

SOSA THA GROUP PTY LTD
trading as **The Heart Applecross**

PUBLIC INTEREST ASSESSMENT SUBMISSIONS

APPLICATION FOR TAVERN RESTRICTED LICENCE

THE
HEART
♦ APPLECROSS ♦

telephone. (08) 6166 9000
fax. (08) 6166 9001
email. enquiries@ryancosolicitors.com.au
post. PO Box 6557, East Perth WA 6892
ryancosolicitors.com.au

Level 13, 251 Adelaide Terrace, **Perth** WA 6000
Level 8, 81 Flinders Street, **Adelaide** SA 5000
Level 1, 17 Bolton Street, **Newcastle** NSW 2300
Level 1, 48-50 Smith Street, **Darwin** NT 0800
Level 8, 699 Collins Street, **Docklands** VIC 3008

1. PARTICULARS

1.1 Application

Tavern Restricted Licence

1.2 Applicant

SOSA THA Pty Ltd

1.3 Premises

Ground Floor, Riviere Residences, 59 Canning Beach Rd, Applecross, Western Australia (**the Premises**)

2. BACKGROUND

The Applicant is seeking a tavern restricted licence for the Premises to be known as The Heart Applecross located within the newly constructed Riviere Residences at 59 Canning Beach Rd, Applecross. The Applicant is seeking to establish a gastro pub centred on delivering a high-quality dining experience with a blend of classic elegance and modern flair.

The Heart Applecross will be a sister-venue to The Heart Hillarys (located within the Hillarys Beach Club). The Heart offers a contemporary twist on the classic English restaurant and pub experience. The Applicant seamlessly blends tradition with modernity, offering a warm and inviting atmosphere that captures the essence of English hospitality, aspiring to be the heart of the community.



The Applicant proposes that the Premises will offer a sophisticated and relaxing, family friendly space to enjoy a great meal and a few drinks. The Premises will consist of a dining area, public bar as well as an alfresco area with river views. Warm, inclusive, and slightly upscale, the venue caters to both social gatherings and family-friendly experiences, offering the perfect balance of comfort and sophistication, including spaces for intimate gatherings.

The director behind the Applicant is an experienced operator of licensed premises, currently operating the Hillary's Beach Club and Bar Ole in Iluka. The Applicant envisages that the Premises will be "warm, inclusive and slightly upscale" and provide for social gatherings, as well as intimate and family-friendly experiences.

In addition to The Heart Applecross, a related entity of the Applicant, SOSA BOA Pty Ltd, is also seeking a tavern licence for the neighbouring venue, Bar Ole Applecross. Whilst the hospitality scene has seen a number of large venues open with 'venues within venues' all under the one liquor licence, the director of the Applicant has proposed two distinct yet interrelated venues, side by side, with separate liquor licences.

The Applicant has carefully considered the Director's Public Interest Assessment Policy¹ in the preparation of these submissions which is submitted in support of the

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

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
- (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.

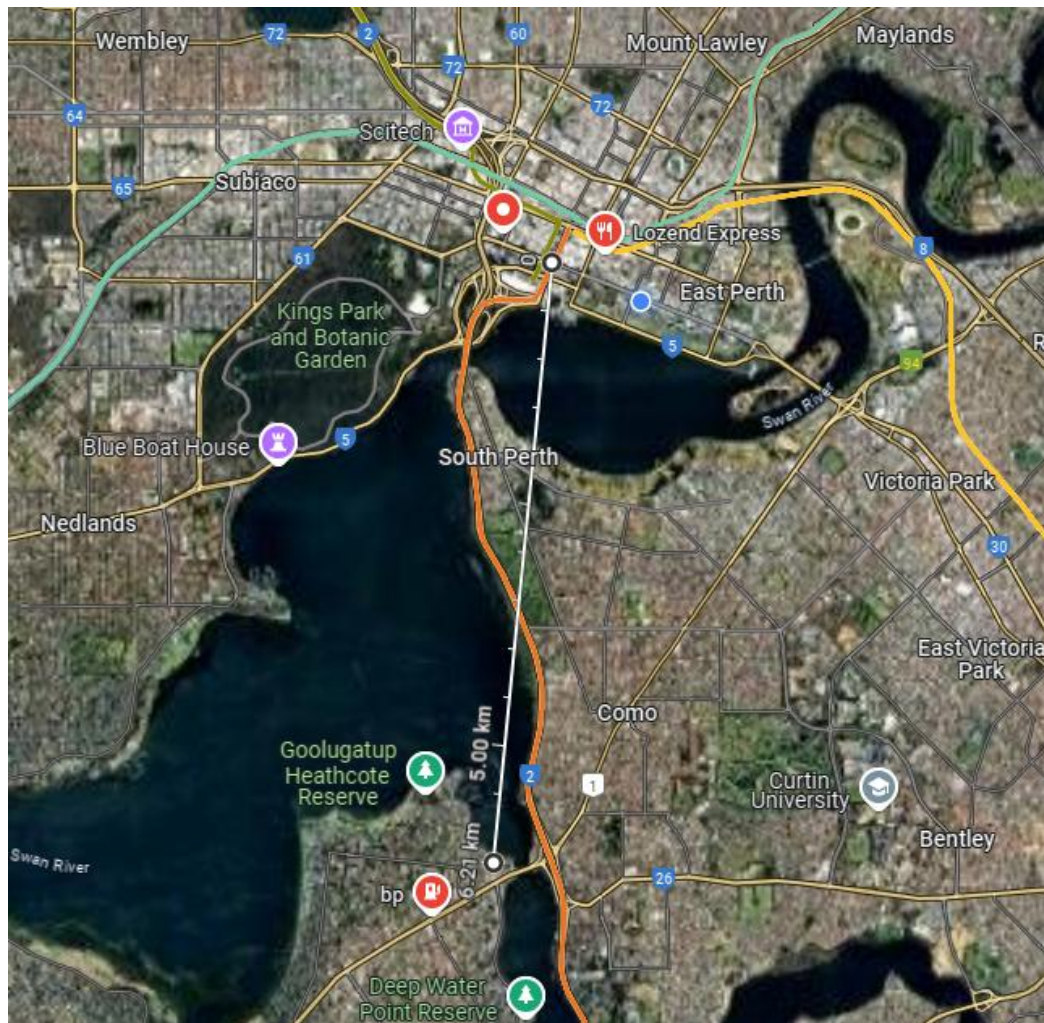
Mr Esquant began his career working in the family-owned pub, The Golden Heart Hotel, in London where he acquired the skills needed to operate a successful hospitality business. After this, he and his wife Nikki owned and operated the Princess Alice Tavern, also located in the United Kingdom.

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 on the Ground Floor of the Riviere Residences at 59 Canning Beach Rd, Applecross, approximately 6 kilometres south of Perth. The Premises falls within the local government area of the City of Melville. The location of the Premises in proximity to Perth is shown in the map below:

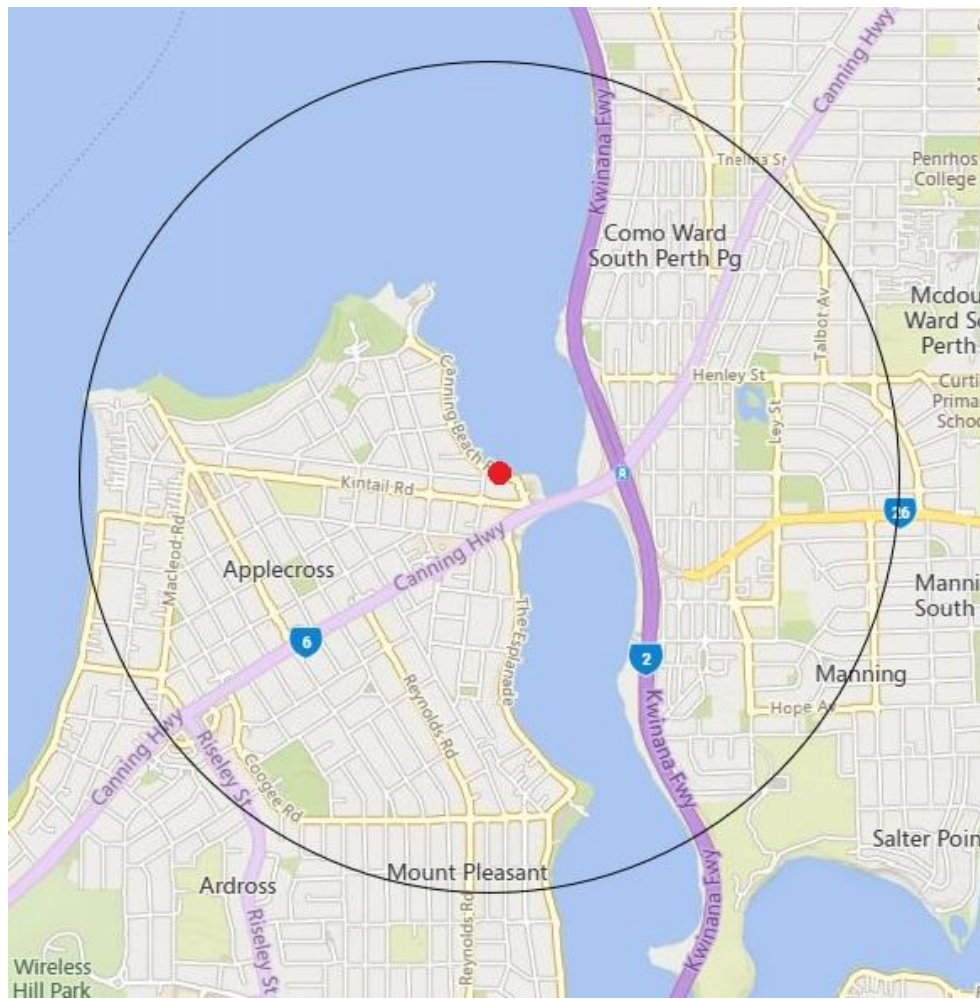


The concept 'locality' as it relates to a premises under the Act has no strict definition. As a legal concept, locality has been described as an area that surrounds and is geographically close to the location of a premises.² However, applying this concept to determine the locality of a premises can be difficult. This is because each application gives rise to various and unique factual situations such that a definitive test and exhaustive list of factors cannot be arrived at.³

