



Public Interest Assessment

Form 2A

Under the *Liquor Control Act 1988* (LC Act), the Director of Liquor Licensing (DLL) has the discretion to grant or refuse any application if the DLL considers this to be in the public interest.¹ The DLL requires certain applicants to fill in this Public Interest Assessment (PIA) form and provide supporting evidence that their application is in the public interest.² If you are applying for the grant of any of the following licences, or the removal of one of these types of existing licence to another premises, you will need to complete a PIA to provide evidence that your application is in the public interest:

- hotel/hotel restricted
- tavern/tavern restricted
- liquor store
- nightclub.³

A PIA is also required if you are applying for an extended trading permit for extended hours, which has a duration of more than 3 weeks⁴, or for a temporary bar (refer to the [Temporary bars policy](#)). The DLL may also ask for a PIA to be prepared as part of any application under the LC Act, and will ask for one if it would assist in deciding whether the grant of the application is in the public interest.

The DLL will consider the following factors when determining whether granting the application is in the public interest, but this list is not exhaustive:

- the harm that might be caused due to the use of alcohol
- whether there might be a decrease in the amenity, quiet or good order of the locality
- whether people who live or work nearby might suffer offence, annoyance, disturbance or inconvenience
- how it might affect tourism, culture and the community.⁵

The level of detail required will be unique to each PIA. If you do not provide enough information, your application might not succeed or you might be asked to provide further information.

¹ LC Act s33(1).

² LC Act s38(3).

³ Liquor Control Regulations (LC Regs) r9EA.

⁴ LC Regs r9F.

⁵ LC Act s5 and s38(4).

Your completed PIA will be made publicly available and may be advertised on the [DLGSC website](#), allowing the community an opportunity to make submissions on it. Because it will be made public, do not include sensitive or personal information on this form. You can complete this PIA by taking a common-sense approach and you don't need a lawyer or a consultant to fill it in. The PIA form is a guide, and it is up to the applicant to satisfy the DLL that their application is in the public interest. If you do not have enough space, attach extra pages or prepare a separate submission. If you prepare your PIA as a separate submission, please refer to each of the question numbers on this form, so we know what question you are responding to. Lodge this form by submitting it with your application at portal.dlgsc.wa.gov.au

Part 1 — Application details

Applicant name:

BINDOON CELLARS PTY LTD

**What licence or permit type
are you applying for?**

LIQUOR STORE LICENCE + ETP (HOURS - ONGOING - SUNDAY)

Are you applying for:

☒ New licence AND ETP

☐ Removal of existing licence (which licence/permit type)

Premises trading name:

LIQUOR BARONS BINDOON

**Address of proposed
premises:**

17 BINDA PLACE, BINDOON, WA 6502

If you are lodging an application for an extended trading permit for extended hours at the same time as an application for the grant of a licence, you should submit separate PIAs for each. This is because the information required for each may be different and the DLL may approve the licence but not the extended trading hours.

Part 2 — Manner of trade

Please provide enough information for us to understand how you are intending to run your business, so we can understand the impact it will have on the community and the potential for it to cause alcohol related harm.

2.1 What is the proposed manner of trade and your target client base?

PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA
PATTERSON LAW & CONSULTANCY PTY LTD

2.2 Describe the premises/proposed premises. Include a map of the locality and a floor plan detailing the nature and layout of the premises, highlighting the unique aspects of the proposed facility. What is the maximum number of patrons permitted on the premises? How will the proposed premises contribute to the streetscape and atmosphere of the area?

PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA PATTERSON
LAW & CONSULTANCY PTY LTD

2.3 If you intend to sell packaged liquor, give the names and addresses of all existing licensed premises within the locality. The LC Act puts limitations on how many packaged liquor premises can be in a certain location. Refer to Outlet Density — Packaged liquor premises for more information.

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Part 3 — The profile of the local community

The better you capture the characteristics of the local community, the better the DLL will be able to understand the potential impact the grant of your application could have on the public interest. Your local government may have information about the area around the proposed premises, and you should seek useful data and statistics from a variety of sites, such as: www.police.wa.gov.au/crime/crimestatistics and www.abs.gov.au

You need to provide profile information from the *locality* that is within a certain distance to your intended business. If your intended business is:

- within 15km of the Perth CBD, the locality is a radius of 2km of it
- anywhere else (unless remote), the locality is a radius of 3km of it
- in a remote area, you should make a submission on what the appropriate size of the locality should be. Remote areas are those where the nearest town is at least 200km away and Perth is at least 400km away.

If you think the above definitions of locality are not appropriate for your intended business, make a separate submission on what you think the size should be.

3.1 Please outline the population characteristics in the locality. Helpful demographic information will include the total population, estimated population growth, average age, income and employment status, and the type of people who live and work in the community.

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3.3 List the community buildings in the locality If any of the following are in the locality, please provide their names and addresses: schools and educational institutions, hospitals, hospices, aged care facilities, churches/places of worship, drug and alcohol treatment centres, short term accommodation or refuges, childcare centres, or a local government.

PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA
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Part 4 — Minimising the potential for alcohol to cause harm

Excessive consumption of alcohol can cause health problems, increase the risk of accidents and contribute to societal problems such as domestic violence. You must demonstrate how the responsible conduct of your business will minimise the potential for alcohol to cause harm. This could be through promoting a culture of responsible consumption of alcohol amongst staff and patrons, having strategies to prevent alcohol being served to juveniles, discouraging rapid or excessive consumption of alcohol, being alert for signs of intoxication and not serving drunk people.

4.1 What strategies will you use to minimise harm from the use of alcohol?

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Part 5 — Impact on the amenity, quiet or good order of the locality

A well designed premises will make it easier to prevent negative impacts on the locality. For example if a premises is:

- in good repair, well lit, with operational CCTV and designed to allow passive surveillance of areas such as the car park and entrances, it will tend to discourage anti-social behaviours such as vandalism or crime

- designed with sufficient parking and with good transport options available, it will allow patrons to leave the area quickly rather than potentially inconveniencing the neighbours
- provided with sound insulation sufficient for the proposed entertainment, it will prevent the surrounds from being exposed to unacceptable noise.

5.1 How will your premises design protect the amenity, quiet or good order of the locality?

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Part 6 — Impact on the people who live or work nearby, and whether they might suffer offence, annoyance, disturbance or inconvenience

You need to demonstrate how your business will be a responsible member of the community and minimise negative impacts on the people who live or work nearby. For example, this could include:

- keeping the premises and surrounds clean and tidy, monitoring patron behaviour and discouraging anti-social behaviour
- ensuring that any entertainment is in keeping with the locality, that those present are within the allowed accommodation numbers and licensed crowd controllers are used if required
- asking departing patrons to keep the noise down so they do not disturb the neighbourhood
- being responsive to any complaints from neighbours and working with them to resolve issues.

6.1 What actions will you take to minimise the impact on people who live or work nearby?

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Part 7 — Impact on tourism, culture and the community

When making licensing decisions under the LC Act, the DLL is required to consider the proper development of the liquor industry, the tourism industry and other hospitality industries in the State.⁶ This is your opportunity to expand on how the grant of your application would result in positive developments to tourism, culture and the community. This could include increased local employment opportunities, the provision of unique entertainment or food options, and the creation of new leisure opportunities in the area.

7.1 Are there any tourism, cultural and community benefits that would result from the grant of your application?

YES. PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA
PATTERSON LAW & CONSULTANCY PTY LTD

⁶ LC Act s5(1)(c).

7.2 If you have any other information to provide in support of your application, include it here.

PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA PATTERSON
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Part 8 — Declaration

I declare that the contents of this document and attachments are true, correct and complete and that I have made all reasonable inquiries to obtain the information required.

I acknowledge that under section 159 of the *Liquor Control Act 1988* it is an offence to provide false, misleading or incomplete information in this document.

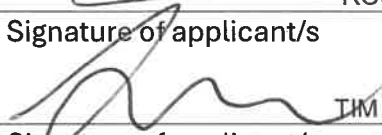


Signature of applicant/s

ROSS STEWART, DIRECTOR

23 / 12 / 2025

Date



Signature of applicant/s

TIM MACNAMARA, DIRECTOR

23 / 12 / 2025

Date

Signature of applicant/s

Date

Signature of applicant/s

Date

Bindoon Cellars Pty Ltd
applicant for the conditional grant of a liquor store licence
and extended trading permit (hours (Sunday) – ongoing)

in respect of premises situated at
17 Binda Place, Bindoon

and to be known as
Liquor Barons Bindoon

Public Interest Assessment Form 2A Annexure

including section 36B submissions



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1. Executive summary

- 1.1. Liquor Barons Bindoon will be a first-rate full service liquor store.
- 1.2. The highly experienced people behind this application propose to establish a very personalised, purpose-built and comprehensive, but very much locally focused and WA-centric take-away liquor service with a wide product range and multiple ancillary services designed for the location.
- 1.3. The current packaged liquor offering in Bindoon is miniscule and has been described by at least one consumer as “dire”¹.
- 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 licence².
- 1.5. The application is supported by compelling evidence which should be regarded as at least meeting and likely, exceeding, the level or degree of requirement capable of justifying the grant³.
- 1.6. The location has no notable sensitivities or high risks associated with it.
- 1.7. The consumer market research conducted by the applicant has revealed strong support for the proposed liquor store.

2. Introduction and background

- 2.1. Bindoon Cellars Pty Ltd (ACN 684 951 513) seeks the conditional grant of a liquor store licence and extended trading permit (**ETP**) pursuant to sections 33, 38, 36B, 47, 60(4)(g) and 98D of the Liquor Control Act 1988 (WA) (**Act**), in respect of new premises being built at 17 Binda Place, Bindoon.
- 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 Industry Regulation and Safety (**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 policies of the Department. The PIA supports the application.
- 2.3. As directed by the Department⁴, the applicant has applied a “common-sense approach”⁵ to the preparation of the PIA. Further, the applicant has considered the State Government's published intention that it be less complicated and “easier to do business”⁶ in the liquor licensing regime in WA. Therefore, the applicant has provided a level of detail considered appropriate for the circumstances in terms of the content of this document and the attachments. This approach is consistent with sections 16(7)(b) and (c) of the

¹ Email from D Irvin (copy attached)

² *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2024] WASC 128 (**Liquorland Southern River**) [57] (Lemonis J)

³ *Liquorland Southern River* [128] [137] (Lemonis J)

⁴ Form 2A and at <https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment>

⁵ Form 2A page 2

⁶ For example: <https://www.cits.wa.gov.au/department/news/news-article/2024/08/29/liquor-licensing-policy-reform-a-big-win-for-wa-hospitality-industry>

Act and considering that there is no minimum or threshold level of consumer requirement evidence⁷. Further detail, additional copies of source material and supplementary supporting evidence can be provided if necessary.

