

# NSW Independent Liquor & Gaming Authority

Liquor & Gaming NSW	NSW Police, Monaro Police District
Snowy Monaro Regional Council	Heather Rowlinson, Bombala RSL Club

26 May 2025

Dear Sir/Madam

Reference No.	DOC25/140240
Licensee	Bombala RSL Club Ltd
Secretary & Manager	Miss Heather Rowlinson
Venue Name	Bombala RSL Club
Licence Number	LIQC300235874
Premises	156 Maybe Street Bombala NSW 2632
Legislation	Part 9A of the <i>Liquor Act 2007</i>

**Decision on application to remove demerit point  
Bombala RSL Club Ltd,  
Bombala RSL Club (LIQC300235874)**

On 29 October 2024, the Independent Liquor & Gaming Authority (**the Authority**) notified you of the application to remove a demerit point on behalf of the Bombala RSL Club Ltd (**the club**), under the *Liquor Act 2007* (**the Act**).

**Our decision**

Following consideration of submissions received in response to the notification, we have decided to remove the demerit point under section 144ZE(1)(a) of the Act — with the condition set out in Schedule 1.

**Statement of reasons**

**Background**

On 27 January 2024, the Independent Liquor and Gaming Authority received an application from Bombala RSL Club Ltd, with Heather Rowlinson (**the applicant**) as the approved Manager of the Bombala RSL Club, LIQC300235874 (**the venue**), seeking the removal of a demerit point under section 144ZD(1)(c) of the *Liquor Act 2007* (**the Act**).

The venue incurred one demerit point on 6 December 2022, in accordance with section 144I of the Act, for the category 1 demerit offence *licensee permit intoxication on licensed premises*, in contravention of section 73(1)(a) of the Act.

On 29 October 2024, we notified all relevant parties of the application and invited submissions in response.

### Submissions

Submissions were received from Liquor & Gaming NSW (**L&GNSW**), the Snowy Monaro Regional Council (**Council**) and the Monaro Police District (**Police**). We have considered the submissions, which are summarised below:

Dated 18 November 2024, L&GNSW:

- did not oppose to the proposed demerit point removal
- advised there is no evidence that ‘serious harm’ occurred as a result of the incident; however, no further detail was available to L&GNSW on injury sustained by a Police Officer during the removal of patrons
- highlighted that the venue implemented a Plan of Management (POM) in consultation with Police that includes measures and procedures to manage the risk of intoxication
- advised that the Manager of the Club at the time of the incident, Mr Scott Ingram, is no longer in the role since 31 June 2022
- shared an overview of Manager changes including details of their most recent refresher courses
- confirmed that the imposition of the demerit point was the only action taken in response to the incident
- acknowledged the lack of adverse compliance history with respect to the Club and its managers since the demerit point was imposed
- advised they have no records that show whether the Club’s managers are a member of a local liquor accord.

Dated 22 November 2024, Council:

- did not oppose the application made and confirmed their records don’t show any incidents of alcohol related non-compliance at the venue within the last 10 years.

Dated 28 November 2024, Police:

- advised that the incident involved multiple events from the evening, including one event requiring police to draw their taser and an officer sustaining a significant injury to their ankle; resulting in offenders arrested for fail to quit, offensive language, threatening as well as assaulting Police
- advised that the approved Manager at the time of the offence was Mr Scott Ingram and that there have been multiple approved Manager changes since the incident occurred
- assessed the Plan of Management provided by the applicant as relatively simplistic and highlighted that the venue would benefit from a comprehensive Plan of Management
- shared that (positive) meetings were held with several approved managers at the venue following the incident
- confirmed no compliance history for the venue and the venue’s managers for the 10-year period prior to the application date
- advised of a further incident at the premises on 19 October 2024 involving intoxicated patrons, resulting in a police officer being assaulted

- raised concerns that the venue's strategies are aimed at identifying intoxication instead of prevention of intoxication
- acknowledged challenges to source security in regional towns such as Bombala.

The applicant was provided a copy of the submissions on 4 March 2025 and was invited to make a submission in response and to provide further information to support the application and assist the Authority with certain considerations.

