



The Tipsy Toad Baldivis

Tenancy 15, 60 Furnivall Parade, BALDIVIS WA 6171



Application for a tavern restricted licence

Public Interest Assessment (Section 38 Submissions)

October 2025

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Contents

1. Introduction.....	3
2. The Locality.....	5
3. Applicant Background.....	14
4. Profile of the local community.....	16
5. Outlet Density Report.....	17
6. Demographics of the locality	18
7. Community Buildings in the Locality.....	22
8. Proposed Style of Operation.....	24
9. Objective Witness Support.....	25
10. Risk Assessment with respect to the Harm and Ill Health - Section 38(4)(a)30	
12. Offence, Annoyance, Disturbance or Inconvenience - Section 38(4)(c)	34
13. Impact on tourism, culture and the community	35
14. Section 5(1)(a) of the Liquor Control Act (1998).....	37
15. Section 5(1)(b) of the Liquor Control Act (1998).....	38
16. Section 5(1)(c) of the Liquor Control Act (1988).....	41
17. Conclusion.....	42
Attachments	43

1. Introduction

- 1.1. Jersey Bean Mac Pty Ltd will be making an application to the Licensing Authority for a tavern restricted licence for premises located Tenancy 15, 60 Furnivall Parade, BALDIVIS WA 6171.
- 1.2. The Centre is a new 10,000sqm NLA neighbourhood shopping centre development currently under construction at 60 (Lot 9023) Furnivall Parade, Baldivis.



- 1.3. The applicant proposes to open a family focussed tavern in the still developing locality of South Baldivis. The tenancy is around 500m² with an enclosed alfresco space at the front of the premises.
- 1.4. Kellie and Paul McLauchlin, the directors of Jersey Bean Mac Pty Ltd, are experienced hospitality operators with many years combined hospitality experience between them. Additionally, they currently operate The B Bar Baldivis under a small bar licence and have done so since 2020.
- 1.5. These submissions have been drafted by Canford Hospitality Consultants Pty Ltd in consultation with Kellie and Paul McLauchlin, directors of the applicant company, and references to the applicant or the applicant's opinion relate to them.
- 1.6. Section 38(4) sets out the matters to which the Licensing Authority may have regard in respect of public interest submissions, as follows;
 - 1.6.1. *"The harm or ill health that might be caused to people, or any group of people, due to the use of liquor; and*
 - 1.6.2. *The impact on the amenity of the locality in which the licensed premises, or proposed licensed premises are, or are to be, situated; and*
 - 1.6.3. *Whether offence, annoyance, disturbance or inconvenience might be caused to people who reside or work in the vicinity of the licensed premises or proposed licensed premises; and*
 - 1.6.4. *Any other prescribed matter".*
- 1.7. The objects of the Act are expressed at s.5 of the Act, which states that the primary objects of the Act are -

- 1.7.1. *“To regulate the sale, supply and consumption of liquor; and*
- 1.7.2. *To minimise harm or ill-health caused to people, or any group of people, due to the use of liquor, and*
- 1.7.3. *To cater for the requirements of consumers for liquor and related services, with regard to the proper development of the liquor industry, the tourism industry and other hospitality industries in the State.”*
- 1.8. Section 5(2) of the Act also includes the following Secondary Objects;
 - 1.8.1. *“To facilitate the use and development of licensed facilities, including their use and development for the performance of live original music, reflecting the diversity of the requirements of consumers in the State; and*
 - 1.8.2. *To provide adequate controls over, and over the persons directly or indirectly involved in, the sale, disposal and consumption of liquor; and*
 - 1.8.3. *To provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act, and*
 - 1.8.4. *To encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor that are consistent with the interests of the community.”*
- 1.9. Further Section 5(3) states *“If, in carrying out any function under this Act, the licensing authority considers that there is any inconsistency between the primary objects referred to in subsection (1) and the secondary objects referred to in subsection (2), the primary objects take precedence”*.
- 1.10. In the ALDI South Fremantle decision (A180692358, refusing an application for a conditional grant of a liquor store licence¹), dated 22nd March 2019, at paragraph 26, the Director said;
 - 1.10.1. *“None of the primary objects of the Act take precedence over each other, however, where conflict arises in promoting the objects of the Act, the licensing authority must weigh and balance the competing interests in each case¹¹ and it is a matter for the licensing authority to decide what weight to give to the competing interests and other relevant considerations”.¹²*
- 1.11. The licensing authority regulates the sale, and supply of alcohol. It seeks to strike a balance between catering for the requirements for liquor and liquor related services whilst minimising the potential for harm and ill-health to the community through the abuse of alcohol. So, the framework exists for the granting of new liquor licences in appropriate circumstances.
- 1.12. Through these submissions, the applicant will demonstrate how this proposed tavern restricted licence will properly and responsibly cater to the diverse consumer requirements for alcohol and related licensed services in the locality.

¹ Decision of Director of Liquor Licensing A180692358 - ALDI South Fremantle (2019)

2. The Locality





- 2.1. In the *Liquorland Karrinyup* Supreme Court decision (WASC [2021] 366²) Archer J made the following observations in relation to setting the appropriate locality for an application. In *Liquorland Southern River* WASC [2024] 128³ Lemonis J agreed with these observations.
 - 2.1.1. It denotes an area that surrounds, and is geographically close to, the location of the proposed premises. It was not intended to equate to the area(s) from which consumers would come.
 - 2.1.2. It is intended to connote the same concept of neighbourhood and in that context means the geographical area surrounding the proposed site.
 - 2.1.3. The legislature intended to capture the geographical area surrounding, and relatively close to, the proposed site, being the neighbourhood of the site.
 - 2.1.4. The shape and size of the locality may be influenced by topographical features (including man-made features such as roads) and areas from which the proposed site could be accessed reasonably easy on foot or push-bike.
 - 2.1.5. If there is a community in the area of the proposed site, the geographical spread of that community may also influence the shape and size of the locality.
 - 2.1.6. It is impossible to prescribe a specific test to be applied or even an exhaustive list of the factors that will or may be relevant in the determination of the locality in any given case, and

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

³ *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2024] WASC 128

- 2.2. The Director's Form 2A provides guidance on the appropriate locality to be considered for demographic reporting and description of the local community, as required for a liquor licence application of this type.
 - 2.2.1. *"You need to provide profile information from the locality that is within a certain distance to your intended business. If your intended business is:*
 - 2.2.1.1. *within 15km of the Perth CBD, the locality is a radius of 2km of it*
 - 2.2.1.2. *anywhere else (unless remote), the locality is a radius of 3km of it*
 - 2.2.1.3. *in a remote area, you should make a submission on what the appropriate size of the locality should be. Remote areas are those where the nearest town is at least 200km away and Perth is at least 400km away.*
 - 2.2.2. *If you think the above definitions of locality are not appropriate for your intended business, make a separate submission on what you think the size should be.*
 - 2.2.3. *Please outline the population characteristics in the locality. Helpful demographic information will include the total population, estimated population growth, average age, income and employment status, and the type of people who live and work in the community.*
 - 2.2.4. *List the community buildings in the locality If any of the following are in the locality, please provide their names and addresses: schools and educational institutions, hospitals, hospices, aged care facilities, churches/places of worship, drug and alcohol treatment centres, short term accommodation or refuges, childcare centres, or a local government.*
- 2.3. To give effect to these instructions this section will consider;
 - 2.3.1. The physical location of the subject premises,
 - 2.3.2. The presence of natural or human made boundaries that define the locality,
 - 2.3.3. The perception of local community relevant to that locality,
 - 2.3.4. The appropriate locality definition for amenity issues and the demographic study
- 2.4. The physical location of the subject premises;

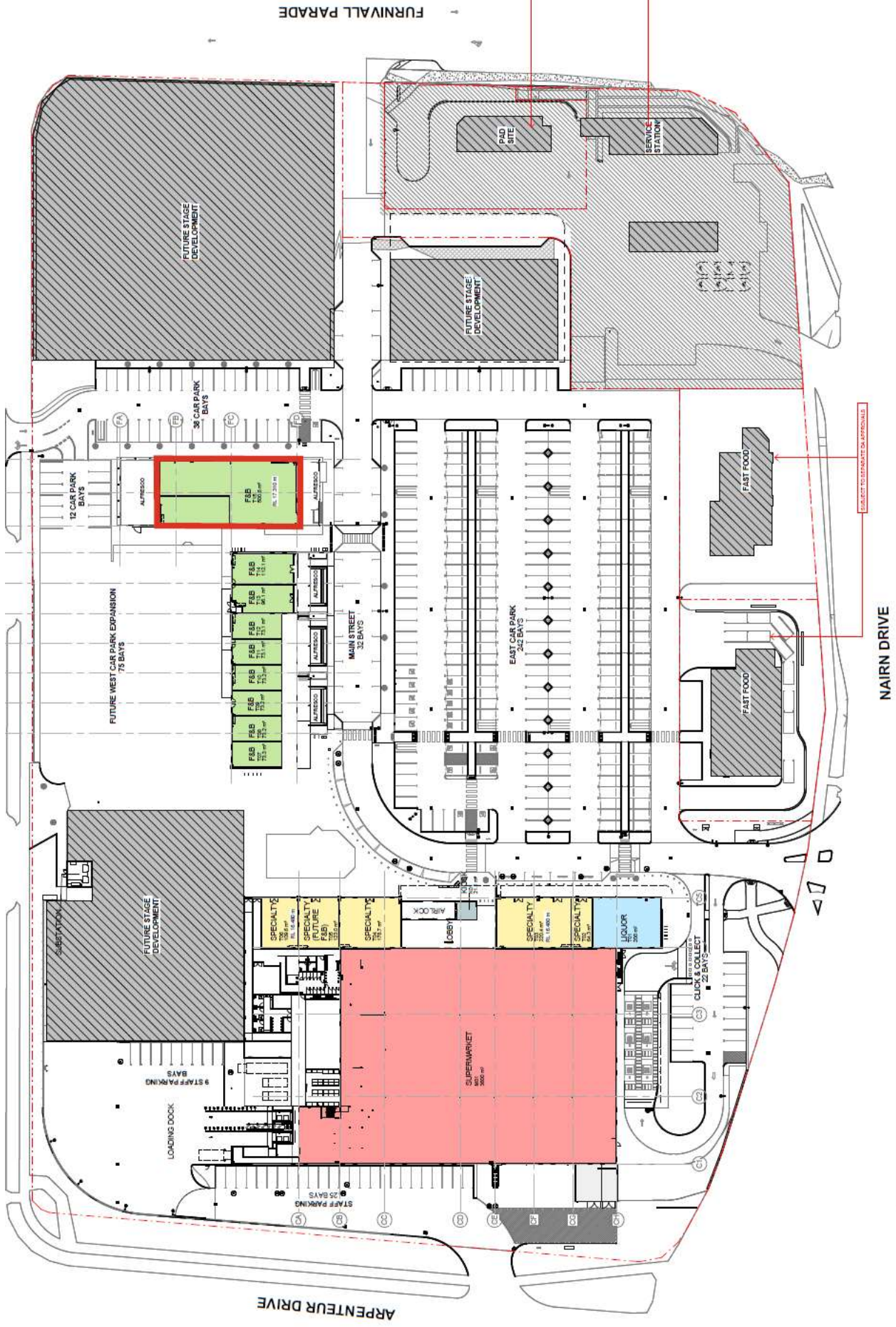
- 2.4.1. The subject premises are located within the Parkland Heights Shopping Centre development (perspective image below).



