

Mane Liquor Osborne Park Pty Ltd
applicant for the conditional grant of a liquor store licence

in respect of premises situated at
Bicton Central, Shop 12A, 258 Canning Highway, Bicton

and to be known as
Mane Bicton

Public Interest Assessment

including section 36B submissions

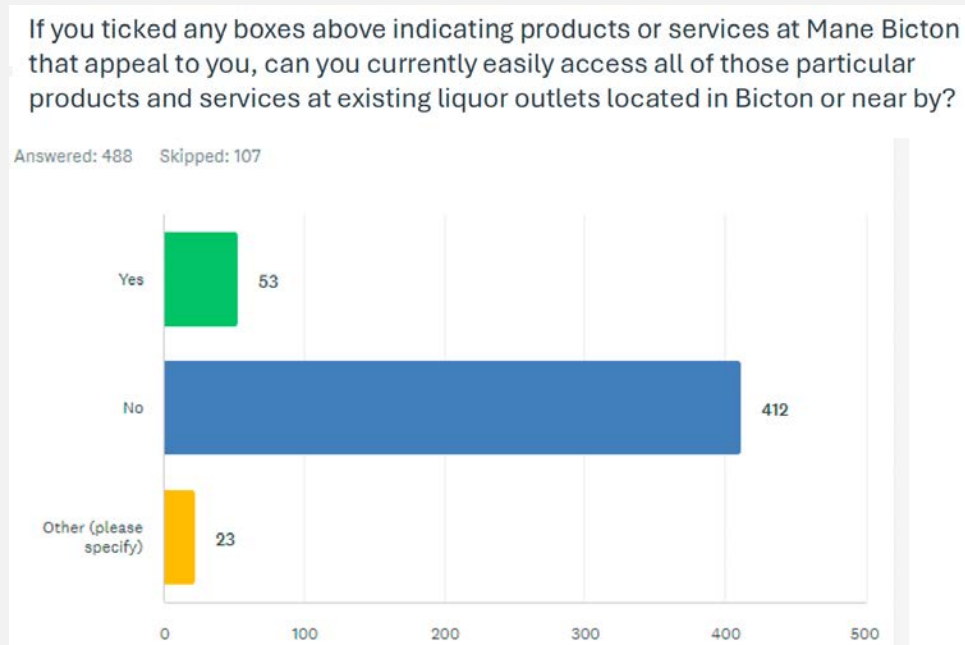


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1. Executive summary

- 1.1. Mane Bicton will be a highly specialised and boutique liquor outlet modelled closely on the hugely popular Mane Liquor Ascot and Mane Osborne Park stores already operating in Belmont and Osborne Park.
- 1.2. The passionately and intricately curated liquor range will be unique and comprise many small batch, rare and exclusive products.
- 1.3. The applicant company directors are highly experienced and dedicated operators.
- 1.4. The applicant has identified both a significant demand from the community for Mane Bicton to be established and a large number of people who consider the store will fulfil their currently unmet requirements in and near Bicton.
- 1.5. The establishment of Mane Bicton will enable Bicton Central shopping centre to become a specialty one-stop-gourmet-local produce-shopping convenience for customers. Further, it is set to become a Maker Centre, being a precinct focused on small businesses that take great care and attention in tailor-making their stores, products and services.
- 1.6. A demand/supply analysis of relevant factors in this case reveals that demand cannot reasonably be met by supply, justifying the grant of the licence¹.
- 1.7. The location has no notable sensitivities or high risks associated with it.
- 1.8. The application is supported by a substantial volume of compelling evidence, including the following particularly telling results which go far above and beyond the level or degree of requirement capable of justifying the grant²



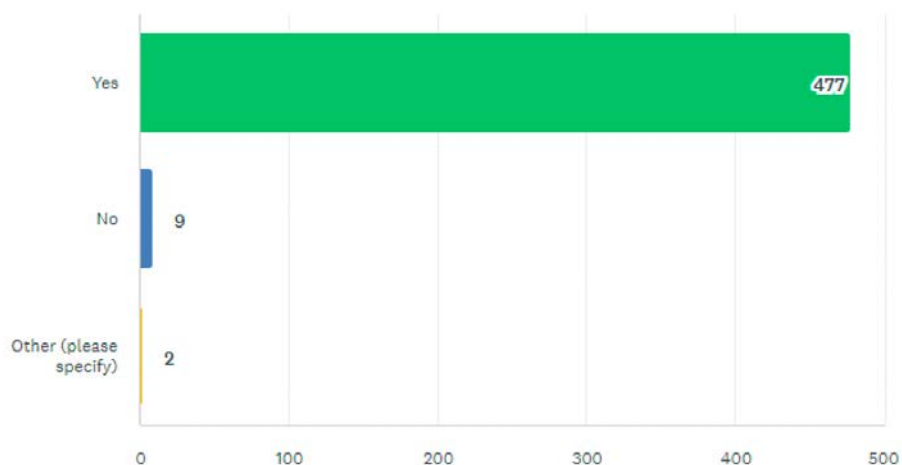
¹ *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2024] WASC 128 (**Liquorland Southern River**) [57] (Lemonis J)

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

Are you likely to be a customer at Mane Bicton if the license is approved?

Answered: 488

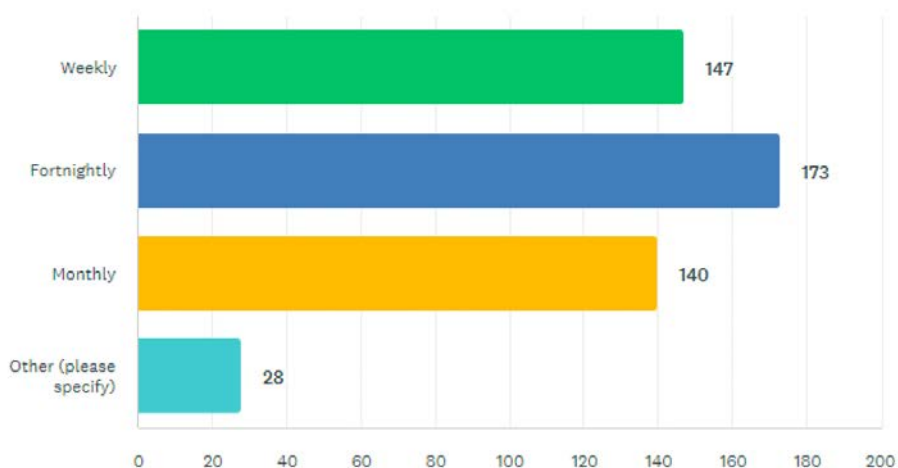
Skipped: 107



If you answered "yes" to the question above, how often, on average, might you be a customer at Mane Bicton?

Answered: 488

Skipped: 107



2. Introduction and background

- 2.1. Mane Liquor Osborne Park Pty Ltd (ACN 657 783 456) seeks the conditional grant of a liquor store licence pursuant to sections 33, 38, 36B, 47 and 98D of the Liquor Control Act 1988 (WA) (**Act**) for premises located at Bicton Central, Shop 12A, 258 Canning Highway, Bicton.
- 2.2. This Public Interest Assessment (**PIA**) has been prepared in accordance with both the Act and the policy of the Director of Liquor Licensing entitled "Public interest assessment policy"³ (**PIA policy**).

³ <https://www.dlqsc.wa.gov.au/department/publications/publication/public-interest-assessment-policy>

- 2.3. Hundreds of members of the public have provided evidence of both strong demand for the Mane model of take-way liquor service in Bicton and also evidence revealing their unsatisfied liquor requirements in the area currently due to the absence of the Mane liquor range and services. Evidence has also been received from local businesses and the liquor industry strongly supporting the grant.
- 2.4. As directed in the PIA policy, the applicant has applied a "common-sense approach" to the submissions contained within this PIA and therefore, provided a level of detail, in terms of the content of this document and the attachments, considered appropriate for the circumstances. Further detail and additional copies of source documents can be provided if necessary.
- 2.5. This PIA has been formally adopted and verified by both directors of the applicant company in the attached Statutory Declarations, confirming their commitment to the proposal.

3. Brief overview of the application

- 3.1. Mane Bicton will be a similar, sister outlet to the existing Mane Liquor Ascot (located in Belmont) and Mane Osborne Park liquor stores⁴ which are owned and operated by the same two local Western Australian people who are seeking approval to establish Mane Bicton. The applicant itself is the holder of the Mane Osborne Park licence whilst a related entity holds the Mane Liquor Ascot licence.
- 3.2. Mane Bicton will specialise in rare, small-batch and craft liquor with a particular focus on beer, which is what the applicant's existing related outlets are renowned for. Mane Liquor Ascot has been described as "the beer version of Santa's Grotto"⁵ and "long been heralded as Perth's ultimate craft beer mecca"⁶. Mane Osborne Park closely resembles its expansive range and has adopted the same manner of trade.
- 3.3. Several products will be available exclusively to the applicant, including a regular ever-changing range of collaboration items made especially for the applicant with manufacturing input from the applicant based on customer demands. The large majority of the liquor at Mane Bicton will not be available anywhere else in Bicton or nearby.
- 3.4. Regular free tastings will be provided in-store and special promotions and product events, including producer presentations. Mane Bicton will also provide specialty sauces and a small range of other packaged food to accompany the liquor. Tasting notes, production information, food and liquor matching recommendations, storage and cellaring advice and other additional related services will be available.

⁴ Liquor store licences numbered 6030004036 and 603218426322 respectively

⁵ Article, "Mane Liquor", by online publisher The Crafty Pint (<https://craftypint.com/>), undated in 2022: <https://craftypint.com/bottleshop/282/mane-liquor> (copy attached)

⁶ Article, "Mane Liquor are opening a second store this weekend (and they're having a big party to celebrate)", by Sally Hall, March 2023, published by Perth is OK!: <https://perthisok.com/eat-drink/mane-liquor-are-opening-a-second-store-this-weekend-and-theyre-having-a-big-party-to-celebrate/>

- 3.5. The applicant has experienced significant demand for the Mane liquor model in the south-western part of the Perth metropolitan area. Its existing stores have an enormously wide catchment, including large numbers of customers from in and around Bicton. The Bicton location has been carefully and deliberately selected as ideal for the purpose and to meet the demand.
- 3.6. Mane Bicton will provide the public with a truly exceptional and remarkable retail liquor shopping experience.
- 3.7. Further details of the proposal are provided further on in this PIA.
- 3.8. The application is ardently supported by consumer evidence including the following, which is attached:
- 3.8.1. Public questionnaire/survey with 488 consumer responses.
- 3.8.2. Letters (x13) from a variety of sources.
- 3.9. This consumer and industry evidence is referred to throughout this PIA. It is compelling as to the demand and need for Mane Bicton to be approved and operational. One of the potent results is that 477 people who responded (97.7%) said that they are likely to be a customer at Mane Bicton if the licence is approved. Given that 183 people who participated in the questionnaire/survey exercise said that they live within 2km of the Mane Bicton site and the majority of participants provided glowing personal reports of their experiences at Mane Liquor Ascot and Mane Osborne Park, it is clear that the consumer evidence is precisely on-point in every respect.

4. Description of the applicant

- 4.1. The applicant is a small, privately owned and operated, independent Western Australian company. Its two directors, Elliot Moore and Joshua Daley, pictured below, have been operating the existing Mane Liquor Ascot business together for nearly 15 years and the new Mane Osborne Park for just over one year, both with enormous success in terms of compliance, consumer patronage and regard and industry recognition.



- 4.2. Moore and Daley are dedicated, local people. They were born, educated and grew up in Western Australia. They share a deep passion for specialty, small batch, truly craft liquor, particularly beer and especially WA produced products. They feel strongly about supporting independent small businesses. Their fervour and love for craft beer extends across Australia and overseas. Both of the

existing Mane stores stock craft beer from around the world, previously described in the industry as “one of the most spectacular collections of quality beer you'll find anywhere”⁷ in relation to Mane Liquor Ascot, which has been the template for the Osborne Park and proposed Bicton stores.

- 4.3. The advanced expertise of Moore and Daley in the industry are partly evidenced by the following article published by The Crafty Pint industry reporter (emphasis added):

“If you want to know what it's like to experience the beer version of Santa's Grotto, you would do well to call in to Perth's Mane Liquor.

Ever since its owners decided to try out this thing called craft beer five years after opening, the bottleshop located between the city and its main airport has amassed one of the most spectacular collections of quality beer you'll find anywhere.

When The Crafty Pint called in for a first visit, sometime in 2011, the amount of fridge, shelf and floor space dedicated to beer was already impressive. When we returned for a third time in 2016, while the wine, cider and spirits selection was still mighty fine, it was fighting to hold onto its enclave at the rear of the store. And it's an evolution that shows no sign of slowing.

For the most part, Mane Liquor is about beer: good beer from all parts of the globe. You'll find it in fridges lining several of the walls. You'll find it piled high in cases. And you'll find aisle after aisle of the stuff arranged by provenance.

You'll also find it pouring fresh from taps into growlers that you can either have filled on the spot or pick from a pre-prepared selection in one of the fridges. Chances are there will be something with store bosses Elliot and Josh's fingerprints all over it too as they've been collaborating with many of the state's brewers on some pretty cool beers over the years too. The pair also bring some of their favourite brands into WA and distribute them around the state.

Taken together, this vast array of beer served by a team of people at least as passionate about it as you are, makes for **one of the best bottleshop experiences you'll find anywhere in Australia**, something acknowledged in multiple Best in Australia titles as voted by Ratebeer contributors.

