

## **Minutes of the Flemington LAC Liquor Accord Meeting held at DOOLEYS Lidcombe Catholic Club on Tuesday 30<sup>th</sup> August, 2017 at 10:30AM**

### **ATTENDEES:**

Senior Constable Paul Aishou, Senior Constable Shannon Thomson, Brad Ferguson (Cumberland City Council), Glenn Fraser, Nathan Titmuss (DOOLEYS), Peter Denmead (DOOLEYS), Rosie Vranic(DOOLEYS), Steve Rodrigues (DOOLEYS), Tomasz Pytraczyk (DOOLEYS), Chun Nam (Dotori Japanese Restaurant), Guiqiang Lin (The Village Tavern), Phillip Geh (The Wentworth Hotel), Ferdinand Felaron (BWS Berala), Sue Max (ANZ Stadium), Tim Brady (ANZ Stadium), Joe Isaak (Arak Australia), Kylie Walker (Armoury Wharf Café, Stephen Ellis (Auburn Hotel), Val David (Costco), Hanch Cao (8Dragons), Justin Corcoran (DOOLEYS), Harumi Arrascue (Parramatta City Council), Hyeong Ha (Fresh Asiana), Vaskar Thapa (Lidcombe Hotel), Andrew Arquilla (Aldi), Paul Williams (Rosnay Golf Club), Nicholas Powers (Keighery Hotel), Gaby Tannous (DOOLEYS), Dwane Goodman (Sydney Showgrounds), Sarah Jane Morgan (Berala Hotel), Alexander Spence (BWS Woolworths), Alex Biddolph, John Ross (Lidcombe Bowling Club), Grant Nel (Aldi), Sun Mi Park (Dong Bo Sung), Robert Fleri (Dan Murphy's Strathfield), Greta Fletcher (DOOLEYS).

### **APOLOGIES:**

John Jansen (DOOLEYS), Julie Milsom (DOOLEYS), Geoff Jansen (Markets Hotel), Megan Dessent (Markets Hotel), Jenny Yoon (Stra Pumpkin), Yuval Yaari (Lighthouse Security), Robert Williams (Parramatta City Council), Kim Dahee (Jang Teo), Doug May (Lionco), Irene Kotevski (Mexica Cocktail Bar).

The Chairman Peter Denmead declared the Annual General Meeting open at 10:33AM and thanked all members for the participation.

### **REVIEW MINUTES OF MEETING HELD 17<sup>TH</sup> MAY 2017**

**RESOLVED:** That the Minutes of meeting held 17<sup>th</sup> May 2017 be adopted as a true and correct record of proceedings.

No matters arising from those minutes.

### **SENIOR CONSTABLE SHANNON THOMSON - FLEMINGTON LAC PRESENTATION**

Senior Constable Shannon Thomson provided a summary of statistics on alcohol related crimes for the period of May 2017 - July 2017.

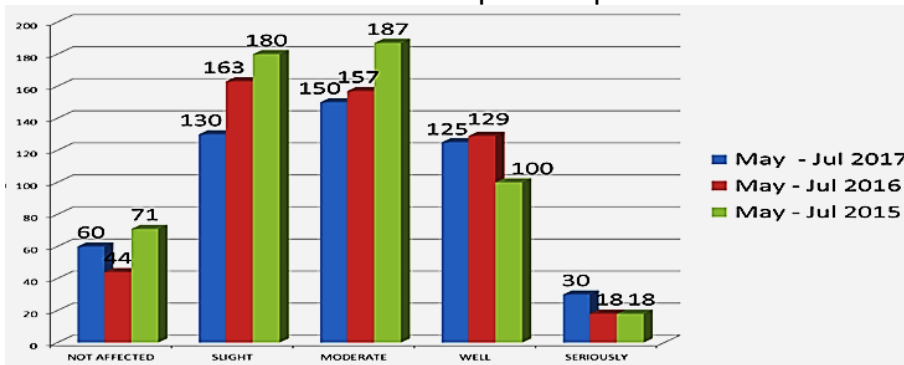
Out of 8649 total reported incidents:

- 4% Alcohol Related Crime (remains unchanged from the last 3 months);
- 16% Alcohol Related Assault Incidents (up by 2% vs last quarter);
- 16% Alcohol Related Domestic Violence Incidents (up by 2% vs last quarter).

