

Report to the CEO, Liquor Gaming & Racing

In accordance with sections 3, 4, 5 and 6 of the Ministerial Directions published on 4 March 2016, the Independent Liquor & Gaming Authority (ILGA) provides reasons to the Deputy Secretary, Better Regulation Division, within five business days of the expiry of the determination period to allow for publication of those reasons on the Liquor & Gaming NSW website.

This report was prepared by Liquor & Gaming NSW on behalf of ILGA.

Section 3.2 of Ministerial Directions – Overage gaming machine and liquor licence applications, as at 14 April 2023					
Type of application	Application number	Licence name	Days overdue	Reason(s) for becoming overage	Notes for internal reference e.g., date of last action
Extended trading authorisation - hotel licence	1-8160050241	Jerrabomberra Hotel	313	Awaiting response from applicant	01.07.2022 – applicant seeking revision to DA 09.08.2022 – still awaiting DA process to be finalised 11.08.2022 – no change 04.10.2022 – no change 04.12.2022 – applicant to be advised to re-complete CIS and resubmit application noting CIS is aged 12.01.2023 – no change 07.02.2023 – no change 06.03.2023 – no change 12.04.2023 – Authority board paper going to April meeting
Hotel licence - Removal	1-8381681219	Tower Tea Room	71	Administrative delay	31.01.2022 – the licensing officer at The Rocks Police advised they were on leave and will be providing a submission 03.03.2023 – being submitted to the March 2023 meeting 06.04.2023 – SOR being reviewed 12.04.2023 – no change

Extended trading authorisation - hotel licence	1-8384672801	Winmalee Tavern	69	Waiting for applicant	06.02.2023 – final request email sent 25.01.2023 (possible withdrawal) 06.03.2023 – extension provided for a response by the applicant by 06.03.2023 12.04.2023 – assessment being completed. Awaiting the applicant to complete Advanced Licensing Training.
Packaged liquor removal	1-8448483791	Good Spirits, Food & Wine	6	Administrative delay	12.04.2023 – SOR being reviewed
Total: 4 applications					

**Applications not finalised within 120 days of the respective submission period for the application closing.*

** Disciplinary complaints not finalised within 180 days from the date of the complaint being lodged with ILGA.*

Section 4.5 of Ministerial Directions – Overage third strike actions, as of 14 April 2023			
Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage
Total: 0 applications			

** Third strike decision not finalised within 90 days from the date of notification being provided to ILGA by Liquor and Gaming NSW that a venue has incurred two strikes, and that a conviction has been recorded, a penalty notice has been paid or an enforcement order issued for a third offence within three years of the first strike being incurred.*

Section 4.7 of Ministerial Directions – Overage applications to revoke or suspend RSA competency card, as at 14 April 2023			
Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage
Total: 0 applications			

** Decision to revoke or suspend a person’s RSA competency card not finalised within 90 days of an application being lodged with ILGA.*

Section 5.2 of Ministerial Directions – Overage merits review applications, as at 14 April 2023			
Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage
Total: 0 application			

** Merits review not finalised within 120 days from the date the review application is lodged with ILGA.*

Section 6.2 of Ministerial Directions – Overage applications to impose, vary or revoke licence conditions, as at 14 April 2023					
Type of application	Application number	Licence name	Days overdue	Reason(s) for becoming overage	Notes for internal reference e.g., date of last action
Change liquor licence condition – licensee	1-8326299351	Tempe Hotel LIQH400105975	126	Awaiting response from applicant	<p>13.12.2022 – application transferred from another case officer. Last follow up for comment on submission received was sent on 10.10.2022, update will be sought 13.01.2023 – no change</p> <p>06.02.2023 – follow up sent to legal rep who were to liaise with their client and advise of the intended way forward</p> <p>03.03.2023 – no updates. Still awaiting response from applicants legal rep</p> <p>13.04.2023 – final follow up email sent to agent</p>
Change liquor licence condition – licensee	1-8349495396	The Homebush Hotel	104	Awaiting response from applicant	<p>12.01.23 – considered by ILGA at Nov 22 meeting – further information requested</p> <p>06.02.23 – additional information being provided to Feb 23 meeting</p> <p>03.03.2023 – deferred at Feb 2023 meeting, waiting for GME application to be considered by Authority before making determination</p> <p>05.04.2023 – matter to be determined at 19 April 2023 board meeting (separately from the Gaming application)</p> <p>12.04.2023 – no change</p>