- 2.4.2. It's a Coles-anchored neighbourhood shopping centre, with other major tenants including
- 2.4.2.1. Liquorland,
 - 2.4.2.2. Priceline,
 - 2.4.2.3. McDonald's,
 - 2.4.2.4. KFC, and
 - 2.4.2.5. 7-Eleven.
- 2.4.3. The project budget is in the ballpark of \$30-50 million.
- 2.4.4. The centre is planned for construction to start around October 2025 and opening around Easter 2027.
- 2.4.5. This shopping centre is located in South Baldivis, a rapidly growing area of Baldivis.
- 2.4.6. In 2016 the population of Baldivis was 31,653. By 2021 that had grown by 19% to 37,697. Some (optimistic) estimates project the population to around 50,000 by 2028.
- 2.4.7. The Centre is also close (1.5km) to the \$39 million Baldivis Sports Complex at 531 Eighty Road.⁴
- 2.4.8. The Sport Complex features;
- 2.4.8.1. **Indoor courts / Recreation Centre**
 - 2.4.8.1.1 Four indoor courts for sports like basketball, netball, badminton, volleyball, indoor soccer / futsal, floorball.
 - 2.4.8.1.2 Multipurpose rooms for hire.
 - 2.4.8.2. **Outdoor sports fields**
 - 2.4.8.2.1 A main oval suited for AFL / football in winter.
 - 2.4.8.2.2 A turf cricket wicket for summer.
 - 2.4.8.2.3 Reserve spaces for training and other games.
 - 2.4.8.3. **Support facilities**

⁴ City of Rockingham - [Baldivis Indoor Sports Complex](#)

- 2.4.8.3.1 District pavilion with change rooms.
- 2.4.8.3.2 Outdoor amenities: playground, BBQs, shelters, toilets.
- 2.4.8.3.3 Parking: multiple car parks.
- 2.4.8.4. **Additional / future build-outs**
 - 2.4.8.4.1 Plans for hardcourts (outdoor) (18 courts) in later stages.
 - 2.4.8.4.2 Nature-play area, skate park, youth spaces.
- 2.4.9. The Parkland Heights Estate is a large residential sub-division which surrounds the subject site. It is set to deliver 1,200 housing lots (<https://www.parklandheights.com.au/fact-sheet>) and is already home to over 400 families.
- 2.4.10. Pine View Primary School is located within the estate, and there are other nearby schools within a short drive (e.g. Mother Teresa Catholic College, Tranby College, Ridge View Secondary)
- 2.4.11. Below is a plan showing the premises location within the Centre complex (outlined in red).



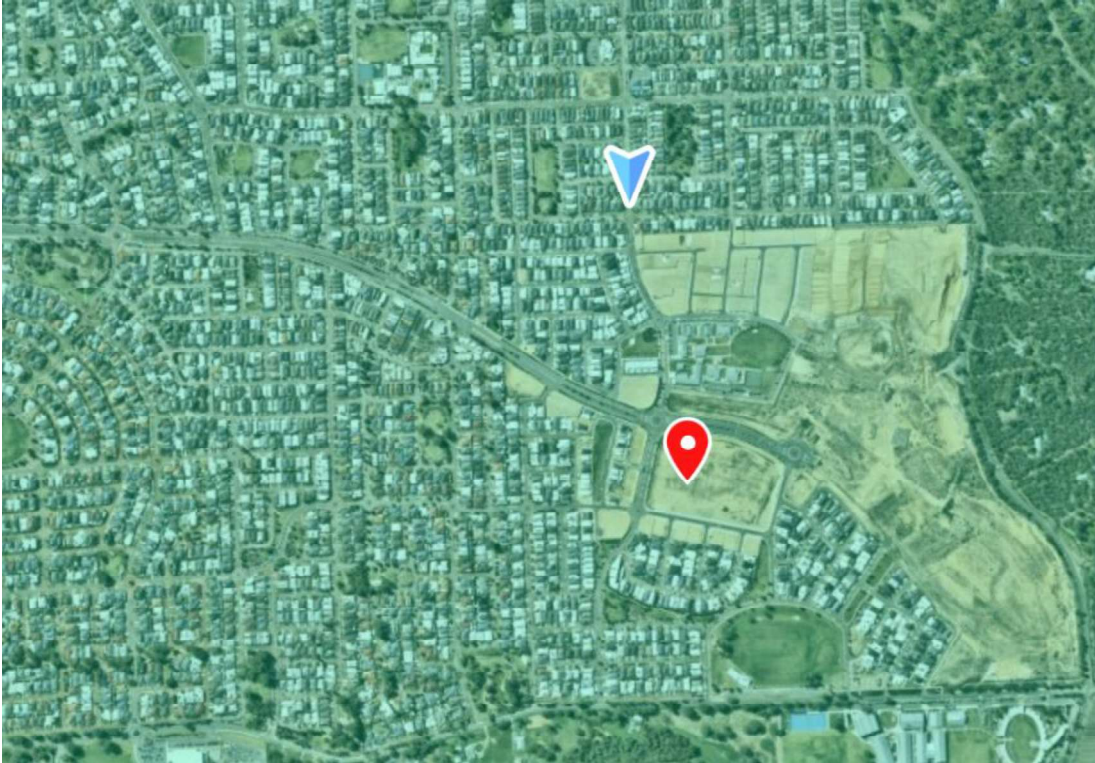
2.5. The presence of natural or human made boundaries that define the locality.

2.5.1. The boundaries surrounding the premises are;

2.5.1.1. The rest of the Parkland Heights Shopping Centre (a 10,000sqm NLA centre with over 450 car parking bays),

2.5.1.2. The Reserve around Lake Walyungup in the East separate South Baldivis from the residential area of the Port Kennedy suburb.

2.5.1.3. The aerial image below shows the locality, the red marker is the subject site.



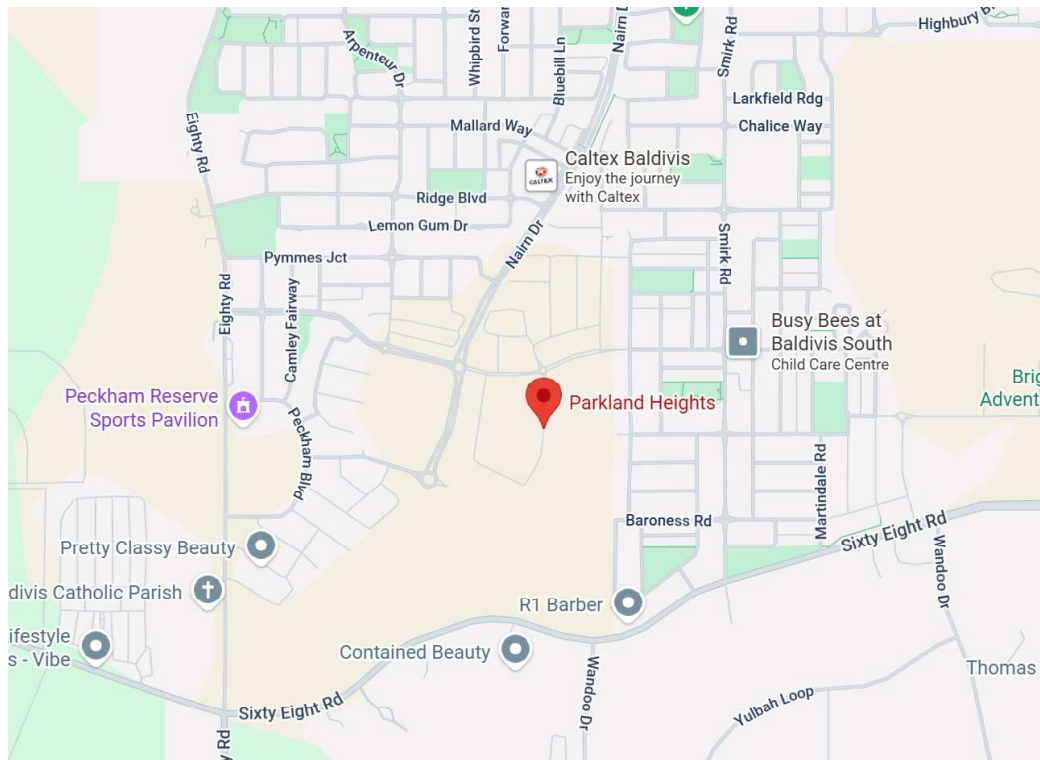
2.6. The perception of the local community and/or key advisers relevant to that community.

2.6.1. The subject premises has been approved by The City of Rockingham as part of a development approval for a Coles anchored shopping centre⁵.

2.6.2. Further out, the shopping complex is bound by residential houses to the North, East and West - with a major road to the South.

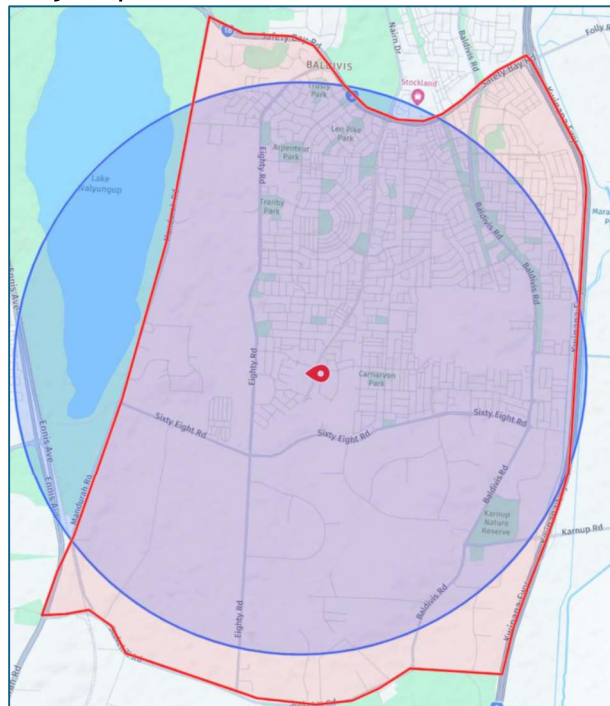
2.6.3. The perception of the local community is discussed in further detail in section 9 of this document 'Objective Witness Evidence'.

⁵ Parkland Heights Shopping Centre - <https://phsc.com.au/>



2.7. The appropriate locality for the demographic study.

2.7.1. The locality of Baldvis - South provides a very convenient and appropriate locality for the purposes of assessing the demographics relevant to this application. Please see the Baldvis - South area in below snip in **red** noting that the **blue** circle is a 3km radius of the subject premises.



2.7.2. We note that although parts of Port Kennedy are in the 3km radius this area is not populous and the separation between the suburbs means that the residents of Port Kennedy are much less likely to be affected by the grant of this licence.

- 2.7.3. Section 4 of these submissions will consider the demographics of the locality in more detail.

3. Applicant Background



- 3.1. The applicant company, Jersey Bean Mac Pty Ltd has two directors, Paul and Kellie McLauchlin.
- 3.2. Paul McLauchlin has been in the Hospitality Industry for the last 35 years.
- 3.3. Paul has managed and operated a number of bars and restaurants in Jersey, Glasgow and Perth.
- 3.4. Paul and Kellie's relevant experience can be seen in the tables below
Paul McLauchlin:

Premises Name	Role	Dates
Waldorfs Restaurant	Manager	1994 - 1997
Randell's Brewery	Manager / Licensee	1997 - 1999
147 Snooker Club	Manager / Licensee	2002 - 2004
Bell Haven Brewery Manager at the following premises: - White Hills Farm - The Quake - The Milcroft	Manager	2004 - 2007
The Last Drop Tavern	Duty Manager	2007 - 2010
Sassellas Restaurant	Manager	2010 - 2015
Corfield Tavern	Manager	2015 - 2020
The B Bar Baldvis	Owner / Licensee	2020 - Present

Kellie McLauchlin

Premises Name	Role	Dates
Waldorfs Restaurant	Assistant Manager	1994 - 1997
Esplanade Stores	Owner	1999 - 2002
The B Bar Baldivis	Owner / Licensee	2020 - Present

