



Public Interest Assessment

Form 2A

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

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

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

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

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

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

¹ LC Act s33(1).

² LC Act s38(3).

³ Liquor Control Regulations (LC Regs) r9EA.

⁴ LC Regs r9F.

⁵ LC Act s5 and s38(4).

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

Part 1 — Application details

Applicant name:

ALDI FOODS PTY LTD

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

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

Are you applying for:

- ☒ New licence + extended trading permit (ongoing - Sunday)
☐ Removal of existing licence (which licence/permit type)

Premises trading name:

ALDI MANDURAH

**Address of proposed
premises:**

ALDI MANDURAH

2 ALDGATE STREET, MANDURAH WA 6210

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

Part 2 — Manner of trade

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

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

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

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

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

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Part 3 — The profile of the local community

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

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

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

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

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

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

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Part 4 — Minimising the potential for alcohol to cause harm

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

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

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

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

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

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

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

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

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

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

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

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Part 7 — Impact on tourism, culture and the community

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

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

YES. PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA
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⁶ LC Act s5(1)(c).

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

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Part 8 — Declaration

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

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

 Signature of applicant/s	RADU POPESCU, ALDI REAL ESTATE DIRECTOR	31 / 12 / 2025 Date
Signature of applicant/s		Date
Signature of applicant/s		Date
Signature of applicant/s		Date



ALDI Foods Pty Ltd

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

in respect of premises situated at

2 Aldgate Street, Mandurah

to be known as

ALDI Mandurah

Public Interest Assessment Form 2A Annexure

including section 36B submissions



Law & Consultancy Pty Ltd
Liquor | Hospitality | Tourism | Events

Prepared on behalf of and together with the applicant by:
Jessica Patterson Law & Consultancy Pty Ltd

ACN: 648 525 204

PH: +61 409 599 093

E: jessica.patterson@jplc.com.au

www.jplc.com.au

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1. Executive summary

- 1.1. This application involves a proposal for an incredibly popular liquor service, to operate from a small and modest licensed area, to be located in the existing ALDI Mandurah store that already has a substantial regular patronage with 8,700 shoppers per week on average.
- 1.2. Staff at the ALDI Mandurah store have reported daily customer requests and expectation for liquor, surprise that the store does not have the feature and dissatisfaction at having to leave to drive some distance away to access ALDI liquor.
- 1.3. The liquor range, comprising many award-winning products, is almost entirely exclusive to the applicant.
- 1.4. The liquor store model is well-known, sought-after by the public and has been previously approved by the licensing authority on many occasions elsewhere in the State.
- 1.5. The applicant is well-known, highly sophisticated and enjoys an excellent trading compliance record.
- 1.6. The location is perfectly suited to the proposed liquor service and has no notable sensitivities or high risks associated with it.
- 1.7. The application is strongly supported and demanded by the relevant community. Evidence of this support and demand is attached and referred to throughout this document.
- 1.8. The expert market researcher has found that “[t]he survey of ALDI Mandurah shoppers showed considerable support for and intended use of the proposed liquor section for that store”¹.
- 1.9. A demand/supply analysis of relevant factors in this case reveals that demand cannot reasonably be met by supply and so justifies the grant of the licence².
- 1.10. The application is supported by a substantial volume of compelling evidence which goes far above and beyond the level or degree of requirement capable of justifying the grant³.

2. Introduction and background

- 2.1. ALDI Foods Pty Limited (ACN 086 210 139) (**ALDI**⁴) seeks the conditional grant of a liquor store licence and extended trading permit (**ETP**) pursuant to sections 33, 38, 36B, 47, 60(4)(g), 62, 68(1) and (2a) and 98D of the Liquor Control Act 1988

¹ Survey Of The Consumer Requirement for Liquor Retailing Amongst shoppers in The ALDI Supermarket in Mandurah, by Patterson Research Group (**PRG**), dated November 2024, at section 2.0, page 6 (**PRG Report**) (attached). PRG and Jessica Patterson Law & Consultancy Pty Ltd are totally unrelated entities. The commonality of the name “Patterson” is purely coincidental.

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

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

⁴ Including related entities forming the ALDI group

(WA)(**Act**) for a very small section of its supermarket premises located at 2 Aldgate Street, Mandurah, known as ALDI Mandurah.

- 2.2. This document has been prepared as an annexure to and in accordance with the Public Interest Assessment Form 2A of the Department of Local Government, Industry Regulation and Safety (**Department**) (**Form 2A**). Together they comprise the applicant's Public Interest Assessment (**PIA**). The PIA has been prepared in accordance with the Act and with reference to relevant Departmental policies.
- 2.3. As directed by the Department, the applicant has applied a "common-sense approach"⁵ to the preparation of the PIA. Further, the applicant has considered the State Government's promotion of reform in the WA liquor licensing regime to make it less complicated and "easier to do business"⁶. Therefore, the applicant has provided a level of detail considered appropriate for the circumstances in terms of the content of this document and the attachments. This approach is consistent with sections 16(7)(b) and (c) of the Act and considering that there is no minimum or threshold level of consumer requirement evidence⁷ and the ALDI offer is well known, proven to be compliant and modest. Further detail, additional copies of source material and supplementary supporting evidence can be provided if necessary.
- 2.4. Hundreds of members of the public have provided evidence of strong demand for the ALDI liquor service in Mandurah. This evidence is based largely on consumers with first-hand knowledge of the proposed liquor model. The PRG report found that "[a]lmost nine out of ten (85%) of the ALDI Mandurah shoppers have previously been in an ALDI store that has a take-away liquor section: it is not a new concept for them"⁸.
- 2.5. The applicant is motivated and able to address the community requirement, as soon as this application is approved. The proposed licensed area can be quickly established.
- 2.6. This PIA has been formally adopted and verified by a senior representative of ALDI by way of signing the covering Form 2A.

3. Brief outline of the application

- 3.1. The applicant proposes a petite liquor display/browse and checkout section of only approximately 48m² within the existing ALDI Mandurah store.
- 3.2. A small but carefully selected and exclusive range of unrefrigerated liquor is proposed to be available in a discrete and clearly designated licensed area under the same roof as the existing ALDI Mandurah store. The size, layout and

⁵ Form 2A page 2 and at:

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

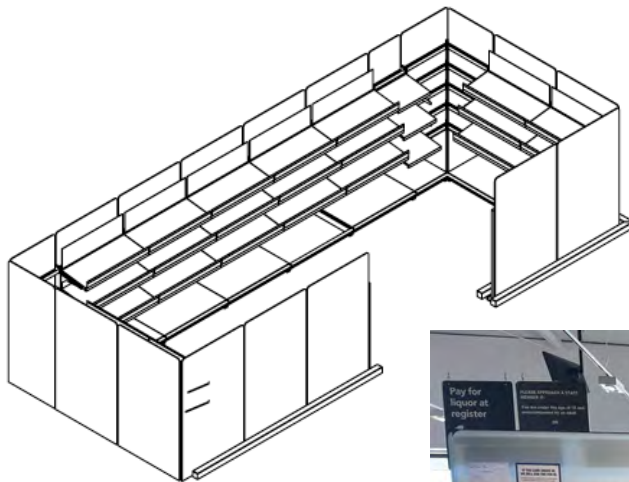
⁶ For example: <https://www.cits.wa.gov.au/department/news/news-article/2024/08/29/liquor-licensing-policy-reform-a-big-win-for-wa-hospitality-industry>

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

⁸ At para 4.4, page 17

style of operation will be almost identical to existing ALDI liquor store licences trading elsewhere in WA.

- 3.3. This liquor store model is unique to ALDI. Its various features, referred to throughout this PIA, make for a bespoke manner of trade. The boutique type of liquor service perfectly complements the diverse and popular range of ALDI's distinctive non-liquor services and facilities. This creates an exceptional one-stop shopping convenience for customers, which is a key feature of the ALDI offering. Customers can even benefit from one-transaction shopping at ALDI, thereby satisfying the growing society demand for enhanced convenience.
- 3.4. Pictured below is an aerial render that is generally indicative of what is proposed as the liquor display/browse area. The checkout is located next to the entrance that is depicted. The boundary partitioning is proposed to be made of 2.1 metre high opaque frosted glass which is depicted in the subsequent photograph.



- 3.5. Additional details of the ALDI liquor offering are provided further on in this PIA.
- 3.6. As referred to elsewhere in this PIA, the applicant consulted with local consumers and received overwhelming support. Hundreds of people have provided evidence that has encouraged ALDI to lodge this application and seek approval to provide liquor at its Mandurah store.

- 3.7. Members of the Mandurah community and other consumers in the area where the ALDI store is located, will have the opportunity to enjoy the full range of ALDI's offering, including its liquor service, if this application is approved, so as to provide them with the same valuable choice, diversity and specialty range as many other communities in Australia enjoy.

4. Applicant's background

- 4.1. ALDI operates more than 10,000 stores across 20 countries and is one of the largest and most popular retailers in the world. It has more than 570 stores in Australia.
- 4.2. The company (including related entities) has become a world-leading supermarket operator since it was founded in 1913 in Germany as a family business.



- 4.3. The following is a snapshot of the history of the organisation⁹.

“In 1913, the business was founded in Essen by the Albrecht family. Brothers Karl and Theo Albrecht’s entrepreneurial journey traces back to their mother, who opened a small grocery store in 1913 in a suburb of Essen. The brothers inherited their first store from her, a resilient establishment that survived the bombings during the war...The brothers officially founded the German grocery chain in 1946. With a vision to reduce waste and costs, the brothers established a no-frills model at their discount store. They sold only non-perishable goods at affordable prices from a small, nondescript shop...The Albrecht brothers were known for their frugality. They avoided spending money on advertising or in-store decorations and were ruthless in removing poor-selling items from their inventory. By keeping prices lower than competitors, the discount store earned a strong following in post-World War II Germany, where the economy had been nearly destroyed...In early 1960, the brothers officially changed the name to Aldi, short for **ALbrecht DI**scount, reflecting the business's commitment to providing

⁹ <https://sustainability.aldisouthgroup.com/about-aldi/aldi-history> (see also <https://www.aldicareers.com.au/about-aldi/>)

affordable products. They also split the business into ALDI Nord [north] and ALDI Sud [south]...In 2001, ALDI opened its first Australian store in Sydney" through ALDI Sud.

- 4.4. ALDI stores offer a wide range of quality products including fresh food, packaged food, other consumables and various household, garden, leisure and personal items. At most stores, liquor is also available.
- 4.5. Modern ALDI supermarkets contain around 1,350 core product lines, which is significantly less than many other supermarket operators. There are limited brand options within each different product line. For example, ALDI may offer only two or three different brands of plain flour, rather than five or more as is commonly stocked at most other supermarkets. This enables ALDI to operate from a smaller and more user-friendly footprint and with a more exclusive and carefully selected range. It also facilitates a simpler and more convenient shopping exercise for consumers¹⁰.
- 4.6. "At ALDI, we believe in making a Good Difference. As a major Aussie retailer, we are mindful of our responsibility to the environment and the communities – those who live and work in our beautiful big backyard....Our sustainability initiatives are guided by four areas of focus: Good Planet, Good Community, Good Health and Good Business¹¹...ALDI is passionate about doing Good Business. From Aussie farmers who grow our produce to the employees who stock our shelves, we're committed to supporting our partnerships. We do this through responsible practices that foster strong and honest relationships with our business partners, buyers and team members. Good Business encompasses our efforts in supply chain management, the responsible sourcing of products and more¹²...We're not like other supermarkets. We do things differently to give you the lowest possible prices on the best quality products¹³."
- 4.7. ALDI's published mission is to provide the public with exceptional product value in terms of quality for price. This is achieved through a highly sophisticated business model involving a very focused selection of products and advanced levels of systemisation and organisation designed for optimum efficiency and product control. ALDI is dedicated to maintaining consistency in its philosophy of incredibly high quality at impossibly low prices.
- 4.8. Most of ALDI's products are exclusive to ALDI. They are often versions of mainstream big-brand name items which are manufactured according to ALDI's particular and strict specifications to ensure quality and value-for-money.

¹⁰ For example: <https://www.macrobusiness.com.au/2021/03/the-rise-and-rise-of-aldi/> - "In addition to its competitive prices and good product quality, I like the simplicity of Aldi. Having a small footprint and limited product choice makes shopping quick and easy. Products are always in the same spot irrespective of store, making them easy to find. By contrast, I find Woolworths and Coles too large and confusing, and I often waste time wandering aisles trying to find what I need."

¹¹ <https://www.aldi.com.au/sustainability> and

¹² <https://www.aldi.com.au/sustainability/good-business>

¹³ <https://www.aldi.com.au/what-makes-us-good-different>

Expressi Coffee is one of the most popular non-liquor examples. The Expressi Coffee capsule machine and coffee capsules have won numerous awards.

- 4.9. The majority of ALDI's exclusive products that are available in Australia are sourced from Australian suppliers.
- 4.10. Every Wednesday and Saturday "special buys" are promoted by ALDI which are specialty short-term product lines that are usually non grocery items. Flat screen televisions, furniture, clothing, appliances, BBQs, tools, gardening equipment, vacuums, camping gear and toys are just some examples. These have proven extremely popular such that customers often queue outside a store to try to access these items and then spend long periods browsing. ALDI special buys are sometimes even reported by the media as news¹⁴.
- 4.11. Some special buys are repeated occasionally but most are one-off items in limited stock so when a store sells out, the item won't be replenished.



- 4.12. ALDI special buys are displayed in the now renowned middle aisle of every store. The following images show, by way of example, recent catalogue-advertised special buys.



¹⁴ For example, Chanel 7: "ALDI Australia set to bring back its wildly popular snow gear sale after two-year hiatus", 9 May 2023 (<https://7news.com.au/lifestyle/aldi/aldi-australia-set-to-bring-back-its-wildly-popular-snow-gear-sale-after-shock-hiatus-c-10571950>)

The zoomies

Activity Lead or Rope Lead \$9.99
Harnessed for extra safety. Available in 2 sizes. Extra Small to fit neck 36-43cm and chest 68-70cm or Small to fit neck 38-45cm and chest 73-85cm. Assorted colours.

Quick fit harness with buckle fastening \$14.99

Extra Small or Small Dog Harness, Activity Lead or Rope Lead \$9.99
Harnessed for extra safety. Available in 2 sizes. Extra Small to fit neck 36-43cm and chest 68-70cm or Small to fit neck 38-45cm and chest 73-85cm. Assorted colours.

Medium or Large Dog Harness or Retractable Lead \$16.99
Harnessed for extra safety. Available in 2 sizes. Medium to fit neck 47-64cm and chest 89-105cm or Large to fit neck 59-75cm and chest 89-105cm. Assorted colours.

Interactive Dog Ball \$11.99
Includes grab tails and handle for easy fetch play. Soccerball, 15cm (6x6) or Football, 21cm x 10cm x 10cm. Assorted colours.

Active Pet Toy Assortment \$7.99
Assorted styles of treat dispensing toys or Suction Cup Dog Toys. Assorted colours.

Squeaky Dog Toy \$4.99
Features a snorting-style internal squeaker. Assorted colours.

Heavy Duty Dog Toy \$5.99
Great for strong, aggressive chewers. Lightweight and soft, yet durable construction. Assorted colours.

Elevated Dog Bed \$79.99
Powder-coated steel frame. Water, oil and UV resistant. Allows pet's body to breathe. Flaps and ticks will not be in the cover. Assorted colours.

On Sale Wednesday 3 September

Prime grime time

ECOVACS DEEBOT NEO 2-D Robot Vacuum Cleaner \$279
Automatic charging. Dual function: vacuum or mop. App controlled. 1 Year Warranty.

Tineco GO H20 Serene Floor Washer \$249
2 Year Warranty. 3 modes: auto, max and suction. Map and vacuum in one.

Tineco GO H20 Serene Floor Washer \$249
2 Year Warranty. 3 modes: auto, max and suction. Map and vacuum in one.

2-in-1 Cordless Stick Vacuum \$99.99
3 Year Warranty. Converts into handheld vacuum.

Carpet Spot Cleaner with Steam \$149
1 Year Warranty. Cold, hot and steam functions. Compact and lightweight.

Magnetic Window Cleaner \$14.99
Magnetic design allows you to clean both sides of the glass at the same time.

Electric Scrubber Brush \$13.99
3 Year Warranty. Interchangeable heads for pool and deck.

Compact Tornado Mop \$6.99
Bucket \$29.99. Compact and lightweight. Multi-compartment bucket for washing and drying mop head. 2 microfiber pads included. Suitable for use on tiles, laminate and wood. Assorted colours.

Detail Cleaning Brush Set with Mop \$4.99
Set includes deep clean brush, V-shaped corner edge brush with scraper, mini dustpan with scraper and soft detail brush with silicone scraper. Ideal for cleaning small spaces. Assorted colours.

On Sale Saturday 6 September



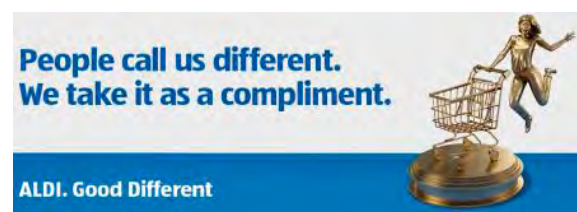
Public Interest Assessment
Form 2A Annexure
Application for liquor store licence
and extended trading permit (ongoing – Sunday)
ALDI Mandurah

				
ST HALLETT St Hallet Faith Barossa Shiraz 750ml	BROWN BROTHERS Winter Red 2024 Vintage	HIGHLAND GREEN Highland Green Blended Malt Scotch Whisky 700ml	WYNN'S ESTATE Coonawarra Shiraz 2023 750ml	LES ARGELIÈRES Pinot Noir 750ml
\$14.99	\$9.99	\$44.99	\$11.99	\$11.99
				
MOUNT LANGI GHIRAN Shiraz 2023 Vintage	CORTE CARISTA Montepulciano D'Abruzzo DOCG 2021 Vintage	THE STANDING PEOPLE Lighter in Alcohol Pinot Noir 2024 Vintage	DUFFEY'S Irish Whiskey 700ml	RESCHKE Reschke Coonawarra Cabernet Sauvignon 20...
\$15.99	\$11.99	\$9.99	\$46.99	\$11.99
				
PIERRE CHAINIER Vin De Sud Pinot Noir 2024	FAUSTINO Faustino Rivero Ulecia Reserva 750ml	FOWLES WINE Fowles Vinarium Chardonnay 750ml	FREYA AND JULES Clare Valley Shiraz 2022 750ml	BEST'S GREAT WESTERN EST 1866 Bests Grampains Cabernet Sauvignon...
\$9.99	\$9.99	\$14.99	\$12.99	\$14.99

4.15. ALDI prides itself on consistently competitive pricing across all of its product lines and providing customers with exceptional value-for money. The company's ability to achieve such low prices for quality products stems from its highly sophisticated business model which focuses on operational efficiency. The following are but a few examples of aspects of ALDI's in-store operations which heighten productivity, reduce waste and enable competitive value-for money pricing to be maintained.

- 4.15.1. Trolleys can only be accessed by inserting a gold coin into a particular trolley in order to be able to use it. This encourages customers to return the trolley to retrieve their coin and avoid the need for staff to spend time collecting trolleys.
- 4.15.2. Products in ALDI stores are displayed on re-usable crates, designed specifically for ALDI. The crates fit systematically in the ALDI

- Jandakot warehouse, delivery trucks and stores and can be moved from one place to another without unloading or extra-handling.
- 4.15.3. ALDI products are packaged with multiple barcodes for quick and easy scanning at the checkout with little to no time wasted fumbling to find a barcode and scan the product.
- 4.15.4. Customers are required to pack their own shopping bags at the checkout and a dedicated packing area is provided for customers. Checkout staff do not use valuable time packing bags and checkout processing is kept moving as there are no interruptions with customers holding-up the procession whilst packing at the checkout.
- 4.16. ALDI's business is highly systemised and disciplined. ALDI's shelving, storage methods, displays, product placement and other logistical aspects are designed to coordinate with each other to achieve optimum operational efficiencies. As a result, ALDI is able to reduce operating costs and provide better services and facilities for its customers.
- 4.17. ALDI does not operate by the regular retailing method of rotating discounts each day or week. Rather, prices are maintained at a consistently low level. This means that customers know what to expect when shopping at an ALDI store. It also reduces costs and resources associated with the logistics of managing specials and sales promotions which involve external advertising on site, changing ticket prices, reconfiguring product placement, adjusting till systems and other processes. ALDI does not incur all of these costs, thereby enhancing its operating efficiency.
- 4.18. Consistent pricing is also indicative of consistent quality. ALDI does not downgrade its products through heavy discounting. The applicant is driven by quality and consistency. In this regard in terms of liquor especially, ALDI's products very much represent value-for-money. High quality award winning liquor items are provided at prices accessible to most people.
- 4.19. ALDI's approach to business is neatly encapsulated in its "Good Different" slogan, which was launched in 2017. Mr Thomas Daunt, then director of the applicant company, explained this campaign as follows.
- "ALDI Australia is unapologetically different – and that's a good thing for shoppers. We are proud of our differences and we stand by them wholeheartedly, as they are what allows us to bring unbeatable value to our customers, maintain strong relationships with our suppliers and support our staff every day."¹⁵



¹⁵ <https://insidefmca.com.au/2017/05/15/aldis-good-different-campaign/>

- 4.20. ALDI is a responsible and sophisticated corporate citizen and operates pursuant to very high standards and key performance indicators, which include the following published principles¹⁶.
- 4.20.1. Price Promise
- 4.20.2. Aussie First Policy
- 4.20.3. Sustainability (- Good Planet, Good Community, Good Health and Good Business)
- 4.21. ALDI is a trusted brand in Australia amongst consumers. Reputable firm, Roy Morgan, has assessed ALDI as having had a strong performance, far ahead of most other supermarkets¹⁷.
- 4.22. ALDI's pursuit of excellence and quality in all things is evident in the many awards it has won in Australia, including Canstar Blue Most Satisfied Shoppers – Supermarkets 2014-2016 and 2018-2023 and Roy Morgan Supermarket of the Year for the last eight consecutive years¹⁸. Upon winning Supermarket of the Year in 2023, "Roy Morgan's research found Aldi's average customer satisfaction score was 95.7 per cent based on face-to-face customer interactions at supermarkets"¹⁹.
- 4.23. More specifically, ALDI is also an award-winning retail liquor supplier. Among its many liquor retailing awards has been the Canstar Blue Most Satisfied Customers – Liquor Retailer 2021 and Roy Morgan Liquor Store of the Year in 2018 based on customer satisfaction.
- 4.24. Canstar Blue is a major, renowned national independent reviewer and reporter of consumer products and services "helping Australian consumers make better-informed purchase decisions on products and services by providing factual, up-to-date and well-researched comparison tables, ratings, reviews, guides and news on a range of consumer-related topics...Canstar Blue uses its wealth of consumer and expert research and data to identify outstanding brands, products, services and plans. We award these brands, products, services and plans with an award that recognises this achievement"²⁰.
- 4.25. There should be no question as to the credibility of these awards and certainly no doubt that ALDI customers are immensely satisfied with the products and services provided by ALDI which include liquor.
- 4.26. The Australian Liquor Stores Association has said that Australian "shoppers have migrated towards the value messaging of Aldi"²¹.

¹⁶ <https://www.aldi.com.au/what-makes-us-good-different>

¹⁷ <https://www.roymorgan.com/findings/9666-risk-monitor-quartely-update-june-2024> and also <https://www.aldi.com.au/what-makes-us-good-different>

¹⁸ <https://www.roymorgan.com/findings/roy-morgan-unveils-annual-customer-satisfaction-award-winners-across-all-categories-2023>

¹⁹ <https://www.news.com.au/finance/business/retail/aldi-named-supermarket-of-the-year-in-roy-morgans-customer-satisfaction-awards-for-fourth-year-in-a-row/news-story/66f907a7efa9941ae6fc2610bc93c65f>

²⁰ <https://www.canstarblue.com.au/about-us/>

²¹ ALSA – IRI State of the Industry Report, March 2017 at page 14 - copy available if required, upon request

- 4.27. "Our success is based on the close relationships we have with our suppliers, who all share our passion for awesome quality. Aldi partners with some of the best producers and winemakers both in Australia and internationally, which means we can deliver exceptional quality, value and consistency to our customers. Our partnerships with our suppliers are focused on a desire to see the customer win with great-tasting wines at unbeatable prices".²²
- 4.28. ALDI is a highly sophisticated and experienced packaged liquor operator, which enjoys extensive supermarket and liquor retailing experience within Western Australia, elsewhere in Australia and overseas.
- 4.29. ALDI has been operating in Australia since 2001 when the first ALDI store opened in Sydney. There are now nearly 600 stores throughout Australia, including 52 in WA. The large majority of ALDI's stores throughout the country include a liquor component. In WA there are 36 ALDI stores trading with a liquor section.
- 4.30. Over the last ten years approximately, ALDI has been undergoing a \$700 million expansion, most notably in WA and South Australia. ALDI opened its first four stores in Western Australia on 8 June 2016.
- 4.31. The ALDI liquor service was made available in WA from the end of August 2017 in five ALDI stores initially. Since then, the applicant has had an excellent compliance record across the stores now trading in WA with ALDI's specialty trademark liquor section.

5. The liquor – ALDI exclusive products

- 5.1. The ALDI range of liquor products comprises a selection of wines, beers, spirits, ciders and liqueurs. The in-store range at Mandurah will contain a carefully selected value-for-money variety of approximately 95 items, many of which are award-winning and the large majority is produced for and available exclusively at ALDI.
- 5.2. Attached is a stocklist, which varies from time to time. The stocklist identifies the items that are available exclusively at ALDI. Notwithstanding that the stocklist is smaller than most liquor outlets, it contains a wide and well-balanced variety.
- 5.3. The range changes from time to time as it adapts to new products that become available to ALDI, responds to customer requirements and when occasional specialty items are offered. Generally, the ALDI liquor service at Mandurah would include the following:
- 5.3.1. Around 60 different wines – red, white, sparkling and fortified.
 - 5.3.2. Around 15 different beers – full, medium and light strength.
 - 5.3.3. Around 15 different spirits – bourbon, brandy, gin, scotch, vodka and liqueurs.

²² Jason Bowyer, ALDI Australia's Buying Director, in response to winning the Roy Morgan Liquor Store of the Year in 2018: <https://theshout.com.au/national-liquor-news/aldi-wins-roy-morgan-liquor-store-of-the-year/>

- 5.3.4. Around 5 different ciders.
- 5.4. The applicant's product range includes Western Australian produced wines. ALDI has partnered with various wine makers from the Margaret River region to develop a selection of exclusive ALDI Margaret River region products.
- 5.5. "The driver behind ALDI's [liquor] success is Jason Bowyer who has spent most of his life in the wine trade... ALDI's formula is to deliver quality and value at prices that often make the competition wince... Jason travels the world to find wine makers he can establish long term relationships with"...including Western Australian wine makers.²³
- 5.6. In recognition of the launch of the ALDI liquor service in WA, renowned wine expert Ray Jordan was invited to sample six of the wines in ALDI's WA stores. Mr Jordan produced a media article on his tasting and remarked that one of the wines in particular, being a \$7 bottle of One Road South Australian Heathcote Shiraz 2015, was "damn good"²⁴. That Shiraz has also won several other awards, including Double Gold & Best Value Shiraz of the Year at the 2017 Melbourne International Wine Competition. This Shiraz is just one example of ALDI's many high quality, value-for-money, award winning liquor products.
- 5.7. A large number of accolades have been bestowed on ALDI for its exclusive liquor range. Attached is a list of some of the awards received. The following are just two of the numerous published reports attributed to ALDI's superior quality, award-winning products:

A bargain **ALDI** vodka has taken home the top award at The Spirits Business Global Vodka Masters for 2022.

The supermarket's Tamova Quadruple Distilled Vodka (700ml) retails for just \$30.99 and is made in Australia.

The affordable spirit was awarded the Master Medal by an independent panel of experts, who tasted more than 139 vodkas from 75 companies around the world.

Melita Kiely, editor of The Spirits Business, said it the recent win was an "excellent achievement" for ALDI.

"To receive any sort of medal is something that every company should be extremely pleased with, and for ALDI Australia to receive a Master medal, the highest medal we award, for their single entry within a very competitive selection is an excellent achievement," she said.

"The multi award-winning vodka, part of ALDI's everyday range, is four times distilled and traditionally filtered for exceptional purity and a clean, crisp natural flavour."

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²³<https://www.bestwinesunder20.com.au/jason-bowyer-aldis-wine-whisperer/>

²⁴ <http://www.perthnow.com.au/news/western-australia/aldi-will-start-selling-alcohol-in-perth-stores-from-today/news-story/c59014afc215ba475dd1265a0e89eb4c>

²⁵ <https://7news.com.au/lifestyle/food/bargain-30-aldi-vodka-picks-up-top-award-at-the-global-vodka-masters-2022-c-8149807>

Aldi is your one stop shop when it comes to amazing products at low prices. From the furniture sold in the Special Buys sale to the fresh produce on the shelves, Aldi is your go-to for all things groceries and homewares. However, the German retailer has another feather to add to its cap: seller of award-winning booze.

The 2019 International Wine and Spirits Awards were held recently, and Aldi took home 13 awards.

Earning an impressive score of 95 in the cask-inish single malt scotch whiskey category, the Glen Marnoch Single Malt Sherry Cask Scotch Whiskey, which retails for just \$43, took home the gold medal and is now recognized as one of the best scotch whiskeys in the world.

The whiskey is currently only available in Aldi stores throughout NSW, however, Aldi's Highland Earl 8 Year Old Scotch Whiskey, which retails at just \$34 and came in at second place, is available Australia-wide.

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- 5.8. One of the most unique aspects of the ALDI liquor offering is the exclusive range itself, made-to-order for ALDI stores and not available at any other packaged liquor outlet. As stated previously, the majority of ALDI's range is unique and exclusive to ALDI. Shoppers simply cannot access those items at any other non-ALDI outlet.
- 5.9. In order to become an ALDI exclusive product, the producer enters into an arrangement with ALDI whereby it is agreed that particular brands of product will not be distributed or provided to any other retailer. This confirms that ALDI exclusive products cannot be obtained anywhere other than at an ALDI store.
- 5.10. The ALDI exclusive products differ significantly from the Woolworths and Coles private-label liquor ranges. Woolworths and Coles generally purchase the whole producer entity and production facility where possible and the products from those facilities then become what are known as private-label liquor items, effectively produced by/under the direction of Woolworths and Coles or their related entities. The issue with this approach, in terms of the proper development of the liquor industry, has been well explained by David Prestipino in his article 'Winestein Uncorked: 'Local' WA wines actually owned by Woolworths, Coles'²⁷ where he described the duopoly's approach as follows:

"To avoid certain wine taxes and further boost their huge profits, Woolworths and Coles create 'wine brands' (such as the Cow Bombie) under cheeky and creative (some say misleading) names.

The wines are difficult to identify, and often undercut well-known brands, small boutique and family wineries and those struggling to find a voice in an ever-increasing crowded market.

²⁶ <https://www.bhg.com.au/aldi-scotch-whiskey-award>

²⁷ <https://www.smh.com.au/entertainment/winestein-uncorked-local-wines-actually-owned-by-woolworths-coles-20151211-gllhjo.html>

Instead of Coles Reserve Chardonnay or Woolworths Bin 666 Cabernet, you have brands like Chateau Louise (Coles) and Augustine Wines (Woolworths) for sale...wines that are actually owned by the supermarket giants themselves.

By Developing their own private-label and exclusive wines, Coles and Woolies are now competitors to the very wineries (and consumers) they are meant to serve.

Why should this worry wine drinkers? Because not only are we losing diversity and competition as the duopoly increases its share of the wine market, but the relationship hurts independent merchants across the country, who are forced to close.

If the big chains need to move a product because it is not selling, or want to replace it for their own means, they slash the wine's price, essentially lowering the winery's brand/reputation at the same time."

- 5.11. ALDI's approach is very different. ALDI does not own the wineries, breweries and distilleries that produce its exclusive products and therefore, those independent producers are capable of producing other liquor items under different branding to sell directly to consumers themselves, or to other packaged liquor retailers. Further, whilst those producers will be required to produce a product to ALDI's standards and specifications they will, nonetheless, give input and advice into developing the products as the independent wine, beer or spirit producing expert.
- 5.12. The ALDI model does not, therefore, have the same deleterious effect on the development of the liquor industry by removing independent liquor producers from the market, but rather ALDI makes a highly valuable contribution to the industry by providing independent producers with a channel to develop and sell their wares.
- 5.13. This is one of many factors which differentiate ALDI's liquor range from the major liquor stores. The Mandurah and surrounding community will benefit greatly from having access to this special service. The role of the shopping centre site will be enhanced with the increased product diversity to be generated by ALDI's liquor service.
- 5.14. Given that the majority of ALDI's liquor range comprises ALDI exclusive products, it means that, as stated previously, the ALDI offering, overall, is unique to ALDI and simply cannot be replicated by any other licensee. The overall offering includes ALDI's liquor services which also cannot be said to duplicate any existing operation in Mandurah or nearby.
- 5.15. Within the liquor range available in any given week is a selection of new and different liquor items which change from week to week, similar to the "special buys" offer referred to elsewhere in this PIA. Approximately eight different products per week are made available to customers until the stocks are

depleted and then new ones are brought in for customers, so the product selection remains fresh and vibrant.

- 5.16. ALDI's liquor range is determined following a rigorous process of elimination trialling and testing of products, then identifying those that offer the very best value-for-money which necessitates excellent quality. The optimum range is provided to customers. Therefore, a quantity of products is stocked that is deliberately much smaller than may be found at most other liquor stores. The ALDI range is much more discerning and refined than most other liquor outlets. This ensures modern consumer requirements are met and ALDI's principles of quality, value-for-money and great convenience are upheld.
- 5.17. An example of ALDI's liquor advertising published in a catalogue recently appears below. It is relatively modest, yet smart and stylish. The advertisement contains product information for each item, demonstrating the quality and value-for-money propositions regarding the ALDI range and the fact the range is indeed carefully selected and responsibly promoted.

Drops of wisdom

\$11.99
A

\$15.99
C

\$11.99
B

\$12.99
D

\$32.99

\$48.99
F

\$44.99
G

\$54.89
H

\$57.99
I

\$15.99
K

\$12.99
L

A Costières de Nîmes Grenache Shiraz Mourvèdre 2021 750ml
A classic Côtes du Rhône blend: showcasing summery berry flavours including raspberry and blueberry, with some glistening rosemary, lavender and hint of white pepper.

B Ruchie Conservatore Reserve Cabernet Sauvignon 2021 750ml
Multiple award-winning Cabernet from Australia's great old vines. Bold, elegant and peppery notes. Stunning value at just \$11.99!

C Mount Langat Chicon Pepper Series Cool Climate Shiraz 2021 750ml
Lowly red berry and cherry fruit notes, and a distinctive cool climate, pepper spice and blueberry. A medium bodied wine with a long finish that never ceases to delight.

D La Made Cedron gins in Provence Rose 2021 750ml
Possibly the best value Provence Rose money can buy. Every up to best of all time in a Mediterranean summer. Available every day.

Galway Pipe 12yo Twenty 750ml
Aged in oak barrels for an average of 12 years, this exquisite, rich blend has a complex flavour profile of raisins, dried peaches, grilled nuts and spicy oak. Perfectly crafted, aged and ready to drink.

Freya and Jules Clare Valley Shiraz 2021 750ml
New to the Freya and Jules range. A vibrant wine displaying blue and black fruit aromas, with hints of black pepper and plum.

Hickson House Oyster Shell Gin 700ml
Award-winning classic dry gin infused with seaweed, tarragon, native finger lime, ruby grapefruit and crushed Sydney Rock Oyster shells. A smooth, creamy texture with a delicate hint of ocean salinity.

St Rémy Brandy 700ml
Produced with grapes harvested from legendary French vineyards such as Bordeaux, St Rémy is recognised as the world's favourite French brandy.

That Spirited Lot Triple Citrus Vodka 700ml
Featuring Japanese yuzu, mandarin and lemon, this vodka packs a zesty punch! Serve simply with soda and a slice of lemon or use it to give your favourite cocktail a citrus kick.

Chivas Regal 12yo Scotch Whisky 700ml
Chivas Regal 12yo has distinctive spicy-sweet flavours of crisp orchard fruits, wild heather and sweet honey. This signature, blended Scotch Whisky has a rich and generous taste that's synonymous with its House Style - primarily, it's an undeniably smooth whisky.

Southern Comfort Black 700ml
Smooth taste. Bold character. Southern Comfort Black brings unmistakable whiskey flavour, with its signature touch of stone fruit and spices. It doesn't follow all the whiskey rules - just always leads to a good time. Enjoy it straight up, on the rocks or to reinvent your favourite classic whiskey cocktail.

Modus IPA 4 x 375ml
Crisp tropical notes with an easy-drinking, refreshing finish.

Byron Bay Premium Lager 4 x 350ml
A balance between hop and malt, brewed with all pale malts for a light gold colour that delivers a smooth and refreshing taste.

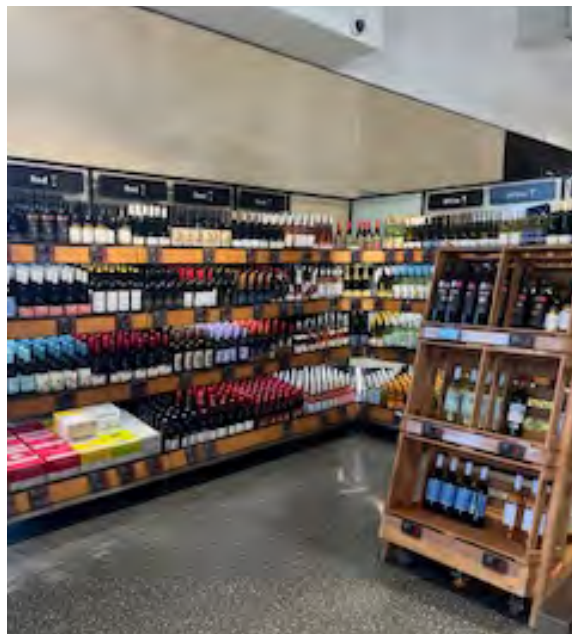
ALDI Liquor available in selected stores. See aldi.com.au for locations.

6. Form 2A “Part 2 – Manner of trade”

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

- 6.1. This application involves a proposal to sell and supply packaged liquor on and from the premises proposed to be licensed as described above, in accordance with section 47 of the Act.

- 6.2. As previously addressed in this document, the applicant proposes to offer a relatively small and mostly exclusive selection of carefully selected, value-for-money non-refrigerated beer, wine and spirits (including a range of beer, wine and spirit varietals, cider and sparkling). The images to the right and below depict a typical ALDI liquor section which will be established in Mandurah if the licence is granted.



- 6.3. The low-level free-standing temporary displays, as depicted in the following image, may be placed in different positions within the small liquor block.



- 6.4. The applicant seeks approval for the same licence, in respect of the same business model and on the same terms and conditions as approved on 38 previous occasions in WA.
- 6.5. ALDI Mandurah currently operates as follows (with variations for public holidays):
- | | |
|------------|-------------------|
| Monday: | 8.30am to 8.00pm |
| Tuesday: | 8.30am to 8.00pm |
| Wednesday: | 8.30am to 8.00pm |
| Thursday: | 8.30am to 9.00pm |
| Friday: | 8.30am to 8.00pm |
| Saturday: | 8.30am to 6.00pm |
| Sunday: | 10.00am to 5.00pm |
- 6.6. The liquor service will operate within these time periods, but subject to trading hours permitted under section 98D the Act and as may be approved under section 60(4)(g).
- 6.7. The applicant seeks approval for the standard trading hours permitted under section 98D of the Act, namely 8am to 10pm Monday to Saturday and 12 noon to 10pm on ANZAC Day (except no trading on Good Friday or Christmas Day). The applicant also seeks approval pursuant to section 60(4)(g) for an ETP to authorise trading from 10am to 10pm on Sunday. However, the actual opening times of the liquor section are proposed to be the usual ALDI store trading hours, as stated above (except no liquor trading before 12 noon on ANZAC Day or any time on Good Friday or Christmas Day). When the ALDI supermarket is not trading, the liquor display/browse area would be clearly closed off to customers and if the ALDI store is open for trade at times not permitted under section 98D or 60(4)(g) of the Act, the liquor area will also be closed to the public. Therefore, overall, ALDI's proposed liquor trading hours are much less than potentially permitted under the Act and much less than most liquor stores.
- 6.8. The applicant invites the licensing authority, if it considers appropriate, to impose the following special trading conditions that are imposed on ALDI's existing licences in WA:
- | | |
|--------|---|
| 6.8.1. | The licensee is prohibited from selling refrigerated liquor products. |
| 6.8.2. | There is to be no external advertising of liquor products on the façade of the licensed premises. |
| 6.8.3. | The browse/display area is to be closed off when not open for trade. |
| 6.8.4. | The licensee is to have and maintain a CCTV system in accordance with the policies of the Director of Liquor Licensing. |

- 6.8.5. The liquor display and sale area must be separated from the food/grocery display and sale area by barricading of non-see-through material over two (2) metres in height.
- 6.8.6. The entry/exit point to the licensed area must have a gate.
- 6.9. There are many aspects to the ALDI liquor model which differ from virtually all other non-ALDI packaged liquor outlets anywhere and which are most certainly totally different from the existing outlets relevant in this case. The following are key unique aspects of the ALDI liquor model, which will apply at Mandurah, should the application be approved:
 - 6.9.1. ALDI exclusive product range.
 - 6.9.2. Combination of the ALDI liquor service with the ALDI non-liquor store elements. A one-stop-ALDI shopping convenience.
 - 6.9.3. One transaction convenience.
 - 6.9.4. Its small size and location under the supermarket roof.
 - 6.9.5. Small, carefully curated selection of liquor with no bulk displays.
 - 6.9.6. Absence of refrigeration.
 - 6.9.7. Absence of external presence of the liquor section.
 - 6.9.8. The particular level of surveillance of the display/browse area which can be seen and monitored by staff at all times in its entirety.
 - 6.9.9. Restricted visibility into the liquor section as a juvenile risk management feature.
 - 6.9.10. Combined beneficial effects of the features listed above which are supplemented by the overall manner of trade and harm minimisation features identified.
- 6.10. In regard to the “target client base” referred to in the Form 2A:
 - 6.10.1. The applicant has already identified from sales data that its existing client base at the Mandurah store is drawn from an enormous catchment. For the late August reporting period of the last two years, ALDI Mandurah attracted shoppers from 148 different suburbs. Customers living in Mandurah represented the largest percentage, followed by shoppers living in Dudley Park and Greenfields²⁸. It is expected that the liquor section will draw a similar catchment.
 - 6.10.2. Deep End Services, an expert market and site research, analyst and advisory firm, identified for the applicant primary and secondary trade areas when the store was in its early stages. The primary trade area included Mandurah, Dudley Park and Greenfields. ALDI’s subsequent

²⁸ ALDI CommBank card sales data – Mandurah – 26 August 2024-1 September 2024 (and including 2023) (private and confidential – copy available to the licensing authority if required, upon request)

sales data has shown that assessment to have been accurate. Attached is the report by Deep End Services²⁹.

