

Application by Anthony Bratt for a General Licence for the premises East Coast Village Providore at Tenancy 9 and 10, 55-59 Cecilia Street, St Helens.

Decision: Licence refused

Date: 05 November 2025

The application

The applicant seeks a general licence for a premises that is a café/restaurant and retail outlet. Such a premises would not normally be granted a general licence, and while such a premises may be successful in an application for a special licence for consumption with a meal, such premises are rarely granted a special licence for off sales (see previous decisions Blac Fig 2023 and Evandale Providore 2021).

Regarding a general licence for such premises, the Tasmanian Liquor and Gaming Commission stated in their Penguin Pantry decision of March 2025 that:

“34. A Special Licence is contained in the *Liquor Licensing Act 1990* for a reason – to provide a category of licence where the grant of other licence types is not appropriate (for various reasons) and special circumstances prevail. The Commission does not believe that a General Licence is appropriate for this small specialty outlet. This [a general licence] is an expansive licence which allows for the broadest range of alcohol sales on and off the premises, with or without food and for expansive hours of operation...”

Relevant to this application, the premises in the matter of Penguin Pantry (2025) was described as:

“6. ... a speciality grocer/providore and espresso bar providing predominantly Tasmanian food and beverage. Its offerings include fresh local produce such as dairy, fruit and wholegrain products along with specialty pantry items and quality homewares.”

General considerations

The venue is described by the applicant as a restaurant/café and gourmet food store. They serve a broad selection of Tasmanian focused breakfast, lunch and dinner meals, alongside a selection of ready to eat meals, Tasmanian gourmet products and hard to find gourmet food items.

The applicant currently holds an on-licence, granted in respect of a premise operating as a restaurant, which covers some of the premises for which this licence has been applied for. The applicant’s intention is to serve a broad selection of Tasmanian focused liquor, to be consumed on site, as well as a Tasmanian artisan offering available for takeaway.

I note that the applicant’s current business model is streamed between the restaurant and cafe and the providore. The current on-licence is only suitable for that

part of the business that is operating as a restaurant. I note that there is no ability for the applicant to sell liquor for consumption off the premises, and I assume that the wine bottles displayed on the providore page of the applicant's website are for consumption on the premises within the restaurant.

The applicant states their belief that the best interests of the community would be met as it is in line with the Break O Day council tourism plan and provides a complete offering to tourists to the area as the only gourmet food store in the municipality.

Decision

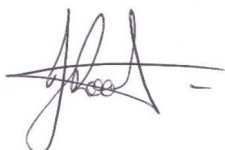
Based on the above, and noting that the Commission's decision in Penguin Pantry, I am not satisfied that it is in the best interests of the community to grant the general licence applied for. This type of premises would be most usually granted a special licence for consumption on the premises, and to the extent that there is community interest in off sale of liquor, it is limited. For example, in Penguin Pantry the Commission set the following conditions:

“36. The sale of premium Australian and Tasmanian wine, beer, spirits and cider is authorised only while the contribution of the sale of those liquor products made to the operation of the business of The Penguin Pantry is smaller - in revenue, stock size and layout of the store - than the contribution to the business of the sale of speciality pantry merchandise and quality homewares and local fresh produce and food offerings; Online sales of liquor are limited to one dozen bottles of wine, beer, or cider, or to 2 bottles of spirits, in any one transaction per customer per week;...”

I am, however, satisfied that granting a special licence permitting liquor consumption on the premises without condition, and allowing off-premises liquor sales under conditions that restrict sales to Tasmanian products and ensure such sales remain ancillary, would be appropriate.

The sale of liquor should generally be permitted only where it remains clearly ancillary to the primary purpose of the premises, which in this instance is the café/dining and providore components of the business. Should the applicant wish to amend his application in this way I would be satisfied to approve it.

This General Licence application is refused.

A handwritten signature in black ink, appearing to read 'J Root', with a horizontal line extending to the right.

J Root

Commissioner for Licensing