



Public Interest Assessment

Form 2A

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

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

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

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

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

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

¹ LC Act s33(1).

² LC Act s38(3).

³ Liquor Control Regulations (LC Regs) r9EA.

⁴ LC Regs r9F.

⁵ LC Act s5 and s38(4).

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

Part 1 — Application details

Applicant name:

ALDI FOODS PTY LTD

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

LIQUOR STORE LICENCE

Are you applying for:

☒ New licence

☐ Removal of existing licence (which licence/permit type)

Premises trading name:

ALDI WILLETTON

**Address of proposed
premises:**

ALDI WILLETTON, SOUTHLANDS BOULEVARDE,
45 BURRENDAH BOULEVARD, WILLETTON, WA 6155

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

Part 2 — Manner of trade

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

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

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

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

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

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

PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA PATTERSON
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Part 3 — The profile of the local community

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

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

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

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

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

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

PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA

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Part 4 — Minimising the potential for alcohol to cause harm

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

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

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

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

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

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

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

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

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

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

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

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Part 7 — Impact on tourism, culture and the community

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

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

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

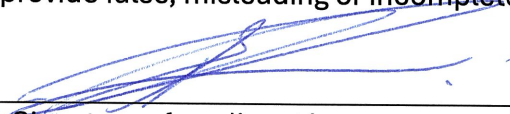
7.2 If you have any other information to provide in support of your application, include it here.

PLEASE REFER TO THE FORM 2A ANNEXURE PREPARED BY JESSICA PATTERSON
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Part 8 — Declaration

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

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

 David Peres
Signature of applicant/s ALDI REAL ESTATE
DIRECTOR Date 23/5/25

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

Southlands Boulevard, 45 Burrendah Boulevard, Willetton

to be known as

ALDI Willetton

Public Interest Assessment Form 2A Annexure

including section 36B submissions



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

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1. Executive summary

- 1.1. This application involves a proposal for an incredibly popular liquor service, to operate from a small and modest licensed area, to be located in a growing and maturing residential area where there are limited options and significant demand.
- 1.2. The ALDI Willetton store has tremendous regular patronage with 10,200 shoppers per week on average.
- 1.3. The liquor range, comprising many award-winning products, is almost entirely exclusive to the applicant.
- 1.4. The liquor store model is well-known, sought-after by the public and has been previously approved by the licensing authority on many occasions elsewhere in the State.
- 1.5. The applicant is well-known, highly sophisticated and enjoys an excellent trading compliance record.
- 1.6. The location is perfectly suited to the proposed liquor service and has no notable sensitivities or high risks associated with it.
- 1.7. The applicant's records show that the ALDI Willetton store draws customers from far afield, across an expansive catchment of the metropolitan area
- 1.8. The following compelling findings have been reported and summarised by the expert market researcher in this case¹:

In our assessment, the survey has shown that the great majority of Willetton ALDI shoppers is looking forward to the possibility of a liquor section being established in the Willetton ALDI store. The great majority (84%) of shoppers have previously shopped in an ALDI supermarket that featured a take-away liquor section, and 63% have previously consumed exclusive ALDI liquor products purchased from the liquor section of another WA ALDI.

69% of take-away alcohol buyers believe that the proposed ALDI liquor section would be different from the current liquor outlets within the locality, and 69% of take-away liquor buyers would shop for their requirements in the ALDI liquor section at least once a month (97% "at least sometimes").

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

- 1.9. A demand/supply analysis of relevant factors in this case reveals that demand cannot reasonably be met by supply, justifying the grant of the licence².
- 1.10. The application is supported by a substantial volume of compelling evidence which goes far above and beyond the level or degree of requirement capable of justifying the grant³.

¹ Survey of the Consumer Requirement for Liquor Retailing Amongst Shoppers in the ALDI Supermarket in Willetton (sic), by Patterson Research Group (**PRG**), dated November 2024, at section 2.4, page 11 (**PRG Report**) (attached). PRG and Jessica Patterson Law & Consultancy Pty Ltd are totally unrelated entities. The commonality of the name "Patterson" is purely coincidental.

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

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

2. Introduction and background

- 2.1. ALDI Foods Pty Limited (ACN 086 210 139) (**ALDI**⁴) seeks the conditional grant of a liquor store licence pursuant to sections 33, 38, 36B, 47 and 98D of the Liquor Control Act 1988 (WA) (**Act**) for a very small section of its supermarket premises located at Southlands Boulevard, 45 Burrendah Boulevard, Willetton, known as ALDI Willetton.
- 2.2. This document has been prepared as an annexure to and in accordance with the Public Interest Assessment Form 2A (**Form 2A**) of the Department of Local Government Sport and Cultural Industries (**Department**). 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 Department in the Form 2A, the applicant has applied a "common-sense approach"⁵ to the preparation of the PIA and therefore, provided a level of detail considered appropriate for the circumstances in terms of the content of this document and the attachments. Further detail and additional copies of source material can be provided if necessary.
- 2.4. Hundreds of members of the public have provided evidence of strong demand for the ALDI liquor service in Willetton. This evidence is based largely on consumers with first-hand knowledge of the proposed liquor model. The PRG report found that "[m]ore than eight out of ten (84%) of the ALDI Willetton (sic) shoppers have previously been in an ALDI store that has a take-away liquor section: it is not a new concept for them"⁶.
- 2.5. The applicant is motivated and able to address the community requirement quickly if this application is approved. The proposed licensed area can be quickly established.
- 2.6. This PIA has been formally adopted and verified by a senior representative of ALDI by way of signing the Form 2A.

3. Brief outline of the application

- 3.1. A petite liquor display/browse and checkout section of only approximately 48m² is proposed within the existing ALDI Willetton 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 of the existing ALDI Willetton store. The size, layout and style of operation will be almost identical to existing ALDI liquor store 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

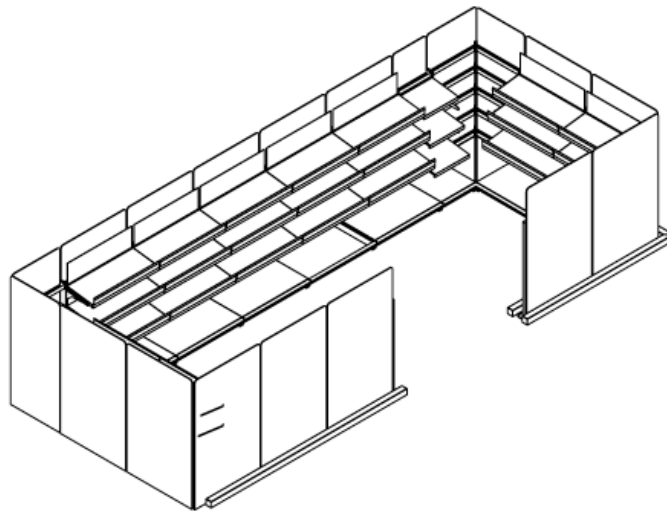
⁴ Including related entities forming the ALDI group

⁵ Form 2A page 2

⁶ At para 4.4, page 19

service perfectly complements the diverse and attractive range of ALDI's unique non-liquor services and facilities. This creates an exceptional one-stop shopping convenience for customers, which is a key feature of the ALDI offering. Customers can even benefit from one-transaction shopping at ALDI, thereby satisfying the growing society demand for enhanced conveniences.

- 3.4. Pictured below is an aerial render that is generally indicative of what is proposed as the liquor display/browse area. The checkout is located next to the entrance that is depicted. The boundary partitioning is proposed to be made of 2.1 metre high opaque frosted glass which is depicted in the subsequent photograph.



- 3.5. Additional details of the ALDI liquor offering are provided further on in this PIA.
- 3.6. As part of its thorough preparation of this application, the applicant consulted with relevant authorities and the local community. In doing so, the proposed liquor service has been explained and feedback sought.
- 3.7. As referred to elsewhere in this PIA, the applicant also consulted with local consumers and received overwhelming support. Hundreds of people have provided evidence that has encouraged ALDI to lodge this application and seek approval to provide liquor at its Willetton store.

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

4. Applicant's background

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



- 4.3. The following is a snapshot of the history⁷.

"The first foundation stone was laid in 1913 with the opening of a small food store in the German town of Essen. It didn't take long for this little 'service store' to become a popular place to shop.

During the '40s, an expansion program was created and more ALDI stores were opened. In 1954, a celebration was held for the opening of the 50th store in Germany.

By 1960 ALDI had grown to a network of over 300 stores between the Ruhr Valley and Aachen. The prosperous family business was then divided into two independent companies: ALDI Süd - to service the South, and ALDI Nord - for the North.

'Self-service' was still a relatively new retail structure in the '60s and ALDI became the first company in Germany to adopt this new retail concept. While customers were still able to take advantage of the same high quality products as before, they could now purchase them at much more competitive prices.

⁷ <https://corporate.aldi.com.au/en/about-aldi/aldi-history/>

In 1983, ALDI Süd started chilled distribution depots and sold fresh products such as cheese, yoghurt and sausages. Frozen products came in 1998 and were closely followed by fresh meat. ALDI, to this day, continues to keep up with the ever-evolving taste of the modern consumer."

- 4.4. ALDI stores offer a wide range of quality products including fresh food, packaged food, other consumables and various household, garden, leisure and personal items. At most stores, liquor is also available.
- 4.5. Modern ALDI supermarkets contain around 1,350 core product lines, which is significantly less than many other supermarket operators. There are limited brand options within each different product line. For example, ALDI may offer only two or three different brands of plain flour, rather than five or more as is commonly stocked at most other supermarkets. This enables ALDI to operate from a smaller and more user-friendly footprint and with a more exclusive and carefully selected range. It also facilitates a simpler and more convenient shopping exercise for consumers⁸.
- 4.6. "At ALDI, we have three core values that guide everything we do: simplicity, consistency, and responsibility. What this means is simple: we know it's our responsibility to consistently do good so we can make a positive impact on the world. No ifs, no buts, no excuse.
- Just because our products are at the lowest prices doesn't mean we sacrifice quality or cut corners in our supply chain. In all of our actions, we are committed to doing the right thing for our customers, the community, our employees, the environment and our business partners. Whether it's the way we work with our nearly 1,000 Aussie suppliers, or how we support our millions of customers to live healthier lives, our responsibility to people and planet guides us every day."⁹
- 4.7. ALDI's published mission is to provide the public with "unbeatable value"¹⁰. This is achieved through a highly sophisticated business model involving a very focused selection of products and advanced levels of systemisation and organisation designed for optimum efficiency and product control. ALDI is dedicated to maintaining consistency in its philosophy of incredibly high quality at impossibly low prices.
- 4.8. Most of ALDI's products are exclusive to ALDI. They are often versions of mainstream big-brand name items which are manufactured according to ALDI's particular and strict specifications to ensure quality and value-for-money. Expressi Coffee is one of the most popular non-liquor examples. The Expressi Coffee capsule machine and coffee capsules have won numerous awards.

⁸ 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."

⁹ <https://corporate.aldi.com.au/en/corporate-responsibility/>

¹⁰ <https://www.aldi.com.au/en/about-aldi/aldis-low-prices/>

- 4.9. The majority of ALDI's exclusive products that are available in Australia are sourced from Australian suppliers.
- 4.10. Every Wednesday and Saturday "special buys" are promoted by ALDI which are specialty short-term product lines that are usually non grocery items. Flat screen televisions, furniture, clothing, appliances, BBQs, tools, gardening equipment, vacuums, camping gear and toys are just some examples. These have proven extremely popular such that customers often queue outside a store to try to access these items and then spend long periods browsing. ALDI special buys, displayed in the now well-renowned middle aisle of every ALDI store, are sometimes even reported by the media as news¹¹ and have been described in the media as "iconic"¹².
- 4.11. Some special buys are repeated occasionally but most are one-off items in limited stock so when a store sells out, the item won't be replenished.
- 4.12. The following images show a sample section of catalogue-advertised special buys previously available at Willetton, by way of example.

ALDI Special Buys™

ONE OF A FINDS

A Kamado Ceramic BBQ \$149
• Stainless steel grill rack and built-in temperature gauge • Multifunctional: smoke, charcoal, bake, sear, roast and low and slow cook • Weight: 21.5kg² • 670035

B Insulated Drink Bottle 1.5L with Magnetic Phone Stand \$19.99
• Insule-mated, stainless steel bottle with screw-on lid • Magnetic phone stand holds your phone securely with a built-in magnet • Adhesive magnet ring included • 620038

C DeLonghi Icona Breakfast Pack \$129
Toaster: Easy-to-use with intuitive controls • Extra-wide slots and extra lift feature • 1.7L • 900° rotating swivel and non-slip base • Auto shut-off • 620042

D Melii 12 Compartment Snackie Box \$7.99
• Features 12 compartments with removable dividers to customise your container • Use for snacks, meals or arts and crafts • Total capacity: 1.3L (170ml per compartment) • Assorted colours • 627023

E 225 Thread Count Queen Size Cotton Quilt Cover Set \$39.99 • Set includes quilt cover and 2 pillowcases • Available in 4 assorted designs • 620062

F 20L Road Shower \$249 • with built-in pressure relief valve and stainless steel thermometer • Includes cordless digital inflator pump • Compatible to attach to roof rack mounts, hitch mounts, and roll-over mounts • 620093

G Harman/Kardon Citation 700 Soundbar \$229
• Output power: 200W RMS • Bluetooth • MultiBeam™ surround sound • Automatic calibration • Colour display to control music • Apple AirPlay, Google Home and Chromecast built-in • 620078

H Lay-Z-Spa \$299 • Fits 1 person • Triple™ puncture-resistant sidewalls are reliable against weight, strain and movement • Triple-Shield™ weather defence prevents lower from freezing or cracking in cold temperatures • Drain valve • Water capacity: 235L • Size: 80cm(W) x 90cm(D) x 60cm(H) • 622021

I Portable EV Charger \$199
• EV connector (Type 2) • Function box (Type 2) • Total length 5m • IEC 62796 Type 2 charging plug • Over temperature and plug temperature protection • 630262

J Die Cast Figures \$8.99
• 627022

2 White stocks (set) - please note stocks are limited and vary between stores. Despite our careful planning, we apologise if selected items are sold out on the first day due to unexpected high demand, or in the event of unexpected high demand, ALDI stores reserve the right to limit purchases to reasonable quantities. This product can potentially cause a manual handling injury due to its size/weight.

At ALDI Special is a thing you can buy twice a week, every week

¹¹ 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>)

¹² <https://www.news.com.au/travel/travel-deals/aldi-iconic-special-buys-range-is-back-with-a-twist/news-story/a8c4b4413631b58150ae6d7502d17935>

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

A Reformer Pilates Machine \$299
• Adjustable resistance • Adjustable height settings • Folds away for compact storage • Transport wheels
• Maximum user weight: 125kg • Includes introductory exercise chart • Weight: 33kg
• Assembled size: 215cm x 57cm x 73cm 453299

B Pilates Ring \$12.99
• Easily adjustable foot bar with 4 positions
• Smooth gliding exercise deck
• Padded exercise deck for comfort and support

C Medisational Drink Bottle \$9.99
• Helps you keep track of your daily water intake
• Stay motivated and develop healthy water habits
• 3L capacity • 100% BPA free

D Protein Bars \$34.99
• 4 HIGH PROTEIN TASTES
• ON MY APPLE PIE FLAVOUR

E Batavika Plant Protein 1kg \$24.99
• Formulated with a high performance blend of plant-based proteins • Available in Chocolate or Vanilla 540999 per kg 407124

F Creatine \$24.99
• Formulated with a high performance blend of creatine • Available in Pre-workout, Creatine or BCAA 31% per gram 596022

G Onset Supplement Powders 400g/300g \$24.99
• Available in BCAA, Pre-workout or Creatine • No artificial flavour • \$4.07/\$5.32 per 100g 406702

H Onset Platinum Protein Powder 1kg \$49.99
• Formulated supplementary sports food with 30g of protein per serve • Available in Chocolate or Vanilla 540999 per kg 407124

I Onset Sport Gummies 800g \$24.99
• Formulated with a high performance blend of vitamins • Available in Pre-workout, Creatine or BCAA 31% per gram 596022

J Onset Supplement Powders 400g/300g \$24.99
• Available in BCAA, Pre-workout or Creatine • No artificial flavour • \$4.07/\$5.32 per 100g 406702

10 While stocks last - please note stocks are limited and will vary between stores. Despite our careful planning, we apologise if selected items are sold out on the first day due to unexpected high demand and, in the event of unexpected high demand, ALDI Stores reserves the right to limit purchases to reasonable quantities. Product can potentially cause a manual handling injury due to its own weight.

Good Health. Keeping Aussies happy and healthy for generations to come.