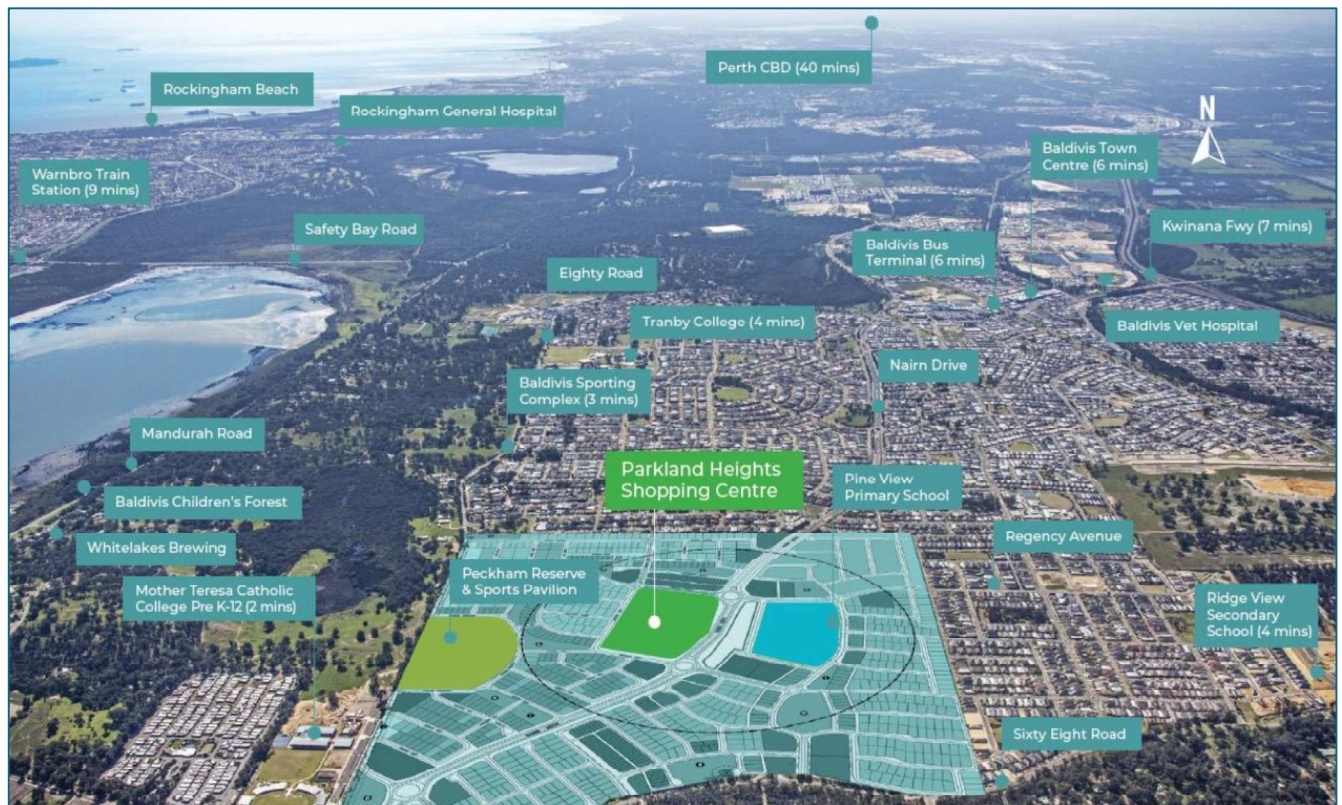
- 3.5. In this time, all the premises the Applicants have managed or owned have never received an infringement, or complaint from Council, neighbours or police.
- 3.6. In 2020 the applicants registered Jersey Bean Mac Pty Ltd to open The B Bar Baldivis which they have owned and operated for the past 5 years.



Indicative image only

4. Profile of the local community

- 4.1. South Baldvis is a growing Suburb located 9km Southeast of Rockingham Township.
- 4.2. Twenty-six thousand people live in the South Baldvis locality as at 2021, since this time there have been multiple developments, including Parkland Heights, which surround the subject premises.
- 4.3. The Parkland Heights development is 40 minutes away from the CBD by car or by train and 20 minutes away from the beach.
- 4.4. Parkland Heights, shown in the aerial image below, is a planned community surrounding the shopping centre development which includes the subject premises.
- 4.5. This development will result in significant population growth in the surrounding areas with a population estimated population growth of 3,510 - 4,320 surrounding the subject premises⁶



- 4.6. The 2025 population forecast for Baldvis (South) is 30,511 and is forecast to grow to 42,830 by 2046 as taken from ID Community⁷.
- 4.7. A search of liquor licence database⁸ in March of 2025 confirms that there are no licences within 500m of the subject premises. It is, however, of note that there is a proposed liquor store within the Parkland Heights shopping centre development.

⁶ <https://www.wa.gov.au/system/files/2021-11/SPL-SPN0423M-3-Parkland-Heights.pdf>

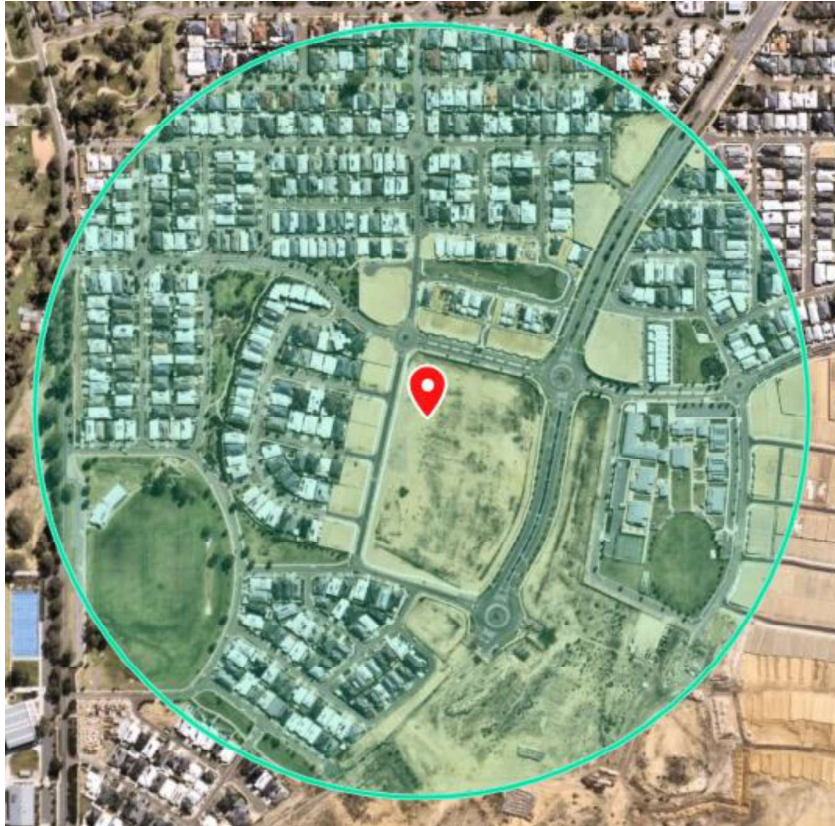
⁷ [https://forecast.id.com.au/rockingham/about-forecast-](https://forecast.id.com.au/rockingham/about-forecast-areas?WebID=110#:~:text=The%202025%20population%20forecast%20for,grow%20to%2042%2C830%20by%202046.)

[areas?WebID=110#:~:text=The%202025%20population%20forecast%20for,grow%20to%2042%2C830%20by%202046.](https://forecast.id.com.au/rockingham/about-forecast-areas?WebID=110#:~:text=The%202025%20population%20forecast%20for,grow%20to%2042%2C830%20by%202046.)

⁸ <https://portal.dlgsc.wa.gov.au/forms/fr/search/findallicence/new>

5. Outlet Density Report

- 5.1. According to the previous iteration of the policy document “Public Interest Assessment”, applicants for a restricted tavern licence were required to consider licensed premises, which may trade in a manner similar to what is proposed, within 500 metres of the proposed premises.
- 5.2. The updated policy has no specific, stated requirement for this to be undertaken. In the absence of more recent guidance the applicant has adopted the 500m radius for this PIA.
- 5.3. In September of 2025, the applicant searched the website of the Department of Racing, Gaming and Liquor, for existing liquor licences within 500m of the proposed premises.
- 5.4. The applicant then;
 - 5.4.1. Considered all suburbs that contribute to this 500m radius.
 - 5.4.2. Restricted their search to premises that exist within 500m of the subject premises, and
 - 5.4.3. Eliminated any premises which may not trade in a manner similar to what is permitted under a tavern restricted licence.
- 5.5. This resulted in there being 0 premises which may trade in a manner similar to a restricted tavern which are situated within 500m.
- 5.6. The aerial image below shows the premises with a 500m radius surrounding it.



6. Demographics of the locality

- 6.1. This section will provide evidence to underpin the assertion that Baldivis South, where the subject premises are located, is a high growth locality within the City of Rockingham. Its population is unremarkable and the demographic profile does not raise any undue concerns.
- 6.2. The Director advises that applicants *“need to provide profile information from the locality”, and “The better you capture the characteristics of the local community, the better the (Director) will be able to understand the potential impact the grant of your application could have on the public interest”*.
- 6.3. In Form 2A the Director provides guidance on the data and information he would find useful when applicants consider the demographic make-up of the subject locality. In that document applicants are tasked to provide an *“outline the population characteristics in the locality. Helpful demographic information will include the total population, estimated population growth, average age, income and employment status, and the type of people who live and work in the community.”*
- 6.4. On page 39 of the Western Australian Mental Health Promotion, Mental Illness, Alcohol and Other Drug Prevention Plan 2018-2025 the following priority population groups are identified.
 - 6.4.1. Aboriginal peoples and communities;
 - 6.4.2. LGBTIQ+ individuals and communities;
 - 6.4.3. Youth;
 - 6.4.4. Victims of trauma;
 - 6.4.5. Children affected by parental mental illness and/or harmful alcohol and other drug use;
 - 6.4.6. People at-risk of experiencing homelessness;
 - 6.4.7. Military veterans;
 - 6.4.8. People within the criminal justice system;
 - 6.4.9. People with an existing mental illness;
 - 6.4.10. Regional, remote and rural populations;
 - 6.4.11. Fly-In-Fly-Out workers and families;
 - 6.4.12. Carers, families and supporters of consumers of mental health, alcohol and other drug services (in particular, children); and
 - 6.4.13. People with lived experience of mental health and/ or alcohol and other drug-related issues.
- 6.5. The applicant will consider all thirteen groups above for which data is readily available. The following groups were unable to be considered however, as data is not available for them.
 - 6.5.1. LGBTIQ+ individuals and communities;
 - 6.5.2. Victims of trauma;
 - 6.5.3. Children affected by parental mental illness and/or harmful alcohol and other drug use;
 - 6.5.4. People at-risk of experiencing homelessness;
 - 6.5.5. People within the criminal justice system;
 - 6.5.6. People with an existing mental illness;
 - 6.5.7. Fly-In-Fly-Out workers and families
 - 6.5.8. Carers, families and supporters of consumers of mental health, alcohol and other drug services (in particular, children); and
 - 6.5.9. People with lived experience of mental health and/ or alcohol and other drug-related issues.

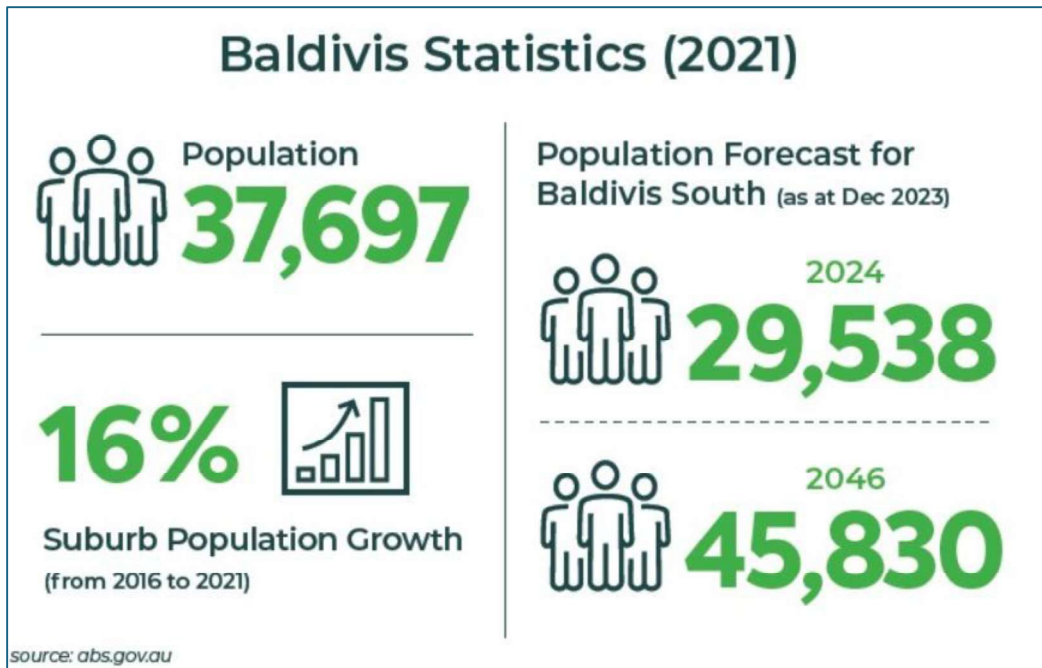
- 6.6. So, in summary, the Applicant will provide data on the following;
- 6.6.1. Total population,
 - 6.6.2. Estimated population growth,
 - 6.6.3. Average age,
 - 6.6.4. Income,
 - 6.6.5. Employment status,
 - 6.6.6. Aboriginal peoples and communities,
 - 6.6.7. Youth,
 - 6.6.8. Military veterans, and
 - 6.6.9. Regional, remote and rural populations,
- 6.7. For the purpose of this demographic study, the applicant has selected relevant Census topics from the Australian Bureau of Statistics (ABS) website (www.abs.gov.au) to provide an indication of the prevalence of each of the priority population groups within the locality and compared them with the same information for the State (Western Australia).
- 6.8. The applicant will be considering the 2021 census data relating to the suburbs specified in paragraph 2.8.4.
- 6.9. The selected ABS 2021 Census data is shown in the table below.

