



Blue Poppy Lounge  
6/91 Aberdeen Street, Northbridge WA



Application for a night club licence

Public Interest Assessment  
(Section 38 Submissions)

Jan 2026

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## 1. Introduction

- 1.1. Zomsa Bar Pty Ltd will be making an application to the Licensing Authority for a nightclub licence for premises located 6/91 Aberdeen Street, Northbridge WA 6003.
- 1.2. The applicant is an experienced operator in Northbridge, having operated Zomsa Bar / Blue Poppy Lounge as a licensed venue under a small bar licence since August 2024 (Licence No. 634220587023).
- 1.3. Zomsa Bar has since officially changed its trading name to Blue Poppy Lounge.
- 1.4. Currently, Blue Poppy Lounge is operating under the same small bar licence.
- 1.5. The licensee has created a welcoming space for all patrons, particularly the Bhutanese and South-East Asian community. The theme / motto of this venue is 'Gather & Connect'.
- 1.6. Now, with an increase in popularity and patronage, the Blue Poppy team is seeking the larger patron capacity and longer trading hours afforded by a nightclub licence.
- 1.7. Otherwise, no other change is proposed from its current style of operation.
- 1.8. These submissions have been drafted by Canford Hospitality Consultants Pty Ltd in consultation with the Mr. Dawa Tshering, a director of Zomsa Bar Pty Ltd, and references to the applicant or the applicant's opinion relate to Mr. Tshering.
- 1.9. Section 38(4) sets out the matters to which the Licensing Authority may have regard in respect of public interest submissions, as follows;
  - 1.9.1. *"The harm or ill health that might be caused to people, or any group of people, due to the use of liquor; and*
  - 1.9.2. *The impact on the amenity of the locality in which the licensed premises, or proposed licensed premises are, or are to be, situated; and*
  - 1.9.3. *Whether offence, annoyance, disturbance or inconvenience might be caused to people who reside or work in the vicinity of the licensed premises or proposed licensed premises; and*
  - 1.9.4. *Any other prescribed matter".*
- 1.10. The objects of the Act are expressed at s.5 of the Act, which states that the primary objects of the Act are -
  - 1.10.1. *"To regulate the sale, supply and consumption of liquor; and*
  - 1.10.2. *To minimise harm or ill-health caused to people, or any group of people, due to the use of liquor, and*
  - 1.10.3. *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.”*

- 1.11. Section 5(2) of the Act also includes the following Secondary Objects;
  - 1.11.1. *“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*
  - 1.11.2. *To provide adequate controls over, and over the persons directly or indirectly involved in, the sale, disposal and consumption of liquor; and*
  - 1.11.3. *To provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act, and*
  - 1.11.4. *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.”*
- 1.12. Further Section 5(3) states *“If, in carrying out any function under this Act, the licensing authority considers that there is any inconsistency between the primary objects referred to in subsection (1) and the secondary objects referred to in subsection (2), the primary objects take precedence”*.
- 1.13. In the Aldi South Fremantle decision (A180692358, refusing an application for a conditional grant of a liquor store licence), dated 22<sup>nd</sup> March 2019, at paragraph 26, the Director said;
  - 1.13.1. *“None of the primary objects of the Act take precedence over each other, however, where conflict arises in promoting the objects of the Act, the licensing authority must weigh and balance the competing interests in each case<sup>11</sup> and it is a matter for the licensing authority to decide what weight to give to the competing interests and other relevant considerations”*.<sup>12</sup>
- 1.14. The licensing authority regulates the sale, and supply of alcohol. It seeks to strike a balance between catering for the requirements for liquor and liquor related services whilst minimising the potential for harm and ill-health to the community through the abuse of alcohol. So, the framework exists for the granting of new liquor licences in appropriate circumstances.
- 1.15. Through these submissions, the applicant will demonstrate how this proposed nightclub licence will properly and responsibly cater to the diverse consumer requirements for alcohol and related licensed services in the locality.

## 2. Extended Trading Permit - Ongoing Hours

2.1. In April 2025 Blue Poppy Lounge was granted an extended trading permit (ongoing hours) that allows them to trade the following additional hours.

Pursuant to s 60(4)(g) of the Liquor Control Act 1988 the licensee is authorised to sell and supply liquor, for consumption on the premises only, during the following hours:

12 midnight Friday to 2am Saturday; and

12 midnight Saturday to 2am Sunday; and

12 midnight Sunday and 2am Monday (only when the Monday is a gazetted public holiday).

No trading is permitted on Christmas Day, Good Friday or before noon on ANZAC Day.

### 3. The Locality

- 3.1. In the Liquorland Karrinyup Supreme Court decision (WASC [2021] 366) Archer J made the following observations in relation to setting the appropriate locality for an application. In Liquorland Southern River WASC [2024] 128 Lemonis J agreed with these observations.
  - 3.1.1. It denotes an area that surrounds, and is geographically close to, the location of the proposed premises. It was not intended to equate to the area(s) from which consumers would come.
  - 3.1.2. It is intended to connote the same concept of neighbourhood and in that context means the geographical area surrounding the proposed site.
  - 3.1.3. The legislature intended to capture the geographical area surrounding, and relatively close to, the proposed site, being the neighbourhood of the site.
  - 3.1.4. The shape and size of the locality may be influenced by topographical features (including man-made features such as roads) and areas from which the proposed site could be accessed reasonably easy on foot or push-bike.
  - 3.1.5. If there is a community in the proposed site, the geographical spread of that community may also influence the shape and size of the locality.
  - 3.1.6. It is impossible to prescribe a specific test to be applied or even an exhaustive list of the factors that will or may be relevant in the determination of the locality in any given case, and
  - 3.1.7. The locality is not to be determined by reference to a retail catchment area. However, a retail catchment area may still be of relevance, for example illuminating the ease of access to the proposed site.
- 3.2. The Director's Form 2A provides guidance on the appropriate locality to be considered for a liquor licence application.
  - 3.2.1. *"You need to provide profile information from the locality that is within a certain distance to your intended business. If your intended business is:*
    - 3.2.1.1. *within 15km of the Perth CBD, the locality is a radius of 2km of it*
    - 3.2.1.2. *anywhere else (unless remote), the locality is a radius of 3km of it*
    - 3.2.1.3. *in a remote area, you should make a submission on what the appropriate size of the locality should be. Remote areas are those where the nearest town is at least 200km away and Perth is at least 400km away.*
  - 3.2.2. *If you think the above definitions of locality are not appropriate for your intended business, make a separate submission on what you think the size should be.*
  - 3.2.3. *Please outline the population characteristics in the locality.*

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

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

3.3. To give effect to these instructions this section will consider;

3.3.1. The physical location of the subject premises,

3.3.2. The presence of natural or human made boundaries that define the locality,

3.3.3. The perception of local community relevant to that locality,

3.3.4. The appropriate locality definition for amenity issues and the demographic study, and

3.3.5. The appropriate locality definition for the outlet density study.

**3.4. The physical location of the subject premises;**

3.4.1. This proposed nightclub is located at 6/91 Aberdeen Street, Northbridge, in the heart of the Northbridge entertainment precinct and within the City of Perth Local Government Area.

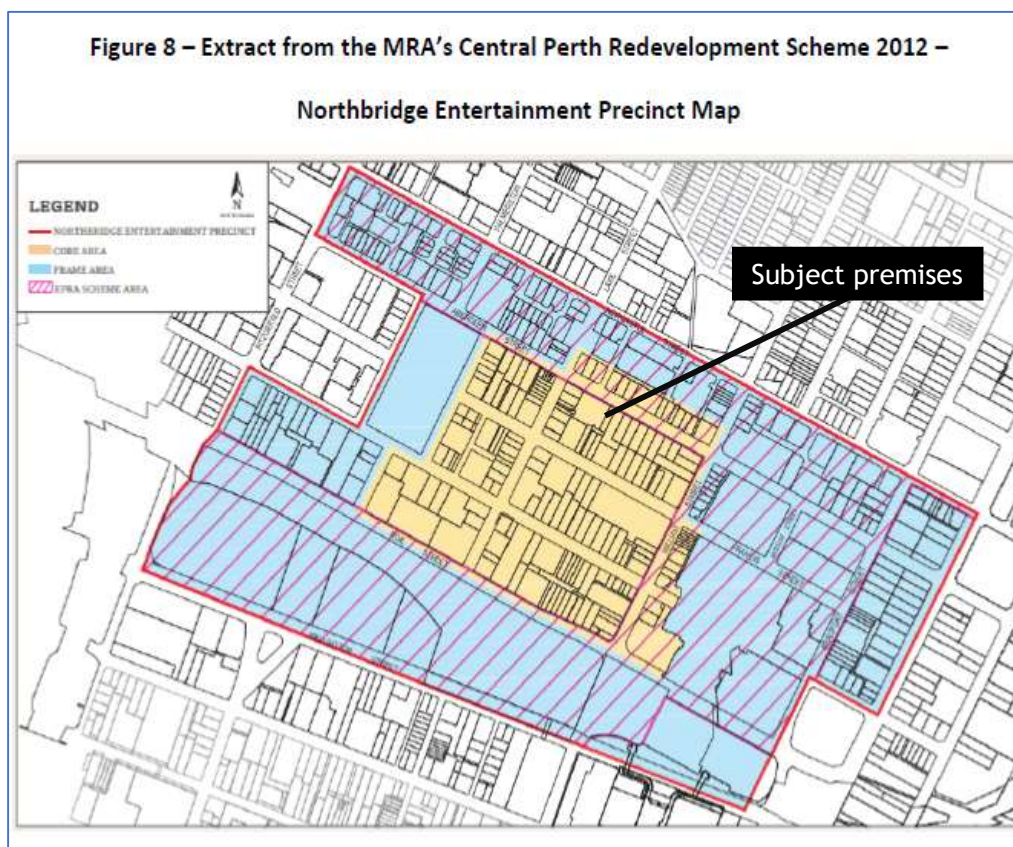
3.4.2. The locality immediately surrounding the subject premises is highly developed with a concentration of commercial, retail and hospitality premises, including other late trading licensed venues.



3.4.3. The subject premises is also situated within an area designated to become a Special Control Area (SCA) which will be set up

within the City of Perth's Town Planning Scheme. Under this provision of the planning scheme the Environmental Protection (Noise) Regulations 1997 will be amended to include a Regulation that allows a venue to apply for a "noise licence or permit" that will allow higher noise levels.

- 3.4.4. This amounts to a re-ordering of noise priorities in the SCA, with a recognition of the importance late trading licensed venues play in the entertainment tapestry of Northbridge.
- 3.4.5. The images below are extracts from Central Perth Redevelopment Scheme 2012, identifying the Northbridge Entertainment Precinct and confirming that the subject premises is located within the Core Entertainment Area.
- 3.4.6. According to the Noise and Planning Provisions applicable to the Core and Frame Entertainment Areas, the subject premises is located within the Core Entertainment Area. The provisions confirm that sites within the Core Entertainment Area are intended to accommodate higher-intensity entertainment uses and are subject to more permissive strategic noise benchmarks, being up to 95 dB at the 63 Hz octave band and 86 dB at the 125 Hz octave band.
- 3.4.7. In practical terms, it demonstrates that entertainment uses at the subject premises are consistent with the planning intent of the area, provided appropriate noise attenuation measures are incorporated to manage impacts beyond the site boundary.



### 7.1.2 Key elements

#### a) Special Entertainment Precinct – Core and Frame Entertainment Areas

The Special Entertainment Precinct/SCA extends over the land bounded primarily by Newcastle, Stirling, Fitzgerald and Wellington Streets, and comprises a Core Entertainment Area and Frame Entertainment Area as shown in Figure 28. It should be noted that it will not apply to those areas under the planning control of the Metropolitan Redevelopment Authority (MRA – now known as 'Development WA').

#### b) Noise Attenuation Levels

The purpose of the proposed SCA is not to set assigned external amplified music levels for the Core and Frame Entertainment Areas (as this is beyond the remit of a local planning scheme) but rather to establish nominal or strategic external amplified music sound levels upon which noise attenuation requirements for building will be based. Notwithstanding this, it is understood that some reference will be made to these nominal or strategic levels in the proposed Amendment to the Noise Regulations to guide the issuing of Venue Approvals within the area.

