

ORDINARY MEETING 4 NOVEMBER 2014	5.4
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COMMERCIAL OTHER SUBSIDIARY ON PREMISES LICENCE (COMMERCIAL CARRYING OF PASSENGERS) – MV BLUE MARTINI, FINGER A, THE REEF MARINA, PORT DOUGLAS

Susanna Andrews: 432055

<u>PROPOSAL:</u>	COMMERCIAL OTHER SUBSIDIARY ON PREMISES LICENCE (COMMERCIAL CARRYING OF PASSENGERS)
<u>APPLICANT:</u>	OFFICE OF LIQUOR & GAMING REGULATION DEPARTMENT OF JUSTICE & ATTORNEY GENERAL LOCKED BAG 180 CITY EAST QLD 4002
<u>LOCATION:</u>	MV BLUE MARTINI FINGER A, THE REEF MARINA PORT DOUGLAS QLD 4877
<u>PROPERTY:</u>	LOT 146 ON SR861
<u>LOCALITY:</u>	PORT DOUGLAS AND ENVIRONS
<u>PLANNING AREA:</u>	PORT DOUGLAS WATERFRONT – NORTH
<u>PLANNING SCHEME:</u>	DOUGLAS SHIRE PLANNING SCHEME 2008
<u>REFERRAL AGENCIES:</u>	NONE APPLICABLE
<u>REQUEST RECEIVED</u>	25 SEPTEMBER 2014
<u>ATTACHMENT:</u>	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 (Commercial carrying of passengers) for MV Blue Martini, Finger A, The Reef Marina, Port Douglas, also described as Lot 146 on SR861.

INTRODUCTION:**MV Blue Martini**

A request for Council's comment has been submitted by the Office of Liquor & Gaming Regulation, Department of Justice & Attorney-General, for the MV Blue Martini, berthed at Finger A, The Reef Marina, Port Douglas, and described as Lot 146 on SR861. The request is in relation to an application received by the Department for a Commercial Other Subsidiary on Premises Licence (Commercial carrying of passengers). A copy of the request is attached as *Attachment 1*.

Type of Licence: Commercial Other Subsidiary on Premises Licence (Commercial carrying of passengers)

If the licence is granted it would enable the holder to sell or supply liquor whilst the premises adheres to its principle activity of commercial carrying of passengers.

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 vessel.

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 have obtained a licence to sell food associated with the liquor licensing conditions, and that the proposal does not involve modifications that necessitate an application to construct or refit a food premises.

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.

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

ATTACHMENTS:

1. Request

ATTACHMENT 1: REQUEST

Please quote: 903350/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: <i>LL/LP/Liquor</i>	Document No:
25 SEP 2014	
Attention: <i>EP</i>	
Information	



Queensland
Government

Office of Liquor and Gaming Regulation

Department of
Justice and Attorney-General

Dear Sir/Madam

MV BLUE MARTINI, PORT DOUGLAS

Application for a commercial other subsidiary on premises licence

Applicant's contact details: Mr Craig Parsell, telephone 0408 222 520, email craig@farnorthsportsfishing.com

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

Applicant: Far North Sports Fishing Pty Ltd
Name of Premises: MV Blue Martini
Street Address: Finger A, The Reef Marina, Port Douglas
Proposed Trading Hours: 10:00 AM to 12:00 AM - Monday to Sunday
Type of Licence: Commercial other subsidiary on premises licence –
 Commercial carrying of passengers

If this licence is granted it would enable the holder to sell or supply liquor whilst the premises adheres to its principal activity of commercial carrying of passengers.

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.

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.

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 Locked Bag 180
 CITY EAST QLD 4002

Telephone +61 7 3224 7131
 Facsimile +61 7 3227 7047
 Email liquor-enquiries@justice.qld.gov.au
 Website www.justice.qld.gov.au
 ABN 13 846 673 994

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.

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 8 October 2014.

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


for LINDA WOO
Executive Director
18 / 09 / 2014