



## Copper & Oak Greenwood

2B/132 Coolibah Drive, Greenwood WA



### Application for the Conditional Grant of a Liquor Store Licence

Section 38 - Public Interest Assessment  
(including Section 36B submissions)

October 2025

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## 1. Introduction

- 1.1. JMNAP Greenwood Pty Ltd will be applying to the licensing authority for the conditional grant of a liquor store licence for premises located at Unit 2B / 132 Coolibah Drive, Greenwood, WA 6024. The directors of the applicant company are brothers Jose and Nelio Pestana.
- 1.2. The name of the proposed liquor store is “Copper & Oak Greenwood”.
- 1.3. This will be a small-medium sized store, with a proposed floor area of approximately 140sqm.
- 1.4. Copper & Oak is one of Perth's premier family run liquor store chains. They have been providing customers a great variety of liquor products for well over 20 years. Their knowledge, price and service offer great value with their local and international range of spirits, wines and imported, local and craft beers changing, evolving and increasing in premium diversity weekly.
- 1.5. These submissions will discuss the ethos of Jose and Nelio of the applicant in terms of how they construct and constantly re-construct their product range.
- 1.6. They have been constantly ahead of the market for many years now, with new release products, and they will bring that same philosophy to this proposed liquor store in Greenwood. Having recently been approved to open a large format Copper & Oak Store in Kalamunda, their business model and popularity is second to none.
- 1.7. There are other packaged liquor outlets in the locality, but NONE like the proposed liquor store.
- 1.8. The applicant will present a packaged liquor product range unmatched in the locality.
- 1.9. Jose and Nelio have brought this product range culture to all areas of their packaged liquor selection. From a whisky wall, to their local and international wine selection, as well as craft beers, pet-nat and lo-fi wines, gins, and many other product categories.
- 1.10. The applicant would welcome the Director to visit both its Tuart Hill liquor store and Guildford liquor store to see what they are about and what they would like to bring to Greenwood.
- 1.11. In the Director's Decision in respect of an application for the conditional grant of a liquor store licence dated 4<sup>th</sup> March 2020 for Hangawee Outlet Northbridge (attachment COG01), the Director's Delegate, Peter Minchin stated:
  - 1.3.1. *“In addition to the normal administrative requirements, applicants for the grant of a new liquor store licence have two very distinct obligations under the Act which must be discharged before the application can be approved. This first is overcoming the restraint imposed by s 36B and second, by demonstrating that the grant of the licence is in the public interest as required under s 38 (2).”*
- 1.12. In this application the sale of packaged liquor is proposed, and consequently the two tests described above equally apply to this application. Therefore, these submissions are designed to address:
  - 1.12.1. the public interest requirements as set out in Section 38(2) of the Liquor Control Act 1988 (the “Act”); and
  - 1.12.2. restrictions on grant of certain licences authorising sale of packaged liquor as set out in Section 36B of the Act.
- 1.13. **Public interest requirements (Section 38(2))**

- 1.14. Section 38(2) of the Liquor Control Act 1988 sets out the matters to be taken into account by the Licensing Authority in deciding whether or not to grant a Liquor Store Licence. Specifically, it states:
- 1.14.1. *“An applicant who makes an application to which this subsection applies must satisfy the licensing authority that granting the application is in the public interest”*
- 1.15. Section 38(4) of the Liquor Control Act 1988 states the licensing authority may have regard to the following matters when considering an application for a liquor licence;
- 1.15.1. *“the harm or ill-health that might be caused to people, or any group of people, due to the use of liquor; and*
- 1.15.2. *whether the amenity, quiet or good order of the locality in which the licensed premises or proposed licensed premises are, or are to be, situated might in some manner be lessened; and*
- 1.15.3. *whether offence, annoyance, disturbance or inconvenience might be caused to people who reside or work in the vicinity of the licensed premises or proposed licensed premises; and*
- 1.15.4. *any effect the granting of the application might have in relation to tourism, or community or cultural matters; and*
- 1.15.5. *any other prescribed matter”.*
- 1.16. **Restrictions on grant of certain licences authorising sale of packaged liquor (Section 36B)**
- 1.17. Also, Section 36B of the Liquor Control Act 1988 was proclaimed and came into effect on 2<sup>nd</sup> November 2019.
- 1.17.1. Section 36B(2) of the Liquor Control Act 1988 states:
- 1.17.2. *“This section applies to an application for the grant or removal of any of the following licences -*
- 1.17.2.1. *(a) a hotel licence without restriction;*
- 1.17.2.2. *(b) a tavern licence;*
- 1.17.2.3. *(c) a liquor store licence;*
- 1.17.2.4. *(d) a special facility licence of a prescribed type.”*
- 1.18. Based on the above, Section 36B of the Liquor Control Act 1988 applies to this application and therefore will be considered in these submissions.
- 1.19. Section 36B(3) of the Liquor Control Act 1988 states;
- 1.19.1. *“The licensing authority must not hear or determine an application to which this section applies if –*
- 1.19.1.1. *(a) packaged liquor premises are situated less than the prescribed distance from the proposed licensed premises; and*
- 1.19.1.2. *(b) the area of the retail section of those packaged liquor premises exceeds the prescribed area; and*
- 1.19.1.3. *(c) the area of the retail section of the proposed licensed premises exceeds the prescribed area”.*

- 1.20. Regulations Nos. 9AAA and 9AAB of the Liquor Control Regulations 1989 stipulate the distance and area prescribed referred to in Section 36B of the Liquor Control Act;
- 1.21. Regulation No.9AAA states;
- 1.21.1. *“Area prescribed (Act s. 36B)*
- 1.21.1.1. *For the purposes of section 36B, the area of 400m2 is prescribed.”*
- 1.22. Regulation No. 9AAB states;
- 1.22.1. *“Distance prescribed (Act s.36B)*
- 1.22.1.1. *(1) For the purposes of section 36B, the following distances are prescribed -*
- a. *For packaged liquor premises in the metropolitan region - 5 km;*
- b. *For all other packaged liquor premises - 12km.*
- 1.22.1.2. *(2) The distances referred to in subregulation (1) are to be calculated using the shortest route by road.”*
- 1.23. As the proposed liquor store is not over 400sqm Section 36B(3) above does not apply to this application.
- 1.24. Section 36B(4) of the Act states;
- 1.24.1. *“The licensing authority must not grant an application to which this section 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”.*
- 1.25. Section 36B(4) applies to this application.

- 1.26. In later sections of these submissions, the applicant will demonstrate in more detail how this proposal will comply with section 36B(4) of the Act, as the existing public requirements for packaged liquor cannot reasonably be met by the existing licensed outlets in the locality.



1.27. Objects of the Liquor Control Act 1988 (Section 5)

- 1.28. The objects of the Act are contained in section 5, which states the primary objects of the Act are (section 5(1));

- 1.28.1. *“to regulate the sale, supply and consumption of liquor; and*
- 1.28.2. *to minimise harm or ill-health caused to people, or any group of people, due to the use of liquor, and*
- 1.28.3. *to cater for the requirements of consumers for liquor and related services, with regard to the proper development of the liquor industry, the tourism industry and other hospitality industries in the State”.*

- 1.29. Section 5 (2) of the Act also includes the following Secondary Objects.

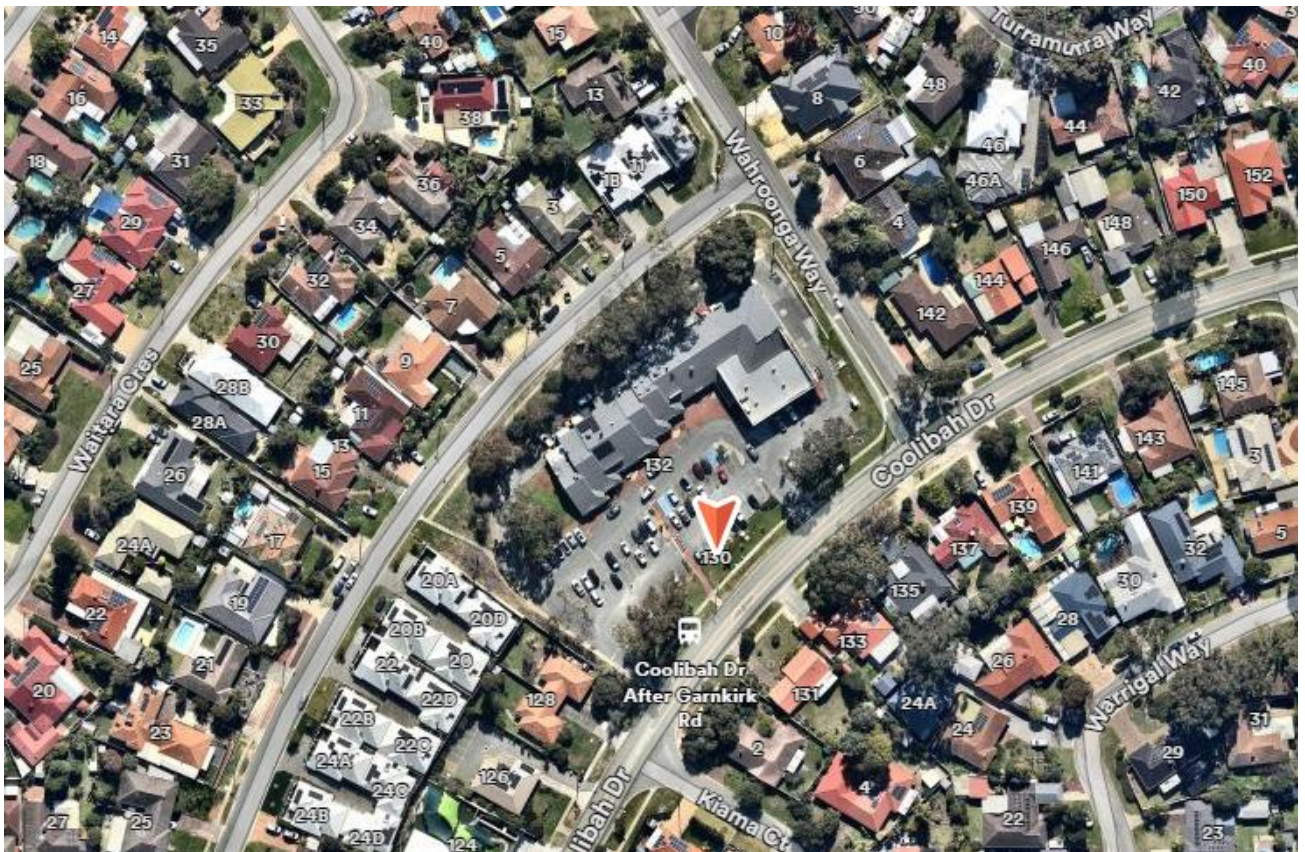
- 1.29.1. *“To facilitate the use and development of licensed facilities, including their use and development for the performance of live original music, reflecting the diversity of the requirements of consumers in the State; and*
- 1.29.2. *To provide adequate controls over, and over the persons directly or indirectly involved in, the sale, disposal and consumption of liquor; and*
- 1.29.3. *To provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act, and*

- 1.29.4. *To encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor that are consistent with the interests of the community.”*
- 1.30. Further Section 5(3) states
- 1.30.1. *“If, in carrying out any function under this Act, the licensing authority considers that there is any inconsistency between the primary objects referred to in subsection (1) and the secondary objects referred to in subsection (2), the primary objects take precedence”.*
- 1.31. In the Aldi South Fremantle decision (refusing an application for the conditional grant of a liquor store licence), dated 22<sup>nd</sup> March 2019, at paragraph 26 (attachment COG02), the Director said,
- 1.31.1. *“None of the primary objects of the Act takes precedence over each other, however, where conflict arises in promoting the objects of the Act, the licensing authority must weigh and balance the competing interests in each case<sup>11</sup> and it is a matter for the licensing authority to decide what weight to give to the competing interests and other relevant considerations”.*<sup>12</sup>
- 1.32. The footnote references at 11 and 12 from the above decision relate to the following;
- 1.32.1. Footnote 11 - Executive Director of Health v Lily Creek International Pty Ltd & Ors [2000] WASCA 258.
- 1.32.2. Footnote 12 - Hermal Pty Ltd v Director of Liquor Licensing [2001] WASC 356.
- 1.33. The applicant has considered the Supreme Court decision relating to Liquorland Karrinyup handed down by Justice Archer ([2021] WASC 366) on 28<sup>th</sup> October 2021. In this decision, there were three grounds of appeal.
- 1.34. The applicant will refer to **Ground 1** - the meaning of *“local packaged liquor requirements”* - and **Ground 2** - the meaning of *“cannot reasonably be met”*, and the relevance of Her Honour’s findings to this application.
- 1.35. The licensing authority regulates the sale, supply and consumption of alcohol (ss 5(1)(a)). It seeks to strike a balance between catering for the requirements for liquor and liquor related services (ss 5(1)(c)) whilst minimising the potential for harm and ill-health to the community through the abuse of alcohol (ss 5(1)(b)). So, the framework exists for the granting of new liquor licences in appropriate circumstances.



- 1.36. The applicant has also considered the outlet density of the locality, and it will be shown in these submissions, how this application is in keeping with the primary objects of the Act and does not constitute a proliferation of liquor licences in this locality.
- 1.37. The applicant has also considered the demographics of the locality and will also demonstrate in other sections of these submissions that the proposed tavern is well planned to provide these important licensed services with very little potential for increased harm or ill health.
- 1.38. Lastly, the applicant has canvassed the local community for objective witness evidence, via a witness questionnaire. A blank pdf version of this can be viewed at attachment COG03. The applicant's witness evidence strategy will be elaborated on in a later section of these submissions, and references to the objective evidence gathered will also be inserted throughout these submissions.

## 2. The Locality



- 2.1. In the Liquorland Karrinyup Supreme Court decision (WASC [2021] 366) Archer J made the following observations in relation to setting the appropriate locality for an application. In Liquorland Southern River WASC [2024] 128 Lemonis J agreed with these observations.
- 2.1.1. It denotes an area that surrounds, and is geographically close to, the location of the proposed premises. It was not intended to equate to the area(s) from which consumers would come.
  - 2.1.2. It is intended to connote the same concept of neighbourhood and in that context means the geographical area surrounding the proposed site.
  - 2.1.3. The legislature intended to capture the geographical area surrounding, and relatively close to, the proposed site, being the neighbourhood of the site.
  - 2.1.4. The shape and size of the locality may be influenced by topographical features (including man-made features such as roads) and areas from which the proposed site could be accessed reasonably easy on foot or push-bike.
  - 2.1.5. If there is a community in the area of the proposed site, the geographical spread of that community may also influence the shape and size of the locality.
  - 2.1.6. It is impossible to prescribe a specific test to be applied or even an exhaustive list of the factors that will or may be relevant in the determination of the locality in any given case, and
  - 2.1.7. The locality is not to be determined by reference to a retail catchment area. However, a retail catchment area may still be

of relevance, for example illuminating the ease of access to the proposed site.

- 2.2. The Director's Form 2A provides guidance on the appropriate locality to be considered for a liquor licence application.
  - 2.2.1. *"You need to provide profile information from the locality that is within a certain distance to your intended business. If your intended business is:*
    - 2.2.1.1. *within 15km of the Perth CBD, the locality is a radius of 2km of it*
    - 2.2.1.2. *anywhere else (unless remote), the locality is a radius of 3km of it*
    - 2.2.1.3. *in a remote area, you should make a submission on what the appropriate size of the locality should be. Remote areas are those where the nearest town is at least 200km away and Perth is at least 400km away.*
  - 2.2.2. *If you think the above definitions of locality are not appropriate for your intended business, make a separate submission on what you think the size should be.*
  - 2.2.3. *Please outline the population characteristics in the locality. Helpful demographic information will include the total population, estimated population growth, average age, income and employment status, and the type of people who live and work in the community.*
  - 2.2.4. *List the community buildings in the locality. If any of the following are in the locality, please provide their names and addresses: schools and educational institutions, hospitals, hospices, aged care facilities, churches/places of worship, drug and alcohol treatment centres, short term accommodation or refuges, childcare centres, or a local government.*
- 2.3. Noting all of the above - particularly paragraph 2.2.2, the applicant wrote to the Licensing Authority in March of 2025 to agree a locality appropriate to this application and to properly define the community and vicinity that is "geographically close" to the subject premises (See attachment COG04).
- 2.4. Premises Manager Daryl McLachlan provided the following response by email on 20/03/25;
  - 2.4.1. *"Copper & Oak Greenwood - 132 Coolibah Drive GREENWOOD. The locality as proposed appears appropriate, defined as the suburbs of Kingsley and Greenwood."*

2.5. Below is a map of the agreed locality which the applicant must consider.



2.6. This agreed locality will be used for both the demographic study and the outlet density report.

2.7. Using this locality, this section will consider;

2.7.1. The physical location of the subject premises,

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

2.7.3. The perception of local community relevant to that locality,

2.8. **The physical location of the subject premises**

2.9. The subject premises is located in the north-western corner of the Greenwood suburb, bordered by Hepburn Avenue and Mitchell Freeway.

2.10. It will be located inside the 'Coolibah Plaza', which consists of a couple of restaurants, a barber shop and IGA Greenwood. Images of the hospitality premises are below.



*5 Points Kitchen*



*Sanook Thai Cuisine*



*La Gustosa Restaurant*



*Basil & Mint Thai restaurant*

- 2.11. Most relevantly is the Greenwood IGA that will be adjacent to the proposed Copper & Oak.





- 2.12. **The community most likely to be impacted by the grant of this application.**
- 2.13. As the locality agreed is the suburbs of Kingsley and Greenwood, the applicant submits that the residents of these two suburbs, as well as those who may patronise the Coolibah Plaza and Greenwood IGA will be the community most impacted.
- 2.14. **The presence of natural or man-made boundaries that effectively separate one local community from another.**
- 2.15. As written in the locality submissions to the Director - the roads that bind the agreed upon locality (man-made boundaries) effectively separate this community from the others surrounding it. All roads are freeways or major roads. These roads provide limited entries into the locality by car and are not conducive to foot traffic.

### 3. Community Buildings in the Locality

- 3.1. Per the directive of Form 2A, at paragraph 3.3, available on the Public Interest Assessment policy website (last amended September 2024);
  - 3.1.1. *“If any of the following are in the locality, please provide their names and addresses: Schools and educational institutions, hospitals, hospices, aged care facilities, churches/places of worship, drug and alcohol treatment centres, short term accommodation or refuges, childcare centres, or a local Government”.*
- 3.2. Below is a list of these community venues, within the locality.
- 3.3. Schools & educational institutions.
  - 3.3.1. West Greenwood Primary School - 101 Coolibah Dr, Greenwood WA 6024
  - 3.3.2. Greenwood College - 79 Coolibah Dr, Greenwood WA 6024
  - 3.3.3. Greenwood Primary School - 12 Merivale Way, Greenwood WA 6024
  - 3.3.4. Liwara Catholic Primary School - 5 Tuart Rd, Greenwood WA 6024
  - 3.3.5. Goollelal Primary School - 30 Cadogan St, Kingsley WA 6026
  - 3.3.6. The Montessori School Kingsley - 18 Montessori Pl, Kingsley WA 6026
  - 3.3.7. Dalmain Primary School - 50 Dalmain St, Kingsley WA 6026
  - 3.3.8. Absolute Drama WA - Calectasia St, Greenwood WA 6024
  - 3.3.9. Creaney Education Support Centre - 6 Creaney Dr, Kingsley WA 6026
  - 3.3.10. Halidon Primary School - 38 Halidon St, Kingsley WA 6026
  - 3.3.11. Creaney Primary School - 6 Creaney Dr, Kingsley WA 6026
- 3.4. Hospitals.
  - 3.4.1. N/A
- 3.5. Hospices.
  - 3.5.1. N/A
- 3.6. Aged Care facilities.
  - 3.6.1. Brightwater Kingsley - 41 Renegade Way, Kingsley WA 6026
  - 3.6.2. Corinthian Court Village - 3a Moolanda Blvd, Kingsley WA 6026
  - 3.6.3. Lakeside Village Kingsley - 50 Woodlake Retreat, Kingsley WA 6026
  - 3.6.4. Aegis Woodlake - 40 Woodlake Retreat, Kingsley WA 6026
  - 3.6.5. Barridale Lodge - 89 Barridale Dr, Kingsley WA 6026
  - 3.6.6. Bethanie Kingsley Aged Care Home - 190 Twickenham Dr, Kingsley WA 6026
  - 3.6.7. TPG Aged Care - 121 Moolanda Blvd, Kingsley WA 6026
  - 3.6.8. Meath Care - 18 Hocking Rd, Kingsley WA 6026
- 3.7. Churches/places of worship.
  - 3.7.1. All Saints Catholic Church - 7 Liwara Pl, Greenwood WA 6024
  - 3.7.2. Trinity North Uniting Church - 85-89 Marlock Dr, Greenwood WA 6024

- 3.7.3. St Johns Anglican Church Greenwood - 15 Calectasia St, Greenwood WA 6024
- 3.7.4. Central North Church of Christ - 15 Moolanda Blvd, Kingsley WA 6026
- 3.7.5. Lakeside Church Kingsway - 11 Canham Way, Greenwood WA 6024
- 3.7.6. Kingsley Church of Christ - 58 New Cross Rd, Kingsley WA 6026
- 3.7.7. Churches of Christ Homes & Community Services Inc. - 98 Ellersdale Ave, Warwick WA 6024
- 3.7.8. The Anglican Parish of Kingsley North - Woodvale - 19 Forest Hill Dr, Kingsley WA 6026
- 3.8. Drug and alcohol treatment centres.
  - 3.8.1. Western Diagnostic Pathology Coolibah Drive - Suite 1/9 Coolibah Dr, Greenwood WA 6024
  - 3.8.2. Western Diagnostic Pathology Greenwood - 2/116 Cockman Rd, Greenwood WA 6024
- 3.9. Short term accommodation or refuges.
- 3.10. Childcare centres.
  - 3.10.1. Nido Early School Greenwood - 20 Coolibah Dr, Greenwood WA 6024
  - 3.10.2. Ascolta Early Learning and Care Greenwood - 122 Coolibah Dr, Greenwood WA 6024
  - 3.10.3. Evergreen Early Learning - 104 Cockman Rd, Greenwood WA 6024
  - 3.10.4. Sparrow Early Learning Greenwood - 65 Wanneroo Rd, Greenwood WA 6024
  - 3.10.5. Care for Kids School of Early Learning Kingsley - 27/29 Goollelal Dr, Kingsley WA 6026
  - 3.10.6. Goodstart Early Learning Kingsley - 135 Kingsley Dr, Kingsley WA 6026
  - 3.10.7. Moolands Care & Learning Centre Inc - 133 Moolanda Blvd, Kingsley WA 6026
  - 3.10.8. Meerlinga Children and Community Service Kingsley - 48 Peregrine Dr, Kingsley WA 6026
- 3.11. Local Government.
  - 3.11.1. N/A

## 4. Demographics of the Locality

- 4.1. The Director advises that applicants *“need to provide profile information from the locality”, and “The better you capture the characteristics of the local community, the better the (Director) will be able to understand the potential impact the grant of your application could have on the public interest”.*
- 4.2. In Form 2A the Director provides guidance on the data and information he would find useful when applicants consider the demographic make-up of the subject locality. In that document applicants are tasked to provide an *“outline the population characteristics in the locality. Helpful demographic information will include the total population, estimated population growth, average age, income and employment status, and the type of people who live and work in the community.”*
- 4.3. On page 39 of the Western Australian Mental Health Promotion, Mental Illness, Alcohol and Other Drug Prevention Plan 2018-2025 the following priority population groups are identified.
  - 4.3.1. Aboriginal peoples and communities;
  - 4.3.2. LGBTIQ+ individuals and communities;
  - 4.3.3. Youth;
  - 4.3.4. Victims of trauma;
  - 4.3.5. Children affected by parental mental illness and/or harmful alcohol and other drug use;
  - 4.3.6. People at-risk of experiencing homelessness;
  - 4.3.7. Military veterans;
  - 4.3.8. People within the criminal justice system;
  - 4.3.9. People with an existing mental illness;
  - 4.3.10. Regional, remote and rural populations;
  - 4.3.11. Fly-In-Fly-Out workers and families;
  - 4.3.12. Carers, families and supporters of consumers of mental health, alcohol and other drug services (in particular, children); and
  - 4.3.13. People with lived experience of mental health and/ or alcohol and other drug-related issues.
- 4.4. The applicant will consider all thirteen groups above for which data is readily available. The following groups were unable to be considered however, as data is not available for them.
  - 4.4.1. LGBTIQ+ individuals and communities.
  - 4.4.2. Victims of trauma.
  - 4.4.3. Children affected by parental mental illness and/or harmful alcohol and other drug use.
  - 4.4.4. People at-risk of experiencing homelessness.
  - 4.4.5. People within the criminal justice system.
  - 4.4.6. People with an existing mental illness.
  - 4.4.7. Fly-In-Fly-Out workers and families
  - 4.4.8. Carers, families and supporters of consumers of mental health, alcohol and other drug services (in particular, children); and
  - 4.4.9. People with lived experience of mental health and/ or alcohol and other drug-related issues.
- 4.5. So, in summary, the Applicant will provide data on the following.
  - 4.5.1. Total population,
  - 4.5.2. Estimated population growth,
  - 4.5.3. Average age,
  - 4.5.4. Income,

- 4.5.5. Employment status,
  - 4.5.6. Aboriginal peoples and communities,
  - 4.5.7. Youth,
  - 4.5.8. Military veterans, and
  - 4.5.9. Regional, remote and rural populations,
- 4.6. For the purpose of this demographic study, the applicant has selected relevant Census topics from the Australian Bureau of Statistics (ABS) website ([www.abs.gov.au](http://www.abs.gov.au)) to provide an indication of the prevalence of each of the priority population groups within the locality and compared them with the same information for the State (Western Australia).
- 4.7. The applicant will be considering the 2021 census data relating to the suburbs specified in paragraph 2.13.
- 4.8. The selected ABS 2021 Census data is shown in the table below.