Add in regular tastings and events like their annual Car Park Party, which attracts long queues whatever the weather, and **you've got an institution right there.**”⁸

- 4.4. Moore and Daley diligently champion small, family owned and operated wineries, breweries and distilleries. Producers that are small-scale and/or newly

⁷ Article, *Mane Liquor*, by online publisher The Crafty Pint (<https://craftypint.com/>), undated in 2022: <https://craftypint.com/bottleshop/282/mane-liquor> (copy attached)

⁸ Article, “*Mane Liquor*”, by online publisher The Crafty Pint (<https://craftypint.com/>), undated in 2022: <https://craftypint.com/bottleshop/282/mane-liquor> (copy attached)

emerging generally have very limited opportunities to get their products into the market and rarely have access to the large group-run retailers. Conversely, consumers have trouble accessing these products which provide excellent quality and diversity into the market. These types of products and relationships make up a significant part of the applicant's modus operandi and business philosophy. They comprise the majority of the free tastings provided and associated product promotions and education which often involve the producer. Consumers gain real benefit in the process.

- 4.5. "Their emphasis on supporting local, unique, and quality producers, as well as seeking out speciality imported products for their customers, makes them stand out from traditional bottle shops."⁹
- 4.6. The applicant strives to provide the highest quality, extraordinary customer service. All staff members have exceptional liquor knowledge and training, which is actively encouraged to be shared with customers.
- 4.7. Mane Liquor Ascot is a multi-award winning store. It has five times achieved the coveted "*Best Bottleshop in Australia*" vote¹⁰.
- 4.8. Prior to the opening of the second store in Osborne Park, the following are just two examples of additional glowing descriptions published regarding Mane Liquor Ascot:
 - 4.8.1. "Good bottleshops are hard to find. Especially in Perth. Mane Liquor is the breath of fresh air that comes with an independent bottleshop with the abundance of shopping-chain style liquor stores around Perth. Finding a beer that you haven't seen in every bottleshop becomes a lot easier once you enter Mane Liquor"¹¹.
 - 4.8.2. "With over 1000 different beers in stock, Mane Liquor's Belmont store has long been heralded as Perth's ultimate craft beer mecca...Beer isn't the end of it, though – their wine and spirit offers are equally impressive..."¹².
- 4.9. Since opening, the Osborne Park store has recorded approximately 600 customer transactions per week on average.
- 4.10. "The production of craft beer in Australia has evolved from a small industry comprised of home-brew enthusiasts, to a large and rapidly growing industry with annual sales in excess of \$370 million, growing at a rate of around 10% per year. Sales of craft beer represent an estimated 5%, and growing, of the total sales in the Australian beer market... despite this downturn in per capita beer consumption, demand for craft beer has grown considerably in recent years, attracting a different demographic from traditional target markets. The growing popularity of craft beer has been attributed to younger generations living in

⁹ Letter from Jizzle Pty Ltd t/as Drink Better Beverages (attached)

¹⁰ By Ratebeer (2016, 2017, 2018 and 2019) and Beer & Brewer (2019)

¹¹ Article, "Could this be the best bottleshop in Perth?", by Dylan Urquhart, published by Perth Underground, undated in around 2014: <https://www.perthunderground.com.au/post/mane-liquor>

¹² Article, "Mane Liquor are opening a second store this weekend (and they're having a big party to celebrate)", by Sally Hall, March 2023, published by Perth is OK!: <https://perthisok.com/eat-drink/mane-liquor-are-opening-a-second-store-this-weekend-and-theyre-having-a-big-party-to-celebrate/>

inner-city areas². This suggests that the transition from mainstream to craft beer could be a longer term generational shift with lasting implications, rather than a short term trend or temporary fad."¹³

- 4.11. "The Craft Beer Production industry has grown over the past five years, despite an overall decline in per capita beer consumption. While consumers have drunk less, demand has increasingly shifted towards the more premium end of the market, boosting the number and variety of craft beers produced in Australia. As the range of available craft beers has grown, producers have created new and innovative products to differentiate themselves from rival brewers. Overall, industry revenue is expected to increase at an annualised 5.3% over the five years through 2021-22, to \$959.8 million."¹⁴
- 4.12. "The craft beer industry in Australia has been going from strength to strength over the past two years, as microbreweries capture a modest but ever-increasing portion of the overall beer market.
- 17.7% growth in total craft beer revenue
 - 14.1% share of total beer revenue held by craft breweries
 - Most brewers produce up to 100,000 litres per year
 - 39% of consumers spend \$26-\$50 per week & 33% spend up to \$100".¹⁵
- 4.13. "The Craft Beer Production industry is projected to expand strongly over the next five years, supported by rising consumer demand for innovative new varieties and flavours of beers. Enterprise numbers are forecast to increase over the next five years, as new entrants attempt to capitalise on strong consumer demand for craft beers. Low barriers to entry and the increasing popularity of artisanal beers will support potential entrants, especially smaller breweries with a local or regional focus. These factors are expected to encourage strong growth in enterprise and employment numbers over the next five years".¹⁶
- 4.14. The applicant has 13,000 "likes" and 14,000 "followers" on its Facebook page¹⁷ and a staggering 19,200 "followers" on Instagram which is one of the highest in Australia for a liquor store business¹⁸.
- 4.15. The opening of Mane Osborne Park last year has increased the applicant's overall attraction and catchment across Perth and WA more broadly and allowed consumers to have alternative access to the unequalled ranged and liquor retailing environment that the applicant's model provides. The Bicton premises has been strategically chosen to address consumer needs in the south western part of the Perth metropolitan area. People living around there are

¹³ <https://www2.deloitte.com/au/en/pages/consumer-business/articles/craft-beer-australia-going-from-strength-to-strength.html>

¹⁴ Craft Beer Production in Australia – Market Research Report, 6 October 2021, IbisWorld: <https://www.ibisworld.com/au/industry/craft-beer-production/5071/>

¹⁵ The State of Craft Beer in Australia 2022, 11 March 2022, by Savvy: <https://www.savvy.com.au/the-state-of-craft-beer-in-australia-2022/>

¹⁶ Craft Beer Production in Australia – Market Research Report, 6 October 2021, IbisWorld: <https://www.ibisworld.com/au/industry/craft-beer-production/5071/>

¹⁷ <https://www.facebook.com/manespecialistbottleshop/>

¹⁸ <https://www.instagram.com/explore/tags/maneliqor/top/>

currently forced to travel long distances of several kilometres through hectic traffic to access the Mane range and ancillary services in Ascot/Belmont and Osborne Park.

- 4.16. The applicant has been largely motivated with this application by pressure from customers at its existing stores who travel from Bicton and nearby. The attached consumer evidence confirms that a significant number of people are currently inconvenienced and dissatisfied in this regard.
- 4.17. As described by The Crafty Pint earlier on in this PIA, in reference to Mane Liquor Ascot, Mane Bicton will also become “the beer version of Santa’s Grotto” and supply the particular demand that is being voiced

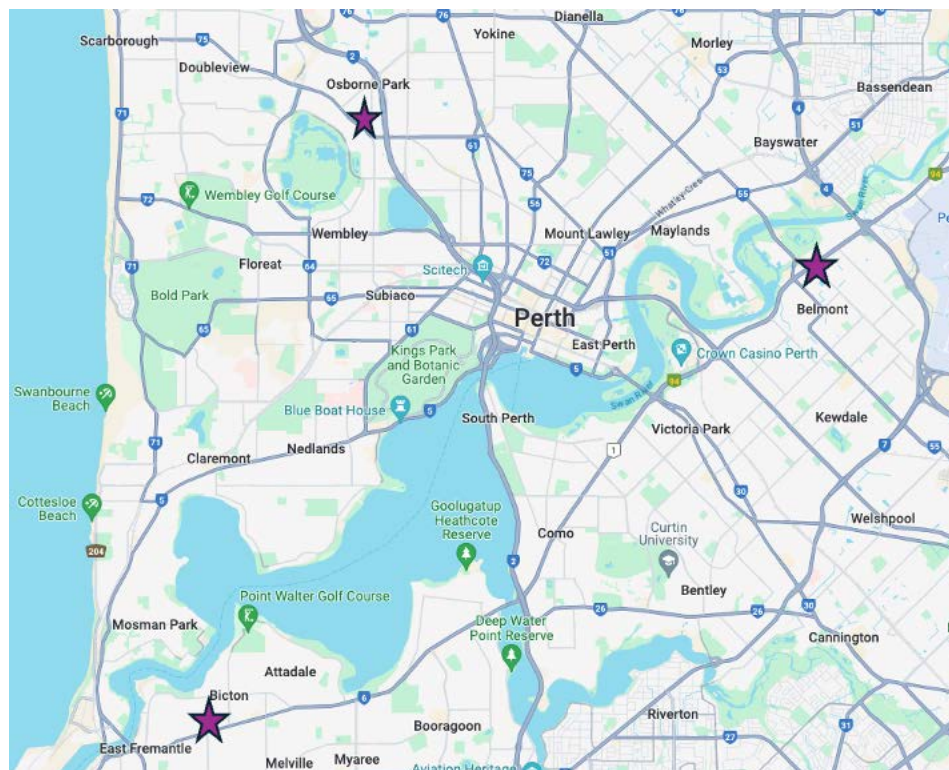
5. The premises

- 5.1. Shop 12A, 258 Canning Highway is located within a very established and popular neighbourhood centre, known as Bicton Central, which has been operating since 1985 and is within the City of Melville.



- 5.2. As stated elsewhere in this PIA, the applicant has very deliberately selected the Bicton site. This is further explained as follows:
- 5.2.1. A great deal of time and effort was invested into reviewing requirements of existing customers, broader market needs and characteristics of sites to identify a location that would meet the various essential criteria.
- 5.2.2. The applicant has learned that it needs better distribution presence in the metropolitan area to better meet needs of consumers. The existing Mane Liquor Ascot and Mane Osborne Park stores are approximately 13km apart from each other. Mane Osborne Park and the Mane Bicton site are approximately 15km apart and Mane Liquor Ascot and the proposed Mane Bicton site are approximately 18km apart. These are all one-way straight-line distances. The following

Google Map shows the approximate three locations by way of pink stars and illustrates their distance, distribution and the complex red network in between. If Mane Bicton is approved, the applicant will achieve an excellent distribution over the metropolitan area, providing much greater convenience for its enormous catchment.



- 5.2.3. Customers of Mane Liquor Ascot and Mane Osborne Park who come from the south and particularly south-western parts of the metropolitan area, need much more convenient access to the applicant's range of products and services as they are currently forced to travel very long, convoluted and busy routes to get to the existing stores in Belmont and Osborne Park.
- 5.2.4. The applicant also discovered that the south western part of the metropolitan area currently offers very little of what the applicant can offer and yet it has significant consumer requirement.
- 5.2.5. Therefore, the applicant found there to be a considerable unmet and unsatisfied community of liquor consumers in and around Bicton and so the applicant sought out a location that would be ideal for its Mane model, including being consistent with the applicant's business philosophies.



- 5.3. Bicton Central is home to a variety of tenancies, including several different take-away food offerings, which complement each other and provide a nearly-complete one-stop-shopping convenience. A tenancy schedule is attached. The centre offers a supermarket, butcher, bakery, seafood store, patisserie, café, chemist and more and a considerable volume of on-site parking, but no liquor. There is also public transport to the site with a bus stop at the front on Canning Highway.





- 5.4. The food and drink tenancies at Bicton Central are all small business operations, owned and run by private, independent companies. They focus on local produce with much of their products and services being fresh, gourmet and small batch items. As outlined elsewhere in this PIA, the proposed Mane Bicton outlet is of the same ilk and will be an excellent addition to the mix.
- 5.5. As one particular responded in the survey/questionnaire said: "I look forward to the simplicity of shopping at Fresh Provisions, Princi's and Mane Liquor - each of which are well suited to each other"¹⁹.
- 5.6. Bicton Central is currently subject to a major overhaul to become a premier food and drink precinct of independent retailers, described by the owner as a "Maker Centre" in reference and recognition of operators that passionately strive to tailor-make their offer with something special and unique. With the addition of Mane Bicton, if the liquor licence is approved, Bicton Central will provide a specialty one-stop-gourmet-shopping service of independent retailers and bespoke products and services.
- 5.7. WA Today's Good Food publication recently reported that "[t]here's a reason so many Perth foodies wish their local shops resembled Bicton Central...[a] round of applause, please, for Bicton Central: a small shopping centre on Canning Highway that proves independent food businesses, with enough support, can flourish in a market ruled by franchises and The Duopoly"²⁰.
- 5.8. Attached is a detailed letter from Hanny Properties on behalf of the owner of Bicton Central, confirming and further addressing many of the points in the preceding sub-paragraphs. The letter provides multiple reasons of support for

¹⁹ JB, 28 years old, Engineer

²⁰ Article, "There's a reason so many Perth foodies wish their local shops resembled Bicton Central", by Max Veenhuizen, published by WA Today, 25 April 2024: <https://www.watoday.com.au/goodfood/eating-out/there-s-a-reason-so-many-perth-foodies-wish-their-local-shops-resembled-bicton-central-20240424-p5fmbq.html>

the addition of Mane Bicton at the centre and speaks strongly of the need for the applicant's proposal to operate there.

