

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 Events Approvals policy](#)). The DLL can also ask for a PIA to be prepared as part of the application for any type of liquor licence or permit.

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.

Your completed PIA will be made publicly available and may be advertised on the [LGIRS 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

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).

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 our [Portal Homepage](#).

PART 1 – Application Details

Applicant name: **ALDI Foods Pty Limited**

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

Are you applying for:

New licence

Removal of existing licence

Licence/permit type:

Premises trading name: **ALDI West Perth**

Address of proposed premises: **ALDI West Perth, Sydney Charles Quarter, Building 1, 463 Newcastle Street, West Perth WA 6005**

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 attached 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 attached 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 attached 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 attached 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 attached 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?

Please refer to the attached Annexure prepared by Jessica Patterson Law & Consultancy Pty Ltd

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 attached Annexure prepared by Jessica Patterson Law & Consultancy Pty Ltd

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

Please refer to the attached Annexure prepared by Jessica Patterson Law & Consultancy Pty Ltd

⁶ LC Act s5(1)(c).

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**

18th March 2026

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

in respect of premises situated at

**Sydney Charles Quarter, Building 1, 463 Newcastle Street,
West Perth**

to be known as

ALDI West Perth

Public Interest Assessment Form 2A Annexure

including section 36B submissions



**JESSICA
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Table of Contents

1. Executive summary	3
2. Introduction and background.....	4
3. Brief outline of the application	5
4. Applicant’s background	6
5. The liquor – ALDI exclusive products.....	20
6. Form 2A “Part 2 – Manner of trade”	25
7. Form 2A “Part 3 – The profile of the local community”	51
8. Form 2A “Part 4 – Minimising the potential for alcohol to cause harm”	57
9. Form 2A “Part 5 – Impact on the amenity, quiet or good order of the locality”	69
10. Form 2A “Part 6 – Impact on the people who live or work nearby and whether they might suffer offence, annoyance, disturbance or inconvenience”	71
11. Form 2A “Part 7 – Impact on tourism, culture and the community”	72
12. Local packaged liquor requirements – section 36B of the Act	79
13. Sections 5, 33, 36B and 38 of the Act	83
14. Conclusion	83

Cover page image: [SCQ+Retail+Leasing+Website+.pdf](#)

1. Executive summary

- 1.1. This application involves an incredibly popular and strongly demanded liquor service, to operate from a small and discrete area to be located inside the new ALDI West Perth store, being established by Australia's eight-time winner of the national Supermarket of the Year award¹.
- 1.2. The liquor range, comprising many award-winning products, is almost entirely exclusive to the applicant, very popular and in great demand for the West Perth store. The relevant community in this case currently needs to drive approximately 3.5km one-way, through busy built-up streets, to otherwise access that product range.
- 1.3. The liquor store model is well-known, sought-after by the public and has been previously approved by the licensing authority at several other locations in WA.
- 1.4. The site is perfect, being part of a new major residential, office and retail precinct within a very busy and densely built-up modern neighbourhood.
- 1.5. 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 grant².
- 1.6. The expert market researcher in this case has made the following key findings, among others:

“[I]t is evident that buyers do not believe that packaged liquor retailers are all the same, and that the proposed ALDI offer would better meet their needs... Indeed, a clear majority (59%) of packaged liquor buyers, and 72% of those who have previously consumed ALDI liquor products believe that the proposed ALDI liquor section will provide a different packaged liquor experience to that which is currently available in the West Perth locality...If the West Perth ALDI liquor section is established slightly more than half (53%) of packaged liquor buyers will shop there for their packaged liquor requirements at least once a month. Twenty-eight per cent will do so at least once a fortnight...and 94% "at least sometimes... Forty-six per cent of buyers who shop for their packaged liquor needs at least fortnightly report that if the West Perth ALDI liquor section is established they would buy their packaged liquor needs there at least fortnightly, 67% at least monthly and 97% at least sometimes... Evidently the ALDI offer will better suit their packaged liquor

¹ <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>

² *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2024] WASC 128 (**Liquorland Southern River**) [128] [137] (Lemonis J)

purchasing needs than the range of outlets currently available to them”³

- 1.7. These percentages translate to thousands of people based on the expert survey modelling conducted⁴.
- 1.8. A demand/supply analysis of relevant factors in this case reveals that demand cannot reasonably be met by supply, justifying the grant of the licence⁵.
- 1.9. The applicant is well-known, highly sophisticated and enjoys an excellent trading compliance record proving that it is entirely capable of establishing and operating the liquor service proposed.

2. Introduction and background

- 2.1. ALDI Foods Pty Limited (ACN 086 210 139) (**ALDI**⁶) seeks the conditional grant of a liquor store licence pursuant to sections 33, 36B, 38, 47 and 98D of the Liquor Control Act 1988 (WA) (**Act**) for a very small section of its new supermarket premises currently being built in Building 1 of the major Sydney Charles Quarter under construction at 463 Newcastle Street, West Perth.
- 2.2. This document has been prepared as an annexure to and in accordance with the Public Interest Assessment Form 2A published by 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 Department policies.
- 2.3. As directed by the Department⁷, the applicant has applied a “common-sense approach”⁸ to the preparation of the PIA. Further, the applicant has considered the State Government’s published intention that it be less complicated and “easier to do business”⁹ within the WA liquor licensing regime. Therefore, the applicant has provided a level of detail in this document and with the attachments that is not overly voluminous and considered appropriate for the circumstances. 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 evidence¹⁰. Further detail, additional copies of source material and supplementary supporting evidence can be provided if necessary and requested. The Department is invited to request further detail, as

³ Survey Of The Consumer Requirement for Liquor Retailing Amongst Adults Resident in the 2km Radius Locality of the proposed West Perth ALDI Supermarket, by Patterson Research Group (**PRG**), dated November 2025 (**PRG Report**) (attached), at page 6. PRG and Jessica Patterson Law & Consultancy Pty Ltd are totally unrelated entities. The commonality of the name “Patterson” is purely coincidental.

⁴ PRG report at para 1.0, page 5 and see also page 13

⁵ Liquorland Southern River [57] (Lemonis J)

⁶ Including related entities forming the ALDI group

⁷ Form 2A and at <https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment>

⁸ Form 2A page 2

⁹ 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>

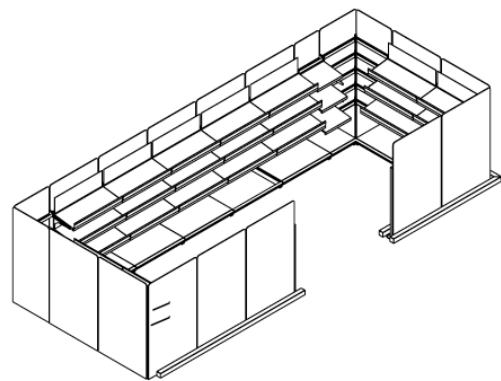
¹⁰ Liquorland Southern River [126] and [128] (Lemonis J)

contemplated in its Public Interest Assessment information factsheet/policy¹¹, should such material be considered necessary.

- 2.4. Hundreds of members of the public have provided evidence of strong demand for the ALDI liquor service in West Perth through the expert survey by PRG. This evidence is based largely on consumers' first-hand knowledge of the proposed liquor model. The PRG report states that "[a]lmost two thirds (65%) of the West Perth population have previously been in an ALDI store that has a packaged liquor section: it is not a new concept for them"¹² and almost half (49%) the adult residents in the locality have previously consumed ALDI exclusive liquor products that had been purchased from a licensed WA ALDI store. This figure is elevated to 72% amongst those who have shopped in an ALDI with a liquor licence, and 54% of all packaged liquor buyers."¹³
- 2.5. The applicant is entirely capable of and keen to address the community requirement, as soon as construction is completed which is expected to be late this year.
- 2.6. This PIA has been formally adopted and verified by a senior WA representative of ALDI by way of signing the Form 2A.

3. Brief outline of the application

- 3.1. This application involves a petite liquor display/browse and checkout section of only approximately 38m² within the new ALDI West Perth 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 wider ALDI West Perth store. The size, layout and style of operation will be almost identical to the 38 existing ALDI licences trading in WA.
- 3.3. This liquor 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 attractive range of ALDI's unique non-liquor products, services and facilities. This creates an exceptional one-stop-shopping experience for customers, which is a key feature of the ALDI offering.
- 3.4. The aerial render to the right is indicative of what is proposed as the liquor display/browse area in West Perth. The checkout is located in front of the entrance that is depicted. The boundary partitioning is proposed to be made of 2.1 metre high opaque frosted glass depicted in the subsequent photo below.



¹¹ <https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment>

¹² PRG report at page 15

¹³ PRG report at page 17



- 3.5. Additional details of the ALDI liquor offering are provided further on in this PIA.
- 3.6. The hundreds of local shoppers who have provided evidence of their requirement for the proposed liquor service have encouraged ALDI to lodge this application and seek approval to provide liquor in West Perth as soon as the supermarket is built.
- 3.7. Residents of the new mixed-used village-type precinct being established, known as Sydney Charles Quarter and the wider surrounding community will have the opportunity to enjoy the full range of ALDI's offering 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 already 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 around 600 stores in Australia.
- 4.2. ALDI 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 organisation¹⁴.

“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 **AL**brecht **DI**scount, reflecting the business’s commitment to providing 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 and packaged food 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 consumers¹⁵.

4.6. Some of ALDI’s published principles and values include the following:

4.6.1. “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 Business.”¹⁶

¹⁴ <https://sustainability.aldisouthgroup.com/about-aldi/aldi-history> (see also <https://www.aldicareers.com.au/about-aldi/>)

¹⁵ 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.”

¹⁶ <https://www.aldi.com.au/sustainability>

4.6.2. "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 more."¹⁷

4.6.3. "We're not like other supermarkets. We do things differently to give you the lowest possible prices on the best quality products"¹⁸."

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.



We're selective about our selection.

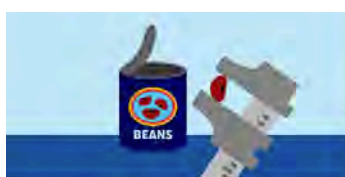
With a refined range and less shelf space than other supermarkets, we're extra particular about the products we stock. That's why every ALDI product undergoes stringent sampling and assessments conducted by our expert Buying and Quality Teams, to ensure it deserves a spot on our shelves.



So what do we mean by that?

We put ALDI's exclusive products up against the market leaders of their category. Comparing and rating them to make sure we are delivering on the quality attributes that consumers love.

19



How do we do this?

We have a dedicated Team which takes product photos, measurements and verifies any cooking instructions, as part of the process. They also make notes on things like taste, texture, aroma, flavour and more.



Tweak, taste, test, repeat.

We review our product submissions for as many rounds as it takes to get the most perfect product possible. In these reviews our Quality Team evaluates technical product details such as nutritional value, sensory attributes and product claims. All the information you rely on to inform your shopping choices and quality purchases at ALDI.



Quality control.

We don't just stop once our products hit the shelves. We routinely review every ALDI product against the agreed specifications. What can we say? We're quality freaks. We hold our suppliers to account so you can rely on consistent quality, each and every time you shop. Our Sampling Program ensures ALDI's exclusive products remain competitive and in line with market trends.

20

¹⁷ <https://www.aldi.com.au/sustainability/good-business>
¹⁸ <https://www.aldi.com.au/what-makes-us-good-different>
¹⁹ <https://www.aldi.com.au/what-makes-us-good-different/quality>
²⁰ <https://www.aldi.com.au/what-makes-us-good-different/quality>

- 4.8. Most of ALDI's products are exclusive to ALDI. They are often special versions of mainstream big-brand items which are manufactured according to ALDI's particular and strict specifications to ensure quality and value-for-money. Expressi Coffee is one of the most popular non-liquor examples. ALDI's Expressi Coffee capsule machine and coffee capsules have won numerous awards. ALDI's exclusive range of Lazzio coffee beans recently won the top award at the world's largest premier coffee roasting competition, the 2026 Golden Bean World series²¹.
- 4.9. The majority of ALDI's exclusive products that are available in Australia are sourced from Australian suppliers. As explained in more detail further on in this PIA, ALDI operates with a robust "Aussie First Policy"²².
- 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, trade equipment, vacuums, camping gear and toys are just some of the category 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 news²³.
- 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 is not replenished.
- 4.12. ALDI special buys are displayed in the now renowned middle aisle of every store.
- 4.13. The following images show recent catalogue-advertised special buys that have been available at existing ALDI store, by way of example. The same such special buys will be available at West Perth.

²¹ <https://www.aldiunpacked.com.au/aldi-australias-coffee-takes-top-honours-at-golden-bean-world-series/> and <https://www.skynews.com.au/australia-news/aldi-2999-product-takes-home-gold-in-worldwide-competition/news-story/5528c675c4466dd67727166ecb07928e>

²² <https://www.aldi.com.au/what-makes-us-good-different>

²³ 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>)

ALDI

Special Buys

\$249
kit

2 x 20V Mower Kit
Pages 12-13

On Sale Saturday 14 February

FERREX PRO

X FINITY PLUS 20V
BATTERY SYSTEM

On Sale Wednesday 11 February

On Sale Saturday 14 February

Stocked up
Pages 2-3

Nailed it
Pages 6-7

Prune and prosper
Pages 8-11

Mitre Saw
• 2000W motor • 25mm Laser blade
• Aluminium extension and standard base provide high visibility for precision cutting
• Cross-cutting width up to 542mm

\$149

5 Year Warranty

Nailed it

\$89.99
Mitre Saw Stand
• Easy and secure device mounting for safe and ergonomic work • Maximum reach of 1040mm • Stand height: 76.5cm

5 Year Warranty

\$4.99
A Heavy Duty Straps \$9.99
• Straps with handles, straps with measuring hooks, stretchy straps or black straps - 400mm

\$9.99
B Assorted Tapes \$4.99
• Duct Tape: Double Sided Tape
• Easy Peel Masking Tape or Patching Tape - 400mm

\$11.99
C Piggyback Extension Lead 10m \$11.99
• Assorted Cable Ties \$7.99
• Reusable 200mm Cable Ties 50pk or Single-use Cable Ties 500pk

\$12.99
G Assorted Tool Sets \$12.99
• 30pc. 5-Handle Bathing Screwdriver Set \$12.99
• 30pc. 5-Handle Bathing Screwdriver Set \$12.99
• 30pc. 5-Handle Bathing Screwdriver Set \$12.99

\$14.99
H Crimping Tool Set \$13.99
• 230 pieces including crimping tool, cable ties, wire cable tags, flat pig-tail plug sheaves, butt connectors and conductor end sleeves

\$9.99
I Assorted Electrical Tools \$12.99
• VDE Screwdriver Set 8pc, VDE Combination Pliers, VDE Nose Pliers, VDE Side Cutter or VDE Wire Stripper

\$8.99
J Magnetic Workshop Accessories \$8.99
• Large Magnetic Tray, Small Magnetic Tray 2pc Set, Inspection Tool Set or Magnetic Tool Rack

\$13.99
K Assorted Drill Bit Sets \$9.99
• 25pc. HSS Drill Bit Set 10pc, HSS Drill Bit Set 10pc, Offset Drill Adapter with Bits or Drill Bit Extension 2pc

\$9.99
L Portable Bit Holders \$9.99
• Bit Holder in Assorted Sizes

On Sale Wednesday 11 February

Support acts

\$14.99
A Posture Trainer \$14.99
• Available in Black or Beige • Assorted sizes

\$9.99
B Back Sheeter \$9.99
• Multi-use design with 4 adjustments • With comfortable foam padding and massage points to relax muscles

\$19.99
C Back Stabiliser \$19.99
• Provides compression and support for the lower back with adjustable elastic side straps and 4 internal stabilisers for added support • Available in M, L, XL or XXL

\$18.99
D Assortment Mat and Pillow or Massage Roller \$18.99
• Choose from Foot Massage Mat, Massage Ball Set, Neck Massage Cushion or FlexiRoll Massage Stick

\$5.99
E Massage Assortment \$49.99
• Softball Knee Massager: 2 heat levels • 4 vibration modes • Rechargeable battery
• Massage Sleeve with Heat: 3 heat levels • 4 vibration modes • Rechargeable battery
• Heat Massagers: 4 heating levels • 4 vibration modes • Adjustable wrap size • Rechargeable battery

\$49.99
F Fitness Resistance Tube or Band Set \$49.99
• 5 Level Resistance • Tube Set including foam handles, door anchor and foot straps
• Fabric Resistance Band Set including light, medium and heavy bands

\$5.99
G 3-in-1 TENS Machine \$39.99
• TENS, EMS and massage • Quick start keys for multiple body zones • 2 channels with adjustable intensity levels • 70 pre-installed programs • 4 electrode pads • Lock function for safety

\$5.99
H TENS EMS Replacement Pads \$11.99
• Adhesive electrodes for stimulating points with 20mm connectors • Choose from Small (50mm x 60mm) or Large (70mm x 80mm)

\$5.99
I Adult's Insoles \$13.99
• Assorted styles

\$5.99
J Filabrom 20kg \$29.99
• Temporary relief of muscular aches and pains

\$5.99
K Pain Away Cream 70g or Spray 100ml \$9.49
• Fast-acting relief for mild joint pain and muscle soreness

\$5.99
L Kinesiology Sports Tape \$4.99
• 6m roll • Assorted colours

\$5.99
M Support Compression Bandages \$5.99
• Available in Ankle wrap, Knee Sleeve or Wrist wrap

\$5.99
N Premium Support Bandages \$9.99
• Available in Ankle, Knee or Elbow

3 Year Warranty

\$39.99
H Always READ THE LABEL AND FOLLOW DIRECTIONS FOR USE.