| ABS Census 2021  | Greenwood | Kingsley | WA        |
|--|-----------|----------|-----------|
| <b>Population</b>  | 9,861     | 13,204   | 2,660,026 |
| <b>Aboriginal and Torres Strait Islander People</b>                                      | 1.3%      | 0.9%     | 3.3%      |
| <b>Age- Median age</b>   | 40        | 44       | 38        |
| <b>Persons aged 15-24 years</b>  | 10.4%     | 10.2%    | 11.8%     |
| <b>Persons aged 65+</b>  | 19.2%     | 23.5%    | 16.1%     |
| <b>Level of highest educational attainment</b><br>Bachelor Degree level and above        | 24.7%     | 25.3%    | 23.8%     |
| <b>Employment</b><br>Unemployed  | 4.6%      | 4.1%     | 5.1%      |
| <b>Australian Defence Force Service</b><br>Previously served (and not currently serving) | 3.6%      | 3.4%     | 2.6%      |
| <b>Occupation</b><br>Professionals   | 25.6%     | 29.4%    | 22.0%     |
| Managers   | 11.7%     | 17.7%    | 12.3%     |
| <b>Median weekly incomes</b><br>Personal   | \$876     | \$825    | \$848     |
| Family   | \$2,351   | \$2,401  | \$2,214   |
| Household  | \$1,949   | \$2,012  | \$1,815   |
| <b>Housing — housing composition</b><br>Family households                                | 76.7%     | 77.1%    | 71.2%     |
| <b>Tenure Type</b><br>Owned outright   | 36.8%     | 40.0%    | 29.2%     |
| <b>Household Income</b><br>Less than \$650 total household weekly income                 | 14.8%     | 15.3%    | 16.3%     |
| More than \$3,000 gross weekly income  | 27.4%     | 29.8%    | 25.6%     |
| <b>Rent weekly payments</b><br>Median rent   | \$390     | \$418    | \$340     |

|  |         |         |         |
|--|---------|---------|---------|
| <b>Mortgage monthly repayments</b>   |         |         |         |
| Median Mortgage repayment  | \$1,972 | \$2,000 | \$1,842 |
| Owner with mortgage households where mortgage repayments are less than or equal to 30% of household income | 74.7%   | 76.5%   | 72.1%   |
| Owner with mortgage households with mortgage repayments greater than 30% of household income               | 11.3%   | 9.8%    | 13.0%   |

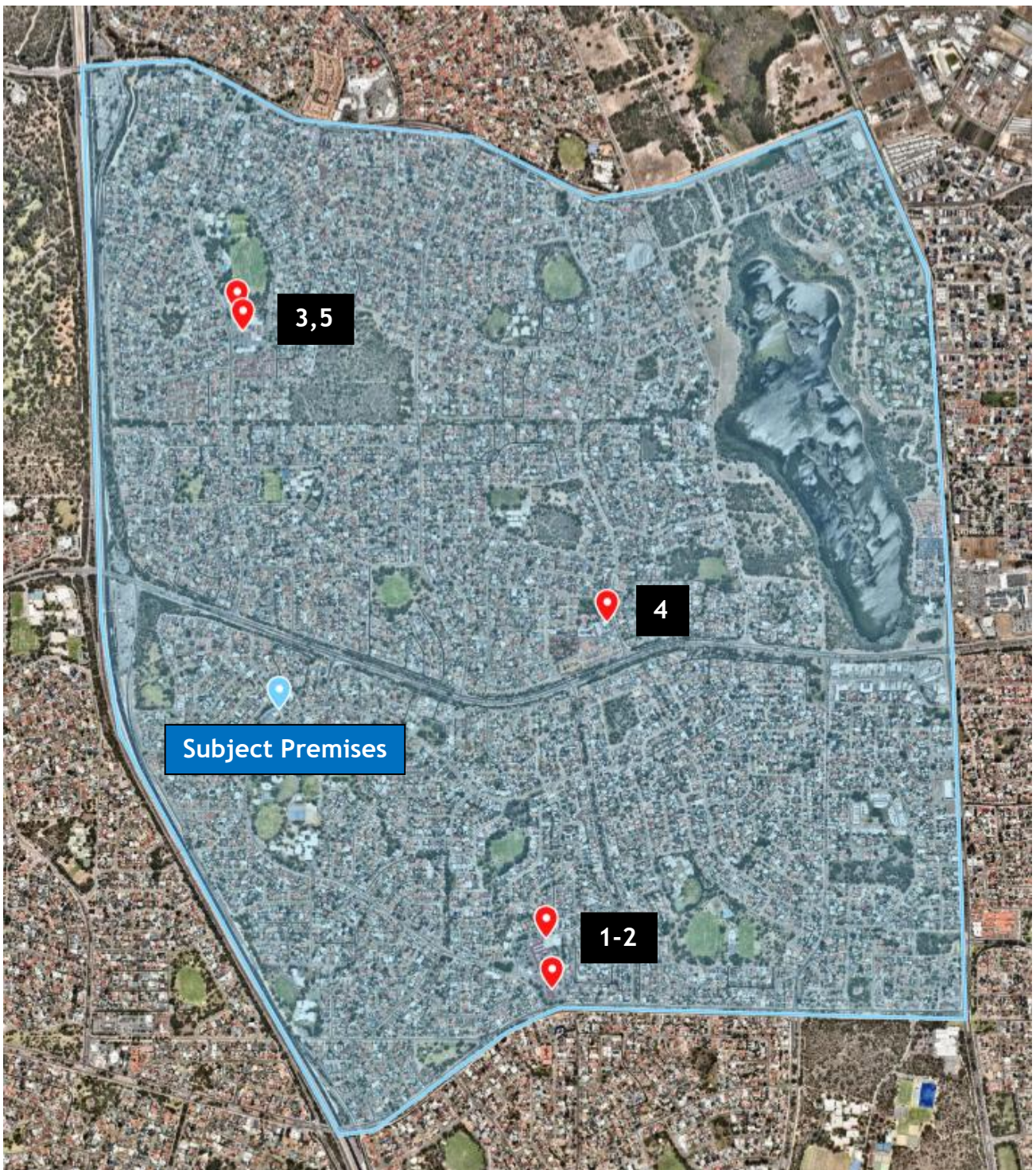
- 4.9. The purpose of considering the demographic data for the locality is to establish whether the priority population groups identified in paragraphs 4.3 and 4.4 are over or underrepresented in the locality.
- 4.10. Below is a summary of the 2021 ABS data for Greenwood & Kingsley, compared to the State;
- 4.10.1. The number of Aboriginal and Torres Strait Islander people in the locality was below the State average for both suburbs.
  - 4.10.2. The average figure for professionals is higher than the State average.
  - 4.10.3. Moreover, family & household income is higher than the State average as well. Further to this, more households in both suburbs earn more than \$3,000 (gross) weekly than the State, and fewer households earn less than \$650 weekly too.
  - 4.10.4. At risk age groups of 15 - 19 & 20 - 24 are lower in the two suburbs compared to the State.
  - 4.10.5. There are more people in both suburbs with higher levels of education than the State.
  - 4.10.6. Both suburbs show low levels of mortgage stress when compared to the State, yet both suburbs show higher mortgage repayment figures.
  - 4.10.7. There is less unemployment in both suburbs.
  - 4.10.8. Home ownership is very high in the locality with 36.8% of the Greenwood population owning their house outright, 40.0% in Kingsley. In WA that figure is much lower at 29.2%.
- 4.11. The above summary indicates the locality is mature, well educated, financially responsible, and has an overall low representation of the priority groups.
- 4.12. It also clearly shows an established population, with disposable income, that is likely to contain a significant portion of people who desire more than the cheap alcohol offers at some packaged liquor outlets and are looking for quality liquor products. This assertion is supported by the results of the Applicant's survey and is further evidenced by quotes from survey respondents which are included in various parts of these submissions.

## 5. Outlet Density

- 5.1. The subject premises is located within Coolibah Plaza - a small shopping complex with an IGA, and a couple other retail / commercial / hospitality premises.
- 5.2. The Director's Factsheet titled "Outlet density of packaged liquor premises: Provisions which limit the density of licensed premises selling packaged liquor in any one area", last reviewed on 29<sup>th</sup> August 2024, the Director states;
  - 5.2.1. *"Outlet density is a relevant consideration for the grant or removal of three different liquor licence types: hotels (if they are authorised to sell packaged liquor), taverns and liquor stores."*
  - 5.2.2. *The (licensing authority) must not approve additional packaged liquor outlets in an area unless satisfied that existing licensed premises cannot meet local requirements. As a result, applications for a new packaged liquor outlet in an area must provide evidence to satisfy the (licensing authority) that any existing premises cannot meet local requirements."*
- 5.3. In LIQUORLAND (AUSTRALIA) PTY LTD -v-DIRECTOR OF LIQUOR LICENSING [2021] WASC 366 Archer J stated at 53 *"During his second reading speech, the relevant Minister said that the purpose of the amendment was 'to prevent the further proliferation of small and medium packaged liquor outlets across the state'. In the Parliamentary debates on the Bill, the Minister said that the new s 36B would 'enable the community to determine whether it feels consumers in its area have adequate, reasonable access to a liquor supply'"*.
- 5.4. The locality for this application was discussed in Section 3 above and is reproduced below.
- 5.5. In July 2025, the applicant searched the website of the Office of Racing, Gaming and Liquor for all licensed premises located within the locality.
- 5.6. The applicant then,
  - 5.6.1. Eliminated any premises which may not trade in a manner similar to a liquor store, and
  - 5.6.2. Eliminated any premises from that list located outside the subject locality.
- 5.7. This resulted in the following list of premises within the locality which trade in a similar manner to a liquor store.

5.8. Below is a map showing the location of each premises, relative to the proposed Copper & Oak Greenwood.

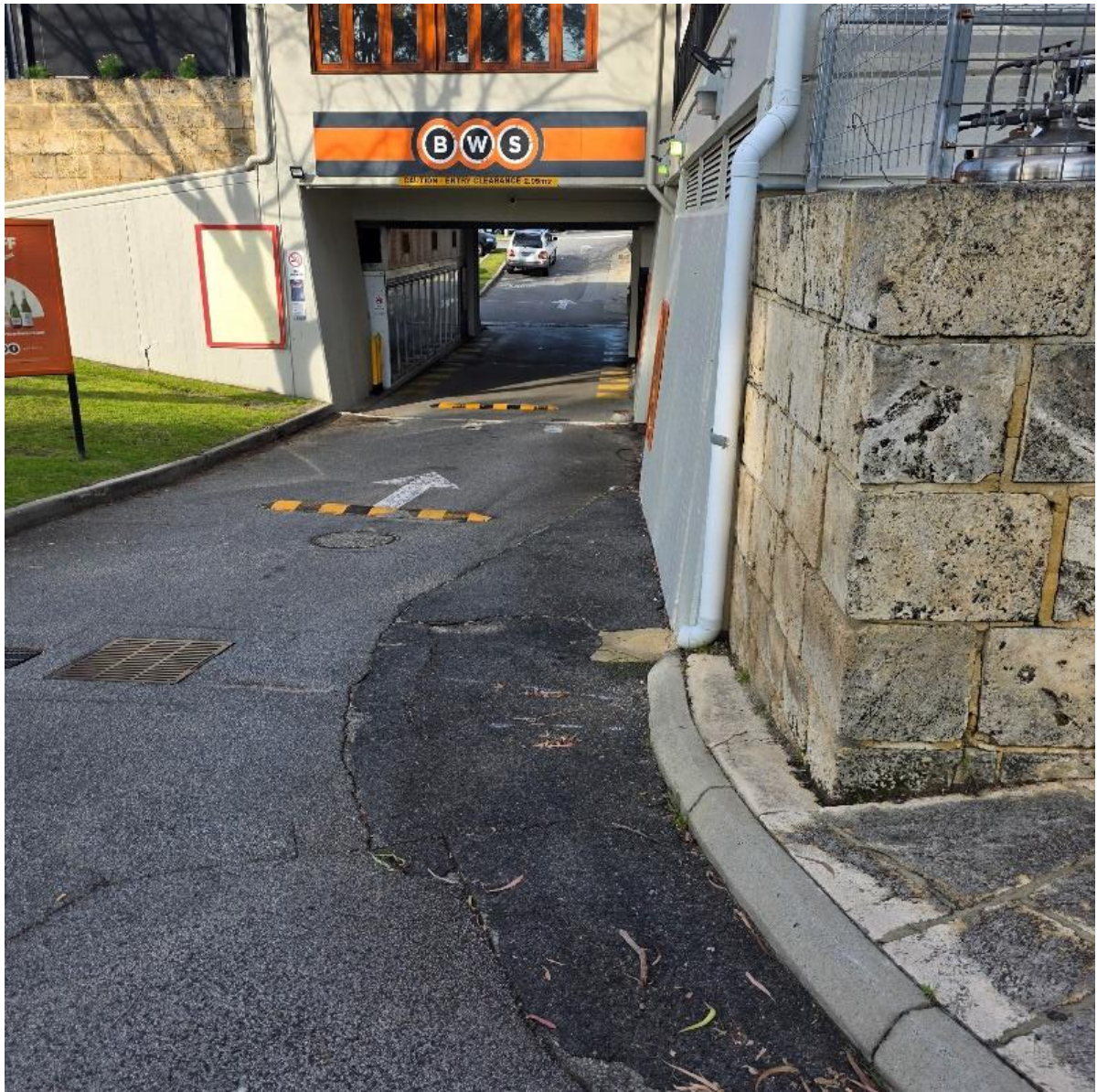
| No. | Licence Ref | Licence Type | Premises Name                                   | Address   |
|-----|-------------|--------------|---|---|
| 1   | 6020034470  | Tavern       | Greenwood Hotel                                 | Coolibah Drive, Greenwood WA 6024                                     |
| 2   | 6030003376  | Liquor Store | Liquor Barons Greenwood                         | Shop 1-2 Greenwood Village Calectasia Street, Greenwood WA 6024       |
| 3   | 6020025809  | Tavern       | Kingsley Tavern (Thirsty Camel)                 | Lot 972, Kingsley Drive, Kingsley WA 6026                             |
| 4   | 6030027797  | Liquor Store | Kingsley Liquor Store (Cellarbrations Kingsley) | Shop 2, The Boulevard Plaza Moolanda Boulevard Kingsley WA 6026       |
| 5   | 6030044412  | Liquor Store | BWS Kingsley                                    | Kingsley Village Shopping Centre, 100 Kingsley Drive Kingsley WA 6026 |



Map 1 Outlet Density and distances from the subject premises (Blue Marker - Copper & Oak Greenwood)

5.9. In September 2025 the Applicant visited these outlets with the following observations.

5.10. Greenwood Hotel



5.10.1. This is a BWS drive through facility with no safe or comfortable pedestrian access, unlike the proposed Copper & Oak store.

5.10.2. It is not possible to use a shopping trolley at this outlet.

5.10.3. There is no supermarket attached to or associated with this store.



## 5.11. Liquor Barons Greenwood

- 5.11.1. This store has a modern fit out and presents well.
- 5.11.2. It has a very modest selection of liquor products, and whiskeys in particular and does not offer anywhere near the range selection proposed with Copper & Oak. (See section 8 below)
- 5.11.3. The beer selection is not separated into craft, international, etc, but is mixed up together, unlike the very helpful signage proposed with Copper & Oak to assist customers in finding the specific beer product they are looking for.
- 5.11.4. There is a Coles supermarket nearby, and it is possible to shop here with a shopping trolley.

## 5.12. Kingsley Tavern (Thirsty Camel)



- 5.12.1. This is a drive through facility with no safe or comfortable pedestrian access, unlike the proposed Copper & Oak store.
- 5.12.2. It is not possible to use a shopping trolley at this outlet.
- 5.12.3. There is no supermarket attached to or associated with this store.
- 5.12.4. There is an IGA round the corner but it is not possible to negotiate the car park, and especially the level changes through the car park, with a shopping trolley.

### 5.13. Kingsley Liquor Store (Cellarbrations Kingsley)

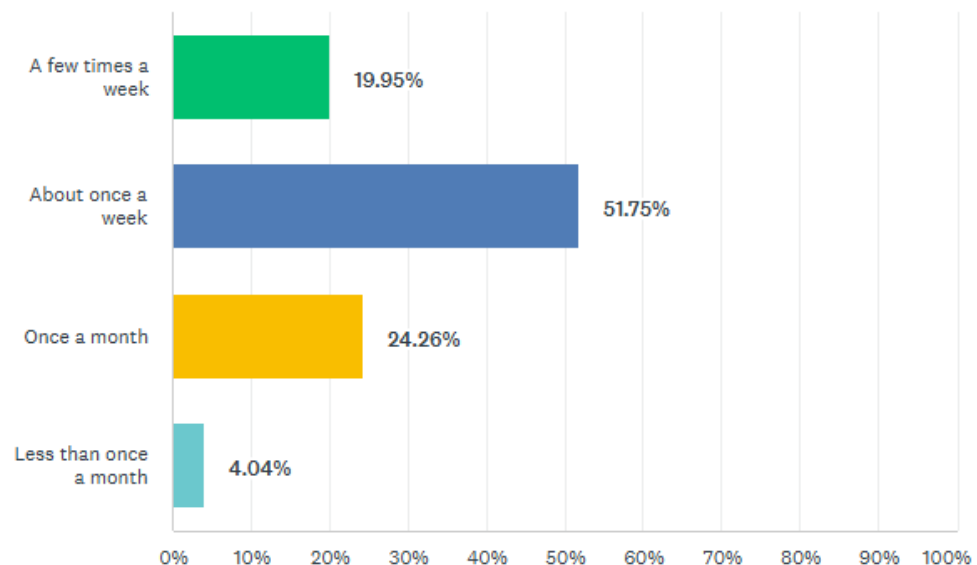


- 5.13.1. This is very much a stand-alone liquor store, with no opportunity for one stop shopping.
  - 5.13.2. There is no supermarket attached to or associated with this store.
  - 5.13.3. The in-store product signage is very simple and unhelpful for people looking for a different and unusual craft beer - unlike the very helpful and informative signage proposed for Copper & Oak.
  - 5.13.4. There is a very limited and uninspiring selection of whiskeys. The overall range of liquor products falls a long way short of what will be offered at Copper and Oak.
- 5.14. BWS Kingsley
- 5.14.1. This store has a very limited whiskey selection, and its overall range of liquor products is quite narrow.
  - 5.14.2. Although a shopping trolley could be used here, the store is divorced from the nearby supermarket by a very steep ramp, and changing car park levels.
  - 5.14.3. Strangely it had Emu Draft Beer within its “Premium Beer” selection.
  - 5.14.4. It also had Coopers and James Squire beers within its craft beer display
- 5.15. The conclusion of these site visits is that some of the stores present well, but none has anything like the sophisticated and extensive product range proposed by Copper & Oak, nor the helpful in-store signage that Copper & Oak is known for.

## 6. Objective Evidence

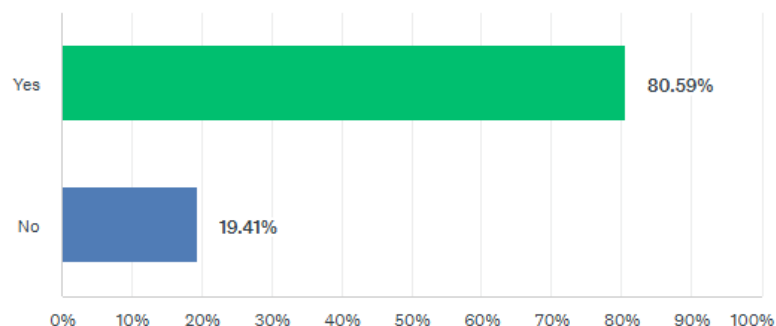
- 6.1. The applicant carried out a witness evidence strategy in mid-August to obtain objective evidence for these submissions.
- 6.2. A hard copy of the questionnaire can be viewed in attachment COG03.
- 6.3. Respondents to the questionnaire were provided access to the following documents.
  - 6.3.1. Floor plans (attachment COG05),
  - 6.3.2. Map of the locality (attachment COG06),
  - 6.3.3. Intended Manner of Trade document (attachment COG07),
- 6.4. In total 373 responses were received.
  - 6.4.1. The applicant notes a further 153 questionnaires were 'attempted' - however no data was entered in. These have been discarded as they have no bearing on the final results.
- 6.5. Of the 357 respondents who answered what suburb they live in;
  - 6.5.1. **136** said they were from Greenwood - the suburb where the premises will be located, and
  - 6.5.2. **94** said they were from a neighbouring suburb (Duncraig, Kingsley, Warwick, Padbury, Marangaroo, Madeley)
  - 6.5.3. **Together, they make up 64%** of the total respondents to this survey, meaning two thirds of all responses are from the immediate local community.
- 6.6. Of the **370** responses received, when asked, *"How long have you lived at the above address?"*, approximately **64%** have been at their listed address for more than 5 years.
- 6.7. Further, **66%** of the respondents say they live within 3km of the proposed premises, with **19%** of them saying they live within 1km.
- 6.8. Out of the 369 respondents, **86.99%** said, **"Yes"** when asked if they live / work in or close to Greenwood.
- 6.9. The questionnaire also asked, *"How often do you purchase packaged liquor?"*,
  - 6.9.1. **72%** of the 371 respondents purchase their packaged liquor at least once a week, with 20% of that figure purchasing multiple times a week.
  - 6.9.2. All answers are graphed below.

## How often do you purchase packaged liquor?



6.10. Lastly, in qualifying the relevance of this respondent pool, the questionnaire asked, *“Are you familiar with the Copper & Oak brand, and have visited one of their stores before?”* Their answers are graphed below.

## Are you familiar with the Copper & Oak brand, and have visited one of their stores before?



6.11. Of the 371 responses, **299 (80.59%)** said **“Yes”**. Elaborating on their answers;

- 6.11.1. Respondent 52 said, *“Mind blowing with all the varieties they have to choose from, with their expertise knowledge of the products was very impressive.”*,
- 6.11.2. Respondent 337 said, *“Perth's best whisky range, great selection of craft beers, and local wines. The staff are knowledgeable and friendly, recognising their regular customers and their tastes/preferences. It'd be great to have a store closer to home as I by my liquor from the Tuart Hill store exclusively.”*
- 6.11.3. Respondent 253 said, *“Always amazing. They aren't like other bottle shops, they have unique lesser known products that are amazing in quality. They take time to hand sell. I currently drive from Wanneroo to Osborne Park to buy my alcohol.”*

- 6.11.4. Respondent 100 said, *“One of the best selections of craft beer and spirits I’ve seen in Perth. Big supporter of local producers. Professional, knowledgeable, welcoming service”*,
- 6.11.5. Respondent 154 said, *“I use to live in the Swan Valley and frequently visited your Guildford store, unfortunately since moving to Hillarys I can’t visit as often and no other store has the quality craft beer selection that you have.”*
- 6.11.6. Respondent 32 said, *“I like visiting the Tuart Hill store but it’s just a bit too far. Would love to have one up the road with a PROPER beer range unlike BWS etc.”*,
- 6.11.7. Respondent 33 said, *“Brilliant staff, unmatched selection”*,
- 6.11.8. Respondent 6 said, *“Store is well set up, with a good variety of stock. Always greeted in a friendly and pleasant manner when visiting the Tuart Hill store.”*
- 6.11.9. Respondent 27 said, *“Excellent, i currently travel to their store in tuart hill so having this local would be great”*,
- 6.12. Responses to the rest of this survey are detailed throughout the relevant sections of this PIA. Further responses and the raw witness data sheet can be found in attachment COG08.
- 6.13. With almost two-thirds of survey respondents living in close proximity to the subject premises, 64% of respondents having lived at their address for more than 5 years, almost three-quarters of respondents purchasing packaged liquor at least once a week, and 81% saying they are familiar with Copper and Oak liquor stores we say it is open for the Director to conclude that this respondent pool is representative of the local community and is also very familiar with the quality and style of liquor store proposed through this application.

## 7. Evaluation of Existing Packaged Liquor Outlets in the Locality

- 7.1. In a previous section the applicant identified the existing packaged liquor outlets in the locality. In this section the applicant will evaluate each outlet's product offer and compare it to what is proposed to be offered at its liquor store.
- 7.2. Research Solutions (RS) were engaged to conduct a mystery shopper exercise (see attachment COG09) of the existing packaged liquor outlets in the locality.
- 7.3. The scope of works undertaken is snipped below.

The mystery shopping exercise involved collecting information on the range of liquor products provided by the five licensed stores in the Greenwood locality.

- The product categories were divided into:

- BEER & CIDER, including international beer
- CRAFT BEER
- WINE White, Rose, Red and Sparkling
- BROWN SPIRITS\*
- WHITE SPIRITS\*
- PREMIXES

\*Brown Spirits are defined as spirits of a dark hue, including whisky, rum, brandy, etc., and White Spirits are defined as transparent, such as gin, vodka and white rum. All spirits were classified into one of these categories.

- In each product category, the number of bays, the number of shelves within each bay, and the number of different products in bottles/cartons/cans per shelf were counted. This was undertaken for each fridge and the remainder of the retail space in the shop and recorded.
- The number of shelves with double or triple facings was counted and recorded.
- The number of shelves with a double row of products on display was counted and recorded.
- The number of cartons in each stack was counted and recorded.
- This information was then recorded and transposed into a spreadsheet, including the volume in the cool room.
- The range carried by each store was estimated by multiplying the total number of shelves by the number of bottles per shelf in each product category, taking into account the estimated number of double and triple-facings and noting that some shelves included both single faces, double faces and triple faces of different products as well as single and double facings of the same product.
- The stores did not place two displays (one behind the other) on the same shelf.
- As some products, such as white wine, sparkling wine, and on occasion craft beer, are available both in the fridge and on the retail floor, we have done our best to eliminate duplications of stock; however, this has only been done on a category basis.

The project manager briefed the mystery shoppers via MS Teams, and the exercise occurred between the 30<sup>th</sup> of July and 13<sup>th</sup> August 2025.

