# Copper & Oak Liquor Merchants Sackville

149 Sackville Terrace, Doubleview WA




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

## Section 38 – Public Interest Assessment (including Section 36B submissions)

August 2026

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# 1. Introduction

1.1. JMNAP Sackville Pty Ltd will be applying to the licensing authority for the conditional grant of a liquor store licence for premises located at 149 Sackville Terrace, Doubleview, WA 6018. The directors of the applicant company are brothers Jose and Nelio Pestana.

1.2. The name of the proposed liquor store is "Copper & Oak Liquor Merchants Sackville".

1.3. This will be a small-medium sized store, with a proposed floor area of approximately 200sqm.

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 Doubleview.

1.7. There are other packaged liquor outlets and on premises licensed venues in the locality, but NONE like the proposed liquor store.

1.8. The applicant will present an unmatched packaged liquor product range - probably unmatched in the Perth metro area, let alone 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 of its currently trading liquor stores at Tuart Hill and Guildford to see what they are about and what they would like to bring to Doubleview.

1.11. In the Director's Decision in respect of an application for the conditional grant of a liquor store licence dated 4th March 2020 for Hangawee Outlet Northbridge (attachment COS01), 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. These submissions have been drafted by Canford Hospitality Consultants Pty Ltd in consultation with Nelio Pestana (Nelio), director of the applicant company, and references to the applicant or the applicant's opinion relate to Nelio, who will oversee operations of the proposed liquor store.

1.14. **Public interest requirements (Section 38(2))**

1.15. 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:

1.15.1. *"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"*

1.16. 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;

1.16.1. *"the harm or ill-health that might be caused to people, or any group of people, due to the use of liquor; and*

1.16.2. *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*

1.16.3. *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*

1.16.4. *any effect the granting of the application might have in relation to tourism, or community or cultural matters; and*

1.16.5. *any other prescribed matter".*

1.17. **Restrictions on the grant of certain licences authorising sale of packaged liquor (Section 36B)**

1.18. Also, Section 36B of the Liquor Control Act 1988 was proclaimed and came into effect on 2nd November 2019.

1.18.1. Section 36B(2) of the Liquor Control Act 1988 states:

1.18.2. "*This section applies to an application for the grant or removal of any of the following licences –*

1.18.2.1. *(a) a hotel licence without restriction;*

1.18.2.2. *(b) a tavern licence;*

1.18.2.3. *(c) a liquor store licence;*

1.18.2.4. *(d) a special facility licence of a prescribed type."*

1.19. Based on the above, Section 36B of the Liquor Control Act 1988 applies to this application, and therefore will be considered in these submissions.

1.20. Section 36B(3) of the Liquor Control Act 1988 states;

1.20.1. "*The licensing authority must not hear or determine an application to which this section applies if —*

1.20.1.1. *(a) packaged liquor premises are situated less than the prescribed distance from the proposed licensed premises; and*

1.20.1.2. *(b) the area of the retail section of those packaged liquor premises exceeds the prescribed area; and*

1.20.1.3. *(c) the area of the retail section of the proposed licensed premises exceeds the prescribed area".*

1.21. 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;

1.22. Regulation No.9AAA states;

1.22.1. "***Area prescribed (Act s. 36B)***

1.22.1.1. *For the purposes of section 36B, the area of 400m2 is prescribed*."

1.23. Regulation No. 9AAB states;

1.23.1. "***Distance prescribed (Act s.36B)***

1.23.1.1. *(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.*

1.23.1.2. *(2) The distances referred to in subregulation (1) are to be calculated using the shortest route by road."*

1.24. As the proposed liquor store is not over 400sqm, the applicant concludes Section 36B(3) above does not apply to this application.

1.25. Section 36B(4) of the Act states;

1.25.1. "*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*".

1.26. Section 36B(4) applies to this application.

1.27. 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.




1.28. **<u>Objects of the Liquor Control Act 1988 (Section 5)</u>**

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

1.29.1. *"to regulate the sale, supply and consumption of liquor; and*

1.29.2. *to minimise harm or ill-health caused to people, or any group of people, due to the use of liquor, and*

1.29.3. *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".*

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

1.30.1. *"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*

1.30.2. *To provide adequate controls over, and over the persons directly or indirectly involved in, the sale, disposal and consumption of liquor; and*

1.30.3. *To provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act, and*

1.30.4. *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."*

1.31. Further Section 5(3) states

1.31.1. *"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".*

1.32. In the Aldi South Fremantle decision (refusing an application for the conditional grant of a liquor store licence), dated 22nd March 2019, at paragraph 26 (attachment COS02), the Director said,

1.32.1. "*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[11] and it is a matter for the licensing authority to decide what weight to give to the competing interests and other relevant considerations*".[12]

1.33. The footnote references at 11 and 12 from the above decision relate to the following;

1.33.1. Footnote 11 - Executive Director of Health v Lily Creek International Pty Ltd & Ors [2000] WASCA 258.

1.33.2. Footnote 12 - Hermal *Pty Ltd v Director of Liquor Licensing* [2001] WASC 356.

1.34. The applicant has considered the Supreme Court decision relating to Liquorland Karrinyup handed down by Justice Archer ([2021] WASC 366) on 28th October 2021. In this decision, there were three grounds of appeal.

1.35. 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.

1.36. The licensing authority regulates the sale, and supply of alcohol. It seeks to strike a balance between catering for the requirements for liquor and liquor related services whilst minimising the potential for harm and ill-health to the community through the abuse of alcohol. So, the framework exists for the granting of new liquor licences in appropriate circumstances.




1.37. The applicant has also considered the outlet density of the location, 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.

1.38. The applicant has also considered the demographics of the locality and will also demonstrate in other sections of these submissions that the proposed liquor store is well planned to provide these important licensed services with very little potential for increased harm or ill health.

1.39. 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 COS03. 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.*

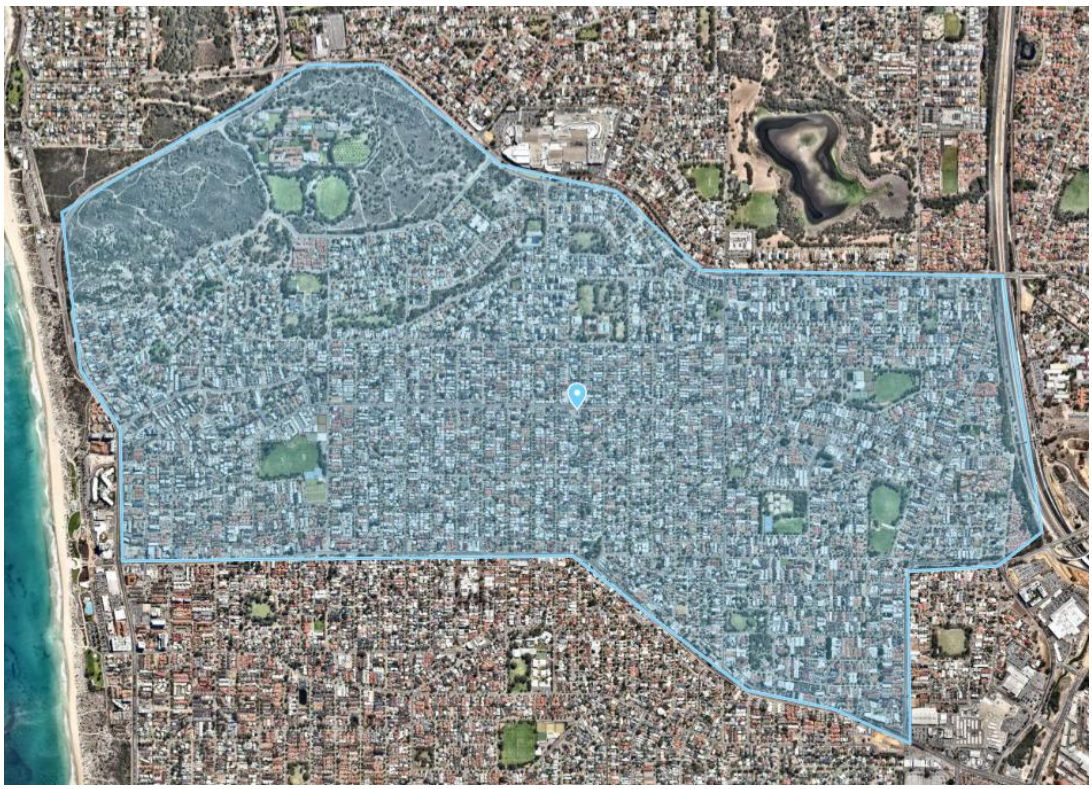
2.2.4. *List the community buildings in the locality If any of the following are in the locality, please provide their names and addresses: schools and educational institutions, hospitals, hospices, aged care facilities, churches/places of worship, drug and alcohol treatment centres, short term accommodation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

2.3. Noting all of the above – 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 COS04).

2.4. Premises Manager Daryl McLachlan provided the following response by email on 20/03/25;

2.4.1. *"**Copper & Oak Doubleview** – 149 Sackville Terrace DOUBLEVIEW. The locality as proposed appears appropriate, bounded by West Coast Hwy, Scarborough Beach Road, Odin Road, Cedric Street, Mitchell Freeway and Karrinyup Road."*

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



2.6. This agreed locality will be used to assist the demographic study and community profile and as the locality boundary for 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 are located in a small cluster of commercial and hospitality buildings, just off Sackville Terrace in Doubleview.

2.10. Surrounding the premises (aside from the immediately adjoining businesses) are residences.

2.11. The store itself will be located immediately next to the newly renovated IGA Sackville (Local Grocer Small Store of the Year 2026).

2.12. **The community most likely to be impacted by the grant of this application.**

2.13. As the locality agreed is the area bound by West Coast Highway, Scarborough Beach Road, Odin Road, Cedric Street, Mitchell Freeway and Karrinyup Road, the local community most impacted is all the suburbs that fall within this locality, namely;

2.13.1. Doubleview,

2.13.2. Scarborough,

2.13.3. Karrinyup, and

2.13.4. Innaloo.

2.14. These suburbs will form the basis of establishing community buildings in the locality, as well as be the subjects of the demographic report later in these submissions.

2.15. **The presence of natural or man-made boundaries that effectively separate one local community from another.**

2.16. 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. St John's Primary School - 21 Lalor St, Scarborough WA 6019

3.3.2. L'Atelier for Children - 144 Westview St, Scarborough WA 6019

3.3.3. Scarborough Primary School - 34-62 Hinderwell St, Scarborough WA 6019

3.3.4. Yuluma Primary School - Yuluma Primary School, 21 Ambrose St, Innaloo WA 6018

3.3.5. St Dominic's Primary School - 95 Beatrice St, Innaloo WA 6018

3.3.6. Newborough Primary School - 178 Newborough St, Karrinyup WA 6018

3.3.7. Deanmore Primary School - 21 Deanmore Rd, Karrinyup WA 6018

3.3.8. Our Lady of Good Counsel School - 117 Miles St, Karrinyup WA 6018

3.3.9. St Mary's Anglican Girls' School – Elliot Road, Karrinyup WA 6018

3.3.10. Karrinyup Primary School - 15 Hampton St, Karrinyup WA 6018

3.3.11. Doubleview Primary School – 228 St Brigids Terrace, Doubleview WA 6018

3.3.12. International School of Western Australia – 22 Kalinda Avenue, Doubleview WA 6018

3.4. Hospitals;

3.4.1. N/A

3.5. Hospices;

3.5.1. N/A

3.6. Aged Care facilities;

3.6.1. Regents Garden Scarborough - 22 Wheatcroft St, Scarborough WA 6019

3.6.2. Amana Living Moline Village - 1 Jeanes Rd, Karrinyup WA 6018

3.6.3. Moline House, Amana Living Karrinyup - 7 Deanmore Rd, Karrinyup WA 6018

3.6.4. Juniper Transition Care Karrinyup - 27 Prisk St, via/3 Thomas Way, Karrinyup WA 6018

3.6.5. Juniper Chrystal Halliday Residential Care - 27 Prisk St, Karrinyup WA 6018

3.6.6. Juniper Chrystal Halliday Serviced Units - 28 Prisk St via, Gladman Way, Karrinyup WA 6018

3.6.7. Bethanie Geneff Aged Care Home - 155 Odin Rd, Innaloo WA 6018

3.6.8. Brightwater Birralee, Innaloo - 39 Hertha Rd, Innaloo WA 6018

3.6.9. Retirees WA - 11 Crocker Way, Innaloo WA 6018

3.6.10. Stanhope Home Nursing Services – St Brigids Terrace, Doubleview WA 6018

3.7. Churches/places of worship;

3.7.1. Immaculate Heart of Mary Parish Scarborough - 104 Scarborough Beach Rd, Scarborough WA 6019

3.7.2. St Columba Anglican Church - 150 Northstead St, Scarborough WA 6019

3.7.3. Scarborough Uniting Church - 121 Northstead St, Scarborough WA 6019

3.7.4. Scarborough Church of Christ – 81 Deanmore Road, Scarborough WA 6019

3.7.5. Scarborough Baptist Church – 158 Brighton Road, Scarborough WA 6019

3.7.6. St John's Anglican Church – 173 West Coast Highway, Scarborough WA 6019

3.7.7. Perth Chinese Christian Church - 146 Flamborough St, Doubleview WA 6018

3.7.8. Church of Jesus Christ of Latter-day Saints – 71 Princess Road, Doubleview WA 6018

3.7.9. Shalom Evangelical Ministries - Stirling Leisure Center, 2 Nerita Way, Karrinyup WA 6018

3.7.10. RCCG Dominion Parish - Stirling Leisure Center, 2 Nerita Way, Karrinyup WA 6018

3.7.11. Cross Culture Church - 1 College Ct, Karrinyup WA 6018

3.7.12. Our Lady of Good Counsel Church - 117 Miles St, Karrinyup WA 6018

3.7.13. Karrinyup Anglican Church – 49 Burroughs Road, Karrinyup WA 6018

3.7.14. C3K Church Karrinyup – 82 Huntriss Road, Karrinyup WA 6018

3.7.15. LFCC Innaloo – Living Faith Community Church - 2 Grant St, Innaloo WA 6018

3.7.16. St Dominic's Church - 19 Phillips Grove, Innaloo WA 6018

3.8. Drug and alcohol treatment centres;

3.8.1. N/A

3.9. Short term accommodation or refuges;

3.9.1. N/A

3.10. Childcare centres;

3.10.1. Canguro Family Daycare – Montessori Based Family Daycare - 19 Phillips Grove, Innaloo WA 6018

3.10.2. Harmony Child Learning Centre – 148 Hancock Street, Doubleview WA 6018

3.10.3. Mulberry Tree Childcare Doubleview - 148 Hancock St, Doubleview WA 6018

3.10.4. Doubleview Family Day Care - 212a Holbeck St, Doubleview WA 6018

3.10.5. Mulberry Tree Child Care & Kindy – Scarborough - 240 Scarborough Beach Rd, Doubleview WA 6019

3.10.6. Barnes Street Early Learning Centre - 240 Scarborough Beach Rd, Doubleview WA 6019

3.10.7. Busy Bees at Scarborough – 81 Scarborough Beach Road, Scarborough WA 6019

3.10.8. Scarborough Early Learning Centre – Bazaar Terrace, Scarborough WA 6019

3.10.9. Nido Early School Scarborough - 117/119 Scarborough Beach Rd, Scarborough WA 6019

3.10.10. Village Early Learning Karrinyup - 21 Norman St, Karrinyup WA 6018

3.10.11. Mulberry Tree Child Care & Kindy – Karrinyup - 178 Newborough St, Karrinyup WA 6018

3.10.12. Karrinyup Early Learning Centre - 24 Blackdown Way, Karrinyup WA 6018

3.10.13. Smart Start Montessori - 4 Davenport St, Karrinyup WA 6018

3.10.14. Stride Early Learning Karrinyup - 2 Smith St, Karrinyup WA 6018

3.10.15. Zig Zags OSHC – 21 Deanmore Road, Karrinyup WA 6018

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 makeup 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) to provide an indication of the prevalence of each of the priority population groups within the suburbs of Doubleview, Innaloo, Scarborough and Karrinyup and compared them with the same information for the State (Western Australia).

4.7. The selected ABS 2021 Census data is shown in the table below.

| ABS Census 2021 | Doubleview | Innaloo | Scarborough | Karrinyup | WA |
|---|---|---|---|---|---|
| **Aboriginal and Torres Strait Islander People** | 1.6% | 0.9% | 0.9% | 0.7% | 3.3% |
| **Age-** Median age | 37 | 36 | 36 | 41 | 38 |
| **Persons aged 15-19 years** | 5.9% | 3.2% | 3.9% | 6.5% | 5.8% |
| **Persons aged 20-24 years** | 5.5% | 5.9% | 5.1% | 4.8% | 6.0% |
| **Persons aged 65+** | 12.5% | 16.6% | 12.7% | 19.9% | 16.1% |
| **Type of educational institution attending**<br>Tertiary - University or other higher education | 19.9% | 22.2% | 21.1% | 15.9% | 13.9% |
| **Level of highest educational attainment**<br>Bachelor Degree level and above | 39.4% | 34.6% | 39.3% | 38.2% | 23.8% |
| **Employment** | | | | | |
| Worked full-time | 59.6% | 63.8% | 60.6% | 56.4% | 57.1% |
| Unemployed | 3.6% | 3.6% | 3.7% | 4.0% | 5.1% |
| **Australian Defence Force service**<br>Previously served (and not currently serving) | 2.0% | 1.7% | 2.1% | 3.0% | 2.6% |
| **Employment - hours worked** | | | | | |
| 40 - 44 hours | 21.9% | 24.1% | 21.3% | 21.6% | 19.6% |
| 45 hours or more | 23.2% | 22.3% | 24.2% | 22.3% | 22.6% |
| **Occupation** | | | | | |
| Professionals | 34.4% | 33.1% | 32.7% | 34.2% | 22.0% |
| Managers | 15.9% | 12.2% | 14.9% | 17.3% | 12.3% |
| **Median weekly incomes** | | | | | |
| Personal | $1,159 | $1,105 | $1,231 | $982 | $848 |
| Family | $3,038 | $2,465 | $2,791 | $3,001 | $2,214 |
| Household | $2,305 | $1,862 | $2,107 | $2,456 | $1,815 |
| **Dwellings**<br>Occupied Private Dwellings | 92.4% | 89.5% | 87.1% | 93.9% | 89.1% |
| **Household Income**<br>More than $3,000 gross weekly income | 38.2% | 26.2% | 32.6% | 41.8% | 25.6% |
| **Rent weekly payments**<br>Median rent | $400 | $400 | $405 | $450 | $340 |
| **Rent weekly payments**<br>Renter households where rent payments are greater than 30% of household income | 26.6% | 25.2% | 23.7% | 25.3% | 28.3% |
| **Mortgage monthly repayment**<br>Median Mortgage repayments | $2,300 | $1,900 | $2,167 | $2,588 | $1,842 |
| Owner with mortgage households where mortgage repayments are less than or equal to 30% of household income | 77.0% | 76.9% | 74.8% | 75.3% | 72.1% |
| Owner with mortgage households with mortgage repayments greater than 30% of household income | 8.7% | 11.1% | 12.4% | 11.0% | 13.0% |

4.8. 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.

4.9. Below is a summary of the 2021 ABS data for the four listed suburbs, compared to the State;

4.9.1. The number of Aboriginal and Torres Strait Islander people in the locality was below the State average for all suburbs.

4.9.2. On average, across the four suburbs in the locality, people work more in a full-time capacity, and for longer hours when compared to the State. Further, each suburb shows a lower level of unemployment.

4.9.3. The average locality figure for managers and professionals is well above than the State average.

4.9.4. At risk age groups of 15 – 19 & 20 – 24 are lower in the locality (on average) compared to the State.

4.9.5. There are more people in all suburbs with higher levels of education than the State.

4.9.6. Income across all three census categories is higher than the State average.

4.9.7. All suburbs in the locality show low levels of rental and mortgage stress when compared to the State.

4.10. The above summary indicates the locality is mature, well educated, financially responsible, and has an overall low representation of the priority groups.

4.11. The demographic profile indicates an established, financially secure community likely to value quality, diversity and service in packaged liquor. That dovetails with the proposed Copper & Oak style of operation, which is directed to a curated, specialist product range supported by knowledgeable service. This is consistent with the witness survey evidence discussed later in these submissions.

# 5. Outlet Density

5.1. The subject premises is located on Sackville Terrace, amongst a number of other commercial and retail operators, and adjacent to the Doubleview IGA.

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 29th 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.3*

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 2 above and is reproduced below.

5.5. In August 2026, the Applicant searched the Racing, Gaming and Liquor for all licensed premises within the locality determined in paragraph 2.6.

