



## **MEDIA RELEASE**

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Thursday 10 March 2016

### **10 YEAR STATEWIDE BAN FOR FORMER LICENSEE**

The former licensee of Port Macquarie's Downunder Nightclub has been given a 10 year statewide industry ban for repeatedly allowing intoxication and other offences.

Maxim Gunsberger has been disqualified from holding a liquor licence, being an approved manager of a licensed premises, or being a close associate of a licensee of any licensed premises in NSW until 2026.

The penalty has been handed down by the Independent Liquor & Gaming Authority following a disciplinary complaint lodged by Liquor & Gaming NSW.

The disciplinary complaint followed Mr Gunsberger's conviction in Port Macquarie Local Court on 8 April 2015 for three offences of permitting intoxication and an additional offence of supplying alcohol to an intoxicated person. Mr Gunsberger pleaded guilty to all four charges.

The offences were detected during a Liquor & Gaming NSW compliance inspection of the Downunder Nightclub on 31 August 2014.

In its disciplinary complaint, Liquor & Gaming NSW said Mr Gunsberger has been convicted of numerous offences under the Liquor Act since 2005, has repeatedly failed to comply with liquor licence conditions, and is not a fit and proper person to hold or be associated with a liquor licence.

In its decision, the Authority said the 10 year ban would "send an appropriate message to others in the industry of the regulatory consequences of engaging in the kind of repeated and serious statutory noncompliance that is the subject of this complaint."

Liquor & Gaming NSW Director of Compliance and Enforcement Anthony Keon said: "There is no place in the industry for irresponsible operators and Liquor and Gaming NSW will take whatever action necessary to get out, and keep out, licensees found to be disregarding their responsible service obligations."

The Authority also upheld a second strike imposed on the Downunder Nightclub on 30 June 2015 by Liquor & Gaming NSW after the venue requested a review.

As a result, extra conditions have been imposed on the nightclub's licence.

Previously the venue was licensed to sell or supply alcohol from 5am to 4am Monday to Saturday and from 10am to midnight on Sunday. Now it will not be allowed to sell or supply alcohol after 1am Tuesday to Sunday, and patrons will be prevented from entering the premises after 1am.

**ENDS**