

Information Notice

Application Type:	Commercial other bar licence
Trading Name:	Pour & Tipple
Address of Premises:	990 Logan Road, Holland Park West
Date of the Decision:	13 November 2024
Applicable Legislation:	Part 4, Division 4, Subdivision 4 of the <i>Liquor Act 1992</i> .

Brief Summary of the Reasons for the Decision

As A/Manager, Licensing, I conducted a review of the application for a commercial other subsidiary on premises licence lodged by the applicant on 29 September 2024. In deciding the application, I took into account the following findings of fact:

1. The applicant is eligible to apply for a commercial other subsidiary on premises licence under the *Liquor Act 1992* (the Act).
2. The local authority have no objection to the application.
3. One letter of objection was received.
4. Appropriate conditions are imposed on the licence to mitigate any potential amenity impacts.
5. The premises will be operating with restricted trading hours.
6. The Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance should be substantiated.
7. Human rights are not limited by my decision to approve the application.

I have considered the relevant matters outlined in Part 4, Division 4 of the Act.

I took into account the objection received which outlined concerns for the negative impact of noise, operating hours, limited parking and safety and well-being of staff and clients of businesses.

In response to the objection received, I am satisfied the granting of the commercial other subsidiary on premises licence would not necessarily have an adverse effect on the amenity of the locality as:

8. The local authority have no objection to the application.
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.

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 licence, subject to the following conditions:

- *Liquor may be sold or supplied only whilst the premises adheres to its principal activity of the sale of liquor on the licensed premises having the capacity to seat not more than 60 patrons at any one time.*
- *The licensee and approved manager/s must ensure that no more than 100 patrons, whether seated or otherwise, are on the licensed premises at any one time.*
- *The sale or supply of liquor for consumption off the premises (takeaways) is prohibited.*
- *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.*
- *This provisional licence does not allow the sale or supply of liquor under the authority of the provisional licence.*
- *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.*
- *All the stated evidence must be produced to the Commissioner within 4 years of the issue of the provisional licence.*