5.6. The applicant then:

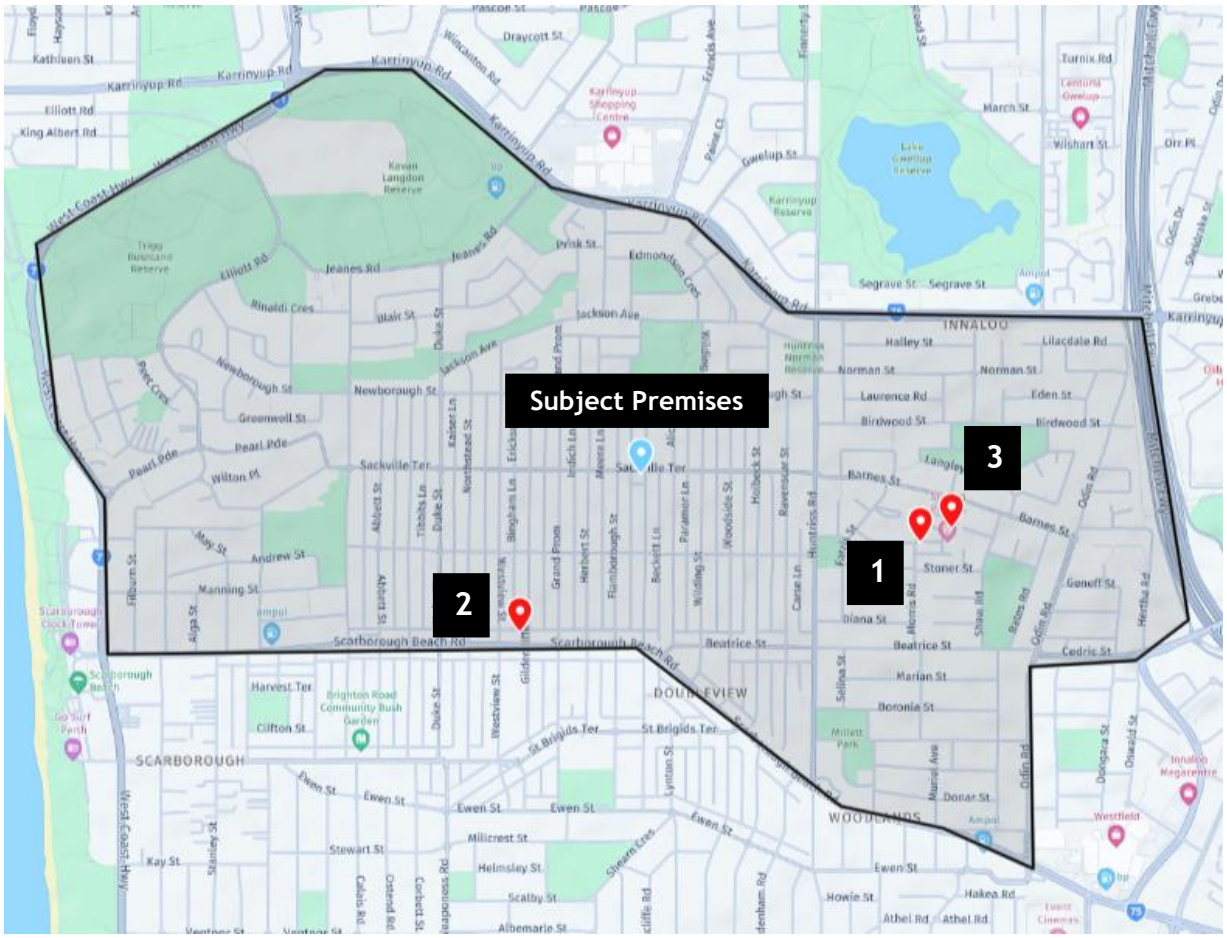
5.6.1. Eliminated any premises which may not sell packaged liquor; and

5.6.2. Eliminated any premises from that list located outside the 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 Liquor Merchants Sackville.

| No. | Licence Ref | Licence Type | Premises Name | Address |
|---|---|---|---|---|
| 1 | 603210957917 | Liquor Store | Cellarbrations at Morris Place | Shop 7, Morris Place Shopping Centre 27 Morris Place Innaloo WA 6018 |
| 2 | 6030003285 | Liquor Store | Scarborough Cellars | 166A Scarborough Beach Road, Scarborough WA 6019 |
| 3 | 6020129578 | Tavern | The Saint George Hotel (Morris Tavern / BWS) | 2 Morris Road, Innaloo WA 6018 |




*Map 1 Outlet Density and distances from the subject premises (Blue Marker – Copper & Oak Doubleview)*

5.9. In May 2026 the Applicant visited these outlets. The observations of these visits are discussed in section 7.

# 6. Objective Evidence

6.1. The applicant carried out a witness evidence strategy in July / August 2026 to obtain objective evidence for these submissions.

6.2. A hard copy of the questionnaire can be viewed in attachment COS03.

6.3. Respondents to the questionnaire were provided access to the following documents.

6.3.1. Floor plans (attachment COS05),

6.3.2. Map of the locality (attachment COS06,

6.3.3. Intended Manner of Trade document (attachment COS07),

6.4. In total 216 responses were received.

6.4.1. The applicant notes a further 115 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 206 respondents who answered what suburb they live in;

6.5.1. **76 (37%)** said they were from Doubleview – the suburb where the premises will be located, and

6.5.2. **A further 89** said they were from a neighbouring suburb – Innaloo, Scarborough and Karrinyup – the other 3 suburbs that make up the local Community.

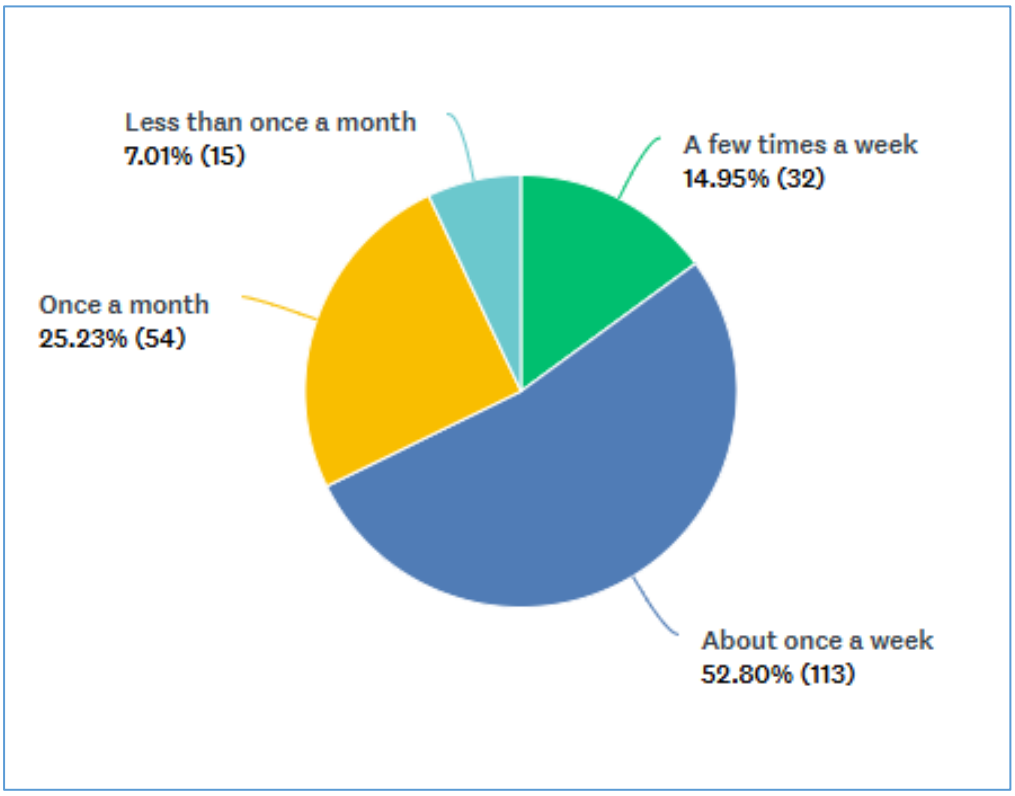
6.5.3. **Together, they make up 80%** of the total respondents to this survey, meaning over three quarters of all responses are from the immediate local community.

6.6. Of the **215** responses received to the question, when asked, *"How long have you lived at the above address?",* approximately **63%** have been at their listed address for more than 5 years, with an additional **33%** having lived at their listed address for 1-5 years.

6.7. Further, almost **50%** of the respondents say they live within 1km of the proposed premises, with an additional **40%** of them saying they live within 3km.

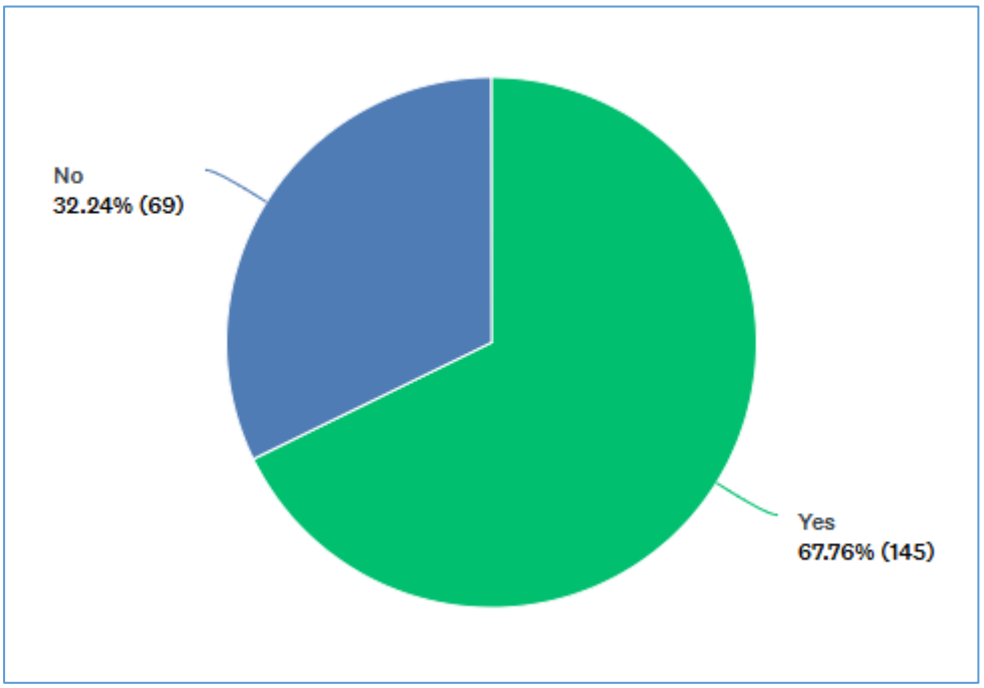
6.8. Of the **214** responses received to the question, **85%** said, "**Yes**" when asked if they live / work in or close to Doubleview. Respondents have described the area as being peaceful, vibrant and family-oriented.

6.9. The questionnaire also asked, *"How often do you purchase packaged liquor?",* the responses are graphed below.




6.10. **Approximately 67% (i.e. two thirds)** of the 214 respondents to the question purchase their packaged liquor at least once a week. **15%** of that figure state they purchase packaged liquor multiple times a week.

6.11. 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.



6.12. Of the 214 responses to the question, **145** (**68% or two thirds**) said "**Yes**". Elaborating on their answers;

6.12.1. Respondent 52 said, *"Mind blowing with all the varieties they have to choose from, with their expertise knowledge of the products was very impressive.",*

6.12.2. Respondent 17 said*, "A most dignified and classy establishment and helpful service."*

6.12.3. Respondent 65 said, *"Excellent store. Always frequent the Tuart Hill branch. Great variety and a wonderful, helpful team."*

6.12.4. Respondent 87 said, *"The range of product offering and customer service is second to none and not what you get from the large national retailers."*

6.12.5. Respondent 114 said, *"We regularly frequent Tuart Hill Copper & Oak. Their range, product knowledge and service are unsurpassed."*

6.12.6. Respondent 126 said, *"Always a great experience. Excellent staff and range… Staff know a lot more about the wines than the big liquor store staff."*

6.12.7. Respondent 133 said, *"They have a fantastic range and amazing customer service. They always go over and above for people and are responsible, selling good local products."*

6.12.8. Respondent 147 said, *"Amazing experience. Great range, great staff, a real community and local feel… they also support local WA businesses and breweries."*

6.12.9. Respondent 195 said, *"They are one of the best liquor stores in the country. They have an excellent selection of harder-to-find products and the staff are knowledgeable and friendly."*

6.13. The recurring themes in the responses demonstrate that Copper & Oak is regarded as a distinctive and trusted independent liquor brand, known for its exceptional and diverse product range, knowledgeable and friendly staff, and outstanding customer service. Respondents consistently identified the brand as offering unique products not readily available from major chains, while also strongly supporting local WA producers. Together with its professional store presentation and community-focused atmosphere, Copper & Oak is seen as offering a premium, independent retail experience that is clearly different from mainstream packaged liquor outlets.

6.14. 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 COS08.

6.15. With the significant majority of survey respondents living in, working in, or close to Doubleview and the surrounding locality, most having lived at their address for a sustained period, a substantial proportion purchasing packaged liquor at least weekly, and two-thirds being familiar with the Copper & Oak brand, 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, range, service standard and independent style of liquor store proposed through this application.

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

7.1. In Section 5 the applicant identified the existing packaged liquor outlets in the locality. In this section the applicant will evaluate each outlet's product and service offer and compare it to what is proposed to be offered at its proposed liquor store.

7.2. Research Solutions (RS) were engaged to conduct a mystery shopper exercise (see attachment COS09) of the existing packaged liquor outlets in the locality.

7.3. The scope of works undertaken is snipped below;

Canford Hospitality Consultants has commissioned Research Solutions to undertake a face-to-face mystery shopping exercise of liquor outlets within the locality of Doubleview. The mystery shopping exercise involved collecting information on the range of liquor products provided by the three licensed premises in the Doubleview 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 each shop.
- The number of different cartons in each stack was counted and recorded.
- All of this information was then documented in a spreadsheet, including the range of products in the cool room.
- The range carried by each store was estimated by adding together the number of different types of products on each shelf and multiplying it by the number of shelves and bays. As some shelves included both single facing, double facing and triple facing of the same product, this was taken into account, and each product was only counted once.
- There was no evidence of stores placing two displays on the same shelf (one behind the other).
- As some products, such as white wine, sparkling wine and Rose are available both in the fridge and on the retail store, we have done our best to eliminate duplications of stock, this has only been done at a category basis.

7.4. It is important to bear in mind here that the goal of this proposed liquor store is to offer a far wider range of specialist liquor products than any of the other packaged liquor outlets in the locality – mimicking the operations and style of Copper & Oak Tuart Hill and Guildford.

7.5. The following stores were mystery shopped.

| No. | Licence Type | Premises Name | Address |
|---|---|---|---|
| 1 | Liquor Store | Cellarbrations at Morris Place | Shop 7, Morris Place Shopping Centre 27 Morris Place Innaloo WA 6018 |
| 2 | Liquor Store | Scarborough Cellars | 166A Scarborough Beach Road, Scarborough WA 6019 |
| 3 | Liquor Store | The Saint George Hotel (Morris Tavern / BWS) | 2 Morris Road, Innaloo WA 6018 |

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 |
|---|---|
| Cellarbrations Morris Place | 1,892 |
| Scarborough Cellars | 2,591 |
| The Saint George Hotel | 1,616 |
| Copper & Oak, Sackville Terrace[1] | 3,570 |

[1] Stock numbers provided by the client Copper & Oak for its proposed store on Sackville Terrace, Doubleview.

7.8. Scarborough Cellars was estimated to have the largest range of liquor products at 2,591 products, which is still someway short of the range proposed at Copper & Oak.

7.9. As seen above and in the mystery report by Research Solutions, the product numbers for each store are shown. Below, these numbers are further broken down into categories;

| | Cellarbrations Morris Place | Scarborough Cellars | The Saint George Hotel | Copper & Oak Sackville[2] |
|---|---|---|---|---|
| Beer/Cider (incl. International Beer and Craft Beer) | 453 | 344 | 367 | 1000 |
| Wine | 804 | 1803 | 822 | 1500 |
| Brown Spirits | 224 | 174 | 104 | 650 |
| White Spirits | 182 | 198 | 166 | 240 |
| Premixes | 229 | 72 | 157 | 180 |
| **Total** | **1892** | **2591** | **1616** | **3570** |

[1] Where some or all of the wine in the fridge was described as different to that displayed on the floor, an estimate of half of the fridge stock has been included.

[2] Stock numbers provided by the client Copper & Oak for its proposed store on Sackville Terrace, Doubleview.

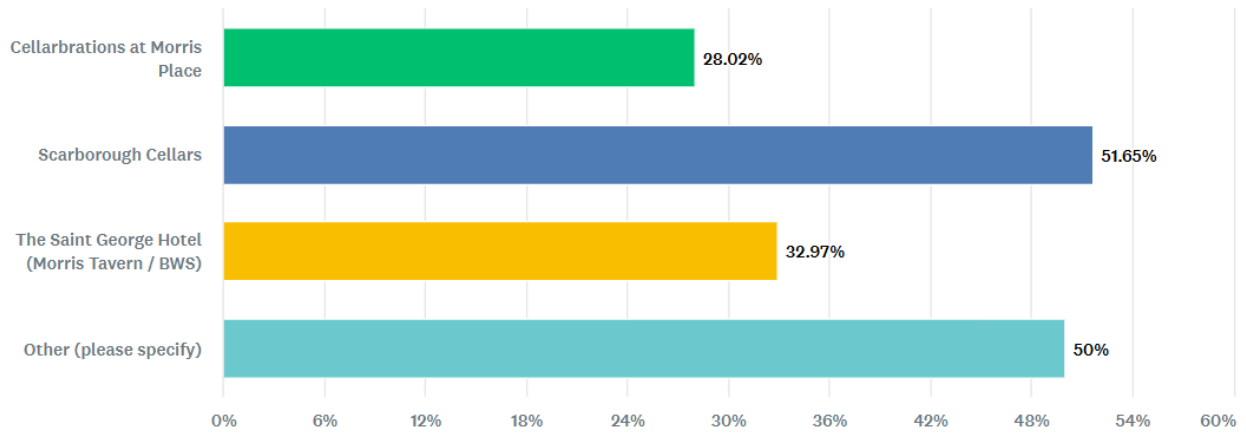
7.10. In every product category except for wines, Copper & Oak's **range** **vastly outnumbers every store listed**. Only Scarborough Cellars, in its wine count (i.e. the store's dedicated speciality) stocks more wine products.

7.11. Copper & Oak is around 1,000 liquor products ahead in range, comparative to the next store. **No other store listed comes close** to the number of products that is proposed with this application.

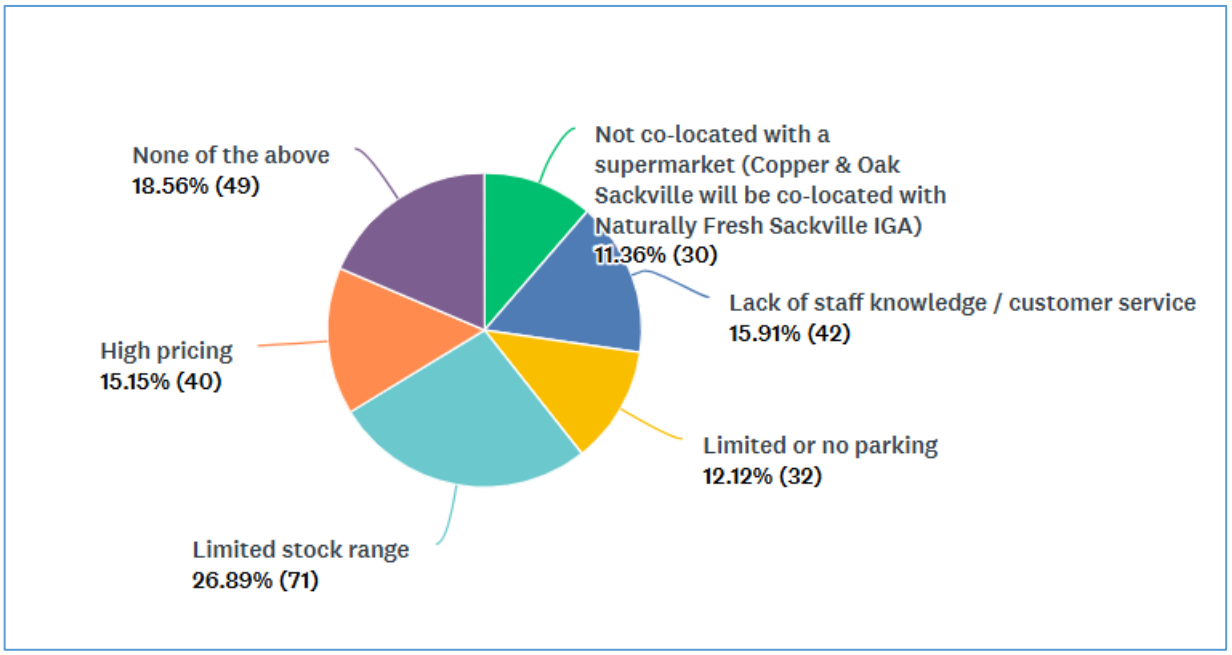
7.12. The report can be read in it's entirety in attachment COS09

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. 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."* Their answers are graphed below;




7.15. Of the **178 respondents who answered this question, 130 (73.0%) identified at least one limitation** with competing liquor stores. The most common concerns **were limited stock range, lack of staff knowledge or customer service, high pricing, limited parking and lack of supermarket co-location.**

7.16. Copper & Oak's proposed model directly addresses several major gaps: its extensive and evolving product range responds to limited choice; qualified, knowledgeable staff address service concerns; and co-location with Naturally Fresh Sackville IGA provides one-stop convenience. Overall, the results indicate substantial dissatisfaction with aspects of existing outlets and a clear opportunity for Copper & Oak to offer meaningful differentiation.

7.17. Sections 8 and 10 below provide detail from questionnaire respondents as to how great and vast the product range is at Copper & Oak.

7.18. Further, section 13 details the importance of staff knowledge and helpfulness to respondents of the witness questionnaire.

