

## Information Notice

**Application Type:** Change the licensed area

**Trading Name:** Sandstone Point Hotel & Function Centre

**Address of the Premises:** 1780 – 1820- Bribie Island Road, Sandstone Point

**Date of the Decision:** 22 December 2023

**Applicable Legislations:** Section 154 (*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 change to the licensed premises lodged by the applicant on 25 September 2023. In deciding the application, I took into account the following findings of fact:

1. The applicant is eligible to apply for a change in licensed area for the commercial hotel licence under the *Liquor Act 1992* (Liquor Act).
2. No objections were lodged by the local authority or Queensland Police Service (QPS).
3. 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.
4. There were 66 public objections lodged in response to advertising.
5. There is no obligation under section 154 of the Liquor Act for the applicant to lodge a community impact statement.
6. The local authority has approved the hotel to conduct up to 11 live outdoor concerts per year.
7. The Development Approval (DA) sets out applicable noise levels based on the Environmental Protection Act (EPA).
8. The regulation of noise of major outdoor events has been monitored and regulated by Council since the concerts began at the hotel through temporary changes to the liquor licence. The current application is seeking to make this arrangement permanent.
9. The applicant is obliged under section 142ZZB of the Liquor Act to provide a safe environment and preserve the amenity of the locality by ensuring that patrons do not create disturbance entering or leaving the premises.
10. The Liquor Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance under the Liquor Act is substantiated.
11. 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:

- The application type and process
- Non-compliance with the DA issued by Council and the lack of monitoring of those conditions by Council
- Noise
- Environmental impacts
- Traffic/Parking
- Safety concerns

In response to the objections received, I am satisfied the granting of the change of licensed area to remove the stage area would not necessarily have an adverse effect on the amenity of the locality as:

12. 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.
13. The local authority is the regulatory authority responsible for ensuring that development approvals and town planning matters are complied with.
14. 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 of the relevant factors and information, both positive and negative, and the aforementioned findings on material questions of fact, I decided to grant the change to the licensed area removing the stage area and amending specific condition 4300093 to read as follows:

*An event management plan must be produced immediately upon request by officers from Liquor and Gaming Regulation or Queensland Police for all events at the licensed premises in which the expected attendance of patrons will exceed 2000 patrons.*