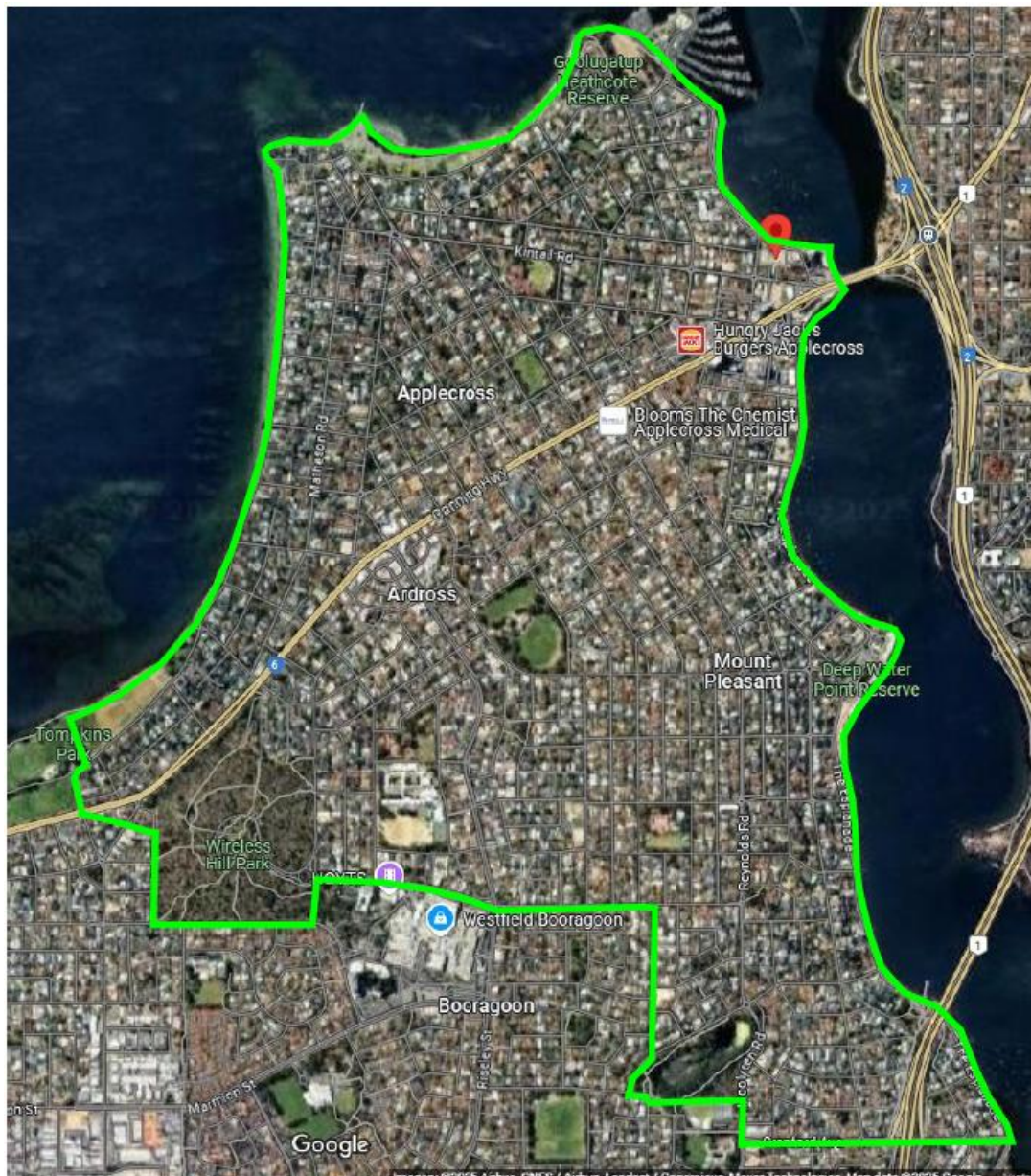
The Applicant notes that a two-kilometre radius from the Premises is the 'starting point' for determining the locality. In this Application, that locality would include the suburbs of Applecross, Mount Pleasant and Ardross, as well as Como, Manning and Salter Point, as shown in the image below:

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

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



The Applicant notes that whilst suburbs such as Como, Manning and Salter Point are located within two kilometres of the Premises, the topographical and geographical barriers, including the Swan River, suggests that they should be excluded from the locality. The Applicant therefore proposes that a more appropriate locality would include the suburbs of Applecross, Ardross and Mount Pleasant, as shown in the images below:



Applecross, the area known as Goolugatup in Noongar language, was a permanent fishing and camping ground for the Noongar Beeliar people. In the 1830s the area was designated for cattle grazing and later developed for residential use by Sir Alexander Matheson in the 1890s.⁴ The suburb takes its name from the Applecross peninsula in Wester Ross, Scotland. Today, Applecross is an affluent residential suburb located on the Swan and Canning Rivers which hosts panoramic river views and leafy residential streets. The banks of the river feature nature reserves and picnic areas which contribute to the relaxed, leisurely lifestyle the area offers

⁴ Goolugatup History (www.goolugatup.com/history).

residents and visitors.

4.3 Riviere Residences Development

The premises is located within the six-star Riviere Residences development. The \$170 million development features 217 luxury residential apartments in two separate towers located on the banks of the Canning River in Applecross. The development also provides a heated infinity pool, sauna, steam room and gym as well as a cinema. 18 commercial units will also be located within the development, with the ground level featuring restaurants and cafes.⁵



Completion of the development is due in mid-2025⁶ and will offer a unique and vibrant retail experience yet to be seen in Applecross – a curated food, beverage, and retail hub located on the ground floor of the development.

⁵ PACT Construction – Riviere Residences (www.pactconstruction.com.au/project/riviere-applecross/).

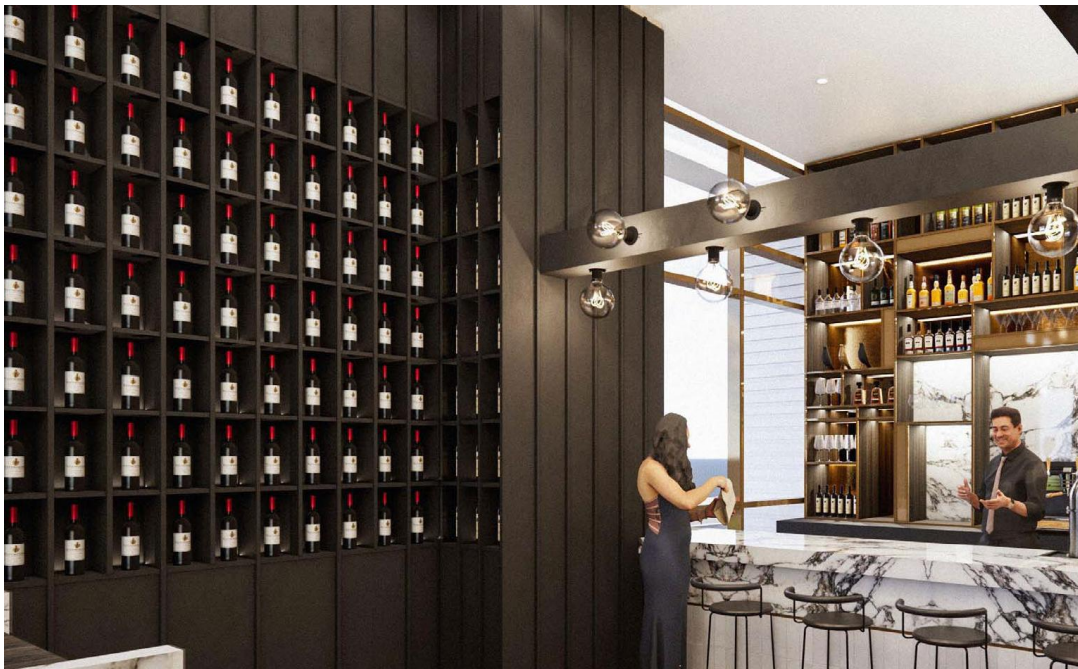
⁶ EDGE – Riviere Residences, Applecross (edgevl.com.au/projects/riviere/).



4.4 The Heart

The Applicant is proposing a hospitality venue that will form part of the Riviere Residences redevelopment. Located on the ground floor, the 485m² tavern will offer residents and visitors to the area a place to meet, have a meal and a drink and socialise in a sophisticated and relaxing environment.