- 6.10.3. Principally, the ALDI target client base for the proposed liquor service is existing customers of the ALDI Mandurah store who are demanding that ALDI liquor be made available to them there, of which there are an average of around 8,700 per week³⁰.
- 6.10.4. Subsequently and more generally, the ALDI target client base for the proposed liquor service consists of people living and working in the primary trade area referred to in the DES report.
- 6.10.5. The next nearest ALDI liquor service is in Halls Head, approximately 4km away (straight line), nearly ten minutes by car one way, over the Mandurah Estuary. The applicant's target customer base for ALDI Mandurah will focus on people living on the eastern side of the Estuary, to save them travelling so far and outside of their local neighbourhood.
- 6.11. ALDI operates a friendly, inclusive and welcoming store and will continue to do so if the liquor licence is granted. Any adult may potentially visit the liquor section and shop there provided only that they comply with ALDI's conditions of entry that apply to anyone and any legal requirements by which ALDI needs to abide.
- 6.12. ALDI enjoys enormously favourable community sentiment and support. Its stores have huge popularity and significant regular custom. Some customers are so passionate about ALDI that they developed their own private Facebook page/group named, Aldi Fans Australia, dedicated to information for ALDI lovers. This is not an official ALDI media source and yet it has around 104,600 members³¹. ALDI's official Facebook page has around 892,000 "followers"³². This medium is the modern-day voice of the public and therefore, represents significant community sentiment.
- 6.13. The first two ALDI applications for liquor store licences in WA were initially refused at first instance³³ (and subsequently approved). Soon after the initial refusals, a massive 8,637 people took it upon themselves to participate in an Internet survey conducted by Nine News Perth³⁴ which asked: "Do you think ALDI should be banned from selling alcohol because it's too cheap?". Within just two days 7,428 people who participated (86%) answered "no". Importantly, this survey was conducted without any involvement from the applicant. It was completely unsolicited. It is indicative of ALDI's significant popularity in the WA community.

²⁹ Mandurah (Aldgate St) WA - Trade Area & Sales Projection, by Deep End Services dated 13 June 2014 (**DES report**)

³⁰ PRG report at page 5

³¹ <https://www.facebook.com/groups/117155111252/>

³² <https://www.facebook.com/ALDI.Australia/>

³³ Decision of Director of Liquor Licensing: ALDI Harrisdale (A000187300) and Decision of Director of Liquor Licensing: ALDI Joondalup (A000191943)

³⁴ 9 News Perth Facebook, 15 June 2016, printout attached

- 6.14. ALDI has been under pressure for some while from local residents to provide a liquor service at the Mandurah store. They know about other ALDI stores offering liquor and want Mandurah to do the same. Customers seeking the liquor service have expressed confusion and frustration as to why other ALDI locations offer liquor but the Mandurah store does not.
- 6.15. The applicant engaged independent expert market research firm, PRG ³⁵, to conduct a survey and to subsequently provide a report of the results which is referred to throughout this document. Some of the results in the PRG report evidencing clear and strong demand for the ALDI liquor proposal from the 315 people surveyed, include the following:
- 6.15.1. "Eighty-seven per cent of all shoppers, and 93% of take-away liquor buyers support the establishment of a liquor section within the ALDI Mandurah store"³⁶.
- 6.15.2. "A significant majority of respondents indicated that the key liquor store attributes that would be provided in an ALDI Liquor section appealed to them. The fact that 85% of shoppers had shopped in an ALDI store that included a liquor section, adds some weight to these observations."³⁷
- 6.15.3. "In excess of 9 in 10 "experienced shoppers" agree...that:
- ALDI liquor sections have good quality products,
 - the products represent good value for money,
 - the liquor section is convenient for shoppers. (sic) and
 - 82% agree that they have many brands and products not available elsewhere (other than another ALDI store)"³⁸
- 6.15.4. "[A]lmost 9 in 10 of all shoppers (87%) like the notion that the liquor section would be located within the ALDI Mandurah store."³⁹
- 6.15.5. "Slightly more than eight in ten (82%) of the total ALDI shopper sample liked the notion that the proposed liquor section would have mostly exclusive ALDI products... The weight of opinion is very much supportive of this aspect of the proposed ALDI Mandurah liquor section."⁴⁰ This should be considered alongside other evidence in the PRG report that "almost six in ten (59%) shoppers have previously consumed ALDI exclusive liquor products that had been purchased from another WA ALDI store...This suggests that many shoppers are prepared to go to other ALDI stores to access exclusive ALDI liquor products. Note also that almost 7 in 10 (69%) of take-away alcohol

³⁵ Experience, expertise and methods are referred to on pages 2, 5 and 11; Also: <https://marketresearch.com.au/>

³⁶ PRG report at para 2.2 on page 7

³⁷ PRG report at para 2.3 on page 9

³⁸ PRG report at para 4.4.2 on page 19

³⁹ PRG report at para 4.5.1 on page 20

⁴⁰ PRG report at para 4.5.2 on page 21

buyers have consumed ALDI liquor products purchased in another WA ALDI store.”⁴¹ Therefore, the large majority of people who were interviewed and who expressed strong support for the specialist exclusive range clearly knew exactly what liquor products they were addressing.

- 6.15.6. Of the whole group surveyed, 78% like the prospect of award-winning liquor products being available at ALDI Mandurah.⁴²
 - 6.15.7. 92% said they like the prospect of the value-for-money pricing of liquor items being available to them at ALDI Mandurah.⁴³
 - 6.15.8. 89% of the total survey sample said they like the prospect of one transaction shopping convenience at ALDI Mandurah if the licence is approved.⁴⁴
- 6.16. The PRG report has been compiled by an extremely experienced expert. Such evidence was found by the Liquor Commission in *ALDI Foods Pty Ltd v Director of Liquor Licensing* LC 09/2017 (**ALDI Harrisdale**) to be “gold standard”⁴⁵.

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

- 6.17. ALDI stores generally comprise a total footprint of approximately 2,000m². Some are located within shopping centres while others, like the Mandurah store, are free-standing. This store – pictured on the cover page of this document – has been operating for approximately nine years. It operates from within a modern, single storey building.
- 6.18. Consistent with other ALDI stores, the following different parts or areas comprise the Mandurah outlet, listed in order of size in terms of the approximate portion of the total footprint:
- 6.18.1. Main public retail area (non-liquor) – displaying grocery, other supermarket items, homewares, clothing, furniture, tools and other non-grocery items.
 - 6.18.2. Storage.
 - 6.18.3. Loading dock/delivery area.
 - 6.18.4. Entrance and trolley bay.
 - 6.18.5. Checkout.
 - 6.18.6. Office and staff facilities.
 - 6.18.7. Liquor display and browse area (proposed).

⁴¹ PRG report at para 4.4.1 on page 18

⁴² PRG report at para 4.5.3, page 22

⁴³ PRG report at para 4.5.4, page 23

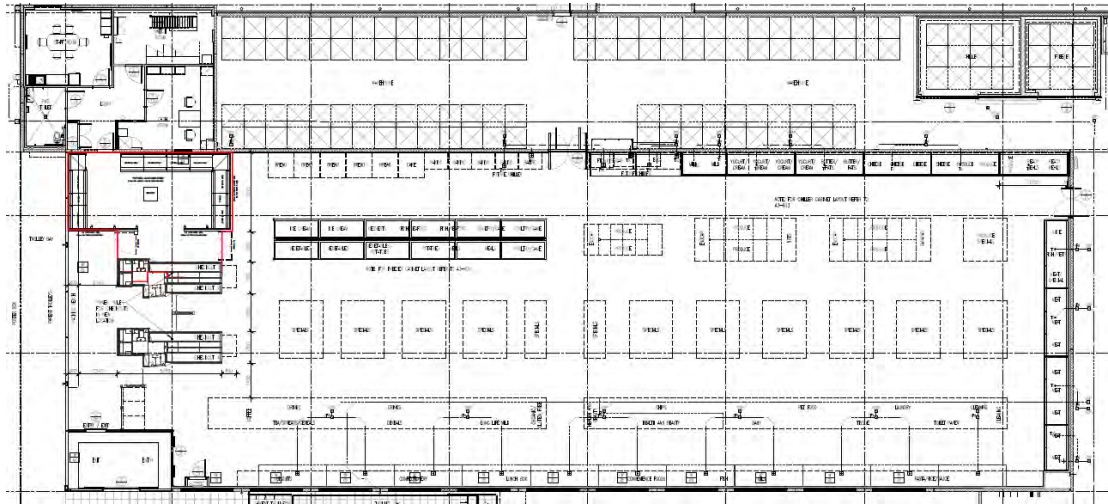
⁴⁴ PRG report at para 4.5.5, page 24

⁴⁵ Hearing 22 February 2017, transcript at page 45

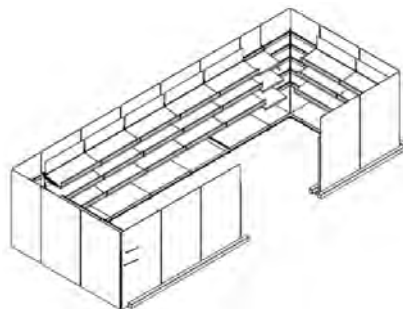
- 6.19. The store also has its own dedicated, spacious parking area with approximately 100 bays.
- 6.20. ALDI stores are bright, fresh and pleasant shopping environments. The following images depict the stylish and crisp appearance that can be found at the ALDI Mandurah store:



- 6.21. ALDI operates a generic store modelling concept. The size, layout, colour, product location and stock range of each ALDI store are almost always the same. Minor differences may occur from time to time at some stores owing to land formation, town planning requirements or other unique particulars of the site. For example, the entrance door may be positioned a few metres away from its usual position at a particular location.
- 6.22. The standardisation of store layouts engenders familiarity for customers, enhances shopping comfort, efficiency and convenience. It also enables customers to rely on consistency of style, standard and overall offer. Importantly, these are key features of the applicant's successful superior efficiency model of operation which benefits customers enormously and is clearly popular with shoppers.
- 6.23. The layout of the ALDI Mandurah store is pictured below in an extract from the applicant's floor plan lodged with the application. It shows the proposed liquor display, browse and sales area outlined in red. This is clearly a tiny proportion of the overall footprint. The office is also sought to be licensed to house the required licensing documents and to accommodate the approved manager from time to time. The combined proposed licensed area is approximately 48m².



- 6.24. The display/browse space is a simple rectangular shape as depicted in the image above which will be clearly delineated in the same manner as existing ALDI licensed stores. This design is based on many years of experience and enables convenience and a high level of surveillance of the area. The display/browse area will also comfortably accommodate shoppers with their trolleys.
- 6.25. The checkout closest to the liquor display/browse area is proposed to be licensed for the purposes of the liquor transactions. Staff operating at this checkout will be able to monitor all patron activity in this area.
- 6.26. The very small size and layout of the liquor display/browse area clearly confirms that the liquor section is a complementary service to the rest of the ALDI Mandurah store and will help ensure the area is well-controlled and supervised.
- 6.27. As set out earlier on in this document, the following aerial render is indicative of the proposed sectioned-off liquor display/browse area, which is to be established if approved. The boundary partitioning is intended to be made of 2.1 metre high opaque frosted glass designed for the purpose.
- 6.28. The following photograph of the approved liquor section at the ALDI Yanchep store, which is the area behind the frosted glass and the checkout just in front of it, is indicative of what is proposed to be established at Mandurah.





- 6.29. The position, layout and small size of the liquor section will enable very clear and uninterrupted visibility and supervision of the display/browse area. These features assist with security, surveillance, management and control by staff.
- 6.30. Thoroughly trained and suitably qualified staff members over the age of 18 will be positioned at the licensed checkout at all times, where they will be able to see directly into the whole liquor area. Such constant and close surveillance is rarely achieved at most other liquor stores due to their size, layout and walk-in cool rooms. Further details of the applicant's well developed risk management measures, which include a heavy emphasis on staff training, are set out further on in this PIA.
- 6.31. The liquor area will be entirely confined well within the ALDI supermarket building and have no access directly into, or visibility from, outside of the ALDI store. In fact, the liquor section will have even limited visibility from within the ALDI supermarket. It will be positioned on the opposite side of the store from the main entrance, next to the office, so as to reduce visibility and enhance the separation from the rest of the store. The liquor section will be discretely tucked-away into the corner, as depicted below at the end of the far-end aisle.



- 6.32. Signage external to the licensed premises may be displayed which is subtle, modest and states simply that there is “liquor available in store”. Such signage will not contain images of liquor products, references to particular liquor products or prices of liquor products. The following is an example of the innocuous type of external signage that may be displayed.

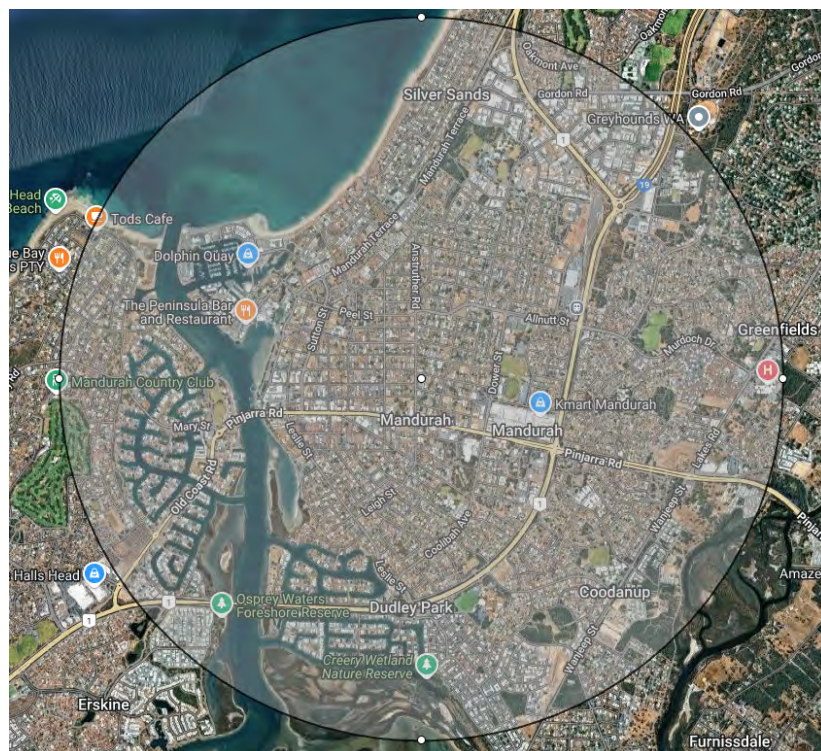
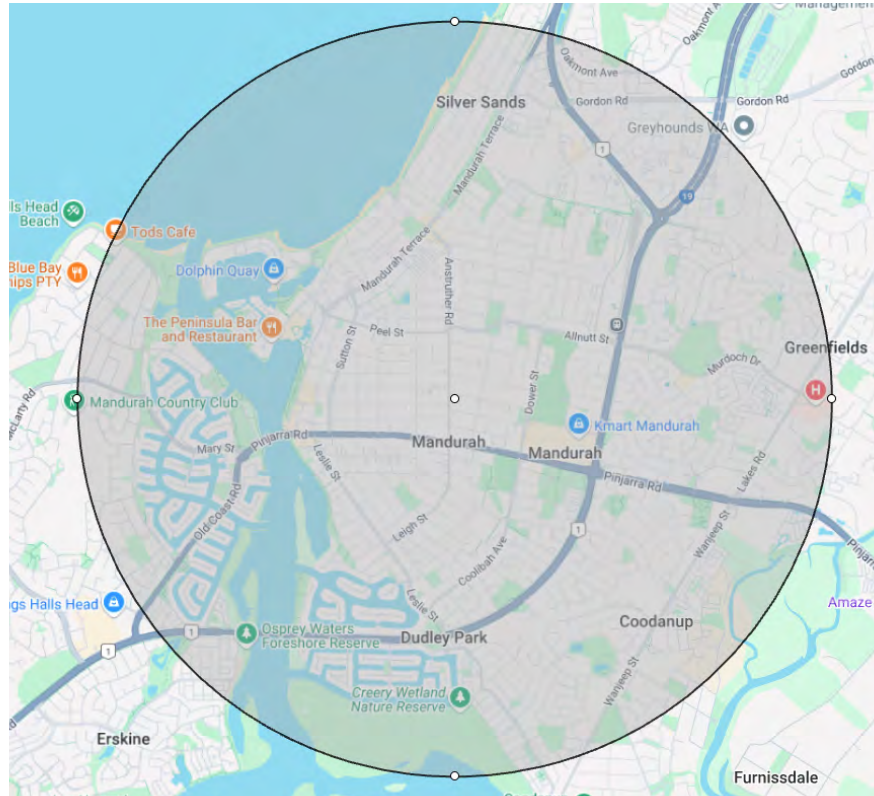


- 6.33. There will be no cool room or other refrigeration in the liquor area. All products will be stocked and sold at room temperature. This unique feature further confirms the intention that the liquor service is genuinely designed to complement the other household items being sold and provide a one-stop-ALDI shop, not an impulse buying service designed to accommodate quick drinking.
- 6.34. As stated previously, the office inside the ALDI Mandurah store is proposed to be licensed for the main purpose of storing licensing-related documents including the approved plans, harm minimisation plan, incident register and staff training register. From time to time, the approved manager may be positioned inside the office.
- 6.35. The applicant intends to store liquor in the back-of-house storage area of the ALDI Mandurah supermarket and also at the applicant's distribution centre in Jandakot. No sale or supply of the liquor directly to customers will take place from the storage facilities.

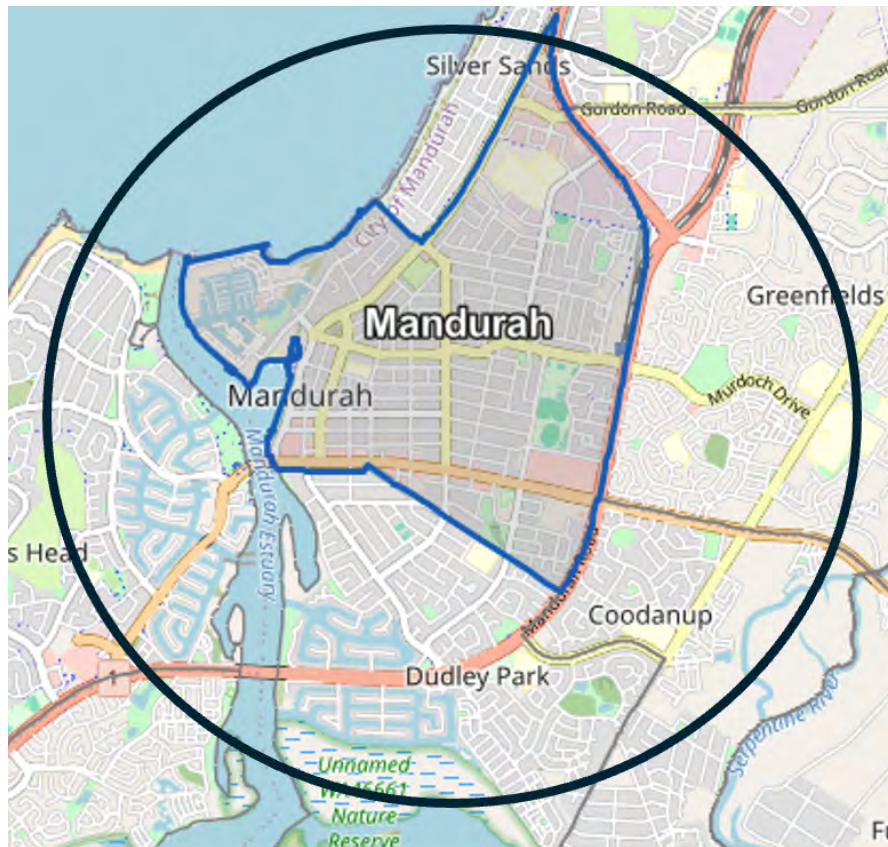
Form 2A: “2.3 If you intend to sell packaged liquor, give the names and addresses of all existing licensed premises within the locality”

- 6.36. To address this point in the Form 2A, it is necessary to firstly identify the relevant locality.
- 6.37. There is no definition of “locality” in the Act.

- 6.38. The ALDI Mandurah store is located approximately 66km from the Perth CBD (south). In the Form 2A, the Department has suggested that the locality for this case may be a 3km radius around the proposed licensed area given that the premises is located further then 15km of the Perth CBD. That area is depicted in the Google Maps images below (**3km locality**).



- 6.39. The following Google Maps image shows the suburb of Mandurah outlined in blue⁴⁶ in the context of the 3km locality shown as the black radius:



- 6.40. The suburb of Mandurah covers approximately 45% of the total land area within the 3km locality. Virtually the whole of the suburb of Mandurah is within the 3km locality.
- 6.41. The 3km locality also includes approximately 90% of the developed area within the suburb of Dudley Park, approximately half of the suburbs of Coodanup, Silver Sands and Greenfields, approximately 20% of the developed area within Halls Head and tiny pockets of Meadow Springs and Erskine.
- 6.42. The whole of the 3km locality is within the City of Mandurah.
- 6.43. For the purposes of this PIA, statistical information is provided mainly for the suburbs of Mandurah, Dudley Park, Coodanup, Silver Sands and Greenfields as they are considered the most relevant in this case. Statistical information for Halls Head, Meadow Springs and Erskine has not been closely assessed for the purposes of this PIA on the basis that to do so would likely distort the overall picture given the small portions of those suburbs which fall within the 3km locality.

⁴⁶ <https://www.abs.gov.au/census/find-census-data/search-by-area>

- 6.44. Key physical features of the 3km locality, which can be clearly seen in the maps above, include Indian Ocean, Mandurah Estuary, canals, Mandurah Road, Pinjarra Road and trainline.
- 6.45. “[T]he word ‘locality’ in s 36B denotes an area that surrounds, and is geographically close to, the location of the proposed premises”⁴⁷.
- 6.46. “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.”⁴⁸
- 6.47. “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’”⁴⁹.
- 6.48. “[D]ue to the variety of factual situations that may arise, it is impossible to prescribe a specific test to be applied or even an exhaustive list of the factors that will or may be relevant in the determination of the locality in any given case. As has been observed in other jurisdictions, there will be some cases where it will be easy to determine the locality, and other cases where it will not be. An example of the former would be where the proposed premises was to be placed in a small country town. An example of the latter would be where it was to be placed in the CBD.”⁵⁰
- 6.49. “What constitutes a ‘locality’ relates to the geographical area surrounding, and what is relatively close to, the proposed site”⁵¹.
- 6.50. “In any event, the factors which can be contemplated in deciding ‘locality’ must remain diverse and fluid and it is contemplated that the Director may impose different localities in respect to different applications, provided that, in the interests of natural justice, such decision is made on reasonable and ascertainable grounds”⁵².

⁴⁷ *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2021] WASC 366 (**Liquorland Karrinyup**) [181] (Archer J); confirmed in *Liquorland Southern River* [62] (Lemonis)

⁴⁸ *Liquorland Karrinyup* [182] (Archer J); confirmed in *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [15] (Smith J) and *Liquorland Southern River* [62] (Lemonis)

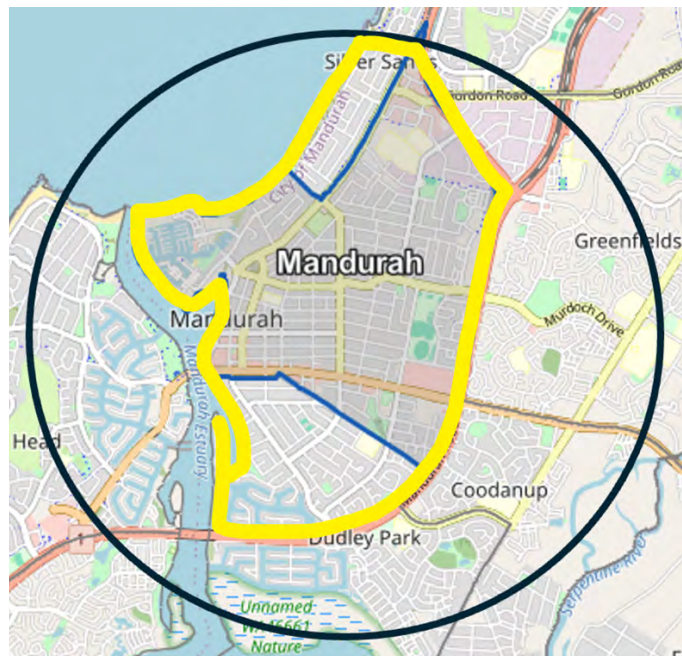
⁴⁹ *Liquorland Karrinyup* [185] (Archer J); confirmed in *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [16] (Smith J) and *Liquorland Southern River* [62] (Lemonis)

⁵⁰ *Liquorland Karrinyup* [186] (Archer J); confirmed in *Liquorland Southern River* [62] (Lemonis)

⁵¹ *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [14] (Smith J); *Liquorland Karrinyup* [186] and [190] (Archer J)

⁵² *Endeavour Group Limited v Director of Liquor Licensing and ors* LC07/2023 at [164]; *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* LC09/2023 [92]

- 6.51. “The imposition of a radius circle is not necessarily appropriate where such the same encompasses an artificial area. To adopt a patently artificial radius does not reflect the licensing authority’s mandate to have regard to the primary objects of the Act and the functions of the licensing authority which require consideration of the actual impacts of a proposed application”.⁵³
- 6.52. For the purposes of section 36B of the Act and having regard to the findings of the Court in *Liquorland Karrinyup*, upheld in *Liquorland Southern River*, the applicant submits that the relevant locality in this case is a portion of the 3km locality. It is proposed to be the suburb of Mandurah and the portions of the suburbs of Dudley Park and Silver Sands that are on the northern side of Mandurah Road within the 3km locality. This area is depicted in the following map as the area outlined in yellow (**s36B locality**).



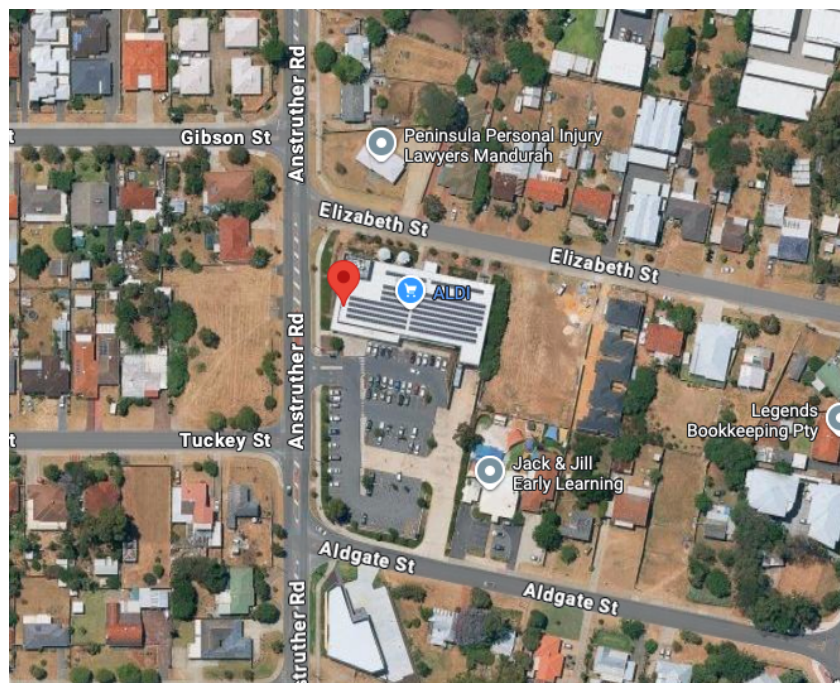
- 6.53. The proposition for the area highlighted above as the s36B locality is based on the following reasons:
- 6.53.1. The suburb of Mandurah, which represents most of the s36B locality, is “an area that surrounds and is geographically close to the location of the proposed premises”⁵⁴ which are the key criteria.
 - 6.53.2. The area proposed as the s36B locality is the local neighbourhood⁵⁵. ALDI Mandurah is located virtually in the centre of the s36B locality.
 - 6.53.3. The area proposed as the s36B locality is bounded and delineated by the significant features of ocean, estuary, main roads and trainline which act as notable barriers and physical demarcation.

⁵³ *Endeavour Group Limited v Director of Liquor Licensing and ors* LC 07/2023 [172]; *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* LC 09/2023 [99]

⁵⁴ *Liquorland Karrinyup* [181] (Archer J)

⁵⁵ *Liquorland Karrinyup* [182, for example] (Archer J)

- 6.53.4. The ALDI liquor display and browse area will be a tiny space with no visibility whatsoever external to the ALDI store. In fact, the liquor section will only be visible from well within the ALDI supermarket. When this is considered in the context of the surrounding area it is clear that the size of the ALDI liquor section is even further reduced in scale. Having regard for these factors, it could be artificial to extend the relevant locality to an area wider than the s36B locality. This proposition is supported by the obiter dictum of Lemonis J in *Liquorland Southern River* at [65].
- 6.54. Having regard for sections 16(7)(b) and (c) of the Act, the Department's "common-sense approach" policy⁵⁶ and the State Government's published desire to make it less complicated and easier to do business in the WA liquor industry⁵⁷, the assessment of locality in this PIA is not exhaustive. The applicant has provided a level of detail considered appropriate for the circumstances in terms of the content of this document and the attachments. Further detail, additional copies of source material and supplementary supporting evidence can be provided if necessary. The applicant has had regard for the decision in *Liquorland Karrinyup* and the fact that the 3km locality and s36B locality are both very established and presumably the licensing authority is properly familiar with them and so only pertinent locality material has been included⁵⁸.
- 6.55. The following images depict aspects of the area immediately surrounding ALDI Mandurah – indicated in the first image by the red balloon:

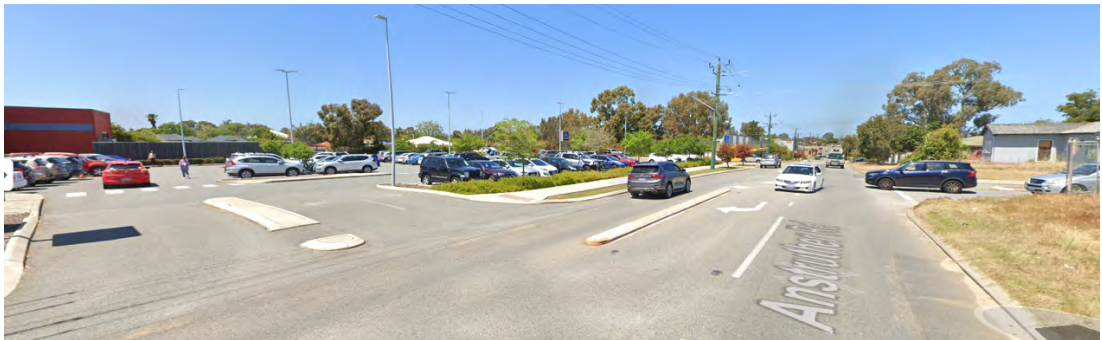


⁵⁶ Form 2A page 2 and at:

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

⁵⁷ For example: <https://www.cits.wa.gov.au/department/news/news-article/2024/08/29/liquor-licensing-policy-reform-a-big-win-for-wa-hospitality-industry>

⁵⁸ Further detailed information and supporting documents can be provided if required, upon request

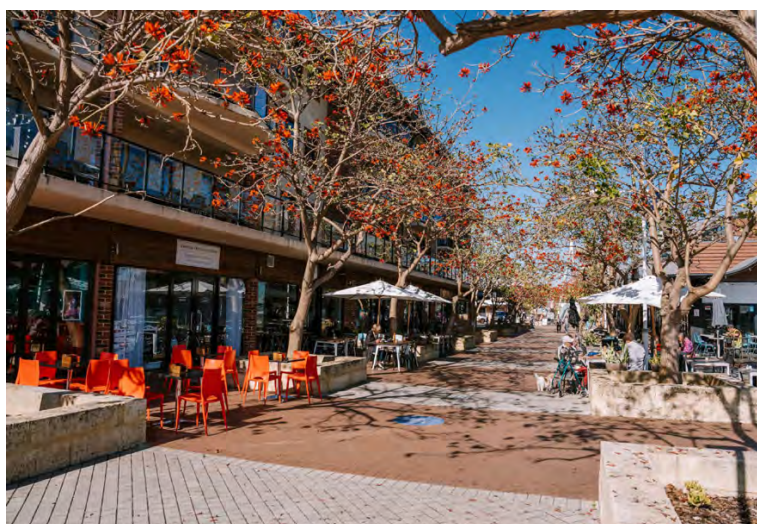


- 6.56. The following images depict aspects of the city centre district nearby which are comprised mostly within the suburb of Mandurah, which is within the 36B locality⁵⁹:



⁵⁹ City of Mandurah City Centre Master Plan, August 2024

Public Interest Assessment
Form 2A Annexure
Application for liquor store licence
and extended trading permit (ongoing – Sunday)
ALDI Mandurah



6.57. The applicant has carefully considered both the 3km locality and s36B locality, as referred to throughout this PIA and the accompanying Legal Submissions.

6.58. "The City of Mandurah is Western Australia's largest regional city and covers an area of 173.5km.

It is home to more than 99,000 people as of the 30th June 2023. Since the previous year, the population has grown by 3.82%. Population growth in Greater Perth was 3.65%.

Between 2021 and 2046, the population for the City of Mandurah is forecast to increase by 23,338 persons (24.98% growth), at an average annual change of 0.90%.

Mandurah boasts a typical Mediterranean climate and relaxed coastal lifestyle which provides a unique work/life balance opportunity. Between the Indian Ocean, the expansive waterways of the Peel-Harvey Estuary and the lower reaches of the Serpentine River, this unique location boasts some of the best water based activity facilities in Western Australia.

Mandurah is a superb place to live and raise a family. It offers an exciting mix of residential developments, from family homes and modern apartments within new estates to luxurious homes nestled among canal waterways. Mandurah forms part of the Peel Region located just one hour's drive from Perth and lying between the metropolitan area and the Southwest Region."⁶⁰

6.59. As required by the Form 2A, the applicant provides the following "names and addresses of all existing licensed premises within the [s36B] locality"⁶¹ – the "packaged liquor premises"⁶² in **bold**:

- 6.59.1. Mandurah Indoor Sports Centre, 87 Dower Street, Coodanup
- 6.59.2. **The Peninsula Mandurah**, 1 Marco Polo Drive, Mandurah
- 6.59.3. **Boathouse Tavern**, Peel Shopping Centre, Pinjarra Road, Mandurah
- 6.59.4. **Silver Sands Tavern**, 176 Mandurah Terrace, Mandurah
- 6.59.5. **Brighton Hotel**, 10-12 Mandurah Terrace, Mandurah
- 6.59.6. **Murphy's Irish Pub**, 43-44 Mandurah Terrace, Mandurah
- 6.59.7. **The Bridge Garden Bar & Restaurant**, 2 Mandurah Terrace
- 6.59.8. **The Bottle-O Mandurah**, Sholl Street, Mandurah
- 6.59.9. **Dan Murphy's Mandurah**, Shop 2, 23 Pinjarra Road, Mandurah
- 6.59.10. **Liquorland Mandurah Forum**, Pinjarra Road, Mandurah
- 6.59.11. **Liquor Stax Marina**, 16 Dolphin Drive, Mandurah

⁶⁰ <https://www.mandurah.wa.gov.au/learn/about-mandurah/fact-and-figures>

⁶¹ Based on information published by the Department as at 5 September 2025, listed in the order as appears in the Department's database for each suburb: <https://portal.dlgsc.wa.gov.au/forms/fr/search/findallicence/new>

⁶² As defined in section 36B of the Act

- 6.59.12. Dudley Park Bowling & Recreation Club Inc, Eden Street, Mandurah
- 6.59.13. Peel Thunder Football Club Inc, Rushton Park, Mandurah
- 6.59.14. Mandurah Offshore Fishing & Sailing Club Inc, Lot 12 Breakwater Parade, Mandurah
- 6.59.15. Atrium Resort Hotel, 65 Ormsby Terrace, Mandurah
- 6.59.16. The Sebel Mandurah Hotel, 1 Marco Polo Drive, Mandurah
- 6.59.17. Sunbreakers Function & Conference Centre, 110 Mandurah Terrace, Mandurah
- 6.59.18. Red Manna Restaurant, 5 Mandurah Terrace, Mandurah
- 6.59.19. Mei Jing Restaurant, 93 Mandurah Terrace, Mandurah
- 6.59.20. The Hummingbird Waterside Café, Shop 1, The Plaza 38 Mandurah Terrace, Mandurah
- 6.59.21. Paparazzi Café, Shop 2, part lot 502 Peel Street, Mandurah
- 6.59.22. Tods Café, The Boardwalk, Mandurah
- 6.59.23. Cicerello's (Mandurah), Mandurah Boardwalk, 73 Mandurah Terrace, Mandurah
- 6.59.24. Silk Thai Restaurant, Shop 6 and 7, 52 Mandurah Terrace, Mandurah
- 6.59.25. The Boardwalk @ DQ, Shop 21, The Waterfront Dolphin Quay, Mandurah
- 6.59.26. Bellini Italian, Café 1/2, Dolphin Keys, 4 Zephyr Mews, Mandurah
- 6.59.27. Café Moka, Shop 2, Dolphin Quay, Mandurah
- 6.59.28. Mandurah Steakhouse, Units 3 and 4, 51 Pinjarra Road, Mandurah
- 6.59.29. Han's Café Mandurah, lot 300, 41 Ormsby Terrace, Mandurah
- 6.59.30. Sharky's Fish & Chips, Shop 1, Zephyr Mews, Mandurah
- 6.59.31. Flics Kitchen, Shops 2 & 3, Sontoy Building, 14-16 Mandurah Terrace, Mandurah
- 6.59.32. Jasmine Thai Restaurant, Shop 7/2 Dolphin Quay, Mandurah
- 6.59.33. The Stage Door Waterfront Restaurant, The Boardwalk Ormsby Terrace, Mandurah
- 6.59.34. Waterside Thai Restaurant, 3 Mandurah Terrace, Mandurah
- 6.59.35. Top Floor Nightclub, 7 Smart Street, Mandurah
- 6.59.36. Mandurah Ferry Cruises, Mandurah-Murray River Waterways (Mandurah Terrace), Mandurah
- 6.59.37. Mandurah Performing Arts Centre, The Boardwalk, Ormsby Terrace, Mandurah

- 6.59.38. Bouvard Cruises, Mandurah-Murray River Waterways (Mandurah Terrace), Mandurah
- 6.59.39. Mandurah Tennis Club, 2 Thomson Street, Mandurah
- 6.59.40. Oyster Bedz, Shop A, Oceanic Retreat, 4 The Palladio, Mandurah
- 6.59.41. Oceanic Bar + Grill, Unit 57, 2 The Palladio, Mandurah
- 6.59.42. **Little Stiller Distillery**, 7 Mandurah Terrace, Mandurah
- 6.59.43. **BWS – Beer Wine Spirits Mandurah Forum**, Mandurah Forum Shopping Centre, 30 Pinjarra Road, Mandurah
- 6.59.44. Mandurah Bowling & Recreation Club Inc, 89 Allnutt Street, Mandurah
- 6.59.45. Mandurah Kebab Masters, Unit 5, 1 Magenta Terrace, Mandurah
- 6.59.46. Grill'd Mandurah, 31-33 Mandurah Terrace, Mandurah
- 6.59.47. Alfresco Indian Cuisine, Shop 8, Oceanic Retreat, Mandurah Ocean Marina, 2 The Palladio, Mandurah
- 6.59.48. Tao Café Mandurah, Tenancy R-004, Mandurah Forum, 330 Pinjarra Road, Mandurah
- 6.59.49. Archies Southwest, Shop 3, Oceanic Retreat, Mandurah Ocean Marina, 2 The Palladio, Mandurah
- 6.59.50. Saigon Silver Sands, 116A Anstruther Road, Mandurah
- 6.59.51. Wood & Stone Café, Unit 2, 38 Mandurah Terrace, Mandurah
- 6.59.52. Bob Jo, Unit 1a, 52 Mandurah Terrace, Mandurah
- 6.59.53. Café 63 Mandurah, Shop R-001, Mandurah Forum, 330 Pinjarra Road, Mandurah
- 6.59.54. Turquoise Dolphin Quay, Unit 1/2, 37 Dolphin Drive, Mandurah
- 6.59.55. Piccolino Restaurant, 53 Sholl Street, Mandurah
- 6.59.56. New Asian Delights, Shop 5, 4 Zephyr Mews, Mandurah
- 6.59.57. Betty's Burgers Mandurah, 9 Mandurah Terrace, Mandurah
- 6.59.58. Springbok Kitchen, Shop 6, Dolphin Quay, 4 Zephyr Mews, Mandurah
- 6.59.59. The Cray Seafood and Grill Mandurah Shop 2, 4 The Palladio, Dolphin Quay, Mandurah
- 6.59.60. Reading Cinemas Mandurah, 7 James Service Place, Mandurah
- 6.59.61. Big Swing Golf Mandurah, Unit 9, 9 Gordon Road, Mandurah
- 6.59.62. Mondo Liquor, 35B Breakwater Parade, Mandurah
- 6.59.63. Eastwell Estate Pty Ltd, 4 Cannaregio Square, Mandurah

- 6.59.64. All Malt Brewing, 5 Martyn Road, Mandurah
- 6.59.65. Peel AFL Masters Inc, Rushton Park, North Thomson Street, Mandurah
- 6.59.66. Mandurah Basketball Assn Inc, 303 Pinjarra Road, Mandurah
- 6.59.67. Brewvino, 75 Mandurah Terrace, Mandurah
- 6.59.68. The Sporting Globe Bar & Grill, Shop R8, Mandurah Forum, 330 Pinjarra Road, Mandurah
- 6.59.69. *BBQ Heaven, Unit 6, 33-39 Pinjarra Road, Mandurah (suspended)*
- 6.59.70. *Bar Therapy, 3 Mandurah Terrace, Mandurah (suspended)*
- 6.60. Additional information and submissions regarding the 11 “packaged liquor premises”⁶³ listed above are provided further on in this document.
- 6.61. Beyond the s36B locality, are the following existing licensed premises which are all located at least 1.8km away⁶⁴, again with the “packaged liquor premises”⁶⁵ in **bold**:
 - 6.61.1. Ninni Sports, 5 Tasman Loop, Dudley Park
 - 6.61.2. **Greenfields Liquor Store**, Shop 2 Greenfields Shopping Centre, Murdoch Drive, Greenfields
 - 6.61.3. City of Mandurah RSL Sub Branch Club Inc, Lot 101, 96 Bortolo Drive, Greenfields
 - 6.61.4. **BWS – Beer Wine Spirits Port Mandurah**, 5/10 Old Coast Road, Halls Head
 - 6.61.5. Tods Café, 19/11 Halls Head Parade, Halls Head
 - 6.61.6. The Pipers Inn, Shop 8 Old Coast Plaza Shopping Centre, Old Coast Road, Halls Head
 - 6.61.7. Mandurah Country Club Inc, 16 Marsh Place, Halls Head
 - 6.61.8. South Metropolitan TAFE, 2 Education Drive, Mandurah

7. Form 2A “Part 3 – The profile of the local community”

Form 2A: “3.1 Please outline the population characteristics in the locality”

- 7.1. The City of Mandurah “has evolved into the biggest population centre in Western Australia outside of Perth”⁶⁶.

