



Public Interest Assessment Submission Application for the conditional grant of a Tavern Unrestricted Licence

Premises Name: The James

Applicant: The James Northbridge Pty Ltd

Location: 233 James Street, Northbridge, Western Australia.



Prepared by:



**HOSPITALITY
TOTAL SERVICES**
EST 1992

Office 2, 48 Kishorn Road, Applecross WA 6153
admin@hospitalitytotalservices.com.au

Ph 08 9316 8699 Fax 08 9316 9699
www.hospitalitytotalservices.com.au

This Submission is not to be copied in part or its entirety by any person without prior written consent from Hospitality Total Services (Aus) Pty Ltd. Failure to do so may result in legal action

Contents

1. Introduction	3
2. Venue and Operation	12
3. The Applicant	19
4. Location and Locality	21
5. Legislative Framework – Liquor Control Act 1988	30
6. Section 36B(4) of the Liquor Control Act 1988	35
7. Public Interest	51
8. Section 38 (4) (a) of the Act – Harm or Ill-health	55
9. Applied Research Section 38 (4) (a) of the Act – Harm or Ill-health	61
10 Community Consultation	69
11 Section 38 (4) (b) of the Act – Impact on Amenity	71
12 Section 38 (4) (c) of the Act – Offence, Annoyance, Disturbance or Inconvenience	72
13 Section 38(4)(ca) – Tourism, Cultural and Community Matters	79
14 Summary	85
15 Advertising	87
16 Attachments	87

1. Introduction

- 1.1 The James Northbridge Pty Ltd (the Applicant) seeks approval from the Director of Liquor Licensing, within the Department of Local Government, Industry Regulation and Safety (LGIRS), for the conditional grant of a Tavern (Unrestricted) Licence for the premises to be known as The James, proposed to operate at 233 James Street, Northbridge, Western Australia.
- 1.2 This Public Interest Assessment (PIA) is submitted in support of the Applicant's liquor licence application under the Liquor Control Act 1988 (WA) (the Act).
- 1.3 The application has been prepared to address the statutory requirements of the Act, with particular regard to:
 - Section 5: Objects of the Act;
 - Section 36(B)4: Packaged liquor requirements;
 - Section 38: Public interest test under; and
 - The Director's published guidance on Public Interest Assessment submissions.
- 1.4 The Applicant proposes The James as a contemporary and diverse, hospitality and entertainment venue, with WA-First focus and designed to contribute positively to the proper development of the liquor, hospitality and tourism industries within the City of Perth, and specifically the Northbridge Entertainment and Cultural Precinct.
- 1.5 The proposed venue will:
 - Operate with an emphasis on Western Australian produce, curated beverage offerings, and cultural programming, positioned as Western Australia's first remote tasting room with a focus on Western Australian wines, beers, and spirits;
 - Provide on-premises consumption of liquor ancillary to dining, tasting experiences, producer events, and cultural programming;
 - Include a packaged liquor retail component operating as a curated boutique bottle shop integrated with the tasting room model, allowing patrons to taste Western Australian products on-premise before purchasing for takeaway;
 - Option of indoor areas that can accommodate up to 534 patrons and an external courtyard alfresco area capable of accommodating up to 486 patrons, with a maximum patron capacity of 800 patrons across both internal and external areas at any one time;
 - Provide back-of-house areas, including a commercial kitchen, storage, and staff facilities, to support the diverse operations.

The internal areas will serve as the primary dining, tasting, micro distillery and entertainment zones. The external courtyard alfresco area will be used predominantly

for curated events, including but not limited to multi-cultural programming, complemented occasionally by food trucks.

- 1.6 This PIA has been prepared by Hospitality Total Services (Aus) Pty Ltd on behalf of the Applicant and is submitted in accordance with section 41 of the Liquor Control Act 1988, which includes Tavern Licences as a sub-category of Hotel Licences.

LIQUOR CONTROL ACT 1988 - SECT 41¹

Section 41 of the Act provides for a Hotel License which has subcategories including a Hotel License, a Hotel Restricted license, a Tavern License, a Tavern Restricted License and a Small Bar License. These types of licenses have different types of restricted trading conditions which differentiate them from each other.

LIQUOR CONTROL ACT 1988 - SECT 41

41. Hotel licence, kinds, conditions and effect of

[(1aa) deleted]

(1) For this Act —

(a) where a hotel licence is not subject to any condition referred to in subsection (4), it shall be referred to as a Tavern Licence.

- 1.7 The documentation supporting this application has been prepared in accordance with the procedural requirements of Section 68 of the Act and has been compiled by Hospitality Total Services (Aus) Pty Ltd on behalf of the Applicant.
- 1.8 The Applicant acknowledges that section 36B of the Act applies to the proposed packaged liquor component of the Tavern (Unrestricted) Licence.
- 1.9 Section 36B(4) of the Act provides that:

“The licensing authority must not grant an application to which this section applies unless satisfied that local packaged liquor requirements cannot reasonably be met by existing packaged liquor premises in the Locality in which the proposed licensed premises are, or are to be, situated.”²

The Applicant addresses this requirement in detail later in these PIA submissions.

- 1.10 This application is supported by formal letters of endorsement from key stakeholders within Western Australia's tourism, government and producer sectors, demonstrating broad industry recognition of the proposed venue's alignment with strategic tourism, economic development and local provenance objectives.
- 1.11 The application has received written support from:

¹[https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_41184.pdf/\\$FILE/Liquor%20Control%20Act%201988%20-%20%5B08-g0-00%5D.pdf?OpenElement](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_41184.pdf/$FILE/Liquor%20Control%20Act%201988%20-%20%5B08-g0-00%5D.pdf?OpenElement)

²http://www7.austlii.edu.au/cgi-bin/viewdoc/au/legis/wa/consol_act/lca1988197/s36b.html

- Tourism WA, endorsing the venue's contribution to Western Australia's visitor economy and alignment with the State's experience-led tourism objectives;
- The Member for Perth, recognising the venue's role in activating the Northbridge precinct and supporting local economic and cultural development, and
- Western Australian producers, confirming industry support for a venue model that showcases local food and beverage provenance and provides direct market access for regional and metropolitan producers.

1.12 These letters of support are submitted as appendices to this application and are referenced throughout this PIA where relevant to demonstrating alignment with Section 38(4)(ca) considerations relating to tourism, community and cultural development.



Figure 1: The James - Concept Beer and Wine Tasting with Food Pairings

1.13 The proposed premises is strategically located at 233 James Street, Northbridge, within the City of Perth's established entertainment, hospitality and cultural precinct. James Street is recognised as a key east-west activation corridor within Northbridge and forms

part of a highly walkable, well-serviced urban area characterised by mixed-use development, hospitality venues, cultural institutions and public transport connectivity.

- 1.14 The location enables the proposed premises to respond to existing consumer demand for experience-driven hospitality and entertainment offerings that complement the character of Northbridge and contribute to its continued activation as a destination for residents, workers, and visitors.
- 1.15 The planning framework applying to Northbridge identifies the area as a priority location for urban activation, the night-time economy, cultural expression, and tourism-related uses, supported by high levels of public transport accessibility and established commercial infrastructure³.
- 1.16 Within this context, the proposed premises is designed to operate as a well-managed WA food, beverage and entertainment-focused venue that aligns with the strategic intent for James Street by supporting pedestrian activity, enhancing street-level vibrancy, and contributing positively to the ongoing evolution of Northbridge as a diverse and economically active inner-city precinct.

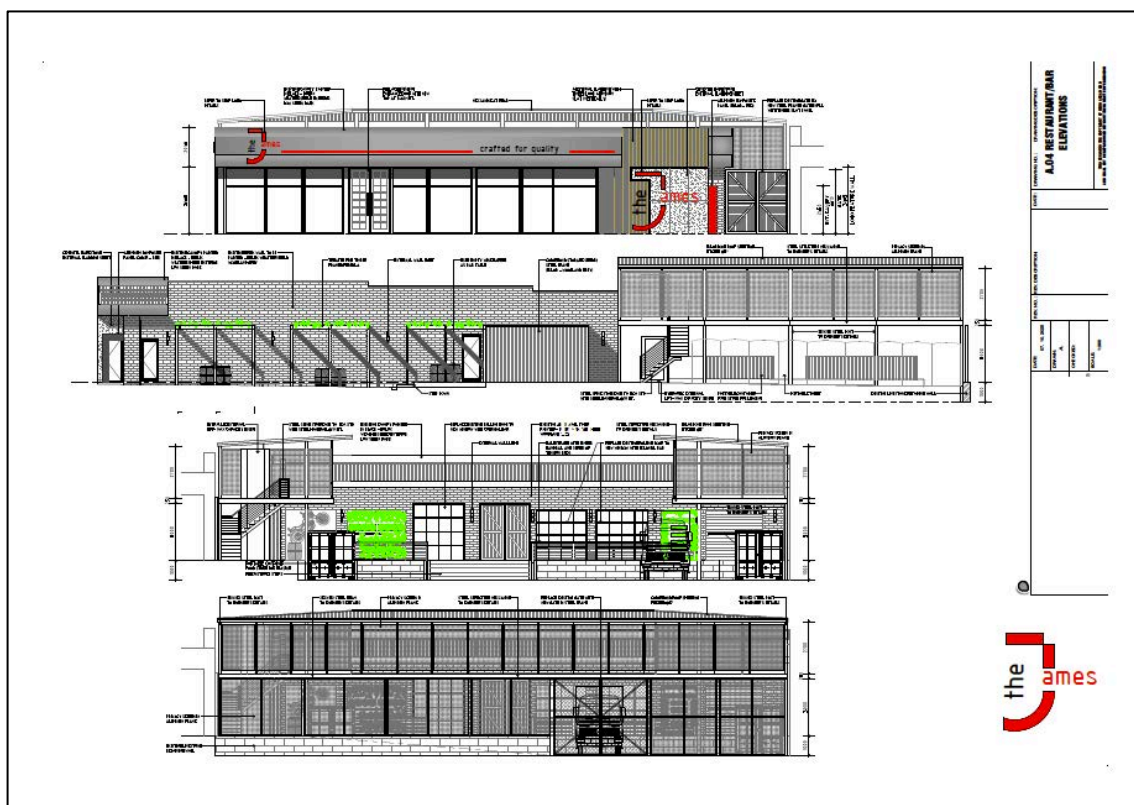


Figure 2: The James – Premises Elevation⁴

³ <https://www.wa.gov.au/system/files/2023-08/city-of-perth-strategy.pdf>

⁴ Attachment 1 – The James Plans

1.17 This application is supported by demonstrated consumer requirements for diverse, experience-driven hospitality offerings within Northbridge, as evidenced by the consumer survey results and letters of support submitted with this application.⁵

1.18 The proposed premises seeks to:

- enhance the range and quality of food and beverage offerings available within the James Street corridor and broader Northbridge precinct;
- meet the reasonable requirements of local residents, workers and visitors seeking a safe, well-managed premises operating within an established entertainment area;
- respond to demand for day-to-evening hospitality experiences that prioritise food service, curated beverages and cultural programming, rather than late-night nightclub-style trading;
- contribute positively to the economic vitality, activation and ongoing evolution of Northbridge as a mixed-use inner-city destination; and
- complement surrounding hospitality, retail, cultural and entertainment uses by operating as a distinct, non-duplicative venue aligned with the character and expectations of the locality.

The consumer evidence supporting this application is addressed in further detail in the relevant sections of this Public Interest Assessment.

1.19 The James is intended to operate as a destination venue catering to a broad and diverse patron base, including:

- local residents seeking dining, entertainment and social experiences within a walkable inner-city neighbourhood;
- workers and professionals employed within Northbridge and the Perth CBD, particularly during daytime and early evening trading periods;
- social and corporate groups seeking structured function, tasting and event spaces within a managed licensed environment;
- visitors and tourists seeking authentic, WA-focused hospitality experiences within Perth's primary entertainment precinct; and
- patrons attending cultural, arts and entertainment activities within Northbridge and the surrounding inner-city areas.

⁵ Attachment 2 – Consumer Surveys

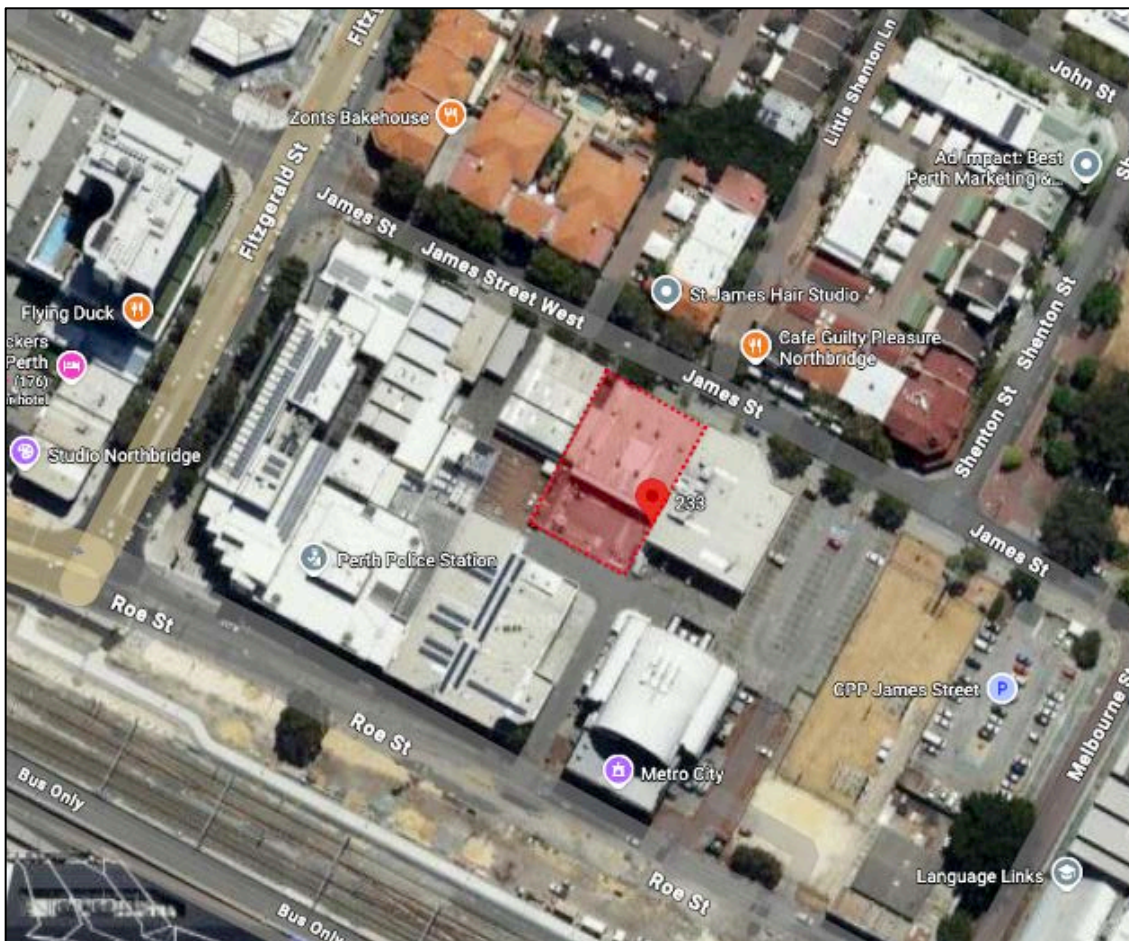


Figure 3: The James - Site Plan⁶

- 1.20 Based on consumer feedback submitted in support of this application and the Applicant's demonstrated industry experience, the redevelopment of the premises as The James under a Tavern (Unrestricted) Licence is expected to deliver measurable social, economic and cultural benefits within the Northbridge locality.
- 1.21 The James will provide distinct internal zones, including but not limited to:
- Main Bar & Tasting Hall featuring WA wines, craft beers, and spirits
 - Charcuterie Deli Counter showcasing WA cheeses, cured meats, and artisan products
 - Micro-Distillery (Northbridge's first micro-distillery for on-premise production and experiences)
 - Commercial Kitchen for simplified finishing, deli service, and event catering
 - VIP/Function Rooms for guided tastings, winemaker dinners, corporate events, and private functions

⁶ Attachment 1 - Plans

- Retail Bottle Shop with a curated selection of boutique WA wines and in-house produced spirits
- Internal Seating & Dining Zones (high-top tables, banquettes, lounge seating, communal areas)
- Dedicated Toilet Amenities designed in accordance with the Building Code of Australia requirements

1.22 Section 38(4)(ca) of the Act provides that, in determining whether the grant of a licence is in the public interest, the licensing authority may have regard to whether the application is likely to contribute to tourism, community and cultural development.

1.23 The proposed premises aligns with these considerations by:

- contributing to the diversity and quality of hospitality and entertainment offerings within Northbridge;
- supporting the activation of the James Street corridor as part of Perth's primary entertainment and cultural precinct;
- providing employment and supporting economic activity within the hospitality, liquor and tourism sectors; and
- offering WA-focused, experience-driven hospitality that complements Northbridge's cultural and creative identity.

1.24 The Applicant is committed to operating well-managed, safe and welcoming licensed premises that minimise the risk of undue harm or ill-health to patrons and the surrounding locality, while catering to the reasonable requirements of consumers for liquor and related services.

1.25 Comprehensive harm minimisation strategies are addressed in detail within this Public Interest Assessment, including venue management practices, responsible service of alcohol, patron behaviour controls and incident management procedures, as discussed in the relevant sections addressing section 38(4) of the Act.

1.26 As part of its security and crime-prevention framework, The James will incorporate closed-circuit television (CCTV) and other security measures consistent with the Director of Liquor Licensing's policies and guidance relating to safety and security at licensed premises.

1.27 The responsible and experienced applicant will accept the following trading conditions to operate on the premises under a Tavern (Unrestricted) Licence, subject to approval.

TRADING HOURS

The permitted trading hours are those prescribed in s 98(1) of the Act for a Tavern licence.

TRADING CONDITIONS

1. The licensee is authorised to sell and supply liquor in accordance with the provisions of s 41 of the Act as it relates to a Tavern (Unrestricted) Licence.
2. The sale of packaged liquor is restricted to spirits produced on-site and boutique wines only.
3. The premises will maintain a CCTV system in line with the Director of Liquor Licensing policies on Security licensing conditions.
4. The maximum number of patrons that may be accommodated on the licensed premises at any one time must not exceed the number of patrons as contained in the "Maximum Accommodation Certificate" issued by the local authority
5. Seating to be available throughout the premises except when there is a pre-booked private event or function.
6. Food to be available until an hour before close.
7. Entertainment to comply with EPA guidelines at all times.
8. Drink options that contain low alcohol liquor content, as well as a range of non-alcoholic drink options, must be available at all times. The Licensee shall not promote or sell drinks that offer liquor by their 'emotive' titles, such as, but not limited to, 'laybacks', 'slammers', 'test tubes', and 'blasters'.
9. Outlaw Motorcycle Gang members are not permitted on the premises.

ENTERTAINMENT CONDITION

- (a) A person resorting to, or on the premises, including the licensee or manager, or an employee or agent of the licensee or manager, shall not:
 - I. be immodestly or indecently dressed on the licensed premises, and/or
 - II. take part in, undertake or perform any activity or entertainment on the licensed premises in a lewd or indecent manner.
- (b) The licensee or manager, or an employee or agent of the licensee or manager, is prohibited from:
 - I. exhibiting or showing, or causing, suffering or permitting to be exhibited or shown, on the licensed premises any classified "R 18+", "X 18+" or "RC" classified film or computer game or "Category 1 – Restricted" or "Category 2 – Restricted" publication, or extract therefrom, or
 - II. causing, suffering or permitting any person employed, engaged or otherwise contracted to undertake any activity or perform any entertainment on the licensed premises to be immodestly or indecently dressed on the licensed premises, or

- III. causing, suffering or permitting any person to take part in, undertake or perform any activity or entertainment on the licensed premises in a lewd or indecent manner.
- (c) In this condition, “licensed premises” includes any premises, place or area:
- I. which is appurtenant to the licensed premises, or
 - II. in respect of which an extended trading permit granted to the licensee is for the time being in force but does not include any part of the premises which is reserved for the private use of the licensee, manager or employees of the licensee and to which the public does not have access.

