

# Office of Liquor and Gaming Regulation



## Information Notice

**Application Type:** Commercial Other Subsidiary On Premises Licence

**Trading Name:** The Prawnster

**Address of the Premises:** City Botanic Gardens River Hub, 147C Alice Street, Brisbane City

**Date of the Decision:** 03/05/2024

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

---

### Reasons for the Decision

As delegate of the Commissioner for Liquor and Gaming, I conducted a review of the application for a commercial other subsidiary on premises licence lodged by the applicant on 2 January 2024. In deciding the application, I have considered the following:

1. The applicant is eligible to apply for a commercial other subsidiary on premises licence under the *Liquor Act 1992* (Liquor Act).
2. Section 4(1)(d) of the *Liquor Regulation 2002* (Liquor Regulation) provides that each application for a licence must be accompanied by the following particulars:
  - 2.1 evidence, satisfactory to the commissioner, that using the premises for the licence to which the application refers is permitted under the planning scheme of the relevant local authority.
3. The applicant has failed to provide satisfactory evidence to the commissioner in this instance.
4. The Department of Resources and the Brisbane City Council (local authority) objected to the application.
5. The detailed submissions provided by your representative and the detailed submissions provided by the local authority.
6. No objections were lodged by the Queensland Police Service (QPS).
7. 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).
8. No public objections were received from the community.
9. The Liquor Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance is substantiated.
10. A decision to refuse the application is justifiable and reasonable under the *Human Rights Act 2019*.

After considering all of the relevant factors and information provided, I decided to refuse the licence pursuant to section 4(1)(d) of the Liquor Regulation as I am not satisfied, from the evidence provided, that using the premises for the licence to which the application refers is permitted under the planning scheme of the local authority for the premises.

For the reasons outlined above, I have refused your application for the commercial other subsidiary on premises (meals) licence.