\$11.99
I Always READ THE LABEL AND FOLLOW DIRECTIONS FOR USE.

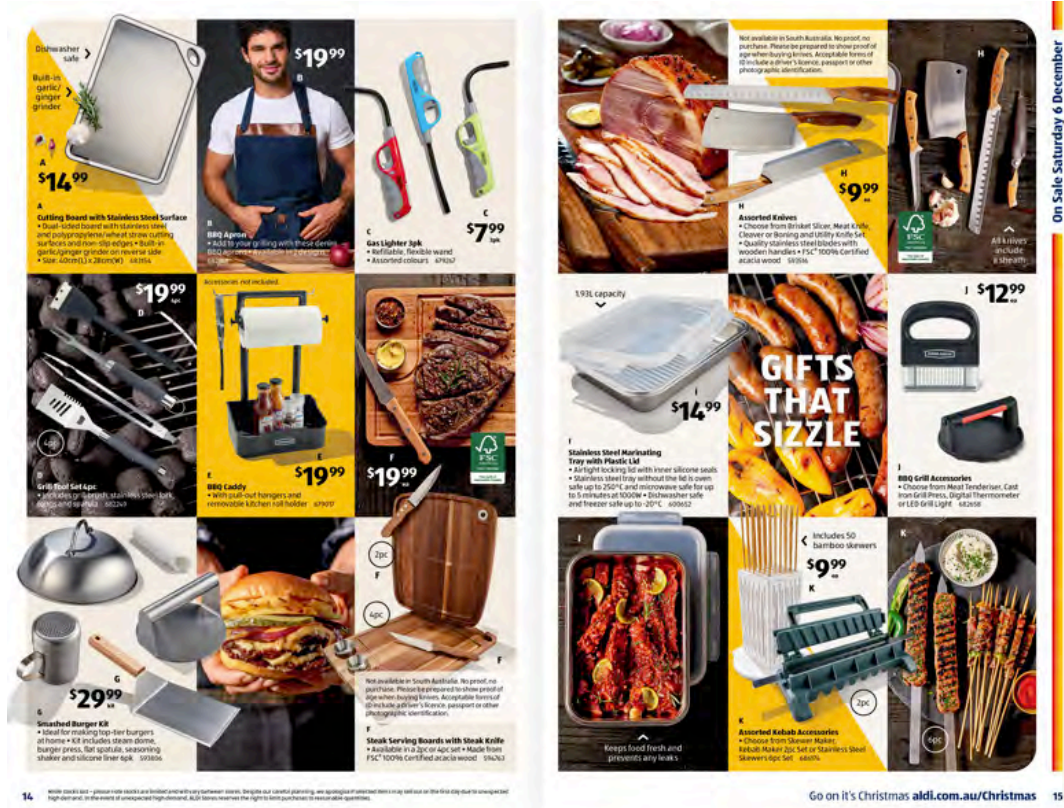
\$13.99
J Always READ THE LABEL AND FOLLOW DIRECTIONS FOR USE.

\$29.99
K Always READ THE LABEL AND FOLLOW DIRECTIONS FOR USE.

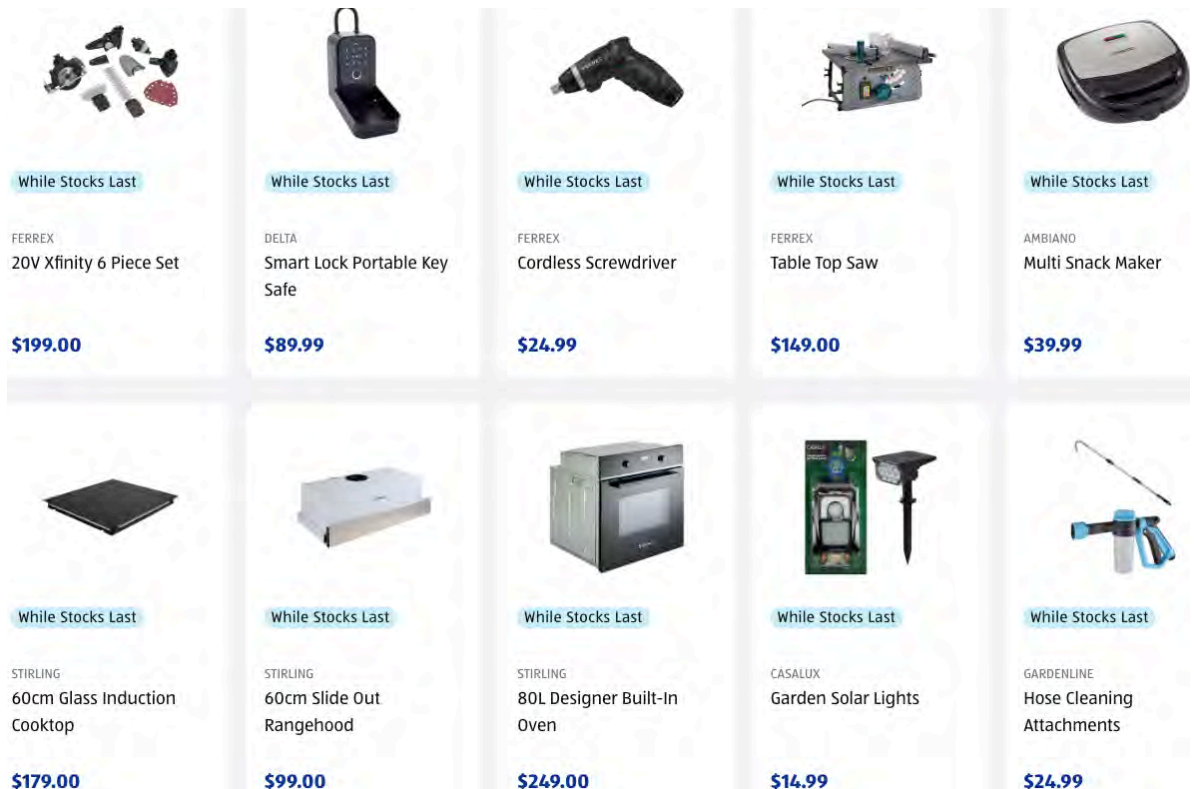
\$9.49
L

\$4.99
M

On Sale Saturday 14 February



4.14. The following are further examples:



4.15. These images show that an enormous and diverse range of popular consumer items will be available at exceptional value-for-money prices. Sometimes the

special buys include a small selection of liquor. The following shows recently available special buys of liquor, by way of example.

Sunny sips

A Loire Valley Sauvignon Blanc 2024 750ml \$9.99
B Brown Brothers Summer White NV 750ml \$9.99
C Venturer Series Pinot Grigio 2025 750ml \$9.99
D South Point Estate Sparkling Chardonnay Pinot Noir NV 750ml \$16.99
E Kailora Bay Reserve Central Otago Pinot Noir 2022 750ml \$5.99

F Glen Marroch Bourbon Cask Whisky 700ml \$39.99
G Highland Earl Scotch Whisky 700ml \$49.99
H Bombay Sapphire Sunset Gin 700ml \$19.99
I Darley's Gin 700ml \$36.99
J Carlsberg Jack & Coke 4 x 375ml Available every day.
K North of Nowhere Pale Ale 12 x 330ml Available every day.
L Budějovický Budvar Lager 4 x 500ml \$26.99
M White Claw Watermelon Seltzer 4 x 330ml \$22.99

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

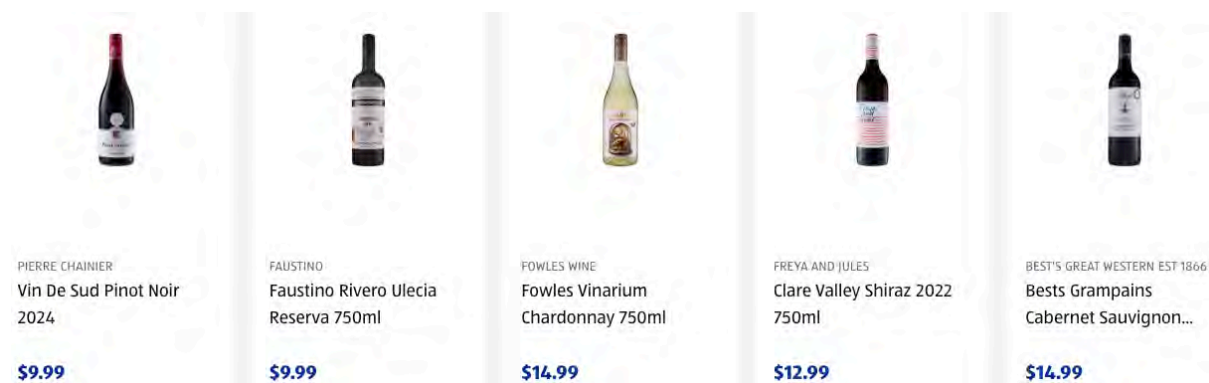
SHAKE, STIR, CELEBRATE

A Cocktail Shaker and Bar Tools Set \$24.99
B Fever-Tree Wild Raspberry Tonic \$72.99
C Fever-Tree Elderflower Tonic \$8.99
D Fever-Tree Wild Raspberry Tonic \$14.99
E Fever-Tree Elderflower Tonic \$14.99
F Fever-Tree Wild Raspberry Tonic \$14.99
G Fever-Tree Elderflower Tonic \$14.99
H Fever-Tree Wild Raspberry Tonic \$14.99
I Fever-Tree Elderflower Tonic \$14.99
J Fever-Tree Wild Raspberry Tonic \$14.99
K Fever-Tree Elderflower Tonic \$14.99
L Fever-Tree Wild Raspberry Tonic \$14.99
M Fever-Tree Elderflower Tonic \$14.99
N Fever-Tree Wild Raspberry Tonic \$14.99
O Fever-Tree Elderflower Tonic \$14.99
P Fever-Tree Wild Raspberry Tonic \$14.99
Q Fever-Tree Elderflower Tonic \$14.99
R Fever-Tree Wild Raspberry Tonic \$14.99
S Fever-Tree Elderflower Tonic \$14.99
T Fever-Tree Wild Raspberry Tonic \$14.99
U Fever-Tree Elderflower Tonic \$14.99
V Fever-Tree Wild Raspberry Tonic \$14.99
W Fever-Tree Elderflower Tonic \$14.99
X Fever-Tree Wild Raspberry Tonic \$14.99
Y Fever-Tree Elderflower Tonic \$14.99
Z Fever-Tree Wild Raspberry Tonic \$14.99

SHAKE, STIR, CELEBRATE

A Cocktail Shaker and Bar Tools Set \$24.99
B Fever-Tree Wild Raspberry Tonic \$9.99
C Fever-Tree Elderflower Tonic \$9.99
D Fever-Tree Wild Raspberry Tonic \$9.99
E Fever-Tree Elderflower Tonic \$9.99
F Fever-Tree Wild Raspberry Tonic \$9.99
G Fever-Tree Elderflower Tonic \$9.99
H Fever-Tree Wild Raspberry Tonic \$9.99
I Fever-Tree Elderflower Tonic \$9.99
J Fever-Tree Wild Raspberry Tonic \$9.99
K Fever-Tree Elderflower Tonic \$9.99
L Fever-Tree Wild Raspberry Tonic \$9.99
M Fever-Tree Elderflower Tonic \$9.99
N Fever-Tree Wild Raspberry Tonic \$9.99
O Fever-Tree Elderflower Tonic \$9.99
P Fever-Tree Wild Raspberry Tonic \$9.99
Q Fever-Tree Elderflower Tonic \$9.99
R Fever-Tree Wild Raspberry Tonic \$9.99
S Fever-Tree Elderflower Tonic \$9.99
T Fever-Tree Wild Raspberry Tonic \$9.99
U Fever-Tree Elderflower Tonic \$9.99
V Fever-Tree Wild Raspberry Tonic \$9.99
W Fever-Tree Elderflower Tonic \$9.99
X Fever-Tree Wild Raspberry Tonic \$9.99
Y Fever-Tree Elderflower Tonic \$9.99
Z Fever-Tree Wild Raspberry Tonic \$9.99

On Sale Wednesday 10 December



4.16. 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 optimum operational efficiency. The following are but a few examples of ALDI's in-store operations which heighten productivity, reduce waste and enable highly competitive value-for money pricing to be maintained.

4.16.1. 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.

4.16.2. Products in ALDI stores are displayed on re-usable standardised 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.

4.16.3. 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 at the point of sale.

4.16.4. Customers are required to pack their own shopping bags at the checkout and a dedicated bagging 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.

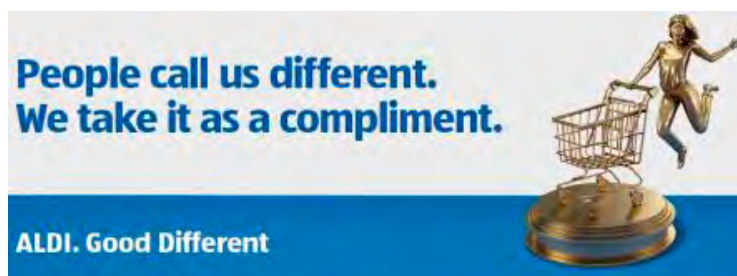
4.17. ALDI's business is incredibly systemised and disciplined. The shelving, storage methods, displays, product placement and other logistical aspects are carefully designed to sync and coordinate with each other to achieve optimum operational efficiencies. As a result, ALDI is able to reduce operating costs and provide better services, facilities and pricing for its customers.

4.18. 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 otherwise 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.

- 4.19. Consistent pricing is indicative of consistent quality. ALDI does not downgrade its products through heavy discounting. The applicant is driven by quality and consistency. In this regard and in terms of liquor especially, ALDI's products very much represent true value-for-money. High quality award winning liquor items are provided at prices accessible to most people.
- 4.20. Approval of this application for the ALDI West Perth store will provide local people with fair and equal access to superior standard, award-winning liquor.
- 4.21. ALDI's approach to business is neatly encapsulated in its "Good Different" slogan, launched in 2017, which is also an operational philosophy. 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."²⁴



- 4.22. ALDI is a responsible and sophisticated corporate citizen and operates pursuant to elevated standards and key performance indicators, which include the following published principles and policies²⁵.
- 4.22.1. Price Promise
 - 4.22.2. Aussie First Policy
 - 4.22.3. Sustainability (- Good Planet, Good Community, Good Health and Good Business)
- 4.23. 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 supermarkets²⁶.

²⁴ <https://insidemcga.com.au/2017/05/15/aldis-good-different-campaign/>

²⁵ <https://www.aldi.com.au/what-makes-us-good-different>

²⁶ <https://www.roymorgan.com/findings/9666-risk-monitor-quarterly-update-june-2024>

- 4.24. ALDI's pursuit of excellence and quality in all things is evident in the many awards it has won²⁷, including in Australia, Canstar Blue Most Satisfied Shoppers – Supermarkets 2014-2016 and 2018-2023 and Roy Morgan Supermarket of the Year for the last eight consecutive years²⁸. More specifically, ALDI is also an award-winning retail liquor supplier²⁹.
- 4.25. 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"³⁰.
- 4.26. There should be no question as to the credibility of Canstar Blue awards and certainly no doubt that ALDI customers are immensely satisfied with the products and services provided by ALDI which include liquor.
- 4.27. The Australian Liquor Stores Association has said that Australian "shoppers have migrated towards the value messaging of Aldi"³¹.
- 4.28. "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"³².
- 4.29. 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.
- 4.30. Since ALDI commenced Australian operations in 2001, when the first ALDI store opened in Sydney, nearly 600 stores throughout Australia have been opened, including 54 in WA. The large majority of ALDI's stores throughout the country include a liquor component. In WA there are 38 ALDI stores currently trading with a liquor section.