Section 6.2 of Ministerial Directions – Overage applications to impose, vary or revoke licence conditions, as at 14 April 2023

Type of application	Application number	Licence name	Days overdue	Reason(s) for becoming overage	Notes for internal reference e.g., date of last action
Change liquor licence condition - licensee	1-8411907291	Paddington Inn	42	Administrative delay	03.03.2023 – waiting on records retrieval 12.04.2023 – preparing Authority board paper for May 2023 meeting
Change liquor licence condition - licensee	1-8414580203	Terrigal Thai Arcade LIQO660011337	39	Awaiting response from applicant	03.03.2023 – on 27 January 2023 applicant was asked to provide evidence that DA is in place permitting the proposed hours. Response yet to be received 13.04.2023 – no change, still awaiting on the applicant's response
Change liquor licence condition - licensee	1-8417040497	Night Parrot Bar	36	Awaiting response from applicant	03.03.2023 – pending DA 12.04.2023 – no change; to be withdrawn if no response is received from applicant
Change liquor licence condition - licensee	1-8417661659	Jervis Bay Brewing LIQW880015081	36	Awaiting response from applicant	03.03.2023 – awaiting applicant's response regarding DA approval 13.04.2023 – no change; still awaiting applicant response
Change liquor licence condition - licensee	1-8433778081	Temple Bay Coogee	20	Administrative delay	12.04.2023 – Authority board paper going to April 2023 meeting

Change liquor licence condition - licensee	1-8438364652	Albion Hotel	15	Administrative delay	12.04.2023 - pending DA (tentative 4-6 weeks additional wait)
Change liquor licence condition - licensee	1-8450317368	Umaya	4	Administrative delay	13.04.2023 – awaiting modified DA from applicant
Total: 9 applications					

** Application to impose, vary or revoke licence conditions not finalised within 120 days from the date of lodgement of the application.*

Report to the Secretary, Department of Enterprise, Investment and Trade

Section 9 of the Ministerial Directions requires that, where a decision in relation to gaming machine and liquor licence applications, including a gaming machine threshold application, is delegated to Department of Justice staff (now Department of Enterprise, Investment and Trade staff pursuant to the NSW Administrative Arrangements Order) and an application takes longer than 120 days to be determined, ILGA is to notify the Secretary, Department of Justice (now the Secretary, Department of Enterprise, Investment and Trade) as soon as practicable.

This report was prepared by Liquor & Gaming NSW on behalf of ILGA.

Section 9.1 of Ministerial Directions – Overage delegated decisions*, as at 14 April 2023					
Type of application	Application number	Licence name	Days overdue	Reason(s) for becoming overage	Notes for internal reference e.g., date of last action
Extended trading authorisation – on-premises licence	1-8433778098	Temple Bay Coogee	138	Administrative delay Awaiting response from applicant	09.12.2022 – escalated to BPT 24/11/2022 – pending further assessment 12.01.23 – email sent to applicant 22.12.22 06.02.2023 – no change 03.03.2023 – being submitted to the April 2023 meeting 12.04.2023 – Authority board paper going to April 2023 meeting
Packaged liquor licence – Removal	1-8467582672	The Greek Providore Pty Ltd LIQP770017607	106	Awaiting response from applicant	03.02.2023 – requested additional information, waiting DA. 03.02.2023 – awaiting council DA 12.04.2023- DA still outstanding; will be withdrawn on 14.04.2023

Producer/wholesaler licence - Removal	1-8506429213	The Welder's Dog Pty Ltd	74	Awaiting response from applicant	20.01.2023 – requested additional information 06.03.2023 – approved 07.03.2023 – application granted; being finalised
Packaged liquor licence - Removal	1-8564409323	Cumulus Vineyards	25		13.04.2023 – application granted; being finalised
Packaged liquor licence - Removal	1-8577692616	Bordeaux Wine Century	14		13.04.2023 – application granted; being finalised
Producer/wholesaler licence - Removal	1-8561930022	Bidfood Armidale	11		13.034.2023 – application granted; being finalised
Total: 6 applications					

**Applications not finalised within 120 days of the respective submission period for the application closing.*