- 5.9. The proposed licensed area is an elongated rectangular shape of approximately 204m² and is situated at the north-eastern corner of the shopping centre.
- 5.10. The interior of the liquor store will be individually designed and fitted-out with fixtures and features of the style and character that are consistent with the applicant's particular modus operandi. Mane Liquor Ascot has very different layout, fitout, fixtures and colour-scheme to Mane Osborne Park. The new Mane Bicton will also be unique, designed to reflect its particular location.
- 5.11. A wall-length coolroom, showcasing a significant volume of cold and mostly craft, liquor will be a stand-out feature. The large number of artistically designed and diversely coloured cans and bottles that will line the coolroom will themselves create a highly attractive feature wall in the premises.
- 5.12. Approval for tastings is sought for anywhere in the store.
- 5.13. The tenancy has convenient rear delivery access and a reasonably sized storage area.
- 5.14. The applicant and owner are keen to commence the fitout works as soon as possible, being virtually immediately upon conditional grant of the licence.



6. Further details of the manner of trade

- 6.1. Mane Bicton will offer a highly sophisticated packaged liquor service with an expertly developed array of paired ancillary services.
- 6.2. There will be a heavy focus on international craft beer to fill a glaring void in the area currently. The applicant had been alerted by customers at its existing stores and has since researched and confirmed directly itself, that existing liquor outlets (which are particularised further on this PIA) do not offer international craft beer.

- 6.3. As a specialist craft beer retailer, the applicant is intimately familiar with the fact that there is a considerable craft beer culture and following in WA, as has been referred to earlier in this PIA.



- 6.4. The WA-produced craft beer section at Mane Bicton will include well over 40 WA breweries including from lesser-known regional breweries, for example Lucky Bay Brewing in Esperance, Whalebone in Exmouth and Finlay's in Kalbarri, plus many more small producers.
- 6.5. The section of craft beers from other Australian states and territories will boast over 100 different breweries.



- 6.6. A stand-out feature at Mane Bicton will be its exclusive beer collaborations. As part of its special bonds with independent breweries, the applicant will liaise with producers to develop unique, small batch runs of tailor-made items. Often these will be devised in direct response to consume specifications for particular beer styles and flavours. These products will be available exclusively to the applicant. Beers of this category that have previously been developed by the applicant include, for example, Phat Brew Club x Mane HPA, Big Phat Double IPA, Seasonal Brewing x Besk x Mane Starward Russian Imperial Stout, Kook x Mane Coco Loco Mofo, Eagle Bay x Mane Liquor Forest For The Trees and Aetheon Red IPA.
- 6.7. Mainstream, mass-produced, macro beers will scarcely be available at Mane Bicton. They will represent a tiny percentage, be barely noticeable and not part of the usual promotional programme within the store. They will be available as a courtesy service for customers who occasional buy them. The applicant has experienced at its related existing outlets that customers buying craft items for a function or to visit friends, for example, will sometimes need to grab a few mainstream items to have available to offer family or friends who may prefer such drinks.

- 6.8. The applicant will, as it does in relation to its existing stores, order pallets directly from breweries in the eastern states that have no supply chain into WA. Such producers include, for example, Currumbin Valley Brewing, Range Brewing, Philter, Dangerous Ales, Aether Brewing and Sea Legs Brewing, with whom the applicant has developed strong supply relationships.
- 6.9. Mane Bicton will offer a large selection of gluten free beer.
- 6.10. The applicant will offer an impressive, bespoke range of spirits. This category at Mane Bicton will comprise almost entirely of high-end, premium products, including within the premixed range. Archie Rose canned cocktails, South Beach Aperitivo and Idle Hands specialty cocktails will be amongst the first-rate range.



- 6.11. The applicant has forged a range of different exclusive supply agreements, some of which have been referred to in preceding paragraphs and also with suppliers internationally. Only the applicant may stock those products in Western Australia. For example, the applicant has exclusivity in WA for a selection of high-end spirits including Barrelled Bourbon, Penelope American Whiskey, Infrequent Flyers Whisky and Whisky Hunt Australia.
- 6.12. A large selection of hard-to-find, bespoke cocktails from Idle Hands, Republic of Fremantle, Koji Spirits and other obscure premium suppliers will be available at Mane Bicton, comprising many different lines from those suppliers.
- 6.13. Mane Bicton will have a strong feature of natural and minimal intervention wines, which have been identified as sorely lacking at existing outlets referred to further on in this PIA.



- 6.14. Mane Bicton will also provide a large non-alcoholic selection. The applicant has identified that existing outlets in and around Bicton offer minimal lines of non-alcoholic beer and little to no offering of non-alcoholic mock-liquor alternatives. Mane Liquor Ascot and Mane Osborne Park stock over 30 lines, which range is increasing with new items constantly being released onto the market, especially internationally and brought into the Mane range
- 6.15. The distinctive panty feature at Mane Bicton will include over 200 hot sauces, bbq rubs, honey and olive oil, a cheese fridge with accompanying cheeseboard ingredients including chorizo, nduja, boquito, crackers and condiments.



- 6.16. The applicant and its staff have exceptional product knowledge and as referred to previously, close relationships directly with producers and suppliers which will provide added, tailor-made benefits for customers in Bicton.
- 6.17. The approval of Mane Bicton will enhance the Bicton Central overall offering considerably and enable it to become a one-stop-shopping destination in keeping with the owner's development of the site. Liquor is the one noticeable consumable that is missing from the centre. More particularly, Bicton Central will become a one-stop-independent-gourmet-shopping precinct, otherwise described by the owner in its accompanying letter of support as a Maker Centre, being a centre of small businesses that consciously make bespoke offerings for shoppers.
- 6.18. For reasons including the following, the stock range at Mane Bicton will be ever changing with small batches, speciality runs and a programme of exclusive lines.
- 6.18.1. The applicant's business philosophy is for a high degree of diversity.
 - 6.18.2. The culture of the craft liquor sector focuses on taste experiences and experimenting with constantly evolving manufacturing techniques and trials of ingredients. It is not about drinking per se.

For example: "Craft spirits are typically produced by smaller distilleries using locally sourced ingredients in small batches, often leading to unique tastes not found in big-name brands"²¹. Therefore, diversity is at the heart of the Mane model and what has attracted such a significant following at the applicant's existing stores.

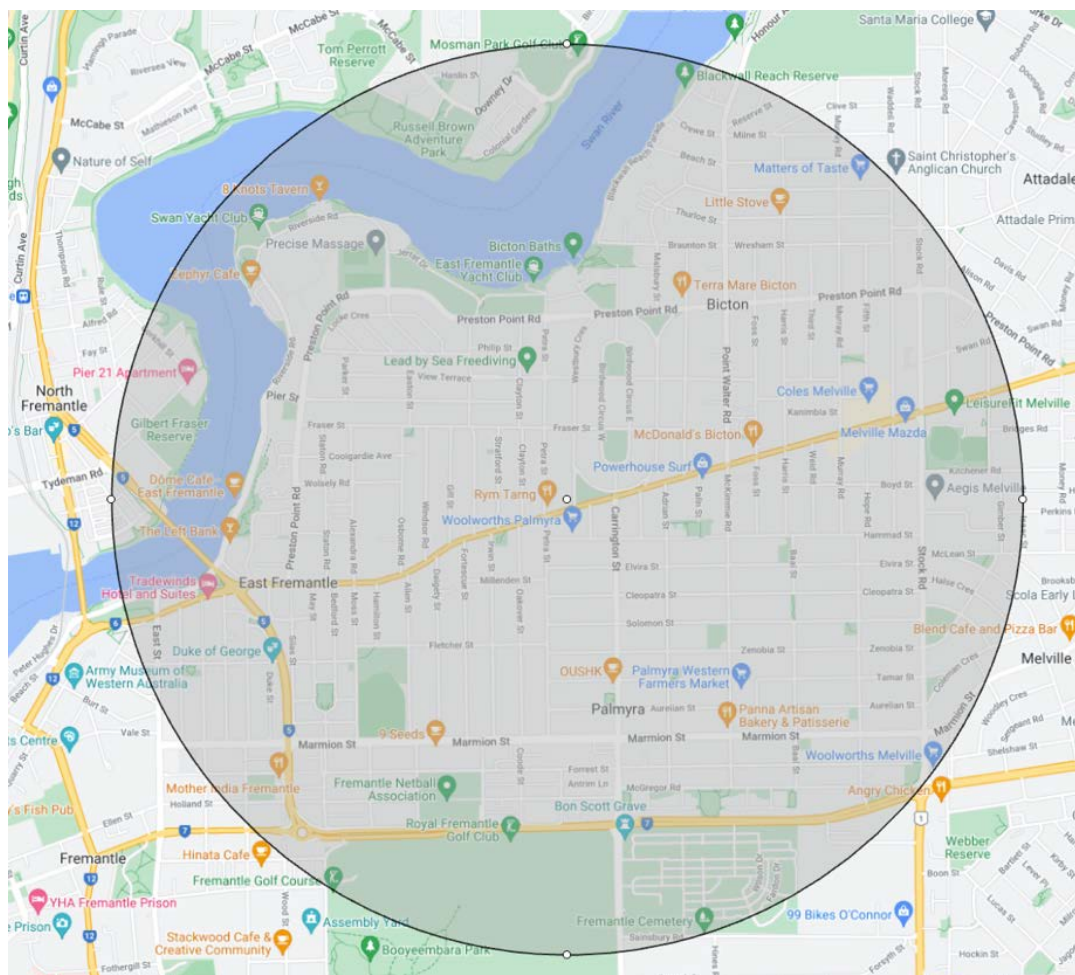
- 6.18.3. Shopper requests will be accommodated as best as possible with products introduced according to their particular preferences, including small batches of exclusive items produced in collaboration with wineries and breweries as products tailor-made to the taste preferences of the local customer-base.
- 6.18.4. In keeping with seasonal produce which is used in the production of specialty craft liquor and therefore, alters with the seasons.
- 6.18.5. Craft liquor products – and especially craft liquor that is organic, natural and subject to minimal intervention – has a relatively short shelf life because they lack preservatives and so there is an inherent high turnover and diversity
- 6.19. In situations where suppliers to Mane Bicton do produce a product on an ongoing basis that is popular with customers, it is intended to be a staple in the range.
- 6.20. Accompanying this PIA is a draft indicative stocklist which is enormous, diverse and full of many rare and unusual products.
- 6.21. To confirm its commitment to and authenticity of, its proposal, if the licensing authority so determines to be appropriate, the applicant agrees to the same special trading conditions imposed on the licence for Mane Bicton as have been approved for Mane Osborne Park, namely the following:
 - 6.21.1. At least 90% of displayed stock must comprise craft liquor, of which at least 70% must comprise craft beer. ("Craft" in this context means liquor which is produced using a degree of artistry and creativity, varying ingredients and in relatively small batches, by a producer which is of a relatively small-scale operation).
 - 6.21.2. Only one fridge door is permitted for mainstream beer products.
 - 6.21.3. Only one fridge door is permitted for pre-mixed spirits.
- 6.22. The applicant seeks approval for the standard trading hours permitted under section 98D of the Act, namely 8am to 10pm Monday to Saturday and 10am to 10pm on Sunday, with variations for Good Friday, ANZAC Day and Christmas Day. Usually, however, actual opening times will be well within these hours.

7. Locality

- 7.1. The Act and the PIA policy require consideration of a "locality" in respect of this application.

²¹ <https://gooddrop.com.au/spirits/craft-spirits/>

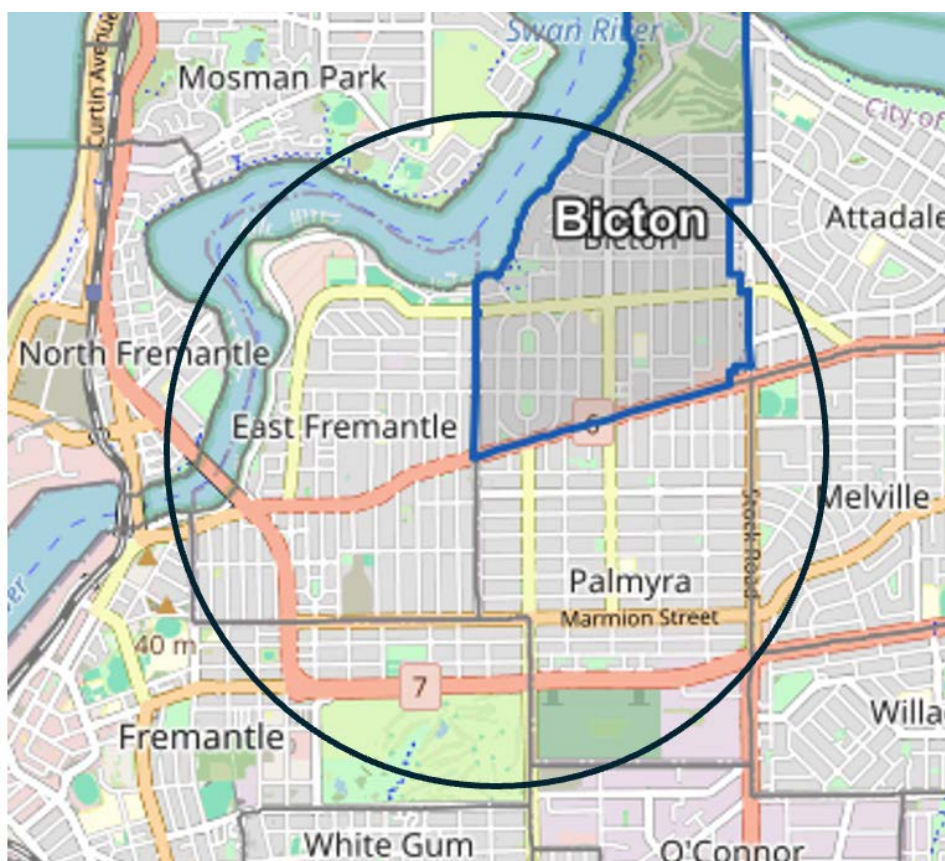
- 7.2. In terms of sections 33 and 38 of the Act and the public interest, the PIA policy states that “[t]he term ‘locality’ refers to the area surrounding the proposed licensed premises. This locality will be the area most likely to be affected by the granting of an application in relation to amenity issues”²². The PIA Policy specifies that a 2km radius surrounding the proposed location of Mane Bicton may be the relevant area to be considered in this particular case. That area is depicted in the Google Map below (**2km locality**).



