



## General Public Bull Creek

Shop 4, Bull Creek Central, Bull Creek WA 6149



Application for a tavern restricted licence

Public Interest Assessment (Section 38 Submissions)

March 2025

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## 1. Introduction

- 1.1. GPBC Pty Ltd will be making an application to the Licensing Authority for a tavern restricted licence for premises located Shop 4, Bull Creek Shopping Centre, WA 6149.
- 1.2. The applicant proposes to redevelop the existing shop tenancies at the front of Bull Creek Central to create a new and exciting food & beverage destination location for the local community.
- 1.3. The applicant will create a space which everyone is welcome to enjoy. From casual coffees in the morning to a beer/glass of wine and meal at night.



- 1.4. These submissions have been drafted by Canford Hospitality Consultants Pty Ltd in consultation with the Mr. Evan Hewitt and Mr. Nic Strachan, directors of the applicant company, and references to the applicant or the applicant's opinion relate to them.
- 1.5. Section 38(4) sets out the matters to which the Licensing Authority may have regard in respect of public interest submissions, as follows;
  - 1.5.1. *"The harm or ill health that might be caused to people, or any group of people, due to the use of liquor; and*
  - 1.5.2. *The impact on the amenity of the locality in which the licensed premises, or proposed licensed premises are, or are to be, situated; and*
  - 1.5.3. *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*
  - 1.5.4. *Any other prescribed matter".*
- 1.6. The objects of the Act are expressed at s.5 of the Act, which states that the primary objects of the Act are -

- 1.6.1. *“To regulate the sale, supply and consumption of liquor; and*
- 1.6.2. *To minimise harm or ill-health caused to people, or any group of people, due to the use of liquor, and*
- 1.6.3. *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.”*
- 1.7. Section 5(2) of the Act also includes the following Secondary Objects;
  - 1.7.1. *“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*
  - 1.7.2. *To provide adequate controls over, and over the persons directly or indirectly involved in, the sale, disposal and consumption of liquor; and*
  - 1.7.3. *To provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act, and*
  - 1.7.4. *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.”*
- 1.8. 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”.*
- 1.9. In the Aldi South Fremantle decision (A180692358, refusing an application for a conditional grant of a liquor store licence), dated 22<sup>nd</sup> March 2019, at paragraph 26, the Director said;
  - 1.9.1. *“None of the primary objects of the Act take precedence over each other, however, where conflict arises in promoting the objects of the Act, the licensing authority must weigh and balance the competing interests in each case<sup>11</sup> and it is a matter for the licensing authority to decide what weight to give to the competing interests and other relevant considerations”.*<sup>12</sup>
- 1.10. 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.
- 1.11. 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.

## 2. The Locality

- 2.1. In the Liquorland Karrinyup Supreme Court decision (WASC [2021] 366) Archer J made the following observations in relation to setting the appropriate locality for an application. In Liquorland Southern River WASC [2024] 128 Lemonis J agreed with these observations.
  - 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
  - 2.1.7. The locality is not to be determined by reference to a retail catchment area. However, a retail catchment area may still be of relevance, for example illuminating the ease of access to the proposed site.
- 2.2. The Director's Form 2A provides guidance on the appropriate locality to be considered for a liquor licence application.
  - 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, and
- 2.3.5. The appropriate locality definition for the outlet density study.
- 2.4. Further, this Policy confirms that the suburb of Bull Creek, where the subject premises is located, is within 15km of the Perth CBD. Therefore, the policy says a 2km radius should be applied to the locality.
- 2.5. The physical situation of the subject premises;
- 2.5.1. The premises is located within Bull Creek Central Shopping Centre - on the corner of Leichhardt Street and Benningfield Road.
- 2.5.2. Below is an aerial image of the premises location within the Centre complex.





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

2.6.1. The boundaries surrounding the premises are;

2.6.1.1. The rest of the Bull Creek Central Shopping Complex

2.6.1.2. The Bull Creek Shopping Complex car park

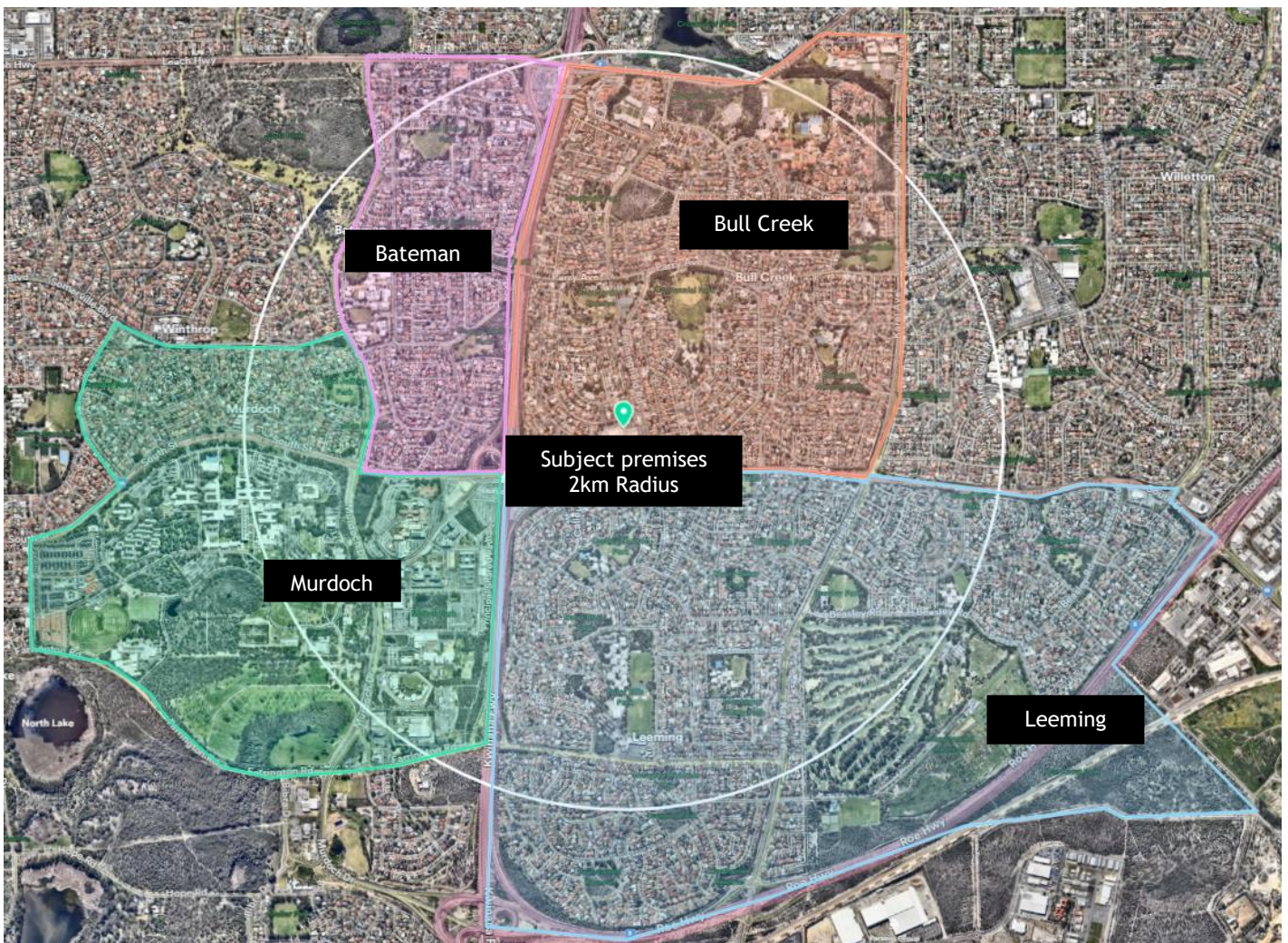
2.7. The perception of the local community and/or key advisers relevant to that community.

2.7.1. As seen in the aerial image above, the subject premises is located within a cluster of commercial tenancies at the Bull Creek Central shopping complex.

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

2.8. The applicant will now consider the appropriate locality for the demographic study.

2.8.1. The map below shows a 2km radius from the subject premises;



- 2.8.2. For the purposes of the demographic study, the following statistical areas will be used as a representation of the locality;
  - 2.8.2.1. Bull Creek,
  - 2.8.2.2. Leeming,
  - 2.8.2.3. Murdoch, and
  - 2.8.2.4. Bateman.
- 2.8.3. The applicant has selected these suburbs as representative of the locality because a substantial portion of all four suburbs fall within the 2km radius. Further, it can be said the premises are quite close to the intersection of all four of these suburbs.
- 2.8.4. Section 3 of these submissions will consider the demographics of the locality in more detail.
- 2.9. The applicant will now consider the appropriate locality for the outlet density study.
- 2.10. The Director's public interest assessment policy states that applicants will need to provide *"outlet density information that includes:*
  - 2.10.1. *if the applicant intends to sell packaged liquor, the location of all existing licensed premises within the locality;*
  - 2.10.2. *if the applicant does not intend to sell packaged liquor, the location of all existing licensed premises within 500 metres*
  - 2.10.3. *nature of services provided by the other licensed premises; and*
  - 2.10.4. *the level of access to, and diversity of the services."*
- 2.11. As required by the Director's policy on Public Interest Assessments, for the purposes of the outlet density study in these submissions, as the application does not include the sale of packaged liquor the applicant will consider the location of all existing licensed premises within 500 metres.
- 2.12. Section 5 of these submissions will address the outlet density in more detail.
- 2.13. In the witness questionnaire (described in more detail in section 7), respondents were asked, *"The subject premises will be located just off one of the main entrances to the Centre (Bull Creek Shopping Centre). What do you say about the current food and beverage offerings within the locality? Please see the locality map attached here."*
  - 2.13.1. Respondent 1 said, *"Currently no decent offerings",*
  - 2.13.2. Respondent 5 said, *"Aside from Bunker The current food offering is average Please please open here - I currently*



