

Woodgate Investments Pty Ltd
as trustee for the Woodgate Family Trust
applicant for the conditional grant of a **liquor store licence**

in respect of premises situated at
**Shop 2, Woodvale Village Shopping Centre, 153 Trappers
Drive, Woodvale**

and to be known as
Liquor Barons Woodvale

Public Interest Assessment Form 2A Annexure

including section 36B submissions




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1. Executive summary

- 1.1. Liquor Barons Woodvale will offer a first class, community-focused and personalised browsing take-away liquor service.
- 1.2. It will provide one-stop tailor-made shopping convenience of a standard and style that is elevated well above the average and far exceeds what is currently available to people in Woodvale.
- 1.3. The meticulous applicant has spent years developing this sophisticated proposal into the ideal that is required for the site and for the particular community.
- 1.4. A demand/supply analysis of relevant factors in this case reveals that demand cannot reasonably be met by supply, justifying the grant of the licence¹.
- 1.5. The location has no notable sensitivities or high risks associated with it.
- 1.6. The application is supported by a substantial volume of compelling evidence, including the following consumer evidence which should be regarded as exceeding the level or degree of requirement capable of justifying the grant².
- 1.7. The premises is constructed, vacant and ready for immediate fitout as Liquor Barons Woodvale if this application is approved and the applicant is keen and prepared to proceed accordingly.

2. Introduction and brief outline of the application

- 2.1. Woodgate Investments Pty Ltd (ACN 131 559 549) as trustee for the Woodgate Family Trust seeks the conditional grant of a liquor store licence pursuant to sections 33, 38, 36B, 47, 62, 68 and 98D of the Liquor Control Act 1988 (WA) (**Act**) in respect of premises situated oa.
- 2.2. This document has been prepared as an annexure to and in accordance with the Public Interest Assessment Form 2A published by the Department of Local Government Sport and Cultural Industries (**Department**) (**Form 2A**). Together they comprise the applicant's Public Interest Assessment (**PIA**). The PIA has been prepared in accordance with the Act and with reference to relevant Department policies.
- 2.3. As directed by the Department³, the applicant has applied a "common-sense approach"⁴ to the preparation of the PIA and therefore, provided a level of detail considered appropriate for the circumstances in terms of the content of this document and the attachments. The applicant has sought not to overburden the licensing authority whilst still providing detailed information and supporting evidence as required. Additional material can be provided if necessary.

¹ *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2024] WASC 128 (**Liquorland Southern River**) [57] (Lemonis J)

² *Liquorland Southern River* [128] [137] (Lemonis J)

³ Form 2A and at <https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment>

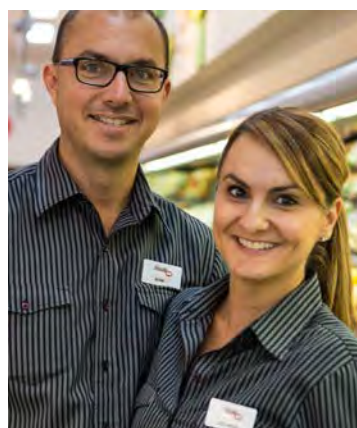
⁴ Form 2A page 2

- 2.4. This PIA has been formally adopted and verified by the two directors of the applicant company, as confirmed by them both signing the Form 2A.
- 2.5. The applicant conducted a detailed survey of shoppers at Woodvale Village Shopping Centre for a period of approximately four weeks across October/November 2024. A copy of the blank questionnaire and detailed summary of responses is attached. The raw participant data will be provided to the Department separately, on a private and confidential basis for the purposes of protecting privacy. The results are compelling with not only 98% of people clearly supporting the application and stating they want to shop there, but also with multiple personal expression of strong support and demand. The results are referred to further throughout this document.

3. Applicant's background

- 3.1. The applicant company is a small, family owned and operated, private entity. The two directors are husband and wife team, Adam and Lee-Anne Woodgate.

- 3.2. Adam and Lee-Anne, pictured right, have a long history within the WA retailing landscape. After graduating from Curtin University with Bachelor of Commerce degrees in 1999, they both started their careers – Adam at Coca-Cola Amatil and Lee-Anne at Colgate-Palmolive. Lee-Anne eventually left sales to follow her passion for advertising and marketing and worked for several large WA advertising agencies before entering the retail grocery industry.



- 3.3. In 2007 Adam and Lee-Anne bought into the Mullaloo IGA business joining-up with Lee-Anne's parents. In 2010 the Mullaloo IGA owners and operators successfully applied for a liquor store licence in that centre near the IGA (formerly Mullaloo IGA Plus Liquor, currently Cellarbrations Mullaloo). Adam and Lee-Anne acutely observed that the inclusion of that liquor store into the shopping centre was hugely positive for the centre as a whole as it allowed for one-stop shopping and synergies between the supermarket and liquor store in regard to product pairings, catering options and support of local suppliers, plus strong shopper support.
- 3.4. In 2012 Adam and Lee-Anne were part of the company that established Pearsall IGA as a greenfield site and very successfully operated it until 2023, winning multiple state and national awards, including IGA WA Store of the Year for 2012 and also 2013.
- 3.5. Also in 2012, they obtained a liquor store licence alongside the Pearsall IGA (formerly Pearsall IGA Plus Liquor, currently Cellarbrations Pearsall) and in 2016 they won both WA's Best IGA Liquor Store and WA Best Independent Liquor Store. Once again, the association of a liquor store adjacent to the supermarket

proved popular with locals, again offering a one-stop shopping experience and synergies between the two businesses for the benefit of consumers. Through shopper browsing at the Cellarbrations Pearsall store staff were able to form strong relationships with customers and to gain an understanding of their product preferences. Tastings in the liquor store were coupled with food from the IGA and the cross-connection was strong supported by local shoppers.

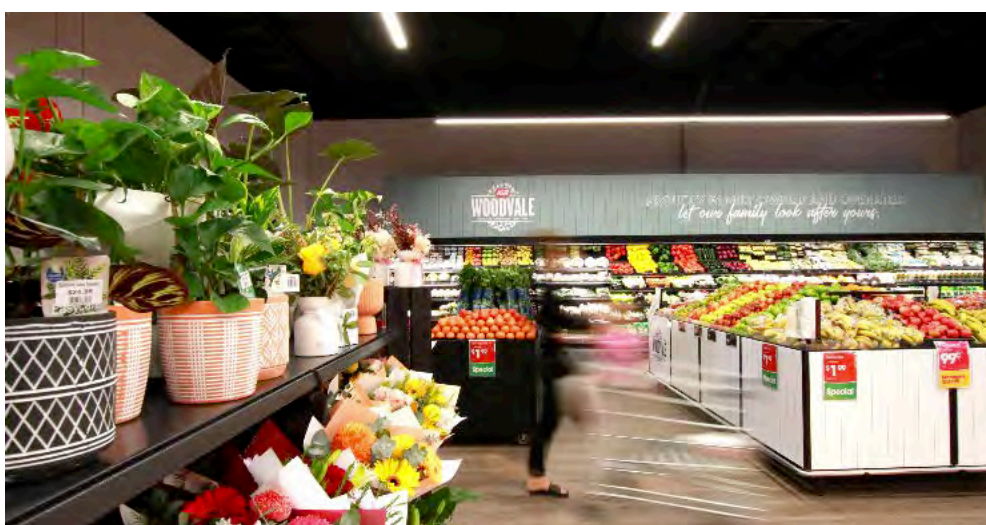
- 3.6. Their hugely positive community experiences with the liquor stores in Mullaloo and Pearsall has partly motivated this present application.
- 3.7. In 2019 Adam and Lee-Anne were part of the purchase of the Woodvale IGA (formerly SUPA IGA Woodvale) and after a \$3m renovation, they transformed the store into a state-of-the-art supermarket with a complete customer-focussed offering. In 2024 they won WA IGA's Best Store Renovation and Transformation Award.



- 3.8. Woodvale IGA is a full-service, contemporary supermarket with all-manner of food and household items, as partly depicted below⁵. It includes a premium fresh deli section in a light, bright, spacious and stylish environment.



⁵ <https://www.advancevisual.com.au/work/iga-woodvale/>



- 3.9. Woodvale IGA is now visited by approximately 8,000 customers per week on average and has a shopper loyalty database of approximately 4,000 members.
- 3.10. The active role of Woodvale IGA in the community goes beyond the supermarket, with sponsorship of community events and organisations and this year the store won the IGA National Community Award.

- 3.11. Adam and Lee-Anne pride themselves on the shopping community they have helped create at Woodvale IGA and they are confident that the addition of a liquor store next door will once again be a most positive addition as they help forge in Mullaloo and Pearsall.
- 3.12. The one-stop convenience of food and liquor is well known as not only a popular modern facility, but as something expected in contemporary society. Through Liquor Barons Woodvale Adam and Lee-Anne envision an occasion-based shopping experience that will be very well-patronised by consumers.
- 3.13. Adam and Lee-Anne are genuinely dedicated to their role in serving the local community. They are passionate and conscientious in their endeavours, which should be evident from the nature of this proposal. They are highly experienced, skilled and well-connected retailers with A-grade business acumen in both the supermarket and liquor sectors, focused in the northern Perth suburbs which is especially pertinent. They play very active, hands-on roles in the operation of Woodvale IGA, with daily customer interfacing and fully intend to do the same with Liquor Barons Woodvale.
- 3.14. In 2020 the applicant company directors, through a related entity, applied for a liquor store licence at the same Woodvale premises, which was refused by the Director of Liquor Licensing⁶. Since the refusal, Adam and Lee-Anne have devoted themselves to the further development and improvement of the supermarket and liaising closely with shoppers about their liquor needs. In that time they completed the major IGA transformation. They have also continued to closely monitor the existing liquor outlets and liquor needs of IGA shoppers. Over the last four years, they have seen considerable growth in the custom of their IGA, even stronger demand from the community for them to provide an associated liquor service and no changes in existing packaged liquor services.
- 3.15. Adam and Lee-Anne have refined and enhanced their liquor store proposal for Shop 2 at the Woodvale Village Shopping Centre with the benefit of four years of further research and development of the business model including ongoing consultation with the local community that uses and is impacted by the Woodvale Village Shopping Centre.
- 3.16. This application for Liquor Barons Woodvale is the bona fide product of that extensive research, observation, consultation and business development, such that the applicant considers this proposal to be ideal in all respects.
- 3.17. The applicant's mission statement for the new business is:

⁶ A986794668 (Cellarbrations Woodvale)

To source a high-quality beer, wine and spirits offer for our customers, with a "locals-first" approach, incorporating high-quality food pairings, delivered by friendly and informative staff, in a welcoming, browseable and comfortable setting.

In our desire to be the best independent liquor store in the local area, we want our passion for quality products, supporting local provender's and artisans, and finding the rare gems in any product list, to shine through.

- 3.18. The applicant has diligently prepared a Business Plan for Liquor Barons Woodvale and a copy is attached.
- 3.19. Not only has the applicant's liquor proposal for Shop 2 at the Woodvale Village Shopping Centre been elevated since the unsuccessful application of 2020 and other local factors now further support the grant, but critically, the Supreme Court has delivered the decisions in *Liquorland Southern River and Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2021] WASC 366 (**Liquorland Karrinyup**). These cases decisively support the grant of the licence for Liquor Barons Woodvale. In fact, the reasons for the refusal of the original application by the Director of Liquor Licensing have been, in effect, been found by the Supreme Court to be erroneous.

4. Form 2A "Part 2 – Manner of trade"

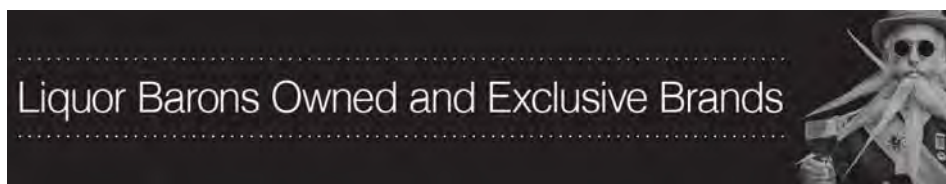
Form 2A: "2.1 What is the proposed manner of trade and your target client base?"

- 4.1. This application involves a proposal to sell and supply a range of different types of packaged liquor from premises of approximately 182m² at Shop 2, Woodvale Village Shopping Centre, 153 Trappers Drive, Woodvale.
- 4.2. The liquor store will be situated alongside the Woodvale IGA which is owned and operated by the applicant. The two businesses are intended to operate in tandem, providing carefully curated one-stop shopping. Both independently owned and operated by the same dedicated people, devoted to serving the local community, the combination will benefit the public significantly.
- 4.3. The applicant invested considerable time and effort into researching and then deciding to associate with, the WA-centric Liquor Barons Co-Operative Ltd branding and buying group. The Co-Operative is a parochial collection of Western Australian liquor store owners, strongly locally-focused and driven by its independent retailer member/store owners. Attached is a copy of the Co-operative's Profile document and a letter from the General Manager which provides information about the organisation and supports this application.
- 4.4. As a co-operative and strongly WA-based, Liquor Barons strives to be part of the WA community. The buying team that will be available to assist the applicant is based in Subiaco, not the eastern states like most others. There are over 116,000 loyalty customer members of the Liquor Barons group.
- 4.5. The principles behind the operations of Liquor Barons Co-Operative Ltd align closely with those of the applicant.

- 4.6. The applicant seeks approval for the standard trading hours permitted under section 98D of the Act, namely 8am to 10pm Monday to Saturday, 10am to 10pm on Sunday and 12 noon to 10pm on ANZAC Day (except no trading on Good Friday or Christmas Day). However, the actual opening times are proposed to be usually as follows, to marry as closely as possible with the adjoining supermarket (subject to restrictions under the Act):
- Monday to Saturday: 8am to 9pm
- Sunday: 10am to 9pm
- 4.7. Liquor Barons Woodvale will offer approximately 2,000 lines in total, of beer, wine and spirits of differing varietals with a strong focus on Western Australian made, consistent with the products in the Woodvale IGA and the applicant company itself. Bottled wine will represent the largest portion of the applicant's stock. There will also be a notable volume of speciality and premium spirits. The beer selection will comprise a mix mostly geared towards craft beers.
- 4.8. The stock range at Liquor Barons Woodvale will be a living and fluid component of the business with changes regularly made to actively and quickly respond to consumer requirements, accommodate new products available to the market, incorporate proposed collaborations between the applicant and producers and to address seasonal trends.
- 4.9. Attached is a copy of the latest typical stock list of Liquor Barons Co-Operative Ltd from which the applicant will be permitted draw and from which the applicant intends to tailor-make its range. This list will vary from time to time. Also attached is the applicant's list of local suppliers and artisans which it currently proposes to include into its range. This latter list is a living document that will be revised almost constantly as new small businesses emerge and the applicant develops new relationships with producers and suppliers.
- 4.10. As addressed in the next section of this PIA, products at Liquor Barons Woodvale will be displayed quite differently from most other liquor stores with low-level aisle shelving to see over the top of and beautifully presented displays incorporating food, themed items and decorative trimmings. The store will be light, bright and an inviting browsing environment. It has been carefully designed as a most pleasant shopping experience. Further information regarding the physical design, layout and fitout of the store is provided further on in this PIA.
- 4.11. The **wine** range proposed will represent the largest category at Liquor Barons Woodvale.
- 4.11.1. Almost all of the wines in-store will be bottled, with just a few cask options.
- 4.11.2. Virtually every variety will be available and the range will fluctuate, with new and different products being included over time and the opportunity for customers to order rare and speciality items.

