

Information Notice

Application Type: Community other licence

Trading Name: Flagstone Tigers

Address of the Premises: Flagstone Oval, Lot 907 Flagstonian Drive, Flagstone.

Date of the Decision: 07 June 2022

Applicable Legislation: Section 80 - *Liquor Act 1992*

Brief summary of the reasons for the decision

On 07 June 2022, as delegate of the Commissioner for Liquor and Gaming, I conducted a review of the application for a new community other licence lodged by the applicant on 1 November 2021. In deciding the application, I took into account the following findings of fact:

1. The applicant is eligible to apply for a new community other licence under the *Liquor Act 1992* (Liquor Act).
2. No objections were lodged by the Queensland Police Service (QPS).
3. No objection was lodged by the Department of State Development, Infrastructure, Local Government and Planning.
4. The Office of Liquor and Gaming Regulation's (OLGR) Compliance Division, who are responsible for assessing compliance of premises under the provisions of the Liquor Act, offered no objection to the application (subject to conditions to be endorsed on the licence).
5. No public objections were received.
6. The Logan City Council did not support the application.
7. The Liquor Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance should be substantiated.
8. A decision to grant the application is justifiable and reasonable under the *Human Rights Act 2019*.

I have considered the relevant matters outlined in section 80 of the Liquor Act.

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

9. Behavioural concerns around alcohol being consumed in the same area children play sport as the club building does not have a separate designated area.

10. There is no current food service available at the club.
11. The Flagstone adventure playground is directly across the road, which is heavily frequented by children and families.
12. The lack of public transport in the area.

In response to the objection received, I am satisfied the granting of the community other licence would not necessarily have an adverse effect on the amenity of the locality as:

13. No objections were received from Department of State Development, Infrastructure, Local Government and Planning, QPS or OLGR Compliance.
14. The behavioural concerns identified around alcohol being consumed in the same area as children playing sport are general and unsubstantiated in nature, noting many other similar clubs operate with liquor licences without issue.
15. The club has a canteen, which will operate and serve food during the same hours as the proposed bar.
16. The club is a community-based sporting organisation, with a focus on family, fun and healthy lifestyle. There is no indication its operations will adversely affect children and their families utilising the Flagstone adventure playground facilities across the road.
17. The lack of public transport is out of the club's control, and there is no indication this consideration provides sufficient reason to refuse the licence application.
18. 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 application for a new community other licence, 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 provision of facilities and services to the relevant club's members and the achievement of the club's objects.
- 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.