



Gaming Machines and Gaming Hours are regulated by the *Gaming Machine Act 1991* (The Act). The Act has been amended to allow the Queensland Gaming Commission to specifically consider social and community issues when determining an application for an increase in gaming hours at an existing premises. The Commission is the independent statutory body appointed under the Act and has the sole responsibility for deciding whether to grant or refuse an application for an increase in gaming hours.

The Commission has determined that it is appropriate to seek the comments of the local authority on any application for a gaming machine licence to operate gaming machines on premises outside the standard hours of 10:00am to 12:30am (14.5 hours per day).

### **General Policy – Liquor Licensing**

The proposed change to trading hours is consistent with Council's General Policy – Liquor Licensing NO.1:04:14.

### **General Comments**

The application is requesting an extension of the current gaming hours to align with the approved hours of the Liquor License. The discrepancy of timings for the 30 minutes of gaming past the conclusion of service of alcohol, is to enable patrons to consume their beverages prior to departing the venue.

### **Discussion/Comments**

Comments relation to the proposed Liquor Licence were sought from the Divisional Councillor and Council's Safe Communities Coordinator.

### **Divisional Councillor**

The Divisional Councillor was forwarded the request and no comment was received.

### **Council's Safe Communities Coordinator**

The request for comment was forwarded to the Safe Communities' Coordinator to provide comments on behalf of Community & Cultural Development.

*"The impact of extended gaming hours would have little if any effect on alcohol/violence related issues in the CBD, particularly during the timeframe the application is sought."*

### **Conclusion**

It is considered that Council should advise the Department of Justice & Attorney General that it does not object to the request to extend the gaming hours.

### **Attachments**

1. Request from Queensland Government Gaming Regulation for an increase in gaming hours for Gilligans Backpacker Hotel and Resort Cairns.

2. Copy of Approved Liquor Licence Details issued by Office of Liquor and Gaming Regulation.

Trish Read  
Planning Officer  
**Action Officer**

Kelly Reaston  
**Manager Development Assessment**

**Attachment 1**

Please quote: 105531/78475  
 Contact officer: Trish Leotta  
 Contact telephone: (07) 3872 0872



**Queensland  
 Government**



Department of  
**Justice and Attorney-General**

Ms L Russell  
 Chief Executive Officer  
 Cairns Regional Council  
 PO Box 359  
 CAIRNS QLD 4870

Dear Ms Russell

**Request for Comment**

The Office of Liquor, Gaming and Racing (OLGR) has received an application for an increase in the approved hours of gaming for premises in the Cairns local government area.

Particulars of the application are as follows:

Date received: 25 May 2011

Name of applicant: Cairns Bed & Bar Pty. Limited as Trustee for  
 The Cairns Bed & Bar Unit Trust

Premises: Gilligans Backpackers Hotel and Resort  
 57-89 Grafton Street  
 CAIRNS QLD 4870

Liquor Licensing Hours: Sunday to Thursday 10:00am to 3:00am  
 Friday to Saturday 10:00am to 5:00am

Approved Gaming Hours: Sunday to Thursday 10:00am to 2:30am  
 Friday to Saturday 10:00am to 3:30am

Requested Gaming Hours: Sunday to Thursday 10:00am to 3:30am  
 Friday to Saturday 10:00am to 5:30am

OLGR investigates all applications for an increase of approved hours of gaming and makes a recommendation to the Queensland Gaming Commission. The Commission is the independent statutory body appointed under the Act, and has the sole responsibility for deciding whether to approve or refuse such applications.

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

Telephone +61 7 3872 0999  
 Facsimile +61 7 3872 0998  
 Email [info@olgr.qld.gov.au](mailto:info@olgr.qld.gov.au)  
 Website [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)  
 ABN 13 846 673 994

The Commission has directed OLGR to invite representation from the local authority with regard to applications for an increase of approved hours of gaming in their local government area. Accordingly, your council is invited to provide comment with respect to the application lodged by Cairns Bed & Bar Pty. Limited as Trustee for The Cairns Bed & Bar Unit Trust.

When the Commission meets to decide the outcome of the application, it will consider any comment the council wishes to make. Higher weighting is generally given to comments that are application-specific and evidence based.