On Sale Saturday 1 March

A 20V Brushless Stick Vacuum \$99.99
• Brushless motor with cyclone technology and digital display • Includes crevice nozzle, brush nozzle and wall mount bracket 607909

B 20V Air Pump or Air Inflator \$39.99
• Cordless, portable design • Pump or inflator • 150psi

C 20V Wet and Dry Vacuum Cleaner \$99.99
• Ultra lightweight, powerful and portable • Great for use at home, in your garage or at your office • 150psi

D 20V Wet and Dry Vacuum Cleaner \$39.99
• Ultra lightweight, powerful and portable • Great for use at home, in your garage or at your office • 150psi

14 While stocks last - please note stocks are limited and will vary between stores. Despite our careful planning, we apologise if selected items are sold out on the first day due to unexpected high demand and, in the event of unexpected high demand, ALDI Stores reserves the right to limit purchases to reasonable quantities.

A Garden Shade Sail \$29.99
• Shade Sails 10m treated fabric with 5000 UV block out • Available in Black, Taupe or Grey • Size: 3m x 5m

B Soil Fixing Kit \$29.99
• Soil Fixing Kit sold separately

C ActivGrow Soil \$5.99
• Nutrient-enriched, premium soil with 8 active ingredients 430504

Relax with our 60 day satisfaction guarantee returns policy

On Sale Saturday 1 March

Wild offers

A Instant Up 6 Person Tent with Awning \$179
• Size: 270cm(W) x 300cm(D) x 195cm(H)
• Includes cup holders and Carry Bag
• Size (square): 75cm x 150cm x 130cm
• Pack 721

B Water Repellent Picnic Blanket \$29.99
• Available picnic blanket with carry handle and adjustable strap
• Water repellent PEVA backing • Available in assorted designs • Size: 280cm x 280cm • 603362

C Premium Tent Pegs \$9.99
• Premium 20pk Hard Ground 20pk or Pine Driver 10pk • 603365

D Camp Rope 50m \$9.99
• 603367

E Byron Bay Camp Chair \$29.99
• Powder coated steel frame • Built-in insulated cooler with double cup holder and bottle opener • 603363

F Collapsible Camping Table \$29.99
• Lightweight aluminium frame
• Includes cup holders and Carry Bag
• Size (square): 75cm x 150cm x 130cm
• Pack 721

G Heavy Duty Tarp - 3.65m x 5.55m \$29.99
• 603364

H Heavy Duty Tarp - 3.65m x 3.65m \$19.99
• 603367

I Tarp Pole \$9.99
• Adjustable from 125cm to 225cm • 603367

J Camping Tools \$9.99
• Tent Peg Hammer, Folding shovel or Camp Axe • 603367

K Assorted colours \$29.99

L \$9.99

M \$9.99

N \$9.99

O \$9.99

P \$9.99

Q \$9.99

R \$9.99

S \$9.99

T \$9.99

U \$9.99

V \$9.99

W \$9.99

X \$9.99

Y \$9.99

Z \$9.99

La-la land

A Kid's Play Teepee \$14.99
• 603368

B Picture Frame with Photo Archive \$7.99
• 603369

C Hand Puppets \$9.99
• 603370

D Balancing Stones \$14.99
• 603371

E Giant Piggy Balls \$4.99
• 603372

F Wooden Games \$9.99
• 603373

G Wooden Train Set \$19.99
• 603374

H Craft Accessories \$1.99
• 603375

I Paint Mix \$3.99
• 603376

J Craft Dough Mix \$5.99
• 603377

K Sand or Chalk Mix \$4.99
• 603378

L Slime \$3.99
• 603379

M Paper Craft \$3.99
• 603380

N Sticker Pads \$9.99
• 603381

O \$1.99

P \$1.99

Q \$1.99

R \$1.99

S \$1.99

T \$1.99

U \$1.99

V \$1.99

W \$1.99

X \$1.99

Y \$1.99

Z \$1.99

- 4.13. The sample images above show that an enormous and diverse range of popular consumer items are commonly available at exceptional value-for-money prices. Sometimes the special buys include a small selection of liquor. The following shows recently available special buys of liquor.

 <p>Venturer Series Pinot Grigio 2024 750ml</p> <p>750ml \$9.99</p>	 <p>Collezione Oro Prosecco Rosé DOC Millesimato NV 750ml</p> <p>750ml \$13.99</p>	 <p>Rose Full Coteaux d'Aix en Provence 2023 750ml</p> <p>750ml \$12.99</p>	 <p>The Standing People Lighter In Alcohol Pinot Gris 2024 750ml</p> <p>750ml \$9.99</p>
 <p>Vok Gin and Juice Ready to Serve Cocktail 2L</p> <p>2L \$22.99</p>	 <p>Breezy-T Mango Alcoholic Iced Tea 4 x 330ml</p> <p>4 x 330ml \$12.99</p>	 <p>Sofi Blood Orange & Bitters Spritz 4 x 250ml</p> <p>4 x 250ml \$12.99</p>	 <p>Carlsberg Pilsner 4 x 500ml</p> <p>4 x 500ml \$12.99</p>
 <p>Rivet Blonde Low Carb Lager 12 x 330ml EXPERIENCING DELAYS</p> <p>12 x 330ml \$16.99</p>	 <p>Soldada Blanco Tequila 700ml</p> <p>700ml \$46.99</p>	 <p>Stoli Vodka 700ml</p> <p>700ml \$48.99</p>	 <p>Kyte Apple & Raspberry Cocktail 700ml</p> <p>700ml \$12.99</p>
 <p>O'Donnells Strawberry and Cream Liqueur 700ml EXPERIENCING DELAYS</p> <p>700ml \$14.99</p>	 <p>Slane Irish Whiskey 700ml</p> <p>700ml \$56.99</p>	 <p>Glenlivet Founder's Reserve Single Malt Scotch Whisky 700ml</p> <p>700ml \$64.99</p>	 <p>Jack Daniel's Tennessee Honey Liqueur 700ml</p> <p>700ml \$49.99</p>
 <p>XXXX Ultra Zero Carb 6 x 330ml EXPERIENCING DELAYS</p> <p>6 x 330ml \$13.99</p>	 <p>BrewDog Highland Pilsner 4 x 375ml</p> <p>4 x 375ml \$14.99</p>		

- 4.14. ALDI prides itself on consistently competitive pricing across all of its product lines and providing customers with exceptional value-for money. The company's ability to achieve such low prices for quality products stems from its highly

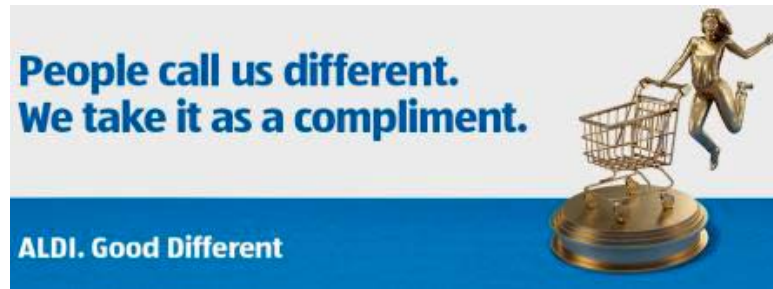
sophisticated business model which focuses on operational efficiency. The following are but a few examples of aspects of ALDI's in-store operations which heighten productivity, reduce waste and enable competitive value-for money pricing to be maintained.

- 4.14.1. Customers need to insert a gold coin into a trolley in order to be able to use the trolley. This encourages customers to return the trolley to retrieve their gold coin and avoid the need for staff to spend time collecting trolleys.
- 4.14.2. Products in ALDI stores are displayed on re-usable crates, designed specifically for ALDI. The crates fit systematically in the ALDI Jandakot warehouse, delivery trucks and stores and can be moved from one place to another without unloading or extra-handling.
- 4.14.3. ALDI products are packaged with multiple barcodes for quick and easy scanning at the checkout with little to no time wasted fumbling to find a barcode and scan the product.
- 4.14.4. Customers are required to pack their own shopping bags at the checkout and a dedicated packing area is provided for customers. Checkout staff do not use valuable time packing bags and checkout processing is kept moving as there are no interruptions with customers holding-up the procession whilst packing at the checkout.
- 4.15. ALDI's business is highly systemised and disciplined. ALDI's shelving, storage methods, displays, product placement and other logistical aspects are designed to coordinate with each other to achieve optimum operational efficiencies. As a result, ALDI is able to reduce operating costs and provide better services and facilities for its customers.
- 4.16. 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 involves 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.
- 4.17. Consistent pricing is also indicative of consistent quality. ALDI does not downgrade its products through heavy discounting. The applicant is driven by quality and consistency. In this regard in terms of liquor especially, ALDI's products very much represent value-for-money. High quality award winning liquor items are provided at prices accessible to most people.
- 4.18. The Australian Liquor Stores Association has said that Australian "shoppers have migrated towards the value messaging of Aldi"¹³.

¹³ ALSA – IRI State of the Industry Report, March 2017 at page 14 - copy available if required, upon request

- 4.19. ALDI's approach to business is neatly encapsulated in its "Good Different" slogan, which was launched in 2017. Mr Thomas Daunt, then director of the applicant company, explained this campaign as follows.

"ALDI Australia is unapologetically different – and that's a good thing for shoppers. We are proud of our differences and we stand by them wholeheartedly, as they are what allows us to bring unbeatable value to our customers, maintain strong relationships with our suppliers and support our staff every day."¹⁴



- 4.20. ALDI is a responsible and sophisticated corporate citizen and operates pursuant to very high standards and key performance indicators, which include the following published principles. "We are passionate about putting our customers at the heart of everything we do. It's why we're so proud to have won more Roy Morgan Customer Satisfaction Awards than any other supermarket in the last five years. Talk about Good Different!"¹⁵.

- 4.21. Further¹⁶:

- We are the only supermarket that has eliminated artificial colours from all products storewide. This includes both our ALDI exclusive range and the popular branded products we stock in our stores
- None of our products contain added MSG
- We are rolling out the 'Health Star Rating' (HSR) on our products to help make healthy choices easy to identify, and all our confectionary features the 'Be Treatwise' logo
- We're increasing healthier options for our customers: in the last two years alone our organic range has grown by 21% and our 'Has No' gluten-free range is forecast to increase by 50% in 2018
- Every production facility that makes ALDI food products should be certified according to the Global Food Safety Initiative (GFSI) standard, recognising world class food manufacturing safety.

- 4.22. For the 12 months to June 2024, ALDI was the second most trusted brand in Australia amongst consumers. In the assessment by reputable firm, Roy Morgan, ALDI had a strong performance, far ahead of most other supermarkets¹⁷.

¹⁴ <https://insidemcg.com.au/2017/05/15/aldis-good-different-campaign/>

¹⁵ <https://corporate.aldi.com.au/en/corporate-responsibility/customers/>

¹⁶ <https://corporate.aldi.com.au/en/corporate-responsibility/customers/>

¹⁷ <https://www.roymorgan.com/findings/9666-risk-monitor-quarterly-update-june-2024>

- 4.23. ALDI's pursuit of excellence and quality in all things is evident in the many awards it has won in Australia, including Canstar Blue Most Satisfied Shoppers – Supermarkets 2014-2016 and 2018-2023 and Roy Morgan Supermarket of the Year for the last four consecutive years¹⁸. Upon winning Supermarket of the Year in 2023, "Roy Morgan's research found Aldi's average customer satisfaction score was 95.7 per cent based on face-to-face customer interactions at supermarkets"¹⁹.
- 4.24. More specifically, ALDI is also an award-winning retail liquor supplier. Among its many liquor retailing awards has been the Canstar Blue Most Satisfied Customers – Liquor Retailer 2021 and Roy Morgan Liquor Store of the Year in 2018 based on customer satisfaction.
- 4.25. 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"²⁰.
- 4.26. There should be no question as to the credibility of these awards and certainly no doubt that ALDI customers are immensely satisfied with the products and services provided by ALDI which include liquor.
- 4.27. "Our success is based on the close relationships we have with our suppliers, who all share our passion for awesome quality. Aldi partners with some of the best producers and winemakers both in Australia and internationally, which means we can deliver exceptional quality, value and consistency to our customers. Our partnerships with our suppliers are focused on a desire to see the customer win with great-tasting wines at unbeatable prices".²¹
- 4.28. ALDI is a highly sophisticated and experienced packaged liquor operator, which enjoys extensive supermarket and liquor retailing experience within Western Australia, elsewhere in Australia and overseas.
- 4.29. ALDI has been operating in Australia since 2001 when the first ALDI store opened in Sydney. There are now nearly 600 stores throughout Australia, including 52 in WA. The large majority of ALDI's stores throughout the country include a liquor component. In WA there are 34 ALDI stores trading with a liquor section.

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

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

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

²¹ 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/>

- 4.30. Over the last ten years approximately, ALDI has been undergoing a \$700 million expansion, most notably in WA and South Australia. ALDI opened its first four stores in Western Australia on 8 June 2016.
- 4.31. The ALDI liquor service was made available in WA from the end of August 2017 in five ALDI stores initially. Since then, the applicant has had an excellent compliance record.
- 4.32. The ALDI liquor offering has been described as follows by ALDI Australia's Buying Director, Mr Jason Bowyer:
- "Like our grocery offer, ALDI's liquor range is focused, ensuring that we offer great value and exceptional quality. Since establishing in WA more than a year ago, customers have spoken loudly about their desire for us to bring our popular liquor offering to the West.
- ALDI partners with a number of high calibre international and Australian wine suppliers, who each share our passion for quality. We have built strong relationships with these suppliers, who are committed to ensuring that our wine products offer great value at their respective price points."²²

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 Willetton 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 is adapted from time to time with new products that become available to ALDI, to respond to customer requirements and when occasional specialty items are offered. Generally, the ALDI liquor service at Willetton would include the following:
- 5.3.1. Around 60 different wines – red, white, sparkling and fortified.
- 5.3.2. Around 15 different beers – full, medium and light strength.
- 5.3.3. Around 15 different spirits – bourbon, brandy, gin, scotch, vodka and liqueurs.
- 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.

²² https://www.aldi.com.au/fileadmin/fm-dam/Products/Groceries/Liquor/WA_Launch/ALDI_Media_Release_-_WA_Liquor_Launch_1_.pdf

- 5.5. In recognition of the launch of the ALDI liquor service in WA, renowned wine expert Ray Jordan was invited to sample six of the wines in ALDI's WA stores. Mr Jordan produced a media article on his tasting and remarked that one of the wines in particular, being a \$7 bottle of One Road South Australian Heathcote Shiraz 2015, was "damn good"²³. That Shiraz has also won several other awards, including Double Gold & Best Value Shiraz of the Year at the 2017 Melbourne International Wine Competition. This Shiraz is just one example of ALDI's many high quality, value-for-money, award winning liquor products.
- 5.6. A large number of accolades have been bestowed on ALDI for its exclusive liquor range. Attached is a list of some of the awards received. The following are just two of the numerous published reports attributed to ALDI's superior quality, award-winning products:

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

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

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

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

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

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

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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.

²³ <http://www.perthnow.com.au/news/western-australia/aldi-will-start-selling-alcohol-in-perth-stores-from-today/news-story/c59014afc215ba475dd1265a0e89eb4c>

²⁴ <https://7news.com.au/lifestyle/food/bargain-30-aldi-vodka-picks-up-top-award-at-the-global-vodka-masters-2022-c-8149807>

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

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- 5.7. One of the most unique aspects of the ALDI liquor offering is the exclusive range itself, made-to-order for ALDI stores and not available at any other packaged liquor outlet. As stated previously, the majority of ALDI's range is unique and exclusive to ALDI. Shoppers simply cannot access those items at any other non-ALDI outlet.
- 5.8. 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.
- 5.9. The ALDI exclusive products differ significantly from the Woolworths and Coles private-label liquor ranges. Woolworths and Coles generally purchase the whole producer and production facility where possible and the products from those facilities then become what are known as private-label liquor items. The issue with this approach, in terms of the proper development of the liquor industry, has been well explained by David Prestipino in his article 'Winestein Uncorked: 'Local' WA wines actually owned by Woolworths, Coles' 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."

²⁵ <https://www.bhg.com.au/aldi-scotch-whiskey-award>

- 5.10. ALDI's approach is very different because it does not own the wineries, breweries and distilleries that produce the ALDI exclusive products and therefore, those independent producers are capable of producing other liquor items under different branding to sell directly to consumers themselves, or to other packaged liquor retailers. Further, whilst those producers will be required to produce a product to ALDI's standards and specifications they will, nonetheless, give input and advice into developing the products as the independent wine, beer or spirit producing expert.
- 5.11. The ALDI model does not, therefore, have the same deleterious effect on the development of the liquor industry by removing independent liquor producers from the market, but rather ALDI makes a highly valuable contribution to the industry by providing independent producers with a channel to develop and sell their wares.
- 5.12. This is one of many factors which differentiate ALDI's liquor range from the major liquor stores. The Willetton and surrounding community will benefit greatly from having access to this special service. The role of the shopping centre site will be enhanced with the increased product diversity to be generated by ALDI's liquor service.
- 5.13. Given that the majority of ALDI's liquor range comprises ALDI exclusive products, it means that, as stated previously, the ALDI offering, overall, is unique to ALDI and simply cannot be replicated by any other licensee. The overall offering includes ALDI's liquor services which also cannot be said to duplicate any existing operation in Willetton or nearby.
- 5.14. Within the liquor range available in any given week is a selection of new and different liquor items which change from week to week, similar to the "special buys" offer referred to elsewhere in this PIA. Approximately eight different products per week are made available to customers until the stocks are depleted and then new ones are brought in for customers, so the product selection remains fresh and vibrant.
- 5.15. ALDI's liquor range is determined following a rigorous process of elimination trialling and testing of products, then identifying those that offer the very best value-for-money which necessitates excellent quality. The optimum range is provided to customers. Therefore, a quantity of products is stocked that is deliberately much smaller than may be found at most other liquor stores. The ALDI range is much more discerning and refined than most other liquor outlets. This ensures modern consumer requirements are met and ALDI's principles of quality, value-for-money and great convenience are upheld.
- 5.16. An example of ALDI's liquor advertising in a recently published catalogue appears below. It is relatively modest, yet smart and stylish. The advertisement contains product information for each item, demonstrating the quality and value-for-money propositions regarding the ALDI range and the fact the range is indeed carefully selected and responsibly promoted.