- 7.3. The majority of the 2km land area comprises most of the suburb of Bicton, nearly all of Palmyra and virtually all of East Fremantle, as depicted in the following image showing an overlay of suburb boundaries according to the Australian Bureau of Statistics (**ABS**)²³ with Bicton highlighted.

²² PIA policy

²³ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50119>,
<https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51197> and
<https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50457>



- 7.4. A small pocket of each of Attadale, Melville, Fremantle, Mosman Park and North Fremantle fall within the circle, together with a very small section of Fremantle and tiny piece of O'Connor. Statistical information pertaining to those suburbs has not been included in this PIA as to do so would likely distort and misrepresent the overall assessment of the 2km locality because those suburbs individually and collectively represent relatively insignificant portions of the 2km locality.
- 7.5. Approximately 22,365 people live in the 2km locality²⁴, which is an increase of 1,466 from the 2016 Census²⁵ indicating population growth in the area.
- 7.6. Approximately 20,000 vehicles drive past the site every day²⁶. Canning Highway is, among other things, a "principle/major route for high volume traffic movements within large urban areas"²⁷.

²⁴ Bicton, 6,961 + Palmyra, 7,585 + East Fremantle, 7,819 based on ABS 2021 Census data: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50119>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51197> and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50457>

²⁵ Bicton, 6,573 (<https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50119>) + Palmyra, 6,950 (<https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC51187>) + East Fremantle, 7,376 (<https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50456>)

²⁶ Based on the closest and most recent average weekday traffic count data published by Main Roads, at the counting point on Canning Highway west of Carrington Street – as at 2018/19 – Statewide Traffic Digest 2018/19-2023/24, Main Roads Western Australia, at page 20 (copy available if required, upon request)

²⁷ Section 13(2)(e) and (3)(d) of the Main Roads Act 1930

- 7.7. The nature and character of the local community can be viewed partly in terms of the average person living in the 2km locality, from a statistical perspective, who is as follows²⁸:
- 7.7.1. female, 42 years of age and married,
 - 7.7.2. born in Australia with English/Australian ancestry,
 - 7.7.3. with no religious affiliation,
 - 7.7.4. in the labour force, working more than 40 hours per week in a professional or managerial role, earning well above the State average of income and
 - 7.7.5. experiencing no long term health condition.
- 7.8. This apparently average person in the 2km locality does not indicate any overly sensitive or riskier characteristics as are referred to in the PIA policy.
- 7.9. The 2km locality includes parts of a few different local government areas. Bicton and Palmyra are within the City of Melville, as referred to earlier and the site itself is located with the City of Melville. East Fremantle is within the Town of East Fremantle.
- 7.10. "What constitutes a 'locality' relates to the geographical area surrounding, and what is relatively close to, the proposed site"²⁹.
- 7.11. As section 36B of the Act applies in this case, it is important to address the issue of locality with specific reference to section 36B.
- 7.12. "[T]he word 'locality' in s 36B denotes an area that surrounds, and is geographically close to, the location of the proposed premises"³⁰.
- 7.13. "Given the context and purpose of s 36B, the word 'locality' is intended to connote the same concept of neighbourhood. I consider that, in this context, it means the geographical area surrounding the proposed site. Section 36B seeks to add an additional hurdle before a licence may be granted under which packaged liquor can be sold. It seeks to ensure that there are not multiple premises in close proximity to one another selling packaged liquor."³¹
- 7.14. "This is not to say that the 'locality' will inevitably, or even usually, be a circular area within a particular radius of the proposed site. The shape and size of the 'locality' may be influenced by topographical features (including man-made features such as roads) and the areas from which the proposed site could be accessed reasonably easily on foot or push-bike. If there is a community in the area of the proposed site, the geographical spread of that community may also influence the shape and size of the 'locality'"³².

²⁸ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50119>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51197> and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50457>

²⁹ *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [14] (Smith J); *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2021] WASC 366 (**Liquorland Karrinyup**) [186] and [190] (Archer J)

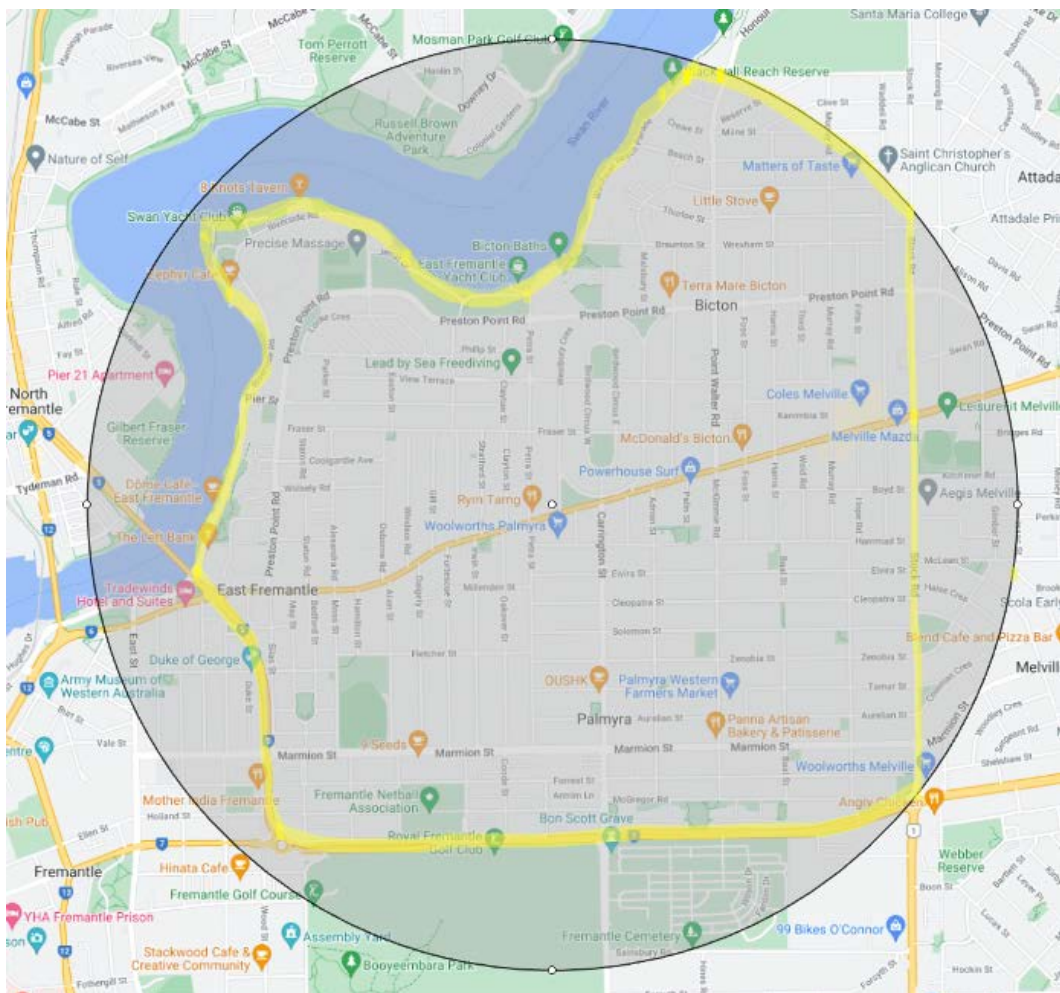
³⁰ *Liquorland Karrinyup* [181] (Archer J)

³¹ *Liquorland Karrinyup* [182] (Archer J)

³² *Liquorland Karrinyup* [185] (Archer J)

- 7.15. "...due to the variety of factual situations that may arise, it is impossible to prescribe a specific test to be applied or even an exhaustive list of the factors that will or may be relevant in the determination of the locality in any given case. As has been observed in other jurisdictions, there will be some cases where it will be easy to determine the locality, and other cases where it will not be. An example of the former would be where the proposed premises was to be placed in a small country town. An example of the latter would be where it was to be placed in the CBD."³³
- 7.16. For the purposes of section 36B of the Act, the applicant submits that the relevant locality is an area slightly smaller than the 2km locality and which is bounded by:
- 7.16.1. Swan River to the north and west,
 - 7.16.2. Stirling Highway to the west,
 - 7.16.3. High Street/Leach Highway to the south and
 - 7.16.4. Stock Road to the east.

This area is outlined in **yellow** inside the 2km locality radius in the Google Maps image below (**s36B locality**).



³³ Liquorland Karrinyup [186] (Archer J)

- 7.17. Swan River is a significant natural physical barrier, both in terms of size and access to Mane Bicton. The nearest crossing point is Stirling Highway, nearly 2km from the applicant's site. The High Street/Leach Highway and Stock Road boundaries of the s36B locality are close to the southern and eastern boundaries of the 2km locality, capturing only a tiny pocket of residential area which is relatively insignificant overall. Stirling Highway, High Street/Leach Highway and Stock Road are major dual carriageway arteries carrying significant traffic volumes. Crossing those roads involves considerable time, effort and driving ability. Leach Highway is, among other things, a "principle/major route for high volume traffic movements within large urban areas"³⁴. Stock Road delineates the suburbs of Bicton and Palmyra.
- 7.18. The attached letter of support for the application from Hanny Properties, owner of Bicton Central, states that it knows from shoppers of its centre that those living in Bicton, East Fremantle and Palmyra prefer not to cross Leach Highway, the Swan River and Stock Road.
- 7.19. The northern half of the s36B locality in particular, can be comfortably traversed by bicycle or walking without needing to cross any major roads. It is relatively contained.
- 7.20. The Supreme Court has found that "the word 'locality' in s 36B was intended to connote the same concept of neighbourhood, that is it denotes an area that surrounds, and is geographically close to, the location of the proposed premises"³⁵ and..."may be defined by topographical features including roads and the areas from which the site could be accessed reasonably easily on foot or by bike"³⁶.
- 7.21. As directed in the PIA policy, the applicant has applied a "common-sense approach" to the submissions contained within this PIA in relation to assessing the locality. In this context, the applicant has had regard for the fact that the licensing authority is already intimately familiar with the very established 2km locality and s36B locality and so only pertinent locality material has been included in this document³⁷.

8. Harm or ill-health – section 38(4)(a) of the Act

- 8.1. The applicant has had regard for harm and ill-health factors during the trading history of Mane Liquor Ascot and Mane Osborne Park and has not experienced any problems in that regard. Those existing licensed premises are not known to be the cause of any harm or ill-health.
- 8.2. In preparing this application, the applicant has had regard to harm and ill-health factors referred to in the PIA policy in the context of selling and supplying at the Bicton site specifically in terms of what could potentially occur.

³⁴ Section 13(2)(e) and (3)(d) of the Main Roads Act 1930

³⁵ *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [15] (Smith J); *Liquorland Karrinyup* [181] - [182] (Archer J)

³⁶ *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [16] (Smith J); *Liquorland Karrinyup* [185] (Archer J)

³⁷ Further detailed information and supporting documents can be provided if required, upon request

- 8.3. In doing so, the applicant has sought to identify at risk groups and sub-communities referred to in the PIA policy who are present in the 2km locality. The following table addresses those that are identifiable by ABS data³⁸. The statewide statistics for WA have been included to provide context and as a basis for comparison and contrast.

ABS Census category	Bicton	Palmyra	East Fremantle	Western Australia
Aboriginal and Torres Strait Islander people (percentage of population)	0.5%	1.4%	0.9%	3.3%
Juveniles – percentage of people under 19	21.5%	23.5%	24.4%	24.8%
Average age	45	39	44	38
Ancestry – top response	English (44.6%)	English (44.9%)	English (45.3%)	English (37.6%)
Country of birth – top response	Australia (71.8%)	Australia (71.2%)	Australia (71.3%)	Australia (62%)
Unemployed – of people who reported being in the workforce	3.9%	4.2%	4.1%	5.1%
Median weekly income – personal	\$990	\$991	\$1,075	\$848
Median weekly income – family	\$2,907	\$2,511	\$3,178	\$2,214
Median weekly income – household	\$2,007	\$1,729	\$2,288	\$1,815
Couple family without children	42%	37.9%	39.1%	38.8%
Couple family with children	45.1%	41.7%	47.6%	44.6%
One parent family	11.6%	18.6%	12.5%	15.1%

- 8.4. The PIA policy refers to the following as “at risk groups and sub-communities” which the applicant has identified in respect of the 2km locality and considered.

8.4.1. Children and young people:

- 8.4.1.1. The ABS statistics contained in the table above indicate a lower portion of children and young people living in the 2km locality compared to the State average.

