

## Guideline 7

### Authority's decision-making and reasons for decisions

#### Overview

This guideline provides applicants and stakeholders with information about the way the Independent Liquor & Gaming Authority (**the Authority**) makes decisions and when it provides and publishes reasons for its decisions.

This guideline is divided into the following sections:

- The Authority's decision-making
- Notification of decisions
- Providing reasons for decisions
- Publishing reasons for decisions
- Appeal rights
- Review of this guideline

## 1. The Authority's decision-making

1.1 The Authority is an independent decision-making body. It generally meets once a month to make decisions on matters and discuss other business. You can see what the Authority plans to discuss at each meeting and the outcomes of the decisions they make at each meeting on the Authority's website [here](#).

1.2 The Authority considers each application on a case-by-case basis. When assessing an application, the Authority has regard to the law, the objects of the legislation, government policy, the facts, submissions for and against the application, and a range of evidence, data and information. Community input is important to the Authority in considering whether an application is in the public interest and the potential risks and benefits associated with the application. The Authority may also consider relevant sociodemographic data, crime data, health data and other information relevant to a venue, governance by its controllers, and the community that is serviced and impacted by the venue. Relevant research the Authority may have regard to is provided in [Guidelines 6](#) and [16](#).

1.3 The Authority aims to be as efficient and informal as possible when making decisions, with an aim to minimising time and costs to all parties. Most matters will be determined on the written material before the Authority. The Authority may, at its discretion, make further enquiries or convene a conference if it is of the view that doing so will assist in its decision making.

1.4 The Ministerial Statement of Expectations and Directions issued to the Authority on 21 February 2024 and 1 July 2025 by the Hon. David Harris MP, available on the Authority's website [here](#), provides timeframes for the publication of the Authority's meeting agenda and outcomes, determination of certain matters and publication of certain decisions, and sets out the Government's expectations of the Authority when carrying out its functions.

## What does the Authority delegate?

1.5 Liquor & Gaming NSW (**L&GNSW**) staff receive applications and submissions, respond to enquiries about progress and provide briefing papers to the Authority which assist the Authority in making decisions.

1.6 To assist timely determination, the Authority delegates decision making on certain routine applications to L&GNSW staff. In some cases, if the applicant or certain interested parties are dissatisfied with a decision made by L&GNSW staff under delegation, it may be reviewable by the Authority. More information on reviewable decisions is available in [Guideline 2](#).

1.7 Complex or contentious matters are dealt with by the Authority itself, even where delegation exists. Any matter that can be determined by a delegate may also be determined by the Authority itself.

1.8 The Authority's Regulatory Delegations Manual lists the decisions delegated to L&GNSW, available [here](#).

## 2. Notification of decisions

2.1 When a decision is made by the Authority, L&GNSW staff notify the applicant of the outcome by way of brief email, stating whether the application was approved or refused and if approved, whether any conditions were imposed. Notification generally occurs around one week after the Authority's decision.

2.2 Submissions from the public on any application are given significant weight. Unfortunately, the volume of submissions the Authority receives in relation to some applications and its limited resources, mean that the Authority cannot routinely notify persons who made submissions of its determination of an application. Nevertheless, the outcome of an application can be found on the Authority's website [here](#) and on the L&GNSW Application Noticeboard [here](#).

2.3 Additional information held by the Authority may be available on application under the *Government Information (Public Access) Act 2009*. Information about the process for seeking information held by the Authority is available on the Authority's website [here](#).

## 3. Providing reasons for decisions

3.1 The Authority provides statements of reasons for certain types of decisions required by the law and listed in the Ministerial Statement of Expectations. Statements of reasons provide detailed reasons for the Authority's decision and includes reference to relevant facts, evidence, law and any other information or material that the Authority considered in making its decision.

3.2 The Authority has a practice of providing statements of reasons for decisions where the Authority has refused an application under the *Gaming Machines Act 2001*. The Authority may also provide statements of reasons if a matter is of significant concern to the community or if the outcome may provide guidance to the industry and other stakeholders.

3.3 Even if the Authority is not legally required to provide reasons, a written request from an applicant or stakeholder for detailed reasons for a decision, will be considered by the Authority and will be provided subject to available resources.

## 4. Publishing reasons for decisions

4.1 The Authority publishes statements of reasons that have been prepared on its website [here](#).

4.2 Applicants and stakeholders making submissions to the Authority should be aware that their submissions may be summarised and published in the Authority's statements of reasons.

## 5. Appeal rights

5.1 Some decisions made by the Authority may be reviewable by the New South Wales Civil and Administrative Tribunal (**NCAT**). Parties seeking a review usually have either 21 or 28 days to apply from the day that the Authority publishes its statements of reasons. More information on the decisions that are reviewable by NCAT is available on Authority's website [here](#).

5.2 Judicial review of administrative action is available at common law on limited grounds. Applicants should seek legal advice if they wish to pursue judicial review.

## 6. Review of this guideline

6.1 The Authority will review and update this guideline from time to time.

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**Caroline Lamb**  
**Chairperson**