

## Information Notice

<b>Application Type:</b>	Extended trading hours
<b>Trading Name:</b>	Sporting Globe Bar & Grill Robina
<b>Address of the Premises:</b>	Robina Town Centre, Shop 1011, Robina Town Centre Drive, Robina
<b>Date of the Decision:</b>	9 November 2022
<b>Applicable Legislations:</b>	Section 86 of the Liquor Act 1992

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### Brief Summary of the Reasons for the Decision

As delegate for the Commissioner for Liquor and Gaming, I conducted a review of the application for extended trading hours lodged for the Sporting Globe Bar & Grill Robina on 4 August 2022. 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* (the Act).
- 2) The application was advertised for public comment with no objections being received.
- 3) No objections were lodged by the local authority.
- 4) The Queensland Police Service (QPS) objected to the application on the basis:
  - a) There is sporadic evidence of recorded incidents of patron behaviour which include offences against public order, and serious criminal offences.
  - b) There would be insufficient public transport to service the area between 12:00am and 2:00am, thereby creating a real potential to cause undue offence, annoyance and disturbance.
  - c) There is a sound argument that increasing trading hours and the availability of alcohol has a correlation with increase in alcohol related crime.
  - d) There is no apparent community necessity for a 2:00am licence in the Robina Police Division. Should an extension of trading hours be granted a precedent would be set in relation to further applications being submitted outside the current recognised safe night entertainment precinct corridor.
- 5) The Office of Liquor and Gaming Regulation's (OLGR) Compliance Division, who are responsible for ensuring compliance of premises under the provisions of the Act, offered no objection to the application (subject to changes to the conditions to be endorsed on the licence).
- 6) Appropriate conditions have been imposed on the licence to reduce the likelihood of amenity issues being linked to the operation of the premises.

- 7) The Act provides avenues to complain and empowers OLGR to address issues in the event non-compliance is substantiated.
- 8) The decision is reasonable and demonstrably justifiable under the *Human Rights Act* as impact on the amenity of the locality will be minimised if the applicant complies with its licence conditions and statutory obligations under the Act.

I have considered the relevant matters outlined in section 86 of the Act.

- 9) I have taken into account the QPS objection that relates to recorded incidents of patron behaviour which include offences against public order, and serious criminal offences.

In response to the objection received, I am satisfied the granting of extended trading hours is unlikely to significantly impact on local amenity as:

- 10) There are no objections to the application from the general public, the local authority, or OLGR compliance.
- 11) There are already three commercial hotels situated within a two kilometre radius of the premises, which currently trade until 2:00am.
- 12) The premises has hosted recent temporary extended hours functions related to sporting events without apparent incident.
- 13) Suitable conditions are endorsed on the licence to assist the licensee to trade in a compliant manner.
- 14) 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 approve the extended trading hours, subject to endorsement of the following additional conditions:

- 15) *Noise emanating from the premises including amplified or non-amplified noise and patron noise must not exceed the following levels, fast response, when measured approximately 3 metres from the primary source of the noise:*
  - a) *80 dB(C) between 10:00am and 2:00am*
  - b) *75 dB(C) at all other times.*
- 16) *The licensee and approved manager/s must ensure a minimum of two (2) crowd controllers licensed under the Security Providers Act 1993 are employed from 8:00pm until one hour after close, or until all patrons have vacated the vicinity of the premises, whichever is the latest, on nights the premises trades beyond 1:00am.*
- 17) *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.*

- 18) *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.*
- 19) *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.*