⁶³ As defined in section 36B of the Act

⁶⁴ Based on information published by the Department as at 5 September 2025, listed in the order as appears in the Department’s database for each suburb: <https://portal.dlgsc.wa.gov.au/forms/fr/search/findallicence/new>

⁶⁵ As defined in section 36B of the Act

⁶⁶ City of Mandurah City Centre Master Plan, August 2024, at page 5

- 7.2. At the most recent Census, the ABS recorded the following numbers of people living in the suburbs reflected in the 3km locality, relative to the estimated portions of each of those suburbs that actually fall within the 3km locality⁶⁷.

	Mandurah	Dudley Park	Coodanup	Silver Sands	Greenfields	Halls Head
Total 2021 suburb population⁶⁸	8,804	6,957	4,366	1,451	9,869	14,474
Portion estimated within the 3km locality	8,804	6,262	2,183	726	4,935	2,895
Collective total estimated to be living within the 3km locality at that 2021 Census						25,805

- 7.3. The tiny pockets of the suburbs of Meadow Springs and Erskine that also fall within the 3km locality take the estimated resident population to over 26,000.
- 7.4. The 3km locality has seen considerable growth. The following 2016 Census figures confirm this.

	Mandurah	Dudley Park	Coodanup	Silver Sands	Greenfields	Halls Head
Total 2016 suburb population⁶⁹	7,837	6,240	3,932	1,258	9,855	13,870
Portion estimated within the 3km locality⁷⁰	7,837	5,616	1,966	629	4,928	2,774
Collective total estimated to be living within the 3km locality at the 2016 Census						23,750

- 7.5. "The City of Mandurah population forecast for 2025 is 102,373, and is forecast to grow to 116,752 by 2046".⁷¹
- 7.6. There are approximately 4,800 businesses in the City of Mandurah, within which the largest industry sector represented is construction⁷².
- 7.7. The average person living in Mandurah, statistically speaking based on ABS Census data from 2021⁷³ can be described as follows:

⁶⁷ As referred to earlier in this PIA: Mandurah 100%, Dudley Park 90%, Coodanup 50%, Silver Sands 50%, Greenfields 50% and Halls Head 20%

⁶⁸ ABS 2021 Census: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890> (Mandurah), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50431> (Dudley Park), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50320> (Coodanup), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51351> (Silver Sands), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50583> (Greenfields) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50603> (Halls Head)

⁶⁹ ABS 2016 Census: <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50881> (Mandurah), <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50430> (Dudley Park), <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50319> (Coodanup), <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC51340> (Silver Sands), <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50581> (Greenfields) and <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50601> (Halls Head)

⁷⁰ As referred to earlier in this PIA: Mandurah 100%, Dudley Park 90%, Coodanup 50%, Silver Sands 50%, Greenfields 50% and Halls Head 20%

⁷¹ <https://forecast.id.com.au/mandurah/home>

⁷² <https://www.mandurah.wa.gov.au/learn/about-mandurah/fact-and-figures>

⁷³ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890>

- 7.7.1. female aged 50,
- 7.7.2. identifying as “non-indigenous”⁷⁴,
- 7.7.3. not currently married or in a de facto relationship and living with no children
- 7.7.4. having been educated to at least year 12 level,
- 7.7.5. born in Australia
- 7.7.6. of English ancestry,
- 7.7.7. of no religious affiliation,
- 7.7.8. with only English used in the home,
- 7.7.9. not in the labour force,
- 7.7.10. with a personal weekly income of \$557 and
- 7.7.11. not suffering a long-term health condition.

7.8. The following further “population characteristics of the locality”⁷⁵ have been identified for people living in the 3km locality⁷⁶. Statistics for the whole of WA have been provided for comparative and contextual purposes.

	Mandurah	Dudley Park	Coodanup	Silver Sands	Greenfields	WA
Aged 19 and under	16.1%	17.7%	22.4%	21.5%	22.4%	23.9%
Aged 65 and over	29.0%	33.5%	30.1%	25.0%	28.4%	16.1%
Aboriginal and/or Torres Strait Islander	3.9%	2.7%	6.2%	2.1%	5.0%	3.3%
Born in Australia	61.2%	65.8%	69.4%	69.5%	71.1%	62%
English only used at home	79.8%	86.7%	86.1%	89.7%	87.4%	75.3%
In the labour force	43.6%	47.0%	39.5%	53.6%	46.6%	63.9%
Unemployed	11.6%	7.2%	11.3%	5.8%	9.4%	5.1%

7.9. This data reveals a mature-aged population, considerably older than the State average, with many no longer working or supporting a family at home. These characteristics are further evidenced by the following⁷⁷:

⁷⁴ Based on ABS definition/categorisation

⁷⁵ Form 2A

⁷⁶ ABS 2021 Census: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890> (Mandurah), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50431> (Dudley Park), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50320> (Coodanup), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51351> (Silver Sands), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50583> (Greenfields) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50603> (Halls Head)

⁷⁷ <https://profile.id.com.au/mandurah/service-age-groups>

Age structure - Service age groups

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City of Mandurah - Total persons (Usual residence)				2021			2016	Change
Service age group (years)	Number	%	Greater Perth %	Number	%	Greater Perth %	2016 to 2021	
a Babies and pre-schoolers (0 to 4)	4,773	5.3	6.1	4,669	5.8	6.5	+104	
a Primary schoolers (5 to 11)	7,523	8.3	9.0	7,067	8.7	9.0	+456	
a Secondary schoolers (12 to 17)	6,502	7.2	7.4	5,723	7.1	7.2	+779	
a Tertiary education and independence (18 to 24)	6,348	7.0	8.6	6,283	7.8	9.4	+65	
a Young workforce (25 to 34)	9,182	10.2	14.4	8,802	10.9	15.8	+380	
a Parents and homebuilders (35 to 49)	15,298	16.9	21.0	14,454	17.9	20.9	+844	
a Older workers and pre-retirees (50 to 59)	11,592	12.8	12.4	10,344	12.8	12.2	+1,248	
a Empty nesters and retirees (60 to 69)	12,262	13.6	10.2	10,648	13.2	9.7	+1,614	
a Seniors (70 to 84)	14,122	15.6	9.1	10,699	13.2	7.5	+3,423	
a Elderly aged (85 and over)	2,707	3.0	1.9	2,124	2.6	1.8	+583	
Total	90,309	100.0	100.0	80,813	100.0	100.0	+9,496	

7.10. Socio-Economic Indexes for Areas, which measure the relative level of socio-economic disadvantage and/or advantage, based on a range of ABS data have ranked the City of Mandurah in the third quarter at number 103 out of 140⁷⁸ indicating that the average resident experiences slightly lower than average level of socio-economic conditions. This is can reasonably be presumed to be associated with the fact that a larger portion of the population appear to be retirees.

7.11. It is acknowledged that some people living in the 3km locality experience lower than average socio-economic circumstances and that this factor may, at first glance, be regarded as negative. Based on the following reasons it is respectfully submitted that such conditions are mitigated in this case and should not inhibit the grant of the licence:

- 7.11.1. The positive factors associated with the application are significant and of much greater weight.
- 7.11.2. The circumstances surrounding the whole of and role of the City of Mandurah very positive.
- 7.11.3. The applicant's pricing, quality and value-for-money policies will enable people living in the 3km locality to be able to access and enjoy quality, award-winning liquor products which they might not otherwise be able to access.
- 7.11.4. People experiencing low socio economic conditions should still be able to access liquor products and services that are very popular elsewhere, as ALDI's are.

⁷⁸ <https://profile.id.com.au/mandurah/seifa-disadvantage>

- 7.11.5. People experiencing low socio economic conditions should still be able to benefit from modern conveniences associated with liquor purchasing including one-stop shopping which is now a very established and expected aspect of modern consumer retailing but is currently not available in the area.
- 7.11.6. The particulars of the ALDI Mandurah proposal should confirm that it will be a relatively discrete and low impact liquor outlet with little capacity to exacerbate low socio economic circumstances.
- 7.12. Further details of the nature and characteristics of the local community are provided elsewhere in this PIA.

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

- 7.13. As required by the Form 2A, the applicant provides names and addresses for the following identified to be operating in the 3km locality:
 - 7.13.1. Schools and educational institutions:
 - 7.13.1.1. Mandurah Primary School, 18/28 Hackett Street, Mandurah
 - 7.13.1.2. Dudley Park Primary School, 64 Gillark Street, Dudley Park
 - 7.13.1.3. John Tonkin College – Tindale Campus, 35 Gibla Street, Mandurah
 - 7.13.1.4. North Mandurah Primary School, 98 Park Road, Mandurah
 - 7.13.1.5. Assumption Catholic Primary School, 22/34 Gordon Road, Meadow Springs
 - 7.13.1.6. Frederick Irwin Anglican School – Meadow Springs Campus, 36-66 Gordon Road, Mandurah
 - 7.13.1.7. Nido Early School Mandurah, 1 Pickle Street, Mandurah
 - 7.13.1.8. Bloom Early Education Mandurah, 5 Murdoch Drive, Greenfields
 - 7.13.1.9. Greenfields Primary School, 9 Zambesi Drive, Greenfields
 - 7.13.1.10. Goodstart Early Learning, 1/3 Cambridge Drive, Greenfields
 - 7.13.1.11. Coodanup College, 158 Wanjeep Street, Coodanup
 - 7.13.1.12. Mandurah Catholic College, 79 Coodanup Drive, Dudley Park
 - 7.13.1.13. Gateway Training Academy Mandurah WA, Unit 1/275 Pinjarra Road, Mandurah
 - 7.13.1.14. Perth Boat School, 54 Fairbridge Road, Halls Head
 - 7.13.1.15. Glencoe Primary School, Glencoe Parade, Halls Head

- 7.13.2. Hospitals: Peel Health Campus, 110 Lakes Road, Mandurah
- 7.13.3. Hospices: none specifically identified but the Peel Health Campus and some of the facilities described as being for “aged care” provide some form of hospice care.
- 7.13.4. Aged care facilities:
 - 7.13.4.1. Dovida Peel Region (Mandurah), Unit 2, 59 Sutton Street, Mandurah
 - 7.13.4.2. Amana Living – Wearne House, 7 Leslie Street, Mandurah
 - 7.13.4.3. Mandurah Coast Care Community, 83 Boundary Road, Mandurah
 - 7.13.4.4. Murray River Village, 7 Coolibah Avenue, Dudley Park
 - 7.13.4.5. Coolibah Care, 30 Third Avenue, Mandurah
 - 7.13.4.6. Bethanie Peel Aged Care Home, 2 Maclaggan Turn, Coodanup
 - 7.13.4.7. Aegis Greenfields, 95 Lakes Road, Greenfields
 - 7.13.4.8. Brightwater The Cove, Mandurah, 35 Hudson Drive, Dudley Park
- 7.13.5. Churches/places of worship:
 - 7.13.5.1. Mandurah Mosque, 26 Scott Street, Mandurah
 - 7.13.5.2. Mandurah Seventh Day Adventist Church, 111 Anstruther Road, Mandurah
 - 7.13.5.3. Jesus the True Vine Christian Fellowship, Unit 5, 3 Rafferty Road, Mandurah
 - 7.13.5.4. C3 Church Mandurah, 1/9 Kulin Way, Mandurah
 - 7.13.5.5. Miracle Point, 7 Delmont Place, Greenfields
 - 7.13.5.6. Eastlake Church, 99 Lakes Road, Greenfields
 - 7.13.5.7. The Church of Jesus Christ of Latter-day Saints, 6/8 Valentine Drive, Greenfields
 - 7.13.5.8. The Salvation Army, 45 Lakes Road, Greenfields
 - 7.13.5.9. Mandurah Baptist Church, 370 Pinjarra Road, Greenfields
 - 7.13.5.10. Faith City Church Mandurah, Wanjeep Street, Coodanup
 - 7.13.5.11. Church of the Way, 58 Steerforth Drive, Coodanup
 - 7.13.5.12. Mandurah Uniting Church, 156 Pinjarra Road, Mandurah
 - 7.13.5.13. The Potter's House Church Mandurah, 103 Pinjarra Road, Mandurah

- 7.13.5.14. Our Lady's Assumption Catholic Parish, 8 Stevenson Street, Mandurah
- 7.13.5.15. Mandurah Presbyterian Church, Mandurah Social Centre for the Elderly, 7A Leslie Street, Dudley Park
- 7.13.5.16. Christ's Church Anglican Parish of Mandurah, Sholl Street, Mandurah
- 7.13.5.17. Passion Church Mandurah, Unit 3/11 Davey Street, Mandurah
- 7.13.5.18. Berean Independent Baptist Church, 19 Cooper Street, Mandurah
- 7.13.5.19. Bible Foundation Church, Mandurah Bowling Club, 89 Allnutt Street, Mandurah
- 7.13.6. Drug and alcohol treatment centres:
 - 7.13.6.1. NA Mandurah Meeting, 75 Murdoch Drive, Greenfields
 - 7.13.6.2. Palmerston South Metro Community Alcohol and Drug Service Mandurah, 91 Allnutt Street, Mandurah
 - 7.13.6.3. Peel Health Hub, 91 Allnutt Street, Mandurah
- 7.13.7. Short term accommodation or refuges: Westaus Crisis & Welfare Services, Lotteries House, 7 Anzac Place, Mandurah
- 7.13.8. Childcare centres:
 - 7.13.8.1. Jack & Jill Early Learning, 4 Aldgate Street, Mandurah
 - 7.13.8.2. A1 Fun, 35 Gibla Street, Mandurah
 - 7.13.8.3. Meadow Springs Early Learning Centre, 30 La Grange Place, Meadow Springs
 - 7.13.8.4. Nido Early School Mandurah, 1 Pickle Street, Mandurah
 - 7.13.8.5. Nurture Through Nature Mandurah, 12 Truarn Street, Mandurah
 - 7.13.8.6. Bloom Early Education Mandurah, 5 Murdoch Drive, Greenfields
 - 7.13.8.7. A1 Fun Greenfields, 13 Irrawaddy Drive, Greenfields
 - 7.13.8.8. Cuddly Koala's Family Day Care, Fifth Avenue, Mandurah
 - 7.13.8.9. World of Kids Child Care, 152 Wanjeep Street, Coodanup
 - 7.13.8.10. Mandurah Babysitting & Respite Care, 56A Davey Street, Mandurah
 - 7.13.8.11. Playtime Early Learning, 2 Davey Street, Mandurah
 - 7.13.8.12. Circle Square Family Daycare, 5 Leyburn Drive, Halls Head

- 7.13.8.13. Play's Kool Halls Head, 50 McLarty Road, Halls Head
- 7.13.8.14. Treasured Tots Early Education, 73 Sutton Street, Mandurah
- 7.13.8.15. Play's Kool Mandurah, 81 Mandurah Terrace, Mandurah
- 7.13.8.16. Genius Childcare Mandurah, 69 Sutton Street, Mandurah
- 7.13.9. Local government: City of Mandurah, 3 Peel Street, Mandurah
- 7.14. The ALDI Mandurah liquor section will not be visible, nor directly accessible, from any of the places listed above or anyone walking or driving to or from any of those places, nor to any residence. The proposed licensed area will be concealed to anyone outside of the ALDI store.

8. Form 2A “Part 4 – Minimising the potential for alcohol to cause harm”

Form 2A “4.1 What strategies will you use to minimise harm from the use of alcohol?”

- 8.1. Risk management and harm minimisation from the sale and supply of liquor are not only very familiar subjects to ALDI but are prominent considerations and given priority in operational policies. ALDI has been successfully implementing measures that minimise harm and ill-health at its large number of existing liquor outlets for many years. Its liquor store model has been much tried and tested and proven to be entirely positive.
- 8.2. The applicant has had regard for harm and ill-health factors potentially associated with the new liquor licence, with reference to its trading history. The applicant has an excellent trading record in terms of compliance and is not aware of any of its licences causing harm or ill-health.
- 8.3. Any potential negative impact of the licence should be considered in light of the low risk features of the ALDI liquor model, which are described throughout this PIA. This proposition is supported by the following finding of the Liquor Commission in ALDI Harrisdale⁷⁹ which involved virtually the same proposal:

“There is nothing to suggest that the granting of the licence will result in an increase in harm and ill-health. The small size of the proposed premises, the nature of its operation and the limited number of products are significant factors in reaching this conclusion.”
- 8.4. To reiterate, no part of the proposed licensed area will be visible in any way to/from churches, schools, hospitals and childcare centres etc within the 3km locality.
- 8.5. The applicant has sought to identify current information regarding alcohol related hospitalisations and deaths specifically associated with the 3km locality, but none could be identified from published material. Further, “due to different

⁷⁹ ALDI Harrisdale [38(b)]

classification systems and alcohol as a contributing factor not being recorded within all health datasets, challenges exist in quantifying the incidence of alcohol-related injuries in WA”⁸⁰. In addition, there is no authoritative definition of, or clear criteria for, what might be regarded as “alcohol related”.

8.6. Nonetheless, the applicant acknowledges that hospitalisation and death:

8.6.1. can potentially result for some people as a consequence of the use of liquor and

8.6.2. has occurred and would most likely be currently occurring at some level in the 3km locality, in relation to the use of liquor.

8.7. The City of Mandurah Alcohol Profile 2018 Alcohol-related harm, hospitalisations, conditions and deaths, by the South Metropolitan Health Service⁸¹ (**City of Mandurah Alcohol Profile 2018**), has been considered in the preparation of this PIA. It refers to adverse alcohol related health data for people living in the City of Mandurah recorded between 2011 and 2015, including 14% of City of Mandurah residents reporting that they drank at risky levels⁸². ALDI is keen to ensure that its proposed liquor service does not contribute to adverse statistics. Within the City of Mandurah Alcohol Profile 2018 several of the liquor supply factors referred to as harmful do not exist within the ALDI proposal.

8.8. The City of Mandurah Alcohol Profile 2018 also says that the top three causes of alcohol-related deaths between 2011 and 2015 were cancer, self-inflicted injuries and alcoholic liver disease.

8.9. 2021 ABS data⁸³ reveals that the top three long-term health conditions of residents in the 3km locality are arthritis, mental health issues and asthma. Arthritis is the stand-out condition, which is consistent with the maturity of the demographics. Arthritis is not known to be commonly associated with liquor and not identified in the City of Mandurah Alcohol Profile 2018.

8.10. “[D]ata from Roy Morgan’s Alcohol Consumption Report shows the proportion of Australians who drink alcohol dropped by 1.8 percentage points to 67.9 per cent in the 12 months to June 2022”⁸⁴. Data for the 12 months to March 2023 showed an increase of 1.3%, but relevantly “[t]he most significant driver of the increase [was] the increasing popularity of RTDs (Ready-to-drink)”⁸⁵ and ALDI’s liquor range includes only a tiny number of RTDs. The attached stocklist contains only six different RTDs. They will certainly not be available in bulk or even in large

⁸⁰ Alcohol-related injuries in Western Australia Position Paper, by Injury Matters, dated April 2022, at page 2 (www.injurymatters.org.au) – copy of the paper available if required, upon request

⁸¹ Copy available if required, upon request

⁸² At page 7

⁸³ Combined average of 2021 ABS Census data for the suburbs that are most representative of the 3km locality: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890> (Mandurah), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50431> (Dudley Park), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50320> (Coodanup), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51351> (Silver Sands) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50583> (Greenfields)

⁸⁴ <https://theshout.com.au/australian-alcohol-consumption-declines-rtd-consumption-at-record-high/>

⁸⁵ <https://www.roymorgan.com/findings/9153-alcohol-consumption-march-2023>

supply compared to other liquor outlets, given ALDI's modest stock volume and manner of trade and they will only be available warm and during limited trading hours.

- 8.11. "Alcohol consumption has been declining among students in WA over the past few decades (WA Mental Health Commission, 2017). In 1999 around 36% of students surveyed reported having used alcohol in the past week, in comparison to 15% in 2017. Over this period the number of students reporting never having consumed alcohol increased from 10% to 38% (WA Mental Health Commission 2017)"⁸⁶.
- 8.12. ALDI has factored advertising and promotion into its harm minimisation strategies. Flamboyant and highly suggestive advertising posters, encouraging or even suggesting rapid, excessive or juvenile drinking are not displayed in association with ALDI's liquor service. Nor does ALDI advertise discount liquor prices for certain periods. This is because traditional, ad hoc "sales" may encourage customers to purchase more liquor than they otherwise would have for fear of missing out on the deal.
- 8.13. Placing a heavy focus on staff is another key strategy for implementing policies and practices are complying with relevant laws.
- 8.14. ALDI operates pursuant to a highly evolved and sophisticated corporate structure and hierarchy whereby staff at each level are entrusted with an advanced degree of responsibility and are provided with extensive and comprehensive training and support.
- 8.15. ALDI is a market leader in terms of staff training and development. Its impressive approach in this regard is detailed in the following sub-paragraphs:
- 8.15.1. "We believe that good people working together, united by a shared purpose, can achieve extraordinary things. ALDI isn't just a workplace; it's a place where you'll be part of a tight-knit team that supports and uplifts each other, where you can learn, grow and develop and make a meaningful impact by helping everyday Australians live richer lives for less."⁸⁷
- 8.15.2. "We provide [staff] with comprehensive training including induction training and quarterly retraining. We also offer leadership training programs that help create the operational leaders of the future."⁸⁸
- 8.15.3. "We offer diverse and cross-functional career pathways. We also value internal promotions with over 70% of our leaders promoted internally."⁸⁹

⁸⁶ Perth North PHN Needs Assessment 2022-2024 prepared by WA Primary Health Alliance at page 25 (copy available if required and upon request by the licensing authority)

⁸⁷ <https://www.aldicareers.com.au/>

⁸⁸ <https://aldiaustralia-1481176-en-au.sr-atrax.com/benefits-that-matter>

⁸⁹ <https://aldiaustralia-1481176-en-au.sr-atrax.com/benefits-that-matter>

8.15.4. “ALDI Australia has taken top spot in the Australian Business Award's – Employer of Choice 2020”⁹⁰.

8.15.5. ALDI has been awarded Retail Employer of the Year at the eftpos Australian Retail Association Awards (**ARA**).

The ARA said that ALDI have proven to be “fierce contenders” with a strong commitment to diversity, non-discrimination and support to all employees. The supermarket was recognised for incorporating internal and external recruiting methods to select candidates and for nurturing the skills, confidence and leadership required to operate business functions.

“Through a commitment to staff and the community, ALDI are the pioneers in the retail sector, leaving no stone unturned,” the ARA said.

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8.15.6. Every ALDI staff member is required to undertake detailed internal training and an induction programme, which will certainly apply for staff at the ALDI Mandurah store. This involves education on a wide variety of facets of the business and includes liquor product knowledge and responsible service. To help ensure high standards are achieved at all times, all ALDI staff are employed on a permanent basis.

8.15.7. The applicant will ensure all staff at the ALDI Mandurah store are properly trained as to their responsibilities under the Act, the licensing authority's policies, ALDI policies and procedures, matters of safety and all other laws and regulations applicable to the proper conduct of the business.

8.15.8. The liquor section will be adequately staffed at all times with appropriately trained and knowledgeable people. In addition to having sufficient numbers of approved managers, other part-time and full-time staff will also be employed. At least one qualified unrestricted approved manager will be at the store at all times.

8.15.9. In-store staff are required to wear a uniform, which is of a smart and modern style and bears the ALDI logo. Staff presentation is considered by the applicant to be important both in terms of upholding its image and also in portraying a professional and responsible approach to the business.

8.15.10. PRG found that only a mere 1-4% of members of the local community recently surveyed consider that harm or ill-health could be experienced by them if the licence is granted.⁹²

8.16. Another harm minimising element of the ALDI model is the strong focus on quality of product and value-for-money propositions, not just price per se. The applicant invests enormously in providing customers with the perfect balance of high quality product at the lowest price that can be achieved whilst

⁹⁰ <https://www.aldiunpacked.com.au/aldi-australia-is-recognised-as-an-employer-of-choice/>

⁹¹ <https://insidefmcg.com.au/2018/10/19/aldi-awarded-ara-employer-of-the-year/>

⁹² PRG report at para 2.2.1, page 8

maintaining the quality. Many of its liquor items have been awarded accordingly. This value-for-money philosophy – which is entirely different from simple notions of low price and being cheap – is entirely consistent with consumer requirement. This latter proposition is supported by the following:

- 8.16.1. "Aldi is arguably one of the biggest disruptors to hit the Australian economy over the past 20 years, single handedly busting open the Woolworths/Coles supermarket duopoly."⁹³
- 8.16.2. "Seventy-eight percent of consumers are prioritising value for money when shopping..."⁹⁴
- 8.16.3. "More than 9 in 10 (92%) of the total ALDI shopper sample liked this [value for money pricing] aspect of the proposed ALDI Mandurah liquor section...[with] [t]he "[n]et like" proportion... elevated for the "ever buy" subset (96%) and the "have consumed" subset (99%)... the weight of sentiment is very much in support of this aspect of the proposed ALDI liquor section."⁹⁵
- 8.17. The ALDI liquor model clearly presents with a number of low risk elements, all of which have been proven to be successful in many of its stores in other locations given ALDI's excellent trading record.
- 8.18. As referred to previously, the liquor section will be positioned away from the entrance to the supermarket, tucked-away in the corner of the store, surrounded by opaque barricading making it substantially separate and discrete. Shoppers could choose to avoid the liquor section if they so wished. The layout of the supermarket and checkouts enables any shopper to work their way through the supermarket with barely noticing the liquor component, if at all and not needing to cross through it or near it.
- 8.19. To summarise and reiterate, the following are the key harm and risk minimising features of the ALDI Mandurah liquor proposal:
 - 8.19.1. Its small size
 - 8.19.2. The bright, open-plan layout
 - 8.19.3. The absence of refrigeration to help avoid impulse buying and impulse drinking. The absence of a walk-in coolroom also enhances surveillance.
 - 8.19.4. The limited stock range and volume.
 - 8.19.5. The absence of an online delivery service
 - 8.19.6. The absence of bulk quantities of cheap mainstream products.

⁹³ <https://www.macrobusiness.com.au/2021/03/the-rise-and-rise-of-aldi/>

⁹⁴ <https://ecommercenews.com.au/story/australians-prioritise-value-for-money-as-economic-pressures-mount#:~:text=Seventy%2Deight%20percent%20of%20consumers,research%20from%20Shopify%20has%20revealed and https://retailworldmagazine.com.au/four-in-five-australians-now-prioritise-value-for-money/>

⁹⁵ PRG report at para 4.5.4, page 23

- 8.19.7. Reduced trading hours – significantly less than permitted under the Act and less than the usual trading hours of most other liquor stores.
- 8.19.8. Its location/position confined within the supermarket footprint, away from the main store entrance, under the close supervision of the supermarket and its staff. ALDI staff will have a clear line of sight into the liquor display/browse area at all times.
- 8.19.9. The restricted visibility into the liquor section.
- 8.19.10. The lack of immediate or direct egress from the liquor area outside into the public domain. The design and layout forces customers to enter the supermarket and walk past the watchful eye of several trained staff.
- 8.19.11. The limited and controlled nature of product pricing.
- 8.19.12. The lack of signage external to the store advertising discounted liquor products.
- 8.19.13. The highly experienced and reputable operator.
- 8.19.14. The high level of staff training.
- 8.20. Importantly also, there will be none of the following:
 - 8.20.1. Prominent external advertising of liquor products and their prices.
 - 8.20.2. Products, advertising or promotional materials designed to entice juveniles.
 - 8.20.3. Large volumes of cheap bulk products displayed.
 - 8.20.4. Volumes of liquor products refrigerated and ready-to-drink.
 - 8.20.5. Energy drinks stocked in the liquor display/browsing area.
- 8.21. In respect of the issue of juveniles, very strict policies will apply. ALDI is very aware of the fact that juveniles will be in the supermarket from time to time, some of whom may be unaccompanied by a parent/guardian.
 - 8.21.1. The store layout will enable juveniles to totally avoid going near the liquor section.
 - 8.21.2. The combination of store layout and security systems will facilitate and ensure a constant and high degree of surveillance over the liquor area and checkout to safeguard the proper management of juveniles. ALDI has successfully managed this issue at its existing stores elsewhere in Western Australia for many years.
 - 8.21.3. No liquor will be sold or supplied to juveniles or anyone who is suspected of trying to obtain liquor for a juvenile.
 - 8.21.4. ALDI has adopted an “ID Under 25” policy. Staff at ALDI Mandurah will be directed to go beyond the requirement to ask customers suspected of being under the age of 18 to prove their age and in

fact ask all customers suspected of being under the age of 25 for age verification, so as to err on the side of caution.

- 8.21.5. The applicant will operate under a strict policy, which will be taught to and perpetuated with its staff, whereby liquor is not sold or supplied to anyone whom it is suspected might give the liquor to a juvenile, including guardians and parents.
 - 8.21.6. Juveniles observed to be loitering near the liquor block will be asked to move on and no juveniles will be permitted in the licensed area unless accompanied by a responsible adult. The applicant has not experienced notable issues of this kind at its existing stores.
 - 8.21.7. Lollies and other items commonly known to attract the attention of juveniles will not be stocked in the liquor display/browse area.
 - 8.21.8. The liquor display and browse area will have limited line-of-sight such that visibility into that area will be restricted.
 - 8.21.9. The liquor area will be subject to a high level of surveillance and security from the relevant checkout.
 - 8.21.10. Unaccompanied juveniles who may be in the supermarket from time to time will be directed to a non-licensed checkout to make their purchase.
- 8.22. A clear example to confirm ALDI's high standards in its liquor service is when the company came under scrutiny from the public for the strictness of its approach to liquor and juveniles. Some ALDI stores in New South Wales have refused service to adults because staff have witnessed a juvenile touching the liquor items, even where they have touched the items simply to stop them from falling over in a trolley.⁹⁶
- 8.23. Adult consumers have felt comfortable shopping in an ALDI liquor area with their children as clearly depicted, by way of example, in the images below taken at one of the busy operating ALDI stores in WA with a liquor section⁹⁷.

⁹⁶ <https://www.news.com.au/finance/business/retail/aldis-strict-underage-alcohol-policing-leaves-shoppers-high-and-dry/news-story/c7beaa2c4b8e1f0345b3545c98c7789c>

⁹⁷ Faces redacted for privacy reasons



- 8.24. Every effort will be made by the applicant to conduct business under the new licence in a manner that minimises the potential for harm or ill-health to occur as a result of the liquor store licence operating in Mandurah.
- 8.25. The applicant is an upstanding corporate citizen which operates pursuant to several high level standards and policies. ALDI has a considerable presence in the public domain, which it intends to continue growing in Western Australia. It is in the applicant's interests to ensure that the liquor service in Mandurah is successful in all respects, including genuinely minimising harm and successfully managing risks.
- 8.26. The applicant has identified the issue of crime in terms of harm factors applicable to the 3km locality. The following information has been considered⁹⁸, in respect of the suburbs most relevant to the 3km locality area. This general police data may possibly assist in assessing very broadly and generally criminal offence activity in the area.

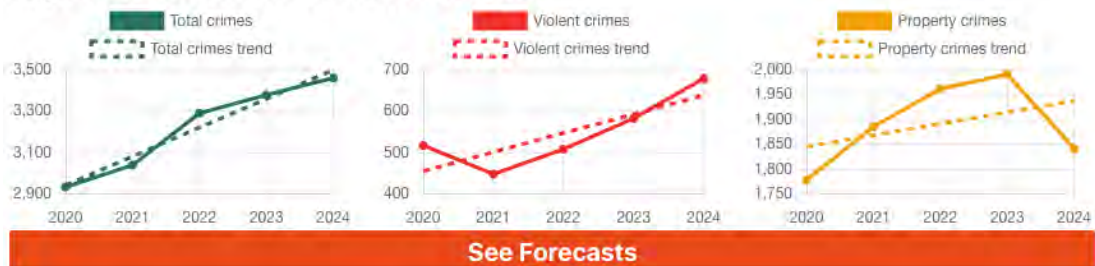
⁹⁸ <https://redsuburbs.com.au/suburbs/mandurah/>, <https://redsuburbs.com.au/suburbs/dudley-park-wa/>, <https://redsuburbs.com.au/suburbs/coodanup/>, <https://redsuburbs.com.au/suburbs/silver-sands/> and <https://redsuburbs.com.au/suburbs/greenfields/>

Crime rate in Mandurah, WA, Australia, 6210 Suburb in Mandurah

Crime Rank: 100/100
(higher number means more crime)



5 year Mandurah crime trends

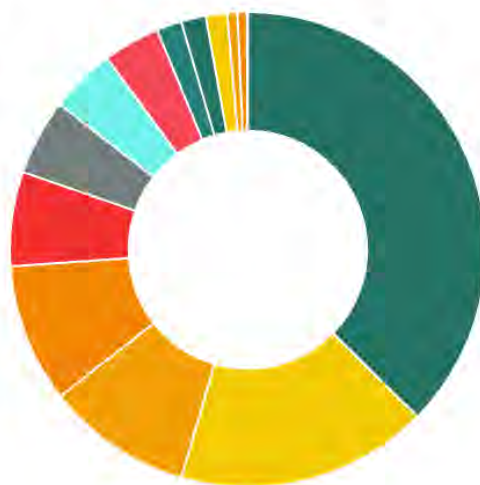


Mandurah crime compared



Top crime types in Mandurah:

Theft	1,293
Assault and related offences	593
Property damage	343
Drug dealing and trafficking	327
Breaches of orders	222
Deception	179
Stalking, harassment and threatening behaviour	154
Burglary/Break and enter	133
Sexual offences	59
Weapons and explosives offences	58
Motor Vehicle Theft	50
Robbery	24
Arson	22
Abduction and related offences	2

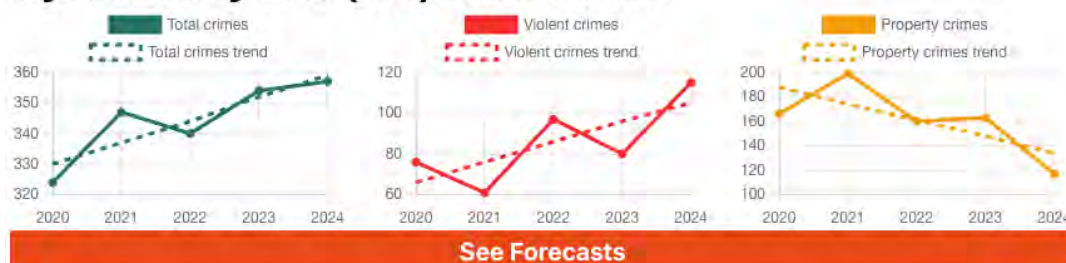


Crime rate in Dudley Park (WA), WA, Australia, **6210** Suburb in Mandurah

Crime Rank: 18/100
(higher number means more crime)



5 year Dudley Park (WA) crime trends



Dudley Park (WA) crime compared



Top crime types in Dudley Park (WA):

Assault and related offences	93
Theft	67
Breaches of orders	44
Deception	29
Property damage	26
Drug dealing and trafficking	24
Stalking, harassment and threatening behaviour	23
Burglary/Break and enter	23
Sexual offences	21
Weapons and explosives offences	5
Robbery	1
Motor Vehicle Theft	1



Crime rate in Coodanup, WA, Australia, 6210 Suburb in Mandurah

Crime Rank: 34/100
(higher number means more crime)



5 year Coodanup crime trends

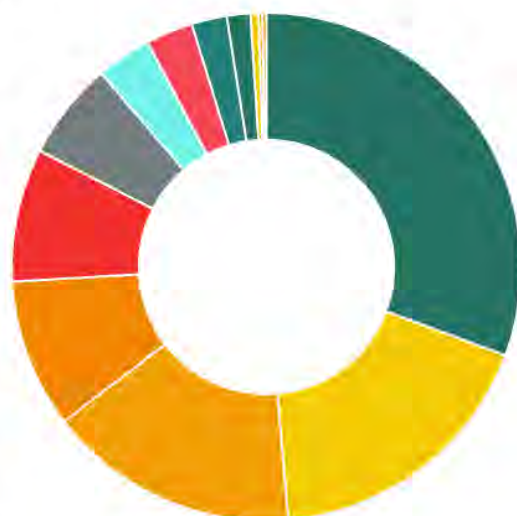


Coodanup crime compared



Top crime types in Coodanup:

Assault and related offences	123
Breaches of orders	72
Theft	64
Stalking, harassment and threatening behaviour	38
Drug dealing and trafficking	34
Burglary/Break and enter	25
Sexual offences	14
Deception	12
Motor Vehicle Theft	9
Weapons and explosives offences	6
Robbery	2
Arson	1
Property damage	1



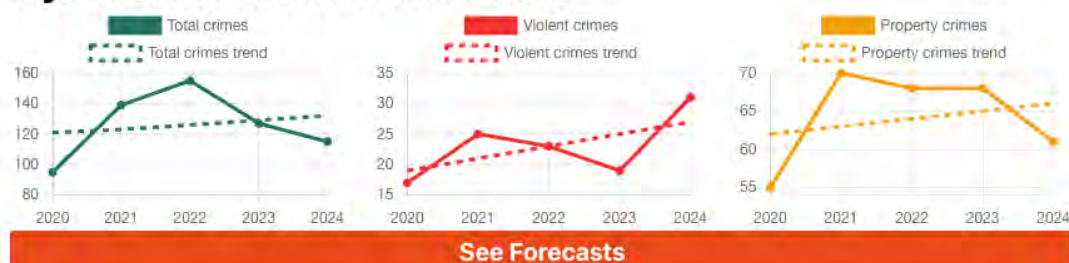
Crime rate in Silver Sands, WA, Australia, 6210 Suburb in Mandurah

Crime Rank: 27/100

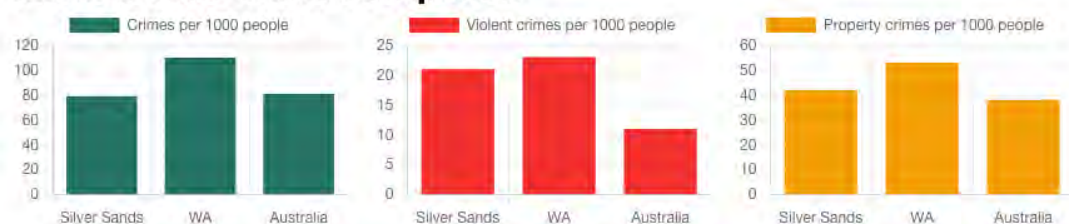
(higher number means more crime)



5 year Silver Sands crime trends

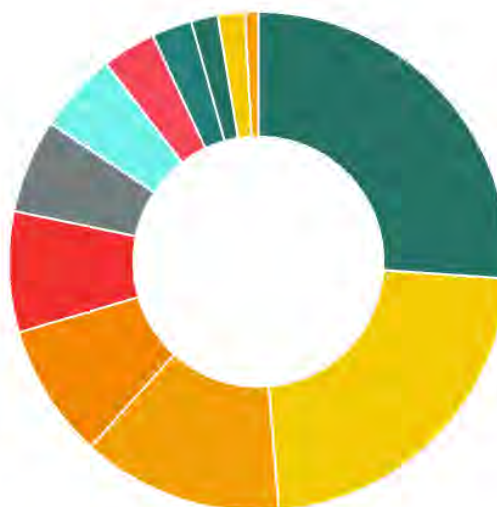


Silver Sands crime compared



Top crime types in Silver Sands:

Theft	30
Assault and related offences	26
Property damage	15
Burglary/Break and enter	10
Breaches of orders	9
Stalking, harassment and threatening behaviour	7
Motor Vehicle Theft	6
Drug dealing and trafficking	4
Robbery	3
Sexual offences	2
Weapons and explosives offences	2
Deception	1

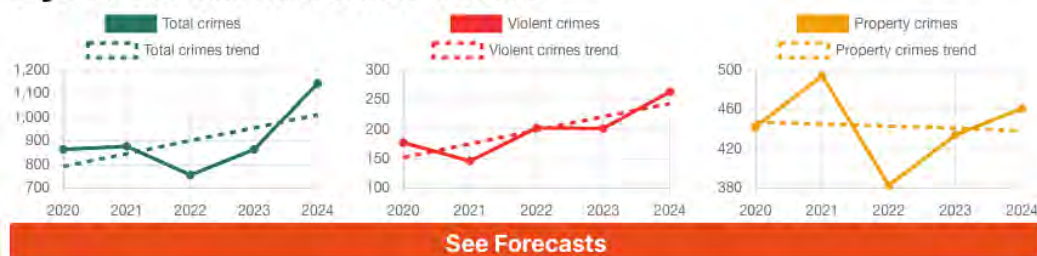


Crime rate in Greenfields, WA, Australia, 6210 Suburb in Mandurah

Crime Rank: 35/100
(higher number means more crime)



5 year Greenfields crime trends



Greenfields crime compared



Top crime types in Greenfields:

Theft	265
Assault and related offences	242
Breaches of orders	143
Property damage	119
Drug dealing and trafficking	119
Stalking, harassment and threatening behaviour	70
Burglary/Break and enter	53
Deception	45
Weapons and explosives offences	42
Motor Vehicle Theft	20
Sexual offences	15
Arson	4
Robbery	3
Abduction and related offences	2
Homicide and related offences	1



- 8.27. It is acknowledged that there is crime occurring in the 3km locality and that Mandurah, in particular, has a high rate which is the highest of the 3km locality suburbs. This is to be expected given the significant size, density and role of the area. The suburb of Mandurah is city centre for the whole of the City of Mandurah⁹⁹. "The City of Mandurah is Western Australia's largest regional city"¹⁰⁰ which "has evolved into the biggest population centre in Western Australia outside of Perth"¹⁰¹. An estimated 26,000 people live in the 3km locality¹⁰² and around 9,000 live in the suburb of Mandurah¹⁰³. Added to these large numbers are the visitors to the area. During the last reporting year 2023/24, the City of Mandurah attracted the following¹⁰⁴:

Visitor nights - Numbers			
City of Mandurah - 2010/11 to 2023/24		City of Mandurah	
Year	International Visitor Nights	Domestic Visitor Nights	Domestic Daytrips
2023/24	525,235	1,147,887	2,127,659

- 8.28. Whilst any crime rate is an issue to be addressed, the Police data for the 3km locality may be regarded as unremarkable, proportionate and somewhat typical given the enormous demographics and the role of the area.
- 8.29. The highest type or category of Police offence recorded is "theft"¹⁰⁵. ALDI has multiple measures in place to reduce the risk of theft and is extremely experienced in the subject.
- 8.30. The Police data above does not reveal anything to suggest that the 3km locality experiences a concerning or unusual level of crime relevant to the ALDI proposal. The applicant will nevertheless maintain its tried and tested risk management, safety and security measures and implement additional steps, to minimise potential crime. These measures are addressed elsewhere in this PIA and will continue to ensure the risk of any crime associated with the premises is minimised, as it currently is. In addition, the likelihood of the liquor service contributing to alcohol related crime is reduced by the following mitigating factors.
- 8.30.1. Small, simple and open layout of the liquor block.
 - 8.30.2. Location within the confined safety of the supermarket building.
 - 8.30.3. Lack of external frontage.