2. Venue and Operation

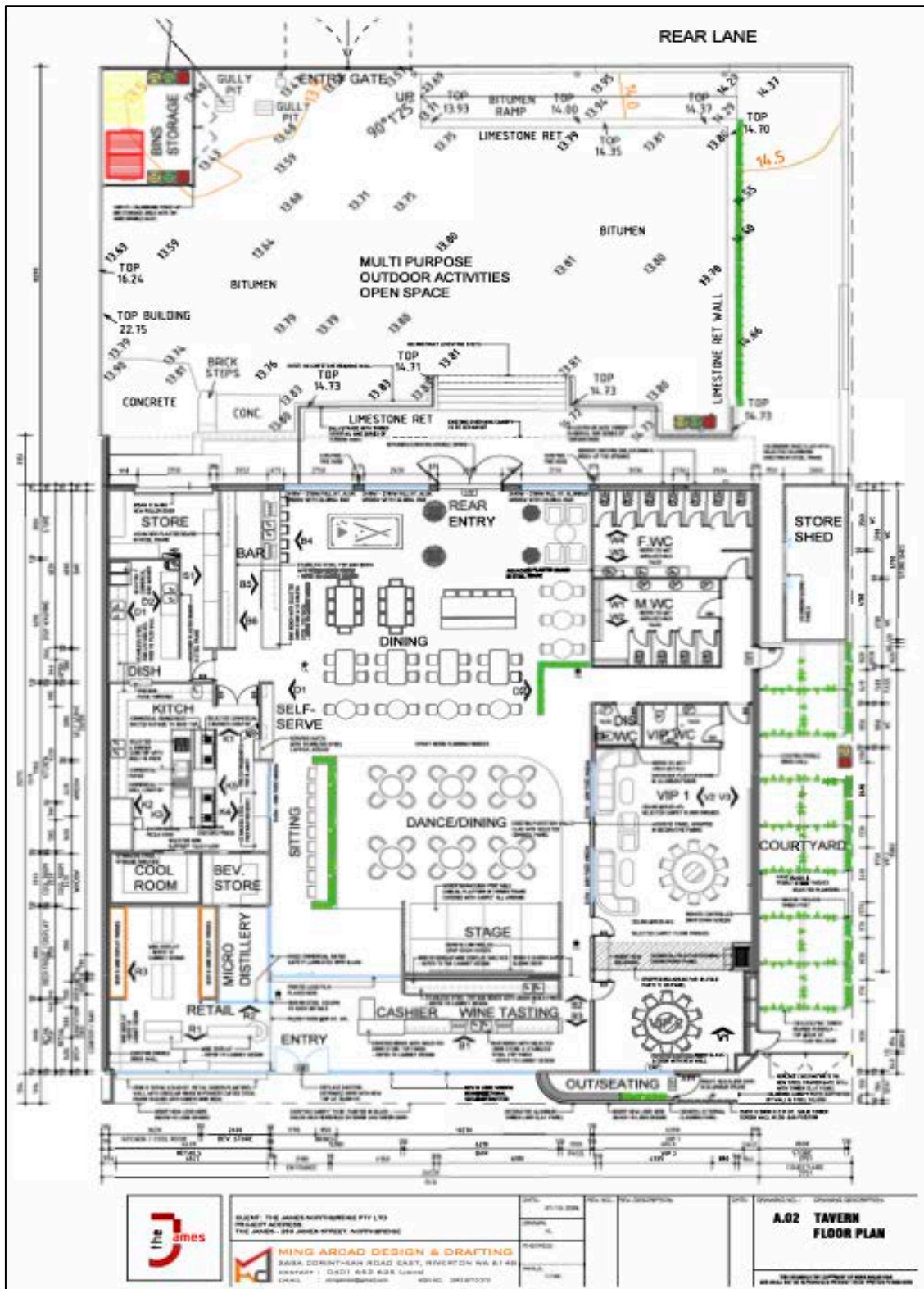


Figure 4: The James – Floor Plan⁷

⁷ Attachment 1 - The James Plans

- 2.1 The proposed premises, subject to approval, will be located at 233 James Street, Northbridge, within an established inner-city entertainment, hospitality and cultural precinct.
- 2.2 The proposed premises will contribute to the ongoing development of the hospitality, liquor and tourism sectors within Northbridge by offering a distinct, experience-driven venue that complements the character of James Street.
- 2.3 With a clear focus on Western Australian producers, provenance and curated experiences, the venue will provide a carefully considered food, beverage and entertainment offering, including:
- a food program designed to support seated dining, tastings and shared experiences; and
 - a curated range of beer, wine and spirits aligned with the venue's producer-focused concept.
 - entertainment and cultural programming featuring Western Australian artists, producer events and educational masterclasses, rotating art displays, multicultural celebrations, and micro-distillery experiences.
- 2.4 This approach is intended to attract consumers seeking quality, education and experience, rather than high-volume alcohol consumption. Packaged liquor sales are intended to operate as part of an integrated hospitality and retail experience, rather than as a standalone liquor store.
- 2.5 The design and operation of the premises will have regard to contemporary Crime Prevention Through Environmental Design (CPTED) principles and Safer Places by Design guidance, appropriate to an inner-city hospitality venue.
- 2.6 Key principles incorporated into the venue design and operation include:
- clear sightlines within patron and retail areas;
 - appropriate internal and external lighting;
 - controlled access to staff-only and back-of-house areas; and
 - layout configurations that support effective patron supervision and venue management.

These measures are intended to support patron safety, staff welfare and responsible venue operation.

- 2.7 The Applicant intends to undertake a substantial fit-out and refurbishment of the premises to support the proposed operation of The James. The fit-out is designed to deliver a flexible and well-managed hospitality and entertainment environment incorporating the following key amenities:

- designated dining areas with a variety of seating formats suited to both individual patrons and groups;
- flexible internal spaces with a total of 453.77m² capable of accommodating dining, casual lunches, tastings, meetings, functions and special events;
- micro-distillery facility: northbridge's first on-premise micro-distillery designed and installed by experienced local professionals, enabling interactive "make-your-own" gin and vodka experiences where patrons engage directly with the distillation process under expert guidance and take home their creations;
- function and private dining areas suitable for corporate events, producer-led tastings and masterclasses;
- performance infrastructure, including a dedicated stage area with professional sound and lighting systems designed to support live acoustic music featuring WA artists, jazz ensembles, solo performers, and cultural music showcases while maintaining a conversation-friendly environment;
- a fully equipped commercial kitchen designed to support on-site food preparation and service;
- cool room and storage facilities appropriate to the scale and operation of the venue;
- rear courtyard alfresco area (413m²) for special events and functions including the alleyway for food trucks; and
- toilet amenities designed to meet Building Code of Australia requirements, including dedicated male amenities (2 wc, 8 urinals, 4 hand basins), female amenities (8 wc, 3 hand basins), and universal access toilet.

Food & Beverage

- 2.8 Food offered at The James will be prepared from WA produce using a compliant commercial kitchen, ensuring a consistent standard of food quality and service. The food offering will be designed to support the venue's role as a food-led tavern, with menus structured to cater for:
- casual dining;
 - shared plates and tasting-style experiences; and
 - food service ancillary to functions, events and producer-led activations.
- 2.9 The menu will be curated to encourage moderate and responsible consumption of liquor, promote extended patron dwell time associated with dining, and support a sociable, well-managed hospitality environment aligned with harm minimisation objectives.



Figure 5: The James - Sample Food Options

Food Options⁸

- 2.10 The James will provide a broad and flexible range of food options available across the trading day, supporting the venue’s operation within an established inner-city entertainment precinct. The food offering will focus on contemporary, produce-driven cuisine, with an emphasis on Western Australian producers, seasonality and shared dining formats.

Beverage Options

- 2.11 The beverage offering at The James will comprise a balanced range of alcoholic and non-alcoholic options (subject to approval), curated to complement the venue’s hospitality operation and experiential focus. Alcoholic beverages will include beer, cider, wine, spirits and cocktails, with an emphasis on products that align with the venue’s boutique producer-focused concept and enhance the overall dining and tasting experience.
- 2.12 The venue will also feature an on-premises micro-distillery, “Northbridge's first”, enabling interactive gin and vodka production experiences in which patrons create their own spirits under expert guidance.
- 2.13 Beverage items will be selected to complement seasonal food offerings, tasting formats, and producer-led events, while also reflecting contemporary beverage trends and evolving consumer requirements. The offering will include emerging product categories

⁸ Attachment 3 – Sample Menus

such as zero-alcohol and alcohol-free alternatives, including non-alcoholic cocktails and spirits, to ensure inclusivity for patrons who choose not to consume alcohol.

- 2.14 A range of zero- and low-alcohol beverages will be available for on-premises consumption, including low-alcohol beer and wine options. Where approved, selected low- or zero-alcohol products may also be available for takeaway as part of the venue's ancillary retail offering. The inclusion of these products supports responsible consumption, consumer choice, and harm minimisation objectives.

Look & Feel

- 2.15 The premises will present a warm, contemporary aesthetic characterised by refined urban industrial design, material quality and considered lighting, consistent with the character of Northbridge as Perth's primary entertainment and cultural precinct. The overall look and feel is intended to balance approachability and comfort, supporting day-to-evening trade while maintaining an environment appropriate for socialising, tastings, functions and cultural events.

- 2.16 The design and operational intent of The James incorporates contemporary hospitality principles, including:

- an environment designed to cater to local residents, inner-city workers and visitors on a daily basis;
- a range of function and event options, including private dining, tastings and corporate or cultural events;
- spaces that support both communal and semi-private experiences, enabling group socialising within a controlled and supervised licensed environment;
- a food offering aligned with the Applicant's contemporary, produce-driven cuisine, with a focus on seasonality and Western Australian producers; and
- a full beverage offering that complements the food program and includes low- and zero-alcohol options.

The venue is intended to contribute positively to the activation and vibrancy of the James Street corridor without operating as a generic or high-risk nightclub model, as it operated previously.

- 2.17 The premises will provide toilet amenities designed to comply with the Director of Liquor Licensing's guidance on Standards at Licensed Premises, and appropriate to the approved patron capacity of the venue. Final capacity figures and amenity provision will be confirmed through approved plans submitted with this application.

2.18 The design of the premises has had regard to contemporary Crime Prevention Through Environmental Design (CPTED)⁹ principles and recognised design-out-crime guidance, including:

- passive surveillance through layout and sightlines;
- appropriate lighting levels; and
- clear delineation between public and staff-only areas.

These measures are intended to enhance patron safety and support effective venue management and security outcomes.

2.19 An Acoustic Report¹⁰ was always undertaken to ensure the premises meets the EPNR requirements at all times.

Hospitality Tourism¹¹

2.20 The proposed premises aligns with Western Australia's broader food, beverage and hospitality tourism objectives by promoting local provenance, producer engagement and authentic hospitality experiences within Perth's primary inner-city entertainment precinct. The James is designed to showcase Western Australian food and beverage producers through its dining, tasting and ancillary retail offerings, contributing to the visibility and accessibility of local products for both residents and visitors to Perth.

2.21 This producer-focused approach supports the development of experience-led hospitality tourism, reinforcing Northbridge's role as a destination for culinary, cultural and social activity. By offering locally curated food and beverage experiences within an urban setting, the venue contributes to Perth's appeal as a destination that values authenticity, quality and place-based hospitality, while supporting the ongoing development of the hospitality, liquor and tourism industries.

2.22 This approach aligns with Tourism WA's Annual Report 2022-23¹² research, which identifies quality dining and local produce as the second-highest motivator for visitors choosing Western Australia as a destination. TASTE 2020 establishes that Western Australia's tourism brand is centred on world-class food and beverage experiences, authentic cultural offerings, and distinctive local character. The research demonstrates that visitors actively seek fresh, local, and authentic food experiences, with memorable culinary experiences that showcase place identity, identified as a key visitor expectation.

⁹ <https://www.wa.gov.au/system/files/2023-07/safer-places-by-design-cpted-guidelines.pdf>

¹⁰ Attachment 4 – Acoustic Report

¹¹ <https://assets-us-01.kc-usercontent.com/53c284ed-8b6d-0077-d7d1-762b0c10baee/3ce0aff1-9358-42fb-8a78-2244d4b6c4ab/TWA%20Annual%20Report%202022-23.pdf>

¹² <https://assets-us-01.kc-usercontent.com/53c284ed-8b6d-0077-d7d1-762b0c10baee/3ce0aff1-9358-42fb-8a78-2244d4b6c4ab/TWA%20Annual%20Report%202022-23.pdf>

2.23 By embedding Western Australian produce and producer narratives within its dining, tasting and retail offerings, The James reflects the tourism principles articulated in Tourism WA's Annual Report 2022-23¹³ relating to culinary authenticity, local experiences and visitor engagement with regional provenance. The venue's model, featuring exclusively from Western Australian producers, an on-premise micro-distillery, and a remote tasting room format, directly aligns with visitor expectations for memorable food and beverage experiences that express connection to place and regional identity. This approach supports tourism outcomes without relying on high-risk trading practices and is compatible with the established character and expectations of the Northbridge precinct.

Harm Minimisation Strategies

2.24 The Applicant will implement a comprehensive Harm Minimisation Plan to mitigate any potential undue harm or ill-health associated with the sale and consumption of liquor at the premises. The Harm Minimisation Plan¹⁴ has been prepared having regard to the Objects of the Act, particularly harm minimisation and consumer protection, and is informed by the Director of Liquor Licensing's published policies and guidance.

2.25 The Applicant will ensure that all staff involved in the sale or supply of liquor are appropriately trained and supported to manage alcohol service responsibly. This will include:

- current responsible service of alcohol (RSA) certification for all relevant staff;
- staff training to identify and respond to signs of intoxication;
- clear procedures for refusing service to intoxicated persons and juveniles;
- under-25 identification checks;
- escalation and incident reporting procedures; and
- no unaccompanied juveniles permitted on the premises.

These measures reflect recognised best practice for reducing alcohol-related harm in licensed venues.

2.26 The Applicant will operate the premises in accordance with the Act, including the requirements applicable to a Tavern (Unrestricted) Licence under section 41 of the Act. The Applicant is committed to responsible marketing and promotion of alcohol, ensuring that all advertising and promotions:

- are directed exclusively at adults;

¹³<https://assets-us-01.kc-usercontent.com/53c284ed-8b6d-0077-d7d1-762b0c10baee/3ce0aff1-9358-42fb-8a78-2244d4b6c4ab/TWA%20Annual%20Report%202022-23.pdf>

¹⁴ Attachment 5 – Harm Minimisation Plan

- no external advertising of alcohol;
- do not encourage excessive or rapid consumption; and
- align with recognised harm-minimisation principles and industry standards.

3. The Applicant

3.1 The Applicant is a Western Australian proprietary company established to operate the proposed licensed premises. The Applicant is committed to operating a well-managed, compliant and responsible hospitality venue, consistent with the Objects of the Act, including the minimisation of alcohol-related harm and the provision of liquor services that meet the reasonable requirements of consumers.

3.2 The Applicant's business approach is founded on:

- adherence to legislative and regulatory requirements;
- responsible service and supply of liquor;
- effective venue governance and management systems; and
- alignment between venue operations and community expectations.

3.3 The Applicant acknowledges the responsibilities associated with holding a Tavern (Unrestricted) Licence, including the need to actively manage patron behaviour, alcohol service practices, and amenity impacts within an inner-city environment. The proposed operating model for the premises has been developed with regard to the risk profile of licensed premises, and incorporates management strategies intended to support:

- a food-led trading environment;
- moderate and responsible consumption of liquor;
- effective supervision of patrons; and
- compliance with licence conditions and approved operating parameters.

These principles are consistent with recognised best practice for reducing alcohol-related harm in licensed venues.

3.4 The Applicant has taken steps to ensure that appropriate management structures, policies and procedures will be in place prior to the commencement of trading, including:

- appointment of Approved Managers in accordance with the Act;
- implementation of a documented Harm Minimisation Plan;
- self-imposed conditions in the public interest;
- staff training and induction procedures covering responsible service obligations; and

- incident recording and response systems.

These measures are intended to support effective day-to-day venue management and ongoing compliance with the Act and associated regulatory guidance.

- 3.5 The Applicant understands that the grant of a liquor licence is discretionary and subject to Section 36B(4) relating to packaged liquor, the public interest test under Section 38 of the Act. The Applicant has therefore structured the proposed operation of the premises to support outcomes that are consistent with the public interest, including harm minimisation, consumer protection and positive integration with the surrounding locality. The Applicant's suitability to hold a liquor licence is addressed through the governance, management and operational measures outlined in this submission.

The Applicant as a Fit and Proper Person to hold a Licence

- 3.6 In determining whether an applicant is a fit and proper person to hold a liquor licence, the licensing authority is required to have regard to the matters set out in section 33(6) of the Liquor Control Act 1988, which provides that:

Where the licensing authority is to determine whether an applicant is a fit and proper person to hold a licence or whether approval should be given to a person seeking to occupy a position of authority in a body corporate that holds a licence, or to approve a natural person as an approved unrestricted manager, an approved restricted manager or a trustee —

(a) the creditworthiness of that person; and

(aa) the character and reputation of that person; and

(b) the number and nature of any convictions of that person for offences in any jurisdiction; and

(c) the conduct of that person in respect to other businesses or to matters to which this Act relates; and

(d) any report submitted, or intervention made, under section 69,

- 3.7 The Applicant has disclosed the required information relevant to the matters set out in section 33(6) of the Act as part of this application process. Based on the material provided, there is no information before the licensing authority indicating that the Applicant, its directors, or proposed persons of authority lack the requisite creditworthiness, character or suitability to hold a liquor licence. The Applicant acknowledges that the assessment of fitness and propriety is a matter for the licensing authority, having regard to all information properly before it.
- 3.8 As part of this application, the Applicant has provided supporting documentation addressing relevant experience, governance arrangements, and compliance awareness,

including matters relating to the operation of licensed premises and adherence to liquor licensing laws.

3.9 These materials demonstrate that the Applicant understands the obligations associated with holding a Tavern (Unrestricted) Licence, including responsible service of alcohol, management of patron behaviour, and compliance with licence conditions and statutory requirements.

3.10 The Applicant has adopted an operating framework that places emphasis on:

- regulatory compliance and transparency;
- implementation of documented management and harm minimisation systems
- engagement with regulatory authorities where required; and
- the proper development of the liquor, hospitality and tourism industries in a manner consistent with the Objects of the Act.

3.11 Having regard to the information provided and the management systems proposed, the Applicant submits that it is a fit and proper person to hold a liquor licence for the proposed premises.

