



Mr Scott Matteson Former Approved Manager J D's Bar and Grill Restaurant [REDACTED]	Superintendent Craig Middleton C/o Sergeant Darrin Thompson Sutherland Shire Police Area Command [REDACTED]
Section 140(3) – Third parties Licensee J D's Bar & Grill Pty Ltd [REDACTED]	Section 140(3) – Third parties Current Approved Manager Mr Jonathan Lane [REDACTED]
Business owners Mr John Scutts [REDACTED] Mr David Sperandeo [REDACTED]	Premises owner M & H & A LIONIS [REDACTED]

Our ref: DOC24/083615

15 April 2024

Dear Sir/Madam

**Decision regarding complaint about Mr Scott Matteson under section 139 of the
*Liquor Act 2007***

Our decision

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

- **Withdraw** Mr Matteson's approval to manage a licensed premises under section 141(2)(g) of the *Liquor Act 2007 (Act)*
- **Disqualify** Mr Matteson from being the manager of a licensed premises, or from holding a licence or being the close associate of a licensee, under section 141(2)(h) of the Act, for a period of **12 months**.

Background

Application for Complaint under section 139 of the Act

On 27 September 2022, Superintendent Craig Middleton, Commander of the Sutherland Shire 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 Scott Matteson, former approved manager of JD's Bar and Grill Restaurant (LIQO624006752), located at Level 1 1-11 Cronulla St, Cronulla. The complaint alleges that Mr Matteson 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 provided an extensive list of COPS records as part of the complaint material which details a lengthy period of non-compliance and licensing offences by Mr Matteson.

Since 2007 there have been at least 46 occasions where Mr Matteson has been issued a penalty notice or given a warning by Police for non-compliance and licensing offences. Mr Matteson has continued to breach licence conditions across multiple venues despite the frequent penalty notices and warnings.

Police advise that the same pattern of management and behaviour became evident again at J D's Bar and Grill Restaurant, which is a high-risk premises with a history of non-compliance relating to the restaurant's primary purpose. Mr Matteson has been given numerous warnings at previous venues for not complying with the primary purpose.

Police state that there is an expectation that a licensee must have a requisite knowledge of the legalisation including their obligations and duties required, however Mr Matteson has shown a complete disregard of liquor licence conditions and has continually failed to comply with his obligations under the Act.

Ground of complaint

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

Consultation and submissions

On 23 November 2023, we issued a show cause notice inviting submissions as to why we should not take further disciplinary action. The submissions in response are detailed below. No submissions were received from the current licensee, approved manager, business owner or premises owner.

Submission from Mr Matteson:

- Mr Matteson claims that the business owners/employees were made to feel like criminals, and that he was the subject of bullying and harassment which has led to ongoing mental health issues
- Mr Matteson advised that during his time as the secretary of the Miranda Liquor Accord, he was personally responsible for getting memberships to a record high. He developed and implemented campaigns aimed at reducing liquor related harm and worked with other accords to learn initiatives that may assist the Miranda Liquor Accord.

Submission from NSW Police:

- the Sutherland Shire Police Area Command have shown considerable fairness when dealing with Mr Matteson
- the P87A (provided in the complaint material) lists no less than 43 warnings and 1 compliance notice compared to the 14 penalty notices issued
- all of the allegations are supported by COPS events made by various police officers, some of which were members of the Miranda Licensing Section prior to amalgamation
- these warnings are indicative of the police approach in working with licensed premises to ensure legislative compliance and reduce alcohol related violence.

Our findings

In consideration of the repeat offending by Mr Matteson despite multiple penalty notices and warnings issued, we agree with the complainant that disciplinary action is warranted in this instance.

Relevant legislation

Prescribed ground 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 from NSW Police including 10 attachments, dated 20 September 2022
- submission from Mr Matteson, dated 21 December 2023
- submission from NSW Police, dated 10 January 2024.

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 if you have any questions.

Yours sincerely



Caroline Lamb

Chairperson

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