*travel to your Scarb restaurant for dinner as often as I can. It is my No1 place to eat! Rowing Pav a close second!"*

- 2.13.3. Respondent 12 said, *"This centre is crying out for a venue such as this! There are currently zero options other than the Bullcreek Tavern."*,
- 2.13.4. Respondent 26 said, *"I don't currently eat in the neighbourhood overly as head to Fremantle or vic park. Would appreciate an establishment we can have a drink and eat that we can walk too that creates a great location for celebrations and local community vibes."*,
- 2.13.5. Respondent 51 said, *"We need another place to go! Something more social and pub setting not just the bullcreek tavern. But something else you can walk to for dinner or drinks would be amazing."*, and
- 2.13.6. Respondent 45 said, *"Very limited diversity in food offerings and operating hours. A modern family friendly venue for evening meals would be a great addition."*

### 3. Demographics of the locality

- 3.1. The Director advises that applicants “*need to provide profile information from the locality*”, and “*The better you capture the characteristics of the local community, the better the (Director) will be able to understand the potential impact the grant of your application could have on the public interest*”.
- 3.2. In Form 2A the Director provides guidance on the data and information he would find useful when applicants consider the demographic make up of the subject locality. In that document applicants are tasked to provide an “*outline the population characteristics in the locality. Helpful demographic information will include the total population, estimated population growth, average age, income and employment status, and the type of people who live and work in the community.*’
- 3.3. On page 39 of the Western Australian Mental Health Promotion, Mental Illness, Alcohol and Other Drug Prevention Plan 2018-2025 the following priority population groups are identified.
  - 3.3.1. Aboriginal peoples and communities;
  - 3.3.2. LGBTIQ+ individuals and communities;
  - 3.3.3. Youth;
  - 3.3.4. Victims of trauma;
  - 3.3.5. Children affected by parental mental illness and/or harmful alcohol and other drug use;
  - 3.3.6. People at-risk of experiencing homelessness;
  - 3.3.7. Military veterans;
  - 3.3.8. People within the criminal justice system;
  - 3.3.9. People with an existing mental illness;
  - 3.3.10. Regional, remote and rural populations;
  - 3.3.11. Fly-In-Fly-Out workers and families;
  - 3.3.12. Carers, families and supporters of consumers of mental health, alcohol and other drug services (in particular, children); and
  - 3.3.13. People with lived experience of mental health and/ or alcohol and other drug-related issues.
- 3.4. The applicant will consider all thirteen groups above for which data is readily available. The following groups were unable to be considered however, as data is not available for them.
  - 3.4.1. LGBTIQ+ individuals and communities;
  - 3.4.2. Victims of trauma;
  - 3.4.3. Children affected by parental mental illness and/or harmful alcohol and other drug use;
  - 3.4.4. People at-risk of experiencing homelessness;
  - 3.4.5. People within the criminal justice system;
  - 3.4.6. People with an existing mental illness;
  - 3.4.7. Fly-In-Fly-Out workers and families
  - 3.4.8. Carers, families and supporters of consumers of mental health, alcohol and other drug services (in particular, children); and
  - 3.4.9. People with lived experience of mental health and/ or alcohol

and other drug-related issues.

- 3.5. So, in summary, the Applicant will provide data on the following;
  - 3.5.1. Total population,
  - 3.5.2. Estimated population growth,
  - 3.5.3. Average age,
  - 3.5.4. Income,
  - 3.5.5. Employment status,
  - 3.5.6. Aboriginal peoples and communities,
  - 3.5.7. Youth,
  - 3.5.8. Military veterans, and
  - 3.5.9. Regional, remote and rural populations,
- 3.6. For the purpose of this demographic study, the applicant has selected relevant Census topics from the Australian Bureau of Statistics (ABS) website ([www.abs.gov.au](http://www.abs.gov.au)) to provide an indication of the prevalence of each of the priority population groups within the locality and compared them with the same information for the State (Western Australia).
- 3.7. The applicant will be considering the 2021 census data relating to the suburbs specified in paragraph 2.8.2.
- 3.8. The selected ABS 2021 Census data is shown in the table below.



ABS Census 2021	Bull Creek	Leeming	Bateman	Murdoch	WA
<b>People</b>					
Median Age	44	42	41	43	38
<b>Aboriginal and Torres Strait Islander People</b>	0.6%	0.3%	0.5%	1.2%	3.3%
<b>Age</b>					
Persons aged 15 - 24	10.7%	11.8%	12.7%	21.9%	11.8%
Persons aged 65+	26.8%	21.1%	19.9%	32.0%	16.1%
<b>Level of highest educational attainment</b>					
Bachelor Degree level and above	40.6%	35.3%	42.2%	30.6%	23.8%
<b>Occupation</b>					
Professionals	37.6%	31.9%	36.2%	28.7%	22.0%
Managers	12.4%	13.1%	13.0%	8.8%	12.3%
<b>Australian Defence Force Service</b>					
Previously served (and not currently serving)	3.3%	2.7%	2.3%	3.1%	2.6%
<b>Employment, hours worked</b>					
35 - 39 hours	18.4%	18.5%	17.7%	16.5%	18.0%
40 - 44 hours	22.2%	21.0%	20.8%	16.0%	19.6%
<b>Dwellings</b>					
Occupied Private Dwellings	92.7%	95.3%	94.3%	92.1%	89.1%
<b>Tenure type</b>					
Owned outright	40.5%	46.2%	42.9%	40.7%	29.2%
<b>Median Weekly Incomes</b>					
Family	\$2,378	\$2,603	\$2,630	\$1,979	\$2,214
Household	\$1,880	\$2,330	\$2,284	\$1,459	\$1,815
<b>Household income</b>					
More than \$3,000 total household weekly income	30.7%	37.5%	38.0%	23.0%	25.6%
<b>Rent weekly payments</b>					
Median rent	\$420	\$440	\$420	\$445	\$340
Renter households where rent payments are less than or equal to 30% of household income	63.9%	63.5%	65.8%	57.7%	59.9%
Renter households with rent payments greater than 30% of household income	25.7%	21.5%	25.1%	25.4%	28.3%
<b>Mortgage monthly repayments</b>					
Median mortgage repayments	\$2,167	\$2,167	\$2,200	\$2,037	\$1,842
Owner with mortgage households where mortgage repayments are less than or equal to 30% of household income	74.5%	77.9%	74.8%	75.7%	72.1%
Owner with mortgage households with mortgage repayments greater than 30% of household income	11.5%	9.4%	12.1%	8.5%	13.0%

- 3.9. The purpose of considering the demographic data for the locality is to establish whether the priority population groups identified in paragraphs 3.3 to 3.5 above are over or underrepresented in the locality.
- 3.10. Aboriginal people and communities are underrepresented in each of the above listed suburbs compared to the State.
- 3.11. Children and young people;
  - 3.11.1. Combining the percentages of the listed suburbs and averaging it out, we come out with a 14.28% figure, which would suggest slight overrepresentation of this priority group. The applicant reminds the Director that one of the suburbs in the locality is Murdoch, which houses Murdoch University. It is reasonable to assume the University has skewed the representation of young people (or rather young adults).
- 3.12. Older adults;
  - 3.12.1. The percentage of persons aged 65+ is higher across all listed suburbs.
  - 3.12.2. Conclusion - This priority group is represented in the locality.
- 3.13. People from rural and remote communities;
  - 3.13.1. The locality is not in a regional, rural or remote area.
- 3.14. Military Veterans across the four suburbs are very slightly overrepresented.
- 3.15. When comparing the socio-economic data in the 2021 Census for the suburbs to the figures for WA as a whole;
  - 3.15.1. The rate of highest educational attainment being a bachelor's degree or above was significantly higher than the State average.
  - 3.15.2. The majority of the suburbs appear to be affluent - with higher income averages and household income when compared to the State.
  - 3.15.3. Averaging the figures across all four suburbs to make a 'locality average', the applicant notes there is a higher representation of people in the locality who work in a professional capacity, and who work more hours when compared to the State.
  - 3.15.4. Lastly, across the locality there is a lower level of both rental and mortgage stress. The State shows a higher representation of persons who are making rental / mortgage payments considered to be slightly above their means.
- 3.16. Population growth - per the WA Tomorrow information available, the local Government area in which these suburbs are located (City of Melville) will likely see an average annual rate of population growth around 0.8%.
- 3.17. ***Conclusion - The socio-economic environment in the locality appears stable and unremarkable with a very low prevalence of almost all of the priority groups.***