- 4.11.3. A significant portion of the wine range will be from small-batch producers and WA wineries.
- 4.11.4. The range will include a selection of products available exclusively through Liquor Barons Co-Operative Ltd – including wines and sparkling from the following producers which vary in style up to luxury items and are only available at Liquor Barons outlets:

- 4.11.4.1. Stoneberry
- 4.11.4.2. Idlewild
- 4.11.4.3. Bellewinter
- 4.11.4.4. Schild
- 4.11.4.5. Amble & Fox
- 4.11.4.6. The Precedent
- 4.11.4.7. Clandestine
- 4.11.4.8. L.A.S Vino
- 4.11.4.9. Handshake



- 4.11.5. Other specialty, limited edition products are made available exclusively through Liquor Barons Co-Operative Ltd from time to time, which the applicant will access. For example, last year Liquor Barons offered its members exclusive rights to St Hugo DR3 wines, which are associated with Formula 1 racing and in particular, Daniel Ricciardo.
- 4.12. The **craft beer** offering at Liquor Barons Woodvale will be quite bespoke and taken to the next level, well above anything else available anywhere nearby.
- 4.12.1. The applicant intends to draw from the philosophies around craft beer being specialised, idiosyncratic and ever-changing. In this regard the applicant intends to liaise with the big brands of craft beer regarding their background small batches and whilst also developing relationships with the smaller and lesser-known brands.
- 4.12.2. The applicant is determined to source the best kept secrets of the craft industry and bring them to the forefront for the benefit of discerning customers and to promote WA producers.
- 4.12.3. The applicant is very aware that craft beers need to be produced, shipped and stored cold and are best consumed within a month or two from the date of manufacture. The applicant's ability to be

flexible with its range, ordering and displaying, given its owner/operator/independent nature will allow it to offer a superior craft beer category.

- 4.12.4. A growler-filling station (- sample indicative image to the right) is intended to be installed. The applicant has developed a plan for collaboration with WA brewers to engage with them to produce weird and wonderful creations for local craft beer lovers including incorporating customer taste preferences into the collaborations.



- 4.13. A modest selection of mainstream beer products will be available; not in bulk displays or pallet quantities.
- 4.14. The **spirit category** at Liquor Barons Woodvale will be a notable feature:
- 4.14.1. The applicant has experienced the explosion of gin popularity and WA production over the past few years, including the evolution of small batch producers in WA and elsewhere. Bespoke tequilas, vodkas and whiskeys have also been emerging.
- 4.14.2. The applicant intends to apply an approach to these products similar to that of craft beer. Engaging with small batch production opportunities aligns closely with the applicant's desire to support small businesses and consumer desire to have better access to them.
- 4.14.3. A large portion of the spirit range at Liquor Barons Woodvale will be of a premium quality.
- 4.15. The applicant has received letters of support from five producers/suppliers which are attached.
- 4.16. Most WA liquor producers are located in the south-west of the State, several hundred kilometres from the applicant's site. Their products are often difficult to source in the metropolitan area. Liquor Barons Woodvale will fill that gap for Woodvale and surrounding suburbs.
- 4.17. There will be a significant range of related, ancillary services for shoppers at Liquor Barons Woodvale, as referred to in the following sub-paragraphs.
- 4.18. The **tasting service** will be of a superior standard, as per the following:
- 4.18.1. A dedicated schedule of free tastings is intended to operate every Friday night, focused on drinking as a special occasion and with food pairing.
- 4.18.2. The tastings will rarely, if ever, involve mainstream liquor products and if they do that will most likely be for comparison purposes. The

accompanying food tastings will go beyond traditional cheese. For example, a South African wine might be paired with a locally produced biltong, or a Valdobbiadene prosecco with strawberries fresh from Wangara, or a Souwester Spirits Single Malt Whisky from Margaret River alongside a Chicho Gelato fresh from Fremantle.

4.18.3. The experienced and well-connected applicant has learned that the food and liquor artisans in WA are part of a tightknit community, of which the applicant is proudly a part and they want to help promote them to the masses and educated the public on the quality and other benefits of drinking and eating locally-sourced products.

4.18.4. The applicant intends to engage closely with its suppliers, in supporting the work they put into new variants, in doing tastings and promotions of new-release products.

4.18.5. Separate to organised tasting events, the applicant will regularly offer samples of new lines, so that customers may try before they buy.

4.19. Consistent with the pairing of food and liquor with the free tasting programme, the applicant will also have a range of **premium food products** in the liquor store, focussing heavily on WA-produced, designed to complement the liquor, endorse liquor consumption with food, promote WA producers and further highlight WA as a providore of food and drink culture. The in-store food will include cheeses, cold meats, pickles, pastes, sweets – all the stuff that makes a great charcuterie board, together with chilli sauces, meat rubs and other culinary items.⁷



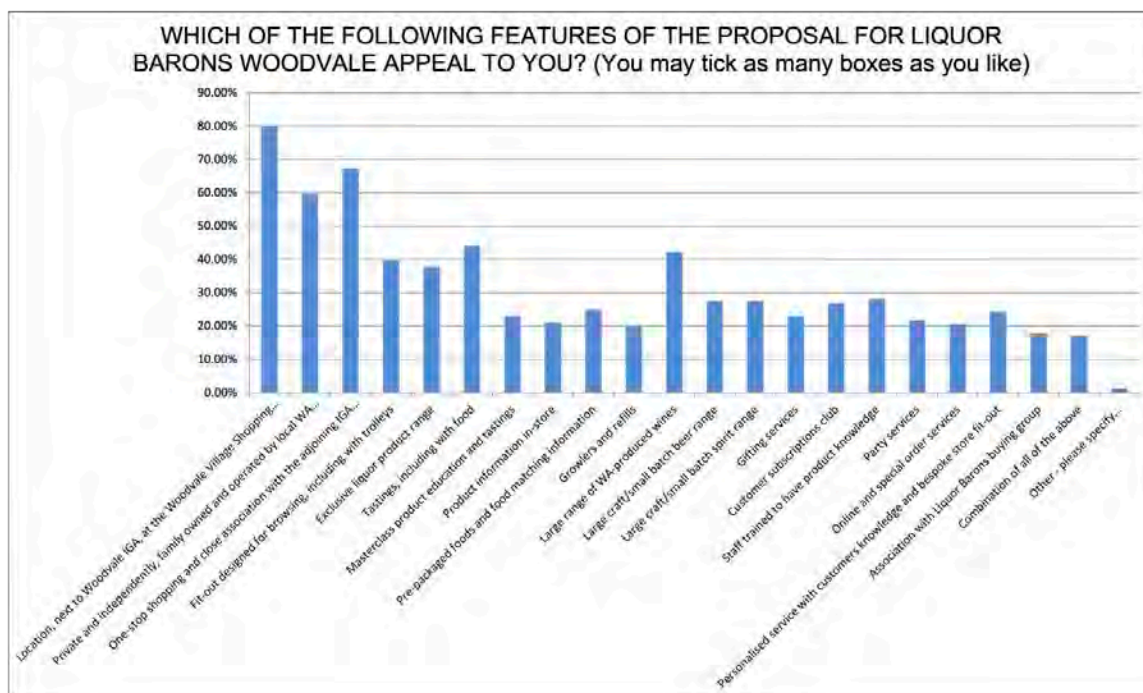
4.20. Closely associated with the food and liquor pairing, will be the applicant's **gifting service** which will certainly not simply be a bottle of wine in a bag. Rather, gift boxes, elegantly designed and some comprising various items. Mixtures of wines with gourmet foods, spirits with glassware, beers with sausages and sauce will be available. These will represent a taste of what Liquor Barons Woodvale has to offer in a takeaway box.⁸



⁷ The images to the right are samples (<https://www.istockphoto.com/photos/pickle-jars-on-shelves> and <https://www.istockphoto.com/photos/cured-meat>), generally indicative of what has been described and is proposed

⁸ The image to the right is sample (<https://stock.adobe.com/search?k=gift+baskets+with+wine>), generally indicative of what has been described and is proposed

- 4.21. A quarterly **wine subscription** and **occasional beer and spirit subscription** service will be available, providing subscribers with product information and special offers. Coupling the knowledge of staff with the feedback they get from customers, the applicant will help locals find new favourites and experience alternate product options likely to appeal to them. This programme is designed to facilitate further support by the applicant of some of the lesser known brand suppliers whilst also catering for consumer desire for diversity and new taste experiences.
- 4.22. One of the many conveniences of the IGA being just next door – owned and operated by the same party – is that the applicant will offer a complete **functions and catering package**. With a large and comprehensive supermarket at the applicant's disposal, it will team liquor with food, non-alcoholic drinks, napkins, cups and other party needs for virtually any event type. The IGA already offers a non-liquor catering service which is well-known and popular in the area. Adding liquor will significantly enhance the package and convenience for customers.
- 4.23. Yet another added convenience of the IGA sister business in the adjoining tenancy will be boosting the **online** offering from the Woodvale Village Shopping Centre. Customers already enjoy home delivery of supermarket items and will benefit greatly from the added option of liquor. The applicant has found there to be a large local population of busy people who are time poor in accessing their home retail needs in-person in-store and also elderly people who need assistance with shopping.
- 4.24. In keeping with the applicant's passion of engaging with the local community and providing a personalised manner of trade, the applicant intends to host **masterclasses** and bring alternative and interesting licensed events to the Woodvale Village Shopping Centre for the adult community to enjoy. Masterclass topics will include, for example, cocktail making, charcuterie board design, steak and wine tastings and tequila tasting combined with guacamole making. The applicant will maximise on its producer and supplier relationships to work with local artisans to deliver this service.
- 4.25. As referred to earlier on in this section of the PIA, joining Liquor Barons Co-operative Ltd will open the door for customers to join the Liquor Barons customer **loyalty membership base**. This provides shoppers with product information, access to special promotions and the ability to earn points which can be redeemed for discounts on future purchases.
- 4.26. None of the related services described above is currently available within a few kilometres of the Woodvale Village Shopping Centre.
- 4.27. There is also no Liquor Barons branded outlet anywhere nearby.
- 4.28. All of the applicant's proposed store features appeal to local shoppers, as evidenced by the attached public survey results and depicted in the following summary graph:



4.29. In regard to the target client base, required by the Form 2A to be addressed:

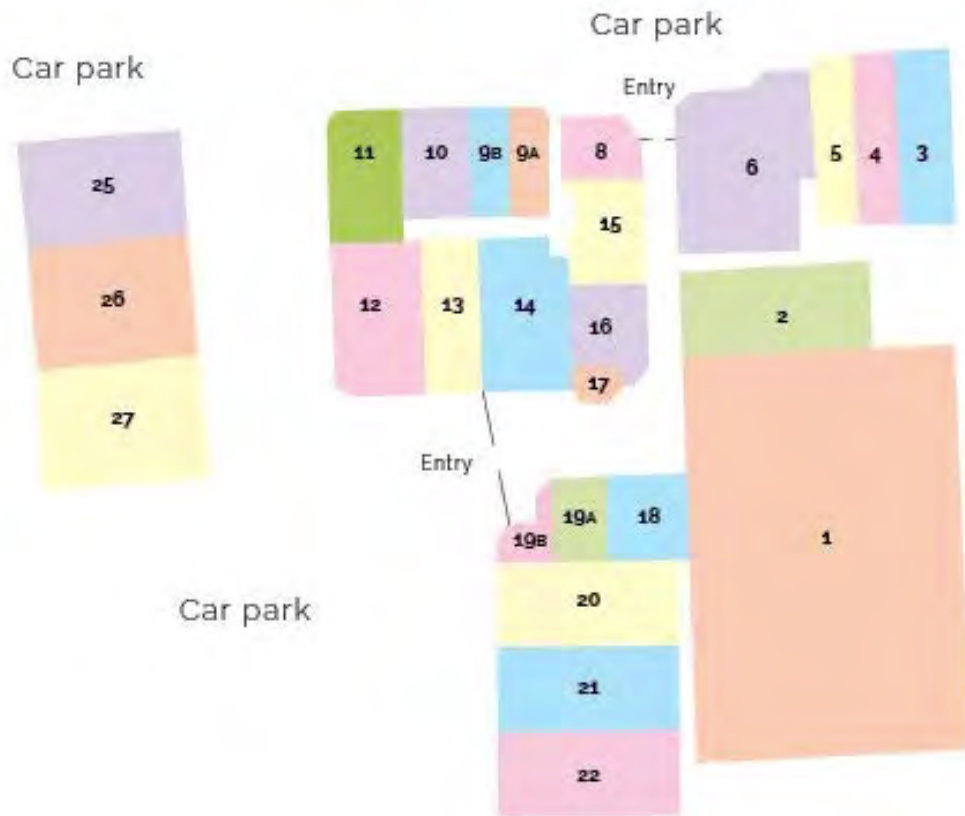
- 4.29.1. The information and submissions provided above should make it clear that the applicant has designed a proposal to primarily cater for people who live in and near Woodvale.
- 4.29.2. Existing shoppers in the Woodvale Village Shopping Centre who have been demanding a liquor store in the Centre are the main targets.
- 4.29.3. Shoppers in the area in need of a premium standard, comprehensive one-stop, personalised shopping service will also be targeted.
- 4.29.4. Given that the next nearest outlet with any of the exclusive Liquor Barons products, or the Liquor Barons loyalty programme is approximately 6.6km away at Liquor Barons Connolly, the applicant also expects to be drawing custom from people seeking out those and other products and services only available at a Liquor Barons affiliated outlet.

Form 2A: “2.2 Describe the premises/proposed premises?”

4.30. Woodvale Village Shopping Centre⁹ opened in 1988. It has the unusual characteristic of being a strata-titled shopping centre with the bulk of the tenants being owner-operators of their tenancy. This feature engenders the village atmosphere of the shopping centre as a collection of independent small local businesses.

⁹ <http://www.woodvalevillageshoppingcentre.com.au>

- 4.31. The current tenancy mix at the Woodvale Village Shopping Centre is as follows:
- 4.31.1. Shop 1 – Woodvale IGA
 - 4.31.2. Shop 2 – vacant: *Proposed Liquor Barons Woodvale*
 - 4.31.3. Shop 3 – Royal Taj Indian Restaurant
 - 4.31.4. Shop 4 – Woodvale Fish Supply Fish & Chip Shop
 - 4.31.5. Shop 5 – Woody's Pizza
 - 4.31.6. Shop 6 – Avoka Café
 - 4.31.7. Shop 7 – Healthy Glow Personal Training
 - 4.31.8. Shop 8 – Tenaj Hair Salon
 - 4.31.9. Shop 9 - Siew Lee Optometrist
 - 4.31.10. Shop 10 – Nu Massage
 - 4.31.11. Shop 11 – Atlas Chiropractic
 - 4.31.12. Shop 12 – Woodvale Pharmacy
 - 4.31.13. Shop 13 – Mings Bakery
 - 4.31.14. Shop 14 – Woodvale News
 - 4.31.15. Shop 15 – Passionate Nails & Beauty
 - 4.31.16. Shop 16 – Western Diagnostic Pathology
 - 4.31.17. Shop 17 – Wish-a-Gift Flowers
 - 4.31.18. Shop 18 – Bakers Delight
 - 4.31.19. Shop 19A – The Cutting Garden Hair Salon
 - 4.31.20. Shop 19B – Humble Bee Co. Giftwares
 - 4.31.21. Shop 20 – F45 Training
 - 4.31.22. Shop 21 – Rogers Dental
 - 4.31.23. Shop 22 – Happy Kitchen Chinese Restaurant
 - 4.31.24. Shop 25 – Woodvale Podiatry
 - 4.31.25. Shop 26 – Julie Ormston & Partners Real Estate
 - 4.31.26. Shop 27 – David Lee Hairdressing
- 4.32. The layout of the Centre and configuration of these 27/28 tenancies is as follows, which includes a covered walk-through L-shaped arcade:



4.33. The following images depict parts of the Woodvale Village Shopping Centre (- the first three pictures show into the L-shaped arcade):



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Application for liquor store licence
Liquor Barons Woodvale



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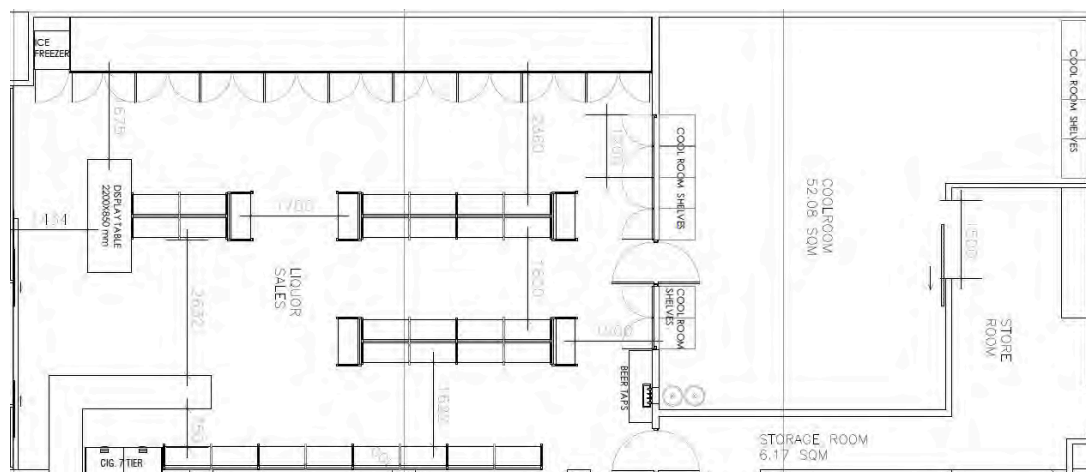
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- 4.34. Liquor Barons Woodvale will fit perfectly alongside the existing businesses, complementing them and providing premium-level one-stop shopping.
- 4.35. The following is an extract of the applicant's floor layout plan.



