

ORDINARY MEETING 24 MARCH 2015	5.2
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COMMERCIAL OTHER SUBSIDIARY ON PREMISES LICENCE - 'BARBADOS',  
REEF MARINA, WHARF STREET, PORT DOUGLAS  
**Susanna Andrews: 450237**

PROPOSAL: COMMERCIAL OTHER SUBSIDIARY ON PREMISES  
LICENCE

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

LOCATION: REEF MARINA, WHARF STREET, PORT DOUGLAS

PROPERTY: LOT 126 ON SR861

LOCALITY: PORT DOUGLAS & ENVIRONS LOCALITY

PLANNING AREA: PORT DOUGLAS WATERFRONT – NORTH

PLANNING SCHEME: DOUGLAS SHIRE PLANNING SCHEME 2008

REFERRAL AGENCIES: NONE APPLICABLE

REQUEST RECEIVED 11 MARCH 2015

ATTACHMENT: 1. REQUEST

**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 Commercial Other Subsidiary on Premises Licence for 'Barbados', Reef Marina, Wharf Street, Port Douglas.

**INTRODUCTION:****Barbados**

A request for Council's comment has been submitted by the Department of Justice & Attorney-General, Office of Liquor & Gaming Regulation, for Barbados, located at Reef Marina, Wharf Street, Port Douglas, and described as Lot 126 on SR861. A copy of the request is attached as *Attachment 1*.

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

If the licence is granted it would enable the holder to sell liquor for consumption on the premises while adhering to its principal activity being the provision of prepared food to be eaten on the premises (However, liquor may be sold to patrons who are non-diners ie only there to have a drink).

The applicant has also indicated their intention to include outdoor dining areas 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 proposal and is consistent with established land use rights for the land.

### **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 the Mayor, Council's Community and Economic Development Officer and Council's Environmental Health Officer.

### **Mayor**

The Mayor was forwarded the attached request and she advised that the existing General Policy is supported.

### **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 obtain 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 areas outline where Council has a clear responsibility to act:

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

Council is provided the opportunity to comment on a Liquor License application made to Office of Liquor & Gaming Regulation.

**ATTACHMENTS:**

Attachment 1 Request

## ATTACHMENT 1: REQUEST



Queensland  
Government

Office of Liquor and Gaming Regulation

Department of  
Justice and Attorney-General

Please quote: 910945/LAB08  
Contact officer: Customer Support Team  
Contact Number: (07) 3224 7131

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

DOUGLAS SHIRE COUNCIL	
Received	
File Name:	Liquor licence
Document No.	
11 MAR 2015	
Attention:	EP
Information:	

Dear Sir/Madam

**BARBADOS PORT DOUGLAS - PORT DOUGLAS**  
**Application For Commercial Other – Subsidiary On Premises Licence**  
**Real Property Description: Part of Lot 146 on Crown Plan SR861, County**  
**Of Solander, Parish Of Salisbury**  
**Applicant's Contact Details: Ms Lisa Cook, phone: (07) 5526 0112, email:**  
**[lisa@clslicensing.com.au](mailto:lisa@clslicensing.com.au)**

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

Applicant:	Tripod Enterprises Pty Ltd
Name of premises:	Barbados Port Douglas
Street address:	The Reef Marina, Lot 146 Wharf St, Port Douglas
Proposed trading hours:	10:00 am to 12:00 am Monday to Sunday
Type of licence:	Commercial Other – Subsidiary on Premises (Café)

Should this licence be granted it would enable the holder thereof to sell liquor for consumption on the premises where the principal activity is the provision of prepared food to be eaten on the premises. (However, liquor may be sold to patrons who are non-diners i.e. only there to have a drink.)

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

By law, the relevant local government authority for the locality must be informed of the application and afforded the opportunity to:

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

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](mailto:liquorandgaminglicensing@justice.qld.gov.au)  
Website [www.business.qld.gov.au/liquor-gaming](http://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.


Please note that any comments or objection provided may be referred to the applicant.

**Compliance with local town planning requirements is requested to be confirmed in your reply to this letter.**

Please advise whether you have any comments on, or objections to, the granting of the application. Under section 117(3) of the *Liquor Act 1992*, your comments or objection should be received by 20 March 2015.

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  
6/3/2015