ABS Census 2021	Baldivis (South)	Western Australia
People	26,046	2,660,026
Median Age	32	38
Aboriginal and Torres Strait Islander People	2.0%	3.3%
Age		
Persons aged 15 - 24	12.3%	11.8%
Persons aged 65+	8.4%	16.1%
Ancestry		
English	46.8%	37.6%
Australian	33.3%	29.7%
Scottish	10.1%	8.7%
Participation in the labour force	71.2%	63.9%
Employment Status		
Works full time	59.8%	57.1%
Industry of Employment		
Iron ore mining	3.9%	2.9%
Median Weekly Household Income	\$2,338	\$1,480
No long-term health conditions	64.0%	61.2%
Australian Defence Force service		
Previously served (and not currently serving)	3.8%	2.6%
Family Composition		
Couple Family with Children	54.3%	44.6%
Household Composition		
Group Households	2.3%	3.4%

Dwelling Structures		
Separate Houses (%)	96.7%	79.7%
Flat or apartment	0.0%	6.5%
Rent Weekly Payments		
Renter households with rent payments greater than 30 of household income.	28.1%	28.3%
Mortgage monthly repayments		
Owner with mortgage households with mortgage repayments greater than 30% of household income	11.2%	13.0%

- 6.10. The purpose of considering the demographic data for the locality is to establish whether the priority population groups identified in paragraphs 6.4 to 6.6 above are over or underrepresented in the locality.
- 6.11. **Aboriginal people and communities.**
- 6.11.1. The table above indicates that in 2021 the average percentage of aboriginal people in the locality was substantially lower in the relevant statistical area at 2.0%, compared with the figure for the State at 3.3%.
- 6.11.2. Conclusion - This priority group is underrepresented in the locality.
- 6.12. **Children and young people.**
- 6.12.1. The average figure for persons aged between 15 - 24 years is slightly above average in the suburb of South Baldivis.
- 6.12.2. Conclusion - This group is close to average representation in the locality.
- 6.13. **Older adults.**
- 6.13.1. The percentage of persons aged 65+ in South Baldivis is significantly lower than the State average.
- 6.13.2. Conclusion - This priority group is underrepresented in the locality.
- 6.14. **People from rural and remote communities.**
- 6.14.1. The locality is not in a regional, rural or remote area.
- 6.15. **Military Veterans.**
- 6.15.1. The percentage of previously serving Australian Defence Force members is slightly higher than the state average.
- 6.16. When comparing the socio-economic data in the 2021 Census for the suburb of Baldivis (South) to the figures for WA as a whole.
- 6.16.1. Participation in the labour force is significantly higher with 71.2% of the community participating compared to the state average of 63.9%.
- 6.16.2. The median weekly household income is substantially higher than the State figure.
- 6.16.3. There is a higher percentage of people with no long-term health conditions when compared to the state average.
- 6.17. **Population growth.**
- 6.17.1. From 2016 to 2021 the population of Baldivis grew by from 31,653 to 37,697, 16%. This figure is far higher than the same figure for the State as a whole, which was 7%.

- 6.18. Population forecasts for Baldivis (South) estimated the 2024 population at 29,538 and projected it to grow to 42,830 by 2046 as taken from ID Community⁹.



- 6.19. **Conclusion** - The socio-economic environment in the locality appears stable and unremarkable with a very low prevalence of almost all of the priority groups. Additionally, Baldivis South is a high growth suburb.

⁹ .Idcommunity Demographic resources <https://forecast.id.com.au/rockingham/>

7. Community Buildings in the Locality

- 7.1. Per the directive of Form 2A, a paragraph 3.3., available on the Public Interest Assessment policy website (last amended September 2024);
 - 7.1.1. *"If any of the following are in the locality, please provide their names and addresses: Schools and educational institutions, hospitals, hospices aged care, facilities, churches/places of worship, drug and alcohol treatment centres, short term accommodation or refuges, childcare centres or a local government."*
- 7.2. Below is a list of these community venues, within 3km of the subject site.
- 7.3. Hospitals
 - 7.3.1. N/A
- 7.4. School / Education Centre
 - 7.4.1. Pine View Primary School-
 - 7.4.2. Makybe Rise Primary School - Makybe Dr, Balddivis WA 6171
 - 7.4.3. Tranby College - 90 Arpenteur Dr, Balddivis WA 6171
 - 7.4.4. Settlers Primary School - 118 Arpenteur Dr, Balddivis WA 6171
 - 7.4.5. Tuart Rise Primary School - 31 Kempeana Way, Balddivis WA 6171
 - 7.4.6. Ridge View Secondary College - 359 Sixty Eight Road, Balddivis WA 6171
 - 7.4.7. Mother Teresa Catholic College - 731 Eighty Road, Balddivis WA 6171
 - 7.4.8. Institute of Teacher Aide Courses - Shop 7/9 Settlers Avenue, Balddivis WA 6171
- 7.5. Hospices
 - 7.5.1. N/A
- 7.6. Aged Care
 - 7.6.1. National Lifestyle Villages Vibe - 124 Sixty Eight Road, Balddivis WA 6171
- 7.7. Drug and alcohol treatment centres
 - 7.7.1. N/A
- 7.8. Childcare centres
 - 7.8.1. YMCA Balddivis Early Learning - 585 Eighty Road, Balddivis WA 6171
 - 7.8.2. Aspire Childcare Centre Balddivis - 1 Smirk Road, Balddivis WA 6171
 - 7.8.3. Busy Bees at Balddivis South - 51 Borough Road, Balddivis WA 6171
 - 7.8.4. Balddivis Pre-Kindy - 13 Lamorak Way, Balddivis WA 6171
 - 7.8.5. Tranby College Childcare - 17 Tranby Drive, Balddivis WA 6171
 - 7.8.6. Family Tree Child Development Centre Balddivis South - 5 Linott Close, Balddivis WA 6171
 - 7.8.7. Stride Early Learning Balddivis - 2 Prismatic Drive, Balddivis WA 6171
 - 7.8.8. Sonas Early Learning & Care Balddivis South - 78 Solis Boulevard, Balddivis WA 6171
 - 7.8.9. Fox Family Day Care - 20 Oakwell Street, Balddivis WA 6171
 - 7.8.10. Little Minions Family Daycare - 11 Pinnacle Turn, Balddivis WA 6171
 - 7.8.11. Hearts & Minds Early Learning Balddivis - 1 Statesman Parade, Balddivis WA 6171
 - 7.8.12. Bimbi Early Learning Centre - 67 Makybe Drive, Balddivis WA 6171
 - 7.8.13. Buggles Childcare Balddivis - 3 Monaghan Close, Balddivis WA 6171
 - 7.8.14. Green Leaves Early Learning Balddivis - 23 Minden Lane, Balddivis WA 6171
- 7.9. Churches / Places of Worship
 - 7.9.1. Balddivis Catholic Parish - 731 Eighty Road, Balddivis WA 6171
 - 7.9.2. Bible Foundation Church - 13 Lamorak Way, Balddivis WA 6171

- 7.9.3. Sons Arise Ministries - 29 Chapel Street, Baldivis WA 6171
- 7.9.4. Free Reformed Church of Baldivis - 6 Outridge Road, Baldivis WA 6171
- 7.10. Local Government
 - 7.10.1. N/A
- 7.11. Department of planning, land and heritage offices.
 - 7.11.1. Ngoorlyarak Aboriginal Corporation - Branchton Loop, Baldivis WA 6171

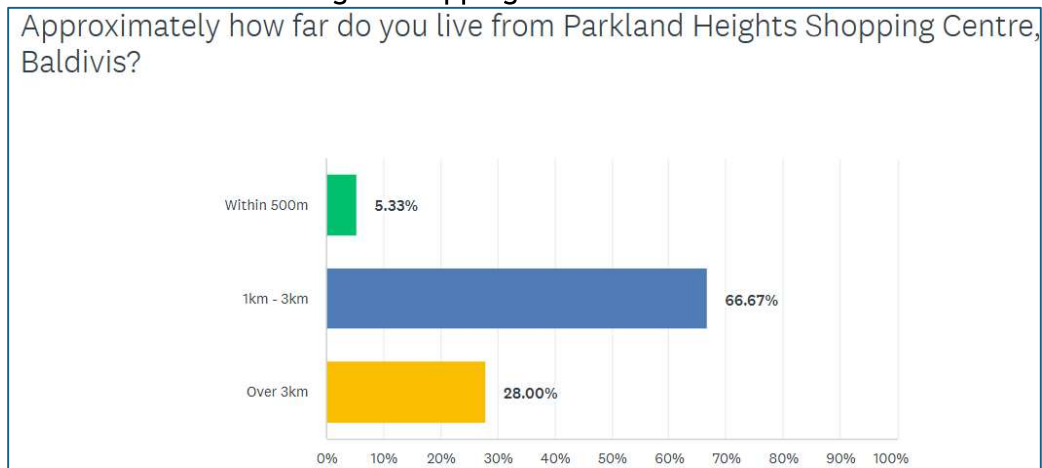


8. Proposed Style of Operation

- 8.1. The applicant aims to target a wide variety of clientele, including local families, shoppers at the Parkland Heights Shopping Centre as well as those day tripping to the Baldivis area.
- 8.2. The proposed site is located in the Northwest area of the shopping centre. Base build and fit-out works are expected to be approximately \$1.8 million and are inclusive of;
 - 8.2.1. A large kitchen,
 - 8.2.2. A casual interior seating area and bar,
 - 8.2.3. An alfresco area that is enclosed by sound resistant walls.
- 8.3. The premises is approximately 500m² and has been designed with the idea of family friendly 'local' for residents of South Baldivis in mind.
- 8.4. The applicant envisages that entertainment will be in the form of low-key, acoustic music, quiz nights and the occasional themed night. As the applicants are conscious of their surroundings.
- 8.5. If this application is approved, what will be created is a local tavern promoting responsible drinking practices, food and a family friendly atmosphere.
- 8.6. The applicant intends to trade the following hours;
 - 8.6.1. Sun - Thursday 11am - 10pm
 - 8.6.2. Friday & Saturday 11am - 11pm
- 8.7. The standard trading hours for a tavern as laid out in Section 98 of the Act are nonetheless being applied for here, to allow for flexibility of operation.
- 8.8. As required by the Liquor Control Act, The Topsy Toad Baldivis will have at least one approved manager on duty at all times the premises are open for trade and all staff will be trained in the responsible service of alcohol.
- 8.9. Similar to The B Bar (the Applicant's existing small bar located at Lot 9000 Safety Bay Road, Baldivis), Topsy Toad Baldivis will be a community driven space where everyone is welcome. The applicant wishes to provide shoppers from the centre, as well as the local community, a welcoming environment to catch up with friends and family, or to stop by for a meal when at the shopping centre.
- 8.10. As long-term locals in Baldivis the operators of The Topsy Toad are familiar with the environment in which they will be operating.
- 8.11. Paul and Kellie intend to employ locals to the South Baldivis venue and provide a new offering that Baldivis does not yet have access to.
- 8.12. As locals they are passionate about their developing community and have noted that locals to Baldivis are lacking a 'community local', as experienced hospitality operators they are eager to take this on.

9. Objective Witness Support

- 9.1. The applicant conducted a witness survey to gather objective evidence for the support of this application. The survey (attachment TTB01) was prepared and distributed in QR code form from the Applicant's current venue within the locality. This distribution took place in August and September 2025.
- 9.2. Respondents to the survey were provided access to the following supporting documents.
 - 9.2.1. An intended manner of trade document (Attachment TTB02).
 - 9.2.2. A draft floor plan (Attachment TTB03).
 - 9.2.3. An indicative drinks list and food menu, taken from the B Bar Baldvis which is another venue operated by the applicant (Attachment TTB04).
- 9.3. A total of 75 people completed the survey as of 22nd September, 2025. The applicant declares that 12 extra attempted the survey but did not put in any data. These respondents have been removed as they have no bearing on the final results.
- 9.4. All raw witness data has been lodged with these submissions (attachment TTB05).
- 9.5. These surveys provide the Director with an insight into the opinions of people from the local community and others who resort to the area and are most likely to be affected by the grant of this licence.
- 9.6. In the witness survey, **72%** of the witnesses answered that they lived with 3km of the Parkland Heights Shopping centre as shown below.