- 2.4. Members of the public have provided evidence of strong demand for Liquor Barons Bindoon to be established and to operate seven days a week. This evidence is in the form of a long-form questionnaire and short format survey, completed by participants by hand during November and December 2025. Copies are attached⁸. 96% of people who participated stated that they support the application.
- 2.5. The applicant, strongly supported by the landowner, is driven to filling the void in packaged liquor services in Bindoon as soon as possible. The proposed liquor store can commence trading quickly if approved.
- 2.6. This PIA has been formally adopted and verified by the directors of the applicant company, namely Ross Stewart and Tim Macnamara, both signing the Form 2A.
- 2.7. Messrs Stewart and Macnamara have considerable experience in business and in particular, the retail liquor industry in WA. They possess formal qualifications in science, business and economics and hold unrestricted approved manager qualifications. Between them they have over 60 years of business experience, including decades with liquor stores, wineries and wholesalers and they established Purple Reign – the world's first purple wine which is exported around the world. Messrs Stewart and Macnamara successfully restored and operated the Liquor Barons Bayswater and Liquor Barons Maylands businesses. Individually and collectively their qualifications and experiences stand them in excellent stead to establish the proposed Liquor Barons Bindoon store precisely as proposed in this PIA and operate it as a compliant and successful locally-focused operation. They have a history of playing hands-on roles in their businesses and intend to do the same with Liquor Barons Bindoon. They have invested significant time, effort and resources into researching, preparing for and presenting this comprehensive proposal for the new licence and ETP.
- 2.8. The decisions in *Liquorland Southern River* and *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2021] WASC 366 (**Liquorland Karrinyup**) are respectfully submitted to be clear support for the grant of the licence for Liquor Barons Bindoon.

3. Form 2A “Part 2 – Manner of trade”

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

- 3.1. This applicant seeks approval to sell and supply different types of packaged liquor from premises with a public area of approximately 130m² from a new,

⁷ *Liquorland Southern River* [126] and [128] (Lemonis J)

⁸ The copies attached have personal information redacted. Unredacted copies will be lodged separately with the Department on a private and confidential basis.

purpose-built stand-alone building being constructed at 17 Binda Place, Bindoon.

- 3.2. The applicant intends to join the Liquor Barons Co-Operative Ltd, which is a collection of independent Western Australian liquor store owners, fiercely locally-focused. The applicant company's directors' have considerable experience with Liquor Barons through their previous liquor store businesses elsewhere which have been part of the Co-Operative.
- 3.3. The principles behind Liquor Barons Co-Operative Ltd, summarised below, align closely with the applicant's modus operandi of being a small business that is locally owned and operated, motivated to strongly support WA produced and owned liquor and dedicated to the local consumer community.

| WA LOCALS | 100% CO-OPERATIVE | INDEPENDENT |
|---|--|--|
| We are totally dedicated to the WA market, with products, marketing and offers designed for WA consumers. Our Head Office is in Subiaco, Perth. | Stores are our shareholders. All funds raised are used to market the group or returned to members through price support and rebates. | Liquor Barons are not aligned to any one large corporate entity and therefore make decisions in our members' best interests. |
| DISCOUNTED BUYING | MARKETING POWER | FLEXIBILITY TO TARGET YOUR LOCAL MARKET |
| We use our combined buying power to offer a wide range of products at competitive prices. The Locals will love you even more! | A proactive marketing approach from a trusted brand, plus the benefits of Western Australia's premier liquor loyalty program. | You know all your best customers' usuals. Stock up and save on what sells in your neck of the woods. |

9

THE LIQUOR BARONS DIFFERENCE

Fundamentally, our point of difference is that our model allows retailers the support and flexibility to target their local market. We know one size doesn't fit all and our co-operative philosophy of "Independence, entrepreneurship and compliance are not mutually exclusive" will remain the cornerstone of the Liquor Barons brand.

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- 3.4. Consumers in Bindoon will benefit from these Liquor Barons Co-Operative Ltd policies and philosophies which echo those of the applicant company directors.
- 3.5. As a co-operative and heavily WA-based, Liquor Barons strives to be part of the WA community, as does the applicant. The buying team that will be available to assist the applicant is based in WA, not the eastern states like most other buying groups. There are over 115,000 customer loyalty members of the WA Liquor Barons group.
- 3.6. The stock range at Liquor Barons Bindoon will be elastic with changes occurring regularly to constantly address consumer requirements, allow for new products

⁹ <https://www.liquorbarons.com.au/becoming-a-baron/>

¹⁰ <https://www.liquorbarons.com.au/becoming-a-baron/>

- that come onto the market and to address seasonal trends. The range will have approximately 1,300 different products at any one time comprising of a mix of beer, wine, spirits and derivatives thereof, with a large portion of products being produced in WA by WA-owned producers. Bottled red wine will be the largest product category, followed by white wine and then craft beer.
- 3.7. Attached is the applicant's initial proposed stock category breakdown. Generally, the range will consist of approximately 50% wine varieties, 15% beer, 15% spirits, 10% pre-mixed/pre-packaged items and 10% of non-alcoholic drinks, food and other non-liquor items.
- 3.8. Wines produced in the surrounding Chittering and Swan Valley regions will feature prominently at Liquor Barons Bindoon. There are more than 30 wineries operating in this area. The applicant's company directors already have relationships with several of these and have been liaising with them about supplies for Liquor Barons Bindoon. Stringybark Winery & Restaurant in Lower Chittering has provided the applicant with a letter of support for this application (copy attached).
- 3.9. Many other liquor items produced elsewhere in WA will also be available, including beer, wine and spirits produced in the Great Southern and Margaret River regions.
- 3.10. The range will include a selection of products available exclusively through Liquor Barons Co-Operative Ltd, including the following, by way of example:
- 3.10.1. Precedent, made with small parcel Margaret River fruit by award-winning winemaker Damian Hutton.
 - 3.10.2. Clandestine small batch premium wines from Margert River.
 - 3.10.3. Rayelle Reserve.
 - 3.10.4. Bellewinter.
 - 3.10.5. Idlewild.
 - 3.10.6. Amble & Fox.
 - 3.10.7. Little Creatures specialty collaboration.
- 3.11. The range will include a large number of wines that are produced using organic, sustainable and biodynamic practises. The applicant has found, through direct consumer dealings, that these items are being increasingly demanded but none are currently available in Bindoon despite there being a wide and growing range available from producers, including several producers in the nearby Chittering and Swan Valley regions. The attached letter from Stringybark Winery & Restaurant confirms its desire to supply products to Liquor Barons Bindoon.
- 3.12. "This emerging [Chittering] region, with its temperate Mediterranean climate and rich soils produce citrus fruits, olives, amongst other produce from smaller scale farms. With small family owned vineyards, including the varieties of

Verdelho, Chenin Blanc, Cabernet Sauvignon and Shiraz, all being produced throughout the district."¹¹

- 3.13. The inclusion of a large portion of products at Liquor Barons Bindoon which are either or entirely:
- 3.13.1. small batch produced,
 - 3.13.2. of a specialty and craft nature,
 - 3.13.3. of high quality and
 - 3.13.4. with some being available exclusively to the applicant,
- is intended to draw focus on quality, drink styles and savouring the drinking experience rather than simply drinking liquor for the sake of it. The applicant is very keen to educate the community on such concepts and endorse a responsible drinking culture that is mostly about taste and appreciation of the WA liquor production industry.
- 3.14. The applicant proposes to introduce a burst of flavour and a fresh taste experience to Bindoon.
- 3.15. Attached is a copy of the applicant's draft indicative opening stocklist.
- 3.16. Through extensive retailing experience and familiarity with the Bindoon region, the applicant has identified a real community interest in the concepts outlined above and needs for the proposed products and associated services to be available in Bindoon. There is currently very little choice in packaged liquor available to people in Bindoon, as is explained in detail further on in this PIA.
- 3.17. The recent Taste of Chittering event attracted more than 6,500 visitors¹² which confirms public interest in locally made consumables and visitation to Bindoon. The Taste of Chittering is an annual event held in Bindoon, showcasing local produce
- 3.18. Liquor Barons Bindoon will also offer a selection of mainstream liquor items to ensure the store caters for all preferences.
- 3.19. Pricing of liquor at Liquor Barons Bindoon will be carefully monitored to ensure it strikes the balance of being competitive, enables the average person to access a wide range of quality products and is responsible insofar as not being too cheap as to be likely to encourage irresponsible purchasing that could potentially lead to irresponsible consumption. Through its participation in the Liquor Barons buying group, the applicant will enjoy the benefit of group buying power that will be passed on to customers with attractive pricing. Specials will be offered from time to time.
- 3.20. The applicant is very mindful that liquor shoppers in the relevant area have no meaningful choice or benefit from competition at present and have to travel

¹¹ <https://www.destinationperth.com.au/listing/chittering-visitor-centre/250/>

¹² <https://www.facebook.com/tastechittering/>

great distances to access such things. The applicant is keen to fill this void with modern products, services and pricing that other WA communities enjoy.

- 3.21. In terms of features ancillary to the liquor itself at the proposed new store, the applicant intends to provide a number of different related products and services, including the following:

- 3.21.1. Product information including origin, ingredients and producer details.
- 3.21.2. Tastings (free of charge).
- 3.21.3. Food pairing suggestions.
- 3.21.4. Loyalty programme.
- 3.21.5. Gift packages.
- 3.21.6. Ice.
- 3.21.7. Soft drinks and other mixers.
- 3.21.8. Locally produced foods including chocolates and crackers.
- 3.21.9. Other snack foods including crisps, jerky and crackle.
- 3.21.10. Delivery.
- 3.21.11. Spacious displays for comfortable store browsing.
- 3.21.12. Professionally presented and maintained and product labelling.
- 3.21.13. Advanced staff product knowledge.
- 3.21.14. Appealing themed event and seasonal store displays for added ambience, for example Christmas, Mothers' Day, Fathers' Day and Melbourne Cup.

- 3.22. These non-liquor aspects of the proposed Liquor Barons Bindoon outlet are in addition to the carefully designed premises features referred to in the next section of this PIA.

- 3.23. The applicant seeks approval for the trading hours permitted under section 98D of the Act, namely 8am to 10pm Monday to Saturday and 12 noon to 10pm on ANZAC Day (except no trading on Good Friday or Christmas Day). The applicant also seeks approval pursuant to section 60(4)(g) of the Act for an ETP to authorise trading from 10am to 10pm on Sunday. The actual opening times are expected to be well within the scope of these hours, as follows:

Monday to Thursday: 9am to 7pm

Friday and Saturday: 9am to 8pm

Sunday: 11am to 6pm

The full range of trading hours potentially available is sought to be approved to ensure that the applicant will have flexibility to meet consumer demand which may change from time to time.