- 4.36. The liquor store, which will be accessible from within the covered shopping centre arcade, will have its own dedicated checkout, positioned at the entrance to enable staff to quickly and easily engage with customers as they walk in and also to aid with security in monitoring people exiting the store. The layout has also accommodated rear delivery access.
- 4.37. The layout has been designed to deliver a seamless, engaging and convenient shopping experience. Drawing inspiration from modern retail trends, the design will create a space that is both inviting and easy to navigate, while showcasing the diverse selection of drinks. Browsing in Liquor Barons Woodvale will be a pleasurable experience.
- 4.38. The layout will feature an open-plan design, allowing customers to flow effortlessly through the store and will include customer access to the cool room. Wide aisles and carefully curated displays will ensure a comfortable shopping environment, with easy access to products without feeling cramped or overwhelming.
- 4.39. The store will be segmented into distinct zones based on category and flavour profile, for example craft beer, growlers and specialty spirits. Each section will be marked with clear, visually appealing signage, making it easy for customers to find what they are looking for, whether browsing for everyday staples or exploring something new and unique.
- 4.40. To highlight the curated collections proposed to be offered, there will be custom shelving and display fixtures. These will not only showcase the products beautifully but also enhance the overall shopping experience. Elegant, well-lit shelves will feature a balance of product placement for both visual appeal and ease of access. The following sample images are generally indicative of what is proposed:

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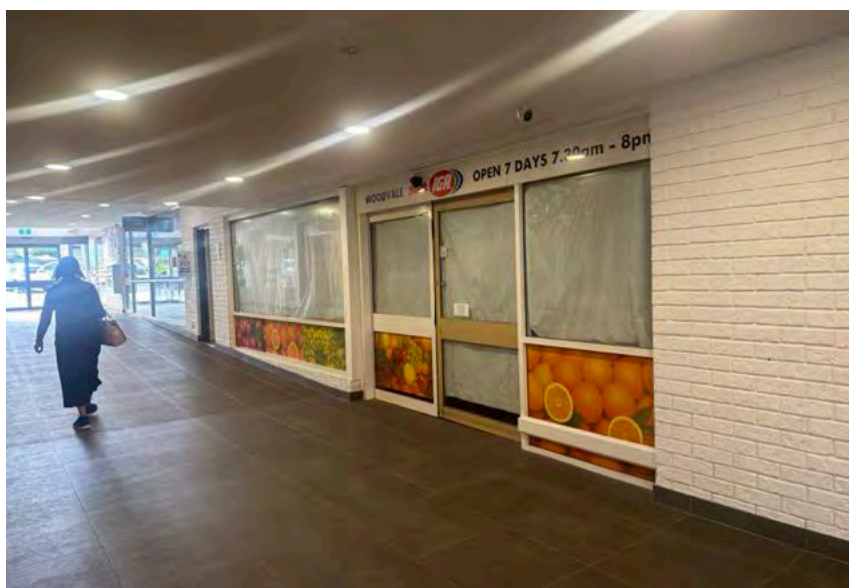
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Application for liquor store licence
Liquor Barons Woodvale





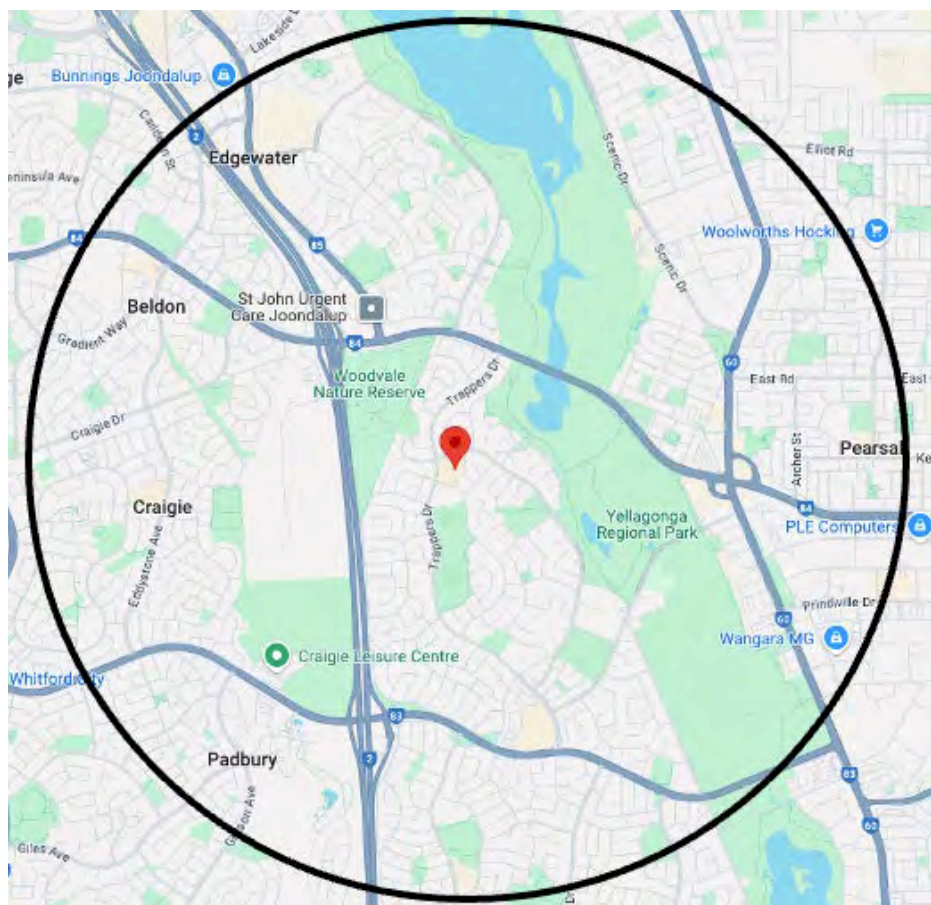
- 4.41. The design will embrace a modern, minimalist aesthetic with clean lines, natural materials including wood and stone and ambient lighting. A neutral colour palette will be used that emphasises the products on the shelves while creating a warm and inviting atmosphere.
- 4.42. Adding to the ambience, the applicant will play light and passive pre-recorded background music throughout the store.

- 4.43. Overall, the layout will focus on creating a space where both seasoned connoisseurs and casual drinkers feel comfortable, inspired and encouraged to explore. Whether browsing for the perfect bottle of wine or discovering new craft spirits, the Liquor Barons Woodvale store will feel like a destination for all who love fine drinks and fine shopping experiences.
- 4.44. A tasting/experiential area will operate in-store to allow customers to sample products, attend events and explore pairing suggestions, as per the detailed information and submissions provided in the previous section of this PIA about these ancillary services. This attractive, immersive space will encourage discovery and foster a deeper connection to the products offered, elevating the customer journey beyond just purchasing. The store has been designed to draw focus to quality and the savouring the taste experience rather than merely drinking per se.
- 4.45. Beyond merely filling a gap in the Centre by activating an unoccupied space, Liquor Barons Woodvale will provide a charming addition given the creative and attractive fitout and neighbourhood atmosphere proposed. The dormant tenancy, pictured again below, is ready and waiting for the new liquor business.



Form 2A: “2.3 If you intend to sell packaged liquor, give the names and addresses of all existing licensed premises within the locality”

- 4.46. To address this item in the Form 2A, it is necessary to firstly identify the relevant locality.
- 4.47. There is no definition of “locality” in the Act.
- 4.48. Liquor Barons Woodvale will be located approximately 20km north of the Perth CBD. In the Form 2A, the Department has suggested that the locality for this case may be a 3km radius around the proposed licensed area given that the premises is located more than 15km from the Perth CBD. That area is depicted in the Google Map below (**3km locality**).



4.49. This area comprises the following, as partly depicted in the Australian Bureau of Statistics map¹⁰ that follows with all suburbs and their boundaries labelled. Woodvale as the primary area is outlined in blue in the subsequent map.

- 4.49.1. Approximately 99% of the suburb of Woodvale.
- 4.49.2. Approximately 98% of the suburb of Edgewater
- 4.49.3. Approximately 90% of the suburb of Craigie.
- 4.49.4. Approximately 60% of the suburb of Pearsall.
- 4.49.5. Approximately 50% of the suburb of Beldon.
- 4.49.6. Approximately 50% of the suburb of Hocking.
- 4.49.7. Approximately 35% of the suburb of Heathridge.
- 4.49.8. Approximately 25% of the suburb of Kingsley.
- 4.49.9. Approximately 25% of the suburb of Padbury.
- 4.49.10. Approximately 25% of the suburb of Wanneroo.
- 4.49.11. Approximately 20% of the suburb of Wangara.

¹⁰ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51641> (Woodvale)



- 4.50. The suburb of Woodvale clearly represents a large portion of the 3km locality, which is estimated to be approximately 65% of the populated area of the 3km radius, having regard for the unpopulated parklands, reserves, waterways, northern line, Whitfords Train Station and the major road network which includes Mitchell Freeway, Wanneroo Road, Ocean Reef Road and Whitfords Avenue.
- 4.51. The 3km locality straddles the local government areas of City of Wanneroo on the eastern side and City of Joondalup on the western side. The enormous Yellagonga Regional Park separates the two.
- 4.52. Approximately 30,000 people are estimated to be living in the 3km locality¹¹.
- 4.53. “[T]he word ‘locality’ in s 36B denotes an area that surrounds, and is geographically close to, the location of the proposed premises”¹².
- 4.54. “Given the context and purpose of s 36B, the word ‘locality’ is intended to connote the same concept of neighbourhood. I consider that, in this context, it means the geographical area surrounding the proposed site. Section 36B seeks to add an additional hurdle before a licence may be granted under which packaged liquor can be sold. It seeks to ensure that there are not multiple premises in close proximity to one another selling packaged liquor.”¹³
- 4.55. “This is not to say that the ‘locality’ will inevitably, or even usually, be a circular area within a particular radius of the proposed site. The shape and size of the

¹¹ As referred to further on in this PIA on the basis of data published by the Australian Bureau of Statistics (ABS)

¹² Liquorland Karrinyup [181] (Archer J); confirmed in Liquorland Southern River [62] (Lemonis)

¹³ Liquorland Karrinyup [182] (Archer J); confirmed in *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [15] (Smith J) and *Liquorland Southern River* [62] (Lemonis)

'locality' may be influenced by topographical features (including man-made features such as roads) and the areas from which the proposed site could be accessed reasonably easily on foot or push-bike. 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'¹⁴.

- 4.56. “[D]ue to the variety of factual situations that may arise, 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. As has been observed in other jurisdictions, there will be some cases where it will be easy to determine the locality, and other cases where it will not be. An example of the former would be where the proposed premises was to be placed in a small country town. An example of the latter would be where it was to be placed in the CBD.”¹⁵
- 4.57. “What constitutes a ‘locality’ relates to the geographical area surrounding, and what is relatively close to, the proposed site”¹⁶.
- 4.58. “In any event, the factors which can be contemplated in deciding ‘locality’ must remain diverse and fluid and it is contemplated that the Director may impose different localities in respect to different applications, provided that, in the interests of natural justice, such decision is made on reasonable and ascertainable grounds”¹⁷.
- 4.59. “The imposition of a radius circle is not necessarily appropriate where such the same encompasses an artificial area. To adopt a patently artificial radius does not reflect the licensing authority’s mandate to have regard to the primary objects of the Act and the functions of the licensing authority which require consideration of the actual impacts of a proposed application”.¹⁸
- 4.60. For the purposes of section 36B of the Act, the applicant submits that the relevant locality in this case is the suburb of Woodvale (**s36B locality**). This proposition is based on the following, which are key factors arising from findings of the Supreme Court¹⁹. The physical, environmental and other infrastructure characteristics referred to in the following sub-paragraphs are illustrated in the maps on preceding pages.
- 4.60.1. Yellagonga Regional Park is a major physical feature running north-south through the 3km locality and separating the two local councils in the area. It represents the eastern boundary of the suburb of

¹⁴ *Liquorland Karrinyup* [185] (Archer J); confirmed in *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [16] (Smith J) and *Liquorland Southern River* [62] (Lemonis)

¹⁵ *Liquorland Karrinyup* [186] (Archer J); confirmed in *Liquorland Southern River* [62] (Lemonis)

¹⁶ *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [14] (Smith J); *Liquorland Karrinyup* [186] and [190] (Archer J)

¹⁷ *Endeavour Group Limited v Director of Liquor Licensing and ors* LC07/2023 at [164]; *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* LC09/2023 [92]

¹⁸ *Endeavour Group Limited v Director of Liquor Licensing and ors* LC 07/2023 [172]; *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* LC 09/2023 [99]

¹⁹ *Liquorland Karrinyup* and *Liquorland Southern River*, as set out in preceding paragraphs

- Woodvale as a large unpopulated buffer between Woodvale and areas to the east.
- 4.60.2. The Mitchell Freeway is another significant physical feature running north-south through the 3km locality and separating Woodvale on the eastern side of the Freeway from suburbs on the western side. It is approximately 2.5km drive from the applicant's proposed liquor store to the nearest Mitchell Freeway on/off ramp.
- 4.60.3. Exacerbating the dividing characteristic of Mitchell Freeway is the northern trainline and associated stations, which runs through the middle of it.
- 4.60.4. The suburb of Woodvale is a sizeable area of approximately 5.86 square kilometres²⁰ with a resident population of around 9,579²¹. Coupled with this is the significant draw of the Woodvale IGA itself which attracts an average of 8,000 shoppers per week. These substantial numbers indicate that the suburb of Woodvale can be treated almost as an isolated catchment within itself.
- 4.60.5. It is not practical for people living in Woodvale to cycle or walk across the Freeway, trainline, Whitfords Avenue or Ocean Reef Road to access take-away liquor, particularly as part of a routine household shopping trip. Whitfords Avenue and Ocean Reef Road are long, dual carriage-ways. Whitfords Avenue has been categorised as being "car-dependant" and Ocean Reef Road only "somewhat walkable"²². At the nearest and most recent recording points to the applicant's site, both Ocean Reef Road and Whitfords Avenue recorded average weekday traffic counts in the tens of thousands based on published Main Roads data, up to nearly 43,000²³. This indicates not only the enormous volume of people travelling through the 3km locality but also the extremely busy nature of Whitfords Avenue and Ocean Reef Road and inevitable challenges in navigating them, enclosing Woodvale to a degree.
- 4.60.6. The suburb of Woodvale is a clearly and neatly definable area, bounded by Ocean Reef Road to the north, Yellagonga Regional Park on the eastern side, Whitfords Avenue south and Mitchell Freeway and the northern trainline on the western side.
- 4.60.7. People living in the suburb of Woodvale are expected to comprise most of the applicant's catchment.
- 4.60.8. People living in the suburb of Woodvale are experiencing the most effect from there being no liquor store or one-stop shopping at the

²⁰ <https://profile.id.com.au/joondalup/about?WebID=310>

²¹ As at the 2021 ABS Census: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51641>

²² <https://www.walkscore.com/score/whitfords-ave-perth-wa-australia> and <https://www.walkscore.com/score/ocean-reef-road>

²³ Main Roads Western Australia Statewide Traffic Digest 2019/20-2024/25 at pages 35 and 48 (copy available upon request if required)

Woodvale Village Shopping Centre and will be most impacted from the establishment of Liquor Barons Woodvale.

