

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 July 2022					
Type of application	Application number	Licence name	Days overdue	Reason(s) for becoming overage	Notes for internal reference e.g., date of last action
Packaged liquor licence - New	APP-0006794773	Myer Macquarie Park	566	Awaiting response from applicant Administrative delay	Response from applicant delayed due to COVID situation in Melbourne where Myer head office is. Waiting on response to submissions from applicant. Applicant waiting on outcome of MYER Castle Hill before providing response. 06.10.21 – no change 10.11.21 – being considered at the November meeting 10.11.21 – matter deferred pending meetings with applicant by Secretariat 11.1.22 – no change 07.02.22 – no change 08.03.22 – no change 29.04.22 – no change 12.05.22 – no change 30.06.22 – no change 9.08.22 – Update requested from applicant’s solicitor 11.08.22 – no change
Packaged liquor licence – New	APP-0006728782	Myer Chatswood	564	Awaiting response from applicant Administrative delay	Response from applicant delayed due to COVID situation in Melbourne where Myer head office is. Waiting on response to submissions from applicant. Applicant waiting on outcome of MYER Castle Hill before providing response. 06.10.21 – no change 10.11.21 – being considered at the November meeting 10.11.21 – matter deferred pending meeting with applicant by Secretariat

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					<p>11.1.22 – no change 07.02.22 – no change 08.03.22 – no change 29.04.22 – no change 12.05.22 – no change 30.06.22 – no change 9.08.22 – Update requested from applicant’s solicitor 11.08.22 – no change</p>
Packaged liquor licence – New	APP-0006874293	Myer Miranda	552	Awaiting response from applicant Administrative delay	<p>Response from applicant delayed due to COVID situation in Melbourne where Myer head office is. Waiting on response to submissions from applicant. Applicant waiting on outcome of MYER Castle Hill before providing response. 06.10.21 – no change 10.11.21 – being considered at the November meeting 10.11.21 – matter deferred pending meetings with applicant by Secretariat 11.1.22 – no change 07.02.22 – no change 08.03.22 – no change 29.04.22 – no change 12.05.22 – no change 30.06.22 – no change 9.08.22 – Update requested from applicant’s solicitor 11.08.22 – no change</p>
Packaged liquor licence – New	APP-0008999236	Kingsway Plaza	126	ILGA makes in-principle decision, but matter is yet to be finalised CLOSED – SOR sent 30.05.2022	<p>29.04.22 Considered and refused by Authority at January 2022 meeting. Licensing waiting on PAL or SOR from Secretariat 12.05.22 No change 01.07.22 – SOR issued to applicant on 30.05.2022. CLOSED and finalised</p>

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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	1-8068889737	Hurlstone Park Hotel	166	ILGA makes in-principle decision, but matter is yet to be finalised	29.04.22 – awaiting close of submission period for change of liquor shutdown hours on 8/5/2022. Due at June meeting 01.07.2022 – determined at June meeting awaiting SOR 09.08.2022 - still awaiting SOR 30.05.22 – SOR sent and case closed
Packaged liquor licence – New	APP-0009159631	Neighbourhood Cellars Maroubra	71	Administrative delay Awaiting response from applicant	29.04.22 Multiple requests for further information sent to applicant Last request sent on 8/04/22. Applicant requested extension on 22/04/22 12.05.22 Extension request denied, and applicant advised application will be assessed as is and possibly withdrawn or refused – in process 30.06.22 Paper ready for ILGA July 2022 meeting. 9.08.22 Matter determined at ILGA July 2022 meeting, SOR to be drafted. 11.08.22 – no change
Packaged liquor	APP-0009336764	BOTTLE2U PTY LTD	26	Administrative delay	12.05.22 PAL sent. Waiting on SOR No change 9.08.2022 – Draft SOR with subcommittee (MS/GE) for review and approval. 11.08.22 – no change
Extended trading authorisation - hotel licence	1-8160050241	Jerrabomberra Hotel	226	Awaiting response from applicant	01.07.2022 – applicant seeking revision to DA 09.08.2022 - still awaiting DA process to be finalised 11.08.22 – no change
Hotel licence – Removal	1-8161038221	New Commercial Hotel	207	Administrative delay	09.08.2022 - paper being drafted for September meeting (linked to Edmonson Park)
Extended trading authorisation - hotel licence	1-7896168713	Ambulance Station hotel	383		Finalised in May – needs to be updated in OneGov – should be off next report

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Type of application	Application number	Licence name	Days overdue	Reason(s) for becoming overage	Notes for internal reference e.g., date of last action
Hotel licence – removal	1-8161038221	Edmondson Park Tavern	206	Administrative delay awaiting applicant response	09.08.2022 - paper being drafted for September meeting (Linked to New Commercial hotel)
Total: 11 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 at July 2022				
Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage	Notes for internal reference
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 July2022				
Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage	Notes for internal reference
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 July2022				
Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage	Notes for internal reference
Greek Atlas Community Centre, Marrickville	<i>Liquor Act 2007</i>	135	Administrative delay Awaiting response from applicant	On 24 March 2022 the Authority wrote to the licensee to request some further information. Awaiting response.
Total: 1 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 July 2022

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	1-7976131661	Bar Romeo	264	Awaiting response from applicant	Waiting on applicant to respond to conditions suggested by NSW Police. Email sent to applicant on 8/3/22. 01.07.2022 - No updates – status remains the same. Application finalised on 26.07.2022
Change liquor licence condition – licensee	1-8054838603	The Illinois Five Dock Hotel	187	Awaiting response from applicant	Waiting for Applicant to provided modification development consent from Council. Status remains the same, as listed above. 01.07.2022 – no change 10.08.2022 – no change
Change liquor licence condition – licensee	1-8124688957	Hemingway Cafe	54	Awaiting response from applicant	Waiting for Applicant to provided modification development consent from Council and Applicant to provide Plan of Management. 01.07.2022 – no change 10.08.2022 – no change
Change liquor licence condition – licensee	1-7672239773	The Governor	717		Finalised – was not updated in OneGov – should be off next report
Change liquor licence condition – licensee	1-8026126330	Sauce Brewing Co	222		Application finalised on 28.07.2022
Change liquor licence condition – licensee	1-8081850808	Astina Hospitality	74		Finalised – needs to be updated in OneGov – should be off next report

Change liquor licence condition - licensee	1-8124688957	Hemingway Cafe	84	Awaiting response from applicant	Waiting for Applicant to provide modification development consent from Council and Applicant to provide Plan of Management. 01.07.2022 – no change 10.08.2022 – no change
Total: 7 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 July 2022					
Type of application	Application number	Licence name	Days overdue	Reason(s) for becoming overage	Notes for internal reference e.g., date of last action
Small bar – New	APP-0009210679	Botany Bay bar and dining	70	Administrative delay	29.04.22 Application has been prepared for the Authority's May 2022 meeting. Was escalated from delegated to board team for Authority review 12.05.22 To be considered at the May meeting 23.06.2022 Licence and PAL issued to applicant. SOR being drafted 11.08.2022 – no change
Extended trading authorisation - on-premises licence	1-8191826791	ONETHIRD BOWLING	1188	Waiting on applicant response	Escalated to board paper team on 03/03/2022. Waiting for applicant to respond to RAI and comment on submissions as of 19/04/2022 12.05.22 No change 01.07.22 No change – applicant requested extension until end of August

					11.08.2022 – no change
Extended trading authorisation - on-premises licence	1-8177371129	MEET Restaurant	116	ILGA makes in-principle decision, but matter is yet to be finalised	SOR being drafted 11.08.2022 – no change
Total: 3 applications					

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