



Chief Executive Officer
City of Wanneroo
Locked Bag 1
WANNEROO WA 6946
Via online lodgement

ATTENTION: MANAGER PLANNING SERVICES

APPLICATION FOR PLANNING APPROVAL - ALDI LIQUOR STORE - LOT 3 (NO.182) WANNEROO ROAD, MADELEY

On behalf of our client, ALDI, we are pleased to submit the enclosed change of use application for planning approval for a 'liquor store' use within the ALDI Kingsway City store. This application specifically relates to the proposed ALDI store, which was approved by the City of Wanneroo as part of an extension to the existing Kingsway City Shopping Centre.

1. SITE OVERVIEW

The subject ALDI is located within the Kingsway City Shopping Centre on the corner of Wanneroo Road and Hepburn Avenue, Madeley. The ALDI store has shared access from both roads.

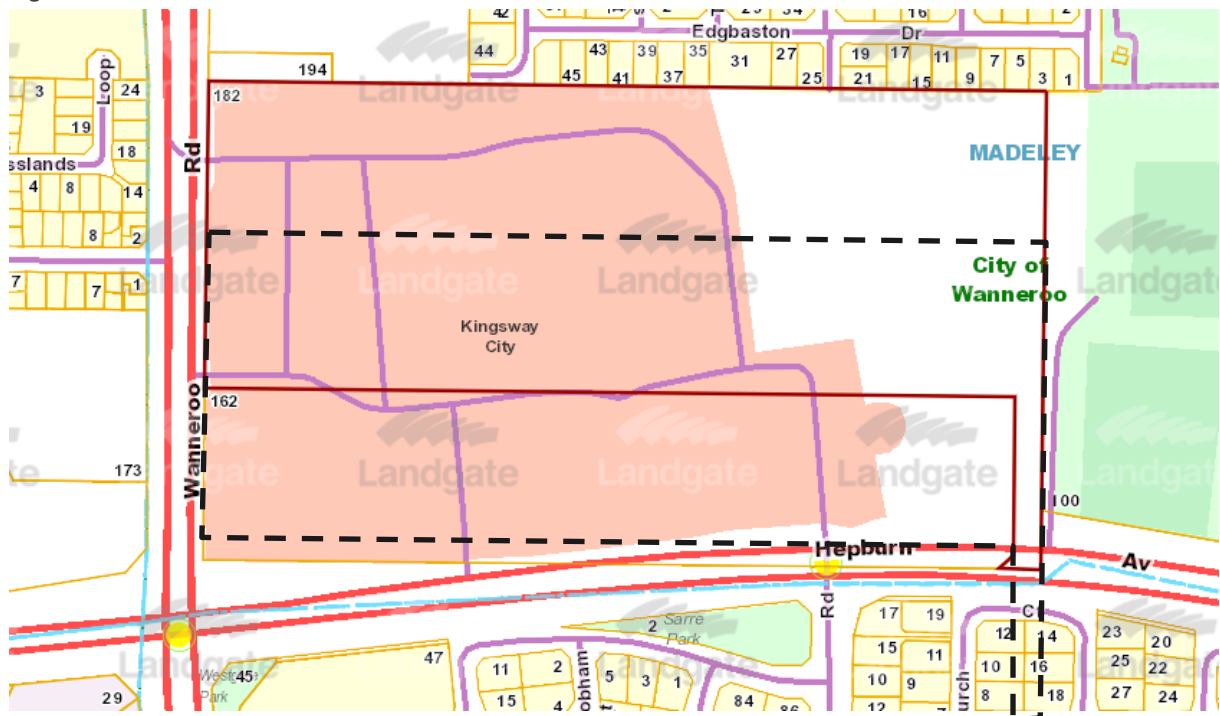
Table 1 and Figure 1 below outline the site particulars.

Table 1 – Site Particulars

Lot No.	Diagram	Lot Area (ha)	Registered Proprietor
3	24051	12.97	Tah Land Pty Ltd

