

# Office of Liquor and Gaming Regulation



## Information Notice

**Application Type:** Extended Hours Application – Liquor

**Trading Name:** Club Hotel Chinchilla

**Address of the Premises:** 131 Heeney Street, Chinchilla

**Date of the Decision:** 21 January 2022

**Applicable Legislation:** Part 4, Division 7 of the Liquor Act 1992

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### Brief Summary of the Reasons for the Decision

As the Acting Commissioner for Liquor and Gaming, I conducted a review of an application for extended liquor hours lodged by the applicant on 13 August 2021. In deciding the application, I took into account the following findings of fact:

1. The applicant is eligible to apply for extended trading hours under the *Liquor Act 1992* (Liquor Act).
2. The request was for an additional two hours of trade until 2:00am on Friday and Saturday nights only.
3. No objections were lodged by the local authority or the community.
4. The Office of Liquor and Gaming Regulation's (OLGR) Compliance Division, who are responsible for ensuring compliance of premises under the provisions of the Liquor Act, offered no objection to the application (subject to conditions to be endorsed on the licence).
5. An objection to the application was lodged by the Queensland Police Service.
6. The applicant is an experienced hotel operator, holding liquor licences for other venues within Queensland.
7. The liquor community impact statement was prepared in accordance with Commissioner's Guideline 38. The community impact assessment process did not identify any significant issue of concern/adverse comment in relation to the application.
8. The Liquor Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance is substantiated.
9. The various building projects underway in the area that may result in population increases in the area.
10. A decision to grant the application is justifiable and reasonable under the *Human Rights Act 2019*.

I took into account the objection received which outlined the following concerns:

11. Increase in extended trading hours will cause serious operational concerns in relation to assisting with liquor related offences and place additional strain on local police resources.
12. A number of incidents requiring police assistance at the venue between 2020 and 2021.

In response to the objection received, I am satisfied the granting of the liquor extended hours would not necessarily have an adverse effect on the amenity of the locality nor would it affect the public interest as:

13. No objections were received from the local authority, community or OLGR Compliance.
14. The request has been made for two nights of the week only, on the more popular trading days of the week.
15. Suitable liquor licence conditions, which will minimise any potential safety/amenity concerns will be endorsed on the licence.
16. The Liquor Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance 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 extend trading hours for liquor on Friday and Saturday to 2:00am, with the imposition of the following conditions on the liquor licence:

- Liquor may not be sold for consumption off the licensed premises after 12am or be taken away from the premises after 12:30am.
- The licensee and approved manager/s must ensure crowd controllers licensed under the *Security Providers Act 1993* are employed in the following ratios at all times from 11:00pm until one hour after the premises ceases to supply liquor:
  - 1 to 100 patrons or part thereof - 1 crowd controller
  - More than 100 patrons but not more than 200 patrons - 2 crowd controllers
  - More than 200 patrons but not more than 300 patrons - 3 crowd controllers
  - More than 300 patrons but not more than 400 patrons - 4 crowd controllers
  - More than 400 patrons but not more than 500 patrons - 5 crowd controllers
  - Plus at least 1 crowd controller for every 250 patrons (or part) thereafter.
- The licensee and approved manager/s must ensure a minimum of one (1) crowd controller licensed under the *Security Providers Act 1993* maintains surveillance outside the premises for at least one hour after the premises closes for business or, if earlier, until all patrons have vacated the immediate vicinity of the premises.
- The licensee and approved manager/s must ensure an incident register is kept on site, in a secure place. The register must be signed by all staff involved in the

incident and must include:

- a. Date and time of the incident;
  - b. Where the incident occurred;
  - c. Full descriptions of persons involved, including names where obtainable;
  - d. Reasons for removing persons from the premises;
  - e. Any details of injuries to persons.
- The licensee and approved manager/s must maintain closed-circuit television (CCTV) equipment recordings of all patrons entering and leaving the premises via the entrance and exit (including any fire exit used for removing patrons). The CCTV footage must include recordings of all interactions between patrons and crowd controllers or staff, from 8:00pm until one hour after all patrons have left the premises, or close of business, whichever is later.
  - The licensee and approved manager/s must keep CCTV recordings in a secure place for at least 28 days after the recording is made. Recordings of incidents where persons are removed or injured must be kept on the premises for 1 year after the recording is made. The recordings must be produced on request by an investigator appointed under the Liquor Act 1992.
  - Conditions LL300 and LL302 apply only on nights the premises trades beyond 1:00am.