The design and layout of the Premises has been carefully considered. At the heart of the venue will be a magnificent central marble bar, which doubles as a statement piece and the hub of social activity. Marble French oak wooden flooring provides a timeless and elegant foundation throughout the space. Plush leather seating, marble and wood bar stools, and cosy booths will offer unparalleled comfort. A wall of wines will showcase the great range of Australian and international wines. The ambiance is enhanced by strategically placed mirrors that add depth and light, while artworks from Damien Hirst and Tracey Emin lend an artistic edge.

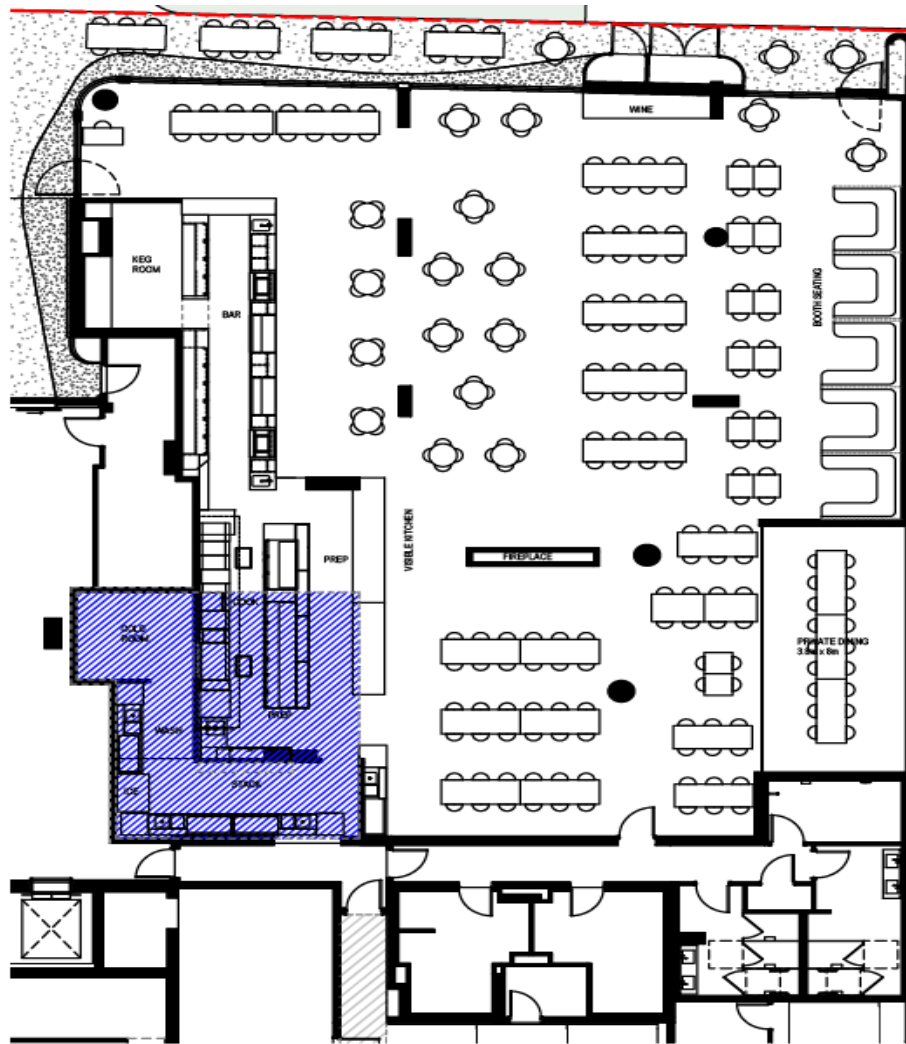


The Applicant anticipates the Premises opening in late 2025. The capacity of the Premises is anticipated to be approximately 300 persons across both the internal and external areas.





An indicative plan of the Premises is as follows and shows ample seating available:



The Applicant is seeking trading hours in accordance with the Act, being 6.00am to midnight Monday to Saturday and 10.00am to midnight on Sundays. However, the actual proposed opening hours may differ depending on operational requirements and the areas within the Premises. For example, it is unlikely that the Premises will trade until midnight during the week.

4.5 Food

Dining will play a key part in the operation of the Premises with a large commercial kitchen capable of servicing the demands of patrons during peak periods. The Applicant is seeking to offer high quality dining options based on seasonal, fresh, local ingredients, with both formal and informal dining options. As a result, substantial seating, including dining tables and chairs, will be set up in various parts of the Premises, for the comfort of diners.

The Applicant will offer dining during opening hours (until one hour before close), with a focus on all day dining as well as traditional lunch and dinner service.



The food menu will focus on providing a high quality and diverse offering including small plates, pizza, pasta and gastro pub style mains as well as traditional Sunday roasts and desserts.⁷ The Premises will also have a Japanese fusion menu as well as a kids menu.



⁷ Proposed menus (**Annexure A**)

4.6 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.⁸



The non-alcohol selections include a range of soft drinks, juices, teas and coffees as well as a number of “alcohol-free” cocktails and wines. Free tap water will be available at all times in accordance with the Director’s Policy on Free Drinking Water.⁹

4.7 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.

4.8 Bar Ole Applecross

As noted above, a related entity of the Applicant, SOSA BOA Pty Ltd, is also seeking a tavern licence for the neighbouring venue, Bar Ole Applecross, also located within the Riviere Residences development. As opposed to operate both venues under the one liquor licence, the Applicant is proposing two distinct yet interrelated venues,

⁸ Proposed menus (**Annexure A**)

⁹ Director’s Policy, Free Drinking Water (as amended) (<https://www.dlgsc.wa.gov.au/department/publications/publication/free-drinking-water>).

side by side, with separate liquor licences.

Bar Ole Applecross will operate as a tapas bar and will bring a refined, rustic Spanish-inspired experience to the heart of Applecross. The venue will be a fusion of traditional craftsmanship and contemporary luxury, offering a warm and welcoming atmosphere for an elevated dining and social experience. With a strong focus on Spanish influences, the space invites guests to enjoy a cozy yet sophisticated environment where rustic charm meets modern elegance.

4.9 Demographics

Geographically, the clientele for Premises will come from the Perth metropolitan area, particularly those areas surrounding Applecross. Demographically, the target market includes more mature adults who are looking for a sophisticated food and beverage experience.

The Heart Applecross appeals to an affluent and discerning demographic, predominantly aged over 30 years, who value high-quality dining and social experiences. The Applicant is proposing a (slightly) upscale, yet welcoming atmosphere to attract young professionals, social groups, and families alike. The venue's blend of sophistication and warmth caters perfectly to those seeking a relaxed but refined evening out or a memorable family meal in an inviting, inclusive environment.

The demographics attracted to the Premises are likely to consist of more mature patrons who are not interested in the traditional pub setting, namely:

- (a) residents and visitors to the Riviere Residences;
- (b) residents of Applecross and surrounding suburbs;
- (c) tourists and visitors to the Applecross area;
- (d) people who work in or near Applecross.

The Applicant understands from the Developer of Riviere Residences that the average age of buyers is over 60 years, and that these residents will form an important segment of the patronage of the venue.

The Applicant has analysed statistics for various suburbs in the locality to gauge the overall averages. Some of the key statistics are summarised in the following table:

2021 Census	Applecross ¹⁰	Mount Pleasant ¹¹	Ardross ¹²	Locality Average	WA
Population	7,228	7,456	4,578	-	2,660,026
Median Age	44	43	41	43	38
Aboriginal and Torres Strait Islander people	0.4%	0.7%	0.7%	0.6%	3.3%
Children and young people/people aged 19 and under	22%	22.1%	25.3%	23.1%	24.8%
Persons aged 60 years and over	29%	27.8%	25.4%	27.4%	21.8%
Couple family without children	43.5%	43.3%	34.5%	40.4%	38.8%
Couple family with children	44.4%	45.7%	50.0%	46.7%	44.6%
One parent family	10.7%	9.3%	13.4%	11.1%	15.1%
Place of Birth – Australia	57.5%	59.7%	58.6%	58.6%	62.0%
Place of Birth – Country (next three top responses)	England, Malaysia, China	England, Malaysia, China	England, China, Malaysia	NA	England, New Zealand, India
Full time workers	56.8%	57.2%	54.0%	56.0%	57.1%
Part time workers	35.4%	34.0%	36.3%	35.2%	32.0%
Unemployed	3.8%	4.1%	4.9%	4.3%	5.1%
Tenure Type - Owned with a mortgage	25.8%	32.9%	34.8%	31.2%	40%
Tenure Type - Owned outright	44.1%	42.6%	42.4%	43.0%	29.2%

¹⁰ Applecross, Suburbs and Localities, 2021 Census All Person QuickStats (**Annexure B**).

¹¹ Mount Pleasant, Suburbs and Localities, 2021 Census All Person QuickStats (**Annexure C**).

¹² Ardross, Suburbs and Localities, 2021 Census All Person QuickStats (**Annexure D**).

2021 Census	Applecross ¹⁰	Mount Pleasant ¹¹	Ardross ¹²	Locality Average	WA
Median weekly income – individual	\$1,167	\$1,093	\$1,001	\$1,087	\$848
Median weekly income – household	\$2,453	\$2,401	\$ 2,361	\$2,405	\$1,815

The Census data shows that the median age of persons in the locality is approximately 43 years of age, which is higher than the State average of 38 years. This in itself indicates that the locality is home to a more mature population.

Of the families in the locality, 46.7% were couples with children, whilst 40.4% were couple families without children. The Applicant considers this important, and whilst seeking to create a sophisticated venue, appreciates that it is important to cater to the families in the locality.

