

## 5.01. APPLICATION TO EXTEND TRADING HOURS OF LIQUOR LICENSE FOR BARBADOS PORT DOUGLAS

**REPORT AUTHOR(S):** Daniel Lamond, Planning Officer  
**GENERAL MANAGER:** Paul Hoyer, General Manager Operations  
**DEPARTMENT:** Sustainable Communities

**PROPOSAL** Application to Extend Trading Hours of Commercial Other Subsidiary on Premises Licence

**APPLICANT** Tripod Enterprises Pty Ltd

**NAME OF PREMISES** Barbados Port Douglas

**LOCATION OF SITE** Shop 65 The Reef Marina  
Wharf Street, Port Douglas

**PROPERTY** Lot 146 on SR861

### LOCALITY PLAN



**LOCALITY** Port Douglas

**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

15 April 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 to extend Trading Hours for Commercial Other Subsidiary on Premises Licence for Barbados Port Douglas, from 10:00am to 1:00am Monday to Sunday, Shop 65 The Reef Marina, Wharf Street, Port Douglas, also described as Lot 146 on SR861.**

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## INTRODUCTION

### Barbados Port Douglas

A request for Council's comment has been submitted by the Department of Justice and Attorney-General, Office of Liquor and Gaming Regulation, for Barbados Port Douglas, located at Shop 65 The Reef Marina, Wharf Street, Port Douglas and described as Lot 146 on SR861. A copy of the request is attached as *Attachment 1*.

Current trading hours of the commercial other subsidiary on premises licence are the standard trading hours of 10:00am to 12:00am, Monday to Sunday. The proposed trading hours of the licence are 10:00am to 1:00am Monday to Sunday.

### Type of Licence – Commercial Other Subsidiary on Premises Licence

Tripod Enterprises Pty Ltd currently holds a licence which enables it to sell liquor for consumption on the premises while adhering to its principal activity being the provision of entertainment or visual instruction to tourists. The licensed area includes an outdoor dining area, as part of the licensed area.

### Planning Scheme Requirements

The land is included within the Port Douglas Waterfront North Planning Area. 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.

With respect to Town Planning considerations, no sensitive land uses such as residential development are within close proximity to the subject site. The potential for a noise nuisance and general disturbance to occur with an extension of trading hours within the vicinity is minimal.

### **Council's Community & Economic Development Officer**

The request for comment was forwarded to the Community and Economic Development Officer to provide comments on behalf of the CEO Unit.

The Community and Economic Development 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 advises that Barbados Port Douglas has kitchen plans approval to fit-out the premises as a bar with supporting kitchen facilities, and subsequently has a current food business licence. Environmental Health and Regulatory Services has no objection to an extension of trading hours.

### **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





If you require clarification on any of these matters, please do not hesitate to contact the Customer Support Team on telephone (07) 3224 7131.

Yours sincerely



**MICHAEL SARQUIS**  
**Executive Director**

12/14/2016

## Liquor licence premises details

### Premise details:

**Licence number:** 174712  
**Licence type:** Commercial Other - Subsidiary On Premises  
**Status:** Issued

### Premises description:

#### MAIN PREMISES:

THE REEF MARINA  
 SHOP 65  
 WHARF STREET  
 PORT DOUGLAS QLD 4877

#### BARBADOS PORT DOUGLAS

Phone:

### Real property description:

LAND DESCRIBED AS PART OF LOT 146 ON CROWN PLAN SR861

### Licensed area description:

Restaurant located at Shop 65 and kitchen located in part of Shop 37, separated by an internal walkway, situated at The Reef Marina, Wharf Street, Port Douglas including a defined outdoor dining deck adjoining Shop 65 measuring approximately 9 metres x 27 metres.

### Trading hours description:

10:00 AM to 12:00 AM Monday - Sunday

(excluding Christmas Day, New Year's Eve, Good Friday and Anzac Day, the trading hours of which are prescribed in the Liquor Act 1992)

### ID Scanner Status:

SNP Region: Rest of State

### Licensee(s):

Name	Interim authority?	Start date	To date
TRIPOD ENTERPRISES PTY LTD	No	16-DEC-2015	

### Condition(s):

#### Standard Condition(s)

- LL276 Liquor may be sold or supplied only whilst the premises adheres to its principal activity of provision of meals prepared, and served to be eaten, on the licensed premises.
- LL020 Liquor may be sold and supplied to persons on the licensed premises who are genuinely attending a function for consumption by those persons at the function.
- LL250 Noise emanating from the premises including amplified or non-amplified noise and patron noise must not exceed 75dB(C), fast response, when measured approximately 3 metres from the primary source of the noise.
- LL253 Non-amplified entertainers or speakers used to amplify noise must not be located in any outdoor, verandah, patio or footpath area of the premises.
- LL140 Under Section 155(4)(e), approval is granted for minors to be on the licensed premises for the purpose of purchasing and consuming food and non-alcoholic beverages.

### Registered Interest(s):

Name	Type	Start date	To date
THE REEF MARINA PTY LTD	LESSEE	27-FEB-2015	
TRIPOD ENTERPRISES PTY LTD	SUB-LESSEE	27-FEB-2015	

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