

# Office of Liquor and Gaming Regulation



## Information Notice

<b>Application Type:</b>	Extended trading hours
<b>Trading Name:</b>	Falvey's Hotel Gatton
<b>Address of the Premises:</b>	111 Railway Street, Gatton
<b>Date of the Decision:</b>	<b>11 June 2025</b>
<b>Applicable Legislations:</b>	Part 4A, Division 4 ( <i>Liquor Act 1992</i> )

---

### Brief Summary of the Reasons for the Decision

As delegate of the Commissioner for Liquor and Gaming, I conducted a review of the application for extended trading hours lodged by the applicant on 7 August 2024. In deciding the application, I took into account the following findings of fact:

1. The Queensland Police Service and the local authority have no objection to the application.
2. The officers of the Office of Liquor and Gaming Regulation's (OLGR) Compliance Division, who are responsible for assessing compliance of the licensee under the provisions of the Liquor Act, offered no objection to the application (subject to certain conditions to be endorsed on the licence).
3. One public objection was received along with a petition containing 146 signatures from the community.
4. Appropriate noise mitigation conditions are to be applied during the extended trading hours formulated from an acoustic report lodged with the application.
5. A 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 application.
6. A demonstrated community need statement was prepared in accordance with section 86 of the Liquor Act to support the need for early trading hours.
7. The Liquor Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance is substantiated.
8. The decision is reasonable and justifiable, having regard to section 13(2) of the *Human Rights Act 2019*. The "limitation" on a human right is justified on the basis that the purpose of the limitation is to minimise or prevent harm to other humans. not limited by my decision to approve the application.

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

1. noise from both patrons and entertainment;
2. health risks;
3. public safety; and
4. legal precedents regarding adverse effects on community amenity.

In response to the objections received, I am satisfied the granting of the extended trading hours would not necessarily have an adverse effect on the amenity of the locality as:

1. 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.
2. A reduction in the proposed days of trade for the late extended trading hours from Monday to Sunday to Friday and Saturday only will apply.
3. Appropriate conditions relating to harm minimisation, public safety and amenity and noise are to be imposed on the licence.
4. It is the responsibility of the licensee to ensure patron and other venue related noise does not negatively impact on local residents.
5. The OLGR has a complaints system and can take action to address any substantiated breaches of licence terms and conditions should the licensee be unable to meet their responsibilities under the Act.

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 subject to the following conditions:

- Trading hours of 9:00 am to 12:00 am Monday to Sunday (takeaway sales) and 10:00 am to 2:00 am Friday and Saturday (general trade).
- LL004 – Liquor may not be sold for consumption off the licensed premises after 12 midnight or be taken away from the premises after 12.30 am
- LL300 - The licensee and approved manager/s must ensure crowd controllers licensed under the Security Providers Act 1993 are employed in the following ratios at all times from 11:00 pm until one hour after the premises ceases to supply liquor:
  - 1 to 100 patrons or part thereof - 1 crowd controller
  - More than 100 patrons but not more than 200 patrons - 2 crowd controllers
  - More than 200 patrons but not more than 300 patrons - 3 crowd controllers
  - More than 300 patrons but not more than 400 patrons - 4 crowd controllers
  - More than 400 patrons but not more than 500 patrons - 5 crowd controllers
  - Plus at least 1 crowd controller for every 250 patrons (or part) thereafter.
- LL302 - The licensee and approved manager/s must ensure a minimum of one (1) crowd controller licensed under the Security Providers Act 1993 maintains surveillance outside the premises for at least one hour after the premises closes for business or, if earlier, until all patrons have vacated the immediate vicinity of the premises.

- LL305 - The licensee and approved manager/s must ensure an incident register is kept on site, in a secure place. The register must be signed by all staff involved in the incident and must include:
  - a. Date and time of the incident;
  - b. Where the incident occurred;
  - c. Full descriptions of persons involved, including names where obtainable;
  - d. Reasons for removing persons from the premises;
  - e. Any details of injuries to persons.
- LL306 - The licensee and approved manager/s must maintain closed-circuit television (CCTV) equipment recordings of all patrons entering and leaving the premises via the entrance and exit (including any fire exit used for removing patrons). The CCTV footage must include recordings of all interactions between patrons and crowd controllers or staff, from 8:00 pm until one hour after all patrons have left the premises, or close of business, whichever is later.
- LL308 - The licensee and approved manager/s must keep CCTV recordings in a secure place for at least 28 days after the recording is made. Recordings of incidents where persons are removed or injured must be kept on the premises for 1 year after the recording is made. The recordings must be produced on request by an investigator appointed under the Liquor Act 1992.
- LL317 – Conditions LL300 and LL302 apply only on nights the premises trades beyond 1:00 am.
- 11807170 -Noise emanating from the TAB/Front Bar area of the premises including amplified and/or non-amplified noise and/or patron noise must not exceed the following limits, fast response, when measured at the close external monitoring location approximately 3 metres from the entrance:  
12:00am to 02:00am – 69 dB(C)
- 11807174 - After midnight all windows must be kept closed whenever amplified entertainment or music is in progress at the premises.
- 11807177 - After midnight all amplified entertainment or music is only to be conducted in the TAB/Front Bar of the premises.