

## 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 of 8 March 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	1-8068889737	Hurlstone Park Hotel	409	SOR published 15.02.2023	15.02.23 – notice of intention to appeal decision received 13.02.23 – closed in OneGov
Extended trading authorisation - hotel licence	1-8160050241	Jerrabomberra Hotel	282	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 06.03.2023 – no change
Hotel licence - Removal	1-8381681219	Tower Tea Room	38	Administrative delay	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

<b>Section 3.2 of Ministerial Directions – Overage gaming machine and liquor licence applications, as of 8 March 2023</b>					
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	1-8384085601	Mr Liquor	38	Waiting for SOR	03.02.2023 – SOR being reviewed 03.03.2023 – SOR sent to rep on 27.02.2023. Closed
Extended trading authorisation - hotel licence	1-8384672801	Winmalee Tavern	38	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
<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.*

<b>Section 4.5 of Ministerial Directions – Overage third strike actions, as of 8 March 2023</b>			
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.*

<b>Section 4.7 of Ministerial Directions – Overage applications to revoke or suspend RSA competency card, as of 8 March 2023</b>			
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, as of 8 March 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, as of 8 March 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	430	Administrative delay	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 10.01.2023 – application finalised

**Section 6.2 of Ministerial Directions – Overage applications to impose, vary or revoke licence conditions, as of 8 March 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
					11.01.2023 correspondence sent
Change liquor licence condition – licensee	1-8326299351	Tempe Hotel	95	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 who were to liaise with their client and advise of the intended way forward 03.03.2023 – no updates. Still awaiting response from applicants legal rep
Change liquor licence condition – licensee	1-8349495396	The Homebush Hotel	73	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 03.03.2023 – deferred at Feb 2023 meeting, waiting for GME application to be considered by Authority before making determination
Change liquor licence condition – licensee	1-8368624082	Canley Vale Liquor Shop	53	Awaiting response from applicant	10.08.2022 – request to provide modification to development consent 24.11.2022 – first reminder 31.01.023 – no change – final reminder 07.02.2023 – application withdrawn

**Section 6.2 of Ministerial Directions – Overage applications to impose, vary or revoke licence conditions, as of 8 March 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	1-8393988902	Yeates Wines	29	Awaiting response from applicant	24.01.2023 – withdrawn 06.03.23 – finalised 06.02.2023
Change liquor licence condition - licensee	1-8393713326	Karens New Berrima	17	Administrative delay	03.02.2023 – finalised
Change liquor licence condition - licensee	1-8411907291	Paddington Inn	11	Administrative delay	03.03.2023 – waiting on records retrieval
Change liquor licence condition - licensee	1-8414580203	Terrigal Thai Arcade	8	Awaiting response from applicant	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
Change liquor licence condition - licensee	1-8417040497	Night Parrot Bar	5	Awaiting response from applicant	03.03.2023 – pending DA
Change liquor licence condition - licensee	1-8417661659	Jervis Bay Brewing	5	Awaiting response from applicant	03.03.2023 – awaiting applicant's response regarding DA approval
Change liquor licence condition - licensee	1-8418482468	Summergrove Estate	4	Awaiting response from applicant	03.03.2023 – application approved on 16.02.2023

<b>Section 6.2 of Ministerial Directions – Overage applications to impose, vary or revoke licence conditions, as of 8 March 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	1-8421293640	Alex & Co Parramatta Pty Ltd	2	Administrative delay	03.03.2023 – being submitted to the March 2023 meeting
<b>Total: 12 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 of 6 March 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	108	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 03.03.2023 - being submitted to the April 2023 meeting
Packaged liquor licence – Removal	1-8467582672	The Greek Providore Pty Ltd	75	Awaiting response from applicant	03.02.2023 – requested additional information, waiting DA. 03.02.2023 - awaiting council DA
Packaged liquor licence – Removal	1-8493584012	Bidfood Armidale	52	Awaiting response from applicant	18.01.2023 – information requested 06.02.2023 – follow up sent
Producer/wholesaler licence – Removal	1-8506429213	The Welder's Dog Pty Ltd	43	Awaiting response from applicant	20.01.2023 – requested additional information 06.03.2023 - approved
<b>Total: 4 applications</b>					

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