³⁸ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50119>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51197> and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50457>

- 8.4.1.2. People under the age of 18 will not be permitted entry to Mane Bicton unless accompanied by a suitable adult.
- 8.4.1.3. There will be no products available likely to appeal to children and young people.
- 8.4.1.4. Ultimately it is a matter for parents and guardians to determine whether their children may enter the licensed area with them.
- 8.4.1.5. As is addressed further on in this PIA, Mane Bicton will not be visible from any child-focused places such as a school or day care centre.
- 8.4.2. Aboriginal people and communities:
 - 8.4.2.1. People living in the 2km locality who identify as Aboriginal or from the Torres Strait Islands comprise a much smaller section of the local community than the State average.
 - 8.4.2.2. No group of Aboriginal people living as an identifiable community unit is known to be living in Bicton or nearby, although it is acknowledged that some or even all the very small number of people who recognise as being Aboriginal in the 2km locality may possibly be living together.
 - 8.4.2.3. Mane Bicton will be an extremely friendly, inclusive and welcoming store. Anyone, including Aboriginal people and communities, may potentially visit the store and shop there provided only that they comply with the applicant's conditions of entry that apply to anyone and any legal requirements which the applicant needs to comply with.
- 8.4.3. People from regional, rural and remote communities:
 - 8.4.3.1. The 2km locality is well within the metropolitan area and therefore, not part of any regional, rural or remote community.
 - 8.4.3.2. The area is fully developed and very well established with a high density of buildings and a busy road network.
 - 8.4.3.3. The applicant acknowledges that people from regional, rural and remote communities may visit the 2km locality. They would almost certainly be regarded as tourists in that context. Tourists are addressed further on in this document.
 - 8.4.3.4. The applicant proposes to operate a friendly, inclusive and welcoming store in Bicton as it currently does at its existing stores. Anyone, including people from regional, rural and remote communities, may potentially visit the store and shop there provided only that they comply with

the applicant's conditions of entry that apply to anyone and any legal requirements which the applicant needs to comply with.

8.4.4. Families:

8.4.4.1. The ABS statistics in the table indicate, overall, a larger than average portion of the local community as families.

8.4.4.2. The information and submissions provided earlier on in this section of the PIA in relation to children and young people apply in respect of families.

8.4.5. Migrant groups from non-English speaking countries:

8.4.5.1. The Census data does not reveal significant numbers of migrant groups from non-English speaking countries, although any such people would be welcomed at Mane Bicton and enjoy accessing a large range of WA products.

8.4.6. People in low socio-economic areas:

8.4.6.1. Most residents in the 2km locality enjoy higher than average income levels based on the ABS data.

8.4.6.2. They also have much higher than average house prices, according to the Real Estate Institute of WA with the median price currently being \$1.32m compared to the current Perth average of \$650,000³⁹.

8.4.6.3. The City of Melville and Town of East Fremantle both scored very positively and ranked prominently on the Index of Relative Socio-economic Disadvantage based on the most recent ABS data, meaning that the people living in those local government areas experience relatively low disadvantage and relatively high advantage. They were ranked 10th and 5th respectively, out of the 140 ranked local government areas in WA⁴⁰.

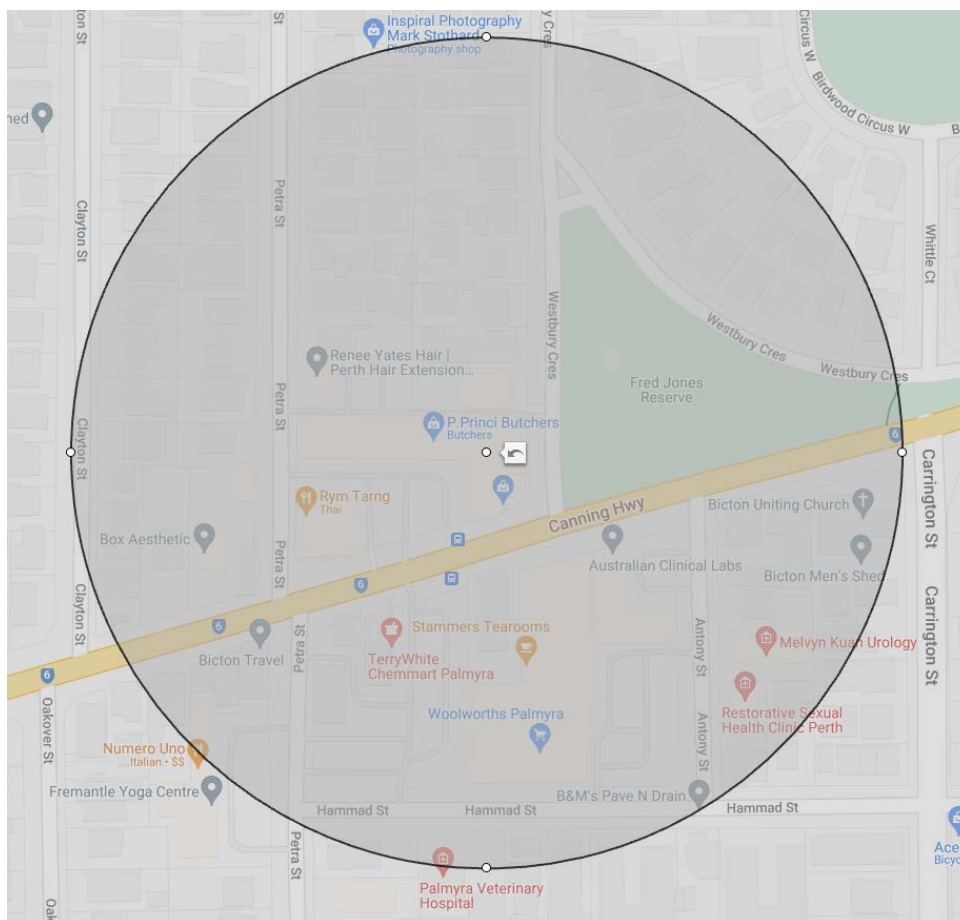
8.4.6.4. Based on this information, people living in the 2km locality cannot be said to be from a low socio-economic area.

8.4.6.5. Mane Liquor will be welcoming to adult customers from within or outside the 2km locality who may experience low socio economic circumstances.

³⁹ Bicton: \$1.37m (<https://reiwa.com.au/suburb/bicton/>). Palmyra: \$950,000 (<https://reiwa.com.au/suburb/palmyra/>). East Fremantle: \$1.66m (<https://reiwa.com.au/suburb/east-fremantle/>)

⁴⁰ <https://profile.id.com.au/melville/seifa-disadvantage>

- 8.4.7. Mining communities or communities with a high number of itinerant workers:
 - 8.4.7.1. There is no mining known to be occurring in the 2km locality and therefore, no mining community to be concerned with.
 - 8.4.7.2. It has not been possible to identify the number of itinerant workers in the 2km locality. Whilst it is acknowledged that there may be some, there is nothing to indicate a high number of them.
- 8.4.8. Communities that experience high tourist numbers:
 - 8.4.8.1. The 2km locality is not known for its tourism. It does not offer any major tourist attractions.
 - 8.4.8.2. Tourism data could not be identified for the 2km locality, further confirming its insignificance in terms of tourism.
 - 8.4.8.3. Tourists who may shop at Bicton Central will be greatly benefitted by Mane Bicton as it will offer them a substantial selection of WA produced liquor.
- 8.5. As required by the PIA Policy, the applicant has considered whether there are other groups of people who may be vulnerable or more at risk than the average person, who lives in, works in or visits the 2km locality and who may not be identifiable from the information set out above. In this regard, the following have been considered:
 - 8.5.1. Places of worship – the nearest is believed to be East Fremantle Baptist Church, approximately 450m away.
 - 8.5.2. Child/day care facilities – the nearest is believed to be Stepping Stones Child Development Centre, approximately 450m away.
 - 8.5.3. Hospitals – the nearest is believed to be Fremantle Hospital approximately 3.1km away.
 - 8.5.4. Schools – the nearest is believed to be Palmyra Primary School, approximately 1.1km away.
 - 8.5.5. Alcohol treatment centres – the nearest one is believed to be located in Fremantle, approximately 4km away.
- 8.6. Mane Bicton will not be visible from any of these places.
- 8.7. No high risk or overly sensitive groups of people or places have been identified in a 200m radius around the site, which is an area depicted in the following Google Map.



- 8.8. The applicant acknowledges that many people live within this radius, but not within close proximity of the site.
- 8.9. It is relevant that the applicant's public survey/questionnaire, which included 183 people who live within the 2km locality, revealed only two people with concerns regarding harm or ill-health occurring as a result of Mane Bicton operating.
- 8.10. The applicant has sought to assess the social health of the 2km locality by considering various indicators, including some referred to in the PIA policy.
- 8.11. The applicant sought to identify current particulars of alcohol related hospitalisations and deaths associated with the 2km locality, but none could be identified from published material. The applicant acknowledges that hospitalisation and death can potentially result for some people as a consequence of their use of liquor and is very keen to ensure that its business helps to foster a positive drinking culture and not contribute towards any adverse health conditions within the local community.
- 8.12. The 2021 ABS Census revealed that the majority (61.6%) of residents in the 2km locality have no long-term health conditions, being slightly higher than the State

- average⁴¹. The applicant acknowledges that the same data shows that a small percentage of residents do suffer some long-term health conditions. No alcohol related long-term health condition was expressly identified in the ABS data.
- 8.13. In July 2021 the Australian Institute of Health and Welfare released a report on alcohol, tobacco and other drugs finding that consumption rates in Australia have decreased and fewer Australians are drinking at levels likely to cause lifetime harm. "According to an ANU poll included within the report, 80 per cent of respondents reported either 'no change' or a 'decrease' in their alcohol consumption in May 2020 since the spread of COVID-19. This data was complemented by Commonwealth Bank card expenditure data which showed that during the pandemic total alcohol purchases were down, despite alcohol expenditure in pubs and clubs being partially offset by bottle shops".⁴² These findings are positive considerations for this application.
- 8.14. "New data from Roy Morgan's Alcohol Consumption Report shows the proportion of Australians who drink alcohol dropped by 1.8 percentage points to 67.9 per cent in the 12 months to June 2022"⁴³.
- 8.15. Data for the 12 months to March 2023 showed an increase of 1.3%, but relevantly "[t]he most significant driver of the increase in consumption of alcohol compared to pre-pandemic is the increasing popularity of RTDs (ready-to-drink)"⁴⁴. The applicant's liquor range is intended to include only a small number of RTDs which will be almost entirely of high-end quality and price with perhaps one type, in small quantity, of a mainstream variety. For example, no Woodstock and Cola RTDs will be available at Mane Bicton.
- 8.16. The applicant has considered and been encouraged by the City of Melville's Community and Wellbeing Scorecard 2023 which does not identify any particular issue in the community with liquor and reveals that 90% rate their general health and their diet and nutrition as positive⁴⁵.
- 8.17. The issue of crime has been considered in preparing this application, as required by the PIA policy. Information as to proven crimes could not be found and so the following statistics of reported alleged offences published by WA Police have been considered for the 2km locality. The following statistics may possibly assist in assessing very broadly and generally criminal offence activity in the 2km locality as recorded by Police. The graphs show the trends in the recorded offence data for each relevant suburb over a ten year period. The subsequent table that follows each graph contains a breakdown of the incidents recorded as the unproven offences and reflected in the preceding graph.⁴⁶

⁴¹ The average of Bicton, East Fremantle and Palmyra combined: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50119>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51197> and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50457>

⁴² <https://www.aihw.gov.au/reports/alcohol/alcohol-tobacco-other-drugs-australia/contents/about> and <https://www.aihw.gov.au/getmedia/df04a2e7-47be-4e08-9225-d5849311e01c/aihw-phe-221-fact-sheets-Jul21-alcohol.pdf.aspx>

⁴³ <https://theshout.com.au/australian-alcohol-consumption-declines-rtd-consumption-at-record-high/>

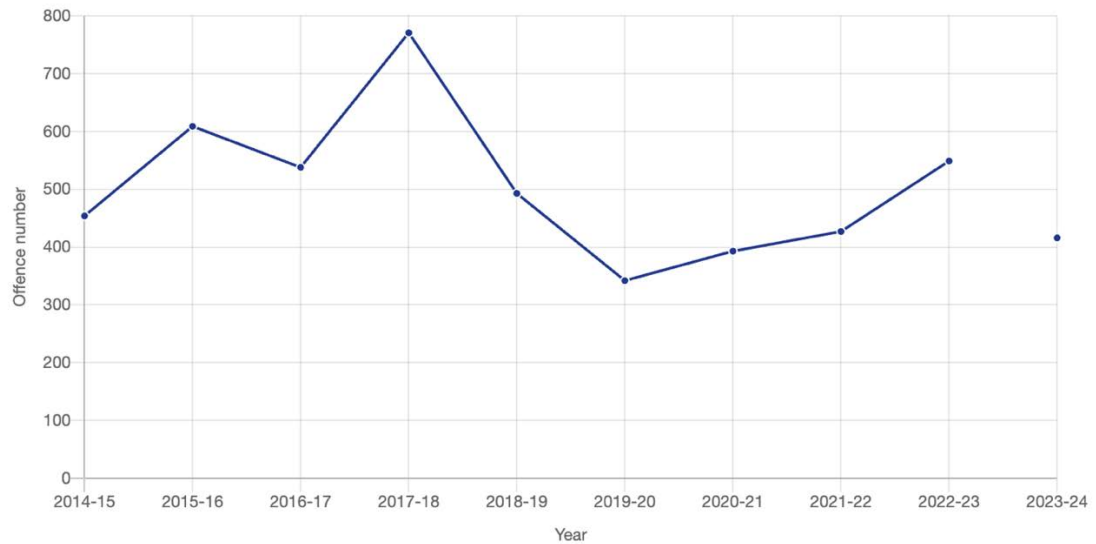
⁴⁴ <https://www.roymorgan.com/findings/9153-alcohol-consumption-march-2023>