²⁷ <https://www.aldiunpacked.com.au/?s=awards>

²⁸ <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>

²⁹ Including, Canstar Blue Most Satisfied Customers – Liquor Retailer 2021 and Roy Morgan Liquor Store of the Year in 2018

³⁰ <https://www.canstarblue.com.au/about-us/>

³¹ ALSA – IRI State of the Industry Report, March 2017 at page 14 - copy available if required, upon request

³² 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/>

- 4.31. Over the last 12 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.
- 4.32. 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 and growing consumer popularity.

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 West Perth 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 with new products that become available to ALDI, as it responds to customer requirements and when occasional specialty items are offered. Generally, the liquor service at ALDI West Perth will 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.
 - 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.³³
- 5.6. In recognition of the launch of the ALDI liquor service in WA, renowned wine expert Ray Jordan was invited at that time 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 Heathcoate Shiraz 2015, was "damn good"³⁴. That Shiraz has also

³³<https://www.bestwinesunder20.com.au/jason-bowyer-aldis-wine-whisperer/>

³⁴ <http://www.perthnow.com.au/news/western-australia/aldi-will-start-selling-alcohol-in-perth-stores-from-today/news-story/c59014afc215ba475dd1265a0e89eb4c>

won several 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 and the following reference just a few additional recent awards not listed in the attachment:

5.7.1. 2024 Spirits International Prestige Awards – platinum and gold medals plus Consumers' Choice Award for ALDI's Highland whiskey range)³⁵

5.7.2. 2025 Melbourne International Wine Competition – 18 awards including a gold medal for ALDI's South Point Estate Pinot Grigio.³⁶

5.8. The following are just some of the numerous published reports attributed to ALDI's superior quality award-winning liquor:

ALDI Australia has earned a reputation for delivering top-quality liquor products that rival premium brands while maintaining affordable prices. This commitment has garnered them numerous accolades in international competitions, proving that great taste doesn't have to come with a high price tag.

ALDI partners with renowned Australian and international suppliers to ensure exceptional quality across its liquor range. These collaborations are built on trust, expertise, and shared goals. ALDI takes an active role in the development of products, ensuring every single one meets its stringent standards³⁷

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.

³⁵ <https://www.aldiunpacked.com.au/aldis-whisky-scores-top-honours-at-prestigious-international-spirits-awards/> and <https://www.news.com.au/lifestyle/food/drink/aldi-whiskey-wins-top-honour-in-prestigious-global-awards/news-story/5724c8e3e2619d7eeb3726e8f0eafcf3>

³⁶ <https://melbourneinternationalwinecompetition.com/winners/2025-winners/> and <https://drinksdigest.com/2025/09/22/aldi-budget-pinot-grigio-wins-gold/>

³⁷ London Spirits Competition: <https://londonspiritscompetition.com/en/blog/insights-1/how-aldi-australia-creates-award-winning-liquor-products-972.htm>

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."

38

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.

39

- 5.9. One of the most unique aspects of the ALDI liquor offering is the exclusive range itself and the story behind it. The range is made-to-order for ALDI stores and not available at any other packaged liquor outlet. As stated previously, the large majority of ALDI's range is unique and exclusive to ALDI. Shoppers simply cannot access those items at any non-ALDI outlet.
- 5.10. 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.
- 5.11. The ALDI exclusive products differ significantly from the Woolworths and Coles private-label liquor ranges. Woolworths and Coles generally purchase the whole production entity and associated facility in many cases and the products from those facilities then become what are often known as private-label liquor items, effectively produced by/under the direction of Woolworths and Coles or their related entities.
- 5.12. These Woolworths' and Coles' products have also been described as "phantom brands [which] are essentially home brands in disguise. They are created by

³⁸ <https://7news.com.au/lifestyle/food/bargain-30-aldi-vodka-picks-up-top-award-at-the-global-vodka-masters-2022-c-8149807>

³⁹ <https://www.bhg.com.au/aldi-scotch-whiskey-award>

supermarkets to give the impression of diversity and choice on their shelves. Phantom brands are different to "own brand" because they do not display the supermarket's brand or logo, creating the impression of being independent brands. These brands often lack transparency about their true origins. In the case of Coles, it was accused of suggesting some wines are made in places where they are not...[an ABC] Four Corners episode featured one example of the Two Churches brand that tells a historical story about the Barossa, but the wine is not from a Barossa winery. The address of the maker is actually Coles headquarters in Melbourne!"⁴⁰

- 5.13. Some of the issues with this activity, in terms of the adverse effect on the proper development of the liquor industry, have been well explained by David Prestipino in his article 'Winestein Uncorked: 'Local' WA wines actually owned by Woolworths, Coles'⁴¹ 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.

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."

- 5.14. ALDI's approach is very different because it does not own the wineries, breweries and distilleries that produce the ALDI exclusive products. Therefore, whilst those producers will be required to produce to ALDI's standards and often exclusively for ALDI they will, nonetheless, retain independence and develop the products as the autonomous wine, beer or spirit producing expert. The

⁴⁰ <https://www.biome.com.au/blogs/eco-home/coles-and-woolworths-misleading-phantom-wine-brands?srsId=AfmBOoqTjn2WU47XCyrHJAfi3zYQ-6PTSgp7PBnR6L-JH962x6c5OwY6>

⁴¹ <https://www.smh.com.au/entertainment/winestein-uncorked-local-wines-actually-owned-by-woolworths-coles-20151211-gllhjo.html>

arms-length independence of ALDI's contracted producers enables those producers to also produce other liquor under different branding to sell directly to consumers separately, or to other packaged liquor retailers.

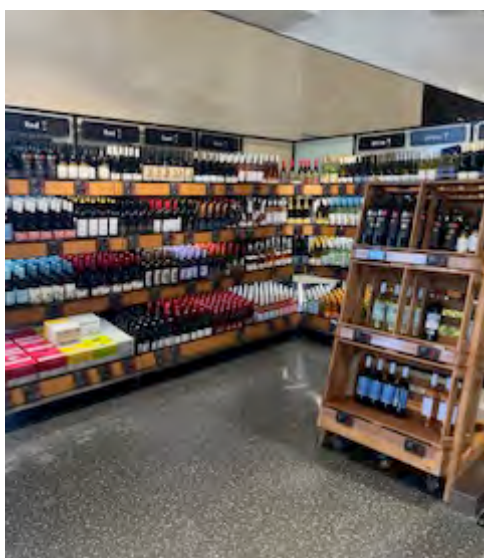
- 5.15. The ALDI model does not, therefore, have the same deleterious effect on the development of the industry by removing independent liquor producers from the market. Rather, ALDI makes a highly valuable contribution to the industry by providing independent producers with a channel to develop and sell their wares and react to consumer requirements. ALDI properly supports Australia's independent liquor producing industry.
- 5.16. This is one of many factors which differentiates ALDI's liquor range from the major liquor stores.
- 5.17. The West Perth community and its neighbours will benefit greatly from having access to this special service. This factor is highlighted when considered in the context of the location of the new ALDI West Perth store. The mix of retail and commercial uses being established at the new precinct (referred to further on in this PIA) will be enhanced with increased product diversity through the inclusion of ALDI liquor.
- 5.18. 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.
- 5.19. Within the liquor range available in any given week, there will be a selection of new and different liquor items which change from week to week, similar to the "special buys" referred to elsewhere in this PIA. Approximately eight different products per week will be made available to customers until the stocks are depleted and then new ones will be brought in for customers, so the product selection remains fresh and vibrant.
- 5.20. 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 outstanding convenience are upheld.
- 5.21. ALDI's liquor advertising is relatively modest, yet smart and stylish. Another example is set out below. 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.



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. In basic terms, this application involves a proposal to sell and supply packaged liquor on and from the premises proposed to be licensed as described in this PIA, 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 packaged beer, wine and spirits (including a range beer, wine and spirit varietals, cider and sparkling). The following images depict a typical ALDI liquor section, to be established in West Perth if the licence is granted:





- 6.3. The free-standing displays depicted in the middle of the small floor area in the images above are manoeuvrable and may be placed in different positions within the small liquor block.
- 6.4. The applicant seeks the same licensing approval, in respect of the same business model and on the same terms as approved on 40 previous occasions under the Act.
- 6.5. The opening times for the ALDI West Perth store (non-liquor) are yet to be confirmed but are generally intended, at this stage, to operate around the following hours (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 5.00pm |
| Sunday: | 11:00am to 5.00pm |
- 6.6. The liquor service is intended to operate within these periods, but subject to trading hours permitted under section 98D the Act. This means that the liquor section will not be open outside of, or later than, these times.
- 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, 10am to 10pm on Sunday and 12 noon to 10pm on ANZAC Day (with no liquor trading on Good Friday or Christmas Day). However, the actual opening times of the liquor section are proposed to be the usual ALDI store trading hours, as stated above

and so will be less⁴². 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 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.

- 6.8. The applicant invites the licensing authority, if it considers appropriate, to impose the following special trading conditions on the proposed ALDI West Perth licence that mirror those 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 the new store, 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.

⁴² Except no liquor trading before 12 noon on ANZAC Day or any time on Good Friday or Christmas Day

- 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” required by the Form 2A to be addressed:
- 6.10.1. Principally, the ALDI target client base for the proposed liquor service will be adult customers of the ALDI West Perth supermarket who are demanding liquor be available to them there.
- 6.10.2. The second level of target client base will be the thousands of people expected to be living and working within the Sydney Charles Quarter at 463 Newcastle Street where the ALDI store will be situated. 5,500 people are projected to pass through the precinct every day⁴³.
- 6.10.3. As explained elsewhere in this PIA, the precinct under construction, within which the ALDI West Perth store will be situated, will be a major residential, retail and worker village. Thousands of people will live and work at the site. ALDI's proposal intends to cater for the needs of any adult shopper at the Sydney Charles Quarter, from wherever they have come.
- 6.10.4. More generally the target client base consists of people living in the local community, up to around 2km from the store. Currently thousands of shoppers within 2km of the West Perth site travel to other ALDI stores located elsewhere, outside their area, in order to access ALDI liquor⁴⁴.
- 6.11. ALDI operates friendly, inclusive and welcoming stores. Any adult may potentially visit the liquor section in West Perth 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 have 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 over 108,800 members⁴⁵. ALDI's official Facebook page has nearly 1 million “followers”⁴⁶. 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 refused at first instance⁴⁷. Subsequently, a massive 8,637 people took it upon themselves to

⁴³ <https://www.thesca.com/supermarket>

⁴⁴ PRG report at page 15

⁴⁵ <https://www.facebook.com/groups/117155111252/>

⁴⁶ <https://www.facebook.com/ALDI.Australia/>

⁴⁷ Decision of Director of Liquor Licensing: ALDI Harrisdale (A000187300) and Decision of Director of Liquor Licensing: ALDI Joondalup (A000191943)

participate in an Internet survey conducted by Nine News Perth⁴⁸ 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. The public's reaction to the survey is indicative of ALDI's significant popularity in the WA community.

6.14. The applicant engaged independent expert market research firm, PRG⁴⁹, to conduct a market survey and to subsequently provide a report of the results which has been used to formulate this application and 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 303 people interviewed and surveyed, include the following:

6.14.1. "Eighty per cent of all residents, and 84% of packaged liquor buyers support the establishment of a liquor section within the proposed West Perth ALDI store"⁵⁰

6.14.2. "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 65% of residents had shopped in an ALDI store that included a liquor section adds some weight to these observations."⁵¹

6.14.3. "Almost seven in ten (68%) of the total locality resident sample liked the notion that the proposed liquor section would have mostly exclusive ALDI products... The "like" proportion is at an elevated 71% amongst packaged liquor buyers, and 89% amongst those who have consumed ALDI liquor products purchased from a WA ALDI store... It is clear that the weight of opinion is very much supportive of this aspect of the proposed West Perth ALDI liquor section."⁵²

6.15. 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"⁵³.

Form 2A "2.2 Describe the premises/proposed premises"

6.16. The following is an extract of the applicant's floor plan, showing the area proposed to be licensed, outlined in red, which includes liquor display/browse and checkout, with a combined area of only approximately 48.7m², plus the office. This is clearly a tiny proportion of the overall footprint of the whole ALDI West Perth store. The in-store office is sought to be licensed for the purpose of

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

⁴⁹ Experience, expertise and methods are referred to on pages 2, 5 and 10-13; Also: <https://marketresearch.com.au/about-us/overview/>

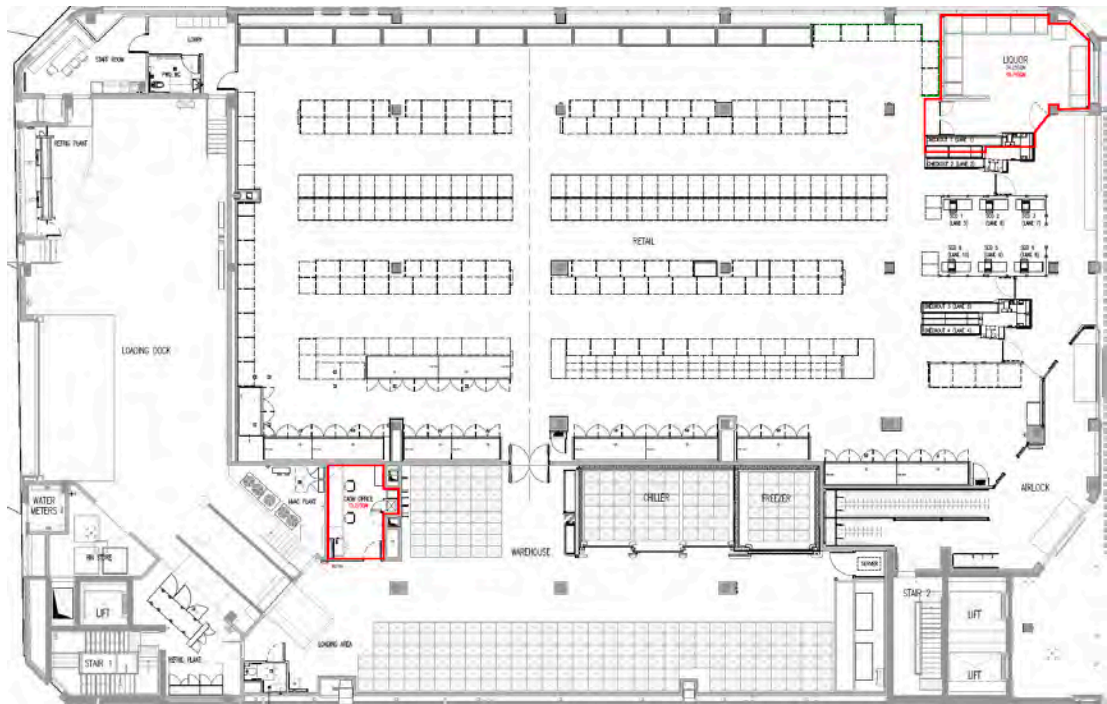
⁵⁰ PRG report at page 7

⁵¹ PRG report at page 9

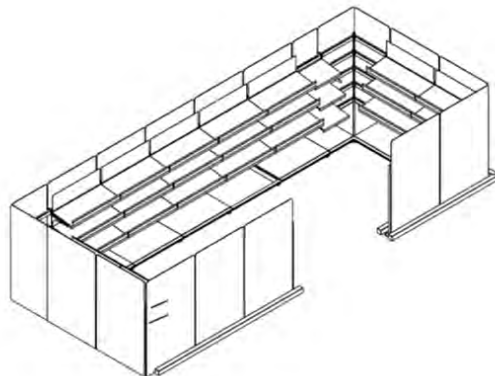
⁵² PRG report at page 20

⁵³ Hearing 22 February 2017, transcript at page 45

storing the required licensing documents and to accommodate the approved manager being in there from time to time.