7.19. The applicant reiterates;

7.19.1. The objective evidence presented throughout these submissions shows that the proposed product range is unmatched, and

7.19.2. They have committed to have staff employed with the Cicerone qualification, or the Wine & Spirit Education Trust (WSET) Certification.

7.20. 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.

**Gav Cotterell**
Local Guide · 157 reviews · 162 photos

★★★★★ 2 months ago

Any and every drink is available, such a huge range of beers wines and spirits!
Very knowledgeable friendly staff to help too!

**Colin Czerwionka**
Local Guide · 351 reviews · 193 photos

★★★★★ 4 months ago

Small liquor outlet with plenty of quaulity stock that the larger outlets fail to keep.
The South African wines and spirits thay keep are the best ones.
I found the KWV 12 and 15 year old brandies in stock which are world leading spirits.



**Matt Chambers**
9 reviews · 7 photos

★★★★★ 2 years ago

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

**Ryan Dawson**
Local Guide · 220 reviews · 145 photos

★★★★★ 11 months ago

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

Hover to react

7.21. This key feature is also key to the Guildford store, as shown in the survey evidence presented in this PIA and will be a feature in the proposed Sackville store.

7.22. Further, the applicant submits the following comments, after Canford conducted site visits of all competing outlets in the locality.

7.22.1. **The Morris / BWS**

7.22.1.1. This is a three-lane drive-thru, and a very busy liquor store.

7.22.1.2. It is not however conducive to brose customers as they must negotiate the driveway to gain access to the store.

7.22.1.3. It is also not co-located with a supermarket, so one-stop shopping here is not an option.

7.22.1.4. In contrast the proposed Copper & Oak Liquor Merchants Sackville will be a tailored browse store and very convenient for people on foot.



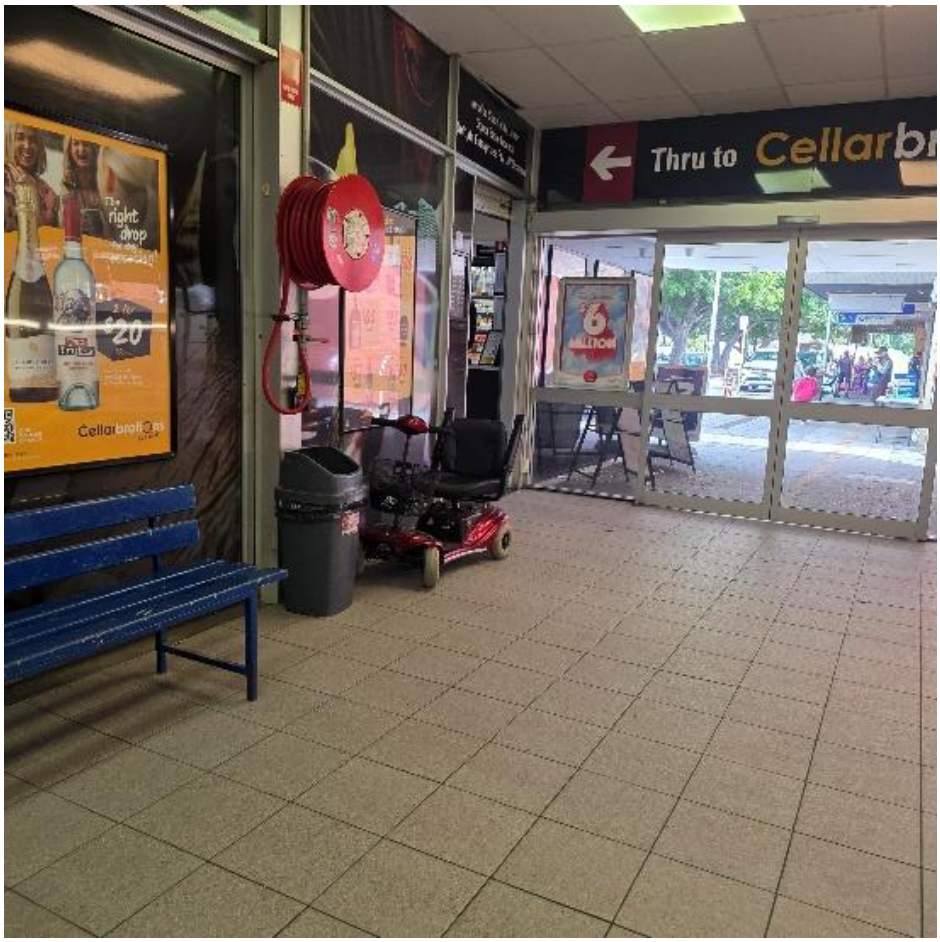

7.22.2. **Cellarbrations Morris Place**



7.22.2.1. This is a small store with a narrow entry next to the exit from the Morris Place IGA.

7.22.2.2. It stocks a fairly standard range of core, and mainstream liquor products typically found at a Cellarbrations liquor store.

7.22.2.3. The proposed Copper & Oak Liquor Merchants Sackville will have a much wider range of products, including many new and unusual items not found in mainstream liquor stores.




### 7.22.3. **Scarborough Cellars**

7.22.3.1. The access and car parking is very awkward for this store. The median strip on Scarborough Beach Road means that access is only possible on the south bound side.

7.22.3.2. The store has an excellent range of wines, including many premium selections.

7.22.3.3. Its range of whiskies and spirits however is not so extensive, for example it does not stock any Indian or Tasmanian whiskies.

7.22.3.4. Its range of international and craft beers is quite limited, and certainly inferior to what is proposed at Copper & Oak Liquor Merchants Sackville.




7.23. The applicant submits that the introduction of Copper & Oak Liquor Merchants Sackville will also provide a form of healthy competition to the existing packaged liquor outlets in the locality.

7.24. That competition is not advanced on the basis of simply adding another outlet selling the same products in the same manner. Rather, it is directed to improving the quality, diversity and standard of the packaged liquor offer available to the local community.

7.25. A specialist, independent store with a materially broader and more carefully curated range, supported by knowledgeable staff and a strong emphasis on local and independent producers, may well encourage existing operators to improve range, service and product knowledge. That outcome is positive for consumers and consistent with the primary object in section 5(1)(c) of the Act, namely catering for the requirements of consumers for liquor and related services, having regard to the proper development of the liquor industry and other hospitality industries in the State.

7.26. This is also consistent with the secondary objects of the Act - the facilitation of licensed facilities reflecting the diversity of consumer requirements and the encouragement of responsible attitudes and practices towards the promotion, sale, supply and consumption of liquor that are consistent with the interests of the community.

7.27. A competitive market that rewards responsible operators, informed service, quality products and local producer support is preferable to a market driven only by price, volume or convenience. In that respect, the proposed store is capable of benefiting the community by lifting consumer choice and service standards within the locality.

# 8. Proposed Style of Operation

8.1. 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 minimal intervention and Lo-Fi wines from around Australia.

8.2. Many of those products will be exclusive to Copper & Oak. That range will be inclusive of the following.

8.2.1. Spirits - Over 1,000 across the categories

8.2.1.1. Roughly 400 Whiskies

8.2.1.2. Roughly 100 Rums

8.2.1.3. Roughly 100 Gins

8.2.1.4. Around 40 to 80 Tequilas/Mezcals

8.2.1.5. Roughly 100 Brandies, Cognacs and Armagnacs

8.2.1.6. Roughly 50 Vodkas

8.2.2. Wine – as with other Copper & Oak Stores, there will be a strong focus on WA locally owned wines. There will be roughly 1,500 wines, inclusive of at least;

8.2.2.1. 55% WA Locally owned wines - with a strong focus on Swan Valley and the Perth Hills.

8.2.2.2. 5% Lo-Fi / Pet Nat

8.2.2.3. Roughly 80 South African Wines (approximately 5% of wine stock).

8.2.2.4. 15% Australian White Wine

8.2.2.5. 5% Sparkling Wines

8.2.2.6. 5% International Wines

8.2.2.7. 25% Australian Red Wines

8.2.3. Roughly 1,000 beers, made up of;

8.2.3.1. Majority local craft beers,

8.2.3.2. National craft beers

8.2.3.3. International beers,

8.2.3.4. Independently owned international and local beers, and

8.2.3.5. Seasonal / small batch / collaboration beers.

8.3. The store will have at least 20 refrigerated doors.

8.4. Copper & Oak Liquor Merchants Sackville will have an unmatched range in the area but it also is very much a convenience shop being located right next to the Doubleview IGA.

8.5. Copper & Oak Liquor Merchants Sackville will have the largest range of whisky within its catchment area.

8.6. Further, this store will have a range of other spirits equal to what they have at Copper & Oak Guildford, 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.

8.7. A full range of mainstream liquor will also accompany this extensive list.

8.8. 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. This is part of the Copper & Oak ethos.

8.9. Jose and Nelio recognise that the liquor industry is constantly changing, and they change with it. Recently, consumer awareness and education have become a lot more important, and Jose and Nelio have adapted their business model at both Tuart Hill and Guildford to this.

8.10. The applicant proposes that the liquor store will trade within the standard trading hours permitted for a liquor store licence under the Liquor Control Act 1988, namely 8:00 am to 10:00 pm Monday to Saturday and 10:00 am to 10:00 pm on Sunday, subject to the usual restrictions applying on Christmas Day, Good Friday and ANZAC Day.

8.11. The adjacent Sackville IGA trades from 7:00 am to 10:00 pm, seven days a week. While that co-location will provide convenience for customers, the liquor store will not commence liquor sales before the hours permitted under the Act unless otherwise authorised by the licensing authority.

8.12. Copper & Oak is committed to provide high quality service to the local community through the experience and specialised knowledge of its staff.

8.13. The store, as with other Copper & Oak stores, will run product tastings. And, where possible, it will look to engage with local businesses on running more involved events and educational sessions. This is elaborated on later in these submissions (see section 14).

8.14. The Doubleview community will have the opportunity to access reliable expert advice when they are purchasing at Copper & Oak by leveraging the expertise of its team.







8.15. At least one member of the Copper & Oak staff will hold;

8.15.1. ***"The Cicerone Certification"*** certification in selecting, acquiring, and serving today's wide range of beers, and

8.15.2. The ***Wine & Spirit Education Trust WSET***. WSET qualifications are globally recognised as the international standard in wine and spirit knowledge.

8.16. 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 (see attachment COS17).

8.17. Copper & Oak held (in 2024) 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.

8.18. This year, Copper & Oak also won best retail experience at the Swan Chamber (having also won this same award in 2025) of business awards as well as overall Business of the Year 2025.

8.19. They have also been nominated as a finalist at the ALIA (Australian Liquor Industry Awards) for Australia Liquor Store of the Year 2025.

8.20. 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.

8.21. These awards are further proof of their dedication to create a shopping experience at their stores which is unique, insightful and elevated.

8.22. 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.

8.23. 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.

8.24. There are five key components to this liquor store and the Copper & Oak brand, which are;

8.24.1. *A market leader in new liquor products and producers*

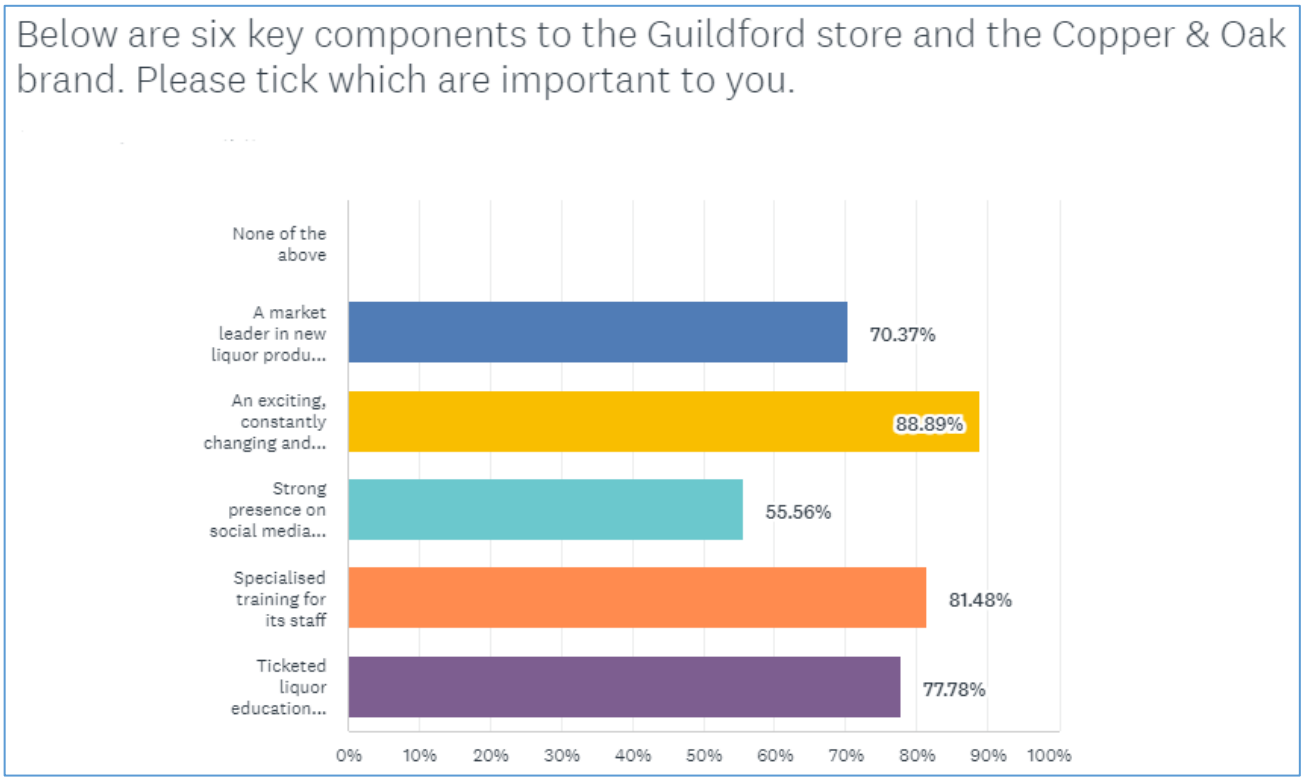
8.24.2. *(This naturally results in) An exciting and constantly changing and evolving stock range*

8.24.3. *Strong presence on social media*

8.24.4. *Investing in the specialised certification of staff*

8.24.5. *Ticketed liquor education events and tastings by producers*

8.25. In the Copper & Oak Guildford questionnaire (carried out in late 2024), respondents were asked to tick which of the above components was important to them – their answers are below.



8.26. The results of this survey in Guildford show that the Applicants have understood the marketplace very well and have produced a unique liquor store in that locality.

8.27. All of the key features are well received and popular.

8.28. This is no fluke, as Jose and Nelio have done exactly the same thing in Tuart Hill.

8.29. This evidence, along with the evidence presented from the current witness survey for the new Doubleview premises, guides the Director to the conclusion that the proposed liquor store will be very well received and will provide for the very reasonable requirements of the local community in a way that no existing liquor store can or does.

8.30. 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 Doubleview packaged liquor offer.

8.31. In the sections that follow we will provide more detail on the "five key components" of the proposed liquor store.

8.32. 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."*

8.33. Will describes the new Copper & Oak store in Guildford – *"Located at the gateway to the Swan Valley, it stocks an impressive collection of wines from that region alongside those from further afield, as well as a broad range of craft beers"*, and concludes *"Copper & Oak is an institution when it comes to craft beer, wine and spirits, but its evolution shows how independent and family-run businesses can continue to thrive".*

8.34. The Echo Newspaper recognised the award winning Copper & Oak store in Guildford, see below.




# Copper Oak Liquor Merchants awarded

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

August 31, 2023

8.35. 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 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*



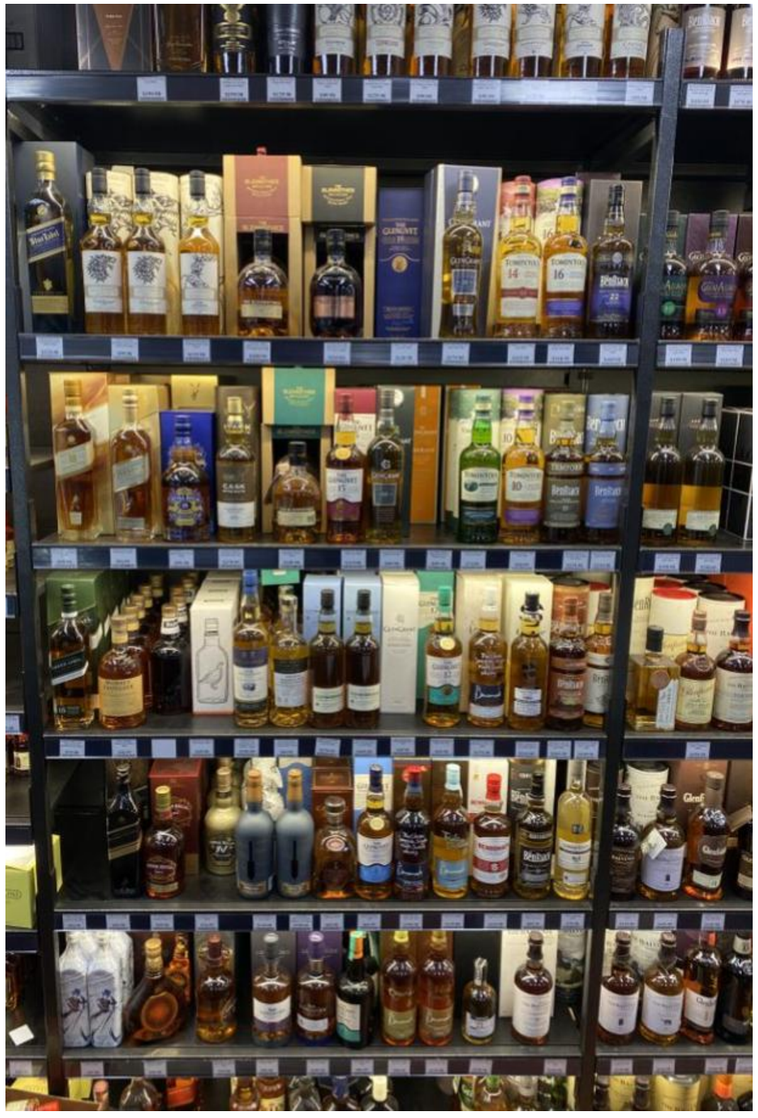
*International & Australia Whisky Bay 5*



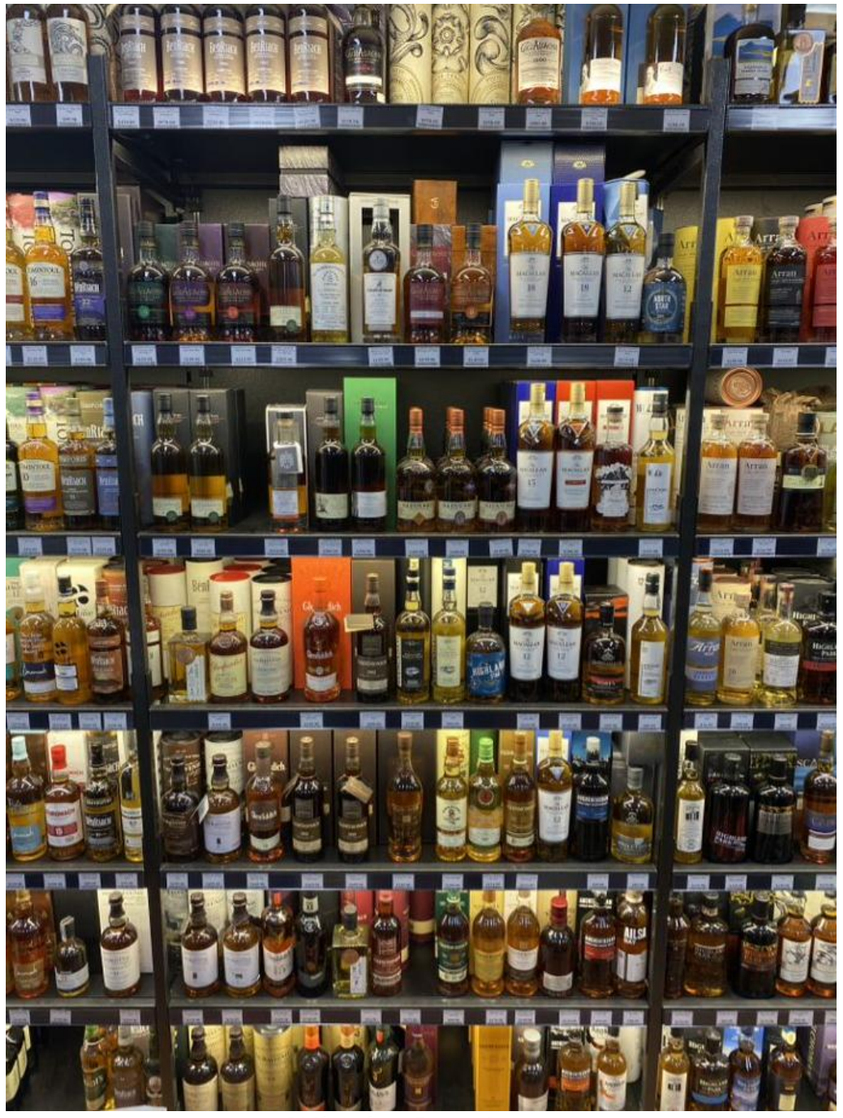
*Rum bottom shelf*

## 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

8.36. As stated in paragraphs 8.2 and 8.3, the product breakdown of what will be available at Copper & Oak Liquor Merchants Sackville is enormous by contemporary standards.

8.37. 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.