## 4. Community Buildings in the Locality

- 4.1. Per the directive of Form 2A, at paragraph 3.3, available on the Public Interest Assessment policy website (last amended September 2024);
  - 4.1.1. *"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".*
- 4.2. Below is a list of these community venues, within 2km of the subject site;
- 4.3. Hospitals
  - 4.3.1. Algae R&D Centre, Murdoch University - 90 South St, Murdoch WA 6150
  - 4.3.2. St John of God Murdoch Hospital - Barry Marshall Parade, Murdoch WA 6150
  - 4.3.3. Fiona Stanley Hospital - 11 Robin Warren Dr, Murdoch WA 6150
- 4.4. School / Education Centre
  - 4.4.1. MUTECH: Murdoch Training and Education Centre - Murdoch WA 6150
  - 4.4.2. Murdoch University - 90 South St, Murdoch WA 6150
  - 4.4.3. Leeming Senior High School Education Support Centre - Aulberry Parade, Leeming WA 6149
  - 4.4.4. West Leeming Primary School - 50 Westall Terrace, Leeming WA 6149
  - 4.4.5. Banksia Park Primary School - 13 Hicks St, Leeming WA 6149
  - 4.4.6. Bull Creek Primary School - 32 Hardy St, Bull Creek WA 6149
  - 4.4.7. Oberthur Primary School - 21 Nicholls Cres, Bull Creek WA 6149
  - 4.4.8. All Saints College - 28 Ewing Ave, Bull Creek WA 6149
  - 4.4.9. Bateman Primary School - 2 Bartling Cres, Bateman WA 6150
- 4.5. Hospice
  - 4.5.1. St John of God Murdoch Community Hospice - St John of God Murdoch Hospital, 1 Barry Marshall Parade, Murdoch WA 6150
- 4.6. Aged Care
  - 4.6.1. Aegis Murdoch - 16 Fiona Wood Rd, Murdoch WA 6150
  - 4.6.2. Alchera Living Bull Creek Retirement Village - 4/18 Hassell Cres, Bull Creek WA 6149
  - 4.6.3. Leeming Retirement Village - 2 Theakston Grn, Leeming WA 6149
  - 4.6.4. Amana Living - Lefroy Care Centre, Bull Creek - 22 Lefroy Rd, Bull Creek WA 6159



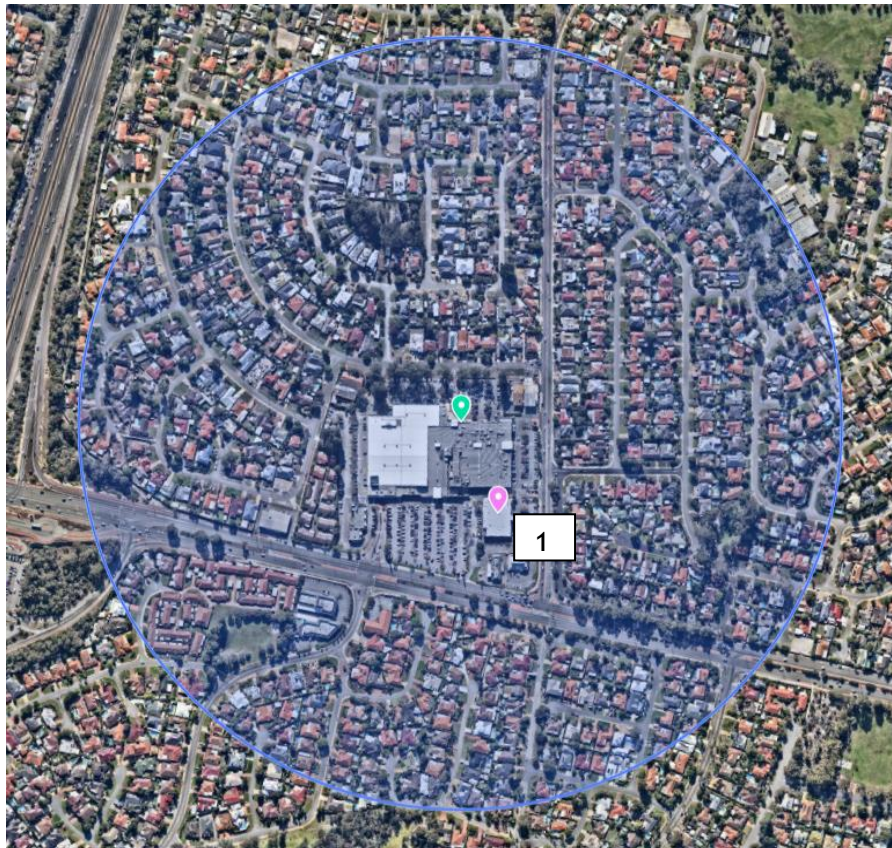
- 4.6.5. Amana Living - Frederick Guest Hostel, Bull Creek - 25 Gleddon Rd, Bull Creek WA 6149
- 4.6.6. RAAFA Alice Ross-King Care Centre - 2 Bull Creek Dr, Bull Creek WA 6149
- 4.7. Drug and alcohol treatment centres
  - 4.7.1. Western Diagnostic Pathology Bull Creek - 64 Bull Creek Dr, Bull Creek WA 6149
- 4.8. Child care centres
  - 4.8.1. Leeming Child Care Centre - 71 Calley Dr, Leeming WA 6149
  - 4.8.2. Nurture Early Learning Murdoch - Tower C, Level 5/44 Barry Marshall Parade, Murdoch WA 6150
  - 4.8.3. Mulberry Tree Childcare Leeming - 92 Farrington Rd, Leeming WA 6149
  - 4.8.4. Latha Family Day Care - 7 Wethered St, Leeming WA 6149
  - 4.8.5. Mint Child Care & Kindy - 37 Chancery Cres, Willetton WA 6155
  - 4.8.6. Leeming Out of School Care Centre - 25 Nicholls Cres, Bull Creek WA 6149
  - 4.8.7. Crayon House Child Care - 115 Parry Ave, Bull Creek WA 6149
  - 4.8.8. Little Saints - All Saints' College, Gate 1/28 Ewing Ave, Bull Creek WA 6149
  - 4.8.9. Vaishali's Family Daycare - 14 Orbell Way, Bull Creek WA 6149
- 4.9. Church
  - 4.9.1. Australian Pentecostal Church Perth - WVP4+F5, Bull Creek WA 6149
  - 4.9.2. St Thomas More Bateman Parish Catholic Church - Dean Rd, Bateman WA 6150
  - 4.9.3. Westminster Presbyterian Church Bull Creek - 32 Bull Creek Dr, Bull Creek WA 6149
  - 4.9.4. Lifestreams Christian Church Bull Creek - 55 Agincourt Dr, Willetton WA 6155
  - 4.9.5. Spring of Life ministries - 55 Agincourt Dr, Willetton WA 6155
  - 4.9.6. St John & St Paul Catholic Parish Willetton - 5 Ingham Ct, Willetton WA 6155
- 4.10. Local Government
  - 4.10.1. City of Melville Operations Centre - 13 Bramanti Rd, Murdoch WA 6150
  - 4.10.2. Murdoch Police Station - 120 Murdoch Dr, Murdoch WA 6150

## 5. Outlet Density Information

- 5.1. According to the previous iteration of the policy document “Public Interest Assessment”, applicants were required to consider licensed premises, which may trade in a manner similar to what is proposed, within 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 January 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 the relevant suburbs outlined in paragraph 2.8.2.
  - 5.4.2. Restricted their search to premises 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 one premises which may trade in a manner similar to a tavern which are situated within 500m.

No.	Licence Ref	Licence Type	Premises Name	Address
1	6020020222	Tavern	Bull Creek Tavern	52 Benningfield Rd, Bull Creek WA 6149

- 5.6. The map below shows the premises with a 500m radius surrounding it.



## 6. Proposed Style of Operation

- 6.1. The applicant aims to target a wide variety of clientele, including local families, shoppers, professional people and visitors to the Fiona Stanley Hospital precinct.
- 6.2. The proposed site will extend out to the northern side of the shopping centre. Base build and fit-out works are expected to exceed \$3.5m and are inclusive of;
  - 6.2.1. A large purpose-built hospitality premises, casual inside and outside seating, take away coffee window,
  - 6.2.2. Kitchen equipment,
  - 6.2.3. Grease trap, and
  - 6.2.4. Exhaust hood.
- 6.3. The décor and the fit out of the already existing General Public Group venues have been designed with a modern wooden and industrial inspired looks, providing outdoor dining options and a 'hole-in-the-wall' coffee spot, which has become very popular with customers in the two existing locations (Inglewood and Scarborough).
- 6.4. These core elements of design will follow through with this new



premises.

- 6.5. The applicant envisages that entertainment will be in the form of low-key, pre-recorded music played through a central sound system, with some televised sport to be played in the background on weekends.
- 6.6. If this application is approved, what will be created is a single venue promoting responsible drinking practices, food and friendly atmosphere
- 6.7. The applicant intends to open the premises for the following hours.
  - 6.7.1. 6am - 9pm Sun - Thursday
  - 6.7.2. 6am - 11pm Friday & Saturday



- 6.8. 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.
- 6.9. As required by the Liquor Control Act, Canning Bridge Pavilion will have at least one approved manager on duty at all times the premises are open for trade and all staff will all be trained in the responsible service of alcohol.