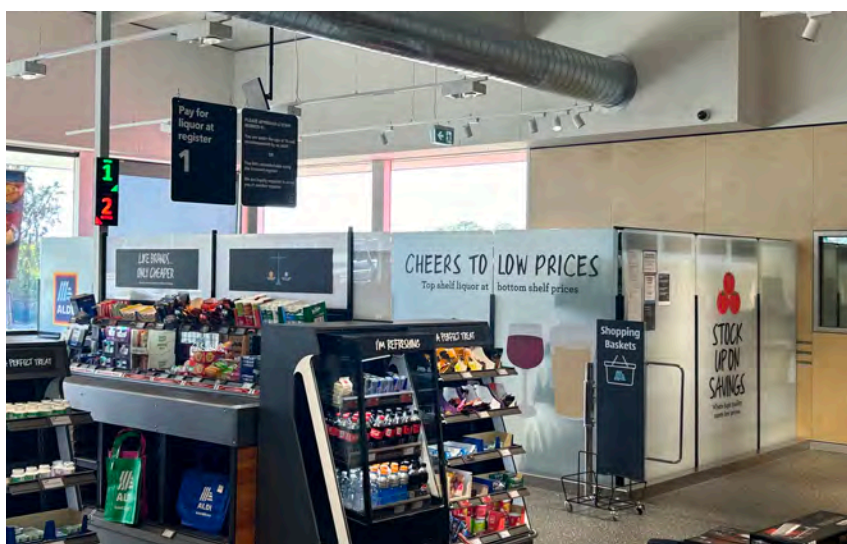
- 6.17. The display/browse space, of less than 30m², is a simple rectangular shape. This design is based on many years of experience and enables convenience and a high level of surveillance of the area. The display/browse area will also comfortably accommodate shoppers with their trolleys.
- 6.18. The 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.
- 6.19. 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 store and will help ensure the area is well-controlled and supervised.
- 6.20. 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.



- 6.21. The boundary partitioning, depicted to the right, is intended to be made of 2.1 metre high opaque frosted glass, as shown below. This is designed to enhance separation from the main non-liquor part of the store and to comply with the proposed special conditions.



- 6.22. The following photograph of the approved liquor section at the ALDI Yanchep store is indicative of what is proposed to be established at West Perth:



- 6.23. 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.
- 6.24. 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.
- 6.25. 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 to the right, at the end of the far-end aisle.

- 6.26. There will be no cool room or other refrigeration in the liquor area. All liquor 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 that facilitates quick drinking.
- 6.27. As stated previously, the office inside the ALDI 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 need to be positioned inside the office and therefore, variation to the usual requirement under section 100 of the Act is sought, consistent with ALDI's existing licence approvals.

- 6.28. Signage external to the licensed premises, as depicted to the right, may be displayed which is subtle, modest and states simply that there is "liquor available in store", but such signage will not contain images of liquor products, references to particular liquor products or prices of liquor products. The example to the right indicates the innocuous type of external signage that may be displayed.



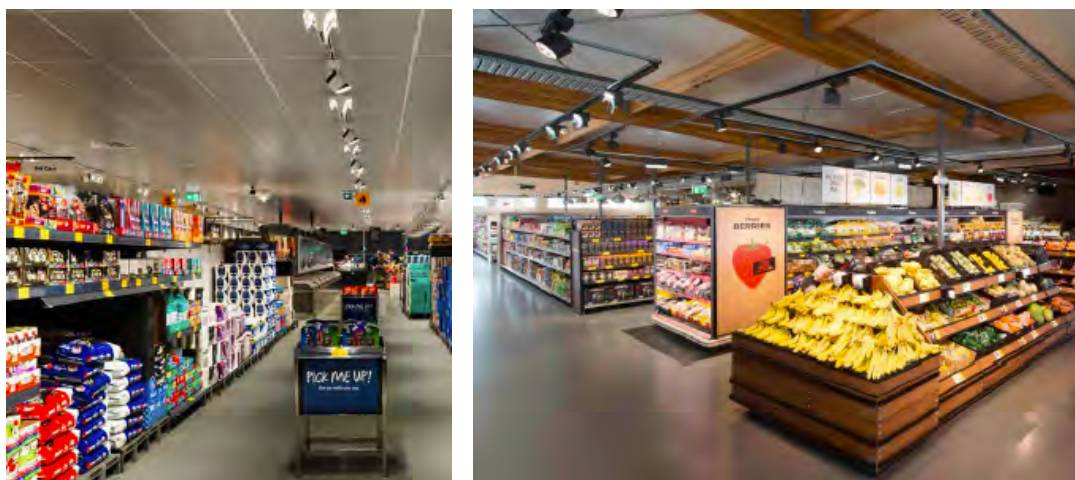
- 6.29. ALDI stores generally – and including the West Perth store – comprise a total footprint of approximately 2,000m². Some are located inside shopping centres, while others are free-standing. The West Perth store will be something of hybrid in terms of these aspects and its co-location within the Sydney Charles Quarter village precinct.
- 6.30. Consistent with other ALDI stores, in West Perth the following different parts or areas, listed in order of size in terms of the approximate portion of the total footprint, will make-up the store:
- 6.30.1. Main public retail area (non-liquor) – displaying grocery, other supermarket items, homewares, clothing, furniture, tools and other non-grocery items.
 - 6.30.2. Storage.
 - 6.30.3. Loading dock/delivery area.
 - 6.30.4. Entrance and trolley bay.
 - 6.30.5. Checkout.

6.30.6. Office and staff facilities.

6.30.7. Liquor display and browse area (proposed).

6.31. The applicant intends to store liquor in the back-of-house storage area of the ALDI West Perth store 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 areas.

6.32. 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 West Perth store:



6.33. 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.

6.34. 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.

6.35. 261 onsite parking bays will be available for shoppers, plus street parking nearby. However, it is anticipated that most customers will walk to the ALDI store because they will be living, working and staying in the Sydney Charles Quarter.

6.36. ALDI West Perth will be situated in a prime and ideal location for properly servicing the relevant neighbourhood and supporting the new development.

6.37. The \$107 million⁵⁴ Sydney Charles Quarter development will be “a modern connected village occupying an iconic location on Newcastle Street in Western Australia, where new and old stories come together.....Spread over two hectares, our new urban precinct offers a world-class hotel, Pickle Shed food and beverage offerings, on-site fresh food and retail offerings, flexible business meeting spaces, The Commons recreational areas, on-site wellness and fitness facilities, and so much more... This precinct is set to breathe new life into an area of rich local history and character, that once was the home of City Motors”⁵⁵. It is currently scheduled to start opening from the end of 2026, as summarised to the right⁵⁶.



6.38. Sydney Charles Quarter, as generally depicted below in the following indicative artist impression aerial site image, will comprise 250 residential apartments, commercial office spaces, 120-room hotel, fitness and wellness facilities, hospitality, retail shops and public open spaces with landscaping. Located on Newcastle Street, the precinct will sit virtually alongside where the Mitchell Freeway becomes the Graham Farmer Freeway, just outside the Perth CBD.

⁵⁴ <https://www.vincent.wa.gov.au/news/urban-village-development-approved-in-pickle-district/12063>

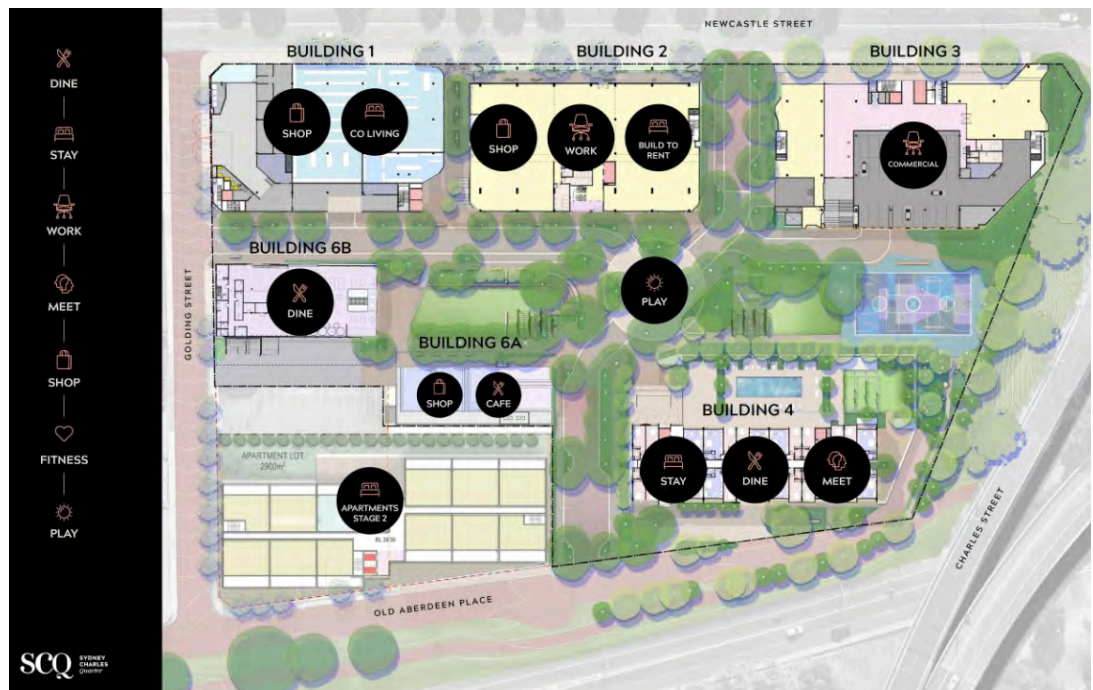
⁵⁵ <https://www.thesca.com/>

⁵⁶ <https://www.thesca.com/connect>

Public Interest Assessment
Form 2A Annexure
Application for liquor store licence
ALDI West Perth



57



58

- 6.39. ALDI West Perth will be located alongside Newcastle Street, near the corner of Golding Street (on the western side), in “Building 1” identified in the site sketch above (shaded pale blue).

⁵⁷ <https://www.thesca.com/connect>

⁵⁸ <https://www.thesca.com/connect>

Sydney Charles Quarter offers a unique blend of residential, commercial, and recreational spaces, providing an unparalleled urban living experience. With its prime location and innovative features, this development is set to become a landmark in Perth. The development includes:

- Modern residential units, including build-to-rent and co-living apartments
- Cutting-edge office spaces and flexible business meeting areas
- Vibrant retail areas, including fresh food markets and boutique shops
- A world-class hotel and diverse food and beverage offerings at the Pickle Shed
- Lush green spaces and The Commons, a publicly accessible area for outdoor performances, sporting events, and social gatherings
- On-site wellness and fitness facilities

59

6.40. "Five buildings are rising concurrently around a central landscaped space. The scheme is set to transform a former car yard in the City of Vincent into a live, work, play and stay destination...Once complete, Sydney Charles Quarter will span two hectares and introduce a new benchmark for urban renewal in Perth. Amenities include The Commons recreational areas, wellness and fitness facilities, function, conference and business meeting spaces, and on-site fresh food and retail offerings...Hospitality will be anchored by the Pickle Shed food and beverage outlets, while accommodation will be provided through a world-class Aiden hotel with rooftop facilities...Sydney Charles Quarter is designed to bring new energy and opportunity to a site with a rich local history, previously home to City Motors. Its mix of residential, commercial, retail and lifestyle uses will create a modern and thriving community on the edge of Perth's CBD."⁶⁰

6.41. The local council, being the City of Vincent has been quoted as saying the following about the project⁶¹:

"It is aligned with the vision for the site in our planning framework as it will provide high quality pedestrian amenity, connection to the rest of the precinct and opportunities to boost the area's highly-valued arts and creative culture...It is anticipated that locals and the wider community will benefit from much-needed public green spaces and a range of facilities such as a hotel and a supermarket."

6.42. The following artist impressions published on the promotional website for Sydney Charles Quarter⁶² generally indicative of what is currently being constructed.

⁵⁹ <https://www.pactconstruction.com.au/project/sydney-charles-quarter/>

⁶⁰ <https://www.btrnews.au/construction-progresses-at-sydney-charles-quarter-btr/>

⁶¹ <https://www.vincent.wa.gov.au/news/urban-village-development-approved-in-pickle-district/12063>

⁶² <https://www.thesca.com/> (including screenshots from the artist impression fly-through published on the website), <https://www.thesca.com/supermarket> and <https://www.thesca.com/connect>







Public Interest Assessment
Form 2A Annexure
Application for liquor store licence
ALDI West Perth





6.43. The following extracts from the retail leasing promotional material that has been published⁶³ provide further information about the enormous, sophisticated precinct being developed, within which ALDI West Perth will be an anchor tenant. Sydney Charles Quarter will become a significant feature of Perth.



SCQ will be a truly connected village.



DINE
Pickle Shed food and beverage offerings for visitors and residents



MEET
Cafés & boutique retailers surrounded by green spaces for shoppers to meet and relax.



STAY
Hotel
An on-site world-class hotel with rooftop bar and restaurant



FITNESS
Handpicked wellness and allied health operators that appeal to the community



SHOP
On-site fresh food and retail offerings including **ALDI**

WORK
The inclusion of a village workforce within the proposed commercial and office tenancies will generate substantial foot traffic for all retail and service businesses within the precinct.

PLAY
The Commons recreational areas

LIVE
Stage 1 apartments include a range of 1-3 bed apartments together with community enhancing co-living apartments by UKO, a national provider in the co-living industry.
Stage 2 will introduce premium apartments, providing permanent homes to hundreds of residents.

PICKLE SHED



1,116sqm bistro style premise - perfectly suited for a large F&B operation.

Open plan style building with undercroft and loft, ideal for multiple function areas.

Direct exposure to "The Commons"

⁶³ <https://www.thesca.com/connect>



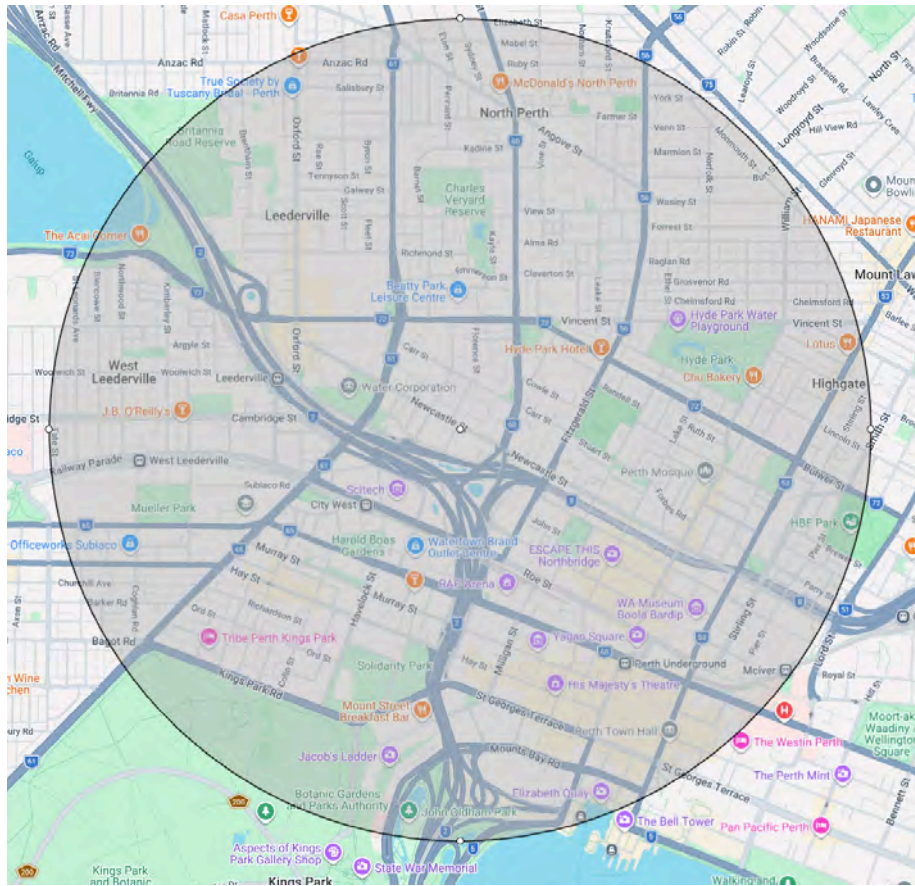
- ALDI West Perth will be located within Building 1

- 6.44. The ALDI West Perth store will play an important role at the site, providing valuable grocery and other retail products and services. The store stands to make an excellent contribution to the functionality of the precinct. The grant of the liquor store licence would not only be totally compatible but supportive of the purpose and intention of the Sydney Charles Quarter within the local area.