- 3.24. In regard to the “target client base”, which is required by the Form 2A to be addressed by the applicant in this section, the following information and submissions are provided:
- 3.24.1. The applicant's business model is focused on mainly catering for people who live in Bindoon.
- 3.24.2. People who work in, regularly visit or pass through Bindoon will also be targeted.
- 3.24.3. Given that the next nearest outlet of any relative comparison to the applicant's proposed store is approximately 25km away, one-way, in Gingin and the next nearest Liquor Barons outlet is approximately 51km away, one-way, in Ellenbrook, the applicant expects to be drawing custom from a wide catchment beyond Bindoon itself and from people in the region who currently have to travel far outside their local area. The consumer survey and questionnaire evidence supports this proposition. The following are just two personal comments from members of the public:
- 3.24.3.1. “Want to shop local with good prices, can't get that at the moment that's why we buy liquor in Ellenbrook.”¹³
- 3.24.3.2. “Important for regional towns to have Sunday trading, reduces travel to other areas and supports businesses...surrounding outlets are either too far away or stock limited range.”¹⁴
- 3.24.4. The local Shire has identified an aging population which will increase the need for a full range of services to be readily available to them, locally.¹⁵
- 3.24.5. The applicant is particularly interested in targeting consumers who seek quality WA-produced liquor and who are interested in being educated on the products and experiencing different tastes to savour and enjoy.
- 3.24.6. The Shire has stated that “[t]here is a growing demand for rural retreat-style accommodation”¹⁶. Liquor Barons Bindoon will support the development of such accommodation by providing an excellent retail service for people staying there, to enable them to access liquor to enjoy with their Bindoon stayover experience and with the opportunity to easily access drinks produced in the surrounding region at one convenient and central location.

¹³ RL, aged 64 (questionnaire)

¹⁴ AR, aged 46 (questionnaire)

¹⁵ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 8 for example

¹⁶ Shire of Chittering Annual Report 2023-2024 at page 11 (copy available if required upon request or at: <https://www.chittering.wa.gov.au/council/annual-report.aspx>)

- 3.24.7. The applicant intends to operate a friendly, safe, inclusive and welcoming store seven days a week. Any adult may potentially visit and shop there provided only that they comply with the licensee's conditions of entry that apply to anyone and any legal requirements that the licensee will need to observe.
- 3.24.8. Based on considerable experience and local research, the applicant has assessed and roughly anticipates the following numbers and frequency of customers, approximately:

| | Total Count | Peak per Hour |
|------|-------------|---------------|
| Mon | 46 | 11 |
| Tues | 66 | 17 |
| Wed | 64 | 15 |
| Thur | 102 | 19 |
| Fri | 112 | 24 |
| Sat | 136 | 24 |
| Sun | 72 | 15 |

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

- 3.25. Liquor Barons Bindoon is being established as an entirely fresh new stand-alone structure. It is being purpose built, enabling the applicant to carefully design a dedicated modern store with a premium fitout modelled specifically on the site and the surrounding community for which it is intended.
- 3.26. The following Landgate and Google Maps aerial images indicate the site in its vacant state and its immediate surroundings.



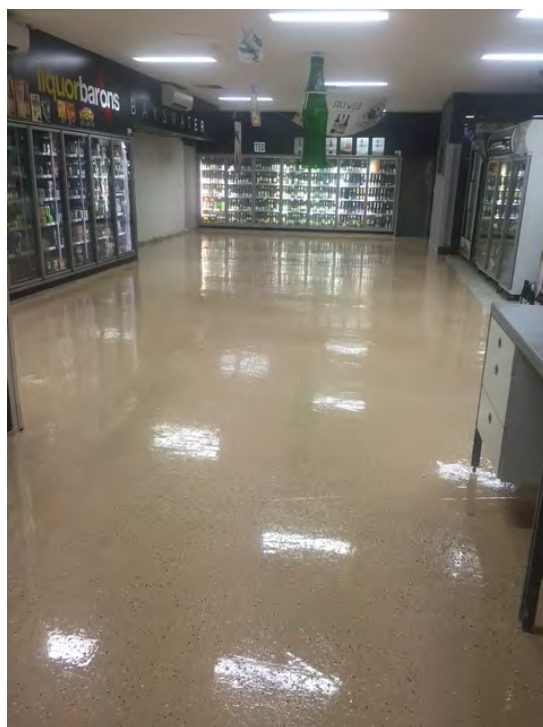
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- © Jessica Patterson Law & Consultancy Pty Ltd 2025

3.31. The store will receive a smart and contemporary fitout and finish to provide customers with a bright, fresh and convenient shopping experience. The features are explained as follows:

3.31.1. The front counter will be positioned next to the entrance allowing a personal and welcoming atmosphere. Staff will be able to greet customers as they enter and farewell them as they leave. It also provides staff with a good surveillance point to make initial assessments of customers in terms of responsible and compliant service and to monitor for potential theft attempts.

3.31.2. The floor (pictured below) will be coated with a strong, durable two-pack epoxy resin product called Rust-oleum Rocksolid, in a Flecked stone finish, allowing for easy vacuuming and washing and very little wear and tear from general foot traffic enabling it to maintain a high standard. The light colouring will help create the feeling of space while the flecked stone will hide any minor dirt or cardboard lint that may occur while unpacking stock during the day.



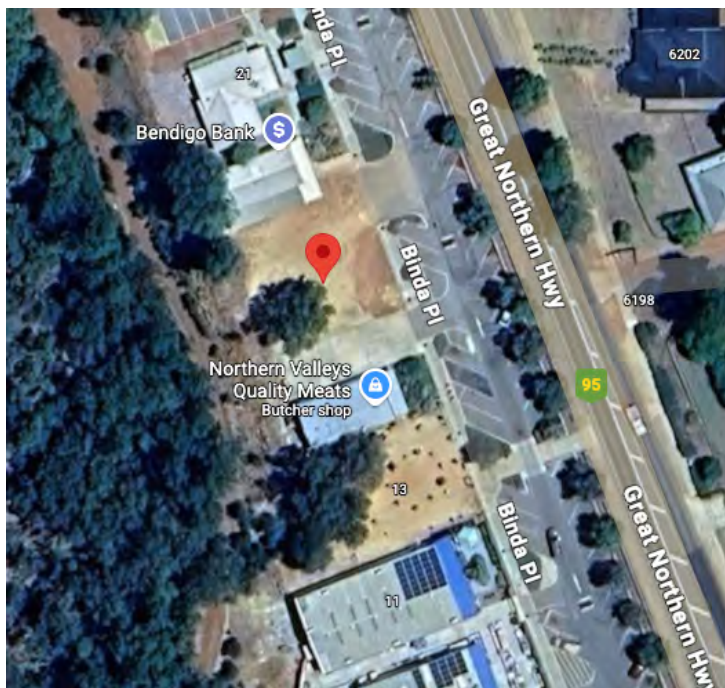
3.31.3. The layout of the retail section of the store is designed to allow for 20 permanent fridge doors and four double door Skope style fridges to maximise the available space for convenience-based shopping and to give the store an open, uncluttered and welcoming appearance. Some of these aspects are depicted in the following sample image.



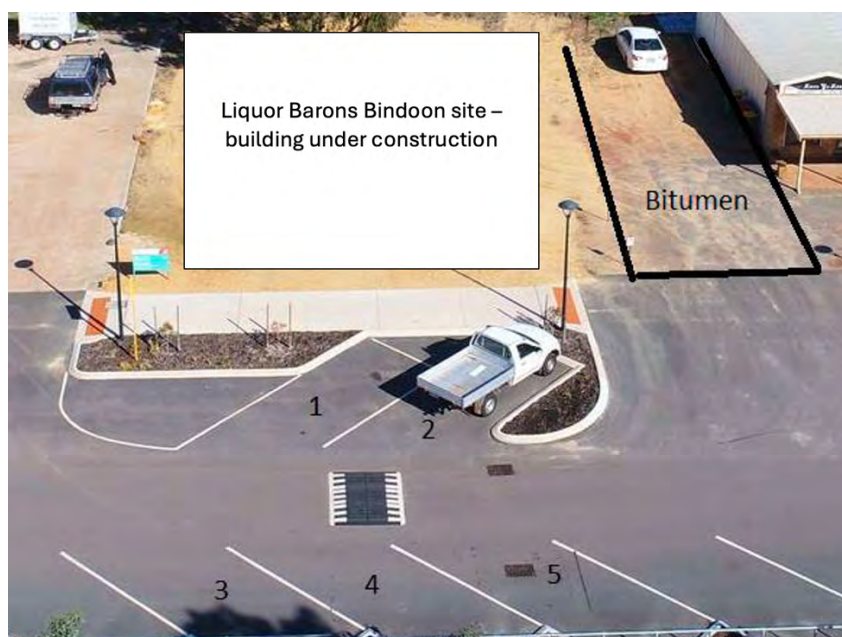
- 3.31.4. Wines will be displayed in a modern tailored shelving system positioned centrally to allow for a large selection of bottles to be displayed in single rows with spacious aisles for easy customer and staff manoeuvrability, partly as depicted below.



- 3.32. The applicant's site provides easy access and parking for customers. It is ideally placed. Shoppers will be able to drive virtually right up to and park at, the front door. The store will have a clear and inviting façade with street frontage, positioned conveniently on a side access road (Binda Place) running alongside, just off and parallel to the main highway through town (Great Northern Highway). These aspects are illustrated in the following Google Maps image where both Binda Place and Great Northern Highway are labelled and the applicant's site is identified by the red balloon.



- 3.33. The following image shows the applicant's site, the parking bays closest to the front of where the store is proposed and Binda Place access road which runs in-between the bays numbered 1 to 5 in the image.

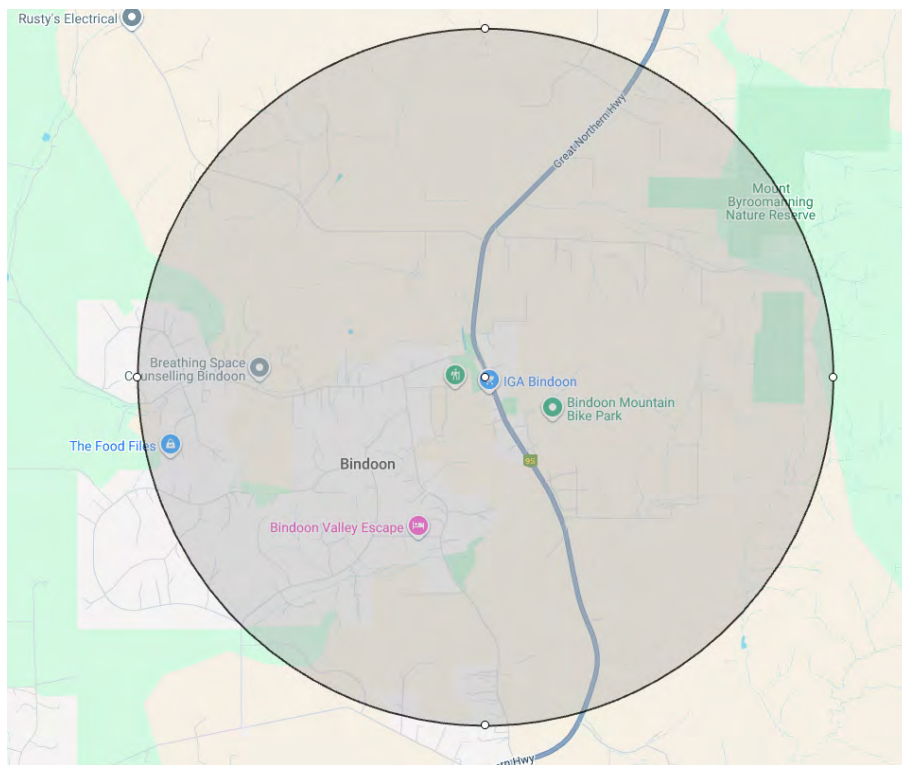


Form 2A: “2.3 If you intend to sell packaged liquor, give the names and addresses of all existing licensed premises within the locality?”