The SCA proposes a nominal external amplified music noise level of:

- $L_{Leq}$  **95 dB** in the 63 Hz octave band and  $L_{Leq}$  **86 dB** in the 125 Hz octave band within the Core Entertainment Area; and
- $L_{Leq}$  **79 dB** in the 63 Hz octave band and  $L_{Leq}$  **70 dB** in the 125 Hz octave band within the Frame Entertainment Area.

#### c) New Entertainment Venues

New entertainment venues located in the Core Entertainment Area are to be designed and constructed to incorporate noise attenuation measures to ensure that a level of **95 dB** in the 63 Hz octave band is not exceeded outside of the entertainment venue.

New entertainment venues located in the Frame Entertainment Area are to be designed and constructed to incorporate noise attenuation measures to ensure that a level of **79 dB** in the 63 Hz octave band is not exceeded outside of the entertainment venue.

#### d) Existing Entertainment Venues in Frame Entertainment Area

A provision is proposed to provide certainty to existing entertainment venues in the Frame Entertainment Area.



3.5. Aberdeen Street is a well-established entertainment street characterised by a concentration of food, beverage, and entertainment venues. The following nearby venues illustrate the prevailing entertainment-focused character of the street:

3.5.1. The Aberdeen Hotel,

3.5.2. Varsity Bar,

3.5.3. Club Humble, and

3.5.4. Henry Summer

3.6. **The presence of natural or human made boundaries that define the locality;**

3.6.1. Northbridge is dense with commercial, retail and hospitality premises providing walkable and accessible options for the large numbers of people who resort to the area for dining and entertainment.

3.6.2. The suburb of Northbridge, in which Blue Poppy Lounge sits, is defined by Roe Street and the railway line, William Street and Newcastle Street.

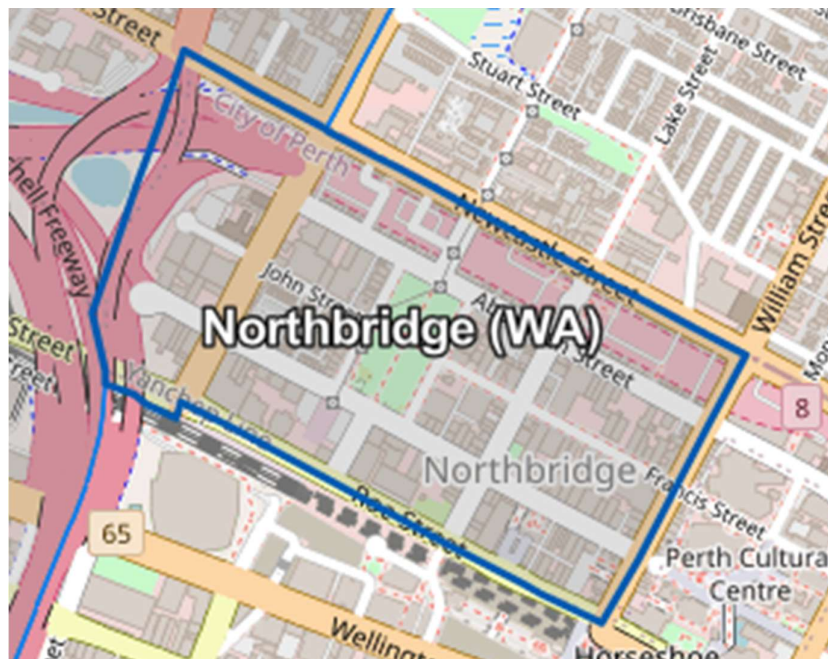
3.6.3. People who go to Northbridge for their night out are not very likely to switch mid-way through their night to go to Perth's west end, or Freo or elsewhere. They might go to another venue in Northbridge however - the applicant submits that the very nature of Northbridge being an entertainment / dining precinct is a boundary in and of itself.

3.7. **The perception of the local community and/or key advisers relevant to that community.**

3.7.1. The property is located within a dense commercial area - a very popular retail and dining precinct for the local community and a gathering place for people from all over Perth.

- 3.7.2. The perception of Northbridge is that it is the place in Perth to visit for entertainment.
- 3.7.3. The locality is not considered a pure residential area, however, there are several bits and pieces considered as a mix of residential and commercial which allows a mixture of multi-storey residential (apartments) and commercial purposes around the subject premises.
- 3.7.4. To the west of the subject premises, residential/commercial areas are physically separated from the subject site by multiple freeway corridors and grade-separated crossings, including areas to the south of the Malcolm Street-Mitchell Freeway interchange and in the vicinity of the City West Train Station.
- 3.7.5. To the east of the subject premises, residential and commercial areas are located near Riverside Drive and further north-east between William Street and Bennett Street, including parts of Goderich Street, Forrest Avenue and Hay Street. Both areas are located more than 2 km from the subject premises.
- 3.7.6. The local community most relevant to this application is the Bhutanese and South-East Asian community. As shown in the witness evidence detailed throughout these submissions, this community shows a clear want and need to socialise in a secure space (see witness comments in section 8)

**3.8. The appropriate locality for the demographic study.**



- 3.8.1. Shown above is an aerial image sourced from the Australian Bureau of Statistics (ABS) 2021 Census, illustrating the boundary of the Northbridge locality used for the demographic analysis.

- 3.8.2. The applicant will be considering the Northbridge suburb as the appropriate locality for the demographic study and will compare that to similar data from the Perth Local Government Area and Western Australia.
- 3.9. **The applicant will now consider the appropriate locality for the outlet density study.**
- 3.10. The Director's public interest assessment policy states that applicants will need to provide *"outlet density information that includes:*
- 3.10.1. *if the applicant intends to sell packaged liquor, the location of all existing licensed premises within the locality;*
- 3.10.2. *if the applicant does not intend to sell packaged liquor, the location of all existing licensed premises within 500 metres*
- 3.10.3. *nature of services provided by the other licensed premises; and*
- 3.10.4. *the level of access to, and diversity of the services."*
- 3.11. As required by the Director's policy on Public Interest Assessments, for the purposes of the outlet density study in these submissions, as the application does not include the sale of packaged liquor the applicant will consider the location of all existing similarly licensed premises within 500 metres.



- 3.12. Shown above is a satellite image sourced from Nearmap, illustrating the location of Blue Poppy Lounge on Aberdeen Street with a 500 m radius shown for reference.
- 3.13. Section 6 of these submissions will address the outlet density in more detail.

## 4. Demographics of the locality

- 4.1. The Director advises that applicants “*need to provide profile information from the locality*”, and “*The better you capture the characteristics of the local community, the better the (Director) will be able to understand the potential impact the grant of your application could have on the public interest*”.
- 4.2. In Form 2A the Director provides guidance on the data and information he would find useful when applicants consider the demographic make-up of the subject locality. In that document applicants are tasked to provide an “*outline the population characteristics in the locality. Helpful demographic information will include the total population, estimated population growth, average age, income and employment status, and the type of people who live and work in the community.*’
- 4.3. On page 39 of the Western Australian Mental Health Promotion, Mental Illness, Alcohol and Other Drug Prevention Plan 2018-2025 the following priority population groups are identified.
  - 4.3.1. Aboriginal peoples and communities;
  - 4.3.2. LGBTIQ+ individuals and communities;
  - 4.3.3. Youth;
  - 4.3.4. Victims of trauma;
  - 4.3.5. Children affected by parental mental illness and/or harmful alcohol and other drug use;
  - 4.3.6. People at-risk of experiencing homelessness;
  - 4.3.7. Military veterans;
  - 4.3.8. People within the criminal justice system;
  - 4.3.9. People with an existing mental illness;
  - 4.3.10. Regional, remote and rural populations;
  - 4.3.11. Fly-In-Fly-Out workers and families;
  - 4.3.12. Carers, families and supporters of consumers of mental health, alcohol and other drug services (in particular, children); and
  - 4.3.13. People with lived experience of mental health and/ or alcohol and other drug-related issues.
- 4.4. The applicant will consider all thirteen groups above for which data is readily available. The following groups were unable to be considered however, as data is not available for them.
  - 4.4.1. LGBTIQ+ individuals and communities;
  - 4.4.2. Victims of trauma;
  - 4.4.3. Children affected by parental mental illness and/or harmful alcohol and other drug use;
  - 4.4.4. People at-risk of experiencing homelessness;
  - 4.4.5. People within the criminal justice system;
  - 4.4.6. People with an existing mental illness;
  - 4.4.7. Fly-In-Fly-Out workers and families
  - 4.4.8. Carers, families and supporters of consumers of mental health, alcohol and other drug services (in particular, children); and

- 4.4.9. People with lived experience of mental health and/ or alcohol and other drug-related issues.
- 4.5. So, in summary, the Applicant will provide data on the following;
  - 4.5.1. Total population,
  - 4.5.2. Average age,
  - 4.5.3. Income,
  - 4.5.4. Employment status,
  - 4.5.5. Aboriginal peoples and communities,
  - 4.5.6. Youth,
  - 4.5.7. Military veterans, and
  - 4.5.8. Regional, remote and rural populations.
- 4.6. For the purpose of this demographic study, the applicant has selected relevant Census topics from the Australian Bureau of Statistics (ABS) website ([www.abs.gov.au](http://www.abs.gov.au)) to provide an indication of the prevalence of each of the priority population groups within the locality and compared them with the same information for the City of Perth LGA and State (Western Australia).
- 4.7. The applicant will be considering the 2021 census data relating to the Northbridge suburb, the City of Perth LGA and the State (Western Australia).
- 4.8. The selected ABS 2021 Census data is shown in the table below.

ABS Census 2021	Northbridge	Perth LGA	WA
<b>People</b>			
Median Age	31	33	38
<b>Aboriginal and Torres Strait Islander People</b>	2.0%	1.36%	3.3%
<b>Age</b>			
Persons aged 15 - 24	14.2%	17.1%	11.8%
Persons aged 65+	4.2%	10.6%	16.1%
<b>Level of highest educational attainment</b>			
Bachelor's degree level and above	40.5%	46.8%	23.8%
<b>Occupation</b>			
Professionals	27.6%	36.8%	22.0%
Managers	12.1%	13.5%	12.3%
<b>Type of long-term health condition</b>			
No long-term health condition(s)	67.4%	66.3%	61.2%
<b>Australian Defence Force Service</b>			
Previously served (and not currently serving)	0.7%	1.6%	2.6%
<b>Family composition</b>			
One parent family	8.7%	9.0%	15.1%
<b>Employment status of couple families</b>			
Both employed, worked full-time	36.7%	28.6%	21.2%
<b>Employment status</b>			
Worked full-time	61.4%	60.5%	57.1%
<b>Number of registered motor vehicles</b>			
None	21.9%	20.8%	4.9%
<b>Median Weekly Incomes</b>			
Personal	\$1,049	\$1,053	\$848
Family	\$2,335	\$2,480	\$2,120
Household	\$1,853	\$1,931	\$1,815
<b>Household income</b>			
Less than \$650 total household weekly income	13.5%	15.7%	16.3%
<b>Rent weekly payments</b>			
Median rent	\$400	\$400	\$340
Renter households where rent payments are less than or equal to 30% of household income	61.4%	63.4%	59.9%
Renter households with rent payments greater than 30% of household income	28.1%	28.7%	28.3%

- 4.9. The purpose of considering the demographic data for the locality is to establish whether the priority population groups identified in paragraphs 4.3 to 4.5 above are over or underrepresented in the locality.
- 4.10. Aboriginal people and communities are underrepresented in the locality compared to the State.
- 4.11. Children and young people;
  - 4.11.1. Clearly the Northbridge suburb and the Perth LGA are attractive (as a place to live) to young people, and less attractive to older people.
- 4.12. People from rural and remote communities;
  - 4.12.1. The locality is not in a regional, rural or remote area.
- 4.13. There is a low representation of military veterans in the locality.
- 4.14. When comparing the socio-economic data in the 2021 Census for Northbridge to the figures for WA as a whole;
  - 4.14.1. Employment figures for the locality are strong.
  - 4.14.2. Income levels are high.
  - 4.14.3. There is a high representation of “Professionals” and “Managers”.
  - 4.14.4. Rent stress figures are unremarkable and close to average for the State.
- 4.15. ***Conclusion - The socio-economic environment in the locality appears stable and unremarkable with a very low prevalence of most of the priority groups.***