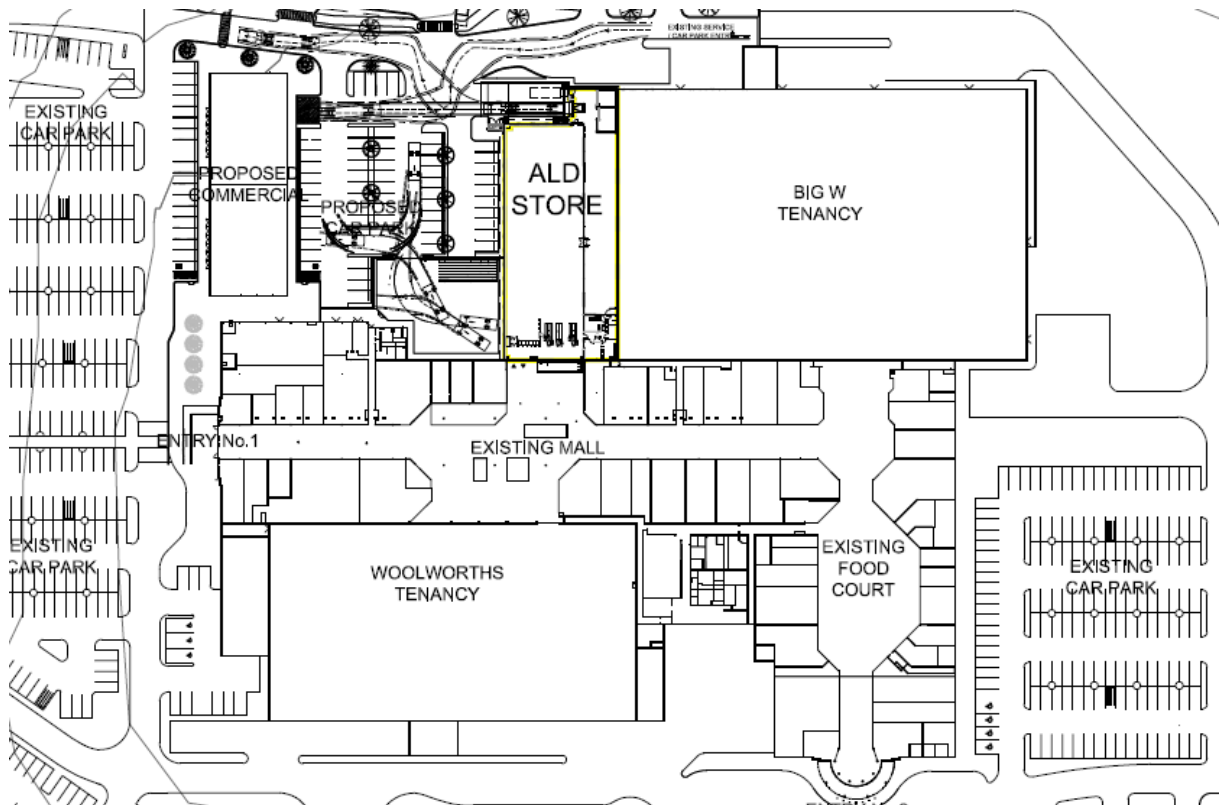
Figure 2 illustrates the approved location of the ALDI store within Kingsway City.

Figure 1 – Cadastral Plan



Source: Landgate, 2016

Figure 2 – Extract of the approved ALDI



Source: ALDI 2018

2. APPLICATION PROPOSAL

This application seeks to apply for the use 'Liquor Store' as a small component of the ALDI store within Kingsway City Shopping Centre. The 'Liquor Store' use will be incidental to the shop use, and the provision of liquor is made as a complementary use to add to the overall convenience offer.

The proposed licensed area comprises the display/browse area and the checkout closest to it. The total licensed area would be approximately 37m², however, liquor is only intended to be displayed in the designated 21m² area and only be sold from the one checkout.

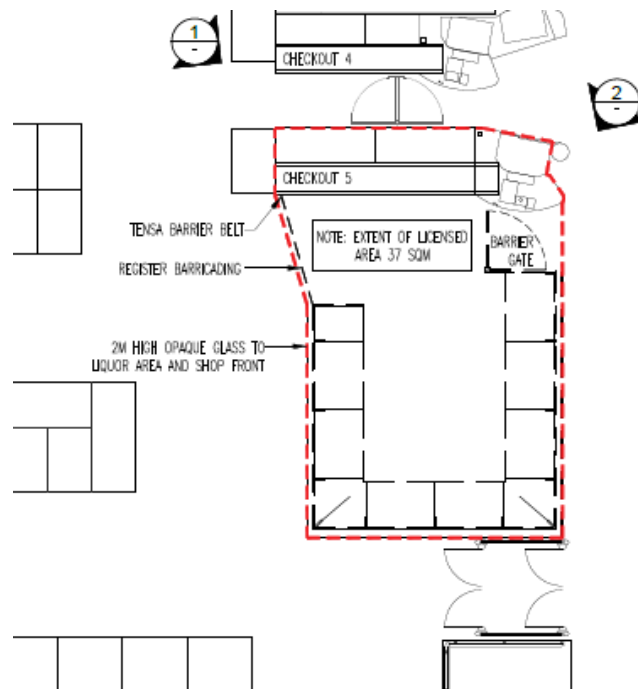
However, if the licensing authority determines that the application is to be granted subject to a condition requiring customers to complete the purchase of their liquor items prior to leaving the licensed area, then the applicant seeks approval for a larger area to be licensed, outside of the liquor display/browse area, only for the purpose of allowing customers room to manoeuvre and queue.