Bar hoppin'

A **Collezione Oro Prosecco Rosé DOC NV 750ml**
Apricot pink in colour with aromas of strawberry and a honeyed complexity. **\$13.99**

B **Roussigny Champagne Brut NV 750ml**
A stellar Champagne - she's elegant and generous with a price point to celebrate. Available every day. **\$32.99**

C **Carlo Carlotto Prosecco DOC NV 750ml**
Fresh, dry Prosecco with flavours of pear, white floral and all the body you want from a classic Italian Prosecco. Available every day. **\$10.99**

D **The Standing People Lighter in Alcohol Pinot Gris 2024 750ml**
Light but with aromatic cues of lemon, apple and pear. A fresh and vibrant wine, pure and refreshing with cleansing acidity. **\$12.99**

E **Rose Full Collection of Ails en Provence 2023 750ml**
An ultra pale rosé from a blend of Grenache, Syrah, Cinsault and Mourvèdre. Red summer fruits and refreshing citrus aromas. **\$7.99**

F **Vendure Series Pinot Grigio 2024 750ml**
Pale straw in colour, with aromas of nashi pear and apple blossoms. Fresh, bright and mineral, with mouth-watering, yet soft acidity. **\$9.99**

G **Truly Wildly Terra Valley Pinot Noir 2022 750ml**
From the Terra Valley, award, spicy and red berries on the nose. A silky smooth palate with real power, stretching to a very long finish. Available every day. **\$13.99**

H **Piedra Negra Reserva Malbec 2022 750ml**
Aromas of plum, blackberry and coffee grounds. Sweet, mocha-spiced dark fruit, some dried herbs and toasty oak on the finish. Available every day. **\$11.99**

I **Vok Blue Lagoon 2L**
A refreshing mix of Vok Blue Curacao, vodka and lemon juice. Ready to serve cocktails. Simply chill, pour and enjoy! **\$22.99**

J **Manly Spirits Limoncello Spritz 4 x 275ml**
Bursting with the tangy zest of freshly squeezed lemons, exotic flavours of Australian native botanicals, a smooth vodka base and lots of effervescent bubbles. **\$12.99**

K **Invincible Hot Cross Bun Vodka Lager 500ml**
This delicious vodka liquor captures the rich flavours of hot cross buns. Enjoy over ice, with soda or lemonade. **\$14.99**

L **The Infidelist Lemon Myrtle Gin 700ml**
Distinctively Australian, this small-batch, award-winning craft gin is perfect in a martini or a G&J. **\$19.99**

M **Carthe 12yr Single Malt Scotch Whisky 700ml**
Made in one of the oldest Speyside distilleries, lighter character with smooth notes of apple blossom and honey. **\$12.99**

N **Kirin Ichiban 6 x 330ml**
The smooth, rich flavour of the malt makes Kirin Ichiban the perfect accompaniment to Japanese cuisine. **\$16.99**

O **Better Beer Sticky 10 x 330ml**
The perfect ultra low carb mid-strength to quench your thirst after a hard day's work. With only 20g per can, more every day can be a "day for it". **\$10.99**

P **Stouffer's Dark Lager 6 x 375ml**
Full-flavoured, mid-strength, crisp lager. **\$4.99**

Q **Rivet Draught 12 x 330ml**
A great value, easy-drinking, session lager in a convenient 12 pack. **\$4.99**

R **Jack Daniel's Tennessee Fire Whisky 700ml**
The smooth character of Jack Daniel's Tennessee Whiskey with the fiery yet smooth finish of cinnamon. **\$24.99**

S **Bundaberg Rum 700ml**
Bundaberg's finest aged rum is nestled in luscious barrels, giving this rum a smooth, mellow taste - a perfect balance of toasted caramel and vanilla. **\$59.99**

T **Buchan's Black Bush Sherry Cask Whisky 700ml**
A combination of a high amount of malt whisky, matured in former Sherry casks, with a sweet, batch-distilled grain whisky. **\$49.99**

U **Salinity Cucumber Vodka 700ml**
Great value, quality Australian vodka combined with the freshness of cucumber. Enjoy neat, on the rocks or in a delicious cocktail. **\$39.99**

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

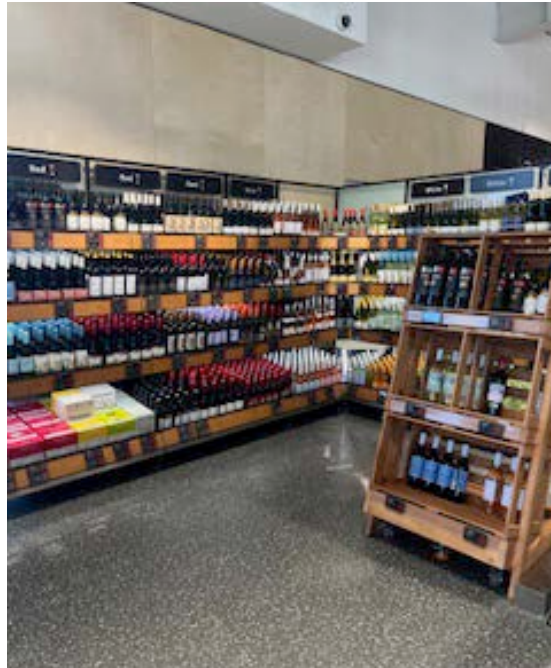
On Sale Wednesday 2 April

6. Form 2A "Part 2 – Manner of trade"

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

- 6.1. This application involves a proposal to sell and supply packaged liquor on and from the premises proposed to be licensed as described above, in accordance with section 47 of the Act.
- 6.2. As previously addressed in this document, the applicant proposes to offer a relatively small and mostly exclusive selection of carefully selected, value-for-money non-refrigerated beer, wine and spirits (including a range of beer, wine and spirit varietals, cider and sparkling). The following images depict a typical ALDI liquor section which will be established in Willetton if the licence is granted:





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



- 6.4. The applicant seeks approval for the same licence, in respect of the same business model and on the same terms and conditions as approved on 36 previous occasions under the Act for other ALDI stores in WA.
- 6.5. ALDI Willetton currently operates as follows (with variations for public holidays):
- | | |
|------------|------------------|
| Monday: | 8.30am to 6.00pm |
| 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 will operate during these same hours as the existing store, but subject to trading hours permitted under section 98D the Act.
- 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 (except no 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 (except no liquor trading before 12 noon on ANZAC Day or any time on Good Friday or Christmas Day). When the ALDI supermarket is not trading, the liquor display/browse area would be clearly closed off to customers and if the ALDI store is open for trade at times not permitted under section 98D of the Act, the liquor area will also be closed to the public.
- 6.8. The applicant invites the licensing authority, if it considers appropriate, to impose the following special trading conditions that are imposed on ALDI's existing licences in WA.
- 6.8.1. The licensee is prohibited from selling refrigerated liquor products.
- 6.8.2. There is to be no external advertising of liquor products on the façade of the licensed premises.
- 6.8.3. The browse/display area is to be closed off when not open for trade.
- 6.8.4. The licensee is to have and maintain a CCTV system in accordance with the policies of the Director of Liquor Licensing.
- 6.8.5. The liquor display and sale area must be separated from the food/grocery display and sale area by barricading of non-see-through material over two (2) metres in height.
- 6.8.6. The entry/exit point to the licensed area must have a gate.
- 6.9. There are many aspects to the ALDI liquor model which differ from virtually all other non-ALDI packaged liquor outlets anywhere and which are most certainly totally different from the existing outlets relevant in this case. The following are key unique aspects of the ALDI liquor model, which will apply at Willetton, should the application be approved:
- 6.9.1. ALDI exclusive product range.
- 6.9.2. Combination of the ALDI liquor service with the ALDI non-liquor store elements. A one-stop-ALDI shopping convenience.
- 6.9.3. One transaction convenience.
- 6.9.4. Its small size and location under the supermarket roof.
- 6.9.5. Small, carefully curated selection of liquor with no bulk displays.

- 6.9.6. Absence of refrigeration.
- 6.9.7. Absence of external presence of the liquor section.
- 6.9.8. The particular level of surveillance of the display/browse area which can be seen and monitored by staff at all times in its entirety.
- 6.9.9. Restricted visibility into the liquor section as a juvenile risk management feature.
- 6.9.10. Combined beneficial effects of the features listed above which are supplemented by the overall manner of trade and harm minimisation features identified.
- 6.10. In regard to the "target client base" referred to in the Form 2A:
 - 6.10.1. The applicant has already identified from sales data that its existing client base at the Willetton store is drawn from an enormous catchment. For the August reporting period of the last two years, ALDI Willetton attracted shoppers from 168 different suburbs. Shoppers living in Willetton represent the largest percentage, followed by shoppers living in Bull Creek and Leeming²⁶. It is expected that the liquor section will draw a similar catchment.
 - 6.10.2. Deep End Services, an expert market and site research, analyst and advisory firm, identified for the applicant primary and secondary trade areas when the store was in its early stages. ALDI's subsequent sales data has shown that assessment to have been accurate. Attached is the report by Deep End Services²⁷.
 - 6.10.3. Principally, the ALDI target client base for the proposed liquor service is existing customers of the ALDI Willetton store who are demanding that ALDI liquor be made available to them there.
 - 6.10.4. Subsequently and more generally, the ALDI target client base for the proposed liquor service consists of people living and working in the primary trade area referred to in the DES report.
 - 6.10.5. The next nearest equal liquor service is at ALDI Kardinya, approximately 6km away (straight line), over 7km by car. The applicant's target customer base for ALDI Willetton will focus on people living within at least half of that distance, to save them travelling so far and well outside their neighbourhood.
 - 6.10.6. The Southlands Boulevard shopping centre is, as explained elsewhere in this PIA, a significant retail, hospitality and entertainment site within the district. Its mix of retailers is designed for all manner of shopping comprising regular, routine, daily and weekly type trips. ALDI's proposal

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

²⁷ Willetton WA (Southlands Boulevard SC) Trade Area & Sales Projection, by Deep End Services dated 18 December 2019 (**DES report**)

intends to cater for the needs of any adult shopper at the centre, from wherever they have come.

- 6.11. ALDI operates a friendly, inclusive and welcoming store and will continue to do so if the liquor licence is granted. Any adult may potentially visit the liquor section and shop there provided only that they comply with ALDI's conditions of entry that apply to anyone and any legal requirements by which ALDI needs to abide.
- 6.12. ALDI enjoys enormously favourable community sentiment and support. Its stores have huge popularity and significant regular custom just as occurs at Willetton. Some customers are so passionate about ALDI that they have developed their own private Facebook page named, Aldi Fans Australia, dedicated to information for ALDI lovers. This is not an official ALDI media source and yet it has well over 100,000 members of the private group²⁸. ALDI's own, official Facebook page has 841,000 "likes" and 879,000 "followers"²⁹. This medium is the modern-day voice of the public and therefore, represents significant community sentiment.
- 6.13. The first two ALDI applications for liquor store licences in WA were initially refused at first instance³⁰. Subsequently, a massive 8,637 people took it upon themselves to participate in an Internet survey conducted by Nine News Perth³¹ which asked: "Do you think ALDI should be banned from selling alcohol because it's too cheap?". Within just two days 7,428 people who participated (86%) answered "no". Importantly, this survey was conducted without any involvement from the applicant. It was completely unsolicited. It is indicative of ALDI's significant popularity in the WA community.
- 6.14. ALDI has been under pressure for some while from local residents to provide a liquor service at the Willetton store. They know about other ALDI stores offering liquor and want Willetton to do the same. Customers seeking the liquor service have expressed confusion and frustration as to why other ALDI locations offer liquor but the Willetton store does not.
- 6.15. The applicant engaged independent expert market research firm, PRG³², to conduct a survey and to subsequently provide a report of the results which has been 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 319 people surveyed, include the following:
- 6.15.1. "Eighty-nine per cent of all shoppers, and 94% of take-away liquor buyers support the establishment of a liquor section within the Willetton (sic) ALDI store (see section 4.8)"³³
- 6.15.2. "A significant majority of respondents indicated that the key liquor store attributes that would be provided in an ALDI Liquor section

²⁸ <https://www.facebook.com/groups/117155111252/>

²⁹ <https://www.facebook.com/ALDI.Australia/>

³⁰ Decision of Director of Liquor Licensing: ALDI Harrisdale (A000187300) and Decision of Director of Liquor Licensing: ALDI Joondalup (A000191943)

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

³² Experience, expertise and methods are referred to on pages 2, 5 and 11; Also: <https://marketresearch.com.au/>

³³ PRG report at para 2.2, page 8

appealed to them. The fact that 84% of shoppers had shopped in an ALDI store that included a liquor section, adds some weight to these observations."³⁴

6.15.3. "In our assessment, the survey has shown that the great majority of Willetton (sic) ALDI shoppers is looking forward to the possibility of a liquor section being established in the Willetton (sic) ALDI store."³⁵

6.15.4. "In excess of 9 in 10 "experienced shoppers" agree...that:

- ALDI liquor sections have good quality products,
- the products represent good value for money,
- the liquor section is convenient for shoppers. (sic) and
- 89% agree that they have many brands and products not available elsewhere (other than another ALDI store)".³⁶

6.15.5. "9 in 10 shoppers (90%) like the notion that the liquor section would be located within the ALDI Willetton (sic) store. Importantly, only 3% indicated that they dislike this possibility."³⁷

6.15.6. "Slightly more than 8 in 10 (82%) of the total ALDI shopper sample, liked the notion that the proposed liquor section would have mostly exclusive ALDI products, and only 1% disliked it. The weight of opinion is very much supportive of this aspect of the proposed ALDI Willetton (sic) liquor section."³⁸ This should be considered alongside other evidence in the PRG report that "(63%) shoppers have previously consumed ALDI exclusive liquor products that had been purchased from another WA ALDI store. That figure is slightly elevated (70%) amongst those who buy packaged liquor"³⁹, so the large majority of those interviewed who expressed strong support for the specialist exclusive range clearly knew exactly what liquor products they were addressing.

6.15.7. Of the whole group surveyed, 70% liked the prospect of award-winning liquor products being available at ALDI Willetton.⁴⁰

6.15.8. 86% said they like the prospect of value-for-money liquor items being available to them at ALDI Willetton with "the weight of sentiment...very much in support of this aspect of the proposed ALDI liquor section."⁴¹

³⁴ PRG report at para 2.3, page 10

³⁵ PRG report at para 2.4, page 11

³⁶ PRG report at para 4.4.2, page 21

³⁷ PRG report at para 4.5.1, page 22

³⁸ PRG report at para 4.5.2, page 23

³⁹ PRG report at para 4.4.1, page 20

⁴⁰ PRG report at para 4.5.3, page 24

⁴¹ PRG report at para 4.5.4, page 24

- 6.15.9. 90% of the total survey sample said they like the prospect of one transaction shopping convenience at ALDI Willetton if the licence is approved.⁴²
- 6.16. The PRG report has been compiled by an extremely experienced expert. Such evidence was found by the Liquor Commission in *ALDI Foods Pty Ltd v Director of Liquor Licensing LC 09/2017 (ALDI Harrisdale)* to be “gold standard”⁴³.

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

- 6.17. ALDI stores generally comprise a total footprint of approximately 2,000m². Some are located within shopping centres, like ALDI Willetton at Southlands Boulevard depicted below, while others are free-standing. The store has been operating for approximately three years.



- 6.18. Consistent with other ALDI stores, the following different parts or areas comprise the ALDI Willetton store, listed in order of size in terms of the approximate portion of the total footprint:
- 6.18.1. Main public retail area (non-liquor) – displaying grocery, other supermarket items, homewares, clothing, furniture, tools and other non-grocery items.
 - 6.18.2. Storage.
 - 6.18.3. Loading dock/delivery area.
 - 6.18.4. Entrance and trolley bay.

