

**5.01. APPLICATION FOR A COMMERCIAL HOTEL LICENCE -
HEMINGWAY'S BREWERY FNQ PTY LTD - THE REEF MARINA, PORT
DOUGLAS**

REPORT AUTHOR(S): Susanna Andrews, Technical Planning Officer
GENERAL MANAGER: Paul Hoye, General Manager
DEPARTMENT: Sustainable Communities Development and Environment

PROPOSAL Application for Commercial Hotel Licence

APPLICANT Hemingway's Brewery FNQ Pty Ltd

NAME OF PREMISES The Reef Marina

LOCATION OF SITE Shops 66 & 67
44 Wharf Street
Port Douglas

PROPERTY Lot 146 on SR861

LOCALITY PLAN



LOCALITY	Port Douglas & Environs
PLANNING AREA	Port Douglas Waterfront - North
PLANNING SCHEME	Douglas Shire Planning Scheme 2006
REFERRAL AGENCY	Office of Liquor & Gaming Regulation Department of Justice & Attorney-General Locked Bag 180 CITY EAST QLD 4002
REQUEST RECEIVED	19 January 2016

RECOMMENDATION

That the applicant and the Office of Liquor and Gaming Regulation, Department of Justice and Attorney-General, be advised that Council does not object to the Application for a commercial hotel licence for Hemingway's Brewery FNQ Pty Ltd, Shops 66 & 67, The Reef Marina, 44 Wharf Street, Port Douglas, also described as Lot 146 on SR861.

INTRODUCTION

Hemingway's Brewery FNQ Pty Ltd

A request for Council's comment has been submitted by the Department of Justice and Attorney-General, Office of Liquor and Gaming Regulation, for Hemingway's Brewery FNQ Pty Ltd, located at Shops 66 & 67, The Reef Marina, 44 Wharf Street, Port Douglas, and described as Lot 146 on SR861. A copy of the request is attached as *Attachment 1*.

Type of Licence – Commercial Hotel Licence

If the licence is granted it would enable the holder to sell liquor for consumption on or off the premises.

The applicant has also indicated their intention to include an outdoor dining area as part of their proposed licensed area.

Planning Scheme Requirements

The land is included within the Port Douglas Waterfront - North. There are no planning concerns with regard to the approved use on the site.

Discussion/Comments

Comments in relation to the proposed Liquor Licence were received from Council's Community and Economic Development Officer and Council's Environmental Health Officer.

Council's Executive Officer

The request for comment was forwarded to the Executive Officer to provide comments on behalf of the CEO Unit.

The Executive Officer supports the application provided that Responsible Service of Alcohol and Responsible Promotion of Alcohol standards are met.

Environmental Health Officer

Environmental Health and Regulatory Services has assessed this application and offers no objection or concerns with the proposal, on the condition that the operators have obtained a licence to sell food associated with the liquor licensing conditions.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

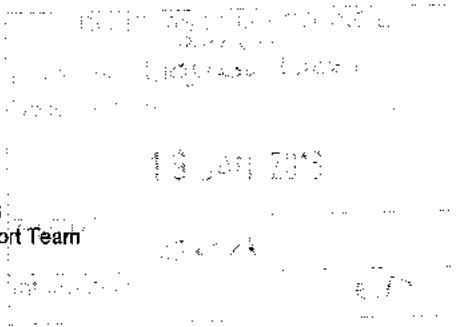
The following area outlines where Council has a clear responsibility to act:

Regulator: Meeting the responsibilities associated with regulating activities through legislation or local law.

Under the *Sustainable Planning Act 2009* and the *Sustainable Planning Regulation 2009*, Council is the assessment manager for the application.

ATTACHMENTS

Attachment 1 – Request



Queensland Government

Office of Liquor and Gaming Regulation

Department of Justice and Attorney-General

Please quote: 925906 / LAB03
Contact officer: Customer Support Team
Contact telephone: (07) 3224 7131

Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Dear Sir/Madam

HEMINGWAY'S BREWERY FNQ PTY LTD - PORT DOUGLAS
Application for a commercial hotel licence
Real property description: Lot 146 on CP SR861, County of Solander, Parish of Salisbury
Applicant's contact details: C/- Ms Melynda Robinson, Commercial Licensing Specialists, phone: 07 5526 0112, email: mel@clslicensing.com.au

Attached for your information is a copy of the advertising notice relating to an application lodged for the above named premises.

Should this licence be granted it would enable the holder thereof to sell liquor for consumption on or on and off the premises.

Please note that the applicant has also indicated their intention to include an outdoor area as part of their proposed licensed area.

This letter is to inform you of the application and give you the opportunity to:-

1. Comment on the reasonable requirements of the public in the locality.
1. Object to the grant of the application on the grounds that amenity, quiet or good order of the locality would be lessened.

Please advise whether you have any comments on, or objections to, the grant of the application. In accordance with section 117 of the *Liquor Act 1992* your comments or objection must be given to this office on or before the last day for filing objections. To comply with section 117 of the Act, your comments or objection should be received by 19 February 2016.

If you do not support the application, your comments or objections should include full particulars of:

Office of Liquor and Gaming Regulation
33 Charlotte Street
BRISBANE QLD 4000
Locked Bag 180
CITY EAST QLD 4002

Telephone +61 7 3224 7131
Facsimile +61 7 3227 7047
Email liquorandgaminglicensing@justice.qld.gov.au
Website www.business.qld.gov.au/liquor-gaming

