

# Local Impact Assessment Class 1 Application

**Kings Head Hotel  
801A King Georges Road  
SOUTH HURSTVILLE**

**Kings Head Hotel (LIQH400105673)  
April 2016**



**Prepared by:**

**HATZIS CUSACK LAWYERS**  
*Liquor & Gaming Specialists*  
*(Incorporating Grant Cusack & Associates)*

## **EXECUTIVE SUMMARY**

### **1. INTRODUCTION**

This document is a Local Impact Assessment Class 1 to accompany a Threshold Increase Application made for approval of a 'low range' gaming machine threshold increase of three in relation to the Kings Head Tavern (the "Hotel") by Merril Shortland (the "Applicant") situated at 801A King Georges Road, South Hurstville NSW (the "Venue") located in the Kogarah Local Government Area (the "LGA") which is a Band 2 LGA.

The Hotel's gaming machine threshold has currently been approved for 27. The business owner of the Hotel proposes to increase the threshold by a further three gaming machine entitlements/permits for the Hotel's threshold to be increased to the maximum of 30. This LIA examines the characteristics of the Local Community, so that the Authority can determine whether the additional gaming machines will provide a positive contribution to the Local Community.

### **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**

Chapter 4 of this Report details the characteristics of the area potentially affected by the approval of the Threshold Increase Application. Kogarah LGA is the Local Government Area and has been identified as the Local Community. A map of the LGA is included at **Attachment "A"**. Chapter 4 provides a demographic description of the LGA/Local Community.

### **4. POSITIVE CONTRIBUTION**

Chapter 5 of this Report details the positive contribution resultant from approval of the Threshold Increase Application to the Local Community. The Applicant proposes to donate \$18,000 to the St George Hospital, a public hospital located within the LGA that serves both the local and wider community. The donation will be used specifically for the acquisition of additional and needed equipment for the hospital's children's ward. Further information about this is provided in Chapter 6.

### **5. CONCLUSION**

Given the satisfaction of the requirements of the Gaming Machines Act and the associated Regulation through the conduct of gaming machine operation at the Venue in a responsible manner, along with the evidence of substantial positive contributions 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 Local Impact Assessment (“LIA”) Class 1 to accompany a Threshold Increase Application for a Band 2 LGA venue for a “low-range” increase of 3 gaming machines for the Kings Head Hotel, located at 801A King Georges Road, South Hurstville NSW, located in the Kogarah LGA.

### ***Methodology***

- 1.1. 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 *Gaming Machines Act 2001* and the *Gaming Machines Regulation 2008* (“the Legislation”) 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 gaming machines at the Hotel will provide a positive contribution towards the Local Community in which the Venue is situated.

### ***Applicant Details and History***

- 1.2. The Hotel’s licence was granted in June 1957 and is currently exercised by the Applicant. The Hotel provides a wide range of facilities associated with the type of licence operated at the Venue including accommodation, food, liquor and gaming facilities. The Hotel also has the ability to trade till 2:00am the following day, Monday to Saturday inclusive and till 12:00 midnight on Sunday.

Currently, the Hotel’s gaming machine threshold is approved for 27. The Hotel currently has 25 gaming machine entitlements and 2 poker machine permits allocated to the licence for the operation of the 27 gaming machines at the venue. The intention on the grant of this application is for a further three gaming machine entitlement/permits to be procured and transferred to the Hotel’s licence to allow a maximum of 30 gaming machines to be operated at the Venue.

### ***Current Applicant Services, Facilities and Donations***

- 1.3. The Venue includes the following facilities:-

- Public Bar
- Lounge Bar
- Saloon Bar
- Restaurant/bistro facilities
- Gaming room
- Fully-equipped commercial kitchen, cool room and other storage areas.
- Terrace and outdoor area
- Accommodation  
over 2 levels of the building at the Venue

1.4. The Hotel's trading hours are:-

Monday to Saturday - 5:00am until 2:00 am; and  
Sunday - 10:00am until 12:00 midnight.

1.5. The internal floor space area of the Hotel is approximately 1000 sqm. **Attached** and marked "**B**" are plans of the Hotel that depict the facilities offered at the Venue.

## 2. PROPOSAL

2.1 The positive contribution put forward in this LIA will not occur without the approval of the Threshold Increase Application. The Applicant proposes to donate \$18,000 towards the St George Hospital, a public hospital located within the same LGA of the Hotel and that serves the local and wider community. The donation will be used specifically for the acquisition of three (3) Tom 2 pediatric Cot Beds that will be installed for use in the Children's Ward of the Hospital. Further details in relation to this positive contribution is provided later in this report.