According to the Census data, the Indigenous population in the locality accounted for 0.6%, which is significantly less than the State average of 3.3%. The place of birth data found that nearly 59% of persons in the locality were born in Australia, compared to the State average of 62%, with a number of residents born in England, Malaysia and China.

Unemployment was low in the locality, sitting at 4.3%, which is less than the State average of 5.1%. Home ownership (owned outright) was significantly higher (43%) than the State average (29%). Meanwhile, the median weekly income of households (\$2,405) in the locality was much greater than the State average (\$1,815).

Overall, the Census data supports the findings that the locality is an inner-city suburb featuring high levels of income and home ownership with mature, well-off residents and families.

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 Melville scored 1,081 on the SEIFA Index of Disadvantage whilst the suburb of

Applecross itself scored 1,128.¹³ 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 submits that the locality sits well above average on the Index.

Area	2021 Index of Relative Socio-economic Advantage and Disadvantage	State Ranking (Decile)
Applecross SL	1128	1523
Mount Pleasant SL	1127	1522
Ardross SL	1117	1512
Melville LGA	1081	128

The City of Melville has experienced consistent and steady growth over the last five years.¹⁴

¹³ SEIFA Indexes (<https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/2033.0.55.0012016?OpenDocument>).

¹⁴ City of Melville Estimated Resident Population (**Annexure E**).

Estimated Resident Population (ERP)

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Year (ending June 30)	Number	Change in number	Change in percent	Greater Perth change in percent
2006	96,778	--	--	--
2007	97,911	+1,133	+1.17	+3.27
2008	98,607	+696	+0.71	+3.34
2009	99,882	+1,275	+1.29	+3.36
2010	100,764	+882	+0.88	+2.40
2011	102,135	+1,371	+1.36	+2.94
2012	103,569	+1,434	+1.40	+3.23
2013	104,319	+750	+0.72	+2.69
2014	104,073	-246	-0.24	+1.55
2015	103,522	-551	-0.53	+1.27
2016	102,342	-1,180	-1.14	+1.02
2017	102,569	+227	+0.22	+1.34
2018	103,153	+584	+0.57	+1.44
2019	104,340	+1,187	+1.15	+1.84
2020	106,124	+1,784	+1.71	+2.24
2021	106,823	+699	+0.66	+1.40
2022	107,433	+610	+0.57	+1.65
2023	110,426	+2,993	+2.79	+3.65

Source: Australian Bureau of Statistics, Regional Population Growth, Australia (3218.0). Compiled and presented in profile.id by .id (informed decisions).

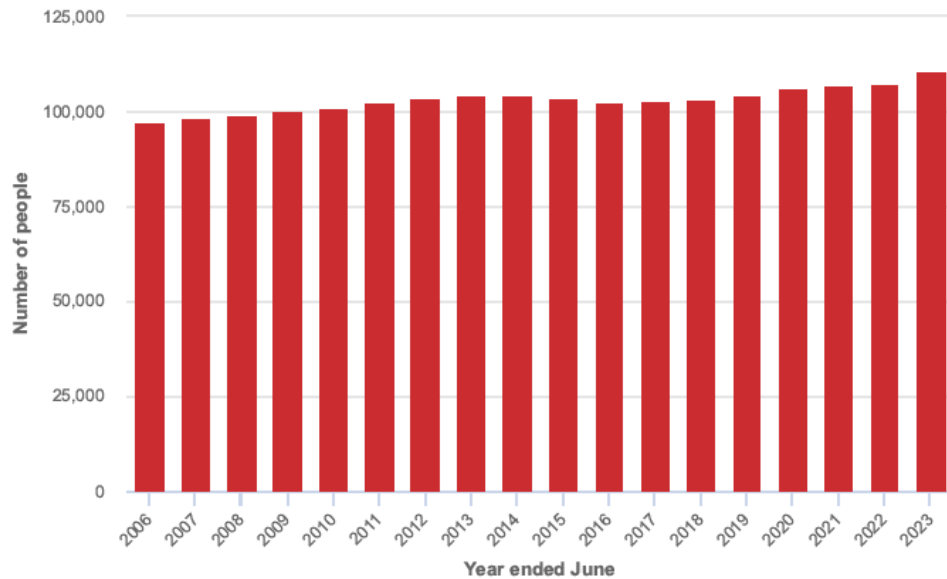
The graph below shows the increase in the number of residents in the City of Melville between 2006 and 2023.¹⁵

¹⁵ City of Melville Estimated Resident Population (**Annexure E**).

Estimated Resident Population (ERP)

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City of Melville




Source: Australian Bureau of Statistics, Regional Population Growth, Australia (3218.0). Compiled and presented by .id (<https://home.id.com.au/about-us/>) (informed decisions)

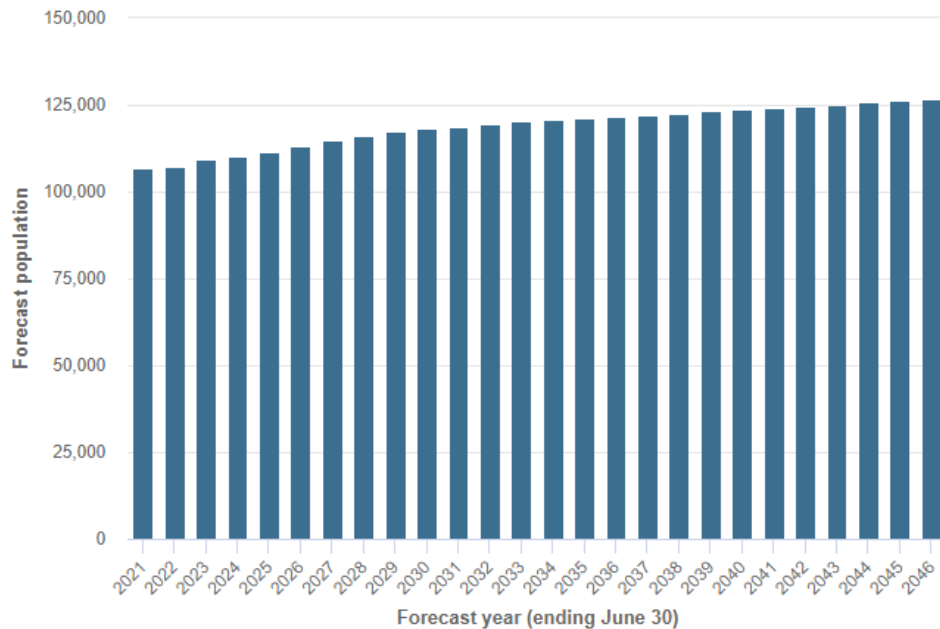
As can be seen in the graph below, the City of Melville is expected to experience continued steady growth with the forecasts predicting the population to reach approximately 126,586 persons by 2046, an increase of 14.7% over 22 years.¹⁶

¹⁶ City of Melville Population Forecast (**Annexure F**).

Forecast population

City of Melville

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

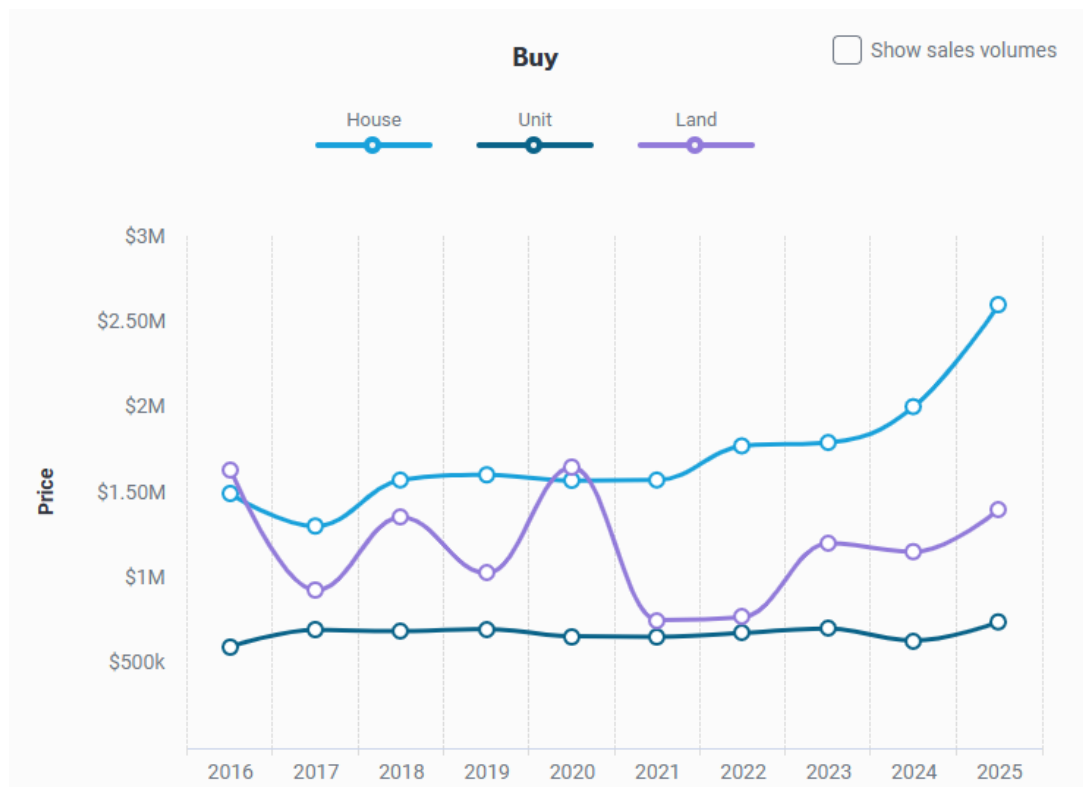
It is submitted that the current and continued population growth in the City of Melville, especially with construction of apartments such as the Riviere Residences, dictates the continuing development and revitalisation of the locality. The large population in the region is served by relatively limited facilities, requiring persons to travel outside the locality to meet their requirements for liquor, dining, and entertainment. It is submitted that the population growth necessitates increased service offerings, including hospitality venues.