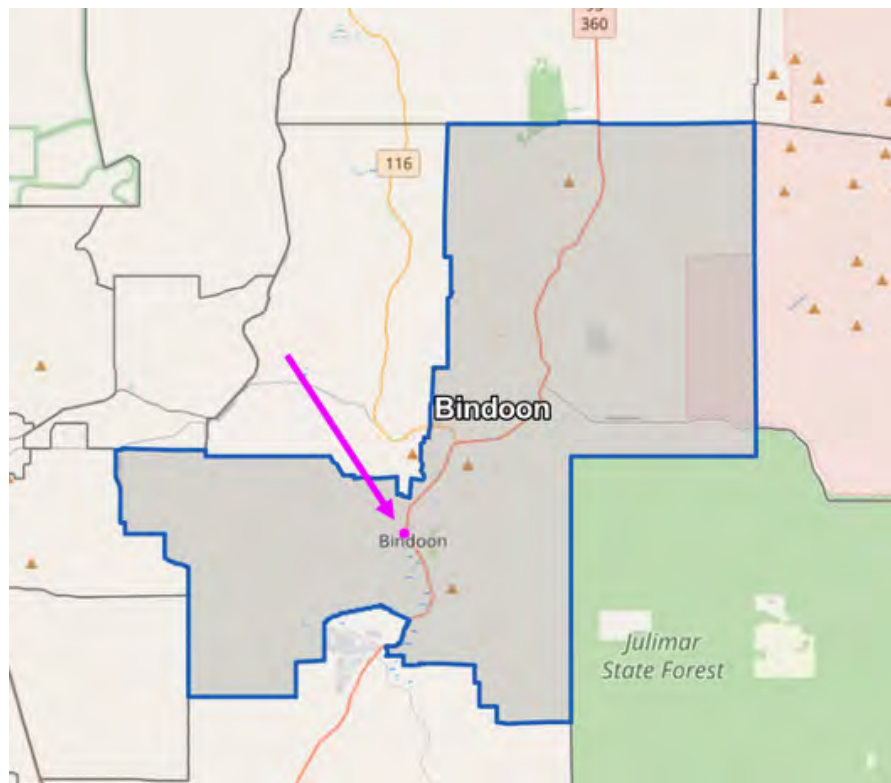
- 3.34. To address this section of the Form 2A, it is necessary to firstly identify the relevant locality. There is no definition of “locality” in the Act.
- 3.35. In the Form 2A, the Department has suggested that the locality in this case may be a 3km radius around the proposed licensed area. A 3km radius is depicted in the Google Maps images below (**3km locality**). The Liquor Barons Bindoon site is located approximately 65km north east of the Perth CBD (straight line distance), just off Great Northern Highway, in the Bindoon town centre and where the central white dots appear in the following two images.



Public Interest Assessment
Form 2A Annexure
Applications for liquor store licence
and extended trading permit (Sunday)
Liquor Barons Bindoon

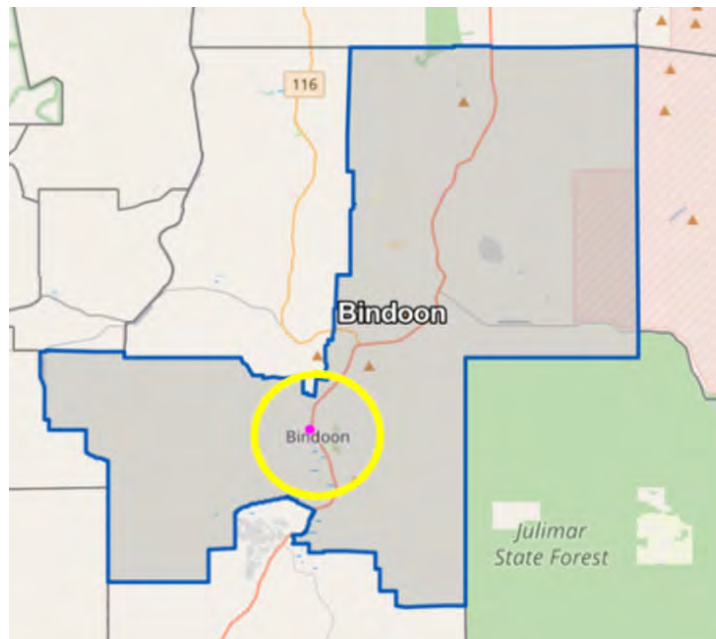


- 3.36. The suburb locality of Bindoon, as so described by the Australian Bureau of Statistics (**ABS**), is outlined in blue in the following ABS map¹⁷. The approximate location of the applicant's site is indicted by the pink dot and arrow:



¹⁷ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50126>

- 3.37. The 3km locality in the context of the boundary of Bindoon is shown as the yellow circle in the following two maps:



- 3.38. The 3km locality is within the Shire of Chittering, which is part of the Wheatbelt region.

The Shire of Chittering is located 55kms north of Perth, with an area covering 1,220km². It has 230km of sealed roads and 174km of unsealed roads.

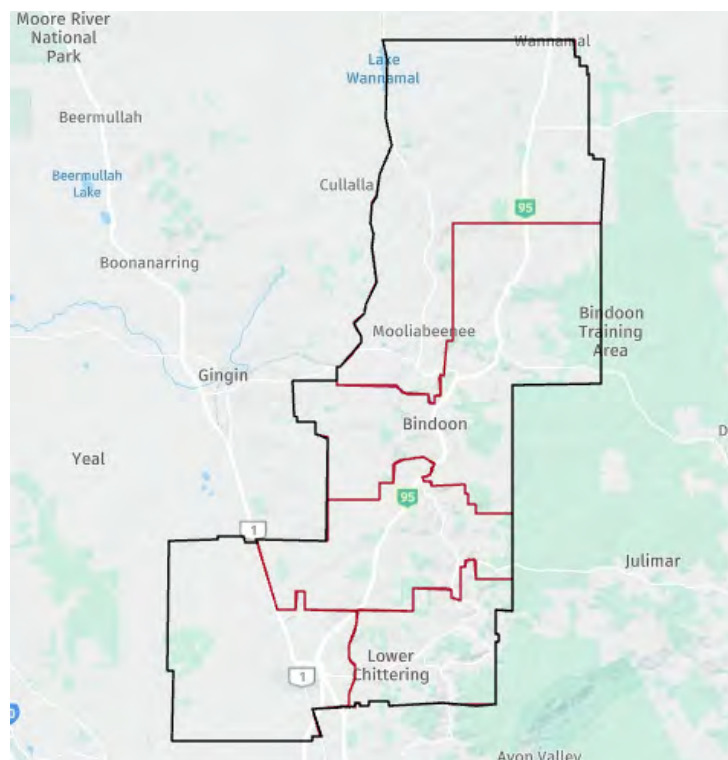
The Shire has approximately 5,930 residents (as per 2021 ABS) residing in the area. With a unique landscape of large areas of untouched bushland, state forest, wetlands, and industrial and commercial estates, the Shire is a wonderful place to visit and an ideal place to live.

The local economy is based on broad-acre farming, orchards, small rural and offers many semi-rural lifestyle residential properties. There is limited industry, being Extractive Industry operations (gravel, clay and sand), the State Livestock yards (WAMIA), Mineral sands processing (Tronox), Buddha Mandala Monastery, nurseries, Bindoon Bakehaus and Cafe, Chittering Tourist Attraction, viticulture and wineries and other small businesses.

The Shire services the townsites of Muchea, Bindoon and Wannamal along with the localities of Mooliabeenee, Upper Chittering and Lower Chittering.

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- 3.39. "With a unique landscape of large areas of untouched bushland, state forest, wetlands, and industrial and commercial estates, the Shire is a wonderful place to visit and an ideal place to live. Its strong natural and physical assets in topography, flora, fauna, and strategic location provide attractive features for tree-changers, visitors, and future business growth".¹⁹
- 3.40. The Shire area is depicted in the following map outlined in black, showing Bindoon in the middle.



¹⁸ <https://www.chittering.wa.gov.au/council/about-chittering/map-of-the-district.aspx>

¹⁹ Shire of Chittering Annual Report 2023-2024 at page 19 (copy available if required upon request or at: <https://www.chittering.wa.gov.au/council/annual-report.aspx>)

- 3.41. The Shire of Chittering, described as “one of the fastest growing peri-urban local governments”²⁰, had an estimated resident population for 2024 as 6,753²¹.

Just one hour's drive from Perth, the Chittering Valley is nestled in the northern hills of the Darling Range within the beautiful Destination Perth region. With its untouched bushland and wetlands, vineyards, orchards, spectacular wildflowers and views, the area is a perfect day trip or short-break destination – stay overnight at a bed and breakfast, chalet or farmstay. The Valley forms a picturesque gateway into Western Australia's wheatbelt region where you can immerse yourself in the rural lifestyle.

The Shire of Chittering consists of Bindoon, Lower Chittering, Mooliabeenee, Muchea and Wannamal with easy access to the neighboring towns and rural properties of Gingin, Toodyay, York, Northam, Beverley, Goomalling, Victoria Plains and Australia's only monastic town, New Norcia. The region offers a huge range of attractions and plenty of accommodation options against a backdrop of history and natural beauty, all within an easy drive from Perth.

Take one of the many drive and walk trails that meander through the Valley with wineries, orchards, markets and roadside stalls selling seasonal fresh produce along your way.

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- 3.42. The 3km locality boasts an inviting rural character which stems from the native bushland, farm land and agricultural land uses, Brockman River and quaint historic buildings. The following images²³ depict aspects of the area.