⁹⁹ City of Mandurah City Centre Master Plan, August 2024

¹⁰⁰ <https://www.mandurah.wa.gov.au/learn/about-mandurah/fact-and-figures>

¹⁰¹ City of Mandurah City Centre Master Plan, August 2024, at page 5

¹⁰² As referred to in section 7 of this PIA

¹⁰³ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890>

¹⁰⁴ <https://economy.id.com.au/mandurah/tourism-visitor-summary>

¹⁰⁵ As per the graphed data on preceding pages

- 8.30.4. Location of the liquor area adjacent to the checkout and therefore, under constant close staff surveillance and supervision.
- 8.30.5. Absence of refrigeration, which removes the opportunity for impulsive desires to steal liquor for immediate consumption.
- 8.30.6. Lack of a walk-in cool room, which is usually hidden from staff view in most other liquor stores, providing cover and convenience for would-be criminals.
- 8.30.7. Installation of CCTV surveillance throughout the supermarket, including the proposed licensed area.
- 8.30.8. Reduced trading hours – no intention to operate late at night.
- 8.31. ALDI's considerable retailing experience, including selling liquor products, has provided the organisation with the ability to manage security well such that crime associated with ALDI stores is kept very low. The quality of the premises at the Mandurah store, both inside and outside and the standard of supervision by staff will help make the public feel welcome and safe but any would-be criminals or disorderly persons uncomfortable.
- 8.32. The liquor area will have no external access as it will be entirely confined and secured within the ALDI supermarket, set-back considerably from the main entrance.
- 8.33. The following security steps will be taken in relation to the Mandurah liquor section.
 - 8.33.1. Security cameras both inside the licensed area and outside will be operating.
 - 8.33.2. Secure locking systems will be engaged for after hours.
 - 8.33.3. A high level of staff training which includes how to deal with incidents that are, or could potentially become, obviously criminal or unsafe.
 - 8.33.4. Maintaining a rigid enforcement of harm minimisation principles and policies. These will include, for example the "ID Under 25" policy, staff training, participation in the local liquor accord (if there is one), notifying Police of potential criminal behaviour and keeping in contact with Police.
 - 8.33.5. Clear and obvious signage. The new premises will be bright, modern and attractive.
 - 8.33.6. Limited public access and egress via one point only, from within the supermarket under the constant watching-eye of the cashiers. This will ensure a high level of staff surveillance from inside the store and inhibit would-be criminals by restricting the ease of a get-away.

- 8.34. The applicant has established, confidentially, a Security Layout plan, illustrating the general position and fit-out of the items described above. A copy can be provided to the licensing authority on a confidential basis, upon request if required. An advanced security and surveillance system will be installed, based on the model which has been successfully operating in the eastern states. The applicant's advanced system includes the following features:
- 8.34.1. An Access Control System as follows:
 - 8.34.1.1. 24 hour entry system to the store including interface with the security system.
 - 8.34.1.2. A tamper switch will be applied to set off the alarm in the event of unauthorised removal of the panel front covers.
 - 8.34.2. CCTV system – 24-hour surveillance of the licensed area and entry and exits to the store, which will include the following:
 - 8.34.2.1. 11 active cameras will provide 24-hour surveillance with the digital video recorder.
 - 8.34.2.2. Two full body cameras located within the licensed area, one facing the checkout and another one facing the liquor shelf.
 - 8.34.2.3. The digital video recorder will be configured for motion detection to allow efficient review of any incidents.
 - 8.34.2.4. An appropriately sized hard disk will be installed to allow images to be retained on the digital video recorder for at least two weeks without greatly compromising recording quality.
 - 8.34.2.5. The CCTV flat panel monitor will be located in the office to provide real time monitoring to the store staff of the retail floor including the licensed area. This will include a play-back function.
 - 8.34.3. The security system equipment will include the following:
 - 8.34.3.1. Passive Infra-Red Motion Detectors.
 - 8.34.3.2. Break glass detectors.
 - 8.34.3.3. Magnetic reed switches.
 - 8.34.3.4. Vibration detector.
 - 8.34.3.5. External strobe and siren.
 - 8.34.3.6. Security flashing lights and horns.
 - 8.34.4. A back-to-base monitoring system which will raise a security alarm if the security system is armed and there is a breach. The back to base

alarm will then send a patrol as well as notifying the manager, which will also activate an external strobe light and external siren.

- 8.35. The design and installation of the electronic security, access control and audible system shall comply with the requirements of all relevant standards and codes including but not limited to the following:

- 8.35.1. Australian Standards AS/NZS 3000.
- 8.35.2. State Service and Installation Rules.
- 8.35.3. National Construction Code.
- 8.35.4. Local and other authority services and installation rules.
- 8.35.5. Australian Communications Authority.
- 8.35.6. Work Cover Authority.
- 8.35.7. Other relevant Australian standards.

- 8.36. Of real significance is the fact that the ALDI liquor area design and layout facilitate an advanced level of security and surveillance. The store's design will make it extremely difficult for juveniles, drunk people or would-be thieves to gain access to the liquor area and go undetected. This will be achieved by virtue of the following factors:

- 8.36.1. Customers will be required to walk well into the supermarket footprint under clear view of a combination of various cameras, staff monitoring them and other customers observing.
- 8.36.2. Customers will be required to walk through the manned and monitored checkouts in order to exit the store. There will be no quick get-away option.
- 8.36.3. The simple small layout of the liquor area will also ensure that it is not in any way attractive for juveniles, drunk people or would-be criminals nor a temptation for impulse procurement.
- 8.36.4. The location tucked away in the far corner of the store.

9. Form 2A “Part 5 – Impact on the amenity, quiet or good order of the locality”

Form 2A “5.1 How will your premises design protect the amenity, quiet or good order of the locality?”

- 9.1. The proposed liquor section will not have any external frontage, façade or overt signage. It will be contained inside the wider ALDI Mandurah store footprint. The intended manner of trade is for the liquor service to complement the grocery and household offering from a small, discrete and segregated section within the supermarket. The premises will not operate as a stand-alone liquor outlet.

- 9.2. Given these circumstances, there will be no impact on the streetscape or external physical amenity whatsoever and so the amenity, quiet and good order of the 3km locality shall be entirely preserved and protected.
- 9.3. The amenity of the 3km locality has been variously described in earlier sections of this PIA. There is a mix of land uses including residential, retail, hospitality and other commercial, civic, water (estuary and ocean), transport and parkland. The ALDI store is an established fixture in the area. It has been operating at the site since around 2016.
- 9.4. Not far away (approx. 1.3km) are the Mandurah train station, bus depot and associated trainline which are major pieces of infrastructure that confirm the area to be a built-up, bustling hive of activity. A staggering 23,075,517 boarded the Mandurah train line during the year 2024/25, which was a notable increase on previous years (21,874,779 in 2023/24 and 17,669,846 in 2022/23)¹⁰⁶.
- 9.5. Amongst the existing amenity, the ALDI liquor section will be an ideal addition from an operational perspective and in terms of enhancing services to the public. From a visual, physical or streetscape perspective, the proposed licensed area will have no impact whatsoever. It will not be seen from anywhere other than well inside the ALDI supermarket.
- 9.6. Despite the relatively tiny licensed area, of only approximately 48m² in total (inc office) the ALDI Mandurah liquor proposal will make a big and valuable contribution towards the services and facilities in the area. The expert consumer survey found that 89% of local people consider that the ALDI liquor section will not lessen the amenity of the 3km locality.¹⁰⁷
- 9.7. The applicant's store is located on a corner, easily and safely accessible from Anstruther Road, from both directions and supported by ample on-site parking and public transport nearby. There is a convenient surrounding footpath and the dedicated parking, which is virtually at the front door, is spacious. Both drivers and pedestrians can be comfortably accommodated. The exit provides drivers with two-way option. These aspects can be seen in the aerial site image to the right.



¹⁰⁶ <https://www.pta.wa.gov.au/about-us/priorities-and-performance/transport-performance#Mandurah-Line-37>

¹⁰⁷ PRG report at paras 2.2.1 and 4.7 on pages 8 and 30 respectively

- 9.8. There are residents' homes surrounding the site, but buffered by roads and the infrastructure of the ALDI development described above. As stated elsewhere in this PIA, the liquor section will be confined well within the wider ALDI store proper, with no street frontage or other external façade. It will be concealed. There is no park or other gathering-type place for sensitive people or at-risk groups known to be close by.
- 9.9. Further submissions addressing the amenity issue under the Act and as referred to in the Form 2A are provided in the applicant's Legal Submissions.

10. Form 2A “Part 6 – Impact on the people who live or work nearby and whether they might suffer offence, annoyance, disturbance or inconvenience”

Form 2A “6.1 What actions will you take to minimise the impact on people who live or work nearby?”

- 10.1. ALDI has an excellent trading history. It is not known to be the cause of any offence, annoyance, disturbance or inconvenience in relation to any of its existing liquor store licences.
- 10.2. ALDI has carefully considered the impact that may be caused to people who reside or work in the vicinity of the proposed licensed premises in terms of how and in what circumstance, the sale and supply of liquor could potentially cause those people offence, annoyance, disturbance or inconvenience.
- 10.3. It is not considered that there are any high risk factors associated with the ALDI application, for the various reasons referred to throughout this PIA. Despite that conclusion, the applicant acknowledges the potential for adverse effects from any sale and supply of liquor and hence proposes to implement the following strategies to manage and minimise risks.
- 10.3.1. Maintaining a manner of trade which is low risk and low impact.
 - 10.3.2. Managing delivery times and methods in such a way as to minimise potential disturbance to others, even although there is no neighbour in close proximity.
 - 10.3.3. Implementing tried, tested and proven operational policies for overall management and conduct of business.
 - 10.3.4. Closely monitoring unaccompanied juveniles.
 - 10.3.5. Not stocking controversial liquor products and promotions designed to be attractive to juveniles.
 - 10.3.6. Maintaining a high standard of premises in terms of cleanliness, tidiness and overall quality, to indicate to patrons the operator's professional approach to management of the business.
 - 10.3.7. Employing only mature and skilled people to run the operation, all of whom will be presented in professional uniform. The staff will all be

trained to be able to exhibit a high level of stock knowledge. These features will add an element of responsibility to the functioning and image of the business.

- 10.4. ALDI's advanced practises in terms of staff training will ensure that staff at ALDI Mandurah will consistently enforce and uphold the licensee's policies and philosophies for a compliant business which focuses on integrating with the local community. The applicant values its excellent reputation as an upstanding corporate citizen and employees will continue to be trained to uphold reputation and share in ALDI's core values.
- 10.5. No high risk factors associated with the liquor store proposal in this case have arisen in preparing this PIA, especially given ALDI's trading history. The small risk factor that does exist, as with any licensed premises, will be closely monitored and carefully managed in any event.

11. Form 2A “Part 7 – Impact on tourism, culture and the community”

Form 2A “7.1 Are there any tourism, cultural and community benefits that would result from the grant of your application?”

- 11.1. People living in, near and visiting the 3km locality stand to benefit enormously from the introduction of the ALDI liquor service. The public will have the demand met and enjoy the well-known ALDI liquor products and services in their area which have been relished by other Australians elsewhere for many years.
- 11.2. ALDI is still relatively new to the WA market compared to other retailers. The opening of ALDI stores in Western Australia has been met with great enthusiasm by customers from across the metropolitan area. When the first ALDI stores in WA started trading in June 2016, members of the public queued up for hours, in winter, before the stores opened, as seen in the photographs below¹⁰⁸.



¹⁰⁸ <https://www.watoday.com.au/national/western-australia/keen-shoppers-brave-cold-for-opening-of-perth-aldi-stores-20160608-gpe297.html>



- 11.3. Clearly ALDI's positive reputation preceded itself and since then, as addressed earlier in this PIA, ALDI has grown and cemented itself in the WA market as a sought-after retailer. In the first six months of trade in Western Australia, more than 3.2 million customers were served at ALDI stores. The ALDI Cloverdale store transacted a staggering 156,338 customers in just 69 days of trading, which is an average of 2,266 customers per day.¹⁰⁹
- 11.4. The licensing authority is entitled to take into account the popularity of similar services provided at other locations when assessing whether the proposed services will be in the public interest at this particular location.¹¹⁰
- 11.5. The growth and success of ALDI has resulted in tremendous employment benefits for Western Australians. The applicant currently employs approximately 1,000 people in WA. The approval of this application will generate further employment opportunities for people at ALDI.
- 11.6. The consumer evidence in this case is clear, directly on-point and compelling. Hundreds of members of the local community have expressed a strong demand for the ALDI liquor products and service.
- 11.7. The expert market research has concluded that "[i]t is clear that the great majority of take-away liquor buyers who currently shop at ALDI Mandurah would shop for their take-away liquor requirements from the ALDI liquor section if it was established. Over half (52%) would do so at least once a fortnight, 78% at least once a month and 96% on at least some occasions, should the liquor section be established within the ALDI Mandurah store... The clear suggestion is that the ALDI Mandurah liquor section would better meet their takeaway liquor requirements than the currently available Mandurah liquor outlets."¹¹¹
- 11.8. Given the high level of support for the proposed liquor service referred to in the PRG report, coupled with other results of that report including that shoppers have accessed ALDI liquor elsewhere, it can be reasonably concluded that there is a leakage factor to consider in this case, whereby local shoppers are currently purchasing liquor outside of their Mandurah neighbourhood, at other

¹⁰⁹ Evidence available if required, upon request

¹¹⁰ *Woolworths Ltd v Director of Liquor Licensing* [2013] WASCA 227 [77] (Buss JA)

¹¹¹ PRG report at para 4.6.3 on page 28

ALDI outlets several kilometres away, because it is not available to them currently in Mandurah.

- 11.9. Further submissions referring to the consumer evidence have been provided elsewhere in this document and in the applicant's Legal Submissions.
- 11.10. ALDI is a major supporter of local communities and Australian businesses. This proposition is explained by the following published ALDI policies.¹¹²

Good Community

We are passionate about supporting the community and giving back to those in need. We have programs in place to foster strong and honest relationships with our business partners, buyers and valued team members. Our work with Camp Quality and our food charity partners are examples of how we are making a Good Difference using the resources available to us. Learn more about how we are caring for our Good Community below.



Community Support

ALDI connects and work with charity partners through a range of employee, business partner and customer-focused initiatives.



Food Insecurity and Food Rescue

ALDI works with food rescue organisations like Foodbank and OzHarvest to get surplus food from our stores to the people who need it most. Discover our initiatives and how you can get involved.



Camp Quality

ALDI has been a Camp Quality partner since May 2020, making a yearly cash donation, running employee programs, and donating proceeds from product sales.



Aussie First Policy

At ALDI, we're all about homegrown goodness. In fact, 100% of our meat & eggs, 97% of fruit & veg and 82% of dairy comes from Down Under, so you know you're tucking into the taste of Good Different.

¹¹² <https://www.aldi.com.au/sustainability/good-community> (via <https://www.aldi.com.au/sustainability>), <https://www.aldi.com.au/what-makes-us-good-different> and <https://www.aldi.com.au/sustainability/good-business>



Aussie Farmers

We strongly believe in supporting Australian Made products and produce. That's why 97% of our fruit and veggies come directly from Australian farms, as well as 100% of our eggs, milk, fresh meat, fresh salmon and fresh poultry. We're also committed to supporting our Australian farmers.



Business Partnerships

When we opened our first two stores in Sydney back in 2001, ALDI initially offered a range of 600 grocery products supplied by 174 business partners. During this first year, one of these founding business partners supplied us with two types of laundry powder, which they initially delivered on a ute containing a single pallet. Fast forward to 2018, and this same business partner was supplying 75 cleaning and personal care products across 150 varieties to every one of our stores. We have hundreds of similar stories about our wonderful partnerships. With over 1000 Australian businesses now part of our network, it's easy to see how we're Making a Good Difference in more ways than one.



Economic Contribution

Data independently audited by PwC shows that ALDI had an average price gap of 15-20% in 2023, with ALDI shoppers saving \$3.4 billion on their grocery bills. But that wasn't even the most exciting part, an average family shopping at ALDI can save up to \$2,538 a year. You can access our Tax Transparency Reports below.



Modern Slavery & Human Rights

Human rights are an important dimension of ALDI's Global Sustainability Strategy, since the way we operate, purchase goods, and the business partners we choose could impact how people are treated across our operations and supply chains. As a major retailer whose supply chains touch millions of people every day, ALDI understands the importance of respecting human rights. Read more about our initiatives below.



Diversity and Inclusion

We're committed to a diverse and inclusive workforce that welcomes everyone, because we believe that understanding, respecting, and valuing the individuality of our employees and customers makes us stronger.



Responsible Business Practices

Through the responsible sourcing of our products, and prioritisation of Australian-made produce, we're helping to build resilient, thriving communities. For more information, please read our Sustainability Progress Report, which highlights how we positively impact the environment and the local communities in which we operate.

11.11. The grant of the liquor store licence will enhance and facilitate ALDI's increased involvement in the Mandurah community. The local community will be the beneficiary of this outcome.

- 11.12. The 3km locality stands to reap many benefits from the approval of this application. The small and modest liquor service has the capacity to make a great impact in terms of choice, diversity, competition, convenience, development of the area and relevant industries and satisfying unmet consumer demand and requirement.
- 11.13. In terms of tourism, as referred to earlier in this PIA, the 3km locality attracts large numbers of visitors. Mandurah is an award-winning tourism destination with many things to see and do, events and festivals to attend and a variety of places to stay. It is described as Perth's number one day trip destination.¹¹³
- 11.14. The approval of this application will enable ALDI to provide its full suite of products and services like it does at most of its other stores around the country and overseas, providing familiarity for tourists in the area who are accustomed to ALDI's model elsewhere. Further, the ability for ALDI to establish a full-service store will help to support and promote Mandurah as a proper modern City Centre with commonly expected retail conveniences commensurate with a location that encompasses all of the following.
- 11.14.1. The city centre for the whole of the City of Mandurah¹¹⁴.
- 11.14.2. Part of WA's largest regional city¹¹⁵.
- 11.14.3. "[T]he biggest population centre in Western Australia outside of Perth"¹¹⁶.
- 11.14.4. An estimated 26,000 residents living in the 3km locality¹¹⁷, including around 9,000 in the suburb of Mandurah itself¹¹⁸.
- 11.14.5. Millions of visitors each year¹¹⁹.
- 11.15. The ALDI Mandurah store has not kept pace with local requirements and industry trends expected in a location of the size, significance and density of Mandurah. Such locations ordinarily have, or are expected to have, wide choice and diversity in products and services. Approving this application will help to rectify the situation.

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

- 11.16. ALDI operates with liquor at around 350 locations across Australia. As stated previously, 36 of those are in WA. In the eastern states, nearly every ALDI store contains a liquor section.
- 11.17. The ALDI liquor model, now well-known and established in Western Australia, has been carefully designed to complement the supermarket and special buys.

¹¹³ <https://visitmandurah.com/>

¹¹⁴ City of Mandurah City Centre Master Plan, August 2024

¹¹⁵ <https://www.mandurah.wa.gov.au/learn/about-mandurah/fact-and-figures>

¹¹⁶ City of Mandurah City Centre Master Plan, August 2024, at page 5

¹¹⁷ As referred to in section 7 of this PIA

¹¹⁸ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890>

¹¹⁹ <https://economy.id.com.au/mandurah/tourism-visitor-summary>

ALDI's particular range provides adult shoppers with superior shopping convenience through being able to access a highly diverse range of value-for-money household and consumable products at the one location.

- 11.18. There are currently 14 active packaged liquor licences to cater for approximately 26,000 people living in the 3km locality¹²⁰ plus the millions of visitors. 12 of the licences are in the s36B locality and only six provide a realistic packaged service which is largely the same across the outlets. These numbers should be considered alongside the wide and enormous catchment of regular shoppers at ALDI Mandurah. Those outlets do little, if anything, for shoppers at ALDI Mandurah seeking one-stop shopping and certainly do not address the demand for ALDI liquor itself.
- 11.19. The enormous number of shoppers at ALDI Mandurah each week – 8,700 on average¹²¹ – can be considered alongside the population of the suburb of Mandurah which is a similar number¹²² to indicate that the ALDI store is immensely popular within the local community.
- 11.20. The addition of the ALDI liquor section at Mandurah will, in effect, result in a self-sufficient, comprehensive retail facility. Responsible adults living locally will be able to browse and purchase food – fresh, frozen and non-perishable – homewares, tools, gardening equipment, clothing, leisure items, sporting gear, toys, other products and liquor all with one trolley.
- 11.21. It has been identified that among ALDI Mandurah shoppers, “almost six in ten (59%) shoppers have previously consumed ALDI exclusive liquor products that had been purchased from another WA ALDI store...This suggests that many shoppers are prepared to go to other ALDI stores to access exclusive ALDI liquor products. Note also that almost 7 in 10 (69%) of take-away alcohol buyers have consumed ALDI liquor products purchased in another WA ALDI store”¹²³, which are not available in or near ALDI Mandurah. The approval of this application will reduce or even eliminate this leakage factor.
- 11.22. This is consistent with the reports from staff at the ALDI Mandurah store to ALDI senior corporate management that they receive daily customer requests and expectation for liquor, surprise that the store does not have the feature now and dissatisfaction at having to leave to drive some distance away in search of ALDI liquor elsewhere.
- 11.23. The following was reported in relation to ALDI recently winning the coveted Canstar Australian Supermarket of the Year for the eighth year in a row¹²⁴:

¹²⁰ Based on the ABS population data and Department licence information provided earlier on in this PIA

¹²¹ PRG report at para 1.0 on page 5

¹²² <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890>

¹²³ PRG report para 4.4.1, page 18

¹²⁴ <https://www.skynews.com.au/lifestyle/celebrity-life/customers-know-they-can-rely-on-us-aldi-crowned-supermarket-of-the-year-for-the-eighth-year-in-a-row-by-canstar-blue/news-story/a566dfe9b507fb1c0892917532618a0d>

Notoriously, Australia's supermarket "duopoly" of Coles and Woolworths means Aussie consumers pay some of the highest grocery prices in the OECD.

According to Canstar, the average weekly grocery bill for an Australian household of four people has ballooned to \$240, a \$24 increase from the previous year.

The survey, which gathered insights from 2,869 shoppers, highlights the ongoing hip pocket pain facing consumers at the checkout.

In a statement, Eden Radford of Canstar Blue told Yahoo Finance that this year's results reflect the power of "own-brand items" in a tough economic climate.

'The quality of (Aldi's) own-brand items reliably earn the highest rating from customers,' she said.

'Consistently priced, good quality products on offer is why shoppers are choosing Aldi to do their grocery shopping.'

- 11.24. The large majority of ALDI's proposed liquor range at the Mandurah store will be its reliable own-brand. Approval of the licence will make quality, affordable award-winning liquor available to the local community.
- 11.25. National Liquor News reported the following statements and quotes¹²⁵ which corroborate various points made in this PIA and further support the application:
- 11.25.1. "ALDI's reputation for value attracts customers, with growth outpacing the market without relying on aggressive promotions."
- 11.25.2. "In 2024, ALDI's liquor business saw significant growth, particularly in spirits, with whisk(e)y and vodka performing strongly...Paul Handley, ALDI Liquor Expert, noted the success was partly driven by increased foot traffic from ALDI's grocery offering."
- 11.25.3. "ALDI's reputation for delivering value has been key to attracting more customers to its liquor range."
- 11.25.4. "[Paul] Handley [ALDI Liquor Expert] explained that ALDI's liquor strategy sets it apart from competitors...*'We don't try to attract customers into our stores with crazy pricing to shop our liquor offer – they are already there in large numbers to do their grocery shopping. Customers know that our tightly curated range represents great value – both across the core range as well as our seasonal and specials programmes'.*"

¹²⁵ "ALDI's liquor growth strategy for 2025", Deborah Jackson, National Liquor News, 15 April 2025 (<https://theshout.com.au/national-liquor-news/aldis-liquor-growth-strategy-for-2025/#:~:text=Growth%20Strategy%3A%20Plans%20to%20convert,practices%20to%20reduce%20environmental%20impact.>)

- 11.25.5. "Amid ongoing cost-of-living pressures, ALDI is committed to offering high-quality products at competitive prices."
- 11.25.6. "As ALDI continues to innovate and focus on value, sustainability, and growth in the liquor market, it is well-positioned for further success in 2025. *'At a time when shoppers are continuously seeking better value, we have never been more aware of the need to continue to deliver on our promise to offer Aussies the highest quality products at the lowest possible prices,'* [Paul] Handley [ALDI Liquor Expert] concluded."

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. Pursuant to section 36B(1), "packaged liquor premises means premises to which a licence referred to in subsection (2) relates". Section 36B(2) expressly states that section 36B applies to an application for a liquor store class of licence.
- 12.3. Section 36B(4) of the Act provides that "[t]he licensing authority must not grant an application to which [section 36B] applies unless satisfied that local packaged liquor requirements cannot reasonably be met by existing packaged liquor premises in the locality in which the proposed licensed premises are, or are to be, situated".
- 12.4. Section 36B(4) "imposes a meaningful additional hurdle"¹²⁶ to the section 38 public interest test.
- 12.5. Section 36B has been said to have been intended to "enable the licensing authority to manage the number of packaged liquor outlets where sufficient outlets already exist within a locality"¹²⁷.
- 12.6. 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 anywhere near the prescribed size. Therefore, the application is eligible to be heard and determined.
- 12.7. The application for ALDI Mandurah 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 of a discrete and limited nature. The full ambit of "liquor" and traditional liquor store features will not be available in this case, whilst several alternative features will be provided.
- 12.8. The licensing authority has determined that under section 36B of the Act a packaged liquor specialist, involving a narrow and discrete range, can be approved to hold a licence for a packaged liquor premises in appropriate

¹²⁶ Liquorland Karrinyup [75] (Archer J)

¹²⁷ Explanatory Memorandum, Liquor Control Amendment Bill 2018 at page 1

cases and that an application may satisfy section 36B and be granted where the particular type of packaged liquor to be sold and supplied under the licence is limited and defined¹²⁸. Most relevantly, that has included approval of ALDI licences under the current law¹²⁹. This present application falls squarely within that realm and is in fact a stand-out example of such an outlet.

- 12.9. 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 are submitted to be the following, as referred to earlier in this PIA as being located in the s36B locality:

- 12.9.1. The Peninsula Mandurah, 1 Marco Polo Drive, Mandurah
- 12.9.2. Boathouse Tavern, Peel Shopping Centre, Pinjarra Road, Mandurah
- 12.9.3. Silver Sands Tavern, 176 Mandurah Terrace, Mandurah
- 12.9.4. Brighton Hotel, 10-12 Mandurah Terrace, Mandurah
- 12.9.5. Murphy's Irish Pub, 43-44 Mandurah Terrace, Mandurah
- 12.9.6. The Bridge Garden Bar & Restaurant, 2 Mandurah Terrace
- 12.9.7. The Bottle-O Mandurah, Sholl Street, Mandurah
- 12.9.8. Dan Murphy's Mandurah, Shop 2, 23 Pinjarra Road, Mandurah
- 12.9.9. Liquorland Mandurah Forum, Pinjarra Road, Mandurah
- 12.9.10. Liquor Stax Marina, 16 Dolphin Drive, Mandurah
- 12.9.11. Little Stiller Distillery, 7 Mandurah Terrace, Mandurah
- 12.9.12. BWS – Beer Wine Spirits Mandurah Forum, Mandurah Forum Shopping Centre, 30 Pinjarra Road, Mandurah

- 12.10. None of these existing premises does, nor is even able to, sell or supply the applicant's exclusive range.
- 12.11. The existing premises collectively sell various types of packaged liquor but no ALDI products and almost 100% of their products would never be available at the ALDI store.
- 12.12. Of the 12 premises listed, only six offer a deliberate and realistic take-away service, namely Silver Sands Tavern (with a Bottlemart), The Bottle-O Mandurah, Dan Murphy's Mandurah, Liquorland Mandurah Forum, Liquor Stax Marina and BWS Mandurah Forum. They are brands and banner groups well known to the

¹²⁸ 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), Commune Wine Store (Subiaco - 603220029123), Rocky Ridge Duncraig (602219804523) and Mane Bicton (603221936524)

¹²⁹ ALDI Yanchep (603220993723), ALDI Innaloo (603222726424), ALDI Karrinyup (603222913525) and ALDI Whitfords (603222858025)

licensing authority, selling a range of mostly mainstream products with no ALDI products.

- 12.13. Boathouse Tavern offers patrons the ability to purchase a small selection of packaged liquor over the bar whilst Little Stiller Distillery provides its own spirits, that it produces, for take-away purchase over the bar.
- 12.14. Only the Liquorland Mandurah Forum and BWS Mandurah Forum provide association with grocery shopping.
- 12.15. Multiple other factors also differentiate the existing liquor models from ALDI's, as addressed earlier in this PIA. In fact, there can hardly be any proper comparison.
- 12.16. Based on the information provided in the preceding sub-paragraphs, it is apparent that the available packaged liquor products and services for the enormous relevant community catchment of thousands of people are extremely limited. Rationally, there are only six relevant outlets offering relatively the same range.
- 12.17. As referred to earlier in this PIA, further beyond the s36B locality Greenfields Liquor Store at Shop 2 Greenfields Shopping Centre, Murdoch Drive, Greenfields and BWS – Beer Wine Spirits Port Mandurah at 5/10 Old Coast Road, Halls Head are operating. Again, none of these premises does, nor is even able to, sell or supply ALDI's exclusive range. These two existing premises sell various types of packaged liquor but no ALDI products and almost 100% of their range would never be available at the ALDI store.
- 12.18. Both stores are located nearly 2km away. Greenfields Liquor Store is on the eastern side of the major dividing artery of Mandurah Road. The BWS is south west across the other side of the estuary.
- 12.19. Specifically, in relation to the BWS outlets, the Liquor Commission found in ALDI Harrisdale that there "is a significant diversity between the products sold by ALDI and the BWS store."¹³⁰
- 12.20. The BWS, Dan Murphy's and Liquorland ranges and store layouts and styles are especially well known to the Director of Liquor Licensing. They are the typical national models commonly before the licensing authority, selling beer wine and spirits from largely mainstream producers and their own home-brand within traditional format outlets with warm and refrigerated product.
- 12.21. The small size, layout, location, absence of coolroom, absence of prominent product advertising, absence of refrigeration, reduced trading hours at ALDI are glaring additional differences over and above the major distinction of ALDI's mainly exclusive range.
- 12.22. The following research and conclusions referred to in the expert PRG consumer survey are particularly relevant to this section of the PIA:

¹³⁰ [43(g)]

Buyers of take away liquor products were asked whether they believed that the proposed ALDI liquor section would be different from outlets already available in Mandurah. The question asked was:

“Do you think that the liquor service proposed at ALDI Mandurah will be different from existing take-away liquor outlets already operating in and near Mandurah?”

In the main, the sample was familiar with a typical ALDI liquor section. It may be recalled from section 4.4 that 85% of the shopper sample had previously shopped in an ALDI store that included a liquor section, and in section 4.4.1 that 59% had consumed an ALDI liquor product purchased from a WA ALDI store. So the great majority of responses to this question are based on personal exposure to the ALDI liquor offer.

It is not surprising therefore to find in the table below that two thirds (66%) of take-away liquor buyers believe that liquor section in the ALDI Mandurah store would be different from the current liquor outlets. This proportion is unchanged amongst alcohol buyers who have been in a licensed ALDI store, and increases to 70% amongst those who have consumed exclusive ALDI liquor products.

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...

Take-away liquor buyers were asked to estimate the extent to which they would purchase their take-away liquor requirements from a liquor section within the ALDI Mandurah store.

The question asked was:

“On average, how often would you make liquor purchases from the ALDI Mandurah supermarket?”

The table below shows the great extent to which the proposed liquor section would be used by takeaway liquor buyers.

Frequency Would buy Liquor products from the ALDI Liquor Section	Take-away Liquor Buyers
Don't buy packaged liquor	3%
Once or more a week	31%
Once or more a fortnight	21%
Once or more a month	26%
Less often	18%
Don't Know	1%
Total	100%
Sample	269
Summary	
At Least 1 / fortnight	52%
At Least 1 per month	78%
At least sometimes	96%

¹³¹ PRG report at para 4.6.2 on page 27

It is clear that the great majority of take-away liquor buyers who currently shop at ALDI Mandurah would shop for their take-away liquor requirements from the ALDI liquor section if it was established. Over half (52%) would do so at least once a fortnight, 78% at least once a month and 96% on at least some occasions, should the liquor section be established within the ALDI Mandurah store.

The clear suggestion is that the ALDI Mandurah liquor section would better meet their takeaway liquor requirements than the currently available Mandurah liquor outlets.

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- 12.23. The nearest ALDI liquor service for people in Mandurah is in Halls Head, approximately 4km away (straight line), nearly ten minutes by car one way, over the Mandurah Estuary, through other suburbs and a busy road network into a different district. This travelling requirement for those seeking ALDI's liquor range is timely, expensive, inconvenient and certainly undesirable.
- 12.24. It is highly inconvenient for people in and near Mandurah to access a modern level of choice in packaged liquor.
- 12.25. Given the growth and development of Mandurah in recent years and contemporary expectations for a bustling, built-up district, it is essential that the community have ready access to usual modern conveniences. It is unreasonable for people living in, working in and visiting the City Centre and 3km locality to be denied meaningful choice, diversity and competition.
- 12.26. 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"¹³³.
- 12.27. 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, services and style of operation to be available to purchase for take-away purposes from the ALDI Mandurah store.
- 12.28. Almost 100% of the applicant's stock range will be unavailable elsewhere in the 3km locality and beyond. This is a striking factor in this case.
- 12.29. To reiterate, the following are key distinguishing features of the ALDI liquor proposal:
- 12.29.1. The majority of ALDI's products are exclusive and not available at any of the other liquor outlets.
- 12.29.2. The liquor display/browse area will only comprise approximately 30m², significantly smaller than many of the other packaged liquor outlets. The bespoke ALDI liquor service will be an ancillary but highly valuable component of its overall service in Mandurah which is projected to be very popular and well patronised.

¹³² PRG report at para 4.6.3 on page 28

¹³³ Liquorland Karinyup [108] (Archer, J)

- 12.29.3. There will be no refrigerated liquor products at ALDI Mandurah. This is a harm minimising feature of the ALDI liquor service and speaks to its genuine intention to complement its household and grocery offering.
- 12.29.4. None of the other packaged liquor outlets can offer one-stop-shopping convenience to ALDI shoppers.
- 12.30. Further and more detailed submissions regarding section 36B of the Act are contained in the applicant's Legal Submissions.

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

- 13.1. Relevant provisions of the Act have been taken into consideration in the preparation of the application, including sections 5, 33, 36B, 38 and 60. Submissions addressing those and other relevant provisions in the Act have been briefly referred to in this document but are detailed in a separate set of Legal Submissions accompanying this PIA.
- 13.2. It is respectfully submitted that the licensing authority should be easily satisfied that in relation to ALDI Mandurah, as was concluded in relation to other ALDI applications decided under the current law, that the applicant has far exceeded the legislative high bar because the evidence shows substantially more than "trifling" and "considerable" requirements¹³⁴.

14. Conclusion

- 14.1. The applicant has sought to thoroughly address the Form 2A and relevant sections of the Act with this detailed PIA, specifically referencing particulars of the application.
- 14.2. A wide variety of relevant public interest factors, both positive and negative, have been assessed and a comprehensive proposal for the grant has been compiled.
- 14.3. To reiterate, what is proposed is a modest liquor range comprising largely of award winning, value-for-money, exclusive products, through a modern one-stop-shop concept that has the potential to offer an unrivalled level of convenience for shoppers in Mandurah and has been proven very popular elsewhere. The proposal is a replica of the Australian Supermarket of the Year for the last eight consecutive years¹³⁵ and incorporates multiple low risk features.
- 14.4. The ALDI Mandurah liquor service will be genuinely unique, not only in the s36B locality but also in the 3km locality and beyond. The products, services and style of operation will be very different from existing products and services available in the relevant market.

¹³⁴ Liquorland Southern River [136] [137] (Lemonis J)

¹³⁵ <https://www.roymorgan.com/findings/roy-morgan-unveils-annual-customer-satisfaction-award-winners-across-all-categories-2023>; <https://www.skynews.com.au/lifestyle/celebrity-life/customers-know-they-can-rely-on-us-aldi-crowned-supermarket-of-the-year-for-the-eighth-year-in-a-row-by-canstar-blue/news-story/a566dfe9b507fb1c0892917532618a0d>

- 14.5. This PIA, together with the attachments referred to within and accompanying Legal Submissions, provide strong support for the application. The evidence includes the following summary in the PRG report¹³⁶:

The survey of ALDI Mandurah shoppers showed considerable support for and intended use of the proposed liquor section for that store. Eighty-four per cent of shoppers indicated that they purchase take-away liquor products, 85% indicate that they have previously shopped in (another) Western Australia ALDI that had a liquor section, and 59% reported that they had consumed exclusive ALDI liquor products purchased from another WA ALDI store with a liquor licence.

These experiences served to ensure that, in the main, shoppers' comments on and attitudes towards aspects of the proposed ALDI liquor section were based on first-hand knowledge of the ALDI liquor retailing environment and products.

- 14.6. The licensing authority should be able to find as follows in this case, just as it did in ALDI Harrisdale – which findings still have relevance in the era of section 36B of the Act – where the liquor store model in question is virtually the same:

"The granting of a licence for the selling of packaged liquor in a floor space of [43] square metres would not result in a proliferation of liquor stores within the locality or a proliferation of liquor within the locality. To the contrary, given the nature of products to be sold by the applicant it will add to the diversity of products on offer and allow greater choice for consumers of liquor, thus being consistent with the primary object set out in section 5(1)(c) of the Act."¹³⁷

- 14.7. Mandurah has evolved into a sophisticated, modern and thriving regional city – the biggest in the State – and yet it lacks contemporary choice and diversity in packaged liquor options, which the grant of this application can address.
- 14.8. Further submissions addressing conclusions to be drawn from the information contained in this PIA and supporting the grant of the licence and ETP as proposed are contained in the applicant's detailed set of Legal Submissions.

Dated 5 September 2025



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

Attachments	
No.	Title/description
1.	PRG report
2.	DES report (redacted)
3.	Stocklist, including identification of the ALDI exclusive products (subject to change)
4.	Example list of some awards received by ALDI
5.	9 News Perth Facebook, 15 June 2016
6.	Legal Submissions dated 5 September 2025

¹³⁶ At para 2.0 on page 6

¹³⁷ [42]



Public Interest Assessment

Form 2A

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

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

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

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

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

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

¹ LC Act s33(1).

² LC Act s38(3).

³ Liquor Control Regulations (LC Regs) r9EA.

⁴ LC Regs r9F.

⁵ LC Act s5 and s38(4).

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

Part 1 — Application details

Applicant name:

ALDI FOODS PTY LTD

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

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

Are you applying for:

- ☒ New licence + extended trading permit (ongoing - Sunday)
☐ Removal of existing licence (which licence/permit type)

Premises trading name:

ALDI MANDURAH

**Address of proposed
premises:**

ALDI MANDURAH

2 ALDGATE STREET, MANDURAH WA 6210

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

Part 2 — Manner of trade

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

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

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

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

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

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

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

Part 3 — The profile of the local community

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

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

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

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

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

PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA

PATTERSON LAW & CONSULTANCY PTY LTD.

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

PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA

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Part 4 — Minimising the potential for alcohol to cause harm

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

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

PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA PATTERSON

LAW & CONSULTANCY PTY LTD

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

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

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

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

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

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

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

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

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

PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA PATTERSON
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Part 7 — Impact on tourism, culture and the community

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

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

YES. PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA
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⁶ LC Act s5(1)(c).