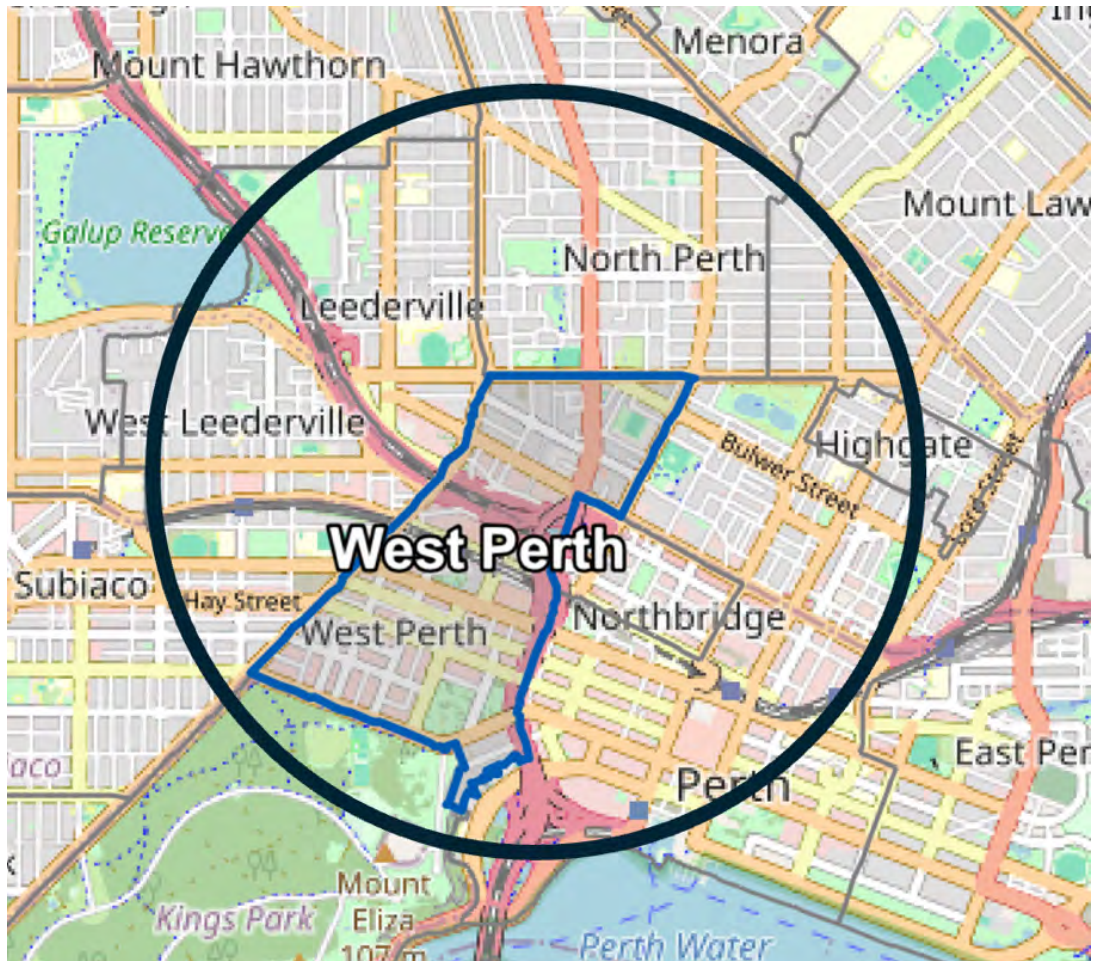
Form 2A: "2.3 If you intend to sell packaged liquor, give the names and addresses of all existing licensed premises within the locality"

- 6.45. To address this Form 2A item, it is necessary to firstly identify the relevant locality.
- 6.46. There is no definition of "locality" in the Act.
- 6.47. The ALDI West Perth store is located just outside the Perth CBD, to the north-west. In the Form 2A, the Department has suggested that the locality for this case may be a 2km radius around the proposed licensed area. That area is depicted in the Google Maps images below (**2km locality**). The white central dot depicts the location for ALDI West Perth.

Public Interest Assessment
Form 2A Annexure
Application for liquor store licence
ALDI West Perth



6.48. The following Australian Bureau of Statistics' (**ABS**) map shows the suburb of West Perth outlined in **blue** in the context of the 2km locality, which is shown as the large black circle and the map also indicates the surrounding suburbs.



6.49. The 2km locality area straddles the Cities of Vincent, Perth and Subiaco and the Town of Cambridge and includes all or parts of the following suburbs:

- | | |
|----------------------|--------------------------|
| 6.49.1. West Perth | 6.49.7. Kings Park |
| 6.49.2. North Perth | 6.49.8. Subiaco |
| 6.49.3. Mount Lawley | 6.49.9. West Leederville |
| 6.49.4. Highgate | 6.49.10. Leederville |
| 6.49.5. Perth | 6.49.11. Mount Hawthorn |
| 6.49.6. Northbridge | |

6.50. These suburbs are estimated to be reflected within the 2km locality to the extent as referred to in the following table, which indicates, generally, their level of relevance to the 2km locality in a relative sense.⁶⁴

⁶⁴ Based on the Australian Bureau of Statistics published suburb boundaries and a roughly estimated assessment of how those boundaries fit within the 2km locality

Suburb	Estimated portion of the residential area of the suburb that is within the 2km locality	Estimated portion of the 2km locality that comprises the residential area of the suburb that is within the 2km locality
West Perth	100% ⁶⁵	20% ⁶⁶
Leederville	100%	<20%
Northbridge	100%	5%
West Leederville	75%	20%
Perth	60%	<20%
North Perth	55%	15%
Highgate	50%	<5%
Subiaco	25%	<10%
Mount Lawley	15%	<5%
Mount Hawthorn	<2%	<2%
Kings Park	0%/not applicable	0%

- 6.51. Given the percentages estimated in the preceding table and applying a common-sense approach as directed by the Department⁶⁷, for the purposes of this PIA the applicant has focused attention on the suburbs of West Perth, Leederville, Northbridge, West Leederville and Perth. It has also carefully considered North Perth given its geographical proximity. These six suburbs account for approximately 80% of the 2km locality. ABS statistics for these suburbs are referred to within this PIA. Little reference is made to the statistics for other suburbs listed in the table above because to do so would likely distort the overall picture of the demographic circumstances within the 2km locality.
- 6.52. “[T]he word ‘locality’ in s 36B denotes an area that surrounds, and is geographically close to, the location of the proposed premises”⁶⁸.
- 6.53. “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

⁶⁵ ie the whole of the suburb of West Perth is within the 2km locality

⁶⁶ ie an estimated 20% of the 2km locality area is made up of the suburb of West Perth

⁶⁷ Form 2A page 2

⁶⁸ *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2021] WASC 366 (**Liquorland Karrinyup**) [181] (Archer J); confirmed in *Liquorland Southern River* [62] (Lemonis)

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.”⁶⁹

- 6.54. “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’”⁷⁰.
- 6.55. The 2km locality is a very established, built-up and historic part of the Perth metropolitan area. Particulars regarding the land uses within and main features of, the 2km locality are provided further on in this section of the PIA, however, extensive details have not been provided given that the licensing authority would be very familiar with the area given its nature, history and density of licensed premises and the Department has directed that a “common-sense approach”⁷¹ be applied to the level of detail in this PIA. The Department is invited to request further detail, as contemplated in its Public Interest Assessment information factsheet/policy⁷², should such material be considered necessary.
- 6.56. “[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.”⁷³
- 6.57. “What constitutes a 'locality' relates to the geographical area surrounding, and what is relatively close to, the proposed site”⁷⁴.
- 6.58. “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”⁷⁵.

⁶⁹ *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)

⁷⁰ *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)

⁷¹ Form 2A page 2

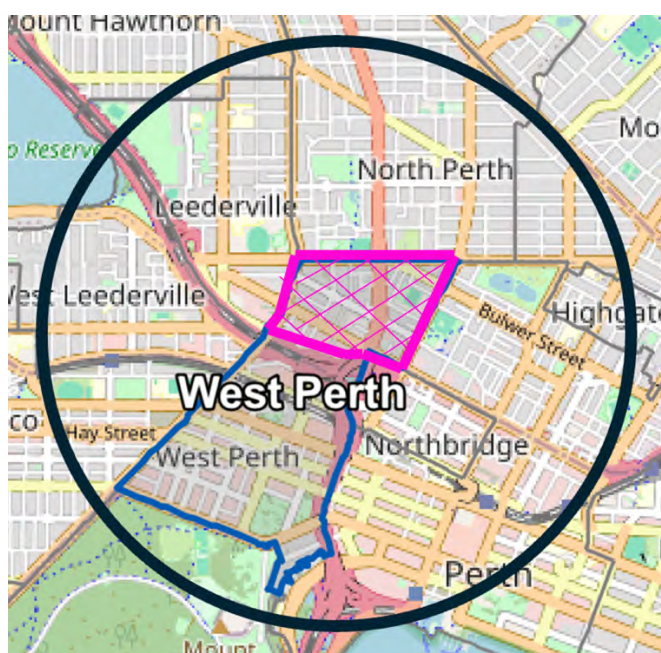
⁷² <https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment>

⁷³ *Liquorland Karrinyup* [186] (Archer J); confirmed in *Liquorland Southern River* [62] (Lemonis)

⁷⁴ *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [14] (Smith J); *Liquorland Karrinyup* [186] and [190] (Archer J)

⁷⁵ *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]

- 6.59. "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".⁷⁶
- 6.60. Having regard to the findings in *Liquorland Karrinyup*, upheld in *Liquorland Southern River*, for the purposes of section 36B of the Act the applicant submits that the relevant locality in this case is that which comprises the portion of the suburb of West Perth that is situated on the northern side of the Freeway. This area is outlined and cross-hatched in pink in the following image (**s36B locality**) and is the area bounded by Mitchell Freeway, Loftus Street, Vincent Street and Fitzgerald Street.



- 6.61. The proposition for this area to be the s36B locality is based on the following:
- 6.61.1. The 2km locality comprises significant physical delineation in the form of freeways and trainlines. There is also a dense road network. The area south, south-west and west of the Mitchell Freeway and train lines is noticeably separated and the Freeway has been identified by the City of Vincent as forming a "physical barrier at the south-western edge of the suburb [of West Perth]"⁷⁷.
- 6.61.2. The suburb of West Perth is split by Mitchell Freeway, across two local governments. The part proposed as the s36B locality is entirely within the City of Vincent which is the local government authority responsible for the site.

⁷⁶ *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]

⁷⁷ <https://library.vincent.wa.gov.au/local-history-centre/suburb-histories/west-perth-history.aspx>

- 6.61.3. The Sydney Charles Quarter, within which the applicant's site is located, will be well within the s36B locality. This development will comprise an enormous number of people as residents, workers, hotel guests and visitors. 5,500 people are projected to pass through the precinct every day⁷⁸. The key target base of the ALDI West Perth store will be these people. The primary function of the ALDI West Perth store will be catering for the needs of these people in terms of food, packaged liquor and related goods and services.
- 6.61.4. The large, multi-purpose and mixed use village design of Sydney Charles Quarter facilitates it being a stand-alone district within itself, so-to-speak and virtually self-sufficient. The owner's, developer's and local council's vision for the site is that it "provide high quality pedestrian amenity" and "connection" within the precinct⁷⁹.
- 6.61.5. 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 area covered by the s36B locality. This proposition is supported by the obiter dictum of Lemonis J in *Liquorland Southern River* at [65].
- 6.62. The following are snippets of relevant West Perth history most applicable to the s36B locality⁸⁰:
- 6.62.1. "West Perth is one of [the City of] Vincent's oldest and most diverse suburbs with a mixture of industrial, residential and commercial areas. In the 1970s, it was split by the Mitchell Freeway and since the 1990s has been part of both the City of Perth and the City of Vincent."
- 6.62.2. "The opening of the Perth to Fremantle Railway in 1881 stimulated residential subdivision in the West Perth area. Newcastle Street became one of the main streets largely due to the tram service established along its length linking the West Perth area to central Perth. Most of the houses were built on the north side of Newcastle Street, with a more commercial focus on the south side."
- 6.62.3. "The West Perth area developed rapidly in the 1890s with a mix of industrial, commercial and residential buildings that were accessible via public transport and in proximity to civic amenities such as schools and churches."

⁷⁸ <https://www.thesca.com/supermarket>

⁷⁹ <https://www.vincent.wa.gov.au/news/urban-village-development-approved-in-pickle-district/12063>

⁸⁰ <https://library.vincent.wa.gov.au/local-history-centre/suburb-histories/west-perth-history.aspx>

- 6.62.4. After WWI, development in the area languished due to the Depression. However, local industries developed along and south of Newcastle Street, including Sandover's Hardware on Newcastle and Golding Streets, as well as several vinegar and pickling factories such as the WA Vinegar Brewery on Golding Street, and the Swan Brand Factory at 567 Newcastle Street which manufactured sauces and pickles from the 1920s to the 1960s."
- 6.62.5. "In the 1970s, construction of the Mitchell Freeway affected the area when the lower end of Charles Street became an on/off ramp for Freeway traffic."
- 6.62.6. "In the 2000s, the construction of the Graham Farmer Freeway and tunnel in 2000 and its links with the Mitchell Freeway led to the widening and upgrading of Loftus Street. Some of West Perth's homes and businesses were demolished to make way for construction. The area north of Newcastle Street saw the development of high density apartments and townhouses with retention of some of the original housing..."
- 6.62.7. "In 2021, the Cleaver Street precinct (which includes Strathcona, Florence, Hammond, Ivy Streets and Prospect Place) was successfully nominated as a 'Character Area' with design guidelines that encourage retention and renovation of character in the area... The area south of Newcastle Street has been revitalised as an arts precinct branded 'the Pickle District' in a nod to its former industrial heritage of pickle and vinegar manufacturers."
- 6.63. The following Google Maps images and additional photographs show alternative aspects of Newcastle Street surrounding where the ALDI West Perth store will be located, including Sydney Charles Quarter construction works. The street is lined with a diverse range of new and old buildings used for commercial and residential purposes.



Public Interest Assessment
Form 2A Annexure
Application for liquor store licence
ALDI West Perth



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. At the most recent Census the ABS recorded the following numbers of people living in the suburbs most relevant to the 2km locality, relative to the estimated portions of developed residential area of those suburbs that actually fall within the 2km locality⁸⁶:

	Total suburb population	Portion estimated to be living within the 2km locality
West Perth ⁸⁷	6,102	6,102
Leederville ⁸⁸	3,686	3,686
Northbridge ⁸⁹	1,420	1,420
West Leederville ⁹⁰	4,340	3,255
Perth ⁹¹	13,670	8,202
North Perth ⁹²	9,623	1,444
Collective total number of people estimated to be living within the 2km locality as at the 2021 Census		24,109

7.2. The average person living in West Perth, generally speaking based on ABS Census data from 2021⁹³ can be described generally as follows:

- 7.2.1. male, aged 35,
- 7.2.2. never married,
- 7.2.3. self-identifying as “non-indigenous”⁹⁴,
- 7.2.4. educated to bachelor degree level or higher,
- 7.2.5. born in Australia, of English ancestry,
- 7.2.6. of no religious affiliation,
- 7.2.7. living in a household without children,

⁸⁶ As per the percentages referred to earlier in this PIA (West Perth, 100%, Leederville, 100%, Northbridge, 100%, West Leederville, 75%, Perth, 60% and North Perth, 15%)

⁸⁷ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51580>

⁸⁸ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50840>

⁸⁹ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51159>

⁹⁰ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51578>

⁹¹ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51230>

⁹² <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51147>

⁹³ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51580>

⁹⁴ Based on the ABS terminology/definition

7.2.8. working full-time, earning \$1,251 personally per week on average and

7.2.9. not suffering a long-term health condition.

7.3. The following further resident profile characteristics have been identified from the 2021 Census data for people living in the 2km locality. However, it is important to have regard for the fact that many of the people reflected in the following statistics would not actually be living within the 2km locality. This is because statistics are for the whole of each suburb but, as explained and illustrated earlier on in this PIA, some suburbs are only partly within the 2km radius. Statistics for WA (state average) have been included in the table for comparative and contextual purposes.