## 5. Sensitive Venues in the Locality

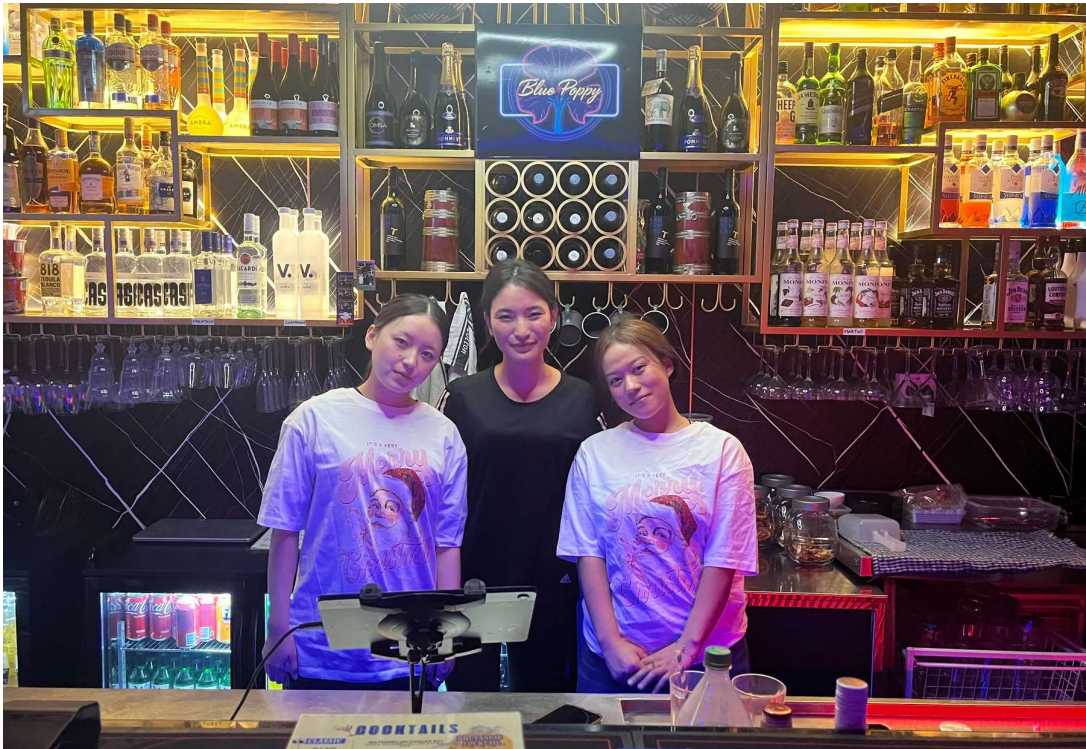
- 5.1. Per the directive of Form 2A, at paragraph 3.3, as set out in the Public Interest Assessment Policy, an assessment is required to identify sensitive venues that are located within the agreed locality.
  - 5.1.1. *“If any of the following are in the locality, please provide their names and addresses: Schools and educational institutions, hospitals, hospices, aged care facilities, churches/places of worship, drug and alcohol treatment centres, short term accommodation or refuges, childcare centres, or a local Government”.*
- 5.2. A full list of these sensitive venues can be found in attachment BP07.

## 6. Outlet Density Information

- 6.1. Relevantly this application is not seeking to create a new licensed venue. A licensed small bar already occupies the premises, and this application seeks to surrender that small bar Licence and replace it with a nightclub Licence to allow for longer trading hours and a larger patronage capacity.
- 6.2. According to the previous iteration of the policy document “Public Interest Assessment”, applicants were required to consider licensed premises, which may trade in a manner similar to what is proposed, within 500m of the proposed premises.
- 6.3. The updated policy has no specific, stated requirement for this to be undertaken. In the absence of more recent guidance the applicant has adopted the 500m radius for this PIA.
- 6.4. In January 2026, the applicant searched the website of the Department of Racing, Gaming and Liquor, for existing liquor licences within 500m of the proposed premises.
- 6.5. The applicant then;
  - 6.5.1. Undertook an outlet density assessment in respect of licensed premises,
  - 6.5.2. Restricted their search to premises within 500m of the subject premises, and
  - 6.5.3. Eliminated any premises which may not trade in a manner similar to what is permitted under a nightclub licence.
- 6.6. This resulted in a final list of premises which may trade in a manner similar to a nightclub, situated within 500m. This list can be viewed in attachment BP01.
- 6.7. Note: all special facility Licence types were reviewed on a case-by-case basis and premises were not included in this list if they were considered to not be trading in a similar manner to a nightclub.

## 7. Proposed Style of Operation

- 7.1. Importantly, there is no proposal, as part of this application, to substantially alter the current manner of trade.
- 7.2. Blue Poppy Lounge is a venue for all peoples and cultures.
- 7.3. It operates as a small bar, with an outdoor smoking and shisha area. As the evenings progress, the venue transforms itself into an intimate party / dance atmosphere and venue.
- 7.4. Blue Poppy Lounge seeks a nightclub licence to trade from Monday to Saturday between 6:00 pm and 5:00 am the next day, Sunday from 8pm - 2am the next day.
- 7.5. The DJs of Blue Poppy Lounge mix through music from the mainstream with popular dance music from Bhutanese, Nepalese, Indian and Tibetan artists.
- 7.6. Another point of difference is that Blue Poppy Lounge offers quality bar snacks- something which a lot of late-night venues in Northbridge do not currently offer.
- 7.7. The proposed licence change would not change how the premises operates.

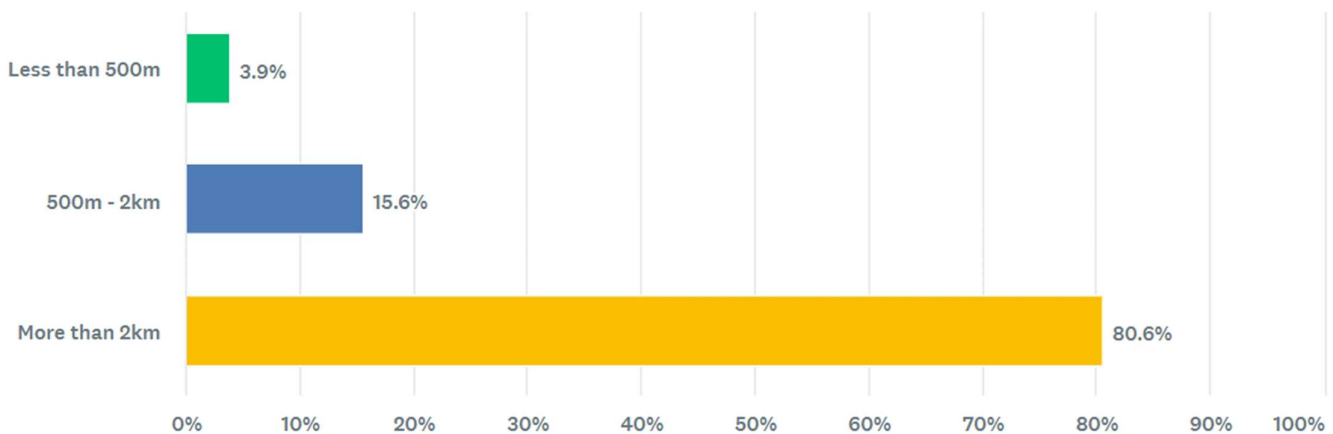


- 7.8. Blue Poppy Lounge's snack menu may include items such as;
  - 7.8.1. Packages chips,
  - 7.8.2. Packaged nuts,
  - 7.8.3. Beef jerky,
  - 7.8.4. Deep fried beef (packaged),
  - 7.8.5. Deep fried fish (packaged),
  - 7.8.6. Instant noodles.

- 7.9. Comfortable sofas, lounges, chairs and tables in the venue,
- 7.10. A dedicated, calm alfresco area with comfortable seating arrangements,
- 7.11. Dedicated licensed crowd controllers.
- 7.12. A dedicated small private space for intimate small events and groups.
- 7.13. A wide variety of music including western music, Bhutanese, Indian, Nepalese and other international music.
- 7.14. Blue Poppy Lounge is a unique venue that provides alcohol, food and music of southeast Asian mixed culture unlike any other venues in the locality of Northbridge.
- 7.15. It is a place where the South Asian and Southeast Asian community like to hang out in comfortable surroundings.

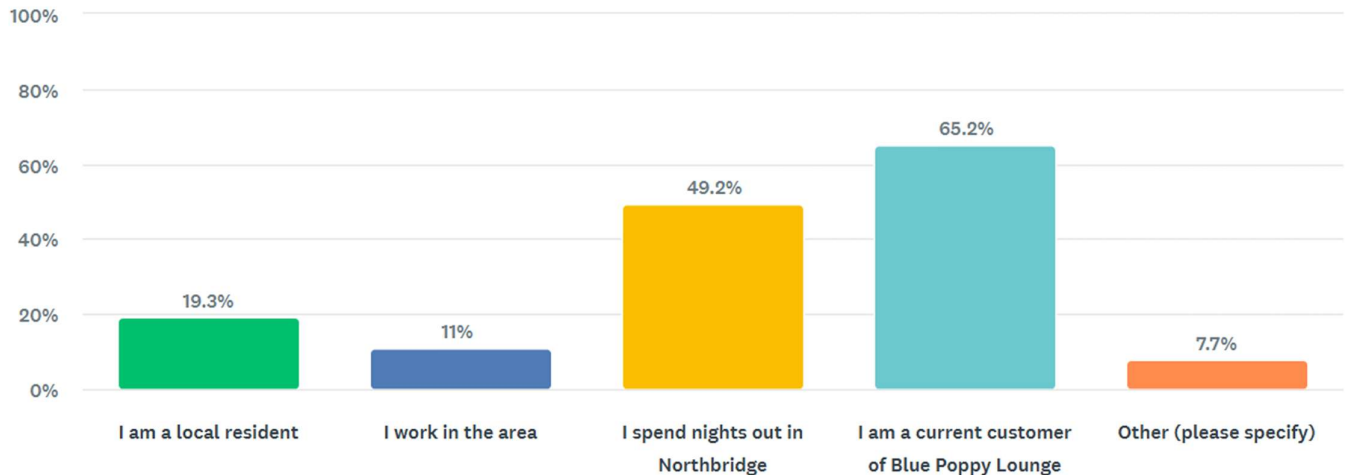
## 8. Objective Witness Support

- 8.1. The applicant conducted a witness questionnaire to obtain objective evidence in support of this application. The questionnaire (Attachment BP02) was prepared by Canford Hospitality Consultants Pty Ltd and distributed by the applicant via the online platform SurveyMonkey. Responses were collected between 20 December 2025 and 9 January 2026.
- 8.2. Respondents were provided access to the following supporting documents.
- 8.2.1. An intended manner of trade document (attachment BP03).
- 8.2.2. A map of the locality (attachment BP04),
- 8.3. A total of 210 people completed the questionnaire. The applicant declares that 29 extra questionnaires were attempted but no information / data was recorded. These respondents have been removed as they have no bearing on the results.
- 8.4. All raw witness data has been lodged with these submissions (attachment BP06).
- 8.5. Of the 181 respondents who listed the suburb they live in, at least 65 different suburbs were mentioned. This is evidence of the attraction of the Northbridge entertainment precinct to people who live outside the suburb.
- 8.6. Respondents were then asked, *“Approximately how far away is your residence or place of work from Blue Poppy Lounge?”*.



- 8.7. **80%** of respondents lived more than 2km away from the subject premises.