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

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

Part 8 — Declaration

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

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

 Signature of applicant/s	RADU POPESCU, ALDI REAL ESTATE DIRECTOR	31 / 12 / 2025 Date
Signature of applicant/s		Date
Signature of applicant/s		Date
Signature of applicant/s		Date



ALDI Foods Pty Ltd

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

in respect of premises situated at

2 Aldgate Street, Mandurah

to be known as

ALDI Mandurah

Public Interest Assessment Form 2A Annexure

including section 36B submissions



Law & Consultancy Pty Ltd
Liquor | Hospitality | Tourism | Events

Prepared on behalf of and together with the applicant by:
Jessica Patterson Law & Consultancy Pty Ltd

ACN: 648 525 204

PH: +61 409 599 093

E: jessica.patterson@jplc.com.au

www.jplc.com.au

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1. Executive summary

- 1.1. This application involves a proposal for an incredibly popular liquor service, to operate from a small and modest licensed area, to be located in the existing ALDI Mandurah store that already has a substantial regular patronage with 8,700 shoppers per week on average.
- 1.2. Staff at the ALDI Mandurah store have reported daily customer requests and expectation for liquor, surprise that the store does not have the feature and dissatisfaction at having to leave to drive some distance away to access ALDI liquor.
- 1.3. The liquor range, comprising many award-winning products, is almost entirely exclusive to the applicant.
- 1.4. The liquor store model is well-known, sought-after by the public and has been previously approved by the licensing authority on many occasions elsewhere in the State.
- 1.5. The applicant is well-known, highly sophisticated and enjoys an excellent trading compliance record.
- 1.6. The location is perfectly suited to the proposed liquor service and has no notable sensitivities or high risks associated with it.
- 1.7. The application is strongly supported and demanded by the relevant community. Evidence of this support and demand is attached and referred to throughout this document.
- 1.8. The expert market researcher has found that “[t]he survey of ALDI Mandurah shoppers showed considerable support for and intended use of the proposed liquor section for that store”¹.
- 1.9. A demand/supply analysis of relevant factors in this case reveals that demand cannot reasonably be met by supply and so justifies the grant of the licence².
- 1.10. The application is supported by a substantial volume of compelling evidence which goes far above and beyond the level or degree of requirement capable of justifying the grant³.

2. Introduction and background

- 2.1. ALDI Foods Pty Limited (ACN 086 210 139) (**ALDI**⁴) seeks the conditional grant of a liquor store licence and extended trading permit (**ETP**) pursuant to sections 33, 38, 36B, 47, 60(4)(g), 62, 68(1) and (2a) and 98D of the Liquor Control Act 1988

¹ Survey Of The Consumer Requirement for Liquor Retailing Amongst shoppers in The ALDI Supermarket in Mandurah, by Patterson Research Group (**PRG**), dated November 2024, at section 2.0, page 6 (**PRG Report**) (attached). PRG and Jessica Patterson Law & Consultancy Pty Ltd are totally unrelated entities. The commonality of the name “Patterson” is purely coincidental.

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

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

⁴ Including related entities forming the ALDI group

(WA)(**Act**) for a very small section of its supermarket premises located at 2 Aldgate Street, Mandurah, known as ALDI Mandurah.

- 2.2. This document has been prepared as an annexure to and in accordance with the Public Interest Assessment Form 2A of the Department of Local Government, Industry Regulation and Safety (**Department**) (**Form 2A**). Together they comprise the applicant's Public Interest Assessment (**PIA**). The PIA has been prepared in accordance with the Act and with reference to relevant Departmental policies.
- 2.3. As directed by the Department, the applicant has applied a "common-sense approach"⁵ to the preparation of the PIA. Further, the applicant has considered the State Government's promotion of reform in the WA liquor licensing regime to make it less complicated and "easier to do business"⁶. Therefore, the applicant has provided a level of detail considered appropriate for the circumstances in terms of the content of this document and the attachments. This approach is consistent with sections 16(7)(b) and (c) of the Act and considering that there is no minimum or threshold level of consumer requirement evidence⁷ and the ALDI offer is well known, proven to be compliant and modest. Further detail, additional copies of source material and supplementary supporting evidence can be provided if necessary.
- 2.4. Hundreds of members of the public have provided evidence of strong demand for the ALDI liquor service in Mandurah. This evidence is based largely on consumers with first-hand knowledge of the proposed liquor model. The PRG report found that "[a]lmost nine out of ten (85%) of the ALDI Mandurah shoppers have previously been in an ALDI store that has a take-away liquor section: it is not a new concept for them"⁸.
- 2.5. The applicant is motivated and able to address the community requirement, as soon as this application is approved. The proposed licensed area can be quickly established.
- 2.6. This PIA has been formally adopted and verified by a senior representative of ALDI by way of signing the covering Form 2A.

3. Brief outline of the application

- 3.1. The applicant proposes a petite liquor display/browse and checkout section of only approximately 48m² within the existing ALDI Mandurah store.
- 3.2. A small but carefully selected and exclusive range of unrefrigerated liquor is proposed to be available in a discrete and clearly designated licensed area under the same roof as the existing ALDI Mandurah store. The size, layout and

⁵ Form 2A page 2 and at:

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

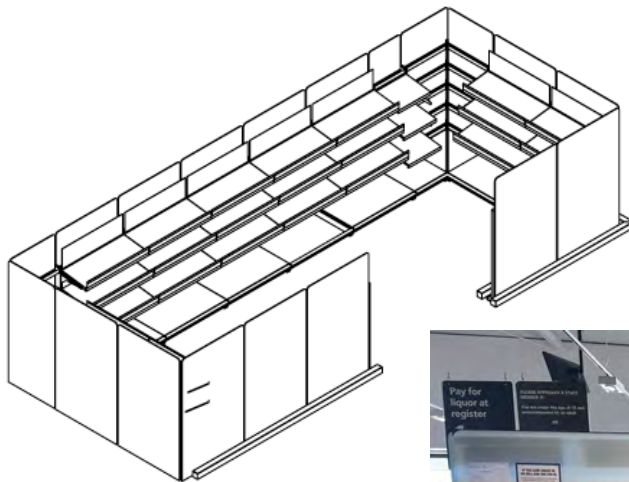
⁶ For example: <https://www.cits.wa.gov.au/department/news/news-article/2024/08/29/liquor-licensing-policy-reform-a-big-win-for-wa-hospitality-industry>

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

⁸ At para 4.4, page 17

style of operation will be almost identical to existing ALDI liquor store licences trading elsewhere in WA.

- 3.3. This liquor store model is unique to ALDI. Its various features, referred to throughout this PIA, make for a bespoke manner of trade. The boutique type of liquor service perfectly complements the diverse and popular range of ALDI's distinctive non-liquor services and facilities. This creates an exceptional one-stop shopping convenience for customers, which is a key feature of the ALDI offering. Customers can even benefit from one-transaction shopping at ALDI, thereby satisfying the growing society demand for enhanced convenience.
- 3.4. Pictured below is an aerial render that is generally indicative of what is proposed as the liquor display/browse area. The checkout is located next to the entrance that is depicted. The boundary partitioning is proposed to be made of 2.1 metre high opaque frosted glass which is depicted in the subsequent photograph.



- 3.5. Additional details of the ALDI liquor offering are provided further on in this PIA.
- 3.6. As referred to elsewhere in this PIA, the applicant consulted with local consumers and received overwhelming support. Hundreds of people have provided evidence that has encouraged ALDI to lodge this application and seek approval to provide liquor at its Mandurah store.

- 3.7. Members of the Mandurah community and other consumers in the area where the ALDI store is located, will have the opportunity to enjoy the full range of ALDI's offering, including its liquor service, if this application is approved, so as to provide them with the same valuable choice, diversity and specialty range as many other communities in Australia enjoy.

4. Applicant's background

- 4.1. ALDI operates more than 10,000 stores across 20 countries and is one of the largest and most popular retailers in the world. It has more than 570 stores in Australia.
- 4.2. The company (including related entities) has become a world-leading supermarket operator since it was founded in 1913 in Germany as a family business.



- 4.3. The following is a snapshot of the history of the organisation⁹.

"In 1913, the business was founded in Essen by the Albrecht family. Brothers Karl and Theo Albrecht's entrepreneurial journey traces back to their mother, who opened a small grocery store in 1913 in a suburb of Essen. The brothers inherited their first store from her, a resilient establishment that survived the bombings during the war...The brothers officially founded the German grocery chain in 1946. With a vision to reduce waste and costs, the brothers established a no-frills model at their discount store. They sold only non-perishable goods at affordable prices from a small, nondescript shop...The Albrecht brothers were known for their frugality. They avoided spending money on advertising or in-store decorations and were ruthless in removing poor-selling items from their inventory. By keeping prices lower than competitors, the discount store earned a strong following in post-World War II Germany, where the economy had been nearly destroyed...In early 1960, the brothers officially changed the name to Aldi, short for **ALbrecht DI**scount, reflecting the business's commitment to providing

⁹ <https://sustainability.aldisouthgroup.com/about-aldi/aldi-history> (see also <https://www.aldicareers.com.au/about-aldi/>)

affordable products. They also split the business into ALDI Nord [north] and ALDI Sud [south]...In 2001, ALDI opened its first Australian store in Sydney" through ALDI Sud.

- 4.4. ALDI stores offer a wide range of quality products including fresh food, packaged food, other consumables and various household, garden, leisure and personal items. At most stores, liquor is also available.
- 4.5. Modern ALDI supermarkets contain around 1,350 core product lines, which is significantly less than many other supermarket operators. There are limited brand options within each different product line. For example, ALDI may offer only two or three different brands of plain flour, rather than five or more as is commonly stocked at most other supermarkets. This enables ALDI to operate from a smaller and more user-friendly footprint and with a more exclusive and carefully selected range. It also facilitates a simpler and more convenient shopping exercise for consumers¹⁰.
- 4.6. "At ALDI, we believe in making a Good Difference. As a major Aussie retailer, we are mindful of our responsibility to the environment and the communities – those who live and work in our beautiful big backyard....Our sustainability initiatives are guided by four areas of focus: Good Planet, Good Community, Good Health and Good Business¹¹...ALDI is passionate about doing Good Business. From Aussie farmers who grow our produce to the employees who stock our shelves, we're committed to supporting our partnerships. We do this through responsible practices that foster strong and honest relationships with our business partners, buyers and team members. Good Business encompasses our efforts in supply chain management, the responsible sourcing of products and more¹²...We're not like other supermarkets. We do things differently to give you the lowest possible prices on the best quality products¹³."
- 4.7. ALDI's published mission is to provide the public with exceptional product value in terms of quality for price. This is achieved through a highly sophisticated business model involving a very focused selection of products and advanced levels of systemisation and organisation designed for optimum efficiency and product control. ALDI is dedicated to maintaining consistency in its philosophy of incredibly high quality at impossibly low prices.
- 4.8. Most of ALDI's products are exclusive to ALDI. They are often versions of mainstream big-brand name items which are manufactured according to ALDI's particular and strict specifications to ensure quality and value-for-money.

¹⁰ For example: <https://www.macrobusiness.com.au/2021/03/the-rise-and-rise-of-aldi/> - "In addition to its competitive prices and good product quality, I like the simplicity of Aldi. Having a small footprint and limited product choice makes shopping quick and easy. Products are always in the same spot irrespective of store, making them easy to find. By contrast, I find Woolworths and Coles too large and confusing, and I often waste time wandering aisles trying to find what I need."

¹¹ <https://www.aldi.com.au/sustainability> and

¹² <https://www.aldi.com.au/sustainability/good-business>

¹³ <https://www.aldi.com.au/what-makes-us-good-different>

Expressi Coffee is one of the most popular non-liquor examples. The Expressi Coffee capsule machine and coffee capsules have won numerous awards.

- 4.9. The majority of ALDI's exclusive products that are available in Australia are sourced from Australian suppliers.
- 4.10. Every Wednesday and Saturday "special buys" are promoted by ALDI which are specialty short-term product lines that are usually non grocery items. Flat screen televisions, furniture, clothing, appliances, BBQs, tools, gardening equipment, vacuums, camping gear and toys are just some examples. These have proven extremely popular such that customers often queue outside a store to try to access these items and then spend long periods browsing. ALDI special buys are sometimes even reported by the media as news¹⁴.
- 4.11. Some special buys are repeated occasionally but most are one-off items in limited stock so when a store sells out, the item won't be replenished.



- 4.12. ALDI special buys are displayed in the now renowned middle aisle of every store. The following images show, by way of example, recent catalogue-advertised special buys.



¹⁴ For example, Chanel 7: "ALDI Australia set to bring back its wildly popular snow gear sale after two-year hiatus", 9 May 2023 (<https://7news.com.au/lifestyle/aldi/aldi-australia-set-to-bring-back-its-wildly-popular-snow-gear-sale-after-shock-hiatus-c-10571950>)

The zoomies

Activity Lead or Rope Lead \$9.99
• Extra Small or Small Dog Harness, Activity Lead or Rope Lead \$9.99
• Harness: Quick and easy fastening • Adjustable at neck and chest • Durable construction • Available in 2 sizes • Extra Small to fit neck 36-43cm and chest 68-70cm or Small to fit neck 38-45cm and chest 73-81cm • Assorted colours
• Activity Lead: Adjustable to fit across the body • Extends up to 50cm • Reflective stitching for nighttime walks • Assorted colours
• Rope Lead: Easy grip handle • Rope length: 120cm • Assorted colours • 453012

Medium or Large Dog Harness or Retractable Lead \$14.99
• Medium or Large Dog Harness or Retractable Lead \$14.99
• Harness: Quick and easy fastening • Adjustable at neck and chest • Durable construction • Available in 2 sizes • Medium to fit neck 47-64cm and chest 78-90cm or Large to fit neck 59-76cm and chest 89-95cm • Assorted colours
• Retractable Lead: Extends up to 5m • Durable construction with comfortable rubberised grip handle • Easy thumb lock mechanism • Reflective tape for nighttime walks • Assorted colours • 453017

Interactive Dog Ball \$11.99
• Includes grab tails and handle for easy fetch play • Soccerball, 15cm (S) or Football, 23cm x 10cm x 10cm • 453022

Active Pet Toy Assortment \$7.99
• Assorted styles of treat dispensing toys or Suction Cup Dog Toys • Assorted colours • 453023

Squeaky Dog Toy \$4.99
• Features a snorting-style internal squeaker • Assorted colours • 453024

Heavy Duty Dog Toy \$5.99
• Great for strong, aggressive chewers • Lightweight and soft, yet durable construction • Flow and ticks will not break in the cover • Assorted colours • Assorted sizes • Medium: 10cm (M) x 4.2cm (H) x 15cm (L) or Large: 14cm (M) x 7.5cm (H) x 15cm (L) • 454276

Elevated Dog Bed \$19.99
• Powder-coated steel frame • Water, oil and UV resistant • Allows pet's body to breathe • Flow and ticks will not break in the cover • Assorted colours • Assorted sizes • Medium: 10cm (M) x 4.2cm (H) x 15cm (L) or Large: 14cm (M) x 7.5cm (H) x 15cm (L) • 454276

Quick fit harness with buckle fastening
• Quick fit harness with buckle fastening • \$14.99

On Sale Wednesday 3 September

Prime grime time

ECOVACS DEEBOT NEO 2-D Robot Vacuum Cleaner \$279
• Automatic charging
• Dual function: vacuum and mop
• App controlled
• 1 Year Warranty

Tineco GO H20 Serene Floor Washer \$249
• Hard floor cleaner • Vacuum and clean wet and dry messes simultaneously
• Cordless • Charging dock
• Self-cleaning and centrifugal air drying
• LED display and brushless motor
• Voice alert and smart sensor • 1-step
• 2 Year Warranty

Tineco GO H20 Serene Floor Washer \$249
• Hard floor cleaner • Vacuum and clean wet and dry messes simultaneously
• Cordless • Charging dock
• Self-cleaning and centrifugal air drying
• LED display and brushless motor
• Voice alert and smart sensor • 1-step
• 2 Year Warranty

2-in-1 Cordless Stick Vacuum \$99.99
• Converts into handheld vacuum
• 3 Year Warranty

2-in-1 Cordless Stick Vacuum \$99.99
• Converts into handheld vacuum
• 3 Year Warranty

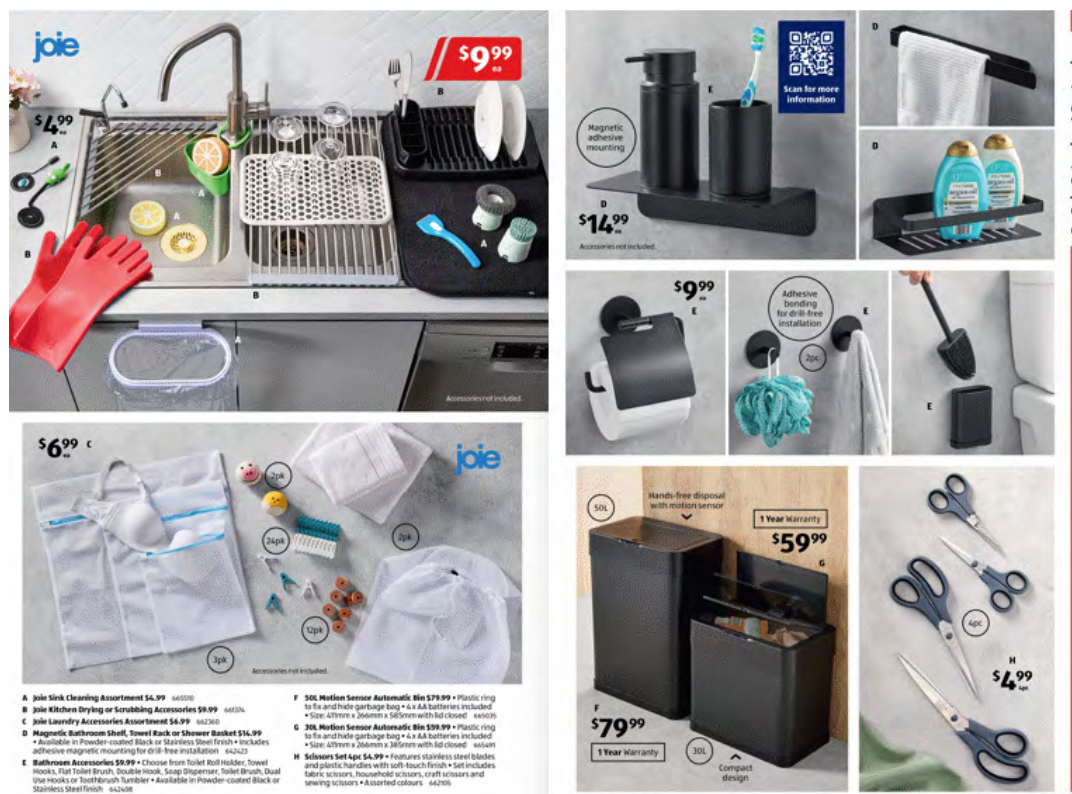
Electric Scrubber Brush \$13.99
• Great for hard-to-clean areas
• Interchangeable heads for pool and deck
• 3 Year Warranty

Compact Tornado Mop \$29.99
• Compact and lightweight • Multi-compartment bucket for washing and drying mop head • 2 microfiber pads included
• Suitable for use on tiles, laminate and wood • Assorted colours • 453027

Detail Cleaning Brush Set with Mop \$4.99
• Set includes deep clean brush, V-shaped corner edge brush with scraper, mini dustpan with scraper and soft detail brush with silicone scraper • Ideal for cleaning small spaces
• Assorted colours • 453028

On Sale Saturday 6 September

Public Interest Assessment
Form 2A Annexure
Application for liquor store licence
and extended trading permit (ongoing – Sunday)
ALDI Mandurah



4.13. The following are further examples:

While Stocks Last FERREX 20V Xfinity 6 Piece Set \$199.00	While Stocks Last DELTA Smart Lock Portable Key Safe \$89.99	While Stocks Last FERREX Cordless Screwdriver \$24.99	While Stocks Last FERREX Table Top Saw \$149.00	While Stocks Last AMBIANO Multi Snack Maker \$39.99
While Stocks Last STIRLING 60cm Glass Induction Cooktop \$179.00	While Stocks Last STIRLING 60cm Slide Out Rangehood \$99.00	While Stocks Last STIRLING 80L Designer Built-In Oven \$249.00	While Stocks Last CASALUX Garden Solar Lights \$14.99	While Stocks Last GARDENLINE Hose Cleaning Attachments \$24.99

4.14. The example images above show that an enormous and diverse range of popular consumer items are commonly available at exceptional value-for-money prices. Sometimes the special buys include a small selection of liquor. The following are examples of special buys of liquor available this year.

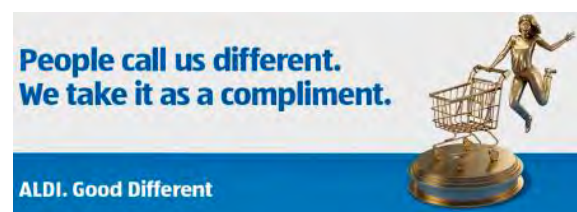
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ALDI Mandurah

				
ST HALLETT St Hallet Faith Barossa Shiraz 750ml	BROWN BROTHERS Winter Red 2024 Vintage	HIGHLAND GREEN Highland Green Blended Malt Scotch Whisky 700ml	WYNN'S ESTATE Coonawarra Shiraz 2023 750ml	LES ARGELIÈRES Pinot Noir 750ml
\$14.99	\$9.99	\$44.99	\$11.99	\$11.99
				
MOUNT LANGI GHIRAN Shiraz 2023 Vintage	CORTE CARISTA Montepulciano D'Abruzzo DOCG 2021 Vintage	THE STANDING PEOPLE Lighter in Alcohol Pinot Noir 2024 Vintage	DUFFEY'S Irish Whiskey 700ml	RESCHKE Reschke Coonawarra Cabernet Sauvignon 20...
\$15.99	\$11.99	\$9.99	\$46.99	\$11.99
				
PIERRE CHAINIER Vin De Sud Pinot Noir 2024	FAUSTINO Faustino Rivero Ulecia Reserva 750ml	FOWLES WINE Fowles Vinarium Chardonnay 750ml	FREYA AND JULES Clare Valley Shiraz 2022 750ml	BEST'S GREAT WESTERN EST 1866 Bests Grampains Cabernet Sauvignon...
\$9.99	\$9.99	\$14.99	\$12.99	\$14.99

4.15. ALDI prides itself on consistently competitive pricing across all of its product lines and providing customers with exceptional value-for money. The company's ability to achieve such low prices for quality products stems from its highly sophisticated business model which focuses on operational efficiency. The following are but a few examples of aspects of ALDI's in-store operations which heighten productivity, reduce waste and enable competitive value-for money pricing to be maintained.

- 4.15.1. Trolleys can only be accessed by inserting a gold coin into a particular trolley in order to be able to use it. This encourages customers to return the trolley to retrieve their coin and avoid the need for staff to spend time collecting trolleys.
- 4.15.2. Products in ALDI stores are displayed on re-usable crates, designed specifically for ALDI. The crates fit systematically in the ALDI

- Jandakot warehouse, delivery trucks and stores and can be moved from one place to another without unloading or extra-handling.
- 4.15.3. ALDI products are packaged with multiple barcodes for quick and easy scanning at the checkout with little to no time wasted fumbling to find a barcode and scan the product.
- 4.15.4. Customers are required to pack their own shopping bags at the checkout and a dedicated packing area is provided for customers. Checkout staff do not use valuable time packing bags and checkout processing is kept moving as there are no interruptions with customers holding-up the procession whilst packing at the checkout.
- 4.16. ALDI's business is highly systemised and disciplined. ALDI's shelving, storage methods, displays, product placement and other logistical aspects are designed to coordinate with each other to achieve optimum operational efficiencies. As a result, ALDI is able to reduce operating costs and provide better services and facilities for its customers.
- 4.17. ALDI does not operate by the regular retailing method of rotating discounts each day or week. Rather, prices are maintained at a consistently low level. This means that customers know what to expect when shopping at an ALDI store. It also reduces costs and resources associated with the logistics of managing specials and sales promotions which involve external advertising on site, changing ticket prices, reconfiguring product placement, adjusting till systems and other processes. ALDI does not incur all of these costs, thereby enhancing its operating efficiency.
- 4.18. Consistent pricing is also indicative of consistent quality. ALDI does not downgrade its products through heavy discounting. The applicant is driven by quality and consistency. In this regard in terms of liquor especially, ALDI's products very much represent value-for-money. High quality award winning liquor items are provided at prices accessible to most people.
- 4.19. ALDI's approach to business is neatly encapsulated in its "Good Different" slogan, which was launched in 2017. Mr Thomas Daunt, then director of the applicant company, explained this campaign as follows.
- "ALDI Australia is unapologetically different – and that's a good thing for shoppers. We are proud of our differences and we stand by them wholeheartedly, as they are what allows us to bring unbeatable value to our customers, maintain strong relationships with our suppliers and support our staff every day."¹⁵



¹⁵ <https://insidefmca.com.au/2017/05/15/aldis-good-different-campaign/>

- 4.20. ALDI is a responsible and sophisticated corporate citizen and operates pursuant to very high standards and key performance indicators, which include the following published principles¹⁶.
- 4.20.1. Price Promise
- 4.20.2. Aussie First Policy
- 4.20.3. Sustainability (- Good Planet, Good Community, Good Health and Good Business)
- 4.21. ALDI is a trusted brand in Australia amongst consumers. Reputable firm, Roy Morgan, has assessed ALDI as having had a strong performance, far ahead of most other supermarkets¹⁷.
- 4.22. ALDI's pursuit of excellence and quality in all things is evident in the many awards it has won in Australia, including Canstar Blue Most Satisfied Shoppers – Supermarkets 2014-2016 and 2018-2023 and Roy Morgan Supermarket of the Year for the last eight consecutive years¹⁸. Upon winning Supermarket of the Year in 2023, "Roy Morgan's research found Aldi's average customer satisfaction score was 95.7 per cent based on face-to-face customer interactions at supermarkets"¹⁹.
- 4.23. More specifically, ALDI is also an award-winning retail liquor supplier. Among its many liquor retailing awards has been the Canstar Blue Most Satisfied Customers – Liquor Retailer 2021 and Roy Morgan Liquor Store of the Year in 2018 based on customer satisfaction.
- 4.24. Canstar Blue is a major, renowned national independent reviewer and reporter of consumer products and services "helping Australian consumers make better-informed purchase decisions on products and services by providing factual, up-to-date and well-researched comparison tables, ratings, reviews, guides and news on a range of consumer-related topics...Canstar Blue uses its wealth of consumer and expert research and data to identify outstanding brands, products, services and plans. We award these brands, products, services and plans with an award that recognises this achievement"²⁰.
- 4.25. There should be no question as to the credibility of these awards and certainly no doubt that ALDI customers are immensely satisfied with the products and services provided by ALDI which include liquor.
- 4.26. The Australian Liquor Stores Association has said that Australian "shoppers have migrated towards the value messaging of Aldi"²¹.

¹⁶ <https://www.aldi.com.au/what-makes-us-good-different>

¹⁷ <https://www.roymorgan.com/findings/9666-risk-monitor-quartely-update-june-2024> and also <https://www.aldi.com.au/what-makes-us-good-different>

¹⁸ <https://www.roymorgan.com/findings/roy-morgan-unveils-annual-customer-satisfaction-award-winners-across-all-categories-2023>

¹⁹ <https://www.news.com.au/finance/business/retail/aldi-named-supermarket-of-the-year-in-roy-morgans-customer-satisfaction-awards-for-fourth-year-in-a-row/news-story/66f907a7efa9941ae6fc2610bc93c65f>

²⁰ <https://www.canstarblue.com.au/about-us/>

²¹ ALSA – IRI State of the Industry Report, March 2017 at page 14 - copy available if required, upon request

- 4.27. "Our success is based on the close relationships we have with our suppliers, who all share our passion for awesome quality. Aldi partners with some of the best producers and winemakers both in Australia and internationally, which means we can deliver exceptional quality, value and consistency to our customers. Our partnerships with our suppliers are focused on a desire to see the customer win with great-tasting wines at unbeatable prices".²²
- 4.28. ALDI is a highly sophisticated and experienced packaged liquor operator, which enjoys extensive supermarket and liquor retailing experience within Western Australia, elsewhere in Australia and overseas.
- 4.29. ALDI has been operating in Australia since 2001 when the first ALDI store opened in Sydney. There are now nearly 600 stores throughout Australia, including 52 in WA. The large majority of ALDI's stores throughout the country include a liquor component. In WA there are 36 ALDI stores trading with a liquor section.
- 4.30. Over the last ten years approximately, ALDI has been undergoing a \$700 million expansion, most notably in WA and South Australia. ALDI opened its first four stores in Western Australia on 8 June 2016.
- 4.31. The ALDI liquor service was made available in WA from the end of August 2017 in five ALDI stores initially. Since then, the applicant has had an excellent compliance record across the stores now trading in WA with ALDI's specialty trademark liquor section.

5. The liquor – ALDI exclusive products

- 5.1. The ALDI range of liquor products comprises a selection of wines, beers, spirits, ciders and liqueurs. The in-store range at Mandurah will contain a carefully selected value-for-money variety of approximately 95 items, many of which are award-winning and the large majority is produced for and available exclusively at ALDI.
- 5.2. Attached is a stocklist, which varies from time to time. The stocklist identifies the items that are available exclusively at ALDI. Notwithstanding that the stocklist is smaller than most liquor outlets, it contains a wide and well-balanced variety.
- 5.3. The range changes from time to time as it adapts to new products that become available to ALDI, responds to customer requirements and when occasional specialty items are offered. Generally, the ALDI liquor service at Mandurah would include the following:
- 5.3.1. Around 60 different wines – red, white, sparkling and fortified.
 - 5.3.2. Around 15 different beers – full, medium and light strength.
 - 5.3.3. Around 15 different spirits – bourbon, brandy, gin, scotch, vodka and liqueurs.

²² Jason Bowyer, ALDI Australia's Buying Director, in response to winning the Roy Morgan Liquor Store of the Year in 2018: <https://theshout.com.au/national-liquor-news/aldi-wins-roy-morgan-liquor-store-of-the-year/>

- 5.3.4. Around 5 different ciders.
- 5.4. The applicant's product range includes Western Australian produced wines. ALDI has partnered with various wine makers from the Margaret River region to develop a selection of exclusive ALDI Margaret River region products.
- 5.5. "The driver behind ALDI's [liquor] success is Jason Bowyer who has spent most of his life in the wine trade... ALDI's formula is to deliver quality and value at prices that often make the competition wince... Jason travels the world to find wine makers he can establish long term relationships with"...including Western Australian wine makers.²³
- 5.6. In recognition of the launch of the ALDI liquor service in WA, renowned wine expert Ray Jordan was invited to sample six of the wines in ALDI's WA stores. Mr Jordan produced a media article on his tasting and remarked that one of the wines in particular, being a \$7 bottle of One Road South Australian Heathcote Shiraz 2015, was "damn good"²⁴. That Shiraz has also won several other awards, including Double Gold & Best Value Shiraz of the Year at the 2017 Melbourne International Wine Competition. This Shiraz is just one example of ALDI's many high quality, value-for-money, award winning liquor products.
- 5.7. A large number of accolades have been bestowed on ALDI for its exclusive liquor range. Attached is a list of some of the awards received. The following are just two of the numerous published reports attributed to ALDI's superior quality, award-winning products:

A bargain **ALDI** vodka has taken home the top award at The Spirits Business Global Vodka Masters for 2022.

The supermarket's Tamova Quadruple Distilled Vodka (700ml) retails for just \$30.99 and is made in Australia.

The affordable spirit was awarded the Master Medal by an independent panel of experts, who tasted more than 139 vodkas from 75 companies around the world.

Melita Kiely, editor of The Spirits Business, said it the recent win was an "excellent achievement" for ALDI.

"To receive any sort of medal is something that every company should be extremely pleased with, and for ALDI Australia to receive a Master medal, the highest medal we award, for their single entry within a very competitive selection is an excellent achievement," she said.

"The multi award-winning vodka, part of ALDI's everyday range, is four times distilled and traditionally filtered for exceptional purity and a clean, crisp natural flavour."

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²³<https://www.bestwinesunder20.com.au/jason-bowyer-aldis-wine-whisperer/>

²⁴ <http://www.perthnow.com.au/news/western-australia/aldi-will-start-selling-alcohol-in-perth-stores-from-today/news-story/c59014afc215ba475dd1265a0e89eb4c>

²⁵ <https://7news.com.au/lifestyle/food/bargain-30-aldi-vodka-picks-up-top-award-at-the-global-vodka-masters-2022-c-8149807>

Aldi is your one stop shop when it comes to amazing products at low prices. From the furniture sold in the Special Buys sale to the fresh produce on the shelves, Aldi is your go-to for all things groceries and homewares. However, the German retailer has another feather to add to its cap: seller of award-winning booze.

The 2019 International Wine and Spirits Awards were held recently, and Aldi took home 13 awards.

Earning an impressive score of 95 in the cask-inish single malt scotch whiskey category, the Glen Marnoch Single Malt Sherry Cask Scotch Whiskey, which retails for just \$43, took home the gold medal and is now recognized as one of the best scotch whiskeys in the world.

The whiskey is currently only available in Aldi stores throughout NSW, however, Aldi's Highland Earl 8 Year Old Scotch Whiskey, which retails at just \$34 and came in at second place, is available Australia-wide.

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- 5.8. One of the most unique aspects of the ALDI liquor offering is the exclusive range itself, made-to-order for ALDI stores and not available at any other packaged liquor outlet. As stated previously, the majority of ALDI's range is unique and exclusive to ALDI. Shoppers simply cannot access those items at any other non-ALDI outlet.
- 5.9. In order to become an ALDI exclusive product, the producer enters into an arrangement with ALDI whereby it is agreed that particular brands of product will not be distributed or provided to any other retailer. This confirms that ALDI exclusive products cannot be obtained anywhere other than at an ALDI store.
- 5.10. The ALDI exclusive products differ significantly from the Woolworths and Coles private-label liquor ranges. Woolworths and Coles generally purchase the whole producer entity and production facility where possible and the products from those facilities then become what are known as private-label liquor items, effectively produced by/under the direction of Woolworths and Coles or their related entities. The issue with this approach, in terms of the proper development of the liquor industry, has been well explained by David Prestipino in his article 'Winestein Uncorked: 'Local' WA wines actually owned by Woolworths, Coles'²⁷ where he described the duopoly's approach as follows:

"To avoid certain wine taxes and further boost their huge profits, Woolworths and Coles create 'wine brands' (such as the Cow Bombie) under cheeky and creative (some say misleading) names.

The wines are difficult to identify, and often undercut well-known brands, small boutique and family wineries and those struggling to find a voice in an ever-increasing crowded market.

²⁶ <https://www.bhg.com.au/aldi-scotch-whiskey-award>

²⁷ <https://www.smh.com.au/entertainment/winestein-uncorked-local-wines-actually-owned-by-woolworths-coles-20151211-gllhjo.html>

Instead of Coles Reserve Chardonnay or Woolworths Bin 666 Cabernet, you have brands like Chateau Louise (Coles) and Augustine Wines (Woolworths) for sale...wines that are actually owned by the supermarket giants themselves.

By Developing their own private-label and exclusive wines, Coles and Woolies are now competitors to the very wineries (and consumers) they are meant to serve.

Why should this worry wine drinkers? Because not only are we losing diversity and competition as the duopoly increases its share of the wine market, but the relationship hurts independent merchants across the country, who are forced to close.

If the big chains need to move a product because it is not selling, or want to replace it for their own means, they slash the wine's price, essentially lowering the winery's brand/reputation at the same time."

- 5.11. ALDI's approach is very different. ALDI does not own the wineries, breweries and distilleries that produce its exclusive products and therefore, those independent producers are capable of producing other liquor items under different branding to sell directly to consumers themselves, or to other packaged liquor retailers. Further, whilst those producers will be required to produce a product to ALDI's standards and specifications they will, nonetheless, give input and advice into developing the products as the independent wine, beer or spirit producing expert.
- 5.12. The ALDI model does not, therefore, have the same deleterious effect on the development of the liquor industry by removing independent liquor producers from the market, but rather ALDI makes a highly valuable contribution to the industry by providing independent producers with a channel to develop and sell their wares.
- 5.13. This is one of many factors which differentiate ALDI's liquor range from the major liquor stores. The Mandurah and surrounding community will benefit greatly from having access to this special service. The role of the shopping centre site will be enhanced with the increased product diversity to be generated by ALDI's liquor service.
- 5.14. Given that the majority of ALDI's liquor range comprises ALDI exclusive products, it means that, as stated previously, the ALDI offering, overall, is unique to ALDI and simply cannot be replicated by any other licensee. The overall offering includes ALDI's liquor services which also cannot be said to duplicate any existing operation in Mandurah or nearby.
- 5.15. Within the liquor range available in any given week is a selection of new and different liquor items which change from week to week, similar to the "special buys" offer referred to elsewhere in this PIA. Approximately eight different products per week are made available to customers until the stocks are

depleted and then new ones are brought in for customers, so the product selection remains fresh and vibrant.

- 5.16. ALDI's liquor range is determined following a rigorous process of elimination trialling and testing of products, then identifying those that offer the very best value-for-money which necessitates excellent quality. The optimum range is provided to customers. Therefore, a quantity of products is stocked that is deliberately much smaller than may be found at most other liquor stores. The ALDI range is much more discerning and refined than most other liquor outlets. This ensures modern consumer requirements are met and ALDI's principles of quality, value-for-money and great convenience are upheld.
- 5.17. An example of ALDI's liquor advertising published in a catalogue recently appears below. It is relatively modest, yet smart and stylish. The advertisement contains product information for each item, demonstrating the quality and value-for-money propositions regarding the ALDI range and the fact the range is indeed carefully selected and responsibly promoted.

Drops of wisdom

\$11⁹⁹
A **Cosmos de Mars Grenache Shiraz Mourvèdre 2021 750ml**
A classic Côtes du Rhône blend, sparkling sumptuously berry, flower and tawny, cherry and blackberry, with some plum and orange, becoming more refined with age.

\$15⁹⁹
C **Prosecco Superiore D.O.C.G. 2021 750ml**
A sparkling wine from the Prosecco Superiore D.O.C.G. region, with a vibrant and lively character, displaying blue and black fruit aromas, with hints of black pepper and plum.

\$11⁹⁹
B **Reserva Cabernet Sauvignon 2022 750ml**
A classic Cabernet Sauvignon, with a complex and refined character, displaying a range of fruit and spice aromas, with a hint of black pepper and plum.

\$12⁹⁹
D **La Mule Cabernet Sauvignon 2022 750ml**
A classic Cabernet Sauvignon, with a complex and refined character, displaying a range of fruit and spice aromas, with a hint of black pepper and plum.

\$12⁹⁹
E **Galway Pipe 12yo Tawny 750ml**
Aged in oak barrels for an average of 12 years, this exquisite, rich blend has a complex flavour profile of raisins, dried pears, grilled nuts and spicy oak. Perfectly crafted, aged and ready to drink.

\$12⁹⁹
F **Freyra and Jules Chardonnay 2022 750ml**
New to the Freya and Jules range. A vibrant wine displaying blue and black fruit aromas, with hints of black pepper and plum.

\$48⁹⁹
G **Hickson House VSOP 750ml**
Award-winning classic dry gin infused with seaweed, tarragon, native finger lime, ruby grapefruit and crushed Sydney Rock Oyster shells. A smooth, creamy texture with a delicate hint of ocean salinity.

\$44⁹⁹
H **That Spirited Lads 750ml**
Produced with grapes harvested from legendary French vineyards such as Bordeaux. St. Rémy is recognised as the world's favourite French brandy.

\$69⁹⁹
I **That Spirited Lads Triple Citrus Vodka 750ml**
Featuring lime, orange, mandarin and lemon, this vodka packs a zesty punch! Serve simply with soda and a slice of lemon or use it to give your favourite cocktail a citrus kick.

\$54⁸⁹
J **Chivas Regal 12yo Scotch Whisky 750ml**
Chivas Regal 12yo has distinctive spicy flavours of crisp orchard fruits, wild heather and sweet honey. This signature, blended Scotch whisky has a rich and generous taste that's synonymous with its house style – primarily, it's an undeniably smooth whisky.

\$57⁹⁹
K **Southern Comfort Black 750ml**
Smooth taste. Bold character. Southern Comfort Black brings unmistakable whisky flavour with its signature touch of stone fruit and spices. It doesn't follow all the whisky rules – just always leads to a good time. Enjoy it straight up, on the rocks or to reinvent your favourite classic whisky cocktail.

\$15⁹⁹
L **Moheo IPA 4 x 330ml**
Crisp tropical notes with an easy-drinking, refreshing finish.

\$12⁹⁹
M **Byron Bay Premium Lager 6 x 355ml**
A balance between hop and malt, brewed with all pale malts for a light gold colour that delivers a smooth and refreshing taste.

ALDI Liquor available in selected stores. See aldi.com.au for locations

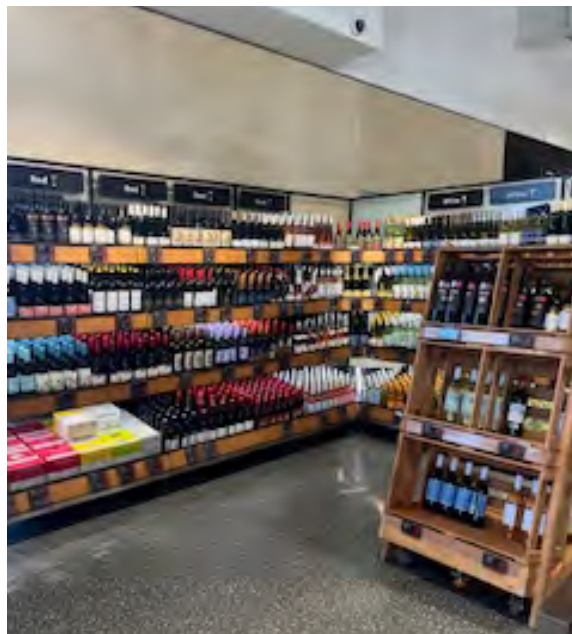
On Sale Wednesday 20 August

6. Form 2A “Part 2 – Manner of trade”

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

- 6.1. This application involves a proposal to sell and supply packaged liquor on and from the premises proposed to be licensed as described above, in accordance with section 47 of the Act.

- 6.2. As previously addressed in this document, the applicant proposes to offer a relatively small and mostly exclusive selection of carefully selected, value-for-money non-refrigerated beer, wine and spirits (including a range of beer, wine and spirit varietals, cider and sparkling). The images to the right and below depict a typical ALDI liquor section which will be established in Mandurah if the licence is granted.



- 6.3. The low-level free-standing temporary displays, as depicted in the following image, may be placed in different positions within the small liquor block.



