

Granting the Tourism SFL is in the Public Interest

Harm or Ill Health

AWS has identified the following potential “at risk”

- (a) First Nations people;
- (b) children and young people;
- (c) people from regional, rural and remote communities; and
- (d) families.

Such “at risk” groups are unlikely to be significantly affected by the grant of the Tourism SFL sought due to the restrictive manner in which AWS intends selling and supplying liquor for consumption on and from the Premises.

The sale and supply of liquor on and from the Premises will be restricted to:

- (a) the consumption of liquor at the shop/stall, in the form of wine tasting only (i.e. not “consumption” of wine as per the ordinary meaning of the word and no wine will be permitted to be consumed other than at the Shop/Stall);
- (b) relatively small amounts of liquor to be consumed from the shop/stall

AWS do not expect that the grant of the Tourism SFL will have any significant impact on the level of alcohol related crime or the admissions of persons to hospitals in, or outside, the Locality.

AWS will otherwise have adequate measures in place to ensure that any adverse impact on “at risk” groups from the sale and supply of liquor under the Tourism SFL will be avoided or minimised. Further particulars of these measures are outlined below

AWS will also implement the following strategies to limit and to otherwise minimise any possible offence, annoyance, disturbance or inconvenience to people who reside or work in the vicinity of the Premises including any “at risk” groups.

- (a) Free water will be available on request at all times at the Premises and will be served from commercial sealed 1 litre bottles in to disposable compostable cups. The bottled water will be stored in the refrigerator on the premises;
- (b) Wine which is served as part of a standard measure but not fully consumed can be disposed of in spittoons. As such, not all wine that is served will necessarily be drunk;
- (c) Wine will be served from the Premises in compostable cups at all times and bins will be provided at the Premises to dispose of the used cups;
- (d) AWS will be complying with all directives of City of Belmont in regard to hygiene and safe handling practices (e.g. AWS staff at the Premises will utilise disinfectant hand gels);
- (e) AWS will keep the Premises neat and tidy at all times and all liquor stocks securely stored in locked cabinets outside of trading hours;
- (f) AWS will liaise frequently with the managers of the markets and conduct regular meetings to address any concerns or issues arising from the Premises;
- (g) No person under the age of 18 years will be served liquor at the Premises. Production of a document of one of the following classes will be required as evidence that a person holding the document is at least 18 years of age, but only if the document bears a photograph of the person and indicates (by reference to the person’s date of birth or otherwise) that the person is of or above that age (and only if the document has not expired and otherwise appears to be in force):
 - (i) A motor vehicle driver’s or rider’s licence or permit issued by the Department of Transport (WA) or by the corresponding public authority of the Commonwealth, of some other State or Territory or of some other country;
 - (ii) A “proof of age” card issued by the Department of Transport (WA) or by the corresponding public authority of the Commonwealth or of some other State or Territory; or

- (iii) A passport issued by the Commonwealth or under the law of some other country;
- (h) AWS will ensure that there is appropriate lighting over the Premises to provide a secure and well lit atmosphere; and
 - (i) AWS will have in place a detailed House Management Policy, Code of Conduct and Management Plan which will be actively monitored by any approved managers and other staff employed or engaged by AWS to ensure that the sale and supply of liquor from the Premises is in accordance with the Tourism SFL and the requirements of the Act.

Additionally, AWS do not expect that the grant of the Tourism SFL will have any significant detrimental impact on any “at risk” groups having regard to the restrictive nature of the Tourism SFL sought, as noted above

The Granting of the Tourism SFL will improve Amenity

1. Showcasing Western Australian Wines at Fremantle Markets

- (a) **Pride in the Wines of Australia:** Australian wines boasts exceptional wine regions, including Margaret River, Swan Valley, and Great Southern. These areas produce world-class wines that deserve recognition.
- (b) **Quality and Diversity:** By highlighting Australian wines, we celebrate their quality and diversity. Customers will appreciate the opportunity to explore wines from our own backyard.

2. Educating Customers

- (a) **Wine Appreciation:** Many consumers are curious about wine but lack knowledge. We can bridge this gap by offering educational resources:
- (b) **Tastings:** Regular wine tastings allow customers to sample different varieties and learn about flavor profiles.
- (c) **Food Pairing Guides:** Educate customers on pairing wines with various dishes.
- (d) **Wine Basics:** Share information on grape varieties, winemaking processes, and aging.

3. Creating Variety

- (a) **Curated Selection:** Our wine offering will feature a carefully curated selection, catering to different preferences:
- (b) **Reds, Whites, and Rosés:** Offer a diverse range of varietals.
- (c) **Price Points:** Include both affordable and premium options.
- (d) **Limited Editions:** Highlight special releases and rare finds.

Expanding Fremantle Markets’ retail offering to include wine is a move that aligns with the market’s values of fostering cultural exchange and promoting local industries - as outlined in Fremantle Markets’ letter of support attached to this submission.

Increasing Access

At a time of rapid market consolidation, consumers in Western Australia are denied easy access to wine product that is truly representative of the diverse wine regions of Australia. In a typical mass retail liquor outlet, less than 30 of Australia's 2000 domestic wine producers are represented. Hundreds of labels may be on display, but those labels are increasingly the possessions of multi-national wine companies. Further to this, not all wine producers currently sell their wines in Western Australia.

Major retailers are also pushing both consumers and suppliers towards "own brand" products that, by their very nature, must be supplied in large volumes at low margin, further excluding independent domestic producers.

