

## 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 29 June 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 meeting 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
Packaged liquor licence - New	APP-0006866553	Myer Castle Hill	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. Response provided by applicant, processing resumed. Considered at June meeting Awaiting ILGA update Re: business model and conditions, before contacting applicant. 06.10.21 – being considered at the October meeting 13.10.21 – Refused at the October meeting 11.1.22 – no change 07.02.22 – no change

**Section 3.2 of Ministerial Directions – Overage gaming machine and liquor licence applications\* as at 29 June 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
					08.03.22 – no change 29.04.22 – no change 12.05.22 – no change 30.06.22 – 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 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
Packaged liquor licence – New	APP-0006874293	Myer Miranda	552	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 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

Section 3.2 of Ministerial Directions – Overage gaming machine and liquor licence applications* as at 29 June 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
					30.06.22 – no change
Extended trading authorisation - hotel licence	1-7858732269	Lone Pine Tavern	434	ILGA makes in-principle decision but matter is yet to be finalised	11.08.21 – awaiting SOR 29.04.22 – awaiting SOR 30.06.22 – administrative delays
Packaged liquor licence – New	APP-0008817690	Liquorland	143	Administrative delay	29.04.22 Considered and deferred at January 2022 meeting. Public on-site meeting in Helensburgh on 4 April 2022. Further submission period closes on 9 May 2022 following which the applicant will be invited to make a final submission before the matter is put to the Authority for determination. 12.05.22 No change 01.07.22 No change
Packaged liquor licence – New	APP-0008789139	George's Cellar	135	ILGA makes in-principle decision but matter is yet to be finalised	29.04.22 Considered and refused by Authority at February 2022 meeting. Licensing waiting on PAL or SOR from Secretariat 12.05.22 No change 1.7.22 – SOP sent out and case closed 15 June
On-premises licence – New	APP-0008972770	Maniax	128	ILGA makes in-principle decision but matter is yet to be finalised	29.04.22 Applicant's response to updated CCTV condition and OC sent to secretariat on 28/04/2022 Licensing waiting for response from Secretariat 05.05.22 PAL sent. Waiting for SOR No change
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	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
Extended trading authorisation - hotel licence	1-8068889737	Hurlstone Park Hotel	166	Administrative delay Awaiting response from applicant	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

**Section 3.2 of Ministerial Directions – Overage gaming machine and liquor licence applications\* as at 29 June 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-0009186482	ALDI Rosebery	71	Administrative delay	29.04.22 Considered and approved by Authority at April 2022 meeting. PAL sent 28/04/2022. Waiting on Secretariat to issue SOR. 12.05.22 No change 01.07.22 No change
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.
GMT Increase with Class 1 LIA	1-7976415690	Burwood Social House, Burwood	317	Administrative delay Awaiting response from applicant	09.11.21 – paper drafted and to be handled under delegation. 07.12.21 – awaiting response from applicant on calculation of floorspace 10.1.22 – Response received from applicant. Paper being drafted. 02.02.22 – Paper at February meeting 07.03.22 – Authority defer decision in February – applicant to be advised to withdraw application pending opening of premises 29.04.22 – awaiting letter to applicant 11.05.22 – awaiting applicant confirmation of withdrawal 01.07.22 – matter closed
GMT increase Club in new development area	1-8143350521	Menangle Country Club	156	Administrative delay Awaiting response from applicant	29.04.22 – awaiting updated GPOM. Policy have been requested to provide information on whether club qualifies as new development (club is existing) 30.05.22 – Policy advice and initial GPOM received and assessed – Awaiting revised GPOM from applicant 01.07.2022 – paper prepared for the July meeting

**Section 3.2 of Ministerial Directions – Overage gaming machine and liquor licence applications\* as at 29 June 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	APP-0009336764	BOTTLE2U PTY LTD	26	Administrative delay	12.05.22 PAL sent. Waiting on SOR No change
GMT Increase & transfer	1-815375501	Gemini Hotel, Griffith	146	ILGA makes in principle decision, but matter yet to be finalised	11.05.2022 – paper at May meeting 01.07.2022 – matter determined at June meeting awaiting SOR
Extended trading authorisation - hotel licence	1-8160050241	Jerrabomberra Hotel	39	Awaiting response from applicant	01.07.2022 – applicant seeking revision to DA
Extended trading authorisation - hotel licence	1-8097323371	Lemon Grove Hotel	93	Waiting on SOR	Being drafted
Extended trading authorisation - hotel licence	1-8177555961	Bligh Park Hotel	17		
Hotel licence - Removal	1-8161038221	New Commercial Hotel	18		
Extended trading authorisation - hotel licence	1-7896168713	Ambulance Station hotel	383		

**Section 3.2 of Ministerial Directions – Overage gaming machine and liquor licence applications\* as at 29 June 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
---------------------	--------------------	--------------	--------------	--------------------------------	--

**Total: 21 applications**

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

**Section 4.3 of Ministerial Directions – Overage disciplinary complaints\* as at 30 April 2022**

Licence/Party name	Applicable legislation	Days overdue	Reason(s) for becoming overage	Notes for internal reference
Mr John Anthony Quinlan	<i>Liquor Act 2007</i>	314	Administrative delay	Findings letter to be drafted.
Mr Ross Glynatsis	<i>Liquor Act 2007</i>	271	Administrative delay	Findings letter to be drafted.
Lidcombe Bowling Club Limited	<i>Registered Clubs Act 1976</i>	265	Administrative delay	Findings letter to be drafted.

**Total: 3 complaints**

\*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 30 April 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 30 April 2022**

Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage	Notes for internal reference
<b>Total: 0 applications</b>				

\* 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 30 April 2022**

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.
<b>Total: 1 application</b>				

\* 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 30 April 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.
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
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
Change liquor licence condition – licensee	1-8158546288	The Rum Diary Bar Newcastle	11	Waiting for ILGA Principal Solicitor to advise next steps	Correspondence from the customer notifying L&G the applicant (legal rep) may not have provided them with full transparency in relation to application details 30.06.22 – no change
Change liquor licence condition – licensee	1-7672239773	The Governor	717		
Change liquor licence condition – licensee	1-8026126330	Sauce Brewing Co	222		
Change liquor licence condition – licensee	1-8081850808	Astina Hospitality	74		

Change liquor licence condition - licensee	1-8124688957	Hemingway Cafe	84		
Change liquor licence condition - licensee	1-8181476135	Wallaroo Wines	12		
<b>Total: 9 applications</b>					

\* 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 30 April 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. Waiting on SOR from ILGA.
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

On-premises licence – New	APP-0009414029	Summi's Yamba	13	Waiting on approval	Sitting with approving officer Finalised in May
Small bar – New	APP-0009325415	The Clyde Lounge	2	This application has been forwarded to the delegate but returned Administrative delay	Council have indicated that the business is instrumental in their revitalisation of the Batemans Bay area ravaged by bushfires. Correct parties have now been notified, and we are awaiting the end of the 30-day period. 1.7.22 – application finalised today
Extended trading authorisation - on-premises licence	1-8177371129	MEET Restaurant	116	ILGA makes in-principle decision but matter is yet to be finalised	9.8.22 - Waiting on SOR
<b>Total: 5 applications</b>					

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