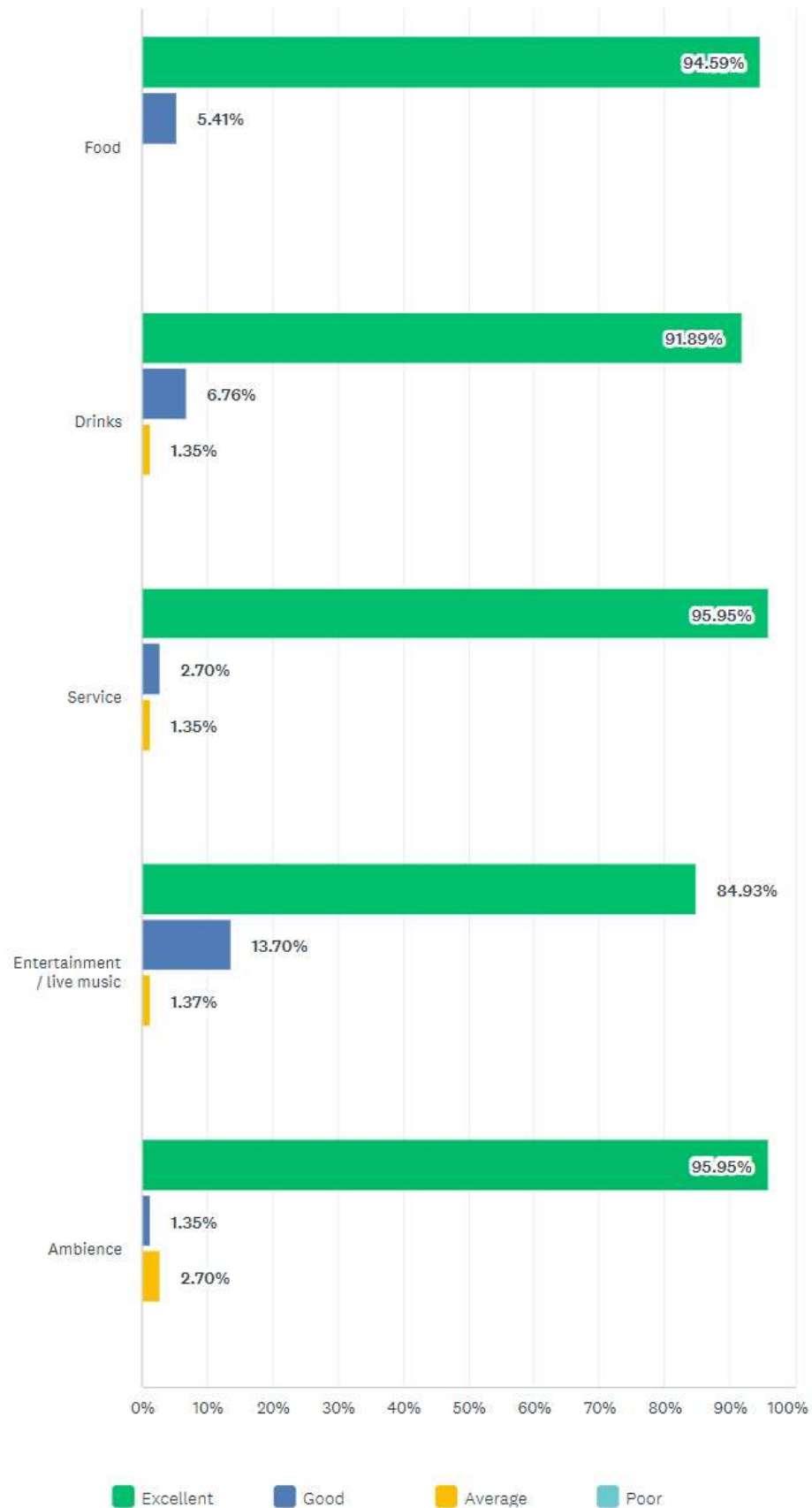
- 9.7. **100%** of the witnesses that said they live within 3km of the premises said they would likely be a customer of The Topsy Toad Baldvis should this licence be granted.
- 9.8. **82%** of the respondents have lived in their current home for more than 5 years.
- 9.9. When asked to describe the nature of the locality and the area surrounding Parkland Heights Shopping Centre witnesses had the following responses:
 - 9.9.1. Witness 4 said, *'Wonderful community the people are friendly and the area is like your surrounded by nature and tranquillity.'*
 - 9.9.2. Witness 22 said, *'Suburbia, family homes with increasing social life. Need local eateries away from Stockland Shopping Centre to make variety.'*
 - 9.9.3. Witness 52 said, *'Perfect area for a shopping centre and surrounding tavern/restaurants.'*
 - 9.9.4. Witness 68 said, *'Family friendly suburb, homes and parks.'*

- 9.10. Questions in section 2 of the survey relate to the B Bar Baldivis (operated by the directors of the Applicant company in this matter).
- 9.11. When witnesses were asked about their experience at the B Bar Baldivis they responded with the following reviews.

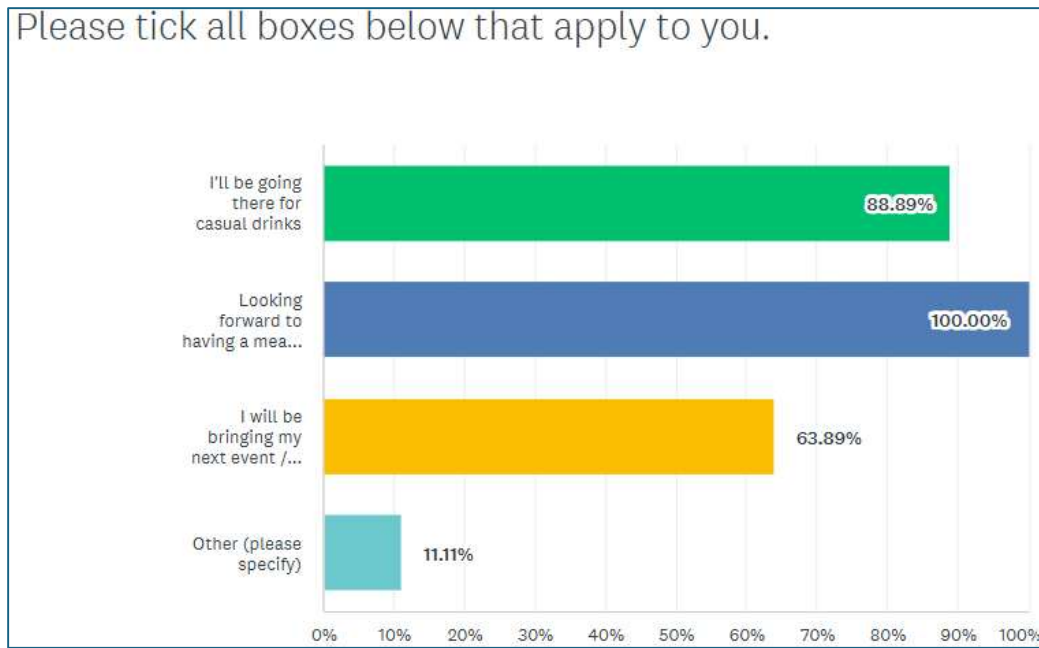


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What do you say about your experience there?



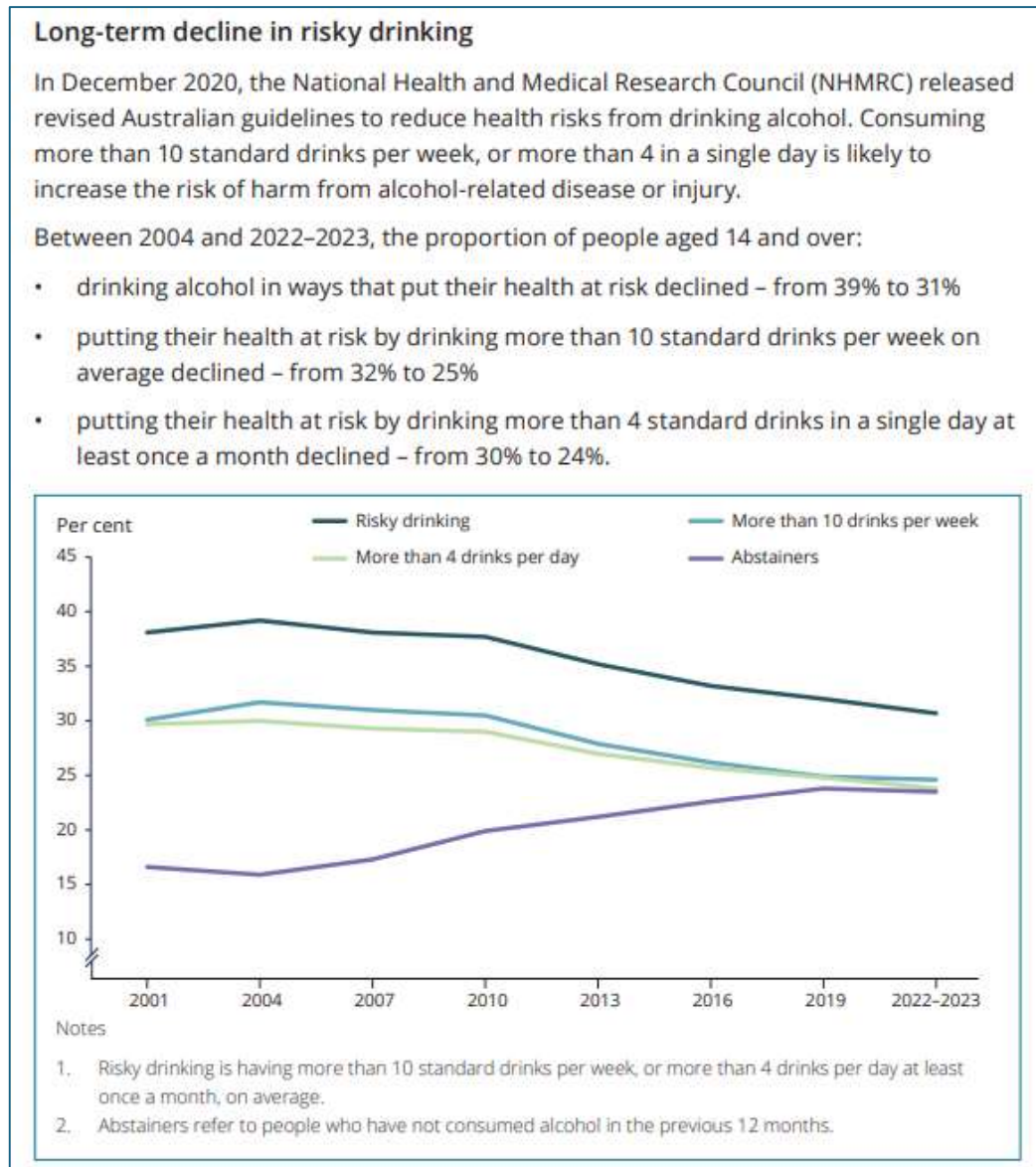
- 9.12. Some additional comments about the B Bar included:
 - 9.12.1. Witness 3 said *'The B Bar is a place you know you can rely on for good food and drinks with a good vibe. The staff are always super friendly.'*
 - 9.12.2. Witness 40 said, *'We love going to the B Bar, Paul and Kellie run a wonderful family friendly establishment.'*
 - 9.12.3. Witness 66 said, *'I frequent the B Bar regularly. The owners and bar staff make you feel very welcome and always know your name and what you like to drink. The entertainment is perfect for all ages.'*
 - 9.12.4. Witness 67 said, *'Staff are friendly and welcoming, with good food and music leading to the best overall experience available in the Rockingham area.'*
- 9.13. When asked about Paul and Kellie, the proprietors of the proposed tavern survey respondents said the following:
 - 9.13.1. Witness 10 said, *'Very accommodating for our needs, we have teenage children and we have our family get togethers for birthdays and special occasions there. I'm always impressed, the live music isn't so loud that you can't enjoy your meal and with every other guest the same it seems to be attending for a meal and a nice catchup makes it appealing to return again and again.'*
 - 9.13.2. Witness 28 said, *'Both Kellie and Paul have always been welcoming and we have never seen any trouble at the venue and always feel safe and comfortable.'*
 - 9.13.3. Witness 49 said, *'Amazing owners and local community members. They ensure they are giving back to the community and create a venue for all.'*
- 9.14. It is clear from these responses that those who visit the B Bar Baldivis are very satisfied with the environment that Paul and Kellie have developed.
- 9.15. **100%** of witnesses answered yes to Question 9 of the survey, 'after considering the intended manner of trade document provided are you likely to be a customer of The Topsy Toad Baldivis under a tavern restricted licence?'
- 9.16. Some additional comments in response to this question include:
 - 9.16.1. Witness 12 said, *'I've loved the B Bar and what they deliver, if they have another place that is larger they will be able to cater to more people and the community which I think everyone will love.'*
 - 9.16.2. Witness 15 said, *'Yes I would, it sounds amazing to have a nearby local tavern that will have a family friendly environment with good range of foods and drinks. Having live music will be awesome part of the tavern as well.'*
 - 9.16.3. Witness 32 said, *'Being able to offer a wide menu including Sunday roast will be a favourite in a predominantly British area.'*
 - 9.16.4. Witness 55 said, *'Alike the B bar the intended manner presents as a fun loving and friendly atmosphere with added features that will undoubtedly create an added sense of community for residents of the area.'*
- 9.17. The witnesses said they would be going to The Topsy Toad Baldivis for following activities.