4. Location and Locality

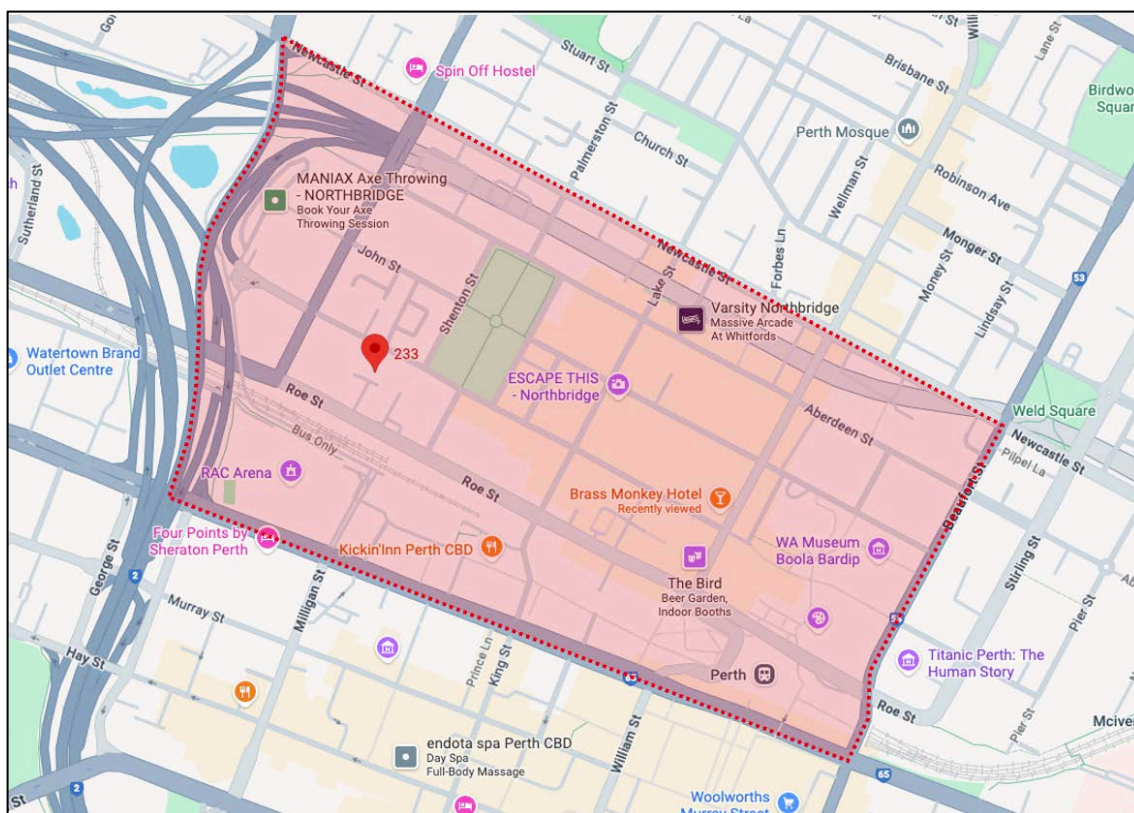


Figure 6: The James - Defined Locality

- 4.1 The proposed premises, The James, is located at 233 James Street, Northbridge, within the City of Perth and in close proximity to the Northbridge Police Station. The site is situated within an established inner-city area characterised by a concentration of hospitality, entertainment, cultural and mixed-use development. The location is well serviced by public transport and pedestrian infrastructure and forms part of Perth's primary entertainment and cultural precinct, where licensed hospitality uses are an established and anticipated component of the urban environment.
- 4.2 The defined locality for the proposed premises has been established following guidance from the Premises Manager at the Department of Local Government, Industry Regulation and Safety (LGIRS). This ensures the licensing authority's requirements are satisfied and that the scope of the Public Interest Assessment (PIA) conforms to regulatory standards. As shown in Figure 6, the locality has been outlined in accordance with the relevant licensing guidelines.
- 4.3 In accordance with the Director's Policy on Public Interest Assessment – Specification of Locality (Guidance), the relevant locality for the purposes of this application is the area most likely to be affected by the grant of the licence, particularly in relation to amenity considerations.
- 4.4 This approach is consistent with the interpretation of "locality" adopted by the licensing authority and confirmed by the Western Australian Supreme Court¹⁵, which has held that the locality is not fixed by administrative boundaries but is instead determined by the area likely to experience impacts arising from the operation of the proposed licensed premises.

*"The term 'locality' in this instance refers to the area surrounding the proposed licensed premises. This locality will be the area most likely to be affected by the granting of an application in relation to amenity issues."*¹⁶

- 4.5 For the purposes of this Public Interest Assessment, the defined locality has been determined having regard to:
- the inner-city context of the premises;
 - surrounding land uses and licensed venues;
 - pedestrian movement and transport connectivity; and
 - the potential for amenity impacts arising from the operation of the premises.

¹⁵[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

¹⁶[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

- 4.6 This approach aligns with the Director’s published guidance and ensures that the scope of the Public Interest Assessment addresses the locality reasonably affected by the proposal.
- 4.7 Demographic and contextual analysis relevant to the locality has been informed by inner-city Perth data, including population characteristics, employment activity and visitation patterns typical of the Northbridge and Perth CBD locality. This information provides an appropriate evidence basis for assessing consumer requirements, amenity considerations, and public interest impacts relevant to the proposed premises, consistent with the expectations of the licensing authority.
- 4.8 The suburbs that define the locality in which The James is located are:
- Perth
 - Northbridge
 - Highgate
 - West Perth
 - East Perth



Figure 7: The James - 2km radius

Population and Demographics of the Locality

4.9 Demographic analysis has been undertaken using ABS 2021 Census data for an inner-city locality proximate to the proposed premises, selected on the basis that it reflects the demographic and socio-economic characteristics typical of the Northbridge / Perth CBD locality. This approach is consistent with accepted practice for assessing consumer requirements and locality characteristics where the proposed premises is situated within a dense, mixed-use inner-city precinct.

	Locality	Greater Perth	Western Australia
Population	49996	2116647	2660026
Median Age	34	37	38
Median Individual Income (Weekly)	\$1,144.20	\$859.00	\$848.00
Median Household Income (Weekly)	\$1,911.80	\$1,865.00	\$1,815.00
Median Family Income (Weekly)	\$2,559.80	\$2,259.00	\$2,214.00
Population Under 14 years	7.27%	18.96%	19.01%
Indigenous Persons	1.17%	1.99%	3.33%
Australian Born	38.28%	59.46%	61.98%
Speak English only at Home	54.73%	73.99%	75.29%
Couple Family without Children	65.30%	37.60%	38.80%
Couple Family with Children	22.10%	45.70%	44.60%
One Parent Family	9.76%	15.10%	15.10%
Other Family	2.46%	1.60%	1.60%

4.10 Socio-Economic Characteristics:

The demographic profile indicates a comparatively affluent inner-city population with strong discretionary spending capacity:

- Median Individual Income of \$1,144.20 per week exceeds both Greater Perth and Western Australian averages, indicating a workforce-driven, professional demographic.
- Median Household Income of \$1,911.80 per week is higher than both comparative benchmarks, suggesting economic stability.
- Median Family Income of \$2,559.80 per week substantially exceeds metropolitan and state figures, reinforcing the locality’s capacity to support quality, food-led hospitality venues.

These indicators are characteristic of inner-city precincts where hospitality, dining and cultural venues form part of everyday social life.

4.11 **Family Composition and Diversity:**

Household composition further reinforces the adult-focused character of the locality:

- Couple families without children represent 65.30% of households, significantly higher than Greater Perth and WA averages.
- Couple families with children and one-parent families are proportionally lower than regional benchmarks.
- These characteristics are consistent with inner-city living patterns and social engagement with hospitality venues during both day and evening trading periods.

4.12 **Key Observations:**

Based on the demographic and socio-economic profile:

- The locality exhibits a high-income, mature demographic capable of supporting a quality, well-managed hospitality venue operating under a Tavern (Unrestricted) Licence.
- The low proportion of children and prevalence of adult-only households support a venue with a food, social and cultural focus, rather than high-risk entertainment activity.
- The multicultural profile indicates demand for cosmopolitan, inclusive hospitality experiences consistent with the character of Northbridge.
- These characteristics support the conclusion that the proposed premises will meet contemporary consumer requirements while remaining compatible with harm minimisation objectives.

SEIFA – Socio-Economic Advantage

4.13 According to the ABS SEIFA Index of Relative Socio-Economic Disadvantage, the City of Perth records a score of 1049, indicating a comparatively low level of disadvantage. This exceeds the SEIFA scores for Greater Perth (1025) and Western Australia (1015), and is well above the national benchmark.

4.14 The City of Perth's strong SEIFA performance reflects:

- a diversified inner-city economy supported by commercial, government and tourism activity;
- a highly educated and professional workforce;
- well-established transport and public infrastructure;
- strong urban amenity and cultural facilities; and
- consistent visitation by domestic and international visitors.

4.15 The socio-economic profile of the locality supports the conclusion that the locality is economically stable, socially advantaged, and well-suited to a responsibly managed licensed venue. The demographic and SEIFA indicators support the proposition that the operation of The James under a Tavern (Unrestricted) Licence is unlikely to result in undue harm and will instead contribute positively to the social, cultural and economic life of the locality, consistent with the public interest.

Index of Relative Socio-economic Disadvantage		
City of Perth's small areas and benchmark areas		
Area	2021 index	Percentile
East Perth (Claisebrook)	1,064.8	82
East Perth (Waterbank)	1,063.9	82
Inner Perth	1,055.0	76
UWA-QEII Precinct Plan	1,052.5	74
Nedlands	1,050.7	73
West Perth	1,050.7	73
Central Perth (East)	1,047.6	71
Central Perth	1,041.1	67
City of Perth	1,040.4	67
Central Perth (West)	1,034.7	63
Northbridge	1,032.0	61
East Perth (Langley-Waterbank)	1,031.1	61
City of Sydney	1,030.6	60
Crawley - Nedlands	1,028.5	59
East Perth (Langley)	1,024.0	56
Perth Metropolitan Area	1,020.0	54
Greater Perth	1,020.0	54
City of Melbourne	1,016.7	52
Western Australia	1,011.0	48
Crawley	1,002.6	43
City of Adelaide	1,002.2	43
Australia	1,001.2	42

Figure 8: SEIFA data for the City of Perth LGA and Benchmark Areas¹⁷

4.16 The locality’s demographic profile aligns with the Objects of the Act, particularly the requirement to provide consumers with access to liquor and related services that cater to contemporary requirements, while maintaining appropriate safeguards against harm.

Developing the Hospitality Industry

4.17 The City of Perth’s Economic Development Strategy and Strategic Community Plan identify activation of the city centre, support for local businesses and enhancement of the night-time economy as strategic priorities. The proposed operation of The James aligns with these objectives by contributing to the activation of an established

¹⁷ <https://profile.id.com.au/perth/seifa-disadvantage-small-area>

entertainment precinct, supporting employment and supplier engagement, and encouraging visitation to the precinct across a range of trading periods.

- 4.18 The grant of a Tavern (Unrestricted) Licence will enable the premises to operate in a manner that responds to demonstrated consumer demand for flexible dining and hospitality experiences, while remaining subject to appropriate licence conditions and management controls.
- 4.19 The proposed style of trade emphasises food service, moderated alcohol consumption and patron amenity, supporting the proper development of the liquor and hospitality industries within the locality.

The City of Perth

- 4.20 The City of Perth is a strategically significant Local Government Area within Western Australia, encompassing the State's highest concentration of civic, administrative, commercial, cultural, retail, dining and entertainment activities. As the State's primary Capital City Activity Centre, it functions as the focal point for business, tourism, education and cultural engagement.
- 4.21 While historically characterised by a strong employment and visitor population, the City of Perth has experienced sustained inner-city residential growth over the past decade, particularly within precincts such as Northbridge, resulting in increased demand for local services, hospitality and amenity.
- 4.22 Population forecasting and strategic planning undertaken by the City of Perth and State planning authorities identify continued inner-city population growth and residential intensification over the medium to long term. These trends align with the objectives of Perth and Peel @3.5 Million and the City of Perth Local Planning Strategy, which promote compact, walkable, mixed-use neighbourhoods supported by active hospitality, retail and entertainment precincts.
- 4.23 The concentration of residents, workers, students and visitors within the city centre reinforces the role of licensed hospitality venues as essential components of urban life and place activation at a premises that is vacant and derelict.

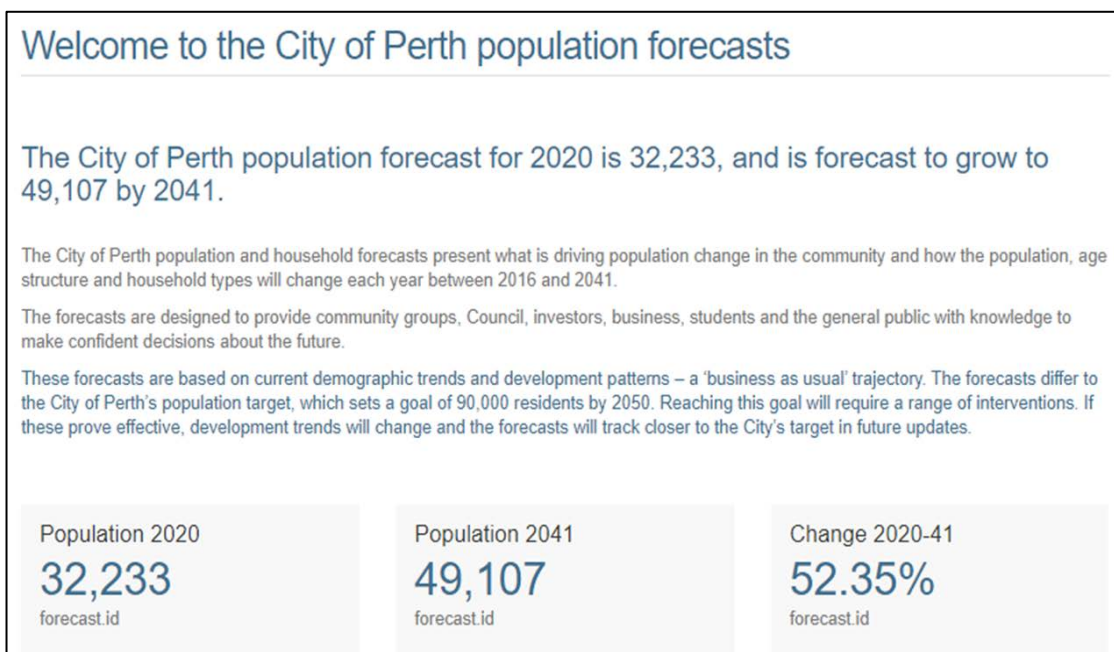


Figure 9: Population Forecast for the City of Perth¹⁸

- 4.24 These growth trends directly engage the Objects of the Act, particularly the requirement to cater for the diverse requirements of consumers for liquor and related services, while ensuring that such services are provided in a manner consistent with community interests and harm-minimisation principles.
- 4.25 Tourism data consistently demonstrates that Destination Perth, which includes the Perth CBD and surrounding inner-city precincts such as Northbridge, attracts the highest proportion of visitors within Western Australia. This reflects Perth's role as the primary gateway for interstate, intrastate and international travel, and as the State's central hub for accommodation, events, culture and entertainment.¹⁹
- 4.26 The concentration of visitors within the city centre reinforces the importance of a diverse, high-quality hospitality offering focused on WA produce, all in one location, capable of serving both time-poor residents and visitors.

Northbridge Precinct – Planning Context²⁰

- 4.27 The premises is located within the Northbridge Precinct of the City of Perth, an area specifically identified within the City's planning framework as the State's principal entertainment, cultural and nightlife district. Entertainment and hospitality uses are an established and anticipated component of land use within this precinct. The proposed operation of the premises under a Tavern (Unrestricted) Licence is consistent with the intent of the planning framework applicable to Northbridge.

¹⁸ <https://forecast.id.com.au/perth>

¹⁹ <https://www.tourism.wa.gov.au/Markets-and-research/Latest-tourism-statistics/Pages/Visitor-statistics.aspx#/>

²⁰ Attachment 6 - Precincts 1-8 City Centre Figure

- 4.28 The City of Perth Precinct Plan identifies Northbridge (Precinct #1) as a location intended to evolve as a diverse, dynamic inner-city precinct, promoted as an attractive destination for local residents and interstate and overseas visitors, while maintaining a strong mix of entertainment, cultural, residential and commercial uses.
- 4.29 The Precinct Plan further recognises that a mixture of compatible and complementary activities is essential to maintaining the vitality of Northbridge, including hospitality venues, accommodation, cultural facilities, and outdoor activation and entertainment where practicable.

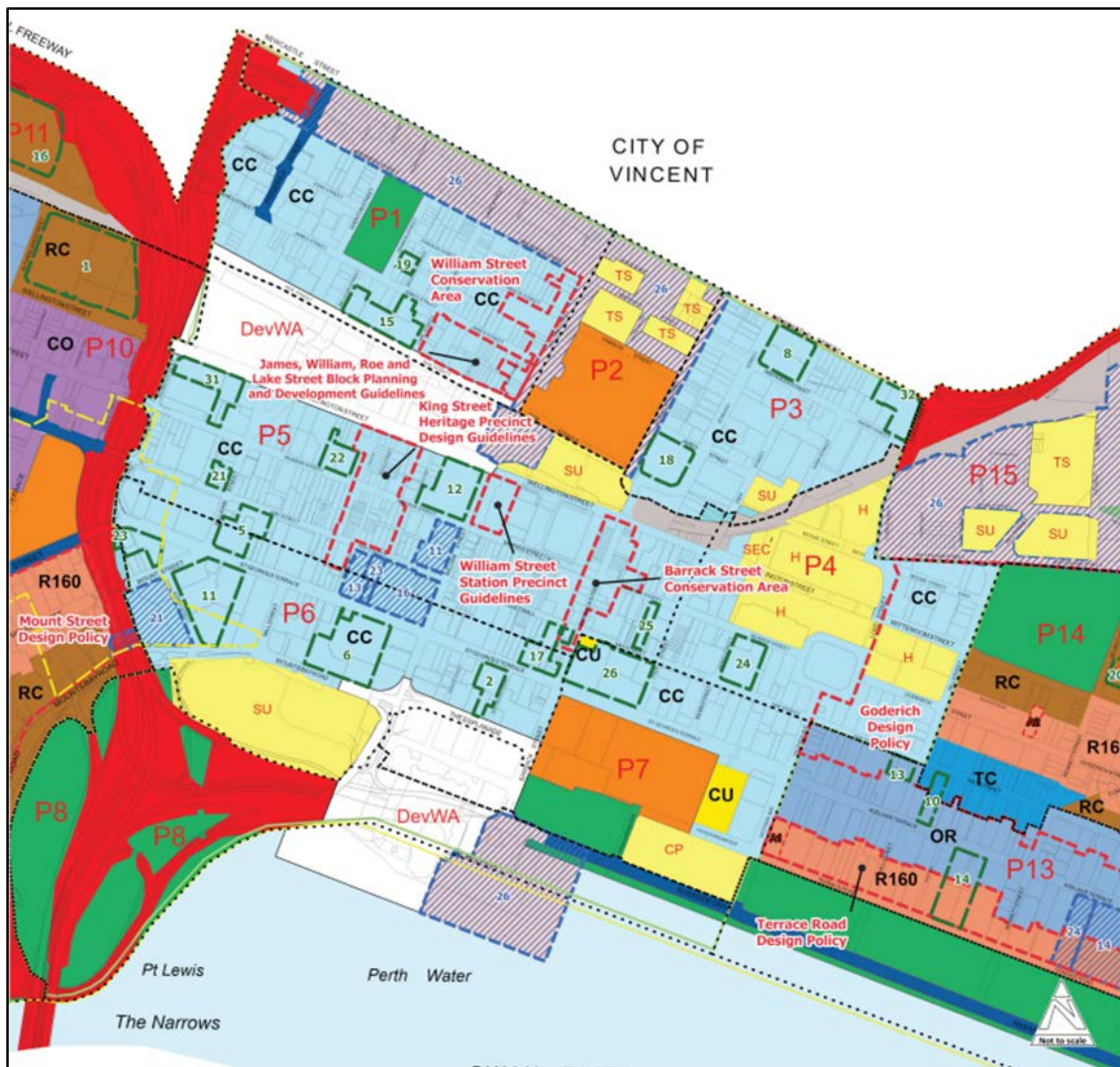


Figure 10: Northbridge Precinct Locality²¹

²¹ Attachment 6 - Precincts 1-8 City Centre Figure

5. Legislative Framework – Liquor Control Act 1988

- 5.1 This application is submitted for the conditional grant of a Tavern (Unrestricted) Licence pursuant to section 41 of the Liquor Control Act 1988.
- 5.2 In determining this application, the licensing authority is required to have regard to the matters set out in section 38(4) of the Act, including whether the grant of the application is in the public interest, having regard to the Objects of the Act.
- 5.3 The Applicant submits that the proposed premises is capable of operating in a manner consistent with both the primary and secondary objects of the Act as set out in section 5, and that these matters are addressed throughout this Public Interest Assessment.

The primary objects of the Act, as set out in section 5(1)

Liquor Control Act 1988 — section 5(1)

The primary objects of this Act 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.*

To regulate the sale, supply and consumption of liquor:

- 5.4 The Applicant is committed to the responsible sale and supply of liquor and to operating the licensed premises in full compliance with the Act and with the Director of Liquor Licensing's published policies and guidance.
- 5.5 This commitment is reflected in the Applicant's proposed operational and management measures, including:
- a beverage offering that includes low- and mid-strength products, together with zero-alcohol options, to support responsible consumption and consumer choice;
 - controls to prevent the sale or supply of liquor to juveniles, including a policy of refusing service to any person wearing a school uniform, regardless of identification;
 - service of liquor in open containers only, consistent with the Act;
 - CCTV coverage throughout key areas of the premises, including patron areas, points of entry and exit, and delivery areas, with footage retained and made available to WA Police or other authorised officers in accordance with the Director's guidance;

- provision of seating throughout the premises with flexibility to reconfigure seating for functions where appropriate;
- take-away packaged liquor restricted to boutique wines and house-made spirits;
- appointment of Duty Managers holding the Manage Licensed Premises (MLP1) qualification to oversee compliance and day-to-day operations;
- requirement that all staff involved in the sale or supply of liquor hold current Responsible Service of Alcohol (RSA) certification; and
- maintenance of a training register on the premises containing RSA records and training updates.