I have attached the Commission's *Guidelines – Making Community Comment* and *Guidelines - Hours of Gaming*, as well as a list of the gaming sites in the area of the premises.

Any information received from the council (except information which is determined to be confidential) may, for the purpose of a decision-maker reaching an informed view on an application, require disclosure to an applicant.


In addition to comments sought by OLGR from the local authority and State Member of Parliament, the application is to be publicly advertised in accordance with the Commission's *Guidelines - Hours of Gaming*. I have requested that the applicant advertise the application between 23 August 2011 and 20 September 2011.

Public comment made before the closing date for submissions (being 21 September 2011) will be provided to the Commission.

Whilst your council is not subject to the closing date for submissions, it would be appreciated if your response is received within 14 days of the closing date.

Should you have any difficulties in meeting the required timeframe, or have any other enquiries regarding the contents of this letter, please contact Mr Glenn Wegener, Acting Manager Licensing, OLGR on telephone (07) 3224 2148.

Yours sincerely

  
MICHAEL SARQUIS  
Executive Director  
1/18/2011

Encl.

1. Guidelines - Hours of Gaming
2. Guidelines – Making Community Comment
3. Gaming Sites Report

## QUEENSLAND GAMING COMMISSION

### GUIDELINES – HOURS OF GAMING

These guidelines, issued by the Queensland Gaming Commission under section 17 of the *Gaming Machine Act 1991*, replace the Commission's previous *Guidelines - Hours of Gaming*, which were released in January 2009.

#### ***Purpose***

The purpose of these guidelines are to give guidance to potential applicants:

- on the attitude the Commission is likely to adopt with respect to applications to increase or vary the approved hours of gaming;
- on the attitude the Commission is likely to adopt on particular issues, such as sites located in or in close proximity to convenience gambling locations, shopping centres, or schools;
- on the range of factors that the Commission will generally take into account when considering applications to increase the approved hours of gaming; and
- how the applicant should deal with issues involved in the proper formulation of the application or supporting material related to the application.

**Please note that these guidelines are not exhaustive and the Commission has the legislative ability to require further information from an applicant, if the particular circumstances of the case demand, to enable the Commission to make a fully informed decision.**

It is recommended that these guidelines be read in conjunction with the following other guidelines issued by the Commission:

- *Guidelines – Applicants for Gaming Machine (Site) Licences and Increases*
- *Guidelines – Making Community Comment*

#### ***Standard Hours of Gaming***

Under the *Liquor Act 1992*, the *Gaming Machine Act 1991* and the *Gaming Machine Regulation 2002*, from 1 January 2009 the following restrictions will apply:

Anzac Day – no gaming between midnight and 1:00pm;  
 Good Friday – no gaming;  
 Christmas Day – no gaming;  
 New Year's Eve – gaming up to 2:30am is acceptable; and  
 For any other day - gaming prior to 10:00am is prohibited, other than to the extent of any part of the period, that is part of the licensee's hours of gaming fixed for the licensee's licensed premises by the Commission, that started on the previous day.

Otherwise, in general, the Commission considers gaming during the span of ordinary trading hours of 10:00am to 12:30am to be acceptable.

### ***Applications to Increase the Approved Hours of Gaming***

In accordance with Section 85A of the Act, a licensee may apply to have the approved hours of gaming for licensed premises increased. In this regard, any application to conduct gaming outside of the site's current approved hours of gaming is, for the purposes of these guidelines, taken to be an increase application.

**The onus will be on the applicant** to demonstrate that there is a demand for gaming during the increased hours as sought in the application and that the benefits to the community will outweigh any potential adverse social consequences that may result from the approval of the application.

Applicants should also note that:

- gaming cannot be conducted during any extended liquor licensing hours where the extension has been approved for restricted services only, such as dining, functions or entertainment. **General bar service must be available to the whole of the liquor licensed area;** and
- the hours of gaming cannot be greater than the trading hours approved under the liquor licence\*, however the commission may fix hours that are shorter than the trading hours approved under the liquor licence.