8.38. For example, in their Tuart Hill store they carry a range of whiskies, anywhere from 500 – 600 on offer.

8.39. 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.

8.40. 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.

8.41. The need and want for a large range of local WA wines at the Guildford store saw Nelio and Jose quickly adapt to bring in more stock. At current, the Guildford store wine range sits around 1,800 – 2,000 different wines – with 200 or more being from the Swan Valley.

8.42. Jose and Nelio will be quick to adapt to identified trends at their proposed store in Doubleview.

8.43. In the witness questionnaire respondents were asked, *"The applicant proposes a constantly changing and evolving range of independent, international and seasonal craft beers, large ranges of whiskies, rums and gins, Swan Valley's largest range of wines and local WA wines, South African wines, as well as Pét-Nat and Lo-Fi wines.Would you be interested in buying such products from the proposed liquor store?"*

8.43.1. Of the 193 responses received, **178 (92.23%)** said, *"Yes".*

8.43.2. Elaborating on their answers;

8.43.3. Respondent 39 said, "*There is a lack of options in the local area for this specialty type of service and products."*

8.43.4. Respondent 54 said, *"Diversity not supplied by large chain liquor stores."*

8.43.5. Respondent 87 said, "*Love experiencing offerings that you would otherwise not find from the large national liquor companies."*

8.43.6. Respondent 124 said, *"Love their range and trust their knowledge to help me broaden my beer and wine choices, particularly local brands."*

8.43.7. Respondent 137 said, *"More choice, good to have engaged merchants selling their products and have the knowledge to provide advice."*

8.43.8. Respondent 147 said, *"Copper & Oak's wide and revolving range is what makes them so good, plus the international products are a real drawcard."*

8.43.9. Respondent 171 said, *"The area would benefit from another bottle shop that sells independent brands. There is nothing like this at the nearby Karrinyup Shopping Centre."*

8.43.10. Respondent 212 said, *"Few bottle shops offer the excellent range that Copper & Oak do; consumers go where the products they want are."*

8.44. As mentioned, an important service is the convenience that will be offered by having Copper & Oak co-located with Sackville IGA. In the witness questionnaire, respondents were asked, *"When shopping for your packaged (take-away) liquor, is having the convenience of being able to shop for your weekly groceries at the same time and place (one-stop shopping) important to you?"*\

8.45. Over half of the respondents (**55%**) said, "**Yes**".

8.46. It is noted that a very small percentage of respondents didn't respond positively to the survey.

8.47. The concerns of these respondents were primarily about insufficient parking, increased traffic and congestion, and the belief that the area already has enough liquor outlets. Other concerns included potential antisocial behaviour, crime, noise and disturbance, risks to nearby children, elderly or vulnerable residents, and the proximity of a daycare centre. Several respondents supported Copper & Oak's concept but considered the proposed location unsuitable.

8.48. The Applicant acknowledges that the concerns expressed by the small minority of respondents warrant proper consideration.

8.49. All concerns must be assessed against the nature of the proposed operation, the evidence as a whole and the safeguards available through responsible management and appropriate licence conditions.

8.50. The proposed premises is a liquor store, not a tavern, bar or other venue involving on-site consumption. Customers will purchase their products and leave. The proposed operation will not likely generate prolonged gatherings, intoxicated patrons leaving the premises, late-night noise or other disturbances.

8.51. Further, Copper & Oak proposes a specialist, quality-focused business model distinguished by an extensive range of boutique, independent, local and international products and knowledgeable staff. This is not a high-volume, price-led operation directed toward the sale of inexpensive liquor. Respondents familiar with Copper & Oak repeatedly described its existing stores as professionally operated, well-presented and supported by responsible, knowledgeable staff.

8.52. The survey results demonstrate that the negative views are not representative of broader community sentiment. As shown later in

these submissions, a vast majority consider that this proposal will have a positive impact on locality amenity.

8.53. Generally, respondents identified increased consumer choice, improved convenience, support for local producers and businesses, greater activity within the shopping strip and an improved retail offering as beneficial aspects.

8.54. Concerns regarding the number of existing liquor outlets are addressed later on in these submissions. However, the applicant reiterates that this proposed store is materially different from other competing outlets and has a quality reputation to stand behind.

8.55. Parking and traffic concerns are acknowledged, but they are not, without further evidence, sufficient to establish that the proposed store itself will cause unacceptable harm or loss of amenity. The premises form part of an existing retail locality, and some customers are likely to combine their visit with grocery shopping or attend on foot.

8.56. While the minority concerns should be heard and appropriately managed, they should be weighed against the substantial evidence of community support and the proposed store's positive attributes.

# 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 and 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 2025 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. Copper & Oak recently did a Swan Valley wine presentation which was hosted for the Teachers at Guildford Grammar School. it focused on how many great local wines we have and their connection to Guildford Grammar School.

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 includes the following.

- 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 Grammer 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 36 months of Copper & Oak moving into Guildford.

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.

9.9. The Applicant submits that the above matters are not included only to describe the success of the Guildford store, but to demonstrate the manner in which Copper & Oak seeks to operate in any locality it becomes part of. The businesses conducted by Jose and Nelio are not simply retail liquor stores operating in isolation from their surrounds. They are intended to become knowledgeable, active and supportive participants in the communities in which they trade.

9.10. If the application is granted, Copper & Oak intends to bring the same approach to Doubleview. The proposed store will seek to establish genuine relationships with local residents, nearby retailers, hospitality operators, community groups and local producers. This will include looking for appropriate opportunities to support local events, collaborate with neighbouring businesses, promote Western Australian producers, and participate in community and industry initiatives that are relevant to the Doubleview, Scarborough, Innaloo and Karrinyup locality.

9.11. In practical terms, this is likely to include product tastings, producer-led education sessions and masterclasses, and where appropriate, events involving complementary local businesses such as food retailers, restaurants, cafés or other hospitality operators. These activities would be consistent with the manner in which Copper & Oak already operates, namely by using staff knowledge, producer relationships and carefully curated product ranges to educate consumers and promote responsible, informed purchasing decisions.

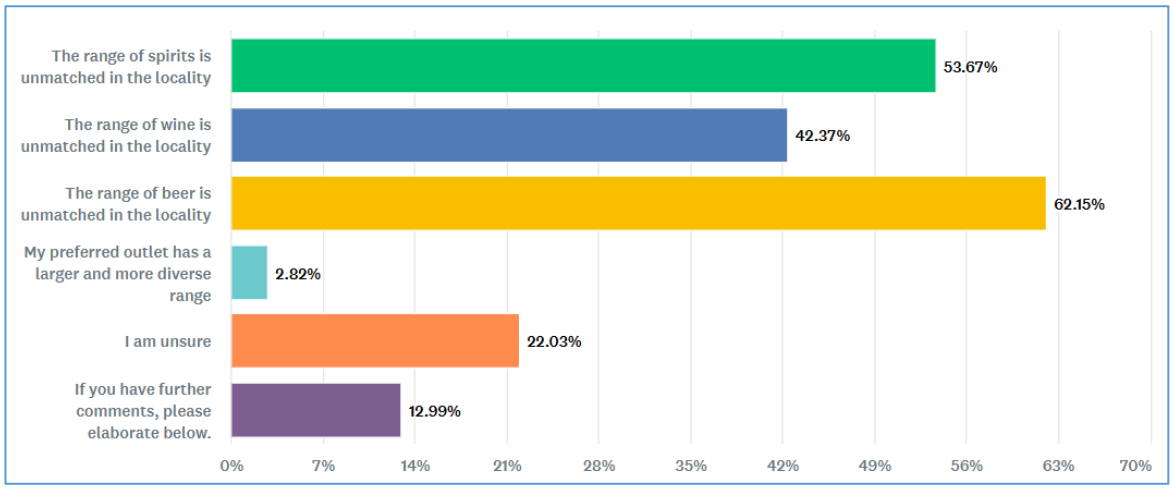
9.12. Copper & Oak intends to become an engaged local business that supports local producers, works constructively with nearby businesses, offers education and product knowledge to consumers, and contributes positively to the character and vitality of the local shopping precinct.

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

10.1. Below is further witness evidence that shows Copper & Oak's market leading position, underlining how Jose & Nelio do things differently to regular packaged liquor outlets.

*10.2.* In the witness questionnaire, respondents were asked about the proposed stock list (question 10); *"Below is a proposed stocklist for this premises. How do each of the main liquor categories (i.e. Spirits, Wine & Beer) compared to the other outlets in the locality? …The breakdown is based on current market trends and may adapt depending on local demand"*

10.3. The respondents' answers are shown in the bar chart below.




10.4. Respondents to this question strongly indicate that Copper & Oak's proposed range would be differentiated from existing local outlets. Among the 170 respondents who selected a comparison option, **almost two thirds identified the beer range as unmatched**, **over half of them** said the same about the spirit range and **over 40%** said the same of the wine range.

10.5. Overall, **75% of respondents to the question identified at least one proposed category as unmatched.**

10.6. Respondents who elaborated on their answers reinforce the demand for specialty and hard-to-find products, local producers and a regularly evolving range, although a small number questioned the need for another outlet, raised parking or pricing concerns, or noted other local competitors. Some of their comments are below;

10.6.1. Respondent 107 said, *"Beers like Tsingtao and Japanese beers are hard to find in this area."*

10.6.2. Respondent 114 said, *"We currently go out of our way to purchase from the expertly curated selection at Tuart Hill Copper & Oak."*

10.6.3. Respondent 119 said, *"Copper & Oak's range is great, and the ability to try and support local producers is great too."*

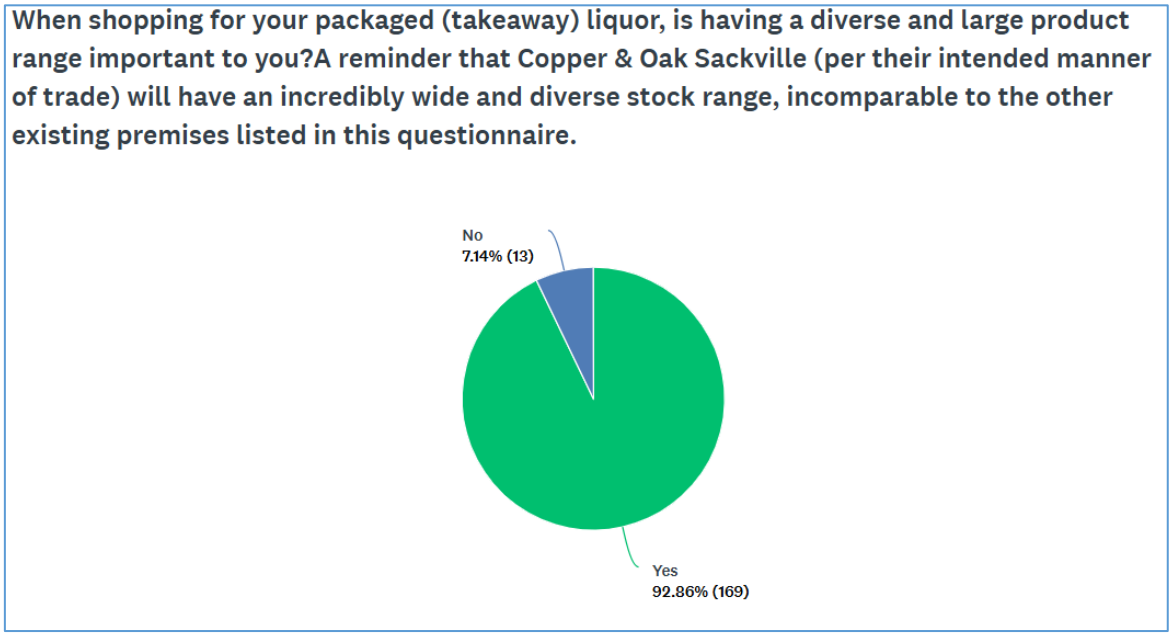
10.6.4. Respondent 124 said, *"Compared with the other independent wine store in Doubleview, Copper & Oak would be unique and superior in its offering."*

10.6.5. Respondent 195 said, *"The wine range is more focused on WA than others in the area."*

10.6.6. Respondent 205 said, *"Copper & Oak has its finger on the pulse, knows what the community wants and is always looking to improve."*

10.7. Further, respondents were then asked, *"When shopping for your packaged (takeaway) liquor, is having a diverse and large product range important to you? A reminder that Copper & Oak Sackville (per their intended manner of trade) will have an incredibly wide and diverse stock range, incomparable to the other existing premises listed in this questionnaire."*

10.8. Their answers are graphed below, with over **90%** of respondents to the question saying, "**Yes**".

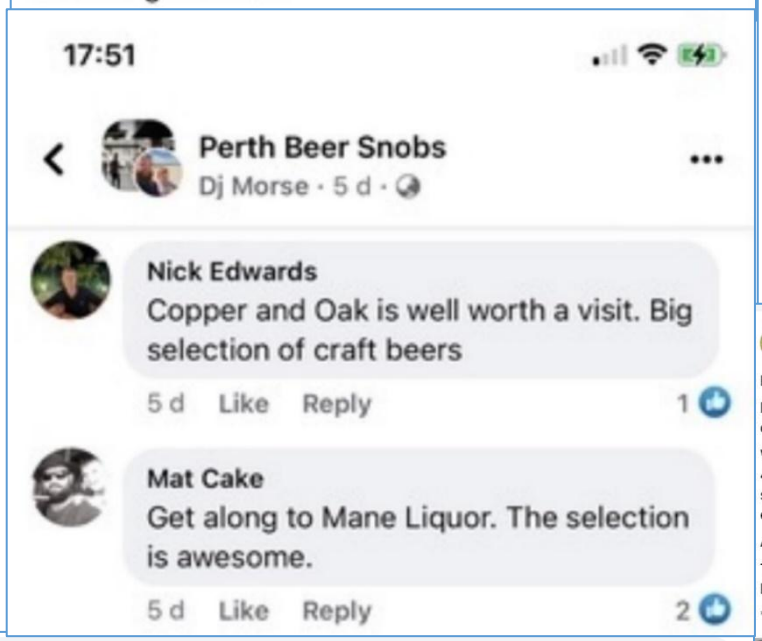


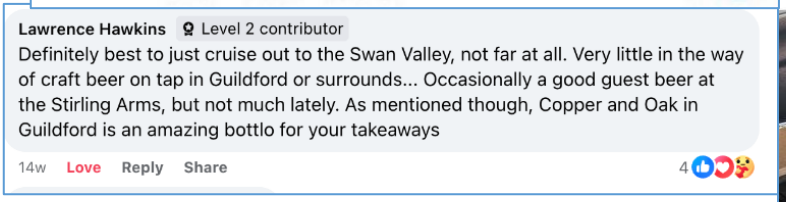
10.9. Copper & Oak is well backed by the craft beer community. Below are examples from Facebook showing numerous recommendations from craft beer consumers in the popular Facebook group 'Perth Beer Snobs' (currently at 33,000 members), and further afield.









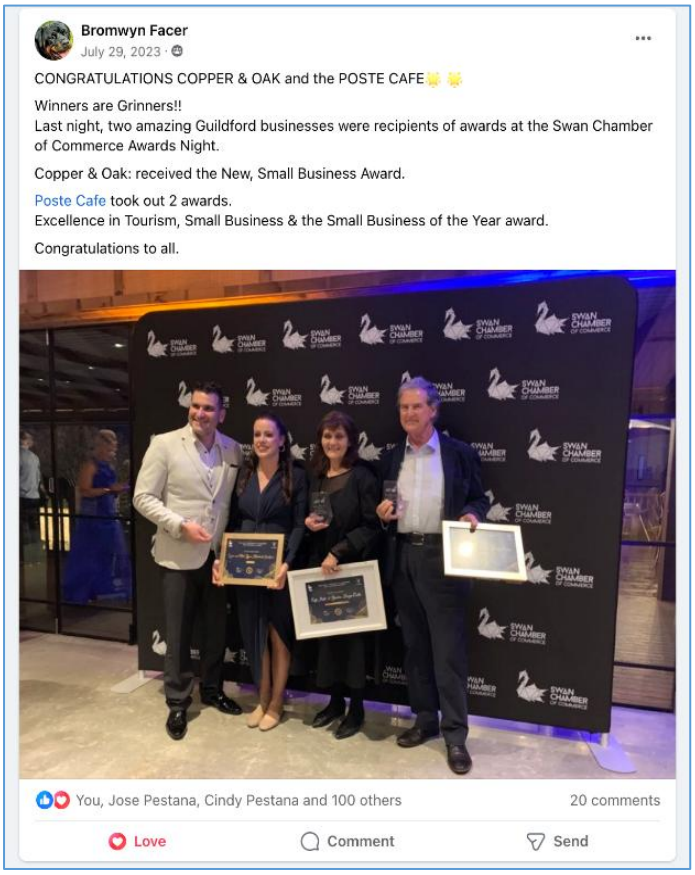


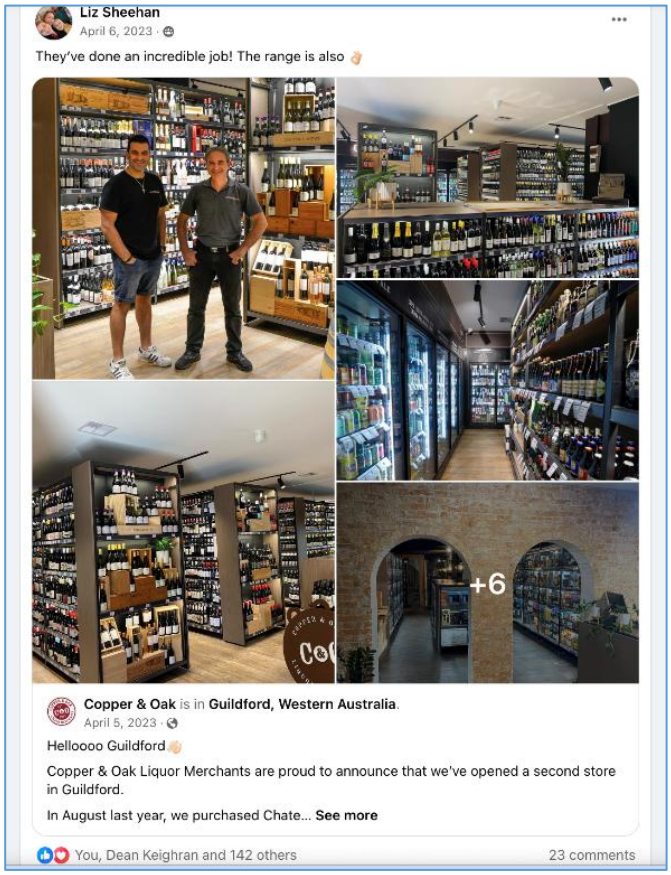


Twohop Heads
March 11 ·
East Coast here. Looking for the best WA bottle shop for WA craft beers. I've checked Mane and it's pretty good. What are a few others?
38 comments
Like
Comment
Share
Twohop Heads Author Level 1 contributor
Thank you all. Looks as if Copper & Oak is the pick. Cheers
8w Like Reply Share 5
Tago Mharapara
February 4 ·
I'll be visiting Perth in a few days. I'd appreciate any suggestions on solid taprooms or eateries with a good range of local craft beer in or around the South Guilford area. Thank you.
You, Bron Williams and 3 others
29 comments
Like
Comment
Share
Top comments
Mark Duppin Schoutt Level 3 contributor
There is a great bottle shop for you there now So that is a start - Copper and Oak ! Rose and Crown pub ok and the Guildford . You will also be short trip from various swan valley breweries !
14w Love Reply Share 11
Steve Russell
Hi Tago - Copper & Oak sell a great takeaway selection. We have a our taproom production HQ venue on Abernethy Road -Blasta Brewing Co and also a multi zoned venue in Burswood Blasta Collective.
In the Swan Valley there are other great options such as Mash, Swan Valley, Slumdog, Baileys, The Henley Brook as well as loads of great breweries in Perth.
14w Love Reply Share 3
Shane Giles Level 2 contributor
I suppose it depends where your going to be? North, South or central. If your North:
Copper & Oak
Mane Osbourne park
Scarborough Cellars
Liquor Barons Marmion
Ashby Cellarbrations
Connelly Liquor barons
Cellarbrations Ballajura
Clarkson Cellarbrations
Candlewood Cellarbrations
All have something you might like
8w Like Reply Share


Aleksi Fraser
December 16, 2022 ·
Copper & Oak just opened in Guildford down the road from the Rose & Crown.
Still getting everything together, but it's great I don't have to make it to Tuart Hill for crafties now.
COPPER & OAK
LIQUOR MERCHANTS
You, Guy Southern, Bronte O'Donoghue and 355 others
110 comments 2 shares
Love
Comment
Share


Tago Mharapara
February 8 ·
Arrived in Perth and checked in at Copper & Oak in South Guildford. Massive shout out to Nelio (please forgive spelling) for the help in sourcing WA IPAs & one IPL. Also, shout out to Jesse. Blasta Brewing on the schedule tomorrow.
Margaret River Beer Co
IN THE PINES
BEERFARM
IPL
ROCKY RIDGE
COPPER & OAK
LIQUOR MERCHANTS