⁴⁵ At pages 66 and 69 (copy attached)

⁴⁶ <https://www.police.wa.gov.au/Crime/CrimeStatistics#/start>

Public Interest Assessment
Application for liquor store licence
Mane Bicton

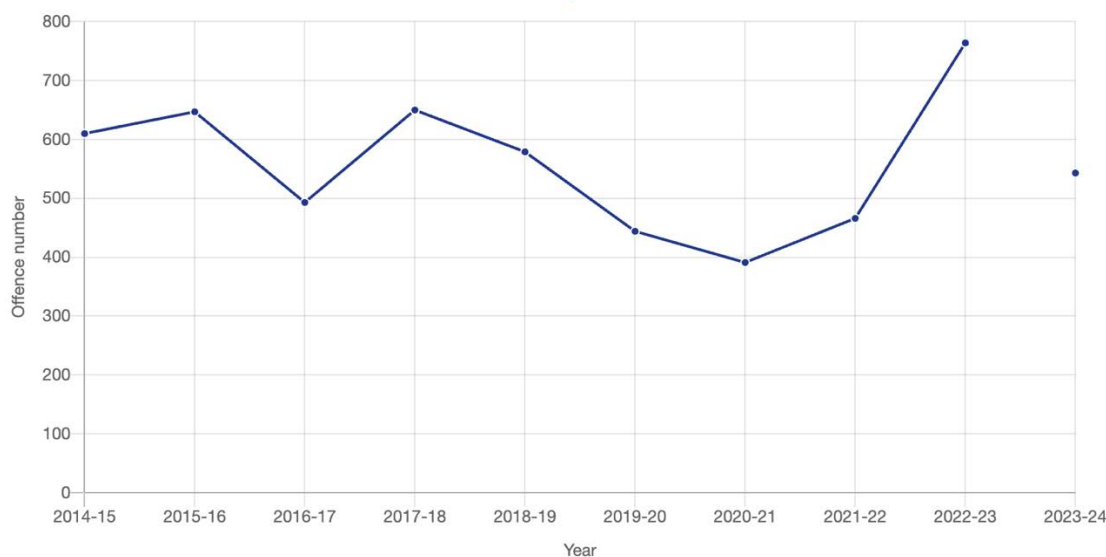
BICTON Offences per Financial Year



Type of Offence	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Homicide	-	-	-	-	-	1	-	-	-	-
Sexual Offences	1	5	2	11	2	7	13	5	7	5
Assault (Family)	15	17	12	15	9	11	17	31	31	19
Assault (Non-Family)	9	18	15	17	14	15	8	16	22	16
Threatening Behaviour (Family)	2	4	-	1	1	4	3	5	3	2
Threatening Behaviour (Non-Family)	1	4	4	6	9	6	6	6	4	2
Deprivation of Liberty	-	-	1	-	-	1	-	-	1	1
Robbery	1	6	12	4	1	3	2	5	4	4
Dwelling Burglary	56	66	57	56	37	24	27	29	22	4
Non-Dwelling Burglary	15	14	7	3	8	4	10	3	4	9
Stealing of Motor Vehicle	17	13	12	9	4	8	3	4	11	1
Stealing	228	316	234	310	258	140	146	212	241	251
Property Damage	48	51	56	61	60	29	22	29	52	24
Arson	-	2	-	-	-	-	-	-	-	-
Drug Offences	24	48	53	27	6	6	11	11	5	10
Graffiti	5	1	2	2	2	8	1	3	3	1
Fraud & Related Offences	22	35	28	238	82	60	115	53	123	58
Breach of Violence Restraint Order	10	9	43	11	-	15	9	15	16	9
Total of Selected Offences	454	609	538	771	493	342	393	427	549	416

Notes:
- Crime statistics are extracted quarterly from the WA Police Force Incident Management System.
- Crime statistics are provisional and subject to change.

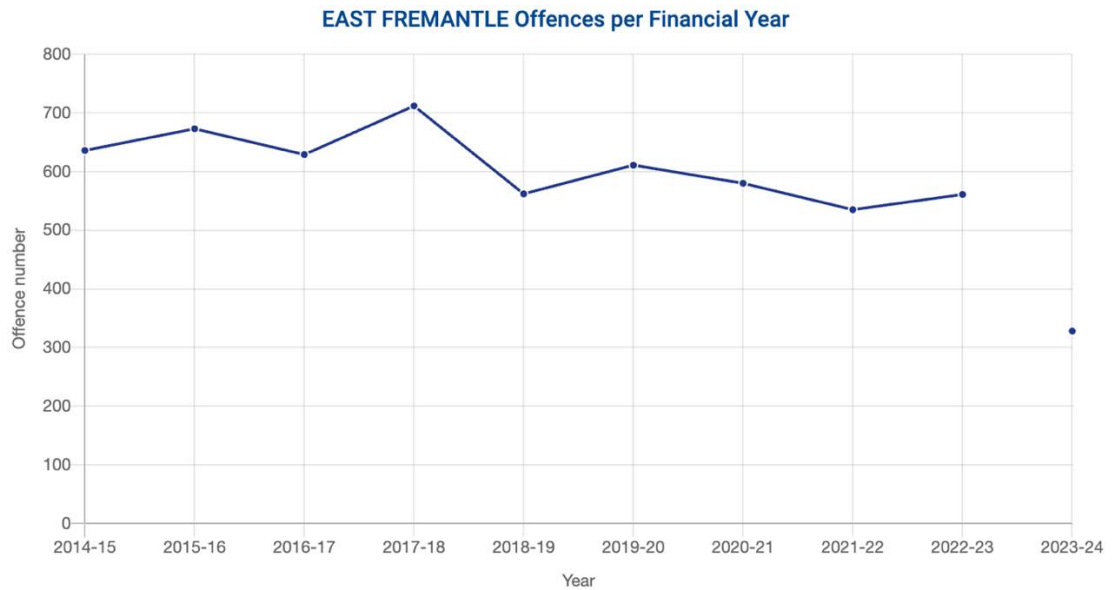
PALMYRA Offences per Financial Year



Type of Offence	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Homicide	-	-	-	-	-	-	-	-	-	-
Sexual Offences	1	3	3	7	10	4	6	4	5	10
Assault (Family)	33	26	28	34	28	28	36	30	41	20
Assault (Non-Family)	9	9	15	28	23	10	17	18	16	14
Threatening Behaviour (Family)	3	6	4	1	5	3	6	9	12	10
Threatening Behaviour (Non-Family)	4	5	7	8	13	9	7	7	9	2
Deprivation of Liberty	-	-	3	-	1	2	-	1	1	1
Robbery	2	5	4	1	1	3	4	3	1	-
Dwelling Burglary	71	81	50	60	32	53	36	25	33	21
Non-Dwelling Burglary	19	16	20	8	11	11	4	5	13	5
Stealing of Motor Vehicle	25	18	12	8	14	12	6	14	13	13
Stealing	271	284	175	303	252	165	141	203	310	299
Property Damage	51	77	81	62	73	54	40	51	68	38
Arson	1	1	-	1	-	-	1	-	2	-
Drug Offences	68	56	47	50	27	36	39	8	36	33
Graffiti	6	3	6	5	3	8	5	8	4	2
Fraud & Related Offences	29	53	24	50	74	34	41	70	142	32
Breach of Violence Restraint Order	17	4	14	24	12	12	2	10	58	43
Total of Selected Offences	610	647	493	650	579	444	391	466	764	543

Notes:

- Crime statistics are extracted quarterly from the WA Police Force Incident Management System.
- Crime statistics are provisional and subject to change.



Type of Offence	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Homicide	1	-	1	1	-	-	-	-	-	-
Sexual Offences	3	7	5	7	17	7	8	3	3	11
Assault (Family)	30	23	19	25	15	30	50	36	30	27
Assault (Non-Family)	20	10	25	14	23	11	27	29	18	17
Threatening Behaviour (Family)	2	5	4	2	1	4	8	5	1	5
Threatening Behaviour (Non-Family)	5	2	3	7	8	6	7	7	9	3
Deprivation of Liberty	-	-	-	2	1	-	2	1	2	-
Robbery	-	4	8	-	2	3	2	2	2	3
Dwelling Burglary	72	85	75	63	51	42	47	44	32	23
Non-Dwelling Burglary	37	24	27	27	15	7	17	6	6	14
Stealing of Motor Vehicle	25	29	16	19	9	13	12	19	16	12
Stealing	259	325	284	296	209	254	178	151	172	116
Property Damage	82	81	78	52	44	62	59	52	49	39
Arson	-	4	-	1	-	-	1	-	-	1
Drug Offences	40	43	27	42	58	42	28	10	15	6
Graffiti	9	4	4	-	5	13	11	14	8	4
Fraud & Related Offences	20	20	44	90	86	101	115	120	167	32
Breach of Violence Restraint Order	31	7	9	64	18	16	8	36	31	15
Total of Selected Offences	636	673	629	712	562	611	580	535	561	328

Notes:
- Crime statistics are extracted quarterly from the WA Police Force Incident Management System.
- Crime statistics are provisional and subject to change.

8.18. It is acknowledged that these statistics show increases last year. The main reason appears to be higher recordings of fraud and related offences.

- 8.19. The applicant experiences very little crime in relation to the existing two stores and will implement the same tried and tested systems and practises in Bicton to help maintain its good record. Among other measures, a modern CCTV system will be installed at the new liquor store. There is also the owner's CCTV operating around the Bicton Central shopping centre.
- 8.20. A range of strategies will operate at Mane Bicton to minimise the potential for harm or ill-health to occur in the community as a result of liquor being sold from the premises. Those strategies include the following:
- 8.20.1. Pricing liquor at levels that won't encourage rapid or excessive purchasing or consumption.
 - 8.20.2. Maintaining the business model and principles outlined in this PIA which encourage and promote responsible attitudes towards liquor consumption.
 - 8.20.3. Not selling products which, by their title, branding or packaging are designed to appeal to juveniles.
 - 8.20.4. Having food and other non-liquor products and services available and in fact promoted.
 - 8.20.5. Creating and maintaining a stock range and related services of high standards in all respects.
 - 8.20.6. Implementing a proper training regime for staff. Thoroughly training personnel on all aspects of compliance including responsible service of liquor and safety as well as product education and extraordinary customer service.
 - 8.20.7. Adopting and subsequently operating in accordance with the harm minimisation policy documents lodged with the application.
 - 8.20.8. Adopting and subsequently operating in accordance with professional policies and procedures for exceptionally good management, including dealing with complaints, with reference to the applicant's valuable experience.
 - 8.20.9. Applying strict policies in relation to juveniles, including the following:
 - 8.20.9.1. Refusing service to anyone who appears to be under the age of 18 and who cannot adequately prove that they are over 18.
 - 8.20.9.2. Refusing entry to juveniles who are not appropriately accompanied by a parent or adequate guardian genuinely acting in the role of a parent.
 - 8.20.9.3. Refusing service to anyone who is suspected of trying to obtain liquor for a juvenile.
 - 8.20.9.4. Not advertising or promoting of liquor in a manner likely to appeal to juveniles.

8.20.10. Staff will receive regular training specifically on dealing with juveniles.

8.21. Mane Bicton is expected to operate with approximately eight staff, with four working in store most of the time.

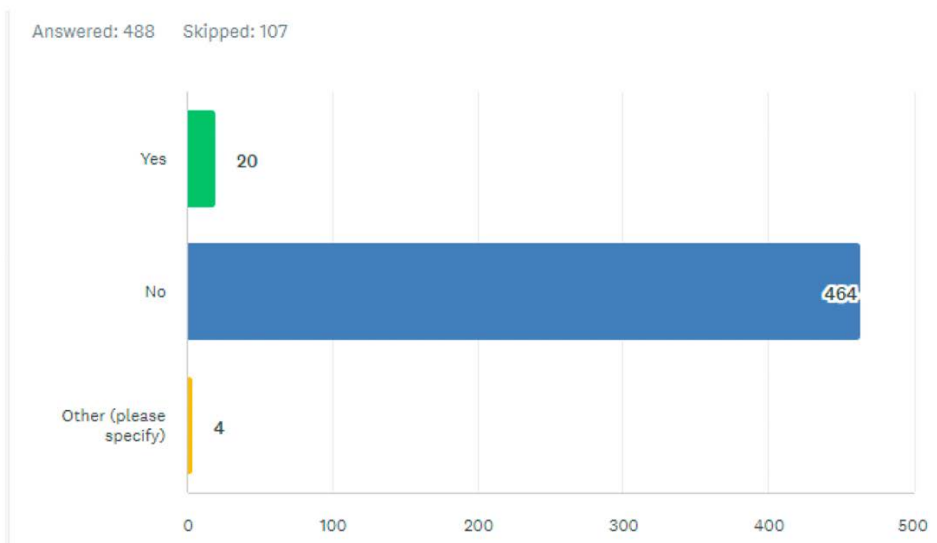
9. Impact on amenity – section 38(4)(b) of the Act

9.1. The amenity of the 2km locality can generally be described as mixed use, mostly residential, built-up, dense and very lively with large volumes of traffic. The following Google Map images illustrate some of the immediate surroundings of the site.