- 4.61. The following Landgate aerial map shows the Woodvale Village Shopping Centre site outlined in red and its surroundings.



- 4.62. The applicant has carefully considered both the 3km locality and s36B locality, as referred to throughout this PIA and the accompanying Legal Submissions.
- 4.63. As directed by the Department²⁴, the applicant has applied a “common-sense approach”²⁵ to the submissions contained within this PIA in relation to assessing the locality. In this context, the applicant has had regard for the fact that the 3km locality and s36B locality are both very established and presumably the licensing authority possesses a degree of familiarity with them and so only pertinent locality material has been included in this document without over burdening the licensing authority²⁶.
- 4.64. As required by the Form 2A, the applicant provides the following “names and addresses of all existing licensed premises within the [s36B] locality”²⁷.
- 4.64.1. The Woodvale Tavern & Reception Centre, cnr Trappers and Chichester Drives, Woodvale
 - 4.64.2. Liquorland Woodvale, cnr Whitfords Avenue and Trappers Drive, Woodvale

²⁴ Form 2A and at <https://www.dlasc.wa.gov.au/department/publications/publication/public-interest-assessment>

²⁵ Form 2A page 2

²⁶ Further detailed information and supporting documents can be provided if required, upon request

²⁷ Based on information published by the Department as at 24 December 2024:

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

- 4.64.3. Chilli Farms Indian Restaurant, Shop 20 Woodvale Boulevard, Woodvale
 - 4.64.4. Kingsley Tennis Club Inc, Timberlane Park Hall, Althea Way, Woodvale
 - 4.64.5. Avoka Café, Shop 6, 153 Trappers Drive, Woodvale
 - 4.64.6. Nando's Woodvale, Shop 2, Woodvale Boulevard Shopping Centre, 931 Whitfords venue, Woodvale
 - 4.64.7. Chichester Park Clubrooms, 109 Trappers Drive, Woodvale
- 4.65. The diligent applicant has also identified the following names and addresses of other existing licensed premises located further afield in surrounding suburbs, located in the wider 3km locality:
- 4.65.1. Edgewater Liquor Store, Edgewater Drive, Edgewater
 - 4.65.2. Dan Murphy's Joondalup, Joondalup Gate, 75 Joondalup Drive, Edgewater
 - 4.65.3. Edgewater Cricket Club Inc, Emerald Reserve Community Centre, Emerald Way, Edgewater
 - 4.65.4. Wisteria Edge Café, Shop 7 Edgewater Shopping Centre, 1 Wisteria Parade, Edgewater
 - 4.65.5. X-Golf Joondalup, Shop 95 Joondalup Gate Shopping Centre, 57 Joondalup Drive, Edgewater
 - 4.65.6. Liquorland Beldon, Shop 17 Belridge Shopping Centre, Ocean Reef Road, Beldon
 - 4.65.7. Craigie Tavern, 119 Eddystone Avenue, Craigie
 - 4.65.8. Kingsley Tavern, Lot 972 Kingsley Drive, Kingsley
 - 4.65.9. BWS – Beer Wine Spirits Kingsley, Kingsley Village Shopping Centre, 100 Kingsley Drive, Kingsley
 - 4.65.10. Dome Kingsley, shop 1, 66 Creaney Drive, Kingsley
 - 4.65.11. Kingsley Woodvale Cricket Club, Kingsley Reserve Kingsley Drive, Kingsley
 - 4.65.12. Kingsley Amateur Football Club (Inc), Kingsley Drive, Kingsley
 - 4.65.13. The Creative Group, Unit 6, 8 Baretta Road, Wangara
 - 4.65.14. Cellarbrations Pearsall, Shop 6, 155 Willespie Drive, Pearsall
 - 4.65.15. Harry's at Conti, 529 Wanneroo Road, Wanneroo
 - 4.65.16. Paul Conti Wines, 529 Wanneroo Road, Wanneroo

4.66. Additional information and submissions regarding the “packaged liquor premises”²⁸ listed above are provided further on in this document.

5. Form 2A “Part 3 – The profile of the local community”

Form 2A: “3.1 Please outline the population characteristics in the locality”

- 5.1. Having regard to the direction of the Department to apply a “common-sense approach”²⁹, the applicant has considered a range of research in relation to population characteristics of both the s36 locality and 3km locality and provides the most pertinent material in this section of the PIA³⁰. Generally, information pertaining to the wider 3km locality applies equally to the smaller s36 locality.
- 5.2. As stated previously, Woodvale itself has an approximate resident population of 9,579, of which 7,170 are over the age of 19³¹.
- 5.3. There has been an increase in the Woodvale population since the 2016 Census by 303 people³².
- 5.4. In respect of the whole 3km locality, the population has been recorded as follows across all suburbs that comprise, either entirely or partly, the 3km locality³³:

Suburb	Population recorded for whole suburb at 2021 Census	Portion estimated to be within the 3km locality ³⁴
Edgewater	4,657	4,564
Craigie	6,456	5,811
Pearsall	4,244	2,547
Beldon	4,094	2,047
Hocking	6,987	3,494

²⁸ Section 36B of the Act

²⁹ Form 2A and at <https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment>

³⁰ Additional and more detailed information and supporting documents can be provided if required and requested

³¹ As was recorded at the most recent ABS Census in 2021 <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51641>

³² <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC51624>

³³ As at 2021 Census: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50474> (Edgewater), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50350> (Craigie), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51219> (Pearsall), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50102> (Beldon), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50645> (Hocking), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50622> (Heathridge), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50764> (Kingsley), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51192> (Padbury), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51526> (Wanneroo) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51523> (Wangara)

³⁴ Refer to para 4.49 in this PIA

Heathridge	6,898	2,415
Kingsley	13,204	3,301
Padbury	8,626	2,157
Wanneroo	12,113	3,029
Wangara	43	9
Totals	67,322	29,374

- 5.5. Statistically speaking, the average person living in Woodvale can be described as³⁵:
- 5.5.1. a 43 year old female who does not recognise as being Aboriginal or a Torres Strait Islander,
 - 5.5.2. born in Australia, of English ancestry and speaking only English at home,
 - 5.5.3. married and living as a couple with children,
 - 5.5.4. of no religious affiliation,
 - 5.5.5. well educated to at least year 12 level and quite likely beyond, being to certificate III level or above,
 - 5.5.6. working full-time, more than 40 hours per week, earning above both the State and national income level averages in an occupation categorised as either professional, clerical, administrative, technical, trade or manager.
 - 5.5.7. suffering no long-term health condition and
 - 5.5.8. living in a house with at least four bedrooms that is owned with a mortgage.
- 5.6. The following further resident profile characteristics have been identified in relation to people living in Woodvale³⁶:
- 5.6.1. 25.1% of the population is aged 19 and under.
 - 5.6.2. 3.6% of the population is aged 80 and over.
 - 5.6.3. 0.5% of the population identified their indigenous status as being Aboriginal and/or Torres Strait Islander.

³⁵ With reference to the average and majority statistics recorded at the 2021 Census: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51641>

³⁶ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51641>

- 5.6.4. 13.9% of households use a non-English language which is most likely Afrikaans.
- 5.6.5. 3.7% of people in the labour force are unemployed (compared to the State and national figures of 5.1%).
- 5.7. Given that almost the entire suburb of Edgewater and the large majority of the suburb of Craigie fall within the 3km locality, ABS data relating to those two suburbs is also appropriate to consider, especially in respect of section 38 of the Act. Therefore, the following statistics applicable to those suburbs are provided to illustrate further characteristics of the 3km locality. Collectively Woodvale, Edgewater and Craigie comprise the majority of the residential area within the 3km locality.

ABS Census-based characteristics	Edgewater	Craigie
Male/female (self-identified percentage of population)	48.7%/51.3%	50.3%/49.7%
Average age of residents	41	35
Aboriginal and Torres Strait Islander (self-identified percentage of population)	1.1%	1.4%
Percentage of people under 19	24.2%	24.8%
Ancestry – top response	English (50.2%)	English (44.3%)
Country of birth – top response	Australia (54.8%)	Australia (64.9%)
English only used at home	86.9%	86.2%
Educated to year 12 level and above	72.2%	72.1%
Working full-time	56.6%	58.1%
Hours worked – top response	40-44 hours pw	40-44 hours pw
Personal average weekly income/above WA and national average (Y/N)	\$869/Y	\$927/Y
Occupation categories – top responses	Professionals; technicians and trades; clerical and admin	Professionals; technicians and trades; clerical and admin
Married	54.9%	42.3%
Living as a couple with children	41.2%	45.4%

Dwelling type/no. bedrooms – top responses	House/4 or more	House/3
Religious affiliation – top response	No religion	No religion
Type of long term health condition(s) – top response	None	None

5.8. Woodvale, Edgewater and Craigie are all located within the City of Joondalup local government area which has been described and summarised as follows³⁷:

The City of Joondalup is located to the north of the Greater Perth Metropolitan Area along 17 kilometres of stunning coastline. Our City is renowned for its beautiful wildlife, natural bushland and extensive wetlands, including Yellagonga Regional Park. With more than 370 diverse parklands which incorporate spacious, open grassed areas, and over 500 hectares of natural bushland, the City has been recognised internationally for its liveability and the healthy lifestyle opportunities our community enjoys.

The City of Joondalup is the third largest local government in Western Australia by population with approximately 160,000 residents. Living across 22 suburbs, our community consists of a significant migrant population, particularly from the United Kingdom and South Africa. There are currently over 60,000 dwellings in the City, with most residents purchasing or fully-owning their homes.

Our residents work across a range of industries, with large numbers working in health care and social assistance, construction, and education and training. Our City is located approximately 30 minutes north of the Perth Central Business District, and approximately two-thirds of our residents travel outside of the City of Joondalup each day to work.

Over the next 10 years, we expect the City's population to grow to more than 172,000 with an annual average growth rate of 0.4%. Growth is expected to be most significant in the suburbs of Burns Beach, Joondalup and Warwick, and population declines are expected in the suburbs of Connolly, Iluka, and Mullaloo. By 2032, we expect our population to be slightly older, with more people aged 65+ years, and lower proportion of households with children.

³⁷ Joondalup 2032 Strategic Community Plan 2022-2023 at page 9 (copy available upon request if required, or at <https://www.joondalup.wa.gov.au/city-and-council/publications/strategic-community-plan>)

- 5.9. The City of Joondalup has also published the following statistical snapshot of itself³⁸:



- 5.10. The City of Joondalup is said to be “transitioning from an economy supported by population growth to one driven by business investment, innovation and entrepreneurship”³⁹. The proposal for Liquor Barons Woodvale ties perfectly into this.

Form 2A: “3.3 (sic) List the community buildings in the locality”

- 5.11. As required by the Form 2A, the applicant provides names and addresses for the following identified to be operating in the 3km locality:

- 5.11.1. Schools and educational institutions:
- 5.11.1.1. North Woodvale Primary School, 4 Chichester Drive, Woodvale.
 - 5.11.1.2. Woodvale Primary School, 44 Keatley Crescent, Woodvale.
 - 5.11.1.3. Woodvale Secondary College, 110 Woodvale Drive, Woodvale.
 - 5.11.1.4. St Lukes Catholic Primary School, 17 Duffy Terrace, Woodvale.
 - 5.11.1.5. Edgewater Primary School, 76 Treetop venue, Edgewater.
 - 5.11.1.6. St Elizabeth's Catholic Primary School, 30 Ranworth Road, Hocking.
 - 5.11.1.7. Hocking Primary School, 50 Gunguru Avenue, Hocking.
 - 5.11.1.8. Pearsall Primary School, 95 Willespie Drive, Pearsall.
 - 5.11.1.9. Creaney Primary School, 6 Creaney Drive, Kingsley.
 - 5.11.1.10. Creaney Education Support Centre, 6 Creaney Drive, Kingsley

³⁸ <https://www.joondalup.wa.gov.au/business-and-investment/investment>

³⁹ <https://www.joondalup.wa.gov.au/business-and-investment/investment>

- 5.11.1.11. Craigie Heights Primary School, 47 Spinaway Street, Craigie
- 5.11.1.12. Belridge Secondary College, 17 Gwendoline Drive, Beldon
- 5.11.2. Hospitals: none identified. (The nearest is Joondalup Health Campus over 5km away.)
- 5.11.3. Hospices: none identified. (The nearest is Joondalup Health Campus over 5km away.)
- 5.11.4. Aged care facilities:
 - 5.11.4.1. Timberside Villas, 10 Timbercrest Rise, Woodvale.
 - 5.11.4.2. Edgewater Mercy Hostel, 19 Pioneer Drive, Edgewater.
 - 5.11.4.3. Kallista Gardens, 5 Caalabrese Avenue, Wanneroo.
 - 5.11.4.4. Elite Caregivers, 3/2 Prindiville Drive, Wangara.
 - 5.11.4.5. Commchair Pty Ltd, 5/4 Arrigo Street, Wangara
 - 5.11.4.6. Bethanie Kingsley Aged Care Home, 190 Twickenham Drive, Kingsley
- 5.11.5. Churches/places of worship:
 - 5.11.5.1. Woodvale Baptist Church, 67 Woodvale Drive, Woodvale.
 - 5.11.5.2. St Luke's Catholic Church, 17 Duffy Terrace, Woodvale.
 - 5.11.5.3. Living Faith Pentecostal Ministries, Unit 5, 8 Villanova Street, Wanneroo.
 - 5.11.5.4. Crossways Uniting Church, 10 Calabrese Avenue, Wanneroo.
 - 5.11.5.5. Gospel Baptist Church, 3 Backshall Place, Wanneroo.
 - 5.11.5.6. Nations Church Wangara, 7 Lumsden Road, Wangara.
 - 5.11.5.7. Christian Revival Church, CRC Perth, 20 Uppill Place, Wangara.
 - 5.11.5.8. Kingdomcity Wangara, 9 Finlay Place, Wangara.
 - 5.11.5.9. Church of Nazarene, 73 Shiraz Boulevard, Pearsall.
 - 5.11.5.10. Disciples of Jesus Covenant Community, 125 Willespie Drive, Pearsall.
 - 5.11.5.11. Kingsley Church of Christ, 58 New Cross Road, Kingsley.
 - 5.11.5.12. Our Lady of the Mission Catholic Church, 270 Camberwarra Drive, Craigie.
- 5.11.6. Drug and alcohol treatment centres: no specialist centres identified.