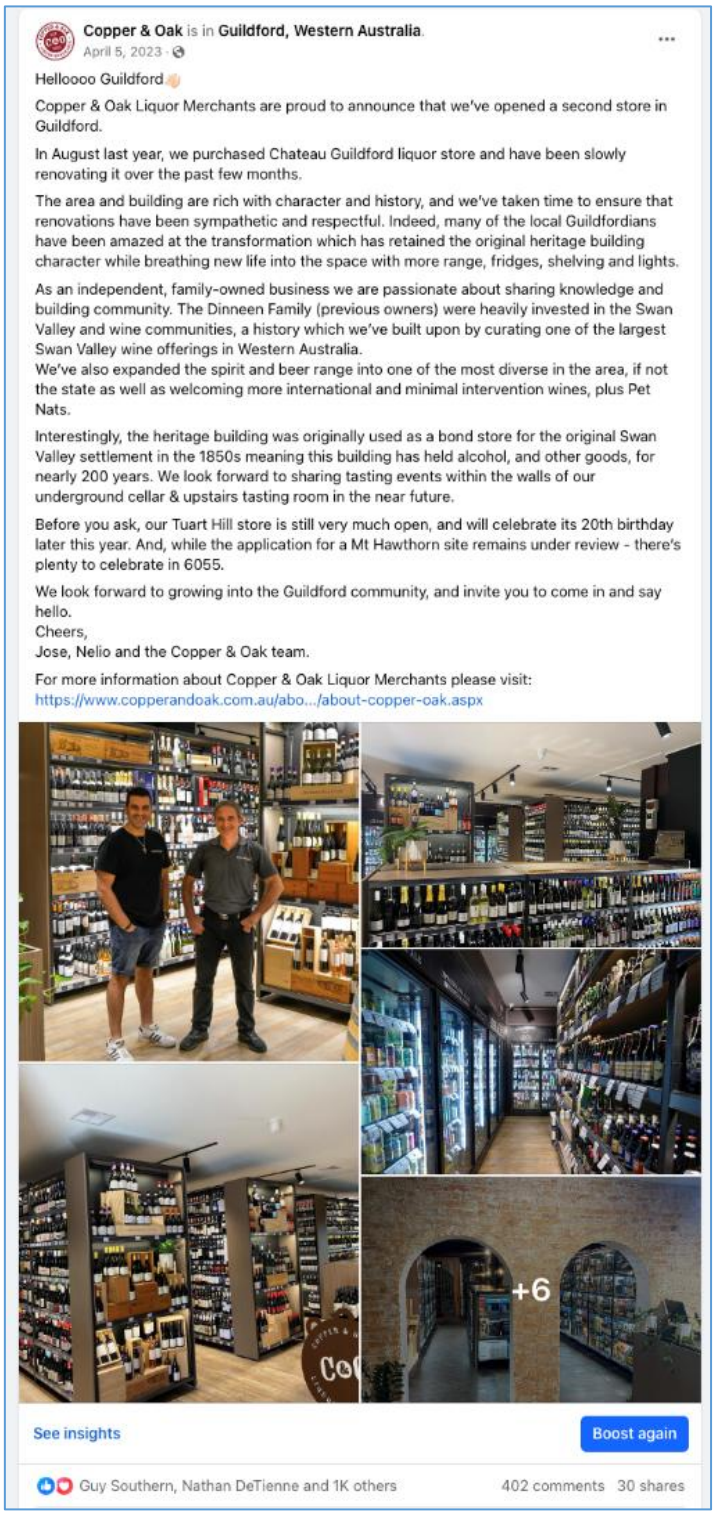




**Copper & Oak Liquor Merchants – Guildford**

The newly minted Guildford offshoot of this esteemed operation is a ripper, with more than 50 years of customer service experience behind it. There's a fitting spotlight on Swan Valley growers and makers, as well as a hefty aggregate of South African wines, nodding to co-owners Jose and Nelio Pestana's ancestry. The 400-strong whisky supply has been compiled with equally serious intent, but empty oak barrels are available if you prefer maturing your own hooch.

*Address: 124 Swan Street, Guildford*

*Website: copperandoak.com.au*


Copper & Oak is in Guildford, Western Australia.
April 5, 2023 ·
Hellooco Guildford
Copper & Oak Liquor Merchants are proud to announce that we've opened a second store in Guildford.
In August last year, we purchased Chateau Guildford liquor store and have been slowly renovating it over the past few months.
The area and building are rich with character and history, and we've taken time to ensure that renovations have been sympathetic and respectful. Indeed, many of the local Guildfordians have been amazed at the transformation which has retained the original heritage building character while breathing new life into the space with more range, fridges, shelving and lights.
As an independent, family-owned business we are passionate about sharing knowledge and building community. The Dinneen Family (previous owners) were heavily invested in the Swan Valley and wine communities, a history which we've built upon by curating one of the largest Swan Valley wine offerings in Western Australia.
We've also expanded the spirit and beer range into one of the most diverse in the area, if not the state as well as welcoming more international and minimal intervention wines, plus Pet Nats.
Interestingly, the heritage building was originally used as a bond store for the original Swan Valley settlement in the 1850s meaning this building has held alcohol, and other goods, for nearly 200 years. We look forward to sharing tasting events within the walls of our underground cellar & upstairs tasting room in the near future.
Before you ask, our Tuart Hill store is still very much open, and will celebrate its 20th birthday later this year. And, while the application for a Mt Hawthorn site remains under review - there's plenty to celebrate in 6055.
We look forward to growing into the Guildford community, and invite you to come in and say hello.
Cheers,
Jose, Nelio and the Copper & Oak team.
For more information about Copper & Oak Liquor Merchants please visit:
https://www.copperandoak.com.au/abo.../about-copper-oak.aspx
+6
See insights
Boost again
Guy Southern, Nathan DeTienne and 1K others
402 comments 30 shares


Chris Wilson Top contributor
The myth, the man, the legend, bet you left Copper & Oak happy, good find
Copper & Oak
1w Like Reply Share 3
Mark Duppin Schoutt Top contributor
It's a belter !
1w Like Reply Share 2
Adam Green Top contributor
No better customer service I've come across in Perth than from the C&O lads
1w Love Reply Share 2
Jason Self Top contributor
Yeah, this is a belter, and should be on King Road Brewing Co regular roster. C&O crew are my local, and always the legends
1w Love Reply Share 2
Guy Southern Top contributor
Rob MacDonald very happy to get this one to you. And you're not alone with praise for it!
King Road Brewing Co any chance of a return this year?
1w Like Reply Share
Tai Glasson
He's a good lad
1w Like Reply Share

## 11. Constantly evolving stock range:

11.1. The business practices outlined throughout sections 8 and 10 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 Doubleview.

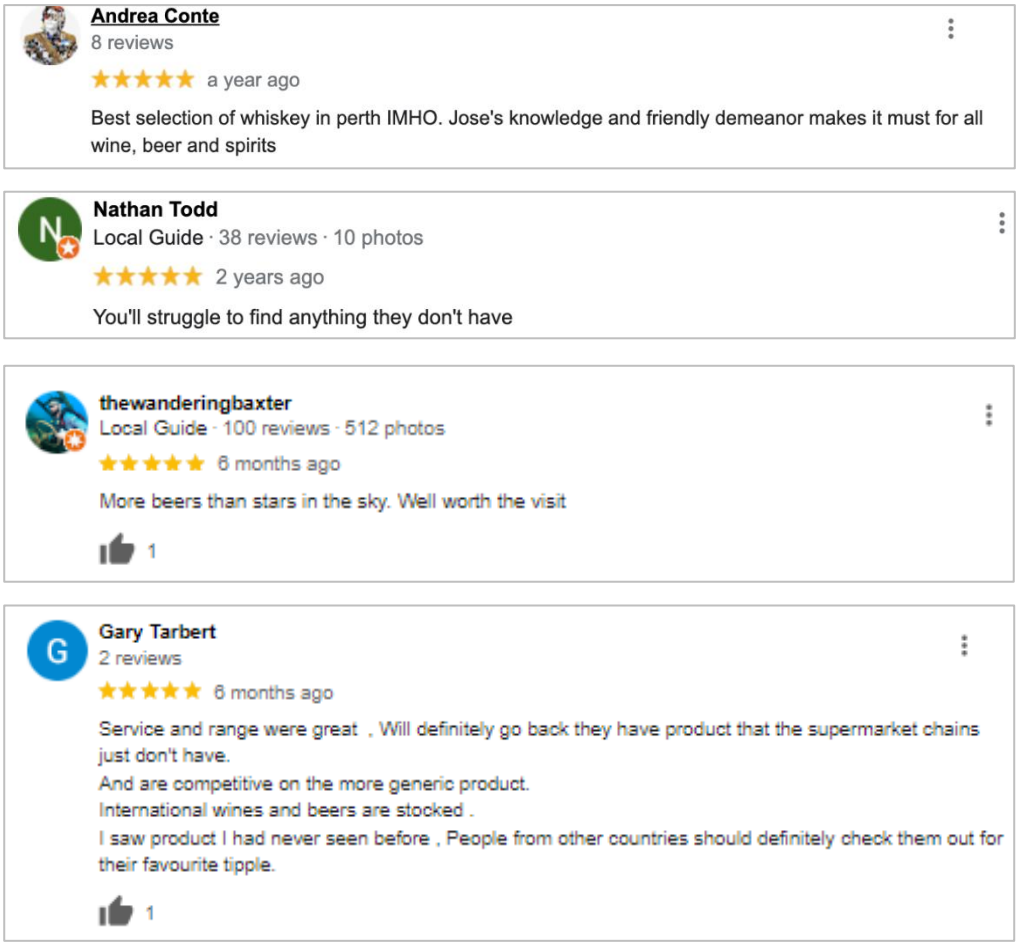
11.2. This has provided the Copper & Oak clientele with an exciting and vibrant product range which appeals to the changing, modern customer preferences.

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.

11.5. The Doubleview liquor store will be adopting a very similar policy to their packaged liquor selection, due to its success at Tuart Hill and Guildford.

11.6. 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.



**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 tipple.
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 the 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 competiveley.

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

★★★★★ 2 years ago

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

**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!

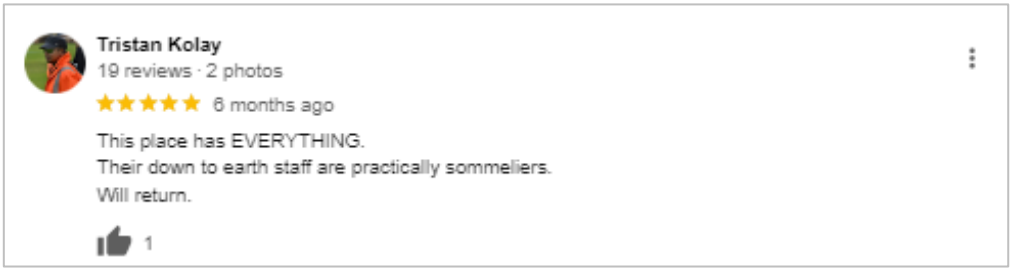
2

**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



**Tristan Kolay**
19 reviews · 2 photos
★★★★★ 6 months ago

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

1



**Matt Chambers**
9 reviews · 7 photos
★★★★★ 2 years ago

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

## 12. Strong presence on social media

12.1. As the applicant stated, Copper & Oak have an incredibly strong social media presence both on Instagram (5,274 as at August 2026) and Facebook (7,300 as at August 2026).

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.




**copperandoak** @saucebrewing special batch coffee evoke two of the daily brews, each with a different bean blend.

But, will this coffee beer keep me up at night you ask? It's not as likely as you may think. Most coffee beers celebrate the flavour & aroma, not the caffeine. It depends on the amount of coffee used however the average cup of coffee has around 160 milligrams of caffeine, compared with less than 50 milligrams for a similar serve of coffee beer.

Flat White - Coffee Milkshake IPA w/ beans from Ethiopia, Uganda & Sulawesi (6.5% abv)
Long Black - Black West Coast IPA w/ beans from Brazil, Columbia & Peru (6.5% abv)

Sauce special batch coffee beers are available in store NOW & online for 'Click & Collect', or shipping Australia wide
https://www.copperandoak.com.au/site-search/default.aspx?search=Sauce%20brewing

Tag @copperandoak with your Social Media pics. We love seeing what you're drinking. #copperandoak

1 w

**sargebeer365** Now that's my kind of coffee

1 w 1 like Reply

**ezparry** @j_jar8787

1 w Reply




**copperandoak** Yesterday we welcomed two of their gins, today we welcome two of their whiskies

@glendaloughdistillery is a craft distillery from Dublin, Irelandᴇ & joining the ever growing Whisky/Whiskey wall at C&O is their Pot Still & Double Barrel whiskies

Double Barrel ~ Globally awarded, single grain whiskey which has been aged twice - first in American oak Bourbon barrels & again in Spanish oak Oloroso Sherry barrels 42% abv.

Pot Still ~ A rather interesting use of casks including Irish Oak! It's starts it's life in ex-bourbon casks then in Irish Oak 44%.

NOW in store & online for 'Click & Collect', or shipping Australia wide
https://www.copperandoak.com.au/products/brand/glendalough-distillery/default.aspx

Tag @copperandoak with your social media pics. We would love to see what you're drinking. #copperandoak

1 w

**copperandoak** #whiskey #irishwhiskey #potstill #potstillwhiskey #singlegrainwhisky #whisky #dram #dramfull #whiskyaustralia #tipple #thirstythursday #drinks #drinkstagram #drinkwhiskey #drinkwhisky #instawhiskey #instawhisky #whiskylover #whiskyporn #whiskyshop #whiskystore #glendaloughdistillery #glendaloughwhiskey #perth #australia

1 w Reply

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 509 Google Reviews as at August 2026 for Tuart Hill and 78 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 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 local 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 Cicerone Server certification. Further, the applicant will look for;

a. Enrolment in the WSET Level 1 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

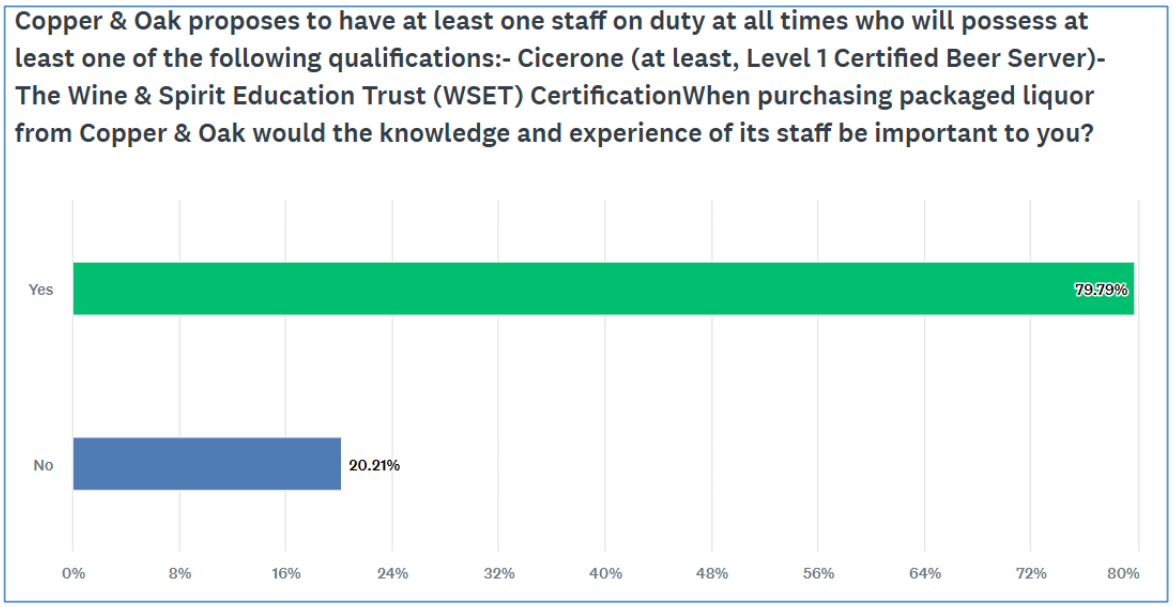
13.2.3.2. At least one staff member will hold the WSET Level 1 qualification in Wine/Spirits. Further;

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 witness questionnaire, respondents were asked, *"Copper & Oak proposes to have at least one staff on duty at all times who will possess at least one of 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 193 respondents, **154 (79.79%)** said, "**Yes**".




13.6. Elaborating on their answers;

13.6.1. Respondent 87 said, *"Having knowledgeable staff who can provide suggestions and know what they are talking about makes the customer experience much more satisfying."*

13.6.2. Respondent 90 said, *"Helpful for choosing wines and getting recommendations for food pairing or matching similar styles."*

13.6.3. Respondent 114 said, *"Absolutely—the expertise of the Copper & Oak staff underscores the unique experience they provide."*

13.6.4. Respondent 119 said, *"I have been very impressed with the help and guidance I receive at Copper & Oak. I currently travel to Tuart Hill to access this knowledge and experience."*

13.6.5. Respondent 135 said, *"I like suggestions about the wine and beer I purchase. It makes me feel confident in the purchase."*

13.6.6. Respondent 149 said, *"One of the best things about Copper & Oak is the staff's knowledge of the products they stock."*

13.6.7. Respondent 195 said, *"Knowledgeable staff are a huge help in finding new and interesting selections of whiskies and beers."*

13.6.8. Respondent 205 said, *"When you're not sure what you feel like or want to try something different they guide you to several options and hit the mark nearly every time. The team's knowledge is unbelievable."*

## 14. Ticketed liquor education events and tastings by producers

14.1. Across its current stores in Tuart Hill and Guildford (with plans to do the same at Copper & Oak Liquor Warehouse Kalamunda), the applicant often runs extensive, structured, and ticketed educational sessions, described as follows:

14.1.1. ***"Sit down Master Classes"***, which will be co-hosted with Distillers, Wine Makers & Brewers and,

14.1.2. ***"Tasting events"*** that will be co-hosted with leading industry professionals.

14.1.3. ***"Educational Courses"***, *which would allow the general public and industry professionals to come in and further enhance their qualifications or general liquor knowledge. The depth of these courses is dependent on WSET and Cicerone using Copper & Oak Mt Hawthorn as an educational venue.*

14.2. The applicant has been successfully hosting such educational sessions and events since October 2014 at Tuart Hill, and more recently at Copper and Oak Guildford.

14.3. Over the years the applicant has hosted approximately one event every month or second month until the beginning of 2020 when Covid-19 affected this. The idea at the proposed Sackville liquor store is to run at least one event a week, or more if demand merits it.

14.4. Copper & Oak has built a strong following for events, tastings & master classes around not only WA, but Australia wide and often is the first choice for international master distillers & wine makers as a host for master classes.

14.5. Copper & Oak use the following terms when hosting:

14.5.1. "Master Class" - This is an informative "event" with the primary host being affiliated directly with the host business, a small list of previous examples are:

14.5.1.1. Alex Bruce - Owner from Adelphi Independent Spirit Bottlers

14.5.1.2. Mario Pinheiro - CEO from Ribafreixo Wines in Portugal

14.5.1.3. Jim McKean – "Previous" Master Distiller from Bruichladdich Distillery in Scotland

14.5.1.4. Peter Willis - Son of the distiller and now head of marketing from Kilchoman Distillery

14.5.2. "Tasting" - This is an informative "event" with the host ranging from brand ambassadors, company distributors & sales representatives.

14.5.3. "Events" – These are more broad and less intimate "events". An example would be the South African wine showcase Copper & Oak co-hosted with Winestate magazine over a couple of years. These events are usually attended by larger groups of people. Jose and Nelio only host these types of events if they are in-line with what they view as important to the industry.

14.6. Copper & Oak are determined to become an integral part of the Doubleview retail & hospitality community.

14.7. While the space at the proposed premises will not be able to host the typical educational sessions they run, the applicant will most certainly be looking to engage with local businesses to collaborate on these sessions. The applicant believes there is a great opportunity to involve businesses from all around the local area in their Masterclasses, Tastings & Events. It will just take a slightly different shape in this new Doubleview location.

14.8. Further, the applicant intends to host "market style" events that link closely with their neighbouring IGA, and other businesses/retailers who wish to take part.

14.9. Over the next couple of pages, are samples of the types of events previously hosted at Copper and Oak at Tuart Hill and elsewhere and / or attended by the operators. All of these events are prime examples of what can be expected at the Copper & Oak Liquor Warehouse. **These events are labelled "A" to "D".** Further, the following event snips have been taken from the previous Copper & Oak Mt Hawthorn application as they are still relevant and applicable to this application.

## Event A - Kilchoman Distillery

Host: Peter Wills. Event held on 20th August 2017.

Peter Wills is the son of the founder of Kilchoman Distillery, Anthony Wills.

The Kilchoman Distillery (pronounced Kil-ho-man) is a distillery that produces single malt Scotch whisky on Islay, an island of the Inner Hebrides. Kilchoman Distillery is the only independent farm distillery on Islay.






## Event B - Armonik Distillery.

Host: David Roussier, CEO of Armonik Distillery. Event held on March 2017.

Founded in Lannion on the pink granite coast in the department of Côtes d'Armor, the Warenghem Distillery has been an independent and family-owned producer of Breton spirits for over 100 years. The distillery participates in the creation of the "Breton Whisky" geographical indication, helping to ensure that all "Breton Whisky" is properly mashed, fermented, distilled and aged in Brittany.



## Event C - The Balvenie Single Malt Scotch Whisky Distillery.

Host: David Stewart who is the long-time master blender and malt master for William Grant & Sons distillers. Event held in July, 2016.

This was an event which the top whisky stores from across Australia were invited to attend in Sydney, only 2 retailers were invited from Perth.

The Balvenie distillery is a single malt Scotch whisky distillery in Dufftown, Scotland, owned by William Grant & Sons. The Balvenie is a range of single malt whiskies crafted by Malt Master David C. Stewart. Each expression is unique, but all are rich, luxuriously smooth and underpinned by a distinctive honeyed character.



