



**CHAN GALIC**  
BARRISTERS & SOLICITORS

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Your Ref:

Our Ref: 13735

8 January 2024

The Director of Liquor Licensing  
The Department of Racing, Gaming and Liquor  
Gordon Stephenson House  
Level 2, 140 William Street,  
Perth, WA, 6000

Dear Director,

**RE: SECTION 46 SUBMISSION ON BEHALF OF KARA KARAOKE**

**1. Introduction**

We represent Potent Group Pty Ltd and express our gratitude for the insightful feedback provided in your correspondence dated 21 December 2023. In response to the received guidance, this revised submission explicitly aims to address how none of the other standard license types are suitable for the intended manner of trade at Kara Karaoke.

**2. How none of the other standard license types, such as the small bar license and restaurant license, are suitable for the intended manner of trade at Kara Karaoke**

Kara Karaoke's unique establishment, centered around immersive Korean karaoke experiences, cultural connections, and language immersion, transcends the boundaries of standard license types. A special facility - amusement license is the only category that can adequately accommodate its distinctive features and align with the objectives of the *Liquor Control Act*.

**a. Casino:**

Reason: The premises do not operate as a casino, and the focus is on providing a dedicated space for Korean karaoke, which is not aligned with the activities typically associated with a casino.

**b. Club:**

Reason: While the premises will be open to the public, the primary focus is on providing a unique and culturally immersive Korean karaoke experience, which does not align with the typical operations of a club.

**c. Club Restricted:**

Reason: The premises will indeed be open to the public, but the restrictive nature of club operations does not adequately accommodate the specialized and culturally focused activities proposed for Kara Karaoke.

**d. Hotel:**

Reason: The proposed manner of trade does not involve accommodation services, and the focus is on creating a vibrant Korean karaoke space rather than the multifaceted services associated with a hotel.

**e. Hotel Restricted:**

Reason: Similar to the standard hotel license, the proposed operations at Kara Karaoke do not include accommodation services, making it unsuitable for a license type that typically encompasses broader hospitality services.

**f. Liquor Store:**

Reason: The primary purpose of the premises is to provide an immersive karaoke experience and not to operate as a retail liquor store, making it inappropriate for a liquor store license.

**g. Nightclub:**

Reason: Kara Karaoke does not conform to the traditional concept of a nightclub, focusing more on cultural experiences through karaoke rather than the typical late-night entertainment associated with nightclubs.

**h. Tavern:**

Reason: The proposed manner of trade goes beyond the scope of a traditional tavern, as Kara Karaoke aims to provide a dedicated space for Korean karaoke, fostering cultural connections and language immersion.

**i. Tavern Restricted:**

Reason: While open to the public, the restricted nature of tavern operations does not adequately encompass the unique and specialized cultural offerings intended for Kara Karaoke.

**j. Producer:**

Reason: Kara Karaoke is not involved in the production of alcoholic beverages, making it unsuitable for a producer license.

**k. Restaurant:**

Reason: Although food and beverages will be available, Kara Karaoke's primary focus is on providing a quality karaoke experience, making it distinct from the typical operations of a restaurant.

**l. Small Bar:**

Reason: Although sharing some similarities, Kara Karaoke distinguishes itself by emphasizing singing songs in individual booths, cultural immersion, and themed experiences, differing from the standard concept of a small bar. Moreover, the current reception/cashier desk is not conducive to the operation of a standard small bar.

**m. Wholesaler:**

Reason: Kara Karaoke does not engage in wholesale distribution of alcoholic beverages, making it inappropriate for a wholesaler license.

Kara Karaoke's commitment to fostering cultural exchange and providing a unique entertainment experience warrants a special facility - amusement license, ensuring compliance with the *Liquor Control Act* while embracing its innovative model.

### **3. Prescribed Purpose: Beyond Singing, a Gateway to Korean Culture:**

The intended manner of trade at Kara Karaoke goes beyond the scope of standard license types:

- a. **Language Immersion:** Patrons engage in language immersion through singing, a unique aspect not typically associated with standard small bars.
- b. **Community Building:** The shared passion for Korean culture fosters a vibrant hub for the local Korean community, a feature not adequately facilitated by small bar or restaurant licenses.
- c. **Openness to All:** Unlike conventional bars and restaurants, Kara Karaoke welcomes anyone interested in Korean culture, providing a platform for discovery, appreciation, and mutual understanding through its karaoke experience.

### **4. Individual Song Booths: Your Personal Korean Stage:**

The distinctive features of Kara Karaoke's booths extend beyond the scope of standard license types:

- a. **Advanced Onboard Controllers:** These controllers are essential for the unique musical journey offered at Kara Karaoke, distinguishing it from other standard license types.
- b. **Professional-Grade Sound Systems:** Essential for creating an immersive experience, which is a distinctive feature not commonly associated with other standard license types.
- c. **Private and Personalized Environment:** This individualized experience is at odds with the communal nature of standard license types.

### **5. Themed Décor and Atmosphere: Transporting You to Korea:**

Thematic elements extend beyond what is traditionally associated with small bars and restaurants:

- a. **Captivating Music Videos:** This visual storytelling aspect enhances the karaoke experience, distinguishing Kara Karaoke from standard small bars and restaurants.
- b. **Thoughtfully Curated Decorations:** Creating a vibrant Korean street scene is a unique offering that sets Kara Karaoke apart from conventional small bars and restaurants.
- c. **Compelling Promotional Materials:** Every touchpoint resonates with Korean culture enthusiasts, making Kara Karaoke a niche establishment not replicated by standard small bars and restaurants.

## 6. Why a Special Facility License? Unlocking Our Full Potential:

Limitations of standard license types constrain the realization of Kara Karaoke's unique features:

- a. **Celebrate Karaoke as the Core Activity:** Standard licenses relegate singing and music to background noise, limiting the full cultural expression offered by Kara Karaoke.
- b. **Embrace Themed Décor:** The meticulously crafted Korean atmosphere enhances the immersive experience and cannot be fully realized under standard license types.

## 7. Necessity of Special Facility License for Community and Business

This license is not just about the Applicant's success; it's about cultural contribution and economic boost:

- a. **Catering to Demand:** Kara Karaoke serves a niche, attracting the growing Korean community and passionate Korean culture enthusiasts, which is beyond the scope of standard small bars and restaurants.

- b. **Empowering Local Talent:** Providing a platform for Korean singers and musicians fosters a thriving creative scene that is not adequately facilitated by standard license types.
- c. **Economic Catalyst:** Kara Karaoke will generate jobs, attract new customers, and revitalize the local nightlife with a unique cultural offering, distinguishing itself from standard small bars and restaurants.

## 8. Conclusion

Granting this Special Facility License is essential for Kara Karaoke to operate in a manner that truly reflects its unique cultural and entertainment offerings. Standard license types do not sufficiently capture the distinctive features and intended manner of trade at Kara Karaoke.

We believe granting this license is a win-win. It unlocks the Applicant's potential to:

- a. Contribute to the cultural fabric of the community: We bridge cultural gaps and foster appreciation for Korean music and traditions.
- b. Operate responsibly: We are committed to adhering to all regulations and ensuring a safe and enjoyable experience for all patrons.
- c. Be a valuable business partner: We'll invigorate the local scene, generate economic opportunities, and become a beloved community hub.

Thank you for considering our client's application. We are confident that this license will be a stepping stone towards a brighter future for both Kara Karaoke and the community the Applicant serves.

Please do not hesitate to reach out if you require further information or clarification.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chan Galic', with a stylized, flowing script.

CHAN GALIC

Barristers & Solicitors

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