- 9.17.1. Witnesses who answered 'other' specified uses such as, attending quiz nights, hosting family meals and going to watch live music.
- 9.18. Further questions and respondent answers are detailed throughout these submissions to assist the Director in assessing the public interest criteria contained in Section 38 of the Liquor Control Act (1988).

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

- 10.1. Section 38(4)(a) of the Liquor Control Act (1988) asks the applicant to consider *“the harm or ill-health that might be caused to people, or any group of people, due to the use of liquor.”*
- 10.2. In this section the applicant assesses the risk with respect to the harm or ill-health that might be caused to people, or groups of people within the locality should this licence be granted.
- 10.3. The demographics of the locality have been discussed in Section 4 of these submissions and concluded there are no significant concerns in respect of the identified priority groups.
- 10.4. The below snippet is taken from Australia’s Health 2024 in brief (a report from the Australian Institute of Health and Welfare).



- 10.5. Other points of note from this report, specific to alcohol consumption;
 - 10.5.1. Abstaining from alcohol is increasing - the proportion of First Nations people aged 18 and over who reported they ‘had not consumed

alcohol in the last 12 months or have never consumed alcohol' rose from 19% in 2001 to 26% in 2018-19.

- 10.5.2. 3 in 10 (31%) people aged 14 and over consumed alcohol in ways that put their health at risk in 2022 - 2023 - down from 4 in 10 (39%) in 2004.
- 10.6. In a separate Alcohol Factsheet provided as part of this report, it is noted that;
- 10.6.1. The proportion (%) of Australians aged 14+ drinking daily continues to decline (6% in 2016, to 5.4% in 2019 and most recently, 5.2% in 2022- 23).
- 10.7. The applicant has provided a detailed Harm Minimisation Plan which is included in the application documents to manage any potential for increased harm or ill-health.
- 10.8. **Criminal/offence Statistics**
- 10.9. To further satisfy Section 38(4)(a), the licensee sought to investigate the incidence of alcohol related offences within the locality as recorded by the WA police. However, no statistics were available on the WA Police website in relation to alcohol related crime for any towns or suburbs in WA.
- 10.10. **2023/24 Crime statistics recorded by the WA Police for Baldivis and Western Australia - calendar year.**

Type of Offence	2024 Baldivis	2024 Western Australia
Breach of Violence Restraint order	218	18,521
Fraud & Related offences	175	25,928
Graffiti	4	1,989
Regulated Weapons offences	43	4,187
Receiving and possession of stolen property	30	4,381
Drug offences	141	28,176
Arson	4	1,070
Property Damage	212	28,387
Stealing	828	82,126
Stealing of motor vehicle	37	5,246
Burglary	145	16,610
Robbery	12	1,658
Deprivation of liberty	3	357
Threatening Behaviour (Non-Family)	48	6,442
Threatening behaviour (Family)	58	8,703

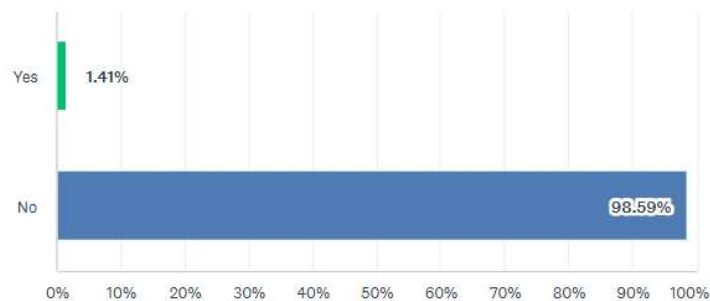
Assault (Non-Family)	110	17,632
Assault (Family)	295	33,622
Historical Sexual Offences	23	1,907
Recent sexual offences	56	5,569
Homicide	-	94
Total of Selected Offences	2,442	292,605
Total of Selected Offences Per 1000 residents (Using population stats as per ABS 2021 data)	65	110

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

10.11. As can be seen in the above table Baldivis has a much lower rate of offences per 1000 people when compared to Western Australia as a whole.

10.12. In the witness survey, witnesses were asked if there are any groups of people in the locality who, in their opinion, would be at risk of increased and undue harm should this application for a tavern restricted licence be granted. All but one of the witnesses answered 'No' (**98.5%**).

Are there any people or any groups of people in the locality who, in your opinion, would be at risk of increased and undue harm should this application for a tavern restricted licence be granted?



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

- 11.1. The licensee is required to consider both the positive and the negative potential impacts of these applications on the amenity of the locality.
- 11.2. The applicant believes that through this proposed tavern licence, The Tippy Toad Baldivis will be adding value and amenity to the locality, as evidenced in section 5 of these submissions. Further, the applicant reiterates the following:
 - 11.2.1. There are no licensed premises which trade as a tavern within the locality of Baldivis South,
 - 11.2.2. The directors of the Applicant company, Jersey Bean Mac Pty Ltd, are experienced hospitality operators,
 - 11.2.3. The Applicant currently manages the popular small bar, The B Bar Baldivis,
- 11.3. When asked if the grant of this licence would **lessen** the amenity, quiet or good order of the Baldivis locality, **90%** of the witnesses answered 'No'.
 - 11.3.1. Witnesses that answered 'No' said the following:
 - 11.3.1.1. Witness 3 said, '*Baldivis needs a bar that is aimed at families with a good vibe. The outside area have sound proof walls is a fantastic idea ensuring it does not disturb surrounding residents.*'
 - 11.3.1.2. Witness 24 said, '*Anything family friendly & promoting a social area will be a positive.*'
 - 11.3.1.3. Witness 33 said, '*Baldivis has grown immensely we need more family, good eating and drinking venues.*'
 - 11.3.2. Three of the witnesses that answered 'yes' to that question, elaborated on their answer and said the following comments showing the positive aspects of the application:
 - 11.3.2.1. Witness 8 said, '*Will be a great place.*'
 - 11.3.2.2. Witness 9 said, '*Based on the manner in which they operate the B Bar it will always be a family friendly place and never any chance of it descending into an anti social establishment.*'
 - 11.3.2.3. Witness 17 said, '*Need more venues in the area.*'
 - 11.3.3. These responses lead the Applicant to assume that they have misread the question.
- 11.4. The witnesses' responses show strong community support for the application and are indicative of the amenity the tavern is expected to provide to the local community.

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

- 12.1. Section 38(4)(c) of the Liquor Control Act states the licensing authority may have regard to;
- 12.1.1. *“whether offence, annoyance, disturbance or inconvenience might be caused to people who reside or work in the vicinity of the licensed premises or proposed licensed premises”.*
- 12.2. In the applicant’s opinion, there is very little potential for adverse impacts from this proposed licensed venue because:
- 12.2.1. The applicant takes its responsibilities towards the local community very seriously and will provide an open channel for communication with locals.
- 12.2.2. The premises will exist within / as part of a busy and popular local shopping centre - as such it will not be a new source of noise to the area, nor will it be introducing levels of foot traffic not already known to the area.
- 12.2.3. The applicant envisages that entertainment will be in the form of low-key, pre-recorded music played through a central sound system, with occasional live bands.
- 12.2.4. The applicants are experienced licensees who take their responsibilities towards the local community very seriously and will provide an open channel for communication with locals to ensure The Topsy Toad Baldivis will slip seamlessly into the local community.
- 12.3. The applicant also proposes the following measures:
- 12.3.1. Prompt and polite response to any noise complaint in respect of the operations of the venue.
- 12.3.2. Adherence to responsible service of liquor, and responsible consumption of liquor practices at the venue.
- 12.3.3. Encouraging patron awareness of the rights of neighbours and others who reside, work, recreate or otherwise resort to the locality, especially when leaving the venue, and
- 12.3.4. The approved manager will also ensure the last patrons leave safely and quietly.
- 12.4. In question 13 of the witness survey, witnesses were asked if, in their opinion, there is any potential for annoyance, offence, disturbance or inconvenience to people who live, work visit or otherwise resort to the locality if this application were to be granted? **100%** of witnesses who responded to this question answered that, in their opinion, there would not be.



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13. Impact on tourism, culture and the community

13.1. Impact on tourism

13.2. Baldivis has various tourism destinations as seen below:

13.2.1. Perth Wake Park - Western Australia's only cable wakeboard park. This is an ideal day trip destination from Perth to experience wakeboarding in their unique cable lake.

13.2.2. Baldivis Children's Forest - This is a 20-hectare conservation park with a variety of walking trails, playgrounds and bird sanctuaries. This park is well situated for a picnic or day-trip from Perth bringing families to the Baldivis locality.

13.3. The Topsy Toad Baldivis is located 40 minutes away from Perth CBD. It is expected tourists may travel there either:

13.3.1. Incidentally on trips to the above attractions in Baldivis, or

13.3.2. To see local musical acts similar to the acts that are currently on offer at the B Bar Baldivis, an example of some previous acts is below.



UPCOMING EVENTS

Don't Miss out on All the Fun

Want to find out what's coming up at The B bar Baldivis? Whatever it is, just be sure you're ready for a night full of friends, fun and drinks! Take a peek at our upcoming schedule and don't miss out.

LIVE MUSIC 7pm -10pm

Friday 21st March - Pep Tucci

Saturday 22nd March ~ David Docherty

Friday 28th March - TBC

Saturday 29th March - Mark Stone

Friday 4th April - Neil Adams

Saturday 5th April - Close at 5pm for a private function

13.4. Impact on culture

13.5. As said in paragraph 12.3 The Topsy Toad Baldivis will have local musical entertainers.

13.6. Impact on community

- 13.7. Paul and Kellie seek to offer a 'local' tavern for the surrounding community.
- 13.8. It is their intention to employ from within the locality offering jobs to the local community of Baldivis.
- 13.9. The Topsy Toad will be a welcoming and convenient space for social events and catch ups. With its central location in South Baldivis and being part of the Parkland Heights Shopping Centre.
- 13.10. The Parkland Heights Community will benefit from the offering of an inclusive family friendly tavern.



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

- 14.1. Section 5(1)(a) states that a primary object of the Act is;
 - 14.1.1. *“To regulate the sale, supply and consumption of liquor”*;
- 14.2. Being one of three primary objects means that it is of equal importance to the other two primary objects of the Act.
- 14.3. To regulate means;
 - 14.3.1. *“To control or direct according to rule, principle, or law”*
or
 - 14.3.2. *“To put or maintain in order”*
- 14.4. It does not mean to restrict or to reduce.
- 14.5. There may be some circumstances where a restriction or a reduction is warranted, but the word “regulate” implies more flexibility than either “restrict” or “reduce”.
- 14.6. It is possible to “regulate” and to “increase” at the same time.
- 14.7. Therefore, this primary object should not, of itself, prevent this application from being granted.
- 14.8. It is possible to properly regulate the sale, supply and consumption of liquor and grant this application.
- 14.9. These premises will only be the second licensed tavern (restricted) premises within the subject locality. It would not be an exaggeration to say that the locality is currently underserved with quality licensed food & beverage options.