4.10 Property and Development

According to the Real Estate Institute of Western Australia, the median house price in Applecross was \$2,600,000 in February 2025.¹⁷ This is compared to the median house price of \$750,000 for the Perth Metropolitan region.¹⁸ The Applecross median price data from 2015 to 2025 is shown in the graph below:

¹⁷ REIWA Insights – Applecross (<https://reiwa.com.au/suburb/Applecross/>).

¹⁸ REIWA Insights – Perth Market Insights (<https://reiwa.com.au/the-wa-market/perth-metro/>).



This shows that the median prices in Applecross are consistently well above the prices for the Perth Metropolitan region.

In addition to the Riviere Residences development, there are several other major projects and developments that are proposed, in the development stage or recently completed in the locality. These include the following:

- Forbes Residences at 10 Forbes Rd, Applecross reaching completion in April 2024 and featuring 34 luxury apartments in the heart of Applecross.¹⁹

¹⁹ Forbes Residences Brochure (**Annexure G**).



- Grandton Applecross at 20 Kintail Rd, Applecross is a \$110 million, 14 storey, 18 apartment residential development with its official opening held in September 2024.²⁰

²⁰ Grandton Applecross – Luxury Retirement Residences (**Annexure H**)



- The Precinct, Mount Pleasant located at 893 Canning Highway, Mount Pleasant features 192 luxury apartments in 21 above ground storeys as well as commercial tenancies. The \$85 million project was completed in March 2020.²¹



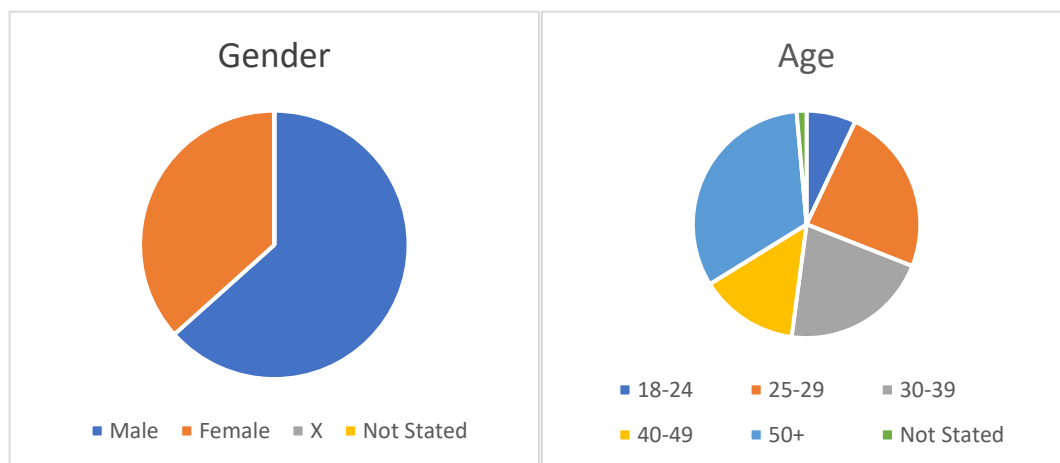
²¹ BGC Bulletin, Issue 10, Q2 2018 (**Annexure I**).

The locality is experiencing significant development, in particular, in the luxury apartment market, where residents will be expecting stylish, high end 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.

4.11 Market Research

In determining the community's views in relation to the Application, the Applicant undertook market research. The Applicant commissioned a questionnaire whereby respondents were asked to answer 11 questions about the proposed Premises (and its neighbouring venue). 63 responses were obtained.²² The questionnaire evinces the level of support for the Application and a premises such as the one proposed in the locality.

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



Over 93% of respondents were supportive of the Application, with 89% of respondents stating that they consider Applecross requires a venue such as the one proposed. 82% of respondents considered the proposal to be unique and different to the other licensed premises in the Applecross locality. The Applicant notes the following comments in response to this question:

Yes, Applecross lacks this type of venue. – Justin, 28, Canning Vale

Waterfront dining is elite and there aren't enough options there. – Cameron,

²² Market Research Report (Annexure J)

39, South Perth

Unique views and higher quality than others. – Phil Barker, 55-60, Rossmoyne

Food offering and general experience described in the proposal are something new for Applecross and ones that I think would be very much welcomed by people in the area. – Will, 25, Melville

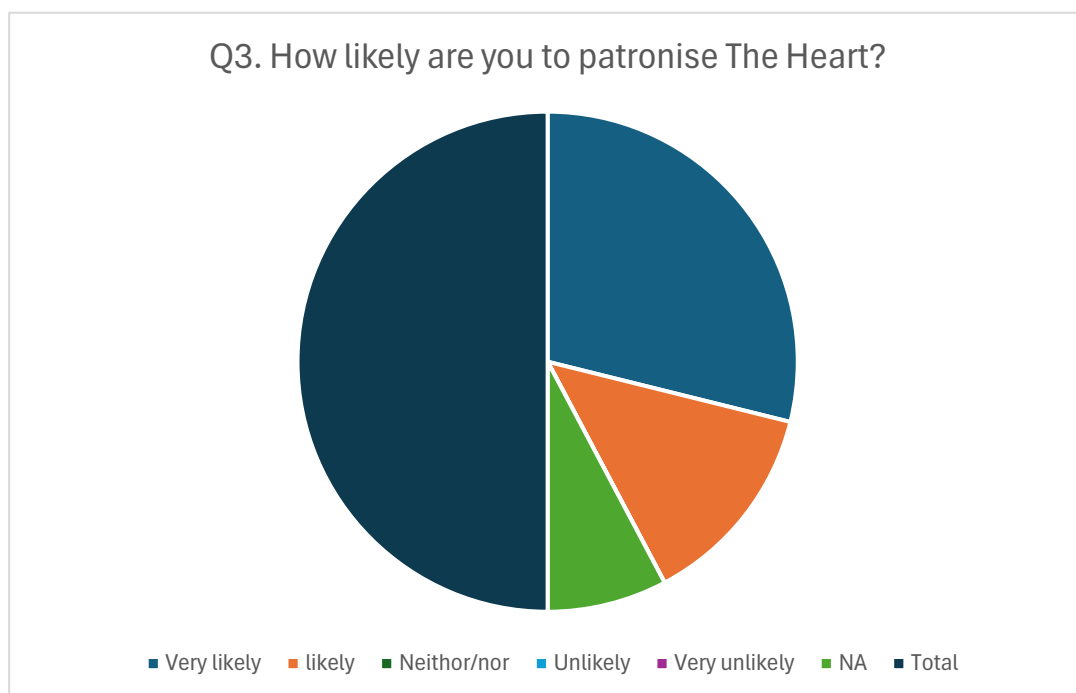
The current pub offering is less family oriented, giving the Heart a distinguished feature. The Spanish offering from Bar Ole will provide better variety to Applecross. – Samuel, 22

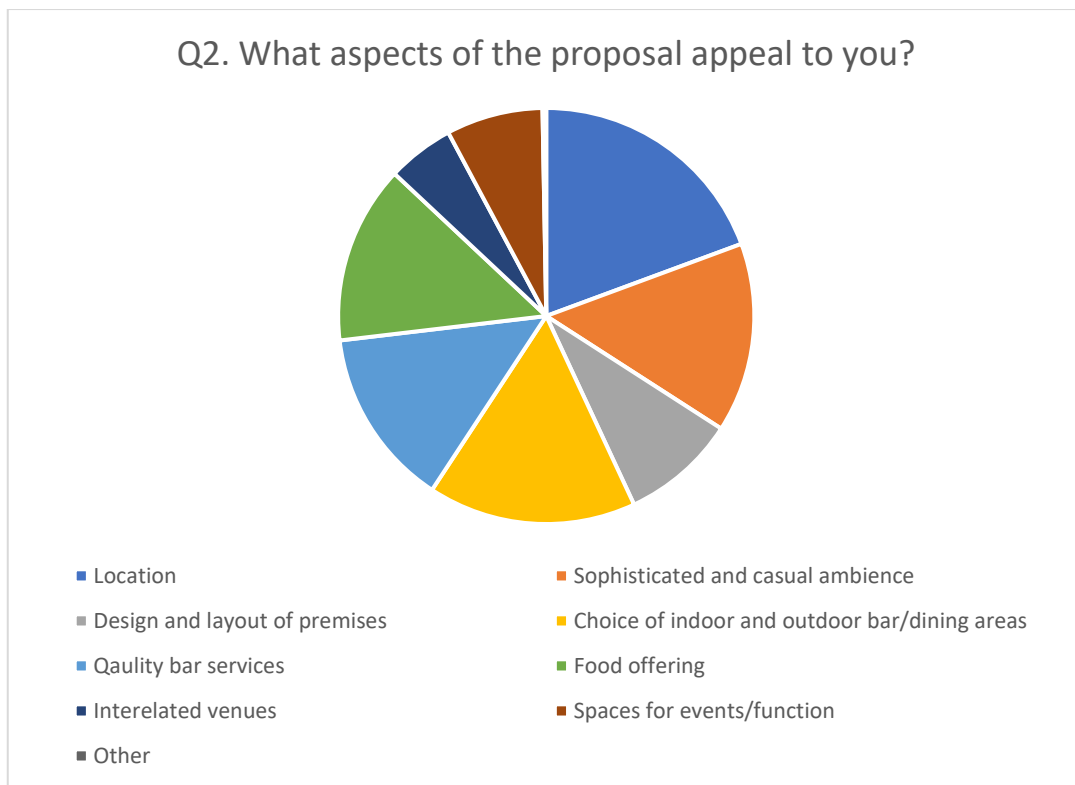
Yes, there's nothing quite like it in the area. – Amanda, 30, Southern River

Yes, no other sophisticated venue with water and city views. – Ghislaine, 35, Melville

Unique two in one venue which is a better proportion than other local establishments. – Philip, 49, Mindarie

The Applicant notes that over 85% of respondents are at least likely to patronise the Premises.