## 3. RESPONSIBLE GAMBLING MEASURES

3.1. The provision of gaming machines is only one aspect of the services and facilities provided at the Hotel.

3.2. Gaming is provided within a designated gaming room within the Hotel.

3.3. The gaming room complies with Clause 8 of the *Gaming Machine Regulation 2010* in that:-

- (a) It is located in a "bar area" of the Hotel (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 Hotel;
- (d) Entry is provided free of charge;
- (e) The gaming machines are situated so that they cannot be seen from any place outside the Hotel;
- (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 Hotel; and
  - (i) The gaming room cannot be accessed directly from a public street.
- 3.4. Other requirements of the *Gaming Machines Act* and *Gaming Machine Regulation* are complied with, in that:-
- (a) All staff involved in gaming duties hold a current and approved responsible conduct of gaming (RCG) certificate/competency card. Copies of certificates/competency cards are kept at the Hotel and are available for inspection;
  - (b) The Hotel makes arrangements through Bet Safe for the provision of gambling counselling;
  - (c) The Hotel participates in the Bet Safe self-exclusion scheme;
  - (d) Staff are trained in the requirements of the self-exclusion scheme and associated referral process;
  - (e) All statutory signage is prominently displayed;
  - (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 Hotel'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 Hotel;
  - (i) There is a clock present and visible to all patrons within the gaming room;
  - (j) The Hotel does not accept third party cheques;
  - (k) Cashing of cheques is limited to \$400 per day per customer;
  - (l) There is a limit of \$5,000 on cash payment for winnings;
  - (m) Minors are not permitted access to the gaming room area;
  - (n) Consumer information on the chance of winning maximum prizes and jackpots is made available in the gaming area;
  - (o) The Hotel does not publish any gaming machine advertising;

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

(q) Inducements are not offered at the Hotel for the use of the gaming machines.

3.5. At all times the gaming room is operated, the Hotel engages a Gaming Room Attendant to be present to provide direct supervision of that area. This enables the Gaming Room Attendant to make early detection of any possible signs of problem gambling being experienced at the Venue.

#### 4. LOCAL COMMUNITY

4.1. For the purposes of this Local Impact Assessment, the Local Community is defined as encompassing Kogarah Local Government Area ("LGA").

4.2. The St George Hospital is situated within the Kogarah LGA and is located in close proximity of the boundary of two other adjoining LGAs, being Rockdale LGA and Hurstville LGA. The hospital provides health services to all three LGAs.

4.3. Kogarah LGA has a population of 61,030 taken from the Australia Bureau of Statistics (ABS) 2011 and incorporates an area of 1,552ha.

4.4. From the ABS Statistics available for 2011, the number of persons within the LGA under the age of 11 years is 7153. The adjoining LGAs, that is Rockdale and Hurstville, have a total of 12,840 and 10,336 persons under the age of 11 years respectively. Clearly, the ABS statistics disclose there are a large number of young persons located in and around the LGA that are reliant on the facilities provided by the Hospital's Children's Ward. The addition of three (3) Tom 2 paediatric Cot Beds will be of great assistance to the Hospital and the community at large.

4.5. In addition, the ABS Statistics for 2011 disclose the Kogarah LGA has a higher median weekly household income (\$1,463) than that of NSW (\$1,237), indicating that it houses an advantaged population.

4.6. Kogarah LGA had the following SEIFA scores and deciles from the 2011 ABS Statistics:

INDICATOR	Kogarah LGA Score	Kogarah LGA Decile
IRSEAD	1051	9
IRSED	1036	9
IER	1018	8
IEO	1074	9

4.7. The above data clearly indicates that Kogarah LGA is more advantaged. These scores also suggest that the Local Community is not particularly vulnerable to gaming-related harm, with the grant of this application to be unlikely to have a detrimental effect on the Local Community.

## 5. POSITIVE CONTRIBUTION

### *Proposal*

- 5.1. The grant of the Application will yield a significant social benefit for the Local Community through the Applicant's contribution of \$18,000 to St George Public Hospital.
- 5.2. St George Hospital is a public hospital operated under the public health care system. The Hospital provides approximately 547 beds and is a major tertiary and teaching hospital in the southern Sydney region. The Hospital primarily services around 250,000 residents (located in the Kogarah LGA and the other surrounding LGAs) and provides a wide range of facilities including accident/emergency, critical care, oncology, women's and children's health, mental health, community health.
- 5.3. The Hospital is required to rely on funds allocated by the public authorities administrating its operation. Accordingly, the proposal to provide the Hospital with funds to allow the acquisition of additional and needed facilities will provide a positive benefit to those members of the Local (and Broader) Community required to use the facilities of the Hospital's Children's Ward.