While the Commission will give due consideration to any such application, it must be noted:

- the onus is on the applicant to make a case as to why the Commission should grant the application;
- if the Commission, on the balance of information available at the time, considers the community is likely to benefit from the approval of the application, the Commission may grant approval for extended hours;
- the Commission may approve shorter hours –
  - to minimise any potential adverse effect on:
    - a. persons frequenting places of community congregation such as places of public worship, child care centres, schools and community social services; or
    - b. the amenity or character of the locality;
  - where the applicant cannot demonstrate a sustainable demand for gaming over the full span of hours of gaming sought in the application;
  - where the full range of amenities expected to be provided under the relevant liquor licence will not be offered throughout the span of hours sought in the application;
  - where adequate supervision of gaming cannot be guaranteed;
- the Commission will **only approve gaming beyond 3:30am in exceptional circumstances**, and where a lack of significant community detriment can be demonstrated; and
- any approval to trade beyond 3:30am will be for no more than 3 years from the date the applicant is notified of the Commission's decision. Before the expiration of the 3 year period, the licensee may apply to the Commission for a continuation of the extended hours.

\* Section 225 of the *Liquor Act 1992* authorises an additional 30-minute period for the consumption of liquor purchased prior to the end of the liquor licensing hours, while under the *Gaming Machine Act 1991*, gaming can be conducted while liquor is consumed on the premises. Where the approved hours of gaming are consistent with the trading hours approved under the liquor licence, the applicant may request the approved hours of gaming to include this 30-minute consumption period.

## ***Consideration of Application***

Section 85D of the Act prescribes certain matters that the Commission and the chief executive will or may have regard to in relation to an application to increase the approved hours of gaming. In addition to the normal matters that it must consider, the Commission, in accordance with its powers to take into account social and community issues, has directed the chief executive to also investigate and make an assessment of the following matters:

- nature and type of facilities (other than gaming) which will be provided in the licensed area during the requested gaming hours;
- impact on the amenity of residents in the surrounding streets and neighbouring businesses;
- market analysis supporting need for increased hours;
- impact on problem gambling and related services; and
- details of proposed marketing, signage or promotional activities relating to the additional hours.

**It is mandatory that all of the above matters are addressed in the application.**

### ***Commission's attitude to certain matters***

#### ***Location***

Premises located in the following areas may be considered to be inappropriate for gaming:

- premises located in, or in close proximity to, shopping centres, convenience locations and other public areas; and
- locations in close proximity to child care centres, schools, places of public worship and community social services.

#### ***Type of facility***

- the total publicly accessible area of the facility **during the proposed gaming hours** must be of a sufficient size and capable from the outset of providing a full range of amenities;
- the dominant purpose of the facility for a hotel must not be gaming;
- the dominant purpose of the facility for a club must be the provision of services to members;
- the facility must also be a fully integrated facility, gaming must only be an ancillary service forming a part of the whole facility.

#### ***Marketing plans, signage and promotions***

- gaming must not dominate any external signage, marketing or promotions;
- marketing plans and promotions should be aimed at promoting the range of amenities available from the licensed premises.



### **Community Consultation**

Where the proposed approved hours of gaming, contained in the application to vary the hours, do not extend beyond 3:30am, the application must be advertised on the premises. The applicant must display a copy of the notice on a sign conspicuously placed on the premises to which the application relates, for 28 days prior to the final day for lodgement of comments.

However, where the proposed approved hours of gaming contained in the application **extend beyond 3:30am**, the application must also be **publicly** advertised. The applicant must publish notice of the application, at the applicant's expense, twice in a newspaper circulating in the locality.

There is, however, provision for the chief executive to waive the advertising and signage provisions or relax the requirement because of:

- the remote location of the premises;
- the application does not involve any significant change in the nature or extent of gaming carried out on the premises;
- the purpose of this requirement can be achieved by other means; or
- other special circumstances.

Where the applicant is making an application under the *Liquor Act 1992*, the chief executive may approve a composite notice.

The chief executive will advise of the wording, size and timing of the advertising. The applicant will be required to satisfy the chief executive that these advertising requirements have been met.

The advertisement notifies the public of the applicant's intention in relation to the premises and affords the public the opportunity to comment on the application.

Any member of the public, who has a proper interest in the locality concerned and is likely to be affected by the grant of the application, may comment on the application. Any such comment must be in writing filed with the chief executive on or before the last day for filing comments as specified in the displayed notice.

In addition, the Office of Liquor and Gaming Regulation will seek comment on the application from the relevant Local Government Authority and Local Member of Parliament.