Indicative image only

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

- 15.1. Section 5(1)(b) states that a primary object of the Act is;
 - 15.1.1. *“To minimise harm or ill-health caused to people, or any group of people, due to the use of liquor”;*
- 15.2. Being one of three primary objects means that it is of equal importance to the other two primary objects of the Act.
- 15.3. In its decision granting a liquor store licence to Woolworths Warnbro¹⁰ the Liquor Commission noted;

“40. The potential for harm or ill-health is a powerful public interest consideration when determining an application (refer Lily Creek supra). Consequently, it is relevant for the licensing authority to consider the level of alcohol-related harm, due to the use of liquor, which is likely to result from the grant of the application. As Wheeler J stated in Executive Director of Public Health v Lily Creek International & Ors [2001] WASCA 410: “This does not mean that only the increased harm which may result from the specific premises in question is to be considered; rather it seems to me that must necessarily be assessed against any existing harm or ill health so as to assess the overall level which is likely to result if a particular application is granted. Where, as occurs in probably the majority of cases, the existing level of alcohol related harm is no greater than that which appears to be commonly accepted in the community, the distinction is probably not significant.

41. Also, as observed by Ipp J (in Lily Creek supra) it is significant that the primary object in section 5(1)(b) is to “minimize” harm or ill-health, not to prevent harm or ill-health absolutely”.
- 15.4. In paragraph 46 of the Supreme Court decision in respect of the National Hotel, Fremantle¹¹, the following conclusion is found;
 - 15.4.1. *“It is not sufficient to simply reason that, where there is already a high level of harm in the particular area, even a small increment in potential or actual harm may be determinative, without making specific findings on the evidence about the level of alcohol related harm which is likely to result from the grant of the particular application.”*
- 15.5. Paragraph 62 of the same decision reads;
 - 15.5.1. *“The appellant contends that the reasons of the Commission reveal that it considered the application was not in the public interest, but not:

 - (a) the positive aspects of the application that were weighed;
 - (b) how the Commission reached the conclusion there was a likelihood of increased harm and ill-health if the application was granted; or
 - (c) the degree of increased harm or ill-health that was likely to have resulted if the application was granted.”*

¹⁰ Liquor Commission - Woolworths Warnbro LC 13/2011

¹¹ Carnegies Decision - National Hotel Fremantle [2015] WASC 208

- 15.6. All liquor licences have the potential to cause harm and ill health. It is a question for the licensing authority to assess whether the potential for harm in each specific application is too great, and/or outweighs the positive aspects of the application.
- 15.7. Therefore, in this application, the applicant is not required to show that no harm whatsoever may occur if this application is granted, only that the applicant will do all that is reasonably possible to minimise harm and ill-health that could potentially occur if this application is granted, that any potential for harm or ill-health is minimised, and is not “undue”, and that the positive aspects of the application outweigh this potential for harm.
- 15.8. There are several key factors that limit the potential for harm and ill-health that could occur should this application be granted;
 - 15.8.1. People will be attracted to the venue for the food and drinks in equal measure.
 - 15.8.2. The applicant intends to instal CCTV cameras all around the interior of the venue.
 - 15.8.3. The applicant has a well-developed harm minimisation plan.
- 15.9. There is a great deal of research which shows that the drinking environment can exert significant influence on patron behaviour.
- 15.10. Briscoe and Donnelly (2003)¹² quoted Graham and West (2001)¹³ as finding that;
 - 15.10.1. *“The drinking setting can exert considerable influence on behaviour through expectations, physical and social characteristics of the environment, levels of intoxication allowed and the characteristics of others in the setting.”*
- 15.11. Additionally, Briscoe and Donnelly had the following to add;
 - 15.11.1. *“Given the results of the present analysis, the issue of what factors distinguish the more from the less problematic premises becomes paramount in terms of planning effective interventions and/or enforcement practices to minimise alcohol-related harm.”*
 - 15.11.2. *“We also found that several licensed premises that were hotels and have 24 hour service or extended trading, did not have repeat assaults on their premises suggesting other additional factors also contribute to the risk of violence on licensed premises”*
 - 15.11.3. *“Low comfort, high boredom, aggressive bouncers, discounted drinks, poor ventilation, lack of cleanliness, a hostile atmosphere, overcrowding and inadequate numbers of bar staff” have been “associated with alcohol related harm”. Emphasis added.*
 - 15.11.4. *“These predictive factors which are specific to the drinking venue offer considerable potential to reduce violence on licensed premises because they are under the control of the management and relatively easy to regulate.”*
- 15.12. Further Ross Homel et al found that;
 - 15.12.1. *“The civilising impact of comfort is consistent with the early qualitative research conducted in Sydney... the importance of comfortable seating being available was clear.”¹⁴*

¹² ‘Problematic Licensed Premises for Assault in Inner Sydney, Newcastle and Wollongong.’ Susan Briscoe and Neil Donnelly (Available at <http://anj.sagepub.com/content/36/1/18.abstract>)

¹³ International handbook of alcohol dependence and problems. Graham, K., & West, P.

¹⁴ ‘Making licensed venues safer for patrons: what environmental factors should be the focus of interventions?’ Ross Homel, Russel Carvolth, Marge Hauritz, Gillian Mcilwain and Rosie Teague (available at https://www.griffith.edu.au/__data/assets/pdf_file/0004/82624/making.pdf)

15.12.2. *“The type of venue, the style of drinking and the placing of seats have an impact on behaviour and potential conflicts and may be as worthy of attention as hours of operation.”¹⁵*

15.13. As stated previously, the proposed premises have been designed to a very high standard and will offer high levels of comfort, and adequate space for the expected number of patrons.

15.14. The applicant is an experienced operator of hospitality venues.

¹⁵ ‘A continental ambience: Lessons in Managing Alcohol related Evening and Night - time Entertainment from Four European Capitals.’ Marion Roberts, Chris Turner, Steve Greenfeild and Guy Osborne (available at <http://usj.sagepub.com/content/43/7/1105.short>)

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

- 16.1. Section 5(1)(c) states that a primary object of the Act is;
 - 16.1.1. *“To cater for the requirements of consumers for liquor and related services, with regard to the proper development of the liquor industry, the tourism industry and other hospitality industries in the State”;*
- 16.2. This object was elevated to the status of primary object in the May 2007 changes to the Liquor Control Act (1988) *“to place a higher emphasis on the needs of consumers”*, as the Minister stated in the Second Reading Speech at the time.
- 16.3. Being a primary object means that it is of equal importance to the other two primary objects of the Act.
- 16.4. In other words, it is just as important for the Director to cater for the requirements of consumers as stated above, as it is to minimize the potential for harm or ill-health due to the use of liquor.
- 16.5. In the end it is a weighing and balancing of these equal objects which will determine whether a liquor licence should be granted or not.
- 16.6. The grant of this licence will clearly add to the amenity of the locality, as discussed in section 11 of this report.
- 16.7. The applicant’s witness survey supports the fact that the grant of this licence will cater for the requirements of those living and resorting to the locality:
 - 16.7.1. Witness 12 said, *‘I can’t wait to dine in the new tavern. The beer garden in summer will be a great place to relax on a Sunday afternoon too.’*
 - 16.7.2. Witness 35 said, *‘Can’t wait for this to open and to have another option to enjoy great food, drinks, service and atmosphere.’*
 - 16.7.3. Witness 48 said, *‘I hope it is granted as it will only make Baldivis living more enjoyable’*

17. Conclusion

- 17.1. On the evidence submitted here this application for a tavern restricted licence will benefit the Parkland Heights Shopping Centre and the South Baldivis community. It will provide a family friendly 'local' for the community.
- 17.2. The locality has been shown to be stable, responsible and affluent. Further, the level of harm and ill health present is low.
- 17.3. The operators of The Topsy Toad Baldivis are locals to Baldivis and have been successful and responsible licensees of the B Bar Baldivis, a popular small bar in the North of Baldivis.
- 17.4. The evidence presented in these submissions, from the 75 survey respondents, shows this proposal is very popular with 100% of respondents indicating they would become customers of the new bar.
- 17.5. 89% of respondents said they would utilise the venue for casual drinks with friends, 100% said they would go there for a meal, and 64% said they would take their next event there.
- 17.6. The survey evidence also indicates that the local community is highly supportive of this application and has no concerns that it will negatively impact on the amenity, nor add to the potential for undue harm or ill-health.
 - 17.6.1. Witness 3 said, *'I think it is a great idea. Knowing how Kelly and Paul run the B Bar, I have high confidence for the success of their new business.'*
 - 17.6.2. Witness 42 said, *'Fully support Kellie and Paul in their new endeavour. I believe they will do very well in this new location and the community will only benefit from their inclusive, family friendly establishment and presence within the community. Looking forward to supporting them into the future!'*
 - 17.6.3. Witness 55 said, *'I want to add that opening this establishment also allows for added economic value and employment to a suburb that is already massive and still growing.'*
- 17.7. It is, therefore, open for the licensing authority to conclude, on balance, the positive aspects of the application far outweigh any potential for negative impacts, thus clearing the way for an approval of this application.

Drafted on behalf of Jersey Bean Mac Pty Ltd

Phil Cockman
Canford Hospitality Consultants Pty Ltd

Attachments

- TTB01. Witness Evidence Survey Hard Copy
- TTB02. Intended Manner of Trade
- TTB03. Draft Floor Plan
- TTB04. Indicative Menu and Drinks Menu (From The B Bar Baldivis)
- TTB05. Witness Evidence Survey Raw Data

The Topsy Toad Baldivis

Tenancy 15, 60 Furnivall Parade, BALDIVIS WA 6171.

Application for a Tavern (Restricted) Licence

Section 38 Submissions

Attachment 2 (TTB02)

Intended Manner of Trade

October 2025



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The Topsy Toad Baldivis

Tenancy 15, Parkland Heights Shopping centre,
Baldivis WA 6171

Application for a
Tavern Restricted Licence

Intended Manner of Trade

August 2025

1. Introduction

- 1.1. Kellie and Paul McLauchlin of Jersey Bean Mac Pty Ltd will be applying to the Licensing Authority for the conditional grant of a tavern restricted licence for premises located at Tenancy 5, Parkland Heights Shopping centre, Baldivis WA, to be known as “The Topsy Toad Baldivis”.
- 1.2. The proposed premises is part of a developing shopping centre being built in South Baldivis to cater for the quickly expanding population of the locality.
- 1.3. The applicants currently own and operate The B Bar Baldivis, a popular bar in the same locality with outstanding reviews.
- 1.4. The reason that the applicant chose to open the Topsy Toad Baldivis is because customers of The B Bar Baldivis have said they wish the bar was bigger and could offer a family friendly area they could hang out in.
- 1.5. Additionally, the applicant feels that the new tavern, The Topsy Toad would allow them to offer a larger menu with a higher variety of food including staples like a Sunday Roast.
- 1.6. When the location was offered to operators Paul and Kellie McLauchlin, directors of Jersey Bean Mac Pty Ltd, they were excited to take it on and offer a local venue for the residents of South Baldivis.

2. Proposed Style of Operation

- 2.1. The applicant aims to target a wide variety of clientele, including local families, shoppers at the Parkland Heights Shopping Centre as well as those day tripping to the Baldivis area.
- 2.2. The proposed site is located in the Northwest area of the shopping centre. Base build and fit-out works are expected to be approximately \$1.8 million and are inclusive of;
 - 2.2.1. A large kitchen,
 - 2.2.2. A casual interior seating area and bar,
 - 2.2.3. Two outside alfresco areas that are enclosed by sound resistant walls.
- 2.3. The premises is approximately 500m² and has been designed with the idea of family friendly ‘local’ for residents of South Baldivis in mind.
- 2.4. The applicant envisages that entertainment will be in the form of low-key, acoustic music, quiz nights and the occasional themed night. As the applicants are conscious of their surroundings.
- 2.5. If this application is approved, what will be created is a local tavern promoting responsible drinking practices, food and friendly atmosphere.

2.6. The applicant intends to open the premises for the following hours;

Internal Building

2.6.1. Monday to Saturday: 10am - 10pm

2.6.2. Sundays and public holidays: 10am - 9pm

Alfresco area:

2.6.3. Monday to Thursday: 10am - 8pm

2.6.4. Friday and Saturday: 10am - 9pm

2.6.5. Sunday and Public Holidays: 10am - 8pm

2.7. The standard trading hours for a tavern as laid out in Section 98 of the Act are nonetheless being applied for here, to allow for flexibility of operation.

2.8. As required by the Liquor Control Act, The Topsy Toad Baldivis will have at least one approved manager on duty at all times the premises are open for trade and all staff will be trained in the responsible service of alcohol.