24-28 John Street  
 Lidcombe NSW 2141  
 Phone: 02 8745 6124

Senior Constable Shannon Thomson compared reported levels of intoxication for the same period over the past 3 years (May-July in 2015, 2016 and 2017):

2015-2017 intoxication levels snapshot report

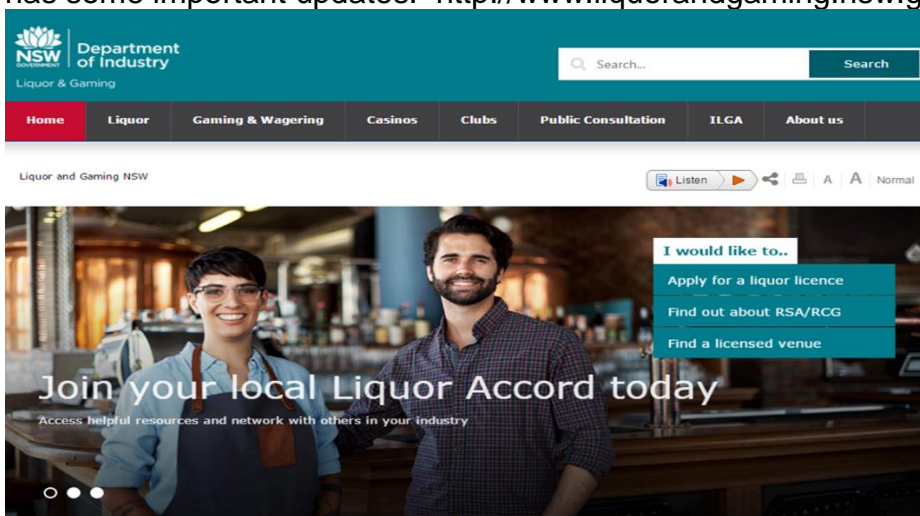


This year intoxication levels were slightly less than previous years on all bars, but seriously affected number has grown from 18 in 2015 and 2016 to 30 reported cases this year.

PCA (Drink Driving offences) by the last place of consumption:  
 May 2017 – July 2017 out of all offences:

- 28% linked to licensed premises;
- 35% linked to home/private residences;
- 11% linked to public place;
- 26% linked to other places.

Senior Constable Shannon Thomson informed audience that **Liquor and Gaming Website** has some important updates: <http://www.liquorandgaming.nsw.gov.au>



**Liquor fact sheets, checklists and guidelines** are available under the following address:  
<http://www.liquorandgaming.nsw.gov.au/Pages/liquor/factsheets-checklists-guidelines.aspx>

Self-audit Checklists are available for venues with the “on premise” licenses to collect after this meeting. If any more are required, Senior Constable will email the link or a copy of the checklist upon request.

**Upcoming Events:**

16-17/09 iHunt Expo (RAS)  
16/09 NRL Semi-Finals (ANZ) Eels v. Cowboys  
01/10 NRL Grand Final (ANZ)  
08/10 WSW v. Perth @ RAS  
14/10 WSW v. Central Coast @ RAS  
21/10 Monster Jam – (ANZ)  
28/10 Boxing (State Sports Centre)  
25/11 Sensations Dance Party (RAS)

**BRAD FERGUSON (MANAGER OF DEVELOPMENT & COMPLIANCE, CUMBERLAND CITY COUNCIL) – NEW COMPLIANCE STRUCTURE WITHIN THE COUNCIL**

Cumberland Council is now an amalgamated council and some internal re-structure is now taking place. However, all council community services are continued throughout the process. Mr Ferguson is looking after developments and enforces conditions of approved development applications. There are 16 officers working in this department.

Council assesses and determines development applications for premises such as restaurants, clubs and hotels, bottle shops, function and entertainment venues and etc. Council is responsible for ensuring that venue operators and owners comply with any conditions of the development consents and take action to enforce such licensing conditions.

For example, council has powers in relation to the control of noise. As a consequence, Council can force venue operators to control unacceptable noise emanating from their premises.

Procedures also exist under the Liquor Act for the management of licensed premises through the imposition of conditions on liquor licences. Conditions—including controls relating to trading hours, noise levels, conditions for external dining areas, provision of security, management plans and patron numbers—can be imposed at the time of granting a licence, or at a subsequent time where issues relating to the consumption of alcohol and operation of licensed premises arise. Conditions can also result from the consideration of disturbance complaints which can be made by councils, police or residents. Directions can be issued to improve the management of a venue and disciplinary complaints may be made which can lead to substantial penalties, suspension or the cancellation of licences.

Examples of some common breaches in Cumberland Council area were explained, including relevant costs to the business in each case. Mr. Ferguson explained that Council

officers would endeavour to use the most appropriate action based on the individual circumstances of each case.

Number of approaches could be considered by Council, including:

- referral to an appropriate external regulatory authority;
- verbal warnings or written warnings;
- issuing notices and orders;
- heavy penalty notices or proceedings in Court, and etc.