Applicants will be given notice of all adverse community comments properly made on an application, including a copy of the comments edited, such that, the personal details of the individuals or groups making the comments have been removed. They will also be provided with details of any concerns raised by the local member or local authority.

The onus will be on the applicant to respond to any comments received and/or provide additional information considered appropriate to demonstrate to the Commission that the net benefits to the local community outweighs any potential adverse social or community impacts that may result from the approval of the gaming application.

***Social and Economic Profile***

The chief executive or Commission may instruct the applicant to complete a social and economic profile of the local community. The applicant will be informed of any such request at the earliest reasonable opportunity. Further instruction on the preparation of the social and economic profile will also be provided.

***Commitment to Responsible Gambling Practices***

The applicant must have an appropriate responsible gambling program operating in the premises. A demonstrated ongoing commitment to the Queensland Responsible Gambling Code of Practice would be given significant weight by the Commission when considering the application.

***Further information***

Applicants seeking further information may also contact a licensing officer on:-

- (07) 387 20857; or
- (07) 3033 0037.

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**QUEENSLAND GAMING COMMISSION****GUIDELINES – MAKING COMMUNITY COMMENT**

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***Purpose***

The purpose of this Guideline is to give guidance to making community comment in respect to gaming machine licence and increase applications, and as a guide to the weighting the Commission will give to such comments.

***When Is Comment Sought***

Community comment is sought in respect to applications of significant community impact. Please refer to the “Brief to Applicants for a Gaming Machine Licence or Increase in Gaming Machines” as to what constitutes an application of significant community impact. This document is available on the OLGR website:

<http://www.olgr.qld.gov.au/resources/gamDocs/BriefToAppsForGMLicenceOrIncreaseGM.doc>

Comment is also sought in relation to applications for an increase in gaming hours. Please refer to “Queensland Gaming Commission Guidelines – Hours of Gaming” also available on the OLGR website:

<http://www.olgr.qld.gov.au/resources/gamDocs/GuidelinesHoursOfGaming.doc>

Please note however, the Commission has the legislative ability to acquire further information from any applicant, if the particular circumstances of the case demand, to enable the Commission to make a fully informed decision. Accordingly, the Commission may request comment in respect of applications that do not fall within the definition of significant community impact or those that have not been deemed that way by the chief executive.

***How Is Comment Sought***

Under section 55C of the *Gaming Machine Act 1991* applications of significant community impact must be advertised for a 28 day period to enable community comment to be filed with OLGR. Please refer to the “Guidelines -Advertising Applications of Significant Community Impact”, available on the OLGR website, for further detail:

<http://www.olgr.qld.gov.au/resources/gamDocs/GuidelinesAdvertising.pdf>

Comment is also sought from the general community, local business and community groups by the researcher in the preparation of the Community Impact Statement.

In addition, the views of the Local Member of the Legislative Assembly and the relevant local authority are sought by the Office of Liquor, Gaming and Racing (OLGR) as a matter of course.

## ***Making Comment***

Any member of the public may comment on an application. “Member of the public” means any adult individual, corporation or other organisation, who in the chief executive’s opinion has a proper interest in the locality concerned and is likely to be impacted by the grant of the application.

Comments should specifically refer to the premises which are the subject of the application and where possible be supported by evidence. They may be made individually or collectively by a group of members of the public. Applicants will be given notice of all community comments properly made on an application.

The onus will be on the applicant to respond to any comments received and/or provide additional information considered appropriate to demonstrate to the Commission that the net benefits to the local community outweighs any potential social or community impacts that may result from the approval of the gaming machine application.

## ***Weighting***

The Commission will have regard to any community comment received. However, it will give particular weight to the following –

- comments on how the person expects the grant of the application would contribute to, or detract from, a sense of community in the relevant local community area;
- comments on the anticipated effect the grant of the application would have on the social fabric of the local community;
- comments on the effect the grant of the application may have for persons frequenting places of worship, child care centres, schools and community social services;
- comments on the effect the grant of the application might have on the amenity or character of the locality to which it relates;
- the number of objections lodged, provided they are specific to gaming and the particular application.