- 5.11.7. Short term accommodation or refuges: none identified, other than holiday accommodation open to the general public.
- 5.11.8. Childcare centres:
- 5.11.8.1. Sagewood Woodvale, 1 Lyell Grove, Woodvale.
 - 5.11.8.2. Meerilinga Children and Community Service Woodvale.
 - 5.11.8.3. Care for Kids School of Early Learning, 177 Timberlane Drive, Woodvale.
 - 5.11.8.4. Little Dimples Early Learning Centre, 42 Backshall Place, Wanneroo.
 - 5.11.8.5. Keiki Early Learning Edgewater, 45/57 Joondalup Drive, Edgewater.
 - 5.11.8.6. Hocking Stars Early Learning Centre, 4 Gunguru Avenue, Hocking.
 - 5.11.8.7. Day Night Day Care, 73 Archer Street, Pearsall.
 - 5.11.8.8. Kalyan Family Day Care, Lamont Link, Pearsall.
 - 5.11.8.9. Glory Family Day Care WA, Suite 2, 2 Prindiville Drive, Wangara.
 - 5.11.8.10. Nido Early School Kingsley, 73 Kingsley Drive, Kingsley
 - 5.11.8.11. Craigie Early Learning Centre, 126 Eddystone Avenue, Craigie.
 - 5.11.8.12. Buggles Childcare Beldon, 255 Eddystone Avenue, Beldon.
 - 5.11.8.13. Goodstart Early Learning Edgewater, Commercial Centre, 2 The Gateway, Edgewater.
- 5.11.9. Local government:
- 5.11.9.1. As referred to previously in this document, the applicant's premises is located within the City of Joondalup, which has its administration/main office at 90 Boas Avenue, Joondalup.
 - 5.11.9.2. Parts of the 3km locality also fall within the City of Wanneroo which has its administration/main office at 23 Dundobar Road, Wanneroo.
- 5.12. Liquor Barons Woodvale will not be visible from any of the places listed above and will be separated and buffered by various features.

6. Form 2A “Part 4 – Minimising the potential for alcohol to cause harm”

Form 2A “4.1 What strategies will you use to minimise harm from the use of alcohol?”

- 6.1. Every effort will be made by the applicant to conduct business under the licence in a manner that minimises the potential for harm or ill-health to occur as a result of the liquor store licence operating. The applicant has sought to develop a low risk business model.
- 6.2. The applicant has had regard for harm and ill-health factors potentially associated with the new liquor licence, with the benefit of trading history and intimate knowledge of the local community and regular shoppers at Woodvale Village Shopping Centre. The directors of the company have an excellent trading record in terms of compliance and are not aware of any harm or ill-health having been caused by the operations of any of the licences their other companies have held.
- 6.3. No part of the proposed licensed area will be visible in any way from the churches, schools and daycare centres etc located within the 3km locality which have been identified in the previous section of this PIA.
- 6.4. The applicant has sought to identify current information regarding alcohol related hospitalisations and deaths associated with the 3km locality, but none could be identified from published material. Further, “due to different classification systems and alcohol as a contributing factor not being recorded within all health datasets, challenges exist in quantifying the incidence of alcohol-related injuries in WA.”⁴⁰.
- 6.5. Nonetheless, the applicant acknowledges that hospitalisation and death can potentially result for some people as a consequence of the use of liquor and would most likely be occurring in some form in the 3km locality.
- 6.6. The applicant acknowledges that alcohol-related hospitalisations and deaths would quite likely have occurred in the 3km locality and may occur in the future. The applicant has considered the Perth North PHN Needs Assessment 2022-2024 prepared by WA Primary Health Alliance. The report identified the City of Joondalup as having the third largest population for the purposes of the report and the City of Wanneroo the largest⁴¹. It also stated that a portion of residents in both Cities of Joondalup and Wanneroo were identified as being “at risk of long term harm from their alcohol consumption”⁴² with levels in Joondalup above the State rate. While this finding is a negative factor and should be addressed, the report did not indicate the levels to be highly unusual or extreme and went on to say that “GP patient records that did not have an alcohol

⁴⁰ Alcohol-related injuries in Western Australia Position Paper, by Injury Matters, dated April 2022, at page 2 (www.injurymatters.org.au) – copy of the paper available if required, upon request

⁴¹ At page 2 (copy of report available if requested by the licensing authority)

⁴² At page 24 (copy of report available if requested by the licensing authority)

- consumption status recorded was highest in Joondalup⁴³, suggesting low levels of problems experienced by resident-patients.
- 6.7. The most recent ABS data has revealed no specific alcohol-related health condition associated with residents of the 3km locality. The large majority (63%) of the community reported at the 2021 Census that they have no long-term health condition⁴⁴, which is more and better than the State and national figures⁴⁵. It is acknowledged that a small percentage of people did indicate that they experience some long-term health condition⁴⁶.
- 6.8. “[D]ata from Roy Morgan’s Alcohol Consumption Report shows the proportion of Australians who drink alcohol dropped by 1.8 percentage points to 67.9 per cent in the 12 months to June 2022”⁴⁷.
- 6.9. Data for the 12 months to March 2023 showed an increase of 1.3%, but “[t]he most significant driver of the increase in consumption of alcohol compared to pre-pandemic is the increasing popularity of RTDs (Ready-to-drink)”⁴⁸. The applicant’s range includes only a small and modest selection of RTDs which will not be heavily promoted. Cheap mainstream RTDs, for example white Jim Beam and Cola cans will not be available in bulk or even in large supply at Liquor Barons Woodvale compared to other liquor outlets and will not be overtly advertised.
- 6.10. The applicant has factored advertising and promotion into its strategies for minimising potential harm. Flamboyant and highly suggestive material, encouraging or suggesting rapid, excessive or juvenile drinking will not be displayed at the premises.
- 6.11. To summarise and reiterate, the following are some of the key harm and risk minimising features of the Liquor Barons Woodvale proposal:
- 6.11.1. Premium, personalised and tailor-made style of operation.
 - 6.11.2. Superior, inviting fitout designed for comfortable pleasant browsing.
 - 6.11.3. Multiple ancillary features taking the focus away from alcohol itself.
 - 6.11.4. The promotion of food with liquor.
 - 6.11.5. The focus on quality and taste experiences, not alcohol itself.
 - 6.11.6. Modestly sized licensed area.

⁴³ At page 25 (copy of report available if requested by the licensing authority)

⁴⁴ With reference to the combined average statistics for the suburbs of Woodvale, Edgewater and Craigie which comprise the majority of the 3km locality area: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51641> (Woodvale), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50474> (Edgewater) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50350> (Craigie)

⁴⁵ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51641> (Woodvale), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50474> (Edgewater) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50350> (Craigie)

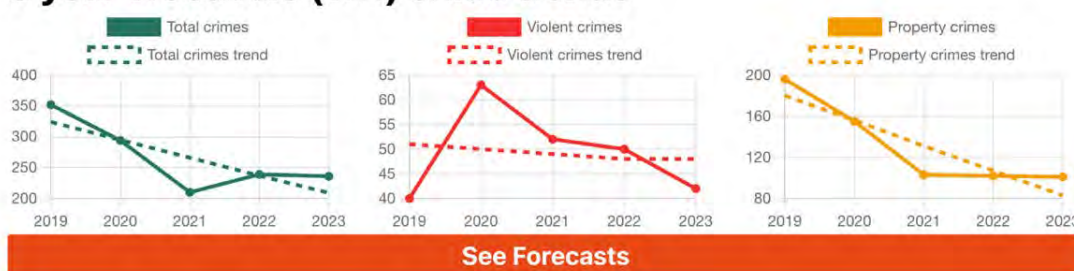
⁴⁶ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51641> (Woodvale), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50474> (Edgewater) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50350> (Craigie)

⁴⁷ <https://theshout.com.au/australian-alcohol-consumption-declines-rtd-consumption-at-record-high/>

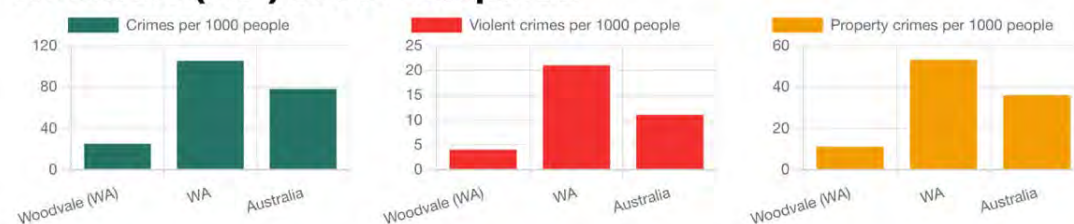
⁴⁸ <https://www.roymorgan.com/findings/9153-alcohol-consumption-march-2023>

- 6.11.7. The absence of bulk quantities of cheap mainstream products.
- 6.11.8. Its location/position confined within the internal arcade of the Woodvale Village Shopping Centre which is discrete and restricts external visibility.
- 6.12. Importantly also, there will be none of the following:
 - 6.12.1. Large volumes of cheap mainstream liquor products on prominent display.
 - 6.12.2. Energy drinks stocked in the liquor display/browsing area.
- 6.13. In respect of the issue of juveniles, very strict practises and policies will be implemented by the applicant including the following:
 - 6.13.1. Juveniles will not be permitted in the liquor store unless they are accompanied by a person who is their parent or acting genuinely as a lawful guardian.
 - 6.13.2. Vigilant identification checking and proof-of-age requirements will apply. Staff will be regularly trained and reminded of the requirements.
 - 6.13.3. No liquor will be knowingly sold or supplied to juveniles or anyone who is suspected of trying to obtain liquor for a juvenile.
 - 6.13.4. Juveniles observed loitering near the entrance of the liquor store will be asked to move on.
 - 6.13.5. Not conducting promotions likely to entice or attract juveniles.
- 6.14. The applicant has considered the issue of crime in terms of harm factors applicable to the 3km locality. The following information has been identified⁴⁹.

5 year Woodvale (WA) crime trends

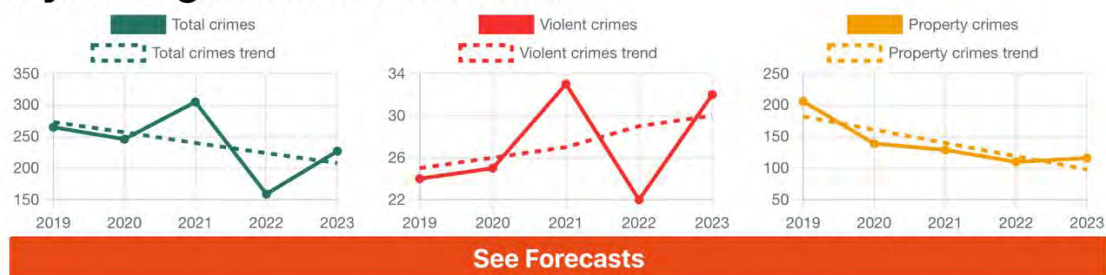


Woodvale (WA) crime compared

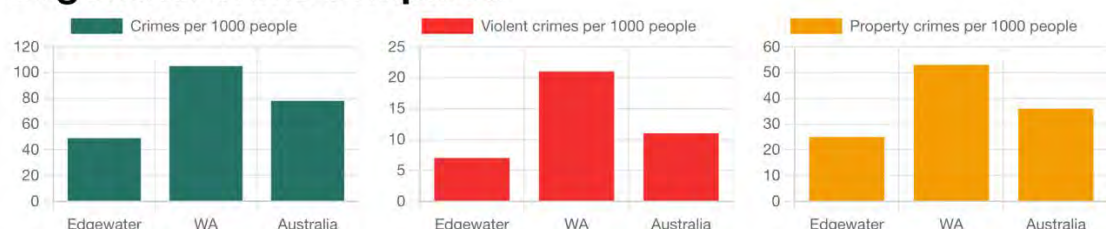


⁴⁹ <https://redsuburbs.com.au/suburbs/woodvale-wa/>, <https://redsuburbs.com.au/suburbs/edgewater/> and <https://redsuburbs.com.au/suburbs/craigie-wa/>. This data is based on collated annual Police records: <https://redsuburbs.com.au/about-us/>

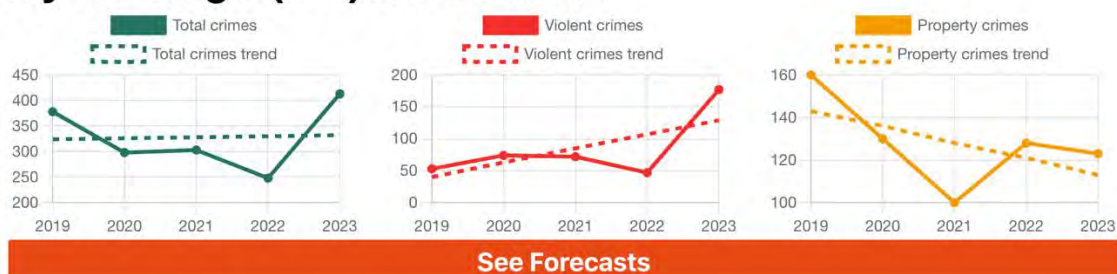
5 year Edgewater crime trends



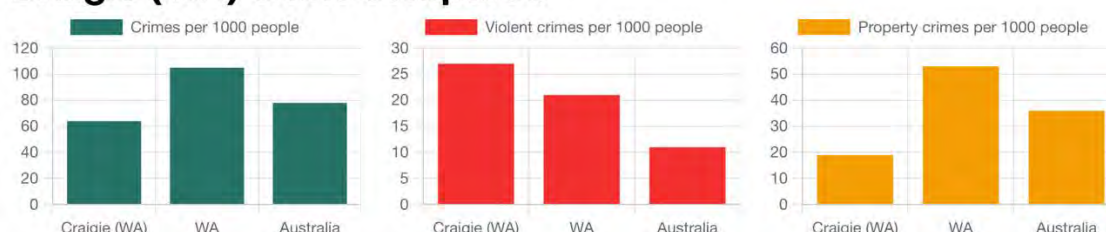
Edgewater crime compared



5 year Craigie (WA) crime trends



Craigie (WA) crime compared



- 6.15. The Police incident data above does not reveal anything to suggest that the 3km locality experiences a concerning or unusual level of crime relevant to the application and having regard to State and national trends. Woodvale itself compares favourably.
- 6.16. The applicant has not experienced problematic levels of crime in relation to the Woodvale IGA.
- 6.17. The applicant intends to implement the following into the business to minimise the risk of crime and to promote safety and security.
- 6.17.1. Positioning the sales counter at the front entrance for enhanced surveillance.

- 6.17.2. Locating the store well inside the shopping centre so as to provide added surveillance from adjoining businesses and reduce the potential ease of escape by would-be criminals.
 - 6.17.3. CCTV.
 - 6.17.4. A high level of staff training on matters of safety and managing potential crime.
- 6.18. Further in relation to Woodvale in particular, the following has been published⁵⁰ which provides another positive indication for the suburb of Woodvale:

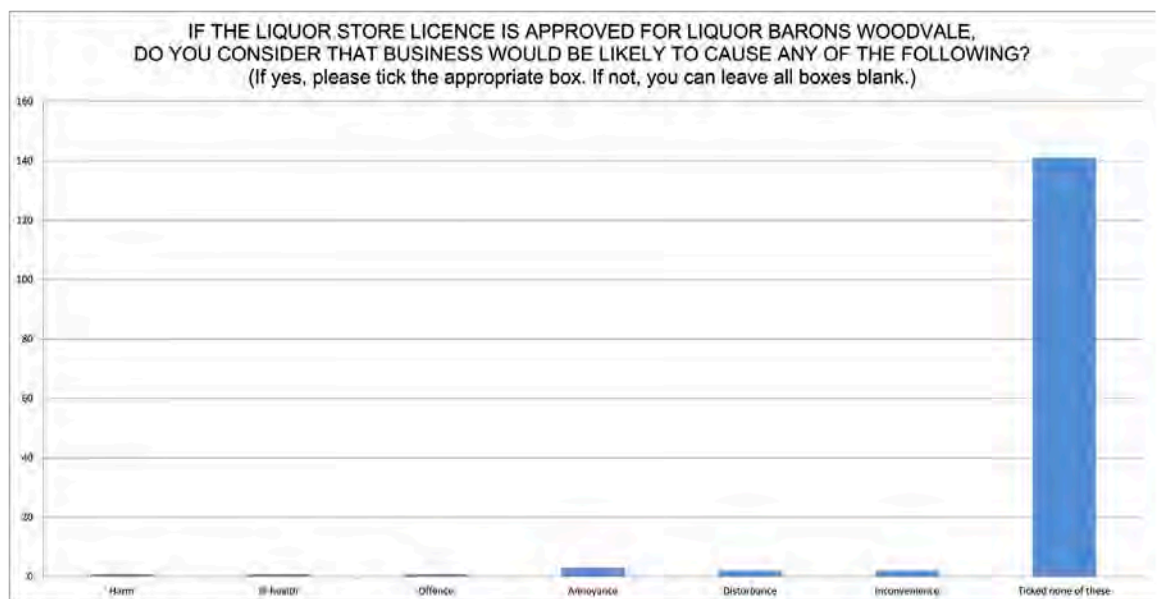
How does Woodvale (WA) rank in crime?