To minimise the harm or ill-health caused to people, or any group of people, due to the use of liquor:

- 5.6 In addressing section 5(1)(b), the Applicant has prepared a venue-specific Harm Minimisation Plan, which will be implemented and monitored by management on an ongoing basis.
- 5.7 Measures proposed to minimise alcohol-related harm include:
- internal layout and venue design that has had regard to Crime Prevention Through Environmental Design (CPTED) and Safer Places by Design principles, including clear sightlines and passive surveillance;
 - CCTV monitoring of patron areas during all trading hours;
 - availability of low- and zero-alcohol beverages at all times;
 - staff training focused on identifying signs of intoxication, refusing service where required, and managing patron behaviour appropriately;
 - ID25 checks;
 - clear procedures for managing juveniles and restricted areas in accordance with the Act and Director's guidance; and
 - implementation of an incident reporting and escalation system to ensure issues are documented and addressed promptly.

These measures reflect recognised best practice for reducing alcohol-related harm in licensed premises.

Catering for consumer requirements and industry development:

- 5.8 In addressing section 5(1)(c), the proposed premises is designed to cater for the reasonable requirements of consumers for liquor and related services, while supporting the proper development of the hospitality and liquor industries within an established inner-city precinct.

- 5.9 Numerous letters of support and a Consumer Survey form part of the objective and cogent evidence that the conditional approval of the application is in the public interest.
- 5.10 The James will operate as an experience-focused hospitality venue, providing dining and social amenity in a controlled environment appropriate to the character and expectations of Northbridge.
- 5.11 The proposed manner of trade supports:
- contemporary consumer preferences for inclusive hospitality offerings, including non-alcoholic options;
 - employment opportunities within the hospitality sector;
 - WA performing artists of music, art and culture;
 - engagement with local and Western Australian suppliers;
 - select range of boutique wines and house-made spirits to take-away; and
 - activation of an established entertainment precinct consistent with City of Perth planning objectives.

The secondary objects of the Act, as set out in section 5(2)

Liquor Control Act 1988 — section 5(2)

The secondary objects of this Act are —

- (a) to facilitate the use and development of licensed facilities, including their use and development for the purposes of live original music, reflecting the diversity of the requirements of consumers in the State; and*
- (b) to encourage the use of licensed facilities for the purposes of live original music, reflecting the diversity of the requirements of consumers in the State; and*
- (c) to facilitate the use and development of licensed facilities for community purposes, reflecting the diversity of the requirements of consumers in the State; and*
- (d) to provide adequate controls over the persons directly or indirectly involved in the sale, disposal and consumption of liquor; and*
- (e) to provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act; and*
- (f) to encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor, consistent with the interests of the community.*

To facilitate the use and development of licensed facilities, including the use and development of live original music, reflecting the diversity of requirements of consumers in the State:

- 5.12 The proposed premises has been designed to operate as a flexible, hospitality and entertainment venue capable of accommodating a range of uses consistent with the character and expectations of the Northbridge Special Entertainment Precinct.
- 5.13 The Applicant proposes a venue model that:
- caters to a diverse consumer base, including local residents, city workers and visitors to Perth;
 - provides flexible spaces capable of supporting dining, social activity and, where approved, entertainment including live music consistent with venue approvals and amenity controls
 - supports inclusivity through menu design, including the provision of dietary-specific options (such as vegetarian, vegan and allergen-aware choices); and
 - operates across a range of trading periods, contributing to the precinct's day-to-evening activation.

This approach supports the development of licensed facilities that reflect contemporary consumer expectations without relying on high-risk trading practices.

To provide adequate controls over the persons directly or indirectly involved in the sale, disposal and consumption of liquor:

- 5.14 The Applicant has proposed a governance and management framework intended to ensure effective control over liquor service and consumption, including:
- requiring all staff involved in the sale or supply of liquor to hold current RSA certification, with records maintained in a staff training register;
 - ensuring that an Approved Manager is present and responsible for oversight of operations during trading hours;
 - implementing a Harm Minimisation Plan applicable to staff, management and patrons;
 - maintaining CCTV coverage of key areas of the premises in accordance with the Director's published guidance;
 - adopting clear procedures for refusing service, managing patron behaviour and responding to incidents; and
 - ensuring staff understand that compliance with licence conditions is a mandatory requirement of employment.

These measures support appropriate supervision and accountability in the operation of the premises.

To provide a flexible system, with as little formality or technicality as may be practicable for the administration of this Act:

- 5.15 The Applicant acknowledges that the licensing authority is required to administer the Act in a practical and flexible manner, having regard to the circumstances of each application.
- 5.16 The Applicant submits that:
- the information required to address sections 5, 36B(4) and 38 of the Act has been provided within this Public Interest Assessment; and
 - the documentation required under section 68 of the Act has been lodged as part of the application process.

The Applicant further acknowledges that the grant of a licence is discretionary and subject to conditions considered appropriate by the licensing authority.

- 5.17 In determining an application under the Act, the licensing authority is required to act according to equity, good conscience and the substantial merits of the case, and is not bound by the rules of evidence or undue technicality.

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:

- 5.18 The Applicant proposes to operate the premises in a manner that promotes responsible attitudes towards alcohol consumption, including:
- compliance with the Director of Liquor Licensing's guidance on the responsible promotion of liquor;
 - avoiding promotions that encourage rapid or excessive consumption;
 - ensuring that food and non-alcoholic beverages are available throughout trading hours until an hour before close; and
 - reinforcing responsible service expectations through staff training and management oversight.

These measures are intended to ensure that liquor is provided in a manner consistent with community expectations and harm-minimisation objectives.

- 5.19 The Applicant acknowledges that, under section 33(1) of the Act, the licensing authority has absolute discretion to grant or refuse an application on any ground or for any reason considered to be in the public interest.

- 5.20 The Applicant submits that the matters addressed in this section demonstrate that the proposed operation of The James is consistent with both the primary and secondary objects of the Act.

6. Section 36B(4) of the Liquor Control Act 1988

- 6.1 The Applicant acknowledges that section 36B of the Liquor Control Act 1988 applies to this application insofar as it relates to the sale of packaged liquor ancillary to the proposed Tavern (Unrestricted) Licence.

Section 36B(4) of the Act:

“4) The licensing authority must not grant an application to which this section applies unless satisfied that local packaged liquor requirements cannot reasonably be met by existing packaged liquor premises in the Locality in which the proposed licensed premises are, or are to be, situated.”²²

- 6.2 The Applicant recognises that this provision establishes a mandatory jurisdictional threshold, requiring the licensing authority to be positively satisfied that existing packaged liquor premises cannot reasonably meet local consumer requirements, before approval may be granted.

Purpose and Legislative Context

- 6.3 The Department of Local Government, Industry Regulation and Safety (LGIRS) outlines the purpose of these legislative provisions on its website, stating:

“Concern regarding the impact of the proliferation of large packaged liquor outlets on the community has resulted in new legislative provisions that allow regulations to be prescribed setting out criteria that apply to applications for large packaged liquor outlets.”²³

- 6.4 Sections 36B and 77A of the Act, together with regulations 9AA, 9AAA and 9AAB of the Liquor Control Regulations 1989, establish a regulatory framework directed specifically at:

- preventing the uncontrolled expansion of large-format packaged liquor outlets, and
- managing cumulative community impact.

- 6.5 The Applicant notes that:

- The proposed packaged liquor component is not a standalone liquor store;

²²http://www7.austlii.edu.au/cgi-bin/viewdoc/au/legis/wa/consol_act/lca1988197/s36b.html

²³<https://www.dlgsc.wa.gov.au/department/news/news-article/2019/11/01/new-provisions-relating-to-packaged-liquor-outlets>

- It is ancillary to a premises operation showcasing Western Australian produce;
- The retail floor area of less than 50m² is well below the 400m² threshold contemplated by the Regulations; and
- The offering is a curated, boutique wine selection and house-made spirits rather than a large-format discount outlet.

Accordingly, the application does not trigger the prohibition regime applying to large packaged liquor outlets, but remains subject to the qualitative assessment required by s36B(4).

Meaning of “Local Packaged Liquor Requirements”

6.6 Section 36B(1) defines “local packaged liquor requirements” as:

“local packaged liquor requirements, in relation to an application to which this section applies, means the requirements of consumers for packaged liquor in the Locality in which the proposed licensed premises are, or are to be, situated.”

6.7 The Act does not define the terms:

- “reasonable”,
- “requirements”, or
- “cannot reasonably be met”.

As a result, their meaning has been authoritatively developed through judicial interpretation.

Judicial Guidance – Scope of Consumer Requirements

6.8 In *Australian Leisure and Hospitality Group Pty Ltd v Commissioner of Police & Ors* [2017] WASC 88²⁴, the Supreme Court confirmed that assessment under s36B(4):

- is not confined to the physical availability of packaged liquor, and
- requires consideration of whether existing outlets adequately meet the diversity of consumer requirements.

“The potential and opportunity for proper development of the industry (including change) is not to be ignored.... the words invite a broader ambit of matters to be considered as part of assessing the diversity of consumer requirements and how they are to be catered for.”

²⁴ <https://jade.io/article/526199>

6.9 This principle was further refined in *Liquorland (Karrinyup)* [2021] WASC 366²⁵, where the Court confirmed that:

- the phrase “requirements of consumers” in s36B must be construed consistently with s5(1)(c) of the Act, and
- consumer requirements extend beyond mere access to packaged liquor.

Her Honour held:

“There is ordinarily a presumption that the same word will bear the same meaning wherever it appears throughout an Act.”

Consumer Requirements Include Diversity, Convenience and Quality

6.10 Critically, the Court determined that “requirements of consumers for packaged liquor” are not limited to the product itself, but may include:

- convenience integrated with other lawful activities;
- curated product range;
- service model and customer experience;
- scale and presentation;
- competition;
- provenance and product storytelling;
- alignment with contemporary hospitality environments, and
- one-stop shopping preferences.

6.11 The James' model, where patrons can taste boutique wines and spirits on-premise before purchasing for takeaway, represents a legitimate consumer requirement distinct from traditional bottle-shop offerings.

6.12 The numerous Letters of Support and the Consumer Survey provide uncontroversial cogent evidence of consumer requirement.

²⁵[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

Balancing Consumer Requirements and Harm Minimisation

6.13 The decision in *Executive Director of Health v Lily Creek International Pty Ltd & Ors [2000] WACA 258*²⁶ confirms that liquor licensing decisions require a balancing exercise between:

- minimising alcohol-related harm, and
- catering to legitimate consumer requirements.

6.14 The Court observed:

*“When such circumstances arise, the licensing authority needs to weigh and balance those competing interests.”*²⁷

6.15 The Applicant submits that the proposed packaged liquor component achieves this balance by:

- remaining ancillary to a diverse operation with related services rather than operating as a standalone discount outlet;
- operating within restricted hours and modest scale (50m² retail section);
- focusing on premium, curated WA products with higher price points;
- incorporating enhanced harm minimisation controls beyond those typically associated with packaged liquor outlets;
- providing an educational and cultural experience that encourages responsible, informed consumption; and
- supporting Western Australian regional producers through direct promotion and storytelling.

6.16 Section 36B(1) outlines a range of definitions that relate to Section 36B, there are no definitions applied to terms within Section 36B(4) such as:

- *Proliferation,*
- *Reasonable,* or
- *Consumer requirement.*

²⁶ [https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/supreme-court-precedents/executive-director-of-public-health-v-lily-creek-international-pty-ltd-2000-wasca-258.pdf?sfvrsn=cff4f164_3](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/supreme-court-precedents/executive-director-of-public-health-v-lily-creek-international-pty-ltd-2000-wasca-258.pdf?sfvrsn=cff4f164_3)

²⁷ [https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/supreme-court-precedents/executive-director-of-public-health-v-lily-creek-international-pty-ltd-2000-wasca-258.pdf?sfvrsn=cff4f164_3](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/supreme-court-precedents/executive-director-of-public-health-v-lily-creek-international-pty-ltd-2000-wasca-258.pdf?sfvrsn=cff4f164_3)

6.17 Due to the absence of statutory definitions, decision-makers have depended on case law and legal interpretation to establish the meaning and application of certain terms when evaluating applications under Section 36B(4).

Liquorland Karrinyup - The Correct Legal Test

6.18 The *Liquorland Karrinyup [2021] WASC 366* decision is a foundational legal precedent in interpreting Section 36B(4) of the Act. This case examined how to determine whether existing packaged liquor premises adequately meet local consumer requirements.

6.19 In its ruling, the Court reinforced that:

*"local packaged liquor requirements cannot reasonably be met by existing packaged liquor premises in the locality in which the proposed licensed premises are, or are to be, situated."*²⁸

6.20 Her Honour further explained that when interpreting "requirements of consumers" in Section 36B of the Act, it is necessary to maintain consistency with the same phrase as used in Section 5(1)(c), stating:

*"The task of statutory construction in this case involves, among other things, construing the phrase 'requirements of consumers' in s 36B of the Act. This phrase also appears in s 5(1)(c). There is ordinarily a presumption that the same word will bear the same meaning wherever it appears throughout an Act."*²⁹

6.21 Significantly, Judge Archer determined that:

"'requirements of consumers for packaged liquor' in the definition of 'local packaged liquor requirements' in section 36B(1) of the Act is not limited to the physical item or product of packaged liquor, and that other matters also include matters of convenience, product range, and other matters."

6.22 This expansive interpretation highlights the importance of evaluating whether existing premises can satisfy the reasonable requirements of the public based on a range of factors, including:

- **Convenience and accessibility:** integrated with related consumer services;
- **Product range and diversity:** availability of specialist, boutique, or culturally-specific products;
- **Service model:** educational experiences, tastings, producer storytelling;

²⁸[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

²⁹[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

- **Quality and provenance:** focus on local, artisan, or premium offerings;
- **One-stop shopping:** ability to combine dining, tasting, retail and educational experiences in a single venue.

"Cannot Reasonably Be Met" – Meaning and Threshold

6.23 The term "cannot reasonably be met" was examined by Justice Archer, who confirmed it should be interpreted as:

"The word 'reasonable' has been said to import a degree of objectivity in that the word reasonable means sensible; not irrational, absurd or ridiculous; not going beyond the limit assigned by reason; not extravagant or excessive. In my view, the word 'reasonably' in s 36B(4) is intended to bear the same meaning. Accordingly, the phrase 'cannot reasonably be met' means 'cannot sensibly or rationally be met.'"³⁰

6.24 This standard is practical and objective, not requiring extreme necessity or hardship. The assessment focuses on whether existing outlets sensibly or rationally meet contemporary consumer expectations.

Balancing Primary and Secondary Objects

6.25 In *Woolworths Ltd v Director of Liquor Licensing [2013] WASCA 227*³¹, the Court emphasised the need to consider public interest when assessing liquor licence applications. This includes:

- minimising harm from alcohol consumption;
- ensuring that the sale of liquor does not contribute to such harm; and
- confirming that it enhances the local community's amenity.

6.26 The Supreme Court reinforced that the main purpose of the Act is to regulate the sale, supply, and consumption of alcohol in order to reduce harm and health issues associated with alcohol consumption. Additionally, the Court noted that a secondary purpose of the Act is to promote the responsible development of the liquor industry and related services within the State.

6.27 The case of *Executive Director of Health v Lily Creek International Pty Ltd & Ors [2000] WACA 258*³² underscores the need to balance the Act's primary and secondary objects.

³⁰[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

³¹<https://ecourts.justice.wa.gov.au/eCourtsPortal/Decisions/DownloadDecision/ff4490f4-4633-e9f0-4825-7bf7000c1ece?unredactedVersion=False>

³²[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/supreme-court-precedents/executive-director-of-public-health-v-lily-creek-international-pty-ltd-2000-wasca-258.pdf?sfvrsn=cff4f164_3](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/supreme-court-precedents/executive-director-of-public-health-v-lily-creek-international-pty-ltd-2000-wasca-258.pdf?sfvrsn=cff4f164_3)

The decision emphasises that liquor licensing applications must consider both minimising alcohol-related harm and catering to consumer requirements.

"However, it is often the case when determining the merits of an application that tension may arise between advancing the objects of the Act, particularly the objects of minimising alcohol-related harm and endeavouring to cater for the requirements of consumers for liquor and related services. When such circumstances arise, the licensing authority needs to weigh and balance those competing interests."

- 6.28 The proposed premises is dedicated to achieving this balance by offering a restricted selection of packaged liquor products focused on boutique wines and house-made artisan spirits. This ensures consumers have access to a responsible, well-curated packaged liquor offering.
- 6.29 Additionally, The James will implement self-imposed conditions to actively reduce the risk of alcohol-related harm, aligning with the objects of responsible liquor service and harm minimisation.

Proliferation

- 6.30 "Proliferation" is generally defined as:
- *"to grow or increase or cause to grow or increase rapidly"*³³
 - *"the sudden increase in number or amount of something; a large number of a particular thing"*³⁴
 - *"the fact of something increasing a lot and suddenly in number or amount"*³⁵
- 6.31 In liquor licensing, proliferation refers to evaluating whether approving more packaged liquor outlets will result in too many liquor stores in a community, which could cause negative social effects.
- 6.32 When addressing the increase in packaged liquor outlets in the Northbridge locality, it is essential to consider the legal framework and judicial interpretations outlined in Section 36B(4) of the Act.
- 6.33 The Supreme Court's decision in *Liquorland (Australia) Pty Ltd v Commissioner of Licensing [2021] WASC 366*³⁶ offers essential insights and clarifications regarding key terms and considerations under this section.
- 6.34 With an understanding of the legal principles, judicial interpretations, and consumer demand outlined in this submission, the Applicant submits that:

³³<https://www.collinsdictionary.com/dictionary/english/proliferate#:~:text=proliferate%20in%20British%20English&text=1.,Collins%20English%20Dictionary>.

³⁴https://www.oxfordlearnersdictionaries.com/definition/american_english/proliferation

³⁵<https://dictionary.cambridge.org/dictionary/english/proliferation>

³⁶[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-direcotr-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-direcotr-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

- The conditional approval of the Tavern (Unrestricted) Licence for the proposed premises will serve a distinct and reasonable consumer requirement in the Northbridge locality;
- The proposed premises will enhance the diverse amenities in Northbridge's Special Entertainment Precinct, catering to residents, workers, interstate and international tourists seeking a quality food, beverage, and retail liquor experience showcasing Western Australian produce;
- The approval will not contribute to the proliferation of packaged liquor outlets, as:
 - The retail component is ancillary to a food-led tavern operation;
 - The offering is curated and boutique, not a large-format discount outlet;
 - The scale is modest (50m² retail counter) compared to standalone liquor stores;
 - The model is educational and experience-focused, emphasising provenance, quality and producer storytelling rather than volume sales; and
 - The venue targets premium, informed consumers seeking Western Australian artisan products, not discount-driven purchasing patterns.

Reasonable

- 6.35 While the Licensing Authority has not provided a strict definition of the term "reasonable", the Applicant, guided by interpretations from the Oxford Dictionary and legal precedent in *Charlie Carter Pty Ltd v Streeter and Male Pty Ltd*, aims to demonstrate that this application meets the implicit criteria of reasonableness within the liquor licensing framework.
- 6.36 Application A122893507 introduced two distinct approaches to interpreting the term 'reasonable'. At point 32, the decision-maker referred to the Oxford Dictionary, stating:
- "The word "reasonably" does not invoke a particularly high threshold. In Charlie Carter Pty Ltd v Streeter and Male Pty Ltd, Malcolm CJ noted that:*
- The word 'reasonable' imports a degree of objectivity in that the word reasonable means ...sensible, ...not irrational, absurd or ridiculous, not going beyond the limit assigned by reason, not extravagant or excessive, moderate: Shorter Oxford Dictionary at 1667."*
- 6.37 Various sources define 'reasonable' as:
- *"based on or using good judgement and therefore fair and practical"*³⁷.

³⁷<https://dictionary.cambridge.org/dictionary/english/reasonable>

- *“fair, practical, and sensible”³⁸*
- *“showing reason or sound judgement”³⁹*

6.38 According to the legal and linguistic interpretations discussed, "reasonable" does not invoke an exceptionally high threshold but instead implies a degree of objectivity, fairness, and practicality.

6.39 The assessment of whether local packaged liquor requirements are reasonably met must be moderate, sensible, and not excessive, ensuring a balanced evaluation of consumer requirements and market conditions.