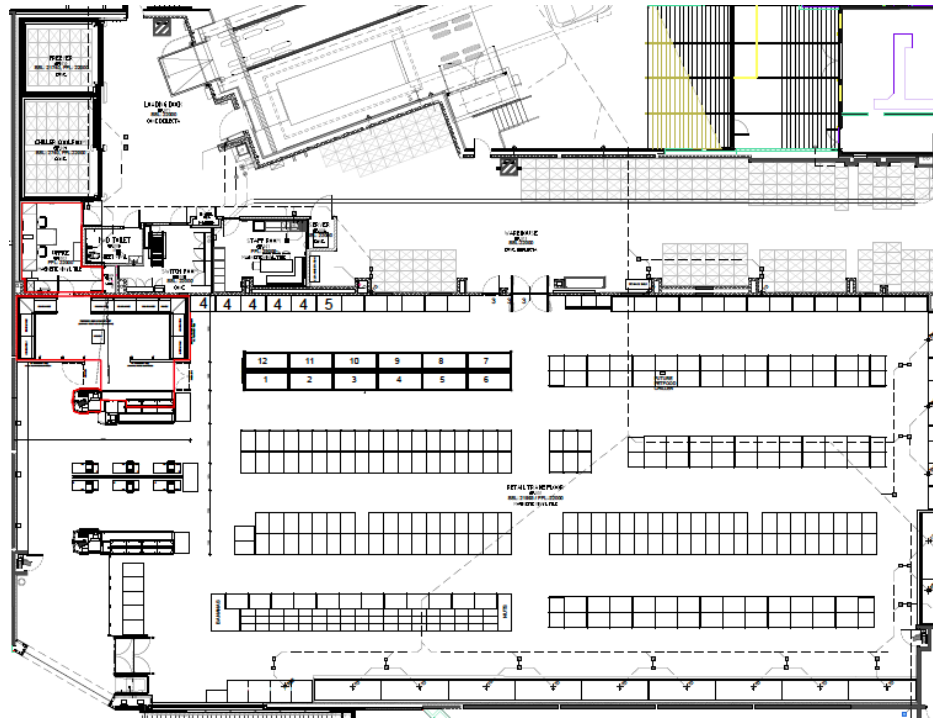
⁴² PRG report at para 4.5.5, page 25

⁴³ Hearing 22 February 2017, transcript at page 45

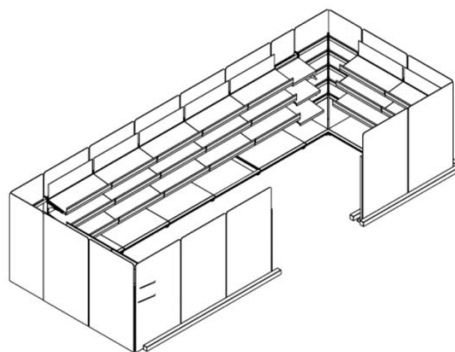
- 6.18.5. Checkout.
- 6.18.6. Office and staff facilities.
- 6.18.7. Liquor display and browse area (- proposed).
- 6.19. The store is supported by the enormous surrounding parking at Southlands Boulevard where there are approximately 800 bays.
- 6.20. ALDI stores are bright, fresh and pleasant shopping environments. The following images depict the smart and crisp appearance that can be found at the ALDI Willetton store:



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



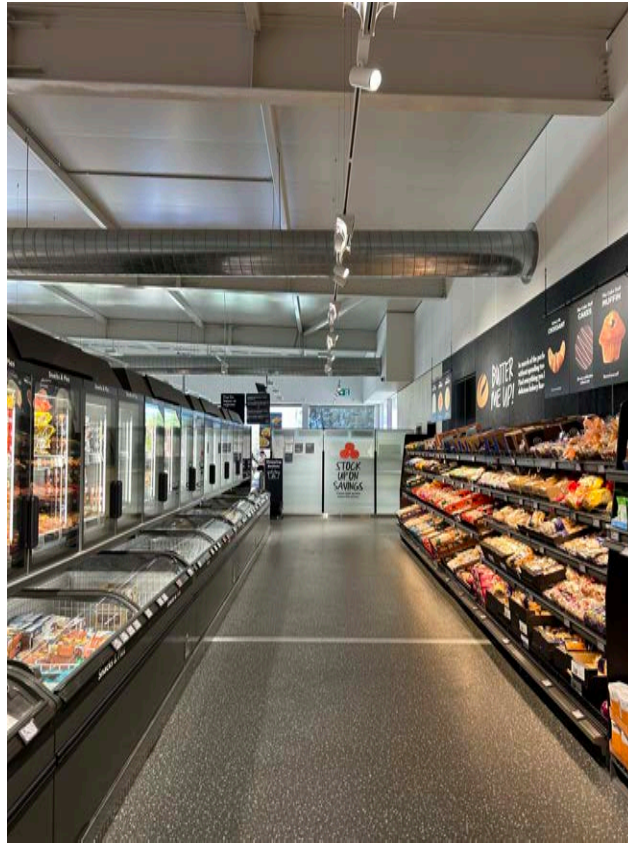
- 6.24. The display/browse space is a simple rectangular shape as depicted in the image above which will be clearly delineated in the same manner as existing ALDI licensed stores. This design is based on many years of experience and enables convenience and a high level of surveillance of the area. The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



- 6.28. The following photograph of the approved liquor section at the ALDI Yanchep store, which is the area behind the frosted glass and the checkout just in front of it, is indicative of what is proposed to be established at Willetton:



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



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



- 6.33. There will be no cool room or other refrigeration in the liquor area. All liquor items will be stocked and sold at room temperature. This unique feature further confirms the intention that the liquor service is genuinely designed to complement the other household items being sold and provide a one-stop-ALDI shop, not an impulse buying service designed to accommodate quick drinking.
- 6.34. As stated previously, the office inside the ALDI Willetton store is proposed to be licensed for the main purpose of storing licensing-related documents including the approved plans, harm minimisation plan, incident register and staff training register. From time to time, the approved manager may be positioned inside the office.
- 6.35. The applicant intends to store liquor in the back-of-house storage area of the ALDI Willetton supermarket and also at the applicant's distribution centre in Jandakot. No sale or supply of the liquor directly to customers will take place from the storage facilities.
- 6.36. Southlands Boulevard, partly pictured below, is a major, two level neighbourhood shopping centre owned and operated by "Home Co.", with 68 tenants ⁴⁴. The DES report identified that it has an "embedded location at the junction of two collector roads in central Willetton. Burrendah Boulevard and Pinetree Gully Road past the centre carry local traffic volumes of up to 6,000 vpd each, while the north-south running Karel Avenue to the west is 15,000-18,000 vpd"⁴⁵.



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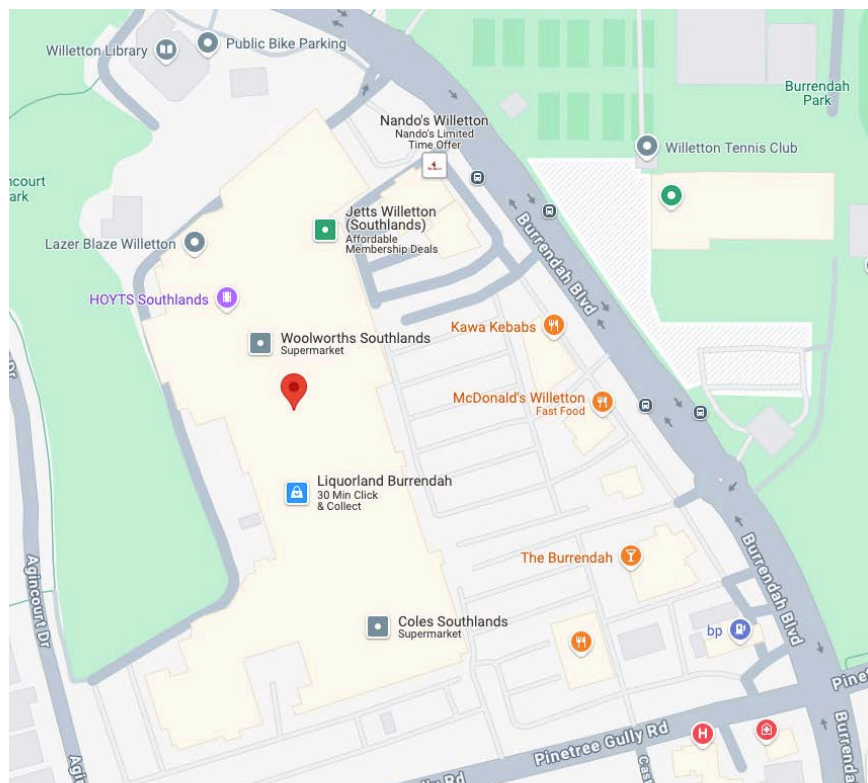
- 6.37. Tenants at Southlands Boulevard, other than ALDI, include Hoyts, Coles, Woolworths, Vodafone and Australia Post. There are also additional, supporting businesses adjoining and neighbouring the site including a BP station, fast food outlets, restaurants and a tavern.

⁴⁴ <https://home-co.com.au/southlands-boulevard/stores>

⁴⁵ At page 1

⁴⁶ <https://www.specialtymallleasing.com/homeco-southlands-boulevard>

- 6.38. The centre has recently been approved for expansion and it is part of the Burrendah Park Landscape Master Plan which has been a significant four-year local government project including "improving access and connectivity" to/from and around Southlands Boulevard⁴⁷. "The \$19 million Willetton Sports Precinct and Burrendah Boulevard upgrade, which incorporates a new community plaza and street-style skate facility, is now complete and open to the public...The City of Canning has invested almost \$8 million into the four-year transformation of the sporting and recreational precinct, which now boasts an integrated skate plaza and forecourt to the Willetton Stadium, street art, murals and state-of-the-art sports lighting...The upgraded adjacent boulevard also provides a pedestrian-friendly road environment for the sports precinct users."⁴⁸ This major development sits alongside Southlands Boulevard and confirms the essential role of the shopping centre as a community facility, intended to cater for current and future community needs.
- 6.39. The following aerial Google Map images depict Southlands Boulevard and part of the immediate surrounding area that includes parts of the community facilities described above. The approximate location of the ALDI Willetton store is indicated by the red balloon in the first of the following two images.



⁴⁷ <https://www.canning.wa.gov.au/about-us/major-projects/willetton-sports-precinct/>

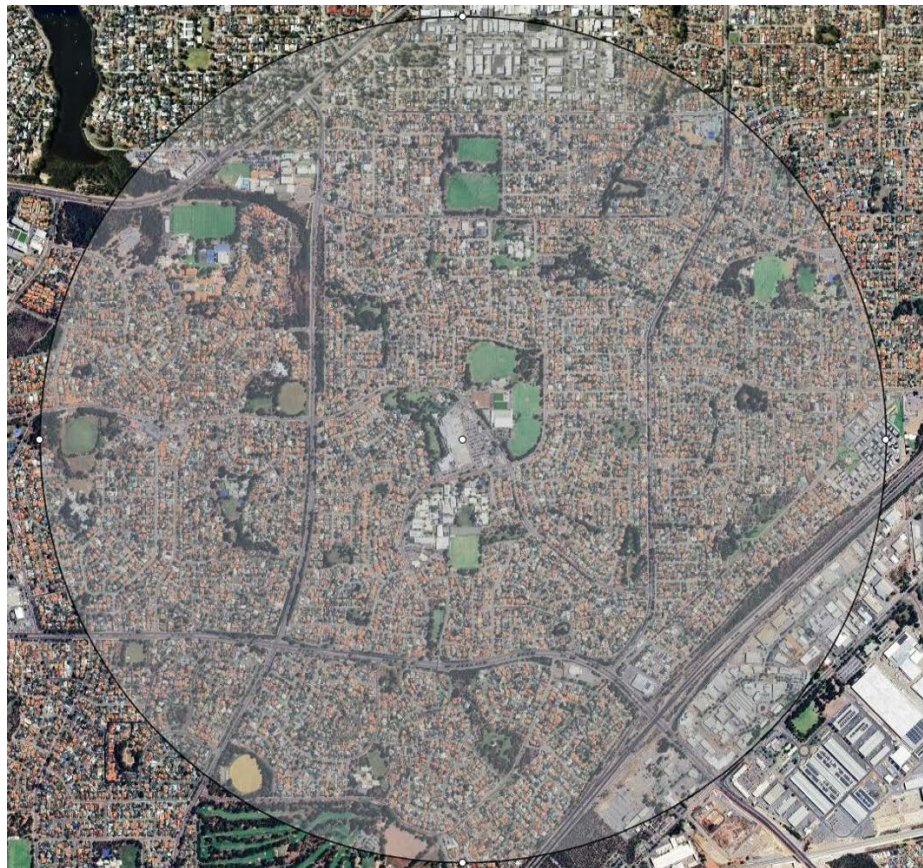
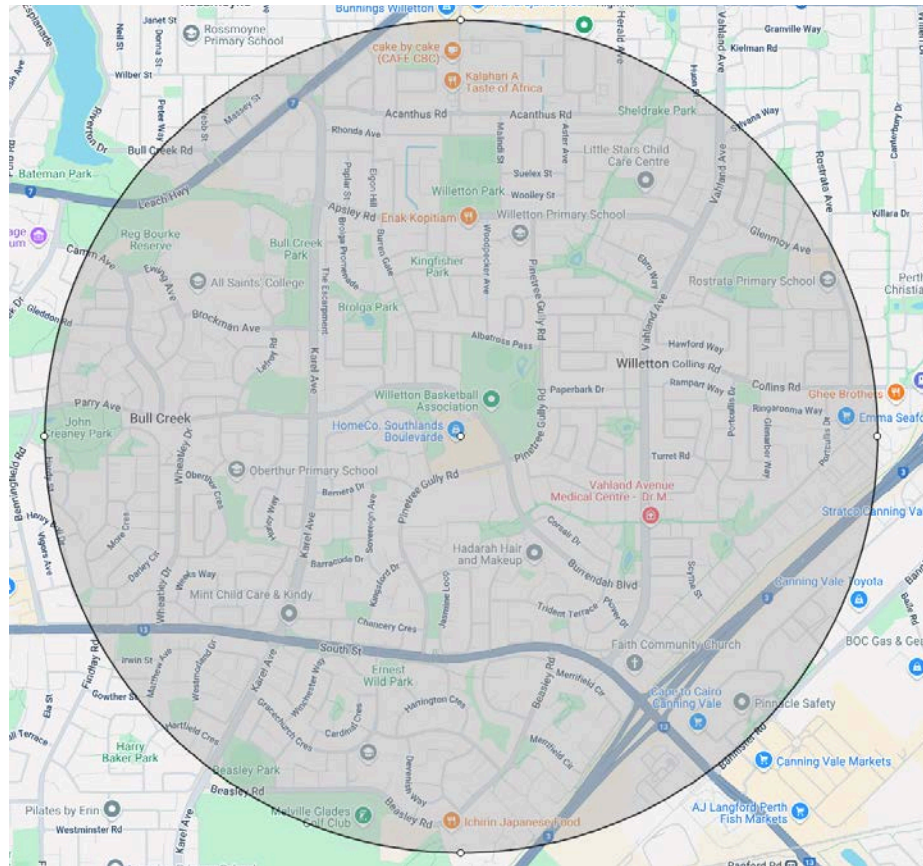
⁴⁸ <https://www.canning.wa.gov.au/about-us/major-projects/willetton-sports-precinct/>



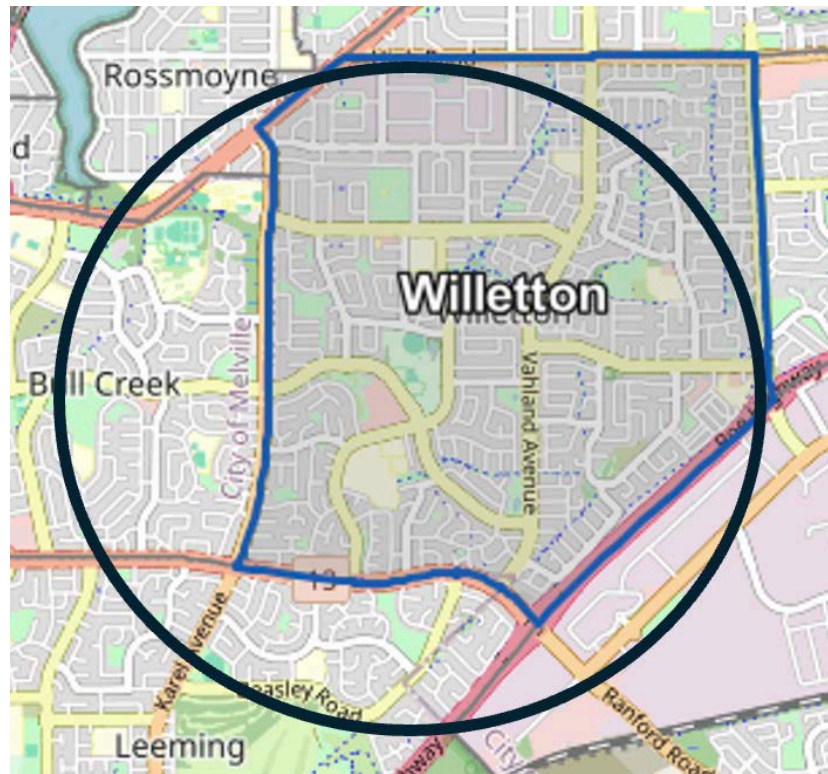
Form 2A: “2.3 If you intend to sell packaged liquor, give the names and addresses of all existing licensed premises within the locality”

- 6.40. To address this point in the Form 2A, it is necessary to firstly identify the relevant locality.
- 6.41. There is no definition of “locality” in the Act.
- 6.42. The ALDI Willetton store is located approximately 11.5km south (and slightly east) of the Perth CBD. In the Form 2A, the Department has suggested that the locality for this case may be a 2km radius around the proposed licensed area given that the premises is located within 15km of the Perth CBD. That area is depicted in the Google Maps images below **(2km locality)**.