	Aged 19 and under	Aged 70 and over	Self-identifying as being Aboriginal and/or Torres Strait Islander⁹⁵	Born in Australia	In the labour force	Unemployed	Weekly income (family)
WA ⁹⁶	23.9%	12.1%	3.3%	62%	63.9%	5.1%	\$2,214
West Perth ⁹⁷	9.5%	9.3%	0.9%	46.6%	72.9%	4.7%	\$2,768
Leederville ⁹⁸	15.0%	10.5%	0.8%	61.7%	72.2%	3.4%	\$3,177
Northbridge ⁹⁹	6.7%	1.9%	2.0%	32.3%	71.4%	5.2%	\$2,335
West Leederville ¹⁰⁰	18.9%	10.8%	0.7%	60.7%	72.3%	3.3%	\$3,388
Perth ¹⁰¹	9.2%	4.6%	1.1%	38.5%	69.4%	5.4%	\$2,494
North Perth ¹⁰²	19.5%	10.1%	0.8%	66.8%	71.7%	4.1%	\$3,161

7.4. Additional information regarding the “population characteristics of the locality” required for this section of the PIA includes the following¹⁰³:

7.4.1. The top response as to “country of birth” by people born outside Australia, was England.

⁹⁵ As defined/described and categorised by the ABS

⁹⁶ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51580>

⁹⁷ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51580>

⁹⁸ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50840>

⁹⁹ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51159>

¹⁰⁰ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51578>

¹⁰¹ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51230>

¹⁰² <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51147>

¹⁰³ Average of ABS 2021 Census for West Perth, Leederville, Northbridge, West Leederville, Perth and North Perth: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51580>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50840>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51159>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51578>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51230> and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51147>

- 7.4.2. Of the people who indicated that they have a religious affiliation, the most common was said to be catholic.¹⁰⁴
- 7.4.3. Socio-Economic Indexes for Areas, which measure the relative level of socio-economic disadvantage and/or advantage, based on a range of ABS data focusing on income and work, have ranked the local government authorities relevant to the 2km locality as follows¹⁰⁵, all within the top 10% for the whole State:
- 7.4.3.1. City of Vincent at number 9 out of 140.
- 7.4.3.2. City of Perth at number 11 out of 140.
- 7.4.3.3. City of Subiaco at number 6 out of 140.
- 7.4.3.4. Town of Cambridge at number 4 out of 140.
- 7.4.4. These high rankings indicate that residents in the 2km locality enjoy a relatively advantageous and positive level of socio-economic conditions with much higher than average affluence.

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

- 7.5. As required by the Form 2A, the applicant provides names and addresses for the following operating in the 2km locality¹⁰⁶:
- 7.5.1. Schools and educational institutions:
- 7.5.1.1. Phoenix Academy, 223 Vincent Street, West Perth
- 7.5.1.2. TAFE International Western Australia, 1 Prospect Place, West Perth
- 7.5.1.3. North Metropolitan TAFE, 12, 19, 25 and 30 Aberdeen Street, 133 Newcastle Street, 27-29 Museum Street, Perth
- 7.5.1.4. Language Links, Level 1, 120 Roe Street, Northbridge
- 7.5.1.5. EF International Language Campus, 20 Queen Street, Perth
- 7.5.1.6. St George's Anglican Grammar School, 50 William and 44 Murray Streets, Perth
- 7.5.1.7. Australian Institute of Career Education, 20 William Street, Perth
- 7.5.1.8. Tafecourses.com.au Perth, Suite 66, Ground Floor, 50 St Georges Terrace, Perth

¹⁰⁴ Average of ABS 2021 Census for West Perth, Leederville, Northbridge, West Leederville, Perth and North Perth: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51580>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50840>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51159>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51578>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51230> and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51147>

¹⁰⁵ <https://profile.id.com.au/wapl/seifa-disadvantage?SeifaKey=40002>

¹⁰⁶ Based on publicly available published information

- 7.5.1.9. Wordington Leadership School, Level 28, 140 St Georges Terrace, Perth
- 7.5.1.10. ILSC, 150 St Georges Terrace, Perth
- 7.5.1.11. IDEAcademy, L1, 191 St Georges Terrace, Perth
- 7.5.1.12. Engineering Institute of Technology, 6 Thelma Street, West Perth
- 7.5.1.13. Stanley College West Perth Campus – Outram Street, 69 Outram Street, West Perth
- 7.5.1.14. Stanley College West Perth Campus – Hay Street, 1275 Hay Street, West Perth
- 7.5.1.15. Bob Hawke College, 200 Roberts Road, Subiaco
- 7.5.1.16. Russian School of Western Australia, Perth Modern School, Mills Building, 90 Roberts Road, Subiaco
- 7.5.1.17. Perth Modern School, 90 Roberts Road, Subiaco
- 7.5.1.18. West Leederville Primary School, 58 Northwood Street, West Leederville
- 7.5.1.19. School of Isolated and Distance Education, 64-94 Oxford Street, Leederville
- 7.5.1.20. Aranmore Catholic College, 41 Franklin Street, Leederville
- 7.5.2. Hospitals:
 - 7.5.2.1. Royal Perth Hospital, Victoria Square, Perth
 - 7.5.2.2. Mount Hospital, 150 Mounts Bay Road, Perth
 - 7.5.2.3. Perth Eye Hospital, 42 Ord Street, West Perth
 - 7.5.2.4. Kings Park Day Hospital, 1/1 Walker Avenue, West Perth
- 7.5.3. Hospices: none identified.
- 7.5.4. Aged care facilities:
 - 7.5.4.1. BF Prindiville Village | Southern Cross Care WA, 2 Alfonso Street, North Perth
 - 7.5.4.2. The Richardson Aged Care and Oryx Communities, 32 Richardson Street, West Perth
- 7.5.5. Churches/places of worship:
 - 7.5.5.1. Orthodox Church Evangelismos, 57 Carr Street, West Perth
 - 7.5.5.2. Redemptorist Monastery, 90 Vincent Street, North Perth
 - 7.5.5.3. Saint Brigid Church, 211 Aberdeen Street, Northbridge

- 7.5.5.4. Greek Orthodox Cathedral of Saints Constantine and Helene, cnr Francis and Parker Streets, 110 Francis Street, Northbridge
- 7.5.5.5. St George's Cathedral, 38 St Georges Terrace, Perth
- 7.5.5.6. All Saints Catholic Chapel, 77 St Georges Terrace, Perth
- 7.5.5.7. Trinity Uniting Church, 72 St Georges Terrace, Perth
- 7.5.5.8. Wesley Uniting Church, 75 William Street, Perth
- 7.5.5.9. Uniting Church in the City, Level 1, 97 William Street, Perth
- 7.5.5.10. First Church of Christ Scientist, 264 St Georges Terrace, Perth
- 7.5.5.11. St Mary's West Perth, 42 Colin Street, West Perth
- 7.5.5.12. Ross Memorial Church, cnr Hay and Colin Streets, West Perth
- 7.5.5.13. Saint Barnabas Anglican Church, 04 Woolwich Street, Leederville
- 7.5.5.14. Henderson Memorial Presbyterian Church, 110 Kimberley Street, West Leederville
- 7.5.5.15. Heart for the City Church Central, 8 Clever Street, West Perth
- 7.5.6. Drug and alcohol treatment centres:
 - 7.5.6.1. Cyrenian House, 318 Fitzgerald Street, Perth
 - 7.5.6.2. Palmerston Association, 134 Palmerston Street, Perth
 - 7.5.6.3. Centre for Clinical Interventions, 223 James Street, Northbridge
 - 7.5.6.4. Lumera Recovery Pathways, Level 1, 100 Havelock Street, West Perth
 - 7.5.6.5. Inner Help, Level 32, 52 St Georges Terrace, Perth
 - 7.5.6.6. Solace Perth, L28, AMP Tower, 140 St Georges Terrace, Perth
 - 7.5.6.7. HARP Rehab Perth, Level 29, 221 St Georges Terrace, Perth
 - 7.5.6.8. Perth Clinic, 21-29 Havelock Street, West Perth
 - 7.5.6.9. WANADA, Level 1, 46 Parliament Place, West Perth
 - 7.5.6.10. AACE Metrix, 935 Wellington Street, West Perth
 - 7.5.6.11. Cambridge Clinic, 1/6 Abbotsford Street, West Leederville
 - 7.5.6.12. Abbotsford Private Hospital, 61/69 Cambridge Street, West Leederville

- 7.5.7. Short term accommodation or refuges:
- 7.5.7.1. Ruah Community Services, L3-4/29 Shenton Street, Northbridge
 - 7.5.7.2. The Beacon, 9 Aberdeen Street, Northbridge
 - 7.5.7.3. Crossroads West and Doorways Perth, 333 William Street, Perth
 - 7.5.7.4. Tom Fisher House, 278 Beaufort Street, Perth
 - 7.5.7.5. Salvation Army Homes Perth, cnr Nash and Aberdeen Streets, Perth
 - 7.5.7.6. Wandjoo Bidi, 718 Murray Street, Perth
- 7.5.8. Childcare centres:
- 7.5.8.1. Nido Early School Mount Hawthorn, 77/83 Scarborough Beach Road, Mount Hawthorn
 - 7.5.8.2. Buttercups Childcare & Early Learning Centre Highgate, Level 2, 80 Bulwer Street, Highgate
 - 7.5.8.3. Buttercups Childcare & Early Learning Centre – Northbridge, Perth CBD, 156 Aberdeen Street, Northbridge
 - 7.5.8.4. The Learning Sanctuary Kings Square, Level 2 – KS3, 10 Telethon Avenue, Perth
 - 7.5.8.5. Stride Early Learning Perth – Elizabeth Quay, 1 The Esplanade, Perth
 - 7.5.8.6. Buggles Childcare Brookfield Place, 125 St Georges Terrace, Perth
 - 7.5.8.7. Wildflowers Early Learning, 179 St Georges Terrace, Perth
 - 7.5.8.8. Goodstart Early Learning Perth Kaadidjiny Maya, 240 St Georges Terrace, Perth
 - 7.5.8.9. Nido Early School Perth QV1, 250 St Georges Terrace, QV1 Building – Upper Level, East, Perth
 - 7.5.8.10. Perth Early Learning School, Unit 8, 17 Mount Street, Perth
 - 7.5.8.11. Kind Early Learning, 2 Thelma Street, West Perth
 - 7.5.8.12. Kidz Galore, Floor G, City West Centre, 100 Railway Street, West Perth
 - 7.5.8.13. Sparrow Early Learning West Leederville, 170 Railway Parade, West Leederville
 - 7.5.8.14. West Leederville School of Early Learning, 29-33 Northwood Street, West Leederville

- 7.5.8.15. Tall Tree Early Learning – Leederville, Level 2, 636 Newcastle Street, Leederville
- 7.5.8.16. Leederville Early Childhood Centre, 244 Vincent Street, Leederville
- 7.5.9. Local government: As referred to previously in this document, the City of Vincent is the applicable local government authority for the applicant's site and parts of the 2km locality are also within the Cities of Perth and Subiaco and Town of Cambridge. Their administration centres are located as follows:
 - 7.5.9.1. City of Vincent: 244 Vincent Street, Leederville
 - 7.5.9.2. City of Perth: 27 St Georges Terrace, Perth
 - 7.5.9.3. City of Subiaco: Level 2, 388 Hay Street, Subiaco
 - 7.5.9.4. Town of Cambridge: 1 Bold Park Drive, Floreat
- 7.6. In addition to the geographical and driving distances between all of the places listed above and the ALDI West Perth site, the liquor section will be much further in terms of accessible distance and not in any way visible to, nor directly accessible, from anywhere outside of the 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 intimately familiar 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 existing licensed stores, including the following key elements:
 - 8.1.1. Maintaining a very small square metre footprint of licensed space.
 - 8.1.2. Confining the liquor area to well within the store proper so it has no external presence.
 - 8.1.3. Only subtly and modestly promoting the liquor service, including limiting liquor advertising and signage.
 - 8.1.4. Limiting the stock range to a small, carefully curated selection which has been quality tested to very high standards and includes many award-winning items.
 - 8.1.5. Limiting the trading hours.
- 8.2. This liquor store model has been comprehensively tried and tested, resulting in an excellent compliance record.
- 8.3. The applicant has had regard for harm and ill-health factors potentially associated with the new licence, with reference to its trading history. The

applicant has a stellar record in terms of compliance and is not aware of any of its licences directly causing harm or ill-health.

- 8.4. Any potential negative impact from the new 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 Harrisdale¹⁰⁷ 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.”

- 8.5. No part of the proposed licensed area will be visible in any way from the churches, schools, aged care facilities and day care centres etc within the 2km locality which have been identified in this PIA. In fact, as best can be determined it is understood that no part of the ALDI store is visible, or at least not clearly visible, from those places or any other sensitive organisation. The liquor section itself will be totally concealed from the outside and only visible from well within the ALDI supermarket.
- 8.6. The applicant has sought to identify current data regarding alcohol related hospitalisations and deaths associated with the 2km locality, but none could be identified from published material as available for public use. Further, “due to different 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.”¹⁰⁸.
- 8.7. Nonetheless, the applicant acknowledges that hospitalisation and death can potentially result for some people as a consequence of the use of liquor and would most likely be occurring at some level in the 2km locality. The City of Vincent's Public Health Plan 2020 – 2025¹⁰⁹ states that “30% of [its] residents drink alcohol at levels risking long-term harm”¹¹⁰.
- 8.8. The Western Australian Mental Health, Alcohol and Other Drug Services Plan 2015–2025¹¹¹ is also acknowledged. The applicant's liquor store model is considered to be respectful of this Plan and the positive health outcomes that the Plan tries to achieve by virtue of the various low risk elements built into the ALDI model referred to throughout this document. The very small, discrete and modest scale of the ALDI West Perth liquor proposal is expected to contribute to “efforts to change the drinking culture from one of harmful use to one where low-risk drinking is encouraged and supported”, as referred to at page 33 of the

¹⁰⁷ ALDI Harrisdale [38(b)]

¹⁰⁸ 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

¹⁰⁹ Copy available if required upon request or via this link: <https://www.vincent.wa.gov.au/news/public-health-plan-2025-2030/12476>. This document is understood to still be current/the latest version

¹¹⁰ At page 15

¹¹¹ Copy available if required, upon request

- Plan. This proposition is based on, for example, ALDI's model being capable of encouraging shoppers to do the following:
- 8.8.1. appreciate the quality and award-winning nature of its products,
 - 8.8.2. purchase in relatively small volumes,
 - 8.8.3. purchase only warm items as opposed to cold items which might be appealing to consume very soon after leaving the store and
 - 8.8.4. purchase in conjunction with food for consumption ancillary to food.
- 8.9. The large majority of residents in the 2km locality, being approximately 64.2%¹¹², reported at the 2021 Census that they have no long-term health condition, which is 3% higher than the Statewide average¹¹³. It is acknowledged that some people did indicate that they experience a long-term health condition.
- 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”¹¹⁴. Data for the 12 months to March 2023 showed an increase of 1.3%, but relevantly “[t]he most significant driver of the increase in consumption of alcohol compared to pre-pandemic is the increasing popularity of RTDs (Ready-to-drink)”¹¹⁵ 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 supply compared to other liquor outlets, given ALDI’s modest stock volume and manner of trade
- 8.11. 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. ALDI’s responsible and risk minimising approach to advertising aligns closely with the City of Vincent’s Public Health Plan 2020 – 2025¹¹⁶.
- 8.12. Recognising the critical role of staff is another key strategy to ensuring policies and practices are implemented and laws are complied with. ALDI operates pursuant to a highly evolved and sophisticated corporate structure and

¹¹² Average of ABS 2021 Census data for West Perth, Leederville, Northbridge, West Leederville, Perth and North Perth: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51580>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50840>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51159>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51578>, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51230> and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51147>

¹¹³ Refer same 2021 ABS Census data

¹¹⁴ <https://theshout.com.au/australian-alcohol-consumption-declines-rtd-consumption-at-record-high/>

¹¹⁵ <https://www.roymorgan.com/findings/9153-alcohol-consumption-march-2023>

¹¹⁶ Copy available if required upon request or via this link: <https://www.vincent.wa.gov.au/news/public-health-plan-2025-2030/12476>. This document is understood to still be current/the latest version. Refer page 25 regarding advertising.

hierarchy whereby staff at each level are entrusted with an advanced degree of responsibility and are provided with extensive and comprehensive training and support.