8.8. The respondents were asked, *“What best describes you?”*.

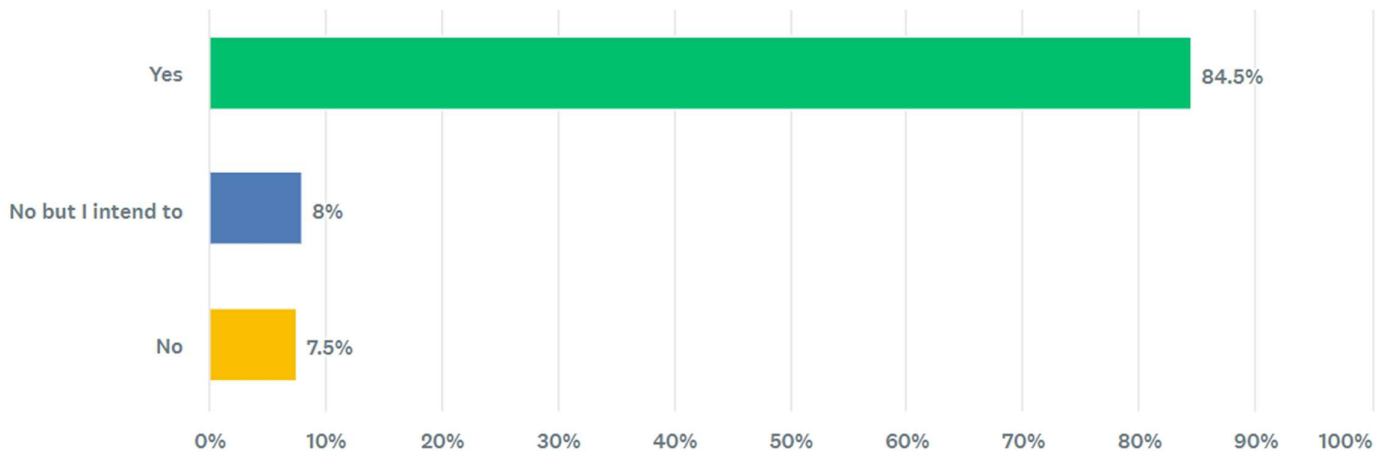


8.9. **65.2%** identified as current customers of the venue and **49.2%** indicated they regularly spend nights out in Northbridge.

8.10. Almost 1 in 5 respondents described themselves as a local resident of Northbridge.





8.11. Overall, the results suggest the application will formalise an existing pattern of use within an established nightlife area, rather than introduce new or unexpected impacts on the locality

8.12. Then, the respondents were asked, *“Have you been a patron of Blue Poppy Lounge Yet?”*.










8.13. **85%** of respondents said they had been to Zomsa Bar / Blue Poppy lounge before while **8%** said they intend to go to Zomsa Bar / Blue Poppy lounge.

- 8.14. In the witness questionnaire, respondents were asked, ***“what do you say about the atmosphere of Blue Poppy Lounge?”***.

Answer Choices ↓	Percentage ↓
 It's good	77.8%
 It's what I have been looking for	63.6%
 It's nothing special	0.6%
 Unsure	0.6%

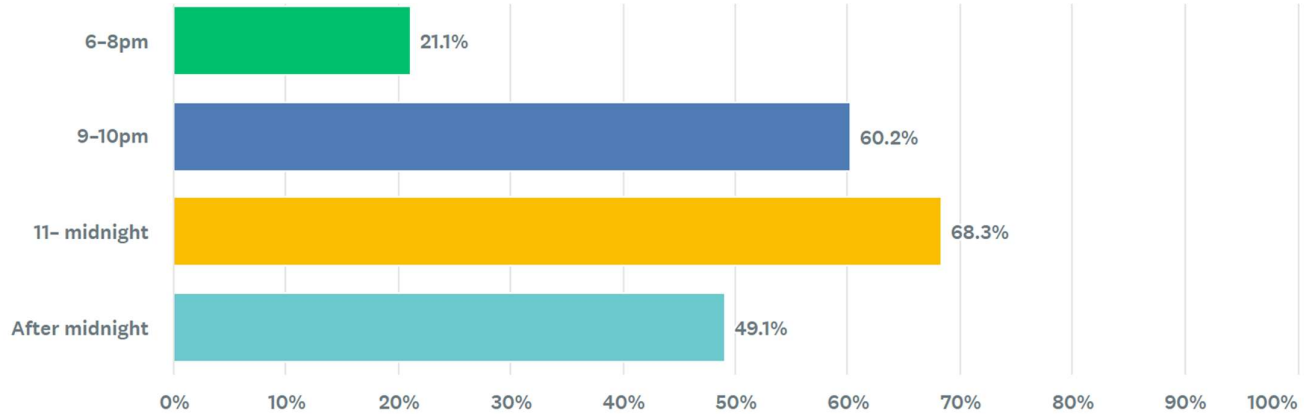
- 8.15. The survey results indicate a strongly positive perception of the venue's atmosphere, with most respondents stating that it is ***“good”*** (**77.8%**) or ***“it's what I have been looking for”*** (**63.6%**), while very few respondents expressed uncertainty or dissatisfaction.
- 8.16. Respondents were asked, ***“What is it about Blue Poppy Lounge that you like?”***.

Answer Choices ↓	Percentage ↓
 The music	85.6%
 The staff	80.6%
 The Level of comfort and the furniture	75.6%
 The Asian influenced menu	74.4%
 The Asian themed decore	57.5%
 The alfresco area	38.8%
 I don't like Blue Poppy Lounge	1.3%

- 8.17. Most respondents identified the music (**85.6%**) and staff (**80.6%**) as their top reasons, followed by the level of comfort and the furniture (**75.6%**),

furniture and Asian influenced menu (**74.4%**), indicating that patron appeal is driven by the venue’s atmosphere and management rather than adverse impacts.

8.18. Further, respondents were then asked, **“What time would you visit Blue Poppy Lounge?”**.

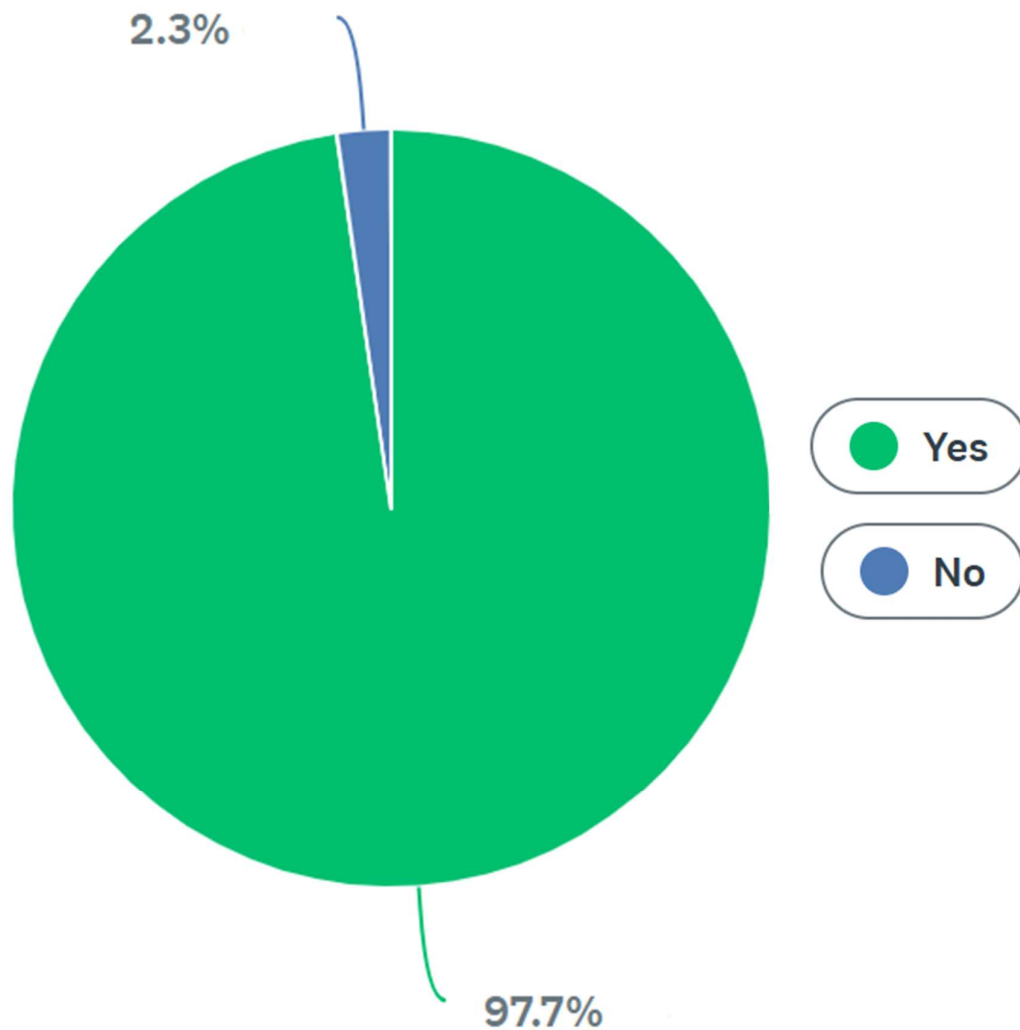


8.19. The survey results show that patron attendance is predominantly in the later evening, with **60.2%** of respondents indicating they visit between **“9:00 pm and 10:00 pm”**, and **68.3%** between **“11:00 pm and midnight”**.

8.20. A further **49%** of respondents indicated that they would visit Blue Poppy Lounge **“after midnight”**.






8.21. This demonstrates that the venue primarily caters to late-evening patrons within the established Northbridge entertainment precinct. The responses to this question clearly indicate that the current trading hours are insufficient to meet patron demand, even with the Extended Trading Permit (ETP) hours granted by the Director in August 2024. Under the existing trading arrangements, patrons tend to arrive shortly before the venue is required to close, demonstrating unmet demand for later trading hours.

- 8.22. Then, respondents were asked, *“Noting all of the questions in this section, and after reading the intended manner of trade document (see here), would you be likely to be a patron of Blue Poppy Lounge if they are granted a nightclub licence.”*.



- 8.23. Of the 171 responses, 167 respondents (**97.7%**) answered “Yes”.

8.24. Lastly, respondents were then asked, ***“Why would you like the option to be at Blue Poppy Lounge after Midnight?”***.

Answer Choices ↓	Percentage ↓
 Blue Poppy Lounge has a more relaxed atmosphere than the other late trading venues	87.7%
 I prefer to socialise with my community at Blue Poppy Lounge	71.9%
 If I go elsewhere I will most likely need to join a queue to get in	27.5%
 I prefer to socialise at venues on Aberdeen Street, over the busier and noiser Lake Street, William Street & Francis Street	24.6%
 I don't like the larger venues which trade after midnight	12.9%

8.25. The responses to this question clearly demonstrate the distinct role Blue Poppy Lounge plays within the Northbridge late-trading environment.

8.25.1. ***“Blue Poppy Lounge has a more relaxed atmosphere than the other late-trading venues” - 87.7%***

8.25.2. ***“I prefer to socialise with my community at Blue Poppy Lounge” - 71.9%***

8.26. The above survey responses demonstrate that Blue Poppy Lounge plays a significant role within South and Southeast Asian communities by providing a safe and comfortable space for patrons to stay connected with their community and foster a sense of belonging. The venue’s relaxed atmosphere, compared to other louder late-trading venues, represents a key attraction of the premises and supports its position as a community-focused venue, as well as a lower risk venue.

8.27. Elaborating their answers;

8.27.1. Respondent 3 said, ***“It’s the best place to enjoy conversation with the (sic) loved one over a drink.”***

8.27.2. Respondent 22 said, ***“Good place and food for (an) outing with my friends and family.”***

8.27.3. Respondent 47 said, ***“It’s overall the best community /lounge ever came across to hang out and relax yourself from a tiring day.”***

8.27.4. Respondent 63 said, ***“Safe and sound.”***

8.27.5. Respondent 97 said, ***“Blue Poppy lounge is unique taste of foods and music in the location.”***

8.27.6. Respondent 120 said, ***“I really like the hospitality shown by the staff at blue poppy lounge and I recommend it to be opened***

*till 6:00 AM.”*

8.27.7. Respondent 137 said, *“It’s a good place to hang out and the staff are well mannered Venue and place is more safe (sic).”*

8.27.8. Respondent 179 said, *“Good vibe and need to extend their time till morning 6.00 am.”*

8.28. The above data shows that the respondent pool is:

8.28.1. Full of people who consistently patronise the Northbridge area

8.28.2. They are familiar and are patrons of Zomsa Bar / Blue Poppy lounge.

8.28.3. Further, while most respondents say they live more than 2km away, the applicant submits that their premises (and this application) is not solely for the benefit of the local community, but rather Bhutanese and South-East Asian people from all over the Perth area. The vast number of suburbs that have been listed by respondents is proof that people from this community come from all over to visit this premises.