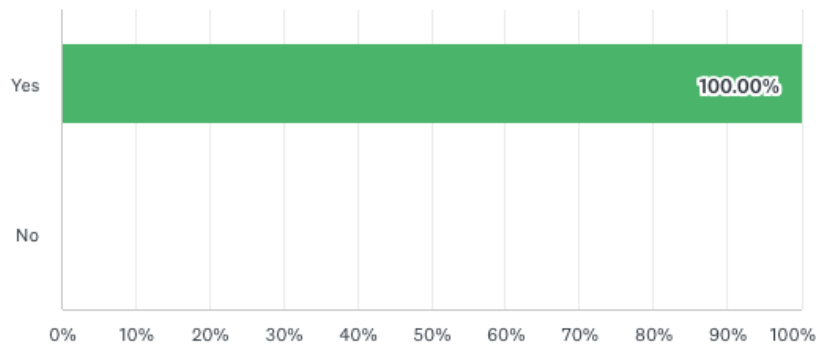
- 6.10. Much the same as the other venues, General Public Bull Creek will be a community driven space where everyone is welcome. The applicant wishes to provide shoppers from the centre as well as the local community a space where they feel welcomed and safe. Families and 'once a weekers' are the focus for trading, as shoppers and locals will be making up a big part of the applicant's target audience.

- 6.11. The General Public brand does not tolerate anti-social behaviour, nor do they operate in a way that puts their relationship with the local community at risk. Their venues are not a 'party style' venue; and whilst alcohol will be part of the offering, they believe 60 -70% of their weekly sales will come from food.
- 6.12. The venue will be a new build; an addition to the current shopping centre - there are renders detailed throughout these submissions. The overall cost of this project will be upwards of \$3 million.
- 6.13. Bull Creek has limited offerings for fresh casual dining, and the applicant believes the demographic in the area would very much welcome somewhere nice to go for a meal and a drink.
- 6.14. Much the same as their other venues, they will engage the community through supporting local sporting clubs and schools, hosting community events such as kids' pizza masterclasses and being the venue that can accommodate any local function or event.
- 6.15. The applicant further commits to community engagement by seeking to source local products where possible and make use of local suppliers too. This also extends to seeking local staff. Amongst their current staff roster (over 90 people strong), they are proud of the fact that their top-level management positions have all been hires from within the company. This will once more be the aim here with General Public Bull Creek.
- 6.16. If this application is approved, this will become the fourth venue over six years to be run by the applicant under the General Public Group banner.



- 6.17. In the witness questionnaire (detailed in the next section), respondents were asked, *"Bearing in mind the proposed style of operation for this tavern, as described in the Intended Manner of Trade document, would you be likely to be a customer?"* Their answers are graphed below.

Bearing in mind the proposed style of operation for this tavern, as described in the Intended Manner of Trade Document, would you be likely to be a customer?



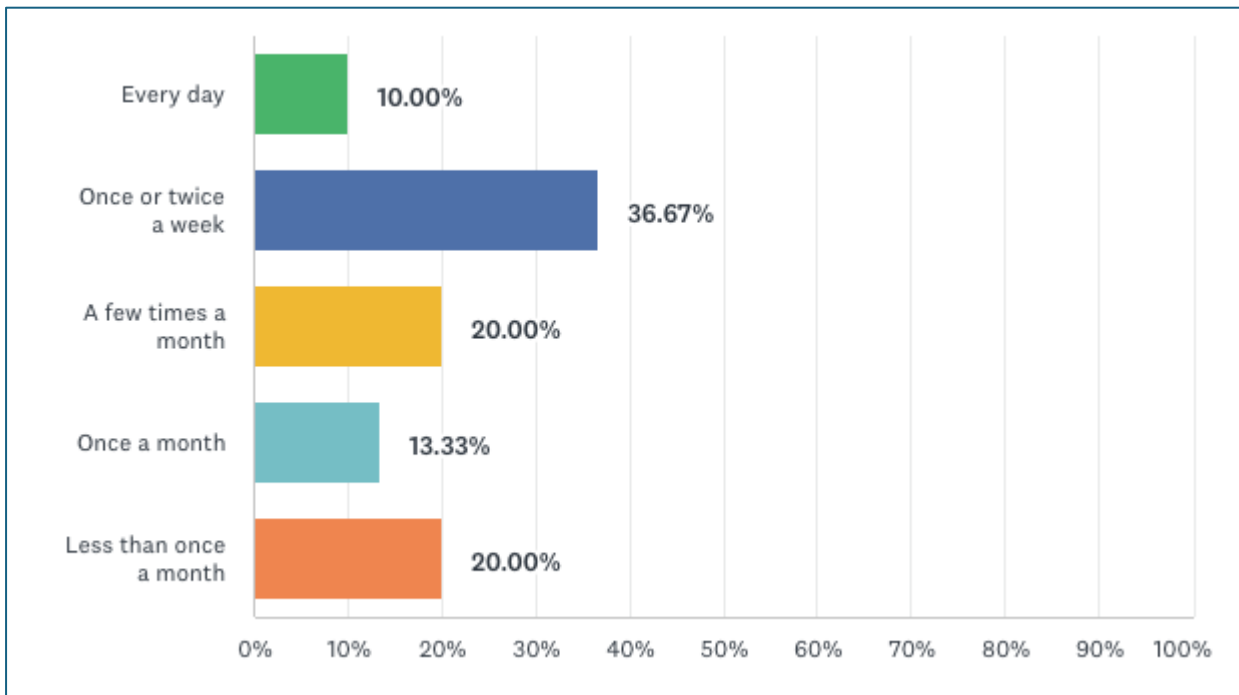
6.18. Elaborating further;

- 6.18.1. Respondent 2 said, *“Yes. We need a better local than Bull creek Tavern. And the similarities to Rowing Pavillion will give it a little more class than the tavern. Love the offering of a variety of meals.”*
- 6.18.2. Respondent 6 said, *“I am always for more pubs. I don't drink myself but I believe they bring so much to the community that there needs to be more local offerings.”*
- 6.18.3. Respondent 10 said, *“Yes. We are a young family who love to dine out but there really are no options near us at all. As a result we generally order uber eats from restaurants far away, costing us more and not supporting our local businesses.”*
- 6.18.4. Respondent 15 said, *“A tavern of this type is sorely needed in this area. What options we do have are poor ones”.*
- 6.18.5. Respondent 26 said, *“Absolutely!! I whole heartedly Hope that general public co are successful at receiving the tender for the tavern. I'm young and a very social person but have only once in 6 years been to the only other tavern in the area. Where if there was a new place run by general public food co I would be their regularly as I live in the area and work at Fiona Stanley Hospital.”*
- 6.18.6. Respondent 33 said, *“The current small pub does not have the same feel so is not somewhere I visit for a meal. This looks much more aligned to what I like for a meal/drink.”*
- 6.18.7. Respondent 51 said, *“Yes of course! I would love to be walking distance to a place like this I would most likely visit the tavern at least 1 time a week!”*
- 6.18.8. Respondent 57 said, *“Having read the Manner of Trade Document & seen the proposed venue it looks like an asset to the area & an ideal place to visit for a family meal.”*
- 6.18.9. More comments can be read in attachment GB05



## 7. Objective Witness Support

- 7.1. The applicant conducted a witness questionnaire to gather objective evidence for the support of this application. The questionnaire (attachment GB01) was prepared and distributed via an online campaign.
- 7.2. Respondents were also provided access to the following supporting documents.
  - 7.2.1. An intended manner of trade document (attachment GB02).
  - 7.2.2. A map of the locality (attachment GB03),
  - 7.2.3. A draft floor plan (attachment GB04),
  - 7.2.4. Access to the Rowing Pavilion online Food and Beverage menu.
- 7.3. A total of 74 people completed the questionnaire. The applicant declares that 13 extra questionnaires were attempted but no information / data was recorded. These respondents have been removed as they have no bearing on the final results. This has left 61 responses with genuine and useful data.
- 7.4. All raw witness data has been lodged with these submissions (attachment GB05).
- 7.5. These questionnaires provide the Director with an insight into the opinions of people from the local community and others who resort to the area and are likely to become patrons of the new venue.
- 7.6. Of the 60 respondents who filled in their suburb address;
  - 7.6.1. 26 (43.33%) said they lived in Leeming - a suburb directly adjacent to Bull Creek (where the subject premises are located),
    - 7.6.1.1. Noting the premises itself is very much near the border of Bull Creek and Leeming.
  - 7.6.2. 11 (18%) said they lived in Kardinya - 2 suburbs from Bull Creek,
  - 7.6.3. All respondents live south of the river. Some other suburbs listed included Palmyra, Melville, Beaconsfield, amongst others.
- 7.7. Around half of the respondents said that they live within 2km of the premises.
- 7.8. 96% of the respondents to the question *“How long (approximately) have you lived at the above address?”* said they have been there for anywhere between 1-5 years, with 59% of that group stating they’ve lived in the area for 5+ years.
- 7.9. Further, close to 75% of respondents said *“Yes”* when asked if they live or work in / close to Bull Creek.
- 7.10. Respondents were then asked, *“How often do you currently visit / dine at premises in Bull Creek Central Shopping Centre?”* Their answers are below.



- 7.11. It can be seen that **two thirds** of respondents visit the shopping centre multiple times a month at the very least.
- 7.12. Given that this application is for the benefit of (1) those who live & work in and around Bull Creek, as well as (2) anyone who visits the Bull Creek shopping complex, the objective evidence presented in this section shows this respondent pool to be an accurate representation of the community and locality.
- 7.13. Noting all of this, 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).