## Event D – BenRiach Distillery.

Host: Ben Taouss from Brown-Forman – a publicly-traded producer and marketer of some of most well-known spirit brands in the world. The event was held in October 2019.

Benriach Distillery is known for its long-standing tradition of producing three styles of whisky and a vast eclectic cask inventory sourced from around the world.




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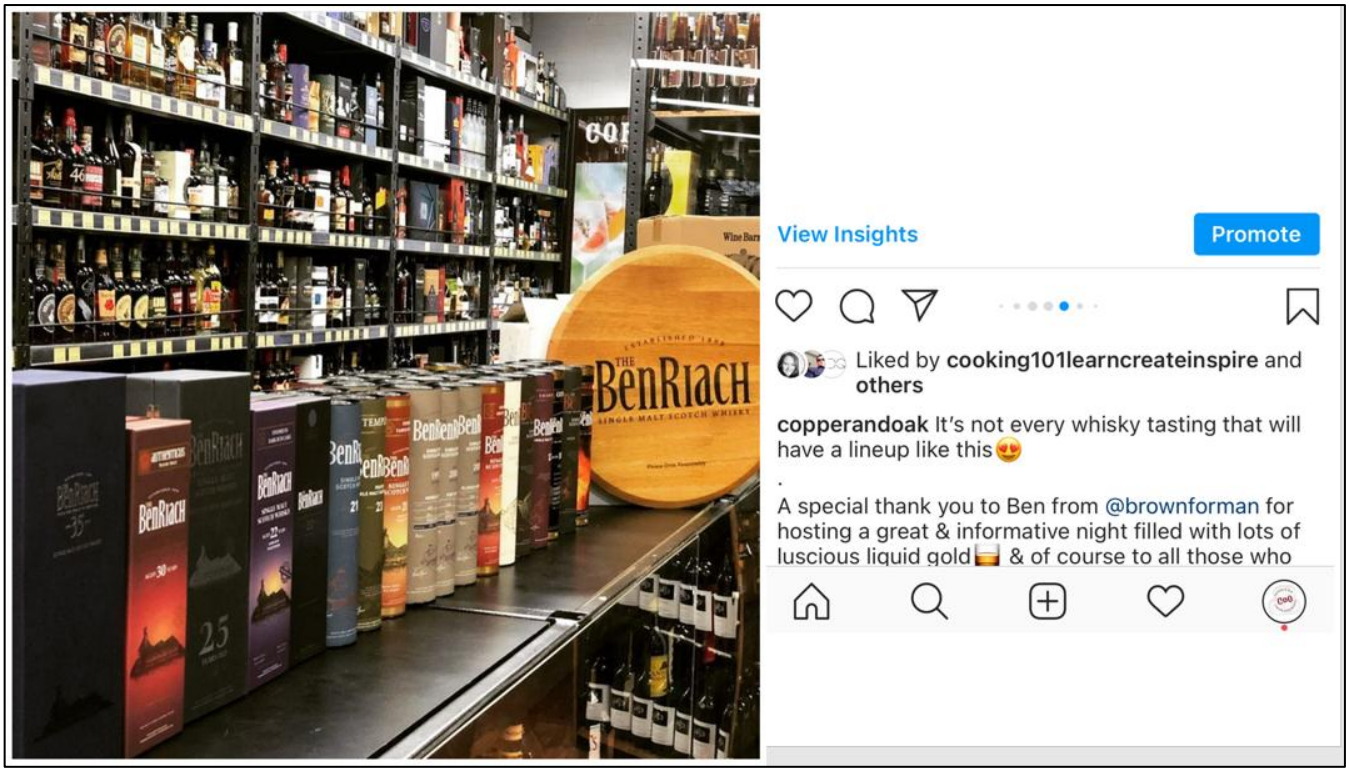
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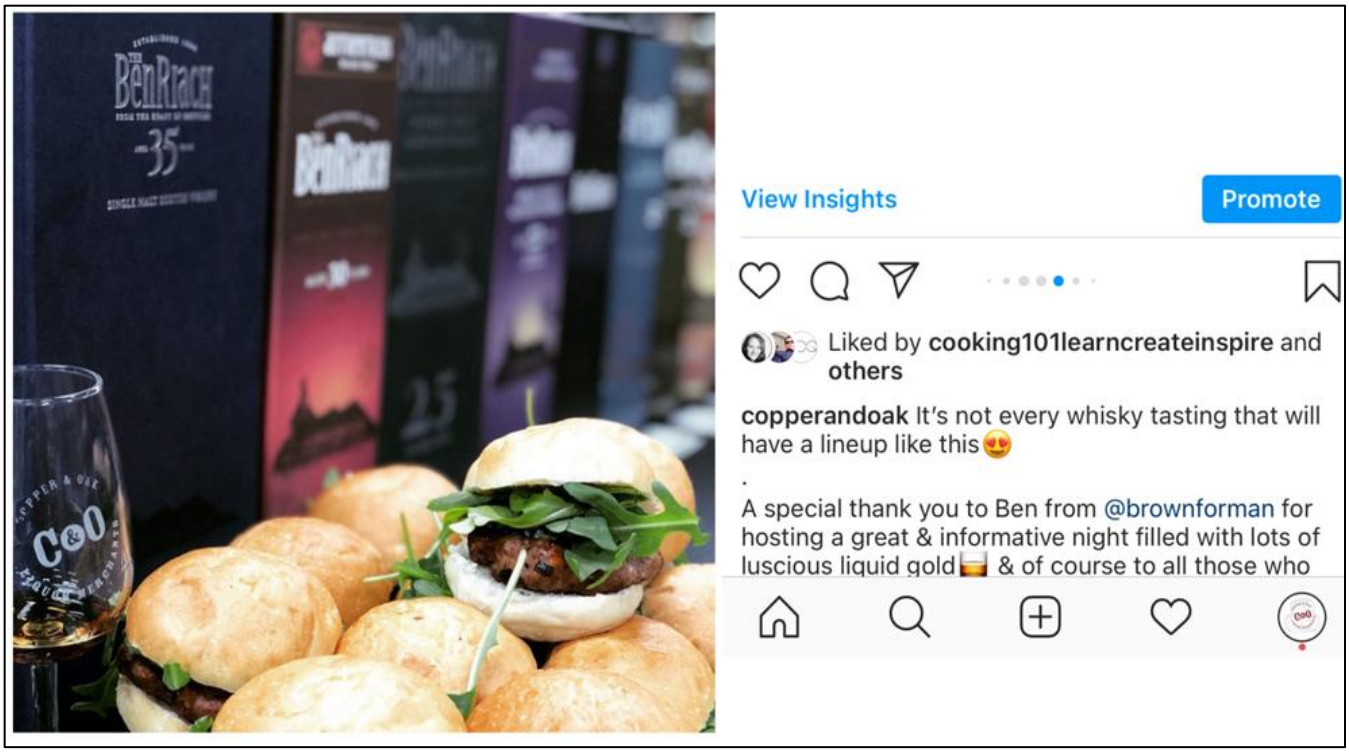
**copperandoak** It's not every whisky tasting that will have a lineup like this😍

.

A special thank you to Ben from @brownforman for hosting a great & informative night filled with lots of luscious liquid gold🥃 & of course to all those who

## Event D - BenRiach Distillery.



**Copper & Oak** is in **Guildford, Western Australia.**
20 August 2023 ·

A Sunday throwback to our first tasting at Copper & Oak GUILDFORD. What an incredible evening of delicious drams🥃 fabulous food🍲 & most importantly fun & education!

Johnny Raph from Vanguard Luxury Brands presented us with 6 whiskies as well as a little surprise 7th tipple. He's expertise in the Australian whisky industry is highly regarded across the country and it was great to have him in Perth once again.

What made the tasting even more special was the amazing food which our neighbours Oscar's at Guildford Landing put together to pair with each whisky. Every attendee was in awe at the presentation but more importantly the flavours of each dish, there is a reason they are a finalist in the Gold Plate Awards 2023 for Formal Contemporary, thank you Justin, Gail, Tony & Sean... we cannot recommend Oscar's enough🙌

Lastly to all those who attended we hope you learnt a little more about the liquid gold called whisk(e)y & had a night to remember, thank you for attending & we hope to see you at our next one🙏

If you would like to attend one of our tasting/masterclasses make sure you signup to our Sip Society via the link below & keep your eyes on our Instagram & Facebook business pages, we have a huge range of Wine, Spirit & Beer evenings planned🔥

Signup👇
https://www.copperandoak.com.au/login/default.aspx



14.10. Other applicants in previous applications, have proposed to offer tastings, but they are not the same.

14.11. In paragraph 7(b) of the FOMO decision (A606617691, dated 6th October 2020) the applicant stated;

14.11.1. "*the majority of the tasting and educational sessions will be held in conjunction with a representative from the supplier of the product that is being showcased*"

14.12. This applicant's educational sessions proposal is different to FOMO and others. These events have been hosted by the applicant for many years and are focused on providing attendants with specialised information about the liquor industry direct from the liquor producers themselves.

14.13. They go beyond a regular product tasting.

14.13.1. In an article written by Reeva Cutting, published on the Proudly South African in Perth website on 24th May 2021, ***"I first came across Impi Brewers courtesy of the team at Copper & Oak (my favourite bottle shop in Perth!) a couple of years ago.*** *They were hosting a launch of an intriguing-sounding rooibos saison and of course I headed along to check it out and was suitably impressed."* Emphasis added.

14.13.2. Read: *https://proudlysouthafricaninperth.com/explore/impi-brewers/*










14.14. On social media, Copper & Oak work hard to promote these events, making the extra effort to bring value to their community and highlighting their unique service offering – the above event hosted by Helvetica is just one example.

14.15. To sum up, Copper & Oak hosts these amazing tastings/events & masterclasses at their stores, and elsewhere. The distinctive features of these are:

14.15.1. The tasting events are not simply conducted by a sales representative, but by the producer themselves, or the owner of the brewery, distillery, or visiting winemaker.

14.15.2. These Educational Sessions create a deeper connection between brands, consumers and Copper & Oak. Not only from tasting the product but also the process, history to even the best foods which are paired with a range of products.

## 15. Support for local liquor producers

15.1. An important feature of the proposed Copper & Oak Liquor Merchants Sackville is the licensee's support for local liquor producers, be they wineries, breweries or spirit manufacturers.

15.2. This is a core component of their existing stores at Tuart Hill and Guildford.

15.3. 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 (Woolworths have a BWS store in the locality) actively work to deprive local producers of sales and exposure of their products.

15.4. The major chain liquor retailers operate predominantly through centralised, volume-driven ranging models that favour large-scale national and multinational suppliers. Public findings of the ACCC have identified substantial bargaining power imbalances between Coles/Woolworths and suppliers generally. Small and local alcohol producers frequently lack the scale necessary to secure meaningful shelf presence within those systems.

15.5. Copper & Oak will instead provide a genuine avenue for local and boutique producers to access the market, obtain shelf exposure, and engage directly with consumers. The proposed premises will therefore enhance product diversity, support local industry participation, and promote consumer choice within the locality.

15.6. A 2015 article in the Australian Financial Review ("Woolworths, Coles private label plonk angers wine industry", AFR, 14/11/2015 – see attachment COS10) 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.

15.7. AFR alleges they employ "a team of market researchers and brand developers" for this purpose.

15.8. 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.".*

*15.9. "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."*

15.10. 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."*

15.11. *"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."

15.12. The Crafty Pint produced the document at attachment COS11 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.




15.13. 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 COS12

15.14. In an ABC article dated 20th 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.

15.15. 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.

15.16. In an article about "Phantom Wine Brands" (20th February 2024, attachment COS13) 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.

15.17. In an article entitled "Woolworths, Coles private label plonk angers wine industry" (Attachment COS10) Julie-Anne Sprague of the Australian Financial Review wrote;

15.17.1. *"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.*

15.17.2. *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.*

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

15.17.4. *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."*

15.18. Julie-Anne goes on;

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

15.18.2. *"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.*

15.18.3. *"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."*

*15.19.* The Applicant will NOT be featuring any such "phantom" 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.

# 16. Background and Experience of the Applicant and Brand positioning

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

16.2. Between the two of them, Jose has roughly 35 years' experience in the liquor industry, and Nelio has 25 years of liquor retail experience.

16.3. **Copper & Oak + Jose & Nelio Pestana – A Brief History;**

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

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

16.3.3. 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.

16.3.4. 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.

16.3.5. 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.

16.3.6. 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.

16.3.7. 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.

16.3.8. 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.

16.4. **The Launch of Copper & Oak, and their physical and online expansion.**

16.4.1. 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.

16.4.2. 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 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.

16.4.3. 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.

16.4.4. 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.

16.4.5. The next massive differentiation was craft beer. Being one of the early innovators with only another 2 or 3 stores around WA, Copper & Oak become 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.

16.4.6. Copper & Oak began working with industry professionals on specific Copper & Oak Beer & Cider 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.

16.4.7. 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).

16.4.8. 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.

16.4.9. 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.

16.4.10. These "Educational Classes" in turn created a deeper connection between 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.

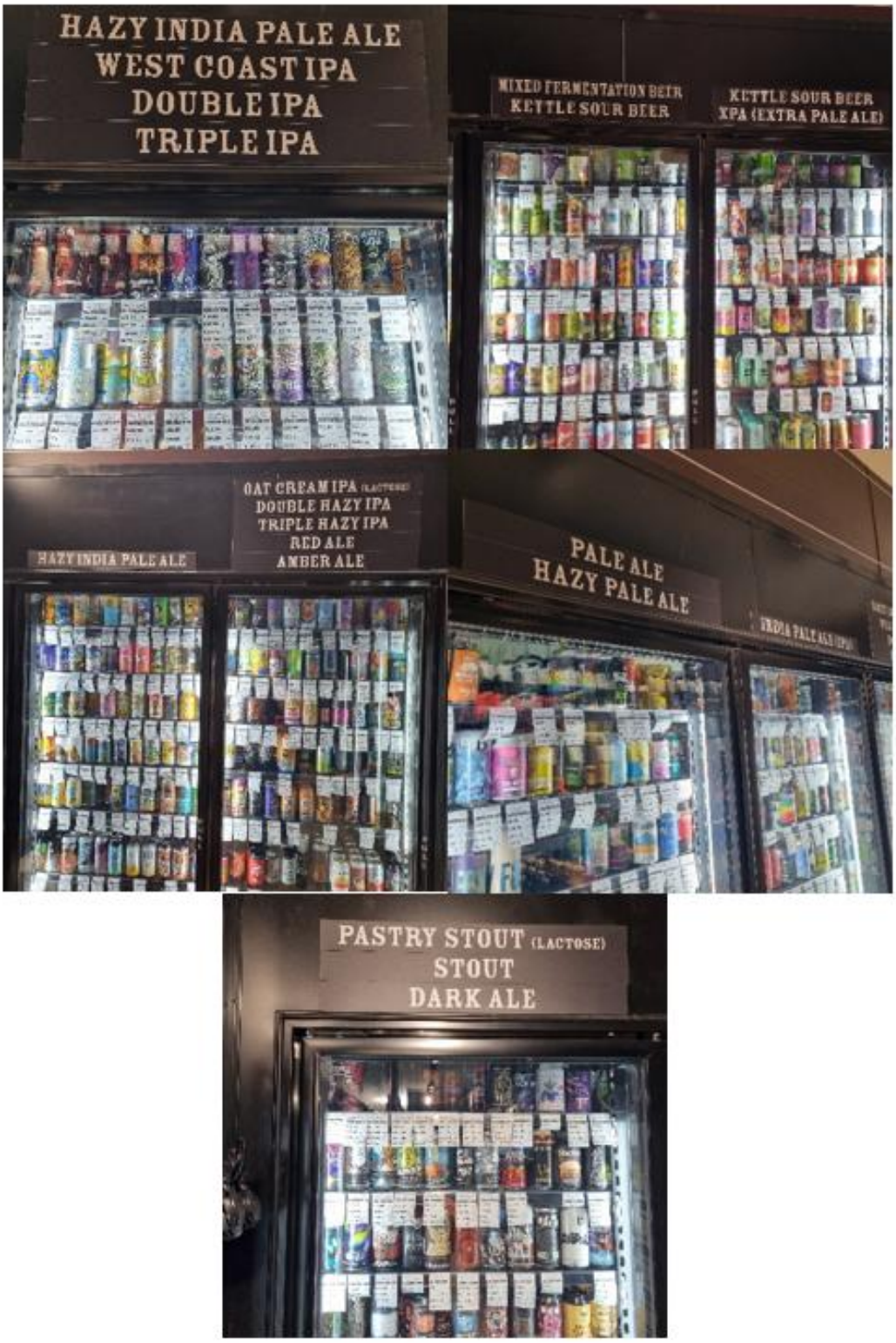
16.4.11. Of late, a shift to Lo-Fi wines (no use of herbicides, pesticides, over processing) and family-owned wineries has also been a way for Copper & Oak to differentiate from the national chains. They are constantly looking at trends and asking customers what they would like to see in store.

16.4.12. Copper and Oak acquired the old Cellarbrations Guildford site in August 2022, bringing their offering to the Guildford and Swan Valley community.

16.4.13. 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.

16.5. No other existing packaged liquor outlet categorises and labels its craft beer range the way that Copper an Oak does – see images below.






16.6. These images are further evidence of;

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

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

## 16.7. Recognition and awards

16.7.1. Copper & Oak 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.

16.7.2. 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.

16.7.3. They have also been nominated as a finalist at the ALIA (Australian Liquor Industry Awards) for Australia Liquor Store of the Year 2025.

16.7.4. 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.

16.7.5. Previous to this, there have been several nominations for liquor store of the year with LSA WA (awards. Copper & Oak have been recognised as;

16.7.5.1. 4th overall in 2018, and 3rd in 2019 for 'Metropolitan Liquor Store of the Year'.

16.7.6. 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.

16.7.7. 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.



16.7.8. 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.



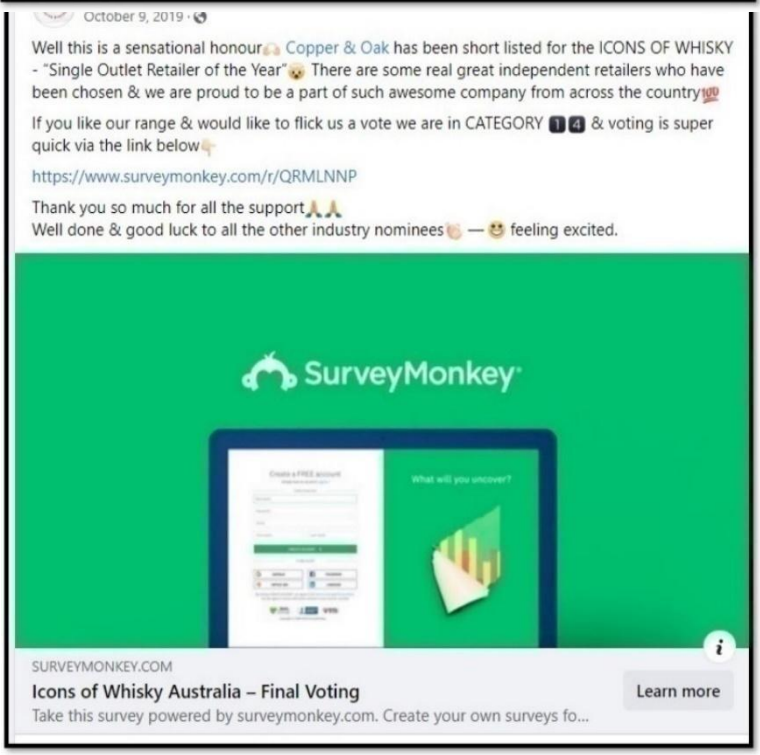

You, Jose Pestana, Cindy Pestana and 100 others 20 comments

Love Comment Send

16.7.9. 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.

16.7.10. When trading as Tuart Hill Liquor, the store won second place and third place at the WA Peter Basioli Liquor Merchants awards.



## 16.8. Copper & Oak today

16.8.1. Now in their 23rd 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.

16.8.2. 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.

