

Response to questions taken on notice

Sydney Business Chamber



08 January 2019

Via email: [NightTimeEconomy@parliament.nsw.gov.au](mailto:NightTimeEconomy@parliament.nsw.gov.au)

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**QUESTION TAKEN ON NOTICE**

Question asked by Ms Cate Faehrmann (LC)  
Joint Select Committee on Sydney's Night Time Economy

Ms Cate Faehrmann: Ms O'Regan, in your submission you talk about the heavy handed approach of officers from Liquor & Gaming NSW, especially in relation to the Three Strikes scheme. We have had submissions previously from City of Sydney, where they talk about venues that do not comply with the Liquor Act 2007, for example, and disciplinary measures against those venues. I think it is important that those disciplinary measures are according to the scale of severity of breaches, if you like. We have heard in some of the submissions a little more about this. Could you give some specific examples? You said that, for example, litter being present at venues was one strike. Do you have any more examples to explain to the Committee what these strikes are, and the proportion of severity, or not, that venues are experiencing?

**ANSWER**

**Ms O'REGAN:** Yes. I will take that on notice. I have been in this role for four weeks, so I am getting across some of those issues, but I am happy to prepare that for you and for the rest of the Committee. But the undertone is definitely that for trust to happen there has to be greater transparency on both sides—both what the business is doing and what people are doing to enforce that. But I can take the rest on notice and give you some more examples.

**RESPONSE**

**Ms O'REGAN:** I have been advised that NSW Business Chamber has received reports from businesses that suggest real concerns with the administration of the "Three Strikes scheme" a summary of two reports highlighting concerns are provided below:

- 1) A small venue within Sydney's Darlinghurst area receiving a strike from Liquor & Gaming NSW after allegedly failing to produce their incidents register on inspection. However, the venue had CCTV footage of the venue manager showing the register to Liquor & Gaming NSW at the time of inspection.

When the business owners of the venue alerted the officer to the fact they had CCTV footage of the Liquor & Gaming officers viewing the register, they were told that the strike would be removed. Liquor & Gaming NSW recommended the venue owners forget about reporting the incident.

- 2) A business reported getting a strike over not having anything logged in their incidents register despite not having any incidents to report on. They were told, regardless of incidents occurring, they should sign the register with 'nothing happened' or 'no incidents to log'.

The Chamber has also had reports of a 'pack mentality' to venue inspections by Liquor & Gaming NSW, fire inspectors, and council rangers. Businesses have noted venue inspections tend to always take place during peak times and in close succession; citing they are undertaken in coordination to catch venues out and put maximum pressure on the business.

Businesses report that the more time their venue managers are taken away from their jobs and off their venue floors, i.e. into offices to show paperwork, the more dangerous the venue is. Venue managers have a real responsibility and need to be visible during peak times.

If you wish to discuss further please feel free to contact on (02) 9350 8101 or via email [katherine.oregan@thechamber.com.au](mailto:katherine.oregan@thechamber.com.au)

Yours sincerely,

*Katherine O'Regan*

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