Woodvale (WA) suburb is ranked **10/100** in Australia by number and severity of crimes proportionate to population, where 0 means no crime.

Is Woodvale (WA) a safe suburb?

Woodvale (WA) suburb could be **considered safe area**. Crime exists but does not impact most people.

- 6.19. The applicant company directors are highly experienced in managing crime commonly associated with retail services and particularly relevant to liquor stores.
- 6.20. The applicant's community survey has revealed that people most likely to be directly impacted, do not envisage harm, ill-health, offence, annoyance, disturbance or inconvenience to result from the operation of Liquor Barons Woodvale. The following extract from the attached summary of results illustrates this.



⁵⁰ <https://redsuburbs.com.au/suburbs/woodvale-wa/>

7. Form 2A “Part 5 – Impact on the amenity, quiet or good order of the locality”

Form 2A: “5.1 How will your premises design protect the amenity, quiet or good order of the locality?”

- 7.1. “[T]he term 'amenity' in s 38(4)(b) is concerned with whether and, if so, to what extent the granting of the application would be likely to have any positive or negative effects or consequences upon the overall character, quality and enjoyment of life within the locality.”⁵¹
- 7.2. The amenity of the 3km locality has been variously described in earlier sections of this PIA. It is a densely populated, built-up and well-established area with large residential component, plus various retail land uses, significant road-network and transport infrastructure plus substantial natural features of water bodies, parkland and bush.
- 7.3. Woodvale “was primarily rural until the late 1970s. Residential development began in 1979 and was completed by 1995 with the release of the Woodvale Waters housing estate. No farming properties remain in Woodvale”⁵².
- 7.4. The following is a snapshot of the Woodvale property market which paints a positive picture⁵³:



- 7.5. The Woodvale Village Shopping Centre is surrounded by a large carpark which is generally split into three main areas, north, west and south of the Centre, with thoroughfare and parking in between. The western and southern carparks tend to be heavily utilised by The Woodvale Tavern & Reception Centre on the site next door. The applicant expects that most of its customers will park in the northern section as depicted below by the yellow highlighting. There are ample bays in that area, as close as approximately 35 metres from the proposed liquor store, accessible almost entirely undercover in spacious and flat-ground circumstances enabling easy and safe access and egress for people with trolleys, prams, wheelchairs or other walking aids.

⁵¹ *Australian Leisure and Hospitality Group Pty Ltd v Commissioner of Police* [2020] WASCA 157 [184]-[186] (Buss P)

⁵² <https://reiwa.com.au/suburb/woodvale/>

⁵³ <https://reiwa.com.au/suburb/woodvale/>



- 7.6. The Shopping Centre is also serviced by a Transperth bus service.
- 7.7. Further submissions addressing the amenity issue under the Act and for the purposes of the Form 2A are provided in the attached Legal Submissions

8. Form 2A “Part 6 – Impact on the people who live or work nearby and whether they might suffer offence, annoyance, disturbance or inconvenience”

Form 2A: “6.1 What actions will you take to minimise the impact on people who live or work nearby?”

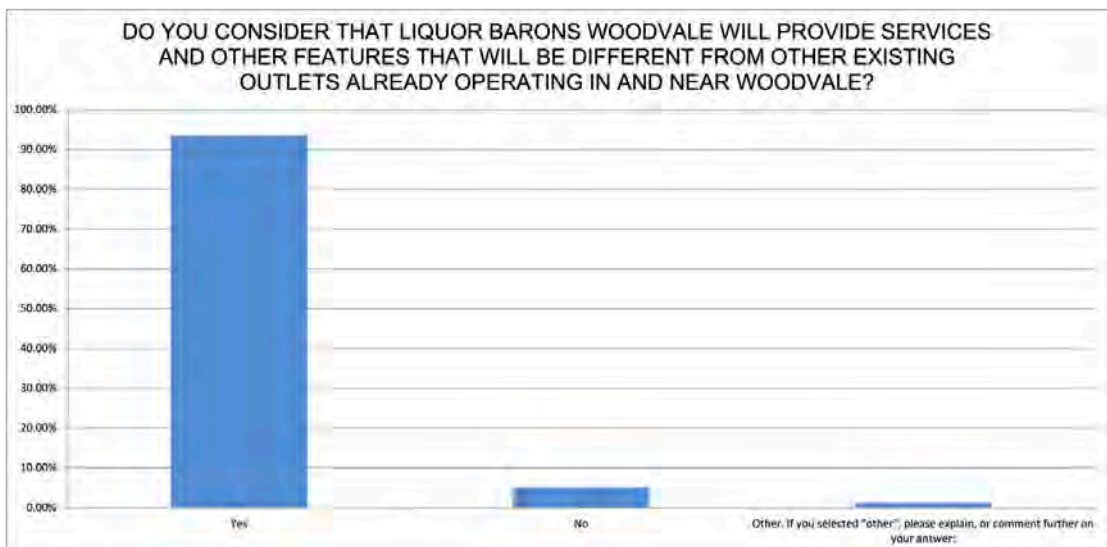
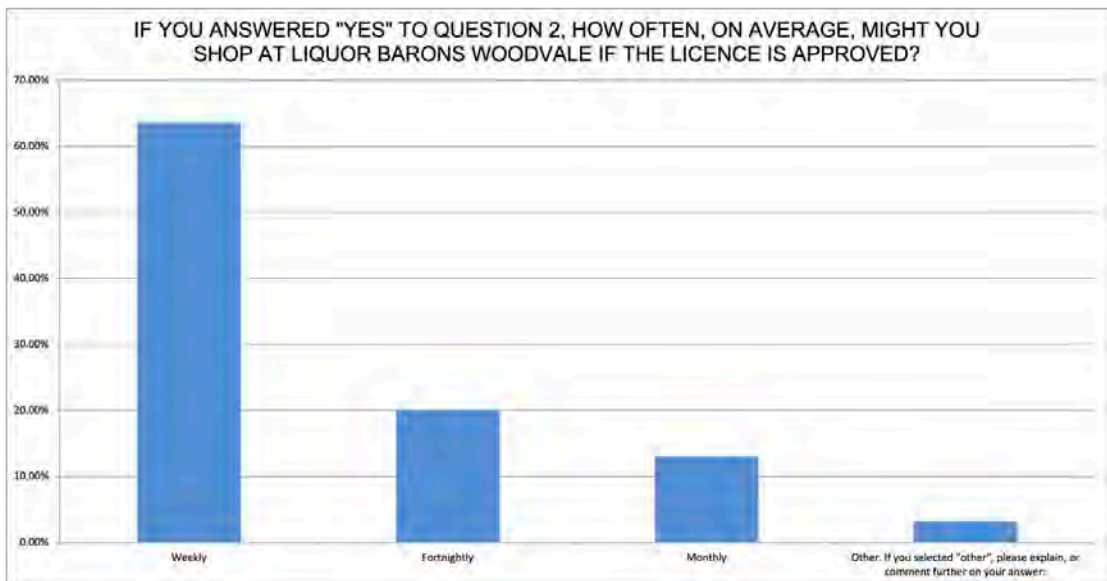
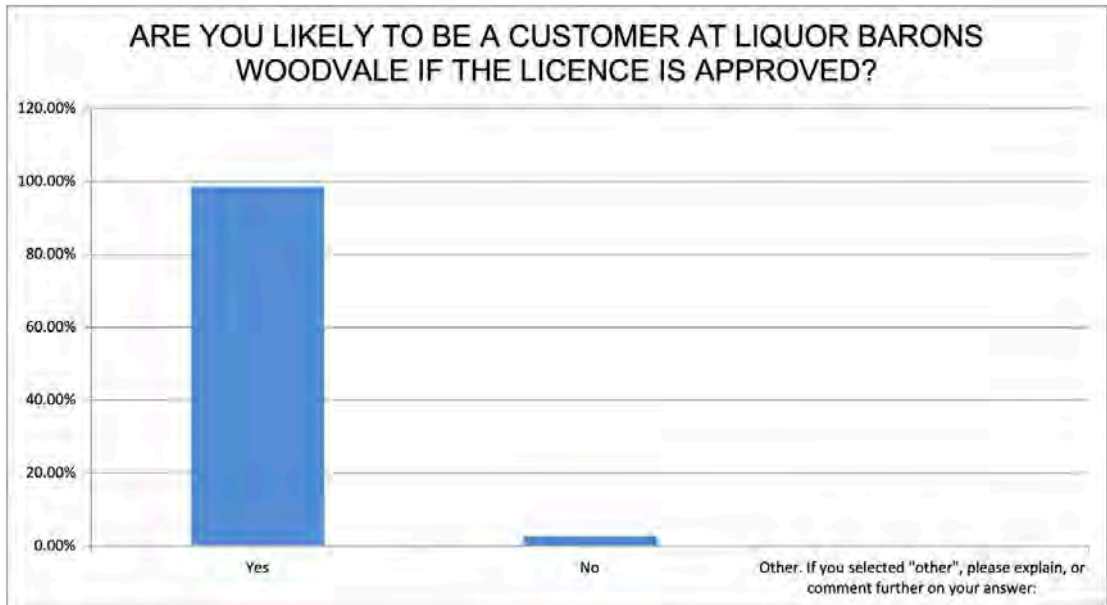
- 8.1. The applicant has carefully considered the impact that may be caused to people who reside or work in the vicinity of the proposed licensed premises in terms of how and in what circumstances, the sale and supply of liquor could potentially cause those people offence, annoyance, disturbance or inconvenience.
- 8.2. No high risk factors associated with the proposal in this case have arisen in the preparation of this PIA. The small risk factors that exist, as with any licensed premises, will be closely monitored and carefully managed.
- 8.3. The excellent trading record associated with the applicant company directors does not include any known offence, annoyance, disturbance or inconvenience and equips them with skills to properly assess, on an ongoing basis, the impact of the business on people who live and work nearby.
- 8.4. People who live and work near the applicant's premises are within their target market and partly motivating this application.
- 8.5. As part of the applicant's acknowledgement that there is potential for adverse impact from the sale and supply of liquor, it proposes to implement the following strategies to manage and minimise risks.
- 8.5.1. Maintaining a manner of trade which is low-key and passive.

- 8.5.2. Managing delivery times and methods in such a way as to minimise potential disturbance to others.
 - 8.5.3. Not stocking controversial liquor products.
 - 8.5.4. Implementing tried, tested and proven operational policies for overall management and conduct of business.
 - 8.5.5. Maintaining a high standard of premises in terms of cleanliness, tidiness and overall quality, to indicate to customers the operator's professional approach to management of the business.
 - 8.5.6. Employing only mature and skilled people to run the operation, all of whom will be presented in uniform. The staff will all be trained to be able to exhibit a high level of stock knowledge. These features will add an element of professionalism and responsibility to the functioning and image of the business.
- 8.6. The applicant places a high value on its excellent reputation as an upstanding local corporate citizen, operating its IGA supermarket with the community always in mind. It is in the applicant's best interests to maintain this standing and ensure that the liquor store is run to first class standards.
- 8.7. Employees will continue to be trained to uphold the applicant's hard-earned reputation and exhibit the applicant's values.
- 8.8. The applicant intends to constantly review and reassess its management practices and manner of trade to ensure that people who live and work nearby are only affected positively by the operations of Liquor Barons Woodvale. The directors of the company are highly driven to supporting the local community.

9. Form 2A “Part 7 – Impact on tourism, culture and the community”

Form 2A: “7.1 Are there any tourism, cultural and community benefits that would result from the grant of your application?”

- 9.1. Multiple cultural and community benefits are likely to flow from the establishment of Liquor Barons Woodvale.
- 9.2. The consumer evidence in this case is clear, directly on-point and persuasive. A large section of the local community have expressed a strong demand for the proposed products and services, summarised as follows which are extracts from the attached public consumer evidence.



- 9.3. The evidence referred to within and accompanying this PIA regarding Liquor Barons Co-operative Ltd and its existing operations in WA confirm the popularity of the brand. The licensing authority is entitled to take into account the popularity of similar services provided at other locations when assessing whether the proposed services will be in the public interest at this particular location.⁵⁴
- 9.4. As stated earlier in this PIA, the Woodvale Village Shopping Centre is strata titled and several of the tenancies are owner operated. This feature adds to the village, community and neighbourhood nature of the Centre, consistent with the co-operative structure of Liquor Barons. The eclectic and complementary mix of businesses are independently and privately owned. During most trading hours the owners are on site, in-stores, directly interacting with shoppers. They get to know their customers well. The applicant company directors know many of their IGA shoppers by name. Together with the physical design and layout of the Woodvale Village Shopping Centre, which includes the walk-through arcade, there is much opportunity for the fostering of a convivial community spirit. These bespoke aspects to the Woodvale Village Shopping Centre create a distinctly personal atmosphere of a civil parish variety. The only missing element is that of packaged liquor. The nature and location of the drive-through section at the nearby tavern – as address in detail in the next section of this PIA – can in no way contribute to the characteristics just described at the Woodvale Village Shopping Centre.
- 9.5. Attached to this PIA are several letters of support for this application from WA liquor producers and suppliers, confirming the following:
- 9.5.1. That the applicant has liaised with and developed genuine relationships with WA-centric producers and suppliers.
 - 9.5.2. That a large range of WA products will indeed be available at Liquor Barons Woodvale.
 - 9.5.3. How Liquor Barons Woodvale will support and facilitate the development of the WA liquor industry.
- 9.6. Further submissions referring to the applicant's supporting evidence and how it strongly endorsed the grant of the licence, have been provided elsewhere in this document and in the attached Legal Submissions.

Form 2A: “7.2 If you have any other information to provide in support of your application, include it here”

- 9.7. The applicant company directors have conducted in depth research in the preparation of this application and developed a proposal for Liquor Barons Woodvale that is genuinely driven by the local community's needs and the applicant's dedication to providing for the local community.
- 9.8. The bona fide parochial philosophies of the applicant will translate into a liquor business that is truly a neighbourhood drawcard and community service.

⁵⁴ *Woolworths Ltd v Director of Liquor Licensing* [2013] WASCA 227 [77] (Buss JA)

- 9.9. The Woodvale Village Shopping Centre, is, in keeping with its name, a true village centre and is promoted as a local sanctuary⁵⁵.



- 9.10. Not only does it offer a wide range of independently owned and operated products and services, with convenient browsing arcade thoroughfare, but it also provides events and activities to help foster sociable interaction and community spirit. The Centre has an informative website which includes reference to "what's on" at the Centre. It recently held a community Christmas market:



- 9.11. The inclusion of Liquor Barons Woodvale into this mix is entirely appropriate and will fill an obvious void at a location that offers almost everything else.
- 9.12. There are several take-away meal businesses at Woodvale Village Shopping Centre. In addition, the IGA provides take home meals. People living nearby will benefit greatly from being able to purchase, for example, fish and chips, pizza or curry to take home for dinner, together with a bottle of wine or a six back of beer, to enjoy with it. Whilst awaiting their take-way food order, they will be able to casually browse and choose the perfect drink accompaniments from Liquor Barons Woodvale if the licence is approved.