- 6.4. The applicant seeks approval for the same licence, in respect of the same business model and on the same terms and conditions as approved on 38 previous occasions in WA.
- 6.5. ALDI Mandurah currently operates as follows (with variations for public holidays):
- | | |
|------------|-------------------|
| Monday: | 8.30am to 8.00pm |
| Tuesday: | 8.30am to 8.00pm |
| Wednesday: | 8.30am to 8.00pm |
| Thursday: | 8.30am to 9.00pm |
| Friday: | 8.30am to 8.00pm |
| Saturday: | 8.30am to 6.00pm |
| Sunday: | 10.00am to 5.00pm |
- 6.6. The liquor service will operate within these time periods, but subject to trading hours permitted under section 98D the Act and as may be approved under section 60(4)(g).
- 6.7. The applicant seeks approval for the standard trading hours permitted under section 98D of the Act, namely 8am to 10pm Monday to Saturday and 12 noon to 10pm on ANZAC Day (except no trading on Good Friday or Christmas Day). The applicant also seeks approval pursuant to section 60(4)(g) for an ETP to authorise trading from 10am to 10pm on Sunday. However, the actual opening times of the liquor section are proposed to be the usual ALDI store trading hours, as stated above (except no liquor trading before 12 noon on ANZAC Day or any time on Good Friday or Christmas Day). When the ALDI supermarket is not trading, the liquor display/browse area would be clearly closed off to customers and if the ALDI store is open for trade at times not permitted under section 98D or 60(4)(g) of the Act, the liquor area will also be closed to the public. Therefore, overall, ALDI's proposed liquor trading hours are much less than potentially permitted under the Act and much less than most liquor stores.
- 6.8. The applicant invites the licensing authority, if it considers appropriate, to impose the following special trading conditions that are imposed on ALDI's existing licences in WA:
- | | |
|--------|---|
| 6.8.1. | The licensee is prohibited from selling refrigerated liquor products. |
| 6.8.2. | There is to be no external advertising of liquor products on the façade of the licensed premises. |
| 6.8.3. | The browse/display area is to be closed off when not open for trade. |
| 6.8.4. | The licensee is to have and maintain a CCTV system in accordance with the policies of the Director of Liquor Licensing. |

- 6.8.5. The liquor display and sale area must be separated from the food/grocery display and sale area by barricading of non-see-through material over two (2) metres in height.
- 6.8.6. The entry/exit point to the licensed area must have a gate.
- 6.9. There are many aspects to the ALDI liquor model which differ from virtually all other non-ALDI packaged liquor outlets anywhere and which are most certainly totally different from the existing outlets relevant in this case. The following are key unique aspects of the ALDI liquor model, which will apply at Mandurah, should the application be approved:
 - 6.9.1. ALDI exclusive product range.
 - 6.9.2. Combination of the ALDI liquor service with the ALDI non-liquor store elements. A one-stop-ALDI shopping convenience.
 - 6.9.3. One transaction convenience.
 - 6.9.4. Its small size and location under the supermarket roof.
 - 6.9.5. Small, carefully curated selection of liquor with no bulk displays.
 - 6.9.6. Absence of refrigeration.
 - 6.9.7. Absence of external presence of the liquor section.
 - 6.9.8. The particular level of surveillance of the display/browse area which can be seen and monitored by staff at all times in its entirety.
 - 6.9.9. Restricted visibility into the liquor section as a juvenile risk management feature.
 - 6.9.10. Combined beneficial effects of the features listed above which are supplemented by the overall manner of trade and harm minimisation features identified.
- 6.10. In regard to the “target client base” referred to in the Form 2A:
 - 6.10.1. The applicant has already identified from sales data that its existing client base at the Mandurah store is drawn from an enormous catchment. For the late August reporting period of the last two years, ALDI Mandurah attracted shoppers from 148 different suburbs. Customers living in Mandurah represented the largest percentage, followed by shoppers living in Dudley Park and Greenfields²⁸. It is expected that the liquor section will draw a similar catchment.
 - 6.10.2. Deep End Services, an expert market and site research, analyst and advisory firm, identified for the applicant primary and secondary trade areas when the store was in its early stages. The primary trade area included Mandurah, Dudley Park and Greenfields. ALDI’s subsequent

²⁸ ALDI CommBank card sales data – Mandurah – 26 August 2024-1 September 2024 (and including 2023) (private and confidential – copy available to the licensing authority if required, upon request)

sales data has shown that assessment to have been accurate. Attached is the report by Deep End Services²⁹.

- 6.10.3. Principally, the ALDI target client base for the proposed liquor service is existing customers of the ALDI Mandurah store who are demanding that ALDI liquor be made available to them there, of which there are an average of around 8,700 per week³⁰.
- 6.10.4. Subsequently and more generally, the ALDI target client base for the proposed liquor service consists of people living and working in the primary trade area referred to in the DES report.
- 6.10.5. The next nearest ALDI liquor service is in Halls Head, approximately 4km away (straight line), nearly ten minutes by car one way, over the Mandurah Estuary. The applicant's target customer base for ALDI Mandurah will focus on people living on the eastern side of the Estuary, to save them travelling so far and outside of their local neighbourhood.
- 6.11. ALDI operates a friendly, inclusive and welcoming store and will continue to do so if the liquor licence is granted. Any adult may potentially visit the liquor section and shop there provided only that they comply with ALDI's conditions of entry that apply to anyone and any legal requirements by which ALDI needs to abide.
- 6.12. ALDI enjoys enormously favourable community sentiment and support. Its stores have huge popularity and significant regular custom. Some customers are so passionate about ALDI that they developed their own private Facebook page/group named, Aldi Fans Australia, dedicated to information for ALDI lovers. This is not an official ALDI media source and yet it has around 104,600 members³¹. ALDI's official Facebook page has around 892,000 "followers"³². This medium is the modern-day voice of the public and therefore, represents significant community sentiment.
- 6.13. The first two ALDI applications for liquor store licences in WA were initially refused at first instance³³ (and subsequently approved). Soon after the initial refusals, a massive 8,637 people took it upon themselves to participate in an Internet survey conducted by Nine News Perth³⁴ which asked: "Do you think ALDI should be banned from selling alcohol because it's too cheap?". Within just two days 7,428 people who participated (86%) answered "no". Importantly, this survey was conducted without any involvement from the applicant. It was completely unsolicited. It is indicative of ALDI's significant popularity in the WA community.

²⁹ Mandurah (Aldgate St) WA - Trade Area & Sales Projection, by Deep End Services dated 13 June 2014 (**DES report**)

³⁰ PRG report at page 5

³¹ <https://www.facebook.com/groups/117155111252/>

³² <https://www.facebook.com/ALDI.Australia/>

³³ Decision of Director of Liquor Licensing: ALDI Harrisdale (A000187300) and Decision of Director of Liquor Licensing: ALDI Joondalup (A000191943)

³⁴ 9 News Perth Facebook, 15 June 2016, printout attached

- 6.14. ALDI has been under pressure for some while from local residents to provide a liquor service at the Mandurah store. They know about other ALDI stores offering liquor and want Mandurah to do the same. Customers seeking the liquor service have expressed confusion and frustration as to why other ALDI locations offer liquor but the Mandurah store does not.
- 6.15. The applicant engaged independent expert market research firm, PRG³⁵, to conduct a survey and to subsequently provide a report of the results which is referred to throughout this document. Some of the results in the PRG report evidencing clear and strong demand for the ALDI liquor proposal from the 315 people surveyed, include the following:
- 6.15.1. "Eighty-seven per cent of all shoppers, and 93% of take-away liquor buyers support the establishment of a liquor section within the ALDI Mandurah store"³⁶.
- 6.15.2. "A significant majority of respondents indicated that the key liquor store attributes that would be provided in an ALDI Liquor section appealed to them. The fact that 85% of shoppers had shopped in an ALDI store that included a liquor section, adds some weight to these observations."³⁷
- 6.15.3. "In excess of 9 in 10 "experienced shoppers" agree...that:
- ALDI liquor sections have good quality products,
 - the products represent good value for money,
 - the liquor section is convenient for shoppers. (sic) and
 - 82% agree that they have many brands and products not available elsewhere (other than another ALDI store)"³⁸
- 6.15.4. "[A]lmost 9 in 10 of all shoppers (87%) like the notion that the liquor section would be located within the ALDI Mandurah store."³⁹
- 6.15.5. "Slightly more than eight in ten (82%) of the total ALDI shopper sample liked the notion that the proposed liquor section would have mostly exclusive ALDI products... The weight of opinion is very much supportive of this aspect of the proposed ALDI Mandurah liquor section."⁴⁰ This should be considered alongside other evidence in the PRG report that "almost six in ten (59%) shoppers have previously consumed ALDI exclusive liquor products that had been purchased from another WA ALDI store...This suggests that many shoppers are prepared to go to other ALDI stores to access exclusive ALDI liquor products. Note also that almost 7 in 10 (69%) of take-away alcohol

³⁵ Experience, expertise and methods are referred to on pages 2, 5 and 11; Also: <https://marketresearch.com.au/>

³⁶ PRG report at para 2.2 on page 7

³⁷ PRG report at para 2.3 on page 9

³⁸ PRG report at para 4.4.2 on page 19

³⁹ PRG report at para 4.5.1 on page 20

⁴⁰ PRG report at para 4.5.2 on page 21

buyers have consumed ALDI liquor products purchased in another WA ALDI store.”⁴¹ Therefore, the large majority of people who were interviewed and who expressed strong support for the specialist exclusive range clearly knew exactly what liquor products they were addressing.

- 6.15.6. Of the whole group surveyed, 78% like the prospect of award-winning liquor products being available at ALDI Mandurah.⁴²
 - 6.15.7. 92% said they like the prospect of the value-for-money pricing of liquor items being available to them at ALDI Mandurah.⁴³
 - 6.15.8. 89% of the total survey sample said they like the prospect of one transaction shopping convenience at ALDI Mandurah if the licence is approved.⁴⁴
- 6.16. The PRG report has been compiled by an extremely experienced expert. Such evidence was found by the Liquor Commission in *ALDI Foods Pty Ltd v Director of Liquor Licensing* LC 09/2017 (**ALDI Harrisdale**) to be “gold standard”⁴⁵.

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

- 6.17. ALDI stores generally comprise a total footprint of approximately 2,000m². Some are located within shopping centres while others, like the Mandurah store, are free-standing. This store – pictured on the cover page of this document – has been operating for approximately nine years. It operates from within a modern, single storey building.
- 6.18. Consistent with other ALDI stores, the following different parts or areas comprise the Mandurah outlet, listed in order of size in terms of the approximate portion of the total footprint:
- 6.18.1. Main public retail area (non-liquor) – displaying grocery, other supermarket items, homewares, clothing, furniture, tools and other non-grocery items.
 - 6.18.2. Storage.
 - 6.18.3. Loading dock/delivery area.
 - 6.18.4. Entrance and trolley bay.
 - 6.18.5. Checkout.
 - 6.18.6. Office and staff facilities.
 - 6.18.7. Liquor display and browse area (proposed).

⁴¹ PRG report at para 4.4.1 on page 18

⁴² PRG report at para 4.5.3, page 22

⁴³ PRG report at para 4.5.4, page 23

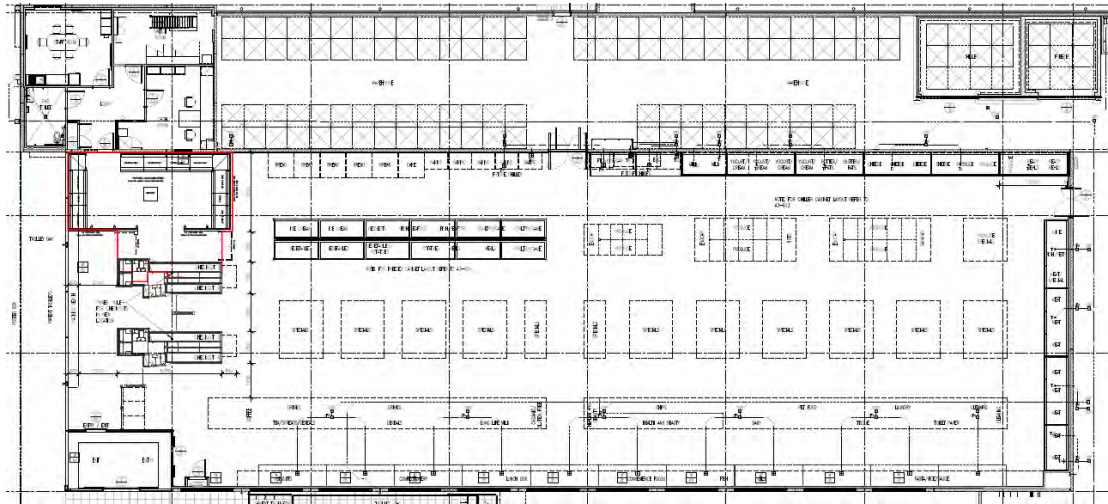
⁴⁴ PRG report at para 4.5.5, page 24

⁴⁵ Hearing 22 February 2017, transcript at page 45

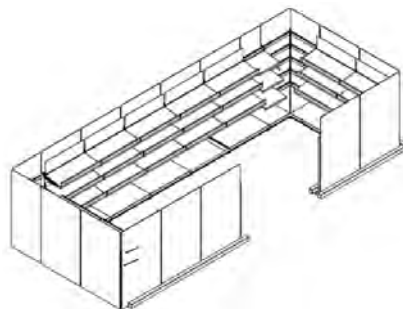
- 6.19. The store also has its own dedicated, spacious parking area with approximately 100 bays.
- 6.20. ALDI stores are bright, fresh and pleasant shopping environments. The following images depict the stylish and crisp appearance that can be found at the ALDI Mandurah store:



- 6.21. ALDI operates a generic store modelling concept. The size, layout, colour, product location and stock range of each ALDI store are almost always the same. Minor differences may occur from time to time at some stores owing to land formation, town planning requirements or other unique particulars of the site. For example, the entrance door may be positioned a few metres away from its usual position at a particular location.
- 6.22. The standardisation of store layouts engenders familiarity for customers, enhances shopping comfort, efficiency and convenience. It also enables customers to rely on consistency of style, standard and overall offer. Importantly, these are key features of the applicant's successful superior efficiency model of operation which benefits customers enormously and is clearly popular with shoppers.
- 6.23. The layout of the ALDI Mandurah store is pictured below in an extract from the applicant's floor plan lodged with the application. It shows the proposed liquor display, browse and sales area outlined in red. This is clearly a tiny proportion of the overall footprint. The office is also sought to be licensed to house the required licensing documents and to accommodate the approved manager from time to time. The combined proposed licensed area is approximately 48m².



- 6.24. The display/browse space is a simple rectangular shape as depicted in the image above which will be clearly delineated in the same manner as existing ALDI licensed stores. This design is based on many years of experience and enables convenience and a high level of surveillance of the area. The display/browse area will also comfortably accommodate shoppers with their trolleys.
- 6.25. The checkout closest to the liquor display/browse area is proposed to be licensed for the purposes of the liquor transactions. Staff operating at this checkout will be able to monitor all patron activity in this area.
- 6.26. The very small size and layout of the liquor display/browse area clearly confirms that the liquor section is a complementary service to the rest of the ALDI Mandurah store and will help ensure the area is well-controlled and supervised.
- 6.27. As set out earlier on in this document, the following aerial render is indicative of the proposed sectioned-off liquor display/browse area, which is to be established if approved. The boundary partitioning is intended to be made of 2.1 metre high opaque frosted glass designed for the purpose.
- 6.28. The following photograph of the approved liquor section at the ALDI Yanchep store, which is the area behind the frosted glass and the checkout just in front of it, is indicative of what is proposed to be established at Mandurah.





- 6.29. The position, layout and small size of the liquor section will enable very clear and uninterrupted visibility and supervision of the display/browse area. These features assist with security, surveillance, management and control by staff.
- 6.30. Thoroughly trained and suitably qualified staff members over the age of 18 will be positioned at the licensed checkout at all times, where they will be able to see directly into the whole liquor area. Such constant and close surveillance is rarely achieved at most other liquor stores due to their size, layout and walk-in cool rooms. Further details of the applicant's well developed risk management measures, which include a heavy emphasis on staff training, are set out further on in this PIA.
- 6.31. The liquor area will be entirely confined well within the ALDI supermarket building and have no access directly into, or visibility from, outside of the ALDI store. In fact, the liquor section will have even limited visibility from within the ALDI supermarket. It will be positioned on the opposite side of the store from the main entrance, next to the office, so as to reduce visibility and enhance the separation from the rest of the store. The liquor section will be discretely tucked-away into the corner, as depicted below at the end of the far-end aisle.



- 6.32. Signage external to the licensed premises may be displayed which is subtle, modest and states simply that there is “liquor available in store”. Such signage will not contain images of liquor products, references to particular liquor products or prices of liquor products. The following is an example of the innocuous type of external signage that may be displayed.

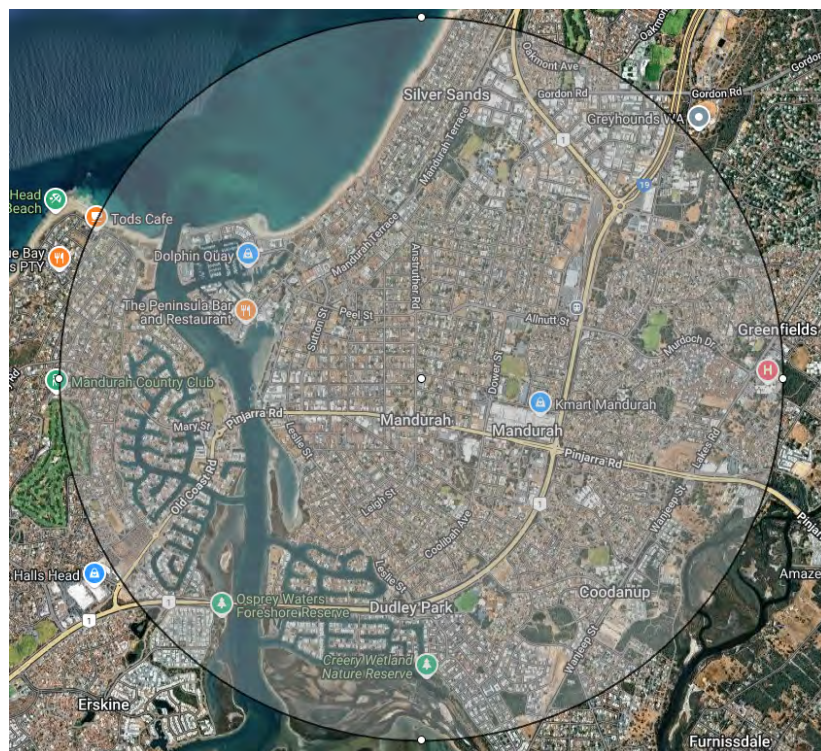
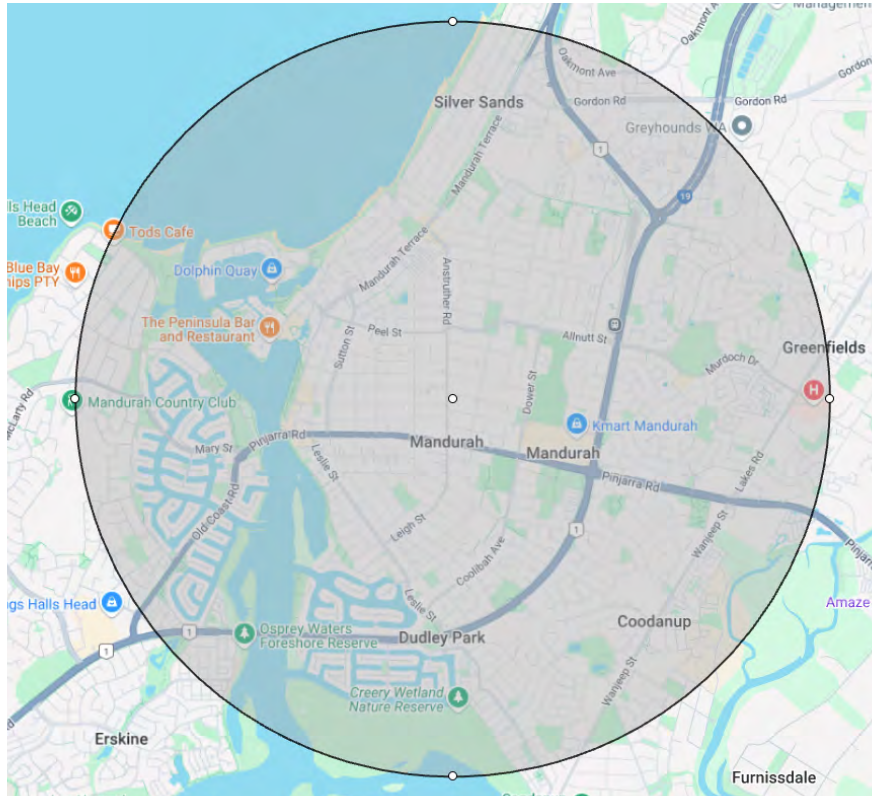


- 6.33. There will be no cool room or other refrigeration in the liquor area. All products will be stocked and sold at room temperature. This unique feature further confirms the intention that the liquor service is genuinely designed to complement the other household items being sold and provide a one-stop-ALDI shop, not an impulse buying service designed to accommodate quick drinking.
- 6.34. As stated previously, the office inside the ALDI Mandurah store is proposed to be licensed for the main purpose of storing licensing-related documents including the approved plans, harm minimisation plan, incident register and staff training register. From time to time, the approved manager may be positioned inside the office.
- 6.35. The applicant intends to store liquor in the back-of-house storage area of the ALDI Mandurah supermarket and also at the applicant's distribution centre in Jandakot. No sale or supply of the liquor directly to customers will take place from the storage facilities.

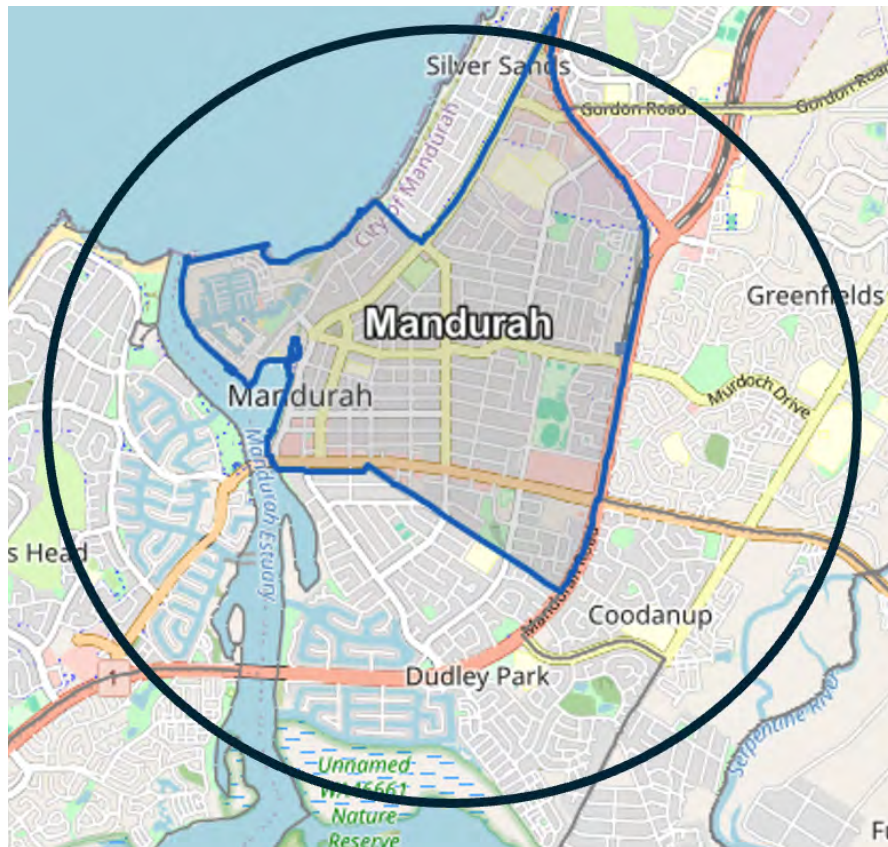
Form 2A: “2.3 If you intend to sell packaged liquor, give the names and addresses of all existing licensed premises within the locality”

- 6.36. To address this point in the Form 2A, it is necessary to firstly identify the relevant locality.
- 6.37. There is no definition of “locality” in the Act.

- 6.38. The ALDI Mandurah store is located approximately 66km from the Perth CBD (south). In the Form 2A, the Department has suggested that the locality for this case may be a 3km radius around the proposed licensed area given that the premises is located further then 15km of the Perth CBD. That area is depicted in the Google Maps images below (**3km locality**).



- 6.39. The following Google Maps image shows the suburb of Mandurah outlined in blue⁴⁶ in the context of the 3km locality shown as the black radius:



- 6.40. The suburb of Mandurah covers approximately 45% of the total land area within the 3km locality. Virtually the whole of the suburb of Mandurah is within the 3km locality.
- 6.41. The 3km locality also includes approximately 90% of the developed area within the suburb of Dudley Park, approximately half of the suburbs of Coodanup, Silver Sands and Greenfields, approximately 20% of the developed area within Halls Head and tiny pockets of Meadow Springs and Erskine.
- 6.42. The whole of the 3km locality is within the City of Mandurah.
- 6.43. For the purposes of this PIA, statistical information is provided mainly for the suburbs of Mandurah, Dudley Park, Coodanup, Silver Sands and Greenfields as they are considered the most relevant in this case. Statistical information for Halls Head, Meadow Springs and Erskine has not been closely assessed for the purposes of this PIA on the basis that to do so would likely distort the overall picture given the small portions of those suburbs which fall within the 3km locality.

⁴⁶ <https://www.abs.gov.au/census/find-census-data/search-by-area>

- 6.44. Key physical features of the 3km locality, which can be clearly seen in the maps above, include Indian Ocean, Mandurah Estuary, canals, Mandurah Road, Pinjarra Road and trainline.
- 6.45. “[T]he word ‘locality’ in s 36B denotes an area that surrounds, and is geographically close to, the location of the proposed premises”⁴⁷.
- 6.46. “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.”⁴⁸
- 6.47. “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’”⁴⁹.
- 6.48. “[D]ue to the variety of factual situations that may arise, it is impossible to prescribe a specific test to be applied or even an exhaustive list of the factors that will or may be relevant in the determination of the locality in any given case. As has been observed in other jurisdictions, there will be some cases where it will be easy to determine the locality, and other cases where it will not be. An example of the former would be where the proposed premises was to be placed in a small country town. An example of the latter would be where it was to be placed in the CBD.”⁵⁰
- 6.49. “What constitutes a ‘locality’ relates to the geographical area surrounding, and what is relatively close to, the proposed site”⁵¹.
- 6.50. “In any event, the factors which can be contemplated in deciding ‘locality’ must remain diverse and fluid and it is contemplated that the Director may impose different localities in respect to different applications, provided that, in the interests of natural justice, such decision is made on reasonable and ascertainable grounds”⁵².

⁴⁷ *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2021] WASC 366 (**Liquorland Karrinyup**) [181] (Archer J); confirmed in *Liquorland Southern River* [62] (Lemonis)

⁴⁸ *Liquorland Karrinyup* [182] (Archer J); confirmed in *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [15] (Smith J) and *Liquorland Southern River* [62] (Lemonis)

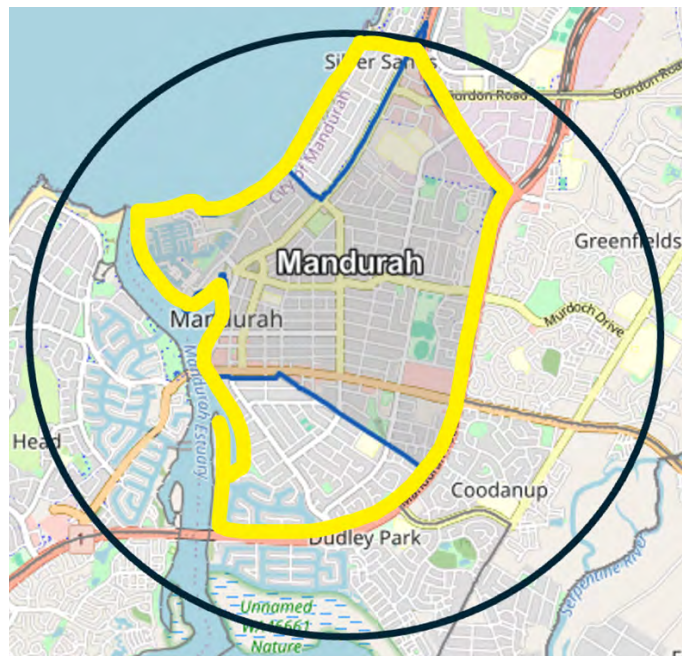
⁴⁹ *Liquorland Karrinyup* [185] (Archer J); confirmed in *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [16] (Smith J) and *Liquorland Southern River* [62] (Lemonis)

⁵⁰ *Liquorland Karrinyup* [186] (Archer J); confirmed in *Liquorland Southern River* [62] (Lemonis)

⁵¹ *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [14] (Smith J); *Liquorland Karrinyup* [186] and [190] (Archer J)

⁵² *Endeavour Group Limited v Director of Liquor Licensing and ors* LC07/2023 at [164]; *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* LC09/2023 [92]

- 6.51. “The imposition of a radius circle is not necessarily appropriate where such the same encompasses an artificial area. To adopt a patently artificial radius does not reflect the licensing authority’s mandate to have regard to the primary objects of the Act and the functions of the licensing authority which require consideration of the actual impacts of a proposed application”.⁵³
- 6.52. For the purposes of section 36B of the Act and having regard to the findings of the Court in *Liquorland Karrinyup*, upheld in *Liquorland Southern River*, the applicant submits that the relevant locality in this case is a portion of the 3km locality. It is proposed to be the suburb of Mandurah and the portions of the suburbs of Dudley Park and Silver Sands that are on the northern side of Mandurah Road within the 3km locality. This area is depicted in the following map as the area outlined in yellow (**s36B locality**).



- 6.53. The proposition for the area highlighted above as the s36B locality is based on the following reasons:
- 6.53.1. The suburb of Mandurah, which represents most of the s36B locality, is “an area that surrounds and is geographically close to the location of the proposed premises”⁵⁴ which are the key criteria.
 - 6.53.2. The area proposed as the s36B locality is the local neighbourhood⁵⁵. ALDI Mandurah is located virtually in the centre of the s36B locality.
 - 6.53.3. The area proposed as the s36B locality is bounded and delineated by the significant features of ocean, estuary, main roads and trainline which act as notable barriers and physical demarcation.

⁵³ *Endeavour Group Limited v Director of Liquor Licensing and ors* LC 07/2023 [172]; *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* LC 09/2023 [99]

⁵⁴ *Liquorland Karrinyup* [181] (Archer J)

⁵⁵ *Liquorland Karrinyup* [182, for example] (Archer J)

- 6.53.4. The ALDI liquor display and browse area will be a tiny space with no visibility whatsoever external to the ALDI store. In fact, the liquor section will only be visible from well within the ALDI supermarket. When this is considered in the context of the surrounding area it is clear that the size of the ALDI liquor section is even further reduced in scale. Having regard for these factors, it could be artificial to extend the relevant locality to an area wider than the s36B locality. This proposition is supported by the obiter dictum of Lemonis J in *Liquorland Southern River* at [65].
- 6.54. Having regard for sections 16(7)(b) and (c) of the Act, the Department's "common-sense approach" policy⁵⁶ and the State Government's published desire to make it less complicated and easier to do business in the WA liquor industry⁵⁷, the assessment of locality in this PIA is not exhaustive. The applicant has provided a level of detail considered appropriate for the circumstances in terms of the content of this document and the attachments. Further detail, additional copies of source material and supplementary supporting evidence can be provided if necessary. The applicant has had regard for the decision in *Liquorland Karrinyup* and the fact that the 3km locality and s36B locality are both very established and presumably the licensing authority is properly familiar with them and so only pertinent locality material has been included⁵⁸.
- 6.55. The following images depict aspects of the area immediately surrounding ALDI Mandurah – indicated in the first image by the red balloon:

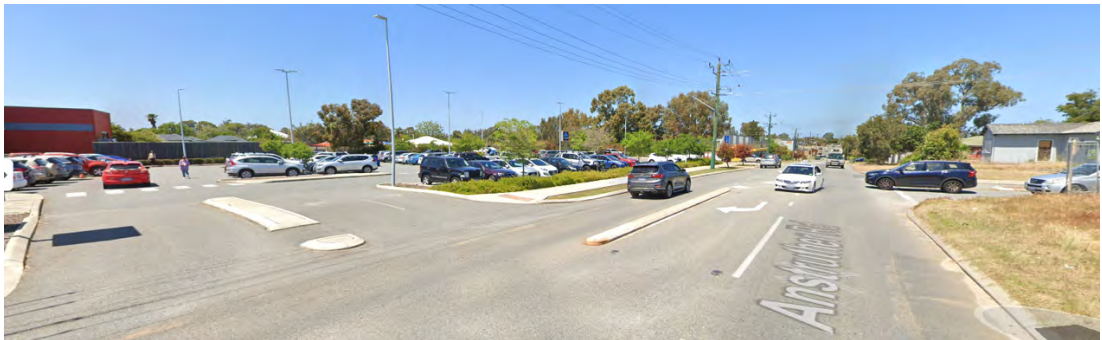


⁵⁶ Form 2A page 2 and at:

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

⁵⁷ For example: <https://www.cits.wa.gov.au/department/news/news-article/2024/08/29/liquor-licensing-policy-reform-a-big-win-for-wa-hospitality-industry>

⁵⁸ Further detailed information and supporting documents can be provided if required, upon request

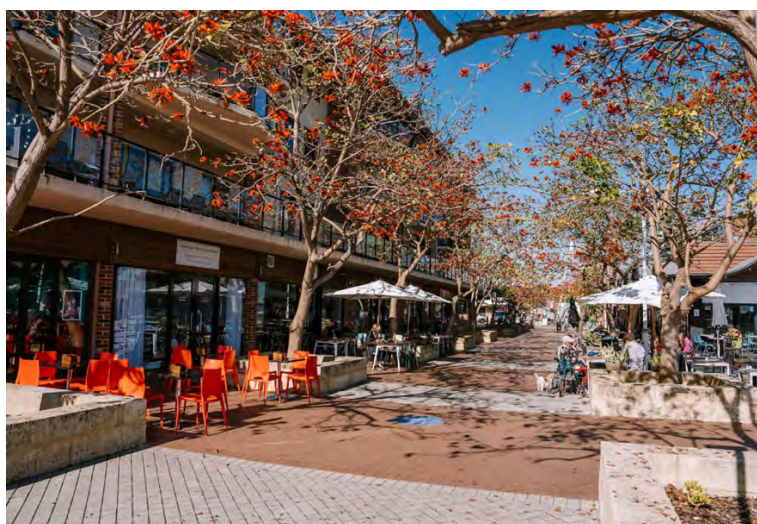


- 6.56. The following images depict aspects of the city centre district nearby which are comprised mostly within the suburb of Mandurah, which is within the 36B locality⁵⁹:



⁵⁹ City of Mandurah City Centre Master Plan, August 2024

Public Interest Assessment
Form 2A Annexure
Application for liquor store licence
and extended trading permit (ongoing – Sunday)
ALDI Mandurah



6.57. The applicant has carefully considered both the 3km locality and s36B locality, as referred to throughout this PIA and the accompanying Legal Submissions.

6.58. "The City of Mandurah is Western Australia's largest regional city and covers an area of 173.5km.

It is home to more than 99,000 people as of the 30th June 2023. Since the previous year, the population has grown by 3.82%. Population growth in Greater Perth was 3.65%.

Between 2021 and 2046, the population for the City of Mandurah is forecast to increase by 23,338 persons (24.98% growth), at an average annual change of 0.90%.

Mandurah boasts a typical Mediterranean climate and relaxed coastal lifestyle which provides a unique work/life balance opportunity. Between the Indian Ocean, the expansive waterways of the Peel-Harvey Estuary and the lower reaches of the Serpentine River, this unique location boasts some of the best water based activity facilities in Western Australia.

Mandurah is a superb place to live and raise a family. It offers an exciting mix of residential developments, from family homes and modern apartments within new estates to luxurious homes nestled among canal waterways. Mandurah forms part of the Peel Region located just one hour's drive from Perth and lying between the metropolitan area and the Southwest Region."⁶⁰

6.59. As required by the Form 2A, the applicant provides the following "names and addresses of all existing licensed premises within the [s36B] locality"⁶¹ – the "packaged liquor premises"⁶² in **bold**:

- 6.59.1. Mandurah Indoor Sports Centre, 87 Dower Street, Coodanup
- 6.59.2. **The Peninsula Mandurah**, 1 Marco Polo Drive, Mandurah
- 6.59.3. **Boathouse Tavern**, Peel Shopping Centre, Pinjarra Road, Mandurah
- 6.59.4. **Silver Sands Tavern**, 176 Mandurah Terrace, Mandurah
- 6.59.5. **Brighton Hotel**, 10-12 Mandurah Terrace, Mandurah
- 6.59.6. **Murphy's Irish Pub**, 43-44 Mandurah Terrace, Mandurah
- 6.59.7. **The Bridge Garden Bar & Restaurant**, 2 Mandurah Terrace
- 6.59.8. **The Bottle-O Mandurah**, Sholl Street, Mandurah
- 6.59.9. **Dan Murphy's Mandurah**, Shop 2, 23 Pinjarra Road, Mandurah
- 6.59.10. **Liquorland Mandurah Forum**, Pinjarra Road, Mandurah
- 6.59.11. **Liquor Stax Marina**, 16 Dolphin Drive, Mandurah

⁶⁰ <https://www.mandurah.wa.gov.au/learn/about-mandurah/fact-and-figures>

⁶¹ Based on information published by the Department as at 5 September 2025, listed in the order as appears in the Department's database for each suburb: <https://portal.dlgsc.wa.gov.au/forms/fr/search/findallicence/new>

⁶² As defined in section 36B of the Act

- 6.59.12. Dudley Park Bowling & Recreation Club Inc, Eden Street, Mandurah
- 6.59.13. Peel Thunder Football Club Inc, Rushton Park, Mandurah
- 6.59.14. Mandurah Offshore Fishing & Sailing Club Inc, Lot 12 Breakwater Parade, Mandurah
- 6.59.15. Atrium Resort Hotel, 65 Ormsby Terrace, Mandurah
- 6.59.16. The Sebel Mandurah Hotel, 1 Marco Polo Drive, Mandurah
- 6.59.17. Sunbreakers Function & Conference Centre, 110 Mandurah Terrace, Mandurah
- 6.59.18. Red Manna Restaurant, 5 Mandurah Terrace, Mandurah
- 6.59.19. Mei Jing Restaurant, 93 Mandurah Terrace, Mandurah
- 6.59.20. The Hummingbird Waterside Café, Shop 1, The Plaza 38 Mandurah Terrace, Mandurah
- 6.59.21. Paparazzi Café, Shop 2, part lot 502 Peel Street, Mandurah
- 6.59.22. Tods Café, The Boardwalk, Mandurah
- 6.59.23. Cicerello's (Mandurah), Mandurah Boardwalk, 73 Mandurah Terrace, Mandurah
- 6.59.24. Silk Thai Restaurant, Shop 6 and 7, 52 Mandurah Terrace, Mandurah
- 6.59.25. The Boardwalk @ DQ, Shop 21, The Waterfront Dolphin Quay, Mandurah
- 6.59.26. Bellini Italian, Café 1/2, Dolphin Keys, 4 Zephyr Mews, Mandurah
- 6.59.27. Café Moka, Shop 2, Dolphin Quay, Mandurah
- 6.59.28. Mandurah Steakhouse, Units 3 and 4, 51 Pinjarra Road, Mandurah
- 6.59.29. Han's Café Mandurah, lot 300, 41 Ormsby Terrace, Mandurah
- 6.59.30. Sharky's Fish & Chips, Shop 1, Zephyr Mews, Mandurah
- 6.59.31. Flics Kitchen, Shops 2 & 3, Sontoy Building, 14-16 Mandurah Terrace, Mandurah
- 6.59.32. Jasmine Thai Restaurant, Shop 7/2 Dolphin Quay, Mandurah
- 6.59.33. The Stage Door Waterfront Restaurant, The Boardwalk Ormsby Terrace, Mandurah
- 6.59.34. Waterside Thai Restaurant, 3 Mandurah Terrace, Mandurah
- 6.59.35. Top Floor Nightclub, 7 Smart Street, Mandurah
- 6.59.36. Mandurah Ferry Cruises, Mandurah-Murray River Waterways (Mandurah Terrace), Mandurah
- 6.59.37. Mandurah Performing Arts Centre, The Boardwalk, Ormsby Terrace, Mandurah

- 6.59.38. Bouvard Cruises, Mandurah-Murray River Waterways (Mandurah Terrace), Mandurah
- 6.59.39. Mandurah Tennis Club, 2 Thomson Street, Mandurah
- 6.59.40. Oyster Bedz, Shop A, Oceanic Retreat, 4 The Palladio, Mandurah
- 6.59.41. Oceanic Bar + Grill, Unit 57, 2 The Palladio, Mandurah
- 6.59.42. **Little Stiller Distillery**, 7 Mandurah Terrace, Mandurah
- 6.59.43. **BWS – Beer Wine Spirits Mandurah Forum**, Mandurah Forum Shopping Centre, 30 Pinjarra Road, Mandurah
- 6.59.44. Mandurah Bowling & Recreation Club Inc, 89 Allnutt Street, Mandurah
- 6.59.45. Mandurah Kebab Masters, Unit 5, 1 Magenta Terrace, Mandurah
- 6.59.46. Grill'd Mandurah, 31-33 Mandurah Terrace, Mandurah
- 6.59.47. Alfresco Indian Cuisine, Shop 8, Oceanic Retreat, Mandurah Ocean Marina, 2 The Palladio, Mandurah
- 6.59.48. Tao Café Mandurah, Tenancy R-004, Mandurah Forum, 330 Pinjarra Road, Mandurah
- 6.59.49. Archies Southwest, Shop 3, Oceanic Retreat, Mandurah Ocean Marina, 2 The Palladio, Mandurah
- 6.59.50. Saigon Silver Sands, 116A Anstruther Road, Mandurah
- 6.59.51. Wood & Stone Café, Unit 2, 38 Mandurah Terrace, Mandurah
- 6.59.52. Bob Jo, Unit 1a, 52 Mandurah Terrace, Mandurah
- 6.59.53. Café 63 Mandurah, Shop R-001, Mandurah Forum, 330 Pinjarra Road, Mandurah
- 6.59.54. Turquoise Dolphin Quay, Unit 1/2, 37 Dolphin Drive, Mandurah
- 6.59.55. Piccolino Restaurant, 53 Sholl Street, Mandurah
- 6.59.56. New Asian Delights, Shop 5, 4 Zephyr Mews, Mandurah
- 6.59.57. Betty's Burgers Mandurah, 9 Mandurah Terrace, Mandurah
- 6.59.58. Springbok Kitchen, Shop 6, Dolphin Quay, 4 Zephyr Mews, Mandurah
- 6.59.59. The Cray Seafood and Grill Mandurah Shop 2, 4 The Palladio, Dolphin Quay, Mandurah
- 6.59.60. Reading Cinemas Mandurah, 7 James Service Place, Mandurah
- 6.59.61. Big Swing Golf Mandurah, Unit 9, 9 Gordon Road, Mandurah
- 6.59.62. Mondo Liquor, 35B Breakwater Parade, Mandurah
- 6.59.63. Eastwell Estate Pty Ltd, 4 Cannaregio Square, Mandurah

- 6.59.64. All Malt Brewing, 5 Martyn Road, Mandurah
- 6.59.65. Peel AFL Masters Inc, Rushton Park, North Thomson Street, Mandurah
- 6.59.66. Mandurah Basketball Assn Inc, 303 Pinjarra Road, Mandurah
- 6.59.67. Brewvino, 75 Mandurah Terrace, Mandurah
- 6.59.68. The Sporting Globe Bar & Grill, Shop R8, Mandurah Forum, 330 Pinjarra Road, Mandurah
- 6.59.69. *BBQ Heaven, Unit 6, 33-39 Pinjarra Road, Mandurah (suspended)*
- 6.59.70. *Bar Therapy, 3 Mandurah Terrace, Mandurah (suspended)*
- 6.60. Additional information and submissions regarding the 11 “packaged liquor premises”⁶³ listed above are provided further on in this document.
- 6.61. Beyond the s36B locality, are the following existing licensed premises which are all located at least 1.8km away⁶⁴, again with the “packaged liquor premises”⁶⁵ in **bold**:
 - 6.61.1. Ninni Sports, 5 Tasman Loop, Dudley Park
 - 6.61.2. **Greenfields Liquor Store**, Shop 2 Greenfields Shopping Centre, Murdoch Drive, Greenfields
 - 6.61.3. City of Mandurah RSL Sub Branch Club Inc, Lot 101, 96 Bortolo Drive, Greenfields
 - 6.61.4. **BWS – Beer Wine Spirits Port Mandurah**, 5/10 Old Coast Road, Halls Head
 - 6.61.5. Tods Café, 19/11 Halls Head Parade, Halls Head
 - 6.61.6. The Pipers Inn, Shop 8 Old Coast Plaza Shopping Centre, Old Coast Road, Halls Head
 - 6.61.7. Mandurah Country Club Inc, 16 Marsh Place, Halls Head
 - 6.61.8. South Metropolitan TAFE, 2 Education Drive, Mandurah

7. Form 2A “Part 3 – The profile of the local community”

Form 2A: “3.1 Please outline the population characteristics in the locality”

- 7.1. The City of Mandurah “has evolved into the biggest population centre in Western Australia outside of Perth”⁶⁶.