6.40 In the context of Section 36B(4) and the determination of whether existing packaged liquor premises adequately cater to consumer requirements, the Applicant has carefully assessed multiple relevant factors. These extend beyond the mere physical presence of liquor products and consider:

- **Location and accessibility:** proximity to Northbridge's Entertainment Precinct, CBD workers, tourists, and university population;
- **Convenience:** integration with on-premise tasting, dining, and cultural experiences;
- **One-stop shopping:** the ability to taste Western Australian wines and spirits in one location before purchasing for takeaway;
- **Competition and choice:** diversity of curated, boutique Western Australian products not widely available elsewhere in the locality;
- **Product range and specialty:** focus on artisan, small-batch, premium offerings with provenance storytelling;
- **Service model:** educational tastings, producer events, masterclasses, and cultural programming;
- **Quality and presentation:** cellar-door pricing, premium gift packaging, and professional curation.

6.41 This multifaceted assessment ensures that the licensing authority evaluates not just the existence of liquor stores but their actual ability to meet the diverse needs of consumers in a practical and convenient manner.

³⁸https://www.oxfordlearnersdictionaries.com/definition/american_english/reasonable#:~:text=%2F%CB%88riz%C9%99n%C9%99bl%2F.beforehand%20that%20this%20would%20happen.

³⁹<https://www.collinsdictionary.com/dictionary/english/reasonable#:~:text=adjective-.1..prescribed%20by%20reason%3B%20not%20excessive>

Matters to be Addressed Under Section 36B(4)

6.42 Importantly, the relevant matters to be addressed, as stated by Judge Lemonis in WASC128 [2024]⁴⁰:

“Broken down into its constituent parts, s 36B(4) requires the Commission to address the following four matters.”

1. What is the Relevant Locality?

6.43 The relevant locality for the proposed premises with respect to Section 36B(4) has been determined with the guidance from the Licensing Authority as:

- **North:** Newcastle Street
- **South:** Wellington Street
- **East:** Beaufort Street
- **West:** Mitchell Freeway

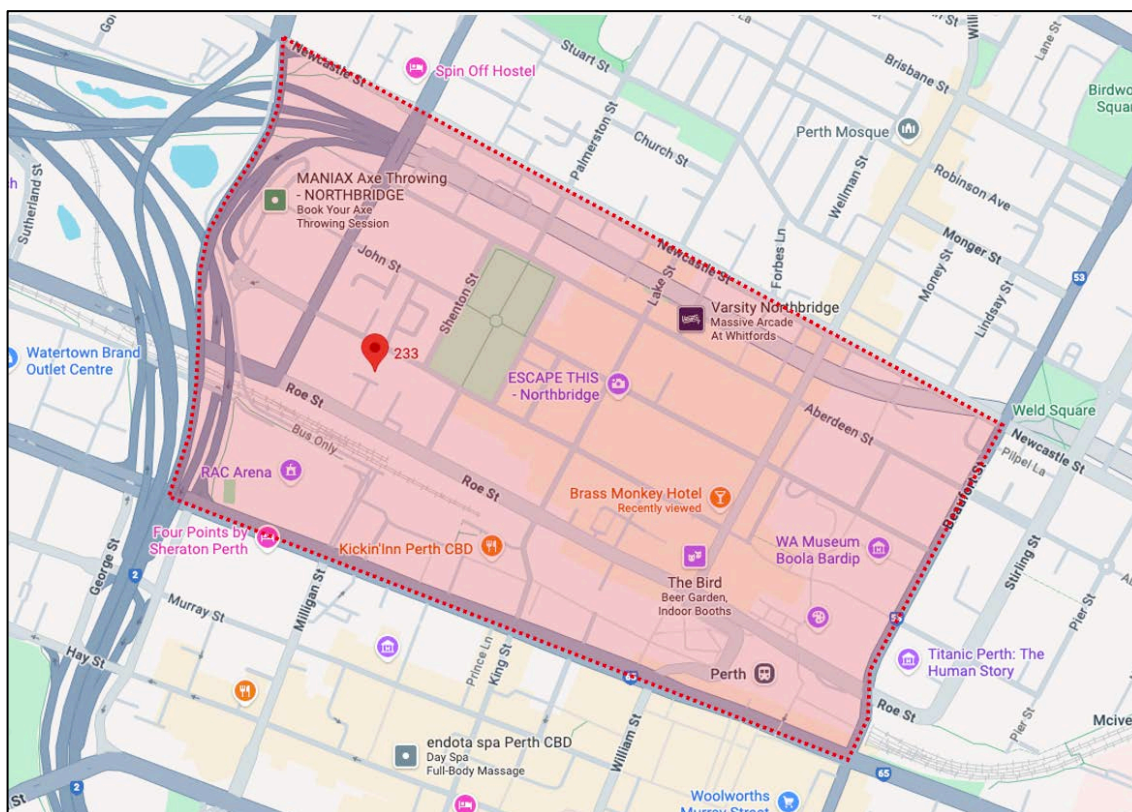


Figure 11: The James - Defined Locality

⁴⁰[https://sitemfinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitemfinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

- 6.44 This locality definition reflects the practical catchment area for consumers accessing Northbridge's entertainment and hospitality offerings, consistent with the principles established in Liquorland Karrinyup [2021] WASC 366 regarding retail catchment areas.
- 6.45 This defined locality is typically where the primary consumer base would resort to benefiting from the proposed packaged liquor offering along with any premises experiences:
- **Northbridge residents:** Including businesses and apartment dwellers within the precinct;
 - **CBD workers:** Time poor professionals employed in Perth's central business district seeking one-stop experiences;
 - **Interstate and international tourists:** Visitors seeking authentic Western Australian food, wine, and cultural experiences with the convenience of one location close to the CBD;
 - **Perth Arena and entertainment venue patrons:** Individuals attending events and seeking pre- or post-event dining and beverage (on premises and off premises) experiences;
 - **Cultural and arts community members:** Those engaging with Northbridge's galleries, theatres, and multicultural programming;
 - **Weekend leisure visitors:** Perth metropolitan residents visiting Northbridge for dining, entertainment, and social experiences.

2. What are the Requirements of Consumers for Packaged Liquor in the Relevant Locality?

- 6.46 In accordance with legal precedent, consumer requirements must be considered beyond just the physical availability of packaged liquor. The Applicant submits that consumer choice, diversity, accessibility, service model, and evolving preferences must also be assessed.
- 6.47 Judge Lemonis clarified in WASC 128 that:

“The absence of a de minimis requirement reinforces my view that s 36B(4) does not require the applicant for a packaged liquor store licence to establish that the relevant consumer requirements are considerable. Further, even if a de minimis requirement was to be imported (contrary to my view), such a requirement does not reach the level of considerable. It would only necessitate that the relevant consumer requirements are not trifling, or to use Liquorland’s words, not insignificant or immaterial.”⁴¹

⁴¹[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-director-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

6.48 The Hon. Justice S. Lemonis adopted Judge Archer's comprehensive consideration of Section 36B in WASC 366, stating:

“Her Honour observed that the phrase 'requirements of consumers' in s 5(1)(c) has been interpreted to include such matters as shopper convenience and preferences, including the convenience of one-stop shopping. Her Honour also observed that 'consumer requirements' has been understandably assumed to mean what consumers demand or desire, as distinct from what they cannot manage without.

Her Honour held that the phrase 'requirements of consumers' means the same in s 36B(1) and s 5(1)(c) and, subject to the facts and issues of a particular case, may involve consideration of the same types of matters. Thus, the phrase as used in s 36B(1) includes such matters as shopper convenience and preferences, including the convenience of one-stop shopping.”⁴²

6.49 The Applicant has considered 'catering for the requirements of consumers' in conjunction with 'the proper development of the industry' to ensure that the application aligns with the broader Objects of the Act. The proposed premises is designed to cater to a diverse range of consumer requirements while ensuring responsible service and harm minimisation within the Northbridge Special Entertainment Precinct.

6.50 The Applicant conducted a sample Consumer Survey to better understand the consumer requirements:

- 93.98% of respondents indicated that they would be interested in the “Remote Tasting Room” concept.
- With 95.15% of respondents aiming to visit monthly.

6.51 In addition, the Applicant received numerous Letters of Support from Industry Stakeholders, including Tourism WA, the Hon MLA for Perth, and several WA Producers.

6.52 As determined by Judge Archer in WASC 366, the factors that influence consumer requirements for packaged liquor include, but are not limited to:

Product Availability and Curation:

- A curated selection of focused exclusively on Western Australian boutique wines, and artisan spirits produced on-site;
- Quarterly rotation of products to showcase seasonal releases, new vintages, and emerging WA producers;
- Small-batch, premium, and regionally-significant products with provenance storytelling and educational materials;

⁴²[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-direcotr-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-direcotr-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

- Specialist offerings not widely available in mainstream bottle shops, including limited-release wines, and micro-distillery spirits;
- Quality and provenance focus rather than volume or discount pricing.

Customer Service Excellence and Education:

- Trained bar manager and knowledgeable staff providing expert recommendations on Western Australian wines, spirits, and craft beers;
- Producer storytelling integrated into the retail experience, including information on winemakers, distillers, brewers, and regional characteristics;
- Food and beverage pairing guidance leveraging the venue's charcuterie deli and dining offerings;
- Professional curation ensuring product selection aligns with quality, provenance, and cultural significance rather than mass-market appeal.

Accessibility and Convenience:

- Central Northbridge location within the Special Entertainment Precinct, accessible to CBD workers, residents, students, and tourists;
- Public transport access: Within 400m of Perth Busport, 800m from Northbridge train station;
- Walking distance from Perth CBD and major entertainment venues (Perth Arena, State Theatre Centre);
- Integration with on-premise experiences: Ability to taste wines and spirits before purchasing for takeaway.

Integrated Hospitality Experience (One-Stop Shopping):

- **Tasting room model:** Consumers can sample Western Australian wines and spirits, on-premise before purchasing packaged liquor;
- **Dining integration:** Ability to enjoy food and beverage pairings, then purchase featured wines or spirits for home consumption;
- **Event attendance:** Patrons attending winemaker dinners, distilling educational classes, producer showcases, or masterclasses can purchase featured products;
- **Cultural programming:** Integration with live music, art displays, and multicultural events creates a destination experience;
- **Tourism appeal:** Interstate and international visitors can discover Western Australian producers and purchase authentic souvenirs.

Service Model and Experience:

- Tasting room approach rather than transactional retail, emphasising education, discovery, and informed purchasing;

- Producer events and masterclasses providing context, stories, and connection to Western Australian wine regions, breweries, and distilleries;
- Premium sustainable gift packaging for corporate and personal gifting aligned with tourism and visitor markets;
- Cellar-door pricing model supporting regional producers while maintaining responsible pricing structures.

Safety and Environment:

- The proposed premises is designed following Safer Places by Design principles and employs Crime Prevention Through Environmental Design (CPTED) strategies;
- CCTV surveillance installed throughout the venue, in full compliance with the Director's Policy on Security licensing conditions;
- Well-lit, professionally managed environment creating a secure and welcoming atmosphere;
- Approved Manager on-site during all licensed trading hours, with all staff holding current RSA certification;
- Zero-tolerance policy on anti-social behaviour with comprehensive harm minimisation protocols.
- Located next to the Northbridge Police Station.

Tourism and Cultural Value:

- **Authentic Western Australian showcase:** The only venue in Northbridge offering an exclusive focus on WA-produced wines, spirits, and craft beers;
- **Educational tourism:** Masterclasses, producer events, and guided tastings providing visitors with knowledge and experience to take home;
- **Regional producer support:** Direct promotion and economic benefit to Western Australian wine regions, breweries, and distilleries;
- **Cultural identity:** Celebration of Western Australian food, wine, and arts communities through programming and partnerships.

3. What packaged liquor services are provided by existing packaged liquor premises in the relevant locality?

- 6.53 Refer to the attachment for the detailed analysis of the packaged liquor outlets within the defined locality. ⁴³
- 6.54 Based on the assessment of existing packaged liquor services in the Northbridge locality, the Applicant submits that none of the other packaged liquor outlets provides:

⁴³ Attachment 8 - Packaged Liquor Outlets

- **Western Australian-Exclusive Curation:** No venue offers an exclusive focus on WA-produced wines, spirits, and craft beers with comprehensive regional representation;
- **Integrated Tasting Room Model:** No outlet allows consumers to taste products on-premise before purchasing packaged liquor in an educational, hospitality-focused environment;
- **Producer-Focused Programming:** No venue provides winemaker dinners, distillery masterclasses, brewery showcases, or educational events connecting consumers with Western Australian producers;
- **Tourism and Visitor Experience:** No outlet positions itself as a destination for interstate and international tourists seeking authentic Western Australian food and beverage experiences;
- **Cultural and Educational Integration:** No venue combines packaged liquor retail, art displays, multicultural programming, and community events;
- **Premium Boutique Focus:** No outlet prioritises small-batch, artisan, regionally-significant products with provenance storytelling over volume sales;
- **Hospitality-Integrated Retail:** No venue integrates packaged liquor with on-premise dining, food pairings, and comprehensive hospitality experiences.

6.55 Based on the aforementioned facts, the Applicant submits that existing packaged liquor outlets in the Northbridge locality do not sensibly or rationally meet the following consumer requirements:

- Informed, experience-seeking consumers wanting to discover Western Australian producers through tastings and education;
- Interstate and international tourists seeking authentic WA souvenirs and curated regional selections in one convenient location;
- Quality-focused purchasers prioritising provenance, storytelling, and artisan products over volume and discount pricing;
- Cultural and hospitality enthusiasts wanting to combine dining, entertainment, and retail in a single destination;
- Producer supporters seeking direct connection with Western Australian wine regions, breweries, and distilleries through events and showcases.

4. Whether the local packaged liquor requirements cannot reasonably be met by those existing packaged liquor premises.⁴⁴

6.56 The Applicant has assessed the existing packaged liquor outlets within the Northbridge locality and submits that these outlets employ fundamentally different business models from The James, serving distinct consumer preferences and different requirements.

6.57 Recognising the diverse and evolving demographics of the Northbridge locality—including:

- Growing residential population (high-rise apartment developments);
- Increasing international tourism (Perth as a destination for authentic Australian experiences);
- CBD workers seeking premium after-work experiences;
- Cultural diversity requiring multicultural programming and inclusive experiences.

The Applicant has ensured that the application responds directly to contemporary consumer expectations and aligns with the criteria set out in WASC 366 and WASC 128 [2024].

6.58 The Applicant has evaluated the positive and negative social, economic, and health impacts on the community, ensuring a balanced and responsible approach to liquor licensing as supported by Judge Archer in WASC 366:

“The Public Interest condition looks to, among other things, the risk that granting the application may have negative consequences, such as harm or ill-health, the reduction of amenities in the locality, and offence to those who live or work there. It also looks to any effect the granting of the licence may have in relation to tourism or community or cultural matters. Determining the public interest is a discretionary value judgment (to be made having regard to the objects of the Act)”⁴⁵

6.59 Accordingly, the Applicant respectfully submits that the licensing authority can be positively satisfied that local packaged liquor requirements cannot reasonably be met by existing packaged liquor premises in the defined locality.

6.60 The proposed Tavern (Unrestricted) Licence, with its integrated packaged liquor component, will:

- Cater to legitimate, unmet consumer requirements for Western Australian-focused, educational, hospitality-integrated retail experiences;

⁴⁴[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-direcotr-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-direcotr-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

⁴⁵[https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-\(blob\)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-direcotr-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0](https://sitefinitypublicblobs.blob.core.windows.net/prod-blob/docs/default-source/racing-gaming-and-liquor-(blob)/liquor/liquor-commission/liquor-decisions/liquorland-australia-pty-ltd-v-direcotr-of-liquor-licensing-2021-wasc366.pdf?sfvrsn=37e4353a_0)

- Serve a distinct consumer segment (experience-seeking, quality-focused, tourism-oriented) not adequately served by existing outlets;
- Contribute to the proper development of the liquor industry (s 5(1)(c)) by promoting Western Australian regional producers and supporting tourism;
- Enhance community and cultural amenity (s 38(4)(ca)) through programming, education, and celebration of WA food and wine culture;
- Minimise harm (s 5(1)(b)) through enhanced controls, premium pricing, modest scale, and responsible service practices.

6.61 The approval of this well-made and unique application is therefore consistent with the objects of the Act and is in the public interest.

7. Public Interest

7.1 The Applicant submits that the conditional grant of the Tavern (Unrestricted) Licence for the proposed premises is in the public interest, having regard to the matters prescribed in section 38(4) of the Liquor Control Act 1988, and is consistent with the primary and secondary Objects of section 5 of the Act.

7.2 In assessing the public interest, the Applicant has given specific consideration to:

- the likely positive social, economic and community impacts of the proposal,
- the potential negative impacts associated with the sale and supply of liquor, and
- the management, operational and harm minimisation measures proposed to mitigate any such impacts.

Positive Impacts

7.3 The proposed premises will provide a contemporary, well-managed hospitality venue that enhances local amenity and contributes positively to the function of the surrounding entertainment centre. The proposed premises is designed to operate as a dining and entertainment venue with complementary packaged liquor sales, consistent with the intended role of a Local Centre in providing accessible dining, social and retail services to the community.

7.4 The development aligns with the relevant local planning framework, which seeks to:

- concentrate activity in designated centres,
- promote safe, accessible and walkable destinations, and
- support a mix of land uses that activate centres throughout the day and evening.

7.5 By delivering a high-quality hospitality offering, the proposal supports these objectives and strengthens the centre's role as a focal point for community interaction.

- 7.6 The proposed premises is designed to cater to a broad and diverse consumer base, including local residents, workers, families, and visitors to the locality. The venue will provide:
- a strong food offering with on-site preparation,
 - flexible dining and social spaces suitable for different age groups and occasions,
 - first micro-distillery in Northbridge, and
 - a beverage offering that includes low- and zero-alcohol products, non-alcoholic alternatives, and dietary-sensitive food options (including gluten-free, vegan and allergen-aware selections).
- 7.7 This approach reflects contemporary consumer expectations for inclusive, responsible and choice-driven hospitality environments, and directly supports the Object of the Act to cater to the requirements of consumers for liquor and related services.
- 7.8 The proposed development will deliver direct and indirect economic benefits to the locality, including:
- the creation of local employment opportunities across hospitality, management, kitchen, retail and service roles,
 - increased foot traffic and spend within the Local Centre, and
 - engagement with local and regional suppliers across food, beverage, maintenance and professional services,
 - increase spend at related services while in the locality.
- 7.9 By establishing a destination venue within the centre, the proposal will contribute to the economic sustainability and long-term viability of the surrounding commercial precinct.
- 7.10 State and local planning policy emphasises that successful activity centres offer a diverse mix of uses, including food, beverage and social destinations that support daily and weekly community needs. The mix of uses proposed within the centre, including supermarket retail, hospitality and specialty services, reflects these principles and enhances local self-sufficiency.
- 7.11 The Applicant has received numerous letters of support⁴⁶ and positive consumer feedback demonstrating demand for a high-quality hospitality venue and curated packaged liquor offering within the locality. This feedback evidences that the proposal responds to an identified community need rather than duplicating existing services.

⁴⁶ Attachment 7 - Letters of Support

Potential Negative Impacts

- 7.12 The Applicant acknowledges that the sale and supply of liquor carries an inherent risk of misuse and associated social harm if not properly managed. This risk is recognised explicitly, and the Applicant does not seek to minimise or dismiss the potential negative impacts of alcohol consumption.
- 7.13 The Applicant also acknowledges research, including material published by the Australian Institute of Criminology, identifying that alcohol-related harm is more prevalent in certain licensed environments, particularly high-intensity late-night venues.
- 7.14 The proposed premises will not operate as a nightclub or late-night entertainment venue, and will not offer 24-hour trading. The venue is designed as a hospitality and entertainment venue with a controlled retail liquor component.
- 7.15 These operational characteristics materially reduce the risk profile typically associated with higher-impact licensed premises.
- 7.16 To mitigate potential negative impacts, the Applicant will implement and enforce a comprehensive Harm Minimisation Plan, which includes:
- RSA-trained staff on all shifts,
 - active refusal-of-service procedures,
 - incident recording and review,
 - no access to unaccompanied juveniles,
 - CCTV coverage and venue supervision,
 - Packaged liquor sales restricted to boutique wines and spirits produced on-site,
 - availability of food and non-alcoholic beverages throughout trading hours, and
 - management oversight by Approved Managers.
- 7.17 The Applicant recognises that effective harm minimisation is best achieved through collaboration with relevant stakeholders, and commits to ongoing engagement with:
- WA Police (including the Local Policing Team in Jandakot),
 - The Liquor Enforcement Unit (LEU),
 - Local Liquor Accord,
 - The Chief Health Officer (CHO), and
 - Local community groups and stakeholders.
- 7.18 This cooperative approach ensures that emerging issues can be identified early and addressed in a coordinated preventative manner consistent with best practice.

