

The Chief Executive Officer  
The Shire of Boddington  
PO Box 4 Boddington, WA 6390

Tuesday, 10 April 2018

Dear Sir / Madam,

**RE: Application for Development Approval to Add “Liquor Store” as an Approved Use**  
**Applicant Name: Bodiga Pty Ltd**  
**Proposed Trading Name: Boddington Liquor Store**  
**Premises Address: Lot 50, 36 Bannister Road, Boddington**

We work for Bodiga Pty Ltd, the applicant for the above application.

The applicant lodged the Development Application with the Shire of Boddington on 12<sup>th</sup> January 2018. On 5<sup>th</sup> February 2018, the Shire advised that the application would be advertised until 23<sup>rd</sup> February 2018.

As a result of the advertising, a few local people and stakeholders raised some concerns, they may be summarised as below:

1. Potential loss of the NAB branch in Boddington;
  - 1.1. The applicant (which is also the landlord of 36 Bannister Road, Boddington currently occupied by the National Australia Bank (NAB)) is very well aware of the importance of the NAB branch to the town;
  - 1.2. The landlord only considered a liquor store at the premises as it was unable to reach an agreement with the NAB in respect of it taking up its lease extension option.
  - 1.3. In 2012, the NAB was late to extend their lease for an additional five-year term
  - 1.4. Current negotiations have been ongoing since April 2017.
  - 1.5. Further, NAB has been closing country bank branches all over the country for some years now, and the landlord was faced with the very real prospect of a vacant tenancy (please find attached an article from ABC Central West dated 6<sup>th</sup> March 2018 entitled ‘*ANZ and NAB to close their doors in eight more NSW towns in a move union says could be “near death knell”*’).

2. Boddington does not need another liquor outlet;
    - 2.1. Some respondents made comments about competition and '*price war*' amongst small business owners in the town.
    - 2.2. Jan Pike and Shaughan Cullen, the owners of the Golden Nugget Liquor Store commented '*I would also like to point out the difficulties in accessing reasonable pricing from suppliers to enable us to be competitive and indeed be able to offer weekly specials to our customers.*' Further, Jan said '*I understand that I cannot oppose this application on the basis of "competition"*'.
    - 2.3. The applicant believes the competition issue is not a planning matter. The number of competing licensed premises in town is a matter which will be considered as part of the liquor licence application to the Director of Liquor Licensing.
  
  3. Harm and ill-health issues
    - 3.1. Health professionals from Boddington Medical Centre said '*Alcohol abuse affects family members, employers, colleagues, fellow students and others and it is for this reason that we oppose the granting of any further liquor outlets in Boddington.*'
    - 3.2. The applicant argues that their comments are very broad and general, which do not specifically relate to the Boddington locality and the operation of the proposed liquor store which will be managed by experienced operators.
    - 3.3. Natalie Griffiths of Hotham Avenue said '*There have been and still is quite number of issues in town relating to overuse of alcohol such as drink driving, reckless driving (burnouts), noise complaints and assaults including family violence...*'
    - 3.4. Natalie did not provide any evidence showing that the 'issues in town' were caused by alcohol use.
    - 3.5. It is unfair for the applicant if this application is determined based on mere assumptions or assertions without cogent and relevant evidence.
    - 3.6. Heather Salmeri commented '*I...have witnessed the impact that alcohol has not only on the INDIVIDUAL, but also to FAMILIES, RELATIONSHIP BREAKDOWN and our CHILDREN*'.
    - 3.7. Heather did not specifically elaborate the 'impact' that she was referring to.
    - 3.8. Some respondents have concerns about children being exposed to '*alcohol products*' and '*to the sale and promotion of alcohol*'
    - 3.9. The applicant will not sell alcohol to anyone under the age of 18 years old, and it has a very robust harm minimisation plan as required by the Director of Liquor Licensing.
    - 3.10. If this application is approved, the applicant (through its staff) will ask a customer to show proof of age, if they have any doubt whether the relevant customer is under the age of 18. The applicant understands that they have to be very cautious as the penalties under the law for serving juveniles are very severe.
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Donna Fowler made positive comments about this application, as follows:

*‘There is only 1 dedicated take away bottle shop in town and I do not like shopping there, due to no prices on bottles and sometimes limited or no stock. Having another outlet should provide better options of products and maybe better prices.*

*As the pub sells takeaways, these are limited wines, beer and can be overpriced compared to other places.*

*I would like to see IGA given the opportunity to give good customer service, create more jobs in town and possibly better products than the current places are offering.’*

It should be noted that if this development application is approved, the applicant will still need to lodge a separate liquor store licence application with the Department of Local Government, Sport and Cultural Industries.

As part of the process at the Department of Local Government, Sport and Cultural Industries, this application will be required to be advertised. For a liquor store, normally there are five kinds of required advertising, as follows;

1. Advertise in the public notices section of the West Australian newspaper;
2. Place a banner and notice in a conspicuous position on the premises (where it can be easily read by passers-by) for a period of 28 days;
3. Distribute a notice and Intended Manner of Trade to any local aboriginal community or Regional Office of the Department of Indigenous Affairs;
4. Distribute a notice and Intended Manner of Trade to all residents and businesses within 200m of the proposed licensed premises; and
5. Distribute a notice and Intended Manner of Trade to all “sensitive venues” within the locality (3km radius).

Sensitive venues are described as;

1. schools and educational institutions;
2. hospitals;
3. hospices;
4. aged care facilities;
5. any drug and alcohol treatment centres;
6. any short-term accommodation or refuges for young people;
7. child care centres;
8. churches;
9. any local government authority;
10. any local police stations,

Should you have any queries, please do not hesitate to contact us.

Yours sincerely,

Phil Cockman  
Canford Hospitality Consultants Pty Ltd

**Attachment**

1. Article from ABC Central West dated 6<sup>th</sup> March 2018.