2.9. Similar to The B Bar, Topsy Toad Baldivis will be a community driven space where everyone is welcome. The applicant wishes to provide shoppers from the centre as well as the local community a welcoming environment to catch up with friends and family or stop by for a meal when at the shopping centre.

2.10. As long-term locals to Baldivis the operators of The Topsy Toad are familiar with the environment in which The Topsy Toad will be operating. They intend to employ locals to the area and provide a new offering that Baldivis does not yet have access to.

3. Background and Experience of the Applicant

3.1. The applicant company, Jersey Bean Mac Pty Ltd has two directors, Paul and Kellie McLauchlin.

3.2. Paul McLauchlin has been in the Hospitality Industry for the last 35 years.

3.3. Paul has managed and operated a number of bars and restaurants in Jersey, Glasgow and Perth.

3.4. Paul has managed over 10 licensed premises in his time.

3.5. In 2020 the applicants registered Jersey Bean Mac Pty Ltd to open The B Bar Baldivis which they have owned and operated for the past 5 years.

3.6. In this time the premises the Applicants have managed have never received an infringement, or complaint from Council, neighbours or police.

Drafted for Jersey Bean Mac Pty Ltd
by Canford Hospitality Consultants Pty Ltd

Friday, August 29, 2025

The Topsy Toad Baldivis

Tenancy 15, 60 Furnivall Parade, BALDIVIS WA 6171.

Application for a Tavern (Restricted) Licence

Section 38 Submissions

Attachment 4 (TTB04)

Indicative Menu and Drinks List

October 2025



Cocktail Menu



Bananarama 19

Banana, Lemon, Peach, Pineapple, Rum.

Behave Yourself 19

Butterscotch, Pineapple, Rum.

Coconut Illusion 19

Malibu, Melon, Pineapple, Triple Sec.

Fruit Tingle 19

Blue Curacao, Grenadine, Solo, Vodka.

Peachy Keen 19

Peach, Pineapple, Triple Sec, Vodka.

Rum Snowball 19

Advokaat, Lemonade, Lime, Rum.

Sex On The Beach 19

Cranberry, Melon, Pineapple, Strawberry, Vodka.

Tequila Sunrise 19

Grenadine, Orange, Tequila, Triple Sec.

The B Bar Beauty 19

Grenadine, Solo, Vanilla Galliano, Vodka.

The Grasshopper 19

Chocolate, Cream, Creme De Cacao,
Creme De Menthe.



Cocktail Menu



Aperol Spritz 19
Aperol, Prosecco, Soda.

Cosmopolitan 19
Cranberry, Lime, Triple Sec, Vodka.

Espresso Martini 19
Espresso, Kahlua, Sugar, Vodka.

French Martini 19
Chambord, Lime, Pineapple, Vodka.

Long Island Iced Tea 21
Gin, Lemon, Pepsi, Rum, Tequila, Vodka.

Mai Tai 19
Amaretto, Dark Rum, Lime, Pineapple, Raspberry, White Rum.

Mimosa 19
Cointreau, Orange, Prosecco.

Perfect Love 19
Gin, Parfait Amour, Solo, Triple Sec.

Pink Gin Spritz 19
Lemonade, Pink Gin, Prosecco.

The Butterfly Effect 19
Butterfly Pea, Peach, Solo, Triple Sec, Vodka.



LIGHT BITES

Garlic Bread	12	Bruschetta	16
Freshley toasted Turkish topped with garlic butter, frilled to perfection. (V)		Freshley toasted Turkish with tomato, basil, red onion and feta. Drizzled with balsamic glaze. (V)	
Cheesy Garlic Bread	14	Three Cheese Arancini	16
Freshley toasted Turkish topped with garlic butter and cheese. (V)		Served with garnish and aioli dip. (V)	
Duck and Plum Spring Rolls	16	Prawn Twisters	16
Served with salad garnish and sweet chilli dip.		Servid with sweet chilli sauce and sour cream.	
Jalapeño Poppers	16	Cajun Chicken Wings	16
Jalapeños stuffed with cream cheese. Served with sour cream.		Served with a sour cream dip. (G.F.)	

BAR CLASSICS

Chicken and Prawn Duo	36	Steak and Ale Pie	29
Grilled chicken breast, topped with creamy garlic prawns. Served with fries and salad. (G.F.O.)		Served with fries and peas.	
Salt n Pepper Calamari	29	Chicken Parmy	30
Served with fries, salad. (G.F.O.)		Breaded chicken breast covered in Napoletana sauce and cheese. Served with salad and fries.	
Chicken Harlem	30	Creamy Garlic Prawns	36
Grilled chicken in a creamy pepper sauce, served with fries and salad garnish. (G.F.O.)		Served with steamed rice, salad and lemon. (G.F.)	
Chilli Prawn Pasta	30	Vegetarian Penne Pasta	27
Succulent prawns tossed in a creamy chilli tomato sauce with penne pasta, topped with parmesan and garlic bread.		Eggplant, onion, capsicum and zucchini, cooked in a creamy tomato sauce. Topped with feta and served with garlic bread. (V)	
Fish and Chips	29	Chicken and Chorizo Pasta	30
Beer battered or grilled fish. Served with fries, salad and tartare sauce.		Tender chicken and chorizo tossed in a creamy sauce with penne pasta, topped with parmesan cheese, served with garlic bread.	
Chicken Schnitzel	30	Asian Satay Skewers	30
Breaded chicken breast with fries and salad, with a choice of pepper, mushroom or garlic sauce.		Grilled chicken tenderloins topped in our satay sauce and served with rice, salad and poppadoms.	
Scotch Fillet 250g	40	Surf and Turf	45
Cooked to your liking, served with fries and salad. Choose your sauce; pepper, mushroom or garlic. (G.F.O.)		Scotch 250g cooked to your liking, topped with creamy garlic prawns, fries and salad. G.F.O.)	
T-Bone Steak 350g	37	BBQ Pork Ribs	38
Cooked to your liking, served with fries and salad. Choose your sauce; pepper, mushroom or garlic. (G.F.O.)		Slow cooked, fall-off-the-bone pork ribs, marinated in a barbecue sauce. Served with fries, slaw and salad garnish. (G.F.O.)	

BURGERS

Steak Sandwich 32

Scotch fillet, bacon, cheese caramelised onion relish with bbq sauce, lettuce and tomato.
Served on Turkish bread with fries and salad.

BBQ Burger 26

Beef Patty topped with cheese, bacon, with bbq sauce, lettuce and tomato.
Served with fries and salad.

The B Bar Burger 26

Beef Patty topped with cheese, bacon, lettuce and tomato. Served with fries, slaw and salad.

Chicken Satay Burger 28

Grilled chicken topped with lettuce, tomato and our signature satay sauce. Served with fries, slaw and salad.

Veggie Burger 26

Plant based patty, served with tomato relish, slaw, salad and fries. (V)



SENIORS' MENU

60 and over...

Served with a small beer or glass of wine or soft drink

Served between 12pm and 4pm.

Fish and Chips 25

Beer battered or grilled fish. Served with fries, salad and tartare sauce.

Pie and Mash 25

Chicken Harlem 30

Grilled chicken in a creamy pepper sauce.
Served with fries and salad garnish. (G.F.O.)

Scotch Steak 25

Cooked to your liking, served with fries and salad. Choose your sauce; pepper, mushroom or garlic. (G.F.O.)

Macaroni Cheese 25

Macaroni tossed in a creamy cheese sauce.
Served with garlic bread.

SALADS

Thai Beef Salad 30

Marinated grilled, thinly sliced steak.
Served on and Asian style salad. (G.F.)

Caesar Salad 24

Cos lettuce with bacon and croutons, boiled egg and parmesan cheese, tossed in a Caesar dressing.
ADD Chicken \$6.00

Garden Salad 18

Mixed lettuce, tomato, red onion, cucumber, capsicum and feta, tossed in a French dressing. (V)

SIDES

Chips 12

Served with tomato sauce and garlic aioli. (V)

Wedges 14

Served with sour cream and sweet chilli sauce. (V)

Onion Rings 13

Served with garlic aioli. (V)



YOUNG ONES

Under 12 years

Served with a small drink and ice-cream

Cheese Burger and Chips 14

Served with salad and tomato sauce.

Nuggets and Chips 14

Served with salad and tomato sauce.

Fish and Chips 14

Served with salad and tomato sauce.

Mac N Cheese 14

Macaroni and cheese sauce.

Dear customers, we are not a nut-free or gluten free kitchen. Therefore we cannot guarantee no possible traces of these. We do however take allergies seriously and will try our best to suit all dietary requirements.

The Topsy Toad Baldivis

Tenancy 15, 60 Furnivall Parade, BALDIVIS WA 6171.

Application for a Tavern (Restricted) Licence

Section 38 Submissions

Attachment 1 (TTB01)

Witness Evidence Survey Hard Copy

October 2025

Introduction

Jersey Bean Mac Pty Ltd is applying for a tavern restricted licence for premises located at Tenancy 15 Parkland Heights Shopping Centre, Baldivis WA 6171.

The intention of the applicant, with this new application, is to provide new family-friendly tavern 'local' for the residents of Baldivis South.

Before beginning this survey, please consider the following documents;

- 1. The Topsy Toad intended manner of trade document**
- 2. Floor plans**

This survey contains fourteen (14) questions.

Respondents should be aware that this document will form an attachment to the applicant's public interest submissions - a public document.

This survey has been prepared on behalf of Jersey Bean Mac Pty Ltd by Canford Hospitality Consultants Pty Ltd.

Tel: 62782788

Email: Phil@canford.com.au

* 1. Are you 18 or older?

☐ Yes

☐ No

About you

This section has four (4) questions.

2. Please fill out your contact information

Name	
Address	
Suburb	
Email Address	
Phone Number	

3. How long (approximately) have you lived at the above address?

- ☐ Less than 1 year
- ☐ 1 - 3 years
- ☐ 5+ years

4. Approximately how far do you live from Parkland Heights Shopping Centre, Baldivis?

- ☐ Within 500m
- ☐ 1km - 3km
- ☐ Over 3km

5. If you live / work in or close to Baldivis could you please describe the nature of the locality and the area surrounding Parkland Heights Shopping Centre?

The B Bar Baldivis

The applicants currently own and operate The B Bar Baldivis, the Facebook page for this venue can be found [here](#). The following three (3) questions are about the B Bar Baldivis.

6. Have you been to the B Bar Baldivis?

- ☐ Yes
- ☐ No (Please proceed to question 9)

7. What do you say about your experience there?

	Excellent	Good	Average	Poor
Food	☐	☐	☐	☐
Drinks	☐	☐	☐	☐
Service	☐	☐	☐	☐
Entertainment / live music	☐	☐	☐	☐
Ambience	☐	☐	☐	☐

Please add any comments you want to make about the B Bar.

8. Do you know Kellie and Paul McLauchlin, licensees of The B Bar Baldivis?

- ☐ Yes
- ☐ No

If yes, what are your thoughts on them as bar owners and how they run their bar?

Proposed Style of Operation

To see The Topsy Toad Baldivis' proposed style of operation, please see their [intended manner of trade document](#) as well as a [menu and drinks list](#) from the B Bar Baldivis.

Below are two (2) questions related to the proposed style of operation of Topsy Toad Baldivis.

9. After considering the intended manner of trade document provided, are you likely to be a customer of The Topsy Toad Baldivis under a tavern restricted licence?

- ☐ Yes
- ☐ No (please proceed to question 11)

Please elaborate on your answer above.

10. Please tick all boxes below that apply to you.

- ☐ I'll be going there for casual drinks
- ☐ Looking forward to having a meal there
- ☐ I will be bringing my next event / function there
- ☐ Other (please specify)

General / Public Interest

This section contains four (4) questions and asks for your opinion on the impact of granting this licence.

11. Noting that the intention of the applicant is to provide an all-inclusive, family friendly premises - do you believe that the granting of this new application will **lessen** the amenity, quiet or good order of the Baldivis locality?

☐ Yes

☐ No

Please elaborate on your answer.

12. Are there any people or any groups of people in the locality who, in your opinion, would be at risk of increased and undue harm should this application for a tavern restricted licence be granted?

☐ Yes

☐ No

Please elaborate on your answer

13. Do you consider there to be potential for annoyance, offence, disturbance or inconvenience to people who live, work, visit or otherwise resort to the locality if this application were to be granted?

14. Do you have any other comments regarding this application?