8.13. 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:

8.13.1. "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."¹¹⁷

8.13.2. "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."¹¹⁸

8.13.3. "We offer diverse and cross-functional career pathways. We also value internal promotions with over 70% of our leaders promoted internally."¹¹⁹

8.13.4. ALDI Australia has won the Australian Business Award's – Employer of Choice award for several consecutive years.¹²⁰

8.13.5. ALDI has been awarded Retail Employer of the Year at the efitpos Australian Retail Association Awards.

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.

121

8.13.6. Every ALDI staff member is required to undertake detailed internal training and an induction programme. 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.

8.13.7. The applicant will ensure all staff at the ALDI West Perth store are properly trained as to their responsibilities under the Act, the Department's policies, ALDI policies and procedures – which include ALDI's particular high standards, matters of safety and all other laws,

¹¹⁷ <https://www.aldicareers.com.au/>

¹¹⁸ <https://aldiaustralia-1481176-en-au.sr-atrax.com/benefits-that-matter>

¹¹⁹ <https://aldiaustralia-1481176-en-au.sr-atrax.com/benefits-that-matter>

¹²⁰ <https://www.aldicareers.com.au/> and <https://www.aldiunpacked.com.au/aldi-australia-is-recognised-as-an-employer-of-choice/>

¹²¹ <https://insidefmca.com.au/2018/10/19/aldi-awarded-ara-employer-of-the-year/>

regulations and standards applicable to the proper conduct of the business.

8.13.8. 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.

8.13.9. 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.

8.14. PRG has reported the following from the consumer survey research¹²²:

“Very low proportions of surveyed residents believe that the establishment of the licence may cause:

- a “lessening of the amenity of the locality” (5%).
- some personal annoyance (3%)
- some “personal disturbance” (2%)
- “personal offence” (2%)
- some “personal inconvenience” (3%)
- some “personal harm” (1%)
- some “personal ill health” (1%)

However, these perceptions are overwhelmed by the very great proportions of 89% to 98% indicating that they do not believe these possible consequences will eventuate.”

8.15. This evidence should be considered directly relevant and particularly probative given its context which is that the respondents are already very familiar with the ALDI store model¹²³.

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 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:

¹²² PRG report at page 8

¹²³ PRG report at pages 15 and 17

- 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."¹²⁴
- 8.16.2. "Seventy-eight percent of consumers are prioritising value for money when shopping..."¹²⁵
- 8.16.3. "More than eight in ten (82%) of the total locality resident sample liked this aspect of the proposed West Perth ALDI liquor section...Note the elevated 86% and 99% respectively of packaged liquor buyers, and those who have consumed ALDI liquor products purchased from a WA ALDI store, who provided a "like" response."¹²⁶
- 8.17. The ALDI liquor model clearly presents with a number of low risk elements, which have been proven to be successful in other locations. This proposition is based on ALDI's excellent trading compliance record and the fact that the overwhelming majority of respondents to the PRG survey, comprising 65% who have previously shopped in another ALDI store with a liquor section¹²⁷, do not consider negative consequences will be likely to result from the grant¹²⁸.
- 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 wish. The layout of the supermarket and checkouts enables any shopper to walk 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 West Perth 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.

¹²⁴ <https://www.macrobusiness.com.au/2021/03/the-rise-and-rise-of-aldi/>

¹²⁵ <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/>

¹²⁶ PRG report at page 22

¹²⁷ PRG report at page 15

¹²⁸ PRG report at page 8 and see also page 30

- 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 of and 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 West Perth 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. If a juvenile is observed to be loitering near the liquor block they 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 associated 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 of ALDI's high standards as regards liquor and juveniles is when the company came under scrutiny from the public for the strictness of its approach. Some ALDI stores in New South Wales have refused service to adults because staff have witnessed a juvenile merely touching the liquor items, even where they have touched the items simply to stop them from falling over in a trolley.¹²⁹
- 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 section¹³⁰.

¹²⁹ <https://www.news.com.au/finance/business/retail/aldis-strict-underage-alcohol-policing-leaves-shoppers-high-and-dry/news-story/c7beaa2c4b8e1f0345b3545c98c7789c>

¹³⁰ 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 licence operating at the West Perth store.
- 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 West Perth 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 2km locality. The information in the attached Police Offence Data Summary has been considered. This data, whilst not that of proven crimes, may possibly assist in assessing very broadly and generally criminal offence activity in the area.

- 8.27. It is acknowledged that crime occurs in the 2km locality and this can be regarded as a negative factor. It should not, however, inhibit the grant of the licence. The 2km locality comprises an enormous population of around 24,109¹³¹, most of the busy Central Business District and the designated nighttime entertainment precinct (Northbridge). These areas naturally attract a degree of crime. The most common offence across the 2km locality is "theft". ALDI will have multiple measures in place to reduce the risk of theft and property damage to its store.
- 8.28. The Police data in the attachment does not reveal anything to suggest that the 2km locality – and most relevantly, West Perth itself – experiences a concerning or unusual level of crime relevant to the ALDI proposal and the true nature of the area. 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. In addition, the likelihood of the liquor service contributing to alcohol related crime is reduced by the following mitigating factors.
- 8.28.1. Small, simple and open layout of the liquor block.
 - 8.28.2. Location within the confined safety of the supermarket building.
 - 8.28.3. Lack of external frontage.
 - 8.28.4. Location of the liquor area adjacent to the checkout and therefore, under constant close staff surveillance and supervision.
 - 8.28.5. Absence of refrigeration, which removes the opportunity for impulsive desires to steal liquor for immediate consumption.
 - 8.28.6. Lack of a walk-in cool room, which is ordinarily hidden from staff view, providing cover and convenience for would-be criminals.
 - 8.28.7. Installation of CCTV surveillance throughout the supermarket, including the proposed licensed area.
 - 8.28.8. Reduced trading hours – no intention to operate late at night.
- 8.29. 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, 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.
- 8.30. 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.

¹³¹ As explained earlier in this PIA

- 8.31. The following security steps will be taken in relation to the West Perth liquor section.
- 8.31.1. Security cameras both inside the licensed area and outside will be operating.
 - 8.31.2. Secure locking systems will be engaged for after hours.
 - 8.31.3. A high level of staff training which includes how to deal with incidents that are, or could potentially become, obviously criminal or unsafe.
 - 8.31.4. 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.
 - 8.31.5. Clear and obvious signage. The new premises will be bright, modern and attractive.
 - 8.31.6. 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.
- 8.32. The applicant has devised a Security Layout plan, illustrating the general position and fit-out of security measures. If required and requested, a copy can be provided to the licensing authority on a strictly confidential basis. An advanced security and surveillance system will be installed, based on the model which has been successfully operating at existing stores. The applicant's advanced system includes the following features:
- 8.32.1. An Access Control System as follows:
 - 8.32.1.1. 24 hour entry system to the store including interface with the security system.
 - 8.32.1.2. A tamper switch will be applied to set off the alarm in the event of unauthorised removal of the panel front covers.
 - 8.32.2. CCTV system – 24-hour surveillance of the licensed area and entry and exits to the store, which will include the following:
 - 8.32.2.1. 11 active cameras will provide 24-hour surveillance with the digital video recorder.
 - 8.32.2.2. Two full body cameras located within the licensed area, one facing the checkout and another one facing the liquor shelf.
 - 8.32.2.3. The digital video recorder will be configured for motion detection to allow efficient review of any incidents.

- 8.32.2.4. 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.
- 8.32.2.5. 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.
- 8.32.3. The security system equipment will include the following:
 - 8.32.3.1. Passive Infra-Red Motion Detectors.
 - 8.32.3.2. Break glass detectors.
 - 8.32.3.3. Magnetic reed switches.
 - 8.32.3.4. Vibration detector.
 - 8.32.3.5. External strobe and siren.
 - 8.32.3.6. Security flashing lights and horns.
- 8.32.4. 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.
- 8.33. 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:
 - 8.33.1. Australian Standards AS/NZS 3000.
 - 8.33.2. State Service and Installation Rules.
 - 8.33.3. National Construction Code.
 - 8.33.4. Local and other authority services and installation rules.
 - 8.33.5. Australian Communications Authority.
 - 8.33.6. Work Cover Authority.
 - 8.33.7. Other relevant Australian standards.
- 8.34. Of real significance is the fact that the ALDI liquor area design and layout facilitate an advanced level of security and surveillance. These features of the proposed West Perth liquor section will make it extremely difficult for juveniles, drunk people or would-be thieves to gain access to the liquor area and go undetected, by virtue of the following factors:
 - 8.34.1. Customers will be required to walk well into the supermarket footprint under clear view of a combination of various cameras, staff monitoring and other customers observing.

- 8.34.2. 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.
- 8.34.3. The simple and small layout aspects of the liquor area will help to ensure that it is not in any way attractive for juveniles, drunk people or would-be criminals nor a temptation for impulse procurement.
- 8.34.4. 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 nature of the relevant amenity has been variously described and depicted throughout this PIA and some of the attachments. It is a very established, densely developed, extremely busy mixed-use area with unusual geographical characteristics.
- 9.2. The introduction of ALDI West Perth into this area will add choice, diversity and key services for local people. The modern, single-storey ALDI development will fit seamlessly into the amenity as part of the carefully designed Sydney Charles Quarter.
- 9.3. ALDI West Perth will help to support and promote connectivity in the area by enabling residents to stay close to home to access groceries and liquor and significantly reduce their need for travel. ALDI West Perth will provide one-stop and one-transaction shopping. The development of a connected community is a local council goal¹³².
- 9.4. As but one component of the enormous Sydney Charles Quarter, ALDI West Perth will have minimal impact physically or visually, but it will likely have a critical impact in terms of providing a valuable service.
- 9.5. It will complement other businesses and be totally consistent with surrounding land-uses. From a visual, physical or streetscape perspective, the proposed licensed area will have no impact. It will not even be seen from anywhere other than well inside the ALDI supermarket.
- 9.6. The consumer survey found that 89% of local people consider that the ALDI liquor section will not lessen the amenity of the area.¹³³
- 9.7. Comprising Perth itself, Northbridge and Mitchell Freeway as it becomes Kwinana Freeway and Graham Farmer Freeway, the s36B locality and wider 2km locality are very modern and highly active areas that operate day and

¹³² For example, City of Vincent Corporate Business Plan 2025/26-2028/29 at page 19 and City of Vincent Strategic Community Plan 2022-2032 at page 5. Copies available if required, upon request or via this link:

<https://www.vincent.wa.gov.au/about-vincent/city/corporate-plans-and-strategies.aspx>

¹³³ PRG report at page 29

night. The addition of Sydney Charles Quarter will be a sensible, useful and attractive advancement to the area.

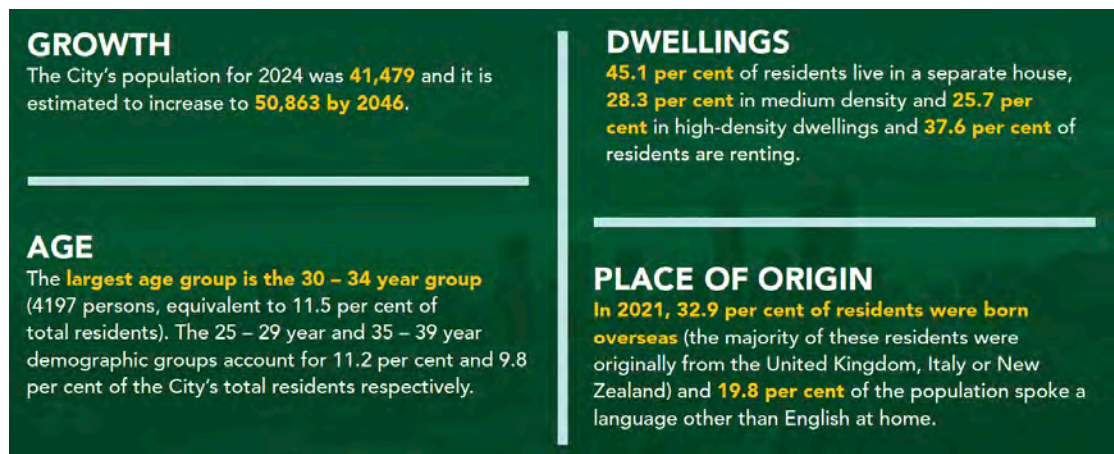
- 9.8. The applicant's expert researcher and data analyst found as follows in terms of the busy traffic volumes which add considerably to the amenity:

"Traffic volumes are high with 21,000 vpd on Newcastle Street (east of Charles Street), 23,000 vpd on the freeway off-ramp to Charles Street and 26,000 vpd on Charles Street (north).

Despite the complex road network, the site has reasonable access options from south of the freeway and from Subiaco,

Leederville and North Perth. However, being a CBD-fringe site, heavy commuter and commercial traffic volumes and multiple intersections may discourage customers outside the immediate area".¹³⁴

- 9.9. "The City of Vincent is an inner-city municipality incorporating some of Perth's most vibrant, inviting town centres and suburbs".¹³⁵



136

- 9.10. Perth "is the centre for civic, cultural, administrative, tourism and commercial services, and the hub of greater Perth's public transport system".¹³⁷

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

¹³⁴ Deep End Services Sales Report dated 5 September 2024 (**DES report**)(attached). Deep End Services is and expert site researcher, analyst and advisory firm (<https://www.deependservices.com.au/>)

¹³⁵ City of Vincent Corporate Business Plan 2025/26-2028/29 at page 14. Copy available if required, upon request or via this link: <https://www.vincent.wa.gov.au/about-vincent/city/corporate-plans-and-strategies.aspx>

¹³⁶ City of Vincent Corporate Business Plan 2025/26-2028/29 at page 14. Copy available if required, upon request or via this link: <https://www.vincent.wa.gov.au/about-vincent/city/corporate-plans-and-strategies.aspx>

¹³⁷ City of Perth Local Planning Strategy, Part One – The Strategy, May 2023 at page 9 (Copy available upon request, if required, or accessible here: <https://engage.perth.wa.gov.au/draft-local-planning-strategy>)

- 9.12. Despite the relatively tiny size of the licensed area proposed, the ALDI West Perth liquor feature will make a big and valuable contribution towards the services and facilities in the area and further enhance the important role of the Sydney Charles Quarter.
- 9.13. Further submissions addressing the amenity issue under the Act 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's stores have an excellent trading history. They are not known to be the cause of any offence, annoyance, disturbance or inconvenience in relation to any of its many 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 this 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. Therefore, ALDI proposes to implement the following strategies, in addition to others referred to elsewhere in this PIA, to manage and minimise risks associated with the operation of the proposed liquor service at the West Perth store.
- 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 West Perth 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. The community within, around and visiting the 2km locality stands to benefit enormously from the introduction of the ALDI liquor service. The public will have 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 below¹³⁸.



¹³⁸ <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 day¹³⁹.
- 11.4. These numbers and the details referred to earlier in this PIA as regards the enormous consumer following of and devotion to ALDI products and services show ALDI's significant public popularity. The licensing authority is entitled to take this popularity in account when assessing whether the proposed services in this application will be in the public interest at the West Perth location¹⁴⁰.
- 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 job opportunities for people to work with 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 researcher in this case has concluded that "[i]t is clear that the great majority of packaged liquor buyers residing within the 2km locality would shop for their packaged liquor requirements from the West Perth ALDI liquor section if it was established. More than one in four (28%) would do so at least once a fortnight, 53% at least once a month and 94% on at least some occasions, should the liquor section be established within the proposed West Perth ALDI store... The clear suggestion is that the West Perth ALDI liquor section would better meet their packaged liquor requirements than the currently available West Perth liquor outlets...The extent to which buyers would transfer their liquor shopping to ALDI should the liquor licence be granted is illustrated in the table below. Should the proposed West Perth ALDI store be granted a liquor licence, the data shows that 46% of locality residents who purchase their liquor needs at least once a fortnight would shop from the ALDI liquor section at least once a fortnight. Sixty-Seven per cent would do so at least once a month, and

¹³⁹ Evidence available if required, upon request




¹⁴⁰ *Woolworths Ltd v Director of Liquor Licensing* [2013] WASCA 227 [77] (Buss JA)

97% at least sometimes... Amongst buyers who currently shop for their alcohol needs at least once a month, 59% would shop in the ALDI liquor section at least once a month, and 95% at least sometimes... The sample of residents from the locality who currently buy packaged liquor would do most of their packaged liquor shopping at the proposed West Perth ALDI liquor section, if it were established."¹⁴¹

- 11.8. Given the high level of support for the proposed liquor service referred to in the PRG report, coupled with other findings in 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 neighbourhood, at other ALDI outlets several kilometres away, because it is not available to them currently in West Perth.
- 11.9. Further submissions referring to the consumer evidence and how it strongly supports the grant of the licence, have been provided elsewhere in this document and in the accompanying Legal Submissions.
- 11.10. ALDI is a major supporter of local communities, Australian businesses and the wider society. This proposition is explained by the following published ALDI policies.¹⁴²

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.

