

# Office of Liquor and Gaming Regulation



## Information Notice

**Application Type:** Commercial Hotel Licence with extended trading hours

**Trading Name:** The Milton Rooftop and Bar

**Address of the Premises:** Level 1 & 2, 2 Caxton Street, Petrie Terrace

**Date of the Decision:** 11 August 2025

**Applicable Legislations:** Part 4, Division 2 (*Liquor Act 1992*)

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## Reasons for the Decision

As delegate of the Commissioner for Liquor and Gaming, I conducted a review of the applications for a commercial hotel licence with extended trading hours lodged by the applicant on 25 March 2025. In deciding the applications, I have considered the following:

1. The applicant is eligible to apply for a commercial hotel licence under the *Liquor Act 1992* (Liquor Act).
2. No objections/comments were received from QPS, council, the local MP or the Minister.
3. The premises is located within the Brisbane City Council (BCC) area, the applicant is subject to the provisions of sections 142AD to 142AK of the Act in relation to the trading hours after 1:00 am and is already subject to CCTV and security requirements under those sections.
4. The proposed premises is to be located in the Inner West Safe Night Precinct.
5. The officers of the OLGR Compliance Division, who are responsible for assessing compliance of the licensee under the provisions of the Act, offered no objection to the application (subject to a final inspection upon completion of the premises and certain conditions to be endorsed on the licence).
6. An acoustic report, prepared by a qualified sound engineer, will be lodged for assessment to determine suitable noise conditions to minimise the impact of entertainment and patron noise on the locality.
7. The Act does not contemplate there will be no impact caused by licensed premises, any potential impact on the amenity of the community or locality would be minimised, mitigated or prevented by the proposed conditions.
8. The Liquor Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance is substantiated.
9. A decision to grant the application is justifiable and reasonable under the *Human Rights Act 2019*.

I took into account the objections received, which outlined concerns regarding:

10. Excessive noise levels including from intoxicated patrons departing from the premises and from the rooftop area and loud music from an elevated location.
11. SNP is not a well serviced nightlife precinct, lack of public toilets.
12. Violence and problems with street hygiene

After considering all of the relevant factors and information provided, both positive and negative, and the aforementioned findings on material questions of fact, I decided to provisionally grant the licence with trading hours of 10:00 am to 3:00 am, Monday to Sunday subject to the imposition of the following conditions:

- *LL274 - Liquor may be sold or supplied only whilst the premises adheres to its principal activity of the sale of liquor for consumption on the licensed premises, or on and off the premises.*
- *LL108 - Liquor may not be sold for consumption off the licensed premises after 10:00pm or be taken away from the premises after 10:30 pm.*
- *LL250 - 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.*
- *LL253 - Non-amplified entertainers and/or speakers used to amplify noise must not be located in any outdoor area of the premises, including verandah, patio, footpath or beer garden.*
- *LI159 - This provisional licence does not allow the sale or supply of liquor under the authority of the provisional licence.*
- *LL162 - The issue of the licence is subject to completion of the premises in accordance with the plans lodged with the Commissioner, or subsequently amended plans considered appropriate for the licence.*
- *LL164 - 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.*
- *LL165 - The issue of the licence is subject to the lodgement of an acoustic report of which, the content and recommendations satisfy the Commissioner that any noise from the premises will not create a noise nuisance*
- *LL171B - All the stated evidence must be produced to the Commissioner within 4 years of the issue of the provisional licence.*