

ORDINARY MEETING 16 JUNE 2015	5.2
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VARIATION OF A LIQUOR LICENCE FOR A LICENSED PREMISES – THE LITTLE LARDER, SHOP 2, 40 MACROSSAN STREET, PORT DOUGLAS
Paul Hoyer, General Manager Operations: #455865

PROPOSAL: VARIATION OF A LIQUOR LICENCE FOR A LICENSED PREMISES

APPLICANT: OFFICE OF LIQUOR & GAMING REGULATION
DEPARTMENT OF JUSTICE & ATTORNEY GENERAL
LOCKED BAG 180
CITY EAST QLD 4002

LOCATION: SHOP 2, 40 MACROSSAN STREET
PORT DOUGLAS QLD 4877

PROPERTY: LOT 306 ON PTD2091

LOCALITY: PORT DOUGLAS & ENVIRONS

PLANNING AREA: COMMERCIAL

PLANNING SCHEME: DOUGLAS SHIRE PLANNING SCHEME 2008

REFERRAL AGENCIES: NONE APPLICABLE

REQUEST RECEIVED 6 MAY 2015

ATTACHMENT: 1. REQUEST FOR COMMENT

LOCALITY PLAN**RECOMMENDATION:**

That the applicant and the Office of Liquor & Gaming Regulation, Department of Justice & Attorney-General, be advised that Council does not object to the Application for a variation of liquor licence for a licensed premises for The Little Larder, Shop 2, 40 Macrossan Street, Port Douglas, also described as Lot 306 on PTD2091.

INTRODUCTION:**The Little Larder**

A request for Council's comment has been submitted by the Department of Justice & Attorney-General, Office of Liquor & Gaming Regulation, for The Little Larder, located at Shop 2, 40 Macrossan Street, Port Douglas, and described as Lot 306 on PTD2091. A copy of the request is attached as *Attachment 1*.

Variation of Liquor Licence for a Licensed Premises

A variation is sought to the liquor licence for The Little Larder to increase the footpath dining area trading hours from 10:00 am until 3:00 pm to 10:00 am until 12:00 am, and increase the footpath dining area from eight (8) square metres to 16 square metres.

If the variation is granted it would enable the holder to sell liquor for consumption on the premises from 10:00 am until midnight while adhering to its principal activity being the provision of prepared food to be eaten on the premises.

The consumption of liquor in the footpath dining area is only authorised in respect of patrons seated at tables.

Planning Scheme Requirements

The land is included within the Commercial Planning Area. There are no planning concerns with regard to the approved use on the site.

General Policy – Liquor Licensing

The proposed application is consistent with Council's General Policy – Liquor Licensing No 1:04:14.

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 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 & 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.

ATTACHMENTS:

1. Request for comment.

ATTACHMENT 1: REQUEST

Please quote: 913281 / LAB08
 Contact officer: Customer Support Team
 Contact telephone: 07 3224 7131

DOUGLAS SHIRE COUNCIL Receiving	
File Name:	Liquor Licence
Document ID:	
- 6 MAY 2015	
Attendee:	SKA
Informant:	EP



Queensland
Government

Office of Liquor and Gaming Regulation

Department of
Justice and Attorney-General

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

Dear Sir/Madam

THE LITTLE LARDER - PORT DOUGLAS

Real Property Description: Part of Lot 306 on CP PTD 2091, County of Solander, Parish of Salisbury

Applicant's Contact Details: Mr Damion Jones, Phone: (07) 4099 6450, Email: damos.direct@bigpond.com

An application for a variation of liquor licence for a licensed premises within your area of authority has been received at this office. Details of the application are as follows:

Applicant:	The Little Larder Port Douglas Pty Ltd
Name of Premises:	The Little Larder
Street Address:	Shop 2, 40 Macrossan Street, Port Douglas Qld
Variation from:	Footpath Dining Area trading hours 10:00 am to 3:00 pm
Variation to:	Footpath dining area trading hours 10:00 am to 12:00 am
Type of Licence:	Commercial Other – Subsidiary on Premises café and increase in footpath dining area from 8 square metres to 16 square metres

Please find attached a copy of the Liquor Licence Premises Details report which outlines the current details of the liquor licence.