⁵⁵ <https://woodvalevillageshoppingcentre.com.au/>

10. Local packaged liquor requirements – section 36B of the Act

- 10.1. Section 36B of the Act deals with packaged liquor sold and supplied for take-away purposes for consumption off the premises and it also deals with premises authorised, or proposed to be authorised, to sell and supply packaged liquor.
- 10.2. Pursuant to section 36B(1), “packaged liquor premises means premises to which a licence referred to in subsection (2) relates”. Section 36B(2) expressly states that section 36B applies to an application for a liquor store class of licence.
- 10.3. Section 36B(4) of the Act provides that “[t]he licensing authority must not grant an application to which [section 36B] applies unless satisfied that local packaged liquor requirements cannot reasonably be met by existing packaged liquor premises in the locality in which the proposed licensed premises are, or are to be, situated”.
- 10.4. Section 36B(4) “imposes a meaningful additional hurdle”⁵⁶ to the section 38 public interest test.
- 10.5. Section 36B has been said to have been intended to “enable the licensing authority to manage the number of packaged liquor outlets where sufficient outlets already exist within a locality”⁵⁷.
- 10.6. No issue arises in respect of section 36B(3) of the Act in this case. The proposed packaged liquor service will not comprise a retail area that is of the prescribed size. Therefore, the application is eligible to be heard and determined.
- 10.7. The licensing authority has determined that under section 36B a packaged liquor specialist, involving a narrow and discrete packaged liquor range, can be approved to hold a licence for a packaged liquor premises in appropriate cases⁵⁸. More specifically, the licensing authority has determined that an application may satisfy section 36B of the Act and be granted where the particular type of packaged liquor to be sold and supplied under the licence is limited and/defined⁵⁹. This present application falls precisely within that category.
- 10.8. With reference to the outlet density information and evidence referred to in this PIA, the relevant “packaged liquor premises” to be considered in the context of this case in terms of section 36B are only the following two premises, as identified earlier in this PIA as being located in the s38B locality:
 - 10.8.1. The Woodvale Tavern & Reception Centre

⁵⁶ Liquorland Karrinyup [75] (Archer J)

⁵⁷ Explanatory Memorandum, Liquor Control Amendment Bill 2018 at page 1

⁵⁸ For example, Commune Wine Store (Maylands – 60321533920), Costco Wholesale (Perth Airport - 603213623419), Costco Wholesale (Casuarina – 603217776421), Pirate Life Perth (602213750319), Cherubino City Cellar (602215063820), Kakka Alley Brewing Co (602215442820), Casa Perth (602215763420), Gage Roads Brew Co (602216177321), Mane Osborne Park (603218426322), Commune Wine Store (Subiaco – 603220029123), ALDI Yanchep (603220993723) and Mane Bicton (603221936524),

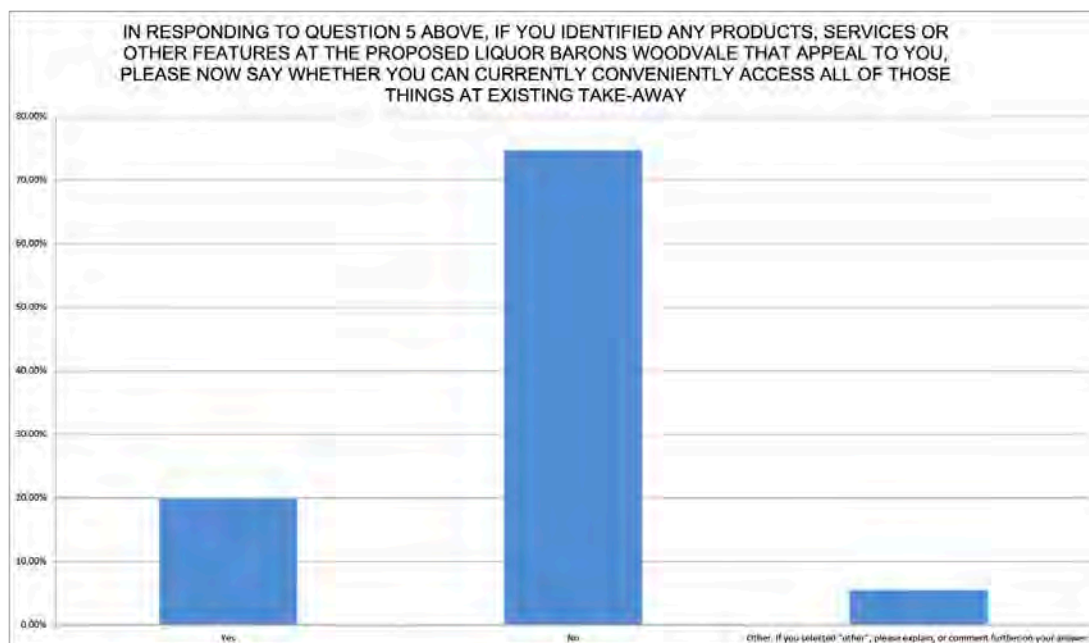
⁵⁹ For example, Commune Wine Store (Maylands – 60321533920), Pirate Life Perth (602213750319), Cherubino City Cellar (602215063820), Kakka Alley Brewing Co (602215442820), Casa Perth (602215763420), Gage Roads Brew Co (602216177321), Mane Osborne Park (603218426322), Commune Wine Store (Subiaco – 603220029123), ALDI Yanchep (603220993723) and Mane Bicton (603221936524)

- 10.8.2. Liquorland Woodvale
- 10.9. There are only these two outlets to cater for well over 7,000 adult residents⁶⁰.
- 10.10. Other outlets located further afield, beyond Woodvale and the s36B locality, within the 3km locality are the following, also identified earlier in this PIA:
- 10.10.1. Edgewater Liquor Store
- 10.10.2. Liquorland Beldon
- 10.10.3. Dan Murphy's Joondalup
- 10.10.4. BWS Kingsley
- 10.10.5. The Kingsley Tavern
- 10.10.6. Cellarbrations Pearsall
- 10.10.7. Craigie Tavern
- 10.11. One of the directors of the applicant company has personally visited and carefully inspected all nine premises and the other director of the applicant company has also visited them. Attached are copies of their records of inspections which include detailed reports on what was observed, experienced and researched in relation to each outlet.
- 10.12. The existing premises collectively sell various types of packaged liquor.
- 10.13. The Woodvale Tavern & Reception Centre includes a drive-thru bottleshop which operates under the Thirsty Camel banner. It is located next to the Woodvale Village Shopping Centre and is the closest existing packaged liquor premises to the applicant's proposed licensed premises.
- 10.14. The applicant's comprehensive premises inspection records (attached) provide particulars of the many differences in stock range, physical store features, ancillary services and access, as between all of the existing premises and the proposed Liquor Barons Woodvale. The contrast is stark.
- 10.15. Among the many glaring differences, none of the existing premises does, nor is even able to provide either:
- 10.15.1. a one-stop shopping service to the enormous number of shoppers using the Woodvale Village Shopping Centre who come from many suburbs as shown by the public consumer survey and including the average 8,000 shoppers per week at the IGA, or
- 10.15.2. sell or supply the applicant's exclusive range.
- 10.16. Whilst those existing premises may sell some type or form of liquor, it is an essential consideration in this case that "the phrase 'requirements of consumers for packaged liquor' in the definition of 'local packaged liquor requirements' in

⁶⁰ Being the population of Woodvale aged 19 and over, based on the most recent ABS Census in 2021
<https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51641>

s 36B(1) of the Act is *not* limited in its scope to the physical item or product of packaged liquor"⁶¹.

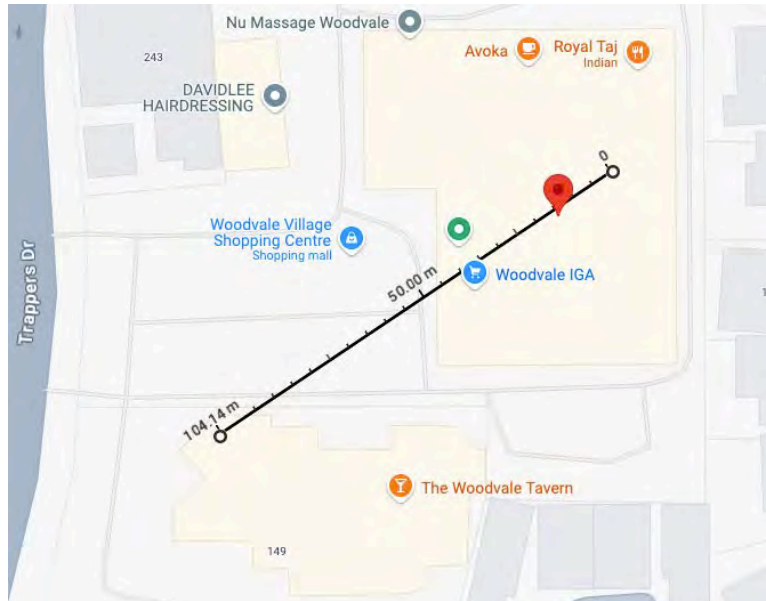
- 10.17. The evidence of the requirements of consumers, as referred to in this PIA, is very clearly that they require the particular Liquor Barons Woodvale products, services, premises and style of operation to be available to them. The following extract from the results of the applicant's public survey exercise (attached), confirms unequivocally that local shoppers consider that existing packaged liquor premises do not meet their requirements.



- 10.18. Since the refusal of the original liquor store licence application in respect of Shop 2 at the Woodvale Village Shopping Centre in 2020, nothing has changed in the 3km locality in terms of packaged liquor. The population has grown, other retail services have evolved, communities elsewhere in WA have benefitted from new licences and local consumer demand has seemingly increased, but the 3km locality in this case has remain stagnant and residents have not enjoyed any such advancements. Consequently, the local community has regressed in terms of modern society standards and expectations for retail services.
- 10.19. The Woodvale Tavern & Reception Centre recently completed major upgrade works, but only in relation to the onsite drinking components. Nothing has changed in relation to the take-way bottleshop section.
- 10.20. The attached premises inspection reports address The Woodvale Tavern & Reception Centre in detail. Further information and submissions are provided as follows in terms of the physical location and accessibility:
- 10.20.1. The drive-thru bottleshop is approximately 100m away, in a straight line, from the Liquor Barons Woodvale tenancy, as illustrated by the

⁶¹ Liquorland Karrinyup [108] (Archer, J)

following Google Maps image. However, it is not possible to access in a straight line and involves a much longer and convoluted method.



- 10.20.2. Walking there necessitates shoppers going around parked cars, through traffic and across to the opposite side of the Thirsty Camel outlet itself where the entrance is. Aspects of these circumstances are depicted as follows:



View from just inside the Woodvale Village Shopping Centre entrance/exit that faces towards The Woodvale Tavern & Reception Centre



View from just outside the Woodvale Village Shopping Centre entrance/exit that faces towards The Woodvale Tavern & Reception Centre



Another view from outside the Woodvale Village Shopping Centre entrance/exit that is closest to The Woodvale Tavern & Reception Centre with the drive-through facility just visible by the green signage



Another view from outside the Woodvale Village Shopping Centre looking towards the drive-thru facility labelled with green signage



Another perspective of the busy carpark between the Woodvale Village Shopping Centre and The Woodvale Tavern & Reception Centre



Another perspective of the busy carpark between the Woodvale Village Shopping Centre and The Woodvale Tavern & Reception Centre



Another view from outside the Woodvale Village Shopping Centre looking towards the drive-through facility down the street on the left

- 10.20.3. There is no direct access or even any clear pathway between the Woodvale Village Shopping Centre to the nearby drive-thru bottleshop. There are no footpaths or even any pedestrian crossings.
- 10.20.4. The side of the tavern bottleshop that faces towards the Woodvale Village Shopping Centre is prominently labelled as “no entry”, as depicted below:



- 10.20.5. The only option to access the drive-through facility from the Woodvale Village Shopping Centre is via the busy carpark and roads, navigating the traffic driving around and also in and out of car parking bays. Unless they go through the designated drive-thru exit, in the out-way, shoppers need to walk around to the back of the drive-thru (being to the right of the image above) to get to the entrance.
- 10.20.6. There is a white side door depicted in the image above but the applicant has observed that this door is constantly closed and has shelving and refrigeration behind it, which can be partly identified in the pictures above. Therefore, this door provides not access to bottleshop customers. Further, the curbing around the entrance, depicted more closely below, is a bulky raised solid curb with no ramp access for shopping trolleys, wheelchairs, prams, mobility scooters, or other walking aids.



The image above shows an elderly gentleman forced to navigate the carpark, traffic and enter through the exit of the drive-thru, using a walking stick.

- 10.20.7. The adverse circumstances described above have been corroborated by the following comments from local shoppers in the applicant's consumer survey (results summary attached):

"Those shops need a bottle shop people can walk in to easily. I only tried once to walk with my pram through the carpark and into the drive thru there and it was so dangerous. There's no path in the carpark to get there from the main shops so I was dodging cars the whole way, and the carpark isn't flat so it just didn't feel safe with a pram. And then when I got there, you have to ENTER on the driveway where the cars EXIT! We need a bottle shop in the main shops so people can go in there with a pram or trolley easily when they're doing their shopping."

"The drive through liquor store at the Woodvale Shopping Centre is difficult to access and dangerous"

- 10.20.8. The bottleshop entrance, which is the furthest point away from the Woodvale Village Shopping Centre, is depicted below:



10.21. Notwithstanding these problems with the drive-thru and the other limitations on it as referred to in the attached premises inspection report, nothing was done to improve the facility in the recently completed major redevelopment works at the premises. The adjoining beer garden, in particular, has been transformed and is now an impressive modern dining and drinking area that has been reported by the media⁶². However, the packaged liquor service remains unchanged. The home page of the website for The Woodvale Tavern & Reception Centre, copied below⁶³, makes only a tiny reference to the take-away liquor component by merely stating the word “bottleshop”. The home page gives a very clear impression that the premises is heavily focused on its dining, drinking and other on-site consumption services, which is consistent with the recent upgrades only involving the on-site drinking areas. The promotional summary of the venue on the home page says the following which further confirms this.

There’s no pub like a British pub, and there is no British pub like The Woodvale! One of Perth’s original traditionally themed pubs, we pride ourselves on our warm and welcoming atmosphere, our personal service and our tasty food. We also have a full calendar of sports and entertainment including quiz night, live bands, tribute shows, DJs, comedy events and more! We are located 5 minutes from Joondalup in the leafy suburb of Woodvale.

**THE WOODVALE TAVERN
PERTH’S TRADITIONAL BRITISH PUB & SPORTS BAR**

⁶² <https://www.perthnow.com.au/lifestyle/food/the-woodvale-tavern-british-pub-unveils-renovated-beer-garden-and-sign-c-16389318>

⁶³ <https://thewoodvale.com.au/> (as at 24 December 2024)

9309 4288 143 Trappers Drive, Woodvale, 6026

WOODVALE
 ORIGINAL ESTABLISHED 1924

HOME MENUS EVENTS SPORTS BAR BOTTLESHOP RECEPTION CENTRE CONTACT

BISTRO BOOKING FUNCTION ENQUIRY TAKEAWAY ORDER

THE WOODVALE TAVERN

PERTH'S TRADITIONAL BRITISH PUB AND SPORTS BAR

There's no pub like a British pub, and there is no British pub like The Woodvale! One of Perth's original traditionally themed pubs, we pride ourselves on our warm and welcoming atmosphere, our personal service and our tasty food. We also have a full calendar of sports and entertainment including quiz night, live bands, tribute shows, DJs, comedy events and more! We are located 5 minutes from Joondalup in the leafy suburb of Woodvale.

MENUS & SPECIALS

Our bistro menu changes seasonally and has something for everyone. Wood-fired pizzas, pub classics, grazing options and home-made desserts plus chef's specials every evening.