¹⁴¹ PRG report at pages 27 and 28

¹⁴² 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 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.



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 community comprising the 2km locality. Local residents and workers will be the beneficiaries of this outcome.
- 11.12. The 2km 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, whilst there are various tourist attractions within the 2km locality, the most relevant tourism aspect in this case is that of the short term hotel accommodation being constructed near the ALDI West Perth store in Sydney Charles Quarter.
- 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, as well as local people, who are accustomed to ALDI's model elsewhere. Further, the ability for ALDI to establish a full-service store in Sydney Charles Quarter will help to support and promote the precinct as a modern, multi-faceted connected community village with commonly expected retail conveniences.

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

- 11.15. ALDI operates with liquor at nearly 350 locations across Australia. As stated previously, 38 of those are in WA. In the eastern states, nearly every ALDI store contains a liquor section.
- 11.16. The ALDI liquor model, now well-known and established in Western Australia, has been carefully designed to complement the supermarket and special buys. ALDI's particular product and service 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.
- 11.17. None of the existing packaged liquor premises within the 2km locality are situated within the s36B locality and none are capable of properly catering for the huge

number of people expected to be at Sydney Charles Quarter specifically, every day.

- 11.18. The demographics of the relevant area include not only the large existing population of tens of thousands of people, but also the imminent addition of thousands of residents, workers and other visitors to Sydney Charles Quarter. This village site currently being completed, will, itself, be likely to generate significant demand for and patronage of ALDI West Perth.
- 11.19. As stated earlier on in this PIA, the enormous growth and development referred to in this application, primarily associated with Sydney Charles Quarter, is “sufficiently certain and proximate in time to the making of the application that it in effect forms part of the extant requirements”¹⁴³. It is far from merely “future population growth in a general sense”¹⁴⁴. Therefore, the licensing authority should and certainly can, take it into consideration in terms of requirements of consumers.¹⁴⁵
- 11.20. The currently operating licensed premises – which do not exist in the s36B locality – will do very little, if anything, for shoppers at ALDI West Perth seeking one-stop shopping and they certainly do not address the demand for ALDI liquor itself.
- 11.21. The addition of the ALDI liquor section at the West Perth store will, in effect, result in a self-sufficient retail outlet. 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 in one trolley
- 11.22. It is relevant to reiterate and highlight findings of the expert market researcher referred to earlier in this PIA in relation to the leakage of spending and unnecessary travel currently be endured by local people.¹⁴⁶ The ALDI store will eliminate this.
- 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 row¹⁴⁷:

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.

¹⁴³ Liquorland Southern River [169] (Lemonis J)

¹⁴⁴ Liquorland Southern River [169] (Lemonis J)

¹⁴⁵ Liquorland Southern River [169] (Lemonis J)

¹⁴⁶ PRG report at pages 27 and 28

¹⁴⁷ <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>

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 West Perth 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. People within the community who experience lower socio economic conditions should be entitled to benefit equally from ALDI's value-for-money proposition with affordable award-winning liquor, as other communities do elsewhere.
- 11.26. National Liquor News reported the following statements and quotes¹⁴⁸ which corroborate various points made in this PIA and further support the application:
- 11.26.1. "ALDI's reputation for value attracts customers, with growth outpacing the market without relying on aggressive promotions."
- 11.26.2. "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."
- 11.26.3. "ALDI's reputation for delivering value has been key to attracting more customers to its liquor range."
- 11.26.4. "[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*'."
- 11.26.5. "Amid ongoing cost-of-living pressures, ALDI is committed to offering high-quality products at competitive prices."
- 11.26.6. "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*'"

¹⁴⁸ "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.>)

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"¹⁴⁹ 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"¹⁵⁰.
- 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 West Perth 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 a packaged liquor specialist, involving a very narrow and discrete packaged liquor range, can be approved to hold a licence for a packaged liquor premises in appropriate cases¹⁵¹. More specifically, the licensing authority has determined that an application may satisfy section 36B of the Act and be granted where the particular type of packaged liquor to be sold and supplied under the licence is limited and/defined¹⁵² and most relevantly, that has included approval of ALDI

¹⁴⁹ Liquorland Karrinyup [75] (Archer J)

¹⁵⁰ Explanatory Memorandum, Liquor Control Amendment Bill 2018 at page 1

¹⁵¹ For example, Commune Wine Store (Maylands - 60321533920), Costco Wholesale (Perth Airport - 603213623419), Costco Wholesale (Casuarina - 603217776421), Pirate Life Perth (602213750319), Cherubino City Cellar (602215063820), Kakka Alley Brewing Co (602215442820), Casa Perth (602215763420), Gage Roads Brew Co (602216177321), Mane Osborne Park (603218426322) and Commune Wine Store (Subiaco - 603220029123)

¹⁵² For example, Commune Wine Store (Maylands - 60321533920), Costco Wholesale (Perth Airport - 603213623419), Costco Wholesale (Casuarina - 603217776421), Pirate Life Perth (602213750319), Cherubino City Cellar

licences under the current law¹⁵³. This present application falls squarely within that category 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 is minimal as only one premises exists which is the Hyde Park Hotel on the periphery. It operates with a Dan Murphy’s outlet under a tavern licence selling the usual mainstream Dan Murphy’s range within a big-box format approximately 800m away¹⁵⁴.
- 12.10. In regard to the packaged liquor premises located further afield, up to 2km away they include the liquor store, tavern and hotel licences identified in the attached list of existing licensed premises within 2km locality¹⁵⁵ which also includes the Hyde Park Hotel.
- 12.11. None of the holders of the existing licences does, nor is even able to, sell or supply the applicant’s exclusive range.
- 12.12. Further, almost 100% of products at those existing outlets would never be available at the ALDI West Perth store.
- 12.13. As addressed earlier in this PIA, multiple other factors also differentiate the existing and proposed liquor models. In fact, there can hardly be any comparison.
- 12.14. Existing packaged liquor premises within the 2km locality collectively comprise a variety of styles of operation with a wide stock range including most liquor styles of beer, wine, spirits and derivatives thereof. The outlets include walk-in browsing stores of small, medium and large format and minor over-the-counter services. A couple include a drive-through feature and a few are specialist outlets selling a narrow range of imported products.
- 12.15. Amongst the existing premises, a small number produce liquor either on site or at related premises and sell only packaged liquor that they have produced.
- 12.16. Most of the tavern and hotel licensed premises do not sell any packaged liquor, or if so, only as a minor over-the-counter service.
- 12.17. No existing packaged liquor premises is within reasonable or practical walking distance of Sydney Charles Quarter.
- 12.18. The existing Liquorland and BWS outlets identified in the attached list and other outlets operated by their licensee entities, offer a standard, mainly routine, mainstream, range of both refrigerated and warm liquor across all of the usual categories in terms of beer, wine and spirits.¹⁵⁶ These stores are traditional in

(602215063820,) Kalka Alley Brewing Co (602215442820), Casa Perth (602215763420), Gage Roads Brew Co (602216177321), Mane Osborne Park (603218426322) and Commune Wine Store (Subiaco – 603220029123)

¹⁵³ ALDI Yanchep (603220993723), ALDI Innaloo (603222726424), ALDI Karrinyup (603222913525), ALDI Whitfords (603222858025) and ALDI Haynes (603223489225)

¹⁵⁴ <https://www.danmurphys.com.au/stores/WA-Hyde-Park-4256>

¹⁵⁵ The list excludes those within the s36B locality already listed in the PIA

¹⁵⁶

https://www.liquorland.com.au/?cid=LL:cpcagl:Brand|Liquorland|HeadTerms|AUS|Exact&qclsrc=aw.ds&qad_sour

terms of having a browse area and coolroom. The licensing authority can be presumed to be very familiar with their models as there are currently 264 such outlets operating in WA¹⁵⁷.

- 12.19. The Liquorland and BWS ranges and store styles are virtually duplicates of each other. They are presumably 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 mass-produced facilities and their own home-brand within traditional format outlets.
- 12.20. The Liquor Commission found in ALDI Harrisdale that there “is a significant diversity between the products sold by ALDI and the BWS store.”¹⁵⁸
- 12.21. The following features of the ALDI West Perth proposal are just some of the glaring additional differences between it and existing outlets, over and above the major distinction of ALDI's mainly exclusive range:
- 12.21.1. small size,
 - 12.21.2. layout,
 - 12.21.3. location,
 - 12.21.4. one-stop-shopping convenience,
 - 12.21.5. absence of coolroom,
 - 12.21.6. absence of prominent product advertising and
 - 12.21.7. absence of refrigeration.
- 12.22. 69% of local residents interviewed in the PRG consumer research, who have shopped in an ALDI store with a liquor section, consider the proposal for the West Perth liquor service will be different from any existing outlets within the 2km locality. This number increased to 72% for local residents who had consumed ALDI liquor products.¹⁵⁹
- 12.23. PRG concluded from this research that “[t]he sample of residents from the locality who currently buy packaged liquor would do most of their packaged liquor shopping at the proposed West Perth ALDI liquor section, if it were established”¹⁶⁰.

[ce=1&gad_campaignid=1539020582&gbraid=0AAAAADtdQ6tsCNSja38bZGoBgOEKpOhea&gclid=EALalQobChMI4N-7kKmFkwMV7aRmAh1gSSdXEAAAYASAAEgl-hvD_BwE](https://www.bws.com.au/?utm_source=google&utm_medium=cpc&utm_campaign=Brand%20-%20Pure%20-%20Exact&utm_term=bws&gclid=EALalQobChMI4N-7kKmFkwMV7aRmAh1gSSdXEAAAYASAAEgl-hvD_BwE) and https://bws.com.au/?utm_source=google&utm_medium=cpc&utm_campaign=Brand%20-%20Pure%20-%20Exact&utm_term=bws&gclid=EALalQobChMI4N-7kKmFkwMV7aRmAh1gSSdXEAAAYASAAEgl-hvD_BwE and <https://portal.dlgsc.wa.gov.au/licencesearch?status=Current&location=%25liquorland%25&group=Liquor+Premises> and <https://portal.dlgsc.wa.gov.au/licencesearch?status=Current&location=%25BWS%25&group=Liquor+Premises>

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<https://portal.dlgsc.wa.gov.au/licencesearch?status=Current&location=%25liquorland%25&group=Liquor+Premises> and <https://portal.dlgsc.wa.gov.au/licencesearch?status=Current&location=%25BWS%25&group=Liquor+Premises>

¹⁵⁸ [43(g)]

¹⁵⁹ At page 26

¹⁶⁰ PRG report at page 29

- 12.24. To reiterate, none of the existing licensed premises do, nor is even able to, sell or supply the applicant's exclusive range and almost 100% of products at those existing premises would never be available at the ALDI West Perth store.
- 12.25. The nearest ALDI liquor service for shoppers at Sydney Charles Quarter will be at ALDI Dog Swamp approximately 3.5km away, one way/straight line and approximately 3.9km driving one-way, travelling through several other suburbs, cross major roads, via dense road traffic¹⁶¹ and into a completely different district. Accessibility for those in the 2km locality seeking ALDI's liquor range is currently timely, expensive, inconvenient and archaic for a modern metropolitan area. These circumstances will be elevated for those living, working and staying in Sydney Charles Quarter which will otherwise be relatively self-sufficient.
- 12.26. Given that ALDI's liquor model contemplates relatively small-volume purchases, the current complicated and time-consuming exercise for West Perth shoppers accessing ALDI liquor elsewhere is submitted to be irrational and unreasonable.
- 12.27. Given the current population, growth and development with the impending opening of Sydney Charles Quarter and the role of the precinct as a connected community village, it is essential that the ALDI West Perth provide ready access to usual modern conveniences and diversity. It is unreasonable for people living in, working in and visiting such a major site to be denied modern choice and competition.
- 12.28. 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"¹⁶².
- 12.29. 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 West Perth store.
- 12.30. Almost 100% of applicant's stock range will be unavailable elsewhere in the 2km locality.
- 12.31. To reiterate, the following are key distinguishing features of the ALDI liquor proposal:
- 12.31.1. The majority of ALDI's products are exclusive and not available at any of the other liquor outlets.
- 12.31.2. The 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 West Perth which is projected to be very popular and well patronised.

¹⁶¹ DES report

¹⁶² Liquorland Karrinyup [108] (Archer, J)

- 12.31.3. There will be no refrigerated liquor products. This is a harm minimising feature of the ALDI liquor service and speaks to its genuine intention to complement its household and grocery offering.
- 12.31.4. None of the other packaged liquor outlets can offer one-stop-shopping convenience to ALDI shoppers.
- 12.32. Further and more detailed submissions regarding section 36B of the Act are contained in the accompanying Legal Submissions. Additional submissions and evidence regarding existing licensed premises can be provided if required and requested. The level of detail included in this PIA has been prepared on the basis of the Department's policy direction regarding applicants' taking a "common-sense approach"¹⁶³ and having regard for the Department's factsheet/policy which states that applicants can be asked to provide further information¹⁶⁴. This approach is consistent with sections 16(7)(b) and (c) of the Act and noting the well-established uniqueness of several features of the ALDI proposal including its exclusive stock range.

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

- 13.1. Relevant provisions of the Act have been taken into consideration in the preparation of the Form 2A, this PIA and the whole application, including sections 5, 33, 36B and 38. Submissions addressing those and other relevant parts of the Act have been briefly referred to in this document but are detailed in a separate set of Legal Submissions accompanying this application.
- 13.2. It is respectfully submitted that the licensing authority should be easily satisfied that in relation to ALDI West Perth, 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" requirements¹⁶⁵.

14. Conclusion

- 14.1. This PIA responds to the Form 2A thoroughly and addresses relevant sections of the Act with specific reference to particulars of the application.
- 14.2. The applicant has focused attention on a wide variety of relevant public interest factors, existing packaged liquor premises and other issues arising under the Act. Consequently, it has presented a comprehensive proposal for the grant.
- 14.3. To reiterate, the proposal is for a modest liquor range comprising largely award winning, value-for-money, exclusive products, to be available through a modern one-stop-shop concept that has the potential to offer an unrivalled level of convenience for shoppers in Sydney Charles Quarter and beyond and

¹⁶³ Form 2A and at <https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment>

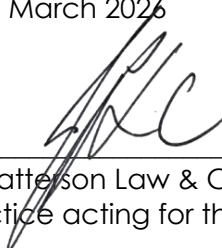
¹⁶⁴ <https://www.dlgsc.wa.gov.au/department/publications/publication/public-interest-assessment>

¹⁶⁵ Liquorland Southern River [136] [137] (Lemonis J)

has been proven very popular elsewhere. The proposal is a replica of the Australian Supermarket of the Year for the last eight consecutive years¹⁶⁶.

- 14.4. The ALDI West Perth liquor service will be unique, not only in the s36B locality where only one, completely different, packaged liquor service currently exists about 800m away, but also in the wider 2km locality and beyond. The products and style of operation will be almost entirely unlike the limited diversity of existing products and services available to the already enormous and increasing community.
- 14.5. "The sample of residents from the locality who currently buy packaged liquor would do most of their packaged liquor shopping at the proposed West Perth ALDI liquor section, if it were established".¹⁶⁷
- 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 [27] 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."¹⁶⁸
- 14.7. Further submissions addressing conclusions to be drawn from the information contained in this PIA and supporting the grant of the licence as proposed are contained in the detailed set of Legal Submissions.

Dated 17 March 2026



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

Attachments	
No.	Title/description
1.	PRG report
2.	Stocklist, including identification of the ALDI exclusive products (subject to change)
3.	List of some awards received by ALDI
4.	9 News Perth Facebook, 15 June 2016
5.	List of existing licensed premises within 2km locality (excluding most of those within the s36B locality already listed in the PIA, but including the Hyde Park Hotel located just inside the s36B locality) dated March 2026
6.	DES report
7.	Police Offence Data Summary March 2026
8.	Legal Submissions dated 17 March 2026

¹⁶⁶ <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>

¹⁶⁷ PRG report at page 28

¹⁶⁸ [42]