- 9.2. Canning Highway which runs across the front of the Bicton Central site is an extremely busy artery through the 2km locality. As stated earlier in this PIA, approximately 20,000 vehicle drive past the site along Canning Highway every day⁴⁷ which is a "principle/major route for high volume traffic movements within large urban areas"⁴⁸.
- 9.3. The applicant's site is surrounded by commercial buildings and more are located opposite on the other side of Canning Highway.
- 9.4. The accompanying letter from the owner of Bicton Central, Hanny Properties, contains useful information as to the use and busyness of the centre which further indicates aspects of the amenity. The letter states that the owner is "confident that the centre averages over 1500 customers visiting per day...We recently installed a CCTV system that counts vehicles (sic) entries. June is the lowest visitation month of the centre and for the week starting the 3rd June 2024 6893 customer vehicle entries were recorded, this averages to 984 customer vehicles per day. We estimate there is an average of 1.5 customers per vehicle which results in 1477 customers per day for one of the lowest visitation weeks of the centre; that also does not include customers that arrive to the centre by food, public transport or bicycle".
- 9.5. The introduction of Mane Bicton into the amenity will likely have a relatively neutral affect in terms of external impact given the existing hive of activity in and around the site, but in terms of enhancing the role and functionality of Bicton Central, it will make a distinctly positive contribution and complement the other services. The following results from the applicant's survey and questionnaire confirm that consumers consider this proposition to be true.

Do you think that Mane Bicton operating as proposed will lessen the amenity, quiet or good order of any part of Bicton?



⁴⁷ Based on the closest and most recent average weekday traffic count data published by Main Roads, at the counting point on Canning Highway west of Carrington Street – as at 2018/19 – Statewide Traffic Digest 2018/19-2023/24, Main Roads Western Australia, at page 20 (copy available if required, upon request)

⁴⁸ Section 13(2)(e) and (3)(d) of the Main Roads Act 1930

9.6. Mane Bicton will also support and help to fulfil the local planning strategy of the City of Melville which "is a 20 year plan that helps the City prepare for anticipated population growth, that will be achieved by increasing density in and around activity centres, located along major roads, transport nodes and public transport corridors... In general the Local Planning Strategy aims to:

- Encourage increased intensity in and around activity centres, transport nodes and along transport corridor
- ...
- Improve access to different levels and types of retail, commercial and employment opportunities
- Have vibrant and diverse commercial centres that meet both local and regional needs..."⁴⁹

9.7. As part of the amenity considerations and in accordance with the PIA policy, the applicant has closely considered all existing licensed premises and identified the following⁵⁰:

Premises	Licence type	Approx. straight line distance from Mane Bicton site
Bicton		
Bicton Cellars	Liquor store	1km
Dan Murphy's Bicton	Liquor store	1.3km
Liquorland Melville	Liquor store	1.4km
Leopold Hotel/ <i>First Choice Liquor</i>	Tavern	850m
Limones Café and Restaurant	Restaurant	750m
Terra Mare Bicton	Restaurant	1km
Sovereign Trading Company Pty Ltd	Wholesaler's	1.45km
Bicton Fremantle RSL Sub Branch	Club restricted	870m
Melville Water Polo Club Inc	Club restricted	1.1km
Milano's Restaurant and Pizzeria	Restaurant	1.4km
Matters of Taste	Special facility	1.9km

⁴⁹ <https://www.melvillecity.com.au/our-city/business-hub/the-20-year-vision>

⁵⁰ <https://portal.dlgsc.wa.gov.au/forms/fr/search/findallicence/new>

The Wine Queen Emporium	Wholesaler's	980m
Palmyra		
BWS – Beer Wine Spirits Palmyra (Canning Highway)	Liquor store	180m
BWS – Beer Wine Spirits Palmyra	Liquor store	880m
East Fremantle Yacht Club Inc	Club	960m
Jawhara	Restaurant	1.4km
East Fremantle		
Cellarbrations at East Fremantle	Liquor store	1.6km – outside 36B locality
Liquor Barons George St East Fremantle	Liquor store	1.8km – outside 36B locality
Tradewinds Hotel	Hotel	1.7km – outside 36B locality
Sweetwater Rooftop Bar	Tavern	1.3km
Left Bank Bar and Cafe	Tavern	1.5km
Duke of George	Tavern restricted	1.5km
8 Knots	Tavern restricted	1.6km
East Fremantle Bowling Club	Club	1.1km
Swan Yacht Club Inc	Club	1.8km
Young George	Small bar	1.8km
Mary Street Larder	Restaurant	1.2km
Zephyr Café & Kiosk	Restaurant	1.4km
Ethos Deli + Dining Room	Restaurant	1.6km
Salsa Rossa	Restaurant	1.7km
La Lune	Restaurant	1.7km
Little Fire WA	Restaurant	1.5km

Dome East Fremantle	Special facility	1.4km
Algar Hospitality Australia	Special facility	1km
East Fremantle Lacrosse Club Inc	Club restricted	910m
East Fremantle Lawn Tennis Club	Club restricted	910m
East Fremantle Cricket Club Inc	Club restricted	910m

- 9.8. The information in the table above reveals there to be only one independent liquor store in the s36B locality, namely Bicton Cellars.
- 9.9. The majority of packaged liquor services and facilities in the s36B locality and 2km locality are owned and operated by national conglomerates.
- 9.10. The following extracts from letters of support accompanying this application refer to some of the reasons in support of diversifying the local market:

Mane have supported our business from the beginning, and I believe the suburb of Bicton would benefit having an independent liquor store such as Mane rather than a major liquor chain that pushes their own private brands further cementing their market power at the expense of small business.

In supporting local business such as us, Mane is supporting local community, and this will only benefit Bicton.

51

Mane Liquor plays a pivotal role in our products reaching our target audience. We are a small batch craft beer producer and we release our products in limited quantities to select independent customers.

We are not ranged in the multinational chains and we rely upon venues like Mane Liquor to allow us to operate in a niche space and to help us communicate what our products are about to captive audiences.

52

In a market that is increasingly challenged by "chain-owned" liquor outlets that are owned and managed by multinational organisations and give heavy preference to "buyers-own" brands, we applaud and welcome an independently owed liquor outlet that supports the whole industry and brings variety and rare products to the table.

53

- 9.11. The directors of the applicant company have conducted detailed inspections and reviews of existing packaged liquor outlets within the 2km locality. They have also considered the demands of their customers with reference to what they observed to be available and compared and contrasted their proposal. A

⁵¹ Letter from Bombak Distillery

⁵² Letter from Fox Friday Craft Brewery

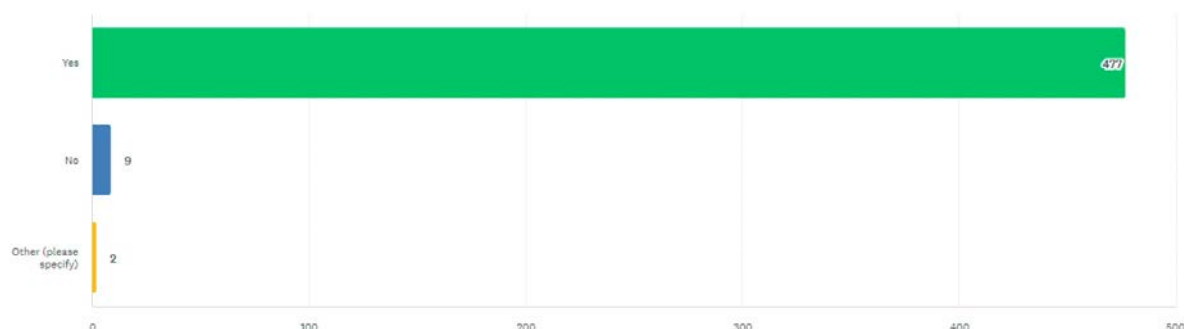
⁵³ Letter from Wild Hop Brewing Company

report of their findings and results is attached. The following are just a few summary points arising from their report:

- 9.11.1. An estimated <1% of small, family owned and operated wineries, breweries and distilleries could be found across all existing stores.
- 9.11.2. No natural wine products were found. Even the relatively more common natural wine producers in WA (including for example, Brave New Wine, LS Merchants, Vino Volta) were not identified on any shelves, let alone wider Australian natural wine producers and international producers.
- 9.11.3. Products from less than 10 of the 100+ eastern states craft breweries were seen across all the existing stores.
- 9.11.4. As regards spirits, by way of example, only one of the seven available Republic of Fremantle spirit products were located at existing stores. Mane Bicton will sell the full range.
- 9.11.5. None offered any kind of pantry section, in total contrast to Mane Bicton which will offer a notable selection of sauces and other condiments.
- 9.11.6. The store fitouts were impersonal and typical. Not bespoke or with any character. The overall ambience was stock-standard.
- 9.11.7. No store exhibited any strong promotion or focus on craft liquor, small producers, unusual products or exclusive ranges.
- 9.12. The information and submissions contained in the preceding sub-paragraphs highlight the significant differences between the proposal for Mane Bicton and existing licensed premises within the s36B locality and 2km locality. There is in fact no meaningful comparison and certainly no likely duplication. The stock ranges will be almost entirely different. The style of premises, manner of trade and ancillary services will be in complete contrast.
- 9.13. The following results from the applicant's consumer survey/questionnaire confirm that the public considers overwhelmingly that Mane Bicton will certainly be different:

Do you consider that Mane Bicton will provide different products and services from other liquor outlets already operating in Bicton or nearby?

Answered: 488 Skipped: 107



10. Offence, annoyance, disturbance or inconvenience – section 38(4)(c) of the Act

- 10.1. Mane Liquor Ascot and Mane Osborne Park have excellent trading records. Neither store is known to be the cause of any offence, annoyance, disturbance or inconvenience and no infringements have been issued to the licensees.
- 10.2. The applicant has carefully considered the impact that may be caused to people who reside or work in the vicinity of the proposed Mane Bicton in terms of how and in what circumstance the sale of liquor at the new store could potentially cause those people offence, annoyance, disturbance or inconvenience.
- 10.3. The proposed licensed area will be situated well within the commercial, business district. Mane Bicton will be surrounded by other businesses.
- 10.4. As addressed earlier on in this PIA, there are no churches, schools, hospitals or day care centres to be concerned with in close proximity in this case.
- 10.5. No high risk factors have been identified as being associated with this application, for the various reasons referred to throughout this PIA.
- 10.6. Notwithstanding that conclusion, the applicant appreciates the potential for adverse effects from any sale and supply of liquor into the community and therefore, proposes to implement the following strategies to help “combat offence, disturbance or inconvenience”⁵⁴ that could potentially occur:
 - 10.6.1. Pricing liquor at a higher point than most retail liquor outlets which reflects the quality and speciality of the range and is certainly not so cheap as to be likely to cause customers to buy in bulk or some other irresponsible purchasing manner.
 - 10.6.2. Focusing on and in fact promoting, quality, taste and liquor appreciation rather than drinking per se.
 - 10.6.3. Implementing tried, tested and proven operational policies for good management and proper conduct of business.
 - 10.6.4. Not conducting overt or flamboyant liquor advertising.
 - 10.6.5. Limiting delivery times to usual business hours.
 - 10.6.6. Employing only skilled and well-educated people who exhibit a high level of service and stock knowledge. They will be trained to portray an approach to liquor consumption which is about respecting the products and savouring the flavours. These features will add an element of responsibility to the functioning and image of the liquor business.

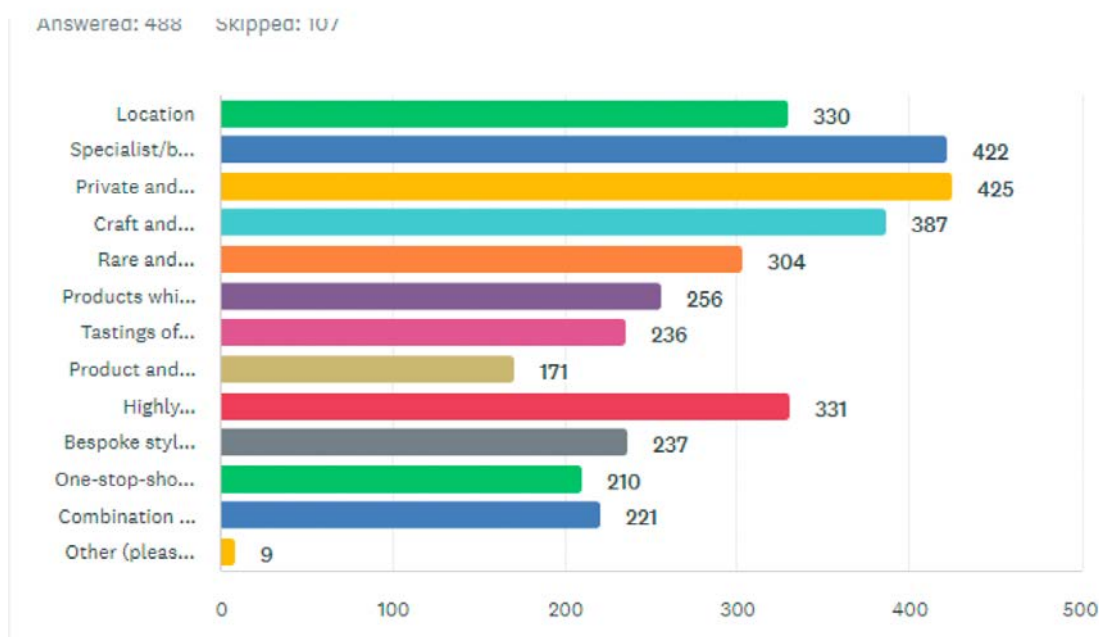
⁵⁴ PIA policy

- 10.6.7. Maintaining a high standard of premises in terms of design, style, cleanliness, tidiness and overall quality, to indicate to patrons the applicant's professional approach to the sale and supply of liquor.
- 10.6.8. Applying a range of security measures at the liquor store.
- 10.7. Liquor will be attractively displayed throughout the premises in both warm and cold formats. The many and bright colours of the inventive labelling of the thousands of liquor items at Mane Bicton will fill the store with an abundance of colour and appeal that browsing will be like walking through an art gallery.
- 10.8. No unusual or high risk factors associated with Mane Bicton have arisen in preparing this PIA. The small risk factors that do exist, as with any licensed premises, will be closely monitored and carefully managed. The Mane model has been tried, tested and proven to be low risk, compliant and successful.

