

# **Local Impact Assessment Class 1 Application**

**Commercial Hotel  
161 Brisbane Street  
DUBBO NSW 2830**

**Commercial Hotel (LIQH400112084)  
NOVEMBER 2019**



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## **EXECUTIVE SUMMARY**

### **1. INTRODUCTION**

This document is a Local Impact Assessment Class 1 to accompany a Threshold Increase Application made for the approval of a 'low range' gaming machine threshold increase of ten in relation to Commercial Hotel (the "Venue") by Benedict Francis Lawler (the "Applicant"). The Hotel is situated at 161 Brisbane Street, Dubbo NSW 2830, which is located within the SA2 Band 2 area of Dubbo-South within the Dubbo Regional Council Local Government Area (the "LGA").

The Hotel's gaming machine threshold has currently been approved for 12. The business owner of the Venue proposes to increase the threshold by a further ten (10) gaming machine entitlements/permits for the Venue's threshold to be increased to 22.

### **2. RESPONSIBLE GAMBLING MEASURES**

Chapter 3 of this Report details the mandatory and additional responsible conduct of gambling measures put in place by the Applicant at the Venue.

### **3. LOCAL COMMUNITY**

Dubbo-South SA2 has been identified as the local community. Chapter 5 provides a demographic description of the area and local community.

### **4. POSITIVE CONTRIBUTION**

Chapter 6 of this Report details the benefits that the Venue will provide to the local community if the application is approved.

### **5. CONCLUSION**

Given the satisfaction of the requirements of the *Gaming Machines Act 2001* ("the Act") and the associated Gaming Machines Regulation 2019 (the "Regulations") through the conduct of gaming machine operation at the Venue in a responsible manner, along with the evidence of a positive contribution to the Local Community, it is the Applicant's belief that this LIA meets the requirements of the Legislation.



## 1. INTRODUCTION

This Report is a Class 1 Local Impact Assessment ("LIA") to accompany a Threshold Increase Application for an SA2 Venue for a "low-range" increase in the LGA of Dubbo Regional Council. The increase will be for ten (10) gaming machines to be installed at the Commercial Hotel located 161 Brisbane Street, Dubbo NSW, located in the Dubbo Regional Council LGA.

### *Methodology*

In respect of LIAs relating to threshold increase applications, the LIA Guidelines provide that the Independent Liquor and Gaming Authority (the "Authority") can only approve an LIA where the LIA complies with the requirements of the Act and the Regulations and demonstrates that gambling activities will be conducted in a responsible manner.

The Guidelines further state that a Class 1 LIA must demonstrate that the proposed increase in the gaming machine threshold for the Venue will provide a positive contribution towards the Local Community in which the Venue is situated.

## 2. DETAILS OF THE VENUE

- 2.1 The Commercial Hotel was established in 1859 and is one of the oldest pubs in Dubbo.
- 2.2 The Authority's records indicate the Venue's licence was granted in September 1942.
- 2.3 The Venue has a long history and is a favourite amongst locals in Dubbo. It is a sophisticated establishment and provides a diverse offering of facilities to the local community and visitors to Dubbo. The Venue includes the following facilities:-
  - Lounge Bar with TAB facilities
  - Dining Room
  - Gaming room
  - Garden/Outdoor Entertaining Courtyard
  - Event space (The Residences)
- 2.4 The Venue operates a Bistro whose menu showcases the best in pub classics along with contemporary seasonal dishes that can be enjoyed in the designated Dining Room, Sports Bar or outdoors in the Courtyard, including weekday specials for lunch or dinner Monday through Friday. The Commercial Sports Bar offers state of the art TAB facilities and multiple big screens showing the latest in all sports codes live. The Residences function room is an all-inclusive function and events space perfect for corporate events, charity luncheons and many other special occasions. The Residences also houses private bar and bathroom facilities, big screen TV to view sporting events or for use during presentations.
- 2.5 The Venue's licence is currently exercised by Benedict Francis Lawler on behalf of Six O'Clock Swill Pty Ltd as the business and premises owner.

- 2.6 The Venue's gaming machine threshold is approved for 12 gaming machine entitlements are currently allocated to the licence for the operation of the 12 gaming machines at the Venue.
- 2.7 The intention of this application for a further ten (10) gaming machine entitlements or poker machine permits to be procured and transferred to the Venue's licence to allow 22 gaming machines to be operated at the Hotel.
- 2.8 The Venue's trading hours as per the licence document are:
- Monday to Saturday – 5.00 am until 5.00 am; and
  - Sunday – 10.00 am until 12.00 midnight.
- With the standard gaming machine shut down period applicable to the Venue (being from 4.00am to 10.00 am each day).
- 2.9 The internal floor space area of the Venue is approximately 1,785 square metres. **Attached** and marked "A" is a plan of the Venue that depicts the facilities offered at the Venue. The floor space of the gaming room is 43.5 square metres,
- 2.10 The Venue is not a new hotel and as such clause 31 of the Regulation does not apply to this application.