8.29. Additionally, the applicant submits the above data is important as it shows that the community Blue Poppy Lounge has cultivated so far is invested in the continued success of the premises. These responses represent the voice of the people that Blue Poppy Lounge is making this application for.

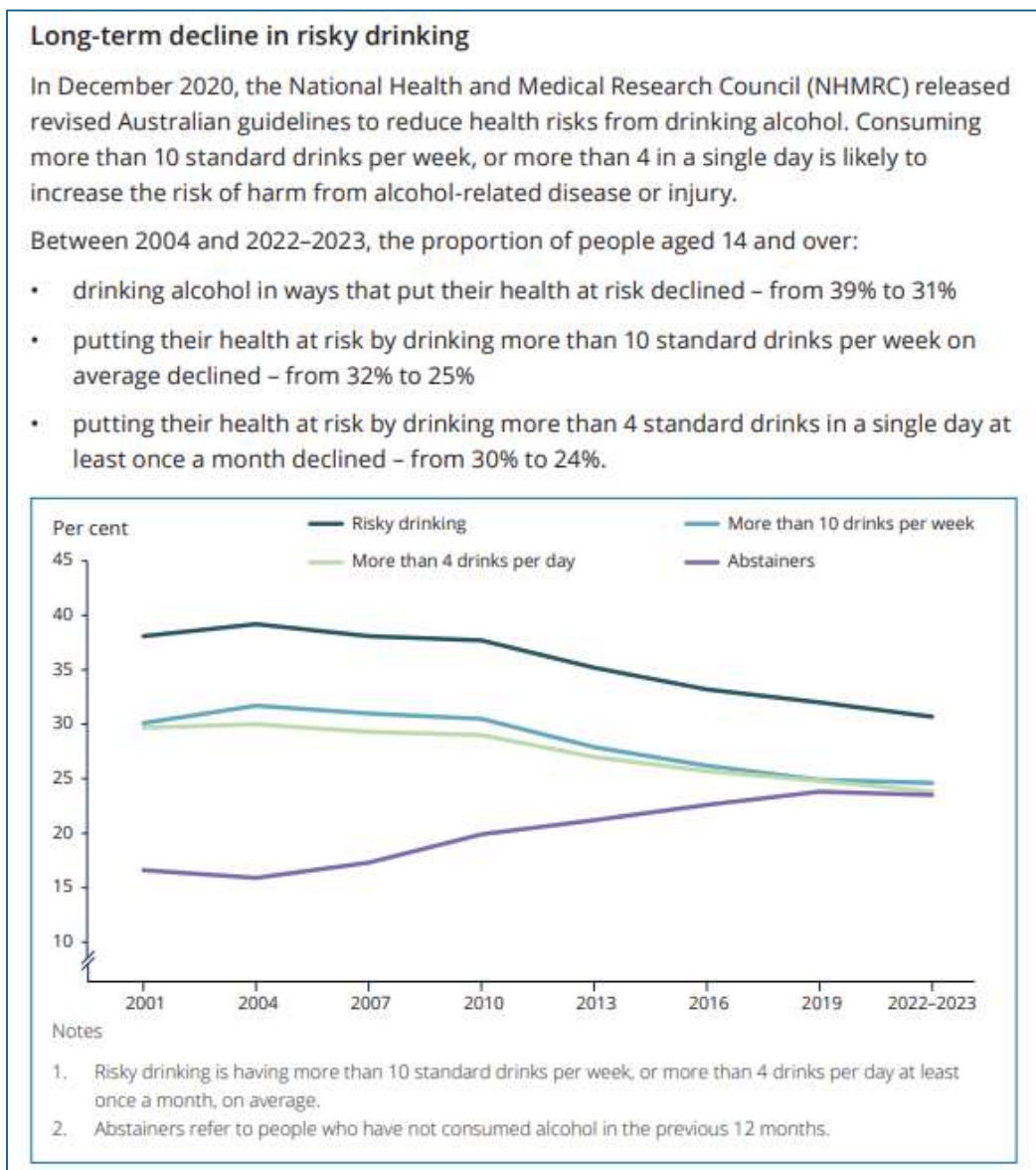
8.30. The objective evidence above shows the respondent pool to be an accurate representation of the community that Blue Poppy Lounge is aimed at.

8.31. Noting all of this, further questions and respondent answers are detailed throughout these submissions, to aid in the applicant satisfying Section 38 of the Liquor Control Act (1988).

## 9. Section 38(4)(a) - Risk Assessment with respect to the Harm and Ill Health

- 9.1. Section 38(4)(a) of the Liquor Control Act (1988) asks the applicant to consider *“the harm or ill-health that might be caused to people, or any group of people, due to the use of liquor.”*
- 9.2. In this section the applicant assesses the risk with respect to the harm or ill-health that might be caused to people, or groups of people within the locality should this Licence be granted.
- 9.3. The demographics of the locality have been discussed in Section 4 of these submissions and concluded there are no significant concerns in respect of the identified priority groups.
- 9.4. The licensee submits that the potential for an increase in harm and ill-health for at risk-groups in the locality as a result of the granting of this application is low because of the following factors:
  - 9.4.1. There is no change to the style of operation proposed in this application.
  - 9.4.2. The high level of comfort within the venue is supported by quality furnishings and reinforced by the consistently high standard of service, as noted by many survey respondents who rated staff performance very positively.
  - 9.4.3. The licensee’s management practices ensure that the business is not operated in any manner that could have an adverse effect on at risk groups in the locality.
  - 9.4.4. A range of Bar snacks is an important part of the offer. When patrons eat while drinking, intoxication levels rise more slowly, which helps:
    - 9.4.4.1. Reduce binge drinking;
    - 9.4.4.2. Improves patron experience and dwell time;
    - 9.4.4.3. Lower risk of alcohol-related harm.
  - 9.4.5. There is a breakout space for those who wish to cool off for a while.
  - 9.4.6. The high standard of service and facilities engender patronage from mature and responsible people.
  - 9.4.7. It has a detailed harm minimisation plan in place, which will help in minimising any potential for undue harm or ill-health in the locality.
  - 9.4.8. Blue Poppy Lounge engaged licensed crowd controllers from the outset, despite this not being a requirement of its licence at the time.
  - 9.4.9. Venue staff and security are well trained to monitor potential risks and signs of intoxication among patrons and are readily available to assist by arranging safe transport home when required.

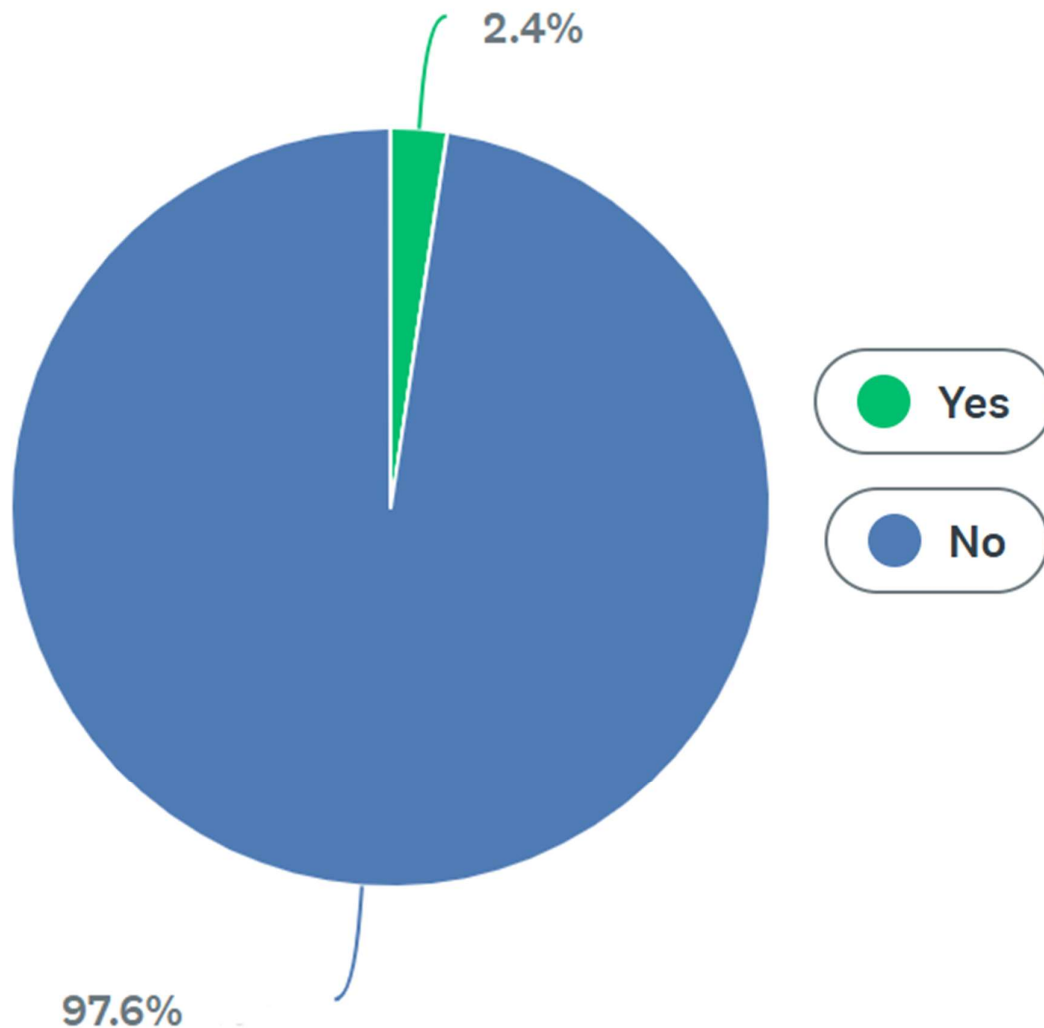
- 9.5. The below snippet is taken from Australia's Health 2024 in brief (a report from the Australian Institute of Health and Welfare).



- 9.6. Other points of note from this report, specific to alcohol consumption;
- 9.6.1. Abstaining from alcohol is increasing - the proportion of Aboriginal people aged 18 and over who reported they 'had not consumed alcohol in the last 12 months or have never consumed alcohol' rose from 19% in 2001 to 26% in 2018-19.
- 9.6.2. 3 in 10 (31%) people aged 14 and over consumed alcohol in ways that put their health at risk in 2022 - 2023 - down from 4 in 10 (39%) in 2004.
- 9.7. In a separate Alcohol Factsheet provided as part of this report, it is noted that;
- 9.7.1. The proportion (%) of Australians aged 14+ drinking daily continues to decline (6% in 2016, to 5.4% in 2019 and most recently, 5.2% in 2022- 23).