16.8.3. With all the changes and developments over the years, Copper & Oak Liquor Merchants are seen as, and continue to be seen as;

16.8.3.1. Innovators,

16.8.3.2. Market Procurers in the liquor industry

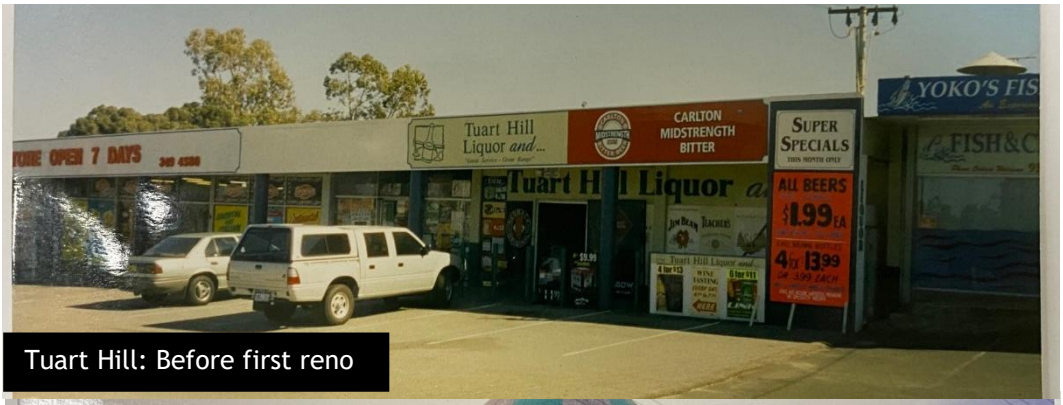
16.8.3.3. Community focused, and

16.8.3.4. Market leaders.

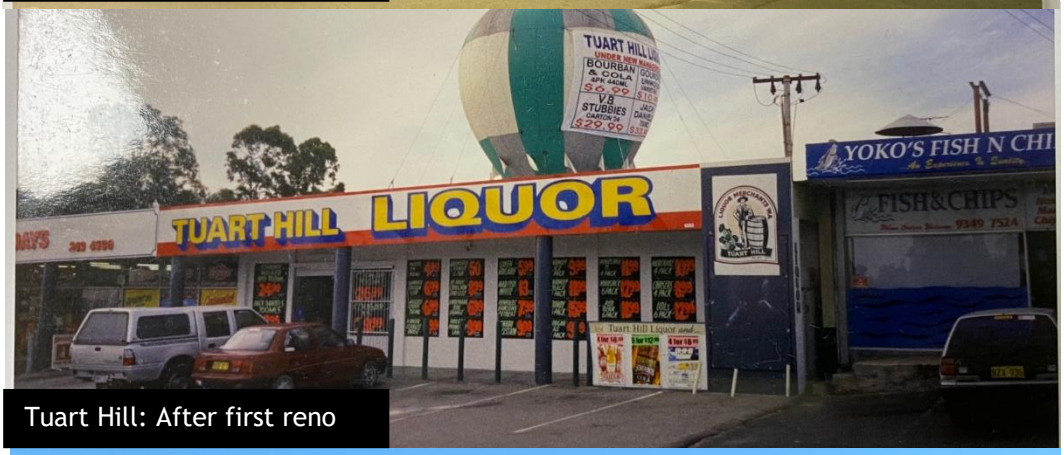


16.9. All their efforts have paid off. None bigger than the physical alterations and renovations undertaken by the applicant to their Tuart Hill Liquor store.

16.10. 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



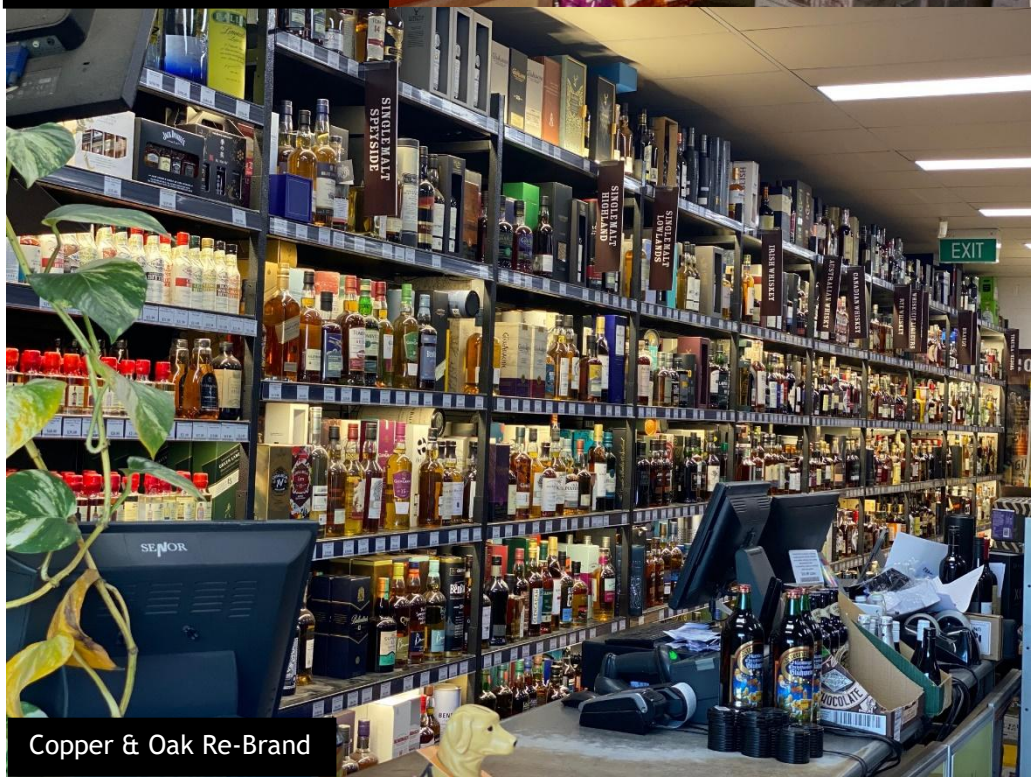

Copper & Oak Re-Brand







Tuart Hill: After first reno




Copper & Oak Re-Brand



Guildford pre-reno









Copper & Oak Guildford




Guildford: during first reno




Copper & Oak Re-Brand

## 17. Section 36B of the Act – Restrictions on Grant or Removal of Certain Licences Authorising the Sale of Packaged Liquor

17.1. 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.

17.2. Section 36B(4) advises:

17.2.1. "*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*".

17.3. In the Liquor Commission decision 12/2026 dated 31st March 2026, in the matter of The Good Grocer Cellar East Fremantle the Commission noted that *"Section 36B(4) of the Act requires a structured four-stage analysis: identifying the relevant locality; determining consumer requirements for packaged liquor within that locality; identifying the services already provided by existing outlets; and assessing whether those requirements cannot reasonably be met by existing premises"*.

17.4. 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.

17.5. 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), Cellarbrations Maddington (Maddington Village Shopping Centre, 134 Westfield Street, Maddington), Cellarbrations at Canning Vale (214 Campbell Road, Canning Vale), Copper & Oak Liquor Warehouse (10 Canning Road, Kalamunda WA) and Bhutan Store (83B Main Street, Osborne Park WA).

17.6. 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.

17.7. In this section, the applicant considers some decisions made with compliance to Section 36B(4) highlighted and considers whether the local packaged liquor requirements are reasonably met by the existing packaged liquor premises in the locality.

17.8. **Section 36B(4) of the Act decisions and relevant quotes from some decisions**

17.9. In paragraphs 26 and 27 of the Decision dated 4th June 2020 refusing a liquor store licence application by CU Mart Cockburn (attachment COS14), the Delegate of the Director of Liquor Licensing stated:

17.9.1. *"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."*

17.9.2. "*Consequently, the following key questions arise:*

17.9.2.1. *(a) what are the local packaged liquor requirements;*

17.9.2.2. *(b) what packaged liquor services are already provided by existing packaged liquor premises in the locality; and*

17.9.2.3. *(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?*"

17.10. Further, in paragraph 38 of the same decision, the Delegate of the Director of Liquor Licensing stated:

17.10.1. "*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**:*

17.10.2. *'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.*'

17.11. 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.

17.12. 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;

17.12.1. *[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'."*

17.13. Her Honour went on;

17.13.1. *[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

17.13.2. *[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."*

17.14. Her Honour made an important finding in relation to packaged liquor requirements, and said;

17.14.1. *[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.*

17.14.2. *[83] "I do not accept this"*

17.14.3. *[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."*

17.14.4. *[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."*

17.14.5. *[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."*

17.15. Her Honour then went on to consider the reasonable requirements test, and the meaning of "reasonably".

17.15.1. *[121] "It is plain from the paragraphs extracted above that the Commission mistakenly thought that the Difficulty Test applied to the 'reasonable requirements' phrase."*

17.15.2. *[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."*

17.15.3. *[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'."*

17.16. In summary;

17.16.1. Liquor licences, which include the ability to sell packaged liquor, may be granted in appropriate circumstances,

17.16.2. Packaged liquor requirements include matters of convenience, one stop shopping, competition, price, quality and product range, and

17.16.3. Section 36B(4) is NOT a "difficulty test", but is a "reasonable, sensible, rational" test.

17.17. 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.

17.17.1. "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.

17.17.2. "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.

17.17.3. "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.

17.17.4. "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 12.4 to end of section).

17.18. How do these Supreme Court findings relate to the application at hand?

17.18.1. 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"*.

17.18.2. Justice Archer's findings are also relevant in respect of convenience and one-stop shopping.

17.18.3. The applicant notes the proximity of their proposed liquor store to the Naturally Fresh IGA Sackville 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.

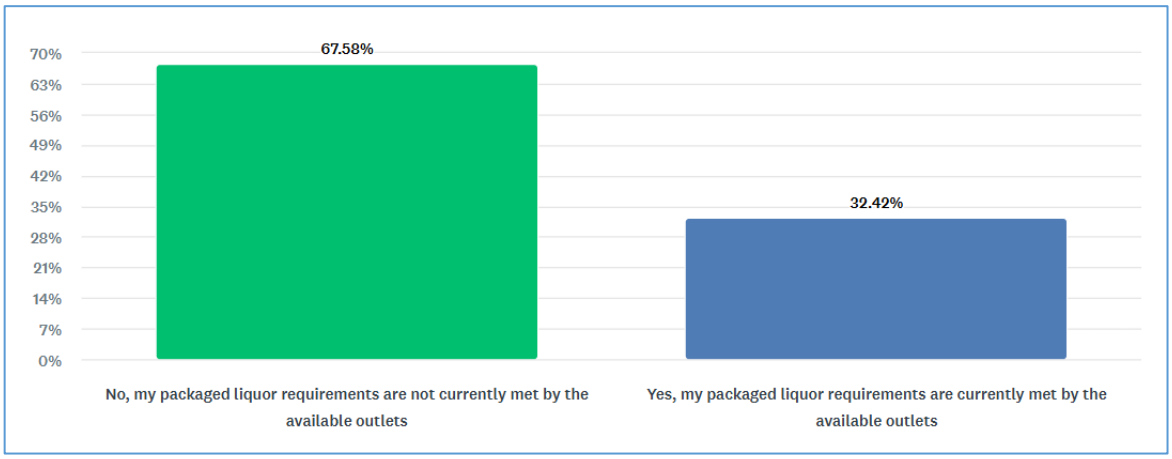
17.18.4. Further, the recent renovation and change of style / operation that the IGA has undergone has seen the store transform from a convenience store to a more premium food focused shop, which has been positively received by the community.

17.18.5. 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 Doubleview community and surrounding suburbs, but bring a higher food & beverage service offering that, on the evidence of the questionnaire results, is very much sought after in the community.

17.18.6. 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 warmly welcomed the upgrades to the IGA.

17.19. The witness questionnaire directly asks respondents, *"Baring in mind your answers to the questions above and in the previous section, do the existing packaged liquor outlets in the locality currently meet your packaged liquor requirements?Note that packaged liquor requirements can mean location, convenience, staff knowledge, stock range & one-stop shopping."*

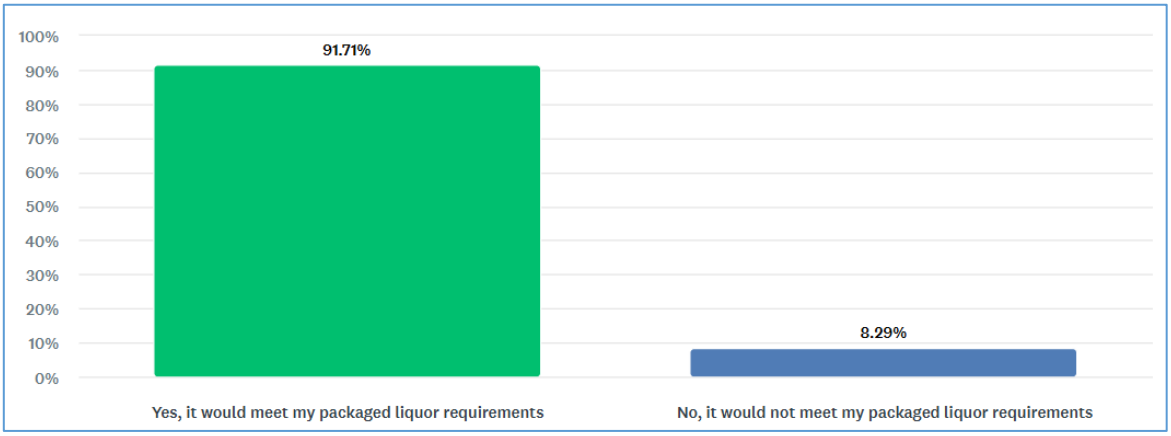
*17.20.* Of the 182 respondents, **123 (67.58% or two thirds)** said, *"No, my packaged liquor requirements are not currently met by the available outlets".*




17.20.1. Then, respondents were asked, *"Baring in mind your answers to the questions above and in the previous section, would Copper & Oak Liquor Merchants Sackville meet your packaged liquor*

*requirements, over and above the other outlets in the locality? Note that packaged liquor requirements can mean location, convenience, staff knowledge, stock range & one-stop shopping."*

17.20.2. Of the 181 respondents, **166 (91.71% or almost all)** said, *"Yes, it would meet my packaged liquor requirements".*




17.20.3. Taking these answers together with the survey responses detailed in sections 8, 10, 11, 12 and 13, the results demonstrate that an overwhelming majority of respondents considered that:

17.20.3.1. they would be interested in purchasing Copper & Oak's proposed new, independent and "constantly changing and evolving" products, with 178 of 193 respondents (**92.2%**) answering positively;

17.20.3.2. a diverse and extensive packaged-liquor range was important to them, with 169 of 182 respondents (**92.9%**) agreeing;

17.20.3.3. knowledgeable and experienced staff were an important part of their packaged-liquor purchasing experience, with 154 of 193 respondents (**79.8%**) answering positively;

17.20.3.4. Copper & Oak's proposed range would be unmatched within the locality, with 128 respondents (**75.3%**) identifying at least one of its spirits, wine or beer ranges as unmatched; and

17.20.3.5. having regard to Copper & Oak's proposed range, knowledgeable staff, location and manner of trade, the proposed store would meet their packaged-liquor requirements over and above the existing local outlets, with 166 respondents (**91.7%**) answering positively.

17.20.4. Accordingly, the survey results demonstrate substantial demand for, and a strong likelihood of patronage of, the proposed Copper & Oak Liquor Merchants Sackville.

17.20.5. The evidence presented in these submissions, particularly from the Doubleview survey responses leave it open for the Director to conclude that section 36B(4) is not a barrier to the approval of this application.

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

18.1. 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."*

18.2. 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.

18.3. 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.

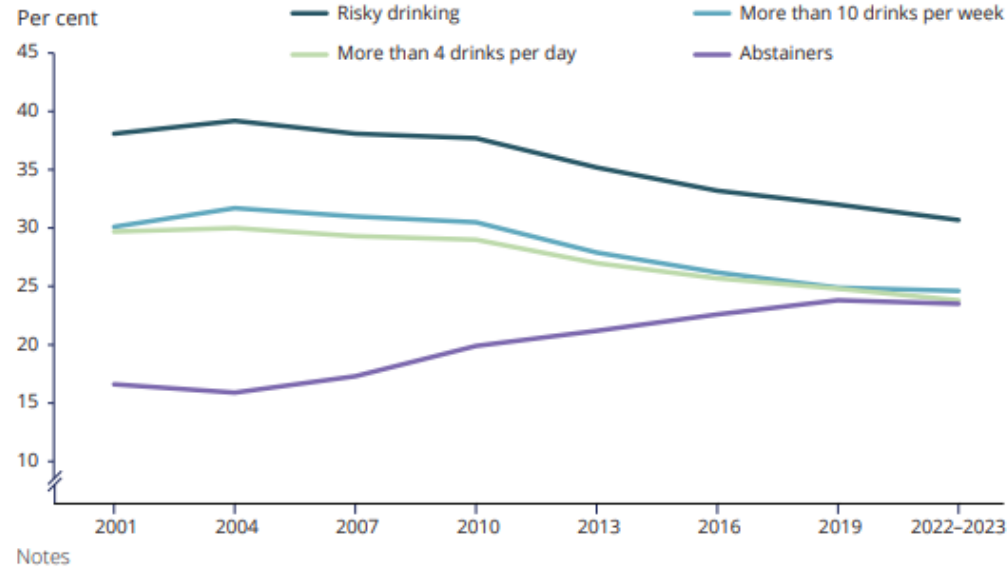
18.4. The below snippet is taken from Australia's Health 2024 in brief (a report from the Australian Institute of Health and Welfare).

**Long-term decline in risky drinking**

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

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

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




Notes

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

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

18.5.1. 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.

18.5.2. 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.

18.6. In a separate Alcohol Factsheet provided as part of this report, it is noted that;

18.6.1. 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).

18.7. 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.

18.8. **Criminal/offence Statistics**

18.9. 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.

18.10. 2025 Calendar Year Crime statistics recorded by the WA Police for Doubleview, Innaloo, Scarborough, Karrinyup and WA are shown below.

| Type of Offence | 2025 Doubleview | 2025 Innaloo | 2025 Scarborough | 2025 Karrinyup | 2025 Western Australia |
|---|---|---|---|---|---|
| Homicide | - | - | - | - | 77 |
| Recent Sexual Offences | 4 | 43 | 20 | 18 | 5,810 |
| Historical Sexual Offences | 3 | 3 | 14 | 3 | 2,351 |
| Assault (Family) | 107 | 122 | 151 | 40 | 36,804 |
| Assault (Non-Family) | 23 | 52 | 131 | 30 | 18,217 |
| Threatening Behaviour (Family) | 29 | 24 | 38 | 11 | 11,172 |

| | | | | | |
|---|---|---|---|---|---|
| Threatening Behaviour (Non-Family) | 15 | 28 | 27 | 6 | 7,277 |
| Deprivation of Liberty | - | 1 | 4 | 1 | 352 |
| Robbery | 8 | 7 | 5 | 8 | 1,571 |
| Burglary | 31 | 39 | 29 | 13 | 13,317 |
| Stealing of Motor Vehicle | 15 | 22 | 23 | 6 | 4,609 |
| Stealing | 120 | 552 | 256 | 472 | 71,753 |
| Property Damage | 94 | 127 | 131 | 48 | 28,857 |
| Arson | - | 2 | 4 | - | 1,107 |
| Drug Offences | 86 | 128 | 132 | 29 | 32,936 |
| Receiving and possession of stolen property | 11 | 38 | 17 | 12 | 3,944 |
| Regulated Weapons offences | 12 | 23 | 21 | 9 | 6,096 |
| Graffiti | 5 | 22 | 6 | 1 | 1,406 |
| Fraud & Related Offences | 359 | 127 | 110 | 38 | 19,660 |
| Breach of Violence Restraint Order | 79 | 94 | 70 | 24 | 21,341 |
| **Total of Selected Offences** | **1,001** | **1,454** | **1,189** | **759** | **288,657** |
| **Total of Selected Offences Per 1,000 residents (Using population stats as per ABS 2021 data)** | **109** | **151** | **67** | **77** | **108** |

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

18.12. The applicant notes that the total of offences per 1,000 people is well below the State average for 2 out of the 4 suburbs listed.

18.13. Taking all four suburbs together, we are looking at the following;

18.13.1. 4,403 combined offences / 46,288 combined 2021 population = 95 offences per 1,000 people

18.14. These suburbs together, show a lower rate of offending than the State average.

18.15. The applicant submits that Karrinyup and Innaloo show a higher rate of offending but makes the following comments.

18.15.1. Both suburbs house very large retail shopping centres, that attract a very large number of visitors, from all over the City. This would naturally swell the crime stats.

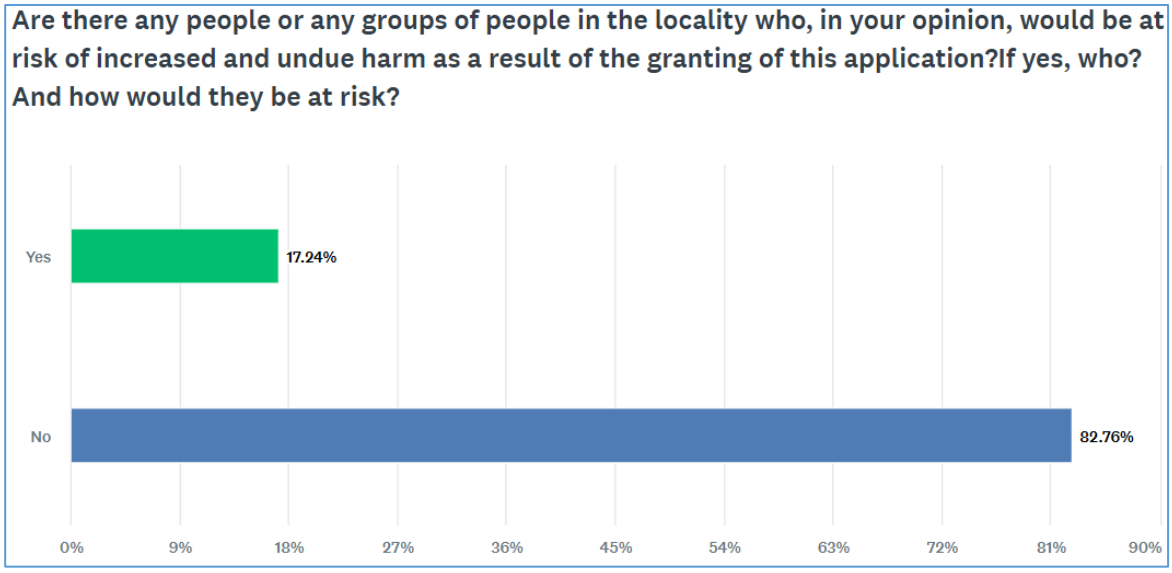
18.15.2. The subject premises is located some distance away from Karrinyup (1.2km) and well away from Innaloo shopping centre (over 2km).