- 7.4. It is important to bear in mind here that the proposed liquor store will offer a far wider range of specialist liquor products than any of the other packaged liquor outlets in the locality - mimicking the style of Copper & Oak stress in Tuart Hill and Guildford.
- 7.5. The following stores were mystery shopped;

| No. | Licence Type | Premises Name                                      | Address  |
|-----|--------------|--|--|
| 1   | Liquor Store | Liquor Barons Greenwood                            | Greenwood Village 1<br>2 Calectasia Street, Greenwood WA 6024                    |
| 2   | Liquor Store | BWS Kingsley                                       | Kingsley Village Shopping Centre<br>Unit 7A/100 Kingsley Drive, Kingsley WA 6026 |
| 3   | Liquor Store | Kingsley Liquor Store<br>(Cellarbrations Kinglsey) | Boulevard Shopping Plaza<br>2/9 Moolanda Boulevard, Kingsley WA 6026             |
| 4   | Hotel        | Greenwood Hotel                                    | 349 Warwick Road, Greenwood WA 6024  |
| 5   | Tavern       | Kingsley Tavern<br>(Thirsty Camel)                 | 90 Kingsley Drive, Kingsley WA 6026  |

7.6. **Mystery Shop Exercise - Summary & Results**

- 7.7. Research Solutions first exercise was to confirm how many ‘product lines’ of packaged liquor were carried by each store - see below;

|   | Estimated number of product lines |
|---|-----------------------------------|
| Liquor Barons Greenwood                         | 1518                              |
| BWS Kingsley                                    | 1686                              |
| Kingsley Liquor Store (Cellarbrations Kinglsey) | 1604                              |
| Greenwood Hotel                                 | 1329                              |
| Kingsley Tavern (Thirsty Camel)                 | 959                               |

- 7.8. Of the existing packaged liquor outlets in the locality BWS Kingsley was estimated to have the largest range of liquor products at 1,686 products. This compares to around 3,500 liquor products which Copper & Oak Greenwood proposes to carry.
- 7.9. This was then taken a step further, with RS breaking the total number of product lines down into the sub-categories listed below.

| Estimated number of different products |                         |              |   |                 |                                 |
|--|-------------------------|--------------|---|-----------------|---------------------------------|
|  | Liquor Barons Greenwood | BWS Kingsley | Kingsley Liquor Store (Cellarbrations Kingsley) | Greenwood Hotel | Kingsley Tavern (Thirsty Camel) |
| Beer/Cider (incl. International Beer)  | 202                     | 280          | 168   | 346             | 216                             |
| Craft Beer                             | 101                     | 247          | 64  | 48              | 56                              |
| Wine                                   | 838                     | 752          | 848   | 461             | 422                             |
| Brown Spirits                          | 145                     | 98           | 128   | 161             | 144                             |
| White Spirits                          | 120                     | 116          | 142   | 153             | 44                              |
| Premixes                               | 112                     | 188          | 254   | 160             | 77                              |
| <b>Total</b>                           | <b>1518</b>             | <b>1686</b>  | <b>1604</b>                                     | <b>1329</b>     | <b>959</b>                      |

7.10. As seen above (taken from the mystery report by Research Solutions) the product numbers for each store are shown. Below (and repeated in section 8) are the summary numbers for beer, wine and spirit products at the proposed Copper & Oak Greenwood;

7.10.1. Roughly 1,000 beer products, including

7.10.1.1. 800 craft beers, and

7.10.1.2. 200 non-craft beers

7.10.2. Roughly 1,500 wine products, and

7.10.3. Over 1,000 spirit products, including

7.10.3.1. Over 400 whisky / rum / brandy products (brown spirits), and

7.10.3.2. Over 200 Gin / Tequila / Vodka products (white spirits)

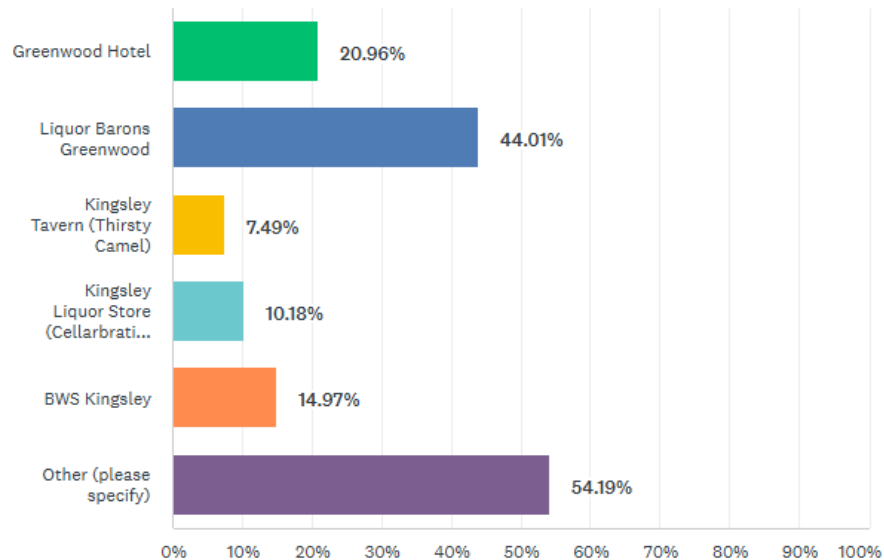
7.11. In every product category, Copper & Oak Greenwood's **range vastly outnumbers every store listed**, see table below.

|               | Highest number from the existing PLOs in the locality | Proposed at Copper & Oak Greenwood |
|---------------|---|------------------------------------|
| Beer / Cider  | 527   | 1,200                              |
| Wine          | 848   | 1,500                              |
| Brown spirits | 161   | 400                                |
| White spirits | 153   | 200                                |

7.12. In total, Copper & Oak Greenwood aims to have 3,500 different liquor products. **No existing packaged liquor outlet in the locality comes close to** the number of products that is proposed with this application.

7.13. Separately, in the witness questionnaire, respondents were asked to select where they bought their packaged liquor from. Their answers are below;

Where do you currently buy your packaged liquor from? Below are all of the stores in the set locality that the applicant needs to consider. Please check whichever boxes apply to you.



7.14. For those who selected the bottom option - Other (please specify);

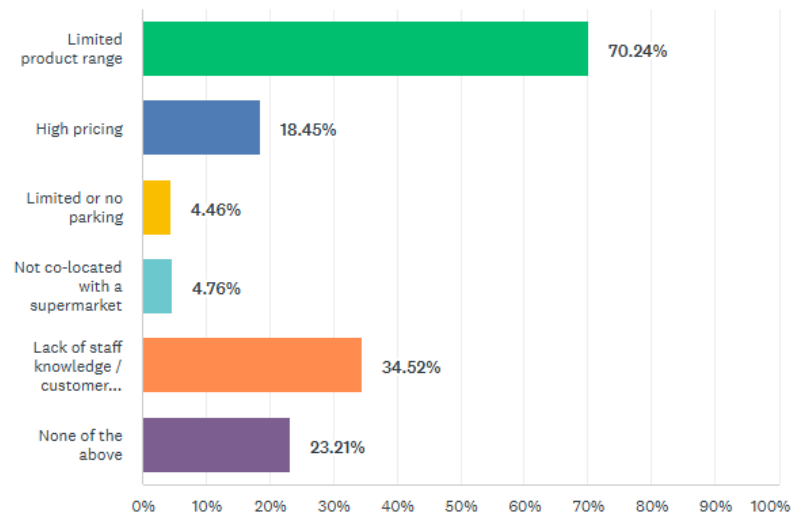
7.14.1. Copper & Oak Tuart Hill and Dan Murphy's Carine were mentioned most,

7.14.2. A number of other liquor stores (such as Padbury's Liquorland, Mane Liquor Osborne Park, First Choice Duncraig, and a number of Cellarbrations stores) were mentioned.


7.15. They were then asked, *"What (if any) do you see as limitations of your preferred liquor store / current liquor store options in the locality? Please check all that apply."*

7.16. Their answers are snipped below;

What (if any) do you see as limitations of your preferred liquor store / current liquor store options in the locality? Please check all that apply.




- 7.17. Notable, are the strong responses to **limited product range (70.24%)** and **lack of knowledge / customer service (34.52%)**.
- 7.18. Paragraph 8.34 below provides detail from witness questionnaire respondents as to how great and vast the product range is at Copper & Oak.
- 7.19. Further, this paragraph, along with paragraphs 13.4 - 13.7 detail the importance of staff knowledge and helpfulness to respondents of the witness questionnaire.
- 7.20. The applicant reiterates;
- 7.20.1. The objective evidence presented throughout these submissions shows that the proposed product range is unmatched, and
- 7.20.2. They have committed to have staff employed with the Cicerone qualification, or the Wine & Spirit Education Trust (WSET) Certification.
- 7.21. The following online reviews, from its Tuart Hill customer base demonstrates what Copper & Oak customers think about the large range of liquor products and its ever changing, avant-garde dynamic.



**Andrea Conte**  
8 reviews

★★★★★ a year ago


Best selection of whiskey in perth IMHO. Jose's knowledge and friendly demeanor makes it must for all wine, beer and spirits



**Nathan Todd**  
Local Guide · 38 reviews · 10 photos

★★★★★ 2 years ago


You'll struggle to find anything they don't have




**Richard Mead**  
Local Guide · 599 reviews · 1,320 photos

★★★★★ 2 years ago

A hidden gem in Perth's Tuart Hill. HUGE selections of wines, beers and spirits. Great staff.



**Matt Chambers**  
 9 reviews · 7 photos  
 ★★★★★ 2 years ago  
 Incredible range of spirits, especially whisky, huge range of craft beer too!



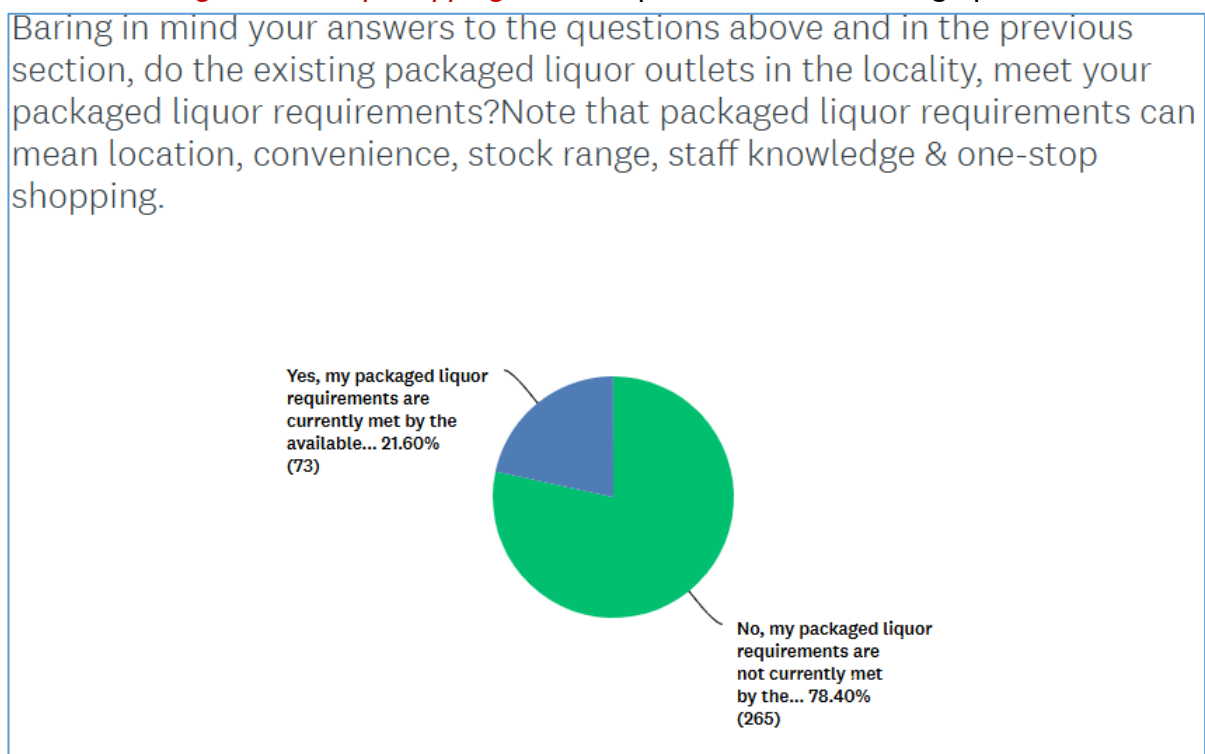
**Paolo Conforti**  
 Local Guide · 105 reviews  
 ★★★★★ 2 months ago  
 A Hidden Gem for Wine & Beer Lovers!

This bottleshop is an absolute gem in the neighborhood! The wine selection is top-notch – whether you're looking for a bold red, a crisp white, or something a little special for the weekend, they've always got something that hits the mark. The staff are knowledgeable and happy to help with recommendations, which is great if you're not quite sure what to choose.

But the real standout is the beer selection – it's one of the best I've seen locally. From local craft brews to international favorites, there's always something new and interesting on the shelves. You can tell they really care about quality and variety.

The shop is clean, well-organized, and prices are very reasonable. Whether you're stocking up for a party or just picking up a quiet drink for the evening, this is the place to go. Highly recommended for anyone who appreciates good drinks and great service!

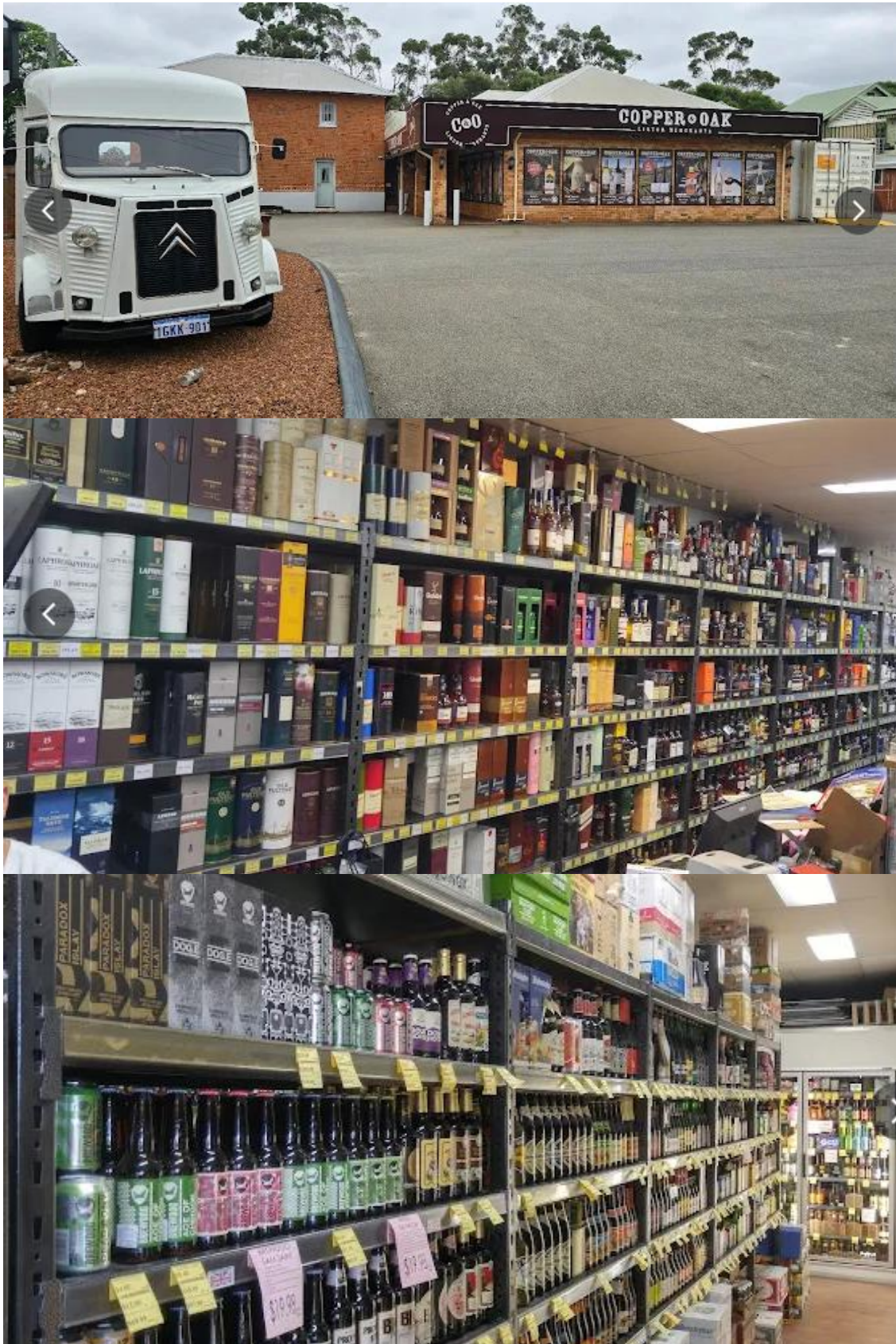
- 7.22. Lastly, and relevantly to this section, the questionnaire asks, *“Baring in mind your answers to the questions above and in the previous section, do the existing packaged liquor outlets in the locality, meet your packaged liquor requirements? Note that packaged liquor requirements can mean location, convenience, stock range, staff knowledge & one-stop shopping”*. The respondents answers are graphed below.



- 7.23. Very clearly, over **three quarters of respondents have said their packaged liquor needs are not currently met by outlets in the locality.**

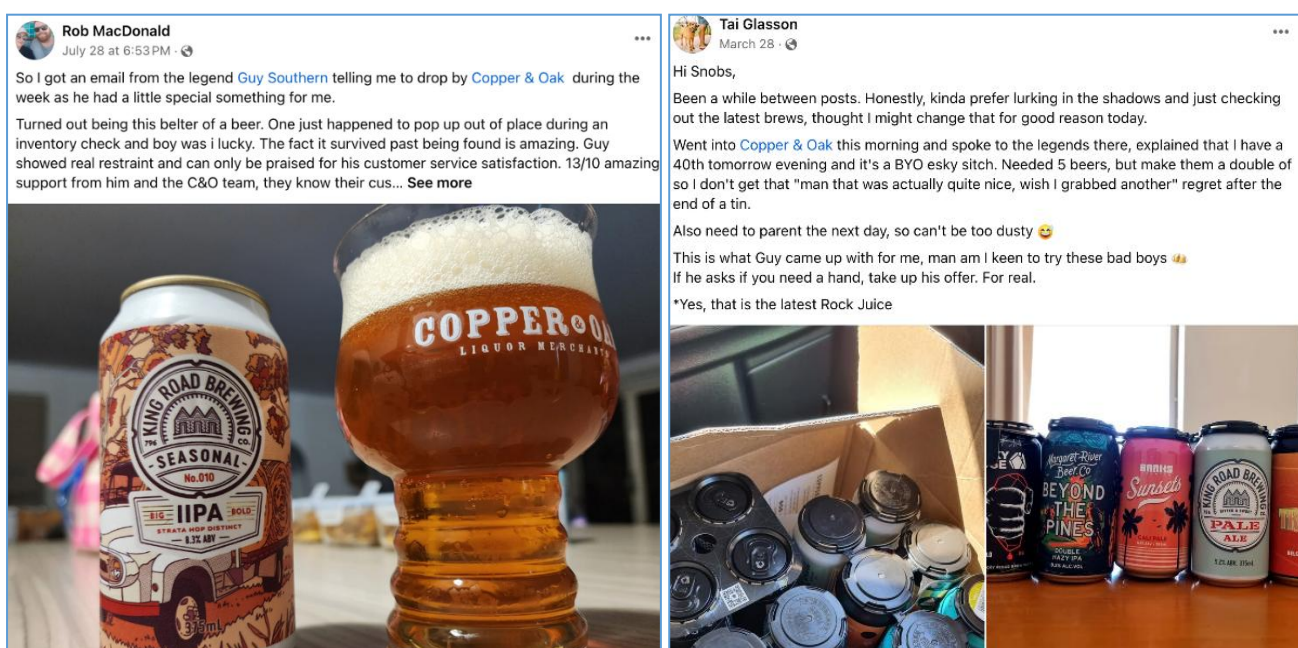
## 8. Proposed Style of Operation

8.1. Below are some images of Copper & Oak stores, showing their aesthetic and theme.



- 8.2. The main focus, and point of difference, will be an extensive range of WA owned wines, an unmatched range of independent, international and seasonal craft beers, an extensive list of South African Wines, a very large whiskey wall with some exclusive offerings, along with a large range of gins, mezcal and other spirits as well as Pet-Nat and Lo-Fi wines from around Australia.
- 8.3. Many of those products will be exclusive to Copper & Oak. That range will be inclusive of the following.
  - 8.3.1. Spirits - Over 1,000 across the categories
    - 8.3.1.1. Roughly 300 Whiskies
    - 8.3.1.2. Roughly 50 Rums
    - 8.3.1.3. Roughly 100 Gins
    - 8.3.1.4. Around 40 to 80 Tequilas/Mezcal
    - 8.3.1.5. Roughly 60 Brandies, Cognacs and Armagnacs
    - 8.3.1.6. Roughly 50 Vodkas
  - 8.3.2. Wine - as with other Copper & Oak Stores, there will be a strong focus on WA locally owned wines. There will be roughly 1500 wines, inclusive of at least;
    - 8.3.2.1. 55% WA Locally owned wines - with a strong focus of Swan Valley & Perth Hills
    - 8.3.2.2. 5% Lo-Fi / Pet Nat
    - 8.3.2.3. Roughly 80 South African Wines (approximately 5% of wine stock).
    - 8.3.2.4. 15% Australian White Wine
    - 8.3.2.5. 5% Sparkling Wines
    - 8.3.2.6. 5% International Wines
    - 8.3.2.7. 25% Australian Red Wines
  - 8.3.3. Roughly 1,000 beers, made up of;
    - 8.3.3.1. Majority local craft beers,
    - 8.3.3.2. National craft beers
    - 8.3.3.3. International beers,
    - 8.3.3.4. Independently owned international and local beers, and
    - 8.3.3.5. Seasonal / small batch / collaboration beers.
- 8.4. The store will have 20 refrigerated doors.
- 8.5. Copper & Oak Greenwood will have a unmatched range (spirits, beer and wine) in the area but it also is very much a convenience shop being next to the grocery arm of Naturally Fresh IGA.
- 8.6. Copper & Oak Greenwood will have the largest range of whisky within the locality. Further, this store will have a range of other spirits equal to what they have at Copper & Oak Tuart Hill, a range of local wines equal to what they have at Copper & Oak Guildford, and a very extensive range of craft beer, all in chilled display cabinets. A full range of mainstream liquor will also accompany this extensive list.

- 8.7. With this stock list, across the board, but particularly with their wines, the applicant intends to feature small local wine producers to the best of their abilities.
- 8.8. Jose and Nelio recognise that the liquor industry is constantly changing, and they change with it. Recently, consumer awareness and education has become a lot more important, and Jose and Nelio have adapted their business model at both Tuart Hill and Guildford to this.
- 8.9. The applicant proposes to apply for the full trading hours set out by the Liquor Control Act (1988), but may mirror the trading hours of the adjacent IGA.
- 8.10. The adjacent IGA trades 6am - 10pm 7 days a week.
- 8.11. Staff training: Copper & Oak is committed to providing high quality service to the local community through the experience and specialised knowledge of its staff.
- 8.12. The Greenwood & Kingsley community will have the opportunity to access reliable



expert advice when they are purchasing at Copper & Oak by leveraging the expertise of its team.

- 8.13. At least one member of the Copper & Oak staff will hold;
  - 8.13.1. **"The Cicerone Certification"** certification in selecting, acquiring, and serving today's wide range of beers, and
  - 8.13.2. The **Wine & Spirit Education Trust WSET**. WSET qualifications are globally recognised as the international standard in wine and spirit knowledge.
- 8.14. The applicant has also drafted a detailed Harm Minimisation Plan that will form an important part of the staff induction program and the store's operational procedures.
- 8.15. Copper & Oak currently holds the title for both metro liquor store of the year, and overall WA liquor store of the year as awarded by the Liquor Stores Association. It is also relevant that they were nominated twice in 2019 and 2020 for Australian whisky retailer of the year.

- 8.16. Further, the City of Swan gave Copper & Oak Guildford the best new small business award in 2023. They were also a finalist in the overall 'Swan Business' awards category.



- 8.17. Most recently, Copper & Oak took home the 2024 Swan Chamber of Commerce award for 'Retail Experience'. This award is further proof of their dedication to create a shopping experience at their stores which is unique, insightful and elevated.
- 8.18. Lastly, Copper & Oak also sponsor the Perth Hills Wine show as a way to give back to the community and be more involved locally, specifically sponsoring two wine trophies. They do the same thing with the Perth beer awards, also sponsoring two trophies.
- 8.19. Copper & Oak's commitment to local producers is further evidenced by their work in assisting with the production of collaborative craft beers. A recent brew produced in tandem with Phat Brew Club was awarded a gold medal at the Indie Beer Awards.
- 8.20. Copper & Oak have one of the strongest social media followings in Perth both on Instagram (4.8K) and Facebook (nearly 6.6k).
- 8.21. There are five key components to this liquor store and the Copper & Oak brand, which are;
- 8.21.1. *A market leader in new liquor products and producers*
  - 8.21.2. *This naturally results in an exciting and constantly changing and evolving stock range*
  - 8.21.3. *Strong presence on social media*
  - 8.21.4. *Investing in the specialised certification of staff*
- 8.22. This evidence builds on the evidence of the Greenwood survey and guides the Director to the conclusion that the proposed liquor store will be very well received in Greenwood, and will provide for the very reasonable requirements of the local community in a way that no existing liquor store can or does.

- 8.23. Below are a series of images of the Guildford Copper & Oak store and product range - this exciting, constantly evolving range of packaged liquor products gives insight into the proposed Kalamunda packaged liquor offer.
- 8.24. In the sections that follow we will provide more detail on the “four key components” of the proposed liquor store.
- 8.25. The Crafty Pint is an online Australian magazine which has been reporting on the craft beer scene since 2010. In a 2024 article ([Copper & Oak - The Crafty Pint](#)) Will Ziebell describes the quality of the Tuart Hill store - *“Naturally, given their background, a wide selection of the wines found at Copper & Oak’s stores are sourced from across Western Australia; peruse the shelves and fridges and you’ll find them boasting an array from each of the state’s famed growing regions. That breadth of choice extends to spirits too: the retailer is home to one of Australia’s largest whisky offerings, hundreds of gins, and all manner of other drops.”*
- 8.26. The Echo Newspaper recognised the award winning Copper & Oak store in Guildford, see below.



**ECHO NEWS**

NEWS REAL ESTATE SPORTS TRADE DIRECTORY LETTERS CROSSWORD SPECIAL REPORTS ADVERTISE CONTACTS

**Copper Oak Liquor Merchants awarded**

Copper Oak Liquor Merchants have taken out the Best Small New Business Award.