²⁰ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 6

²¹ <https://profile.id.com.au/chittering>

²² <https://www.chittering.au/>

²³ Sourced from Google Maps, Real Estate Institute of WA, Tripadvisor and Shire of Chittering Annual Report 2023-2024



- 3.43. "The heart of Chittering, Bindoon is a friendly, thriving small town boasting the famous Bindoon Bakehaus, adventurous Bindoon Mountain Bike Park, beautiful historic Town Hall, the Shire Offices, Post Office and Visitor Centre, and other retail outlets"²⁴.
- 3.44. Bindoon is also where the Shire's town centre and the designated main townsite are located. Bindoon townsite is where the following already occurs, or is being planned, indicating the important and active role of the area.
- 3.44.1. "[T]he majority of future housing will be focused"²⁵.
 - 3.44.2. Services are consolidated.²⁶
 - 3.44.3. More tourism based opportunities.²⁷
 - 3.44.4. "[P]rimary town centre in the Shire."²⁸
 - 3.44.5. Improvement of local interconnectivity, including better connection between west and east sides of Bindoon townsite.²⁹
 - 3.44.6. Direct future development.³⁰
 - 3.44.7. Improved access and infrastructure.³¹
 - 3.44.8. Support tourism development.³²

²⁴ <https://www.chittering.au/the-valley/bindoon/>

²⁵ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 6 and see also at 18

²⁶ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 8

²⁷ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 9

²⁸ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 18

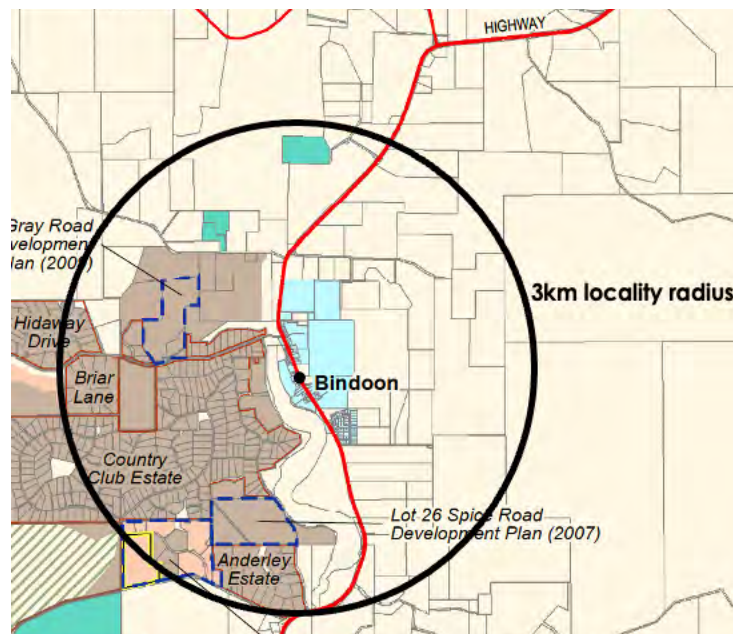
²⁹ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 19

³⁰ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 19

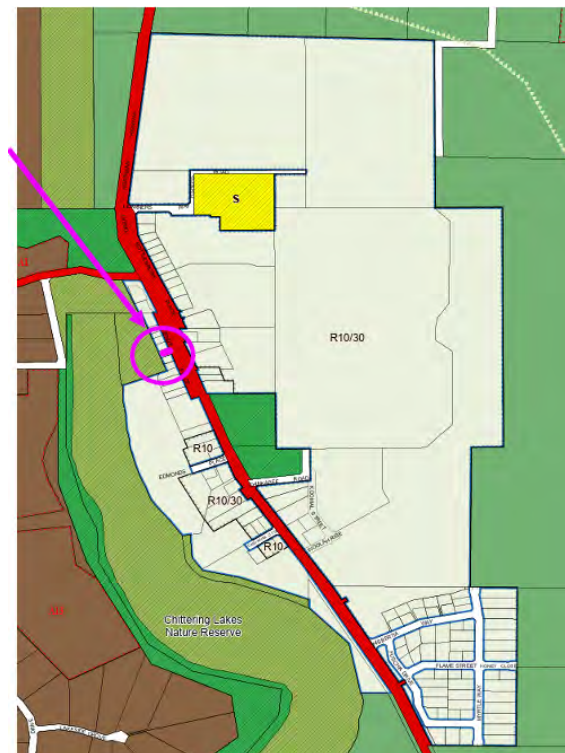
³¹ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 22

³² Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 32

- 3.45. The following image depicts the designated Bindoon townsite as the area shaded in pale blue³³. The 3km locality has been identified by the black circle.



- 3.46. The Bindoon townsite is also shown in the following extract from the Shire of Chittering Town Planning Scheme no. 6 District Scheme map 5 (copy attached) as the area shaded in grey and outlined in blue. The applicant's site has been indicated by the pink encircled rectangular shape and pink arrow³⁴.



³³ Extract from the Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at Figure 3 PDF-page 83

³⁴ The pink indicator markings are overlay additions to the image

- 3.47. For the purposes of section 36B of the Act, having regard to the findings of the Court in *Liquorland Karrinyup*, upheld in *Liquorland Southern River*, the applicant submits that the relevant locality in this case is the Bindoon townsite as designated, defined and illustrated in the preceding sub-paragraphs (**s36B locality**).
- 3.48. "[T]he word 'locality' in s 36B denotes an area that surrounds, and is geographically close to, the location of the proposed premises"³⁵.
- 3.49. "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."³⁶
- 3.50. "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 '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'"³⁷.
- 3.51. "[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."³⁸
- 3.52. "What constitutes a 'locality' relates to the geographical area surrounding, and what is relatively close to, the proposed site"³⁹.
- 3.53. "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

³⁵ *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2021] WASC 366 (**Liquorland Karrinyup**) [181] (Archer J); confirmed in *Liquorland Southern River* [62] (Lemonis)

³⁶ *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)

³⁷ *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)

³⁸ *Liquorland Karrinyup* [186] (Archer J); confirmed in *Liquorland Southern River* [62] (Lemonis)

³⁹ *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [14] (Smith J); *Liquorland Karrinyup* [186] and [190] (Archer J)

the interests of natural justice, such decision is made on reasonable and ascertainable grounds"⁴⁰.

- 3.54. "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".⁴¹
- 3.55. Therefore, in the light of the information and submissions set out above, it is respectfully submitted that the Bindoon townsite is the most appropriate area to be regarded as the relevant locality for the purposes of section 36B of the Act and therefore, as the s36B locality. This proposition is further supported by the following reasons:
- 3.55.1. The area comprising the proposed s36B locality is "an area that surrounds and is geographically close to the location of the proposed premises"⁴² which are the key criteria. This area can be regarded as the true local neighbourhood⁴³.
- 3.55.2. This area is relatively central within the 3km locality.
- 3.55.3. Liquor Barons Bindoon will be relatively centrally located within the s36B locality.
- 3.55.4. This is the most densely built-up area within the 3km locality and the whole Shire.
- 3.55.5. As referred to earlier in this section of the PIA, the Bindoon townsite serves as the "primary town centre in the Shire"⁴⁴, among other relevant functions⁴⁵.
- 3.55.6. Great Northern Highway, which runs through the middle of the 36B locality, directly in front of the applicant's site and close to the proposed store entrance, is currently a major access and egress facilitator, feeder route and thoroughfare. Great Northern Highway is, among other things, a "principle/major route for high volume traffic movements within large urban areas"⁴⁶. A bypass road is currently under construction around the western side of Bindoon townsite which will effectively define the townsite area and

⁴⁰ *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]

⁴¹ *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]

⁴² *Liquorland Karrinyup* [181] (Archer J)

⁴³ *Liquorland Karrinyup* [182, for example] (Archer J)

⁴⁴ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 18

⁴⁵ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at pages 6, 8, 9, 19, 22, and 32

⁴⁶ Section 13(2)(e) and (3)(d) of the Main Roads Act 1930

necessitate it becoming more self-sufficient. This latter aspect is referred to further in this PIA.

- 3.55.7. Local town planning has determined that the s36B locality is the area where services are consolidated.⁴⁷
- 3.56. The applicant has carefully considered both the 3km locality and s36B locality, as referred to throughout this PIA and the accompanying Legal Submissions.
- 3.57. Having regard for sections 16(7)(b) and (c) of the Act, the Department's "common-sense approach" policy⁴⁸ and the State Government's published desire to make it less complicated and easier to do business in the WA liquor industry⁴⁹, the assessment of locality in this PIA is not exhaustive. The applicant has provided a level of detail considered appropriate for the circumstances in terms of the content of this document and the attachments. Further detail, additional copies of source material and supplementary supporting evidence can be provided if necessary. The applicant has had regard for the decision in Liquorland Karrinyup and the fact that the 3km locality and s36B locality are both very established and presumably the licensing authority is familiar with them and so only pertinent locality material has been included⁵⁰.
- 3.58. As required by the Form 2A, the applicant has sourced the "names and addresses of all existing licensed premises within the [s36B] locality"⁵¹, of which there are only two in this case, namely the following:
- 3.58.1. Bindoon Store, Great Northern Highway, Bindoon (located approximately 450m away, straight line)
- 3.58.2. Chinkabee Sports Complex, Great Northern Highway, Bindoon (located approximately 430m away, straight line)
- 3.59. Only Bindoon Store is classified as a "packaged liquor premises"⁵². Particulars regarding this premises are provided further on in this document.
- 3.60. There are no additional licensed premises located in the 3km locality.

4. Form 2A "Part 3 – The profile of the local community"

Form 2A "3.1 Please outline the population characteristics in the locality"

- 4.1. Population characteristics for the 3km locality and s36B locality could not be accurately isolated from the statistics for Bindoon as a whole, as so defined and categorised by the ABS. Therefore, in applying the "common-sense

⁴⁷ Shire of Chittering Local Planning Strategy, endorsed by WAPC 10 October 2019 (copy available if required upon request) at page 8

⁴⁸ Form 2A page 2 and at <https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment>

⁴⁹ For example: <https://www.cits.wa.gov.au/department/news/news-article/2024/08/29/liquor-licensing-policy-reform-a-big-win-for-wa-hospitality-industry>

⁵⁰ Further detailed information and supporting documents can be provided if required, upon request

⁵¹ Based on information published by the Department as at early November 2025:

<https://portal.dlgsc.wa.gov.au/licencesearch?status=Current&suburb=BINDOON&group=Liquor+Premises>

⁵² As defined in section 36B of the Act

- approach"⁵³, the applicant has focused on data for Bindoon, as so defined and categorised by the ABS and also the Shire of Chittering. Some data for the whole of the State has also been considered for comparative purposes and to provide context.
- 4.2. The ABS recorded 1,215 residents in Bindoon as at the 2021 Census⁵⁴. This was a slight increase on the 2016 records ⁵⁵ showing growth in the local community.
- 4.3. The ABS recorded 5,930 residents in the Shire of Chittering in 2021⁵⁶ and since then the population has been more recently estimated at 6,753 in 2024⁵⁷, confirming growth in the area. There were 81 approvals for residential dwellings to be built in the financial year 2024/25 which is a significant increase on the previous year of just 49⁵⁸.
- 4.4. In statistical terms and based upon information provided by the public to the ABS⁵⁹, a typical person living in Bindoon may be described as follows:
- 4.4.1. female,
 - 4.4.2. aged 49,
 - 4.4.3. not described/identified as being Aboriginal or Torres Strait Islander,
 - 4.4.4. married,
 - 4.4.5. born in Australia,
 - 4.4.6. of English ancestry,
 - 4.4.7. not affiliated with any religion,
 - 4.4.8. using only the English language at home,
 - 4.4.9. in the labour force,
 - 4.4.10. working full time,
 - 4.4.11. earning \$655 per week,
 - 4.4.12. not experiencing any long-term health condition,
 - 4.4.13. living as part of a couple without children and
 - 4.4.14. living in a separate house (as opposed to a unit, flat or townhouse etc) which they own either outright or with a mortgage.
- 4.5. The following further resident characteristics have been identified for people living in Bindoon based on their self-reporting in the ABS Census of 2021⁶⁰:

⁵³ Form 2A page 2

⁵⁴ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50126>

⁵⁵ <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50126>

⁵⁶ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/LGA51680>

⁵⁷ <https://profile.id.com.au/chittering>

⁵⁸ Shire of Chittering Community Profile (.idcommunity): <https://profile.id.com.au/chittering/building-approvals>

⁵⁹ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50126>

⁶⁰ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50126>

- 4.5.1. The average age of residents (49) is 11 years more than the State and national average of 38.
- 4.5.2. Approximately 26% of the resident population is 65 years of age or older, compared to the WA State average of 16.1%. This is another indicator of a very mature demographic in Bindoon, as confirmed by the applicant's questionnaire exercise which shows an average age of 53 for participants
- 4.5.3. Approximately 24.4% of the resident population is aged 19 or under, compared to the WA State average of 24.8%.
- 4.5.4. Approximately 7.8% of the resident population identifies as being Aboriginal or Torres Strait Islander which is more than the overall State average of 3.3%.
- 4.5.5. Approximately 67.6% of the resident population was born in Australia compared to 62% for WA as a whole.
- 4.5.6. 4.7% indicated being unemployed, comparing very favourably to the WA State figure of 5.1%.
- 4.5.7. 42.7% of Bindoon residents have no religious affiliation. The most common religious affiliation disclosed is Catholic at 15.3%.
- 4.6. Socio-Economic Indexes for Areas, which measure the relative level of socio-economic disadvantage and/or advantage, based on a range of ABS data, have ranked the Shire of Chittering in the top quarter at number 33 out of 140⁶¹ indicating that the average resident experiences relatively high/positive levels of socio-economic conditions, with high rates of advantage and lower rates of disadvantage.
- 4.7. It is acknowledged that some people living in the 3km locality experience lower than average socio-economic circumstances and that this factor may, at first glance, be regarded as negative. Based on the following reasons it is respectfully submitted that such conditions are mitigated in this case and should not inhibit the grant of the licence:
 - 4.7.1. The positive factors associated with the application are significant and of much greater weight.
 - 4.7.2. The circumstances surrounding the whole of the Shire of Chittering are very positive and the average level of socio-economic conditions is higher than the State average.
 - 4.7.3. The applicant's pricing and quality will enable people living in the 3km locality to be able to access and enjoy quality liquor products which they might not otherwise be able to access.

⁶¹ <https://profile.id.com.au/chittering/seifa-disadvantage?SeifaKey=40002> (Shire of Chittering Community Profile (id.community))

- 4.7.4. People experiencing low socio economic conditions should still be able to access quality liquor products and services that are popular in the wider market.
- 4.7.5. People living in a growing regional town, close to the metropolitan area, should be able to access the same choice and diversity of modern retail products and services as available elsewhere.
- 4.8. "The local economy is primarily driven by broad-acre farming, orchards, and small rural blocks that support a semi-rural lifestyle. Key industries include extractive industry operations (gravel, clay, and sand), the State livestock yards (WAMIA), mineral sands processing (Tronox), nurseries, Bindoon Bakehaus and Café, Chittering Tourism, viticulture and wineries, and various other small businesses."⁶²
- 4.9. Among other things, the consumer survey and questionnaire evidence shows that people from far afield are drawn to Bindoon on a regular basis, for different reasons.
- 4.10. Further details of the nature and characteristics of the local community are provided elsewhere in this PIA.
- 4.11. As directed by the Department, the applicant has applied a "common-sense approach"⁶³ to the submissions contained within this section of the PIA in terms of outlining the population characteristics in the locality. Further, the applicant has tried not to overburden the licensing authority with materials, especially those available via the internet. Therefore, only pertinent locality material has been included in this document⁶⁴.

Form 2A "3.3 (sic) List the community buildings in the locality"

- 4.12. As required by the Form 2A, the applicant provides names and addresses for the following identified to be operating in the 3km locality:
 - 4.12.1. Schools and educational institutions: Bindoon Primary School, 19 Learners Way, Bindoon
 - 4.12.2. Hospitals: Chittering Health Centre, 6138 Great Northern Highway, Bindoon
 - 4.12.3. Hospices: none identified.
 - 4.12.4. Aged care facilities: none identified.
 - 4.12.5. Churches/places of worship: Bindoon Seventh Day Adventist Church, 1 Edmonds Place, Bindoon.
 - 4.12.6. Drug and alcohol treatment centres: none identified.

⁶² Shire of Chittering Annual Report 2023-2024 at page 21 (copy available if required upon request or at: <https://www.chittering.wa.gov.au/council/annual-report.aspx>)

⁶³ Form 2A and at <https://www.dlgsc.wa.gov.au/departments/publications/publication/public-interest-assessment>

⁶⁴ Additional and more detailed information and supporting documents can be provided if required and requested

- 4.12.7. Short term accommodation or refuges: none identified, although short term tourist-based accommodation is available in the 3km locality as is referred to elsewhere in this PIA.
- 4.12.8. Childcare centres: none identified.
- 4.12.9. Local government: Shire of Chittering, 6177 Great Northern Highway, Bindoon
- 4.13. Other places which could potentially generally be regarded as "community buildings in the locality" not listed above, include the Bindoon Town Hall, Bindoon Oval and St John – Sub Branch Bindoon, which are located within the 3km locality.
- 4.14. The nearest residence is understood to be approximately 65m away from the proposed licensed area, as a straight-line distance, on the opposite side of both Binda Place and Great Northern Highway.

5. 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?"

- 5.1. It is acknowledged that harm can potentially result from the use of liquor.
- 5.2. The applicant company directors have had regard for harm and ill-health factors potentially associated with the new licence, with reference to their experience and the trading history of their previous liquor businesses. They have an excellent trading record in terms of compliance and are not aware of any harm or ill-health problems being associated with any of the licences they have been involved with previously.
- 5.3. The applicant, through its experienced directors, will draw on years' worth of tried and tested practises and procedures to properly manage the business so as to minimise potential harm.
- 5.4. No part of the liquor store is expected to be visible from any church, school, hospital, day care centre or other potentially sensitive or vulnerable community place.
- 5.5. The applicant has sought to identify current information regarding alcohol related hospitalisations and deaths associated with the 3km locality from material published by the relevant authorities and health agencies, but none could be identified.
- 5.6. The applicant acknowledges that hospitalisation and death can potentially result for some people as a consequence of the use of liquor and would have occurred at some level in the 3km locality.

- 5.7. A report published in relation to the whole Wheatbelt region states that "26.8% [of residents] drank alcohol at risk of long-term harm (compared with 26.5% for WA)"⁶⁵. This indicates a relatively average level of risky drinking.
- 5.8. The applicant has considered the Western Australian Mental Health, Alcohol and Other Drug Services Plan 2015–2025⁶⁶, particularly where it says that "[a]lcohol continues to be the priority drug of concern for Western Australia. There is a need to continue efforts to change the drinking culture from one of harmful use to one where low-risk drinking is encouraged and supported."⁶⁷ In this regard, the applicant has developed its business model for Liquor Barons Bindoon around features that are designed to promote a responsible and pleasurable drinking culture. The moderate size of the store, high quality product range, reduced regular trading hours and product knowledge are some of the features.
- 5.9. The most recent ABS data has revealed that the majority of residents in Bindoon, being 54.6%, reported at the 2021 Census that they have no long-term health condition⁶⁸. This is lower than the State and national figures⁶⁹, however, this comparison should not reflect negatively on the 3km locality in this case in terms of the assessment of this application. The average age of residents in Bindoon is much higher than the State and national average age and the most significant long term health condition reported in Bindoon is arthritis which is a condition commonly associated with age and not necessarily associated with liquor. Therefore, the long term health condition rating in Bindoon should not reflect negatively in the determination of this application. It is acknowledged that a small percentage of people did indicate that they experience some other long-term health conditions.
- 5.10. "[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"⁷⁰.
- 5.11. The applicant has no intention of publishing flamboyant and highly suggestive advertising materials which could reasonably be considered likely to encourage rapid, excessive, drunken or juvenile drinking. The applicant company directors are very experienced in turning their minds to the effect of liquor advertising and taking steps to help ensure that it is responsible.
- 5.12. Strict policies, including the following, will apply in relation to juveniles.
- 5.12.1. The applicant will go beyond the basic requirement of asking customers suspected of being under the age of 18 to prove their age so as to ask customers suspected of being under the age of 25

⁶⁵ WA Country Health Service Wheatbelt Health Profile 2022 (copy available if required upon request) at page 19

⁶⁶ Copy available upon requested, if required

⁶⁷ At page 31

⁶⁸ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50126>

⁶⁹ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50126>

⁷⁰ <https://theshout.com.au/australian-alcohol-consumption-declines-rtd-consumption-at-record-high/>

- for age verification, to err on the side of caution. Staff will be instructed accordingly.
- 5.12.2. A soft key will be installed on the point-of-sale screen which provides a daily update of the date of birth for the minimum legal age to make the processes quicker, easier and more reliable for staff.
- 5.12.3. Signage will be clearly displayed near the entrance and sale counter stating the law in respect of liquor and juveniles.
- 5.12.4. The applicant and its staff will monitor closely for customers suspected of trying to obtain liquor for a juvenile and if such a person is identified, then not selling them the liquor.
- 5.12.5. Juveniles will not be permitted in the store unless accompanied by a responsible adult who is genuinely acting in the role of their parent or guardian.
- 5.12.6. Juveniles considered loitering near the liquor store without proper reason will be asked to move.
- 5.12.7. Controversial liquor products and promotions designed to be attractive to juveniles will not be stocked or displayed at Liquor Barons Bindoon.
- 5.12.8. Lollies and other items commonly known to attract the attention of juveniles will not be stocked in the liquor store and advertising or promotions considered likely to encourage juvenile drinking will not be published at Liquor Barons Bindoon.
- 5.12.9. The liquor area will be kept under CCTV surveillance and the sales counter will be positioned next to the entrance to enable close monitoring of people entering the store.
- 5.13. The applicant has identified the issue of crime in terms of harm factors applicable to the 3km locality. The following information has been considered⁷¹. This police data may possibly assist in assessing very broadly and generally criminal offence activity in the area, although the data is not that of proven crimes.