Dated 25 March 2025, the applicant:

- acknowledged that documentation supplied confirm that a police officer injured his ankle in a scuffle with two patrons
- advised that a Bands and Events Policy was implemented following the incident that includes several measures to minimise the risk
- confirmed that no demerit offences have occurred following the demerit offence
- confirmed that the club is not a member of a liquor accord with there being no accord locally.

In the course of considering the application and in light of the Police submission, we were concerned that not only was a police officer threatened and assaulted in the incident that incurred the demerit point, but a further incident occurred at the venue on 19 October 2024 involving patron intoxication and a police officer being assaulted.

However, we also noted the lack of adverse compliance history with respect to the venue and its managers since the demerit point was imposed. Mr Ingram is no longer the manager of the Club, the current and former managers have all completed the relevant RSA, RCG, licensee and advanced licensee courses. Three of which, including the current Secretary, completed the advanced RCG course.

On balance, we were minded to approve the application, however we also considered the imposition of a POM condition on the licence in the interest of harm minimisation associated with the misuse and abuse of liquor. We subsequently issued a notice of proposed imposition of licence condition to the applicant on 22 April 2025, in line with our obligation under section 53(4) of the Act.

We advised the applicant that:

- we are minded to approve the application, however are considering whether to impose a POM condition on the licence under section 53 of the Act
- we recognise the current POM (dated January 2024) and the lack of adverse compliance history with respect to the venue and its managers since the demerit point was incurred
- we acknowledge that Mr Ingram is no longer the manager of the venue, and the current and former managers have all completed further training courses
- however, we are concerned with the quality and strength of the venue's POM, as raised in the NSW Police submission, and are considering imposing a POM condition in the interest of harm minimisation associated with the misuse and abuse of liquor.

On 13 May 2025, the applicant provided a submission and:

- provided an updated POM dated May 2025 and highlighted that fact sheets provided on the L&GNSW website were followed when updating the plan
- shared additional background information in relation to the incident at the venue on 19 October 2024 involving a patron being intoxicated and assaulting a police officer and highlighted harm minimisation measures they had put in place prior to the event (Bombala Race Day)

- advised that planning is underway to conduct RSA awareness and training with staff and local police.

### **Considerations under section 144ZE of the Act**

We have also considered the relevant factors identified in section 144ZE of the Act, and note that:

- no remedial action was taken by the Authority or Secretary in response to the demerit point being incurred
- the manager has implemented measures and undertaken training to manage or reduce the risks that contributed to the commission of the demerit offence in respect of which the demerit point was incurred
- there is no indication that the provisions of this Act or the regulations referred to in the definitions of category 1 demerit offence and category 2 demerit offence have not, since the demerit point was incurred, been contravened by the person who committed the demerit offence in relation to which the demerit point was incurred
- The *Liquor Regulation 2018* prescribes other matters the Authority must consider including:
  - the submissions received from L&GNSW and Council, which reflect that they do not object to the removal of the demerit point
  - whether the licensee has entered into a liquor accord noting that the applicant confirmed that the club is not a member of a liquor accord with there being no accord locally.

### **Our findings**

We are satisfied that the factors under section 144ZE(2) of the Act have been met as outlined above. We assessed the updated POM dated May 2025 provided by the applicant on 13 May 2025 as improved.

Having considered the evidence and information before us, we have decided to **remove** the demerit point under section 144ZE(1)(a) of the Act — with the condition set out in Schedule 1.

Under section 144ZF of the Act, the Authority may reinstate the demerit point if the Authority is satisfied that the demerit point was removed on the basis of false, misleading, inaccurate or incomplete information provided by the licensee.

### **The material we considered**

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

- the application to remove a demerit point
- stakeholder submissions in response to the application
- the applicant's response and submission in response to our notice of proposed imposition of licence condition that included an updated Club Bombala Management Plan dated May 2025 and a Race Day Risk Register for the Bombala Race Day – 2024.

### **Opportunity for review**

The applicant and anyone who was notified of the application and made a submission, may apply to NCAT for a review of the decision.

An application for review must be made no later 21 days after the person receives the notice.

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](mailto: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 horizontal stroke extending to the right.

Jeff Loy

**Board Member**

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

### Schedule 1 – Licence condition to be imposed - Bombala RSL Club

No.	Condition to be imposed	Description
1.	Liquor plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated May 2025 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.