August 31, 2023

- 8.27. The Liquor Store Association also produced a podcast in November 2023 on the success of the Copper & Oak brand - [PODCAST | The Copper and Oak Experience - Liquor Stores Association of WA \(lsawa.org.au\)](#)



Australian Macro Door



Barrel Aged Stouts & Lambic Beers



Belgian Beers



Classic Euro (German & Belgium & Lambic Doors)



Craft Lager Door



German Beers



Hazy and NEIPA Doors



Hazy Double IPA Door

## Craft beer doors

*Note: this is a sample of 8 of 15 images supplied by the applicant*



Scottish Whisky Blends & Speyside Bay 1



Gin Bay 2, top shelf



Bourbon & American Single Malt Top Shelves



Liqueurs



Tequila and Vodka bottom shelf



International Whisky Bay 4



International & Australia Whisky Bay 5



Rum bottom shelf

### Spirit Bays

*Note: this is a sample of 8 of 18 images supplied by the applicant*



Whisky Bay 1



Whisky Bay 2



Whisky Bay 3



Swan Valley Wines Section 1



Alternate Red Wine Varietals



Alternate White Wine Varietals



American and Spanish Wine Bay



Cabernet Bay 2



French Wine Bay



Italian, North Macedonian and Greek Wine Bay

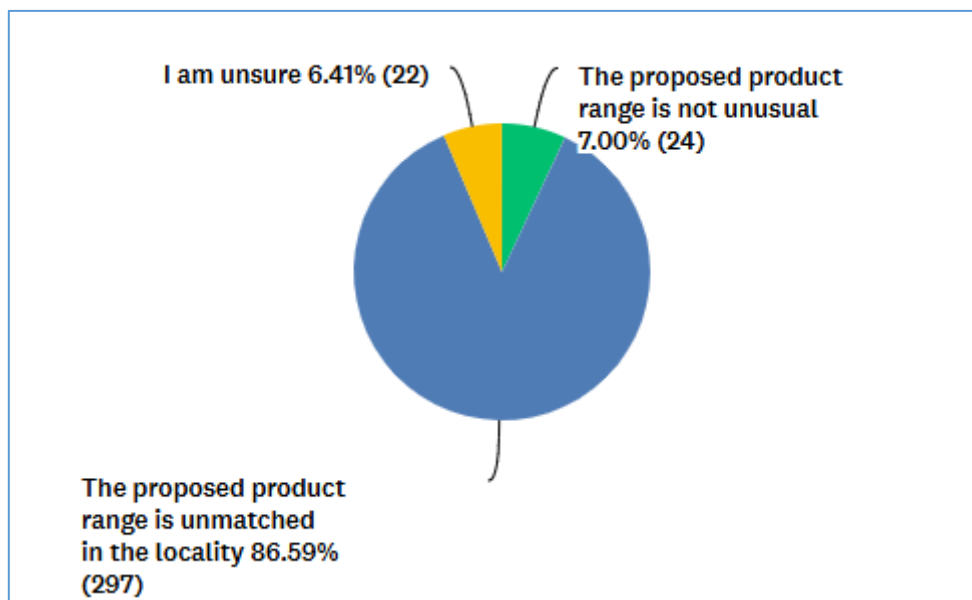


Lofi Wine Bay

## Wine Bays

**Note:** this is a sample of 8 of 26 supplied by the applicant

- 8.28. While the applicant will begin with these levels of stock, it is their intention to ensure it is constantly evolving to the needs of the local community.
- 8.29. For example, in their Tuart Hill store they carry an exclusive range of whiskies, anywhere from 500 - 600 on offer.
- 8.30. When they opened their second store in Guildford, they noticed a trend over their first year where Rum was the surprise category. To that end, the Guildford store now carries the same amount of Rums as their flagship, but the whisky range has dropped down to 450, to mirror the requirements of the local community.
- 8.31. They did the same thing for craft beers. Tuart Hill carries around 1,200 to 1,400, whereas this number changed at the Guildford store down to 1,000 craft beers.
- 8.32. The need and want for a large range of local WA wines at the Guildford store saw Nelio & Jose quickly adapt to bring in more stock. At current, the Guildford store wine range sits around 2,000 - 2,200 different wines - with 200 or more being from the Swan Valley.
- 8.33. Jose & Nelio will be quick to adapt to similar trends in the Greenwood & Kingsley area.
- 8.34. In the witness questionnaire (question 10) respondents were asked, *“In your opinion, is the range of unique / constantly evolving and rare liquors stated below, unmatched when compared to your preferred outlet in the locality (see locality map HERE). The breakdown below is based on current market trends and may adapt depending on local demand.”*. The survey then goes on to list the proposed product range at Copper & Oak Greenwood.
- 8.34.1. Of the 343 responses received, **297 (86.59%)** said, *“The proposed product range is unmatched in the locality”*.



- 8.34.2. Elaborating on their answers;
- 8.34.2.1. Respondent 231 said, *“There are no other bottle shops nearby with such a large selection*
- 8.34.2.2. Respondent 314 said, *“The closest shop that is comparable is Copper & Oak in Balcatta lol”*,

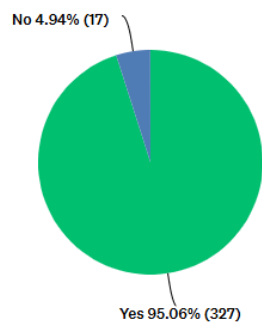
- 8.34.2.3. Respondent 334 said, *"You won't find that range until you get to tuart hill",*
- 8.34.2.4. Respondent 338 said, *"I currently travel out of the area for this type of choice.",*
- 8.34.2.5. Respondent 357 said, *"Copper n Oak have a range and service unmatched by any other liquor store. That's why i travel to their Tuart Hill store for my beers."*
- 8.34.2.6. Respondent 365 said, *"The range they offer isn't just unmatched in Greenwood, it's one of the best in the state. When I worked there they had something like 1000+ individual beers and hundreds of different wines and spirits."*
- 8.34.2.7. More comments are available in attachment COG09

8.35. This service and convenience, while still providing an immensely large and diverse range of packaged liquor is what Copper & Oak are known for, and what Jose & Nelio will bring to Greenwood.

8.36. The witness questionnaire asked respondents, *"Bearing in mind the proposed style of operation for this new store, as described in the Intended Manner of Trade document, would this proposed liquor store satisfy your packaged needs, and therefore would you be likely to be a customer? Note that packaged liquor requirements can mean location, convenience, stock range, staff knowledge & one-stop shopping."*

8.37. Of the 344 responses received, **327 (95.06%)** said, **"Yes"**.

Bearing in mind the proposed style of operation for this new store, as described in the Intended Manner of Trade Document, would this proposed liquor store satisfy your packaged liquor needs, and therefore would you be likely to be a customer? Note that packaged liquor requirements can mean location, convenience, stock range, staff knowledge & one-stop shopping.



8.38. Elaborating on their answers;

- 8.38.1. Respondent 6 said, *"I would be a customer, as I would not have to travel to the Tuart Hill store.",*
- 8.38.2. Respondent 293 said, *"Despite having a thirsty camel almost on my doorstep, I'd without doubt travel for the service provided by C&O. Indeed I have driven to Tuart Hill in the past just to go to their shop. They are unrivalled and unmatched in their field, definitely in the proposed locality.",*

- 8.38.3. Respondent 12 said, *"I travel to their other stores because they are the best. Having one local would be amazing."*,
- 8.38.4. Respondent 13 said, *"The other liquor stores in the area are severely lacking in products from independent breweries and wineries."*,
- 8.38.5. Respondent 29 said, *"We are walking distance to the IGA and often grab last minute items. Having the store there will provide us with the extra convenience to not have to make another stop to get drinks for a nice meal. Or if we get food from the local restaurants again convenience that it is all there in the same place"*,
- 8.38.6. Respondent 37 said, *"I go out of my way to visit Copper & Oak Tuart Hill. I won't have to if Copper & Oak are round the corner."*,
- 8.38.7. Respondent 42 said, *"I would choose copper & oak over competitors knowing they will have things other liquor stores may not have, as well as the knowledge / friendliness standard set by staff at other locations"*,
- 8.38.8. Respondent 72 said, *"This store will be very local to me (walking distance) and I am confident it will meet my requirements. In particular my husband currently travel 20 minutes to get a different range of craft beers. Now this will be local."*,
- 8.38.9. Respondent 182 said, *"It is being introduced in proximity to numerous popular byo restaurants and a quality IGA. I will be a customer and I think it will suit diners at the restaurants."*,
- 8.38.10. Respondent 221 said, *"We go to the existing Copper and Oak store, even though it is not in a convenient location for us, especially when buying special gifts"*,
- 8.38.11. Respondent 229 said, *"Currently their nearest store is in Tuart Hill, which I have to drive to from Kingsley to do my shopping. So it would save me time and money, to only have to go to Greenwood."*,
- 8.38.12. Respondent 308 said, *"I travel out of area for good beer namely tuart hill, Osborne Park and Scarborough. I would rather keep my business within my area and reduce my travel distance to save time."*,
- 8.38.13. Respondent 337 said, *"I've been buying most of my liquor from their Tuart Hill store over the last 16 years, and as I prefer to shop at IGA it'd be good to have the option of one stop shopping close to home."*,
- 8.38.14. Respondent 365 said, *"Again, I reiterate, this shop will be a boon for the local community, provide employment for local people, and serve a local community need that is not currently served, in terms of the extraordinary range of products they stock and the expertise that they are more than happy to share. They as people and business owners are also far more community minded and invested in local community than the existing options in the area."*

8.39. More comments can be viewed in attachment COG09

## **9. Copper & Oak and the local Guildford Community**

- 9.1. Below are examples from Mr. Nelio Pestana - a director of the applicant company - that briefly detail some recent events where Copper & Oak have been actively involved in the community. What he presents below only scratches the surface of what Nelio & Jose do.
- 9.2. Each year Copper & Oak sponsors the Perth Royal Beer Awards, one Australia's largest beer competitions. Most recently they sponsored two Trophies at the 2024 Perth Royal Beer Awards where Jose Pestana and Guy Southern presented winners Finlay's Brewing Company and Boundary Island Brewing with the Copper & Oak trophies. Supporting local awards is also a way they give back to the liquor community.
- 9.3. More recently Copper & Oak have become a sponsor of the Australian Chenin Challenge (which gets judged at the same time as the Swan Valley Wine Show), showing their commitment to the Swan Valley's most vital varietal.
- 9.4. For the very first time, they have been included as part of the Swan Valley Entwined in the Valley Festival. This brings the community & producers of the Swan Valley closer together with Copper & Oak. Their long-term goal is to continue building their relationships between local Guildfordians, Swan Valley locals & the greater Perth people through collaborations with neighbouring producers.
- 9.5. They are also proud to say how they have, in the last 12 months, connected with local communities in the Guildford and Swan Valley area. These new relationships and support of institutions include the following list;
  - 9.5.1. Midland Guildford Cricket Club - Major Sponsor
  - 9.5.2. Swan Valley Tourism - Partner
  - 9.5.3. Swan Valley Winemakers Association - Partner
  - 9.5.4. Swan Valley Tourism Alliance - Member
  - 9.5.5. Guildford Grammar School - Preferred Supplier
  - 9.5.6. Old Guildfordians Mundaring Hockey Club - Supplier
  - 9.5.7. City of Swan - Occasional Supplier
  - 9.5.8. Swan Chamber of Commerce - Occasional Supplier
- 9.6. It should be noted that all of these relationships have been successfully established within 24 months of Copper & Oak moving into Guildford and have continued into their fourth year of trading.
- 9.7. Mr. Pestana also says that they have been fortunate to have been invited to feature in videos which cross promote different businesses. These have been done by very established businesses who value their insights and position in the market and feel they align with their values.

- 9.7.1. Eagle Bay Brewing Co is one of the more prominent businesses. Copper & Oak's involvement can be read about [here](#).



- 9.8. Copper & Oak have also been featured on the [Swan Valley website](#) and in the [WA Food Guide](#).

## 10. A market leader in new liquor products and producers, and overall liquor range

- 10.1. Below is a strong list of examples of that market leading position, underlining how Copper & Oak is different to regular packaged liquor outlets.
  - 10.1.1. Tattarang Springs Bush Lemon Gin was launched at Copper & Oak.
  - 10.1.2. Glen Allachie 15 year old single malt was first listed at Copper & Oak.
  - 10.1.3. Spinifex Brewing Co. from Broome release “Cable Beach Sunset Ale” was launched at Copper & Oak.
  - 10.1.4. Copper & Oak is one of only three stores selected by Glenfiddich to have the private whisky labelling machine in store.
  - 10.1.5. Selected to launch as a Bright Tank Hero outlet.
  - 10.1.6. Selected as a trade partner for Ardnamurchan’s release of their very first whisky.
  - 10.1.7. Adelphi Exclusive trade partner with only one other retailer in WA at the time of signing and now only one of four retailers.
  - 10.1.8. Recipient of Don Papa Rum, 10 Years Old. Only 6 bottles arrived into WA, with all 6 being allocated to Copper & Oak.
  - 10.1.9. Highwayman Whisky - the creation of Dan Woolley. He is a highly respected whisky producer within the industry. He has selected only Copper & Oak as the sole WA representative / stockist of his highly sought after small batch releases.
  - 10.1.10. Selected as the sole distributor in WA for Arran Duero 12 year old single malt whiskey.
- 10.2. Often Copper & Oak is one of only a handful of stores Australia-wide selected to stock particular new liquor products. The applicant has advised some distributors from over East looking for very specialist liquor stores to launch very exclusive liquor products.
- 10.3. A good example of this is Westward Whisky, who offer Copper & Oak specific whisky products, and whole cask bottling - ***not available to any other retailer in WA.***
- 10.4. Another good example is Spinifex Brewing, who have offered Copper & Oak exclusive beers to stock and sell before opening it up to the rest of the trade.
- 10.5. Since acquiring Copper & Oak Guildford, there are also brands that use Copper & Oak’s second store as their only or near-exclusive stockist.

- 10.5.1. Olive Farm Wines - having only sold their products directly, now have Copper & Oak as their only off premise retail outlet.
- 10.5.2. Mann Wines - Copper & Oak is one of very few (roughly 3 or 4) stockists around Perth.
- 10.5.3. Yagmich Wines - Copper & Oak is the only stockist of Yagmich wines in WA.

## **Copper and Oak - Westward Barrel opportunity**

Hi Jose and Nelio,

I'll be popping by to grab the rooster tequila today.

This opportunity has popped up and we thought you might be interested.  
It's a personalized barrel whiskey program.

Take a look at the attached, you are the first store in WA we have approached with this so let me know if it might be of interest to you.

See you later on.

Cheers,

Jen

**Jen Ragan**

Sales Representative – Western Australia

**Amber Beverage Australia**


Mobile +61 499 701 605


Email [jen.ragan@amberbev.com](mailto:jen.ragan@amberbev.com)


Address 8/30 Park Rd, Mulgrave


## 11. Constantly evolving stock range:

- 11.1. The business practices outlined throughout section 8 above naturally result in a dynamic and ever-changing stock range at Tuart Hill and Guildford and the same philosophy will drive the stock list at Greenwood.
- 11.2. This has provided the Copper & Oak clientele with an exciting and vibrant product range which appeals to the changing, modern customer preferences.
- 11.3. On average, the current Copper & Oak Tuart Hill and Guildford stores add around 50 - 80 new SKUs weekly to their product offer.
- 11.4. Importantly the SKUs added are not regular liquor products but are new and exclusive lines of liquor products. The Greenwood liquor store will be adopting a very similar policy to their packaged liquor selection, due to its success at Tuart Hill and Guildford.
- 11.5. The Applicant provides the following online reviews from its customer base demonstrating what they think about this large range of liquor products and its ever changing, avant-garde dynamic. These have been pulled from a previous application (Copper & Oak Liquor Warehouse), with some new reviews scattered in.

**Andrea Conte**  
8 reviews  
★★★★★ a year ago  
Best selection of whiskey in perth IMHO. Jose's knowledge and friendly demeanor makes it must for all wine, beer and spirits

**Nathan Todd**  
Local Guide · 38 reviews · 10 photos  
★★★★★ 2 years ago  
You'll struggle to find anything they don't have

**thewanderingbaxter**  
Local Guide · 100 reviews · 512 photos  
★★★★★ 6 months ago  
More beers than stars in the sky. Well worth the visit  
👍 1

**Gary Tarbert**  
2 reviews  
★★★★★ 6 months ago  
Service and range were great , Will definitely go back they have product that the supermarket chains just don't have.  
And are competitive on the more generic product.  
International wines and beers are stocked .  
I saw product I had never seen before , People from other countries should definitely check them out for their favourite tittle.  
👍 1



**Matt Weston**

2 reviews



★★★★★ a month ago

Since the Copper and Oak team moved into Guildford the quantity and quality of craft beers, fine wines and premium whiskeys has gone through the roof. There's wall to wall choice and the staff genuinely know the products they sell. They've also really brought this beautiful heritage listed building back to life and it's a favourite shop for all of us who live near by.

We've also appreciated how they've supported our local business by providing discounted rates for our functions. Absolute legends!



**marginal gains**

19 reviews · 2 photos



★★★★★ 3 months ago

I live in Mandurah but when ever I'm heading NOR, I make a bee line for this place. If you like craft beer, this place has an extensive range to suit all pallets. Staff are super helpful and beer priced competitively.



**Ryan Dawson**

Local Guide · 218 reviews · 141 photos



★★★★★ 2 weeks ago

NEW

You'd be hard pressed to find a beer they don't carry. Incredible range of beers and spirits. Great service.



**Belinda Sharp**

Local Guide · 90 reviews · 7 photos



★★★★★ 9 months ago

Wow... went in looking for a few craft beers, not realizing there would be 12 fridge doors worth! Hundreds to choose from, from all over the world! Amazing selection fabulous and knowledgeable service!



2



**Brendan Nicoli**

3 reviews



★★★★★ 8 months ago

I was lucky enough to get tickets to the Copper and Oak whiskey tasting last night at their new store in Guildford.

The presentation by John was outstanding. The food by Oscars absolutely phenomenal. To Jose and Nello you guys went above and beyond. Everyone's expectations. Such great value for money.

Your new store is absolutely brilliant.


The range of Drinks would have to be the best in WA.


People, if these guys don't have in their shop. You probably don't /won't want to drink it. !!!

Look forward to seeing you at Guildford



Like


**Paolo Conforti**  
 Local Guide · 104 reviews

 a month ago


A Hidden Gem for Wine & Beer Lovers!


This bottleshop is an absolute gem in the neighborhood! The wine selection is top-notch – whether you're looking for a bold red, a crisp white, or something a little special for the weekend, they've always got something that hits the mark. The staff are knowledgeable and happy to help with recommendations, which is great if you're not quite sure what to choose.

But the real standout is the beer selection – it's one of the best I've seen locally. From local craft brews to international favorites, there's always something new and interesting on the shelves. You can tell they really care about quality and variety.

The shop is clean, well-organized, and prices are very reasonable. Whether you're stocking up for a party or just picking up a quiet drink for the evening, this is the place to go. Highly recommended for anyone who appreciates good drinks and great service!


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**Stuart Bailey**  
 Local Guide · 159 reviews · 138 photos

 6 months ago


Walk right in and be blown away by the selection of beers and wine. Local wines available too. Good to see support for our own 🍷. Amazing liquor merchant and knowledgeable friendly staff. Won't be going anywhere else from now on. Highly recommend.

---



**Tristan Kolay**  
 19 reviews · 2 photos


 6 months ago

This place has EVERYTHING.  
 Their down to earth staff are practically sommeliers.  
 Will return.

 1

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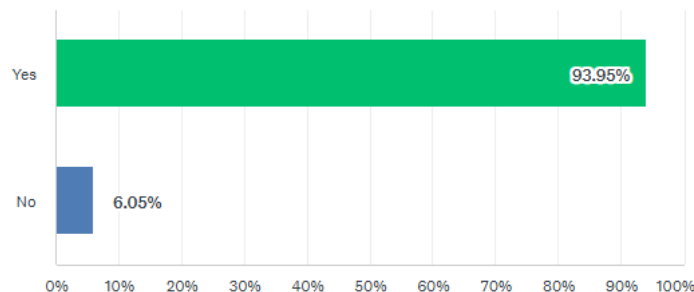

**Matt Chambers**  
 9 reviews · 7 photos

 2 years ago

Incredible range of spirits, especially whisky, huge range of craft beer too!

- 11.6. In the Copper & Oak Greenwood questionnaire, respondents were asked, *“The applicant proposes a constantly changing and evolving range of independent, international and seasonal craft beers, South African wines, whiskies from traditional distilleries, and Pet-Nat and Lo-Fi wines. Would you be interested in buying such products from the proposed liquor store?”*
- 11.7. Of the 347 responses received, **326 (93.95%)** said, **“Yes”**.

The applicant proposes a constantly changing and evolving range of independent, international and seasonal craft beers, South African wines, whiskies from traditional distilleries, and Pét-Nat and Lo-Fi wines. Would you be interested in buying such products from the proposed liquor store?



#### 11.8. Elaborating on their answers;

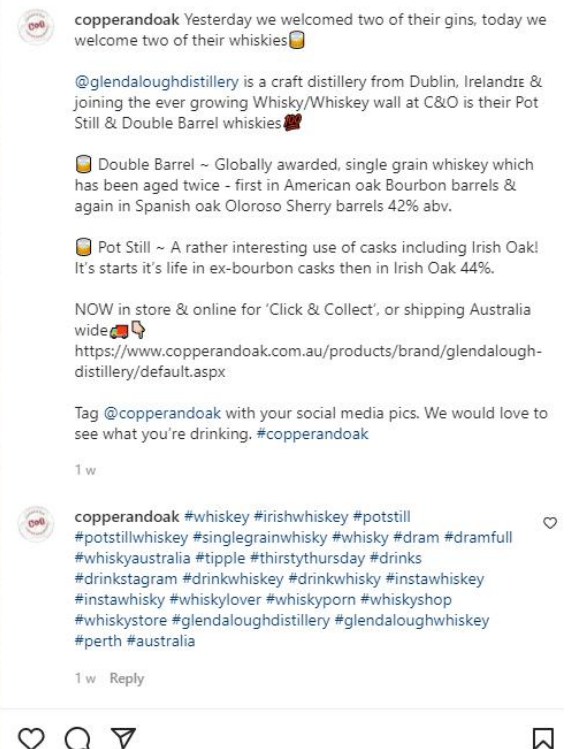
- 11.8.1. Respondent 6 said, *“The Tuart Hill shop carries several items that my husband and I enjoy and are not available locally.”*,
- 11.8.2. Respondent 358 said, *“The whiskies particularly is an excellent opportunity to buy locally from products chain stores do not carry. We had c&o source/provide specialised whiskey gifts for our wedding, they fill a role in the market that others near here do not.”*
- 11.8.3. Respondent 353 said, *“I am sick of the homogenous brand availability at larger chain bottleshops that rely on bulk contracting. Having access to more variety and unusual beverages is a great thing for the consumer.”*
- 11.8.4. Respondent 324 said, *“Having access to independent and international seasonal craft beers close to home would be a great convenience. There is no store within the neighbourhood that caters for this market.”*
- 11.8.5. Respondent 289 said, *“Appreciate access to new and different offerings to try different things, for slow and enjoyable consumption of good quality products.”*
- 11.8.6. Respondent 262 said, *“I was born in South Africa & enjoy their variety of products. They stay current with their stock & products & always have something unique when I am looking for gifts to give.”*
- 11.8.7. Respondent 251 said, *“I like that copper & oak often supplies a unique and varying selection as well as the special collaboration brews they do with select breweries.”*
- 11.8.8. Respondent 72 said, *“It would be great to have a different and ever changing variety of drinks available. Most of the local bottle shops are pretty stagnant in their range.”*

#### 11.9. More comments can be viewed in attachment COG08

## 12. Strong presence on social media

- 12.1. As the applicant stated, Copper & Oak have an incredibly strong social media presence both on Instagram (5,072 as at September 2025) and Facebook (7,200 as at September 2025).
- 12.2. The following are distinctive strengths in Copper & Oak social media platforms:
  - 12.2.1. Key description of the posted product, including features such as ingredients, origin and distillery / fermentation / production process.



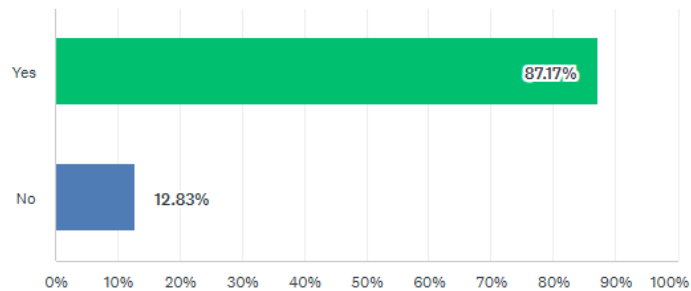


- 12.2.2. Experienced energetic staff who constantly share content on Facebook and Instagram, which engages the Copper & Oak followers.
- 12.2.3. Consistency in the branding between Facebook and Instagram, focus on conversations with their customers and stakeholders.
- 12.2.4. On Facebook reviews Copper & Oak sits at a 92% recommendation rate.
- 12.2.5. With 489 Google Reviews as at September 2025 for Tuart Hill and 67 for Guildford, the average is 4.8 stars which is considered very good.
- 12.2.6. Copper & Oak has identified the importance of being in the same social media space as their customers. Over the last 10+ years it has been running the hashtag #copperandoak inviting customers to tag @copperandoak with their social media pics to see what they are drinking, enabling customers to engage and interact with Copper and Oak in a more personal way.
- 12.2.7. By clicking on #copperandoak, you are able to see all Instagram posts that have used the same hashtag - creating both a sense of community for customers of Copper & Oak, and allowing the applicant to actively engage and view what their consumers think of them / want from them.

### 13. Investing in the specialised certification of staff

- 13.1. Copper & Oak is committed to provide high quality service to the local community through the experience and specialised knowledge of its staff. The Greenwood & Kingsley community will benefit from reliable advice when they are purchasing at Copper & Oak by leveraging the expertise of its team.
- 13.2. Copper & Oak staff will be trained in the following;
  - 13.2.1. "The Cicerone Server" certification in selecting, acquiring, and serving today's wide range of beers, and
  - 13.2.2. ***The Wine & Spirit Education Trust WSET***. WSET qualifications are globally recognised as the international standard in wine and spirit knowledge.
  - 13.2.3. **Training for the new store:**
    - 13.2.3.1. Managers will be trained and guided to increase their knowledge, as well as take up the WSET Level 1 certification. Further, the applicant will look for;
      - a. Enrolment in the WSET Level 2 Wine/Spirits Qualification will be part of the education process for staff to further increase their knowledge whilst working, and
      - b. Level 1 Award in Wines or Spirits
    - 13.2.3.2. At least one staff member will hold the WSET Level 1 qualification in Wine/Spirits. Further;
      - a. Copper & Oak management will create study groups to take the Cicerone course.
- 13.3. Nelio Pestana and Guy Southern have attained the WSET qualification.
- 13.4. In the Copper & Oak Greenwood witness questionnaire, respondents were asked, *"Copper & Oak proposes to have at least one staff on duty at all times who will possess the following qualifications:- Cicerone (at least, Level 1 Certified Beer Server)- The Wine & Spirit Education Trust (WSET) Certification When purchasing packaged liquor from Copper & Oak would the knowledge and experience of its staff be important to you?"*
- 13.5. Of the 343 respondents, **299 (87.17%)** said, **"Yes"**.

Copper & Oak proposes to have at least one staff on duty at all times who will possess the following qualifications:- Cicerone (at least, Level 1 Certified Beer Server)- The Wine & Spirit Education Trust (WSET) Certification When purchasing packaged liquor from Copper & Oak would the knowledge and experience of its staff be important to you?