7.19 The Applicant will maintain control over the sale and supply of liquor through a combination of formal and informal controls, including:

Formal Controls:

- Harm minimisation policies and procedures
- Juvenile management and ID checking protocols
- Compliance with licence conditions and applicable Local Accord measures
- Responsible Service of Alcohol practices

Informal Controls:

- Community engagement
- Ongoing dialogue with stakeholders and service providers
- Responsive management practices informed by incident trends and feedback

Consumer Surveys⁴⁷

7.20 To demonstrate the consumer requirements for the proposed Tavern (Unrestricted) Licence, the Applicant conducted a comprehensive consumer survey.

7.21 The survey received multiple responses from a diverse cross-section of respondents, providing robust evidence of consumer requirements and community sentiment.

7.22 Key findings from the survey demonstrate strong public support and a clear consumer requirement for the proposed premises:

- 96.99% of respondents indicated an intention to visit The James if operating as proposed at 233 James Street, Northbridge, with only 3.01% indicating they would not visit.
- 48.20% of respondents intend to patronise the proposed premises fortnightly or more frequently, with an additional 48.80% intending monthly visits.
- 95.78% of respondents support the application for a Tavern (Unrestricted) Licence, allowing the sale of packaged liquor for takeaway.
- 90.36% believe that the premises will not cause undue harm or ill-health, while 92.77% believe it will not cause undue offence, annoyance, disturbance, or inconvenience in the locality.
- 95.78% agree that permitting The James to operate under a Tavern (Unrestricted) Licence is in the public interest.
- 89.63% of respondents confirmed that their requirements for WA boutique wines to takeaway are not currently being met by existing packaged liquor outlets in the

⁴⁷ Attachment 2 – Consumer Surveys

Northbridge locality, providing direct evidence of unmet consumer requirements under Section 36B(4) of the Act.

- 7.23 The Consumer Survey data reinforce the perspective that The James would address a current gap in the Northbridge hospitality market, catering to unmet consumer requirements for Western Australian boutique wines, producer-focused experiences, and integrated tasting room offerings. The proposed premises receives overwhelming support from the community, aligns with public interest considerations, and is expected to contribute positively to the development of Northbridge's tourism, cultural programming, and night-time economy.
- 7.24 The Applicant has also received Letters of Support from key industry stakeholders, including Tourism WA, the Member for Perth, and Western Australian producers, demonstrating broad recognition of The James' contribution to Western Australia's visitor economy and regional producer support objectives.
- 7.25 Having regard to the above, the Applicant submits that the positive social, economic, cultural, and community benefits of the proposed premises substantially outweigh any potential negative impacts.
- 7.26 The proposal is appropriately located within Northbridge's designated Special Entertainment Precinct, carefully designed to complement the precinct's established entertainment and cultural character, and supported by robust management and harm minimisation measures. It responds to demonstrated consumer demand for WA-focused hospitality experiences, aligns with City of Perth planning objectives for precinct activation, and contributes to Northbridge's amenity, cultural vibrancy, and economic vitality.
- 7.27 Accordingly, the Applicant submits that the conditional grant of the Tavern (Unrestricted) Licence is in the public interest, consistent with section 38(4) of the Act and the Objects of the Act.

8. Section 38 (4) (a) of the Act – Harm or Ill-health

- 8.1 Section 38(4)(a) of the Act requires the licensing authority, when determining whether an application is in the public interest, to have regard to:
- (a) the harm or ill-health that might be caused to people, or any group of people, due to the use of liquor; and*
- 8.2 In accordance with the Director's Policy on Public Interest Assessments, the Applicant has undertaken a structured review of relevant health, crime, and alcohol-related harm data, and has assessed that information in the context of:
- the nature of the proposed premises,
 - the character of the locality, and
 - the specific harm minimisation controls proposed.

8.3 The information sources considered (but not limited to) are as follows:

Drug and Alcohol Office, Mental Health Commission and the Department of Health

Mental Health Commission website

- *National Drug Strategy Household Survey 2013: Western Australian Introduction, Executive Summary, Supplementary Tables*
- *Australian School Student Alcohol and Drug Survey: Alcohol Report 2011 – Western Australian Results. Surveillance Report Number 8*
- *Broad Strategic Directions of West Australian Drug and Alcohol Strategy 2005-2009*
- *Drug & Alcohol Interagency Strategic Framework for Western Australia 2011-2015*
- *Strong Spirit Strong Mind: Western Australian Aboriginal Drug and Alcohol Framework for Western Australia 2011-2015*
- *Fitzroy Valley Alcohol Restriction Report: An evaluation of the effects of a restriction on take-away alcohol relating to measurable health and social outcomes, community perceptions and behaviours after a two-year period, 2010.*
- *Drug and Alcohol Office WA (2012). The impact of liquor restrictions in Kununurra and Wyndham: a twelve-month review*
- *Halls Creek Alcohol Restriction Report 2012: a 24-month review of the impact of alcohol restrictions on health and social outcomes, community perceptions and behaviours.*
- *The impact of liquor restrictions in Halls Creek: Quantitative data — Five years post-restriction*
- *Alcohol-related hospitalisations and deaths in Western Australia: State Profile (2014) Drug and Alcohol Office WA and Epidemiology Branch of Department of Health WA. Note: this report may incur a cost; see note on the previous page.*
- *Alcohol-related hospitalisations and deaths in Western Australia: Regional Profile (2014) Drug and Alcohol Office WA and Epidemiology Branch of Department of Health WA. Note: This report may incur a cost; see note on the previous page.*
- *Alcohol and Other Drug Indicators Report — Western Australia (2015) R. Bridle, A. Christou & T. Lembo.*
- *Alcohol and Other Drug Indicators Report — Regional Reports (2015) R. Bridle, A. Christou & T. Lembo.*

National Drug Research Institute, Curtin University of Technology (Perth)

National Drug Research Institute website

- *An Evaluation of Liquor Licensing restrictions in the Western Australian Community of Port Hedland. Preventing Harmful Drug Use in Australia. Prepared with assistance from the Combined Universities Centre for Rural Health.*

- *Restrictions on the sale and supply of alcohol: Evidence and Outcomes. (2007) Dr. T Chikritzhs, Prof. D. Gray, Z Lyons, Prof. S Sagers.*
- *Study of Extended Trading Permits (May 1997) Dr. T. Chikritzhs.*
- *Drinking After Driving in Western Australia. (2002). Catalano, P and Stockwell, T. R.*
- *Predicting Alcohol-Related Harms from licensed outlet density: A Feasibility Study. 2007 Monograph Series No.28. T Chikritzhs, I Catalano, R Pascal and N. Henrickson*
- *National Alcohol Indicators*
- *The Prevention of Substance Use, Risk and Harm in Australia - a review of the evidence. Loxley, et al, 2004. (The National Drug Research Institute and the Centre for Adolescent Health Published for Commonwealth Department of Health and Ageing 2004)*
 - *The researchers examined international and national data, literature and programs that provide evidence of good practice in preventing or delaying the onset of alcohol and drug use and that address the risk and harm known to be associated with alcohol and drug use. The monograph outlines patterns of substance use and harm, considers risk and protective factors predictive of harmful alcohol and drug use and extensively reviews the evidence available on national and international prevention strategies and approaches.*

Department of Aboriginal Affairs

- *State Government response to the Hope Report. 7 April 2008.*
- *Gordon Inquiry – Putting People First. July 2002.*

Alice Springs Liquor Trail

- *By Ian Cundall and Chris Moon for Northern Territory Government. Department of Health and Community Services. May 2003.*

National Alcohol Strategy 2016-2009

- *Towards Safer Drinking Cultures*

National Health and Medical Research Council

- *Australian Guidelines to Reduce Health Risks from Drinking Alcohol. Commonwealth of Australia, 2009*

National Centre for Education and Training on Addictions (Adelaide)

- *Young People and Alcohol: The Role of Cultural Influences. Roche, A.M., Bywood, P.T., Borlagdan, J., Lunnay, B., Freeman, T., Lawton, L., Tovell, A. & Nicholas, R. (2007).*

Australian Bureau of Statistics and Australian Institute of Health and Welfare (AIHW Cat. no IHW 147)

- *The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples 2015.*

Australian Government Department of Health and Ageing

- *Australian Government Implementation Plan 2003-2008 - National Strategic Framework for Aboriginal and Torres Strait Islander Health.*
- *Australian Government Implementation Plan 2007-2013 - National Strategic Framework for Aboriginal and Torres Strait Islander Health 2003-2013*

Other relevant sources

- *Effects of restricting pub closing times on night-time assaults in an Australian city (2010). K. Kypri, C. Jones, P. McElduff, and D. Barker.*
- *Dealing with alcohol-related problems in the Night-Time Economy: A study protocol for mapping trends in harm and stakeholder views surrounding local community level interventions (DANTE) (2011). P. Miller et al.*
- *Patron offending and intoxication in Night-Time entertainment districts (POINTED) (2013). P. Miller et al.*

- 8.4 In compiling this Public Interest Assessment, the Applicant has reviewed a substantial body of material published by State and Commonwealth government agencies, health authorities, research institutions and planning bodies, as recommended by the Director's Policy on Public Interest Assessments. This material examines patterns of alcohol consumption, alcohol-related harm, socio-economic risk factors, licensed outlet characteristics, and the effectiveness of regulatory, operational and environmental controls.
- 8.5 The sources reviewed include publications and datasets produced by the Drug and Alcohol Office, the Mental Health Commission, the Department of Health, the National Drug Research Institute, the Australian Bureau of Statistics, the Australian Institute of Health and Welfare, the National Health and Medical Research Council, and the Western Australian Planning Commission. Particular regard has been had to the Safer Places by Design guidelines (2023), which provide contemporary, evidence-based guidance on reducing crime and antisocial behaviour through environmental design and operational management.
- 8.6 The reviewed literature consistently demonstrates that alcohol-related harm cannot be attributed to a single cause. Rather, harm arises from a complex interaction between individual behaviour, social and cultural norms, socio-economic conditions, environmental design, outlet density, and the way in which licensed premises are operated, supervised and managed.

- 8.7 Research published by government agencies and academic institutions indicates that higher-risk outcomes are more commonly associated with specific venue characteristics and operating models. These include late-night trading, high patron density, limited food availability, poor visibility or surveillance, inadequate staff supervision, and a primary focus on alcohol consumption rather than ancillary social or dining activity. Conversely, venues that are food-led, appropriately designed, actively supervised and operated within structured service environments are consistently associated with lower risk profiles in respect of alcohol-related harm and disorder.
- 8.8 The evidence base further demonstrates a strong correlation between socio-economic disadvantage, social exclusion and elevated levels of alcohol-related harm. Areas characterised by stable employment, access to services, planned urban development and mixed-use activity centres tend to experience lower levels of alcohol-related crime and health impacts, particularly where licensed premises operate as part of a broader, integrated commercial and community environment rather than in isolation.
- 8.9 The proposed premises have been deliberately designed to operate as a contemporary hospitality and entertainment venue with ancillary packaged liquor sales. It is not intended to function as a nightclub, late-night entertainment venue or high-intensity drinking establishment. Trading hours, patron capacity and service style are structured to encourage seated dining, social interaction and moderated consumption, consistent with the lower-risk operating characteristics identified in the literature.
- 8.10 This style of operation aligns with the evidence indicating that venues where food service is available, alcohol is consumed in a supervised and structured environment, and management oversight is continuous, present a materially lower risk of alcohol-related harm than venues primarily oriented towards late-night or alcohol-dominant trade.
- 8.11 In addition to venue-specific factors, the Applicant has considered broader research addressing the drivers of violence and antisocial behaviour. This research consistently concludes that crime and disorder are influenced by a combination of individual, community and environmental factors, and that alcohol availability interacts with, rather than independently determines, these outcomes.
- 8.12 Government and law enforcement research emphasises that patterns of alcohol consumption are shaped by societal interventions, including economic measures, social policy, advertising practices and physical availability, as well as community-level factors such as neighbourhood character and situational controls applied within licensed premises. Social and cultural norms also play a critical role in shaping public behaviour and responses to violence, reinforcing the importance of active management and community accountability in licensed environments.
- 8.13 The literature further identifies low socio-economic status, unemployment, social isolation and lack of community infrastructure as significant predictors of higher crime rates. ABS Census data is routinely relied upon to profile local communities and identify

the presence or absence of these risk factors, particularly in relation to vulnerable population groups.

- 8.14 The collective findings of this research confirm that no single intervention is sufficient to prevent alcohol-related harm. Rather, effective harm minimisation requires layered, complementary strategies encompassing venue design, operational controls, staff training, community engagement and regulatory oversight.
- 8.15 In this context, the *Safer Places by Design*⁴⁸ guidelines published by the Western Australian Planning Commission (2023) have been applied in the design and layout of the proposed premises. These guidelines are widely recognised as an effective framework for reducing opportunities for crime and antisocial behaviour through improved surveillance, access control, territorial definition and ongoing management.
- 8.16 The Applicant considers these principles particularly effective when combined with a comprehensive Harm Minimisation Plan and a demonstrated commitment to operating safe, orderly, and well-managed licensed premises. Together, these measures materially reduce the likelihood of harm or ill-health arising from the sale and supply of liquor.
- 8.17 Consistent with these principles, the proposed premises incorporates multiple crime prevention and safety measures into both its physical design and operational framework. These include:
- continuous CCTV coverage of entry, exit and delivery points in accordance with the Director's Policy;
 - controlled access to liquor through RSA-trained staff only;
 - designed with CPED principles in mind;
 - clear identification of licensed areas; secure entry and exit points; appropriate lighting; and an active management presence at all times.

The layout has been designed to avoid concealed or recessed spaces, encourage passive surveillance and support safe patron movement throughout the premises.

- 8.18 The Applicant acknowledges that the proposed premises will operate within an established and planned commercial entertainment precinct comprising retail, residential and civic uses. In this setting, the premises is expected to contribute positively to local amenity by providing a high-quality hospitality offering, supporting economic activity and employment, and reinforcing a safe and welcoming environment consistent with contemporary best-practice principles in urban activation and community safety.

⁴⁸ <https://www.wa.gov.au/system/files/2023-07/safer-places-by-design-cpted-guidelines.pdf>

9. Applied Research Section 38 (4) (a) of the Act – Harm or Ill-health

Social Health Indicators - “At Risk” Groups

- 9.1 In preparing this Public Interest Assessment, the Applicant has given specific consideration to population groups identified by State policy and research as being at increased risk of alcohol-related harm or ill-health. This approach is consistent with the Director’s Policy on Public Interest Assessments, which encourages applicants to demonstrate an understanding of social health indicators and vulnerable cohorts within the locality.
- 9.2 The Applicant acknowledges the *Western Australian Mental Health, Alcohol and Other Drug Services Plan 2015–2025*⁴⁹, which identifies priority population groups requiring targeted harm minimisation responses. That Strategy emphasises the importance of proportionate, place-based and venue-specific controls, rather than a one-size-fits-all approach to alcohol regulation. The Applicant submits that the proposed premises has been designed and will be operated in a manner that aligns with these principles.
- 9.3 In relation to **Aboriginal people and communities**, the Applicant recognises that alcohol-related harm can be disproportionately experienced due to historical, social and economic factors identified in State and Commonwealth research. While the proposed premises is located within an urban activity centre and is not directed toward vulnerable community settings, the Applicant remains committed to culturally respectful service practices, staff training that reinforces appropriate engagement, and compliance with all harm minimisation obligations under the Act.
- 9.4 **Children and young people** are consistently identified in the literature as a priority group requiring strong regulatory protection. The Applicant will strictly enforce age-based access controls in accordance with the Act and the Director’s Policies, including rigorous identification checks, refusal of service to juveniles, and zero tolerance for the supply of liquor to minors. These controls are supported by staff training, management oversight and incident reporting procedures.
- 9.5 Research also highlights that **people from regional, rural and remote communities** may experience heightened vulnerability to alcohol-related harm due to reduced access to support services. While the proposed premises is situated within a planned metropolitan local centre, the Applicant acknowledges the importance of responsible service practices that do not contribute to displacement of harm or risk-taking behaviour, particularly in mixed-use environments that attract a diverse patron base.
- 9.6 **Families** are recognised in State policy as both potential beneficiaries of well-managed hospitality environments and as groups that may be indirectly affected by alcohol

⁴⁹<https://www.mhc.wa.gov.au/awcontent/Web/Documents/2015-2024/WA-mental-health-AOD-services-plan-2015-2025.pdf>

misuse. The proposed premises have been designed to operate as a community-focused venue at appropriate times of day, with service styles and operating characteristics that discourage excessive consumption and promote responsible social interaction.

- 9.7 The Applicant further acknowledges the intersection between alcohol misuse and the **justice and corrections system**, as identified in research published by the Drug and Alcohol Office and law enforcement agencies. In response, the Applicant is committed to proactive engagement with relevant authorities, including WA Police and the Liquor Enforcement Unit, and to implementing operational controls that reduce the likelihood of disorder, antisocial behaviour or repeat incidents.
- 9.8 In addition to the priority groups identified in State strategies, the Applicant has considered other cohorts commonly referenced in public health literature, including older adults, culturally and linguistically diverse communities, LGBTQI+ individuals, and people experiencing homelessness or vulnerability. The Applicant submits that inclusive service practices, clear communication, staff awareness training and active management presence are effective tools for supporting these groups within a licensed environment, without creating unintended risk or exclusion.
- 9.9 Having regard to the identified “at-risk” groups and the applied research reviewed, the Applicant submits that the proposed premises does not present an elevated risk profile in respect of harm or ill-health. Rather, its design, style of trade, management framework and harm minimisation measures align with contemporary evidence indicating that well-managed, food-focused venues operating within planned activity centres are associated with lower levels of alcohol-related harm.
- 9.10 Accordingly, the Applicant reaffirms its commitment to operating the premises in a manner that supports community wellbeing, complies with State policy objectives, and gives proper weight to the protection of vulnerable groups, consistent with section 38(4)(a) of the Act.
- 9.11 Having reviewed the priority “At Risk” groups identified in State alcohol and drug policy, the Applicant reaffirms its commitment to supporting the local community and to operating in a manner that aligns with broader harm minimisation strategies aimed at reducing alcohol-related harm within the defined locality.
- 9.12 After reviewing the priority “At Risk” groups identified in relevant State alcohol and drug policy, and having regard to the demographic characteristics of the defined locality, the Applicant reaffirms a strong and ongoing commitment to supporting the local community and to operating the proposed premises in a manner that mitigates the potential impacts of alcohol consumption.

	Locality	Greater Perth	Western Australia
Median Age	34	37	38
Population Under 14 years	7.27%	18.96%	19.01%
Indigenous Persons	1.17%	1.99%	3.33%
Couple Family with Children	22.10%	45.70%	44.60%

- 9.13 Demographic indicators relevant to alcohol-related risk were assessed using Australian Bureau of Statistics (ABS) 2021 Census data for the defined locality, with comparisons to Greater Perth and Western Australia. These indicators provide an evidence-based context for assessing vulnerability and informing proportionate harm minimisation measures.
- 9.14 The locality has a median age of 34 years, younger than Greater Perth (37 years) and Western Australia (38 years). This indicates a predominantly working-age population, consistent with a planned activity-centre catchment rather than a locality characterised by higher concentrations of vulnerable age cohorts.
- 9.15 Children under 14 account for approximately 7.27% of the population, significantly lower than the Greater Perth (18.96%) and Western Australia (19.01%) averages. This suggests a relatively mature population structure and reduced exposure to risks typically associated with high proportions of minors, provided that appropriate access controls and service practices are maintained.
- 9.16 Indigenous persons account for approximately 1.17% of the locality’s population, which is lower than the Greater Perth (1.99%) and State (3.33%) averages. While this indicates a smaller Indigenous population within the locality, the Applicant acknowledges the importance of culturally respectful service practices and remains open to engaging with local Indigenous organisations on alcohol-related harm prevention initiatives where appropriate.
- 9.17 Couple families with children account for approximately 22.10% of family types in the locality, substantially lower than the Greater Perth (45.70%) and Western Australia (44.60%) averages. This further supports the conclusion that the locality is not predominantly family-dominated, but rather reflects a mixed, adult-oriented demographic profile.
- 9.18 Taken together, the demographic indicators demonstrate that the locality is characterised by a mature population structure, lower proportions of children, and comparatively lower representation of demographic groups statistically associated with elevated alcohol-related harm. This profile supports the appropriateness of a well-managed venue operating within an established commercial entertainment centre, subject to robust harm minimisation controls.
- 9.19 The Applicant recognises, however, that demographic stability does not remove the obligation to actively address alcohol-related risk. Consistent with the Director’s Policy

on Public Interest Assessment, the Applicant has considered the needs of at-risk groups within the broader community context and has adopted operational measures proportionate to the locality's risk profile.

