

Office of Liquor and Gaming Regulation



Information Notice

Application Type: Community other licence

Trading Name: Amateur Fishermen's Association of Queensland Inc

Address of the Premises: 13 Renton Lane, Bongaree

Date of the Decision: 14 December 2023

Applicable Legislations: Part 4, Division 6 (*Liquor Act 1992*)

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 a community other licence lodged by the applicant on 5 September 2023. In deciding the application, I took into account the following findings of fact:

1. The applicant is eligible to apply for a community other licence under the *Liquor Act 1992* (Liquor Act).
2. The applicant has sought trading hours of 1pm to 6pm Wednesday to Sunday only.
3. No objections were lodged by the local authority or Queensland Police Service (QPS).
4. A petition containing 6 public objections were received from the community.
5. There is no obligation under section 116 of the Liquor Act for the applicant to lodge a community impact statement.
6. An appropriate noise mitigation condition will be imposed on the licence as no amplified entertainment is to be conducted.
7. Moreton Bay Regional Council has granted the club the right of use, acknowledging its historical presence.
8. The Liquor Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance under the Liquor Act 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 the following main concerns:

- Traffic/Parking
- Noise
- Amenity concerns

In response to the objections 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:

10. No objections were received from the local authority or QPS.
11. An appropriate noise mitigation condition is to be imposed on the licence.
12. The local authority is the regulatory authority responsible for ensuring that development approvals and town planning matters are complied with.
13. The Liquor Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance under the Liquor Act should be substantiated.

After considering all the relevant factors and information, both positive and negative, and the aforementioned findings on material questions of fact, I decided to grant the community other licence for the hours of 1pm to 6pm Wednesday to Sunday 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.