

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 1 July 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
Hotel licence - Removal	1-8381681219	Darling Pavilion	162		Case finalised on 07.07.2023
Extended trading authorisation - hotel licence	1-8384672801	Winmalee Tavern	160	Awaiting administration	02.08.2023 – Application Refused at the May 2023 meeting. Awaiting SOR
Packaged liquor licence - Removal	1-8465631146	Vintage Cellars Belrose	78		03.08.2023 - SOR sent 13.07.2023. Closed
Packaged liquor licence - Removal	1-8480651154	Vintage Cellars Northbridge	67		03.08.2023 - SOR sent 09.06.2023. Closed
Hotel licence - Removal	1-8501579195	Albion Hotel	49	Delay by applicant	02.08.2023 - DA to be issued in the next week and to be considered at September 2023 meeting
Packaged liquor licence - Removal	1-8535651491	Vintage Cellars	13	Delay by applicant	02.08.2023 - DA still pending, representative advised that application will be withdrawn on 11/08/2023 if no DA provided
Hotel licence - Removal	1-8537382716	Albion Hotel	19	Delay by applicant	02.08.2023 - DA to be issued in the next week and to be considered at September 2023 meeting
Total: 7 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				
<i>Disciplinary complaints not finalised within 180 days from the date of the complaint being lodged with ILGA</i>				
Licence name	Applicable legislation	Due date for finalisation Days overdue	Reason(s) for becoming overage	Comment
Vasco Joint	Part 9 <i>Liquor Act 2007</i>	Due: 1/1/2023 181	Administrative delays	Lodged with OILGA 5/7/2022 Board paper to be prepared for final decision.
Willie the Boatman	Part 9 <i>Liquor Act 2007</i>	Due: 21/1/2023 161	Administrative delays	Lodged with OILGA 25/7/2022 Final submissions received. Board paper to be prepared for final decision.
Albion Hotel	Part 9 <i>Liquor Act 2007</i>	Due: 14/3/2023 109	Administrative delays	Lodged with OILGA 15/9/2022
Gladstone Hotel	Part 9 <i>Liquor Act 2007</i>	Due: 25/3/2023 98	Administrative delays	Lodged with OILGA 26/9/2022 Final submissions due 22 August 2023
JD's Bar and Grill Restaurant	Part 9 <i>Liquor Act 2007</i>	Due 26/3/2023 97	Administrative delays	Lodged with OILGA 27/9/2022.
Olympic Hotel	Part 9 <i>Liquor Act 2007</i>	Due: 4/6/2023 27	Administrative delays	Lodged with OILGA 6/12/2022. Show cause notice to be drafted for consideration by Committee
TOTAL: 6 APPLICATIONS				

Section 4.5 of Ministerial Directions – Overage third strike actions, as at 1 July 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 1 July 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 1 July 2023

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

Licence name	Applicable legislation	Due date for finalisation Days overdue	Reason(s) for becoming overage	Comment
Gladstone Hotel		Due: 15/5/2023 47	Administrative delays	Lodged with OILGA 15/01/2023
TOTAL: 1 APPLICATION				

Section 6.2 of Ministerial Directions – Overage applications to impose, vary or revoke licence conditions, as at 1 July 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	1-8414580203	Terrigal Thai Arcade	130		Withdrawn on 06.05.2023
Change liquor licence condition – licensee	1-8438364652	Albion Hotel	106		Finalised on 21.06.2023
Change liquor licence condition – licensee	1-8450317368	Umaya	95	Applicant delay. No DA in place to date	03.08.2023 To be withdrawn in 1 Gov as per conversation with the applicant.
Change liquor licence condition – licensee	1-8455507694	Harem Gentlemen's Club	90		Finalised on 15.02.2023
Change liquor licence condition – licensee	1-8547066433	BB Terrigal	11	Applicant delay, no DA in place	03.08.2023 - Licensing to follow up with applicant as case may need to be withdrawn.
Total: 5 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 1 July 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
Packaged liquor licence - Removal	1-8658039386	Windrose Wines Pty Ltd	40		Finalised on 16.06.2023
Packaged liquor licence - Removal	1-8675952092	PAC Beverages Pty Ltd	25		Finalised on 07.06.2023
Extended trading authorisation - on-premises licence	1-8676208743	Lotus Dumpling Bar	25		Finalised on 06.06.2023
Packaged liquor licence - Removal	1-8697581582	Tourino	7		Finalised on 28.06.2023
Packaged liquor licence - Removal	1-8699439152	Mucho Aloha Drinks	6		Withdrawn on 10.07.2023
Total: 5 applications					

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