- 9.20 In this regard, the Applicant aligns with the *Western Australian Alcohol and Drug Interagency Strategy 2018–2022*, which provides a framework for reducing alcohol-related harm through prevention, early intervention, effective regulation, and coordinated responses across government, industry and community sectors.
- 9.21 The principles of this Strategy are reflected in the proposed operation through a strong emphasis on preventative education and responsible service practices, early identification and management of intoxication or anti-social behaviour, cooperation with law enforcement and regulatory agencies, and the integration of evidence-based harm minimisation measures within day-to-day venue management.

Socioeconomic Indicators

- 9.22 An assessment of socio-economic indicators relevant to alcohol-related harm has been undertaken with reference to the Australian Bureau of Statistics Socio-Economic Indexes for Areas (SEIFA) and demographic data for the City of Perth and the Northbridge locality. These indicators provide contextual information relevant to the assessment of potential harm or ill-health associated with the use of liquor, as contemplated by section 38(4)(a) of the Act.
- 9.23 The Northbridge locality forms part of the City of Perth Local Government Area, which is characterised by a diverse inner-city population, high employment participation, strong access to public transport, and a concentration of commercial, cultural, education and hospitality activity. While the area accommodates a transient population associated with tourism, students and night-time economy activity, it also benefits from established urban infrastructure and a high level of regulatory oversight.
- 9.24 Research consistently demonstrates that alcohol-related harm is more strongly correlated with socio-economic disadvantage, social exclusion and limited access to services than with the mere presence of licensed premises. Conversely, inner-city localities with mixed-use development, employment opportunities, access to services, and active place management typically exhibit a more moderated risk profile, particularly where licensed venues operate within structured regulatory frameworks.
- 9.25 Northbridge's designation as Perth's primary entertainment precinct reflects a long-standing planning and regulatory approach that anticipates and manages hospitality activity through land-use controls, acoustic standards, transport planning, policing presence and liquor licensing oversight. The socio-economic profile of the locality, when considered in this context, does not indicate heightened vulnerability arising from disadvantage, but rather reflects an urban environment where alcohol service is expected to be carefully regulated and responsibly managed.

9.26 Accordingly, when considered alongside the demographic profile of the locality, the existing regulatory environment, and the Applicant’s proposed harm minimisation measures, the socio-economic indicators do not suggest that the grant of the licence would result in undue harm or ill-health. Rather, they support the conclusion that the operation of the premises can be accommodated within the locality in a manner consistent with the public interest under section 38(4)(a) of the Act.

Crime Statistics for the Locality

9.27 Publicly available crime statistics published by Western Australia Police have been reviewed for the Northbridge locality. This data provides a quantitative context for considering potential harm or ill-health under section 38(4)(a) of the Act.

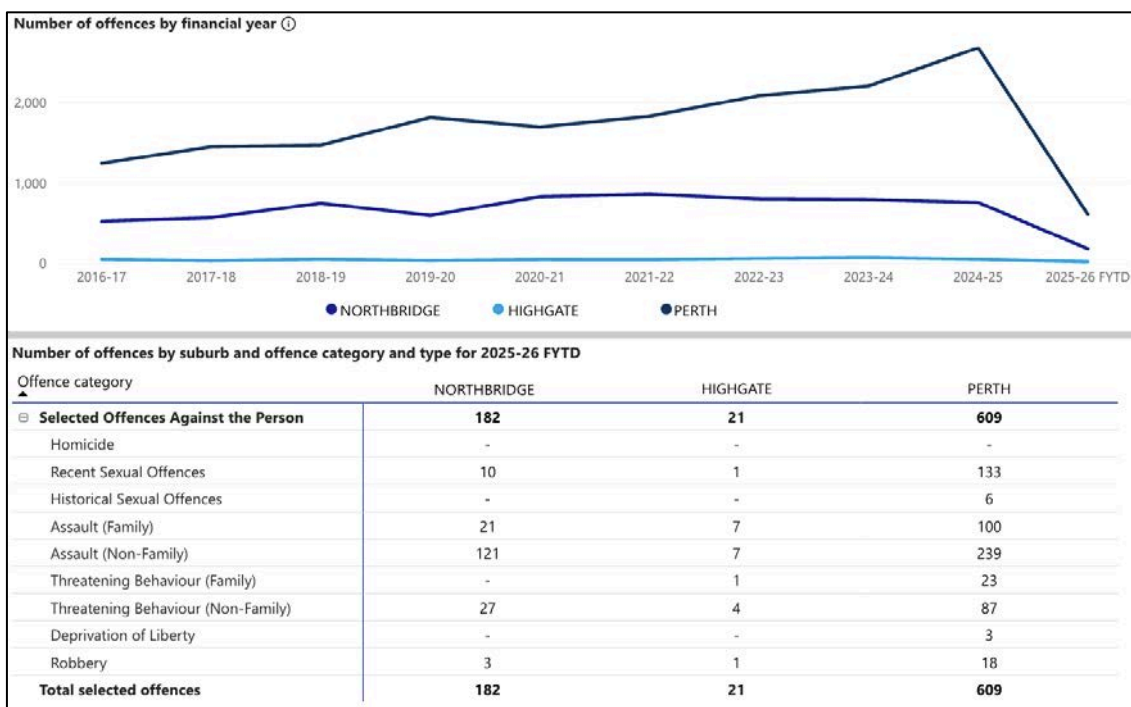


Figure 24: 10-year comparison for the Northbridge Locality⁵⁰

9.28 While this data provides a useful high-level indicator of crime prevalence, it has inherent limitations that constrain its application in assessing alcohol-related harm, including the following:

- The data does not identify whether alcohol was a contributing factor in any recorded offence, nor whether alcohol was consumed on, or supplied from, licensed premises.
- The source of alcohol, where alcohol may have been involved, is not captured, making it impossible to attribute incidents to any specific venue type or licence category.

⁵⁰ <https://www.police.wa.gov.au/Crime/CrimeStatistics#/start>

- The data does not distinguish between first-time and repeat offenders, particularly in relation to family violence-related incidents, which may inflate offence counts without reflecting broader community risk.
- Multiple offences may be attributable to a single individual or event, limiting the usefulness of raw offence numbers as a measure of systemic harm.

9.29 Accordingly, the Applicant submits that crime statistics should be interpreted as contextual information only, and not as determinative evidence of alcohol-related risk associated with a specific proposed premises. This approach is consistent with the Director's Policy on Public Interest Assessments, which recognises that harm outcomes are influenced by a combination of venue type, operating practices, environmental design and management controls.

9.30 The Applicant further submits that the proposed premises incorporates operational and environmental controls specifically aligned to mitigating the types of risks identified in crime data for inner-city entertainment precincts, including:

- A comprehensive Harm Minimisation Plan focused on early intervention, refusal of service and active supervision;
- Mandatory RSA and managerial training for all relevant staff;
- CCTV coverage consistent with Director's Policy requirements;
- Clear incident recording, escalation and reporting procedures; and
- Ongoing engagement with WA Police, the Liquor Enforcement Unit and relevant stakeholders.

9.31 Having regard to the available crime statistics, their limitations, and the specific operating model proposed, the Applicant submits that the conditional grant of the Tavern (Unrestricted) Licencelience will not give rise to an unacceptable increase in alcohol-related harm or ill-health in the locality. Rather, the proposed premises will operate within an existing activity centre under a management framework designed to support safety, amenity and responsible alcohol consumption in the public interest.

Alcohol-related Harm

9.32 The *Perth North Primary Health Network (PHN) Population Health Needs Assessment 2016-17*⁵¹ provides critical data on alcohol-related harm within the broader Perth metropolitan region, offering comprehensive insight into the health burden and risk factors associated with alcohol consumption.

9.33 The Applicant acknowledges these regional health concerns and remains committed to responsible alcohol service to ensure that the proposed premises operates in a manner

⁵¹https://www.wapha.org.au/wp-content/uploads/2016/08/WAPHA_Population-Health-Needs-Assessment_PHN-North.pdf

that does not contribute to undue harm or ill-health in the locality. The Applicant will address alcohol-related harm through comprehensive harm minimisation strategies detailed in this submission and in the Harm Minimisation Plan⁵².

9.34 According to the WA State Priorities Alcohol and Other Drug Services Plan 2015-2025 and the National Drug Strategy Household Survey (NDSHS) 2016, alcohol consumption patterns are shifting towards moderation and responsible drinking.

9.35 Research highlights:

- **Per capita consumption at historic lows:** Alcohol consumption is at a 50-year low in Australia;
- **Daily drinking declining:** Fewer Australians drink daily, with rates declining from 8.5% in 2001 to 5.4% in 2019;
- **Youth abstention increasing:** 72.5% of 14-17-year-olds abstained from alcohol in 2019, up from 39% in 2007;
- **Delayed initiation:** Young Australians are delaying alcohol consumption, with the average age of first full serve increasing from 15.7 to 16.1 years;
- **Beverage preferences evolving:** Beer consumption has declined significantly, while wine and premium spirit consumption has increased, reflecting evolving consumer preferences toward quality over quantity.

9.36 The James' operational model aligns with these positive trends by:

- Emphasising quality and provenance over volume or discount pricing;
- Focusing on premium, curated Western Australian products (boutique wines, craft beers, artisan spirits) rather than mainstream, high-volume offerings;
- Integrating education and storytelling through producer events, tastings, and masterclasses that encourage informed, responsible consumption;
- Operating as a unique and diverse venue where packaged liquor is ancillary to dining and cultural experiences;
- Targeting mature, experience-seeking consumers interested in Western Australian food and wine culture rather than rapid or excessive consumption.

9.37 The manner of trade, operational model, product focus, and location within Northbridge's Entertainment Precinct will assist in attracting mature and responsible patrons that the premises intends to cater to.

⁵² Attachment 5 – Harm Minimisation Plan

Promotion and Responsible Marketing

- 9.38 The Applicant is dedicated to fully complying with the Department of Local Government, Industry Regulation and Safety (LGIRS) Industry Guidelines on the Responsible Promotion and Advertising of Alcohol, as detailed in this submission.
- 9.39 These guidelines offer a framework of acceptable practices designed to:
- Prevent intoxication and antisocial behaviour among patrons;
 - Ensure that liquor is promoted and supplied in a responsible manner; and
 - Discourage practices that are not in the public interest and could contribute to alcohol-related harm.
- 9.40 The Act obligates Licensees to sell and supply liquor responsibly. The Applicant acknowledges that:
- Gimmick promotions or selling cheap, discounted liquor that encourages irresponsible drinking are strictly prohibited;
 - All promotional activities will enhance the dining, educational, and cultural experience rather than incentivizing rapid or excessive alcohol consumption;
 - No emotive advertising will be displayed on the external façade of the premises (*proposed trading condition*).
- 9.41 The Applicant emphasises that The James will not be a destination for cheap drinks or volume-based consumption. The venue's focus will be on:
- Quality food offerings designed to appeal to mature patrons, tourists, and cultural enthusiasts;
 - A superior hospitality experience emphasizing Western Australian food, wine, spirits, and cultural programming;
 - Live entertainment by local music artists
 - Educational and experiential value through producer events, tastings, masterclasses, and storytelling;
 - Responsible beverage consumption integrated with dining, learning, and cultural engagement;
 - Cellar-door pricing that supports Western Australian regional producers while discouraging discount-driven or excessive purchasing patterns.

Responsible Service of Alcohol

- 9.42 The Applicant will uphold responsible service and promotion of alcohol at all times, consistent with Director's Policy *Management & Training*⁵³ and *Mandatory training for licensees, approved managers and employees*⁵⁴.
- 9.43 All staff engaged in the sale, supply, or service of alcohol will:
- Complete nationally accredited Responsible Service of Alcohol (RSA) training within 28 days of employment commencement;
 - Maintain current RSA certification, with copies kept in the training register;
 - Receive ongoing training and refreshers on intoxication assessment, refusal of service, juvenile restrictions, and harm minimisation practices.
- 9.44 An Approved Manager (Unrestricted) will be present and available on the licensed premises at all times during trading hours, consistent with the requirements outlined in Director's Policy.
- 9.45 The Applicant will always ensure responsible alcohol service and promotion. Patrons who appear intoxicated will be denied service and asked to leave. Those under 25 must show valid photo ID.
- 9.46 The Applicant will implement a strict policy prohibiting the service of liquor to any person wearing a school uniform, regardless of their legal age or ability to provide valid ID. This policy is designed to prevent secondary supply to juveniles, given that some Year 12 students are legally able to purchase alcohol under WA law.

10 Community Consultation

- 10.1 In accordance with the requirements of the Liquor Control Act 1988 and the Director's Policy on Public Interest Assessment, the Applicant has undertaken preliminary community consultation with relevant regulatory and public health stakeholders in relation to the proposed Tavern (Unrestricted) Licence for The James.
- 10.2 The purpose of this consultation was to notify key agencies of the proposal, provide an overview of the intended manner of trade and operational controls, and afford those agencies the opportunity to identify any matters of concern relevant to their statutory responsibilities.

⁵³ <https://www.dlgsc.wa.gov.au/racing-gaming-and-liquor/liquor/training>

⁵⁴ <https://www.dlgsc.wa.gov.au/racing-gaming-and-liquor/liquor/mandatory-training>

WA Police Liquor Enforcement Unit (LEU)

- 10.3 The Applicant's representative provided written notification to the WA Police Liquor Enforcement Unit (LEU) outlining the proposed licence application, the nature of the premises, and the intended operational model.
- 10.4 The Applicant acknowledges that the LEU does not provide endorsements for licence applications and that any preliminary engagement does not constitute support for, or approval of, the proposal. The Applicant further understands that the LEU will independently assess the application in full once it is formally advertised and may provide comment, objection or conditions as it considers appropriate.
- 10.5 The Applicant has had regard to the role of the LEU in monitoring compliance, enforcing licence conditions and addressing alcohol-related harm, and confirms its willingness to engage constructively with WA Police throughout both the assessment process and the ongoing operation of the premises, should the licence be granted.

Chief Health Officer (CHO)

- 10.6 The Applicant's representative has also provided written notification to the Office of the Chief Health Officer (CHO) within WA Health, outlining the proposed application and the general nature of the venue and its intended operations.
- 10.7 Additionally, the Applicant's representatives consulted with the CHO's representatives through an online live face-to-face communication and considered the conditions suggested by the CHO's representatives. The Applicant acknowledges that the CHO will assess the application independently once it is advertised and that any correspondence provided prior to advertising does not constitute endorsement or support for the application. The Applicant further acknowledges the CHO's statutory role in considering population health impacts, harm minimisation measures and broader public health considerations.
- 10.8 The Applicant confirms that matters raised by the CHO, if any, will be given due consideration and addressed through appropriate operational controls, licence conditions or management practices, where required.
- 10.9 The Applicant also provided hospitality stakeholders, e.g., Tourism WA, local MLA with a brief of the application, including floor plans.
- 10.10 In addition to consultation with State agencies, the Applicant will comply fully with the statutory advertising requirements under the Act. A Notice of Application will be distributed to relevant stakeholders located within the defined locality of the proposed premises, including but not limited to:
- schools and educational facilities
 - hospitals, hospices and aged care facilities

- drug and alcohol treatment services
- short-term accommodation providers and youth refuges
- childcare centres and places of worship
- the relevant local government authority
- the local police station

11 Section 38 (4) (b) of the Act – Impact on Amenity

11.1 The proposed premises, situated within Northbridge's Special Entertainment Precinct at 233 James Street, is designed to enhance the precinct's hospitality amenity and complement the locality's established urban character. The venue's design and operations align with the mixed-use, entertainment-focused nature of the precinct, fostering a quality hospitality destination within an area designated for such activities.

11.2 The Applicant will implement measures to ensure the proposed premises operates in harmony with its surroundings:

- **Strategic internal layout:** Lounge dining areas, bar zones, commercial kitchen, VIP lounges and alfresco seating designed to contain activity within the premises and minimise external impacts.
- **Responsible service policies:** Strict RSA protocols, Approved Manager presence, and zero tolerance for antisocial behaviour supporting safe and controlled operations.
- **Patron management:** Structured entry, capacity monitoring, and dispersal procedures reducing likelihood of street-level impacts.

11.3 To maintain harmony with the surrounding precinct, the proposed premises will:

- Comply with Environmental Protection (Noise) Regulations 1997, ensuring noise levels remain within permitted limits for the Entertainment Precinct zoning.
- Implement operational noise controls, including:
 - Acoustic treatment of internal spaces
 - Directional speaker systems for live music (acoustic performances only)
 - Staff training on noise monitoring and patron management
 - Monitoring of alfresco areas during peak periods
- Manage closing procedures responsibly, ensuring patrons disperse in an orderly manner through staff-supervised exits.

11.4 The James is strategically situated within Northbridge's designated Special Entertainment Precinct, an area specifically planned and zoned to accommodate

hospitality, cultural, and entertainment activities. The premises' operations align with the precinct's intended function, contributing positively to Northbridge's activation objectives while maintaining professional standards expected of premium hospitality venues.

11.5 The premises will maintain comprehensive CCTV coverage of:

- All internal patron areas
- Entry and exit points
- Retail area
- Alfresco zones and James Street frontage
- Micro-distillery
- Perimeter areas

This surveillance supports both patron safety and community amenity protection, with footage available to WA Police and City of Perth authorities upon request.

11.6 The Applicant respectfully submits that The James will operate in a manner consistent with the amenity expectations of Northbridge's Special Entertainment Precinct. The venue's food-led model, premium positioning, professional management systems, and environmental controls demonstrate a responsible approach to licensed premises operation within an established entertainment precinct.

12 Section 38 (4) (c) of the Act – Offence, Annoyance, Disturbance or Inconvenience

12.1 The Applicant has established a comprehensive Harm Minimisation Plan (Attachment 5) to ensure that the proposed premises operates safely, responsibly, and with community interests in mind. This plan includes proactive strategies and measures to mitigate risks associated with alcohol consumption, reinforcing the Applicant's commitment to responsible service and public safety.

12.2 The Applicant fully understands the rights and responsibilities of operating the proposed licensed premises in accordance with best practices and Director's policies on Public Interest Assessments.

Strategies to Minimise Offence, Disturbance or Inconvenience

12.3 The Applicant proposes the following strategies to minimise any potential offence, disturbance, or inconvenience:

12.4 **Operational Controls:**

- Licensed premises supervised by an Approved Manager and appropriate number of RSA-trained staff at all times
- Operational procedures and incident management protocols implemented
- ID25 checks
- Intoxicated patrons refused entry and service
- No unaccompanied juveniles
- CCTV coverage throughout all patron areas, entries, exits, and perimeter

12.5 **Responsible Service:**

- Low-alcohol and no-alcohol products are readily available
- Liquor products are not promoted or sold at low or discounted prices
- No advertising or promotional material deemed attractive to young people or encouraging excessive consumption
- Dining prioritised over rapid alcohol consumption

12.6 **Venue Standards:**

- Premises fitted out to premium standard reflecting target demographic (mature, experience-seeking consumers)
- Variety of seating options throughout premises (dining tables, banquettes, high-top tables, alfresco)
- Employment opportunities for local residents, including hospitality traineeships

Harm Minimisation Plan

12.7 The proposed premises is dedicated to delivering a high-quality hospitality experience while ensuring that all operations align with responsible alcohol service and harm minimisation principles. The Applicant prioritises the safety, well-being, and enjoyment of patrons and the wider community.

12.8 The management and staff are committed to maintaining a safe and responsible drinking environment while delivering exceptional service. All staff will receive thorough training to:

- Uphold high standards of customer service
- Follow Responsible Service of Alcohol (RSA) guidelines
- Serve liquor in a manner that aligns with best practices and regulatory requirements

12.9 The Applicant submits that the responsible operation of the proposed premises, combined with proactive harm minimisation initiatives, will ensure that The James remains a positive and well-managed hospitality venue within Northbridge.