### **Description of beds to be acquired**

- 5.4. The Tom 2 paediatric Cot Bed is a state of the art children's bed for patients of pre-school age that provide excellent access for nursing staff. The beds are electronic and include telescopic side rails, column instruction mechanism and have high safety parameters.
- 5.5. The bed has 3 height positions. When in the extra low position, the side rails are located under the mattress allowing everyday routines to become significantly easier for nursing staff. When in the middle position, the bed allows the rails to be in a position to provide a view of the patients which makes the communication with nursing staff and parents more comfortable for the child patient. The bed in its highest position ensures the rails offer the maximum safety levels in respect of falls. **Attached** and marked "C" is a picture of the subject bed.
- 5.6. The bed has a zero gap between the head and back rest. This bed is the only one on the market that ensures a gap of this nature does not occur.
- 5.7. The bed is fully electric, with the controls used to adjust the bed height, the tilt of the back rest and reverse position. Safety features are included within the control to prevent unwanted or accidental activation.
- 5.8. The design of the bed provides clean lines and is made from modern state of the art material that creates a pleasant impression on patients and parents.
- 5.9. The bed has exceptional height adjustment. The unique range of adjustment allows the bed to be extending 25 centimetres (between 58 cm to 83 cm in height from the

floor) to ensure the patients safety whilst also allowing nursing procedures to be performed ergonomically.

- 5.10. The bed also allows patients to exit the bed comfortably at the lowest safe position whilst also providing convenient communication between the visitors and recumbent children.

### **Benefit to the Local Community**

- 5.11. The large number of residents that will potentially use the Hospitals services, from both Kogarah and surrounding LGAs, particularly due to the extensive number of persons under 11 years of age within the Kogarah LGA and the surrounding LGA's, will be significantly benefited by the proposed donation on the grant of this application.
- 5.12. The donation will be put toward to the specific acquisition of 3 Tom 2 paediatric Cot Beds for use in the Hospital's Children's Ward. These beds will be of benefit and assist the staff in providing the best available patient care whilst allowing better and improved treatments in conjunction with special programs in support of patient care provided by the Hospital.
- 5.13. More details provided by the Hospital regarding the proposed donation are **attached** and marked "**D**".

## **6. CONCLUSION**

- 6.1. This LIA, pursuant to *Section 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.
- 6.2. The Applicant operates gaming at the Venue in compliance with mandated Legislative requirements and operates a best-practice style of interventions and procedures. The Applicant enforces this strict approach by implementing the Bet Safe self-exclusion program.
- 6.3. The positive contribution put forward in this LIA will not occur without the approval of the Threshold Increase Application. That positive contribution of \$18,000 donation to St. George Hospital will fund the acquisition of three Tom 2 paediatric Healthcare cot beds for use in the Hospital's Children's Ward. Without this donation, these facilities will not be acquired and used to provide a greater standard of health care in the immediate future for patient's using the Hospital's Children's Ward.
- 6.4. It is therefore provided that the test as set out in the Guideline and Legislation is met and the Applicant submits that the Threshold Increase Application should be approved.



# **ATTACHMENT**

**“A”**

Sign Up

Email or Phone

Password

Log In

Forgotten account?

**kogarah.org** added 4 new photos to the album Proposed REZONING maps of Kogarah LGA — in Kogarah, New South Wales, Australia.  
 31 December 2014

The 3 maps submitted to the NSW Department of Planning and Environment in August 2014, by Kogarah City Council of their proposed rezoning of the Kogarah LGA. The additional street map indicates Kogarah's ward boundaries.