The Commission will give lesser weight to the following: -

- comments that are of a nature more appropriately dealt with/under another authority such as the *Liquor Act 1992* or the relevant town planning authority (eg an objection based on concerns about a lack of parking facilities or concerns regarding increased noise from patrons);
- comments based on a general objection to gaming rather than specific to the application;
- objections based mainly on competition grounds;
- comments that lack factual support and are based on faulty or distorted information (eg an objection based on high levels of gaming concentration in an area where gaming venues are sparse);
- comments lodged by those unlikely to be effected by the application because their residence or business is located a considerable distance from the venue.

As may be seen, the Commission pays particular attention to the substance of comments and their specificity to the particular application. For example, a submission signed by large numbers of community members may be given lesser weight if the concerns aired have little or no relevance to the provision of gaming at the particular premises.

### ***Further information***

For those wishing to clarify matters in these guidelines please contact a licensing officer on:-

- (07) 387 20857; or
- (07) 300 30037.

**GAMING MACHINE SITES JUNE 2011 – WITHIN 4 KILOMETRES OF GILLIGANS BACKPACKERS HOTEL AND RESORT**

Site Name	Location	Hours of Gaming	Approx. Distance from Applicant Site (Kilometres)	No. of Approved Machines	No. of Operational Machines
<b>Gilligans Backpackers Hotel and Resort</b>	<b>57 - 89 Grafton Street CAIRNS QLD 4870</b>	<b>Sunday to Thursday 10:00am to 2:30am Friday to Saturday 10:00am to 3:30am</b>	<b>0</b>	<b>40</b>	<b>40</b>
Barrier Reef Hotel	33 Wharf Street CAIRNS QLD 4870	Monday to Saturday 10:00am to 2:30am Sunday	0.42	35	35
Cairns Courthouse Hotel	38-40 Abbott Street CAIRNS QLD 4870	10:00am to 12:30am Sunday to Thursday 10:00am to 12:30am Friday to Saturday 10:00am to 1:30am	0.34	35	35
Cairns R.S.L Club Ltd.	115 The Esplanade CAIRNS QLD 4870	Monday – Sunday 10:00am to 12:30am	0.76	48	48
Grand Hotel (Cairns)	34 McLeod Street CAIRNS QLD 4870	Monday – Sunday 10:00am to 12:30am	0.35	20	20
Railway Hotel (Cairns)	88 Shields Street CAIRNS QLD 4870	Monday – Sunday 10:00am to 12:30am	0.35	17	17
Shennanigans	Cnr Spence & Sheridan Street CAIRNS QLD 4870	Monday – Sunday 10:00am to 2:30am	0.15	25	25
The Cape York Hotel	147A Bunda Street CAIRNS QLD 4870	Monday – Sunday 10:00am to 12:30am	0.53	14	14
The Cock & Bull	6 Grove Street CAIRNS QLD 4870	Monday to Sunday 10:00am to 3:30am	1.65	40	40
West court Tavern	200 Aumuller Street WESTCOURT QLD 4870	Sunday to Wednesday 10:00am to 12:30am Thursday to Saturday 10:00am to 2:00am	1.95	40	40
<b>TOTAL NUMBER OF GAMING SITES: 9</b>			<b>Mean Distance to Other Venues: 0.72</b>	<b>314</b>	<b>314</b>

Statistics regarding Operational Gaming Machine numbers are determined by the latest available monthly gaming meters from Licensed Monitoring Operators.

## Appendix 2



Department of Justice and Attorney-General  
Office of Liquor and Gaming Regulation