11. Tourism, community or cultural matters – section 38(4)(ca) of the Act

- 11.1. The consumer evidence in support of the Mane Bicton proposal is significant in volume and content. It is persuasive as to relevant community and cultural matters and shows enormous demand for the proposed products and services. Hundreds of people have given evidence strongly backing the application.
- 11.2. The results from the applicant's survey and questionnaire evidence confirm that hundreds of people who participated either live in, work in or regularly travel through Bicton.
- 11.3. Key results include the following:

Which of the following features of the proposal for Mane Bicton appeal to you? (You may tick as many boxes as you like)



- 11.4. The following is a small sample selection from the hundreds of comments from the survey/questionnaire which overwhelmingly answer the section 36B test and justify the grant:
- 11.4.1. "The bottleshops in the area are decidedly mundane. Mane Bicton is likely to become my go to" (S, 33 years old, software engineering team lead)
 - 11.4.2. "I currently travel to many different stores to try and find the products I'm after, it would be great to have one store to go to" (AW, 38 years old, IT consultant)
 - 11.4.3. "I drive to their shops from time time (sic) but a store closer to my home (Mosman Park) would become my go to bottle shop" (BW, 40 years old, lawyer)
 - 11.4.4. "They stock products that are unique and boutique. Run events that compliment (sic) other food and beverage merchants and encourage me to visit their stores. The Bicton store would be the closest and most convenient option for me." (TW, 37 years old, agricultural sales)
 - 11.4.5. "Shopping at Mane offers me a better quality of choice than other bottle stores in Bicton." (LR, 30 years old, state sales manager)
 - 11.4.6. "I travel to the Great Eastern Hey (sic) location now, so if they open in Bicton that would be bloody excellent. I can save on travel costs and get myself something extra!" (S, 35 years old, communications specialist)
 - 11.4.7. "Having shopped at both Mane Ascot and Osborne Park I am excited by the prospect of having a Mane store closer to my home. The range of products they carry is in my opinion the best in WA. All round great operators." (AN, 33, economic development – local government)
 - 11.4.8. "They stock rare items that can't be found anywhere else, and give great advice on new items!" (BG, 32 years old, engineer)
 - 11.4.9. "I will be an avid supporter of this small business that specialises in quality products and service." (CH, 48 years old, operations manager)
 - 11.4.10. "Mane Liquor has the best selection of beers, wines and so much more. Plus I love their spin on things with food vans and offerings." (C, 43 years old, admin)
 - 11.4.11. "As above. We would shop at Mane Liquor for their incredible and unique selection of alcohol that you can't find in other places locally." (J, 34 years old, nurse)
 - 11.4.12. "I will drive from outside suburbs to be a customer as the range can't be found anywhere else. About time we got a Mane liquor south of river" (DW, 31 years old, sales)

12. Local packaged liquor requirements - section 36B of the Act

- 12.1. Section 36B of the Act deals with packaged liquor sold and supplied for take-away purposes for consumption off the premises and it also deals with premises authorised, or proposed to be authorised, to sell and supply packaged liquor.
- 12.2. Section 36B(4) of the Act provides that “[t]he 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”.
- 12.3. Section 36B(4) “imposes a meaningful additional hurdle”⁵⁵ to the section 38 public interest test.
- 12.4. Pursuant to section 36B(1), “packaged liquor premises means premises to which a licence referred to in subsection (2) relates”.
- 12.5. Section 36B(2) expressly states that section 36B applies to an application for a liquor store class of licence.
- 12.6. Section 36B has been said to have been intended to “enable the licensing authority to manage the number of packaged liquor outlets where sufficient outlets already exist within a locality”⁵⁶.
- 12.7. No issue arises in respect of section 36B(3) of the Act in this case. The proposed packaged liquor service will not comprise a retail area that is of the prescribed size. Therefore, the application is eligible to be heard and determined.
- 12.8. The application for Mane Bicton is far from a proposal for a full and traditional liquor store licence. It is a critical factor that the packaged liquor to be available will be bespoke. No typical, usual or commonly-found liquor store models is proposed in this case. The store will not even be associated with a known buying group.
- 12.9. The licensing authority has determined that under section 36B, a packaged liquor specialist, involving a very narrow and discrete packaged liquor range, can be approved to hold a licence for a packaged liquor premises in appropriate cases⁵⁷. More specifically, the licensing authority has determined that an application may satisfy section 36B of the Act and be granted where the particular type of packaged liquor to be sold and supplied under the licence is limited and/defined⁵⁸. This present application falls squarely within that category and is an excellent example of such an outlet.

⁵⁵ Liquorland Karrinyup [75] (Archer J)

⁵⁶ Explanatory Memorandum, Liquor Control Amendment Bill 2018 at page 1

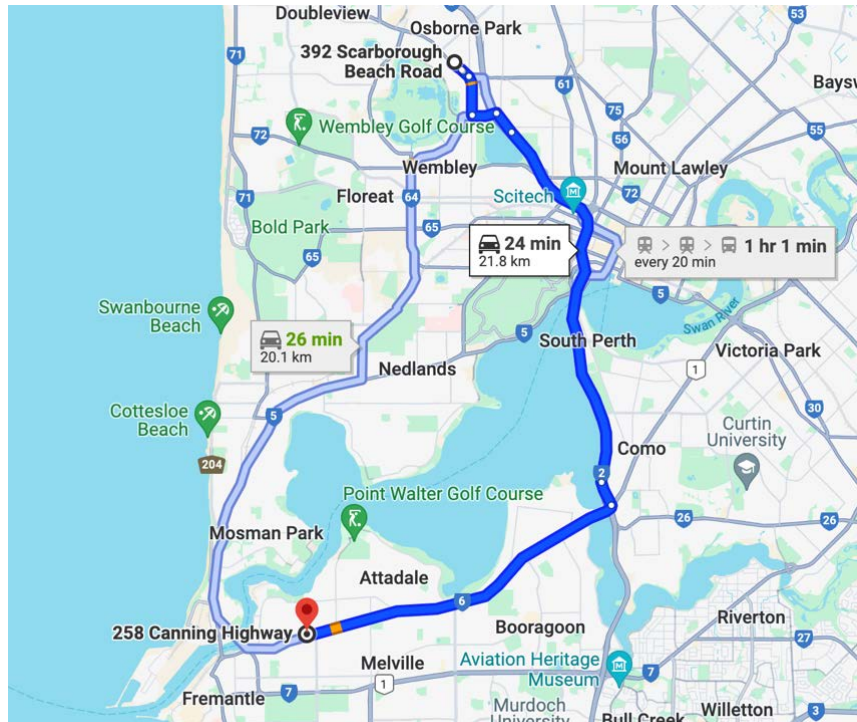
⁵⁷ For example, Commune Wine Store (Maylands - 60321533920), Costco Wholesale (Perth Airport - 603213623419), Costco Wholesale (Casuarina - 603217776421), Pirate Life Perth (602213750319), Cherubino City Cellar (602215063820), Kakka Alley Brewing Co (602215442820), Casa Perth (602215763420), Gage Roads Brew Co (602216177321), Mane Osborne Park (603218426322) and Commune Wine Store (Subiaco - 603220029123)

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

- 12.10. With reference to the outlet density information and evidence referred to in this PIA, the relevant "packaged liquor premises" to be considered in the context of this case in terms of section 36B of the Act are the following located in the s36B locality.

Premises name	Licence type	Approx. straight line distance from Mane Bicton site
Bicton Cellars	Liquor store	1km
Dan Murphy's Bicton	Liquor store	1.3km
Liquorland Melville	Liquor store	1.4km
BWS – Beer Wine Spirits Palmyra (Canning Highway)	Liquor store	180m
BWS – Beer Wine Spirits Palmyra	Liquor store	880m
Leopold Hotel / <i>First Choice Liquor</i>	Tavern	850m

- 12.11. There are two additional tavern licences located in the s36B locality, but the applicant's inspections and research has identified that neither offer a bottleshop or equivalent dedicated packaged liquor service and so they have little, if any, relevance to the determination of the Mane Bicton application. Those outlets offer no meaningful packaged liquor to comment on.
- 12.12. A glaring issue that arises from the short list of existing premises above, is that only one is an independent outlet. The others, owned and operated by the same two companies offer the same styles of operation and stock.
- 12.13. None of these existing premises sells the applicant's range and in fact, cannot sell any of the applicant's exclusive range which will be of a considerable size. As addressed earlier in this PIA, multiple other factors also differentiate the existing and proposed liquor models in the s36B locality and 2km locality.
- 12.14. The nearest Mane liquor service for people in Bicton to access currently is in Osborne Park, which is located approximately 21.8km/24 minutes' drive, one-way, through several other suburbs, across the river and into a completely different district, as illustrated with the following Google Map:



- 12.15. This travelling requirement for those who are in and around Bicton and who seek the applicant's liquor range is timely, expensive, inconvenient and unreasonable.
- 12.16. It is an essential consideration in this case that “the phrase ‘requirements of consumers for packaged liquor’ in the definition of ‘local packaged liquor requirements’ in s 36B(1) of the Act is *not* limited in its scope to the physical item or product of packaged liquor”⁵⁹.
- 12.17. The evidence of the requirements of consumers, as referred to in this PIA, is very clearly that they require the applicant's particular range and associated products and services to be available to purchase for take-away purposes from Mane Bicton.
- 12.18. A large portion of the applicant's stock range will be unavailable elsewhere in the 2km locality and nearby. This is a striking factor in this case.
- 12.19. It is respectfully submitted that the licensing authority should be easily satisfied that in relation to Mane Bicton, because the evidence shows substantially more than “trifling” and “considerable” requirements, the applicant has well exceeded the legislative high bar⁶⁰.
- 12.20. Further and more detailed submissions regarding section 36B of the Act are contained in the attached Legal Submissions.

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

- 13.1. Matters provided for in the key sections 5, 33, 36B and 38 of the Act have been taken into consideration in the preparation of the application. Submissions

⁵⁹ Liquorland Karrinyup [108] (Archer, J)

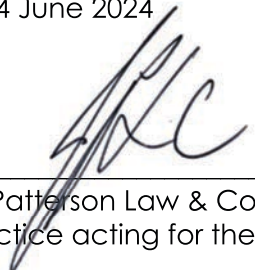
⁶⁰ Liquorland Southern River [136] [137] (Lemonis J)

addressing those and other relevant provisions in the Act have been further detailed in a separate set of Legal Submissions attached to this PIA.

14. Conclusion

- 14.1. The PIA policy has been addressed comprehensively in this document and relevant sections of the Act, with specific reference to particulars of the application, have been dealt with. This PIA illustrates how Mane Bicton will be an exceptional and bespoke liquor outlet which will likely experience a large, regular and devoted patronage.
- 14.2. The applicant has paid close regard to a wide variety of public interest factors relevant to the application and presented a thorough proposal for the grant of the liquor store licence.
- 14.3. The applicant has comprehensively assessed and presented relevant issues in the applicable local community.
- 14.4. This PIA, together with the attachments referred to within, provide highly compelling support for the application. Among other things, there is:
- 14.4.1. a significant volume of probative consumer evidence of dissatisfaction in the local market, demand for Mane Bicton and ability for Mane Bicton to meet the demand,
 - 14.4.2. enormous patronage of the Bicton Central site,
 - 14.4.3. considerable growth, development and popularity of Bicton Central and
 - 14.4.4. substantial demographics of the local area in terms of increasing resident population and drive-by traffic.
- 14.5. Further submissions addressing the application and technical matters arising under the Act are contained in the attached Legal Submissions.

Dated 14 June 2024



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

Summary of attachments	
No.	Title/description
1.	Public questionnaire summary + original questionnaire + raw data (redacted) – 488 responses
2.	Statutory Declaration of Elliot Moore undated in June 2024
3.	Statutory Declaration of Joshua Daley undated in June 2024
4.	Bundle of letters of support (x13 letters)
5.	Bicton Central tenancy schedule
6.	Draft indicative stocklist
7.	Community and Wellbeing Scorecard 2023, prepared for City of Melville by Catalyse
8.	Applicant's report of existing packaged liquor outlets
9.	Article, <i>Mane Liquor</i> , by online publisher The Crafty Pint, undated in 2022