## 8. Applicant Background

- 8.1. Evan Hewitt, Nic Strachan and Mark Pearn are the directors of the applicant company for this project. Below is some information relating to each of them individually, as well as the work they've done under the General Public Group.
- 8.2. Evan Hewitt;
  - 8.2.1. Evan has been in the food and beverage industry for over 16 years. Most recently Evan was the franchisee of three (3) Grill'd restaurants for 8 years.
  - 8.2.2. His first Grill'd restaurant was Grill'd Mt Lawley, being the inaugural restaurant in WA. He left Grill'd after having owned and operated 3 franchises with combined turnover of \$8m
  - 8.2.3. After selling his Grill'd franchises, Evan started General Public Food Co in Scarborough.
  - 8.2.4. After Scarborough's success, General Public grew to 2 restaurants, the second one being in Inglewood. Shortly after that, The General Public Group opened The Rowing Pavilion which became an instant success in the Canning Bridge Community.
  - 8.2.5. Evan is the director and shareholder of all three (3) venues, which have a combined annual turnover of \$15m. Evan takes a 'hands on' approach to business, with an in depth understanding of financials and operations.
- 8.3. Nic Strachan;
  - 8.3.1. Nick spent several years in management throughout some of Melbourne's dining hot spots before moving to Perth.
  - 8.3.2. He was a successful franchisee with Grill'd - opening the Fremantle restaurant and owning it for 5 years.
  - 8.3.3. He came on as a partner at General Public in Nov. 2019, and as noted above, is Evan's equal business partner to the present day, and as such is a director and shareholder in all three of The General Public Group's venues.
- 8.4. Mark Pearn;
  - 8.4.1. Marks experience within the hospitality industry spans 15 years, from area manager roles, to daily operations and financial management positions.
  - 8.4.2. To add to his profile, he has also spent time in charge of the hospitality operations at Little Creatures in Fremantle, being responsible for business outcomes and safety of people and staff.
  - 8.4.3. Mark is also a group operations manager for Lion Hospitality global, one of the most recognisable food and beverage groups throughout Australasia. His position there was given after a year within their ranks in Lion Perth and Little Creatures.
  - 8.4.4. Mark came on as a shareholder in The Rowing Pavilion, as his skill

set was a perfect fit for a larger style venue. He is the General Manager of The Rowing Pavilion and has a hand in everything from day-to-day operations, to payroll and budget forecasting.

8.5. The General Public Group.

- 8.5.1. The General Public brand was conceived in January 2018 and the concept for The Rowing Pavilion was derived from this brand direction. From the growing demands in the local community hospitality industry, they saw an opportunity.
- 8.5.2. Whilst General Public and the Rowing Pavilion are different businesses with different offerings, the brands share common values. General Public can be described as a laidback family friendly sourdough pizza restaurant, which also caters for coffee crowds in the morning.
- 8.5.3. They offer a great beer, wine and cocktail menu to compliment the nights and bake 'in house' baked good to go with their take-away coffee style mornings.
- 8.5.4. Annual turnover last year was reported to be around \$5.5 million.
- 8.5.5. The Rowing Pavilion is slightly more premium with the offering. The food to alcohol ratio is around 50/50 split, but the community aspect of the venue is still there. 'The Pav' caters for rowers and locals with take-away coffee options in the morning, but the bulk of the operation is lunch and dinner. Annual turnover last year was reported just over \$9 million.
- 8.5.6. Perth's continued appreciation for quality dining experiences with a consciousness of the source and quality of ingredients was the key driver in launching this brand.
- 8.5.7. Having young families that embrace local community involvement, including local school and sporting organisations, they are very excited about bringing quality and experience to the suburbs that this Bull Creek site presents.
- 8.5.8. The General Public Group will deliver to Bull Creek a new age dining experience that will showcase modern design, artisan sourdough pizzas and craft beverages to the local community. It will combine quality, value and convenience.
- 8.5.9. The General Public Group's aim is to position itself as a friendly non-discriminatory community venue that caters for families, teenagers, couples and grandparents alike. The menu, atmosphere and offerings will cater for everyone and totally immerse itself in the local community.
- 8.5.10. The same opportunity the applicant saw with all its preceding venues is once again seen here with Bull Creek - the need for a community driven venue. A space where everyone is welcome to enjoy; from casual coffees in the morning to a beer/glass of wine and meal at night.
- 8.5.11. The applicant believes the Bull Creek demographic is underserviced with decent food & beverage offerings. Two of the

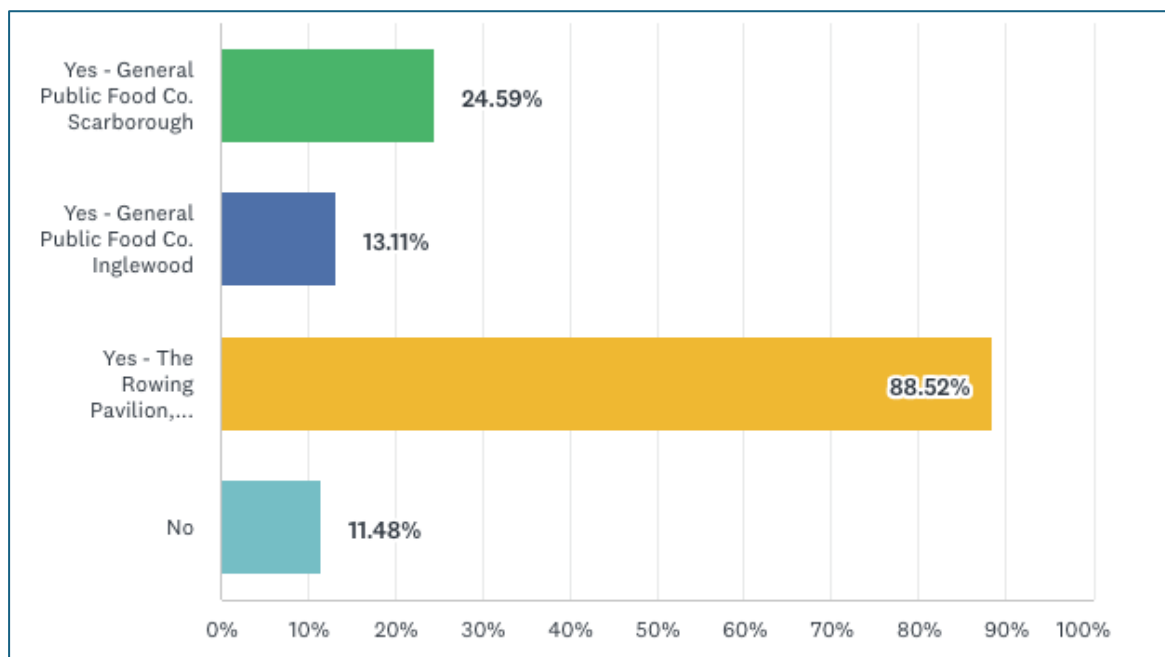


owners (both with young families) live close to the proposed venue. So, the idea of a family friendly, casual dining space was very appealing.

- 8.5.12. No premises under the General Public Group banner has received any infringements from the Licensing Authority, or warnings / formal complaints from any local Council or Police.
- 8.5.13. It would stand to reason then, that the opening of a fourth venue comes off the back of a very sturdy platform, as it will be operating under the banner of a well-known and successful brand.



- 8.5.14. In the witness questionnaire, respondents were asked, *“Have you visited any of the existing General Public venues? Please tick all that apply”*. Their answers are below.



- 8.5.15. As a follow up, respondents were then asked, *“If you answered ‘Yes’ to the previous question, what was your impression of the venue and it’s food & beverage offer?”*
- 8.5.15.1. Respondent 5 said, *“THE BEST!!! We always say we wish we had this near us. PLEASE PLEASE PLEASE open at Bullcreek Creek! We will be regulars!!”*
- 8.5.15.2. Respondent 29 said, *“Very good venues. High quality, clean, family friendly casual dining. Good clientele and good staffing. Very enjoyable and professional,”*
- 8.5.15.3. Respondent 31 said, *“Absolutely love it! Love the vibe and that it’s family friendly! Their dishes are so incredibly delicious too so many vegan options so I absolutely love going to these venues and is often my pick to go to once a week for a family dinner or catch up with friends!”*,
- 8.5.15.4. Respondent 42 said, *“Amazing food and service One of my favourite restaurants/bars to go to Wonderful vibe”*
- 8.5.15.5. Respondent 57 said, *“Excellent food & drink, the service is great, with friendly helpful staff, a lovely atmosphere to enjoy a drink & meal.”*
- 8.5.15.6. More comments can be viewed in attachment GB05

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

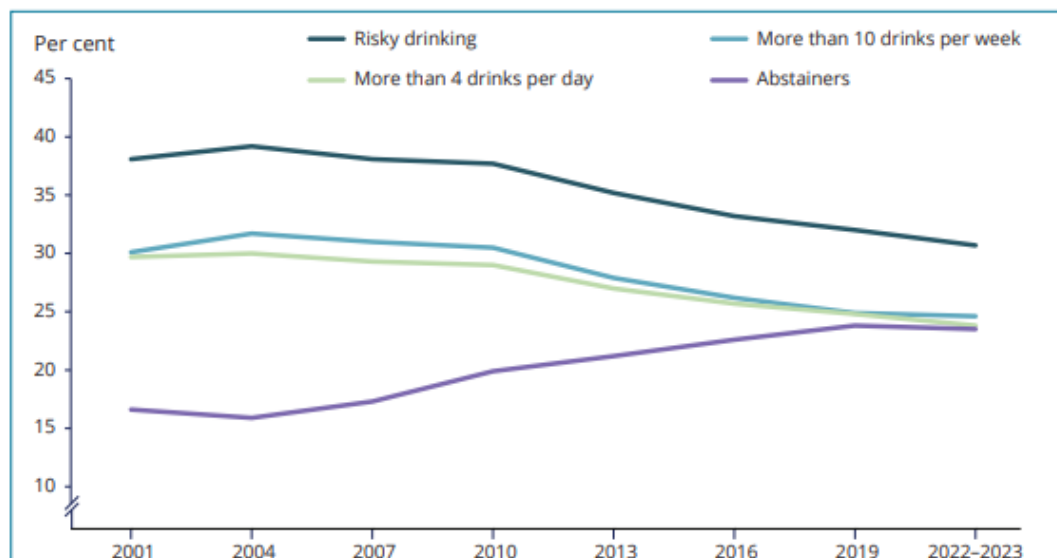
- 9.1. Section 38(4)(a) of the Liquor Control Act (1988) asks the applicant to consider *“the harm or ill-health that might be caused to people, or any group of people, due to the use of liquor.”*
- 9.2. In this section the applicant assesses the risk with respect to the harm or ill-health that might be caused to people, or groups of people within the locality should this licence be granted.
- 9.3. The demographics of the locality have been discussed in Section 3 of these submissions and concluded there are no significant concerns in respect of the identified priority groups.
- 9.4. The below snippet is taken from Australia’s Health 2024 in brief (a report from the Australian Institute of Health and Welfare).