General enquiries 1800 064 848  
Visit us at <http://www.olgr.qld.gov.au>

## Liquor Licence Details

Premises details	
Licence number:	87750
Licence type:	Commercial Hotel
Status:	Issued
Premises description	
Main premises:	GILLIGANS BACKPACKERS HOTEL AND RESORT 57-89 GRAFTON STREET CAIRNS QLD 4870
Telephone:	4040 2710
Real property description:	LAND DESCRIBED AS LOT 50 ON SP 144062 AND LOT 22 ON RP 745666, COUNTY OF NARES, PARISH OF CAIRNS
Licensed area description:	Premises situated at 57-89 Grafton Street, Cairns including the lifts and lift lobby but excluding: (a) The retail tenancies located to the south east of the entrance pavillion; (b) The retail tenancies located to the western side of the Hostel reception area; (c) All car parking areas; (d) The markets; and (e) The Internet Caf��.
Trading hours description:	10:00 AM to 05:00 AM Friday - Saturday 10:00 AM to 03:00 AM Sunday - Thursday
(Excluding Christmas Day, New Years Eve, Good Friday and Anzac Day, the trading hours of which are prescribed in the Liquor Act 1992)	
Licensee(s)	
Name	Interim authority Start date End date
CAIRNS BED & BAR PTY. LIMITED AS TRUSTEE FOR THE CAIRNS BED & BAR UNIT TRUST	NO 09-05-2009
Condition(s)	
Standard condition(s)	
LL125	Liquor may be sold for consumption off the main licensed premises in the course of the licensee providing catering services for a function to persons genuinely attending the function for consumption by those persons at the function. This approval is subject to the condition that liquor must not be sold to a person who is unduly intoxicated. Catering to public functions is subject to approval of a commercial public event permit.
LL274	Liquor may be sold or supplied only whilst the premises adheres to its principal activity of the sale of liquor for consumption on the licensed premises, or on and off the premises.
LL263	The sound limiting device is to have a locking mechanism, which is to be locked at all times except for inspection or maintenance work on the device.
LL264	Access to the sound limiting device, except for maintenance work, is restricted to the licensee, approved manager and the person in charge of the premises at any time.
LL296	The sound limiting device must be tested and calibrated by a qualified acoustic technician every 12 months, to ensure compliance with conditions of this licence. Evidence of the sound limiting device calibration must be made available to an Investigator or Police Officer on request.
LL299	Consecutive conditions LL300 to LL314 apply only on nights the premises trades beyond 3:00am.

### Liquor Licence Details

- LL300 The licensee and approved manager/s must ensure crowd controllers licensed under the Security Providers Act 1993 are employed in the following ratios at all times from 11:00pm until one hour after the premises ceases to supply liquor:
- 1 to 100 patrons or part thereof - 1 crowd controller
  - More than 100 patrons but not more than 200 patrons - 2 crowd controllers
  - More than 200 patrons but not more than 300 patrons - 3 crowd controllers
  - More than 300 patrons but not more than 400 patrons - 4 crowd controllers
  - More than 400 patrons but not more than 500 patrons - 5 crowd controllers
  - Plus at least 1 crowd controller for every 250 patrons (or part) thereafter.
- This condition does not apply on nights the premises do not sell or supply liquor beyond 1:00am.
- LL301 The licensee and approved manager/s must ensure patron entry to the premises is restricted to maintain patron to crowd control ratio's required by the conditions of this licence.
- LL302 The licensee and approved manager/s must ensure a minimum of one (1) crowd controller licensed under the Security Providers Act 1993 maintains surveillance outside the premises for at least one hour after the premises closes for business or, if earlier, until all patrons have vacated the immediate vicinity of the premises. This condition does not apply on nights the premises do not sell or supply liquor beyond 1:00am.
- LL303 The licensee and approved manager/s must ensure crowd controllers are not engaged unless the crowd controller has given the licensee a copy of a current crowd controllers licence granted under the Security Providers Act 1993.
- LL304 The licensee and approved manager/s must ensure crowd controllers are not engaged unless the crowd controller is uniformly dressed in a way that clearly distinguishes the crowd controller from patrons of the premises. Identification as prescribed by Section 19 of the Security Providers Regulation 1995 must be worn at all times.
- LL305 The licensee and approved manager/s must ensure an incident register is maintained where written details of incidents that occur at the premises involving a patron being removed or a person being injured must be recorded and signed by all staff involved in the incident. For the purpose of this condition the details must include the date and time of the incident, where the incident occurred, full descriptions of persons involved (including names where obtainable) and reasons for their removal and any details of injuries incurred by any person.
- LL306 The licensee and approved manager/s must ensure closed-circuit television equipment is operating and clearly recording all patrons entering and leaving via each entrance and exit of the premises (including fire exits used for removing patrons at any time). CCTV footage must capture all interaction between the patrons (whilst entering or leaving) and crowd controllers or staff of the premises at all times from 8:00pm until close of business and for at least one hour after all patrons have left the premises.
- LL307 The licensee and approved manager/s must ensure the premises stops selling or supplying liquor on the premises, and close the premises at 3:00am, if the closed-circuit television equipment required by the conditions of the Licence is not operational and recording at all times from 8:00pm.
- LL308 The licensee and approved manager/s must ensure closed-circuit television recordings required by the conditions of this Licence are kept in a secure place for a minimum period of 28 days, or where an incident occurs involving a patron being removed or a person being injured for a minimum period of 365 days, and must be produced immediately on request by an investigator appointed under the Liquor Act 1992
- LL310 Competitions that involve contestants consuming liquor are prohibited on the premises.
- LL311 Light or mid strength alcoholic beverages and non alcoholic beverages must be available for sale at all times while the premises are trading.