18.15.3. It is not enough to simply say that because there are elevated crime stats the licence should not be granted (see Carnegies decision, referenced in paragraph 14.3). The Director must also look at and evaluate the likely nexus between the proposed liquor store and the alleged (or perceived) increase in harm, quantify it, and make a judgement on the likelihood of the proposed liquor store causing any increase in harm.

18.15.4. A small, packaged liquor outlet of high quality such as this one has a very low potential for increased levels of harm in the locality.

18.15.5. Lastly, the applicant reminds the Director this store is **not** part of a large shopping centre.

18.16. 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 – **82.76%** of respondents said, "**No**".



18.17. Elaborating on their answers;

18.17.1. Respondent 4 said, *"They have to show ID, and other outlets are already available, so it makes no difference."*

18.17.2. Respondent 28 said, *"This would neither lessen nor increase the risk to minority groups who inhabit the area."*

18.17.3. Respondent 85 said, *"The proposal is for packaged liquor sales, unlike a wine bar where alcohol is consumed on the premises."*

18.17.4. Respondent 119 said, *"Granting this application will not cause increased or undue harm, as there is already access to alcohol in the area."*

18.17.5. Respondent 123 said, *"Having visited the Tuart Hill location, the staff are excellent at respectfully dealing with people who should not be visiting the store."*

18.17.6. Respondent 133 said, *"They do not range the typically troublesome products that attract problem customers and cause harm."*

18.17.7. Respondent 162 said, *"Their stores do not attract the kind of patrons who would want to cause undue harm."*

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

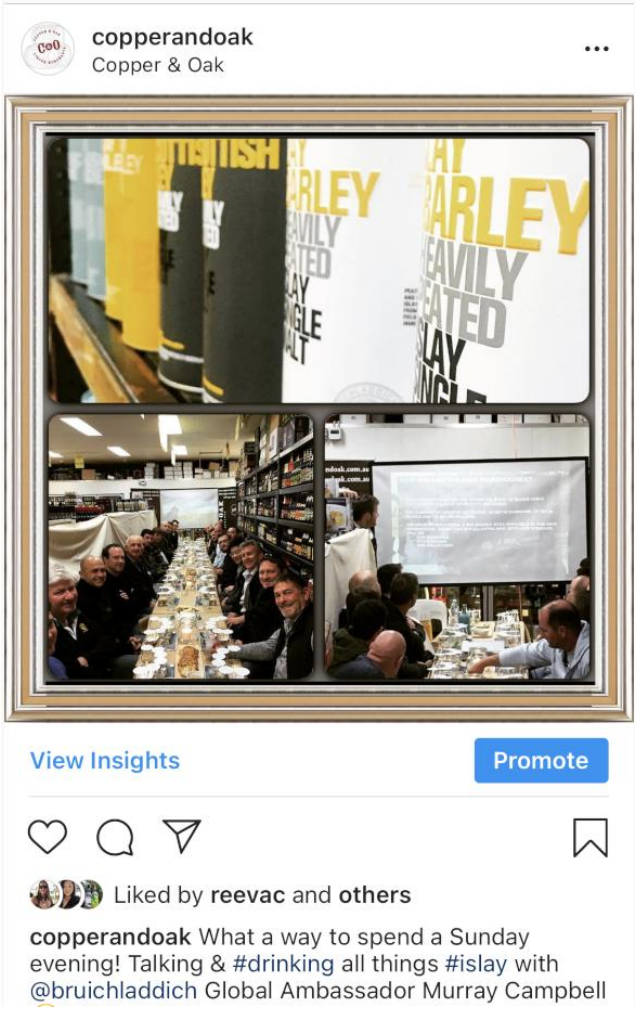
19.1. SEIFA indices are summary measures of a number of variables that represent different aspects of relative socio-economic disadvantage and/or advantage in a geographic area.

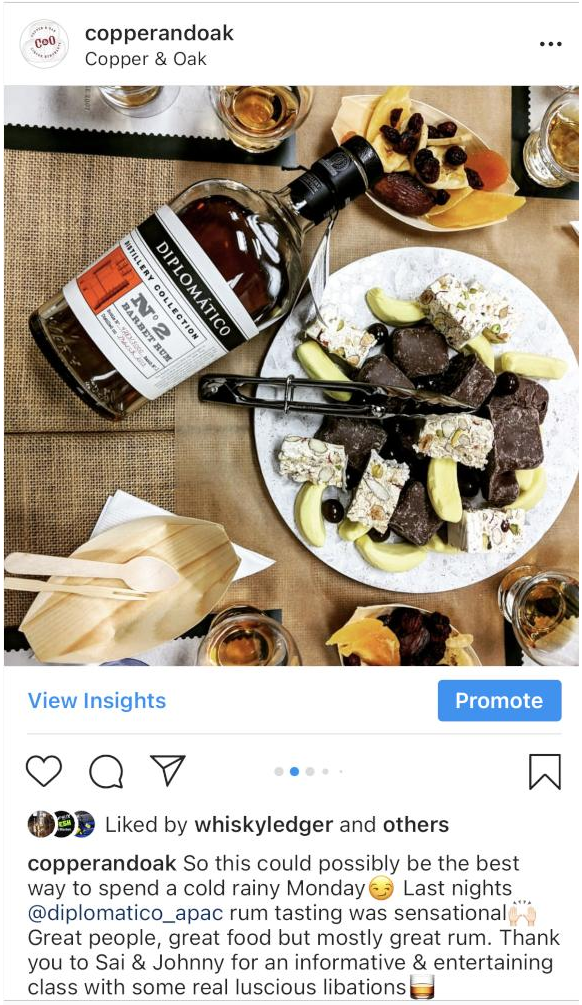
19.2. Each different geographic area of Australia is given a SEIFA number (score) which shows how relatively 'disadvantaged' that area is compared to other areas in Australia.

19.3. 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."***



19.4. 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.

19.5. Low scores on the index occur when the area has many low-income families and many people with little training and in unskilled occupations.

19.6. 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.

19.7. It is interesting that both Doubleview and the City of Stirling has scored very well on these four indices.

19.8. Across the four indices, the City of Stirling averaged a SEIFA score of 8.75.

19.9. Looking closer at the suburb in which the proposed liquor store will be located, the applicant notes Doubleview scored 8.5 as well across the four indices.

19.10. It is open for the licensing authority to conclude that both the City of Stirling, and the suburb of Doubleview 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.

19.11. More information on these indices can be found at the following web address.

19.11.1. https://www.abs.gov.au/statistics/people/people-and-communities/socio-economic-indexes-areas-seifa-australia/latest-release

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

20.1. 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*".

20.2. At approximately 200sqm internal space, the proposed liquor store will not be a large business in the locality.

20.3. There will be no alcohol consumption on premises, save for product tastings, and no live entertainment.

20.4. It is also going to join an IGA supermarket and Lil Sisto café in a small but popular retail development in the heart of Doubleview.

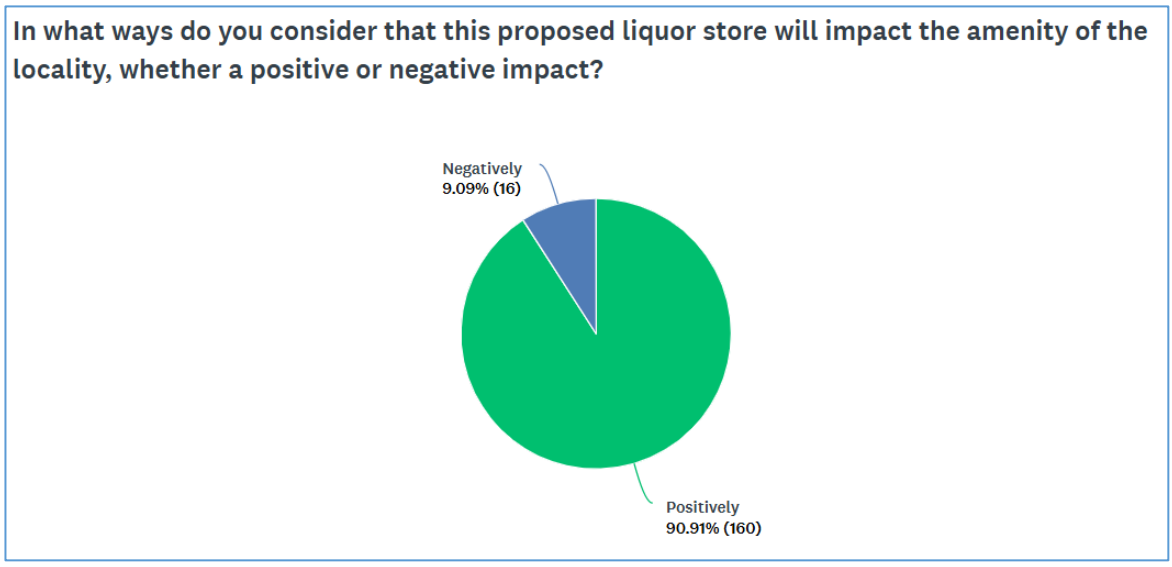
20.5. It will be a low impact venue with its style of operation and proposed specialist range of liquor products and therefore will only add positively to the amenity of the area.

20.6. 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.




20.7. In the 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?*";

20.8. Of the 176 responses received, **160 (91%)** said, "**Positively**".




20.9. Elaborating on their answers;

20.9.1. Respondent 28 said, *"Boutique, local, personally curated outlets—as opposed to commercial chains—are exactly what our suburb needs. Smaller, local and neighbourly outlets enhance the community."*

20.9.2. Respondent 68 said, *"Creating better experiences and strong community engagement."*

20.9.3. Respondent 89 said, *"Copper & Oak is a quality, premium liquor store—not another generic BWS—and will increase the area's appeal by providing customers with quality choices."*

20.9.4. Respondent 119 said, *"Smaller local bottle shops are better for the community. Walkable suburbs, where people can walk to the stores they want, are also good for the community."*

20.9.5. Respondent 147 said, *"This is a great local business that offers quality… Copper & Oak would be a welcome addition and growing this walkable shopping strip would benefit the area."*

20.9.6. Respondent 149 said, *"Convenience, stock range and staff knowledge will benefit the amenity of the area. The new shopfront will also improve the appearance of the buildings."*

20.9.7. Respondent 177 said, *"The store will increase consumer choice, provide a high-quality specialty retail offering, allow people to shop locally and contribute to the area's vibrancy."*

20.9.8. Respondent 194 said, *"The new store would bring increased foot traffic, benefit local businesses and reduce the need for residents to travel."*

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

21.1. 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*".

21.2. This is an application for a liquor store licence, there will be no consumption on premises, save for product tastings in line with the provisions of the Liquor Control Act.

21.3. The proposed liquor store will not offer bilk discount liquor products. Instead it is geared 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.

21.4. 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 Liquor Merchants Sackville.

21.5. Authorities of the Liquor Commission and the Supreme Court recognise that packaged liquor outlets associated with supermarkets are at the passive end of the spectrum, being convenience-based and incidental to grocery shopping rather than destination venues (see e.g. *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2024] WASC 128; *ALDI Foods Pty Ltd*; *Woolworths Ltd* decisions).

21.6. 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.

21.7. The Applicant's focus is on providing;

21.7.1. Convenience to Doubleview locals and wider suburbs (Innaloo, Scarborough and Karrinyup) by providing an unrivalled (in the locality) packaged liquor service, and

21.7.2. Encouraging patrons to educate themselves on specific liquor types they might be interested in.

21.8. In the 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;

21.8.1. Respondent 2 said, *"I live nearby and don't think it will cause me any offence, disturbance, inconvenience or anything."*

21.8.2. Respondent 33 said, *"I have never witnessed any disturbances caused by the business at either existing Copper & Oak store."*

21.8.3. Respondent 49 said, *"Annoyance should be limited, as people generally buy what they want and leave."*

21.8.4. Respondent 119 said, *"I do not expect the store to open earlier or later than adjacent shops, so I don't feel it will increase disturbance or inconvenience."*

21.8.5. Respondent 124 said, *"No foreseeable issues, given the clientele, product offering and trading hours."*

21.8.6. Respondent 144 said, *"It's not a bar with on-site service, so there should be no disturbance beyond what already exists at the location."*

21.8.7. Respondent 194 said, *"There is no on-site consumption, so there will be no noise or crowds. The area is already a retail zone."*

21.8.8. Respondent 205 said, *"It would cause no more disturbance than occurs now. It's a well-trafficked street and a good fit for the area."*

## 22. Section 5(1)(a) of the Act – Primary Object

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

22.1.1. *"to regulate the sale, supply and consumption 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. To regulate means;

22.3.1. "*to control or direct according to rule, principle, or law*" or

22.3.2. "*to put or maintain in order*"

22.4. It does not mean to restrict or to reduce.

22.5. 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".

22.6. It is possible to "regulate" and to "increase" at the same time.

22.7. Therefore, this primary object should not, of itself, prevent this application from being granted.

22.8. It is possible to properly regulate the sale, supply and consumption of liquor and grant this application.

22.9. As clearly shown in these submissions the proposed liquor store will;

22.9.1. Offer a licensed service unique to the locality.

22.9.2. Provide a high-end, low impact premises for the refined Doubleview local.

22.9.3. Provide a space under a well-known and respected liquor store brand for Beer/Wine/Spirit producers to promote themselves, and

22.9.4. Expose clientele to styles and types of packaged liquor products they may not have come across before.

22.10. 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.

22.11. 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.

## 23. Section 5(1)(b) of the Act – Primary Object

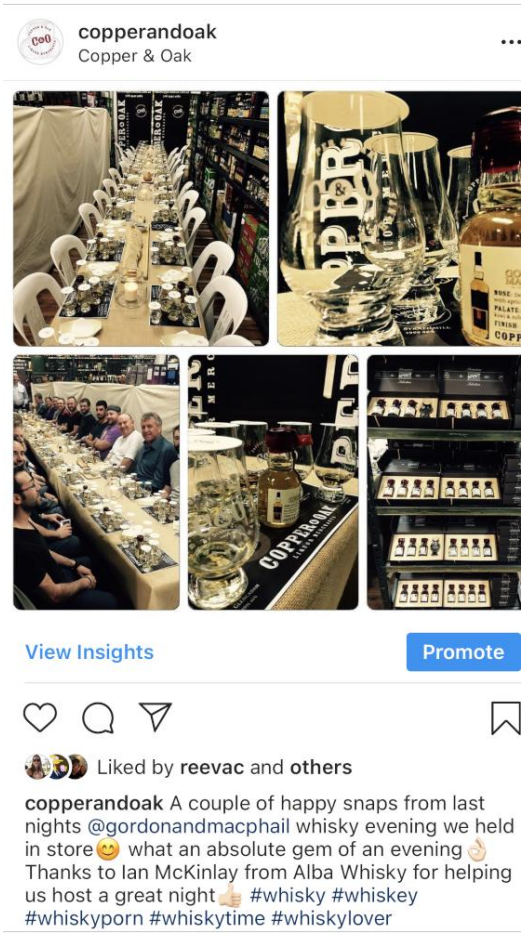
23.1. Section 5(1)(b) states that a primary object of the Act is;

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

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

23.3. In paragraph 46 of Carnegies v Director of Liquor Licensing [2015] WASCA 208 ("Carnegies decision") in respect of the National Hotel, Fremantle (attachment COS15), the following conclusion is found;

23.3.1. *"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."*




23.4. Paragraph 62 of that same decision reads;

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

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

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

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

23.5. 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".

23.6. This then must be weighed, in equal measure, against the benefits that will accrue to the members of the Doubleview community.

23.7. Also, as discussed in Section 18 above, the attitude of Australians towards alcohol is steadily improving, and the number of people drinking at harmful levels is falling.

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

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

23.8.2. Will actively promote itself as a venue that promotes liquor education and appreciation, and

23.8.3. Is targeting patrons who have a finer appreciation of liquor, and patrons who want to learn about and appreciate what they are consuming.

23.9. 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.

23.10. The potential for the premises to impact on harm or ill health will be minimal.

## 24. Section 5(1)(c) of the Act – Primary Object

24.1. 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"*;

24.2. In Liquorland Southern River ([2024] WASC 128, see attachment COS16) 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".*

24.3. 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"*.

24.4. 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"*.

24.5. 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.

24.6. 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.

24.7. In the Liquorland Hilton Liquor Commission decision 11/2026 dated 31st March 2026;

24.7.1. *"64. The Commission generally agrees with the Applicant's submission that it is not necessarily preferable, as a matter of policy, for a packaged liquor store to be contained in every single shopping centre in the State.*

24.7.2. *65. However, **it is not the purpose of section 36B(4) of the Act to limit the number of packaged liquor outlets to some arbitrary number. The Act requires the decision maker to only grant another licence or the removal of a licence into a locality upon being satisfied a consumer requirement is not being met in that locality.***

24.8. In this application, it has been shown there no existing packaged liquor outlet in the locality that offers the suite of licensed services proposed in this application. No existing packaged liquor outlet has the wide range of product proposed AND one-stop shopping AND convenient and

safe browse access for customers.

24.9. None of the three existing packaged liquor outlets in the locality has anywhere near the broad product range that Copper & Oak will have. Scarborough Cellars has a good wine range, but it is not co-located with a supermarket and so does not offer one stop shopping. The only one of the three existing stores that does offer one-stop shopping, Cellarbrations Morris Place, does not have as wide a product range.

24.10. We say the survey evidence shows these services are in demand with consumers in the locality (See section 17)

24.11. 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*".

24.12. And also at 126 to 128;

24.12.1. "*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.*

24.12.2. *127 The phrase local packaged liquor requirements is defined in s 36B(1) to mean:*

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

24.12.3. *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".*

24.13. Clearly the objective evidence provided with these submissions shows 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.

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

25.1. 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 –

25.1.1. (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*

25.1.2. (*d) "To provide adequate controls over, and over the persons directly or indirectly involved in, the sale, disposal and consumption of liquor"; and*

25.1.3. *(e) "To provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act": and*

25.1.4. *(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.*

25.2. 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"*.

25.3. Section 5(2)(a) directs the licensing authority to evaluate the "*diversity of the requirements of consumers in the State".*

25.4. 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.

25.5. None of the existing packaged liquor outlets in the locality has anywhere near the range of products that is proposed through this application, this leads, inevitably, to the conclusion that none can meet the full extent of the diverse consumer requirements in the locality.

25.6. 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.

25.7. 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.

## 26. Conclusion

26.1. 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.

26.2. 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 Doubleview community is very much looking forward to visiting the proposed store.

26.3. 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.

26.4. 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.

26.5. 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 as evidenced by the separate Guildford questionnaire.

26.6. The findings of Justice Archer in Liquorland Karrinyup [2021] WASC 366 strongly support the granting of this application.

26.6.1. *[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."*

26.6.2. *[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."*

26.6.3. *[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'."*

26.7. In the witness questionnaire, respondents were asked if they had any other comments;

26.7.1. Respondent 208 said, *"It would be a great addition to the neighbourhood. Copper & Oak's spirits selection is unmatched, and I look forward to having them in our area."*

26.7.2. Respondent 39 said, *"I fully support adding the diversity that Copper & Oak will bring to the neighbourhood."*

26.7.3. Respondent 195 said, *"Copper & Oak are smart operators who support their communities. They would attract more people and significantly improve the area's retail offering."*

26.7.4. Respondent 54 said, *"I would not support another chain-style liquor store; however, this is a boutique store offering great and diverse products that would be welcomed."*

26.7.5. Respondent 85 said, *"It is a positive move for the area, providing further packaged-liquor options away from the busy Karrinyup Shopping Centre."*

26.7.6. Respondent 149 said, *"I think it's good for the community, and I support locally owned family businesses."*

26.7.7. Respondent 166 said, *"I fully support a quality offering like Copper & Oak that supports local suppliers and increases competition with the large chains."*

26.7.8. Respondent 177 said, *"It is good to see investment revitalising local shopping areas, keeping more people shopping with and supporting local businesses."*

26.8. 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.

26.9. The deliberations in section 17 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.

26.10. This then allows for the proper consideration of the public interest question.

26.11. The applicant invites the licensing authority to find it is in the public interest to grant this application for the following reasons.

26.11.1. The licensee is a very experienced one with a very good record of managing licensed premises.

26.11.2. 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.

26.11.3. This will be a quality, bespoke and original licensed venue.

26.11.4. The overwhelming number of respondents to the Guildford survey indicate that Jose and Nelio run an interesting liquor store at the vanguard of new liquor products.

26.11.5. The overwhelming number of respondents to the Sackville survey indicate they will become customers of this liquor store and recognise its uniqueness in the locality.

26.11.6. Respondents to the survey indicate they have no concerns about the potential for any negative impact on the local community should this application be granted.

Drafted for and on behalf of JMNAP Sackville Pty Ltd;

Phil Cockman
Canford Hospitality Consultants Pty Ltd
25th August, 2026

## Attachments

COS01. Hangawee Outlet Northbridge Decision
COS02. Aldi South Fremantle Decision
COS03. Hard Copy Witness Questionnaire
COS04. Locality Submissions
COS05. Floor plans
COS06. Map of the locality
COS07. Intended Manner of Trade document
COS08. Questionnaire - all raw witness data
COS09. Mystery Shop Report prepared by Research Solutions
COS10. Australia Financial Review Article Woolworths & Coles Wine **
COS11. Crafty Pint Craft beer article
COS12. Who Makes My Wine Article
COS13. Phantom Wine Article
COS14. CU Mart Cockburn Decision
COS15. National Hotel Fremantle Decision
COS16. Liquorland Southern River Decision
COS17. Harm Minimisation Plan