

NSW Independent Liquor & Gaming Authority

Our ref: DF24/026494

Mr Brett Tobin
Hatzis Cusack Lawyers

19 December 2025

Dear Mr Tobin

Application No.	APP-0013025740
Applicant	Iris Hotels Sydney Airport Operations Pty Ltd
Application for	New hotel (full) licence with minors' area authorisation
Application date	Original application lodged on 2 May 2024
Decision date	10 December 2025
Proposed licence name	Mascot Tavern
Proposed trading hours	<u>Consumption on premises</u> Monday to Saturday 07:00 AM – 12:00 AM Sunday 10:00 AM – 10:00 PM <u>Takeaway</u> Monday to Saturday 07:00 AM – 12:00 AM Sunday 10:00 AM – 10:00 PM
Proposed premises	205 O'Riordan Street Mascot NSW 2020
Legislation	Sections 3, 11A, 12, 14, 15, 40, 44, 45, 47B and 72I of the <i>Liquor Act 2007</i>

Decision of the Independent Liquor & Gaming Authority

Application for a new hotel (full) licence with minors' area authorisation – Mascot Tavern

We **approve** the application above under section 45 and 72I of the *Liquor Act 2007* (**the Act**) and impose the conditions set out in Schedule 1.

Approved manager or individual licensee

The licence cannot be exercised until the Authority or Liquor & Gaming NSW is notified that:

- the licence is transferred to an individual licensee, or an approved manager is appointed; and
- the licensee or approved manager is a suitable and qualified person.

Statement of reasons

We are satisfied that the overall impact of approving the application will be consistent with the objects of the Act and will not be detrimental to the wellbeing of the local or broader community.

Our main findings

The local community for the purposes of this decision is the suburb of Mascot. The broader community is the Local Government Area (**LGA**) of Bayside.

We first refused the application on 20 November 2024 on the basis that we did not have the power under section 45(3)(c) of the Act to grant the licence as the development consent was not in force. This was because the development consent was subject to deferred commencement conditions which had not been fulfilled.

The applicant sought administrative review of our decision in the NSW Civil and Administrative Tribunal (NCAT). On 10 November 2025, the Tribunal found that a development consent subject to a deferred commencement condition is in force once granted and registered, even if the deferred commencement condition has not yet been fulfilled. The Tribunal ordered that we reconsider the application.

We have reconsidered the application and are satisfied that development consent is in force for the premises. We note that the Bayside Council issued a modified development consent on 12 November 2025 which extends the period of the deferred commencement conditions until 14 December 2026.

We are satisfied that the proposal would benefit the local and broader communities by providing increased convenience and choice.

Social impacts

We accept that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities because of the:

- proposed premises being located in a high-density crime hotspot for domestic assault, non-domestic assault, malicious damage to property and a low-density crime hotspot for alcohol-related assault
- saturation rate of hotel licences being higher in the suburb than in NSW (upon approval).

However, we note that the below factors weighed in favour of approval of the application, and may also partially or fully mitigate some of the risks identified above:

- there were no objections from government agencies or the community
- the incident rate of all categories we considered is lower in the suburb and LGA than in NSW
- the saturation rate of hotel (full) licences is lower in the LGA than in NSW
- the rate of alcohol-attributed hospitalisations and deaths in the LGA are lower than in NSW

- Socio-Economic Index for Areas (SEIFA) data indicates an above average level of socio-economic advantage and disadvantage in the suburb and LGA compared to other communities in NSW¹
- the percentage of Aboriginal and/or Torres Strait Islanders (ATSI) population in the suburb and LGA is lower than in NSW¹
- the harm-minimisation measures outlined in the plan of management and licence conditions, as set out in Schedule 1.

The material we considered

We considered the following material when making our decision:

- the application material — including evidence that stakeholders and the community were notified about the application
- the legislation
- certificate of advertising
- a Statement of Risks and Potential Effects
- the plan of the licensed premises and any authorisations
- a plan of management for the licensed business
- development consent for the premises
- statistics from Liquor & Gaming NSW, Bureau of Crime Statistics and Research, NSW Health and Australian Bureau of Statistics on the socio-economic status, liquor licence density, alcohol-related crimes rates and health issues in the local and broader communities
- L&GNSW compliance materials
- stakeholder submissions and the applicant's response to them.
- NCAT decision - *Iris Hotels Sydney Airport Operations Pty Ltd v Independent Liquor & Gaming Authority* [2025] NSWCATAD 272
- ILGA Statement of Reasons – November 2024.

We also considered [Guideline 6](#) to assess the likely overall impact to the local and broader community.

This decision will be published in accordance with section 36C of the *Gaming and Liquor Administration Act 2007*.

Opportunity for review

The applicant and anyone who was notified of the application and made a submission, may apply to [NCAT](#) for a review of the decision.

An application for review must be made no later than 28 days after the decision is published on the website. There is a fee to lodge the application.

For more information, please contact the NCAT Registry at Level 10 John Maddison Tower, 86-90 Goulburn Street Sydney or visit the NCAT website.

¹ Research shows that the association between liquor outlet density and assaults is stronger in areas with higher percentages of ATSI and in areas with lower socio-economic status (Association of liquor outlet density with domestic and non-domestic assault in New South Wales; Jiang, H., Riordan, B., Laslett, A-M., Livingston, M., Lee, K., James, D., Stearne, A., & Room, R. (2024)).

If you have any questions

Please contact Liquor & Gaming NSW at: new.applications@liquorandgaming.nsw.gov.au if you have any questions.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris Honey', is enclosed in a light blue rectangular box.