### 13.6. Elaborating on their answers;

- 13.6.1. Respondent 6 said, *"It is always good to have a staff member with good product knowledge and good advice, who can suggest options that we may not have considered."*
- 13.6.2. Respondent 15 said, *"It would encourage me to choose this store if it was run by someone who has a vested interest in running the store like a family run business. Eg. Barbaro butchers in Greenwood are expensive but great quality and amazing service and a family run business so people in Greenwood are happy to support them. I used to love Vintage Cellars as they had regular staff who were helpful and knowledgeable. I went there the other day and was ignored. You don't want a young person with little experience if you walk in looking for specialised products. To stand out in Greenwood you will have to compete with Liquor Barons who are very friendly and helpful. Would welcome this as I had said myself if I had the finances I would open one myself as it is the perfect opportunity with the restaurants there."*
- 13.6.3. Respondent 34 said, *"Sometimes I feel like something in the wine range but have no idea of what to look for google search and reviews only go so far."*
- 13.6.4. Respondent 42 said, *"It would be reassuring to be served by someone with a deeper knowledge than most for the products they are selling, would be the difference maker as to whether I did or did not purchase a certain product",*
- 13.6.5. Respondent 75 said, *"Very Important - and the Copper & Oak team have kept this as a minimum standard at all their locations."*
- 13.6.6. Respondent 211 said, *"I don't have the appropriate knowledge myself and bigger stores like Dan Murphy's do not always have staff available to answer my questions. Copper & Oak normally do",*

13.6.7. Respondent 341 said, *“A large part of the enjoyment of consuming premium beverages is being able to engage with other likeminded people in discussions about said beverages.”*

13.6.8. Respondent 231 said, *“I like when I go into C&O and the store owner tells me about a new release/collab and what's popular atm. Their advice almost always informs my choice.”*,

13.7. More comments can be viewed in attachment COG09

## 14. Support for local liquor producers

- 14.1. An important feature of the proposed Copper & Oak Greenwood is the licensee's support for local liquor producers, be they wineries, breweries or spirit manufacturers.
- 14.2. This is a core component of their existing stores at Tuart Hill and Guildford.
- 14.3. There is evidence that the major chain liquor stores don't support local producers in the same way. Indeed, there is evidence that Coles and Woolworths (who have stores in the locality) actively work to deprive local producers of sales and exposure of their products.
- 14.4. A 2015 article in the Australian Financial Review ("Woolworths, Coles private label plonk angers wine industry", AFR, 14/11/2015 - see attachment COG10) details an elaborate strategy employed by Coles and Woolworths to develop and market wine brands, that appear to be from small local producers, but, in fact, are own brand labels owned by the supermarket companies.
- 14.5. AFR alleges they employ "a team of market researchers and brand developers" for this purpose.
- 14.6. Unsurprisingly, the goal of this operation is, according to AFR, to increase margins and profits by cutting out the wine producers, *"They may buy grapes and contract the winemaking but they end up with a bogus label that has no provenance. They think up names that the consumer will be duped into thinking has a place. That's part of the deceit - to add credibility to their misdemeanour."*
- 14.7. *"One senior liquor executive, who worked for Woolworths but doesn't want to be named, said private labels were incredibly attractive to the retailers because they could generate about double the profit of a branded wine bought from a winery."*
- 14.8. AFR advises *"Wine lobby group Wines of Western Australia has gone as far as warning Woolworths and Coles - who are estimated to control 60 per cent of wine sales -that they are "decimating" the industry , in a recent submission to a parliamentary inquiry."*
- 14.9. *"One industry source said Woolworths had in excess of 200 private label brands."* However, it goes further than that, as Woolworths and Coles give disproportionate amounts of shelf space to their private label brands as well."
- 14.10. *"So maybe they'll say 60 per cent of their SKUs [stock keeping unit, or individual product] are branded products but what they don't tell you is that 80 per cent of the shelf space is taken up by private label," the winemaker says."*

- 14.11. The Crafty Pint produced the document at attachment COG11 which highlights beer brands which have the appearance of being craft beers from boutique producers, but they are actually owned by Coles and Woolworths. Some examples are below.





14.12. In an article called “Who makes my wine?”, The Real Review provides lists of a great many wine brands which may appear to be independent by their name, but are in fact own label brands which belong to large corporations including Endeavour Group (BWS), Aldi and Coles (Liquorland), see attachment COG12

14.13. In an ABC article dated 20<sup>th</sup> February 2024 entitled “Inside the shadow factories” Emilia Terzon writes;

Pure Origin certainly looks like a boutique Australian gin.

It's got a curved glass bottle with a minimalist cream label and cork plug, and its own website detailing how the gin is made in 'all-copper Tasmanian pot stills' using 'pure, pristine water from the slopes of Mount Wellington'.

Oh, and it's won gin awards.

Yet behind this \$64 bottle of booze is one of Australia's biggest grocery giants.

The only way you'd know its true origin is by turning over the bottle and finding the name of Coles' liquor subsidiary, James Busby, [or by researching its trade mark](#).

#### 14.14. She goes on;

Pure Origin is just one example of how major liquor chains have made big strides into homebrand booze, in a way that is now so ubiquitous that even informed consumers may not know they're buying it.

The liquor retailers say their homebrand and "exclusive" products are great for shoppers who want a tipple on a budget.

#### 14.15. In an article about “Phantom Wine Brands” (20<sup>th</sup> February 2024, attachment COG13) Tracey Bailey wrote;

##### The Problem With Coles and Woolworths' Phantom Wine Brands

FEBRUARY 20, 2024 [TRACEY BAILEY](#)

[Share](#)

In the world of wine, the story behind the bottle can be just as important as the liquid inside. However, these quirky stories are not always what they seem! Australian supermarkets Coles and Woolworths, stock hundreds of wine brands that seem independent, but they are actually all owned by them!



This was revealed on an ABC Four Corners on 19 February 2024. Check out the program if you have not already, it's eye opening and exasperating – see a link at the end here to watch the episode.

##### What are Phantom Brands?

Phantom brands are essentially home brands in disguise. They are created by supermarkets to give the impression of diversity and choice on their shelves. Phantom brands are different to "own brand" because they do not display the supermarket's brand or logo, creating the impression of being independent brands. These brands often lack transparency about their true origins. In the case of Coles, it was accused of suggesting some wines are made in places where they are not.

The Four Corners episode featured one example of the Two Churches brand that tells a historical story about the Barossa, but the wine is not from a Barossa winery. The address of the maker is actually Coles headquarters in Melbourne!

Coles and Woolworths through Endeavour Drinks, Dan Murphy's, Vintage Cellars, 1st Choice, Liquorland, Woolworths Liquor and BWS stores dominate wine retailing in Australia, with hundreds of phantom wine brands.

#### 14.16. In an article entitled “Woolworths, Coles private label plonk angers wine industry” (Attachment COG10) Julie-Anne Sprague of the Australian Financial Review wrote;

14.16.1. *“In a nondescript building in Sydney's trendy Surry Hills a team of market researchers and brand developers are designing dozens of bottles of wine.*

14.16.2. *They've used focus groups to work out exactly why you like the wines you do - even if you don't have a clue. Sales data from*

*hundreds of stores tells them which flavours are catching attention and which labels are most likely to lead to a sale. It might be the wine you like has a little extra residual sugar, maybe a bit more tannin, or a little less oak.*

14.16.3. *The label they'll craft may appear as if it's from a boutique winery in a regional town. But it won't be.*

14.16.4. *There is no cellar door attached to a small, family vineyard. In many cases the address on the label may be Siegersdorf Road, Tanunda. It's the same street in South Australia's Barossa Valley where you will find Woolworths' Dorrien Estate, a contract winemaking processing plant."*

14.17. Julie-Anne goes on;

14.17.1. *"One private label winemaker, who declined to be named, said the retailers favoured their own brands by giving them more space.*

14.17.2. *"So maybe they'll say 60 per cent of their SKUs [stock keeping unit, or individual product] are branded products but what they don't tell you is that 80 per cent of the shelf space is taken up by private label," the winemaker says.*

14.17.3. *"It's smart. There will be four of fi ve [shelf] facings of their wine. They'll have a[private label] Barossa Two Churches shiraz selling for \$10-\$12 and there'll be four or five on the shelf. Next door is one bottle of Peter Lehmann shiraz at \$18."*

14.18. The Applicant will NOT be featuring in-house brands, when they say a product is boutique or craft they will be guaranteed to be from actual individual producers, and in many cases local.

## **15. Background and Experience of the Applicant and Brand positioning**

15.1. Jose Pestana and Nelio Pestana are the Directors of JMNAP Greenwood Pty Ltd. They are also, both, directors of other licensee companies that operate the Copper & Oak liquor stores located in Tuart Hill and Guildford.

15.2. Between the two of them, Jose has roughly 30 years' experience in the liquor industry, and Nelio has 25 years of liquor retail experience.

### **15.3. Copper & Oak + Jose & Nelio Pestana - A Brief History;**

15.3.1. The Copper & Oak brand journey began in 2003 the store in Tuart Hill was purchased.

15.3.2. Very quickly, the store went under a total renovation of the floors, walls, roof & electrical (inclusive of all new fixtures & fittings).

15.3.3. Immediate changes were made to the very basic and mainstream stock range. In the opinion of Mr. Pestana, the standard multinational liquor stores had more variety.

15.3.4. A store reputational change was the other issue that required swift action. Given the run-down nature of the store, a holistic change of every aspect of this liquor store was needed.

15.3.5. This drastic change to the store worked, with turnover increasing by 100% and strong growth patterns began forming. Further, Mr. Pestana was once more gaining the favour of the Tuart Hill public. However, with Dan Murphy's stores opening in neighbouring suburbs, turnover would begin to fall with each new opening.

15.3.6. Their aggressive price orientated campaign began to hurt Mr. Pestana's business (and surely other liquor businesses around). This campaign got to a point where it became cheaper to purchase from Dan Murphy's rather than from the actual liquor supplier.

15.3.7. With 5 Dan Murphy's stores within a 5-10km radius, Mr. Pestana was seeing a diminishing opportunity to run a successful and profitable business.

15.3.8. In 2014, the decision was made to launch a major re-brand and online expansion, to halt the disruption to business that Dan Murphy was having on Mr. Pestana. This was the start of the Copper & Oak brand.

#### 15.4. The Launch of Copper & Oak, and their physical and online expansion.

- 15.4.1. A remodel of the business was now necessary. A rebrand to introduce Copper & Oak Liquor Merchants in 2014 to the market and relaunch the Tuart Hill retail store came about, which they had commissioned via a branding agency.
- 15.4.2. Every product coming in would now be reviewed or researched to make sure it matched what Jose & Nelio wanted to offer the Copper & Oak clients. Products that were steered away from were those heavily involved in the national stores, as they saw no point in offering something which they just can't compete on in terms of price.
- 15.4.3. From that point whisky became the first, as well as a massive, part of the business, as no stores, to Mr. Pestana's knowledge at that time, were heavily invested in whiskies.
- 15.4.4. Copper & Oak also launched an online presence and invested heavily to offer a wider range to a broader audience (regional WA etc), although it has been evident that consumers would rather come in store and shop.
- 15.4.5. The next massive differentiation was craft beer. Being one of the early innovators with only another 2 or 3 stores around WA, Copper & Oak became a craft beer destination and **still is today** with over 1,200 craft beer lines on rotation regularly, (annual releases, collaborations, limited would add another 25% to the range) at Tuart Hill.
- 15.4.6. Copper & Oak began working with industry professionals on specific Copper & Oak Beer & Cider collaborations (More recently this has expanded to wine collaborations). This became another example of how Copper & Oak created a point of difference between themselves and competitors. They found success through working more directly with brands they stock. As a compounding benefit, this allowed the Copper & Oak team to also further educate themselves on the products they stock, adding to the customer experience.
- 15.4.7. The next offering was "Sit Down Master Classes" which is often co-hosted with Distillers, Wine Makers & Brewers, as well as product sit down "tastings" which we co-hosted with industry leading professionals (in store).
- 15.4.8. The difference between the two is if the person, or persons, who actually make the product are conducting the class then this becomes a Master Class otherwise it is an educational sit down tasting.
- 15.4.9. Mr. Pestana says customers in store seem to show a lot of interest and engagement when products are discussed hence the decision to start hosting these events, to promote products on their provenance.
- 15.4.10. These "Educational Classes" in turn created a deeper connection between (and knowledge of) brands, consumers and Copper & Oak. Not only from tasting the product but also the process, history to even the best foods which are paired to arrange of products.

- 15.4.11. Of late, a shift to Lo-Fi wines (no use of herbicides, pesticides, over processing) and family-owned wineries has also been a way for us to differentiate from the national chains. We are constantly looking at trends and asking our customers what they would like to see in store.
- 15.4.12. Copper and Oak acquired the old Cellarbrations Guildford site in August 2022, bringing their offering to the Guildford and Swan Valley community.
- 15.4.13. This Copper & Oak features all of the features and drawcards that Tuart Hill has but has also developed an increased focus on wine and does all it can to champion local wine products. As can be seen throughout these submissions, this new store has received rave reviews from locals.
- 15.4.14. A lot of the aforementioned events are now actually hosted at this second Copper & Oak store, as the extra space available has lent itself nicely to a dedicated tastings area.
- 15.5. No other existing packaged liquor outlet categorises and labels its craft beer range the way that Copper and Oak does - see images below.





15.6. These images are further evidence of;

15.6.1. The range of craft beer that will be stocked, and

15.6.2. The level of customer service provided by Copper & Oak, with such helpful in store labelling.

## 15.7. Recognition and awards

- 15.7.1. Copper & Oak (Guildford) won Metropolitan Liquor Store of the year at the Liquor Store Association (LSA) 2024 awards as well as overall WA Liquor Store of the Year 2024. Both the Guildford and Tuart Hill stores were finalists for this same award this year.
- 15.7.2. In 2025, Copper & Oak also won best retail experience at the Swan Chamber of business awards (having also won this same award in 2024) as well as overall Business of the Year 2025.
- 15.7.3. They have also been nominated as a finalist at the ALIA (Australian Liquor Industry Awards) for Australia Liquor Store of the Year 2025.
- 15.7.4. Finally, Guy Southern (managerial staff employed by Copper & Oak) has also been nominated as a finalist for manager of the year at the ALIA Awards. This is in follow up to Guy's "Employee of the year" award he received in 2023 at the Liquor Store Association Awards.
- 15.7.5. Previous to this, there have been several nominations for liquor store of the year with LSA WA (awards. Copper & Oak have been recognised as;
  - 15.7.5.1. 4<sup>th</sup> overall in 2018, and 3<sup>rd</sup> in 2019 for 'Metropolitan Liquor Store of the Year'.
- 15.7.6. Copper & Oak Guildford was also nominated and WON "Best New Small Business" at the Swan Chamber of Commerce awards, only one year after Jose & Nelio took over the store.
- 15.7.7. These numerous awards, accolades and recognition is further proof of their dedication to create a shopping experience, at their stores, which is unique, insightful and elevated.



- 15.7.8. The brand is also consistently recognised for their top quality service. One such example is in the snip below from WA Food Guide, labelling Copper & Oak under their 'Best Speciality' Bottle Shop banner.

**WA Good Food Guide**  
<https://wagoodfoodguide.com> › the-best-specialty-bottl...

**EditorialThe Best Specialty Bottle Shops in WA**  
Editorial The Best Specialty Bottle Shops in **WA** · Cape Cellars · Cellarbrations at Carlisle · Commune Wine Store · **Copper & Oak Liquor Merchants – Guildford**

**Bromwyn Facer**  
July 29, 2023 · 

CONGRATULATIONS COPPER & OAK and the POSTE CAFE 🌟🌟  
Winners are Grinners!!  
Last night, two amazing Guildford businesses were recipients of awards at the Swan Chamber of Commerce Awards Night.  
Copper & Oak: received the New, Small Business Award.  
[Poste Cafe](#) took out 2 awards.  
Excellence in Tourism, Small Business & the Small Business of the Year award.  
Congratulations to all.



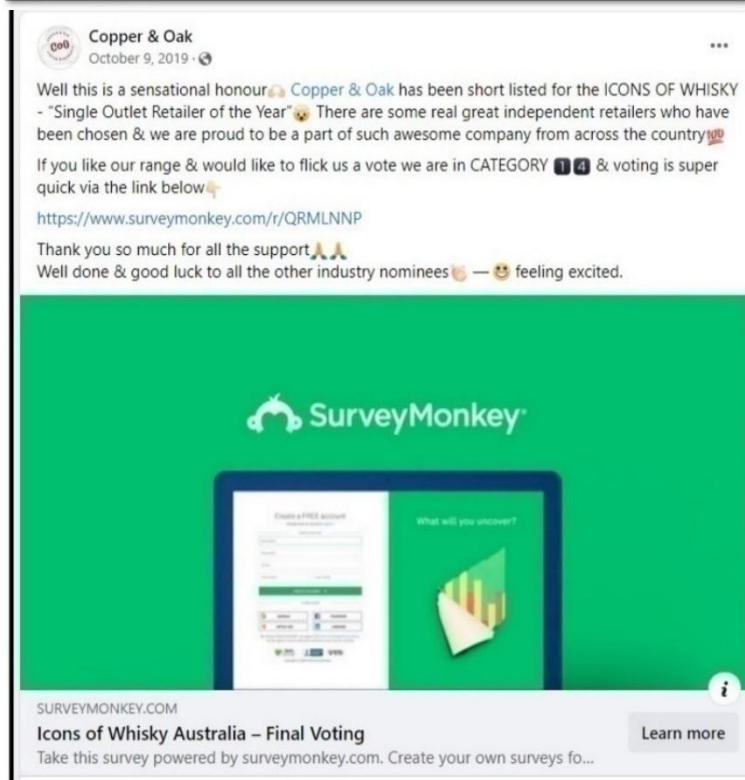
 You, Jose Pestana, Cindy Pestana and 100 others  
20 comments

 Love

 Comment

 Send

- 15.7.9. Copper & Oak was also nominated three times (from 2017 - 2019) for Australian whisky retailer of the year by 'Whisky Magazine' and their internationally recognised 'Icons of Whisky' awards.
- 15.7.10. When trading as Tuart Hill Liquor, the store won second place and third place at the WA Peter Basioli Liquor Merchants awards.



## 15.8. Copper & Oak today

- 15.8.1. Now in their 21<sup>st</sup> year of trading, the brand has seen many changes and still today is constantly evolving. The business focus is heavily around engagement with the customers and what they would like to see and do with Copper & Oak Liquor Merchants.
- 15.8.2. What started as a liquor store business has evolved to a customer focused Beer, Spirit & Wine merchant, so much so that Copper & Oak Liquor Merchants is quite deeply involved in the home brewer world by sponsoring two amateur brewer trophies.
- 15.8.3. With all the changes and developments over the years, Copper & Oak Liquor Merchants are seen as, and continue to be seen as;
  - 15.8.3.1. Innovators,
  - 15.8.3.2. Market Procurers in the liquor industry'
  - 15.8.3.3. Community focused, and
  - 15.8.3.4. Market leaders.



- 15.9. All of their efforts have paid off. None bigger than the physical alterations and renovations undertaken by the applicant to their Tuart Hill Liquor store.

15.10. As mentioned, a lot of work was done to win back the community and alter the stores reputation. See below.



Tuart Hill: Before first reno



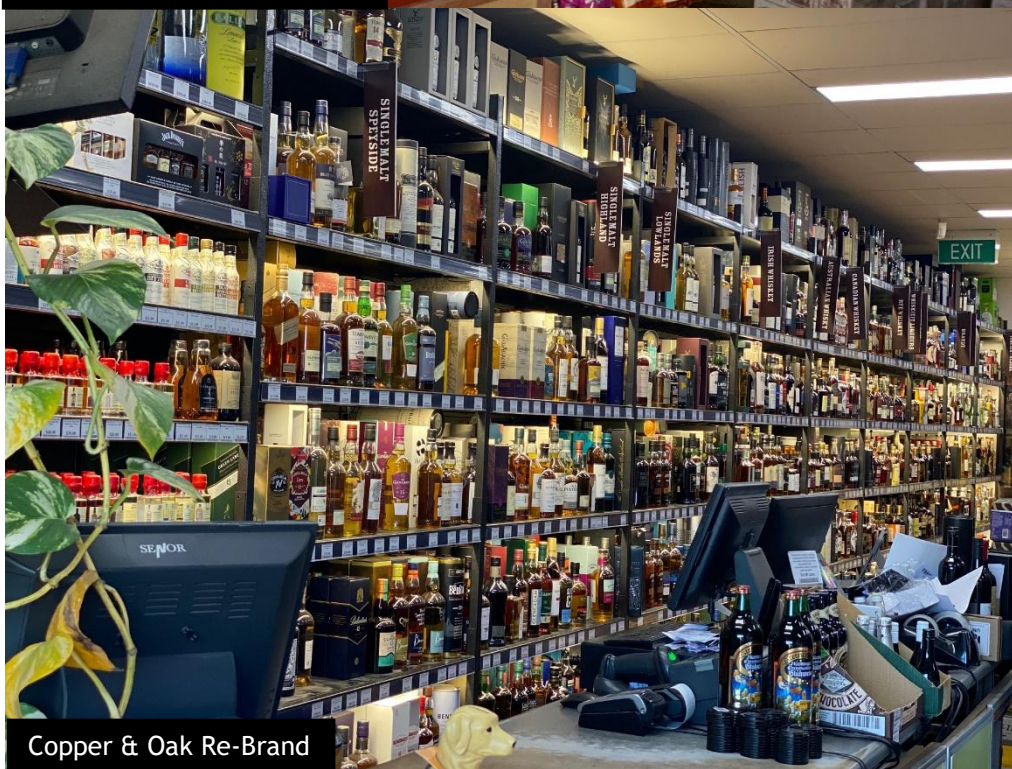
Tuart Hill: After first reno



Copper & Oak Re-Brand



Tuart Hill: After first reno



Copper & Oak Re-Brand



Guildford pre-reno







## **16. Section 36B of the Act - Restrictions on Grant or Removal of Certain Licences Authorising the Sale of Packaged Liquor**

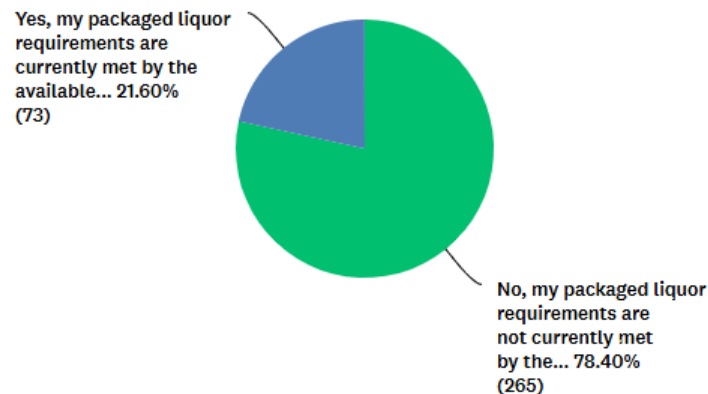
- 16.1. Section 36B(2) of the Liquor Control Act advises that this section of the Act applies to an application for a liquor store licence. Therefore, this section applies to this application.
- 16.2. Section 36B(4) advises:
- 16.2.1. *“The licensing authority must not grant an application to which this section 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”.*
- 16.3. Since the introduction of Section 36B in November 2019 there have been decisions handed down by the Director and / or the Liquor Commission in which the appropriate test and threshold for an approval under this new section have been considered. In this context, some applications have been refused as the applicants failed to discharge their onus under S 36B(4) of the Liquor Control Act.
- 16.4. However, there are also some applications for liquor store licences that have been approved by the Licensing Authority such as Bottle-O Martin (6 Ferres Drive, Martin), Bottle-O Brabham (469 Palfrey Street, Brabham), Cellarbrations Warwick (Warwick Grove, Erindale Road, Warwick) and Cellarbrations Maddington (Maddington Village Shopping Centre, 134 Westfield Street, Maddington).
- 16.5. This demonstrates that the new section of the Act is not a moratorium on the grant of new liquor licences, and that in appropriate circumstances and with cogent and relevant evidence an application may be approved.
- 16.6. In this section, the applicant considers some decisions made with compliance to Section 36B(4) highlights and considers whether the local packaged liquor requirements are reasonably met by the existing packaged liquor premises in the locality.
- 16.7. **Section 36B(4) of the Act decisions and relevant quotes from some decisions**
- 16.8. In paragraphs 26 and 27 of the Decision dated 4<sup>th</sup> June 2020 refusing a liquor store licence application by CU Mart Cockburn (attachment COG14), the Delegate of the Director of Liquor Licensing stated:
- 16.8.1. *“As to the provisions of s36B(4), which are relevant to this application, an applicant must satisfy the licensing authority as to whether or not the local packaged liquor requirements can reasonably be met by existing packaged liquor premises in the locality.”*
- 16.8.2. *“Consequently, the following key questions arise:*
- 16.8.2.1. *(a) what are the local packaged liquor requirements;*
- 16.8.2.2. *(b) what packaged liquor services are already provided by existing packaged liquor premises in the locality; and*
- 16.8.2.3. *(c) what constitutes “reasonably”, in terms of whether the local packaged liquor requirements can reasonably be met by existing packaged liquor premises in the locality?”*

- 16.9. Further, in paragraph 38 of the same decision, the Delegate of the Director of Liquor Licensing stated:
- 16.9.1. *“In this regard, in Re: Hangawee Outlet Northbridge, the Delegate of the Director observed that the word ‘reasonably’ does not invoke a particularly high threshold, with reference to the explanation given by Malcolm CJ in Charlie Carter Pty Ltd v Streeter & Male Pty Ltd:*
  - 16.9.2. *‘The word ‘reasonable’ imports a degree of objectivity in that the word reasonable means ‘....sensible;....not irrational, absurd or ridiculous; not going beyond the limit assigned by reason; not extravagant or excessive; moderate’: see Shorter Oxford Dictionary, at p1667.’*
- 16.10. Later in this section the Applicant will quote Justice Archer in the Liquorland Karrinyup Supreme Court decision, where Her Honour agrees with the above sentiment, in the main.
- 16.11. In LIQUORLAND (AUSTRALIA) PTY LTD v DIRECTOR OF LIQUOR LICENSING [2021] WASC 366 Justice Archer considered the legislative intent of the new section 36B inserted into the Liquor Control Act in 2019 and concluded;
- 16.11.1. *[53] “In the Parliamentary debates on the Bill, the Minister said that the new s 36B would ‘enable the community to determine whether it feels consumers in its area have adequate, reasonable access to a liquor supply’.”*
- 16.12. Her Honour went on;
- 16.12.1. *[73] “The respondent did not contend that the purpose of s 36B was to completely prevent the future establishment of small and medium packaged liquor outlets across the State. Plainly, that was not its purpose.”, and*
  - 16.12.2. *[74] “Having regard to the Act as a whole, I do not consider that the purpose of s 36B was to constrain the number of packaged liquor premises by sacrificing consumers’ options to get liquor at a lower price and better quality.”*
- 16.13. Her Honour made an important finding in relation to packaged liquor requirements, and said;
- 16.13.1. *[82] “the respondent submitted that matters of convenience, one stop shopping, competition and product range were only to be taken into account under s 5(1)(c) because the section included the words ‘with regard to the proper development of the liquor industry, the tourism industry and other hospitality industries in the State’. The respondent submitted that, therefore, those matters were not to be taken into account when considering the Consumer Requirements condition.*
  - 16.13.2. *[83] “I do not accept this”*
  - 16.13.3. *[89] “In my view, the words ‘requirements of consumers’ mean the same in s 36B(1) and s 5(1)(c) and, subject to the facts and issues of a particular case, may involve consideration of the same types of matters.”*

- 16.13.4. *[106] “There is no reason why matters such as convenience, product range, service and efficiency would not, or should not, be relevant to both conditions.”*
- 16.13.5. *[108] “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.”*
- 16.14. Her Honour then went on to consider the reasonable requirements test, and the meaning of “reasonably”.
  - 16.14.1. *[121] “It is plain from the paragraphs extracted above that the Commission mistakenly thought that the Difficulty Test applied to the ‘reasonable requirements’ phrase.”*
  - 16.14.2. *[130] “The word ‘reasonable’ has been said to import a degree of objectivity in that the word reasonable means sensible; not irrational, absurd or ridiculous; not going beyond the limit assigned by reason; not extravagant or excessive.”*
  - 16.14.3. *[131] “In my view, the word ‘reasonably’ in s 36B(4) is intended to bear the same meaning. Accordingly, the phrase ‘cannot reasonably be met’ means ‘cannot sensibly or rationally be met’.”*
- 16.15. In summary;
  - 16.15.1. Liquor licences, which include the ability to sell packaged liquor, may be granted in appropriate circumstances,
  - 16.15.2. Packaged liquor requirements include matters of convenience, one stop shopping, competition, price, quality and product range, and
  - 16.15.3. Section 36B(4) is NOT a “difficulty test”, but is a “reasonable, sensible, rational” test.
- 16.16. How do these Supreme Court findings relate to the application at hand?
  - 16.16.1. We say it is appropriate to grant this liquor store licence because, in respect of its packaged liquor offer it is located next door to a Naturally Fresh IGA supermarket, and as the Supreme Court has previously observed in Dan Murphy Bicton that *“it is a notorious established fact, within the knowledge and experience of the Commission as a specialist tribunal, that shopping centres of this kind reflect consumer requirements for one stop shopping, including for liquor and related services”*.
  - 16.16.2. Justice Archer’s findings are also relevant in respect of convenience and one-stop shopping.
  - 16.16.3. The applicant notes the proximity of their proposed liquor store to the Greenwood Naturally Fresh IGA Supermarket. The granting of this application would present local residents with the added convenience of being able to purchase packaged liquor as a part of their usual shopping excursion to their local IGA.
  - 16.16.4. Further, the recent renovation and change of style / operation that the IGA has undergone, has seen the store transform from a convenience store to a more premium food focused shop, which has been positively received by the community.