### 3. RESPONSIBLE GAMBLING MEASURES

- 3.1 The provision of gaming machines is only one aspect of the services and facilities provided at the Venue.
- 3.2 Gaming is provided within a designated gaming room within the Hotel.
- 3.3 The gaming room complies with Clause 8 of the Regulations that:-
- (a) It is located in a "bar area" of the Venue (and is not located in an area in which a minor's area authorisation or minors functions authorisation is in force);
  - (b) The gaming room is physically separated from the general bar area by permanent opaque walls;
  - (c) Patrons are not compelled to pass through the gaming room in order to enter or leave the Hotel or to gain access to another part of the Venue;
  - (d) Entry is provided free of charge;
  - (e) The gaming machines are situated so that they cannot be seen from any place outside the Venue;
  - (f) All machines are suitably spaced to facilitate access;



- (g) The gaming room is monitored by a gaming room supervisor, as well as by electronic means (CCTV) at all times;
- (h) There is a door way or space that provides reasonable access to at least one operating bar and one toilet for each gender, without the need for patrons to go out onto the street or outside the Venue; and
- (i) The gaming room cannot be accessed directly from a public street.

3.4 Other requirements of the Act and Regulations are complied with, in that:-

- (a) All staff involved in gaming duties hold a current and approved responsible conduct of gaming (RCG) competency card (or interim certificates). Copies of competency cards (or interim certificates) are kept by each staff member when working at the Venue and are available for inspection;
- (b) The Venue makes arrangements through AHA for the provision of gambling counselling;
- (c) The Venue participates in the GameCare AHA Gaming self-exclusion scheme and policy;
- (d) Staff are trained in the requirements of the self-exclusion scheme and associated referral process;
- (e) All statutory signage is prominently displayed throughout the gaming room;
- (f) Pamphlets informing patrons of the dangers of problem gambling and of the availability of counselling and the self-exclusion scheme are displayed within the Hotel in a number of community languages;
- (g) The Venue's automatic telling machine (ATM) is located outside the gaming room. Patrons not permitted to make withdrawals on credit;
- (h) There are no advertising or promotions of the availability of gaming machines conducted at the Venue;
- (i) A clock is present and visible to all patrons within the gaming room;
- (j) The Venue does not accept third party cheques or the cashing of cheques by patrons;
- (k) There is a limit of \$5,000 on cash payment for winnings;
- (l) Minors are not permitted entry to the gaming room;
- (m) Consumer information on the chance of winning maximum prizes and jackpots is made available in the gaming area;
- (n) The Venue does not publish any gaming machine advertising;

(o) All gambling-related signs are situated within the Venue and are not visible from the exterior of the Hotel; and

(p) Inducements are not offered at the Venue for the use of the gaming machines.

3.5 At all times the gaming room is operated, the Venue engages a Gaming Room Attendant who is present to provide direct supervision of this area. The presence of the Gaming Room Attendant allow management to make early detection of any possible signs of problem gambling being experienced at the Venue.

#### **4. LOCAL COMMUNITY**

4.1 The local community is the Dubbo-South SA2.

4.2 Members of local sporting and social clubs regularly use the Venue and consider the facilities an important asset to the community. If the Application is approved, the Venue will be able to continue to support the many organisations currently supported and to offer similar support to other local organisations.

4.3 The Venue is also a proud supporter of local sports clubs, acting as the home base and sponsor for the Dubbo Kangaroos Rugby Union Club and the Dubbo Bulls Football Club. The Venue had the following sponsorships in place for the calendar year 2019:

- Dubbo Rugby Club - \$20,000 sponsorship
- Dubbo Bulls Soccer Club - \$14,000 sponsorship
- East Dubbo Women's Hockey Club - \$2,000 sponsorship
- Rangers Juniors Soccer Club - \$1,500 sponsorship
- Dubbo Netball Association - \$250 sponsorship
- Commercial Hotel Touch Football Team –\$800 sponsorship to contribute towards their uniforms.

#### **5. DEMOGRAPHICS**

5.1 The Dubbo-South SA2 has a current population of 16,942<sup>1</sup>, with an area of 25.43km<sup>2</sup>.<sup>2</sup>

5.2 Other relevant demographic information is set out below:

- 47.3% of the population is male
- 52.7% of the population is female
- The median age is 36
- 17.2% of the population have obtained a bachelor degree level and above

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<sup>1</sup> 2016 Census QuickStats: Dubbo-South

<sup>2</sup>

[http://stat.abs.gov.au/itt/r.jsp?RegionSummary&region=105031101&dataset=ABS\\_REGIONAL\\_ASGS\\_2016&geoconcept=ASGS\\_2016&measure=MEASURE&datasetASGS=ABS\\_REGIONAL\\_ASGS2016&datasetLGA=ABS\\_REGIONAL\\_LGA2017&regionLGA=LGA\\_2017&regionASGS=ASGS\\_2016](http://stat.abs.gov.au/itt/r.jsp?RegionSummary&region=105031101&dataset=ABS_REGIONAL_ASGS_2016&geoconcept=ASGS_2016&measure=MEASURE&datasetASGS=ABS_REGIONAL_ASGS2016&datasetLGA=ABS_REGIONAL_LGA2017&regionLGA=LGA_2017&regionASGS=ASGS_2016)