### Long-term decline in risky drinking

In December 2020, the National Health and Medical Research Council (NHMRC) released revised Australian guidelines to reduce health risks from drinking alcohol. Consuming more than 10 standard drinks per week, or more than 4 in a single day is likely to increase the risk of harm from alcohol-related disease or injury.

Between 2004 and 2022–2023, the proportion of people aged 14 and over:

- drinking alcohol in ways that put their health at risk declined – from 39% to 31%
- putting their health at risk by drinking more than 10 standard drinks per week on average declined – from 32% to 25%
- putting their health at risk by drinking more than 4 standard drinks in a single day at least once a month declined – from 30% to 24%.



#### Notes

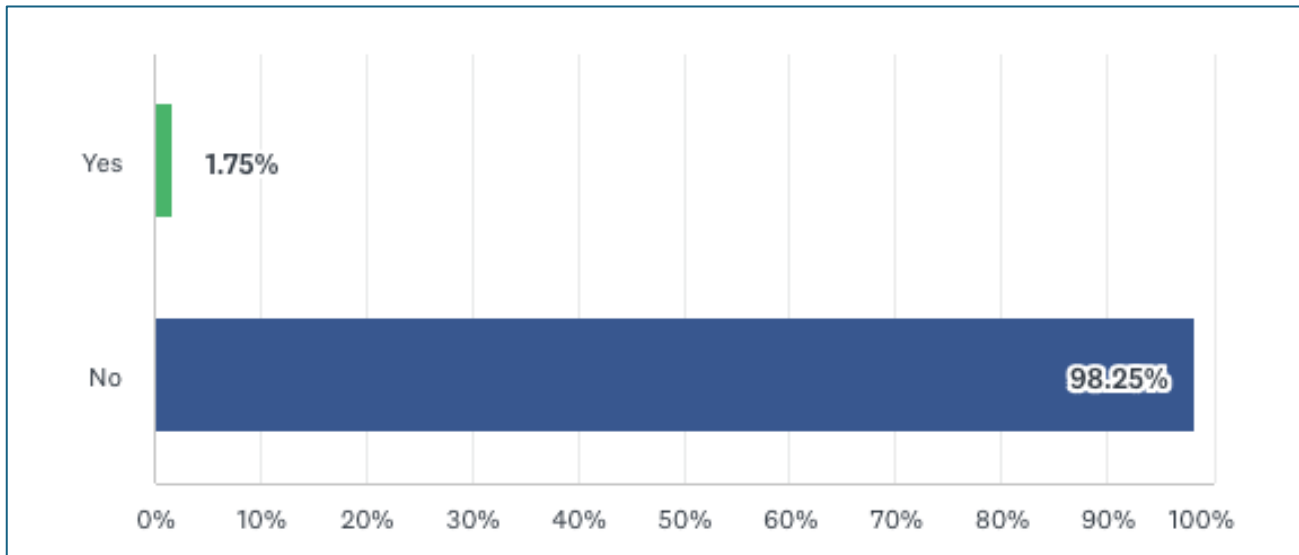
1. Risky drinking is having more than 10 standard drinks per week, or more than 4 drinks per day at least once a month, on average.
2. Abstainers refer to people who have not consumed alcohol in the previous 12 months.

- 9.5. Other points of note from this report, specific to alcohol consumption;
- 9.5.1. 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.
- 9.5.2. 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.
- 9.6. In a separate Alcohol Factsheet provided as part of this report, it is noted that;
- 9.6.1. 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).
- 9.6.1.1. The applicant has provided a detailed Harm Minimisation Plan which is included in the application documents to manage any potential for increased harm or ill-health.
- 9.7. **Criminal/offence Statistics**
- 9.8. To further satisfy Section 38(4)(a), the licensee sought to investigate the incidence of alcohol related offences within the locality as recorded by the WA police. However, no statistics were available on the WA Police website in relation to alcohol related crime for any towns or suburbs in WA.
- 9.9. Given that Bull Creek Shopping Central is close to the border between Bull Creek and Leeming, the applicant will be considering the crime statistics for both suburbs, keeping in mind that these figures do not specify any incidence of alcohol use or abuse.
- 9.10. 2022/23 Crime statistics recorded by the WA Police for Bull Creek, Leeming and Western Australia - calendar year.



Type of Offence	2023-2024 Bull Creek (suburb)	2023-2024 Leeming (suburb)	2023-2024 Western Australia
Homicide	-	-	91
Recent Sexual Offences	8	13	5,354
Historical Sexual Offences	-	-	1,959
Assault (Family)	17	24	29,443
Assault (Non-Family)	11	8	16,570
Threatening Behaviour (Family)	1	3	6,366
Threatening Behaviour (Non-Family)	2	3	4,944
Deprivation of Liberty	-	-	324
Robbery	2	2	1,803
Burglary	24	27	18,833
Stealing of Motor Vehicle	3	5	6,250
Stealing	269	67	84,121
Property Damage	11	28	28,339
Arson	-	-	1,009
Drug Offences	12	5	24,384
Receiving and possession of stolen property	2	2	4,062
Regulated Weapons offences	2	-	3,505
Graffiti	1	2	2,295
Fraud & Related Offences	92	35	32,782
Breach of Violence Restraint Order	3	78	15,467
<b>Total of Selected Offences</b>	<b>460</b>	<b>302</b>	<b>287,901</b>
<b>Total of Selected Offences Per 1000 residents (Using population stats as per ABS 2021 data)</b>	<b>57</b>	<b>28</b>	<b>105.4</b>

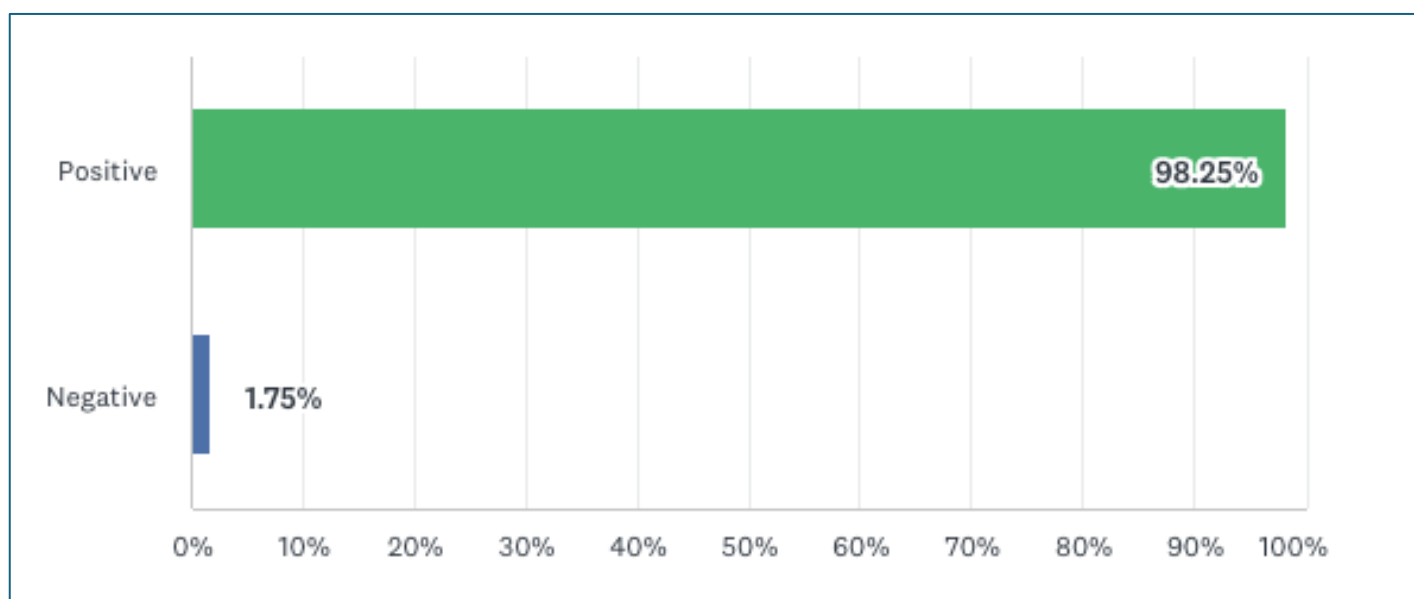
- 9.11. Looking at the crime stats from 2023-2024, the applicant concludes that Bull Creek and Leeming show a low rate of offending when compared to Western Australia as a whole.
- 9.12. In the witness questionnaire, respondents were asked, *“Are there any people or any groups of people in the locality who, in your opinion, would be at risk of increased and undue harm as a result of the granting of this application?”*.
- 9.13. Of the **57** responses received, **56 (98.25%)** of respondents said, **“No”**.