- 16.16.5. The supermarket's large shift in operation and product focus aligns greatly with Copper & Oak's intentions to appeal to a more premium customer demographic. The applicant believes having these two offerings in such proximity, working in tandem with one another, would not only increase convenience to Greenwood & Kingsley residents, but bring a higher food & beverage service offering that, on the evidence of the questionnaire results, is very much sought after in the Greenwood & Kingsley community.
- 16.16.6. The applicant will work closely with the IGA supermarket, where possible, to develop and promote food & beverage collaborations that would be well received by the local community. The overwhelming outcome from the questionnaire, and from the IGA transformation, is that the local community has a very genuine requirement for the unique, quality, kaleidoscopic product offering which Jose and Nelio propose, and have warmly welcomed the upgrades to the IGA.
- 16.17. In summary Archer J in *Liquorland Karrinyup* [2021] WASC 366 explains that there are several factors which might assist the licensing authority determine if local packaged liquor requirements are currently being met by the existing packaged liquor outlets in the locality. Below the Applicant examines these.
- 16.17.1. "better quality" at 74 - the survey evidence presented with this PIA shows that Copper & Oak offers, not only a much wider range of product, but also product of a better quality. More premium product, a focus on new releases, and product knowledge and experience leading to a better quality of staff service.
- 16.17.2. "convenience" at 106 - the proposed liquor store will be very convenient for the public offering an unparalleled product range (in the locality) coupled with the convenience of one stop shopping.
- 16.17.3. "product range" also at 106 - the evidence of the mystery shopper report and the witness survey clearly shows that no existing packaged liquor outlet in the locality will offer anywhere near the same range of products as is proposed through this application.
- 16.17.4. "service" also at 106 - the Applicant proposes a level of customer service unmatched in the locality, with highly trained and knowledgeable staff, which the evidence from the witness survey shows, is an attribute which is highly regarded by survey respondents (see paragraph 13.4 to end of section).
- 16.17.5. Referring back to paragraph 7.22 - the witness questionnaire asked respondents, *"Baring in mind your answers to the questions above and in the previous section, do the existing packaged liquor outlets in the locality, meet your packaged liquor requirements? Note that packaged liquor requirements can mean location, convenience, stock range, staff knowledge & one-stop shopping"*. The respondents answers are graphed below.

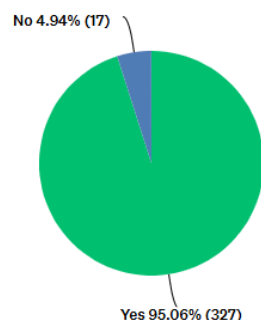
Baring in mind your answers to the questions above and in the previous section, do the existing packaged liquor outlets in the locality, meet your packaged liquor requirements? Note that packaged liquor requirements can mean location, convenience, stock range, staff knowledge & one-stop shopping.



16.17.6. Very clearly, over **three quarters of respondents have said their packaged liquor needs are not currently met by outlets in the locality.**

16.17.7. Referring to paragraph 8.37, the witness questionnaire asked respondents, *“Bearing in mind the proposed style of operation for this new store, as described in the Intended Manner of Trade document, would this proposed liquor store satisfy your packaged needs, and therefore would you be likely to be a customer? Note that packaged liquor requirements can mean location, convenience, stock range, staff knowledge & one-stop shopping.”*

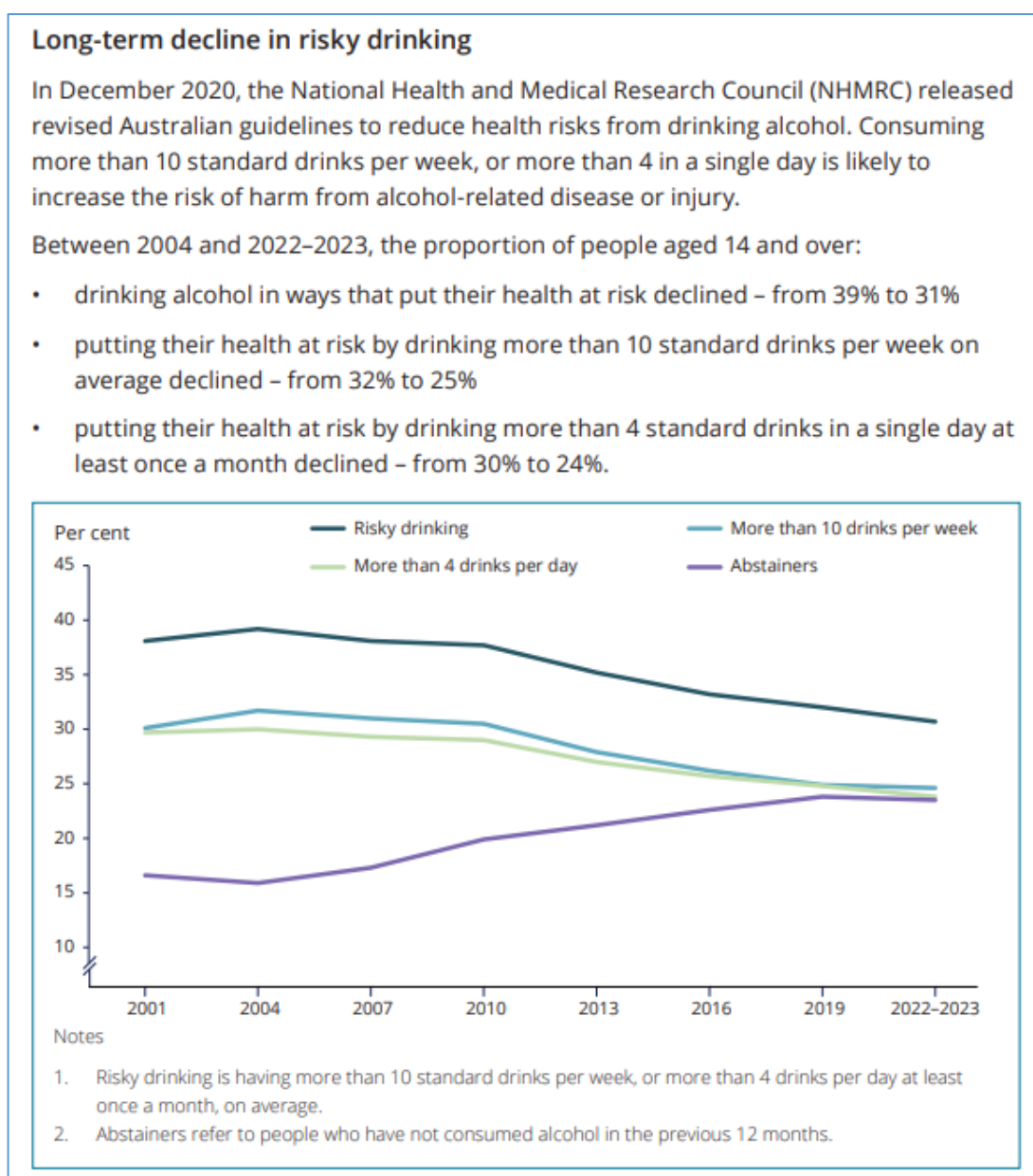
Bearing in mind the proposed style of operation for this new store, as described in the Intended Manner of Trade Document, would this proposed liquor store satisfy your packaged liquor needs, and therefore would you be likely to be a customer? Note that packaged liquor requirements can mean location, convenience, stock range, staff knowledge & one-stop shopping.



- 16.17.8. Of the 344 responses received, **327 (95.06%)** said, “**Yes**”. Further comments can be read under paragraph 8.38.
- 16.17.9. Taking this answer in combination with all the witness responses to the Applicant’s survey questions detailed in sections 7,8, 11 & 13 it is clear the overwhelming majority of respondents said;
- 16.17.9.1. They would like to purchase new and exciting, “constantly changing and evolving” products from Copper & Oak Liquor Greenwood,
  - 16.17.9.2. Having knowledgeable and experienced Copper & Oak staff is an important part of their packaged liquor purchasing experience,
  - 16.17.9.3. The proposed stock-range at Copper & Oak Greenwood is unmatched in the locality,
  - 16.17.9.4. Noting all of these proposed traits and styles of operation for Copper & Oak Greenwood, that they would be likely to be a customer.
- 16.17.10. The evidence presented in these submissions leave it open for the Director to conclude that section 36B(4) is not a barrier to the approval of this application.

## 17. Section 38(4)(a) of the Act - Harm or Ill-health

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



- 17.5. Other points of note from this report, specific to alcohol consumption;

- 17.5.1. Abstaining from alcohol is increasing - the proportion of First Nations people aged 18 and over who reported they 'had not consumed alcohol in the last 12 months or have never consumed alcohol' rose from 19% in 2001 to 26% in 2018-19.
- 17.5.2. 3 in 10 (31%) people aged 14 and over consumed alcohol in ways that put their health at risk in 2022 - 2023 - down from 4 in 10 (39%) in 2004.
- 17.6. In a separate Alcohol Factsheet provided as part of this report, it is noted that;
- 17.6.1. The proportion (%) of Australians aged 14+ drinking daily continues to decline (6% in 2016, to 5.4% in 2019 and most recently, 5.2% in 2022- 23).
- 17.6.1.1. The applicant has provided a detailed Harm Minimisation Plan which is included in the application documents to manage any potential for increased harm or ill-health.
- 17.7. Criminal/offence Statistics**
- 17.8. To further satisfy Section 38(4)(a), the licensee sought to investigate the incidence of alcohol related offences within the locality as recorded by the WA police. However, no statistics were available on the WA Police website in relation to alcohol related crime for any towns or suburbs in WA.
- 17.9. Given that the agreed locality for this application includes the suburbs of Greenwood and Kingsley, the applicant will be considering the crime statistics for both suburbs, keeping in mind that these figures do not specify any incidence of alcohol use or abuse.
- 17.10. Crime statistics recorded by the WA Police for Greenwood, Kingsley and Western Australia for calendar year 2024.

| Type of Offence                    | 2024<br>Greenwood<br>(suburb) | 2024<br>Kingsley<br>(Suburb) | 2024<br>Western<br>Australia |
|------------------------------------|-------------------------------|------------------------------|------------------------------|
| Homicide                           | 2                             | -                            | 99                           |
| Recent Sexual Offences             | 22                            | 14                           | 5,754                        |
| Historical Sexual Offences         | 2                             | 3                            | 2,097                        |
| Assault (Family)                   | 50                            | 50                           | 33,800                       |
| Assault (Non-Family)               | 16                            | 29                           | 17,659                       |
| Threatening Behaviour (Family)     | 9                             | 4                            | 8,734                        |
| Threatening Behaviour (Non-Family) | 5                             | 12                           | 6,450                        |

|  |            |            |                |
|--|------------|------------|----------------|
| Deprivation of Liberty   | -          | 1          | 359            |
| Robbery  | 4          | 7          | 1,664          |
| Burglary   | 39         | 19         | 16,613         |
| Stealing of Motor Vehicle  | 8          | 4          | 5,243          |
| Stealing   | 174        | 68         | 82,122         |
| Property Damage  | 35         | 45         | 28,399         |
| Arson  | -          | 1          | 1,082          |
| Drug Offences  | 46         | 59         | 28,468         |
| Receiving and possession of stolen property  | 9          | 5          | 4,543          |
| Regulated Weapons offences   | 9          | 11         | 4,226          |
| Graffiti   | 6          | -          | 2,004          |
| Fraud & Related Offences   | 24         | 3          | 26,538         |
| Breach of Violence Restraint Order   | 47         | 18         | 18,624         |
| <b>Total of Selected Offences</b>  | <b>507</b> | <b>374</b> | <b>294,478</b> |
| <b>Total of Selected Offences Per 1000 residents (Using population stats as per ABS 2021 data)</b> | <b>51</b>  | <b>28</b>  | <b>111</b>     |

17.11. For consistency, the applicant has used the 2021 Census population for the two suburbs and Western Australia for calculating offences per 1,000 people.

17.12. To compare the locality to the State average, the applicant has used the following formula.

17.12.1.  $(\text{No. of offences} / \text{suburb population}) \times 1000 = \text{no. of offences per thousand people}$

17.13. So, for Greenwood;

17.13.1.  $(507/9,861) \times 1000 = 51$  offences per thousand people

17.14. For Kingsley;

17.14.1.  $(374/13,204) \times 1000 = 28$  offences per thousand people

17.15. For Western Australia

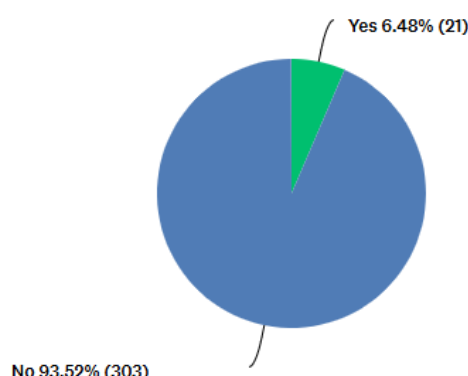
17.15.1.  $(294,478/2,660,026) \times 1000 = 111$  offences per thousand people

17.16. Looking at the crime stats from 2024, the applicant concludes that Greenwood and Kingsley show a **very low rate** of offending when compared to Western Australia as a whole.

|                              | Greenwood | Kingsley | Western Australia |
|------------------------------|-----------|----------|-------------------|
| Number of Offences per 1,000 | 51        | 28       | 111               |

17.17. In the witness questionnaire, when respondents were asked whether they thought there are any people or any groups of people in the locality who would be at risk of increased and undue harm as a result of the granting of this application - **93.52%** of respondents said, **“No”**.

Are there any people or any groups of people in the locality who, in your opinion, would be at risk of increased and undue harm as a result of the granting of this application? If yes, who? And how would they be at risk?



17.18. Elaborating on their answers;

- 17.18.1. Respondent 40 said, *“They’re catering to people who appreciate quality, not quantity”,*
- 17.18.2. Respondent 75 said, *“The Demographics of the Area tend to be established, and young families, and we aren’t aware of any at-risk demographics in the area.”,*
- 17.18.3. Respondent 77 said, *“Given the nature of the liquor store as described, it sounds a more specialist and boutique arrangement than day Dan Murphies, so I can’t see it creating major social issues”,*
- 17.18.4. Respondent 88 said, *“There are already plenty of places for people to purchase liquor locally. A new business will not have a Negative impact”,*
- 17.18.5. Respondent 362 said, *“Any at risk groups are more at risk from operators of chain merchants than from passionate independent liquor retailers.”.*

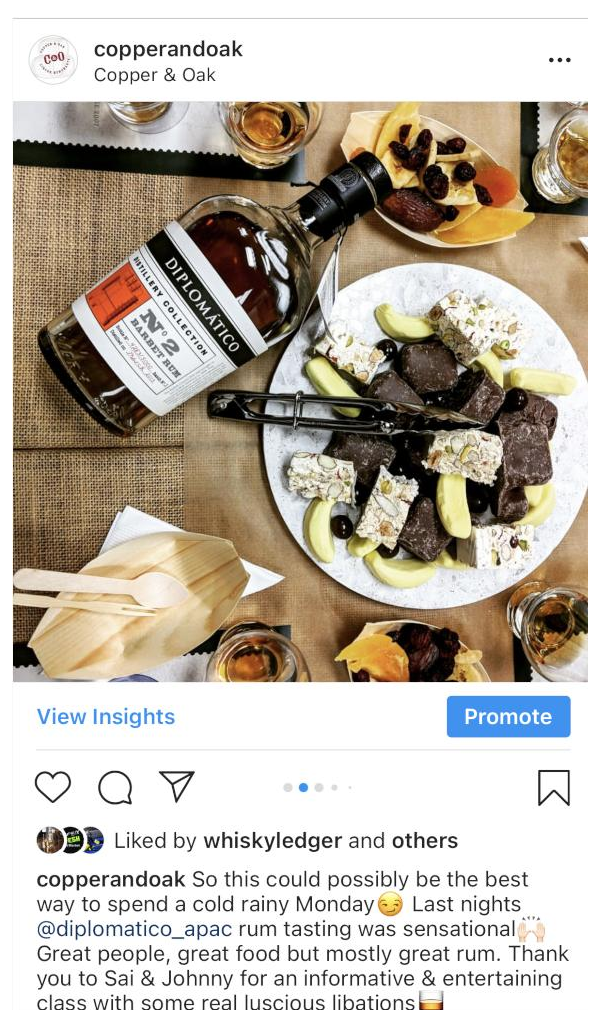
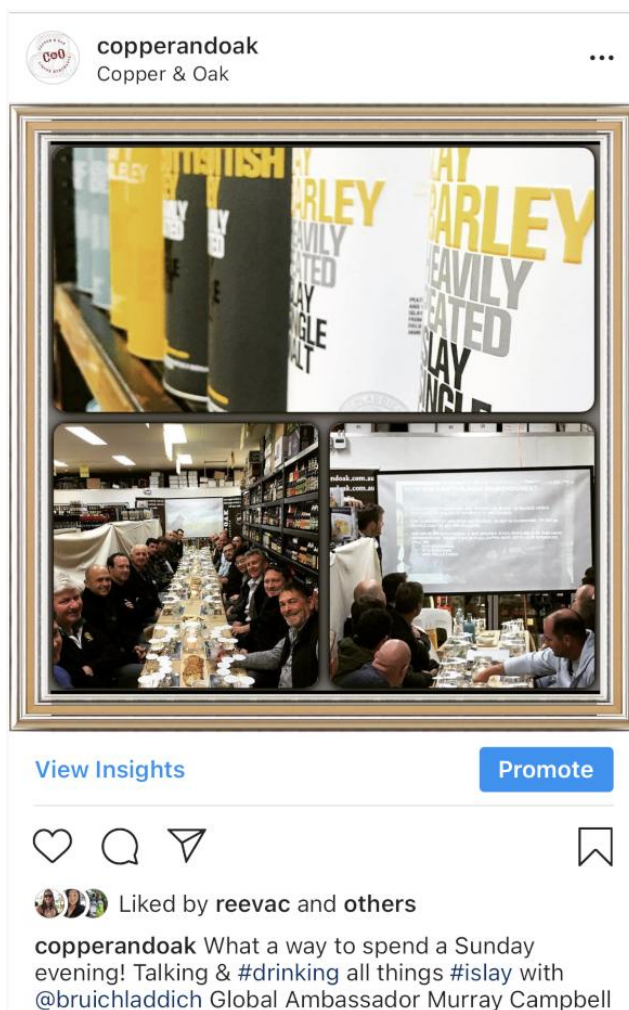
17.19. More comments can be viewed in attachment COG08

## 18. Socio-economic indexes for Areas (SEIFA)

- 18.1. SEIFA indexes are summary measures of a number of variables that represent different aspects of relative socio-economic disadvantage and/or advantage in a geographic area.
- 18.2. Each different geographic area of Australia is given a SEIFA number (score) which shows how relatively 'disadvantaged' that area is compared to other areas in Australia.
- 18.3. According to the ABS website:

***“The ABS has developed four indexes to allow ranking of regions/areas, providing a method of determining the level of social and economic well-being in each region.***

***Each of the four indexes summarises different aspects of the socio-economic conditions of people living in an area; each is based upon a different set of social and economic information from the 2006 Census. The indexes provide more general measures of socio-economic status than is given by measuring, for example, income or unemployment alone.”***



- 18.4. High scores on the Index of Relative Socio-Economic Disadvantage occur when the area has few families of low income and few people with little training and in unskilled occupations.
- 18.5. Low scores on the index occur when the area has many low-income families and many people with little training and in unskilled occupations.
- 18.6. For example, all areas are placed in order from lowest to highest score, the lowest 10% of areas are given a decile number of 1 and so on, up to the highest 10% of areas which are given a decile number of 10.
- 18.7. It is interesting that the City of Joondalup has scored very well on these four indices.
- 18.8. Across the four indices, the City of Joondalup averaged a SEIFA score of 9.5.
- 18.9. Looking closer at the suburb in which the proposed liquor store will be located, the applicant notes Greenwood scored 8 as well across the four indices.
- 18.10. It is open for the licensing authority to conclude that both the City of Joondalup, and the suburb of Greenwood are economically vibrant areas, with their high scores indicating a very low percentage of families with low income and very few people in unskilled occupations.
- 18.11. More information on these indices can be found at the following web address.
  - 18.11.1. <https://www.abs.gov.au/statistics/people/people-and-communities/socio-economic-indexes-areas-seifa-australia/latest-release>

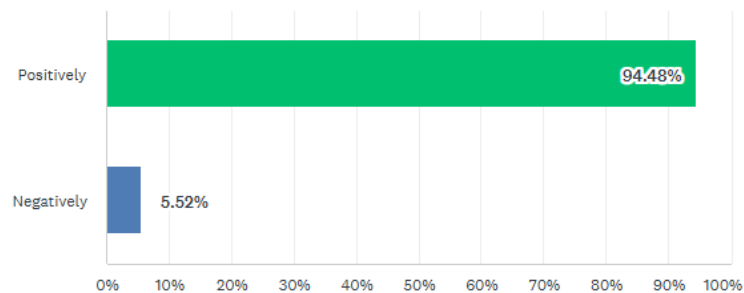
## 19. Section 38(4)(b) of the Act - A Report on the Amenity of the Locality

- 19.1. Section 38(4)(b) of the Liquor Control Act, asks the applicant to consider *“whether the amenity, quiet or good order of the locality in which the licensed premises or proposed licensed premises are, or are to be, situated might in some manner be lessened”*.
- 19.2. At approximately 140sqm internal space, the proposed liquor store will be a modestly sized business in the locality.
- 19.3. It is also going to join a busy commercial retail / restaurant / hospitality complex at Coolibah Plaza. It is intended to be a low impact venue with its style of operation and proposed specialist range of liquor products and therefore will only add to the amenity of the area.
- 19.4. The questionnaire evidence presented with these submissions provides cogent evidence that there is a clearly identifiable section of the public who have a reasonable requirement for the proposed specialist licensed services.
- 19.5. Given the foregoing statements it is open for the licensing authority to conclude the amenity of the locality would be enhanced by the opening of the proposed liquor store as it will offer a range of products unmatched in the locality in its breadth, range and pricing.



- 19.6. In the Copper & Oak Greenwood witness questionnaire, when respondents were asked *“In what ways do you consider that this proposed liquor store will impact the amenity of the locality, whether a positive or negative impact?”*;
- 19.7. Of the 326 responses received, **308 (94.48%)** said, **“Positively”**.

In what ways do you consider that this proposed liquor store will impact the amenity of the locality, whether a positive or negative impact?



#### 19.8. Elaborating on their answers;

- 19.8.1. Respondent 13 said, *"It will bring more customers into a small shopping centre and help support the surrounding small businesses."*,
- 19.8.2. Respondent 29 said, *"Keeps locals buying local. Keeps local businesses operating by providing the convenience of having everything you need in one place."*,
- 19.8.3. Respondent 42 said, *"I feel another option to purchase from is always a positive thing, more variety and more healthy competition"*,
- 19.8.4. Respondent 59 said, *"It will bring some unique and high quality products to the area and give locals better access to a better product range"*,
- 19.8.5. Respondent 63 said, *"It would bring more money into the suburb from surrounding suburbs, and add to the local community of Greenwood."*,
- 19.8.6. Respondent 149 said, *"The new IGA has brought a positive vibrancy and sense of permanency to the locality. With a growing number of BYO restaurants popping up in the Center, a liquor store would be logical and value adding to the location. The community are tired of the 'swings and roundabouts' of businesses changing - we need something that is going to thrive and bring people to the area."*,
- 19.8.7. Respondent 227 said, *"Its a high end liquor store, it will only bring in customers looking for specialist beer, wine and spirits. The cafes co-located at the location will benefit from extra patronage- all provide quality food and BYO."*,
- 19.8.8. Respondent 326 said, *"It is a very positive addition to the locality. This is a high quality liquor store which stocks a unique range of products. It has a recognisable, reputable brand name which is a strong contribution to the retail options in this area."*

#### 19.9. More comments can be viewed in attachment COG08

## 20. Section 38(4)(c) of the Act - Offence, Annoyance, Disturbance or Inconvenience

- 20.1. Section 38(4)(c) of the Liquor Control Act (1988) asks the applicant to consider *“whether offence, annoyance, disturbance or inconvenience might be caused to people who reside or work in the vicinity of the licensed premises or proposed licensed premises”*.
- 20.2. The proposed liquor store will be geared towards persons who are not seeking to mass consume. But rather toward people who have a keen interest in trying new drinks, or who are seeking to discover the latest trends in the liquor industry, or people who seek out specific craft / private label drinks.
- 20.3. Patrons who take a genuine interest in liquor and what different types of liquor they can look to enjoy will be right at home with Copper & Oak Greenwood.
- 20.4. Given the above it is the applicant’s considered opinion the proposed liquor store will not cause any undue offence, annoyance or disturbance to anyone in the local community.
- 20.5. The location of the subject premises suits the proposal very well, being part of a popular complex in Coolibah Plaza.
- 20.6. The Applicant’s focus is on providing;
- 20.6.1. Convenience to Greenwood (and Kingsley) locals by providing an unrivalled (in the locality) packaged liquor service, and
- 20.6.2. Encouraging patrons to educate themselves on specific liquor types they might be interested in.
- 20.7. In the Copper & Oak Greenwood witness questionnaire when respondents were asked what they thought about the potential for annoyance, offence, disturbance, or inconvenience that the granting of this application may cause to people who live, work, visit or otherwise resort to the locality the following responses were received.
- 20.7.1. Respondent 362 said, *“Having seen both their other stores and been a long time patron of their Tuart Hill store, I can't imagine opening a new store in Greenwood would inconvenience, annoy or offend anyone.”*
- 20.7.2. Respondent 338 said, *“I would say, their existing record with their Tuart Hill and Guilford store evidences the quality of clientele and the potential for an increase in antisocial behaviour. The product range naturally has a higher cost - therefore prohibitive to customers who may become an annoyance. I see this benefitting the adjoining food businesses, as it will attract people to the area who are more likely to buy from those stores.”*,
- 20.7.3. Respondent 365 said, *“The boys consistently promote the responsible consumption of alcohol, advocating for the enjoyment of their various products rather than excessive drinking.”*
- 20.7.4. Respondent 279 said, *“It’s an already established specialty shopping and dining area. Introducing another store to this precinct is not going to have any overbearing difference to what is already there.”*,

- 20.7.5. Respondent 226 said, *“There are already so many options and locations to get alcohol so i don't see what the harm in having a locally owned store selling a different product will cause.”*,
- 20.7.6. Respondent 50 said, *“It is of no difference to any other liquor store in any other shopping centre. In fact, it may attract more discerning customers who will be quieter and more respectable.”*
- 20.7.7. Respondent 29 said, *“I can't see this store causing any major increase in issues to the area. It will provide convenience!”*

20.8. More comments can be viewed in attachment COG08

## 21. Section 5(1)(a) of the Act - Primary Object

- 21.1. Section 5(1)(a) states that a primary object of the Act is;
  - 21.1.1. *“to regulate the sale, supply and consumption of liquor”*.
- 21.2. Being one of three primary objects means that it is of equal importance to the other two primary objects of the Act.
- 21.3. To regulate means;
  - 21.3.1. *“to control or direct according to rule, principle, or law”* or
  - 21.3.2. *“to put or maintain in order”*
- 21.4. It does not mean to restrict or to reduce.
- 21.5. There may be some circumstances where a restriction or a reduction is warranted, but the word “regulate” implies more flexibility than either “restrict” or “reduce”.
- 21.6. It is possible to “regulate” and to “increase” at the same time.
- 21.7. Therefore, this primary object should not, of itself, prevent this application from being granted.
- 21.8. It is possible to properly regulate the sale, supply and consumption of liquor and grant this application.
- 21.9. As clearly shown in these submissions the proposed liquor store will;
  - 21.9.1. Offer a unique on-premises licensed service.
  - 21.9.2. Fill a gap in the locality’s packaged liquor market.
  - 21.9.3. Provide a high-end, low impact premises for the refined local.
  - 21.9.4. Provide a space in the locality, under a well-known and respected liquor store brand for Beer/Wine/Spirit producers to promote themselves, and
  - 21.9.5. Expose clientele to styles and types of packaged liquor products they may not have come across before.
- 21.10. The applicant’s objective evidence has also clearly shown there is an identifiable and substantial section of the local community which has a reasonable requirement for the products and services proposed to be offered under this licence.
- 21.11. It is therefore open for the licensing authority to conclude the granting of this licence would not lead to a proliferation of liquor licences in the locality without justification.