Specific conditions were further explained with given examples, relevant to various premises:

**Restaurants:**

- Outdoor dining and Liquor Licence
- Effectively a permit under S125 of Roads Act 1983
- Conditions of development Consent under Environmental Planning & Assessment Act (NSW) 1979 (EP&A Act)
- Non compliance with conditions may cause revocation of permit
- Non compliance with Development Consent conditions may be a minimum \$6000 on the spot fine

**Clubs & Hotels:**

- Clubs & Hotels are often the beneficiary of development Consents (approvals) which may be quite old.
- Major changes/re-development brings with it Consent conditions that may quantify noise, parking & hours of operation
- Costs of acoustic reports and retro-fit attenuation measures borne by venue (~ \$30,000)
- Hotels with accommodation require more onerous fire safety detection, prevention and suppression measures as stipulated in the Building Code of Australia.
- Multi classification of building (class 3 & 6)
- Fire safety schedules and annual fire safety certificates mandatory.

**Function & Entertainment Venues:**

- May seem very similar however different uses are defined under the Standard Instrument
- The Standard Instrument – Principal Local Environment Plan is prescribed through the Standard Instrument (Local Environmental Plans) Order 2006
- All Local Environment Plans are based on land uses so defined.
- Function centre includes activities such as conventions, exhibitions, receptions, other functions (presentations/formal's/birthday party's) and specifically excludes an Entertainment Facility
- Entertainment Facility includes a theatre, cinema, concert hall, dance hall and the like (professional boxing matches, MMA events) and excludes pubs & registered clubs
- Example: local function centre recently held boxing & MMA events without consent. Given 4 x \$6000 infringement notices.

Defended in Local Court – found guilty – fines increased to \$8000 each plus costs – total of \$36,000 (plus own costs). Appealed and lost – further costs of \$4000  
Total cost to the business - \$40,000.

**Bottle shops:**

- Hours of operation
- May be located in an Alcohol Free Zone
- Unopened alcohol may be carried through an Alcohol Free Zone
- Alcohol may not be consumed when in an Alcohol Free Zone (includes parked vehicle)
- Powers under the Local Government Act 1993.

Senior Constable Paul Aishou, reminded everyone that the Council also has powers to order the fire safety of premises to be kept up to standard. Annual Fire Safety Statements must be prominently displayed within licenced premises. It is an offence to not display fire safety statements. Council can take the business owner to court, if an order is not carried out, which will have serious implications for non-compliance.

**SENIOR CONSTABLE PAUL AISHOU AND SENIOR CONSTABLE SHANNON THOMSON – DRUGS IN LICENSED PREMISES**

Drug is a substance which, when taken into the body, affects the body's function either physically and/or psychologically.

Drugs can be:

- Prohibited, such as listed in Schedule 1 of the Drug Misuse and Trafficking Act (e.g. MDMA, cannabis, amphetamines and etc.), or
- Legal and regulated, such as alcohol, caffeine and tobacco.

Drugs affect the central nervous system (CNS) and can have impact on mood, thinking and behaviours. Drugs may be divided into three categories:

- Stimulants are drugs that increase the activity of the brain (e.g. amphetamine type substances, ecstasy, methyl-amphetamine, cocaine, some pharmaceuticals, new psychoactive substances and caffeine);
- Depressants are drugs that decrease alertness by slowing the activity of the CNS (e.g. alcohol, cannabis, benzodiazepines, heroin, morphine, oxycodone, and etc.);
- Hallucinogens are drugs that impact perception and can cause hallucinations, such as seeing or hearing something that is not there (e.g. LSD, Magic mushrooms, Mescaline, NBOMe, cannabis, MDMA, and etc.)

Some drugs may have properties of more than one of these categories (e.g. cannabis).

**Alcohol and Drugs**

Simultaneous use of alcohol and other drugs can increase the risks and harms associated with such usage. For example, alcohol is a depressant, and has a sedative effect on the body. When alcohol is mixed with a stimulant, the stimulant will hide or mask the effect that the alcohol is having. This means patrons will not feel as affected by the alcohol as they really are, and this can lead to poor decision making and engaging in potentially dangerous

behaviours. When mixed with other depressants, the effect of both the alcohol and the other drug will be increased. The two will combine to slow down the heart rate and breathing. This can become fatal, if too much is taken at once.

### **Drug trends in NSW**

The total number of recorded drug offences in NSW is continuing to rise and current figures are the highest on record. Stimulants (ice, ecstasy, methamphetamine and cocaine) are the most widely used illegal drugs within licensed leisure spaces. Cannabis is the most commonly detected illegal drug in NSW, followed by methylamphetamines. Methylamphetamine causes the greatest risk to police and the wider community, as it is often associated with violence, involvement in organised crime groups and the suburban secret drug laboratories.

### **Common drugs in Auburn and Strathfield LGAs**

#### **Cannabis**

Most commonly detected illegal drug in Strathfield and Auburn LGA is cannabis, with Auburn representing the highest rate (776 detected offences per 100,000 population in 2016), vs Strathfield LGA (185 offences per 100,000 population), vs state's average (344 offences per 100,000 population).