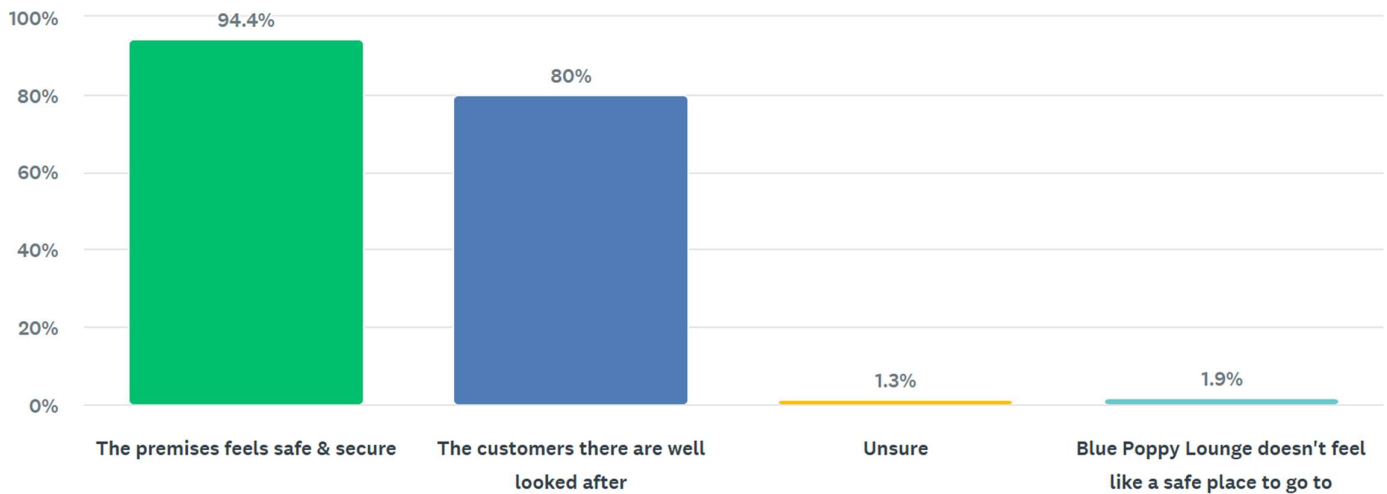
- 9.8. The applicant has provided a detailed Harm Minimisation Plan which is included in the application documents to manage any potential for increased harm or ill health.
- 9.9. Criminal/offence Statistics**
- 9.10. To further satisfy Section 38(4)(a), the licensee sought to investigate the incidence of alcohol related offences within the locality as recorded by the WA police. However, no statistics were available on the WA Police website in relation to alcohol related crime for any towns or suburbs in WA.
- 9.11. The applicant submits all the above information (from 9.1. - 9.7.) in lieu of quantifiable data / statistics of alcohol related hospitalisations or deaths, as no current accurate information can be provided.
- 9.12. Blue Poppy Lounge is a small venue surrounded by very large late trading venues. In a locality where there are already a large number of high patron capacity nightclubs and venues trading till late, this change in licence type would not add to the potential for harm or ill-health in any material way, but would provide a safe and comfortable alternative space for people who are looking for an Asian themed nightclub, and a lower intensity venue.
- 9.13. The premises already employs licensed crowd controllers on weekends. Security services will also be provided according to the Director's policy.
- 9.14. They also currently offer hot meals till close which most similar venues in the vicinity don't provide. It is important to them that they provide this service to their community.
- 9.15. The licensee also submits that Northbridge shows a higher rate of offending when referring to the [WA Police Crime Statistics](#). However, they also make the following comments.
- 9.15.1. Northbridge is a commercial / retail area, attracts a very large number of visitors which naturally swell the crime statistics.
- 9.15.2. Northbridge has a relatively low residential population (1,420 people according to the 2021 Census), while simultaneously attracting very large numbers of visitors both during the day and at night, seven days a week. As a result, comparing the rate of offending solely to the residential population would not be a useful or meaningful measure.
- 9.15.3. The premises exists within a protected entertainment precinct (PEP). Under the new law, people who behave in an antisocial, violent or threatening way maybe banned from entering these precincts.
- 9.15.4. Being within this PEP therefore provides an extra layer of protection and safety from would be offenders.
- 9.15.5. Further it has been said throughout these submissions that Blue Poppy Lounge is targeted at quite a specific demographic, being the Bhutanese and the South-East Asian community.

- 9.15.6. The subject premises is located further down Aberdeen Street - it is not in the direct limelight of the entertainment scene of Northbridge - being the hub of William, Lake & James Streets.
- 9.15.7. Lastly, it is not enough to simply say that because there are elevated crime stats the licence should not be granted (see Carnegies decision, referenced above). The Director must also look at and evaluate the likely nexus between the proposed increase in patrons and the alleged (or perceived) increase in harm, quantify it, and make a judgement on the likelihood that this small venue will cause any increase in harm. It is an offer not directed at the masses of Northbridge, but to a distinct and identifiable community.
- 9.16. In the witness questionnaire, respondents were asked, *“Are there any people or any groups of people in the locality who, in your opinion, would be at risk of increased and undue harm as a result of the granting of this application?”*.



- 9.17. Of the **181** responses received, **163 (97.6%)** of respondents said, **“No”**.

9.18. Then the respondents were asked, *“What do you say about the level of comfort and security at Blue Poppy Lounge?”*.



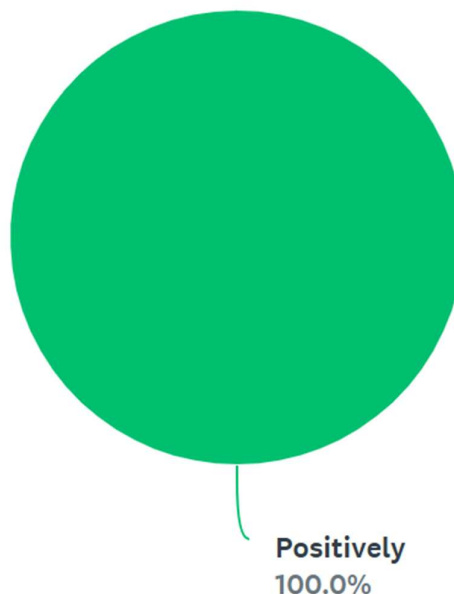
Answer Choices ↓	Percentage ↓
<span style="color: green;">●</span> The premises feels safe & secure	94.4%
<span style="color: blue;">●</span> The customers there are well looked after	80.0%
<span style="color: yellow;">●</span> Blue Poppy Lounge doesn't feel like a safe place to go to	1.9%
<span style="color: cyan;">●</span> Unsure	1.3%

9.19. The survey results indicate a strong perception of safety and comfort at Blue Poppy Lounge.

9.20. **94.4%** indicated that the premises **“feels safe and secure”**, and **80.0%** stated that **“customers are well looked after by staff”**.

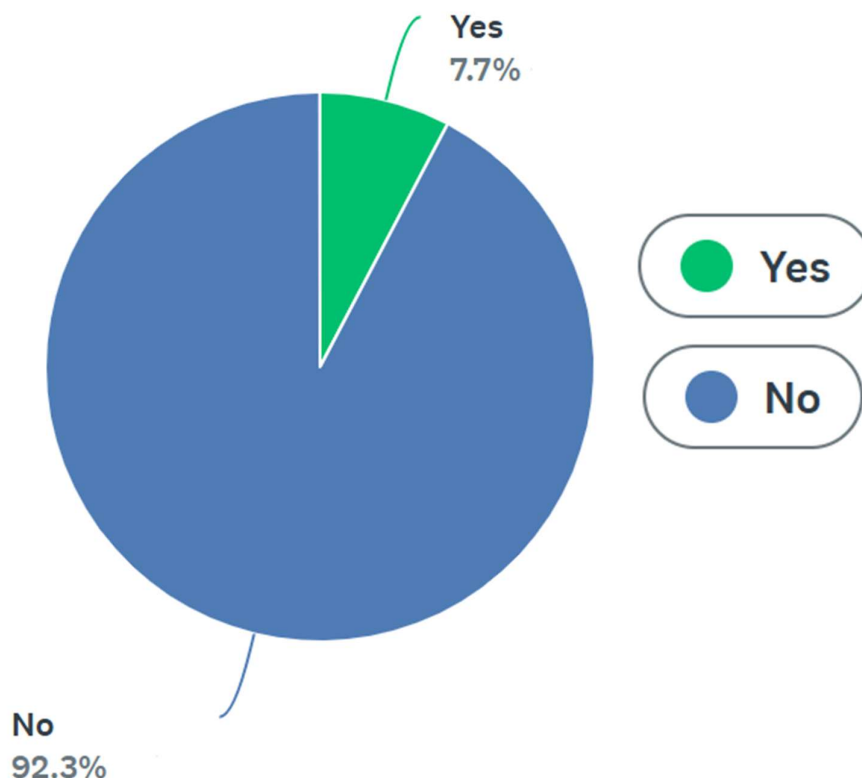
## 10. Section 38(4)(b) - A report on the amenity of the locality

- 10.1. The licensee is required to consider both the positive and the negative potential impacts of this application on the amenity of the locality.
- 10.2. The applicant believes that through this proposed nightclub licence, Blue Poppy Lounge will be adding value and amenity to the locality, as evidenced in section 7 of these submissions.
- 10.3. As has been noted, the premises is already licensed and has an approved extended trading permit until 2am on Saturday and Sunday nights, as well as Monday nights preceding public holidays. In both applications, and with regard to the public interest submissions lodged back in November 2024, for the ongoing extended trading hours, the applicant has shown that the premises has and continues to have a positive impact on the amenity of the locality. This assertion is clearly shared by the Director via the two licence approvals already issued for Zomsa Bar (now Blue Poppy Lounge).
- 10.4. Further, the applicant reiterates the following;
  - 10.4.1. The applicant already operates a successful and popular small bar premises that has been welcomed by the Northbridge and Bhutanese / Southeast Asian communities.
  - 10.4.2. Operationally, there will be no difference in the style of trade for Blue Poppy Lounge. The main purpose of this application is to be able to increase their capacity, currently limited by their licence type.
- 10.5. The witness questionnaire asked, ***“If this application is approved, in what ways do you think it may change the locality?”***, the respondents’ answers are graphed below.



- 10.6. Of the 169 who answered this question, **100%** said ***“Positive”***.

- 10.7. Elaborating on the answers of respondents who answered 'Positive' above;
- 10.7.1. Respondent 16 said, *"Blue poppy has been a valued place for many of us to relax and socialise. Approving its application would build on its existing strengths & make it even a better space for the community"*.
- 10.7.2. Respondent 46 said, *"It will help our community come together and celebrate longer on festival, promote cultural experiences exchanges. And finally give us a space to have more fun at the place we love to hang out"*.
- 10.7.3. Respondent 53 said, *"Helps the local community to grow and create job opportunities."*
- 10.7.4. Respondent 63 said, *"It is a safe and comfortable place to spend with family and friends without any issues"*.
- 10.7.5. Respondent 141 said, *"If the application is approved we will have a larger and safer place for us to go visit and have a good time. Looking forward to it"*.
- 10.8. The witness questionnaire asked, *"Should this new permit be granted, do you think the amenity, quiet or good order of the locality might in some manner be lessened? In other words - if Blue Poppy Lounge were allowed to trade under a nightclub licence, would the quality of Northbridge be affected negatively?"*.
- 10.9. The respondents' answers are graphed below.



- 10.10. Elaborating on the answers of respondents who answered 'No' above;
- 10.10.1. Respondent 21 said, *“Northbridge itself is the center (sic) of entertainment so it (sic) think it adds to the variety with a positive affect as (sic) by including a whole different kinds of music and culture”*.
- 10.10.2. Respondent 144 said, *“Due to the respectful and professional staffs and management, this issue is most unlikely to occur”*.
- 10.10.3. Respondent 152 said, *“Because the club itself is well equipped with soundproof advanced systems and technology where the the (sic) club loud music doesn't go outside and people (wi)ll also love and get see lots of tasty foods (sic) as well so I think it's positively helping community to grow which doesn't impact in and around places”*.
- 10.10.4. Respondent 11 said, *“Blue poppy lounge usually functions adhering to rules.”*.
- 10.10.5. Respondent 134 said, *“I don't think so instead it would bring positive vibe for certain type of people who like this kind of nightclub.”*.