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

Great to have another eating and social venues in the local area. – Cameron, 39, South Perth

Great location and looks to be a high-quality venue. – Phil Barker, 55-60, Rossmoyne

Always on the lookout for a great new dining experience. – Alicia, 42, Piara Waters

Given the success of Hillarys Boat Club, I'm excited to try The Heart given it's south of the river. – Amanda, 30, Southern River

Quality venue, quality of food and beverage. Good venue for both personal and business entertainment. – Philip, 49, Mindarie

The Applicant notes that nearly 94% of respondents stated that the Premises would cater to the requirements of residents, visitors and tourists in the area, with the following comments made:

Yes, the Applecross foreshore is under-utilised in the evenings. – Justin, 28, Canning Vale

The views are spectacular so everyone will feel it's a special place. – Darryll, 58, M

Provide more variety in a community location. – Mark, 40, Como

It's a very good offering. With more people living in the area, more venues like this are required. – Mark, 62, South Perth

Close to public transport also helps. – Cameron, 39, South Perth

All these people are looking for new and high-quality venues. – Phil Barker, 55-60, Rossmoyne

Again, Applecross is sorely missing new and exciting places to dine, current residents are driving to places like Fremantle to get this kind of experience so would absolutely appreciate anything new in the area. – Will, 25, Melville

The Canning Bridge area has been very successful in the planning on increased density, so requires these venues for the additional residents and visitors of the area. – Luc, 37, Claremont

Yes, it will bring a more diverse choice to the local area. – Philip, 49, Mindarie

The Applicant also received a letter of support from one of the proposed residents of the apartments, who stated:²³

As a future resident, I am excited at the prospect of having several hospitality venues right at my doorstep. Having quality licensed venues run by experienced operators close to home would ensure that myself my family and guests have a range of options to suit any occasion within walking distance.

The existing licensed venues in the area are limited and do not provide the level of comfort and sophistication that I understand that Bar Ole Applecross and The Heart Applecross propose. I have spoken with the applicant and have a good understanding of what is proposed and I am looking forward to having these venues open when I move in. I believe that the proposal will blend classic elegance and modern flair, which will be well received amongst those living within the Residences, and those living further afield.

I am very much in support of the tavern applications and can't wait to experience the picturesque views with quality dining and beverage experiences within the Reviere

²³ Letter of Support – Jack Lin (Annexure K).

complex.

The level of consumer demand and 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.

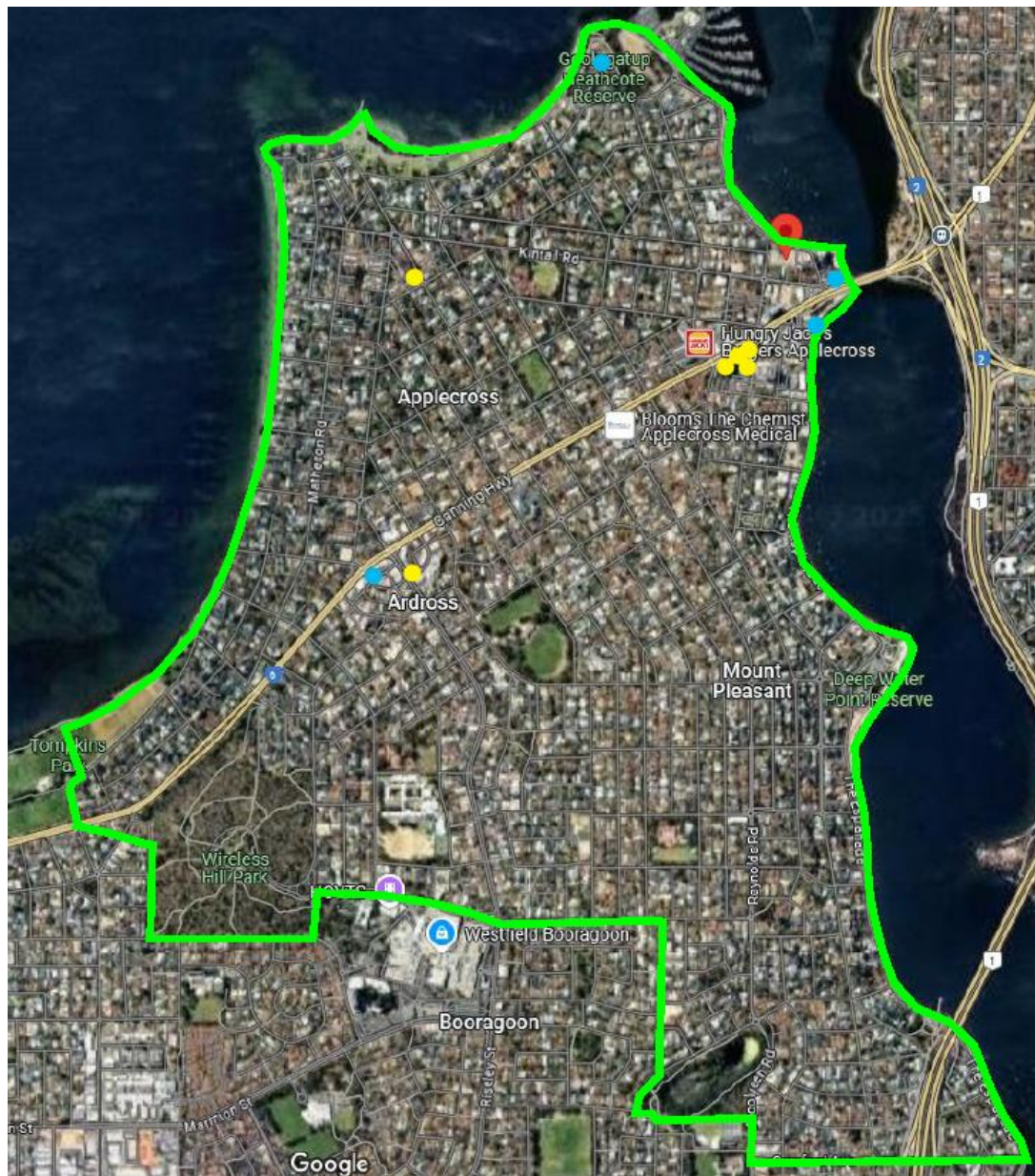
4.12 Existing Liquor Premises

As noted above, the Applicant has adopted a locality with a three-kilometre radius from the Premises. The Applicant notes that the locality currently has the following active on-premises licensed premises:²⁴

Premises	Address	Licensee
Tavern Licence		
Raffles Hotel	70-72 Canning Beach Rd, Applecross	AVC Operations Pty Ltd
The Quarter Acre Hotel	767 Canning Hwy, Applecross	AVC Operations Pty Ltd
The Rowing Pavilion	4 The Esplanade, Mount Pleasant	GPRWA Pty Ltd
Tucci	58 Duncraig Road, Applecross	Bluewater (WA) Pty Ltd
Small Bar		
Nic and Kolo	Unit 1, 45 Ardross Street, Applecross	Benk Investments Pty Ltd
Za-Khang House of Cuisines	Shop 1, 901 Canning Highway, Applecross	Dawa Tshering & Tshewang Rabgay
Parley	G6 893 Canning Highway, Mount Pleasant	Parley Holdings Pty Ltd
Albatross Lounge	Unit 101 893 Canning Highway, Mount Pleasant	Albatross Lounge Pty Ltd
Bad Apples Bar	Unit 6, 16 Riseley St, Ardross	Good Apples WA Pty Ltd
Mr Ben's	18 Ogilvie Road, Mount Pleasant	Ogilvie Road Apartments Pty Ltd

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

²⁴ Liquor Licensing Authority – Licensed Premises in Applecross and surrounding suburbs in the locality.



As can be seen from the above, there are only a few licensed premises within the locality. Of the existing licensed premises in the locality that could be considered comparable, there are four taverns and six small bars.

Premises	Licence Type	Comments
Raffles Hotel	Tavern	Modern Australian pub
The Quarter Acre Hotel	Tavern	Suburban family friendly pub
The Rowing Pavilion	Tavern	Casual pub-style venue with DJs
Nic and Kolo	Small Bar	Café style venue

Za-Khang House of Cuisines	Small Bar	Korean and Bhutanese restaurant
Parley	Small Bar	Intimate suburban wine bar
Albatross Lounge	Small Bar	Golf simulators and electronic darts bar
Bad Apples Bar	Small Bar	Restaurant, bar and coffee roastery

The Applicant submits that consumers in the locality are becoming increasingly sophisticated and require a new, modern and stylish venue that caters to the evolving concepts of dining and socialising. It is this type of venue that the Applicant is set to create.

