

# Decision Notification

## Application Details

Application no.	206944
Licence No.	57708439
Licence Class	Packaged Liquor & Sales
Premises Name	Regions
Premises Address	65B Dulwich Avenue Dulwich SA 5065
Licensee	Oak Distribution Pty Ltd
Application Type	Application for Redefinition

## Outcome

Decision	Granted
Effective Date	01 Jun 2021

## Requirements

The following requirements in support of the application have been satisfied:

- The application has been advertised
- All approvals, consents or exemptions have been obtained

## Community Impact Assessment

The application is a designated application for the purposes of section 53A of the Act.

This application may only be granted if the licensing authority is satisfied that the grant of the application is in the community interest. In determining this application under section 53A(2) of the *Liquor Licensing Act 1997* (the Act), I must have regard to:

- the harm that might be caused (whether to a community as a whole or a group within community) due to the excessive or inappropriate consumption of liquor;
- the cultural, recreational, employment or tourism impacts; and
- the social impact in, and the impact of the amenity of, the locality of the premises or proposed premises; and
- the nature of the business conducted or to be conducted under the licence (as prescribed)

I must also apply the community impact assessment guidelines which states, *“The onus is on the applicant to satisfy the licensing authority that the grant of the application is in the community interest and to provide relevant evidence and submissions to discharge this onus.”*

As part of the application the applicant has provided a community impact submission. I will have regard to this submission, the application itself and supporting material in making my determination

### Nature of the business

Regions was granted a packaged liquor sales licence in June 2020 and has been trading since September 2020. The licensee has now sought approval to extend its existing store in order to include the adjacent tenancy. If approved the licensed premises will comprise of both 65B and 65D Dulwich Ave, connected by an adjacent door.

The redefined licensed premises would allow the capacity to increase the retail and storage space and allow for a

separate tastings room.

There will be an additional 27.5 square metres of floor space providing more shelving as well as 2 large fridges. The intention of which is to provide the community with more choice of local products.

The tasting room will be intimate, accommodating 4-6 people, including the producer and there will be a separate entrance from 65D so that those attending the pre-booked tasting event will not enter or need to walk through the retail store.

The licensee will also use the room for "Meet the Maker" tastings, an educational session allowing the producer face to face interaction to connect customers with their brand, as well as promoting local products to the community. The pre booked events would only occur fortnightly on weekends.

It has been submitted that the community has expressed an interest in the offering of "tastings" since the premises began operating, however due to the size of the store and the Covid-19 restrictions, it has not been possible.

The business model has not changed and is still focussed on being an independent bottle shop selling local South Australian products. The target customers are still those from the local community of Dulwich, Toorak Gardens and Rose Park.

Since Regions began trading it has developed strong relationships with smaller and lesser known wineries, craft breweries and micro distilleries. The licensee believes that the increase in space will allow it to further develop those relationships by bringing the "Regions" of South Australia to the local community.

The licensee has also submitted that it has a great deal of community support for the expansion of the premises and creation of a tasting room, claiming that it receives approximately 5 requests per week from its customers in respect of "tastings"

#### Potential harm

The licensee has identified at risk groups such as minors in the locality and adults with mental health issues given its close proximity to Glenside Health Services. However, the licensee is of the view that the larger premises will not negatively impact this group as there are 2 other packaged liquor stores closer to Glenside than Regions.

The licensee has identified a number of relevant buildings and facilities in the area including 3 churches, 3 childcare centres, 2 schools, 1 hospital and 1 scout group. The premises has been operating since September 2020 and so far has not received any negative feedback.

A number of policies and procedures have been put in place since Regions commenced trade, to minimise any potential harm or health impacts to "at-risk" groups including:

- all staff members will have undertaken requisite Responsible Service of Alcohol training as well as an in house induction program
- violence prevention policy, ensuring staff members know how to respond to an incidence of violence or other emergency
- work health and safety policy

#### Cultural, recreational, employment or tourism impacts

The grant of the existing licence has provided a number of economic benefits including employment opportunities for 6 staff members, as well as increasing sales and exposure for some of South Australia's smaller or lesser known

producers. It is expected that this will increase with a larger site, offering more products as well as tasting room experiences.

In terms of recreational and tourism benefits, it is expected that the venue will be used to showcase South Australian artists as well as engaging in partnerships with other local businesses.

#### Social impact and impact on the amenity of the community

The redefinition to increase the size of the store is not expected to have a significant impact on the amenity of the community, nor social impact. The increase in floor space for retail sales is minor, and the tasting room with a capacity of 6 persons, to be utilised fortnightly is unlikely to create a noticeable difference to the amenity.

## Premises

### Alterations/Redefinition

I redefine the licensed premises in accordance with the plan lodged with the application.

The licensed premises has been redefined to include 65D Dulwich Avenue.

## Reasons for Decision

This is an application to redefine the licensed area of an existing packaged liquor sales licence to create a larger floor space for retail sales and to establish a small "tasting" room. The applicant is not proposing to change the way it trades, but rather intends to use the larger area to further enhance its existing business model. I note that there were no submissions lodged opposing the grant of this application.

The larger floor space for retail sales is likely to benefit the liquor industry and community as a whole by increasing the range and availability of local South Australian liquor products. Similarly the addition of a "tasting room", will allow focussed "tasting" events which will further promote local liquor producers and allow members of the community to sample products and participate in events which they would otherwise be unable to do so.

The onus is on the applicant to satisfy the licensing authority that the grant of the application is in the community interest. It is expected that increasing the size of an existing boutique liquor store offering local South Australian produce and complimenting this with an "intimate tasting room" is in the interest of the community.

I am satisfied that the grant of this application will pose little risk, and is consistent with the expectations and aspirations of the public. Accordingly, under section 53A(1) of the Act I grant the application.

## Under Delegation from the Liquor and Gambling Commissioner



Vicki Brunello

Hearings Delegate

01 Jun 2021