Chris Honey

Deputy Chairperson

NSW Independent Liquor & Gaming Authority

Schedule 1: Licence conditions imposed - Mascot Tavern

No.	Condition	Description
1.	6-hour closure	Section 11A of the <i>Liquor Act 2007</i> applies to this licence. Liquor must not be sold by retail on the licensed premises for a continuous period of 6 hours between 01:00 AM and 07:00 AM during each consecutive period of 24 hours. The licensee must comply with this 6-hour closure period along with any other limits specified in the trading hours for this licence.
2.	Consumption on premises	Good Friday: 12:00 noon - 10:00 PM Christmas Day: 12:00 noon - 10:00 PM (liquor can only be served with or ancillary to a meal in a dining area) December 31 st : Normal opening time until normal closing time or 2:00 AM on New Year's Day, whichever is the later Note: Trading is also allowed after midnight into the early morning of Good Friday and Christmas Day if authorised by an extended trading authorisation. Trading must cease at the time specified under the authorisation. The latest time that can be specified is 5:00 AM.
3.	Take away sales	Good Friday: Not permitted December 24 th : Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on a Sunday Christmas Day: Not permitted December 31 st : Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on a Sunday.
4.	Social Impact	The business authorised by this licence must not operate with a greater overall level of social impact on the well-being of the local and broader community than what could be reasonably expected from the information contained in the Community Impact Statement, application and other information submitted in the process of obtaining this licence.
5.	Plan of Management	The premises is to be operated at all times in accordance with the Plan of Management dated June 2024 as may be varied from time to time after consultation with NSW Police. A copy of the Plan of Management is to be kept on the premises, and made available for inspection on the request of a police officer, council officer, Liquor and Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.
6.	CCTV	<ol style="list-style-type: none"> 1. The licensee must maintain a closed-circuit television (CCTV) system on the premises in accordance with the following requirements: <ol style="list-style-type: none"> a. the system must record continuously from opening time until one hour after the premises is required to close (or, in the case of a premises that is not required to cease trading, continuously at all times), b. recordings must be in digital format and at a minimum of ten (10) frames per second, c. any recorded image must specify the time and date of the recorded image, d. the system's cameras must cover the following areas:

No.	Condition	Description
		<ul style="list-style-type: none"> i. all entry and exit points on the premises, ii. the footpath immediately adjacent to the premises, and iii. all publicly accessible areas (other than toilets) within the premises. <p>2. The licensee must also:</p> <ul style="list-style-type: none"> a. keep all recordings made by the CCTV system for at least 30 days, b. ensure that the CCTV system is accessible at all times the system is required to operate pursuant to sub-clause 1(a), by at least one person able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and c. provide any recordings made by the system to a police officer or Liquor and Gaming NSW inspector within 24 hours of any request by the police officer or Liquor and Gaming NSW inspector to provide such recordings.
7.	Incident register	<p>1. The licensee must maintain a register, in which the licensee is to record the details of any of the following incidents and any action taken in response to any such incident:</p> <ul style="list-style-type: none"> a. any incident involving violence or anti-social behaviour occurring on the premises, b. any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the premises and that involves a person who has recently left, or been refused admission to, the premises, c. any incident that results in a person being turned out of the premises under section 77 of the Liquor Act 2007, d. any incident that results in a patron of the premises requiring medical assistance. <p>2. The licensee must, if requested to do so by a police officer or Liquor & Gaming NSW inspector:</p> <ul style="list-style-type: none"> a. make any such incident register immediately available for inspection by a police officer or Liquor & Gaming NSW inspector, and b. allow a police officer or Liquor & Gaming NSW inspector to take copies of the register or to remove the register from the premises. <p>3. The licensee must ensure that the information recorded in the incident register under this condition is retained for at least 3 years from when the record was made.</p>
8.	Liquor accord	The licensee or its representative must join and be an active participant in the local liquor accord.
9.	Crime scene preservation	<p>Immediately after the person in charge of the licensed premises or a staff member becomes aware of any incident involving an act of violence causing injury to a person on the premises, the person in charge of the licensed premises and/or staff member must:</p> <ul style="list-style-type: none"> 1. take all practical steps to preserve and keep intact the area where the act of violence occurred 2. retain all material and implements associated with the act of violence in accordance with the crime scene preservation

No.	Condition	Description
		<p>guidelines issued by NSW Police, as published from time to time on the Liquor and Gaming NSW website</p> <ol style="list-style-type: none"> 3. make direct and personal contact with NSW Police to advise it of the incident, and 4. comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred <p>In this condition, 'staff member' means any person employed by, or acting on behalf of, the licensee of the premises, and includes any person who is employed to carry on security activities (e.g. Crowd controller or bouncer) on or about the premises.</p>
10.	Minors' Area	Minors' Area Authorisation: Whole of the licensed premises excluding the gaming room and accommodation rooms.
11.	Complaints register	<ol style="list-style-type: none"> 1. A complaints register is to be maintained at the premises at all times which records the following: <ol style="list-style-type: none"> a. the name and number of the complainant b. the time and date on which the complaint was received c. the nature of the complaint, and d. the measures taken to resolve the complaint. 2. Details of complaints received, either in person or over the phone, must be: <ol style="list-style-type: none"> a. recorded in the complaints register, and b. reported to the duty manager. 3. A mobile or dedicated contact number for the duty manager is to be published on the hotel's website, and on a sign to be posted at the premises entrance. If requested, the duty manager's contact details must be provided to complainants. A messaging service must be in place if the dedicated contact number is unattended.
12.	Licence cannot be exercised	The license may not be exercised until the Ibis Sydney Airport LIQO624008464 on-premises licence has been surrendered to L&GNSW.