

Our ref: DOC24/116162

Mr Andrew Wennerbom
AME Lawyers
By email to: awennerbom@amwlawyers.com.au

22 May 2024

Dear Mr Wennerbom

Application No.	1-8906281192
Applicant	ROCHE GROUP PTY LIMITED
Application for	Gaming machine threshold increase with gaming machine entitlement transfer (rural closure)
Licence name	Harrigan's Irish Pub & Accommodation
Licence number	LIQH400115032
Trading hours	Monday – Sunday 5:00 AM – 5:00 AM
Shutdown hours	Monday to Sunday 4:00 AM – 10:00 AM
Premises	Hunter Valley Gardens Oval, 2090 Broke Road Pokolbin NSW 2320
Legislation	Sections 3, 19, 20A, 34, and 37B of the <i>Gaming Machines Act 2001</i>

Decision of the Independent Liquor & Gaming Authority

Application for a gaming machine threshold increase (GMT) & gaming machine entitlements (GMEs) transfer (rural closure) – Harrigan's Irish Pub & Accommodation

The Independent Liquor & Gaming Authority (Authority) considered the application above at its meeting on 14 December 2023 and decided to **refuse** the application under section 34 of the *Gaming Machines Act 2001* (the Act).

Statement of reasons

Although not required under legislation, the Authority agreed to provide a statement of reasons for the decision at your request. The application was part of a pair of linked applications taking advantage of concessions under section 20A of the Gaming Machines Act to transfer all remaining six GMEs from the Station Hotel without forfeiture (five to the Chelmsford Hotel and one to Harrigan's Irish Pub & Accommodation).

Under s20A of the Act, rural hotels may transfer up to six GMEs without forfeiture if these transfers are completed simultaneously and result in the transferor holding no GMEs. Section 20A of the Act is only available to hotels that entirely remove their GMEs.

The Authority refused the application to transfer five GMEs to Chelmsford Hotel, resulting in the linked rural closure failing. Because the Harrigan's Irish Hotel application was part of the same rural closure application, which was not approved, this application had to be refused.

The material we considered

We considered all the material we received about the application, including:

- completed application dated 21 July 2023
- Liquor Licence Document as at 23 February 2023

- Approved Gaming Plan of Management for the premises dated November 2023
- the applicant's response to L&GNSW staff between 22 February and 15 November 2023.

This decision will be published on the [Liquor & Gaming NSW website](#).

If you have any questions

Please contact the case manager, Charles Rivers, at Charles.Rivers@liquorandgaming.nsw.gov.au if you have any questions.

Yours sincerely



Sarah Dinning

Deputy Chairperson

For and on behalf of the **Independent Liquor & Gaming Authority**