## 11. Impact on tourism, culture and the community

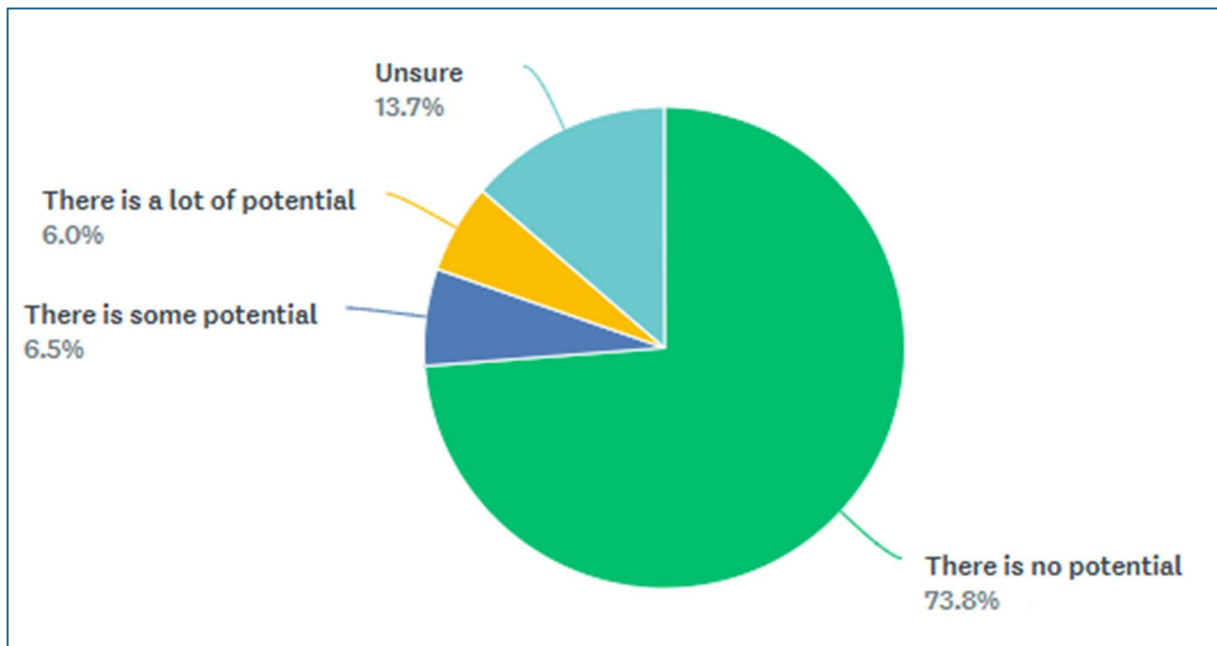
- 11.1. The applicant submits that;
- 11.1.1. Northbridge exists and is known as an entertainment and tourist precinct. The City of Perth lists Northbridge as a special entertainment precinct, as does the Department of Local Government, Sports and Cultural industries, due to its concentration of hospitality premises and art/culture focused buildings.
  - 11.1.2. According to figures from the annual report of the licensing authority the nightclub licence category is the only one where the numbers are declining.
  - 11.1.3. The Applicant asserts that this is the most appropriate location to place a nightclub, being within a designated Protected Entertainment Precinct (PEP).
  - 11.1.4. There is an abundance of licensed premises, from restaurants and small bars to larger taverns and nightclub premises catering to a wide spectrum of consumer requirements, from intimate bars to large taverns and nightclubs.
  - 11.1.5. Blue Poppy Lounge very much sits on the smaller end of this licensed venue scale.
  - 11.1.6. **Impact on tourism**
    - 11.1.6.1. Blue Poppy Lounge does not market itself as a tourist destination, nor will it ever be one. It's impact on generating tourism, outside of bringing Bhutanese and South-East Asian patrons who may reside outside of the locality, into Northbridge, will be modest.
  - 11.1.7. **Impact on culture**
    - 11.1.7.1. The mantra of Blue Poppy Lounge is a 'place to gather and connect'.
    - 11.1.7.2. As has been stated throughout these submissions, the mission of this venue is to provide a safe and fun licensed premises for the Bhutanese and South-east Asian population of Perth.
    - 11.1.7.3. Northbridge is already a (very welcome) clash of cultures and communities, Blue Poppy Lounge seeks to elevate and celebrate their own culture, and in that way positively contributing to the mix of venues.
  - 11.1.8. **Impact on the community**
    - 11.1.8.1. The Blue Poppy Lounge's impact on the broader Northbridge community is, and will continue to be, quite positive. In that, it is relatively small and does not market itself as a loud and noisy venue (like a typical nightclub). Its less intense atmosphere will not appeal to those who may venture into Northbridge for a raucous social outing, but it has its place and its

distinct market.

- 11.1.8.2. It is a smaller venue that is focused on providing a space that pays homage to and celebrates Bhutanese culture.
  - 11.1.8.3. From a noise and safety standpoint, this premises' impact on the community will be minimal. It does not compare in terms of noise and scale to many of the other larger premises in Northbridge. It is a small, dialled venue in a quieter part of the entertainment precinct,
  - 11.1.8.4. It also must be said that this premises, being within City of Perth's proposed special entertainment precinct, aligns with the proposal's key objectives to boost the night-time economy and promote vibrancy to the area, whilst adhering to new noise management levels that will be brought in.
- 11.2. All of this is to say that the impact of this proposed nightclub premises on tourism, culture and the community will be limited, but positive. This premises is already a successful small bar, and this application is being made to increase patron numbers and extend trading hours to cater to demand and reduce any queues outside the venue on busy nights.

## 12. Offence, Annoyance, Disturbance or Inconvenience - Section 38(4)(c)

- 12.1. Section 38(4)(c) of the Liquor Control Act states the licensing authority may have regard to;
  - 12.1.1. *“Whether offence, annoyance, disturbance or inconvenience might be caused to people who reside or work in the vicinity of the licensed premises or proposed licensed premises”.*
- 12.2. In the applicant’s opinion, there is very little potential for adverse impacts from this proposed licensed venue because;
  - 12.2.1. The licensee takes its responsibilities towards the local community very seriously and will provide an open channel for communication with locals.
  - 12.2.2. The premises already exists in a known entertainment precinct - as such it will not be a new source of noise to the area, nor will it be introducing levels of foot traffic not already known to the area; and
  - 12.2.3. The applicants have been trading for many months now and are well equipped to handle this change in licence type.
- 12.3. The licensee also proposes the following measures:
  - 12.3.1. Prompt and polite response to any noise complaint in respect of the operations of the venue.
  - 12.3.2. Adherence to responsible service of liquor, and responsible consumption of liquor practices at the venue.
  - 12.3.3. Encouraging patron awareness of the rights of neighbours and others who reside, work, recreate or otherwise resort to the locality, especially when leaving the venue, and
  - 12.3.4. The approved manager and licensed crowd controllers will also ensure the last patrons leave safely and quietly.
- 12.4. Lastly, the licensee recently commissioned Herring Storer Acoustics (HSA) to produce an acoustic report.
- 12.5. The Applicant and HSA worked through various noise solutions with the Licensing Authority and arrived at a solution where they were able to produce music at a volume satisfactory to both the applicant and Licensing authority, without disturbing neighbours.
- 12.6. Under the proposed special control area (referred to in earlier sections of these submissions), the licensee will be able to apply for a permit to allow higher volumes within the premises - which will be of great benefit to Blue Poppy Lounge.
- 12.7. In the witness questionnaire, respondents were asked **“What do you say about the potential for annoyance, offence, disturbance or inconvenience that the granting of this application may cause people who live, work, visit or otherwise resort to the locality?”**. Their answers are shown in the pie chart below.



12.8. **73.8%** of respondents believe there is **no potential**.

12.9. Further, the respondents were asked, **“how does Blue Poppy Lounge differ to most large nightclubs in Northbridge?”**.

Answer Choices ↓	Percentage ↓
<span style="color: green;">●</span> Different music and party theme unlike other nightclubs in the area (Community driven)	77.0%
<span style="color: blue;">●</span> Calmer vibe compared to rest of the nightclubs	70.8%
<span style="color: yellow;">●</span> People (Patrons) are more respectful and adherent to rules	70.8%
<span style="color: teal;">●</span> Food availability	68.3%
<span style="color: orange;">●</span> Sitting arrangements available	49.1%
<span style="color: purple;">●</span> None of the above	0%

12.10. The responses demonstrate the distinctive characteristics of Blue Poppy Lounge when compared with larger nightclubs in Northbridge.

12.11. **“Different music and party theme unlike other nightclubs in the area (community driven). - 77.0%.**

12.11.1. This community-focused positioning supports a more mature patron demographic and discourages high-risk behaviours commonly associated with large-scale nightlife venues.

- 12.12. ***“Calmer vibe compared to the rest of the nightclubs.” - 70.8%.***
  - 12.12.1. This suggests a reduced likelihood of excessive noise, disorderly behaviour, or disturbance.
- 12.13. Furthermore, features below encourage patrons to remain settled and socialise in a controlled manner.
  - 12.13.1. ***“People (patrons) are more respectful and adherent to rules.” - 70.8%.***
  - 12.13.2. ***“Food availability,” - 68.5%.***
  - 12.13.3. ***“Sitting arrangements [are] available.” - 49.0%.***
- 12.14. Overall, the survey results demonstrate that offence, annoyance, disturbance, or inconvenience is not perceived by respondents as being an issue for this venue.
- 12.15. The survey responses indicate that patrons are primarily attracted to the venue’s music, staff and overall comfort, rather than high-risk drinking or promotional factors. This suggests that the premises offers an experience-focused environment, which supports orderly patron behaviour and greatly reduces the potential for alcohol-related harm.

### 13. Section 5(1)(a) of the Liquor Control Act (1998)

- 13.1. Section 5(1)(a) states that a primary object of the Act is;
  - 13.1.1. *“To regulate the sale, supply and consumption of liquor”*;
- 13.2. Being one of three primary objects means that it is of equal importance to the other two primary objects of the Act.
- 13.3. To regulate means;
  - 13.3.1. *“To control or direct according to rule, principle, or law”*  
or
  - 13.3.2. *“To put or maintain in order”*
- 13.4. It does not mean to restrict or to reduce.
- 13.5. There may be some circumstances where a restriction or a reduction is warranted, but the word “regulate” implies more flexibility than either “restrict” or “reduce”.
- 13.6. It is possible to “regulate” and to “increase” at the same time.
- 13.7. Therefore, this primary object should not, of itself, prevent this application from being granted.
- 13.8. It is possible to properly regulate the sale, supply and consumption of liquor and grant this application.

## 14. Section 5(1)(b) of the Liquor Control Act (1998)

- 14.1. Section 5(1)(b) states that a primary object of the Act is;
- 14.1.1. *“To minimise harm or ill-health caused to people, or any group of people, due to the use of liquor”;*
- 14.2. Being one of three primary objects means that it is of equal importance to the other two primary objects of the Act.
- 14.3. In its decision granting a liquor store licence to Woolworths Warnbro the Liquor Commission noted;
- “40. The potential for harm or ill-health is a powerful public interest consideration when determining an application (refer Lily Creek supra). Consequently, it is relevant for the licensing authority to consider the level of alcohol-related harm, due to the use of liquor, which is likely to result from the grant of the application. As Wheeler J stated in Executive Director of Public Health v Lily Creek International & Ors [2001] WASCA 410:*
- “This does not mean that only the increased harm which may result from the specific premises in question is to be considered; rather it seems to me that must necessarily be assessed against any existing harm or ill health so as to assess the overall level which is likely to result if a particular application is granted. Where, as occurs in probably the majority of cases, the existing level of alcohol related harm is no greater than that which appears to be commonly accepted in the community, the distinction is probably not significant.*
- 41. Also, as observed by Ipp J (in Lily Creek supra) it is significant that the primary object in section 5(1)(b) is to “minimize” harm or ill-health, not to prevent harm or ill-health absolutely”.*
- 14.4. In paragraph 46 of the Supreme Court decision in respect of the National Hotel, Fremantle, the following conclusion is found;
- 14.4.1. *“It is not sufficient to simply reason that, where there is already a high level of harm in the particular area, even a small increment in potential or actual harm may be determinative, without making specific findings on the evidence about the level of alcohol related harm which is likely to result from the grant of the particular application.”*
- 14.5. Paragraph 62 of the same decision reads;
- 14.5.1. *“The appellant contends that the reasons of the Commission reveal that it considered the application was not in the public interest, but not:*
- (a)the positive aspects of the application that were weighed;*
- (b)how the Commission reached the conclusion there was a likelihood of increased harm and ill-health if the application was granted; or*
- (c)the degree of increased harm or ill-health that was likely to have resulted if the application was granted.”*