- 9.14. Given that (1) the rate of offending within the both Bull Creek and Leeming is well below the State average, and (2) an overwhelming majority of the respondents (i.e. the local community) saying they do not view this new premises as increasing the potential for undue harm to any persons in the locality, it is open for the licensing authority to find this application’s impact on the potential for crime is very low.

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

- 10.1. The licensee is required to consider both the positive and the negative potential impacts of these applications on the amenity of the locality.
- 10.2. The applicant believes that through this proposed tavern restricted licence, General Public Bull Creek will be adding value and amenity to the locality.
- 10.3. Further, the applicant reiterates the following;
  - 10.3.1. The applicant aims to bring a family friendly food and beverage environment to the locality, as its directors have successfully done in Scarborough and Inglewood.
  - 10.3.2. They also intend to be an active part of the community, embracing the new area and displaying a willingness to be involved in local school and sporting organisations. They have done this for each of their previous venues.
  - 10.3.3. They will be bringing a new age dining experience to the area - ensuring they have something for everyone.
  - 10.3.4. With their service offering covering breakfast, lunch and dinner, they will be providing be providing added convenience and choice to patrons of the area.
  - 10.3.5. The premises will be mostly seated, the entertainment provided will be low-key, and the licensees are very knowledgeable and experienced.
- 10.4. This premises will breathe new life into the shopping centre, taking over once empty tenancies and bringing forth a modern and welcoming hospitality venue for all.
- 10.5. The witness questionnaire asked, *"In your view, will this tavern have a positive or negative impact on the amenity of the locality?"* The respondents answers are graphed below.

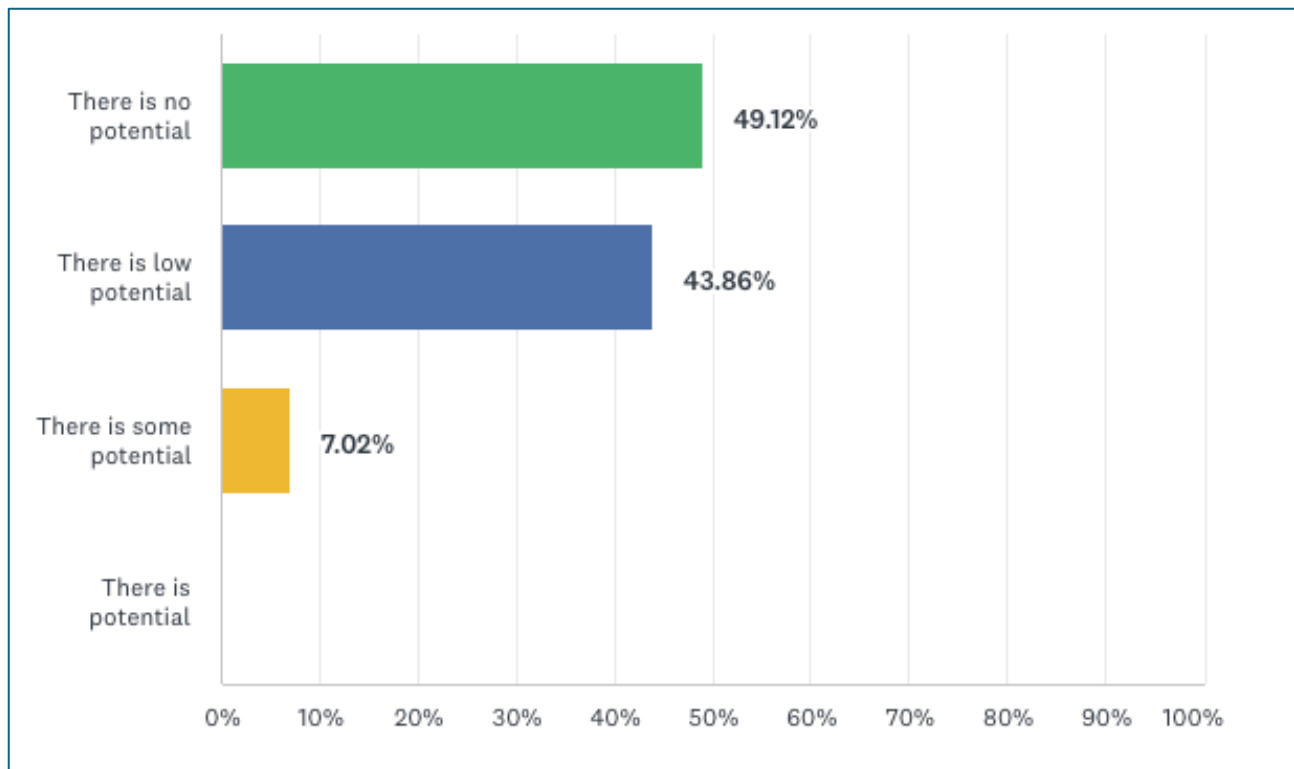


- 10.6. Elaborating on the answers of respondents who answered 'Positive' above.
- 10.6.1. Respondent 5 said, *"Your venues are more family style venues and promote a healthy community vibe."*
  - 10.6.2. Respondent 26 said, *"This will create accessibility to an establishment I can go to with my family members, tie our bikes, meet the netball girls, be the post work location before everyone travels north south etc home. This would dramatically reduce my uber bill and most likely get me to eat and drink locally."*
  - 10.6.3. Respondent 30 said, *"It will offer a much better option for people to visit than is currently available in the area. It will attract people from other areas so it should increase that local economy."*
  - 10.6.4. Respondent 31 said, *"Not only a fabulous place for coffee and food or drinks and catch ups. I know that they are likely to get around local sport clubs and schools and encourage a community feel."*
  - 10.6.5. Respondent 45 said, *"Increase foot traffic and patron spend to the precinct. Build community through a family friendly meal offering."*
  - 10.6.6. Respondent 54 said, *"Increased visitors to the area which will attract other businesses and hopefully see growth in the area."*
  - 10.6.7. More comments can be read in attachment GB05



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

- 11.1. Section 38(4)(c) of the Liquor Control Act states the licensing authority may have regard to;
  - 11.1.1. *“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”.*
- 11.2. In the applicant’s opinion, there is very little potential for adverse impacts from this proposed licensed venue because;
  - 11.2.1. The applicant takes its responsibilities towards the local community very seriously and will provide an open channel for communication with locals.
  - 11.2.2. The venue does not directly face any residences, rather it faces a car park.
  - 11.2.3. 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.
  - 11.2.4. 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 for special occasions only; and
  - 11.2.5. 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 General Public Bull Creek will slip seamlessly into the local community.
- 11.3. The applicant also proposes the following measures:
  - 11.3.1. Prompt and polite response to any noise complaint in respect of the operations of the venue.
  - 11.3.2. Adherence to responsible service of liquor, and responsible consumption of liquor practices at the venue.
  - 11.3.3. 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
  - 11.3.4. The approved manager will also ensure the last patrons leave safely and quietly.
- 11.4. In the witness questionnaire, respondents were asked *“What do you say about the potential for annoyance, offence, disturbance, or inconvenience that the granting of this application may cause to people who live, work, visit or otherwise resort to the locality?”*. Their answers are graphed below.



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

- 12.1. Section 5(1)(a) states that a primary object of the Act is;
  - 12.1.1. *“To regulate the sale, supply and consumption of liquor”;*
- 12.2. Being one of three primary objects means that it is of equal importance to the other two primary objects of the Act.
- 12.3. To regulate means;
  - 12.3.1. *“To control or direct according to rule, principle, or law”*  
or
  - 12.3.2. *“To put or maintain in order”*
- 12.4. It does not mean to restrict or to reduce.
- 12.5. 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”.
- 12.6. It is possible to “regulate” and to “increase” at the same time.
- 12.7. Therefore, this primary object should not, of itself, prevent this application from being granted.
- 12.8. It is possible to properly regulate the sale, supply and consumption of liquor and grant this application.
- 12.9. This premises will only be the second licensed tavern (restricted) premises within the locality. It would not be an exaggeration to say that the locality is currently underserved with quality licensed food & beverage options.
- 12.10. As has been shown in previous sections, this is a neighbourhood, community focused premises. It is not being proposed as a venue that encourages mass upright drinking. Rather, it is focused on providing a quality and modern style of licensed venue to locals.

