

NSW Independent Liquor & Gaming Authority

Mrs Tracy Keegan Former licensee Gladstone Hotel, Stockton	Mr Darren Duke A/Director Hospitality & Gaming Operations NSW Department of Creative Industries, Tourism, Hospitality and Sport
Section 140(3) – Third parties TRAMARK PTY LIMITED Licensee & Business Owner Commercial Hotel, Aberdeen	Section 140(3) – Third parties Premises Owner Commercial Hotel, Aberdeen
Section 140(3) – Third parties Licensee Racecourse Hotel, Wallsend	Section 140(3) – Third parties MINWALL PTY LTD Business Owner Racecourse Hotel, Wallsend
Section 140(3) – Third parties M & T Racecourse PTY LTD Premises Owner Racecourse Hotel, Wallsend	Section 140(3) – Third parties TGH STOCKTON PTY LTD Licensee and Business Owner Gladstone Hotel, Stockton
Section 140(3) – Third parties LOOKOUT GLADYS PTY LTD Premises Owner Gladstone Hotel, Stockton	

Our ref: DOC26/188867

27 July 2026

Dear Sir/Madam

Decision regarding a complaint about Mrs Tracy Keegan, close associate of the Gladstone Hotel, Stockton under section 139 of the *Liquor Act 2007*

Grounds of complaint

The grounds of complaint are:

- that the close associate is not a fit and proper person to be a close associate of a licensee – section 139(3)(j) of the *Liquor Act 2007* (the **Act**), and
- that the close associate is (or has become) a close associate of a licensee while disqualified by the Authority from being a close associate – section s139(3)(l) of the Act.

Our decision

We are satisfied that the grounds of complaint are established and have determined to:

- disqualify** Mrs Tracy Keegan from holding a licence for a period of two (2) years from the date of this decision under section 141(2)(k) of the Act
- order** Mrs Tracy Keegan to pay costs of \$748.68 incurred by the Secretary in carrying out the investigation under section 141(2)(l)(i) of the Act. Payment must be made within 60 days of receiving notification of this decision.

Background

On 9 May 2024, the Authority disqualified Mrs Keegan, the former licensee and close associate of the Gladstone Hotel at 36 Mitchell Street, Stockton NSW 2295 (LIQH400117523) (the **Hotel**) from holding a liquor licence, being the manager of a licensed premises or the close associate of a licensee under section 141(2)(f) of the Act for a period of two (2) years (to 9 May 2026).

Disciplinary complaint

On 26 June 2025, L&GNSW (the **complainant**) as a delegate of the Secretary of the Department of Creative Industries, Tourism, Hospitality and Sport (**DCITHS**) made a complaint to the Authority alleging that Mrs Keegan had remained a close associate of the licensee of the Gladstone Hotel and two other licensed premises (the Commercial Hotel Aberdeen and the Racecourse Hotel Wallsend) despite her disqualification.

It was recommended that disciplinary action be taken to extend Mrs Keegan's current disqualification period under section 141(2)(j) of the Act so that she remains disqualified from being a licensee or close associate for two years from the date she relinquished her shareholdings.

Licence details

Mrs Keegan was the licensee of the Gladstone Hotel from 17 May 2013 to 6 March 2022. On 7 March 2022, the Hotel's licence was transferred to MKTK PTY LIMITED (**MKTK**). MKTK's sole director and secretary is Mr Mark Keegan, Mrs Keegan's husband. Mrs Keegan is one of the shareholders of MKTK.

The hotel liquor licence for the Commercial Hotel dated 9 September 2025 lists Mrs Keegan as the premises owner; and the hotel liquor licence for the Racecourse Hotel and the ASIC extract for M & T Racecourse PTY LTD (**M&T Racecourse**) show that Mrs Keegan is the sole shareholder of the corporate premises owner of the Racecourse Hotel as at 9 September 2025.

