

## Information Notice

<b>Application Type:</b>	Variation of Conditions
<b>Trading Name:</b>	Twin Waters Golf Club
<b>Address of Premises:</b>	151 Ocean Drive, Twin Waters
<b>Date of the Decision:</b>	17 December 2024
<b>Applicable Legislation:</b>	Section 111 of the <i>Liquor Act 1992</i>

---

### Brief Summary of the Reasons for the Decision

As A/Manager, Licensing, I conducted a review of an application to vary the conditions of the liquor licence lodged by the applicant on 15 July 2024. In deciding the application, I took into account the following findings of fact:

1. The applicant is eligible to apply for a variation of liquor licence under the *Liquor Act 1992* (the Act).
2. The local authority objected to the application.
3. The Queensland Police Service had no objection to the application.
4. 3 petitions containing 67 signatures and 19 individual objections containing 28 signatures were received. 5 objectors lodging both an individual objection and signed a petition.
5. OLGR Compliance, which is responsible for assessing compliance of the licensee under the provisions of the Act has no objection to the application.
6. Appropriate conditions are imposed on the licence to mitigate any potential amenity impacts.
7. The Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance should be substantiated.
8. Human rights are not limited by my decision to approve the application.

I have considered the relevant matters outlined in Section 111 of the *Liquor Act 1992*.

I took into account the objections received which outlined concerns about the negative impact of noise.

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

9. It is the responsibility of the licensee to ensure patron and other venue related noise does not negatively impact on local residents.

10. 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.
11. Appropriate noise mitigation conditions supported by an acoustic report from a qualified sound engineer will be imposed in support of the application.

After considering all of the relevant facts and information, both positive and negative, and the aforementioned findings on material questions of fact, I decided to grant the removal of the following conditions:-

- *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.*
- *Non-amplified entertainers or speakers used to amplify noise must not be located in any outdoor, verandah, patio or footpath area of the premises.*
- *The provision of live entertainment, including DJ's, is prohibited on the premises.*

And imposition of the following conditions:

- *Unless otherwise conditioned on this licence, noise emanating from all internal areas of 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.*
- *Unless otherwise conditioned on this licence, 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, beer garden or car park.*
- *Between 10:00 am and 10:00 pm, noise emanating from the outdoor arbour located approximately 30 metres southwest of the main club house, including amplified and/or non-amplified noise and/or patron noise, must not exceed 75dB(A), fast response, when measured approximately 3 metres from the primary source of the noise.*  
*Amplified noise from the outdoor arbour must be conducted through a single speaker which must be located on the bottom step of the arbour and the speaker must face in a north easterly direction towards the main clubhouse.*
- *Between 10:00 am and 10:00 pm, noise emanating from the grassed area in front of the terrace on the northern side of the main club house, including amplified and/or non-amplified noise and/or patron noise must not exceed 77dB(A), fast response, when measured approximately 3 metres from the primary source of the noise.*  
*Amplified noise from the grassed area in front of the terrace on the northern side of the main club house must be conducted through a single speaker located within one metre of the bottom stair of the central set of stairs accessing the golf course from the northern side of the main club house. The speaker must face in a north westerly direction away from the main clubhouse.*
- *Noise emanating from inside the main clubhouse, including amplified and/or non-amplified noise and/or patron noise, must not exceed the following levels, fast response, when measured approximately 3 metres from the primary source of the noise -*

*Between 10:00 am to 10.00 pm - 75dB(A), with any amplified noise conducted through a single speaker located in the main bar area, approximately 7 metres in front of the main bar, and the speaker must face towards the main bar.*

*Between 10.00 pm to 12.00 am – 84dB(C), with any amplified noise conducted through a single speaker located in the main bar area, approximately 9 metres perpendicular to the centre of the function room foldaway doors, and the speaker must face in a westerly direction towards the main function room.*

- *Whenever noise inside the main clubhouse exceeds 75dB(C), fast response, when measured approximately 3 metres from the primary source, all concertina doors and windows of the main clubhouse must remain fully closed and entry/exit only permitted via the main front entry doors or the double doors accessing the terrace from the main bar area.*