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

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

*“40. The potential for harm or ill-health is a powerful public interest consideration when determining an application (refer Lily Creek supra). Consequently, it is relevant for the licensing authority to consider the level of alcohol-related harm, due to the use of liquor, which is likely to result from the grant of the application. As Wheeler J stated in Executive Director of Public Health v Lily Creek International & Ors [2001] WASCA 410:*

*“This does not mean that only the increased harm which may result from the specific premises in question is to be considered; rather it seems to me that must necessarily be assessed against any existing harm or ill health so as to assess the overall level which is likely to result if a particular application is granted. Where, as occurs in probably the majority of cases, the existing level of alcohol related harm is no greater than that which appears to be commonly accepted in the community, the distinction is probably not significant.*

*41. Also, as observed by Ipp J (in Lily Creek supra) it is significant that the primary object in section 5(1)(b) is to “minimize” harm or ill-health, not to prevent harm or ill-health absolutely”.*
- 13.4. In paragraph 46 of the Supreme Court decision in respect of the National Hotel, Fremantle, the following conclusion is found;
  - 13.4.1. *“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.”*
- 13.5. Paragraph 62 of the same decision reads;
  - 13.5.1. *“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.”*



- 13.6. 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.
- 13.7. 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.
- 13.8. There are several key factors that limit the potential for harm and ill-health that could occur should this application be granted.
  - 13.8.1. Alcohol is not the main attraction.
  - 13.8.2. People will be attracted to the venue for the food and atmosphere in equal measure.
  - 13.8.3. The applicant intends to instal CCTV cameras all around the interior of the venue.
  - 13.8.4. The applicant has a well-developed harm minimisation plan.
- 13.9. There is a great deal of research which shows that the drinking environment can exert significant influence on patron behaviour.
- 13.10. Briscoe and Donnelly (2003)<sup>1</sup> quoted Graham and West (2001)<sup>2</sup> as finding that;
  - 13.10.1. *“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.”*
- 13.11. Additionally, Briscoe and Donnelly had the following to add.
  - 13.11.1. *“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.”*
  - 13.11.2. *“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”*
  - 13.11.3. *“Low comfort, high boredom, aggressive bouncers, discounted drinks, poor ventilation, lack of cleanliness, a*

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

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

*hostile atmosphere, overcrowding and inadequate numbers of bar staff” have been “associated with alcohol related harm”. Emphasis added.*

- 13.11.4. *“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.”*
- 13.12. Further Ross Homel et al found that;
  - 13.12.1. *“The civilising impact of comfort is consistent with the early qualitative research conducted in Sydney... the importance of comfortable seating being available was clear.”*<sup>3</sup>
  - 13.12.2. *“The type of venue, the style of drinking and the placing of seats have an impact on behaviour and potential conflicts and may be as worthy of attention as hours of operation.”*<sup>4</sup>
- 13.13. 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.
- 13.14. The applicant is an experienced operator of hospitality venues.

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

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

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

- 14.1. Section 5(1)(c) states that a primary object of the Act is;
  - 14.1.1. *“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”;*
- 14.2. 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.
- 14.3. Being a primary object means that it is of equal importance to the other two primary objects of the Act.
- 14.4. 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.
- 14.5. In the end it is a weighing and balancing of these equal objects which will determine whether a liquor licence should be granted or not.

## 15. Conclusion

- 15.1. This application by GPBC Pty Ltd for a tavern restricted licence will only be of benefit to Bull Creek Shopping Central and to the Bull Creek community. It will revitalise the shopfront and provide a local, neighbourhood, quality licensed option that has been shown to be missing for years.
- 15.2. The locality has been shown to be stable, responsible and affluent. Further, the level of harm and ill health currently present is low. General Public Food Co. is a well-known, trusted and popular hospitality group / brand. They have a track record of building successful food & beverage venues that slip seamlessly into the neighbourhood, and this will be no different.
- 15.3. Lastly, from the witness questionnaire, respondents were asked, *“Do you have any other comments relating to this proposed new premises?”*
  - 15.3.1. Respondent 7 said, *“Given the proposed nature of the venue, I think a family friendly dining option will be a great addition to the local community.”*
  - 15.3.2. Respondent 25 said, *“I would be thrilled if Bull Creek became more of a social hub, I think it would greatly benefit the area.”*
  - 15.3.3. Respondent 29 said, *“The low potential risk is mitigated by a high quality venue which encourages local engagement with residents and businesses.”*
  - 15.3.4. Respondent 30 said, *“Only that, after experiencing how good the Rowing Pavillion is, the new premises has to go ahead and its licence be approved.”*
  - 15.3.5. Respondent 45 said, *“Hope it gets approved! Bring some class and vibrancy to the precinct!”*
  - 15.3.6. Respondent 57 said, *“Looks like this business would be an asset to the area.”*
- 15.4. The evidence presented in these submissions from the 61 survey respondents shows this proposal is very well regarded, and the local community is highly supportive of this application.
- 15.5. The Directors of this applicant company are experienced and want to continue the successful operation of the General Public brand with this new venture. 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 GPBC Pty Ltd

Phil Cockman  
Canford Hospitality Consultants Pty Ltd



## Attachments

- GB01 Hard Copy of the witness questionnaire
- GB02 Intended Manner of Trade
- GB03 Map of the locality
- GB04 Floor plan
- GB05 Raw witness data

# General Public Bull Creek

Shop 4, Bull Creek Central Shopping Centre, Bull Creek WA

Application for a tavern restricted licence

Section 38 Submissions

## Attachment GB02

Intended Manner of Trade

March 2025



(08) 6278 2788  
[phil@canford.com.au](mailto:phil@canford.com.au)  
0417 976 009  
PO Box 389 GUILDFORD WA 6935

# General Public Food Co. Bull Creek

Shop 4, Bull Creek Shopping Centre, Bull Creek WA



Application for a  
Tavern Restricted Licence  
Intended Manner of Trade

November 2024

## 1. Introduction

- 1.1. Evan Hewitt & Nic Strachan of GPBC Pty Ltd will be applying to the Licensing Authority for the conditional grant of a tavern restricted licence for premises located at Shop 4, Bull Creek Central, Bull Creek WA, to be known as “General Public Food Co. - Bull Creek”.
- 1.2. The proposed premises is set to be the newest addition to the complex - providing a modern, family oriented and very successful food & beverage business to the local community.

## 2. Propose Style of Operation

- 2.1. The applicant aims to target a wide variety of clientele, including local families, shoppers, professional people and visitors to the Fiona Stanley Hospital precinct.
- 2.2. The proposed site will extend out to the northern side of the shopping centre. Base build and fit-out works are expected to exceed \$3.5m and are inclusive of;
  - 2.2.1. A large purpose-built hospitality premises, casual inside and outside seating, take away coffee window;
  - 2.2.2. Kitchen equipment;
  - 2.2.3. Grease trap; and
  - 2.2.4. Exhaust hood.



- 2.3. The décor and the fit out of the already existing General Public Group venues at Inglewood and Scarborough have been designed with a modern wooden and industrial inspired looks, providing outdoor dining options and a ‘hole-in-the-wall’ coffee spot, which has become very popular with customers in those two existing locations.
- 2.4. These core elements of design will follow through with this new premises.
- 2.5. The applicant envisages that entertainment will be in the form of low-key, pre-recorded music played through a central sound system, with some televised sport to be played in the background on weekends.
- 2.6. If this application is approved, what will be created is a single venue promoting responsible drinking practices, food and friendly atmosphere.



- 2.7. The applicant intends to open the premises for the following hours;
- 2.7.1. 6am - 10pm Sun - Thursday
  - 2.7.2. 6am - 12am Friday & Saturday
- 2.8. 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.
- 2.9. As required by the Liquor Control Act, General Public Food Co. Bull Creek 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.
- 2.10. Much the same as the other venues, General Public Bull Creek 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 space where they feel welcomed and safe.
- 2.11. The applicant further commits to community engagement by seeking to source local products where possible, and make use of local suppliers too. This also extends to seeking local staff.
- 2.12. If this application is approved, this will become the fourth venue over six years to be run by the applicant under the General Public Group banner.

### **3. Background and Experience of the General Public Group**

- 3.1. The General Public brand was conceived in January 2018 and the concept for The Rowing Pavilion was derived from this brand direction. From the growing demands in the local community hospitality industry, they saw an opportunity.
- 3.1.1. Whilst General Public and the Rowing Pavilion are different businesses with different offerings, the brands share common values. General Public can be described as a laidback family friendly sourdough pizza restaurant, which also caters for coffee crowds in the morning. They offer a great beer, wine and cocktail menu to compliment the nights and bake 'in house' baked goods to go with their T/A coffee style mornings.
  - 3.1.2. The Rowing Pavilion is slightly more premium with the offering. The food to alcohol sales ratio is around 50/50 split, but the community aspect of the venue is still there. 'The Pav' caters for rowers and locals with T/A coffee options in the morning, but the bulk of the operation is lunch and dinner.





- 3.2. The General Public Group's aim is to position itself as a friendly non-discriminatory community venue that caters for families, teenagers, couples and grandparents alike. The menu, atmosphere and offerings will cater for everyone and totally immerse itself in the local community.
- 3.3. The same opportunity the applicant saw with all it's preceding venues is once again seen here with Bull Creek - the need for a community driven venue.
- 3.4. The applicant believes the Bull Creek demographic is underserviced with decent food & beverage offerings. Evan and Nic (both with young families) live close to the proposed venue. So, the idea of a family friendly, casual dining space was very appealing.
- 3.5. No premises under the General Public Group banner has received any infringements from the Licensing Authority, or warnings / formal complaints from Local Council or Police.
- 3.6. It would stand to reason then, that the opening of a fourth venue comes off of the back of a very sturdy platform, as it will be operating under the banner of a well-known and successful brand.

Drafted for GPBC Pty Ltd by Canford Hospitality Consultants Pty Ltd

Tuesday, November 05, 2024