⁷¹ <https://redsuburbs.com.au/suburbs/bindoon/>

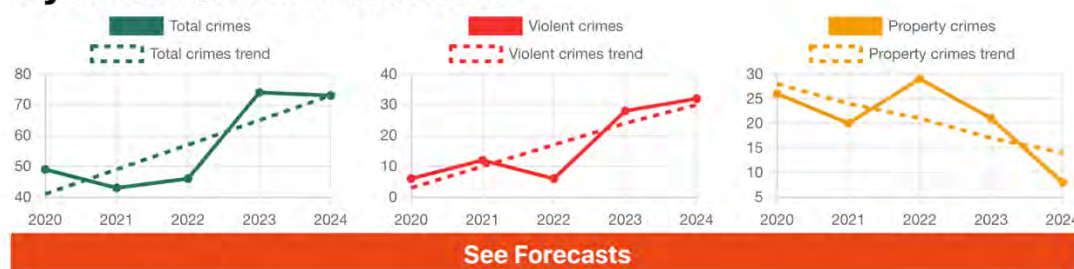
Crime rate in Bindoon, WA, Australia, 6502 Suburb in Chittering

Crime Rank: 23/100

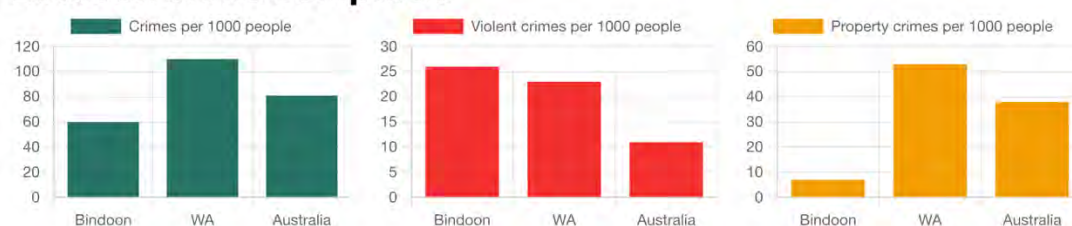
(higher number means more crime)



5 year Bindoon crime trends



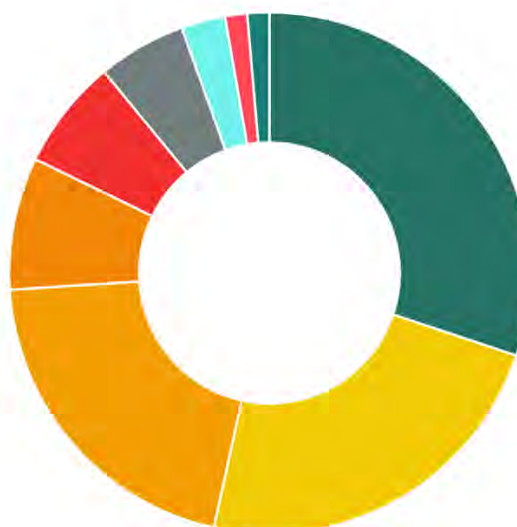
Bindoon crime compared



Top crime types in Bindoon:

| | |
|--|----|
| Drug dealing and trafficking | 22 |
| Assault and related offences | 17 |
| Sexual offences | 15 |
| Breaches of orders | 6 |
| Theft | 5 |
| Stalking, harassment and threatening behaviour | 4 |
| Burglary/Break and enter | 2 |
| Arson | 1 |
| Weapons and explosives offences | 1 |

[Crime Types explained](#)



- 5.14. It is acknowledged that there is a level of crime occurring in the 3km locality and that police incidents categorised as violent crimes exceed State and

national averages for the reporting period. For the following reasons, it is submitted that this factor should not negatively affect the outcome in this case:

- 5.14.1. The applicant has been working closely with the landowner on the development of the liquor store over an extended period of time. Nothing has arisen during that process in terms of the site having a history of or otherwise being known to attract any notable police incidents, let alone violent crimes.
 - 5.14.2. The applicant company directors are highly experienced and have an excellent trading record of managing crime and not operating a liquor business known to be the cause of notable police incidents.
 - 5.14.3. The premises will be subject to multiple risk mitigating measures as referred to elsewhere in this document and securely locked when not trading.
 - 5.14.4. The store will be bright, well-lit and clearly labelled.
 - 5.14.5. The location of the store in the Bindoon townsite where services and facilities, including retail, are concentrated will help to ensure passive surveillance. The lights and activities of businesses in close proximity is intended to deter most criminal activity.
- 5.15. Participants in the consumer survey/questionnaire evidence have revealed no notable concerns regarding adverse impact from the operation of Liquor Barons Bindoon. Almost unanimously they foresee no issues. This is particularly positive given that most participants live in Bindoon and so they can be presumed to be intimately familiar with local crime, harm and ill-health etc in Bindoon.
- 5.16. Further submissions addressing the issue of minimising harm are provided in the applicant's accompanying Legal Submissions.

6. 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?"

- 6.1. The amenity of the 3km locality has been variously described in earlier sections of this PIA. There is a mix of land uses operating, including retail, other commercial, rural, residential, parkland/bushland and civic within a rural setting.
- 6.2. The Bindoon townsite, within which the store is to be located, is the bustling centre of the Shire district. The applicant's location is within a commercial strip.
- 6.3. The applicant's consumer questionnaire exercise revealed an overwhelming majority (71%) do not expect any adverse amenity impacts from the operation of Liquor Barons Bindoon as proposed.
- 6.4. The applicant's closest neighbours will be other businesses. They currently include an IGA, Mitre 10, butcher, café, bank and hairdresser.

- 6.5. The applicant has obtained planning approval. "Shire officers believe that the proposed liquor store is in line with the existing uses of the Bindoon Townsite...The proposed liquor store will not adversely affect the living and the visual amenity of the location, as it will be placed within a commercial area and will not be a visual eyesore on the locality"⁷².
- 6.6. From a planning amenity perspective, "the proposal is considered to meet the objectives of the Townsite zone...The proposal will also have a similar shop front aesthetic to the existing IGA on Lot 7 and therefore is considered to fit the aesthetic appeal of the locality"⁷³.
- 6.7. The presence and function of Great Northern Highway is a significant feature both in its current role and also as it changes functions to some extent in relation to the Bindoon townsite with the bypass to the west that is under construction⁷⁴. The changes are expected to benefit the Bindoon townsite by achieving the following⁷⁵:
- 6.7.1. Shorter travel times through parts of the Great Northern Highway
 - 6.7.2. Improving safety.
 - 6.7.3. Reducing the number of heavy freight vehicles passing through the Bindoon town centre.
- 6.8. Amongst this existing amenity, Liquor Barons Bindoon will be an ideal addition to the Bindoon townsite from an operational perspective and in terms of enhancing services to the public. It will complement existing businesses, the Shire's planned future development⁷⁶ and be totally consistent with surrounding land-uses and local amenity.



- 6.9. Physically, the new liquor store will fit neatly into the site. The design and materials for the building includes rural aspects to complement the rural character of the area, including Colourbond sheeting and steel frame construction.

⁷² Shire of Chittering Ordinary Meeting of Council Minutes, Wednesday 19 February 2025 (copy attached), at page 21

⁷³ Shire of Chittering Ordinary Meeting of Council Minutes, Wednesday 19 February 2025 (copy attached), at page 28

⁷⁴ <https://www.mainroads.wa.gov.au/projects-initiatives/all-projects/regional/bindoon-bypass/>

⁷⁵ <https://www.mainroads.wa.gov.au/projects-initiatives/all-projects/regional/bindoon-bypass/>

⁷⁶ As referred to throughout this PIA

- 6.10. The role of the 3km locality as the Bindoon townsite involves the following important objectives upon which this application has been modelled:

Townsite Zone

AMD 21 GG 3/4/09; AMD 62 GG 14/02/17

The objectives of the Townsite zone are to:

- a) provide for a range of compatible uses within the Bindoon and Muchea townsites to provide for a high range of services, residential types, community and recreational facilities in a village with rural character;
- b) prohibit land uses which may adversely affect the living and visual amenity of the location;
- c) provide for the protection of the natural environment;
- d) protect or enhance any local reserves.

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- 6.11. Further submissions addressing the amenity issue under the Act are provided in the applicant's Legal Submissions.

7. 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?"

- 7.1. People who live and work nearby to Liquor Barons Bindoon are within the applicant's target client base and are key motivations for this application. the impact of the store on them is intended to be only very positive. The applicant has invested considerable time and effort into developing a business model which will serve their needs.
- 7.2. The applicant has carefully considered potential adverse impact that may possibly be caused to people who live or work in the vicinity in terms of how and in what circumstance, the sale and supply of liquor could potentially cause those people offence, annoyance, disturbance or inconvenience. The decades worth of liquor retailing experience of the applicant company directors provides them with an excellent working knowledge of such matters and the ability to identify and minimise any negative impact.
- 7.3. As a stand-alone building, the liquor store itself will be buffered from residents and workers. To reiterate, the nearest residence is understood to be approximately 65m away from the proposed licensed area, as a straight-line distance, on the opposite side of both Binda Place and Great Northern Highway.
- 7.4. It is not considered that there are any high risk factors associated with this application for people living or working nearby. Notwithstanding that conclusion, the applicant acknowledges the potential for adverse effects from

⁷⁷ Shire of Chittering Local Planning Scheme No. 6 District Zoning Scheme, updated 30 November 2024, at page 14 (copy available if required upon request)

the sale and supply of liquor and therefore, proposes to implement the following strategies to manage and minimise risks of adverse consequences upon people who may be nearby.

- 7.4.1. Maintaining the proposed professional and risk-managed manner of trade outlined in this PIA.
 - 7.4.2. Directing deliveries to the rear of the store, which is designed for the purpose and even further away from houses.
 - 7.4.3. Managing delivery times and methods so as to minimise potential disturbance to others, even although there is no neighbour in close enough proximity to be likely to be affected.
 - 7.4.4. Not opening to the public early morning or late at night.
 - 7.4.5. Implementing tried, tested and proven operational practises and procedures for overall good management.
 - 7.4.6. Inspecting the exterior and immediate surrounding area of the store regularly to ensure it is kept clean, tidy and smart-looking.
 - 7.4.7. Ensuring that signage is moderate, appropriate and of a professional standard and not overt or adversely impactful on the amenity.
 - 7.4.8. Applying high standards to staffing, including the training of staff as to all facets of the store, compliance, product knowledge and customer service. Refreshing the training. Ensuring staff wear a uniform.
 - 7.4.9. Establishing and maintaining a high standard of premises in terms of cleanliness, tidiness and overall presentation, to indicate to patrons the licensee's professional approach to management of the business.
- 7.5. The applicant's consumer market researched revealed an overwhelming majority of 94% do not expect harm or ill-health to result from the operation of Liquor Barons Bindoon as proposed.
- 7.6. Further submissions addressing how the applicant will minimise the impact of Liquor Barons Bindoon operating on people who live or work nearby, are provided in the applicant's Legal Submissions.

8. 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?"

- 8.1. The establishment of Liquor Barons Bindoon into a 3km locality that offers very little packaged liquor is likely to result in multiple tourism, cultural and community benefits. Some of the benefits have already been referred to previously in this document. Further information and submissions are provided below.

8.2. In respect of tourism:

- 8.2.1. The local area is an established and evolving tourist destination. There is a Chittering Visitor Centre⁷⁸, located in the Bindoon townsite approximately 170m from the applicant's site.
- 8.2.2. There is a range of short term accommodation options including camp grounds, farm stays, chalets, bed and breakfast facilities.
- 8.2.3. The Shire of Chittering hosts many and varied annual events⁷⁹. The recent Taste of Chittering event attracted more than 6,500 visitors⁸⁰.
- 8.2.4. The new liquor store will improve the availability of liquor produced in the surrounding region, providing a valuable convenience for visitors unable to get around the whole district to access wineries, breweries and distilleries.
- 8.2.5. Liquor produced in the surrounding region will be promoted at Liquor Barons Bindoon.
- 8.2.6. The Bindoon townsite will be greatly enhanced for tourists with a new business which complements others and provides a taste of the region.
- 8.2.7. The Shire has recognised tourism as an emerging local industry⁸¹.