- 5.3 Of people aged 15 and over, 11.7% reported having completed Year 12 as their highest level of education attainment, 20.1% had completed a Certificate III or IV and 7.6% had completed an Advanced Diploma or Diploma.
- 5.4 The ABS statistics for 2016 discloses that the Dubbo-South SA2 has a higher full-time employment rate than that of NSW (59.2%). 63.6% of the population work full-time. 26.7% of the population work part-time, which is slightly lower than the State average of 29.7% and the national average of 30.4%.
- 5.5 The most common occupations in Dubbo-South SA2 included professionals 19.7%, technicians and trade workers 14.6%, community and personal service workers 13.5%, clerical and administrative workers 13.1% and sales workers 11.1%. The number of professionals is slightly lower than the State average of 23.6% and the national average of 22.2%.
- 5.6 The Census of Population and Housing: Socio-Economic Indexes for Areas (SEIFA), Australia, 2016 discloses the following scores in Dubbo-South:

INDICATOR	Dubbo-South SA2 Score	Dubbo-South SA2 Decile
IRSEAD	965	4
IRSED	985	4
IER	976	4
IEO	970	5

- 5.7 Using the gaming machine data report prepared and issued by Liquor and Gaming NSW, for the period 1 January 2019 to 30 June 2019, the net profit for all gaming machines for hotels in the Dubbo Regional LGA is \$7,679,144.90, with the average profit per machine being \$32,401.46 for that 6 month period.
- 5.8 A gaming performance data report for the Venue shows the total revenue for a 12-month period, from 10 November 2018 to 10 November 2019, to be \$388,725.77, with the average profit per machine being \$32,393.81 for that 12-month period.
- 5.9 The profit per machine of the Venue for the nominated 12 month period is similar to the profit per machine for the 6 month period from 1 January 2019 to 30 June 2019 for the LGA. Accordingly, the Venue's profit per machine is significantly less than the LGA's profit per machine for the corresponding 6 month period.

## 6. POSITIVE CONTRIBUTION

- 6.1 Clause 35 of the Regulation requires this LIA to include details of the benefits that the Venue will provide to the local community if the Application is approved.
- 6.2 A positive contribution shall be made by way of a financial contribution of \$242,953.50 if this Application is approved. The proposed contribution will be made to the Secretary of the Responsible Gambling Fund pursuant to s36A of the Gaming Machines Act 2001 and s115B of the Casino Control Act 1992.

### ***Calculation of Amount of Financial Contribution***

- 6.3 The amount of the financial contribution was calculated in accordance with the new formula set out in the current edition of the Class 1 Local Impact Assessment Process Guidelines published by the Authority. That formula provides for a 'positive contribution' being is 15% of the average profit of the existing machines in the Hotel, multiplied by the number of proposed additional GMEs, and multiplied by the number of years over which the contribution is to be paid (5 years).
- 6.4 The average profits were calculated from 12 months of gaming performance data from 10 November 2018 to 10 November 2019.
- 6.5 In addition, the Venue would continue to support the local community as mentioned in paragraph 4.
- 6.6 The positive contribution will benefit the local community and the operators will continue to support the local sponsorships. The Venue will also review and implement new responsible gaming and harm minimisation strategies (if considered necessary) in order to negate any negative impacts on the local community.

## **7. CONCLUSION**

- 7.1 This LIA, pursuant to Clause 37 of the Gaming Machines Amendment Regulation 2009, defines the Applicant's local community, details the positive contributions that the Applicant will provide to the local community if the Threshold Increase Application is approved, and details the harm minimisation and responsible gambling measures that are in place at the Venue.
- 7.2 The Applicant operates gaming machines at the Venue in compliance with mandated Legislative requirements. The Applicant implements the GameCare AHA self-exclusion program.
- 7.3 The Applicant submits that this Class 1 LIA accompanying the 'low range' application satisfies the requirements of Section 36(3) of the Act, applicable regulations and guidelines for the Authority to approve the application. This application demonstrates the purposes of Section 36(3)(a) and (b) that gambling activities in the venue are currently conducted responsibly and will continue to be conducted responsibly if this application should be approved.
- 7.4 The proposed increase in the gaming threshold will provide a positive contribution towards the local community where the venue is situated on the basis of the Applicant's proposed financial contribution to be paid in accordance with Section 36(3)(a) of the Act.
- 7.5 It is therefore submitted that the test as set out in the Guideline and Regulations are met and the Applicant submits that the Threshold Increase Application should be approved.



# ATTACHMENT

## “A”

proposed  
licensed  
area



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PROPOSED ALTERATIONS AND ADDITIONS TO  
EXISTING PREMISES - COMMERCIAL HOTEL  
AT 161 BRISBANE STREET - DUBBO N.S.W.  
FOR KETUT HOLDINGS PTY. LTD.

DRAWING TITLE:  
GROUND FLOOR LAYOUT PLAN

536912  
DRAWING NUMBER/SHEET  
CHECKED: [illegible]  
ISSUED IN SET  
DRAWN: P. [illegible] - [illegible]  
DATE: 011 JAN 2008  
SCALE: 1" = 10'