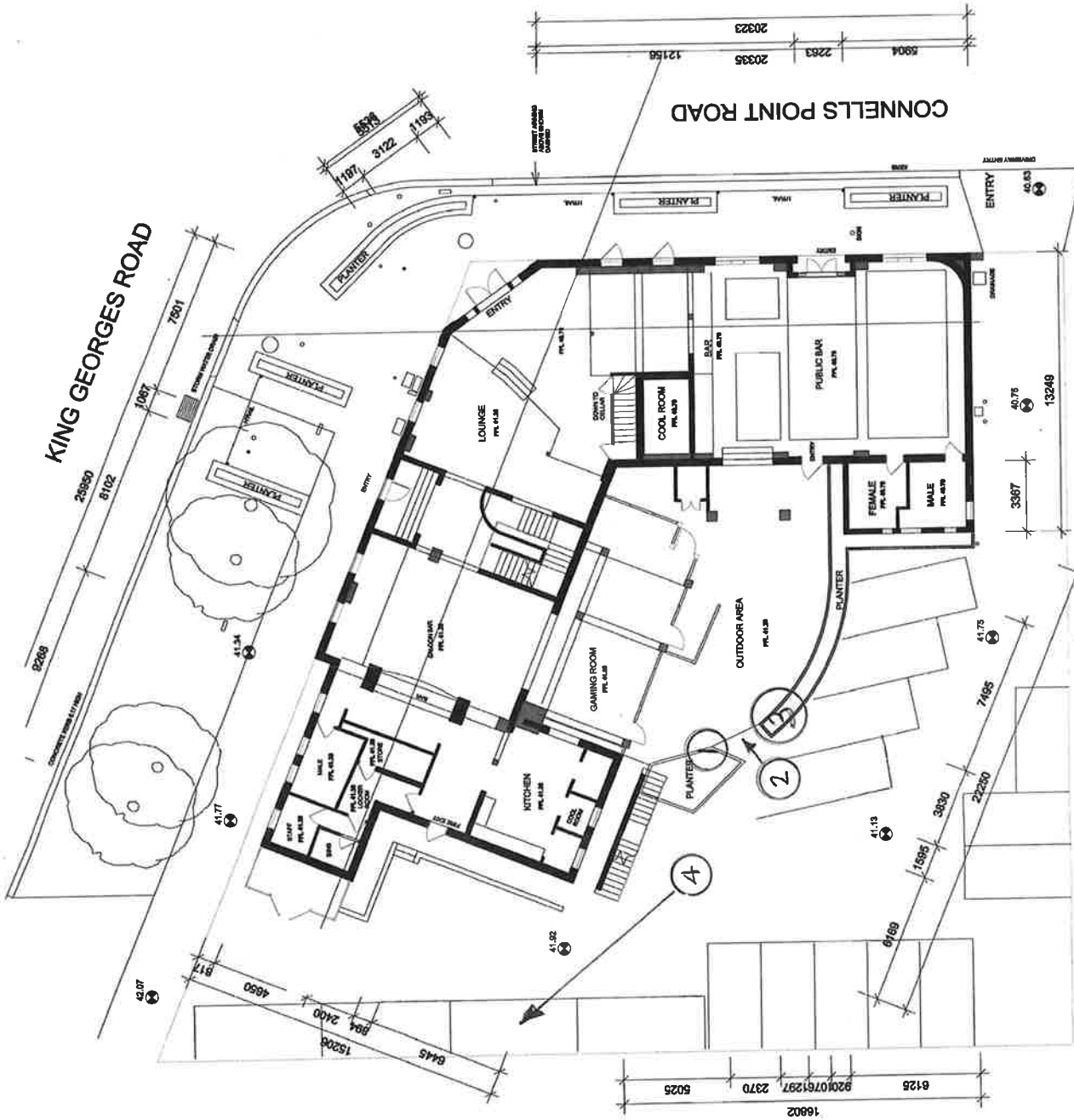
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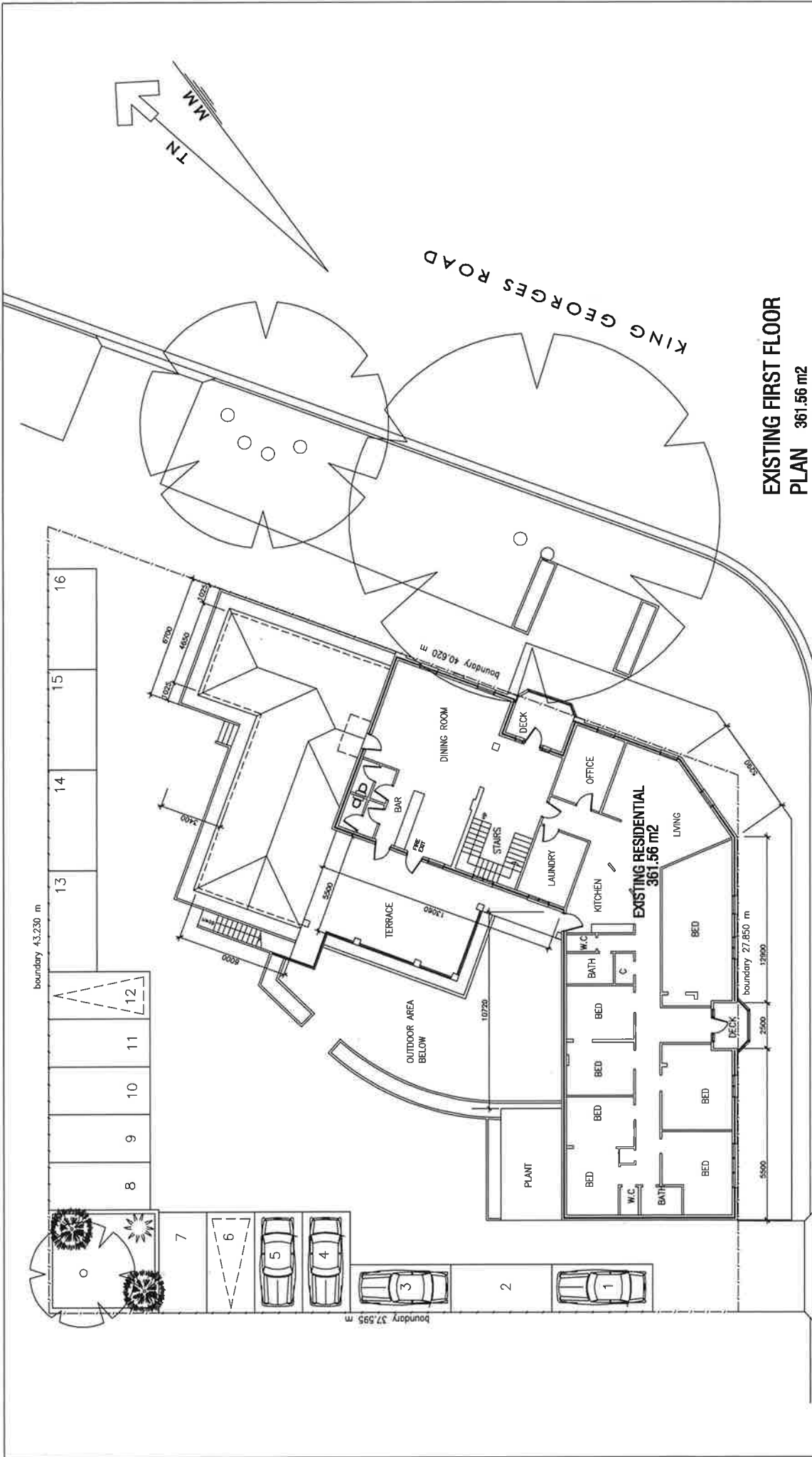