Investigation findings

On 29 November 2024, L&GNSW commenced an internal review into the matter which found that Mrs Keegan remained a close associate to the Gladstone, Commercial and Racecourse Hotels, contrary to the Authority's decision and terms of the disqualification.

The findings suggest that despite her disqualification Mrs Keegan maintained a relevant financial interest over the businesses, whether knowingly or otherwise.

Submissions and consultation

On 8 October 2025, a show cause notice (the **notice**) was issued to the close associate, the licensee, business owner and premises owner of the Gladstone Hotel, the licensee, business owner and premises owner of the Racecourse Hotel, the licensee, business owner and premises owner of the Commercial Hotel, and L&GNSW.

Submission from the respondent

A submission on behalf of Mrs Keegan in response to the show cause notice was received on 25 February 2026.

In relation to the Gladstone Hotel:

- as of 9 May 2024, MKTK was the corporate licensee and business owner of the Hotel, and Mrs Keegan was a shareholder of MKTK
- Mrs Keegan's shareholder status constituted a close associate to a licensee

- the Hotel had ceased trading on 27 March 2024 (prior to Mrs Keegan's disqualification) and remained closed to the public until it was sold in March 2025 - at which time the licence was transferred to TGH Stockton Pty Ltd
- as the Hotel was not trading between 27 March 2024 and 3 March 2025, Mrs Keegan did not, or could not, exercise any relevant power or influence in the business of the licensee or the operation of the business.

In relation to the Commercial Hotel:

- Mrs Keegan was a shareholder of Tramark Pty Ltd (**Tramark**), the licensee and business owner of the Commercial Hotel Aberdeen, constituting a close associate to the licensee
- on 5 February 2025, Mrs Keegan transferred her shareholding after being made aware by L&GNSW of her association
- Mrs Keegan has never actively participated in the operation of the Commercial Hotel. Mrs Keegan's son is the current director/secretary of Tramark and will continue to operate the Commercial Hotel independent from Mrs Keegan.

In relation to the Racecourse Hotel:

- Mrs Keegan is a shareholder of M&T Racecourse (the freehold owner of the Racecourse Hotel Wallsend)
- Mrs Keegan's ownership of the freehold does not constitute a close association under section 5 of the *Gaming and Liquor Administration Act 2007* (**GALA Act**).

Disciplinary Action

Mrs Keegan submits that a freehold owner is not a close associate as defined under section 5(1) of the GALA Act because the freehold owner does not have a relevant financial interest in the business.

Mrs Keegan, jointly with her husband Mr Mark Keegan, are directors/shareholders of companies that own the freehold of the Commercial Hotel Aberdeen and the Racecourse Hotel Wallsend.

If the Authority disqualified Mrs and Mr Keegan from being a close associate and then construed them as a close associate by virtue of being a director/shareholder of a company owning the freehold of a licensed premises, then the Keegans would be required to sell both the Commercial Hotel and the Racecourse Hotel. On any reasonable view, disciplinary action that necessitated the sale of property would be egregiously disproportionate to the complaint.

Should the Authority decide to take disciplinary action in relation to the complaint, then the following disqualification is proposed:

*Disqualify Mrs Keegan from holding a licence, or from being the manager of licensed premises or the close associate of a licensee **until 3 March 2027** under section 141(2)(f) of the Act.*

This disqualification does not prevent or restrict Mrs Keegan from remaining a freehold owner (in any form and including by way of directorship or shareholding) of licensed premises.

Submission from the complainant

A final submission from L&GNSW was received on 30 March 2026.

Mrs Keegan accepts that her status as a shareholder in both MKTK Pty Ltd and Tramark Pty Ltd constituted being a close associate to a licensee. Mrs Keegan acknowledges that

she was unaware of these shareholdings, however, admits that being unaware of such status does not justify her contravention of the Authority's disqualification.

L&GNSW acknowledges and accepts the terms of the disciplinary action proposed by Mrs Keegan, to the extent that her current disqualification period is to be extended until 3 March 2027.

