

Information Notice

Application Type: Commercial Other Bar Licence with extended trading hours

Trading Name: Frogs Hollow Saloon

Address of the Premises: 26 Charlotte Street, Brisbane

Date of the Decision: 19 November 2021

Applicable Legislations: Part 4, Division 4 and Part 4, Division 7 (*Liquor Act 1992*)

Brief Summary of the Reasons for the Decision

As a delegate of the Commissioner for Liquor and Gaming, I conducted a review of the application for a commercial other bar licence with extended trading hours lodged by the applicant on 31 August 2021. In deciding the application, I took into account the following findings of fact:

1. The applicant is eligible to apply for a commercial other bar licence with extended trading hours under the *Liquor Act 1992* (Liquor Act).
2. No objections were lodged by the local authority, Queensland Police Service (QPS) or OLGR Compliance.
3. One (1) public objection was received from the community.
4. Restrictive noise mitigation conditions are to be imposed in support of the application (no amplified entertainment proposed).
5. The community impact statement was prepared in accordance with Commissioner's Guideline 38. The community impact assessment process did not identify any significant issues of concern/adverse comment in relation to the applications.
6. The Liquor Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance is substantiated.
7. Human rights are not limited by my decision to approve the applications.

I have considered the relevant matters outlined in section 111 of the Liquor Act.

I took into account the objection received which outlined the following concerns:

8. Proximity to Student One – a 900 bed student accommodation building less than 100 metres.
9. Multiple mental health incidents within Student One building, including those linked to substances.
10. High rates of excessive drinking among age group 18-20 (primary age demographic at Student One).

11. Number of other licensed establishments in locality.

In response to the objection received, I am satisfied the granting of the commercial other bar licence with extended trading hours would not necessarily have an adverse effect on the amenity of the locality as:

12. No objections were received from the local authority or QPS, nor were any concerns raised by OLGR Compliance who are tasked with monitoring the venue.
13. Restrictive noise mitigation conditions, due to no amplified entertainment proposed, are to be imposed on the licence.
14. The premises is located in an established mixed commercial/residential safe night precinct with other licensed premises operating in close proximity.
15. The Liquor Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance should be substantiated.

After considering all of the relevant factors and information, both positive and negative, and the aforementioned findings on material questions of fact, I decided to grant the licence and extended trading hours subject to the imposition of the following conditions:

- Liquor may be sold or supplied only whilst the premises adheres to its principal activity of the sale of liquor on the licensed premises having the capacity to seat not more than 60 patrons at any one time.
- The licensee and approved manager/s must ensure that no more than 100 patrons, whether seated or otherwise, are on the licensed premises at any one time.
- The sale or supply of liquor for consumption off the premises (takeaways) is prohibited.
- Noise emanating from the premises including amplified and/or non-amplified noise and/or patron noise must not exceed 75dB(C), fast response, when measured approximately 3 metres from the primary source of the noise.
- This provisional licence does not allow the sale or supply of liquor under the authority of the provisional licence.
- The issue of the licence is subject to evidence of a final inspection of the premises by an officer of the Office of Liquor and Gaming Regulation and the completion of any further requirements of the Commissioner as a consequence of that final inspection.
- All the stated evidence must be produced to the Commissioner within 4 years of the issue of the provisional licence.