

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 4 December 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
Extended trading authorisation - hotel licence	1-7858732269	Lone Pine Tavern	587	Administrative delay	Refused at August 2021 Authority meeting. Waiting on SOR. Advised Aug 2022 by Secretariat SOR not required. Completed 4.11.2022 Business Digital Systems & Reporting - this matter will drop of next month's report
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

Section 3.2 of Ministerial Directions – Overage gaming machine and liquor licence applications, as at 4 December 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
					<p>11.08.22 – no change 12.08.22 - Solicitor for applicant waiting for instructions on material so they can draft proposed conditions and submit same to ILGA 4.10.22 - no further update 4.11.22 - no further update 4.12.22 – Licensing to contact applicant re matter is aged and may be refused</p>
Packaged liquor licence – New	APP-0006728782	Myer Chatswood	564	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 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 9.08.22 – Update requested from applicant’s solicitor 11.08.22 – no change 12.08.22 - Solicitor for applicant waiting for instructions on material so they can draft proposed conditions and submit same to ILGA 4.10.22 - no further update 4.11.22 - no further update</p>

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					4.12.22 – Licensing to contact applicant re matter is aged and may be refused
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 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 12.08.22 - Solicitor for applicant waiting for instructions on material so they can draft proposed conditions and submit same to ILGA 4.10.22 - no further update 4.11.22 - no further update 4.12.22 – Licensing to contact applicant re matter is aged and may be refused
Extended trading authorisation -	1-8068889737	Hurlstone Park Hotel	289	Waiting for SOR	4.12.22 - SOR being reviewed

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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					
Extended trading authorisation - hotel licence	1-8160050241	Jerrabomberra Hotel	192	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 04.10.2022 - no change
Hotel licence – Removal	1-8161038221	The New Commercial Hotel	171	Waiting for advice from Office of ILGA	09.08.2022 - paper being drafted for September meeting (linked to Edmondson Park) 04.10.2022 - paper at October meeting 04.12.2022 - PAL being reviewed
Packaged liquor licence - Removal	1-8239967211	Red Bottle Hunter Street	97		11.11.22 – Matter finalised
Extended trading authorisation - hotel licence	1-8190919789	Mullane's	45	Waiting for SOR	Being drafted 07.10.2022 - PAL sent 25.08.2022 04.12.2022 – SOR being drafted
Extended trading authorisation - hotel licence	1-8222889225	Churchill's Sports Bar	68	Administrative delay	7.10.22 JZ advised as the renovation cannot take place until next year, the approval cannot take effect, as such, the matter cannot be finalised 4.11.22 - no further update
Total: 10 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 4 December 2022			
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 4 December 2022			
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, at 4 December 2022			
Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage
Greek Atlas Community Centre, Marrickville	<i>Liquor Act 2007</i>	135	Administrative delay Awaiting response from applicant 4.10.22 - Awaiting response from Council regarding further inquiries 5.10.22 - Council response provided
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 at 4 December 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	1-8054838603	The Illinois Five Dock Hotel	340	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 06.10.2022 - no change 04.11.2022 - no change – Applicant advised that the DA is currently with the Land & Environment Court
Change liquor licence condition – licensee	1-8124688957	Hemingway Cafe	237	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 06.10.2022 - no change 04.11.2022 - no change – Applicant has been given a final reminder to provide the information by COB Friday 04 November 2022
Change liquor licence condition – licensee	1-8202087274	Neck of the Woods	143	Awaiting response from applicant	6.10.2022 - Still awaiting applicant to provide an approved DA.

Change liquor licence condition – licensee	1-8224709200	FED Blue Mountains	116	Awaiting response from applicant	Waiting for Applicant to provided modification development consent from Council. Status remains the same, as listed above. 06.10.2022 – no change 04.11.2022 - no change – Applicant has been given a final reminder to provide the information by COB Friday 04 November 2022
Change liquor licence condition – licensee	1-8246169933	Albury Wodonga Mens Gallery	89		Waiting for Applicant to respond to Police submission. Status remains the same, as listed above. 06.10.2022 - no change 04.11.2022 - Applicant request to withdraw the application. Will be finalised on Tuesday 08 December 2022
Change liquor licence condition – licensee	1-8246169942	Bay Predo's Lechon Cebu	89	Awaiting response from applicant	29.7.22 – email sent to applicant.
Change liquor licence condition – licensee	1-8272624788	Moonee Beach Hotel	58	Awaiting SOR	4.12.22 – SOR being reviewed
Change liquor licence condition – licensee	1-8272624838	Elizabeth Roberts Mikey's Pizza Pty Ltd	58	Awaiting response	6.6.22 - Email sent asking for copy of DA
Change liquor licence condition – licensee	1-8326299351	Tempe Hotel	5		
Change liquor licence condition – licensee	1-8326466692	The Finders Keepers AW22	5		

Total: 10 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 4 December 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 - Removal	1-8422226871	BIDFOOD NEWCASTLE	5		
On-premises licence - Removal	1-8425499841	Credo Cafe Restaurant Lounge	18		
Extended trading authorisation - on-premises licence	1-8433778098	Temple Bay Coogee	18		

Total: 3 applications

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