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ALDI Willetton



- 6.43. The images above illustrate a highly developed, high density district. They show – particularly the satellite perspective – Southlands Boulevard as the large block shape in the middle of the circles (shaded grey on the satellite image). It is clearly significant infrastructure in the 2km locality both in terms of size and also as being the only facility of its kind for most of the relevant district.
- 6.44. The 2km locality comprises all or parts of the suburbs of Willetton, Canning Vale, Leeming, Bull Creek and Rossmoyne, as depicted in the following map⁴⁹:



- 6.45. Willetton is a large suburb. Almost the whole of Willetton is captured within the radius and most of the 2km locality area is covered by Willetton. Nearly half of the suburb of Bull Creek falls within the 2km locality. Only a small portion of Leeming is within the radius and only tiny pockets of Canning Vale and Rossmoyne.
- 6.46. Statistical information pertaining to the suburbs of Leeming, Canning Vale and Rossmoyne have been excluded from this PIA. This is because those statistics are not regarded as genuinely representative of the 2km locality because of the very minor applicability of those suburbs and therefore, including those statistics would distort the overall picture of the 2km locality.
- 6.47. “[T]he word ‘locality’ in s 36B denotes an area that surrounds, and is geographically close to, the location of the proposed premises”⁵⁰.

⁴⁹ Suburb map obtained from the Australian Bureau of Statistics (ABS) (<https://www.abs.gov.au/census/find-census-data/search-by-area>) and overlayed with the black 2km radius

⁵⁰ *Liquorland (Australia) Pty Ltd v Director of Liquor Licensing* [2021] WASC 366 (**Liquorland Karrinyup**) [181] (Archer J); confirmed in *Liquorland Southern River* [62] (Lemonis)

- 6.48. "Given the context and purpose of s 36B, the word 'locality' is intended to connote the same concept of neighbourhood. I consider that, in this context, it means the geographical area surrounding the proposed site. Section 36B seeks to add an additional hurdle before a licence may be granted under which packaged liquor can be sold. It seeks to ensure that there are not multiple premises in close proximity to one another selling packaged liquor."⁵¹
- 6.49. "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'"⁵².
- 6.50. The 2km locality in this case straddles two local government areas, being the Cities of Canning and Melville and includes substantial road infrastructure.
- 6.51. "[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."⁵³
- 6.52. "What constitutes a 'locality' relates to the geographical area surrounding, and what is relatively close to, the proposed site"⁵⁴.
- 6.53. "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"⁵⁵.
- 6.54. "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".⁵⁶

⁵¹ *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)

⁵² *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)

⁵³ *Liquorland Karrinyup* [186] (Archer J); confirmed in *Liquorland Southern River* [62] (Lemonis)

⁵⁴ *JB Foods Pty Ltd v Commissioner of Police* [2022] WASC 352 [14] (Smith J); *Liquorland Karrinyup* [186] and [190] (Archer J)

⁵⁵ *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]

⁵⁶ *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]

- 6.55. For the purposes of section 36B of the Act and having regard to the findings of the Court in Liquorland Karrinyup, upheld in Liquorland Southern River, the applicant submits that the relevant locality in this case is the portion of the suburb of Willetton that falls within the 2km locality⁵⁷ (**s36B locality**), for the following reasons:
- 6.55.1. The suburb of Willetton is “an area that surrounds and is geographically close to the location of the proposed premises”⁵⁸ which are the key criteria.
 - 6.55.2. Willetton is the local neighbourhood⁵⁹.
 - 6.55.3. The applicant's site is enveloped by Willetton.
 - 6.55.4. Willetton is a large suburb which itself covers the majority of the 2km locality.
 - 6.55.5. Willetton and the proposed s36B locality are bounded by significant delineating features including:
 - 6.55.5.1. Roe Highway
 - 6.55.5.2. Karel Avenue
 - 6.55.5.3. City of Melville/City of Canning border
 - 6.55.5.4. Leach Highway
 - 6.55.5.5. High Road
 - 6.55.5.6. South Street
 - 6.55.6. The ALDI liquor display and browse area will be a tiny space within Southlands Boulevard, with no visibility whatsoever external to the ALDI store. In fact, the liquor section will only be visible from well within the ALDI Willetton supermarket. When Southlands Boulevard is considered in the context of the suburb of Willetton, 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 suburb of Willetton.
- 6.56. To clarify, the proposed s36B locality is the area outlined in pink in the map to the right, which also shows the boundary of the suburb of Willetton in blue and the 2km locality radius as the black circle.



⁵⁷ Excluding the tiny portion that is outside the 2km locality

⁵⁸ Liquorland Karrinyup [181] (Archer J)

⁵⁹ Liquorland Karrinyup [182, for example] (Archer J)

- 6.57. The Real Estate Institute of Western Australia has described Willetton as “a relaxed southern suburb of Perth bound by Leach Highway to the north and Roe Highway in the south. It was first settled in the 1830s, but it wasn't until the late 1960s and 1970s that the suburb experienced genuine growth. Since that time, Willetton has evolved into a thriving suburb with an industrial sector in its north and some commercial land use throughout, which in 2019 was number one in The West Australian's list of WA's top 50 schools.... Willetton has numerous commercial and recreational facilities within its boundaries. Southlands Boulevard Shopping Centre is a dominant fixture of Willetton and features [three] supermarkets, a cinema, food court and numerous retail outlets. There is also a basketball stadium, cricket club and upwards of 18 public parks. Local schools include Willetton Primary School and Willetton Senior High School”⁶⁰
- 6.58. The applicant's site and the s36B locality are situated within the City of Canning local government area.
- 6.59. “The City of Canning has a strong economy that contributes approximately \$11.87 billion and provides over 74,000 jobs. Canning's economy is one of the highest performing local economies in Western Australia, and that looks set to continue. The City is forecasted to have growth in population, employment, businesses, and gross regional product.”⁶¹
- 6.60. The applicant has carefully considered both the 2km locality and s36B locality, as referred to throughout this PIA and the accompanying Legal Submissions.
- 6.61. As directed by the Department⁶², the applicant has applied a “common-sense approach”⁶³ to the submissions contained within this PIA in relation to assessing the locality. In this context, the applicant has had regard for the decision in Liquorland Karrinyup and the fact that the 2km locality and s36B locality are both very established and presumably the licensing authority is properly familiar with them and so only pertinent locality material has been included in this document⁶⁴.
- 6.62. As required by the Form 2A, the applicant provides the following “names and addresses of all existing licensed premises within the [s36B] locality”⁶⁵.
- 6.62.1. Burrendah Tavern, cnr Pinetree Gully Road and Burrendah Boulevard, Willetton
 - 6.62.2. Liquor Barons Willetton, Shops 6 and 7, 61 Apsley Road, Willetton
 - 6.62.3. Liquorland Burrendah, 78 Pine Tree Gully Road, Willetton
 - 6.62.4. Rostrata Liquor, 46-48 Rostrata Avenue, Willetton

⁶⁰ <https://reiwa.com.au/suburb/willetton/>

⁶¹ <https://www.canning.wa.gov.au/about-us/about-the-area/city-profile/>

⁶² Form 2A and at <https://www.dlgsc.wa.gov.au/departments/publications/publication/public-interest-assessment>

⁶³ Form 2A page 2

⁶⁴ Further detailed information and supporting documents can be provided if required, upon request

⁶⁵ Based on information published by the Department as at 20 May 2025:

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

- 6.62.5. Kalahari A Taste of Africa, Unit 3, 27 Augusta Street, Willetton (liquor store licence)
- 6.62.6. Willetton Bowling Club Inc, Burrendah Boulevard, Willetton
- 6.62.7. Nando's Willetton, Unit 1, 39 Burrendah Boulevard, Willetton
- 6.62.8. Willetton Men's Softball Association Inc, Willetton Reserve, Donald Street, Willetton
- 6.62.9. Willetton Basketball Association Inc, Willetton Basketball Stadium, Lot 532 Burrendah Boulevard, Willetton
- 6.62.10. Willetton Premier Cricket Club Inc, 67 Pinetree Gully Road, Willetton
- 6.62.11. Willetton Football Club Inc, Willetton Sports Club (Burrendah Sports Lounge), 67 Pinetree Gully Road, Willetton
- 6.62.12. Willetton Baseball Club Inc, Willetton Reserve Pavilion, Apsley Road, Willetton
- 6.62.13. Kalahari A Taste of Africa, Unit 3, 27 Augusta Street, Willetton (restaurant licence)
- 6.62.14. Hansik Restaurant, Shop 4, 7 Woodpecker Avenue, Willetton
- 6.62.15. Cake by Cake, Unit 1, 13 Augusta Street, Willetton
- 6.62.16. Sura Restaurant Willetton, Unit 2, 27 Augusta Street, Willetton
- 6.62.17. Hoyts Southlands, 45 Burrendah Boulevard, Willetton
- 6.62.18. Vinous Matters Distribution Pty Ltd, 11 Plover Drive, Willetton
- 6.62.19. Aetheon Brewing Co, 70 Rhonda Avenue, Willetton
- 6.62.20. Willetton Sports and Community Centre Club Room, 67 Pinetree Gully Road, Willetton
- 6.62.21. Rostrata Sporting Club Inc, Prendwick Park, 30 Prendwick Way, Willetton
- 6.63. Additional information and submissions regarding the five "packaged liquor premises"⁶⁶ listed above are provided further on in this document.
- 6.64. Beyond the s36B locality, are the following existing licensed premises which are all located almost 2km away from the proposed ALDI packaged liquor premises, on the periphery of the 2km locality:
 - 6.64.1. Parry Cellars, Shop 8, 110 Parry Avenue, Bull Creek
 - 6.64.2. Canning Vale Indoor Beach Volleyball, 96 Catalano Circuit, Canning Vale
 - 6.64.3. Bannister Brewing Co, 4/87-89 Catalano Circuit, Canning Vale
 - 6.64.4. Melville Glades Golf Club Inc, Beasley Road, Leeming

⁶⁶ Section 36B of the Act

- 6.64.5. Bullcreek Leeming Amateur Football Club Inc, Beasley Reserve Clubrooms, Beasley Road, Leeming
- 6.64.6. Westons Australia, 36 Winchester Way, Leeming
- 6.64.7. UFO Star Station, Unit 7, 113 High Road, Willetton (suspended)

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 2021 ABS Census, 19,262 people were recorded as living in Willetton⁶⁷ and therefore, the s36B locality. This was an increase of 1,075 (5.9%) people on the previous 2016 Census⁶⁸. Residents also matured with the average age of people living in Willetton increasing during that reporting period from 39 to 40.
- 7.2. 8,030 people were recorded as living in Bull Creek at the 2021 Census⁶⁹, being an increase of 284 (3.6%) since the 2016 Census⁷⁰. As referred to earlier in this PIA, nearly half of the suburb of Bull Creek falls within the 2km locality.
- 7.3. Therefore, approximately 25,000 people live in the 2km locality.
- 7.4. Not only has the population grown in the area in recent years, but so too the property market which has most recently been reported as enjoying 26.1% in sales growth⁷¹ and currently has a handsome median house price of \$1.25 million⁷².
- 7.5. The DES report identified a large pedestrian traffic count of 4.4 million at Southlands Boulevard⁷³, being higher than the next two nearest shopping centres⁷⁴. This indicates that Southlands Boulevard is drawing a sizeable catchment.
- 7.6. As stated previously, the applicant's premises is located within the City of Canning.



⁶⁷ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51612>

⁶⁸ <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC51595>

⁶⁹ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50201>

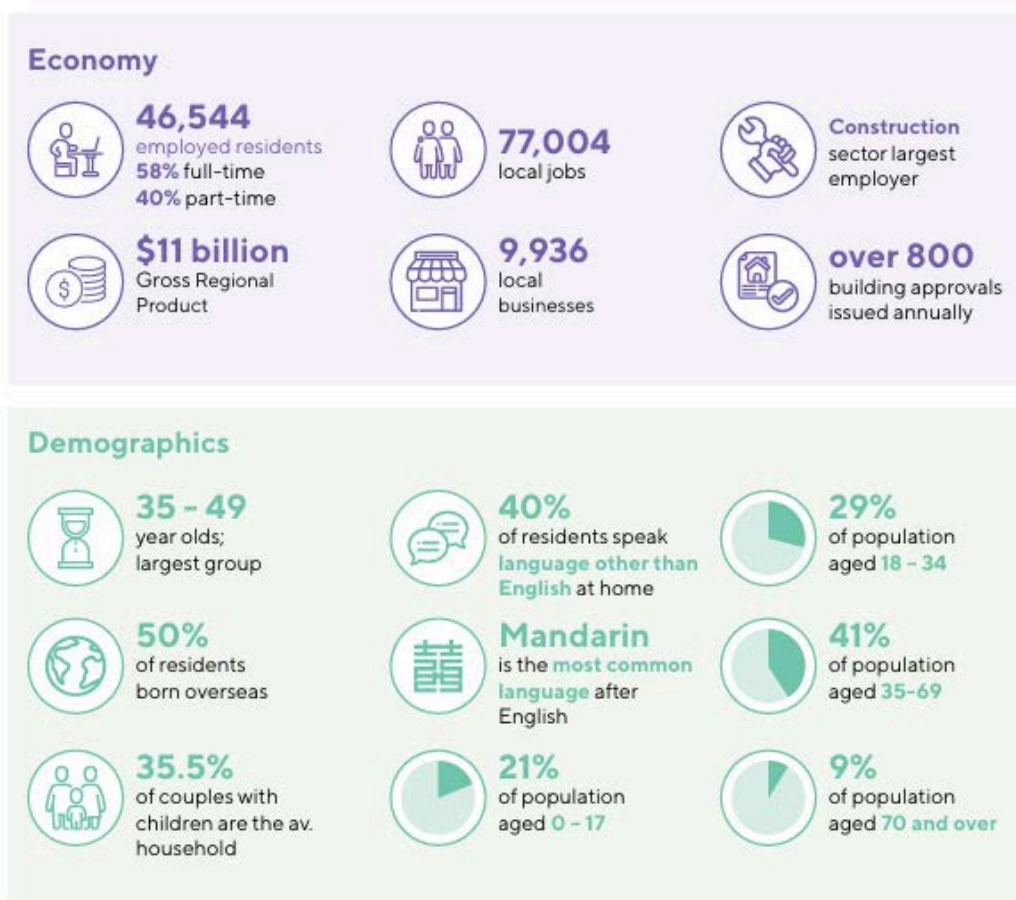
⁷⁰ <https://www.abs.gov.au/census/find-census-data/quickstats/2016/SSC50201>

⁷¹ <https://reiwa.com.au/suburb/willetton/>

⁷² For the 12 month period ending April 2025: <https://reiwa.com.au/suburb/willetton/>

⁷³ Presumably the annual average, but not so stated

⁷⁴ DES report at page 3



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- 7.7. "The City of Canning Estimated Resident Population for 2024 is 106,944, with a population density of 1,647 persons per square km"⁷⁶.
- 7.8. The average person living in Willetton and the s36B locality, statistically speaking based on ABS Census data from 2021⁷⁷ can be described as follows:
- 7.8.1. female, aged 40,
 - 7.8.2. married and living as a couple with children,
 - 7.8.3. with at least a bachelor degree level of education, or higher,
 - 7.8.4. born in Australia, with English-speaking ancestry, although the top response to ancestry is "Chinese",
 - 7.8.5. speaking only English at home,
 - 7.8.6. of no religious affiliation,
 - 7.8.7. in the labour force, working full-time in an occupation within the category of "professionals"

⁷⁵ City of Canning 2021 2031 Strategic Community Plan, at page 10: <https://www.canning.wa.gov.au/about-us/strategies-and-plans/strategic-plans/> (copy available upon request, if required)

⁷⁶ <https://profile.id.com.au/canning>

⁷⁷ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51612>

- 7.8.8. earning family and household incomes well above State averages, although the personal income is below and
- 7.8.9. suffering no long-term health condition.
- 7.9. Similarly, the average person living in Bull Creek, statistically speaking based on ABS Census data from 2021⁷⁸, can be described in almost the same manner.
- 7.10. The ABS data indicates a high level of Asian ancestry among residents with high percentages of residents born in Asian countries and high percentages of local residents speaking an Asian language at home.
- 7.11. The following further resident profile characteristics have been identified for people living in Willetton⁷⁹:
 - 7.11.1. Approximately 30.2% of the population is aged 19 and under.
 - 7.11.2. Approximately 2.7% of the population is aged 80 and over.
 - 7.11.3. Approximately 0.4% of the population identified their indigenous status as being Aboriginal.
 - 7.11.4. Approximately 46% of households use a non-English language which is most likely Mandarin.
 - 7.11.5. Approximately 5.9% identified as being unemployed, which is higher than the State and national figure of 5.1%
- 7.12. People living in the City of Canning enjoy positive socio-economic conditions, that are higher than the average in the State. Out of a list of 140 local government areas, including WA as a whole and with number 1 as the highest/best rated area, the City of Canning ranked at a very respectful 39⁸⁰.
- 7.13. Further details of the nature and characteristics of the local community are provided elsewhere in this PIA.

