

## 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 8 February 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	254	Awaiting response from applicant	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
Hotel licence – Removal	1-8161038221	The New Commercial Hotel	202	Waiting for advice from Office of ILGA	09.08.2022 – paper being drafted for September meeting (linked to Edmondson Park) 04.10.2022 – paper at October meeting 04.12.2022 – PAL being reviewed 16.01.2023 – SOR being reviewed 02.02.2023 - Waiting for copy of finalisation email to be sent to OILGA
Hotel licence - Removal	1-8381681219	Tower Tea Room	12	Administrative delay	31.01.2022 - The licensing officer at The Rocks Police advised they were on leave and will be providing a submission
Packaged liquor licence - Removal	1-8384085601	Mr Liquor	10	Waiting for SOR	03.02.2023 - SOR being reviewed
Extended trading authorisation - hotel licence	1-8384672801	Winmalee Tavern	10	Waiting for applicant	06.02.2023 - final request email sent 25.01.2023 (possible withdrawal)

Section 3.2 of Ministerial Directions – Overage gaming machine and liquor licence applications, as at 8 February 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
<b>Total: 5 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 8 February 2023			
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 8 February 2023			
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 8 February 2023			
Licence name	Applicable legislation	Days overdue	Reason(s) for becoming overage
<b>Total: 0 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 8 February 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	1-8054838603	The Illinois Five Dock Hotel	402	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 06.10.2022 – no change 04.11.2022 – no change – Applicant advised that the DA is currently with the Land & Environment Court 09/12/2022 – no change 12/01/2023 – no change 06/02/2023 - Applicant provide documents from Land and Environment Court. Will review contents and finalise the applications
Change liquor licence condition – licensee	1-8202087274	Neck of the Woods	205	Awaiting response from applicant	6.10.2022 – Still awaiting applicant to provide an approved DA. 13/12/2022 – Applicant has been informed by Council that the DA will be complete on 19/12. 13/01/2023 – no change Approved on 23/01/2023
Change liquor licence condition – licensee	1-8272624788	Moonee Beach Hotel	120	Awaiting SOR	4.12.22 – SOR being reviewed 9.12.22 – SOR pending 12.01.23 – no change 02.02.2023 – ILGA reviewing SOR

Change liquor licence condition – licensee	1-8326299351	Tempe Hotel	67	Awaiting response from applicant	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 06/02/2023 - Follow up sent to legal rep. They were going to chase up with their client and advise of the intended way forward.
Change liquor licence condition – licensee	1-8349495396	The Homebush Hotel	45	Awaiting response from applicant	12.01.23 – Considered by ILGA at Nov 22 meeting – further information requested 06.02.23 – additional information being provided to Feb 23 meeting
Change liquor licence condition – licensee	1-8368624082	Canley Vale Liquor Shop	25	Awaiting response from applicant	10/08/2022 - Request to provide modification to development consent 24/11/2022 - First reminder 31/01/2023 - No change – Final reminder 7/02/2023 Application withdrawn
Change liquor licence condition - licensee	1-8374588703	Fillmore's	19	Awaiting PAL	02.02.2023 – PAL drafted, waiting for ILGA to approve
Change liquor licence condition - licensee	1-8376028280	S Mart	18	Administrative delay	06.02.2023 - Finalised and closed on 13.01.2023 (ILGA included in email sent to applicant)
Change liquor licence condition – licensee	1-8393988902	Yeates Wines	1	Awaiting response from applicant	Withdrawn 24 Jan 2023
<b>Total: 9 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 8 February 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>
Extended trading authorisation – on-premises licence	1-8433778098	Temple Bay Coogee	80	Administrative delay Awaiting response from applicant	09.12.2022 – escalated to BPT 24/11/2022 – pending further assessment 12.01.23 – email sent to applicant 22.12.22 06.02.2023 - no change
Packaged liquor licence – Removal	1-8467582672	The Greek Providore Pty Ltd	47	Awaiting response from applicant	03.02.2023 Requested additional information, waiting DA.
Packaged liquor licence – Removal	1-8493584012	Bidfood Armidale	24	Awaiting response from applicant	18.01.2023 information requested 06.02.2023 Follow up sent
Producer/wholesaler licence – Removal	1-8506429213 Reham	The Welder's Dog Pty Ltd	15	Awaiting response from applicant	20.01.2023 Requested additional information
<b>Total: 4 applications</b>					

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