## 22. Section 5(1)(b) of the Act - Primary Object

22.1. Section 5(1)(b) states that a primary object of the Act is;

22.1.1. *“to minimise harm or ill-health caused to people, or any group of people, due to the use of liquor”;*

22.2. Being one of three primary objects means that it is of equal importance to the other two primary objects of the Act.

22.3. In paragraph 46 of *Carnegies v Director of Liquor Licensing* [2015] WASCA 208 (“Carnegies decision”) in respect of the National Hotel, Fremantle (attachment COG15), the following conclusion is found;

22.3.1. *“It is not sufficient to simply reason that, where there is already a high level of harm in the particular area, even a small increment in potential or actual harm may be determinative, without making specific findings on the evidence about the level of alcohol related harm which is likely to result from the grant of the particular application.”*

22.4. Paragraph 62 of that same decision reads;

22.4.1. *“the reasons of the Commission reveal that it considered the application was not in the public interest, but not:*

22.4.1.1. *(a) the positive aspects of the application that were weighed;*

22.4.1.2. *(b) how the Commission reached the conclusion there was a likelihood of increased harm and ill-health if the application was granted; or*

22.4.1.3. *(c) the degree of increased harm or ill-health that was likely to have resulted if the application was granted.”*

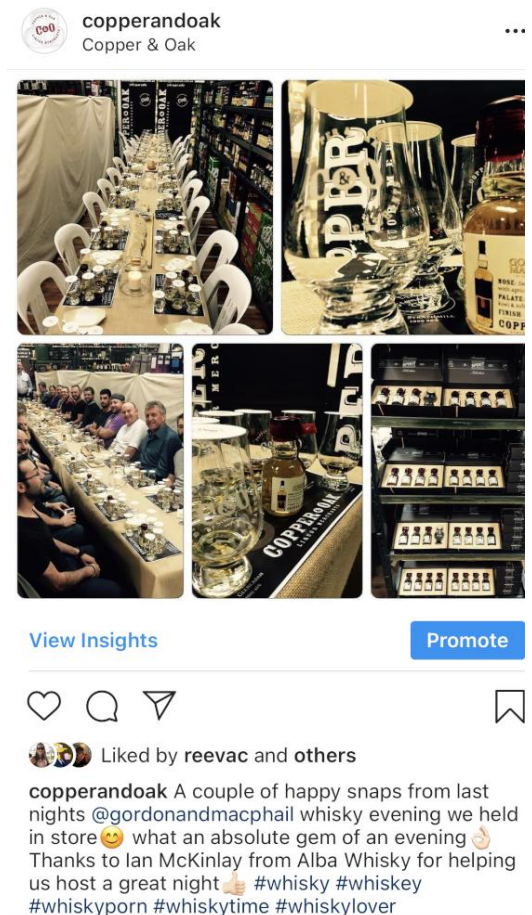
22.5. In this application, therefore, the applicant is not required to show that no harm whatsoever may occur if this application is granted, only that the applicant will do all that is reasonable to minimise harm and ill-health that could potentially occur if this application is granted, and that any potential for harm or ill-health is minimised and is not “undue”.

22.6. This then must be weighed, in equal measure, against the benefits that will accrue to the members of the Greenwood & Kingsley community.

22.7. Also, as discussed in Section 17 above, the attitude of Australians towards alcohol is steadily improving, and the number of people drinking at harmful levels is falling.

22.8. Further, as has been stated in previous sections of these submissions, the premises;

22.8.1. Will not host any form of live entertainment (save for the educational classes and events).



- 22.8.2. Will actively promote itself as a venue that promotes liquor education and appreciation, and
- 22.8.3. Is targeting patrons who have a finer appreciation of liquor, and patrons who want to learn about and appreciate what they are consuming.
- 22.9. Also, given the high-level quality of staff they intend to employ (see section 13), the premises will be in very safe and capable hands should there ever come a time to deal with any unruly persons.
- 22.10. The potential for the premises to impact on harm or ill health will be minimal.

## 23. Section 5(1)(c) of the Act - Primary Object

- 23.1. Section 5(1)(c) states that a primary object of the Act is; *“to cater for the requirements of consumers for liquor and related services, with regard to the proper development of the liquor industry, the tourism industry and other hospitality industries in the State”*;
- 23.2. In *Liquorland Southern River* ([2024] WASC 128, see attachment COG16) Lemonis J agreed with Archer J in *Liquorland Karrinyup* and said at 51 *“(Archer J) observed that the phrase 'requirements of consumers' in s 5(1)(c) has been interpreted to include such matters as shopper convenience and preferences, including the convenience of one stop shopping. Her Honour also observed that 'consumer requirements' has been understandably assumed to mean what consumers demand or desire, as distinct from what they cannot manage without”*.
- 23.3. And further at 52 that the phrase “requirements of consumers” *“as used in s 36B(1) includes such matters as shopper convenience and preferences, including the convenience of one stop shopping”*.
- 23.4. Being a primary object means that it is of equal importance to the other two primary objects of the Act. As Lemonis J stated in the same *Liquorland Southern River* decision (at 44) *“these objects are not given priority according to the manner in which they are ordered”*, and *“given that s 5 does not establish a hierarchy within the primary objects, a particular object should not be given primacy over another unless the provision under consideration warrants it”*.
- 23.5. In other words, it is just as important for the Director to cater for the requirements of consumers as stated above, as it is to minimise the potential for harm or ill-health due to the use of liquor.
- 23.6. In the end it is a weighing and balancing of these equal objects which will determine whether a liquor licence should be granted or not.
- 23.7. In this application, it has been shown there is little potential for increased harm or ill health that could potentially result from the granting of this application (please see Section 17), and there are very real benefits to the local community, and other visitors who resort to the locality for licensed services.
- 23.8. In *Liquorland Southern River* Lemonis J went on to explain at 58 *“The analysis required by s 36B(4) is not envisaged to be an analysis at large, by reference to all consumer requirements for packaged liquor in the locality irrespective of whether they have any correlation to the application. Rather, the analysis is directed to the substance of the application itself, so is directed to the products and services which the new premises is intended to provide”*.
- 23.9. And also at 126 to 128;
- 23.9.1. *“126 The Director's counsel concedes that it was not necessary for Liquorland to establish that there was a considerable requirement for one stop shopping, submitting that the requirements do not have to meet a particular threshold in order to further engage s 36B(4). Consistently with that position, the Director's counsel also submitted that s 36B does not import a de minimis requirement.*
- 23.9.2. *127 The phrase local packaged liquor requirements is defined in s 36B(1) to mean:*

23.9.2.1. ... the requirements of consumers for packaged liquor in the locality in which the proposed licensed premises are, or are to be, situated; ...

23.9.3. 128 As can be seen, the definition does not use the word considerable, or any other word to that effect. The definition is then applied in the comparative analysis to be undertaken pursuant to s 36B(4). That task is directed to whether the local packaged liquor requirements cannot reasonably be met by existing packaged liquor premises in the locality where the proposed new premises will be situated. The analysis is not predicated on there being a considerable requirement. Rather, the analysis is directed to whether the requirements, whatever they may be, cannot be reasonably met by the existing premises”.

23.10. Clearly the objective evidence provided with these submissions show a significant demand for the licensed services proposed to be offered, even though Lemonis J instructs that the demand for those services is not required to be significant.

## 24. Section 5(2)(a)(d)(e)(f) of the Act - Secondary Objects

- 24.1. In carrying out its functions under the Act, the licensing authority shall have regard to the primary objects of the Act and also to the following secondary objects -
- 24.1.1. (a) *“To facilitate the use and development of licensed facilities, including their use and development for the performance of live original music, reflecting the diversity of the requirements of consumers in the State”; and*
  - 24.1.2. (d) *“To provide adequate controls over, and over the persons directly or indirectly involved in, the sale, disposal and consumption of liquor”; and*
  - 24.1.3. (e) *“To provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act”: and*
  - 24.1.4. (f) *to encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor that are consistent with the interests of the community.*
- 24.2. Further Section 5(3) states *“If, in carrying out any function under this Act, the licensing authority considers that there is any inconsistency between the primary objects referred to in subsection (1) and the secondary objects referred to in subsection (2), the primary objects take precedence”*.
- 24.3. Section 5(2)(a) directs the licensing authority to evaluate the *“diversity of the requirements of consumers in the State”*.
- 24.4. The phrase “requirements of consumers” was considered in the previous section of these submissions. The first Secondary Object directs a consideration of the “diversity” of those requirements.
- 24.5. None of the existing packaged liquor outlets in the locality has anywhere near the range of products that is proposed through this application (See paragraph ??? above), this leads, inevitably, to the conclusion that none can meet the full extent of the diverse consumer requirements in the locality.
- 24.6. Critically, it is open for the licensing authority to conclude that through the granting of this liquor store licence it will be facilitating the development of a licensed facility reflecting the diverse (and identified) consumer requirement for a scholarly approach to liquor consumption in a refined environment for experimenting with new liquor products in a very responsible way.
- 24.7. The granting of this licence can also be seen as encouraging responsible attitudes towards the sale and supply of liquor, through educational seminars where people can learn about the origins of unusual liquor products.
- 24.8. Therefore, in the opinion of the applicant, in granting this licence the Director of Liquor Licensing will be fulfilling his obligations under section 5(2) of the Act.

## 25. Conclusion

- 25.1. The liquor store proposed through this application is NOT a typical, or traditional style store. Rather, it aims to be the premium packaged liquor service in the locality through its unmatched range, service offering and style of operation. Every facet of what the Copper & Oak brand represents speaks to the modern consumer's demand for something different, more educational and sophisticated.
- 25.2. This store is designed to suit the packaged liquor needs of a very wide range of consumer. The questionnaire evidence clearly shows a section of the local community is very much looking forward to visiting the proposed store.
- 25.3. On the spectrum of licensed premises, it is open for the Director to conclude, and the applicant invites the Director to so conclude, that the proposed licensed venue is very much on the low impact, low risk end.
- 25.4. In respect of the packaged liquor offer contained within the proposed manner of trade of this liquor store, many of the liquor products are unique to Copper and Oak, but it is the enormous stock range, and the ethos of stocking new and emerging liquor products which sets this proposal apart from any other packaged liquor facility in the locality.
- 25.5. The philosophy of Jose and Nelio is different. They seek to constantly have new and exciting products on their shelves for customers to try and learn about.
- 25.6. Jose and Nelio are also different from many applicants because they can point to their existing stores in Tuart Hill and Guildford where they have put this manner of trade to the test over many years, and it has been VERY well received by their dedicated customer base.
- 25.7. Lastly, in the witness questionnaire, respondents were asked if they had any final comments about this application.
  - 25.7.1. Respondent 29 said, *"I look forward to having copper and oak as my local store. My husband and I have always commented that this row of shops needed a liquor store."*
  - 25.7.2. Respondent 100 said, *"Northern suburbs need more venues and retailers like C&O that pioneer local producers and tailor their market leading product ranges"*,
  - 25.7.3. Respondent 215 said, *"Great operators that will add significant value to the local community."*,
  - 25.7.4. Respondent 229 said, *"If a supermarket with a much better and larger selection of stock were to open locally would you still shop at one of the opposition stores ? I wouldn't , I'd shop at the new better store."*,
  - 25.7.5. Respondent 361 said, *"With a complete lack of this type of offering anywhere in the local area I'm fully supportive of this proposal."*
  - 25.7.6. Respondent 365 said, *"Just my strong support to granting it. Ripping blokes who will benefit the community and small businesses in that complex."*

- 25.8. In the Tuart Hill survey lodged with the application for a tavern licence in Mt Hawthorn, even with a Dan Murphy store not far from the Tuart Hill premises, many questionnaire respondents;
- 25.8.1. Said the Copper & Oak store is unique;
- 25.8.2. Has an incomparable stock range;
- 25.8.3. Is the best bet for finding unusual or new liquor products; and
- 25.8.4. Has well trained, informed and friendly staff.
- 25.9. This evidence was presented in that application and was uncontested and seemingly accepted by the Director. The Applicant invites the Director to find this is equally true for the liquor store proposed through this application.
- 25.10. The findings of Justice Archer in *Liquorland Karrinyup* [2021] WASC 366 strongly support the granting of this application.
- 25.10.1. *[74] "Having regard to the Act as a whole, I do not consider that the purpose of s 36B was to constrain the number of packaged liquor premises by sacrificing consumers' options to get liquor at a lower price and better quality."*
- 25.10.2. *[106] "There is no reason why matters such as convenience, product range, service and efficiency would not, or should not, be relevant to both conditions."*
- 25.10.3. *[131] "In my view, the word 'reasonably' in s 36B(4) is intended to bear the same meaning. Accordingly, the phrase 'cannot reasonably be met' means 'cannot sensibly or rationally be met'."*
- 25.11. In order to achieve the proper development of the liquor industry, which the Licensing Authority is obliged to do via the Primary Objects of the Act, there must naturally be grants of new licences in general, and new licences that permit packaged liquor sales specifically, in appropriate circumstances, if the application in question is supported by sufficient cogent and reliable evidence.
- 25.12. In the Director's Decision in respect of an application for the conditional grant of a liquor store licence dated 4<sup>th</sup> March 2020 for Hangawee Outlet Northbridge (attachment COG01), in his determination, the Director's Delegate, Peter Minchin states:
- 25.12.1. *"There are three key questions that arise out of s 36B(4);*
- 25.12.1.1. *What are the local packaged liquor requirements?*
- 25.12.1.2. *What packaged liquor services are currently provided by the existing premises in the locality? and*
- 25.12.1.3. *Can the existing packaged liquor premises in the locality reasonably meet those local packaged liquor requirements (or not)."*
- 25.13. The deliberations in section 16 of these submissions leave it open for the licensing authority to conclude that section 36(B)(4) is not an impediment in this application to the potential granting of the licence.
- 25.14. This then allows for the proper consideration of the public interest question.
- 25.15. The applicant invites the licensing authority to find it is in the public interest to grant this application for the following reasons.

- 25.15.1. The Applicant is a very experienced licensee with a very good record of managing licensed premises.
- 25.15.2. There are no public health indicators which give any cause for concern in respect of the potential for increased and undue harm or ill health associated with this application.
- 25.15.3. This will be a quality, bespoke and original licensed venue.
- 25.15.4. The overwhelming number of respondents to the Guildford survey (lodged with the application for the Kalamunda Copper & Oak Warehouse) indicated that Jose and Nelio run an interesting liquor store at the vanguard of new liquor products.
- 25.15.5. The overwhelming number of respondents to the Greenwood survey indicate they will become customers of this liquor store and recognise its uniqueness in the locality.
- 25.15.6. The overwhelming number of respondents to the Greenwood survey indicate they have no concerns about the potential for any negative impact on the local community should this application be granted.
- 25.16. The results of the mystery shopper exercise and the survey leaves it open to the Director to conclude that the presence of the existing packaged liquor outlets in the locality should not prevent the granting of this application.
- 25.17. The applicant once more, invites the Director to visit their current premises - Copper & Oak, Tuart Hill and Guildford. The applicant believes their stores, and the way they are run, is incomparable to what is available in the Greenwood locality today.

Drafted for and on behalf of JMNAP Greenwood Pty Ltd;

Phil Cockman  
Canford Hospitality Consultants Pty Ltd  
27<sup>th</sup> September, 2024

## **Attachments**

- COG01. Hangawee Outlet Northbridge Decision
- COG02. Aldi South Fremantle Decision
- COG03. Hard Copy Witness Questionnaire
- COG04. Locality Submissions
- COG05. Floor plans
- COG06. Map of the locality
- COG07. Intended Manner of Trade document
- COG08. Questionnaire - all raw witness data
- COG09. Mystery Shop Report prepared by Research Solutions
- COG10. Australia Financial Review Article Woolworths & Coles Wine \*\*
- COG11. Crafty Pint Craft beer article
- COG12. Who Makes My Wine Article
- COG13. Phantom Wine Article
- COG14. CU Mart Cockburn Decision
- COG15. National Hotel Fremantle Decision
- COG16. Liquorland Southern River Decision

# Copper & Oak Greenwood

2B/132 Coolibah Drive, Greenwood WA

Application for the Grant of a liquor store licence

Section 36(B)(4) and Section 38 Submissions

## Attachment COG07

Intended Manner of Trade

October 2025



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**Copper & Oak Greenwood**  
132 Coolibah Drive, Greenwood WA 6024



**Application for the Conditional Grant  
of a Liquor Store Licence**

**Intended Manner of Trade**

**July 2025**

# 1. Introduction

- 1.1. JMNAP Greenwood Pty Ltd will be applying to the licensing authority for the conditional grant of a liquor store licence for premises located at 132 Coolibah Drive, Greenwood WA 6024.
- 1.2. One of Perth's premier family run liquor stores, Copper & Oak Liquor Merchants has been offering customers a great variety of liquor products for over 20 years.
- 1.3. The business focuses on engagement with customers and the liquor products they would like to see. This family business is seen as an innovator and a market leader in introducing new packaged liquor products.
- 1.4. The proposed liquor store will take inspiration from the existing Copper & Oak liquor stores in Tuart Hill, Guildford and from their new store currently being planned at Kalamunda, all of which are owned and managed by Jose Pestana and Nelio Pestana, directors of the applicant company.
- 1.5. The proposal is for a specialist, upmarket liquor store of approximately 130sqm, located next to the Greenwood IGA within the Coolibah Plaza. The liquor range will be incredibly widespread, and completely unmatched in the locality.
- 1.6. This liquor store will also offer the important service of one-stop shopping to local residents, giving them the convenience of a full-service supermarket and a quality packaged liquor offer adjacent to each other.
- 1.7. The applicant believes that the proposed liquor store will fill a significant gap in the specialist beverage market in Greenwood.

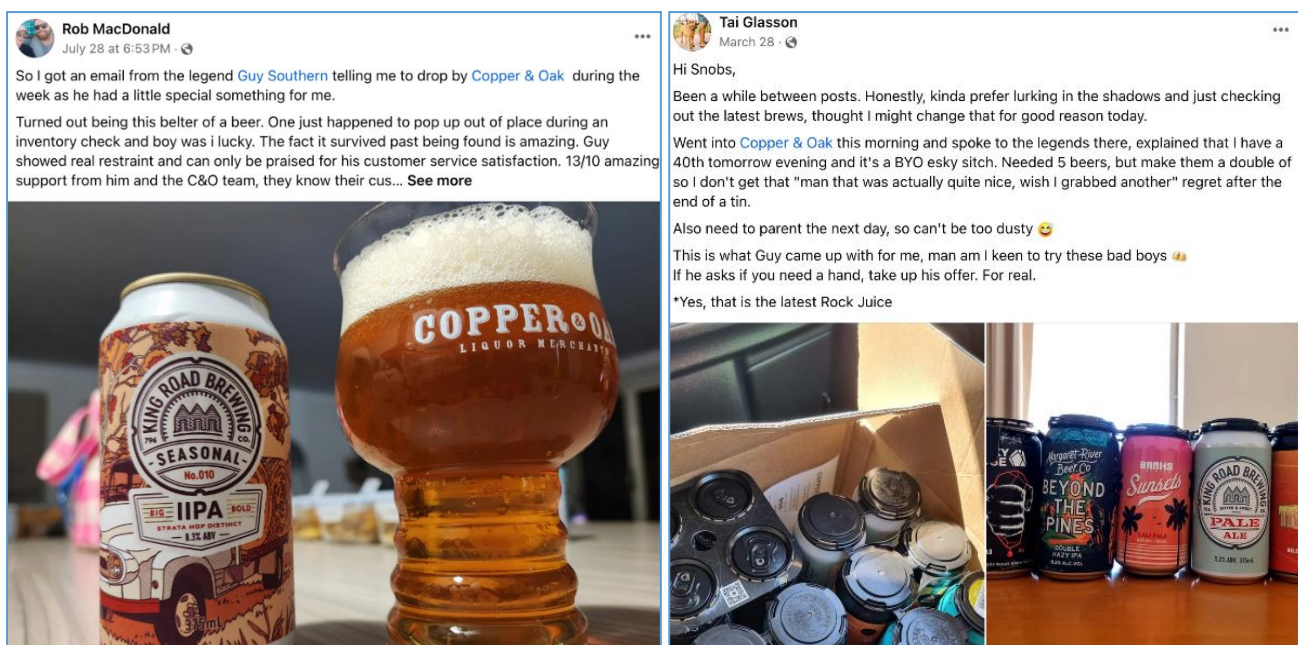
# 2. Proposed Style of Operation

- 2.1. The main focus, and point of difference, will be an extensive range of WA owned wines, an unmatched range of independent, international and seasonal craft beers, an extensive list of South African Wines, a very large whiskey wall with some exclusive offerings, along with a large range of gins, mezcal and other spirits as well as Pet-Nat and Lo-Fi wines from around Australia.
- 2.2. Many of those products will be exclusive to Copper & Oak. That range will be inclusive of the following.
  - 2.2.1. Spirits - Over 1,000 across the categories
    - 2.2.1.1. Roughly 300 Whiskies
    - 2.2.1.2. Roughly 50 Rums
    - 2.2.1.3. Roughly 100 Gins

- 2.2.1.4. Around 40 to 80 Tequilas/Mezcal
    - 2.2.1.5. Roughly 60 Brandies, Cognacs and Armagnacs
    - 2.2.1.6. Roughly 50 Vodkas
  - 2.2.2. Wine - as with other Copper & Oak Stores, there will be a strong focus on WA locally opened wines. There will be roughly 1500 wines, inclusive of at least;
    - 2.2.2.1. 55% WA Locally owned wines - with a strong focus of Swan Valley & Perth Hills
    - 2.2.2.2. 5% Lo-Fi / Pet Nat
    - 2.2.2.3. Roughly 80 South African Wines (approximately 5% of wine stock).
    - 2.2.2.4. 15% Australian White Wine
    - 2.2.2.5. 5% Sparkling Wines
    - 2.2.2.6. 5% International Wines
    - 2.2.2.7. 25% Australian Red Wines
  - 2.2.3. Roughly 1,000 beers, made up of;
    - 2.2.3.1. Majority local craft beers,
    - 2.2.3.2. National craft beers
    - 2.2.3.3. International beers,
    - 2.2.3.4. Independently owned international and local beers, and
    - 2.2.3.5. Seasonal / small batch / collaboration beers.
- 2.3. The store will have 20 refrigerated doors.
- 2.4. Copper & Oak Greenwood will have a unmatched range in the area but it also is very much a convenience shop being next to the grocery arm of Naturally Fresh IGA.
- 2.5. Copper & Oak Greenwood will have the largest range of whisky within it's catchment area and certainly all the way out to it's Tuart Hill and Guildford stores. Further, this store will have a range of other spirits equal to what they have at Copper & Oak Tuart Hill, a range of local wines equal to what they have at Copper & Oak Guildford, and a very extensive range of craft beer, all in chilled display cabinets. A full range of mainstream liquor will also accompany this extensive list.
- 2.6. With this stock list, across the board, but particularly with their wines, the applicant intends to feature small local wine producers to the best of their abilities.
- 2.7. Jose and Nelio recognise that the liquor industry is constantly changing, and they change with it. Recently, consumer awareness

and education has become a lot more important, and Jose and Nelio have adapted their business model at both Tuart Hill and Guildford to this.

- 2.8. The applicant proposes that the liquor store will trade 9am - 8pm Monday to Saturday, and 10am - 7pm on Sundays. These hours are within the standard trading hours set by the Liquor Control Act (1988).
- 2.9. The adjacent IGA trades 6am - 1pm 7 days a week.
- 2.10. **Staff training:** Copper & Oak is committed to provide high quality service to the local community through the experience



and specialised knowledge of its staff.

- 2.11. The Greenwood community will have the opportunity to access reliable expert advice when they are purchasing at Copper & Oak by leveraging the expertise of its team.
- 2.12. At least one member of the Copper & Oak staff will hold;
  - 2.12.1. ***“The Cicerone Certification”*** certification in selecting, acquiring, and serving today's wide range of beers, and
  - 2.12.2. The ***Wine & Spirit Education Trust WSET***. WSET qualifications are globally recognised as the international standard in wine and spirit knowledge.
- 2.13. The applicant has also drafted a detailed Harm Minimisation Plan that will form an important part of the staff induction program and the store's operational procedures.
- 2.14. Copper & Oak currently holds the title for both metro liquor store of the year, and overall WA liquor store of the year as awarded by the Liquor Stores Association. It is also relevant that they were

nominated twice in 2019 and 2020 for Australian whisky retailer of the year.