From all detected cannabis drug offences in Auburn LGA in 2016, 71.3% of offences were detected on a road/street/footpath and only 1.8% in licensed premises.

From all detected cannabis drug offences in Strathfield LGA in 2016, 47.3% of offences were detected on a road/street/footpath and none in licensed premises.

#### **Methylamphetamine**

Significant growth in market since 2010, in particular related to increased importation, manufacture and supply of the drug (crystal methylamphetamine being most popular).

From all detected methylamphetamine drug offences in Auburn LGA in 2016, 40% of offences were detected on a road/street/footpath and 8.9% in licensed premises.

From all detected methylamphetamine drug offences in Strathfield LGA in 2016, 70% of offences were detected on a road/street/footpath and none in licensed premises.

#### **MDMA**

MDMA pills (also known as ecstasy, eckies, E, XTC, pills, flippers, disco biscuits and etc), may have a very high concentration of MDMA or may not contain any MDMA, but have a large range of other unknown chemicals and therefore side effects may vary each time and may lead to incidents of overdoses.

#### **Law**

Licensees need to be aware of responsibilities under the Liquor Act. Licensees must not tolerate the possession, use or sale of any substance suspected of being a prohibited plant or drug. Licensees need to be vigilant in observing patrons and ensure that required procedures are in place in the event of emergency. Licensees need to call police, if suspected drug use by the customer.

**HARUMI ARRASCUE, OFFICER IN ECONOMIC DEVELOPMENT – CITY OF PARRAMATTA COUNCIL – UPDATE ON THE NIGHT TIME ECONOMY STUDY**

As of Wednesday this week Parramatta Council have two items on public exhibition:

**Draft Late Night Trading Management DCP**

The Draft Late Night Trading Management DCP and relevant material are now on public exhibition from Tuesday 25 July 2017 to Friday 25 August 2017 inclusive.

Council have extended the public exhibition period to Friday 15 September 2017 to provide further opportunity for stakeholders to make a submission.

(<https://www.cityofparramatta.nsw.gov.au/about-parramatta/news/on-exhibition/draft-late-night-trading-management-development-control-plan>)

**Night Time Economy Discussion Paper**

The document, City of Parramatta Night Time Economy Discussion Paper, proposes ideas to develop the City's future Night Time Economy Strategy – a framework that will further encourage the City at night as a vibrant, diverse and welcoming space. Our discussion begins in areas that have an existing night time economy, where there is potential for sustainable growth: Parramatta CBD, Harris Park and Epping.

The paper is structured around seven key themes, being:

1. Safe and vibrant centres;
2. A competitive economy;
3. Live music and recreation;
4. Creative spaces;
5. Celebrating our diversity – welcoming everyone;
6. Events and activations; and
7. Easy to get to - easy to get home.

The key themes have been developed through a number of engagement and consultation activities including surveys, focus groups and interviews, undertaken with residents, visitors, business owners and key stakeholders, hearing what these groups consider most important to them in terms of a desirable night life. The Discussion Paper brings together what we have heard so far and consolidates this for further discussion. We invite you to comment on the questions and ideas outlined in this discussion paper. Your input will help Council develop a Night Time Economy Strategy for the City of Parramatta LGA.

Public Exhibition Dates and locations

The Night Time Economy Discussion Paper is on public exhibition from Monday 21 August to Friday 22 September 2017 inclusive.

A copy of the Discussion Paper can be viewed at the following locations:

- Council's website: <https://www.cityofparramatta.nsw.gov.au/about-parramatta/news/on-exhibition/night-time-economy-discussion-paper>
- City of Parramatta Council Administration Building, Ground Floor, 126 Church Street, Parramatta (hardcopy)
- All Council Libraries (hardcopy)

## **COMMITTEE OVERVIEW**

### **Treasurer's Report**

Account details as at 1st August 2017:

Opening Balance	\$22,382.12
Total Credits	+\$0.00
Total Debits	-\$0.00
Closing Balance	\$22,382.12

## **GENERAL BUSINESS**

Peter Denmead provided an update on Flemington LAC Liquor Accord and Lidcombe PCYC Partnership and details in relation to the Plan B program.

**Next meeting to be held on Tuesday 12th December 2017 at DOOLEYS Lidcombe Catholic Club at 10:30am.**

## **ANNUAL GENERAL MEETING**

Hand over to Constable Paul Aishou to call for committee nominations.

### **Accept nominations –**

- Chairman – Dwane Goodman
- Treasurer – Nathan Titmuss
- Committee – Peter Denmead, Glenn Fraser, Geoff Jansen
- Secretary – Greta Fletcher

The Treasurer thanked all members that attended the meeting.

Meeting closed 11:55AM.

Peter Denmead.....  
Chairman

Date.....