Controlling Intoxicated Persons

12.10 The proposed premises will encourage patrons to consume alcohol responsibly and in moderation. RSA-trained staff will actively monitor all licensed areas, ensuring compliance with responsible service regulations and maintaining a safe and enjoyable environment.

12.11 Any individual who appears intoxicated will be:

- Refused service and offered water or food as an alternative
- Politely but firmly asked to leave the premises if they fail to comply with responsible service guidelines
- Assisted with safe transport arrangements where appropriate

12.12 This approach reflects the Applicant's commitment to harm minimisation, responsible alcohol service, and ensuring the well-being of patrons and the broader community.

Monitoring Accompanied and Unaccompanied Juveniles

12.13 The proposed premises will strictly enforce policies prohibiting the sale and supply of alcohol to minors, ensuring compliance with the Act and the Applicant's Harm Minimisation Plan.

12.14 Measures to prevent underage drinking:

- Juveniles will not be served alcohol under any circumstances
- Any patron appearing under the age of 25 will be required to present valid identification before being served
- Unaccompanied juveniles will not be permitted in any licensed areas
- Any juvenile found consuming alcohol will be immediately removed, and their guardian (if applicable) will be notified
- Staff will undergo regular training to identify and prevent underage drinking and enforce liquor licensing laws

12.15 The Applicant will implement a strict policy prohibiting the service of liquor to any person wearing a school uniform, regardless of their legal age or ability to provide valid ID, to prevent secondary supply to juveniles.

12.16 These policies ensure that the proposed premises operates as a responsible venue upholding the highest standards of community safety and responsible alcohol service.

Resolving Complaints

12.17 The proposed premises is committed to proactively addressing and resolving complaints to maintain high service standards and ensure patron satisfaction.

12.18 Complaint resolution mechanisms:

- Patrons encouraged to raise concerns directly with the Approved Manager on Duty
- Formal complaint resolution process ensuring all patron concerns are documented, assessed, and addressed appropriately
- Multiple feedback channels available, including direct communication with management, feedback forms, and online review management

Incident Register and Compliance Monitoring

12.19 In alignment with its commitment to responsible management and regulatory compliance, the proposed premises will maintain an Incident Register in accordance with Section 116A of the Act.

12.20 The Incident Register will ensure the venue upholds the highest standards of responsibility and accountability by:

- Recording all alcohol-related incidents, including intoxicated patrons, disturbances, RSA refusals, and security matters
- Tracking any complaints or concerns from patrons or the community to ensure prompt resolution
- Providing documented record for regulatory authorities, including WA Police Licensing Enforcement Unit, demonstrating ongoing compliance with liquor licensing laws

Responsible Service of Alcohol (RSA)

12.21 The proposed premises is committed to adhering to Responsible Service of Alcohol (RSA) guidelines, as set out by the Director of Liquor Licensing and in compliance with the Act, consistent with Director's Policy on *Management & Training*⁵⁵.

12.22 **Training Requirements:**

Approved Managers:

- Will complete the Management of Licensed Premises (MLP1) training course before the premises commences operations

⁵⁵ <https://www.dlgsc.wa.gov.au/racing-gaming-and-liquor/liquor/training>

- Will hold current Approved Manager (Unrestricted) certification

All Staff:

- Required to obtain RSA qualification within 28 days of employment commencement
- Will undergo in-house training in responsible service of liquor
- Trained to handle situations involving intoxicated, rowdy, disorderly, or offensive patrons
- Encouraged to consult with the Duty Manager before engaging in challenging situations
- Training regularly updated and refreshed

Training Register:

- All training certificates recorded in a Training Register
- Maintained in compliance with section 103A of the Liquor Control Act 1988
- Available for inspection by licensing authorities and WA Police

12.23 **Responsible Service of Alcohol Policies:**

Service Standards:

- All staff RSA trained and certified
- Liquor sold and served only in compliance with the conditions of the Tavern (Unrestricted) Licence (subject to approval)
- Promotions or incentives that encourage irresponsible or excessive drinking strictly prohibited
- Non-alcoholic beverages, including water, available at all times
- Staff actively discourage irresponsible consumption of liquor

ID Verification:

- Staff trained in proper ID verification techniques
- Multiple forms of ID may be required for verification if necessary
- "No ID, No Service" policy strictly enforced
- Acceptable ID: current Australian driver's licence with photograph, current passport, or proof of age card



Checking Identification Procedure – 1. Australian Drivers Licence

The following points are important when checking an ID for validity.

1. Always ask for the licence to be taken out of the wallet or purse.
2. Tilt the licence to see the reflection from the holographic picture in the background.
 - a. If there is no reflection then it is a fake licence
3. Check the date –You need to ensure their 18th birthday has been before the current date exactly. So please check the day, month and year. Teenagers will try and come in earlier before their actual birthday as they often have friends of age.
4. If you are unsure about the picture on the licence, you must do all of the following:
 - a. Request to see another form of ID (ie; bank card or credit card) and ensure that the names match exactly.
 - b. Quiz the patron on their address, what star sign they are, middle name (they may make a mistake on giving you the correct answer)
5. If you come across a fake ID you **MUST CONFISCATE THE ID IMMEDIATELY and lodge with management.**

Please note that if you do not follow the correct ID checking procedures and we allow juveniles into the premise, you can be fined \$1000 minimum from the Liquor Licensing Department under the Liquor Control Act.



2. A proof of age card

- The proof of age card is a personal identity card which is available to anyone 18 years or over.
- The card shows only those details considered necessary for identification including:
 - a. Name, Date of Birth, Signature and Photograph
 - b. For Security reasons, your card does not show your address.
 - c. The same ID checking procedure applies to Proof of age card.



3. A Passport with Photo

- Current valid passport (not expired)
- Must have a Photo
- Can be International in nature (From another country)
- Note that you need to be careful looking at a passport picture as passport can be valid for 10 years so the picture of the person can be quite different to what they look like.
- Please follow the same ID checking procedures with the Drivers licence and request to see another form of ID with the patron's name.

Impact on Nearby Residents, Businesses and Locality Amenity⁵⁶

12.24 The Applicant has considered the external impacts of The James' operations on nearby residents, neighbouring businesses, and the broader James Street locality. The following measures address potential offence, annoyance, disturbance or inconvenience:

Residential Amenity Protection:

12.25 The premises have been designed with acoustic attenuation measures to prevent noise breakout to neighbouring properties, as detailed in the Acoustic Report⁵⁷ prepared by Stantec (Reference 301270888, dated 30 January 2026). These measures ensure compliance with Environmental Protection (Noise) Regulations 1997.

12.26 Patron dispersal is managed through staff guidance, exit signage requesting consideration for neighbours, and management presence during closing periods to discourage loitering or excessive noise in James Street.

12.27 Patron dispersal is managed through staff guidance, exit signage requesting consideration for neighbours, and management presence during closing periods to discourage loitering or excessive noise in James Street.

Neighbouring Business Compatibility:

12.28 All deliveries and waste collection are scheduled between 7:00am and 7:00pm Monday to Saturday, as detailed in the Waste Management Plan. This ensures no disruption to neighbouring businesses or residential occupants during sensitive hours.

12.29 Outdoor seating and alfresco areas are configured to maintain clear pedestrian access on James Street footpath, avoiding obstruction to neighbouring business entries or pedestrian flow.

Locality Amenity Contribution:

12.30 The James' CCTV system coverage extends to entry zones and immediate James Street frontage, with footage available to WA Police upon request, contributing to overall precinct safety.

12.31 The venue's trading hours align with established Northbridge entertainment precinct patterns while avoiding late-night/early-morning periods associated with higher amenity impacts.

⁵⁶ Attachment 10 - Noise Management Plan

⁵⁷ Attachment 4 – Acoustic Report

13 Section 38(4)(ca) – Tourism, Cultural and Community Matters

*Tourism, supported by strong investment in, and development of, Western Australia’s cultural features and activities, helps to build the State’s identity and to generate a sense of place. Western Australia has a unique range of experiences to offer that includes the celebration of Aboriginal culture, iconic landscapes and biodiversity and major festival events. The infrastructure that supports these activities is an important contributor to the State’s economy*⁵⁸

- 13.1 Northbridge is Perth's most established and diverse entertainment and cultural precinct, offering an unparalleled concentration of arts, dining, nightlife, and cultural institutions. The locality attracts residents, workers, and visitors, both domestic and international, seeking authentic Western Australian experiences.

Key Attractions and Cultural Infrastructure



Figure 12: WA Museum Boola Bardip⁵⁹

- 13.2 **WA Museum Boola Bardip:** World-class museum showcasing Western Australian history, culture, and natural environment.
- 13.3 **Art Gallery of Western Australia:** Major collection of WA, Australian, and international art.

⁵⁸ https://www.wa.gov.au/system/files/2021-05/FUT-SPS-State_Planning_Strategy_2050.pdf

⁵⁹ <https://visit.museum.wa.gov.au/>

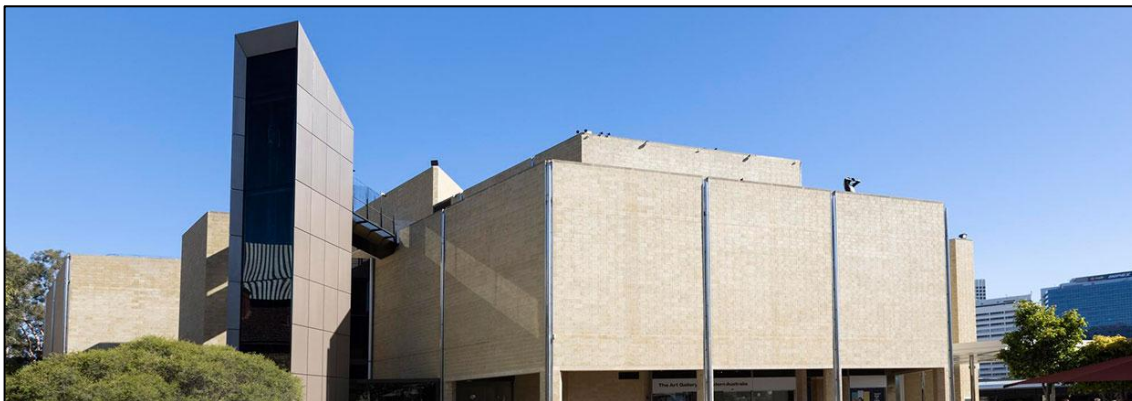


Figure 13: The Art Gallery of Western Australia⁶⁰

13.4 **State Library of Western Australia: Cultural and knowledge hub**



Figure 14: State Library of Western Australia⁶¹

13.5 **Perth Institute of Contemporary Arts (PICA): Cutting-edge contemporary art exhibitions and performances.**

⁶⁰ <https://artgallery.wa.gov.au/plan-your-visit/>

⁶¹ <https://slwa.wa.gov.au/how-do-i>



Figure 15: PICA⁶²

13.6 **Blue Room Theatre:** Independent theatre and performing arts venue.



Figure 16: The Blue Room Theatre⁶³

⁶² <https://pica.org.au/>

⁶³ <https://visitperth.com/see-and-do/entertainment/venues/the-blue-room-theatre>

13.7 Entertainment and Events Infrastructure:

- **Perth Arena:** Major events venue (14,000-seat capacity) hosting concerts, sporting events, and international performances



Figure 17: Perth Arena⁶⁴

- **nib Stadium (HBF Park):** Sports and entertainment events
- **William Street/James Street Entertainment Strip:** Eclectic mix of bars, restaurants, nightclubs, live music venues, and dining establishments

13.8 Heritage and Urban Character:

- Historic laneways and heritage buildings contributing to distinctive urban character
- Multicultural dining and hospitality offerings reflecting Perth's diverse communities
- Street art and creative industries contributing to vibrant cultural identity

Northbridge Place Identity

13.9 Research identifies Northbridge as having a strong "place identity" characterised by:

- **Multicultural nightlife hub:** diverse dining and entertainment offerings from Mediterranean, Asian, Middle Eastern, and Australian cuisines
- **Cultural and arts anchor:** proximity to State cultural institutions creating synergies between daytime cultural visitation and evening hospitality
- **High-intensity entertainment core:** elevated evening visitation, foot traffic, and social interaction inherent to the amenity baseline

⁶⁴ <https://visitperth.com/see-and-do/sports-and-stadiums>

- **Walkability and public transport access:** CAT bus routes, train station proximity, and pedestrian-friendly streets, reducing reliance on private vehicles



Figure 18: Northbridge⁶⁵

13.10 The James will contribute positively to Western Australia's tourism infrastructure by providing a distinctive, quality hospitality offering that showcases Western Australian food, wine, beer, and spirits to both local and visiting audiences.

13.11 According to the *Western Australia Visitor Economy Strategy 2033 (WAVES 2033)*⁶⁶, the State Government has identified tourism as a critical economic driver with ambitious growth targets:

- The visitor economy is projected to grow from \$14 billion in 2022 to \$25 billion by 2033, demonstrating government commitment to tourism expansion
- Vibrant and socially engaging precincts are a priority in tourism and cultural frameworks, highlighting the role of hospitality venues in enhancing regional appeal
- The WA Government has allocated \$530 million over four years to strengthen marketing, events, and destination development
- Community-driven precincts are a core principle, with contemporary hospitality venues playing a key role in creating inclusive, inviting spaces for locals and visitors
- The hospitality sector is central to WA's post-pandemic economic recovery, with well-managed venues supporting business expansion, employment, and local prosperity

13.12 The James' WA-exclusive product curation directly supports State tourism objectives with an Authentic Western Australian Experience:

⁶⁵ <https://helloworldperth.com.au/directories/northbridge/>

⁶⁶ <https://assets-us-01.kc-usercontent.com/53c284ed-8b6d-0077-d7d1-762b0c10baee/623b8ad2-8157-4bfe-97bc-c1a379ae0f0b/FINAL%20WAVES%20STRATEGY%202024.pdf>

- 80-100 SKU curated selection featuring exclusively Western Australian wines, craft beers, and artisan spirits
- Regional producer partnerships connecting visitors to Margaret River, Swan Valley, Great Southern, Pemberton, and other WA wine and spirits regions
- Provenance storytelling educating interstate and international visitors about Western Australia's premium food and beverage landscape
- Cellar-door pricing providing accessible introduction to WA products that may encourage regional tourism and winery visits

13.13 The James will have High-Yield Traveller Appeal:

- Research demonstrates that high-yield travellers seek:
- Premium, authentic, and culturally grounded food and beverage experiences
- Opportunities to engage with local producers and regional identity
- Educational and experiential value beyond transactional consumption
- Quality over quantity, storytelling over volume

13.14 The James' model aligns precisely with these visitor preferences, offering:

- Guided tastings with WSET (Wine & Spirit Education Trust) - trained staff⁶⁷ providing expert recommendations
- Producer events, including winemaker dinners, brewery showcases, and distillery masterclasses
- Cultural programming integrating live acoustic music, art displays, and multicultural celebrations
- Tourism positioning as an authentic Western Australian destination for food and wine exploration

13.15 See below, excerpt from the Letter of Support from Tourism WA:

"It is Tourism Western Australia's (Tourism WA) understanding that the applicant proposes to deliver a new hospitality venue with a strong focus on showcasing Western Australian produce and liquor products. The integrated model will include an on-site distillery and retail component, noting that packaged liquor sales will be limited to products created on-site and boutique WA wines.

Northbridge is one of Perth city's primary entertainment precincts, and the venue is well positioned to serve visitors to the City of Perth, which in 2024 welcomed more than 2.4 million overnight visitors who contributed \$2.68 billion to the economy. The urban tasting room concept proposed for the James will offer wine flights, craft beer tastings

⁶⁷ <https://careers.wsetglobal.com/locations/australia>

and spirit sampling, allowing interstate and international visitors to The James to sample a range of local WA products.”

14 Summary

14.1 Hospitality Total Services (Aus) Pty Ltd, on behalf of the Applicant entity for The James, hereby submits this Public Interest Assessment in support of the application for the grant of a Tavern (Unrestricted) Licence for the proposed premises to be known as The James, to be situated within the approved activity centre framework in Perth.

14.2 A Tavern (Unrestricted) Licence pursuant to section 41 of the Liquor Control Act 1988 authorises the sale and supply of liquor for consumption on the licensed premises and the sale of packaged liquor for consumption off the premises. The Applicant has complied with the procedural and evidentiary requirements of section 68 of the Act, and has addressed the mandatory considerations arising under sections 5, 36B(4) and 38(4) of the Act within this submission.

14.3 This Public Interest Assessment has demonstrated that:

- The proposed premises is a professionally designed contemporary hospitality venue operating within a planned entertainment centre context;
- The manner of trade, patron capacity, service model and operational controls are structured to minimise alcohol-related harm;
- The ancillary packaged liquor component is limited in scale and form, and is integrated into the broader hospitality offering;
- Local packaged liquor requirements cannot reasonably be met by existing premises within the defined locality, having regard to diversity of offering, integration, convenience and contemporary consumer requirements as interpreted in relevant Supreme Court authorities.

14.4 In accordance with section 5 of the Act, the application supports:

- The proper regulation of the sale, supply and consumption of liquor;
- The minimisation of harm or ill-health caused due to the use of liquor; and
- Catering for the reasonable requirements of consumers, with regard to the proper development of the liquor, tourism and hospitality industries in Western Australia.

14.5 The Applicant has comprehensively addressed:

Section 36B(4): demonstrating that local packaged liquor requirements cannot reasonably be met by existing premises in the locality;

Section 38(4)(a): through detailed analysis of harm and ill-health indicators, crime statistics, socio-economic indicators and applied research;

Section 38(4)(b): through assessment of amenity impacts, planning integration, design controls and operational safeguards;

Section 38(4)(c): by demonstrating that offence, annoyance, disturbance or inconvenience is unlikely to arise given the scale, design and management framework;

Section 38(4)(ca): by outlining the positive tourism, community and cultural benefits arising from the development.

14.6 The Applicant has prepared and committed to implementing a comprehensive Harm Minimisation Plan, incorporating:

- Responsible Service of Alcohol practices exceeding minimum statutory requirements;
- Approved Manager presence at all times;
- CCTV and surveillance in accordance with DLGSC policy;
- Incident reporting protocols;
- Juvenile management and secondary supply prevention measures;
- Compliance with the Director's Policy on the Responsible Promotion of Liquor.

14.7 The application has been informed by relevant State and Commonwealth research, ABS data, WA Police statistics, Department of Health alcohol profiles and the Western Australian Planning Commission's Safer Places by Design principles. The proposed premises has been designed and structured in direct response to that evidence base.

14.8 The Applicant also notes that the Act relevantly provides that the licensing authority:

- (a)** *is to provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act: s.5(2)(e),*
- (b)** *shall act without undue formality in any proceedings under this Act: s.16 (1),*
- (c)** *is to act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms: s.16(7)(b), and*
- (d)** *is to act with as little formality and technicality as is practicable: s.16(7)(c).*

14.9 Having regard to the statutory framework, the evidence presented, the planning context, the harm minimisation controls and the demonstrated consumer requirements within the defined locality, the Applicant respectfully submits that the conditional grant of the Tavern (Unrestricted) Licence for The James is in the public interest.

14.10 Accordingly, the Applicant respectfully requests that the Director of Liquor Licensing approve the conditional grant of the Tavern (Unrestricted) Licence for The James, subject to any conditions considered appropriate.

15 Advertising⁶⁸

- 15.1 Advertising will be completed when the Department of Local Government, Industry Regulation and Safety determines dates for the specified period.
- 15.2 A Notice of Application will be distributed to residents and businesses within a 200m radius.
- 15.3 A Notice of the Application will be mailed to any local Aboriginal community and regional office of the Department of Indigenous Affairs.
- 15.4 The Public Interest Assessment Submission will be available for public inspection.
- 15.5 A Notice of Application will be mailed to schools, hospitals, hospices, aged care facilities, drug and alcohol treatment centres, short-term accommodation or refuges for young people, childcare centres, churches, local government authorities, and local police stations, which may be situated in the specified locality of the proposed premises.

16 Attachments

- 1 The James Plans
- 2 Consumer Surveys
- 3 Sample Menu
- 4 Acoustic Report
- 5 Harm Minimisation Plan
- 6 Precincts 1-8 City Centre Figure
- 7 Letters of Support
- 8 Packaged Liquor Outlets
- 9 At Risk Groups
- 10 Noise Management Plan

⁶⁸ Attachment 9 – At Risk Groups