It is the position of L&GNSW that Mrs Keegan being the property owner of licensed premises is not, by itself, grounds to say that she is a close associate of the licensed premises. L&GNSW therefore does not seek to prevent or restrict Mrs Keegan from remaining a premises owner (or freeholder owner) of the Commercial Hotel, Aberdeen and the Racecourse Hotel, Wallsend.

Submission in reply from the respondent

A final submission on behalf of Mrs Keegan was received on 15 May 2026.

Mrs Keegan submits that it is consistent with L&GNSW's recommendation to propose a disqualification (while maintaining the earlier argument that no disciplinary action be taken) on the following terms:

*Disqualify Mrs Keegan from holding a licence, or from being the manager of licensed premises or the close associate of a licensee **until 3 March 2027** under section 141(2)(f) of the Act.*

This disqualification does not prevent or restrict Mrs Keegan from remaining a freehold owner (in any form and including by way of directorship or shareholding) of licensed premises.

Mrs Keegan accepts and agrees to the disqualification on the terms proposed by L&GNSW as proportionate disciplinary action to be taken by the Authority in these circumstances.

Our findings

The Authority is of the view that Mrs Keegan's shareholdings have made her the close associate of the following licences, due to her relevant financial interest in relation to the business. Her shareholdings are detailed below:

- As of 9 May 2024, Tramark was the licensee and business owner of the Commercial Hotel. Mrs Keegan was a shareholder of Tramark and remained so until 5 February 2025.
- As of 9 May 2024, until 3 March 2025, MKTK was the corporate licensee and business owner of the Gladstone Hotel. Mrs Keegan was a shareholder of MKTK during this period.
- Mrs Keegan is a shareholder of M&T Racecourse Pty Ltd (the freehold owner of the Racecourse Hotel).

The Authority is satisfied that the grounds of the complaint under section 139 of the Act are established, and after balancing all relevant factors, disciplinary action is warranted.

Mrs Keegan failed to remove herself as a close associate as required by disciplinary action taken by the Authority in 2024 as her association with the Commercial Hotel and the Racecourse Hotel fell within her disqualification period of 9 May 2024 to 9 May 2026.

Mrs Keegan's lack of understanding of her corporate affairs and failure to take steps to ensure she properly understood and complied with the disqualification demonstrate that she is not competent, and therefore not fit and proper, to be a licensee, manager or close associate of a liquor licence.

The Authority has determined that disciplinary action to **disqualify** Mrs Tracy Keegan from holding a licence for a period of two (2) years from the date of this decision under section 141(2)(k) of the Act is appropriate.

In addition, the costs of \$748.68 incurred by the Secretary in investigating this matter should be borne by Mrs Keegan and paid within 60 days of being notified of this decision.

Relevant legislation

Prescribed ground of the complaint

We are satisfied that the complaint was made validly and that the established grounds of complaint are prescribed grounds under section 139 of the Act.

The material we considered

In determining the disciplinary complaint, the following material was considered:

- disciplinary complaint from L&GNSW, received 26 June 2025
- a submission from Mr Tim Calvert, JDK Legal Pty Ltd acting on behalf of Mrs Keegan, received 25 February 2026
- a submission from L&GNSW, received on 30 March 2026
- a final submission from Mr Tim Calvert, JDK Legal Pty Ltd acting on behalf of Mrs Keegan, received on 15 May 2026.

If you are dissatisfied with this decision

The respondent or complainant may apply to NCAT for a review of this decision under the *Administrative Decisions Review Act 1997*.

For more information, please contact the NCAT Registry at 1300 006 228 or visit the NCAT website.

This decision will be published on the website.

If you have any questions

Please contact the Office of ILGA at office@ilga.nsw.gov.au if you have any questions.

Yours sincerely



Jeff Loy
Chair, Disciplinary Matters Committee
NSW Independent Liquor and Gaming Authority