[VIEW MENUS](#)

SPORTS BAR

We aim to show as much live sport as we can in our newly renovated Sports Bar and TAB! Football, AFL, cricket, rugby league & union, NFL, ice hockey, tennis, golf, baseball, UFC, boxing & more ...

[SPORTS BAR](#)

RECEPTION CENTRE

The Woodvale Reception Centre is the ideal venue for your special occasion, whether you are celebrating your birthday or engagement with 50 friends, training 30 of your employees or toasting your wedding day with a lavish party for 200.

[FUNCTIONS](#)

GIFT VOUCHERS

Give the gift of a Woodvale Experience to your loved one! A great present for those that have everything. Have it emailed to yourself or directly to the recipient for the perfect last minute present! Choose from \$50, \$100, \$150 or \$200

[PURCHASE NOW](#)

WHAT'S ON?

Join us for a night out with great entertainment. Register to receive updates about our monthly events.

UPCOMING EVENTS

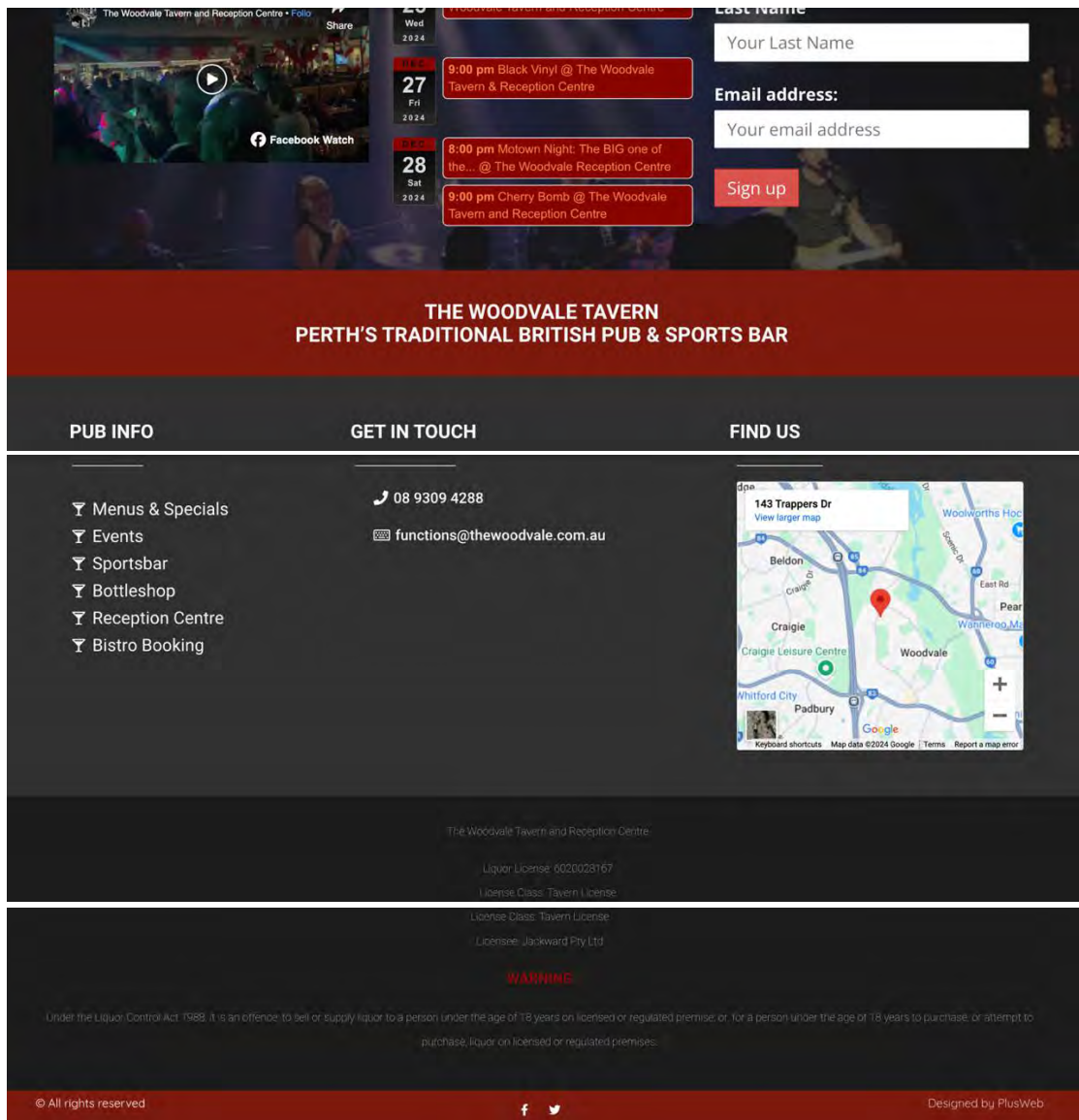
24 Tue 2024 **all-day** Family Christmas Eve Celebration @ The Woodvale Tavern and Reception Centre

25 **all-day** Closed Christmas Day @ The Woodvale Tavern and Reception Centre

REGISTER TO RECEIVE UPDATES

First Name

Last Name



10.22. The applicant has observed that since the greatly-improved beer garden has opened at The Woodvale Tavern & Reception Centre that the busy carpark area between the Woodvale Village Shopping Centre and the drive-thru has become even more congested, with increased traffic and pressure on parking bays. A constant flow of cars drive around the carpark across the face of the drive-thru exit from mid-late morning until late at night virtually every day and that includes a steady stream of taxis and other ride-share services that pick people up and drop them off at the main entrance of the tavern. This is partly depicted below. The layout and configuration requires cars to drive through the carpark, between The Woodvale Tavern & Reception Centre (and drive-thru) and the Woodvale Village Shopping Centre, thus further obstructing and complicating the access between.

Public Interest Assessment
Form 2A Annexure
Application for liquor store licence
Liquor Barons Woodvale





- 10.23. The applicant has observed that the opposite side of The Woodvale Tavern & Reception Centre, away from the carpark, which might otherwise be used by tavern patrons arriving and departing, has been closed for years and is not made available to patrons. It is marked "no entry emergency exit only" as depicted below. Tavern patrons cannot use that side of the venue. This means that virtually anyone attending at The Woodvale Tavern & Reception Centre needs to do so from the area shown and described in the preceding sub-paragraphs, in and amongst the traffic and full carpark.



- 10.24. Consequently, shoppers in the Woodvale Village Shopping Centre seeking take-away liquor are currently required to deal with the complicated scenario outlined above, with increasing obstacles between the sites which are highly problematic, unsafe and take considerable time to navigate.
- 10.25. The description of the packaged liquor service at The Woodvale Tavern & Reception Centre on its website is as follows⁶⁴, which says nothing of catering to the Woodvale Village Shopping Centre, let alone people seeking one-stop shopping with supermarket items. Nor are there any real particulars of the stock range, other than reference to “British ales, beers and ciders”. No related services are identified let alone anything to be provided at Liquor Barons Woodvale.

⁶⁴ <https://thewoodvale.com.au/bottleshop/> (as at 24 December 2024)

The Thirsty Camel bottleshop is located next to The Woodvale Tavern and features drive-thru facilities. We feature a large range of beers, ciders, premixes, wines, sparklings and spirits with different Thirsty Camel specials (advertised through the Thirsty Camel Website) each week. Let our knowledgeable staff help you to pick out something for yourself or for a gift.

Check out our unbeatable selection of your favourite British ales, beers and ciders!

Opening hours are:

Monday 10am-10pm (Winter close at 9pm)
Tuesday 10am-10pm (Winter close at 9pm)
Wednesday 10am-10pm (Winter close at 9pm)
Thursday 10am-10pm (Winter close at 9pm)
Friday 10am-11pm
Saturday 10am-11pm
Sunday 10am-9pm

Bottleshop takeaways are available from the bar.

CLOSED: Christmas Day and Good Friday

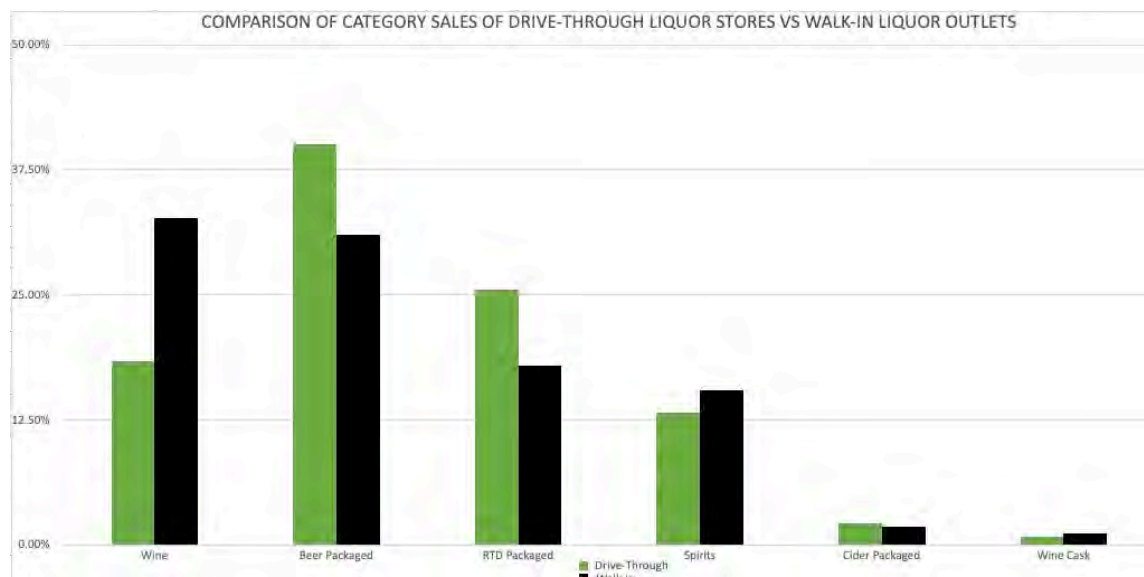
We open 12pm on Anzac Day

Thirsty Camel WA Facebook – <https://www.facebook.com/ThirstyCamelWA>

Thirsty Camel Specials of the week – [Thirsty Camel specials](#)

- 10.26. As explained earlier on in this PIA, the largest category within the applicant's proposed range at Liquor Barons Woodvale will be wine. There will also be a considerable range of specialty and premium spirits. Relevantly, the applicant has obtained data from Liquor Barons which compares and contrasts sales records from all member stores within its Co-Operative across the whole Perth metropolitan area in terms of types of liquor sold from walk-in stores vs drive-thrus. There are notable differences with wine and spirits clearly more commonly demanded and sold from the walk-in stores. The data is summarised as follows⁶⁵. The sales of wine from walk-in stores is almost double.

⁶⁵ If required and requested by the licensing authority a detailed breakdown of the data can be made available to the licensing authority on a strictly private and confidential basis, or in redacted format for other parties or public advertising



- 10.27. The Woodvale Tavern & Reception Centre has a valuable role to play in the local community, as a dining, drinking and socialising venue. Its packaged liquor service is a tiny add-on for people seeking to quickly access mainstream liquor, without much preference, from their car to take-away. The evidence in this case is that there is a large portion of the relevant community which requires something very different which the applicant will provide.
- 10.28. Further and more detailed submissions regarding section 36B of the Act are contained in the attached Legal Submissions.

11. Sections 5, 33, 36B and 38 of the Act

- 11.1. Issues arising from relevant sections in the Act have been taken into consideration in the preparation of the application. Submissions addressing sections 5, 33, 36B and 38 and other relevant provisions have been detailed in a separate set of Legal Submissions attached to this PIA.
- 11.2. It is respectfully submitted that the licensing authority should be easily satisfied that because the evidence in this case shows substantially more than “trifling” and “considerable”⁶⁶ requirements, the applicant has far exceeded the legislative high bar for the grant of the licence for Liquor Barons Woodvale.

12. Conclusion

- 12.1. This PIA has sought to comprehensively address the Form 2A and relevant sections of the Act.
- 12.2. It is respectfully submitted that the information, submissions and evidence demonstrate that packaged liquor requirements of the relevant local community cannot reasonably be met by relevant existing packaged liquor premises and that the applicant – a most worthy proponent – can rectify the situation. These propositions are supported by the following personal statements

⁶⁶ Liquorland Southern River [136] [137] (Lemonis J)

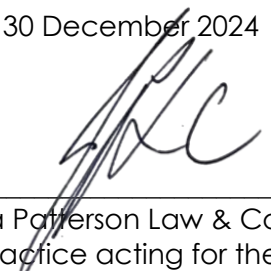
provided by some of the participants in the consumer survey (attached), by way of examples:

- 12.2.1. "Long overdue for a proper liquor store in Woodvale."
- 12.2.2. "Nowhere nice around here to take your time to look around. And next to the IGA will be so handy. If those owners are running it, it will be a good shop because their IGA is so good".
- 12.2.3. "The pub bottle shop has products that appeal to the pub patrons but not everyone else so I support someone new coming in. All the Liquor Barons stores that I've been to are very good so I vote yes."
- 12.2.4. "I've lived here for 20 years and in that time there's only ever been the same 2 drive-thru bottle shops in the area doing the same thing they've always done. It will be great to have a new shop more focussed on customers who want to try different things and in a shop that you can actually walk around in properly. I highly support this project."
- 12.2.5. "I love to support local and a bottle shop that supports WA wineries first would be great and the area needs something different like this."
- 12.2.6. "I would love a walk-in bottle shop at this centre. The dinner options at the IGA are so good so it would be nice to easily get a bottle or two to have with dinner right next door."
- 12.2.7. "I don't use drive thrus and I hate having to navigate Dan Murphy's for one bottle of wine to have with dinner."
- 12.2.8. "Woodvale needs a good bottle shop. I'm a regular wine buyer and I can never shop locally. We only have drive thrus in Woodvale, and the closest bottle shop is Edgewater and they focus on all cheap stuff. Woodvale really needs this new store."
- 12.2.9. "As a pensioner who has some mobility issues, being able to buy both groceries etc and a bottle or two of wine in one place is very appealing to me. Just one drive to the shop and only having to struggle in and out of the car is more agreeable to me. I also get assistance from IGA staff to load my groceries into the car."
- 12.2.10. "Convenient right next door to IGA so you shop there and take trolley straight into liquor barons. Great to have tastings and master classes! Bring community more together."
- 12.2.11. "I'm very supportive of this idea and I know I'll use it a lot (sic). I hate going to the drive-thru because you can't get out and look around. I only use them if my husband needs a carton of beer. It'll be nice to have a nice bottle shop next to our nice IGA."
- 12.2.12. "Currently the only liquor stores are large major chains operating within a drive through environment that are either dangerous to access or inconvenient, with minimal choices beyond beer and

basic RTD's. Given the increasing value of property in the suburb and the increasing desire to shop locally and conveniently, a liquor store that is inviting and more appealing in access would be a welcome addition to the suburb and local surrounds. the (sic) opportunity for food and wine pairings to sit down in the suburb is also lacking significantly and would be a massive drawback."

- 12.3. The applicant has addressed a wide variety of public interest factors relevant to the application and has presented a thorough proposal for the grant.
- 12.4. Further submissions addressing conclusions to be drawn from the information contained in this PIA and supporting the grant of the licence as proposed are contained in the attached detailed set of Legal Submissions.

Dated 30 December 2024



Jessica Patterson Law & Consultancy Pty Ltd
Law practice acting for the applicant

Summary of attachments	
No.	Title/description
1.	Public consumer survey (blank form + results summary)
2.	Business Plan
3.	Liquor Barons Profile
4.	Liquor Barons typical stock list
5.	Local suppliers and artisans – proposed
6.	Letter from Chris O'Brien, General Manager, Liquor Barons Co-Operative dated 14 October 2024
7.	Letters of support from producers and suppliers (x5)
8.	Existing packaged liquor premises – inspection reports and analysis
9.	Legal Submissions dated 30 December 2024