Given the developments underway in the locality, the Applicant believes that new, hospitality venues are required to meet the requirements of consumers and one that will attract patrons living within the new apartments.

4.13 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 a similar proportion of children under the age of 19 years (23.1%) 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 far less (0.6%) than the State average (3.3%);
- (c) there are no Aboriginal community groups or communes living near the proposed Premises;
- (d) the locality is not regional, rural or remote in location, with the Premises located within the inner Perth metropolitan area;
- (e) families are present in the locality with the figures similar to the State averages and as noted above, the Premises will cater to families;
- (f) whilst the Census data shows that the number of residents born in Australia is lower than the State average with the place of birth for residents born outside of Australia includes England;
- (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.

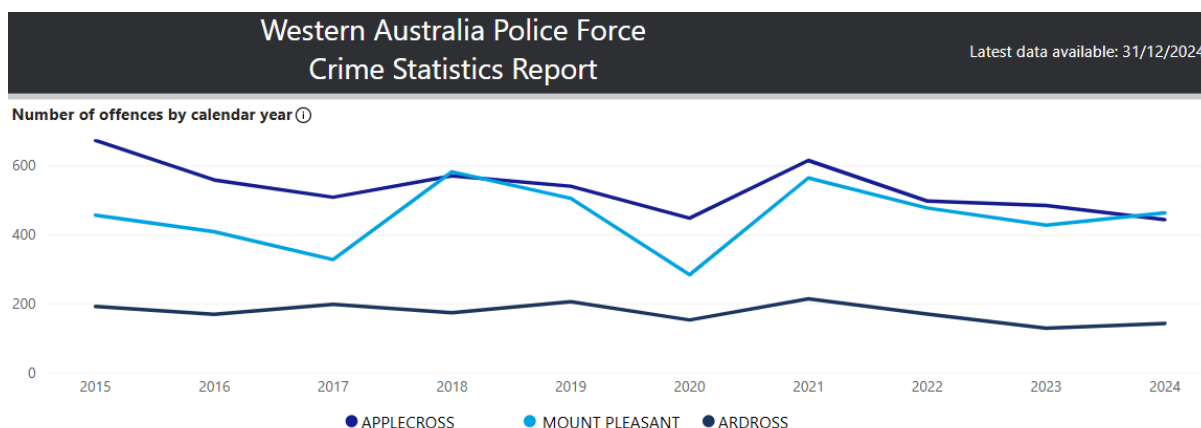
The Applicant acknowledges that ‘at risk’ groups live in and visit the locality and can contribute towards the level of alcohol related harm and ill-health experienced in the locality. However, the Applicant submits that the locality has a lower than average number of at-risk groups present and the proposed manner of operations of the Premises is not conducive to attracting persons who are likely to cause or contribute to harm and ill-health.

The most recent ABS data has revealed no specific alcohol-related health condition associated with residents of the locality. On average, 67 % of residents of Applecross, Mount Pleasant and Ardross reported at the 2021 Census that they have no long-term health condition,²⁵ which is better than the State figure (61.2%). It is acknowledged that a small percentage of people did indicate that they experience

²⁵ Applecross, Suburbs and Localities, 2021 Census All Person QuickStats (**Annexure B**); Mount Pleasant, Suburbs and Localities, 2021 Census All Person QuickStats (**Annexure C**); Ardross, Suburbs and Localities, 2021 Census All Person QuickStats (**Annexure D**).

some long-term health conditions.²⁶

Whilst not specific to alcohol related incidents, the following table details the crime statistics in Applecross, Mount Pleasant and Ardross for the period 2014/15 to 2023/24.²⁷



The following table shows the type of offences occurring in Applecross, Mount Pleasant and Ardross for 2023/24.²⁸

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

Offence category	APPLECROSS	MOUNT PLEASANT	ARDROSS
Selected Offences Against the Person	92	75	32
Homicide	-	1	-
Recent Sexual Offences	5	6	6
Historical Sexual Offences	-	4	-
Assault (Family)	46	42	11
Assault (Non-Family)	23	10	6
Threatening Behaviour (Family)	9	6	6
Threatening Behaviour (Non-Family)	5	5	3
Deprivation of Liberty	1	-	-
Robbery	3	1	-
Selected Offences Against Property	242	282	81
Burglary	47	29	14
Stealing of Motor Vehicle	13	4	2
Stealing	147	220	45
Property Damage	35	27	20
Arson	-	2	-
Detected Offences	57	19	11
Drug Offences	42	11	9
Receiving and Possession of Stolen Property	10	8	-
Regulated Weapons Offences	5	-	2

²⁶ Applecross, Suburbs and Localities, 2021 Census All Person QuickStats (**Annexure B**); Mount Pleasant, Suburbs and Localities, 2021 Census All Person QuickStats (**Annexure C**); Ardross, Suburbs and Localities, 2021 Census All Person QuickStats (**Annexure D**).

²⁷ WAPOL – Crime Statistics (<https://www.police.wa.gov.au/Crime/CrimeStatistics#/>).

²⁸ WAPOL – Crime Statistics (<https://www.police.wa.gov.au/Crime/CrimeStatistics#/>).

☐ Miscellaneous Offences	52	87	18
Graffiti	1	-	1
Fraud & Related Offences	45	78	7
Breach of Violence Restraint Order	6	9	10

As can be seen from the evidence above, the incidents in Applecross, Mount Pleasant and Ardross, especially for assaults, are relatively low. Whilst it is evident from the above that crime is occurring in the locality, it is 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.

4.14 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.²⁹

The Management Plan clearly sets out the Applicant's policies and procedures for a

²⁹ Code of Conduct and Harm Minimisation Management Plan (**Annexure L**).

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 and his experience in the liquor industry;
- (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.

4.15 Experience in the Liquor Industry

As mentioned above, the director of the Applicant has extensive experience in the hospitality industry, especially in the operation of taverns. 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.

4.16 Consultation

In order to gauge the views of the broader community, the Applicant engaged in consultation with Riviere Residences developer Edge Visionary Living, City of Melville and other businesses in the area, in addition to members of the community. The consultation covered a wide range of considerations, including harm and ill-health, amenity, design, convenience and consumer requirement. The Applicant believes that collaboration and consultation will achieve a successful business operation.

4.17 Community Buildings & Facilities

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

Community Group	Address	Facility
Grandton Roshana Care	20 Kintail Rd, Applecross	Aged care
Perth Integrated Health	48 Kishorn Rd, Applecross	Healthcare
Academic Group	872 Canning Hwy, Applecross	Education
St Stephens Uniting Church Hall	2 MacKenzie Rd, Applecross	Place of worship
Applecross Primary School	65 Kintail Rd, Applecross	Education
Bible-Presbyterian Church of WA	27 Ullapool Rd, Mount Pleasant	Education
Saint Benedict's Catholic Church	115 Ardross St, Ardross	Place of worship
Saint Benedict's School	70 Alness St, Applecross	Education
Stride Early Learning Ardross	30 Willcock St, Ardross	Childcare

Community Group	Address	Facility
Mount Pleasant Primary School	29 Queens Rd, Mount Pleasant	Education
Queens Road Surgery	147 Reynolds Rd, Mount Pleasant	Healthcare
Reynolds Road 7 Day Medical Centre	Level 1/39 Reynolds Rd, Mount Pleasant	Healthcare
Applecross Medical Group	764 Canning Hwy, Applecross	Healthcare
Indigo Montessori Childcare & Kindy – Applecross	2C Matheson Rd, Applecross	Education
Family Tree Child Development Centre Ardross	15 Willcock St, Ardross	Childcare
Educ Early Childhood Education	43 Simpson St, Ardross	Childcare
Applecross PreKindy & Kindy	797 Canning Hwy, Applecross	Childcare
Growin Early Education Centre Applecross	817 Canning Hwy, Applecross	Childcare
Applecross Village Kindergarten	10 Macleod Rd, Applecross	Childcare
St George's Anglican Church	80 Kintail Rd, Applecross	Place of worship
Saint David's Applecross Anglican Church	54 Simpson St, Ardross	Place of worship
Chinese Presbyterian Church W.A.	33 Willcock St, Ardross	Place of worship
St Michael's Anglican Church	25 Gunbower Rd, Mount Pleasant	Place of worship
Mount Pleasant Uniting Church	1 Coomoora Rd, Mount Pleasant	Place of worship
Ramsay Health Plus	Ground Floor/56 Kishorn Rd, Mount Pleasant	Healthcare
Kim Giddens MLA - Member for Bateman	Unit 1/30 Ardross St, Applecross	State government
Applecross Shore Care Community	The, Riverway, Applecross	Aged care

Community Group	Address	Facility
Alchera Living Applecross Retirement Village	750 Canning Hwy, Applecross	Aged care

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 premises.

