

## 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 7 October 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 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
Packaged	APP-	Myer Chatswood	564	Awaiting response from	Response from applicant delayed due to COVID situation

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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
liquor licence – New	0006728782			applicant Administrative delay	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
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

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					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
Extended trading authorisation - hotel licence	1-8068889737	Hurlstone Park Hotel	258	Waiting for advice from Office of ILGA	Awaiting SOR
Extended trading authorisation - hotel licence	1-8160050241	Jerrabomberra Hotel	131	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	110	Paper being drafted for October meeting (linked to Edmondson Park)	09.08.2022 - paper being drafted for September meeting (linked to Edmondson Park) 04.10.2022 - paper at October meeting
Extended trading authorisation - hotel licence	1-8190919789	Mullane's	45	Awaiting SOR	Being drafted
Extended trading authorisation - hotel licence	1-8219005201	Warners Bay Hotel	62	Awaiting confirmation of complaints register condition from Authority	4.10.22 - Complaints register condition consented to by applicant on 29/09/2022. ILGA confirmed that both applications can now be finalised, and a new licence can

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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
					be issued. L&GNSW licensing advised on same on 4.10.22. To be removed from Report once finalised
<b>Total: 8 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 7 October 2022**

Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage
<b>Total: 0 applications</b>			

*\* 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 7 October 2022**

Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage
<b>Total: 0 applications</b>			

*\* 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 7 October 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
<b>Total: 1 application</b>			

*\* 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 7 October 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	279	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
Change liquor licence condition – licensee	1-8124688957	Hemingway Cafe	176	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
Change liquor licence condition - licensee	1-8202087274	Neck of the Woods	82	Awaiting response from applicant	
Change liquor licence condition - licensee	1-8224709200	FED Blue Mountains	55	Awaiting response from applicant	
Change liquor licence condition - licensee	1-8246169933	Albury Wodonga Mens Gallery	82		
Change liquor licence condition - licensee	1-8246169942	Bay Predo's Lechon Cebu	82		
Change liquor licence condition - licensee	1-8267178820	Blue Revolution Pty Ltd	4		

**Total: 7 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 7 October 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
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 23.06.2022 Licence and PAL issued to applicant. SOR being drafted 11.08.2022 – no change
Extended trading authorisation - on-premises licence	1-8306334804	Robina Function Centre	83	Matter has been finalised	To be finalised by Secretariat in matters status report
Extended trading authorisation -	1-8191826791	ONETHIRD BOWLING	180	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

on-premises licence					12.05.22 No change 01.07.22 No change – applicant requested extension until end of August 11.08.2022 – no change
Extended trading authorisation - on-premises licence	1-8372491581	Fratelli Fresh	18		
Extended trading authorisation - on-premises licence	1-8385213561	The Charles	5		
<b>Total: 5 applications</b>					

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