Tourism

Tourism is recognised as a key growth sector for Chittering, with significant potential for expansion. The sector benefits from Chittering's proximity to Perth, thanks to the Tonkin Highway extension, as well as its agritourism and ecotourism opportunities. The region's abundant land suitable for tourism and the spread of tourist dollars across various industries underscore the sector's importance. Notably, over a quarter (28%) of Chittering's young adults are employed in tourism, highlighting its role in providing job opportunities for a younger demographic.

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8.3. As to cultural benefits:

- 8.3.1. Liquor Barons Bindoon will encourage attitudes towards drinking which are about savouring taste and enjoying the components and source of production.

⁷⁸ <https://www.westernaustralia.com.au/visitorcentre/chittering-visitor-centre/5f6c296654d2f0e352235d36>

⁷⁹ Shire of Chittering Annual Report 2023-2024 at pages 24 and 25 (copy available if required upon request or at: <https://www.chittering.wa.gov.au/council/annual-report.aspx>)

⁸⁰ <https://www.facebook.com/tastechittering/>

⁸¹ For example, Shire of Chittering Strategic Community Plan 2024-2034, adopted by Council 19 June 2024 (copy available if required upon request and here: <https://www.chittering.wa.gov.au/council/publications-strategic-documents.aspx>), at page 15

⁸² Shire of Chittering Annual Report 2023-2024 at page 21 (copy available if required upon request or at: <https://www.chittering.wa.gov.au/council/annual-report.aspx>)

- 8.3.2. The benefits for tourism referred to above will also contribute to positive cultural advancements.
- 8.4. Community benefits will include the following:
- 8.4.1. Development of the Bindoon townsite with a service enjoyed in most other modern communities and expected by the public but sorely lacking in Bindoon.
- 8.4.2. Employment opportunities will be generated for local people with the applicant anticipating at this stage to have four staff.
- 8.4.3. Sponsorship and assistance for events of local sporting clubs.
- 8.4.4. The Liquor Barons model is based upon being local, integrating and supporting the local community and being owned by local people with a tag line: "independently owned and operated by fellow West Australians". Giving back to the community is a key philosophy.⁸³
- 8.4.5. "We need this service in town as we are growing & can't get any service like this. Also will help towns (sic) foot print (sic) & groth (sic)".⁸⁴
- 8.4.6. "In summary I feel this store will benefit the local community by increasing convenience for residents & visitors, support local businesses, create employment opportunities, encourage people to shop locally and contribute to the economic growth of Bindoon".⁸⁵
- 8.5. With nearly 100 Liquor Barons store members in WA and over 100,000 customer members, the WA-centric brand is clearly well known and hugely popular. 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.⁸⁶
- 8.6. Further submissions addressing the tourism, cultural and community benefits of Liquor Barons Bindoon being approved are provided in the applicant's Legal Submissions.

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

- 8.7. The consumer survey and questionnaire evidence has revealed support for all facets of the proposal and with 94% of participants stating that they are actually likely to shop at Liquor Barons Bindoon. Many shoppers indicated they will visit the new store regularly if approved.
- 8.8. Further evidence of support has been obtained through a petition titled "petition in relation to supporting a new liquor store in Bindoon" obtained

⁸³ <https://www.liquorbarons.com.au/about-us/>

⁸⁴ JD, aged 46 (questionnaire)

⁸⁵ SH, aged 39 (questionnaire)

⁸⁶ *Woolworths Ltd v Director of Liquor Licensing* [2013] WASCA 227 [77] (Buss JA)

through the landowner in 2024. It contains 61 names, addresses and signatures⁸⁷.

- 8.9. The applicant company directors have been motivated by the needs of locals and tourists and the maturing aspects to the location, whilst guided by their considerable retail liquor experience and industry knowledge, in developing the business model and application for Liquor Barons Bindoon. They are driven to serving both consumers and producers.
- 8.10. The approval of Liquor Barons Bindoon will not only be entirely consistent with but will support and help achieve the Shire's published priority for investments which "promote tourism and drive economic development in the region" ⁸⁸.
- 8.11. The Shire has published multiple strategies for desired development of business in the area, seeking economic, tourism and local business growth⁸⁹. The proposal for Liquor Barons Bindoon goes directly to these targets.

9. Local packaged liquor requirements - section 36B

- 9.1. 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.
- 9.2. 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.
- 9.3. 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".
- 9.4. Section 36B(4) "imposes a meaningful additional hurdle"⁹⁰ to the section 38 public interest test.
- 9.5. 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"⁹¹.
- 9.6. No issue arises in respect of section 36B(3) of the Act in this case. The proposal involves a retail area that is much smaller than the prescribed size. Therefore, the application is eligible to be heard and determined.

⁸⁷ The copy attached has personal information redacted. An unredacted copy will be lodged separately with the Department on a private and confidential basis.

⁸⁸ Shire of Chittering Annual Report 2023-2024 at page 16 (copy available if required upon request or at: <https://www.chittering.wa.gov.au/council/annual-report.aspx>)

⁸⁹ For example, Shire of Chittering Annual Report 2023-2024 at page 83 (copy available if required upon request or at: <https://www.chittering.wa.gov.au/council/annual-report.aspx>)

⁹⁰ Liquorland Karrinyup [75] (Archer J)

⁹¹ Explanatory Memorandum, Liquor Control Amendment Bill 2018 at page 1

- 9.7. 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 is only Bindoon Store located approximately 450m away (as the crow flies) from the proposed location of Liquor Barons Bindoon and pictured in the Google Maps image below.



- 9.8. Bindoon Store is a small mixed use/multi-purpose business which incorporates newsagency, general store and refrigerated kangaroo meat. Based upon observations by the landowner and applicant, its liquor offering is summarised as follows:
- 9.8.1. Very small and very limited range of mainstream liquor items including some refrigerated.
 - 9.8.2. There is one small/low and sparsely stocked rack of spirits including empty shelving.
 - 9.8.3. There is one small and sparsely stocked rack of non-refrigerated wines including empty shelving.
 - 9.8.4. The fridges are sparsely stocked and include large empty sections. They sit alongside a fridge of kangaroo meat. A total of eight cartons of beer were available chilled at the time of the visit with approximately 75% of the fridge space empty.
 - 9.8.5. Seven different types of mainstream beer and one type of RTD item were warmly stocked in cartons in the centre of the floor.
 - 9.8.6. Physically the shop is small, dilapidated and run down. The roof is falling and the floor is untidy and uneven.
 - 9.8.7. Liquor at Bindoon Store sits alongside a small range of newsagency items, lollies, other snack foods and cool drinks, the refrigerated kangaroo and tools (which appear to be for the shop-owner's use not for sale).

- 9.8.8. No ancillary services were available.
- 9.9. There can scarcely be any comparison between Bindoon Store and the proposal for Liquor Barons Bindoon because of the many and significant differences.
- 9.10. 96% of participants in the applicant's public consumer questionnaire stated that they consider "Liquor Barons Bindoon will provide products, services and other features that will be different from existing liquor outlets already operating in Bindoon".
- 9.11. Bindoon Store sells a tiny volume and very limited selection of liquor. Nearly 100% of the products proposed at Liquor Barons Bindoon are not available at the Bindoon Store.
- 9.12. None of the ancillary services to be available at Liquor Barons Bindoon are offered at Bindoon Store.
- 9.13. At the moment the packaged liquor offering in Bindoon currently has been described by at least one consumer as "dire"⁹².
- 9.14. 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 s 36B(1) of the Act is *not* limited in its scope to the physical item or product of packaged liquor"⁹³.
- 9.15. The evidence of the requirements of consumers, as referred to in this PIA, is clearly that they require the applicant's particular range and associated products, services and style of operation to be available to purchase for take-away purposes from the location proposed.
- 9.16. Almost 100% of applicant's stock range is and will be unavailable elsewhere in the 3km locality and beyond. This is a prominent element to this case.
- 9.17. Further and more detailed submissions regarding section 36B of the Act are contained in the accompanying Legal Submissions.

10. Sections 5, 33, 36B, 38 and 60 of the Act

- 10.1. Relevant provisions of the Act have been taken into consideration in the preparation of the application, including sections 5, 33, 36B, 38 and 60. Submissions addressing those and other relevant sections of the Act have been briefly referred to in this document and are detailed in a separate set of Legal Submissions accompanying this PIA.
- 10.2. It is respectfully submitted that the licensing authority should be easily satisfied that the applicant has exceeded the legislative high bar for the grant of the licence because the evidence shows substantially more than "trifling" and

⁹² Email from D Irvin (copy attached)

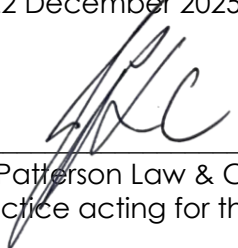
⁹³ Liquorland Karrinyup [108] (Archer J)

"considerable" requirements⁹⁴ in respect of the proposal for Liquor Barons Bindoon.

11. Conclusion

- 11.1. In addressing the Form 2A in detail and with reference to relevant sections of the Act, the applicant has paid close regard to a wide variety of public interest factors relevant to the application for Liquor Barons Bindoon and presented a comprehensive proposal for the grant of both the licence and ETP.
- 11.2. The applicant has also considered and referred to relevant policies of the Director of Liquor Licensing.
- 11.3. The liquor service will be unique, not only in the s36B locality but also in the 3km locality and even further afield. The products and style of operation will be almost entirely unlike the very limited range of products and services currently available in Bindoon.
- 11.4. Key factors in this case include the glaring void in packaged liquor products and services, the townsite location, the local government authority's drive to increase development in the townsite, the applicant's readiness to establish the new business and the consumer demand.
- 11.5. Further submissions addressing conclusions to be drawn from the information contained in this PIA and supporting the grant of the licence and ETP as proposed are contained in the detailed Legal Submissions accompanying this PIA.

Dated 22 December 2025



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

| Summary of attachments | |
|------------------------|---|
| No. | Title/description |
| 1. | Bundle of long form completed Public Consumer Questionnaires (x24) (redacted) |
| 2. | Bundle of short-format completed Public Survey sheets (x20 sheets/60 participants) (redacted) |
| 3. | Petition (x3 sheets/61 participants) (redacted) |
| 4. | Chittering Town Planning Scheme no. 6 District Scheme (map 5) |
| 5. | Draft indicative opening stocklist |
| 6. | Initial proposed stock category breakdown |
| 7. | Letter from Stringybark Winery & Restaurant |
| 8. | Email from D Irvin dated 15 November 2024 |
| 9. | Shire of Chittering Ordinary Meeting of Council Minutes, Wednesday 19 February 2025 |

⁹⁴ Liquorland Southern River [136] [137] (Lemonis J)