Note that the licensed area for this premises includes a footpath and outdoor dining areas as part of their licensed area.

You are now afforded the opportunity to comment or object to the granting of the application on the grounds that the amenity, quiet or good order of the locality would be lessened.

Please advise whether you have any comments on, or objections to, the granting of the application. Your comments or objection should be received by 14 May 2015.

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
 ABN 13 846 673 994

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

- The grounds upon which the objection is made.
- The facts, evidence or reasons upon which it is based.

The Commissioner cannot rely on statements that merely indicate the council does not support, or objects to the application.

Any comments or objection provided may be referred to the applicant.

The applicant has been advised to contact you in order to facilitate your advice.

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
1 / 05 / 2015

for

Encl.

Liquor licence premises details

Premise details:

Licence number: 170556
Licence type: Commercial Other - Subsidiary On Premises
Status: Issued

Premises description:**MAIN PREMISES:**

SHOP 2 **THE LITTLE LARDER**
 40 MACROSSAN STREET
 PORT DOUGLAS QLD 4877
 Phone:

Real property description:

LAND DESCRIBED AS PART OF LOT 306 ON CP PTD 2091, COUNTY OF SOLANDER, PARISH OF SALISBURY

Licensed area description:

Cafe located at Shop 2, 40 Macrossan Street, Port Douglas including an adjoining 'L' shaped outdoor dining area measuring approximately 20 square metres and footpath dining area measuring 8 square metres.

Trading hours description:

10:00 AM to 03:00 PM Monday - Sunday FOOTPATH DINING

10:00 AM to 12:00 AM Monday - Sunday INDOOR AND OUTDOOR DINING

(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: Exempt

SNP Region: Rest of State

Licensee(s):

Name	Interim authority?	Start date	To date
THE LITTLE LARDER PORT DOUGLAS PTY LTD	No	11-SEP-2014	

Condition(s):**Standard Condition(s)**

- LL296 Liquor may be sold or supplied only whilst the premises adheres to its principal activity of provision of prepared food to be eaten on the licensed premises.
- LL178 The majority of the premises (excluding the kitchen, toilets and any non-public areas) must be set up for the business of a cafe at all times the premises is open for the sale and/or supply of liquor except when the premises is being used for a bona fide function.
- LL183 Prepared food must be available for patrons up to one hour before the approved closing time for the sale and/or supply of liquor. This condition does not apply during the conduct of a function.
- 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.
- 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.
- LL012 Footpath dining approval will be cancelled if approval from the relevant local authority is not renewed.
- LL224 Patrons are permitted to remove liquor for on-premise consumption from the main premises for consumption in the footpath licensed area only.
- LL225 The consumption of liquor in the footpath dining area is only authorised in respect of patrons seated at tables.

Specific Condition(s)

Liquor licence premises details

Premise details:

Licence number: 170556
Licence type: Commercial Other - Subsidiary On Premises
Status: issued

Condition(s):**Specific Condition(s)**

LL226 The Licensee, Approved Manager, Employees and Agents are to ensure a minimum of a 2 metre unobstructed pedestrian thoroughfare between the main premises and the footpath licensed area is maintained at all times the footpath licensed area is utilised by the Licensee.

Registered interest(s):

Name	Type	Start date	To date
IAN STEVEN HEALY	FREEHOLD OWNER	08-SEP-2014	
KEVIN CHARLES HEALY	FREEHOLD OWNER	08-SEP-2014	
NEIL GARRY HEALY	FREEHOLD OWNER	08-SEP-2014	
THE LITTLE LARDER PORT DOUGLAS PTY LTD LESSEE		08-SEP-2014	

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