

## 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 17 May 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
Extended trading authorisation - hotel licence	1-8160050241	Jerrabomberra Hotel	343	Awaiting response to action item	01.07.2022 – applicant seeking revision to DA 09.08.2022 – still awaiting DA process to be finalised 11.08.2022 – no change 04.10.2022 – no change 04.12.2022 – applicant to be advised to re-complete CIS and resubmit application noting CIS is aged 12.01.2023 – no change 07.02.2023 – no change 06.03.2023 – no change 09.05.2023 – ILGA provided with response to Action 04-23/2.5-01
Extended trading authorisation - hotel licence	1-8339618521	Grafton Hotel Leonie	143	Waiting on SOR	09.05.2023 - PAL issued 13.04.2023. Waiting on SOR

Hotel licence - Removal	1-8381681219	Tower Tea Room	101	Waiting for PAL approval	31.01.2022 – the licensing officer at The Rocks Police advised they were on leave and will be providing a submission 03.03.2023 – being submitted to the March 2023 meeting 06.04.2023 – SOR being reviewed 12.04.2023 – no change 09.05.2023 – ILGA to approve PAL
Extended trading authorisation - hotel licence	1-8384672801	Winmalee Tavern	99	Waiting for applicant	06.02.2023 – final request email sent 25.01.2023 (possible withdrawal) 06.03.2023 – extension provided for a response by the applicant by 06.03.2023 12.04.2023 – assessment being completed. Awaiting the applicant to complete Advanced Licensing Training. 09.05.2023 - to be heard at the May meeting
Hotel licence - Removal	1-8455255782	Blue Revolution Pty Ltd	29	Waiting on SOR	09.05.2023 - PAL issued 04.05.2023. Waiting on SOR
Packaged liquor licence - Removal	1-8465631146	Liquorland LIQP700382376	17		09.05.2023 Granted at the Authority March meeting Awaiting PAL/SOR
Packaged liquor licence - Removal	1-8480651154	Liquorland Express LIQP700382244	6		09.05.2023 Granted at the Authority April meeting Awaiting PAL/SOR
<b>Total: 7 applications</b>					

*\*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 17 May 2023**

Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage
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**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 17 May 2023**

Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage
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**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 17 May 2023**

Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage
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**Total: 0 application**

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

<b>Section 6.2 of Ministerial Directions – Overage applications to impose, vary or revoke licence conditions, as at 17 May 2023</b>					
<b>Type of application</b>	<b>Application number</b>	<b>Licence name</b>	<b>Days overdue</b>	<b>Reason(s) for becoming overage</b>	<b>Notes for internal reference e.g., date of last action</b>
Change liquor licence condition – licensee	1-8326299351	Tempe Hotel LIQH400105975	156	Awaiting response from applicant	<p>13.12.2022 – application transferred from another case officer. Last follow up for comment on submission received was sent on 10.10.2022, update will be sought 13.01.2023 – no change</p> <p>06.02.2023 – follow up sent to legal rep who were to liaise with their client and advise of the intended way forward</p> <p>03.03.2023 – no updates. Still awaiting response from applicants' legal rep</p> <p>13.04.2023 – final follow up email sent to agent</p> <p>11.5.2023 - Application withdrawn on 14/04/2023</p>

<p>Change liquor licence condition – licensee</p>	<p>1-8349495396</p>	<p>The Homebush Hotel</p>	<p>134</p>	<p>Awaiting response from applicant Closed</p>	<p>12.01.23 – considered by ILGA at Nov 22 meeting – further information requested 06.02.23 – additional information being provided to Feb 23 meeting 03.03.2023 – deferred at Feb 2023 meeting, waiting for GME application to be considered by Authority before making determination 05.04.2023 – matter to be determined at 19 April 2023 board meeting (separately from the Gaming application) 12.04.2023 – no change 09.05.2023 - Approved by ILGA at April 2023 meeting and finalised on 01.05.2023</p>
<p>Change liquor licence condition - licensee</p>	<p>1-8411907291</p>	<p>Paddington Inn</p>	<p>72</p>	<p>Administrative delay</p>	<p>03.03.2023 – waiting on records retrieval 12.04.2023 – preparing Authority board paper for May 2023 meeting 09.05.2023 - paper ready for the May 2023 Authority meeting</p>
<p>Change liquor licence condition - licensee</p>	<p>1-8414580203</p>	<p>Terrigal Thai Arcade LIQO660011337</p>	<p>69</p>	<p>Awaiting response from applicant</p>	<p>03.03.2023 – on 27 January 2023 applicant was asked to provide evidence that DA is in place permitting the proposed hours. Response yet to be received 13.04.2023 – no change, still awaiting on the applicant's response 11.05.2023 - Follow up sent to applicant seeking approval to withdraw application as no DA is in place for proposed hours.</p>

Change liquor licence condition - licensee	1-8417040497	Night Parrot Bar	66	Awaiting response from applicant	03.03.2023 – pending DA 12.04.2023 – no change; to be withdrawn if no response is received from applicant 09.05.2023 - application withdrawn. Past 120 days, no DA from applicant.
Change liquor licence condition - licensee	1-8417661659	Jervis Bay Brewing LIQW880015081	66	Awaiting response from applicant	03.03.2023 – awaiting applicant's response regarding DA approval 13.04.2023 – no change; still awaiting applicant response 11.05.2023 - Application withdrawn on 17/04/2023.
Change liquor licence condition - licensee	1-8433778081	Temple Bay Coogee	50	Administrative delay	12.04.2023 – Authority board paper going to April 2023 meeting 09.05.2023 - apps approved by ILGA April meeting. Apps finalised and closed 02.05.2023
Change liquor licence condition - licensee	1-8438364652	Albion Hotel	45	Administrative delay	12.04.2023 - pending DA (tentative 4-6 weeks additional wait) 09.05.2023 - no change – still waiting on DA
Change liquor licence condition - licensee	1-8450317368	Umayya LIQO660033811	34	Administrative delay	13.04.2023 – awaiting modified DA from applicant 09.05.2023- still awaiting modified DA
Change liquor licence condition - licensee	1-8455507694	Harem Gentlemen's Club	29	Finalising matter	09.05.2023 - Waiting for copy of finalisation email to applicant
<b>Total: 10 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.

<b>Section 9.1 of Ministerial Directions – Overage delegated decisions*, as at 17 May 2023</b>					
<b>Type of application</b>	<b>Application number</b>	<b>Licence name</b>	<b>Days overdue</b>	<b>Reason(s) for becoming overage</b>	<b>Notes for internal reference e.g., date of last action</b>
<b>Total: 0 applications</b>					

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