

NSW Independent Liquor & Gaming Authority

Mrs Renee Lee Doring Approved Manager	Wee Waa & District Bowling Club Corporate Licensee / Business Owner / Premises Owner
NSW Police	Liquor & Gaming NSW
Narrabri Council	

26 November 2024

Dear Sir/Madam

Reference No.	DOC24/276275
Licensee	WEE WAA & DISTRICT BOWLING CLUB LTD
Licence Name	Wee Waa & District Bowling Club Ltd
Licence Number	LIQC300243575
Licence Type	Liquor – club licence
Premises	69 Alma Street, Wee Waa NSW 2388
Legislation	Part 9A of the <i>Liquor Act 2007</i>

Decision on remedial action for demerit points accumulated Wee Waa & District Bowling Club Ltd (LIQC300243575)

On 5 September 2024, the Independent Liquor & Gaming Authority notified you of the remedial action it proposed to take for the demerit points accumulated by Wee Waa & District Bowling Club Ltd, following the commission of a category 2 demerit offence by the manager, Ms Renee Doring.

Our decision

Following consideration of submissions received in response to the notification, we have decided to take the following remedial action:

- require Ms Doring to undertake licensee and advanced licensee training under section 144W of the *Liquor Act 2007* (Act).
- impose the updated plan of management and RSA Training conditions on the licence of Wee Waa & District Bowling Club Ltd under section 144W of the Act (as detailed in schedule 1).

Statement of reasons

Background

On 22 August 2024, Liquor & Gaming NSW (L&GNSW) notified us that Wee Waa & District Bowling Club Ltd (the club) had accumulated a total of two demerit points under Part 9A of the *Liquor Act 2007* (the Act).

The club accumulated two demerit points following the issuance and subsequent payment of a penalty notice to Ms Renee Doring, the club's manager for the offence of 'sell liquor to a minor on licensed premises' on 18 May 2024.

In addition to the notification, L&GNSW provided a submission recommending that we take remedial action in response to the accumulation of demerit points.

On 5 September 2024, we notified you and all relevant parties as required under section 144Z(1) of the Act, that we proposed to take remedial action in response to the accumulation of demerit points and invited submissions in response.

Submissions

Submissions were received from L&GNSW, NSW Police and the club as per below:

L&GNSW, dated 17 September 2024

- L&GNSW supports the proposed remedial action in light of the serious nature of the offence.
- L&GNSW notes that the NSW Police application to suspend Ms Doring's recognised competency card is currently in submission.

NSW Police, dated 26 September 2024

- NSW Police supports the proposed remedial action.

The club, dated 16 October 2024

- the club agrees that the remedial action is appropriate but continues to oppose the proposed competency card suspension.
- the club has requested the reference to 'the licensee' be removed from the RSA Training condition as the corporate entity is the licensee.
- Ms Doring has already enrolled to undertake the advanced licensee training and will complete the online component by 24 October 2024.
- the club has nine staff involved in liquor service, the monitoring of liquor consumption and patron behaviour. Those staff have been enrolled to undertake RSA training to ensure compliance with the proposed condition.
- the club has prepared a plan of management and provided a copy as part of its submission.

Considerations under section 144ZA of the Act

We have also considered the relevant factors identified in section 144ZA of the Act, and note in the original submission from L&GNSW dated 22 August 2024 that:

- there is no material to indicate that the club's size and patron capacity hindered the managers ability to prevent the commission of the demerit offence.
- there is no history of demerit offences having been committed by the manager, other than the offence described in the submission.

- there is no record of any previous prescribed complaints against the club or its licensee/manager.
- it does not appear that other action against the manager, outside the remedial action as set in the submission, is preferable. However, on 21 August 2024, NSW Police lodged an application to suspend Ms Doring’s recognised competency card (and all of its endorsements) for a period of 6 months. This action was being processed by L&GNSW at the time of their submission.
- Ms Doring has been the approved manager since 6 September 2017. Wee Waa & District Bowling Club Ltd has been the corporate licensee since 24 May 1955.
- there had been no changes to the business practices carried under the licence at the time of the submission.

Our findings

We are satisfied that:

- two demerit points have been accumulated by the club in a three-year period
- the offence ‘*sell liquor to a minor on licensed premises*’ was a breach of section 117(1) of the Act.

Having considered the available material, we find that the manager of the club failed to comply with her obligations under the Act to ensure that liquor is not sold or supplied to persons under the age of 18.

We consider the offence to be serious and warrant an enforceable regulatory response by way of remedial action, to prevent any similar occurrence in future.

We note the request by the club to amend the RSA Training condition and have updated the condition accordingly. The plan of management condition has also been updated to reflect the plan of management provided as part of the club’s submission.

The material we considered

We considered all the material we received about the matter, including:

- notification of the accumulation of demerit points from L&GNSW, dated 22 August 2024
- submission from L&GNSW, dated 17 September 2024
- submission from NSW Police, dated 26 September 2024
- submission from the club, dated 16 October 2024

The law that applies

These sections of the *Liquor Act 2007* apply in this decision:

- Section 3: Statutory objects of the Act and other relevant considerations
- Section 117: Offences relating to sale or supply of liquor to minors
- Section 144W: Remedial action – accumulation of 2–3 demerit points
- Section 144Z: Notice of proposed remedial action
- Section 144ZA: Requirements for deciding to take remedial action.

If you are dissatisfied with this decision

If a person who is notified of the decision is dissatisfied with this decision, they may apply to NSW Civil and Administrative Tribunal (NCAT) for a review.

An application for review must be made no later 21 days after being notified of the decision.

For more information, please contact the NCAT Registry at Level 10 John Maddison Tower, 86-90 Goulburn Street Sydney or visit the [NCAT website](#).

This decision will be published on our website.

If you have any questions

Please contact the Office of ILGA at office@ilga.nsw.gov.au if you have any questions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jeff Loy', with a long, sweeping line extending upwards and to the right from the end of the signature.

Jeff Loy

Board Member

For and on behalf of the **Independent Liquor & Gaming Authority**

Schedule 1 – Licence conditions to be imposed
Wee Waa & District Bowling Club (LIQC300243575)

No.	Condition to be imposed	Description
1.	RSA Training	<p>All staff are required to undertake a responsible service of alcohol (RSA) training course conducted by an approved Registered Training Organisation (RTO). The training is required to be completed by all staff within a 2-month period.</p> <p>In this condition: “staff,” in relation to the subject premises, means any person undertaking duties related to the sale and supply of alcohol on the licensed premises, including staff responsible for the monitoring of liquor consumption and patron behaviour.</p> <p>Note: this excludes staff who have completed RSA training since the prescribed offence occurred.</p>
2.	Plan of management	<p>The premises is to be operated at all times in accordance with the Plan of Management dated October 2024 as may be varied from time to time after consultation with NSW Police. A copy of the Plan of Management is to be kept on the premises and made available for inspection on the request of a police officer, council officer, Liquor and Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.</p>