

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 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
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
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 08.03.22 – no change

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					29.04.22 – no change 12.05.22 – 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
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
Extended trading authorisation -	1-7760905081	Kent St. Hotel	515	Awaiting response from applicant Administrative delay	Representative disagreed that vary of ETA required a change of boundaries application reducing the footprint

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hotel licence				Decision maker requests more information Awaiting response from applicant Administrative delay	Recently re-allocated to new case officer / Request for plan clarification sent to applicant 3 times Considered at the June 2021 meeting Awaiting response from applicant. No change, awaiting response from applicant. 06.10.21 – awaiting response from applicant 02.11.21 – Follow-up request sent for updated POM and confirmation of name of premises sent. Awaiting response. No change, awaiting response from applicant 14.01.22 No change, awaiting response from applicant (third reminder sent) 11.02.22 no change 08.03.22 No change 29.04.22 Applicant's response has been forwarded to ILG 05.05.22 Application finalised
Extended trading authorisation - hotel licence	1-7858732269	Lone Pine Tavern	373	ILGA makes in-principle decision but matter is yet to be finalised	11.08.21 – awaiting SOR 29.04.22 – awaiting SOR
Packaged liquor licence – New	APP-0008817690	Liquorland	143	Decision maker requests more information	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
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
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

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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
Packaged liquor licence – New	APP-0008999236	Kingsway Plaza	126	ILGA makes in-principle decision but matter is yet to be finalised	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
Extended trading authorisation - hotel licence	1-8068889737	Hurlstone Park Hotel	105	Administrative delay.	29.04.22 – awaiting close of submission period for change of liquor shutdown hours on 8/5/2022. Due at June meeting
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
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
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
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

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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
Packaged liquor	APP-0009336764	BOTTLE2U PTY LTD	26	Administrative delay	12.05.22 PAL sent. Waiting on SOR
GMT Increase & transfer	1-815375501	Gemini Hotel, Griffith	146	Administrative Delay	11.05.2022 – paper at May meeting
Total: 17 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
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 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.
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 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	203	Awaiting response from applicant	Waiting on applicant to respond to conditions suggested by NSW Police. Email sent to applicant on 8/3/22. No updates – status remains the same.
Change liquor licence condition – licensee	1-8054838603	The Illinois Five Dock Hotel	126	Awaiting response from applicant	Awaiting for Applicant to provided modification development consent from Council. Status remains the same, as listed above.
Change liquor licence condition – licensee	1-8091153609	Moonshiner	71	Awaiting response from applicant	28/4/22 – Applicant advised Council have informed that DA will be approved within the next few weeks. DA received 10/05/2022.
Change liquor licence condition – licensee	1-8124688957	Hemingway Cafe	23	Awaiting response from applicant	Awaiting for Applicant to provided modification development consent from Council and Applicant to provide Plan of Management.
Change liquor licence condition – licensee	1-8141628100	Enoteca 128	1	Application 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 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
Extended trading authorisation - on-premises licence	1-7939037307	Snacky Chans	375	Awaiting response from third party	Delays with Council approval – received Application to be forwarded to Delegate for determination 12/05/2022
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
Extended trading authorisation - on-premises licence	1-8191826791	ONETHIRD BOWLING	87	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
Extended trading authorisation - on-premises licence	1-8177371129	MEET Restaurant	55	Administrative delay	Escalated to board paper team on 28/01/2022. Applicant responded with all required information on 25/03/2022. To be heard at the May 2022 Authority meeting.

On-premises licence – New	APP-0009414029	Summi's Yamba	13	Waiting on approval	Sitting with approving officer
Small bar – New	APP-0009325415	The Clyde Lounge	2	This application has been forwarded to the delegate but returned	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.
Total: 6 applications					

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