



*Settlers Inn Port Macquarie Pty Ltd*

*ABN52 606 901 857*

101 Hastings River Drive  
Port Macquarie NSW 2444

**11<sup>th</sup> January 2016**  
**Office of Liquor, Gaming & Racing NSW**

### **Re: Three Strikes Disciplinary Scheme**

Dear Sir/Madam,

As the freehold owners of a hotel in today's regulatory climate, we are unfortunately very familiar with the failings of the current Three Strikes Disciplinary Scheme. In 2014, after a number of breaches we chose to terminate the lease of the then licensee. However, months later we were issued with an infringement notice for his offence of "Allow intoxicated persons on licensed premises".

Through no fault of our own we are now in possession of a hotel with imposed license conditions, a bad reputation and we have struggled to obtain financing for renovations. This Scheme has disproportionately and unreasonably penalised us as the owner, who in a leasehold situation had no control over the business decisions of the licensee.

As a responsible owner-operator we have implemented venue policies that address strike offences and provide staff training, however I can unequivocally say that the decision to carry these out would have been made with or without the Three Strikes Scheme – because we understand our civic duty and conduct our business in a safe manner.

As the Scheme is operated now, freehold owners are penalised by the conduct of rogue licensee/tenants. This leaves the freehold owner in a vulnerable position and at a significant disadvantage when both selling the premises and obtaining finance to rebuild/renovate in order to improve the business.

We believe the Scheme should be targeted at the individuals responsible for venue conduct – namely the licensee or approved managers. At the very least, there needs to be a fair and just appeal process for owners who have been issued an infringement notice for a prescribed offence.

Sincerely,

Debbie Christianson  
Settlers Inn Port Macquarie