

# NSW Independent Liquor & Gaming Authority

Our ref: DF24/026494

Mr Brett Tobin  
Hatzis Cusack Lawyers

29 November 2024

Dear Mr Tobin

Application No.	APP-0013025740
Applicant	Iris Hotels Sydney Airport Operations Pty Ltd
Application for	New hotel (full) licence with minors' area authorisation
Application date	2 May 2024
Decision date	20 November 2024
Proposed licence name	Mascot Tavern
Proposed trading hours	<u>Consumption on premises</u> Monday to Saturday 07:00 AM – 12:00 AM Sunday 10:00 AM – 10:00 PM <u>Takeaway sales</u> Monday to Saturday 07:00 AM – 12:00 AM Sunday 10:00 AM – 10:00 PM
Proposed premises	205 O'Riordan Street Mascot NSW 2020
Legislation	Sections 40, 44, and 45 of the <i>Liquor Act 2007</i>

## Decision of the Independent Liquor & Gaming Authority Application for a new hotel (full) licence with minors' area authorisation – Mascot Tavern

We **refuse** the application above under section 45 of the *Liquor Act 2007*.

### Statement of reasons

We note that the Bayside Council issued a 'deferred commencement' for the premises on 14 December 2023 which notes that the consent shall not operate until the conditions described within that document have been satisfied. The applicant has noted that the conditions are not expected to be fulfilled until early 2025.

Therefore, we do not have the power under section 45(3)(c) of the *Liquor Act 2007* to grant the licence as the development consent or approval is not in force.

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### **The material we considered**

We considered the following material when making our decision:

- the application material
- a deferred commencement for the premises
- Council confirmation that deferred commencement is still in place

This decision will be published in accordance with section 36C of the *Gaming and Liquor Administration Act 2007*.

### **Opportunity for review**

The applicant and anyone who was notified of the application and made a submission, may apply to [NCAT](#) for a review of the decision.

An application for review must be made no later 28 days after the decision is published on the website. There is a fee to lodge the application.

For more information, please contact the NCAT Registry at Level 10 John Maddison Tower, 86-90 Goulburn Street Sydney or visit the NCAT website.

### **If you have any questions**

Please contact the case manager, Glenn Barry, at Liquor & Gaming NSW if you have any questions.

Yours sincerely



Chris Honey

**Deputy Chairperson**

**Independent Liquor & Gaming Authority**