



Mr Harry Harris  
Russell Corporate Advisory

By email to: [harry.harris@russellcorporate.com.au](mailto:harry.harris@russellcorporate.com.au)

5 September 2023

Dear Mr Harris

<b>Application No.</b>	1-8448047806
<b>Applicant</b>	Wyong Rugby League Club Ltd
<b>Application for</b>	Gaming Machine Threshold increase with Class 1 LIA
<b>Licence name</b>	Woolgoolga Diggers Club
<b>Licence number</b>	LIQC300237656
<b>Trading hours</b>	Monday to Sunday 05:00 AM – 05:00 AM
<b>Shutdown hours</b>	Monday to Sunday 01:00 AM – 07:00 AM
<b>Premises</b>	17 Beach Street Woolgoolga NSW 2456
<b>Legislation</b>	Sections 3, 34, 35, 36 and 37B of the <i>Gaming Machines Act 2001</i>

**Decision of the Independent Liquor & Gaming Authority  
Application for a gaming machine threshold increase with class 1 LIA – Woolgoolga  
Diggers Club**

The Independent Liquor & Gaming Authority (Authority) first considered the application above at its meeting on 19 April 2023 and, following the receipt and consideration of further information, decided on 21 June 2023 to **refuse** the application under section 34 of the *Gaming Machines Act 2001*.

**Statement of reasons**

The statement of reasons will be published on the [Liquor & Gaming NSW website](#) in accordance with section 36C of the *Gaming and Liquor Administration Act 2007*.

**If you have any questions**

Please contact the case manager, Michelle Stark, at [Michelle.Stark@liquorandgaming.nsw.gov.au](mailto:Michelle.Stark@liquorandgaming.nsw.gov.au) if you have any questions.

Yours sincerely

Caroline Lamb  
**Chairperson**

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

# STATEMENT OF REASONS

## Our decision

We **refuse** the application under section 34 of the *Gaming Machines Act 2001* (the Act).

We note that the proposed increase by a further 20 electronic gaming machines (EGMs), represents a greater than 30% increase in the gaming machine threshold for the venue, which is located in an area of above average participation rates and a high representation of young and indigenous people. These factors raise serious concerns about the potential impact on a small and potentially vulnerable community.

The Authority noted the proposed community benefit payment but was not satisfied that the increase would provide a positive contribution towards the local community.

## Our findings

### Procedural requirements

The Local Impact Assessment (LIA) meets the relevant procedural requirements.

The Authority is satisfied that the manager of the club holds a recognised competency card with a current RCG endorsement.

### Community impact

#### *Local and broader communities*

The relevant 'local community' is the community in the suburb of Woolgoolga, and the relevant 'broader community' comprises the Local Government Area of Coffs Harbour.

#### *Office of Responsible Gambling identified risk factors*

The Office of Responsible Gambling (ORG) has identified a number of problem gaming risk indicators for local areas and recommend proceeding with caution in cases where these exceed NSW average figures. The following risk indicators have been identified for the Coffs Harbour LGA:

- the proportion of the total population aged 15 years and over who have completed Year 12 or equivalent or higher is below the NSW average
- the population who are indigenous is higher than the NSW average
- the proportion of lone person households is above the NSW average.

#### *ABS Socio-Economic Index for Areas (SEIFA)*

Data as a 2016 shows Woolgoolga as highly disadvantaged, and the Coffs Harbour LGA as average in terms of household income and residents in skilled occupations compared to other suburbs and LGAs in NSW.

## Findings of concern

We are concerned that if the application were granted it may increase the harm associated with the misuse and abuse of gambling activities or fail to facilitate the balanced development, in the public interest, of the gaming industry due to:

- the higher gaming intensity at the venue against comparable venues
- the significantly elevated rates of gambling participation rates in the local health district when compared to the NSW rate
- the venue being located in a local health district with elevated levels of at-risk gamblers
- 3 of the 6 Office of Responsible Gambling (ORG) problem gambling risk factors being present in the Coffs Harbour LGA
- the high level of disadvantage in Woolgoolga.

The risks may be mitigated by the following factors:

- the venue's gaming plan of management (GPOM) having been assessed as exceeding the Authority's standard for a venue of this profile
- while the licensed trading hours for Woolgoolga Diggers Club are unrestricted, based on current advertising, the latest the venue operates is 10:00 PM Sunday to Thursday and midnight on Friday and Saturday.

### **The material we considered**

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

#### Application Material

- completed application dated 17 October 2022
- statutory declaration dated 19 October 2022 regarding issuing of notifications and correspondence with relevant organisation in accordance with the *Gaming Machines Regulation (NSW) 2019*
- completed Class 1 Local Impact Assessment (LIA) dated 19 October 2022
- gaming report for Woolgoolga Diggers Club as at 3 June 2022
- gaming plan of management documents for the premises dated March 2023
- floor plan for the premises dated 2 July 2021.

#### Other relevant material

- correspondence from Gamble Aware dated 12 May 2023
- the applicant's response to issues raised in the Gamble Aware correspondence dated 15 May 2023
- correspondence between L&GNSW staff and the applicant between 26 October 2022 and 17 May 2023 in relation to the assessment of the Application

### **The law that applies**

These sections of the *Gaming Machines Act 2001* apply to this application:

- Section 3: Statutory objects of the Act and other relevant considerations
- Section 34: application to increase gaming machine threshold
- Section 35: requirements relating to threshold increase applications
- Section 36: approval of LIA by Authority
- Section 37B: restriction on gaming machine thresholds

Yours sincerely



Caroline Lamb

**Chairperson**

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