⁶³ As defined in section 36B of the Act

⁶⁴ Based on information published by the Department as at 5 September 2025, listed in the order as appears in the Department’s database for each suburb: <https://portal.dlgsc.wa.gov.au/forms/fr/search/findallicence/new>

⁶⁵ As defined in section 36B of the Act

⁶⁶ City of Mandurah City Centre Master Plan, August 2024, at page 5

- 7.2. At the most recent Census, the ABS recorded the following numbers of people living in the suburbs reflected in the 3km locality, relative to the estimated portions of each of those suburbs that actually fall within the 3km locality⁶⁷.

	Mandurah	Dudley Park	Coodanup	Silver Sands	Greenfields	Halls Head
Total 2021 suburb population⁶⁸	8,804	6,957	4,366	1,451	9,869	14,474
Portion estimated within the 3km locality	8,804	6,262	2,183	726	4,935	2,895
Collective total estimated to be living within the 3km locality at that 2021 Census						25,805

- 7.3. The tiny pockets of the suburbs of Meadow Springs and Erskine that also fall within the 3km locality take the estimated resident population to over 26,000.
- 7.4. The 3km locality has seen considerable growth. The following 2016 Census figures confirm this.

	Mandurah	Dudley Park	Coodanup	Silver Sands	Greenfields	Halls Head
Total 2016 suburb population⁶⁹	7,837	6,240	3,932	1,258	9,855	13,870
Portion estimated within the 3km locality⁷⁰	7,837	5,616	1,966	629	4,928	2,774
Collective total estimated to be living within the 3km locality at the 2016 Census						23,750

- 7.5. "The City of Mandurah population forecast for 2025 is 102,373, and is forecast to grow to 116,752 by 2046".⁷¹
- 7.6. There are approximately 4,800 businesses in the City of Mandurah, within which the largest industry sector represented is construction⁷².
- 7.7. The average person living in Mandurah, statistically speaking based on ABS Census data from 2021⁷³ can be described as follows:

⁶⁷ As referred to earlier in this PIA: Mandurah 100%, Dudley Park 90%, Coodanup 50%, Silver Sands 50%, Greenfields 50% and Halls Head 20%

⁶⁸ ABS 2021 Census: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890> (Mandurah), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50431> (Dudley Park), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50320> (Coodanup), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51351> (Silver Sands), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50583> (Greenfields) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50603> (Halls Head)

⁶⁹ ABS 2016 Census: <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50881> (Mandurah), <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50430> (Dudley Park), <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50319> (Coodanup), <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC51340> (Silver Sands), <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50581> (Greenfields) and <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50601> (Halls Head)

⁷⁰ As referred to earlier in this PIA: Mandurah 100%, Dudley Park 90%, Coodanup 50%, Silver Sands 50%, Greenfields 50% and Halls Head 20%

⁷¹ <https://forecast.id.com.au/mandurah/home>

⁷² <https://www.mandurah.wa.gov.au/learn/about-mandurah/fact-and-figures>

⁷³ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890>

- 7.7.1. female aged 50,
- 7.7.2. identifying as “non-indigenous”⁷⁴,
- 7.7.3. not currently married or in a de facto relationship and living with no children
- 7.7.4. having been educated to at least year 12 level,
- 7.7.5. born in Australia
- 7.7.6. of English ancestry,
- 7.7.7. of no religious affiliation,
- 7.7.8. with only English used in the home,
- 7.7.9. not in the labour force,
- 7.7.10. with a personal weekly income of \$557 and
- 7.7.11. not suffering a long-term health condition.

7.8. The following further “population characteristics of the locality”⁷⁵ have been identified for people living in the 3km locality⁷⁶. Statistics for the whole of WA have been provided for comparative and contextual purposes.

	Mandurah	Dudley Park	Coodanup	Silver Sands	Greenfields	WA
Aged 19 and under	16.1%	17.7%	22.4%	21.5%	22.4%	23.9%
Aged 65 and over	29.0%	33.5%	30.1%	25.0%	28.4%	16.1%
Aboriginal and/or Torres Strait Islander	3.9%	2.7%	6.2%	2.1%	5.0%	3.3%
Born in Australia	61.2%	65.8%	69.4%	69.5%	71.1%	62%
English only used at home	79.8%	86.7%	86.1%	89.7%	87.4%	75.3%
In the labour force	43.6%	47.0%	39.5%	53.6%	46.6%	63.9%
Unemployed	11.6%	7.2%	11.3%	5.8%	9.4%	5.1%

7.9. This data reveals a mature-aged population, considerably older than the State average, with many no longer working or supporting a family at home. These characteristics are further evidenced by the following⁷⁷:

⁷⁴ Based on ABS definition/categorisation

⁷⁵ Form 2A

⁷⁶ ABS 2021 Census: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890> (Mandurah), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50431> (Dudley Park), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50320> (Coodanup), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51351> (Silver Sands), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50583> (Greenfields) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50603> (Halls Head)

⁷⁷ <https://profile.id.com.au/mandurah/service-age-groups>

Age structure - Service age groups

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City of Mandurah - Total persons (Usual residence)				2021			2016	Change
Service age group (years)	Number	%	Greater Perth %	Number	%	Greater Perth %	2016 to 2021	
a Babies and pre-schoolers (0 to 4)	4,773	5.3	6.1	4,669	5.8	6.5	+104	
a Primary schoolers (5 to 11)	7,523	8.3	9.0	7,067	8.7	9.0	+456	
a Secondary schoolers (12 to 17)	6,502	7.2	7.4	5,723	7.1	7.2	+779	
a Tertiary education and independence (18 to 24)	6,348	7.0	8.6	6,283	7.8	9.4	+65	
a Young workforce (25 to 34)	9,182	10.2	14.4	8,802	10.9	15.8	+380	
a Parents and homebuilders (35 to 49)	15,298	16.9	21.0	14,454	17.9	20.9	+844	
a Older workers and pre-retirees (50 to 59)	11,592	12.8	12.4	10,344	12.8	12.2	+1,248	
a Empty nesters and retirees (60 to 69)	12,262	13.6	10.2	10,648	13.2	9.7	+1,614	
a Seniors (70 to 84)	14,122	15.6	9.1	10,699	13.2	7.5	+3,423	
a Elderly aged (85 and over)	2,707	3.0	1.9	2,124	2.6	1.8	+583	
Total	90,309	100.0	100.0	80,813	100.0	100.0	+9,496	

- 7.10. Socio-Economic Indexes for Areas, which measure the relative level of socio-economic disadvantage and/or advantage, based on a range of ABS data have ranked the City of Mandurah in the third quarter at number 103 out of 140⁷⁸ indicating that the average resident experiences slightly lower than average level of socio-economic conditions. This is can reasonably be presumed to be associated with the fact that a larger portion of the population appear to be retirees.
- 7.11. It is acknowledged that some people living in the 3km locality experience lower than average socio-economic circumstances and that this factor may, at first glance, be regarded as negative. Based on the following reasons it is respectfully submitted that such conditions are mitigated in this case and should not inhibit the grant of the licence:
- 7.11.1. The positive factors associated with the application are significant and of much greater weight.
 - 7.11.2. The circumstances surrounding the whole of and role of the City of Mandurah very positive.
 - 7.11.3. The applicant's pricing, quality and value-for-money policies will enable people living in the 3km locality to be able to access and enjoy quality, award-winning liquor products which they might not otherwise be able to access.
 - 7.11.4. People experiencing low socio economic conditions should still be able to access liquor products and services that are very popular elsewhere, as ALDI's are.

⁷⁸ <https://profile.id.com.au/mandurah/seifa-disadvantage>

- 7.11.5. People experiencing low socio economic conditions should still be able to benefit from modern conveniences associated with liquor purchasing including one-stop shopping which is now a very established and expected aspect of modern consumer retailing but is currently not available in the area.
- 7.11.6. The particulars of the ALDI Mandurah proposal should confirm that it will be a relatively discrete and low impact liquor outlet with little capacity to exacerbate low socio economic circumstances.
- 7.12. Further details of the nature and characteristics of the local community are provided elsewhere in this PIA.

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

- 7.13. As required by the Form 2A, the applicant provides names and addresses for the following identified to be operating in the 3km locality:
 - 7.13.1. Schools and educational institutions:
 - 7.13.1.1. Mandurah Primary School, 18/28 Hackett Street, Mandurah
 - 7.13.1.2. Dudley Park Primary School, 64 Gillark Street, Dudley Park
 - 7.13.1.3. John Tonkin College – Tindale Campus, 35 Gibla Street, Mandurah
 - 7.13.1.4. North Mandurah Primary School, 98 Park Road, Mandurah
 - 7.13.1.5. Assumption Catholic Primary School, 22/34 Gordon Road, Meadow Springs
 - 7.13.1.6. Frederick Irwin Anglican School – Meadow Springs Campus, 36-66 Gordon Road, Mandurah
 - 7.13.1.7. Nido Early School Mandurah, 1 Pickle Street, Mandurah
 - 7.13.1.8. Bloom Early Education Mandurah, 5 Murdoch Drive, Greenfields
 - 7.13.1.9. Greenfields Primary School, 9 Zambesi Drive, Greenfields
 - 7.13.1.10. Goodstart Early Learning, 1/3 Cambridge Drive, Greenfields
 - 7.13.1.11. Coodanup College, 158 Wanjeep Street, Coodanup
 - 7.13.1.12. Mandurah Catholic College, 79 Coodanup Drive, Dudley Park
 - 7.13.1.13. Gateway Training Academy Mandurah WA, Unit 1/275 Pinjarra Road, Mandurah
 - 7.13.1.14. Perth Boat School, 54 Fairbridge Road, Halls Head
 - 7.13.1.15. Glencoe Primary School, Glencoe Parade, Halls Head

- 7.13.2. Hospitals: Peel Health Campus, 110 Lakes Road, Mandurah
- 7.13.3. Hospices: none specifically identified but the Peel Health Campus and some of the facilities described as being for “aged care” provide some form of hospice care.
- 7.13.4. Aged care facilities:
 - 7.13.4.1. Dovida Peel Region (Mandurah), Unit 2, 59 Sutton Street, Mandurah
 - 7.13.4.2. Amana Living – Wearne House, 7 Leslie Street, Mandurah
 - 7.13.4.3. Mandurah Coast Care Community, 83 Boundary Road, Mandurah
 - 7.13.4.4. Murray River Village, 7 Coolibah Avenue, Dudley Park
 - 7.13.4.5. Coolibah Care, 30 Third Avenue, Mandurah
 - 7.13.4.6. Bethanie Peel Aged Care Home, 2 Maclaggan Turn, Coodanup
 - 7.13.4.7. Aegis Greenfields, 95 Lakes Road, Greenfields
 - 7.13.4.8. Brightwater The Cove, Mandurah, 35 Hudson Drive, Dudley Park
- 7.13.5. Churches/places of worship:
 - 7.13.5.1. Mandurah Mosque, 26 Scott Street, Mandurah
 - 7.13.5.2. Mandurah Seventh Day Adventist Church, 111 Anstruther Road, Mandurah
 - 7.13.5.3. Jesus the True Vine Christian Fellowship, Unit 5, 3 Rafferty Road, Mandurah
 - 7.13.5.4. C3 Church Mandurah, 1/9 Kulin Way, Mandurah
 - 7.13.5.5. Miracle Point, 7 Delmont Place, Greenfields
 - 7.13.5.6. Eastlake Church, 99 Lakes Road, Greenfields
 - 7.13.5.7. The Church of Jesus Christ of Latter-day Saints, 6/8 Valentine Drive, Greenfields
 - 7.13.5.8. The Salvation Army, 45 Lakes Road, Greenfields
 - 7.13.5.9. Mandurah Baptist Church, 370 Pinjarra Road, Greenfields
 - 7.13.5.10. Faith City Church Mandurah, Wanjeep Street, Coodanup
 - 7.13.5.11. Church of the Way, 58 Steerforth Drive, Coodanup
 - 7.13.5.12. Mandurah Uniting Church, 156 Pinjarra Road, Mandurah
 - 7.13.5.13. The Potter's House Church Mandurah, 103 Pinjarra Road, Mandurah

- 7.13.5.14. Our Lady's Assumption Catholic Parish, 8 Stevenson Street, Mandurah
- 7.13.5.15. Mandurah Presbyterian Church, Mandurah Social Centre for the Elderly, 7A Leslie Street, Dudley Park
- 7.13.5.16. Christ's Church Anglican Parish of Mandurah, Sholl Street, Mandurah
- 7.13.5.17. Passion Church Mandurah, Unit 3/11 Davey Street, Mandurah
- 7.13.5.18. Berean Independent Baptist Church, 19 Cooper Street, Mandurah
- 7.13.5.19. Bible Foundation Church, Mandurah Bowling Club, 89 Allnutt Street, Mandurah
- 7.13.6. Drug and alcohol treatment centres:
 - 7.13.6.1. NA Mandurah Meeting, 75 Murdoch Drive, Greenfields
 - 7.13.6.2. Palmerston South Metro Community Alcohol and Drug Service Mandurah, 91 Allnutt Street, Mandurah
 - 7.13.6.3. Peel Health Hub, 91 Allnutt Street, Mandurah
- 7.13.7. Short term accommodation or refuges: Westaus Crisis & Welfare Services, Lotteries House, 7 Anzac Place, Mandurah
- 7.13.8. Childcare centres:
 - 7.13.8.1. Jack & Jill Early Learning, 4 Aldgate Street, Mandurah
 - 7.13.8.2. A1 Fun, 35 Gibla Street, Mandurah
 - 7.13.8.3. Meadow Springs Early Learning Centre, 30 La Grange Place, Meadow Springs
 - 7.13.8.4. Nido Early School Mandurah, 1 Pickle Street, Mandurah
 - 7.13.8.5. Nurture Through Nature Mandurah, 12 Truarn Street, Mandurah
 - 7.13.8.6. Bloom Early Education Mandurah, 5 Murdoch Drive, Greenfields
 - 7.13.8.7. A1 Fun Greenfields, 13 Irrawaddy Drive, Greenfields
 - 7.13.8.8. Cuddly Koala's Family Day Care, Fifth Avenue, Mandurah
 - 7.13.8.9. World of Kids Child Care, 152 Wanjeep Street, Coodanup
 - 7.13.8.10. Mandurah Babysitting & Respite Care, 56A Davey Street, Mandurah
 - 7.13.8.11. Playtime Early Learning, 2 Davey Street, Mandurah
 - 7.13.8.12. Circle Square Family Daycare, 5 Leyburn Drive, Halls Head

- 7.13.8.13. Play's Kool Halls Head, 50 McLarty Road, Halls Head
- 7.13.8.14. Treasured Tots Early Education, 73 Sutton Street, Mandurah
- 7.13.8.15. Play's Kool Mandurah, 81 Mandurah Terrace, Mandurah
- 7.13.8.16. Genius Childcare Mandurah, 69 Sutton Street, Mandurah
- 7.13.9. Local government: City of Mandurah, 3 Peel Street, Mandurah
- 7.14. The ALDI Mandurah liquor section will not be visible, nor directly accessible, from any of the places listed above or anyone walking or driving to or from any of those places, nor to any residence. The proposed licensed area will be concealed to anyone outside of the ALDI store.

8. Form 2A “Part 4 – Minimising the potential for alcohol to cause harm”

Form 2A “4.1 What strategies will you use to minimise harm from the use of alcohol?”

- 8.1. Risk management and harm minimisation from the sale and supply of liquor are not only very familiar subjects to ALDI but are prominent considerations and given priority in operational policies. ALDI has been successfully implementing measures that minimise harm and ill-health at its large number of existing liquor outlets for many years. Its liquor store model has been much tried and tested and proven to be entirely positive.
- 8.2. The applicant has had regard for harm and ill-health factors potentially associated with the new liquor licence, with reference to its trading history. The applicant has an excellent trading record in terms of compliance and is not aware of any of its licences causing harm or ill-health.
- 8.3. Any potential negative impact of the licence should be considered in light of the low risk features of the ALDI liquor model, which are described throughout this PIA. This proposition is supported by the following finding of the Liquor Commission in ALDI Harrisdale⁷⁹ which involved virtually the same proposal:

“There is nothing to suggest that the granting of the licence will result in an increase in harm and ill-health. The small size of the proposed premises, the nature of its operation and the limited number of products are significant factors in reaching this conclusion.”
- 8.4. To reiterate, no part of the proposed licensed area will be visible in any way to/from churches, schools, hospitals and childcare centres etc within the 3km locality.
- 8.5. The applicant has sought to identify current information regarding alcohol related hospitalisations and deaths specifically associated with the 3km locality, but none could be identified from published material. Further, “due to different

⁷⁹ ALDI Harrisdale [38(b)]

classification systems and alcohol as a contributing factor not being recorded within all health datasets, challenges exist in quantifying the incidence of alcohol-related injuries in WA”⁸⁰. In addition, there is no authoritative definition of, or clear criteria for, what might be regarded as “alcohol related”.

8.6. Nonetheless, the applicant acknowledges that hospitalisation and death:

8.6.1. can potentially result for some people as a consequence of the use of liquor and

8.6.2. has occurred and would most likely be currently occurring at some level in the 3km locality, in relation to the use of liquor.

8.7. The City of Mandurah Alcohol Profile 2018 Alcohol-related harm, hospitalisations, conditions and deaths, by the South Metropolitan Health Service⁸¹ (**City of Mandurah Alcohol Profile 2018**), has been considered in the preparation of this PIA. It refers to adverse alcohol related health data for people living in the City of Mandurah recorded between 2011 and 2015, including 14% of City of Mandurah residents reporting that they drank at risky levels⁸². ALDI is keen to ensure that its proposed liquor service does not contribute to adverse statistics. Within the City of Mandurah Alcohol Profile 2018 several of the liquor supply factors referred to as harmful do not exist within the ALDI proposal.

8.8. The City of Mandurah Alcohol Profile 2018 also says that the top three causes of alcohol-related deaths between 2011 and 2015 were cancer, self-inflicted injuries and alcoholic liver disease.

8.9. 2021 ABS data⁸³ reveals that the top three long-term health conditions of residents in the 3km locality are arthritis, mental health issues and asthma. Arthritis is the stand-out condition, which is consistent with the maturity of the demographics. Arthritis is not known to be commonly associated with liquor and not identified in the City of Mandurah Alcohol Profile 2018.

8.10. “[D]ata from Roy Morgan’s Alcohol Consumption Report shows the proportion of Australians who drink alcohol dropped by 1.8 percentage points to 67.9 per cent in the 12 months to June 2022”⁸⁴. Data for the 12 months to March 2023 showed an increase of 1.3%, but relevantly “[t]he most significant driver of the increase [was] the increasing popularity of RTDs (Ready-to-drink)”⁸⁵ and ALDI’s liquor range includes only a tiny number of RTDs. The attached stocklist contains only six different RTDs. They will certainly not be available in bulk or even in large

⁸⁰ Alcohol-related injuries in Western Australia Position Paper, by Injury Matters, dated April 2022, at page 2 (www.injurymatters.org.au) – copy of the paper available if required, upon request

⁸¹ Copy available if required, upon request

⁸² At page 7

⁸³ Combined average of 2021 ABS Census data for the suburbs that are most representative of the 3km locality: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890> (Mandurah), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50431> (Dudley Park), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50320> (Coodanup), <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51351> (Silver Sands) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50583> (Greenfields)

⁸⁴ <https://theshout.com.au/australian-alcohol-consumption-declines-rtd-consumption-at-record-high/>

⁸⁵ <https://www.roymorgan.com/findings/9153-alcohol-consumption-march-2023>

supply compared to other liquor outlets, given ALDI's modest stock volume and manner of trade and they will only be available warm and during limited trading hours.

- 8.11. "Alcohol consumption has been declining among students in WA over the past few decades (WA Mental Health Commission, 2017). In 1999 around 36% of students surveyed reported having used alcohol in the past week, in comparison to 15% in 2017. Over this period the number of students reporting never having consumed alcohol increased from 10% to 38% (WA Mental Health Commission 2017)"⁸⁶.
- 8.12. ALDI has factored advertising and promotion into its harm minimisation strategies. Flamboyant and highly suggestive advertising posters, encouraging or even suggesting rapid, excessive or juvenile drinking are not displayed in association with ALDI's liquor service. Nor does ALDI advertise discount liquor prices for certain periods. This is because traditional, ad hoc "sales" may encourage customers to purchase more liquor than they otherwise would have for fear of missing out on the deal.
- 8.13. Placing a heavy focus on staff is another key strategy for implementing policies and practices are complying with relevant laws.
- 8.14. ALDI operates pursuant to a highly evolved and sophisticated corporate structure and hierarchy whereby staff at each level are entrusted with an advanced degree of responsibility and are provided with extensive and comprehensive training and support.
- 8.15. ALDI is a market leader in terms of staff training and development. Its impressive approach in this regard is detailed in the following sub-paragraphs:
- 8.15.1. "We believe that good people working together, united by a shared purpose, can achieve extraordinary things. ALDI isn't just a workplace; it's a place where you'll be part of a tight-knit team that supports and uplifts each other, where you can learn, grow and develop and make a meaningful impact by helping everyday Australians live richer lives for less."⁸⁷
- 8.15.2. "We provide [staff] with comprehensive training including induction training and quarterly retraining. We also offer leadership training programs that help create the operational leaders of the future."⁸⁸
- 8.15.3. "We offer diverse and cross-functional career pathways. We also value internal promotions with over 70% of our leaders promoted internally."⁸⁹

⁸⁶ Perth North PHN Needs Assessment 2022-2024 prepared by WA Primary Health Alliance at page 25 (copy available if required and upon request by the licensing authority)

⁸⁷ <https://www.aldicareers.com.au/>

⁸⁸ <https://aldiaustralia-1481176-en-au.sr-atrax.com/benefits-that-matter>

⁸⁹ <https://aldiaustralia-1481176-en-au.sr-atrax.com/benefits-that-matter>

- 8.15.4. "ALDI Australia has taken top spot in the Australian Business Award's – Employer of Choice 2020"⁹⁰.
- 8.15.5. ALDI has been awarded Retail Employer of the Year at the eftpos Australian Retail Association Awards (**ARA**).
- The ARA said that ALDI have proven to be "fierce contenders" with a strong commitment to diversity, non-discrimination and support to all employees. The supermarket was recognised for incorporating internal and external recruiting methods to select candidates and for nurturing the skills, confidence and leadership required to operate business functions.
- "Through a commitment to staff and the community, ALDI are the pioneers in the retail sector, leaving no stone unturned," the ARA said. 91
- 8.15.6. Every ALDI staff member is required to undertake detailed internal training and an induction programme, which will certainly apply for staff at the ALDI Mandurah store. This involves education on a wide variety of facets of the business and includes liquor product knowledge and responsible service. To help ensure high standards are achieved at all times, all ALDI staff are employed on a permanent basis.
- 8.15.7. The applicant will ensure all staff at the ALDI Mandurah store are properly trained as to their responsibilities under the Act, the licensing authority's policies, ALDI policies and procedures, matters of safety and all other laws and regulations applicable to the proper conduct of the business.
- 8.15.8. The liquor section will be adequately staffed at all times with appropriately trained and knowledgeable people. In addition to having sufficient numbers of approved managers, other part-time and full-time staff will also be employed. At least one qualified unrestricted approved manager will be at the store at all times.
- 8.15.9. In-store staff are required to wear a uniform, which is of a smart and modern style and bears the ALDI logo. Staff presentation is considered by the applicant to be important both in terms of upholding its image and also in portraying a professional and responsible approach to the business.
- 8.15.10. PRG found that only a mere 1-4% of members of the local community recently surveyed consider that harm or ill-health could be experienced by them if the licence is granted.⁹²
- 8.16. Another harm minimising element of the ALDI model is the strong focus on quality of product and value-for-money propositions, not just price per se. The applicant invests enormously in providing customers with the perfect balance of high quality product at the lowest price that can be achieved whilst

⁹⁰ <https://www.aldiunpacked.com.au/aldi-australia-is-recognised-as-an-employer-of-choice/>

⁹¹ <https://insidefmcg.com.au/2018/10/19/aldi-awarded-ara-employer-of-the-year/>

⁹² PRG report at para 2.2.1, page 8

maintaining the quality. Many of its liquor items have been awarded accordingly. This value-for-money philosophy – which is entirely different from simple notions of low price and being cheap – is entirely consistent with consumer requirement. This latter proposition is supported by the following:

- 8.16.1. "Aldi is arguably one of the biggest disruptors to hit the Australian economy over the past 20 years, single handedly busting open the Woolworths/Coles supermarket duopoly."⁹³
- 8.16.2. "Seventy-eight percent of consumers are prioritising value for money when shopping..."⁹⁴
- 8.16.3. "More than 9 in 10 (92%) of the total ALDI shopper sample liked this [value for money pricing] aspect of the proposed ALDI Mandurah liquor section...[with] [t]he "[n]et like" proportion... elevated for the "ever buy" subset (96%) and the "have consumed" subset (99%)... the weight of sentiment is very much in support of this aspect of the proposed ALDI liquor section."⁹⁵
- 8.17. The ALDI liquor model clearly presents with a number of low risk elements, all of which have been proven to be successful in many of its stores in other locations given ALDI's excellent trading record.
- 8.18. As referred to previously, the liquor section will be positioned away from the entrance to the supermarket, tucked-away in the corner of the store, surrounded by opaque barricading making it substantially separate and discrete. Shoppers could choose to avoid the liquor section if they so wished. The layout of the supermarket and checkouts enables any shopper to work their way through the supermarket with barely noticing the liquor component, if at all and not needing to cross through it or near it.
- 8.19. To summarise and reiterate, the following are the key harm and risk minimising features of the ALDI Mandurah liquor proposal:
 - 8.19.1. Its small size
 - 8.19.2. The bright, open-plan layout
 - 8.19.3. The absence of refrigeration to help avoid impulse buying and impulse drinking. The absence of a walk-in coolroom also enhances surveillance.
 - 8.19.4. The limited stock range and volume.
 - 8.19.5. The absence of an online delivery service
 - 8.19.6. The absence of bulk quantities of cheap mainstream products.

⁹³ <https://www.macrobusiness.com.au/2021/03/the-rise-and-rise-of-aldi/>

⁹⁴ <https://ecommercenews.com.au/story/australians-prioritise-value-for-money-as-economic-pressures-mount#:~:text=Seventy%2Deight%20percent%20of%20consumers,research%20from%20Shopify%20has%20revealed> and <https://retailworldmagazine.com.au/four-in-five-australians-now-prioritise-value-for-money/>

⁹⁵ PRG report at para 4.5.4, page 23

- 8.19.7. Reduced trading hours – significantly less than permitted under the Act and less than the usual trading hours of most other liquor stores.
- 8.19.8. Its location/position confined within the supermarket footprint, away from the main store entrance, under the close supervision of the supermarket and its staff. ALDI staff will have a clear line of sight into the liquor display/browse area at all times.
- 8.19.9. The restricted visibility into the liquor section.
- 8.19.10. The lack of immediate or direct egress from the liquor area outside into the public domain. The design and layout forces customers to enter the supermarket and walk past the watchful eye of several trained staff.
- 8.19.11. The limited and controlled nature of product pricing.
- 8.19.12. The lack of signage external to the store advertising discounted liquor products.
- 8.19.13. The highly experienced and reputable operator.
- 8.19.14. The high level of staff training.
- 8.20. Importantly also, there will be none of the following:
 - 8.20.1. Prominent external advertising of liquor products and their prices.
 - 8.20.2. Products, advertising or promotional materials designed to entice juveniles.
 - 8.20.3. Large volumes of cheap bulk products displayed.
 - 8.20.4. Volumes of liquor products refrigerated and ready-to-drink.
 - 8.20.5. Energy drinks stocked in the liquor display/browsing area.
- 8.21. In respect of the issue of juveniles, very strict policies will apply. ALDI is very aware of the fact that juveniles will be in the supermarket from time to time, some of whom may be unaccompanied by a parent/guardian.
 - 8.21.1. The store layout will enable juveniles to totally avoid going near the liquor section.
 - 8.21.2. The combination of store layout and security systems will facilitate and ensure a constant and high degree of surveillance over the liquor area and checkout to safeguard the proper management of juveniles. ALDI has successfully managed this issue at its existing stores elsewhere in Western Australia for many years.
 - 8.21.3. No liquor will be sold or supplied to juveniles or anyone who is suspected of trying to obtain liquor for a juvenile.
 - 8.21.4. ALDI has adopted an “ID Under 25” policy. Staff at ALDI Mandurah will be directed to go beyond the requirement to ask customers suspected of being under the age of 18 to prove their age and in

fact ask all customers suspected of being under the age of 25 for age verification, so as to err on the side of caution.

- 8.21.5. The applicant will operate under a strict policy, which will be taught to and perpetuated with its staff, whereby liquor is not sold or supplied to anyone whom it is suspected might give the liquor to a juvenile, including guardians and parents.
 - 8.21.6. Juveniles observed to be loitering near the liquor block will be asked to move on and no juveniles will be permitted in the licensed area unless accompanied by a responsible adult. The applicant has not experienced notable issues of this kind at its existing stores.
 - 8.21.7. Lollies and other items commonly known to attract the attention of juveniles will not be stocked in the liquor display/browse area.
 - 8.21.8. The liquor display and browse area will have limited line-of-sight such that visibility into that area will be restricted.
 - 8.21.9. The liquor area will be subject to a high level of surveillance and security from the relevant checkout.
 - 8.21.10. Unaccompanied juveniles who may be in the supermarket from time to time will be directed to a non-licensed checkout to make their purchase.
- 8.22. A clear example to confirm ALDI's high standards in its liquor service is when the company came under scrutiny from the public for the strictness of its approach to liquor and juveniles. Some ALDI stores in New South Wales have refused service to adults because staff have witnessed a juvenile touching the liquor items, even where they have touched the items simply to stop them from falling over in a trolley.⁹⁶
- 8.23. Adult consumers have felt comfortable shopping in an ALDI liquor area with their children as clearly depicted, by way of example, in the images below taken at one of the busy operating ALDI stores in WA with a liquor section⁹⁷.

⁹⁶ <https://www.news.com.au/finance/business/retail/aldis-strict-underage-alcohol-policing-leaves-shoppers-high-and-dry/news-story/c7beaa2c4b8e1f0345b3545c98c7789c>

⁹⁷ Faces redacted for privacy reasons



- 8.24. Every effort will be made by the applicant to conduct business under the new licence in a manner that minimises the potential for harm or ill-health to occur as a result of the liquor store licence operating in Mandurah.
- 8.25. The applicant is an upstanding corporate citizen which operates pursuant to several high level standards and policies. ALDI has a considerable presence in the public domain, which it intends to continue growing in Western Australia. It is in the applicant's interests to ensure that the liquor service in Mandurah is successful in all respects, including genuinely minimising harm and successfully managing risks.
- 8.26. The applicant has identified the issue of crime in terms of harm factors applicable to the 3km locality. The following information has been considered⁹⁸, in respect of the suburbs most relevant to the 3km locality area. This general police data may possibly assist in assessing very broadly and generally criminal offence activity in the area.

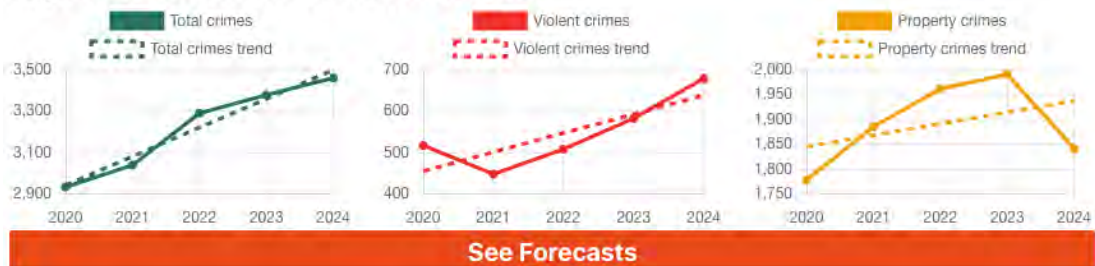
⁹⁸ <https://redsuburbs.com.au/suburbs/mandurah/>, <https://redsuburbs.com.au/suburbs/dudley-park-wa/>, <https://redsuburbs.com.au/suburbs/coodanup/>, <https://redsuburbs.com.au/suburbs/silver-sands/> and <https://redsuburbs.com.au/suburbs/greenfields/>

Crime rate in Mandurah, WA, Australia, 6210 Suburb in Mandurah

Crime Rank: 100/100
(higher number means more crime)



5 year Mandurah crime trends

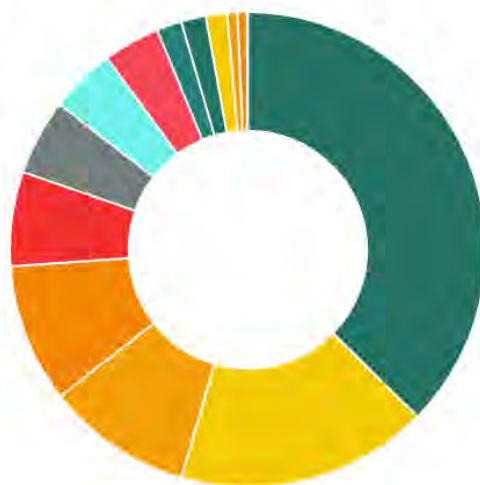


Mandurah crime compared



Top crime types in Mandurah:

Theft	1,293
Assault and related offences	593
Property damage	343
Drug dealing and trafficking	327
Breaches of orders	222
Deception	179
Stalking, harassment and threatening behaviour	154
Burglary/Break and enter	133
Sexual offences	59
Weapons and explosives offences	58
Motor Vehicle Theft	50
Robbery	24
Arson	22
Abduction and related offences	2

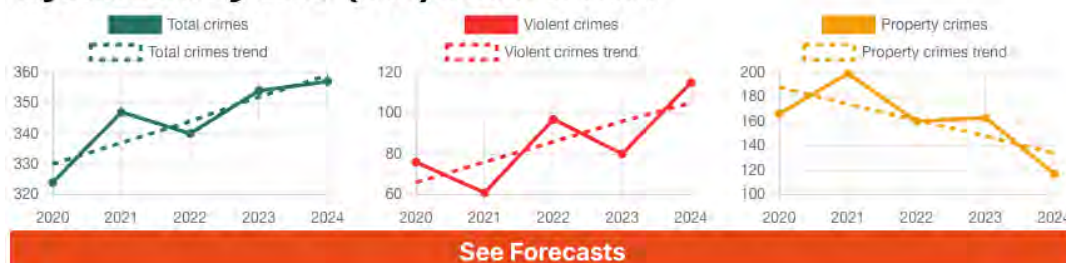


Crime rate in Dudley Park (WA), WA, Australia, **6210** Suburb in Mandurah

Crime Rank: 18/100
(higher number means more crime)



5 year Dudley Park (WA) crime trends



Dudley Park (WA) crime compared



Top crime types in Dudley Park (WA):

Assault and related offences	93
Theft	67
Breaches of orders	44
Deception	29
Property damage	26
Drug dealing and trafficking	24
Stalking, harassment and threatening behaviour	23
Burglary/Break and enter	23
Sexual offences	21
Weapons and explosives offences	5
Robbery	1
Motor Vehicle Theft	1



Crime rate in Coodanup, WA, Australia, 6210 Suburb in Mandurah

Crime Rank: 34/100
(higher number means more crime)



5 year Coodanup crime trends

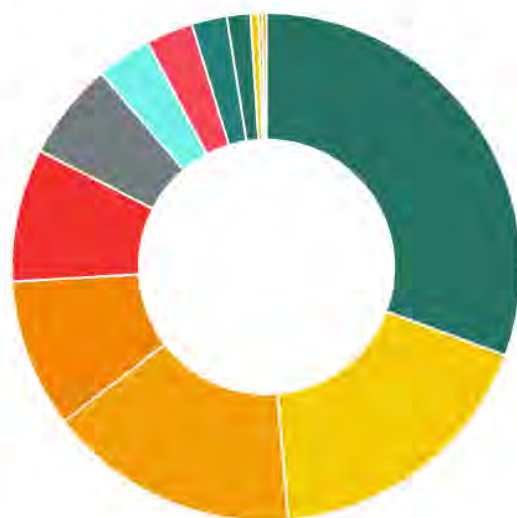


Coodanup crime compared



Top crime types in Coodanup:

Assault and related offences	123
Breaches of orders	72
Theft	64
Stalking, harassment and threatening behaviour	38
Drug dealing and trafficking	34
Burglary/Break and enter	25
Sexual offences	14
Deception	12
Motor Vehicle Theft	9
Weapons and explosives offences	6
Robbery	2
Arson	1
Property damage	1



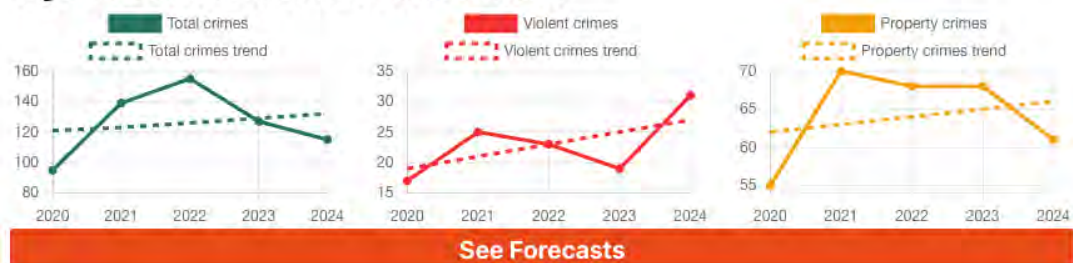
Crime rate in Silver Sands, WA, Australia, 6210 Suburb in Mandurah

Crime Rank: 27/100

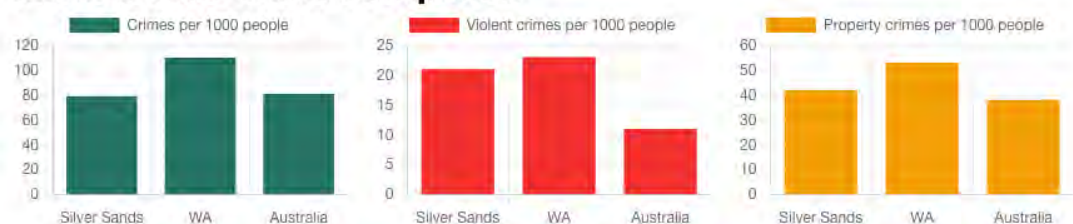
(higher number means more crime)



5 year Silver Sands crime trends

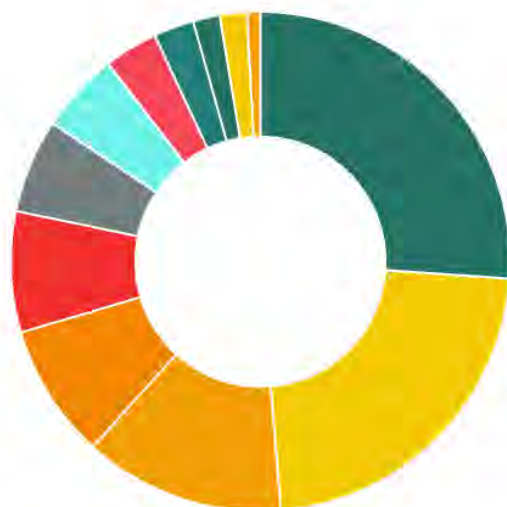


Silver Sands crime compared



Top crime types in Silver Sands:

Theft	30
Assault and related offences	26
Property damage	15
Burglary/Break and enter	10
Breaches of orders	9
Stalking, harassment and threatening behaviour	7
Motor Vehicle Theft	6
Drug dealing and trafficking	4
Robbery	3
Sexual offences	2
Weapons and explosives offences	2
Deception	1

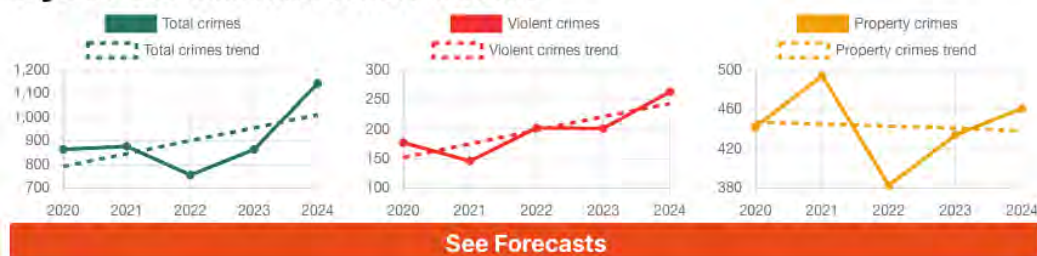


Crime rate in Greenfields, WA, Australia, 6210 Suburb in Mandurah

Crime Rank: 35/100
(higher number means more crime)



5 year Greenfields crime trends



Greenfields crime compared



Top crime types in Greenfields:

Theft	265
Assault and related offences	242
Breaches of orders	143
Property damage	119
Drug dealing and trafficking	119
Stalking, harassment and threatening behaviour	70
Burglary/Break and enter	53
Deception	45
Weapons and explosives offences	42
Motor Vehicle Theft	20
Sexual offences	15
Arson	4
Robbery	3
Abduction and related offences	2
Homicide and related offences	1



- 8.27. It is acknowledged that there is crime occurring in the 3km locality and that Mandurah, in particular, has a high rate which is the highest of the 3km locality suburbs. This is to be expected given the significant size, density and role of the area. The suburb of Mandurah is city centre for the whole of the City of Mandurah⁹⁹. "The City of Mandurah is Western Australia's largest regional city"¹⁰⁰ which "has evolved into the biggest population centre in Western Australia outside of Perth"¹⁰¹. An estimated 26,000 people live in the 3km locality¹⁰² and around 9,000 live in the suburb of Mandurah¹⁰³. Added to these large numbers are the visitors to the area. During the last reporting year 2023/24, the City of Mandurah attracted the following¹⁰⁴:

Visitor nights - Numbers			
City of Mandurah - 2010/11 to 2023/24		City of Mandurah	
Year	International Visitor Nights	Domestic Visitor Nights	Domestic Daytrips
2023/24	525,235	1,147,887	2,127,659

- 8.28. Whilst any crime rate is an issue to be addressed, the Police data for the 3km locality may be regarded as unremarkable, proportionate and somewhat typical given the enormous demographics and the role of the area.
- 8.29. The highest type or category of Police offence recorded is "theft"¹⁰⁵. ALDI has multiple measures in place to reduce the risk of theft and is extremely experienced in the subject.
- 8.30. The Police data above does not reveal anything to suggest that the 3km locality experiences a concerning or unusual level of crime relevant to the ALDI proposal. The applicant will nevertheless maintain its tried and tested risk management, safety and security measures and implement additional steps, to minimise potential crime. These measures are addressed elsewhere in this PIA and will continue to ensure the risk of any crime associated with the premises is minimised, as it currently is. In addition, the likelihood of the liquor service contributing to alcohol related crime is reduced by the following mitigating factors.
- 8.30.1. Small, simple and open layout of the liquor block.
 - 8.30.2. Location within the confined safety of the supermarket building.
 - 8.30.3. Lack of external frontage.