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

- 7.14. As required by the Form 2A, the applicant provides names and addresses for the following identified to be operating in the 2km locality:
 - 7.14.1. Schools and educational institutions:
 - 7.14.1.1. Willetton Primary School, 14 Woodpecker Avenue, Willetton
 - 7.14.1.2. Orana Catholic Primary School, Querrin Avenue & Vahland Avenue, Willetton
 - 7.14.1.3. 3E Learning, 25B Gympie Way, Willetton

⁷⁸ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50201>

⁷⁹ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51612>

⁸⁰ <https://profile.id.com.au/wapl/seifa-disadvantage> and see attached Index of Relative Socio-economic Disadvantage list of Local Government Areas in Western Australia, 2021

- 7.14.1.4. Early Birds Pre-Kindy, Rostrata Family Centre, Prendwick Way, Willetton
- 7.14.1.5. Rostrata Primary School, Rostrata venue, Willetton
- 7.14.1.6. Willetton Senior High School, 120 Pinetree Gully Road, Willetton
- 7.14.1.7. Burrendah Primary School, Castlereagh, Close, Willetton
- 7.14.1.8. Castlereagh School, 21 Castlereagh Close, Willetton
- 7.14.1.9. Banksia Park Primary School, 13 Hicks Street, Leeming
- 7.14.1.10. Bull Creek Primary School, 32 Hardy Street, Bull Creek
- 7.14.1.11. Oberthur Primary School, 21 Nicholls Crescent, Bull Creek
- 7.14.1.12. All Saints' College, 28 Ewing Avenue, Bull Creek
- 7.14.1.13. Rossmoyne Senior High School, Keith Road, Rossmoyne
- 7.14.2. Hospitals: none identified.
- 7.14.3. Hospices: none identified.
- 7.14.4. Aged care facilities:
 - 7.14.4.1. Pearl Home Care – Perth South, 2/73 Pinetree Gully Road, Willetton
 - 7.14.4.2. Chung Wah Community Care, 58 Burrendah Boulevard, Willetton
 - 7.14.4.3. Amana Living – Lefroy Care Centre, Bull Creek
 - 7.14.4.4. Rossmoyne Adventist Retirement Village, 31 Webb Street, Rossmoyne
 - 7.14.4.5. Rossmoyne Waters, 31 Webb Street, Rossmoyne
- 7.14.5. Churches/places of worship:
 - 7.14.5.1. Heart for the City Church Southside, Burrendah Boulevard, Willetton
 - 7.14.5.2. St John & St Paul Catholic Parish Willetton, 5 Ingham Court, Willetton
 - 7.14.5.3. Brethren, Leeming
 - 7.14.5.4. Faith Community Church, 1 Todtiana Close, Willetton
 - 7.14.5.5. Perth Bread of Life Christian Church, 7/83 Catalano Circuit, Canning Vale
 - 7.14.5.6. Three Crosses Church, Gloucester Court, Willetton
 - 7.14.5.7. Willetton Christian Church, 1-9 Gloucester Court, Willetton
 - 7.14.5.8. Lifestreams Christian Church Bull Creek

- 7.14.5.9. Grace Methodist Church in Perth
- 7.14.5.10. 3 Woodthorpe Drive, Willetton
- 7.14.5.11. Carmel Bible-Presbyterin Church, 4/9 Yampi Way, Willetton
- 7.14.5.12. RCCG Living Spring Assembly, 5/28 Gympie Way, Willetton
- 7.14.5.13. Liberty Life Centre, Unit 1, 16 Roxby Lane, Willetton
- 7.14.5.14. The Potters House Community Centre – Willetton, 23 Augusta Street, Willetton
- 7.14.5.15. Zion Praise Harvest, 15 Augusta Street, Willetton
- 7.14.6. Drug and alcohol treatment centres: no specialist centres identified.
- 7.14.7. Short term accommodation or refuges: none identified other than hotel type accommodation open to the general public.
- 7.14.8. Childcare centres:
 - 7.14.8.1. Willetton Child Care Centre, Burrendah Boulevard, Willetton
 - 7.14.8.2. Willetton Family Day Care, 25B Agincourt Drive, Willetton
 - 7.14.8.3. Purnima Sharma Family Daycare Willetton, 18 Salacia Mews, Willetton
 - 7.14.8.4. Roopa Family Day Care, 35 Ragamuffin Terrace, Willetton
 - 7.14.8.5. 7 Shiny Stars Family Day Care, Willetton
 - 7.14.8.6. Cubby House Family Day Care, 2 Dory Place, Willetton
 - 7.14.8.7. Rostrata Family Day Care, 3 Dirk Place, Willetton
 - 7.14.8.8. Smart Start Montessori Based Child Care Centre Willetton, 9 Woodthorpe Drive, Willetton
 - 7.14.8.9. Little Stars Child Care Centre, 1 Querrin Avenue, Willetton
 - 7.14.8.10. Mint Child Care & Kindy, 37 Chancery Crescent, Willetton
 - 7.14.8.11. Latha Family Day Care, 7 Wethered Street, Leeming
 - 7.14.8.12. Leeming Out of School Care Centre, 25 Nicholls Crescent, Bull Creek
 - 7.14.8.13. Crayon House Child Care, 115 Parry Avenue, Bull Creek
- 7.14.9. Local government: As referred to previously in this document, the site and s36B locality are within the City of Canning, which is the applicable local government authority. Its Administration Centre is located at 1317 Albany Highway, Cannington, approximately 6.5km away. The 2km locality straddles the City of Melville. Its Administration Centre is located at 10 Almondbury Road, Booragoon, approximately 5.2km away

- 7.15. The nearest residence is understood to be approximately 150m away from the proposed licensed area, as a straight-line distance. The ALDI Willetton liquor section will be much further in terms of walking or driving distance and not visible, nor directly accessible, from any residence.

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

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

- 8.1. Risk management and harm minimisation from the sale and supply of liquor are not only very familiar subjects to ALDI but are prominent considerations and given priority in operational policies. ALDI has been successfully implementing measures that minimise harm and ill-health at its large number of existing liquor outlets for many years. Its liquor store model has been much tried and tested and proven to be entirely positive.
- 8.2. The applicant has had regard for harm and ill-health factors potentially associated with the new liquor licence, with reference to its trading history. The applicant has an excellent trading record in terms of compliance and is not aware of any of its licences causing harm or ill-health.
- 8.3. Any potential negative impact of the licence should be considered in light of the low risk features of the ALDI liquor model, which are described throughout this PIA. This proposition is supported by the following finding of the Liquor Commission in ALDI Harrisdale⁸¹ which involved virtually the same proposal.
- “There is nothing to suggest that the granting of the licence will result in an increase in harm and ill-health. The small size of the proposed premises, the nature of its operation and the limited number of products are significant factors in reaching this conclusion.”
- 8.4. No part of the proposed licensed area will be visible in any way from the churches, schools, hospitals and day care centres etc within the 2km locality which have been identified earlier on in this PIA. In fact, no part of the ALDI store is visible from those places or any other sensitive organisation. The liquor section will only be visible from within the ALDI supermarket.
- 8.5. The applicant has sought to identify current information regarding alcohol related hospitalisations and deaths associated with the 2km locality, but none could be identified from published material. 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.”⁸²

⁸¹ ALDI Harrisdale [38(b)]

⁸² 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

- 8.6. 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 currently occurring at some level in the 2km locality.
- 8.7. The applicant acknowledges that alcohol-related hospitalisations and deaths have occurred in the 2km locality⁸³ and may occur in the future. A survey of City of Canning residents in 2017 revealed "harmful alcohol use" as one of the top 5 health risk factors rated most important.⁸⁴
- 8.8. Positively, between January 2013 and December 2016, a smaller percentage of City of Canning residents, compared to WA, were recorded as drinking at high risk levels⁸⁵.
- 8.9. The City of Canning's most recent Public Health Plan Annual Report⁸⁶, has been considered and also the City's original plan: An Integrated Public Health Plan 2019-2023⁸⁷. Nothing arises in those publications which affects the application.
- 8.10. The most recent ABS data has revealed no specific alcohol-related health condition associated with local residents. The large majority (66.8%) of residents in the 2km locality reported at the 2021 Census that they have no long-term health condition, which is higher/better than the State and national figures⁸⁸. It is acknowledged that a small percentage of people did indicate that they experience some long-term health condition⁸⁹. The most common long-term health condition reported by residents was arthritis which is not commonly known to be associated with liquor consumption.
- 8.11. "New data from Roy Morgan's Alcohol Consumption Report shows the proportion of Australians who drink alcohol dropped by 1.8 percentage points to 67.9 per cent in the 12 months to June 2022"⁹⁰.
- 8.12. 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)"⁹¹ 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

⁸³ City of Canning - An Integrated Public Health Plan 2019-2023 at page 31 (copy available upon request if required and at this link: <https://www.canning.wa.gov.au/about-us/strategies-and-plans/public-health-plan/>)

⁸⁴ City of Canning - An Integrated Public Health Plan 2019-2023 at page 15 (copy available upon request if required and at this link: <https://www.canning.wa.gov.au/about-us/strategies-and-plans/public-health-plan/>)

⁸⁵ City of Canning - An Integrated Public Health Plan 2019-2023 at page 27 (copy available upon request if required and at this link: <https://www.canning.wa.gov.au/about-us/strategies-and-plans/public-health-plan/>)

⁸⁶ 2023-2024

⁸⁷ Copies available upon request if required and at this link: <https://www.canning.wa.gov.au/about-us/strategies-and-plans/public-health-plan/>

⁸⁸ Being the combined average for Willetton and Bull Creek: <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51612> (Willetton) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50201> (Bull Creek)

⁸⁹ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51612> (Willetton) and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50201> (Bull Creek)

⁹⁰ <https://theshout.com.au/australian-alcohol-consumption-declines-rtd-consumption-at-record-high/>

⁹¹ <https://www.roymorgan.com/findings/9153-alcohol-consumption-march-2023>

- 8.13. ALDI has factored advertising and promotion into its harm minimisation strategies. Flamboyant and highly suggestive advertising posters, encouraging or even suggesting rapid, excessive or juvenile drinking are not displayed in association with ALDI's liquor service. Nor does ALDI advertise discount liquor prices for certain periods. This is because traditional, ad hoc sales may encourage customers to purchase more liquor than they otherwise would have for fear of missing out on the deal.
- 8.14. Placing a heavy focus on staff is another key strategy to ensuring policies and practices are implemented and laws are complied with.
- 8.15. ALDI operates pursuant to a highly evolved and sophisticated corporate structure and hierarchy whereby staff at each level are entrusted with an advanced degree of responsibility and are provided with extensive and comprehensive training and support.
- 8.16. 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:
- 8.16.1. "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."⁹²
- 8.16.2. "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."⁹³
- 8.16.3. "We offer diverse and cross-functional career pathways. We also value internal promotions with over 70% of our leaders promoted internally."⁹⁴
- 8.16.4. "ALDI Australia has taken top spot in the Australian Business Award's – Employer of Choice 2020"⁹⁵.
- 8.16.5. ALDI has been awarded Retail Employer of the Year at the eftpos Australian Retail Association Awards (**ARA**).

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

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

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⁹² <https://www.aldicareers.com.au/>

⁹³ <https://aldiaustralia-1481176-en-au.sr-atrax.com/benefits-that-matter>

⁹⁴ <https://aldiaustralia-1481176-en-au.sr-atrax.com/benefits-that-matter>

⁹⁵ <https://www.aldiunpacked.com.au/aldi-australia-is-recognised-as-an-employer-of-choice/>

⁹⁶ <https://insidemcg.com.au/2018/10/19/aldi-awarded-ara-employer-of-the-year/>

- 8.16.6. Every ALDI staff member is required to undertake detailed internal training and an induction programme, which will certainly apply for staff at the ALDI Willetton store. This involves education on a wide variety of facets of the business and includes liquor product knowledge and responsible service. To help ensure high standards are achieved at all times, all ALDI staff are employed on a permanent basis.
- 8.16.7. The applicant will ensure all staff at the ALDI Willetton store are properly trained as to their responsibilities under the Act, the licensing authority's policies, ALDI policies and procedures, matters of safety and all other laws and regulations applicable to the proper conduct of the business.
- 8.16.8. 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.
- 8.16.9. 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.
- 8.16.10. PRG found that only 1% to 2% [of people surveyed] believe that they could come to some harm or experience some inconvenience or annoyance should the liquor section be established⁹⁷.
- 8.17. 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:
- 8.17.1. "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."⁹⁸
- 8.17.2. "Seventy-eight percent of consumers are prioritising value for money when shopping..."⁹⁹

⁹⁷ PRG report at para 2.2.1, page 9

⁹⁸ <https://www.macrobusiness.com.au/2021/03/the-rise-and-rise-of-aldi/>

⁹⁹ <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/>

- 8.17.3. "Almost 9 in 10 (86%) of the total ALDI shopper sample liked this aspect of the proposed Willetton ALDI liquor section...the weight of sentiment is very much in support of this aspect of the proposed ALDI liquor section."¹⁰⁰
- 8.18. The ALDI liquor model clearly presents with a number of low risk elements, all of which have been proven to be successful in many of its stores in other locations given ALDI's excellent trading record.
- 8.19. As referred to previously, the liquor section will be positioned away from the entrance to the supermarket, tucked-away in the corner of the store, surrounded by opaque barricading making it substantially separate and discrete. Shoppers could choose to avoid the liquor section if they so wished. The layout of the supermarket and checkouts enables any shopper to work their way through the supermarket with barely noticing the liquor component, if at all and not needing to cross through it or near it.
- 8.20. To summarise and reiterate, the following are the key harm and risk minimising features of the ALDI Willetton liquor proposal:
- 8.20.1. Its small size
 - 8.20.2. The bright, open-plan layout
 - 8.20.3. The absence of refrigeration to help avoid impulse buying and impulse drinking. The absence of a walk-in coolroom also enhances surveillance.
 - 8.20.4. The limited stock range and volume.
 - 8.20.5. The absence of an online delivery service
 - 8.20.6. The absence of bulk quantities of cheap mainstream products.
 - 8.20.7. Reduced trading hours – significantly less than permitted under the Act and less than the usual trading hours of most other liquor stores.
 - 8.20.8. 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.
 - 8.20.9. The restricted visibility of and into the liquor section.
 - 8.20.10. 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.
 - 8.20.11. The limited and controlled nature of product pricing.
 - 8.20.12. The lack of signage external to the store advertising discounted liquor products.

¹⁰⁰ PRG report at para 4.5.4, page 24

- 8.20.13. The highly experienced and reputable operator.
- 8.20.14. The high level of staff training.
- 8.21. Importantly also, there will be none of the following:
 - 8.21.1. Prominent external advertising of liquor products and their prices.
 - 8.21.2. Products, advertising or promotional materials designed to entice juveniles.
 - 8.21.3. Large volumes of cheap bulk products displayed.
 - 8.21.4. Volumes of liquor products refrigerated and ready-to-drink.
 - 8.21.5. Energy drinks stocked in the liquor display/browsing area.
- 8.22. 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.
 - 8.22.1. The store layout will enable juveniles to totally avoid going near the liquor section.
 - 8.22.2. 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.
 - 8.22.3. No liquor will be sold or supplied to juveniles or anyone who is suspected of trying to obtain liquor for a juvenile.
 - 8.22.4. ALDI has adopted an "ID Under 25" policy. Staff at ALDI Willetton 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.
 - 8.22.5. 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.
 - 8.22.6. Juveniles observed to be loitering near the liquor block will be asked to move on and no juveniles will be permitted in the licensed area unless accompanied by a responsible adult. The applicant has not experienced notable issues of this kind at its existing stores.
 - 8.22.7. Lollies and other items commonly known to attract the attention of juveniles will not be stocked in the liquor display/browse area.
 - 8.22.8. The liquor display and browse area will have limited line-of-sight such that visibility into that area will be restricted.

- 8.22.9. The liquor area will be subject to a high level of surveillance and security from the associated checkout.
- 8.22.10. Unaccompanied juveniles who may be in the supermarket from time to time will be directed to a non-licensed checkout to make their purchase.
- 8.23. A clear example to confirm ALDI's high standards in its liquor service is when the company came under scrutiny from the public for the strictness of its approach to liquor and juveniles. Some ALDI stores in New South Wales have refused service to adults because staff have witnessed a juvenile merely touching the liquor items, even where they have touched the items simply to stop them from falling over in a trolley.¹⁰¹
- 8.24. 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 section¹⁰².