**Liquor Licence Details**

For the purposes of this condition, the term light or mid strength alcoholic beverages means any beverage in which the alcohol content by volume, when in a temperature of 20 degrees Celsius, is less than 4%.

- LL312 The licensee and approved manager/s must ensure the maximum occupancy of the premises, as determined under the Fire and Rescue Service Act 1990, is not exceeded.
- LL313 The licensee and approved manager/s must ensure written evidence of the maximum occupancy of the premises is obtained from the Queensland Fire and Rescue Service and is produced on demand to an investigator approved under the Liquor Act 1992.
- LL314 The licensee and approved manager/s must ensure an accurate record of occupancy is kept at all times and must be produced on demand to an investigator approved under the Liquor Act 1992.
- LL309 The licensee and approved manager/s must ensure signage is displayed at each entry to the premises in a way that is likely to make the patrons aware that closed circuit television equipment is installed.

**Specific condition(s)**

- 182642 For the purpose of being an exempt minor under Section 155(4) of the Liquor Act 1992, minors are only permitted to be in the delineated area of the licensed premises for any of the following purposes:  
a) access to the unlicensed areas of the premises;  
b) access to the laundry and reception of the premises;  
c) waiting for organised tours, transport from the premises or to meet other tourists or guests of the premises; and  
d) waiting for inspection of identification before entry to the beer hall of the premises by the licensee's management or staff.
- 182641 A copy of the delineated area is to be kept with the approved management plan and is to be made available to an investigator immediately upon request.
- 182640 Noise emanating from entertainment, music or related activities in the external deck must not exceed the following when measured at fast response 3 metres from the source of the noise;  
Up until 9:00pm - 105dB(C)  
From 9:00pm to midnight - 100dB(C)  
After midnight - 95dB(C)
- 182639 A hand held noise meter is to be utilised to take readings at a distance approximately 3 metres from the source of the noise inside the beer hall, Mezzanine Bar and on the external deck up until 10:00 pm at regular intervals (at least 3 times for the beer hall and Mezzanine Bar and at least once on the rear deck) and such readings are to be recorded and available for inspection at any time.
- 182638 Noise emanating from entertainment, music, or related activities inside the premises including the Mezzanine Bar must not exceed 115dB(C), fast response, when measured approximately 3 metres from the source of the noise.
- 1132903 All amplified noise in the external deck area after 10:00pm must be conducted through a sound limiting device at all times to ensure that noise does not exceed levels prescribed in the conditions of the licence.
- 1132888 The provision of live bands in the external deck area is prohibited after 10:00pm.
- 1132859 One (1) licensed security provider will proactively roam the entire Grafton Street frontage of the premises from 10:00pm daily until cessation of trade to assist in assessing intoxication levels and conduct of persons prior to their entry and assist with maintaining a safe environment for patrons and staff of the premises in the immediate area.
- 1132852 A RSA marshal identified by appropriate attire shall proactively roam the licensed premises from 9:30pm until close of trade on Thursday to Saturday nights inclusive to monitor intoxication levels

**Liquor Licence Details**

and patron behaviour.

## Registered interest(s):

Name/Address	Type	Start date	To date
CHRISTIAN JOHN HASTINGS AINSWORTH	FREEHOLD OWNER	28-01-2009	
CAIRNS BED & BAR PTY LIMITED ATF CAIRNS BED & BAR UNIT TRUST 42 WOLSLEY ROAD, POINT PIPER NSW 2027	LESSEE	28-01-2009	
JOEL PETER MCCARTIN	LIQUOR LICENCE NOMINEE	28-01-2009	30-06-2010

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