- 14.6. All liquor licences have the potential to cause harm and ill health. It is a question for the licensing authority to assess whether the potential for harm in each specific application is too great, and/or outweighs the positive aspects of the application.
- 14.7. Therefore, in this application, the applicant is not required to show that no harm whatsoever may occur if this application is granted, only that the applicant will do all that is reasonably possible to minimise harm and ill-health that could potentially occur if this application is granted, that any potential for harm or ill-health is minimised, and is not “undue”, and that the positive aspects of the application outweigh this potential for harm.
- 14.8. There are several key factors that limit the potential for harm and ill-health that could occur should this application be granted.
- 14.8.1. People will be attracted to the venue for the food and atmosphere in equal measure.
- 14.8.2. Unlike most nightclubs the venue has a significant amount of comfortable furniture available.
- 14.8.3. There is a convenient outdoor cooling off alfresco area available.
- 14.8.4. The applicant has installed CCTV cameras all around the interior of the venue.
- 14.8.5. The applicant has a well-developed harm minimisation plan.
- 14.8.6. The applicant has not had any complaints from patrons or neighbours since opening their bar, or being granted their longer trading hours,
- 14.8.7. The applicant has conditions on its licence regarding the engagement of licensed crowd controllers,
- 14.8.8. The premises is away from the busier and more populated William Street,
- 14.9. There is a great deal of research which shows that the drinking environment can exert significant influence on patron behaviour.
- 14.10. Briscoe and Donnelly (2003)<sup>1</sup> quoted Graham and West (2001)<sup>2</sup> as finding that;
- 14.10.1. *“The drinking setting can exert considerable influence on behaviour through expectations, physical and social characteristics of the environment, levels of intoxication allowed and the characteristics of others in the setting.”*
- 14.11. Additionally, Briscoe and Donnelly had the following to add.
- 14.11.1. *“Given the results of the present analysis, the issue of what factors distinguish the more from the less problematic*

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<sup>1</sup> ‘Problematic Licensed Premises for Assault in Inner Sydney, Newcastle and Wollongong.’ Susan Briscoe and Neil Donnelly (Available at <http://anj.sagepub.com/content/36/1/18.abstract>)

<sup>2</sup> International handbook of alcohol dependence and problems. Graham, K., & West, P.

- premises becomes paramount in terms of planning effective interventions and/or enforcement practices to minimise alcohol-related harm.”*
- 14.11.2. *“We also found that several licensed premises that were hotels and have 24 hour (sic) service or extended trading, did not have repeat assaults on their premises suggesting other additional factors also contribute to the risk of violence on licensed premises”*
- 14.11.3. *“Low comfort, high boredom, aggressive bouncers, discounted drinks, poor ventilation, lack of cleanliness, a hostile atmosphere, overcrowding and inadequate numbers of bar staff” have been “associated with alcohol related harm”. Emphasis added.*
- 14.11.4. *“These predictive factors which are specific to the drinking venue offer considerable potential to reduce violence on licensed premises because they are under the control of the management and relatively easy to regulate.”*
- 14.12. Further Ross Homel et al found that;
- 14.12.1. *“The civilising impact of comfort is consistent with the early qualitative research conducted in Sydney... the importance of comfortable seating being available was clear.”<sup>3</sup>*
- 14.12.2. *“The type of venue, the style of drinking and the placing of seats have an impact on behaviour and potential conflicts and may be as worthy of attention as hours of operation.”<sup>4</sup>*
- 14.13. The applicant is an experienced operator and has been operating this premises for close to a year now.

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<sup>3</sup> ‘Making licensed venues safer for patrons: what environmental factors should be the focus of interventions?’ Ross Homel, Russel Carvolth, Marge Hauritz, Gillian Mcilwain and Rosie Teague (available at [https://www.griffith.edu.au/\\_data/assets/pdf\\_file/0004/82624/making.pdf](https://www.griffith.edu.au/_data/assets/pdf_file/0004/82624/making.pdf))

<sup>4</sup> ‘A continental ambience: Lessons in Managing Alcohol related Evening and Night - time Entertainment from Four European Capitals.’ Marion Roberts, Chris Turner, Steve Greenfeild and Guy Osborne ( available at <http://usj.sagepub.com/content/43/7/1105.short>)

## 15. Section 5(1)(c) of the Liquor Control Act (1988)

- 15.1. Section 5(1)(c) states that a primary object of the Act is;
  - 15.1.1. *“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”;*
- 15.2. This object was elevated to the status of primary object in the May 2007 changes to the Liquor Control Act (1988) *“to place a higher emphasis on the needs of consumers”*, as the Minister stated in the Second Reading Speech at the time.
- 15.3. Being a primary object means that it is of equal importance to the other two primary objects of the Act.
- 15.4. In other words, it is just as important for the Director to cater for the requirements of consumers as stated above, as it is to minimize the potential for harm or ill-health due to the use of liquor.
- 15.5. In the end it is a weighing and balancing of these equal objects which will determine whether a liquor licence should be granted or not.
- 15.6. Since opening as Zomsa Bar, the Blue Poppy Lounge has proved to be a very popular late-night venue in Northbridge, particularly, but not exclusively, with people of a South Asian and East Asian background.
- 15.7. It provides a less intense atmosphere when compared to other large venues nearby. It has more comfortable seating, and offers food until close, items which are rare in late trading venues in Northbridge.
- 15.8. Blue Poppy Lounge has found a niche in the market and now finds that the patron restriction and trading hours restriction that comes with a small bar licence to be restrictive to its operations, and does not do the venue justice, and at peak times they are having to turn patrons away, and/or have them wait in a queue outside the venue, which is not a good outcome.
- 15.9. This venue will cater for the requirements of consumers for liquor and related services because;
  - 15.9.1. The premises is in a known and popular entertainment precinct in proximity to other venues with a similar style of operation,
  - 15.9.2. The grant of this licence would assist in bringing more persons from the South-East Asian community into the locality, increasing contribution to the local economy of the locality.

## 16. Conclusion

- 16.1. This application by Zomsa Bar Pty Ltd for a nightclub licence will be of benefit to the community attending Blue Poppy Lounge currently.
- 16.2. The applicant reiterates that this is not an application for a new licensed venue. The premises already trades under a small bar licence, and this new application for a nightclub licence is being made to assist their style of trade and ultimately provide further positive benefits to their customers.
- 16.3. Lastly, from the witness questionnaire, respondents were asked, *“Do you have any other comments regarding this application?”*
  - 16.3.1. Respondent 5 said, *“The place is very convenient and friendly and lots of spaces for people to relax [sic].”*
  - 16.3.2. Respondent 21 said, *“I hope that Blue Poppy becomes the first Bhutanese Club in Northbridge and adds to the beautiful vibe in Perth.”*
  - 16.3.3. Respondent 70 said, *“It will be really nice if the premiss is granted to extend, as I am the frequent visitor.”*
  - 16.3.4. Respondent 91 said, *“Blue poppy is a wonderful new Bhutanese bar! Cozy atmosphere, great drinks, and a warm, welcoming vibe that truly reflects Bhutanese culture. A perfect place to relax, connect, and enjoy.”*
  - 16.3.5. Respondent 137 said, *“We customers would get more options in terms of clubs I really want to see blue poppy operating at a night club because me and my friends enjoying their hospitality and service since long time [sic].”*
  - 16.3.6. Respondent 173 said, *“Blue poppy would be the first late night club in our community which would contribute a lot to bring the community together. It would really benefit the people to feel at home and a place where we could make memories.”*
  - 16.3.7. Respondent 180 said, *“This venue would be the first Bhutanese night club for the community [sic].”*
- 16.4. It is notable that several respondents identified Blue Poppy Lounge as the first Bhutanese nightclub in Northbridge, highlighting the venue’s importance in meeting the cultural and social needs of a community that has historically been underserved in the area.
- 16.5. Blue Poppy Lounge;
  - 16.5.1. Offers comfortable seating arrangements and cooling off alfresco area allowing patrons to enjoy the music and relax,
  - 16.5.2. Will offer a range of bar snacks, should this application be granted
  - 16.5.3. Is not in the middle of the Northbridge entertainment area, but rather down on Aberdeen Street, away from the ‘party’ zones,
  - 16.5.4. Is a well-managed venue aimed at their small Bhutanese and

Southeast Asian community. They want to create a nightclub that their community can feel safe and secure in up to and after midnight.

- 16.6. The evidence presented in these submissions from the 181 survey respondents shows this proposal is very well regarded, and the local community is highly supportive of this application.
- 16.7. It is open for the Director to conclude that a venue such as Blue Poppy Lounge will be part of the solution, not part of the problem. It provides a smaller, more intimate, more comfortable atmosphere which, research shows, reduces the likelihood of harm.
- 16.8. It is, therefore, open for the licensing authority to conclude, on balance, the positive aspects of the application far outweigh any potential for negative impacts, thus clearing the way for an approval.

Drafted on behalf of Zomsa Bar Pty Ltd

Phil Cockman  
Canford Hospitality Consultants Pty Ltd

## Attachments

BP01	Outlet density list
BP02	Hard Copy witness questionnaire
BP03	Intended Manner of Trade
BP04	Map of the locality
BP05	Floor Plan
BP06	Raw witness data
BP07	Community buildings in the locality

# Blue Poppy Lounge

6/91 Aberdeen Street, Northbridge WA

Application for the Grant of a Nightclub Licence

Section 38 Submissions

## Attachment BP03

Intended Manner of Trade

January 2026



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## Blue Poppy Lounge

6/91 Aberdeen Street, Northbridge WA



Application For Nightclub Licence

Intended Manner of Trade

**January 2026**

Drafted for Zomsa Bar Pty Ltd by;  
Canford Hospitality Consultants Pty Ltd  
Friday, January 30, 2026

## **1. Introduction**

- 1.1. Blue Poppy Lounge (previously known as Zomsa Bar) is a new small bar, currently operating on Aberdeen Street in Northbridge.
- 1.2. This recent addition to the Northbridge hospitality scene is a popular attraction for the Bhutanese, South-East Asian and Indian communities of Perth, as well as the wider population.
- 1.3. They currently operate under small bar licence 634220587023 with an extended trading permit that permits Blue Poppy Lounge to stay open until 2am on Friday nights, Saturday nights, and Sunday nights preceding public holidays.
- 1.4. Since opening Blue Poppy Lounge has proved to be popular and now finds the small bar limitation of 120 patrons restrictive, leading to the licensee having to turn patrons away from the premises once capacity is reached.
- 1.5. On top of that, customer feedback indicates that a 2:00 am closing time is insufficient for many patrons.
- 1.6. A nightclub licence would allow the premises to increase patron capacity and extend its trading hours.

## **2. Proposed Style of Operation**

- 2.1. There is no change of style of operation proposed through this application. Blue Poppy Lounge will continue to offer the same licensed services it has since opening in early 2024.
- 2.2. Blue Poppy Lounge is a venue for all peoples and cultures.



- 2.3. It currently operates as a small bar, with an outdoor smoking and shisha area. As the evenings progress, Blue Poppy Lounge transforms itself into an intimate party / dance atmosphere and venue.
- 2.4. The DJs of Blue Poppy Lounge mix through music from the mainstream, and also popular dance music from Bhutan, Nepal, India and Tibetan region of China.
- 2.5. Another point of difference is that Blue Poppy Lounge offers a range of bar snacks - something which a lot of late-night venues in Northbridge do not currently offer.
- 2.6. Blue Poppy Lounge's Snacks menus may include items such as;
  - 2.6.1. Packages chips
  - 2.6.2. Packaged nuts
  - 2.6.3. Beef jerky
  - 2.6.4. Deep fried beef (packaged)
  - 2.6.5. Deep fried fish (packaged)
  - 2.6.6. Instant noodles

Drafted on behalf of Zomsa Bar Pty Ltd;

Phil Cockman  
Canford Hospitality Consultants Pty Ltd

# Blue Poppy Lounge

6/91 Aberdeen Street, Northbridge WA

Application for the Grant of a Nightclub Licence

Section 38 Submissions

## Attachment BP04

Map of the locality

January 2026



Blue Poppy Lounge - 500m Radius