⁹⁹ City of Mandurah City Centre Master Plan, August 2024

¹⁰⁰ <https://www.mandurah.wa.gov.au/learn/about-mandurah/fact-and-figures>

¹⁰¹ City of Mandurah City Centre Master Plan, August 2024, at page 5

¹⁰² As referred to in section 7 of this PIA

¹⁰³ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890>

¹⁰⁴ <https://economy.id.com.au/mandurah/tourism-visitor-summary>

¹⁰⁵ As per the graphed data on preceding pages

- 8.30.4. Location of the liquor area adjacent to the checkout and therefore, under constant close staff surveillance and supervision.
- 8.30.5. Absence of refrigeration, which removes the opportunity for impulsive desires to steal liquor for immediate consumption.
- 8.30.6. Lack of a walk-in cool room, which is usually hidden from staff view in most other liquor stores, providing cover and convenience for would-be criminals.
- 8.30.7. Installation of CCTV surveillance throughout the supermarket, including the proposed licensed area.
- 8.30.8. Reduced trading hours – no intention to operate late at night.
- 8.31. ALDI's considerable retailing experience, including selling liquor products, has provided the organisation with the ability to manage security well such that crime associated with ALDI stores is kept very low. The quality of the premises at the Mandurah store, both inside and outside and the standard of supervision by staff will help make the public feel welcome and safe but any would-be criminals or disorderly persons uncomfortable.
- 8.32. The liquor area will have no external access as it will be entirely confined and secured within the ALDI supermarket, set-back considerably from the main entrance.
- 8.33. The following security steps will be taken in relation to the Mandurah liquor section.
 - 8.33.1. Security cameras both inside the licensed area and outside will be operating.
 - 8.33.2. Secure locking systems will be engaged for after hours.
 - 8.33.3. A high level of staff training which includes how to deal with incidents that are, or could potentially become, obviously criminal or unsafe.
 - 8.33.4. Maintaining a rigid enforcement of harm minimisation principles and policies. These will include, for example the "ID Under 25" policy, staff training, participation in the local liquor accord (if there is one), notifying Police of potential criminal behaviour and keeping in contact with Police.
 - 8.33.5. Clear and obvious signage. The new premises will be bright, modern and attractive.
 - 8.33.6. Limited public access and egress via one point only, from within the supermarket under the constant watching-eye of the cashiers. This will ensure a high level of staff surveillance from inside the store and inhibit would-be criminals by restricting the ease of a get-away.

- 8.34. The applicant has established, confidentially, a Security Layout plan, illustrating the general position and fit-out of the items described above. A copy can be provided to the licensing authority on a confidential basis, upon request if required. An advanced security and surveillance system will be installed, based on the model which has been successfully operating in the eastern states. The applicant's advanced system includes the following features:
- 8.34.1. An Access Control System as follows:
 - 8.34.1.1. 24 hour entry system to the store including interface with the security system.
 - 8.34.1.2. A tamper switch will be applied to set off the alarm in the event of unauthorised removal of the panel front covers.
 - 8.34.2. CCTV system – 24-hour surveillance of the licensed area and entry and exits to the store, which will include the following:
 - 8.34.2.1. 11 active cameras will provide 24-hour surveillance with the digital video recorder.
 - 8.34.2.2. Two full body cameras located within the licensed area, one facing the checkout and another one facing the liquor shelf.
 - 8.34.2.3. The digital video recorder will be configured for motion detection to allow efficient review of any incidents.
 - 8.34.2.4. An appropriately sized hard disk will be installed to allow images to be retained on the digital video recorder for at least two weeks without greatly compromising recording quality.
 - 8.34.2.5. The CCTV flat panel monitor will be located in the office to provide real time monitoring to the store staff of the retail floor including the licensed area. This will include a play-back function.
 - 8.34.3. The security system equipment will include the following:
 - 8.34.3.1. Passive Infra-Red Motion Detectors.
 - 8.34.3.2. Break glass detectors.
 - 8.34.3.3. Magnetic reed switches.
 - 8.34.3.4. Vibration detector.
 - 8.34.3.5. External strobe and siren.
 - 8.34.3.6. Security flashing lights and horns.
 - 8.34.4. A back-to-base monitoring system which will raise a security alarm if the security system is armed and there is a breach. The back to base

alarm will then send a patrol as well as notifying the manager, which will also activate an external strobe light and external siren.

- 8.35. The design and installation of the electronic security, access control and audible system shall comply with the requirements of all relevant standards and codes including but not limited to the following:

- 8.35.1. Australian Standards AS/NZS 3000.
- 8.35.2. State Service and Installation Rules.
- 8.35.3. National Construction Code.
- 8.35.4. Local and other authority services and installation rules.
- 8.35.5. Australian Communications Authority.
- 8.35.6. Work Cover Authority.
- 8.35.7. Other relevant Australian standards.

- 8.36. Of real significance is the fact that the ALDI liquor area design and layout facilitate an advanced level of security and surveillance. The store's design will make it extremely difficult for juveniles, drunk people or would-be thieves to gain access to the liquor area and go undetected. This will be achieved by virtue of the following factors:

- 8.36.1. Customers will be required to walk well into the supermarket footprint under clear view of a combination of various cameras, staff monitoring them and other customers observing.
- 8.36.2. Customers will be required to walk through the manned and monitored checkouts in order to exit the store. There will be no quick get-away option.
- 8.36.3. The simple small layout of the liquor area will also ensure that it is not in any way attractive for juveniles, drunk people or would-be criminals nor a temptation for impulse procurement.
- 8.36.4. The location tucked away in the far corner of the store.

9. Form 2A “Part 5 – Impact on the amenity, quiet or good order of the locality”

Form 2A “5.1 How will your premises design protect the amenity, quiet or good order of the locality?”

- 9.1. The proposed liquor section will not have any external frontage, façade or overt signage. It will be contained inside the wider ALDI Mandurah store footprint. The intended manner of trade is for the liquor service to complement the grocery and household offering from a small, discrete and segregated section within the supermarket. The premises will not operate as a stand-alone liquor outlet.

- 9.2. Given these circumstances, there will be no impact on the streetscape or external physical amenity whatsoever and so the amenity, quiet and good order of the 3km locality shall be entirely preserved and protected.
- 9.3. The amenity of the 3km locality has been variously described in earlier sections of this PIA. There is a mix of land uses including residential, retail, hospitality and other commercial, civic, water (estuary and ocean), transport and parkland. The ALDI store is an established fixture in the area. It has been operating at the site since around 2016.
- 9.4. Not far away (approx. 1.3km) are the Mandurah train station, bus depot and associated trainline which are major pieces of infrastructure that confirm the area to be a built-up, bustling hive of activity. A staggering 23,075,517 boarded the Mandurah train line during the year 2024/25, which was a notable increase on previous years (21,874,779 in 2023/24 and 17,669,846 in 2022/23)¹⁰⁶.
- 9.5. Amongst the existing amenity, the ALDI liquor section will be an ideal addition from an operational perspective and in terms of enhancing services to the public. From a visual, physical or streetscape perspective, the proposed licensed area will have no impact whatsoever. It will not be seen from anywhere other than well inside the ALDI supermarket.
- 9.6. Despite the relatively tiny licensed area, of only approximately 48m² in total (inc office) the ALDI Mandurah liquor proposal will make a big and valuable contribution towards the services and facilities in the area. The expert consumer survey found that 89% of local people consider that the ALDI liquor section will not lessen the amenity of the 3km locality.¹⁰⁷
- 9.7. The applicant's store is located on a corner, easily and safely accessible from Anstruther Road, from both directions and supported by ample on-site parking and public transport nearby. There is a convenient surrounding footpath and the dedicated parking, which is virtually at the front door, is spacious. Both drivers and pedestrians can be comfortably accommodated. The exit provides drivers with two-way option. These aspects can be seen in the aerial site image to the right.



¹⁰⁶ <https://www.pta.wa.gov.au/about-us/priorities-and-performance/transport-performance#Mandurah-Line-37>

¹⁰⁷ PRG report at paras 2.2.1 and 4.7 on pages 8 and 30 respectively

- 9.8. There are residents' homes surrounding the site, but buffered by roads and the infrastructure of the ALDI development described above. As stated elsewhere in this PIA, the liquor section will be confined well within the wider ALDI store proper, with no street frontage or other external façade. It will be concealed. There is no park or other gathering-type place for sensitive people or at-risk groups known to be close by.
- 9.9. Further submissions addressing the amenity issue under the Act and as referred to in the Form 2A are provided in the applicant's Legal Submissions.

10. Form 2A “Part 6 – Impact on the people who live or work nearby and whether they might suffer offence, annoyance, disturbance or inconvenience”

Form 2A “6.1 What actions will you take to minimise the impact on people who live or work nearby?”

- 10.1. ALDI has an excellent trading history. It is not known to be the cause of any offence, annoyance, disturbance or inconvenience in relation to any of its existing liquor store licences.
- 10.2. ALDI has carefully considered the impact that may be caused to people who reside or work in the vicinity of the proposed licensed premises in terms of how and in what circumstance, the sale and supply of liquor could potentially cause those people offence, annoyance, disturbance or inconvenience.
- 10.3. It is not considered that there are any high risk factors associated with the ALDI application, for the various reasons referred to throughout this PIA. Despite that conclusion, the applicant acknowledges the potential for adverse effects from any sale and supply of liquor and hence proposes to implement the following strategies to manage and minimise risks.
- 10.3.1. Maintaining a manner of trade which is low risk and low impact.
 - 10.3.2. Managing delivery times and methods in such a way as to minimise potential disturbance to others, even although there is no neighbour in close proximity.
 - 10.3.3. Implementing tried, tested and proven operational policies for overall management and conduct of business.
 - 10.3.4. Closely monitoring unaccompanied juveniles.
 - 10.3.5. Not stocking controversial liquor products and promotions designed to be attractive to juveniles.
 - 10.3.6. Maintaining a high standard of premises in terms of cleanliness, tidiness and overall quality, to indicate to patrons the operator's professional approach to management of the business.
 - 10.3.7. Employing only mature and skilled people to run the operation, all of whom will be presented in professional uniform. The staff will all be

trained to be able to exhibit a high level of stock knowledge. These features will add an element of responsibility to the functioning and image of the business.

- 10.4. ALDI's advanced practises in terms of staff training will ensure that staff at ALDI Mandurah will consistently enforce and uphold the licensee's policies and philosophies for a compliant business which focuses on integrating with the local community. The applicant values its excellent reputation as an upstanding corporate citizen and employees will continue to be trained to uphold reputation and share in ALDI's core values.
- 10.5. No high risk factors associated with the liquor store proposal in this case have arisen in preparing this PIA, especially given ALDI's trading history. The small risk factor that does exist, as with any licensed premises, will be closely monitored and carefully managed in any event.

11. Form 2A “Part 7 – Impact on tourism, culture and the community”

Form 2A “7.1 Are there any tourism, cultural and community benefits that would result from the grant of your application?”

- 11.1. People living in, near and visiting the 3km locality stand to benefit enormously from the introduction of the ALDI liquor service. The public will have the demand met and enjoy the well-known ALDI liquor products and services in their area which have been relished by other Australians elsewhere for many years.
- 11.2. ALDI is still relatively new to the WA market compared to other retailers. The opening of ALDI stores in Western Australia has been met with great enthusiasm by customers from across the metropolitan area. When the first ALDI stores in WA started trading in June 2016, members of the public queued up for hours, in winter, before the stores opened, as seen in the photographs below¹⁰⁸.



¹⁰⁸ <https://www.watoday.com.au/national/western-australia/keen-shoppers-brave-cold-for-opening-of-perth-aldi-stores-20160608-gpe297.html>



- 11.3. Clearly ALDI's positive reputation preceded itself and since then, as addressed earlier in this PIA, ALDI has grown and cemented itself in the WA market as a sought-after retailer. In the first six months of trade in Western Australia, more than 3.2 million customers were served at ALDI stores. The ALDI Cloverdale store transacted a staggering 156,338 customers in just 69 days of trading, which is an average of 2,266 customers per day.¹⁰⁹
- 11.4. The licensing authority is entitled to take into account the popularity of similar services provided at other locations when assessing whether the proposed services will be in the public interest at this particular location.¹¹⁰
- 11.5. The growth and success of ALDI has resulted in tremendous employment benefits for Western Australians. The applicant currently employs approximately 1,000 people in WA. The approval of this application will generate further employment opportunities for people at ALDI.
- 11.6. The consumer evidence in this case is clear, directly on-point and compelling. Hundreds of members of the local community have expressed a strong demand for the ALDI liquor products and service.
- 11.7. The expert market research has concluded that "[i]t is clear that the great majority of take-away liquor buyers who currently shop at ALDI Mandurah would shop for their take-away liquor requirements from the ALDI liquor section if it was established. Over half (52%) would do so at least once a fortnight, 78% at least once a month and 96% on at least some occasions, should the liquor section be established within the ALDI Mandurah store... The clear suggestion is that the ALDI Mandurah liquor section would better meet their takeaway liquor requirements than the currently available Mandurah liquor outlets."¹¹¹
- 11.8. Given the high level of support for the proposed liquor service referred to in the PRG report, coupled with other results of that report including that shoppers have accessed ALDI liquor elsewhere, it can be reasonably concluded that there is a leakage factor to consider in this case, whereby local shoppers are currently purchasing liquor outside of their Mandurah neighbourhood, at other

¹⁰⁹ Evidence available if required, upon request

¹¹⁰ *Woolworths Ltd v Director of Liquor Licensing* [2013] WASCA 227 [77] (Buss JA)

¹¹¹ PRG report at para 4.6.3 on page 28

ALDI outlets several kilometres away, because it is not available to them currently in Mandurah.

- 11.9. Further submissions referring to the consumer evidence have been provided elsewhere in this document and in the applicant's Legal Submissions.
- 11.10. ALDI is a major supporter of local communities and Australian businesses. This proposition is explained by the following published ALDI policies.¹¹²

Good Community

We are passionate about supporting the community and giving back to those in need. We have programs in place to foster strong and honest relationships with our business partners, buyers and valued team members. Our work with Camp Quality and our food charity partners are examples of how we are making a Good Difference using the resources available to us. Learn more about how we are caring for our Good Community below.



Community Support

ALDI connects and work with charity partners through a range of employee, business partner and customer-focused initiatives.



Food Insecurity and Food Rescue

ALDI works with food rescue organisations like Foodbank and OzHarvest to get surplus food from our stores to the people who need it most. Discover our initiatives and how you can get involved.



Camp Quality

ALDI has been a Camp Quality partner since May 2020, making a yearly cash donation, running employee programs, and donating proceeds from product sales.



Aussie First Policy

At ALDI, we're all about homegrown goodness.

In fact, 100% of our meat & eggs, 97% of fruit & veg and 82% of dairy comes from Down Under, so you know you're tucking into the taste of Good Different.

¹¹² <https://www.aldi.com.au/sustainability/good-community> (via <https://www.aldi.com.au/sustainability>), <https://www.aldi.com.au/what-makes-us-good-different> and <https://www.aldi.com.au/sustainability/good-business>



Aussie Farmers

We strongly believe in supporting Australian Made products and produce. That's why 97% of our fruit and veggies come directly from Australian farms, as well as 100% of our eggs, milk, fresh meat, fresh salmon and fresh poultry. We're also committed to supporting our Australian farmers.



Business Partnerships

When we opened our first two stores in Sydney back in 2001, ALDI initially offered a range of 600 grocery products supplied by 174 business partners. During this first year, one of these founding business partners supplied us with two types of laundry powder, which they initially delivered on a ute containing a single pallet. Fast forward to 2018, and this same business partner was supplying 75 cleaning and personal care products across 150 varieties to every one of our stores. We have hundreds of similar stories about our wonderful partnerships. With over 1000 Australian businesses now part of our network, it's easy to see how we're Making a Good Difference in more ways than one.



Economic Contribution

Data independently audited by PwC shows that ALDI had an average price gap of 15-20% in 2023, with ALDI shoppers saving \$3.4 billion on their grocery bills. But that wasn't even the most exciting part, an average family shopping at ALDI can save up to \$2,538 a year. You can access our Tax Transparency Reports below.



Modern Slavery & Human Rights

Human rights are an important dimension of ALDI's Global Sustainability Strategy, since the way we operate, purchase goods, and the business partners we choose could impact how people are treated across our operations and supply chains. As a major retailer whose supply chains touch millions of people every day, ALDI understands the importance of respecting human rights. Read more about our initiatives below.



Diversity and Inclusion

We're committed to a diverse and inclusive workforce that welcomes everyone, because we believe that understanding, respecting, and valuing the individuality of our employees and customers makes us stronger.



Responsible Business Practices

Through the responsible sourcing of our products, and prioritisation of Australian-made produce, we're helping to build resilient, thriving communities. For more information, please read our Sustainability Progress Report, which highlights how we positively impact the environment and the local communities in which we operate.

11.11. The grant of the liquor store licence will enhance and facilitate ALDI's increased involvement in the Mandurah community. The local community will be the beneficiary of this outcome.

- 11.12. The 3km locality stands to reap many benefits from the approval of this application. The small and modest liquor service has the capacity to make a great impact in terms of choice, diversity, competition, convenience, development of the area and relevant industries and satisfying unmet consumer demand and requirement.
- 11.13. In terms of tourism, as referred to earlier in this PIA, the 3km locality attracts large numbers of visitors. Mandurah is an award-winning tourism destination with many things to see and do, events and festivals to attend and a variety of places to stay. It is described as Perth's number one day trip destination.¹¹³
- 11.14. The approval of this application will enable ALDI to provide its full suite of products and services like it does at most of its other stores around the country and overseas, providing familiarity for tourists in the area who are accustomed to ALDI's model elsewhere. Further, the ability for ALDI to establish a full-service store will help to support and promote Mandurah as a proper modern City Centre with commonly expected retail conveniences commensurate with a location that encompasses all of the following.
- 11.14.1. The city centre for the whole of the City of Mandurah¹¹⁴.
- 11.14.2. Part of WA's largest regional city¹¹⁵.
- 11.14.3. "[T]he biggest population centre in Western Australia outside of Perth"¹¹⁶.
- 11.14.4. An estimated 26,000 residents living in the 3km locality¹¹⁷, including around 9,000 in the suburb of Mandurah itself¹¹⁸.
- 11.14.5. Millions of visitors each year¹¹⁹.
- 11.15. The ALDI Mandurah store has not kept pace with local requirements and industry trends expected in a location of the size, significance and density of Mandurah. Such locations ordinarily have, or are expected to have, wide choice and diversity in products and services. Approving this application will help to rectify the situation.

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

- 11.16. ALDI operates with liquor at around 350 locations across Australia. As stated previously, 36 of those are in WA. In the eastern states, nearly every ALDI store contains a liquor section.
- 11.17. The ALDI liquor model, now well-known and established in Western Australia, has been carefully designed to complement the supermarket and special buys.

¹¹³ <https://visitmandurah.com/>

¹¹⁴ City of Mandurah City Centre Master Plan, August 2024

¹¹⁵ <https://www.mandurah.wa.gov.au/learn/about-mandurah/fact-and-figures>

¹¹⁶ City of Mandurah City Centre Master Plan, August 2024, at page 5

¹¹⁷ As referred to in section 7 of this PIA

¹¹⁸ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890>

¹¹⁹ <https://economy.id.com.au/mandurah/tourism-visitor-summary>

ALDI's particular range provides adult shoppers with superior shopping convenience through being able to access a highly diverse range of value-for-money household and consumable products at the one location.

- 11.18. There are currently 14 active packaged liquor licences to cater for approximately 26,000 people living in the 3km locality¹²⁰ plus the millions of visitors. 12 of the licences are in the s36B locality and only six provide a realistic packaged service which is largely the same across the outlets. These numbers should be considered alongside the wide and enormous catchment of regular shoppers at ALDI Mandurah. Those outlets do little, if anything, for shoppers at ALDI Mandurah seeking one-stop shopping and certainly do not address the demand for ALDI liquor itself.
- 11.19. The enormous number of shoppers at ALDI Mandurah each week – 8,700 on average¹²¹ – can be considered alongside the population of the suburb of Mandurah which is a similar number¹²² to indicate that the ALDI store is immensely popular within the local community.
- 11.20. The addition of the ALDI liquor section at Mandurah will, in effect, result in a self-sufficient, comprehensive retail facility. Responsible adults living locally will be able to browse and purchase food – fresh, frozen and non-perishable – homewares, tools, gardening equipment, clothing, leisure items, sporting gear, toys, other products and liquor all with one trolley.
- 11.21. It has been identified that among ALDI Mandurah shoppers, “almost six in ten (59%) shoppers have previously consumed ALDI exclusive liquor products that had been purchased from another WA ALDI store...This suggests that many shoppers are prepared to go to other ALDI stores to access exclusive ALDI liquor products. Note also that almost 7 in 10 (69%) of take-away alcohol buyers have consumed ALDI liquor products purchased in another WA ALDI store”¹²³, which are not available in or near ALDI Mandurah. The approval of this application will reduce or even eliminate this leakage factor.
- 11.22. This is consistent with the reports from staff at the ALDI Mandurah store to ALDI senior corporate management that they receive daily customer requests and expectation for liquor, surprise that the store does not have the feature now and dissatisfaction at having to leave to drive some distance away in search of ALDI liquor elsewhere.
- 11.23. The following was reported in relation to ALDI recently winning the coveted Canstar Australian Supermarket of the Year for the eighth year in a row¹²⁴:

¹²⁰ Based on the ABS population data and Department licence information provided earlier on in this PIA

¹²¹ PRG report at para 1.0 on page 5

¹²² <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50890>

¹²³ PRG report para 4.4.1, page 18

¹²⁴ <https://www.skynews.com.au/lifestyle/celebrity-life/customers-know-they-can-rely-on-us-aldi-crowned-supermarket-of-the-year-for-the-eighth-year-in-a-row-by-canstar-blue/news-story/a566dfe9b507fb1c0892917532618a0d>

Notoriously, Australia's supermarket "duopoly" of Coles and Woolworths means Aussie consumers pay some of the highest grocery prices in the OECD.

According to Canstar, the average weekly grocery bill for an Australian household of four people has ballooned to \$240, a \$24 increase from the previous year.

The survey, which gathered insights from 2,869 shoppers, highlights the ongoing hip pocket pain facing consumers at the checkout.

In a statement, Eden Radford of Canstar Blue told Yahoo Finance that this year's results reflect the power of "own-brand items" in a tough economic climate.

'The quality of (Aldi's) own-brand items reliably earn the highest rating from customers,' she said.

'Consistently priced, good quality products on offer is why shoppers are choosing Aldi to do their grocery shopping.'

- 11.24. The large majority of ALDI's proposed liquor range at the Mandurah store will be its reliable own-brand. Approval of the licence will make quality, affordable award-winning liquor available to the local community.
- 11.25. National Liquor News reported the following statements and quotes¹²⁵ which corroborate various points made in this PIA and further support the application:
- 11.25.1. "ALDI's reputation for value attracts customers, with growth outpacing the market without relying on aggressive promotions."
- 11.25.2. "In 2024, ALDI's liquor business saw significant growth, particularly in spirits, with whisk(e)y and vodka performing strongly...Paul Handley, ALDI Liquor Expert, noted the success was partly driven by increased foot traffic from ALDI's grocery offering."
- 11.25.3. "ALDI's reputation for delivering value has been key to attracting more customers to its liquor range."
- 11.25.4. "[Paul] Handley [ALDI Liquor Expert] explained that ALDI's liquor strategy sets it apart from competitors...*'We don't try to attract customers into our stores with crazy pricing to shop our liquor offer – they are already there in large numbers to do their grocery shopping. Customers know that our tightly curated range represents great value – both across the core range as well as our seasonal and specials programmes'.*"

¹²⁵ "ALDI's liquor growth strategy for 2025", Deborah Jackson, National Liquor News, 15 April 2025 (<https://theshout.com.au/national-liquor-news/aldis-liquor-growth-strategy-for-2025/#:~:text=Growth%20Strategy%3A%20Plans%20to%20convert,practices%20to%20reduce%20environmental%20impact.>)

- 11.25.5. "Amid ongoing cost-of-living pressures, ALDI is committed to offering high-quality products at competitive prices."
- 11.25.6. "As ALDI continues to innovate and focus on value, sustainability, and growth in the liquor market, it is well-positioned for further success in 2025. *'At a time when shoppers are continuously seeking better value, we have never been more aware of the need to continue to deliver on our promise to offer Aussies the highest quality products at the lowest possible prices,'* [Paul] Handley [ALDI Liquor Expert] concluded."

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. Pursuant to section 36B(1), "packaged liquor premises means premises to which a licence referred to in subsection (2) relates". Section 36B(2) expressly states that section 36B applies to an application for a liquor store class of licence.
- 12.3. Section 36B(4) of the Act provides that "[t]he licensing authority must not grant an application to which [section 36B] applies unless satisfied that local packaged liquor requirements cannot reasonably be met by existing packaged liquor premises in the locality in which the proposed licensed premises are, or are to be, situated".
- 12.4. Section 36B(4) "imposes a meaningful additional hurdle"¹²⁶ to the section 38 public interest test.
- 12.5. Section 36B has been said to have been intended to "enable the licensing authority to manage the number of packaged liquor outlets where sufficient outlets already exist within a locality"¹²⁷.
- 12.6. 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 anywhere near the prescribed size. Therefore, the application is eligible to be heard and determined.
- 12.7. The application for ALDI Mandurah 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 of a discrete and limited nature. The full ambit of "liquor" and traditional liquor store features will not be available in this case, whilst several alternative features will be provided.
- 12.8. The licensing authority has determined that under section 36B of the Act a packaged liquor specialist, involving a narrow and discrete range, can be approved to hold a licence for a packaged liquor premises in appropriate

¹²⁶ Liquorland Karrinyup [75] (Archer J)

¹²⁷ Explanatory Memorandum, Liquor Control Amendment Bill 2018 at page 1

cases and that an application may satisfy section 36B and be granted where the particular type of packaged liquor to be sold and supplied under the licence is limited and defined¹²⁸. Most relevantly, that has included approval of ALDI licences under the current law¹²⁹. This present application falls squarely within that realm and is in fact a stand-out example of such an outlet.

- 12.9. 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 are submitted to be the following, as referred to earlier in this PIA as being located in the s36B locality:

- 12.9.1. The Peninsula Mandurah, 1 Marco Polo Drive, Mandurah
- 12.9.2. Boathouse Tavern, Peel Shopping Centre, Pinjarra Road, Mandurah
- 12.9.3. Silver Sands Tavern, 176 Mandurah Terrace, Mandurah
- 12.9.4. Brighton Hotel, 10-12 Mandurah Terrace, Mandurah
- 12.9.5. Murphy's Irish Pub, 43-44 Mandurah Terrace, Mandurah
- 12.9.6. The Bridge Garden Bar & Restaurant, 2 Mandurah Terrace
- 12.9.7. The Bottle-O Mandurah, Sholl Street, Mandurah
- 12.9.8. Dan Murphy's Mandurah, Shop 2, 23 Pinjarra Road, Mandurah
- 12.9.9. Liquorland Mandurah Forum, Pinjarra Road, Mandurah
- 12.9.10. Liquor Stax Marina, 16 Dolphin Drive, Mandurah
- 12.9.11. Little Stiller Distillery, 7 Mandurah Terrace, Mandurah
- 12.9.12. BWS – Beer Wine Spirits Mandurah Forum, Mandurah Forum Shopping Centre, 30 Pinjarra Road, Mandurah

- 12.10. None of these existing premises does, nor is even able to, sell or supply the applicant's exclusive range.
- 12.11. The existing premises collectively sell various types of packaged liquor but no ALDI products and almost 100% of their products would never be available at the ALDI store.
- 12.12. Of the 12 premises listed, only six offer a deliberate and realistic take-away service, namely Silver Sands Tavern (with a Bottlemart), The Bottle-O Mandurah, Dan Murphy's Mandurah, Liquorland Mandurah Forum, Liquor Stax Marina and BWS Mandurah Forum. They are brands and banner groups well known to the

¹²⁸ 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), Commune Wine Store (Subiaco - 603220029123), Rocky Ridge Duncraig (602219804523) and Mane Bicton (603221936524)

¹²⁹ ALDI Yanchep (603220993723), ALDI Innaloo (603222726424), ALDI Karrinyup (603222913525) and ALDI Whitfords (603222858025)

licensing authority, selling a range of mostly mainstream products with no ALDI products.

- 12.13. Boathouse Tavern offers patrons the ability to purchase a small selection of packaged liquor over the bar whilst Little Stiller Distillery provides its own spirits, that it produces, for take-away purchase over the bar.
- 12.14. Only the Liquorland Mandurah Forum and BWS Mandurah Forum provide association with grocery shopping.
- 12.15. Multiple other factors also differentiate the existing liquor models from ALDI's, as addressed earlier in this PIA. In fact, there can hardly be any proper comparison.
- 12.16. Based on the information provided in the preceding sub-paragraphs, it is apparent that the available packaged liquor products and services for the enormous relevant community catchment of thousands of people are extremely limited. Rationally, there are only six relevant outlets offering relatively the same range.
- 12.17. As referred to earlier in this PIA, further beyond the s36B locality Greenfields Liquor Store at Shop 2 Greenfields Shopping Centre, Murdoch Drive, Greenfields and BWS – Beer Wine Spirits Port Mandurah at 5/10 Old Coast Road, Halls Head are operating. Again, none of these premises does, nor is even able to, sell or supply ALDI's exclusive range. These two existing premises sell various types of packaged liquor but no ALDI products and almost 100% of their range would never be available at the ALDI store.
- 12.18. Both stores are located nearly 2km away. Greenfields Liquor Store is on the eastern side of the major dividing artery of Mandurah Road. The BWS is south west across the other side of the estuary.
- 12.19. Specifically, in relation to the BWS outlets, the Liquor Commission found in ALDI Harrisdale that there "is a significant diversity between the products sold by ALDI and the BWS store."¹³⁰
- 12.20. The BWS, Dan Murphy's and Liquorland ranges and store layouts and styles are especially well known to the Director of Liquor Licensing. They are the typical national models commonly before the licensing authority, selling beer wine and spirits from largely mainstream producers and their own home-brand within traditional format outlets with warm and refrigerated product.
- 12.21. The small size, layout, location, absence of coolroom, absence of prominent product advertising, absence of refrigeration, reduced trading hours at ALDI are glaring additional differences over and above the major distinction of ALDI's mainly exclusive range.
- 12.22. The following research and conclusions referred to in the expert PRG consumer survey are particularly relevant to this section of the PIA:

¹³⁰ [43(g)]

Buyers of take away liquor products were asked whether they believed that the proposed ALDI liquor section would be different from outlets already available in Mandurah. The question asked was:

“Do you think that the liquor service proposed at ALDI Mandurah will be different from existing take-away liquor outlets already operating in and near Mandurah?”

In the main , the sample was familiar with a typical ALDI liquor section. It may be recalled from section 4.4 that 85% of the shopper sample had previously shopped in an ALDI store that included a liquor section, and in section 4.4.1 that 59% had consumed an ALDI liquor product purchased from a WA ALDI store. So the great majority of responses to this question are based on personal exposure to the ALDI liquor offer.

It is not surprising therefore to find in the table below that two thirds (66%) of take-away liquor buyers believe that liquor section in the ALDI Mandurah store would be different from the current liquor outlets. This proportion is unchanged amongst alcohol buyers who have been in a licensed ALDI store, and increases to 70% amongst those who have consumed exclusive ALDI liquor products.

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...

Take-away liquor buyers were asked to estimate the extent to which they would purchase their take-away liquor requirements from a liquor section within the ALDI Mandurah store.

The question asked was:

“On average, how often would you make liquor purchases from the ALDI Mandurah supermarket?”

The table below shows the great extent to which the proposed liquor section would be used by takeaway liquor buyers.

Frequency Would buy Liquor products from the ALDI Liquor Section	Take-away Liquor Buyers
Don't buy packaged liquor	3%
Once or more a week	31%
Once or more a fortnight	21%
Once or more a month	26%
Less often	18%
Don't Know	1%
Total	100%
Sample	269
Summary	
At Least 1 / fortnight	52%
At Least 1 per month	78%
At least sometimes	96%

¹³¹ PRG report at para 4.6.2 on page 27

It is clear that the great majority of take-away liquor buyers who currently shop at ALDI Mandurah would shop for their take-away liquor requirements from the ALDI liquor section if it was established. Over half (52%) would do so at least once a fortnight, 78% at least once a month and 96% on at least some occasions, should the liquor section be established within the ALDI Mandurah store.

The clear suggestion is that the ALDI Mandurah liquor section would better meet their takeaway liquor requirements than the currently available Mandurah liquor outlets.

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- 12.23. The nearest ALDI liquor service for people in Mandurah is in Halls Head, approximately 4km away (straight line), nearly ten minutes by car one way, over the Mandurah Estuary, through other suburbs and a busy road network into a different district. This travelling requirement for those seeking ALDI's liquor range is timely, expensive, inconvenient and certainly undesirable.
- 12.24. It is highly inconvenient for people in and near Mandurah to access a modern level of choice in packaged liquor.
- 12.25. Given the growth and development of Mandurah in recent years and contemporary expectations for a bustling, built-up district, it is essential that the community have ready access to usual modern conveniences. It is unreasonable for people living in, working in and visiting the City Centre and 3km locality to be denied meaningful choice, diversity and competition.
- 12.26. 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"¹³³.
- 12.27. 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, services and style of operation to be available to purchase for take-away purposes from the ALDI Mandurah store.
- 12.28. Almost 100% of the applicant's stock range will be unavailable elsewhere in the 3km locality and beyond. This is a striking factor in this case.
- 12.29. To reiterate, the following are key distinguishing features of the ALDI liquor proposal:
- 12.29.1. The majority of ALDI's products are exclusive and not available at any of the other liquor outlets.
- 12.29.2. The liquor display/browse area will only comprise approximately 30m², significantly smaller than many of the other packaged liquor outlets. The bespoke ALDI liquor service will be an ancillary but highly valuable component of its overall service in Mandurah which is projected to be very popular and well patronised.

¹³² PRG report at para 4.6.3 on page 28

¹³³ Liquorland Karinyup [108] (Archer, J)

- 12.29.3. There will be no refrigerated liquor products at ALDI Mandurah. This is a harm minimising feature of the ALDI liquor service and speaks to its genuine intention to complement its household and grocery offering.
- 12.29.4. None of the other packaged liquor outlets can offer one-stop-shopping convenience to ALDI shoppers.
- 12.30. Further and more detailed submissions regarding section 36B of the Act are contained in the applicant's Legal Submissions.

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

- 13.1. Relevant provisions of the Act have been taken into consideration in the preparation of the application, including sections 5, 33, 36B, 38 and 60. Submissions addressing those and other relevant provisions in the Act have been briefly referred to in this document but are detailed in a separate set of Legal Submissions accompanying this PIA.
- 13.2. It is respectfully submitted that the licensing authority should be easily satisfied that in relation to ALDI Mandurah, as was concluded in relation to other ALDI applications decided under the current law, that the applicant has far exceeded the legislative high bar because the evidence shows substantially more than "trifling" and "considerable" requirements¹³⁴.

14. Conclusion

- 14.1. The applicant has sought to thoroughly address the Form 2A and relevant sections of the Act with this detailed PIA, specifically referencing particulars of the application.
- 14.2. A wide variety of relevant public interest factors, both positive and negative, have been assessed and a comprehensive proposal for the grant has been compiled.
- 14.3. To reiterate, what is proposed is a modest liquor range comprising largely of award winning, value-for-money, exclusive products, through a modern one-stop-shop concept that has the potential to offer an unrivalled level of convenience for shoppers in Mandurah and has been proven very popular elsewhere. The proposal is a replica of the Australian Supermarket of the Year for the last eight consecutive years¹³⁵ and incorporates multiple low risk features.
- 14.4. The ALDI Mandurah liquor service will be genuinely unique, not only in the s36B locality but also in the 3km locality and beyond. The products, services and style of operation will be very different from existing products and services available in the relevant market.

¹³⁴ Liquorland Southern River [136] [137] (Lemonis J)

¹³⁵ <https://www.roymorgan.com/findings/roy-morgan-unveils-annual-customer-satisfaction-award-winners-across-all-categories-2023>; <https://www.skynews.com.au/lifestyle/celebrity-life/customers-know-they-can-rely-on-us-aldi-crowned-supermarket-of-the-year-for-the-eighth-year-in-a-row-by-canstar-blue/news-story/a566dfe9b507fb1c0892917532618a0d>

- 14.5. This PIA, together with the attachments referred to within and accompanying Legal Submissions, provide strong support for the application. The evidence includes the following summary in the PRG report¹³⁶:

The survey of ALDI Mandurah shoppers showed considerable support for and intended use of the proposed liquor section for that store. Eighty-four per cent of shoppers indicated that they purchase take-away liquor products, 85% indicate that they have previously shopped in (another) Western Australia ALDI that had a liquor section, and 59% reported that they had consumed exclusive ALDI liquor products purchased from another WA ALDI store with a liquor licence.

These experiences served to ensure that, in the main, shoppers' comments on and attitudes towards aspects of the proposed ALDI liquor section were based on first-hand knowledge of the ALDI liquor retailing environment and products.

- 14.6. The licensing authority should be able to find as follows in this case, just as it did in ALDI Harrisdale – which findings still have relevance in the era of section 36B of the Act – where the liquor store model in question is virtually the same:

"The granting of a licence for the selling of packaged liquor in a floor space of [43] square metres would not result in a proliferation of liquor stores within the locality or a proliferation of liquor within the locality. To the contrary, given the nature of products to be sold by the applicant it will add to the diversity of products on offer and allow greater choice for consumers of liquor, thus being consistent with the primary object set out in section 5(1)(c) of the Act."¹³⁷

- 14.7. Mandurah has evolved into a sophisticated, modern and thriving regional city – the biggest in the State – and yet it lacks contemporary choice and diversity in packaged liquor options, which the grant of this application can address.
- 14.8. Further submissions addressing conclusions to be drawn from the information contained in this PIA and supporting the grant of the licence and ETP as proposed are contained in the applicant's detailed set of Legal Submissions.

Dated 5 September 2025



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

Attachments	
No.	Title/description
1.	PRG report
2.	DES report (redacted)
3.	Stocklist, including identification of the ALDI exclusive products (subject to change)
4.	Example list of some awards received by ALDI
5.	9 News Perth Facebook, 15 June 2016
6.	Legal Submissions dated 5 September 2025

¹³⁶ At para 2.0 on page 6

¹³⁷ [42]