However, AWS have a distinctly different approach, sourcing wine from over 500 producers around Australia and thereby introducing consumers to new wines. Wines supplied by AWS are selected by an expert tasting panel to ensure consistent quality. AWS' customers therefore have access to an alternate choice of product to that offered by a major retail outlet.

The grant of the Tourism SFL will enhance the access to a wider variety of domestic wine products for consumers based in Western Australia by allowing AWS to conduct operations face-to-face in Western Australia.

Increased employment

It is also expected that the Tourism SFL will provide opportunities for increased employment and will therefore be of economic benefit to the local community, as AWS intends to employ a number of local persons to run the wine tasting services and sales operations from the Premises.

Impact on the Domestic Liquor Industry

As outlined above AWS expects the grant of the Tourism SFL to have a positive impact on the domestic liquor industry.

1. The different approach to sourcing wine applied by AWS provides domestic producers in all regions with an essential access to a national market, and therefore stronger brand recognition, enhancing their ability to develop other markets such as independent retail, restaurant and direct cellar door sales.
2. It is expected that the grant of the Tourism SFL will assist domestic wine producers to sell their product in Western Australia by enabling such producers to gain increased exposure in Western Australia.
3. By AWS assisting domestic wine producers, it is expected that this should have the flow-on effect of providing opportunities for increased employment in the national liquor industry.
4. AWS considers that it will be most beneficial for the Premises to be situated within the Fremantle Markets for the following reasons:
 - (a) The likely positive impact on the domestic liquor industry through increased exposure, due to the constant high volume of visitors coming to the markets
 - (b) The likely positive impact on the amenity of markets as outlined above and in the Markets' Letter of Support
 - (c) The Premises can be set up permanently within the markets
 - (d) AWS has successfully obtained liquor licenses, to enable AWS to provide similar services as to be provided under the Tourism SFL, for the airports of most of the

other States and Territories, and the wine tasting services and sales operations have been successful at those other airports.

Offence, annoyance, disturbance or inconvenience

It is expected that the sale and supply of liquor from the Premises will be “self regulated” by AWS and in a manner consistent with the Tourism SFL and the Act for the following reasons:

- (a) AWS has traded for 45 years in the domestic liquor industry, operating a number of Australia’s most popular wine clubs including Wine Selectors, The Hunter Valley Wine Society, NAB Cellar Selections, Reader’s Digest Wine Club and Diners Club Cellar Door and AWS has an unmatched reputation for delivering quality products and services. It is not consistent with AWS’ established and well respected corporate reputation, or its commercial interests, to allow liquor to be sold and supplied in a manner which is inconsistent with the Tourism SFL and the Act; and
- (b) AWS operates a number of liquor licenses throughout Australia, including:
 - (i) A Hotelier’s Licence at AWS’ main premises at the Wine Centre Tavern in Honeysuckle, New South Wales (i.e. where the orders placed at the Premises to purchase wine subscriptions will be processed from);
 - (ii) A Vineyard/Producer Licence in New South Wales; and
 - (iii) A New South Wales Governor’s Licence on behalf of Cessnock City Council at the Hunter Valley Wine Interpretative Centre

Since being issued with any of the above licenses, AWS has not:

- (i) been the subject of any disciplinary action in relation to such licenses;
- (ii) had cause to defend any complaint lodged against it in relation to such licenses; or
- (iii) been issued with an infringement or prosecution notice for a breach of any interstate liquor licensing legislation in relation to such licenses or for a breach of the terms and conditions of such licenses.

As a sophisticated operator of other licensed premises in Australia, AWS will sell and supply liquor from the Premises in a manner consistent with the Tourism SFL (as sought) and its obligations under the Act. Accordingly, if the Tourism SFL is granted, AWS does not expect any significant offence, annoyance, disturbance or inconvenience will be caused to people who reside or work in the vicinity of the Premises.

Grant of a Tourism SFL is in the Public Interest

The sale and supply of liquor from the Premises in the manner sought will be in a manner which minimises the harm or ill health caused to people, or groups of people in the Locality as the sale and supply of liquor will be:

- 1 conducted by and overseen by a sophisticated licensee;
- 2 conducted by a licensee with a demonstrated and respectable trading history in the liquor industry throughout other States and Territories;
- 3 in a manner consistent with a comprehensive House Management Policy, Code of Conduct and Management Plan;
- 4 properly supervised by the relevant approved managers of the Premises

The grant of a Tourism SFL is necessary to cater to the requirements of consumers of liquor and related services in light of proper development of the domestic liquor industry and is therefore in the public interest. These requirements are demonstrated by the:

- 1 limited impact the Tourism SFL will have on “at risk” groups in the Locality, particularly having regard to the fact that the scope of service and consumption of liquor on and from

- the Premises will be restricted to the consumption of liquor at the Shop/stall in the form of wine tasting only.
- 2 expected positive impact the Tourism SFL will have on the amenity and atmosphere of Fremantle Markets
 - 3 expected positive impact the Tourism SFL will have on all persons living in Western who visit the Markets, as these persons will have easier access to a larger variety of domestic wine;
 - 4 expected positive impact on the growth of the domestic liquor industry due to the increased exposure that domestic wine producers will have in Western Australia;
 - 5 expected increase in employment opportunities in the domestic liquor industry and in relation to persons being employed to provide the services at the Premises;
 - 6 measures to be implemented to control any possible negative amenity issues associated with the grant of the Tourism SFL; and
 - 7 strategies which will be in place to minimise any potential offence, annoyance, disturbance or inconvenience caused by the grant of the Tourism SFL.

For the reasons outlined in these submissions, the annexed documentation and the other documents lodged with the Application, AWS submits that the granting of the Tourism SFL is in the public interest.