¹⁰¹ <https://www.news.com.au/finance/business/retail/aldis-strict-underage-alcohol-policing-leaves-shoppers-high-and-dry/news-story/c7beaa2c4b8e1f0345b3545c98c7789c>

¹⁰² Faces redacted for privacy

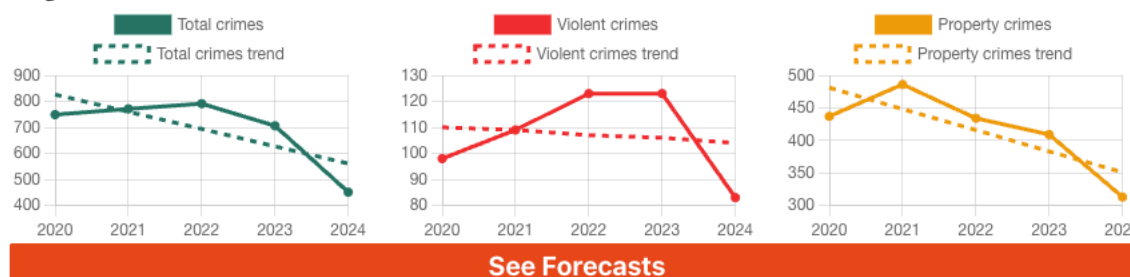
- 8.25. Every effort will be made by the applicant to conduct business under the new licence in a manner that minimises the potential for harm or ill-health to occur as a result of the liquor store licence operating at the Willetton store.
- 8.26. The applicant is an upstanding corporate citizen which 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 Willetton is successful in all respects, including genuinely minimising harm and successfully managing risks.
- 8.27. The applicant has identified the issue of crime in terms of harm factors applicable to the 2km locality. The following information has been considered¹⁰³. This general police data may possibly assist in assessing very broadly and generally criminal offence activity in the area.

Crime rate in Willetton, WA, Australia, 6155 Suburb in Canning

Crime Rank: 10/100
(higher number means more crime)



5 year Willetton crime trends



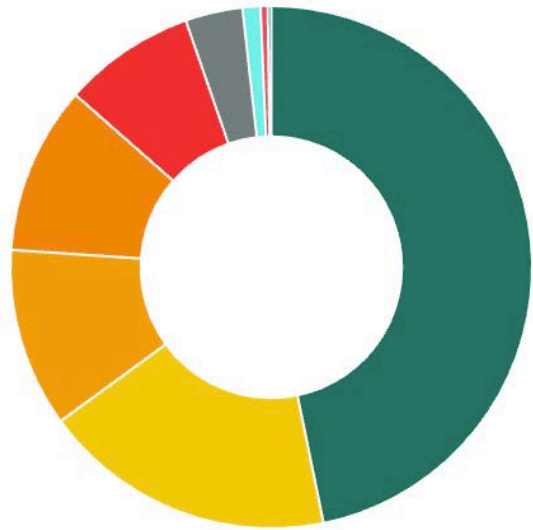
Willetton crime compared



¹⁰³ <https://redsuburbs.com.au/suburbs/willetton/> and <https://redsuburbs.com.au/suburbs/bull-creek-wa/>

Top crime types in Willetton:

Theft	211
Assault and related offences	82
Property damage	50
Burglary/Break and enter	47
Drug dealing and trafficking	37
Stalking, harassment and threatening behaviour	16
Motor Vehicle Theft	5
Weapons and explosives offences	2
Robbery	1



[Crime Types explained](#)

Chances of becoming a victim of a Violent crime

1 in 232 Willetton	1 in 223 WA	1 in 110 Australia
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Chances of becoming a victim of a Property crime

1 in 62 Willetton	1 in 20 WA	1 in 27 Australia
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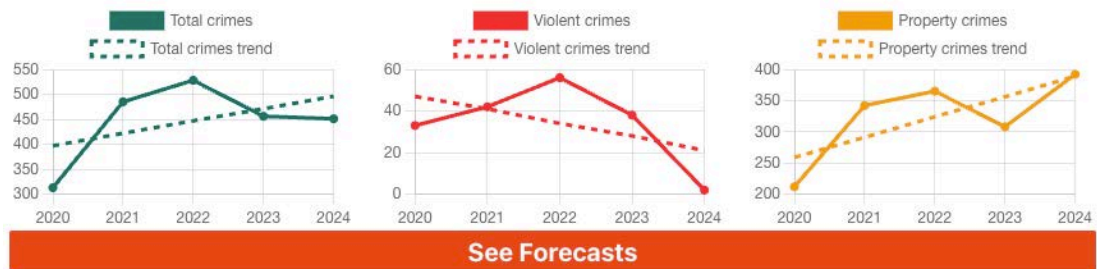
Crime rate in Bull Creek (WA), WA, Australia, **6149** Suburb in Melville

Crime Rank: 10/100

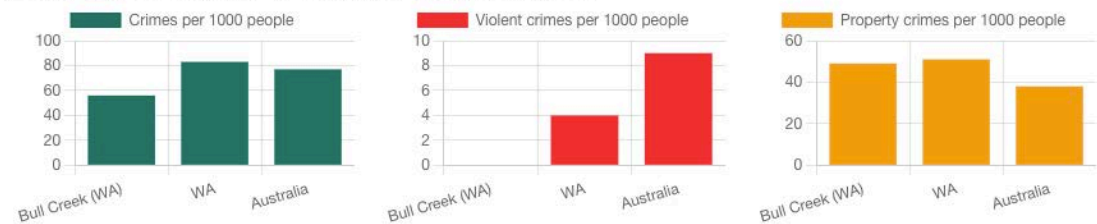
(higher number means more crime)

8,030 Population	4.16 km² Area size	451 All Crimes	56.16 Crimes per 1000 people	2 Violent Crimes
392 Property Crimes	0.25 Violent Crimes per 1000 people	48.82 Property Crimes per 1000 people	54.61% suburbs with less Violent Crimes	85.14% suburbs with less Property Crimes

5 year Bull Creek (WA) crime trends

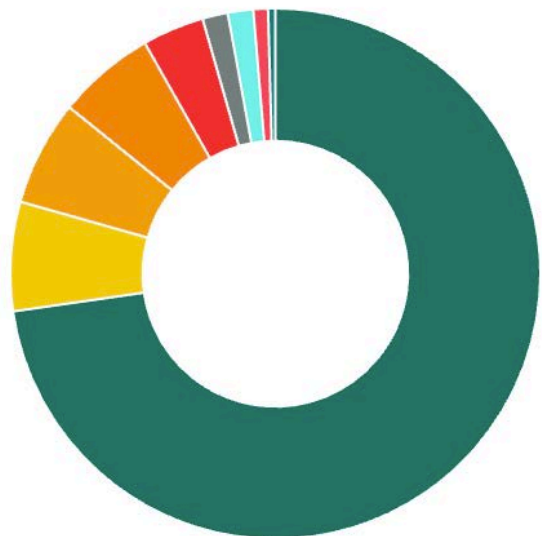


Bull Creek (WA) crime compared



Top crime types in Bull Creek (WA):

Theft	328
Property damage	30
Deception	29
Burglary/Break and enter	27
Drug dealing and trafficking	17
Motor Vehicle Theft	7
Weapons and explosives offences	7
Breaches of orders	4
Robbery	2



Crime Types explained

Chances of becoming a victim of a Violent crime

1 in 4015 Bull Creek (WA)	1 in 223 WA	1 in 110 Australia
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Chances of becoming a victim of a Property crime

1 in 20 Bull Creek (WA)	1 in 20 WA	1 in 27 Australia
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- 8.28. It is acknowledged that there is a level of crime occurring in the 2km locality. This is to be expected given the high density of the area with approximately 25,000 residents, as referred to earlier on in this PIA. Whilst any crime rate is an issue to be addressed, the police data for the 2km locality may be regarded as unremarkable and proportionate given the large and growing demographics.

The highest type or category of police offence recorded is "theft"¹⁰⁴. ALDI has multiple measures in place to reduce the risk of theft.

- 8.29. The Police data above does not reveal anything to suggest that the 2km locality experiences a concerning or unusual level of crime relevant to the ALDI proposal. In fact, the "crime rank" for both suburbs is relatively low. The applicant will nevertheless maintain its tried and tested risk management, safety and security measures and implement additional steps, to minimise potential crime. These measures are addressed elsewhere in this PIA and will continue to ensure the risk of any crime associated with the premises is minimised, as it currently is. In addition, the likelihood of the liquor service contributing to alcohol related crime is reduced by the following mitigating factors.
- 8.29.1. Small, simple and open layout of the liquor block.
 - 8.29.2. Location within the confined safety of the supermarket building.
 - 8.29.3. Lack of external frontage.
 - 8.29.4. Location of the liquor area adjacent to the checkout and therefore, under constant close staff surveillance and supervision.
 - 8.29.5. Absence of refrigeration, which removes the opportunity for impulsive desires to steal liquor for immediate consumption.
 - 8.29.6. Lack of a walk-in cool room, which is ordinarily hidden from staff view, providing cover and convenience for would-be criminals.
 - 8.29.7. Installation of CCTV surveillance throughout the supermarket, including the proposed licensed area.
- 8.30. ALDI's considerable retailing experience, including selling liquor products, has provided the organisation with the ability to manage security well such that crime associated with ALDI stores is kept very low. The quality of the premises at the Willetton site, 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.
- 8.31. The liquor area will have no external access as it will be entirely confined and secured within the ALDI supermarket, set-back considerably from the main entrance.
- 8.32. The following security steps will be taken in relation to the Willetton liquor section.
- 8.32.1. Security cameras both inside the licensed area and outside will be operating.
 - 8.32.2. Secure locking systems will be engaged for after hours.
 - 8.32.3. A high level of staff training which includes how to deal with incidents that are, or could potentially become, obviously criminal or unsafe.

¹⁰⁴ <https://redsuburbs.com.au/suburbs/willetton/> and <https://redsuburbs.com.au/suburbs/bull-creek-wa/>

- 8.32.4. 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.
- 8.32.5. Clear and obvious signage. The new premises will be bright, modern and attractive.
- 8.32.6. 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.
- 8.33. The applicant has established, confidentially, a Security Layout plan, illustrating the general position and fit-out of the items described above. A copy can be provided to the licensing authority on a confidential basis, upon request if required. An advanced security and surveillance system will be installed, based on the model which has been successfully operating in the eastern states. The applicant's advanced system includes the following features:
 - 8.33.1. An Access Control System as follows:
 - 8.33.1.1. 24 hour entry system to the store including interface with the security system.
 - 8.33.1.2. A tamper switch will be applied to set off the alarm in the event of unauthorised removal of the panel front covers.
 - 8.33.2. CCTV system – 24-hour surveillance of the licensed area and entry and exits to the store, which will include the following:
 - 8.33.2.1. 11 active cameras will provide 24-hour surveillance with the digital video recorder.
 - 8.33.2.2. Two full body cameras located within the licensed area, one facing the checkout and another one facing the liquor shelf.
 - 8.33.2.3. The digital video recorder will be configured for motion detection to allow efficient review of any incidents.
 - 8.33.2.4. 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.
 - 8.33.2.5. 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.

- 8.33.3. The security system equipment will include the following:
 - 8.33.3.1. Passive Infra-Red Motion Detectors.
 - 8.33.3.2. Break glass detectors.
 - 8.33.3.3. Magnetic reed switches.
 - 8.33.3.4. Vibration detector.
 - 8.33.3.5. External strobe and siren.
 - 8.33.3.6. Security flashing lights and horns.
- 8.33.4. 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.
- 8.34. 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:
 - 8.34.1. Australian Standards AS/NZS 3000.
 - 8.34.2. State Service and Installation Rules.
 - 8.34.3. National Construction Code.
 - 8.34.4. Local and other authority services and installation rules.
 - 8.34.5. Australian Communications Authority.
 - 8.34.6. Work Cover Authority.
 - 8.34.7. Other relevant Australian standards.
- 8.35. Of real significance is the fact that the ALDI liquor area design and layout facilitates an advanced level of security and surveillance. The store's design will make it extremely difficult for juveniles, drunk people or would-be thieves to gain access to the liquor area and go undetected. This will be achieved by virtue of the following factors:
 - 8.35.1. Customers will be required to walk well into the supermarket footprint under clear view of a combination of various cameras, staff monitoring them and other customers observing.
 - 8.35.2. 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.
 - 8.35.3. The simple small layout of the liquor area will also ensure that it is not in any way attractive for juveniles, drunk people or would-be criminals nor a temptation for impulse procurement.
 - 8.35.4. 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 amenity of the 2km locality can be described variously with the following terms and descriptions based on information provided previously in this PIA:
- 9.1.1. Mature and well established.
 - 9.1.2. Dense with residents and infrastructure.
 - 9.1.3. Comprising a mix of land uses, including mainly residential, retail commercial, community and sporting and parkland.
- 9.2. The City of Canning is a sophisticated, vibrant and active local government with a diverse demographic, well-established infrastructure and regular community events¹⁰⁵.
- 9.3. The applicant's store is easily accessible and well supported by public transport. Bus stops are located at Southlands Boulevard¹⁰⁶.
- 9.4. The following images depict aspects of the area surrounding Southlands Boulevard:



¹⁰⁵ For example, generally, City of Canning Annual Report and Financial Statements 2023/2024 (copy available upon request, if required or accessible here: <https://www.canning.wa.gov.au/about-us/council-business/finance/>)

¹⁰⁶ Bus timetable can be provided upon request, if required



- 9.5. 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.

- 9.6. Given these circumstances, there will be no impact on the streetscape or external physical amenity whatsoever and so the amenity, quiet and good order of the 2km locality shall be entirely preserved.
- 9.7. Amongst this existing amenity, the ALDI liquor section will be an ideal addition from an operational perspective and in terms of enhancing services to the public. It will complement existing businesses at Southlands Boulevard and be totally consistent with nearby 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.
- 9.8. Despite the relatively tiny licensed area, of only approximately 48m², the ALDI Willetton liquor proposal will make a big and valuable contribution towards the services and facilities in the area.
- 9.9. The expert consumer survey found that 91% of local people consider that the ALDI liquor section will not lessen the amenity of the 2km locality.¹⁰⁷
- 9.10. Further submissions addressing the amenity issue under the Act and as referred to in the Form 2A are provided in the attached Legal Submissions.

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

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

- 10.1. ALDI has an excellent trading history. It is not known to be the cause of any offence, annoyance, disturbance or inconvenience in relation to any of its existing liquor store licences.
- 10.2. ALDI has carefully considered the impact that may be caused to people who reside or work in the vicinity of the proposed licensed premises in terms of how and in what circumstance, the sale and supply of liquor could potentially cause those people offence, annoyance, disturbance or inconvenience.
- 10.3. It is not considered that there are any high risk factors associated with the ALDI application, for the various reasons referred to throughout this PIA. Despite that conclusion, the applicant acknowledges the potential for adverse effects from any sale and supply of liquor and hence proposes to implement the following strategies to manage and minimise risks.
 - 10.3.1. Maintaining a manner of trade which is low risk and low impact.

¹⁰⁷ PRG report at para 4.7, page 31

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

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

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

- 11.1. People living in, near and visiting the 2km locality stands to benefit enormously from the introduction of the ALDI liquor service. The public will have the demand met and enjoy the well-known ALDI liquor products and services in their area which have been relished by other Australians elsewhere for many years.
- 11.2. Southlands Boulevard offers an excellent selection of retail products and services, but ALDI liquor is a notable omission which this application will rectify if approved.
- 11.3. ALDI is still relatively new to the WA market compared to other retailers. The opening of ALDI stores in Western Australia has been met with great enthusiasm by customers from across the metropolitan area. When the first ALDI stores in WA

started trading in June 2016, members of the public queued up for hours, in winter, before the stores opened, as seen in the photographs below¹⁰⁸.



- 11.4. Clearly ALDI's positive reputation preceded itself and since then, as addressed earlier in this PIA, ALDI has grown and cemented itself in the WA market as a sought-after retailer. In the first six months of trade in Western Australia, more than 3.2 million customers were served at ALDI stores. The ALDI Cloverdale store transacted a staggering 156,338 customers in just 69 days of trading, which is an average of 2,266 customers per day.¹⁰⁹
- 11.5. The licensing authority is entitled to take into account the popularity of similar services provided at other locations when assessing whether the proposed services will be in the public interest at this particular location.¹¹⁰
- 11.6. The growth and success of ALDI has resulted in tremendous employment benefits for Western Australians. The applicant currently employs approximately 1,000 people in WA. The approval of this application will generate further employment opportunities for people at ALDI.
- 11.7. 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.