All liquor is packaged, sold at room temperature and is not intended for immediate consumption. The evaluation associated with Public Interest Assessment (PIA) and suitability of a liquor store will be undertaken as part of the liquor licence application pursuant to the Liquor Control Act 1988 (LC Act). On this basis, it is not appropriate to include any assessment that is the realm of the LC Act, as it is not considered a relevant planning consideration.

The particular nature of the ALDI liquor store usage proposed is modest, low risk and low impact. It is designed as incidental to the supermarket. The small liquor area will have little if any external visible presence, outside the ALDI supermarket. It will improve retail convenience for the local community and will not adversely impact on residents.

The area subject to the display and sale of liquor as part of this application is illustrated at **Figure 3**. Refer to Licensed Area Plan at **Attachment 1**.

Figure 3 – Proposed Liquor Area



Source: Actus Associates 2018

3. ZONING AND LAND USE

The subject site is zoned 'Commercial' under the City of Wanneroo's Town Planning Scheme No.2 (TPS 2).

The objective of the 'Commercial' zone is to:

- 'Make provision for existing or proposed retail and commercial areas that are not covered currently by a Structure Plan; and
- Provide for a wide range of uses within existing commercial areas, including retailing, entertainment, professional offices, business services and residential.'

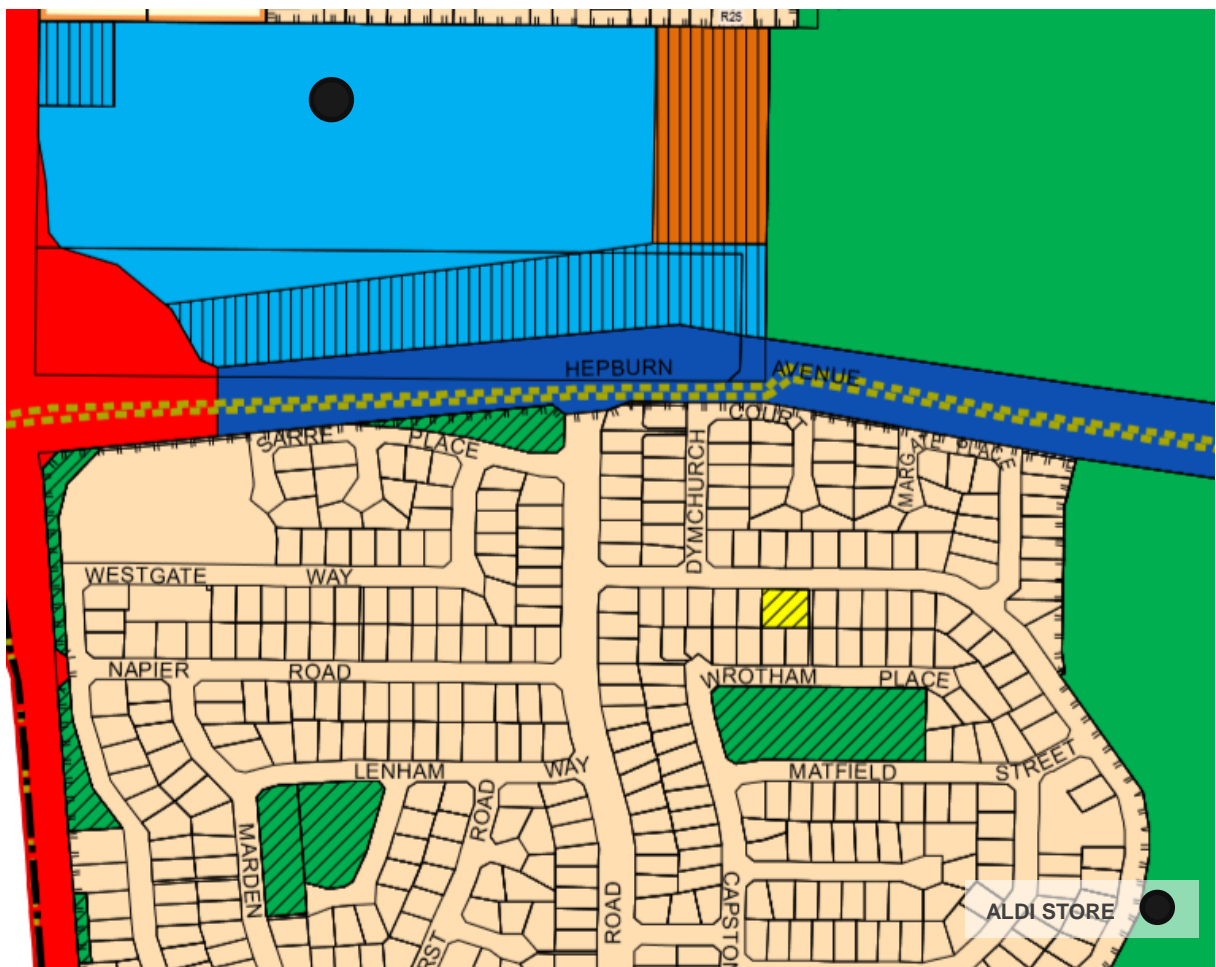
The proposed Liquor Store is defined under TPS 2 as:

"means land or buildings the subject of a store license granted under the provisions of the Liquor Licensing Act 1988."

The use of a liquor store (contained wholly within the ALDI tenancy), for the incidental sale of liquor as part of the weekly convenience shop is consistent with the 'Commercial' zone's objectives.

The zoning of the subject site is illustrated at **Figure 4**.

Figure 4 – City of Wanneroo TPS 2 Zoning Extract



Source: WAPC 2018



4. PLANNING ASSESSMENT

The general permissibility of land uses within the 'Commercial' zone is prescribed in Table 1 of TPS 2. A 'Liquor Store' is an 'A' use and it is understood the application will be advertised.

In relation to car parking, it has been noted that a 'liquor store' use is listed in Table 2 of TPS 2 and prescribes the equivalent rate to a 'Shopping Centre' use. In this case, the subject site's existing use of a 'shop' is believed to have substantial parking for the proposed 'liquor store' use.

The use of a liquor store (contained wholly within the ALDI tenancy), is considered incidental to the existing ALDI tenancy and provides for the sale of liquor as part of the weekly convenience shopping needs.

The proposed liquor store will comply with hours of operation which are consistent with those outlined in the LC Act. The maximum permitted trading hours for a liquor outlet pursuant to section 98 of the LC Act are:

- on a day other than a Sunday, Good Friday, Christmas Day or ANZAC Day - from 8am to 10pm
- on a Sunday that is not ANZAC Day — from 10am to 10pm
- on ANZAC Day — from 12 noon to 10pm

It is noted that the current trading hours of an ALDI Store (Standard week) are as follows:

- Monday, Tuesday, Wednesday - 8.30am - 8pm
- Thursday - 8.30am - 9pm
- Friday - 8.30am - 8pm
- Saturday - 8.30am - 5pm
- Sunday - 11am - 5pm

The liquor store will operate during the same hours as the supermarket, subject to permitted trading hours under the Act. The applicant seeks approval for the standard permitted trading hours under the Act, applicable to a liquor store licence outside the metropolitan area, which are currently 8am to 10pm Monday to Saturday.

If the supermarket were to operate outside of the approved liquor store trading hours, the liquor browse/display area will be clearly closed off to customers. The hours of operation of the Liquor Use will align with the hours of operation of the shop use (ie. the liquor sales only occur when the supermarket is trading in full) which is within the permitted hours set out in the LC Act.

5. CONCLUSION

The proposed ALDI Liquor Store within the existing ALDI tenancy (yet to be constructed) is considered appropriate within the context in which it is located, being part of a commercial precinct. The proposal does not result in any additional retail floor space or parking demand being incidental to the existing ALDI store operations.

The usage proposed by the applicant for the premises is entirely compatible with the existing approved use and the City of Wanneroo's planning framework. The liquor service proposed will enhance the premises and provide important convenient retail services for ALDI supermarket customers. The proposed liquor services will be low risk and consistent with planning principles. A full Public Interest Assessment will be completed in accordance with the *Liquor Control Act 1988* at the time of the lodgement of the request for liquor licence with the Department of Racing, Gaming and Liquor. The matters taken into account in the Public Interest Assessment are not planning consideration, and therefore not a relevant consideration for this planning application. It is noted that



planning approval will not provide a right to conduct the liquor service, until such time as the liquor licence is granted.

On this basis, we respectfully request the City of Wanneroo consider the application favourably subject to fair and reasonable conditions.

Yours sincerely,

Attachment 1 – Site Plan, Floor Plan, Licensed Area Plan

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