regulations 1997*.³⁴ The report assesses potential noise sources from the proposed development, and the assessment undertaken demonstrates that the noise emitted from the proposal will comply with the assigned levels determined in accordance with the *Environmental Protection (Noise) Regulations 1997*, concluding that:

- Noise levels associated with the external alfresco area is to be limited to patron noise only with no music played/performed externally other than ambient/background music.
- Noise levels within the internal areas of the proposed development are able to be contained within the construction of the venue, noting that the external entrance/exit doors could be open when internal music is ambient/background music only.³⁵

In order to minimise any undue offence, noise or disturbance, the Applicant will ensure all entertainment complies with the law and any conditions imposed on it by the relevant authorities and the providers of entertainment will be made aware by the approved manager on duty of requirements that are in place concerning the provision of entertainment at the Premises.

The Applicant will also implement the following initiatives:

- Staff will promote and encourage amongst patrons a respect for the amenity of the neighbourhood, and rights of residents not to be unduly disturbed by customers' behaviour on or off the Premises;
- Staff will take steps to prevent customers from leaving with ANY open cans, bottles or with glasses;
- Staff will collect on a regular basis empty and discarded glasses, cans and bottles;
- Management will make provision for the engagement of security personnel (where necessary);
- 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 attempt to resolve the matter. All complaints are to be recorded in the appropriate register.

³⁴ Acoustic Report (**Annexure L**).

³⁵ Acoustic Report (**Annexure L**).

5. CONCLUSION

It is submitted that, in weighing and balancing all considerations, the Application should be granted. The grant of the Application will be an added benefit to the locality, providing the a community hub in the growing Yanchep locality.

In determining the communities view on the Application, a representative sample of the community completed the questionnaire, with the vast majority evincing overwhelming support and requirement for the proposed Premises.

The Applicant submits that the Premises will promote the objects of the Act by accommodating the diversity of consumer demand and by promoting responsible service of alcohol. Given the proposed mode of operation of the Premises by the Applicant, coupled with the Applicant's extensive harm minimisation strategies and experience in the industry, there is minimal risk of harm, ill-health and anti-social behaviour occurring at the Premises.

TABLE OF ANNEXURES

Annexure A	Proposed Menus
Annexure B	2021 Census QuickStats: Yanchep SL
Annexure C	2021 Census QuickStats: Wanneroo LGA
Annexure D	Yanchep Population Forecast
Annexure E	Yanchep Lagoon Masterplan
Annexure F	Capricorn Beach Yanchep Masterplan
Annexure G	Jindowie Estate Masterplan
Annexure H	Yanchep Junction Overall Community Plan
Annexure I	Market Research Report
Annexure J	Code of Conduct and Harm Minimisation Management Plan
Annexure K	Transperth - Route 494, 495, 496 Timetable
Annexure L	Acoustic Report