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

¹⁰⁹ Evidence available if required, upon request

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

- 11.8. "It is clear that the great majority of take-away liquor buyers who currently shop at Willetton (sic) ALDI would shop for their take-away liquor requirements from the ALDI liquor section if it was established. Thirty-four per cent of Willetton (sic) ALDI shoppers would shop for their takeaway liquor requirements from the Willetton (sic) ALDI liquor section at least once a fortnight, 69% at least once a month, and 97% "at least sometimes" should it be established... The clear suggestion is that the Willetton (sic) ALDI liquor section would better meet their takeaway liquor requirements than the currently available Willetton (sic) liquor outlets"¹¹¹.
- 11.9. As referred to elsewhere in this PIA, there is a leakage factor to consider in this case, whereby local shoppers are currently purchasing liquor outside of their Willetton neighbourhood, at other ALDI outlets several kilometres away, because it is not available to them currently in or near Willetton.
- 11.10. Further submissions referring to the consumer evidence have been provided elsewhere in this document and in the attached Legal Submissions.
- 11.11. ALDI is a major supporter of local communities and Australian businesses. This proposition is explained by the following published ALDI policy.



Supporting local, because after all we're locals too

At the Heart of Our Local Communities

We know that we are only as strong as the communities in which we operate. We will always support our local communities through high-quality employment opportunities, long-term supplier relationships, and by partnering with local charities and community groups.

Prioritising Australian Made

Australian-made products are always our first choice when sourcing items for our stores. That's not just because Aussie-made foods represent some of the highest-quality products in the world, but also because supporting our community is the right thing to do.

We're proud to support Australian suppliers and manufacturers, and we only source from overseas when we can't find the item, quality, efficiency or innovation we seek here in Australia.

Look out for the Made in Australia logo in all ALDI Stores. We also support the Buy West, East Best logo in our Western Australian stores, and the South Australian State Brand in our South Australian stores.

Supporting Aussie Businesses

Since opening in 2001, we have built long-term relationships with nearly 1,000 farmers, producers and manufacturers in every state and territory, supporting them with reduced competition, simplified processes, and high-volume, timely, and consistent orders.

Creating Change In Our Communities

As we expand across Australia, we believe it's important to give back to the local communities that support us. We have a number of charity partnerships and projects designed to create sustainable, positive change in our local areas. Keep reading below to find out more:

¹¹¹ PRG report at para 4.6.3 on page 29

- 11.12. The grant of the liquor store licence will enhance and facilitate ALDI's increased involvement in the 2km community. The local community will be the beneficiary of this outcome.
- 11.13. 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.

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

- 11.14. ALDI operates with liquor at nearly 350 locations across Australia. As stated previously, 34 of those are in WA. In the eastern states, nearly every ALDI store contains a liquor section.
- 11.15. 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.
- 11.16. There are currently only five active liquor store licences to cater for approximately 25,000 people living the 2km locality¹¹² on top of the wide catchment of regular shoppers at ALDI Willetton currently. Those outlets do little, if anything, for the 10,200 people shopping at ALDI Willetton each week (on average)¹¹³ seeking one-stop shopping and certainly do not address the demand for ALDI liquor. Further, of those five existing premises, only two are located within 1km and one is a tiny specialist South African outlet.
- 11.17. When considering this information it is relevant to reiterate that Southlands Boulevard attracts around 4.4 million people per year¹¹⁴. These enormous numbers are currently being supported by a very small number of and limited diversity in packaged liquor outlets.
- 11.18. The addition of the ALDI liquor section at Willetton 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.
- 11.19. It has been identified that among ALDI Willetton shoppers, "(63%)...have previously consumed ALDI exclusive liquor products that had been purchased from another WA ALDI store. That figure is slightly elevated (70%) amongst those who buy packaged liquor... This suggests that a high proportion of packaged liquor buyers are prepared to go to other ALDI stores to access exclusive ALDI

¹¹² Based on the ABS population data and Department licence information provided earlier on in this PIA

¹¹³ PRG report at para 1.0, page 5

¹¹⁴ DES report

liquor products"¹¹⁵ which are not available in or near ALDI Willetton. The approval of this application will reduce or even eliminate this leakage factor.

11.20. National Liquor News recently reported the following statements and quotes¹¹⁶ which corroborate various points made in this PIA and further support the application:

- 11.20.1. "ALDI's reputation for value attracts customers, with growth outpacing the market without relying on aggressive promotions."
- 11.20.2. "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."
- 11.20.3. "ALDI's reputation for delivering value has been key to attracting more customers to its liquor range".
- 11.20.4. "[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'*."
- 11.20.5. "Amid ongoing cost-of-living pressures, ALDI is committed to offering high-quality products at competitive prices."
- 11.20.6. "As ALDI continues to innovate and focus on value, sustainability, and growth in the liquor market, it is well-positioned for further success in 2025. *'At a time when shoppers are continuously seeking better value, we have never been more aware of the need to continue to deliver on our promise to offer Aussies the highest quality products at the lowest possible prices,'* [Paul] Handley [ALDI Liquor Expert] concluded."

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

- 12.1. Section 36B of the Act deals with packaged liquor sold and supplied for take-away purposes for consumption off the premises and it also deals with premises authorised, or proposed to be authorised, to sell and supply packaged liquor.
- 12.2. Pursuant to section 36B(1), "packaged liquor premises means premises to which a licence referred to in subsection (2) relates". Section 36B(2) expressly states that section 36B applies to an application for a liquor store class of licence.

¹¹⁵ PRG report para 4.4.1, page 20

¹¹⁶ "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%20i mpact.>)

- 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”¹¹⁷ 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”¹¹⁸.
- 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 Willetton is far from a proposal for a full and traditional liquor store licence. It is a critical factor that the packaged liquor to be available will be of a discrete and limited nature. The full ambit of “liquor” and traditional liquor store features will not be available in this case, whilst several alternative features will be provided.
- 12.8. The licensing authority has determined that under section 36B of the Act a packaged liquor specialist, involving a narrow and discrete range, can be approved to hold a licence for a packaged liquor premises in appropriate cases and that an application may satisfy section 36B and be granted where the particular type of packaged liquor to be sold and supplied under the licence is limited and defined¹¹⁹. Most relevantly, that has included approval for an ALDI licence under the current law¹²⁰. This present application falls squarely within that realm and is in fact a stand-out example of such an outlet.
- 12.9. With reference to the outlet density information and evidence referred to in this PIA, the relevant “packaged liquor premises” to be considered in the context of this case in terms of section 36B are only the following, as referred to earlier in this PIA as being located in the s36B locality:
- 12.9.1. Burrendah Tavern, cnr Pinetree Gully Road and Burrendah Boulevard (47 Burrendah Boulevard), Willetton
- 12.9.2. Liquor Barons Willetton, Shops 6 and 7, 61 Apsley Road, Willetton
- 12.9.3. Liquorland Burrendah, 78 Pine Tree Gully Road, Willetton

¹¹⁷ Liquorland Karrinyup [75] (Archer J)

¹¹⁸ Explanatory Memorandum, Liquor Control Amendment Bill 2018 at page 1

¹¹⁹ For example, Commune Wine Store (Maylands - 60321533920), Costco Wholesale (Perth Airport - 603213623419), Costco Wholesale (Casuarina - 603217776421), Pirate Life Perth (602213750319), Cherubino City Cellar (602215063820), Kakka Alley Brewing Co (602215442820), Casa Perth (602215763420), Gage Roads Brew Co (602216177321), Mane Osborne Park (603218426322), Commune Wine Store (Subiaco - 603220029123), Rocky Ridge Duncraig (602219804523) and Mane Bicton (603221936524)

¹²⁰ ALDI Yanchep (603220993723)

- 12.9.4. Rostrata Liquor, 46-48 Rostrata Avenue, Willetton
- 12.9.5. Kalahari A Taste of Africa, Unit 3, 27 Augusta Street, Willetton (*liquor store licence, as opposed to the restaurant licence in Willetton of the same name*)
- 12.10. Only two of these outlets is located within 1km of ALDI Willetton.
- 12.11. None of these existing premises does, nor is even able to, sell or supply the applicant's exclusive range. The existing premises collectively sell various types of other liquor but no ALDI products and almost 100% of their products would never be available at the ALDI store. 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.
- 12.12. Burrendah Tavern operates with a Thirsty Camel bottleshop. It is located approximately 190m away, as the crow flies, from ALDI Willetton, trading from 11am¹²¹. The bottleshop is connected to/within the tavern and provides various types of liquor. None of ALDI's range, or related services, are available. ALDI is unlikely to stock much, if any, of the Burrendah Tavern range.
- 12.13. Liquor Barons Willetton, located approximately 1km away (straight line), is part of a small shopping village. It offers various types of liquor. None of ALDI's range, or related services, are available. ALDI is unlikely to stock much, if any, of the Liquor Barons Willetton range.
- 12.14. Liquorland Burrendah is located at Southlands Boulevard. It provides Liquorland's usual store model and stock range of various types of liquor. None of ALDI's range, or related services, are available. ALDI is unlikely to stock much, if any, of the Liquorland Burrendah range.
- 12.15. Rostrata Liquor is located approximately 1.9km away from ALDI Willetton (straight line). The store is currently trading as Bottlemart. It is part of a small shopping village next to a small IGA supermarket, stocking various types of liquor. None of ALDI's range, or related services, are available at Rostrata Liquor and ALDI is unlikely to stock much, if any, of the Rostrata Liquor range.
- 12.16. There is overlap in the stock ranges of Burrendah Tavern, Liquor Barons Willetton, Liquorland Burrendah and Rostrata Liquor.
- 12.17. Kalahari A Taste of Africa is located approximately 1.6km away from ALDI Willetton (straight line). The store offers a small range of liquor, specialising in products from South Africa. None of ALDI's range, or related services, are available at Kalahari A Taste of Africa and ALDI is unlikely to ever stock any of the South African range.
- 12.18. Based on the information provided in the preceding sub-paragraphs, it is apparent that the available packaged liquor products and services for the enormous relevant community catchment of tens of thousands of people are extremely limited. There are only two outlets servicing a 1km radius and of the

¹²¹ <https://www.theburrendah.com.au/#>

five located within the 2km locality, one of those is on the boundary of that area and another is a tiny South African specialist outlet. Relevant to these factors are the following:

- 12.18.1. Approximately 25,000 people live in the 2km locality¹²².
 - 12.18.2. The large majority (approximately 20,000) of those people live in Willetton itself¹²³ and therefore, the s36B locality.
 - 12.18.3. ALDI Willetton experiences 10,200 shoppers each week (on average)¹²⁴.
 - 12.18.4. Approximately 4.4 million visit Southlands Boulevard¹²⁵.
- 12.19. The following research and conclusions referred to in the expert PRG consumer survey are particularly relevant to this section of the PIA:

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

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

In the main, the sample was familiar with a typical ALDI liquor section. It may be recalled from section 4.4 that 84% of the shopper sample had previously shopped in an ALDI store that included a liquor section, and in section 4.4.1 that 63% had consumed an ALDI liquor product purchased from a WA ALDI store. So the great majority of responses to this question are based on personal exposure to the ALDI liquor offer.

It is not surprising therefore to find in the table below that almost 7 in 10 (69%) of take-away liquor buyers believe that the proposed liquor section in the Willetton ALDI store would be different from the current liquor outlets. This proportion increases slightly to 73% amongst alcohol buyers who have been in a licensed ALDI store, and 76% amongst those who have consumed exclusive ALDI liquor products.

...

As noted this response may appear to be somewhat at odds with the response in the previous section regarding liquor products that are available within a 2km radius of the Willetton store.

It is possible that the respondents were confused by the question. However it seems more likely that they can observe the current availability of largely generic packaged liquor products within the 2km radius, but that the ALDI liquor offer is nonetheless different.

Note in particular the response to the next section in which so many packaged liquor buyers report that they propose using the proposed liquor offer in the ALDI Willetton store should the liquor licence be granted. Evidently the ALDI offer will better suit their packaged liquor purchasing needs than the range of outlets currently available to them.

¹²⁶

¹²² <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51612> and <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL50201>

¹²³ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/SAL51612>

¹²⁴ PRG report at para 1.0, page 5

¹²⁵ DES report. Presumably the annual average, but not so stated

¹²⁶ PRG report para 4.6.2, page 28

It is clear that the great majority of take-away liquor buyers who currently shop at Willetton ALDI would shop for their take-away liquor requirements from the ALDI liquor section if it was established. Thirty-four per cent of Willetton ALDI shoppers would shop for their takeaway liquor requirements from the Willetton ALDI liquor section at least once a fortnight, 69% at least once a month, and 97% "at least sometimes" should it be established.

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

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- 12.20. The nearest ALDI liquor service for people in Willetton is at the ALDI Kardinya store, which is located approximately 6km away as the crow flies and approximately 7.2km driving (14 minutes), one way, through several other suburbs and a dense road network into a completely different district. This travelling requirement for those seeking ALDI's liquor range is timely, expensive, inconvenient and certainly undesirable.
- 12.21. It is highly inconvenient for people in and near Willetton to access any a modern level of choice in packaged liquor.
- 12.22. Given the growth and development of Willetton in recent years and contemporary expectations for a built-up metropolitan area, it is essential that the community have ready access to usual modern conveniences. It is unreasonable for people living in, working in and visiting the 2km locality to be denied meaningful choice, diversity and competition.
- 12.23. 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"¹²⁸.
- 12.24. The evidence of the requirements of consumers, as referred to in this PIA, is very clearly that they require the applicant's particular range and associated products and services to be available to purchase for take-away purposes from the ALDI Willetton store.
- 12.25. Almost 100% of the applicant's stock range will be unavailable elsewhere in the 2km locality and beyond, up to approximately 6km. This is a striking factor in this case.
- 12.26. To reiterate, the following are key distinguishing features of the ALDI liquor proposal:
- 12.26.1. The majority of ALDI's products are exclusive and not available at any of the other liquor outlets.
- 12.26.2. The licensed area will only comprise approximately 48m², significantly smaller than many of the other packaged liquor outlets. The bespoke

¹²⁷ PRG report para 4.6.3, page 29

¹²⁸ Liquorland Karrinyup [108] (Archer, J)

ALDI liquor service will be an ancillary but highly valuable component of its overall service in Willetton.

- 12.26.3. There will be no refrigerated liquor products at ALDI Willetton. This is a harm minimising feature of the ALDI liquor service and speaks to its genuine intention to complement its household and grocery offering.
- 12.26.4. None of the other packaged liquor outlets can offer one-stop-shopping convenience to ALDI shoppers.
- 12.27. Situated within the existing ALDI tenancy footprint, the addition of the ALDI liquor section in Willetton will, in effect, result in a self-sufficient retail outlet. Responsible adults living locally will, for the first time in their area, 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.
- 12.28. Further and more detailed submissions regarding section 36B of the Act are contained in the attached Legal Submissions.

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

- 13.1. Relevant provisions of the Act have been taken into consideration in the preparation of the application, including sections 5, 33, 36B and 38. Submissions addressing those and other relevant provisions in the Act have been briefly referred to in this document but are detailed in a separate set of Legal Submissions attached to this PIA.
- 13.2. It is respectfully submitted that the licensing authority should be easily satisfied that in relation to ALDI Willetton, because the evidence shows substantially more than “trifling” and “considerable” requirements, the applicant has far exceeded the legislative high bar¹²⁹ for the grant of the licence.

14. Conclusion

- 14.1. This PIA responds to the Form 2A in full measure and addresses relevant sections of the Act with specific reference to particulars of the application.
- 14.2. The applicant has paid close regard to a wide variety of relevant public interest factors and has presented a comprehensive proposal for the grant.
- 14.3. The ALDI Willetton liquor service will be unique, not only in the s36B locality but also in the 2km locality and beyond. The products and style of operation will be almost entirely unlike the existing products and services available to the maturing community.
- 14.4. As stated previously, what is proposed is a modest liquor range comprising largely of award winning, value-for-money, exclusive products, through a modern one-stop-shop concept that has the potential to offer an unrivalled

¹²⁹ Liquorland Southern River [136] [137] (Lemonis J)

level of convenience for shoppers in Willetton and has been proven very popular elsewhere.


14.5. This PIA, together with the attachments referred to within, provide strong support for the application.

14.6. The licensing authority should be able to find as follows in this case, just as it did in ALDI Harrisdale where the liquor store model in question is virtually the same:

“The granting of a licence for the selling of packaged liquor in a floor space of [43] square metres would not result in a proliferation of liquor stores within the locality or a proliferation of liquor within the locality. To the contrary, given the nature of products to be sold by the applicant it will add to the diversity of products on offer and allow greater choice for consumers of liquor, thus being consistent with the primary object set out in section 5(1)(c) of the Act.”¹³⁰

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 attached detailed set of Legal Submissions.

Dated 21 May 2025



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

Attachments	
No.	Title/description
1.	DES report
2.	PRG report
3.	Stocklist, including identification of the ALDI exclusive products (subject to change)
4.	List of awards received by ALDI
5.	9 News Perth Facebook, 15 June 2016
6.	Index of Relative Socio-economic Disadvantage list of Local Government Areas in Western Australia, 2021
7.	Legal Submissions dated 21 May 2025

¹³⁰ [42]