- 2.15. Further, the City of Swan gave Copper & Oak Guildford the best new small business award in 2023. They were also a finalist in the overall 'Swan Business' awards category.



- 2.16. Most recently, Copper & Oak took home the 2024 Swan Chamber of Commerce award for 'Retail Experience'. This award is further proof of their dedication to create a shopping experience at their stores which is unique, insightful and elevated.
- 2.17. Lastly, Copper & Oak also sponsor the Perth Hills Wine show as a way to give back to the community and be more involved locally, specifically sponsoring two wine trophies. They do the same thing with the Perth beer awards, also sponsoring two trophies.
- 2.18. Copper & Oak's commitment to local producers is further evidenced by their work in assisting with the production of collaborative craft beers. A recent brew produced in tandem with Phat Brew Club was awarded a gold medal at the Indie Beer Awards.
- 2.19. Copper & Oak have one of the strongest social media followings in Perth both on Instagram (4.8K) and Facebook (nearly 6.6k).

Drafted for JMNAP Greenwood Pty Ltd by;  
Canford Hospitality Consultants Pty Ltd  
Monday, July 14, 2025

# Copper & Oak Greenwood

2B/132 Coolibah Drive, Greenwood WA

Application for the Grant of a liquor store licence

Section 36(B)(4) and Section 38 Submissions

## Attachment COG04

Locality Submissions

October 2025

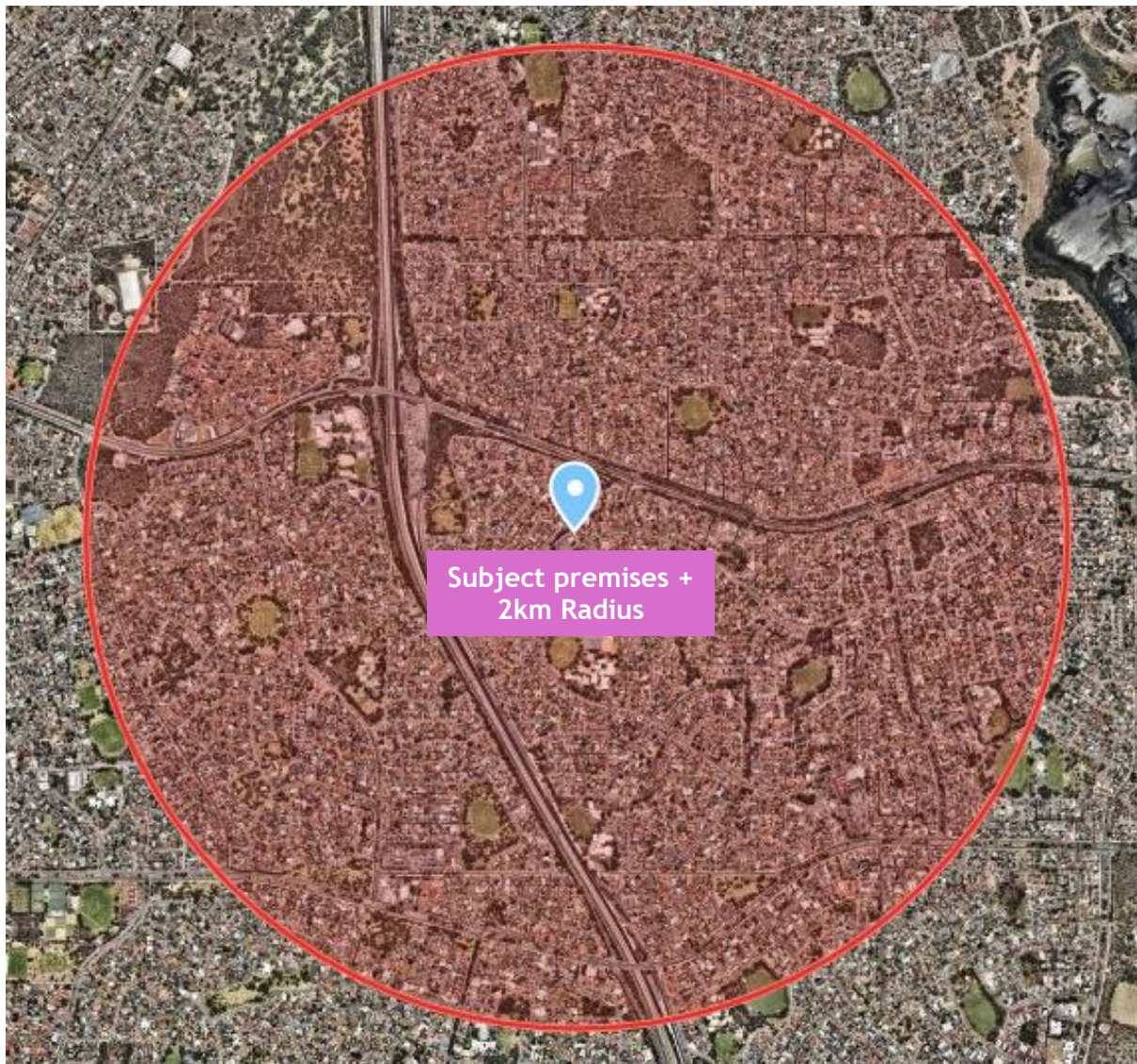
Dear Director

**Re: Application for liquor store licence  
Confirmation of locality for the public interest assessment  
Applicant: Greencool Pty Ltd  
Trading name: Copper & Oak Greenwood  
Address: 132 Coolibah Drive, Greenwood WA**

- 1.1. We work for Greencool Pty Ltd and are helping with its application for a liquor store licence for the above premises, including the preparation of a public interest assessment (PIA). At this stage it is anticipated the proposed store would be approximately 150sqm in size.
- 1.2. The Applicant is asking the Director to consider the question of the appropriate locality to guide the drafting of the public interest submissions.
- 1.3. In relation to the locality likely to be most impacted, should this licence be granted, the Applicant is guided by past decisions of the licensing authority, including BWS Kelmscott and Falcon and others, and will consider the suburbs of Greenwood and Kingsley as the proposed locality for analysis of both demographics and outlet density.
- 1.4. The Director's policies entitled "Public Interest Assessment" and "Outlet Density of Packaged Liquor Premises" provide the following guidance for applicants.
  - 1.4.1. *"If an application for the grant or removal of a licence for the sale of packaged liquor has been made, the (Director) must consider if there are existing licensed premises selling packaged liquor in the proposed locality."*
  - 1.4.2. *Outlet density is a relevant consideration for the grant or removal of three different liquor licence types: hotels (if they are authorised to sell packaged liquor), taverns and liquor stores.<sup>3</sup>*
- 1.5. In the absence of definitive guidance the Applicant referred to the Supreme Court decision relating to Liquorland Karrinyup (WASC 2021/366, 28/10/2021). In that decision Justice Archer found;
  - 1.5.1. *"181 In my view, the word 'locality' in s 36B denotes an area that surrounds, and is geographically close to, the location of the proposed premises (proposed site). I consider it was not intended to equate to the area(s) from which consumers would come."*

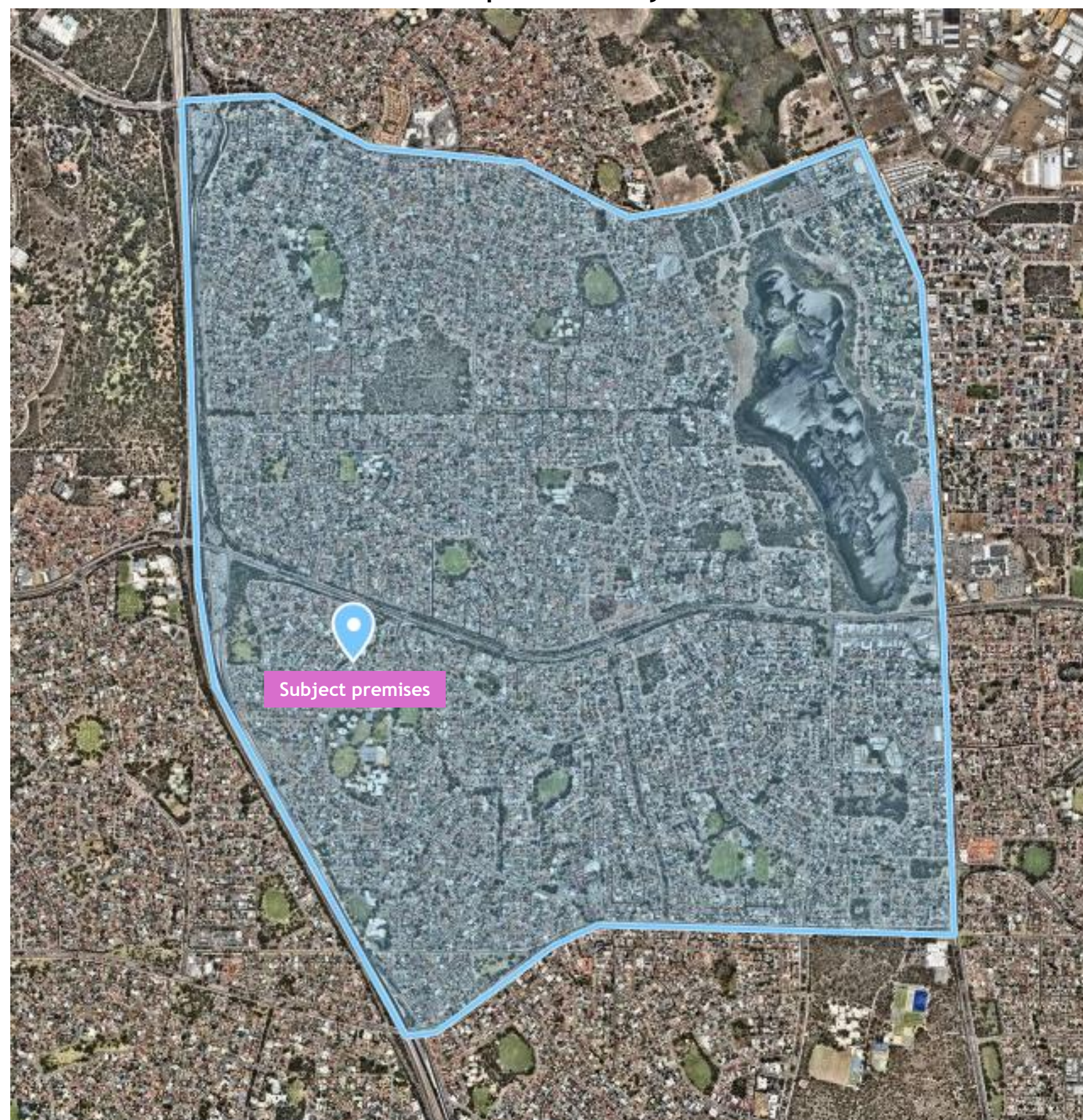
- 1.6. And further at 185 of Liquorland Karrinyup Justice Archer went on;
- 1.6.1. *“This is not to say that the 'locality' will inevitably, or even usually, be a circular area within a particular radius of the proposed site. The shape and size of the 'locality' may be influenced by topographical features (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'.”*
- 1.7. The Liquor Commission, in the BWS Kelmscott decision (LC 32/2022, dated 31/8/22) provided further advice, see below.
- 1.7.1. *“27. The term ‘locality’ in section 36B(4) connotes the concept of neighbourhood, and denotes an area that surrounds, and is geographically close to, the location of the proposed premises, rather than the area(s) from which consumers would come, and to which the retail catchment area can be a relevant consideration (Liquorland [181], [182], [188]).*
- 1.7.2. *28. Justice Archer also explained that the shape and size of a 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 (Liquorland [185]).”*
- 1.8. In its decision relating to BWS Falcon (LC 07/2023, dated 3<sup>rd</sup> May 2023) the Liquor Commission noted at 160 that “the (Liquor Control) Act does not include any definition as to “locality””.
- 1.9. In that same decision the Commission went on to advise as follows;
- 1.9.1. *“164. In any event, the factors which can be contemplated in deciding “locality” must remain diverse and fluid and it is contemplated that the Director may impose different localities in respect to different applications, provided that, in the interests of natural justice, such decision is made on reasonable and ascertainable grounds.*
- 1.9.2. *165. The Commission has considered the following, non-exhaustive factors in deciding the locality in this instance: a. the geographical area surrounding the site; b. the topographical features of the area, including natural and man-made barriers; c. the geographical spread of the community; and d. the retail catchment areas.*
- 1.9.3. *192. In considering the above factors, the Commission does not accept that the “locality” in this case is limited to the suburb of Falcon.*
- 1.9.4. *193. The above factors indicate to the Commission that the relevant locality for the purposes of the Application and section 36B is the area comprising the suburbs of Falcon, Wannanup and Dawesville.”*

1.10. Below is a map of a 2km radius from the subject premises.



- 1.11. On the basis of Justice Archer's comments in *Liquorland Karrinyup* this locality definition may not be appropriate given the presence of man-made boundaries around the subject premises.
- 1.12. The following proposal uses a blue shaded area to demarcate the proposed locality boundaries. This locality becomes the suburbs of Greenwood and Kingsley.

## Proposed locality



**1.13. Proposed locality boundaries**

- 1.14. The selected locality is bound by the following major roads.
- 1.14.1. Mitchell Freeway (West)
  - 1.14.2. Warwick Road (South),
  - 1.14.3. Wanneroo Road (East), and
  - 1.14.4. Whitfords Avenue (North),
- 1.15. Mitchell Freeway and Wanneroo Road are both listed as major roads and are under the control of Main Roads WA.
- 1.16. Further, Warwick Road is a 4-lane road with a median strip separating the carriageways for the length of the suburb / proposed locality. This road is also the suburb boundary line between Greenwood and Warwick.
- 1.17. The same applies for Whitfords Avenue. It is a 4-lane road with a median strip separating the carriageways for the length of the suburb / proposed locality. This road is also the suburb boundary line between Kingsley and Woodvale.
- 1.18. It would be unreasonable to assume that people would cross these major roads to visit a bottle-shop, when it can be shown there are other, more convenient locations in closer proximity to people outside these road boundaries.
- 1.19. These roads have not only created suburb boundaries but have neatly put together a local community the applicant feels will be representative of the typical person who might patronise their proposed store.
- 1.20. The applicant submits Hepburn Avenue (a major road) exists between the suburb of Greenwood and Kingsley. However, they also feel it is not reasonable to assume their proposed store will only draw in people within Greenwood.
- 1.21. The Applicant advises that the overwhelming majority of its current supermarket customers come from the Greenwood suburb.
- 1.22. So, given it is far simpler and convenient for persons to cross over Hepburn Avenue rather than Mitchell Freeway or Wanneroo Road (certified main roads) - the applicant believes these two suburbs are (1) representative of the target locality, (2) align most with the 2km radius proposal of the previous Public Interest assessment policy and (3) define a local community who will be most impacted by this application.
- 1.23. The applicant would be grateful if the Director would either approve above proposal or propose an alternative.
- 1.24. If you should require any further documentation or information, please do not hesitate to contact our office.

Regards,

Phil Cockman  
Director  
Canford Hospitality Consultants Pty Ltd

# Copper & Oak Greenwood

2B/132 Coolibah Drive, Greenwood WA

Application for the Grant of a liquor store licence

Section 36(B)(4) and Section 38 Submissions

## Attachment COG09

Mystery Shop Report by Research Solutions

October 2025



**Copper & Oak Greenwood**  
**Liquor Merchants Report**  
**August 2025**

**Mystery Shopping Exercise**

Application for Liquor Licence

Applicant: JMNAP Greenwood Pty Ltd

Premises: **Copper & Oak Greenwood**, 132 Coolibah Drive, Greenwood WA 6024

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**research  
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## 1.0 Introduction and Methodology

Canford Hospitality Consultants is facilitating a liquor store licence application for JMNAP Greenwood Pty Ltd, trading as Cooper & Oak Greenwood, at 132 Coolibah Drive, Greenwood.

It is understood that the proposed outlet will be a specialist, upmarket liquor store of approximately 130 square metres located next to the Greenwood IGA in the Coolibah Plaza. The liquor store will have an extensive range of Western Australian-owned wines, independent, international and seasonal craft beers, an extensive list of South African wines, and a very large whisky wall with some exclusive offerings, along with a large range of gins, Mezcal and other spirits, as well as Pet-Nat and Lo-Fi wines from around Australia.

Canford Hospitality Consultants has commissioned Research Solutions to undertake a face-to-face mystery shopping exercise of retail liquor outlets within the locality of Greenwood.

The mystery shopping exercise involved collecting information on the range of liquor products provided by the five licensed stores in the Greenwood locality.

- The product categories were divided into:
  - BEER & CIDER, including international beer
  - CRAFT BEER
  - WINE White, Rose, Red and Sparkling
  - BROWN SPIRITS\*
  - WHITE SPIRITS\*
  - PREMIXES

\*Brown Spirits are defined as spirits of a dark hue, including whisky, rum, brandy, etc., and White Spirits are defined as transparent, such as gin, vodka and white rum. All spirits were classified into one of these categories.

- In each product category, the number of bays, the number of shelves within each bay, and the number of different products in bottles/cartons/cans per shelf were counted. This was undertaken for each fridge and the remainder of the retail space in the shop and recorded.
- The number of shelves with double or triple facings was counted and recorded.
- The number of shelves with a double row of products on display was counted and recorded.
- The number of cartons in each stack was counted and recorded.
- This information was then recorded and transposed into a spreadsheet, including the volume in the cool room.
- The range carried by each store was estimated by multiplying the total number of shelves by the number of bottles per shelf in each product category, taking into account the estimated number of double and triple-facings and noting that some shelves included both single faces, double faces and triple faces of different products as well as single and double facings of the same product.
- The stores did not place two displays (one behind the other) on the same shelf.
- As some products, such as white wine, sparkling wine, and on occasion craft beer, are available both in the fridge and on the retail floor, we have done our best to eliminate duplications of stock; however, this has only been done on a category basis.

The project manager briefed the mystery shoppers via MS Teams, and the exercise occurred between the 30<sup>th</sup> of July and 13<sup>th</sup> August 2025.

The information provided on the range of each category of items and the total number of different products per store is an estimate only at a point in time. In our view, it is the best estimate available for the period 30<sup>th</sup> July to 13<sup>th</sup> August 2025.

Research Solution's estimates of the range of products held by each store are as follows:

|   | Estimated number of product lines |
|---|-----------------------------------|
| Liquor Barons Greenwood                         | 1518                              |
| BWS Kingsley                                    | 1686                              |
| Kingsley Liquor Store (Cellarbrations Kinglsey) | 1604                              |
| Greenwood Hotel                                 | 1329                              |
| Kingsley Tavern (Thirsty Camel)                 | 959                               |

## 2.0 List of stores shopped

The following stores were mystery shopped independently by Research Solutions and its field team, and the liquor stores are numbered accordingly:

| No. | Licence Type | Premises Name                                      | Address  |
|-----|--------------|--|--|
| 1   | Liquor Store | Liquor Barons Greenwood                            | Greenwood Village 1<br>2 Calectasia Street, Greenwood WA 6024                    |
| 2   | Liquor Store | BWS Kingsley                                       | Kingsley Village Shopping Centre<br>Unit 7A/100 Kingsley Drive, Kingsley WA 6026 |
| 3   | Liquor Store | Kingsley Liquor Store<br>(Cellarbrations Kinglsey) | Boulevard Shopping Plaza<br>2/9 Moolanda Boulevard, Kingsley WA 6026             |
| 4   | Hotel        | Greenwood Hotel                                    | 349 Warwick Road, Greenwood WA 6024  |
| 5   | Tavern       | Kingsley Tavern<br>(Thirsty Camel)                 | 90 Kingsley Drive, Kingsley WA 6026  |

### 3.0 Estimated Range INFORMATION

#### Estimated number of different products

|                                       | Liquor Barons Greenwood | BWS Kingsley | Kingsley Liquor Store (Cellarbrations Kinglsey) | Greenwood Hotel | Kingsley Tavern (Thirsty Camel) |
|---------------------------------------|-------------------------|--------------|---|-----------------|---------------------------------|
| Beer/Cider (incl. International Beer) | 202                     | 280          | 168   | 346             | 216                             |
| Craft Beer                            | 101                     | 247          | 64  | 48              | 56                              |
| Wine                                  | 838                     | 752          | 848   | 461             | 422                             |
| Brown Spirits                         | 145                     | 98           | 128   | 161             | 144                             |
| White Spirits                         | 120                     | 116          | 142   | 153             | 44                              |
| Premixes                              | 112                     | 188          | 254   | 160             | 77                              |
| <b>Total</b>                          | <b>1518</b>             | <b>1686</b>  | <b>1604</b>                                     | <b>1329</b>     | <b>959</b>                      |

## 4.0 Comments on staff, service and stock from the face-to-face mystery shops

|   |  |  |
|---|--|--|
| 1 | <b><u>LIQOUR BARONS GREENWOOD</u></b><br><br>Greenwood Village 1<br>2 Calectasia Street<br>Greenwood WA 6024                                       | <b>Staff capability and service</b>  |
|   |  | Staff member was very helpful and was willing to attend to me and show me various alcohol options. Knowledge of products was good.   |
|   |  | <b>Stock quantities</b>  |
|   |  | Stocked quantities were large. This store was a large area and gave the impression of plenty of stock available.   |
|   |  | <b>Stocked product sizes</b>   |
| 2 | <b><u>BWS KINGSLEY</u></b><br><br>Kingsley Village Shopping Centre<br>Unit 7A/100 Kingsley Drive<br>Kingsley WA 6026                               | Plenty of stocked product sizes available.   |
|   |  | <b>Floor Stocks</b>  |
|   |  | Large quantities of floor stacks throughout the store. A lot of products seemed readily available as single units or in bulk.  |
|   |  | <b>Staff capability and service</b>  |
|   |  | Staff member was not very helpful, almost evasive. Stayed waiting behind the counter after I initially said hello. Didn't really get a feeling of helpfulness and it didn't really feel like a BWS store. More like an independently run liquor store. Staff member didn't seem knowledgeable. |
| 3 | <b><u>KINGSLEY LIQUOR STORE<br/>(Cellarbrations at Kingsley)</u></b><br><br>Boulevard Shopping Plaza<br>2/9 Moolanda Boulevard<br>Kingsley WA 6026 | <b>Stock quantities</b>  |
|   |  | Stocked quantities were good. White wine display was displayed in a high storeroom shelving format and seemed low on quantities, almost temporary feeling. Not enticing to buy.  |
|   |  | <b>Stocked product sizes</b>   |
|   |  | Stocked sizes were plentiful.  |
|   |  | <b>Floor Stocks</b>  |
|   |  | Floor stacks were plentiful and almost dominated the centre of the store.  |
|   |  | <b>Staff capability and service</b>  |
|   |  | Staff members were helpful, also helpful with suggestions for wines that were difficult to get. Seemed reasonably knowledgeable with products and stock but not pushy.   |
|   |  | <b>Stock quantities</b>  |
|   |  | Stocked quantities were good. Displays were inviting and seemed to have plenty of stock. Premix and chilled white wines were readily accessible with open chilled displays.  |
|   |  | <b>Stocked product sizes</b>   |
|   |  | Stocked sizes were plentiful.  |
|   |  | <b>Floor Stocks</b>  |
|   |  | Floor stacks were minimal in this store. It seemed a little more boutique than the others.   |

|   |   |  |
|---|---|--|
| 4 | <b><u>GREENWOOD HOTEL</u></b><br><br>349 Warwick Road<br>Greenwood WA 6024                                  | <b>Staff capability and service</b>  |
|   |   | Staff member was busy with drive-through and wasn't very attentive but did answer questions well when asked.   |
|   |   | <b>Stock quantities</b>  |
|   |   | Stocked quantities were average due to the size of the store.  |
|   |   | <b>Stocked product sizes</b>   |
| 5 | <b><u>KINGSLEY TAVERN</u></b><br><b><u>(Thirsty Camel)</u></b><br><br>90 Kingsley Drive<br>Kingsley WA 6026 | Stocked product sizes seemed standard.   |
|   |   | <b>Floor Stocks</b>  |
|   |   | No floor stacks in store other than the cool room due to store size.   |
|   |   | <b>Staff capability and service</b>  |
|   |   | Staff member was helpful, with limited knowledge. Was willing to show me various areas for alcohol suggestions but had more of a general knowledge about various types of alcohol. Considering he was managing drive-through customers as well; he was reasonably attentive. |
|   |   | <b>Stock quantities</b>  |
|   |   | Stocked quantities were moderate, with a reasonable amount of red wine selections, white wine was displayed as open stacks, which seemed less enticing.  |
|   |   | <b>Stocked product sizes</b>   |
|   |   | Stocked product sizes were standard, perhaps a bit less options than other stores.   |
|   |   | <b>Floor Stocks</b>  |
|   |   | Floor stacks were minimal and mainly consisted of open white wine display stacks throughout the store, seemed confusing.   |

## 5.0 Technical Appendix – Mystery shops

| Component   | Details  |
|---|--|
| <b>Project Management Team</b>  |  |
| Research Solutions Contact  | Nicky Munro  |
| Client Contact  | Alastair Cockran   |
| Research Technique Used   | Mystery shop – face to face  |
| Field company   | Market Research Australia  |
| Field company credentials   | Auditing to ISO 20252:2019   |
| Number of mystery shoppers  | 1  |
|   |  |
| Mystery shopper briefed in writing and F2F                                  | Yes  |
| Sample source   | Shops to be mystery shopped provided by the client   |
| Data collection method  | Face-to-face counts of liquor products   |
| Number of shops undertaken per venue  | 3 visits to each store   |
| Number of venues shopped  | 5  |
| Are respondents aware of being observed                                     | No stock was counted   |
| Whether recording equipment is used and type                                | Not specifically though photographs may have been taken to assist with the count   |
| Whether observers were physically present                                   | Yes  |
| Validations undertaken  | Yes, by the field manager to check the mystery shoppers' calculations; one shop was undertaken independently at a different time.  |
| <b>Documentation, materials or products used in the research</b>            |  |
| Detailed report written or excel spreadsheet                                | Excel spreadsheet  |
| Contact lists / identifiable respondent information destroyed/deleted       | None used  |
| Any limitations affecting the validity of the findings                      | The accuracy of the mystery shoppers' estimates are consistent with previous counts undertaken by the mystery shoppers.<br>The range of stock in the store will vary from day to day and week to week depending upon out of stock and promotional products. This is an estimate provided in good faith for during the period the 30th of July 2025 to the 13th of August 2025. |
| All problems identified during project reported and followed up.            | None   |
| <b>Documents appended</b>   |  |
| Topic guide / interview guide   | Not used   |
| Other documents (specify)   | None   |
| <b>This project has been undertaken with compliance with ISO 20252:2019</b> |  |

**Limitations:** A qualitative approach has been used in this study and estimates only have been provided.