4.18 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;
- (a) any music or entertainment played in the alfresco premises must be background in nature only, and at a level sufficient to allow normal level conversation to occur;
- (a) dress Standards will apply, including jackets, clothing or other accessories indicating an outlaw motorcycle gang;

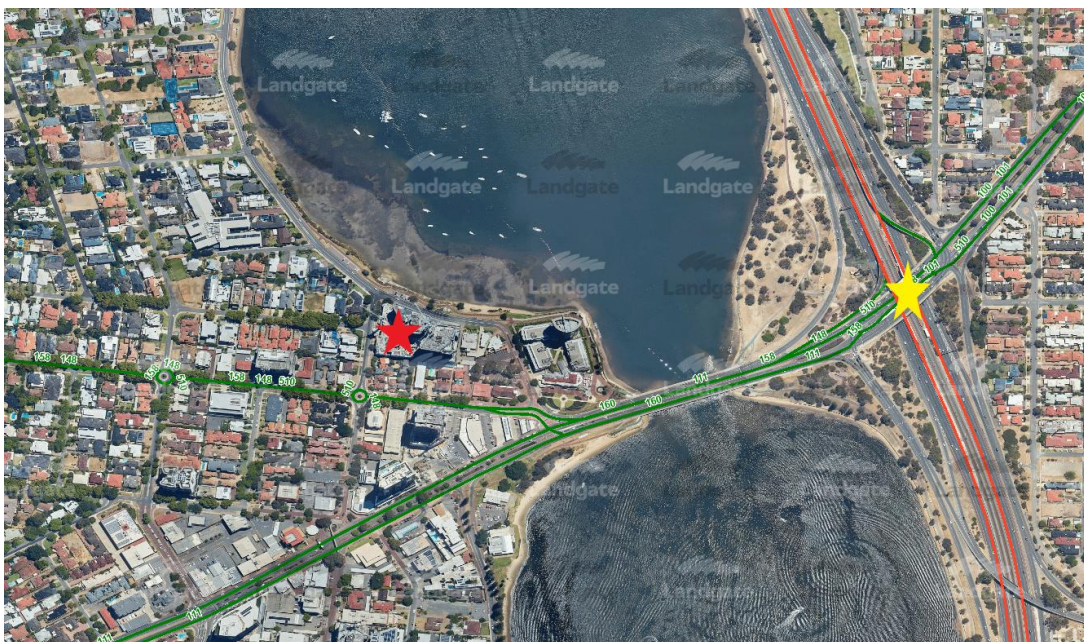
- (b) a CCTV video surveillance system must be in place and operational. The system must comply with the minimum requirements identified and be maintained in accordance with the Director's Safety and Security at Licensed Premises policy.
- (c) the standard condition to apply regarding immodestly or indecently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

4.19 Transport & Parking

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

This Premises is optimally located for patrons travelling on public transport services. As can be seen in the image below, frequent bus services travel east-west along Canning Highway and Kintail Road a few streets south of the Premises. These services connect to other arterial roads, the Kwinana Freeway, as well as the Mandurah Line's Canning Bridge Train Station (yellow star) which is just under 600m from the Premises.³⁰



³⁰ Landgate Map Viewer Plus (<https://map-viewer-plus.app.landgate.wa.gov.au/index.html>).

For patrons who are not drinking, there are several locations for parking vehicles and bicycles. Two car parks are located across the road from the premises, providing parking for up to 31 cars. A further, much larger car park is located to the south-east of the Premises. There is further street parking in the streets surrounding the premises and 20 bays for public parking are provided within the building.

4.20 Offence, Annoyance, Disturbance or Inconvenience

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 land use of a tavern is considered to be consistent with the intent of the Q1 quarter in the Canning Bridge Activity Centre³¹ plan as the Council aims to develop a retail and entertainment destination in the immediate vicinity.³²

The following images show a street view of the Premises surrounds, on the banks of the Canning River:³³



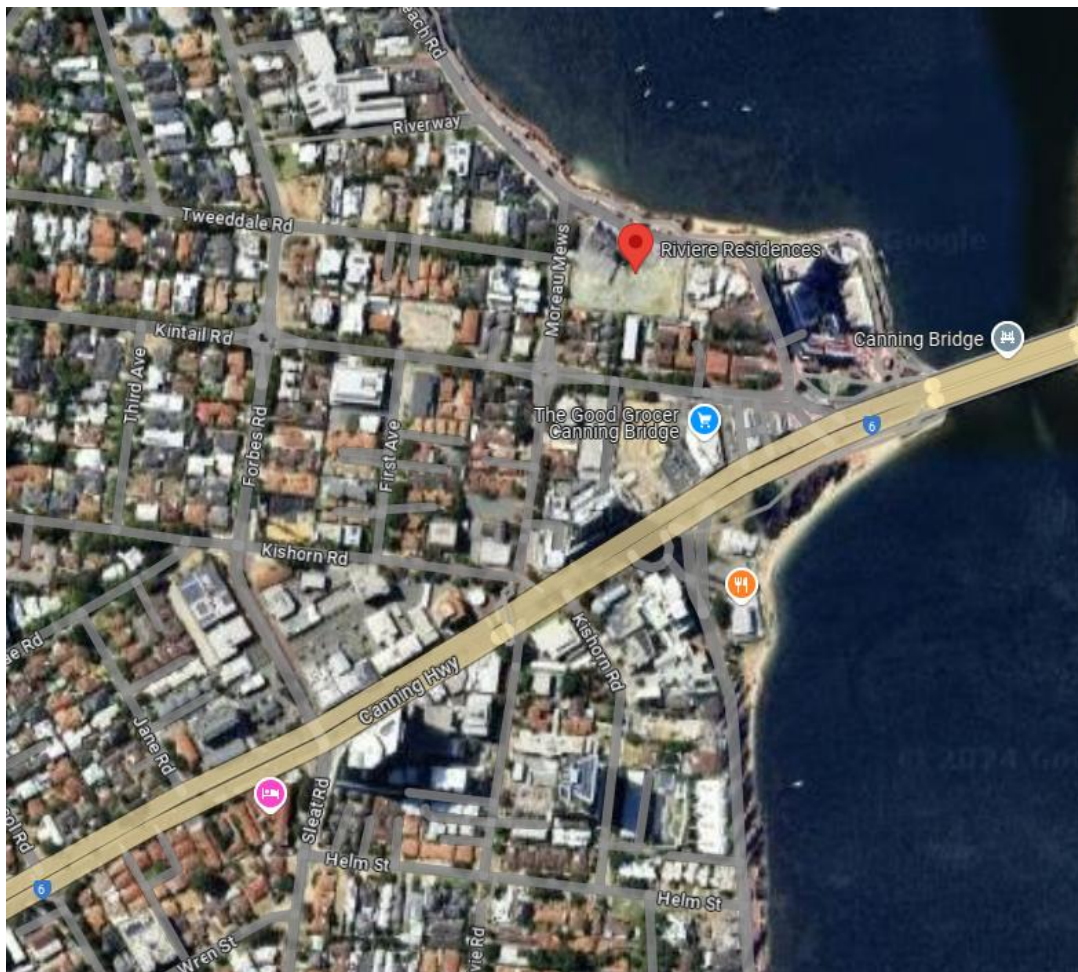
³¹ Canning Bridge Activity Centre Plan (**Annexure M**).

³² Rowe Group planning letter 11 December 2024.

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



As can be seen from the following aerial image, the proposed Premises site sits within the Canning Bridge commercial precinct.



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 up to 30 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.

4.21 Entertainment

The entertainment provided at various times in the Premises will be provided in a format and style that enhances 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 live (acoustic) acts performing on weekends or for private functions and special events.

An Acoustic Report was obtained from Herring Storer Acoustics,³⁴ namely to assess the noise levels associated with patrons within the external alfresco area. It was found that noise level emissions can comply with the *Environmental Protection (Noise) Regulations 1997*, however the alfresco area will be limited to ambient music only. The Applicant accepts this requirement and will restrict noise emissions, especially in the alfresco area.

In order to minimise any undue offence, noise or disturbance, the Applicant will ensure all entertainment that 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;

³⁴ Noise Impact Assessment (**Annexure N**).

- 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.

4.22 Amenity, Quiet or Good Order of the Locality

As detailed above, the amenity, quiet or good order of the locality is unlikely to be lessened as a result of the Premises, instead, the Applicant considers that the Premises will operate harmoniously with the amenity of the locality and be an added benefit to the locality.

The Premises has been specifically designed and built for the requirements of the locality, offering a high end and sophisticated venue. This is not the type of venue that is likely to attract unruly, disorderly and unsocial behaviour that will impact on the amenity of the locality.

The use of CCTV and other policies to be adopted by the Applicant will allow passive surveillance of the Premises to ensure the good order of the locality is maintained.

Parking and transport have been addressed above, and detail how patrons can leave the area quickly rather than potentially inconveniencing the neighbours, whilst entertainment and noise mitigation has also been addressed to ensure that the surrounds are not being exposed to unacceptable noise.

The Applicant believes that the Premises will add to the amenity of the locality by providing a refined yet modern venue for patrons to attend.

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 a sophisticated and contemporary twist on the classic English restaurant and pub experience.

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	Applecross, Suburbs and Localities, 2021 Census QuickStats
Annexure C	Mount Pleasant, Suburbs and Localities, 2021 Census QuickStats
Annexure D	Ardross, Suburbs and Localities, 2021 Census All Person QuickStats
Annexure E	City of Melville Estimated Resident Population
Annexure F	City of Melville Population Forecast
Annexure G	Forbes Residences Brochure
Annexure H	Grandton Applecross – Luxury Retirement Residences
Annexure I	BGC Bulletin, Issue 10, Q2 2018
Annexure J	Market Research Report
Annexure K	Letter of Support – Jack Lin
Annexure L	Code of Conduct and Harm Minimisation Management Plan
Annexure M	Canning Bridge Activity Centre Plan
Annexure N	Herring Storer Acoustic Report
