



Mr Sidhanth Chand Former Licensee/ Business Owner Vasco Joint [REDACTED]	Superintendent Rodney Hart South Sydney Police Area Command [REDACTED]  Leading Senior Constable Rachel Warn Licensing Unity South Sydney Police Area Command [REDACTED]
<b>Section 140(3) – Third parties</b> Ms Mary Hogg Current Licensee Vasco Joint [REDACTED]	<b>Section 140(3) – Third parties</b> Premises owners Mr Arthur Balafas [REDACTED]

Our ref: DOC24/095477

30 April 2024

Dear Sir/Madam

**Decision regarding complaint about Mr Sidhanth Chand under section 139 of the  
*Liquor Act 2007***

**Our decision**

We are satisfied that the grounds of complaint are established and have determined to:

- **Disqualify** Mr Sidhanth Chand from holding a licence, or from being the manager of licensed premises under section 141(2)(f) of the *Liquor Act 2007* (Act), for a period of **five (5) years**.

**Background**

[Previous regulatory action](#)

In 2019, a strike was imposed on Mr Chand under the former Three Strikes Scheme for the offence of *'licensee keep premises open outside authorised hours'*. As a result, we imposed conditions on the venues liquor licence and required Mr Chand to undertake both the licensee and advanced licensee training courses.

[Application for Complaint under section 139 of the Act](#)

On 5 July 2022, Superintendent Rodney Hart, South Sydney Police Area Command, as a delegate of the Commissioner of Police (complainant) submitted a complaint under section 139 of the Act, in relation to Mr Sidhanth Chand, the former licensee of an on-premises licence (LIQO660010804) for Vasco Joint, located at 421 Cleveland St, Redfern.

The complaint alleges that Mr Chand is not a fit and proper person to be the manager of a licensed premises under section 139(3)(i) of the Act.

[Details of complaint](#)

Police hold concerns regarding the suitability of Mr Chand to manage a licensed premises and advise that numerous licensing offences have been identified at Vasco Joint, along with allegations of drug use on the premises. Police included 12 COPS Events as part of the

complaint material and submit that these incidents establish a clear pattern of behaviour and demonstrate that Mr Chand has continually failed to uphold his responsibilities as a licensee. Police note that Mr Chand's history is poor considering the venue was closed for a fair portion of 2020-2022 due to Covid lock downs.

Police expressed concerns that Mr Chand's behaviour away from the licensed premises, is both criminal and alarming. He has been charged with numerous offences including breached bail conditions and as a result Mr Chand was served a long-term banning notice from both the Kings Cross and Sydney CBD Entertainment Precincts.

### **Grounds of complaint**

The ground of complaint is that Mr Chand is not a fit and proper person to be the holder of a licence under section 139(3)(i) of the Act.

### **Consultation and submissions**

On 20 October 2022, we issued a show cause notice inviting submissions as to why we should not take disciplinary action. The submissions in response are detailed below.

Submission on behalf of Mr Chand:

- there is no evidence to substantiate that the cash found in Mr Chand's possession was from criminal proceeds. This allegation is being defended in the Local Court and the allegations of criminal wrongdoing are denied.
- Mr Chand's partner was assaulted by a taxi driver and the use of force was in defence to protect his partner.
- Mr Chand denies that he is unfit to be a holder of a licence and denies the allegations that he has committed a criminal offence.

Submission from NSW Police:

- Police submit that while Mr Chand may deny any criminal wrongdoing, it is not for this submission to prove his guilt but to highlight his character and behaviour that he is not a fit or proper person to be the holder of a liquor licence.
- Police advise that the actions of Mr Chand in relation to the numerous licensing breaches are not those of a responsible licensee.
- Police submit that these incidents establish a clear pattern of behaviour which demonstrates that Mr Chand has continually failed to uphold the responsibilities bestowed upon him as a licensee.

Subsequent submission on behalf of Mr Chand:

- Mr Chand seeks adjournment to reply to the submissions until the matters are determined in court and seeks further time to provide the Authority with the evidence given in the proceedings on the second day of trial.
- Mr Chand has applied for the transfer of the licence to a new responsible person and therefore there is no risk to defend himself in court.

Following a request from the Authority for a final submission, Mr Chand advised that:

- the licence has since been transferred.
- he was found not guilty in the assault case and is in the process of filing a cost motion on the grounds of inappropriate police conduct and harassment.
- he is pleading not guilty for the proceeds matter which he expects a resolution for on 18 December 2023.

## **Our findings**

Mr Chand's conduct falls below the standard of behaviour expected of a licensee and demonstrates a failure to understand and comply with his obligations under the Act. In consideration of Mr Chand's repeat offending, we agree with the complainant that disciplinary action is warranted in this instance.

## **Relevant legislation**

### Prescribed grounds of complaint

We are satisfied that the complaint was made validly and that the established ground of complaint is a prescribed ground under section 139(3)(i) of the Act.

## **The material we considered**

The following material was considered in the determination of this matter:

- disciplinary complaint application dated 5 July 2022, including a letter from NSW Police and supporting evidence,
- submission from Michael Vassili Barristers and Solicitors on behalf of Mr Chand, dated 6 December 2022
- submission from NSW Police, dated 5 January 2023
- subsequent submission from Michael Vassili Barristers and Solicitors on behalf of Mr Chand, dated 31 March 2023
- final submission from Mr Chand, dated 6 November 2023

## **If you are dissatisfied with this decision**

The respondent or complainant may apply to [NCAT](#) for a review of this decision under the *Administrative Decisions Review Act 1997*.

For more information, please contact the NCAT Registry at 1300 006 228 or visit the [NCAT website](#).

This decision may be published on the [Liquor and Gaming website](#).

## **If you have any questions**

Please contact the Office of ILGA at [office@ilga.nsw.gov.au](mailto:office@ilga.nsw.gov.au) if you have any questions.

Yours sincerely



Sarah Dinning  
**Deputy Chair**

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