**ATTACHMENT**  
**“B”**

Existing Ground Floor Layout  
and details of existing acoustic screening  
for the outdoor Courtyard area and  
Boundary Fencing



<p>NOTE: • ALL DIMENSIONS ARE LEVELS TO BE CHECKED ON SITE BY SURVEYOR. • ALL DIMENSIONS REFERENCED TO BLUEPRINT SHALL BE TO THE CENTERLINE OF THE ROAD. • ALL WORK TO BE CARRIED OUT STRICTLY IN ACCORDANCE WITH ALL RELEVANT ORDINANCES, CODES AND STANDARDS, AND TO MEET REQUIREMENTS OF ALL AUTHORITIES HAVING JURISDICTION OVER THE WORK. • USE METRIC DIMENSIONS IN PREFERENCE TO SCALING.</p>	<p>AMENDMENTS:</p>	<p><b>G M PLANNING SERVICES</b> OFFICE: 241-245 PENNANT HILLS ROAD CARLINGFORD POST TO: PO BOX 3064 TELOPEA 2117 MOBILE: 0433 810 378 EMAIL: gms@gmplanning.com.au</p>	<p><b>SECTION 96 APPLICATION TO VARY COND. 23 OF DA 94/2012</b> at: 601A KING GEORGES RD STR HURSTVILLE FOR: POWERHOUSE CORPORATION PTY LTD</p>	<p>ISSUE NO. 1 SCALE: N.T.S. DATE: OCTOBER 2013</p>	<p>DWG. NO. 1</p>
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**EXISTING FIRST FLOOR PLAN** 361.56 m<sup>2</sup>  
Scale 1:200

CONNELLS POINT ROAD

General Construction Note:

1. All existing dimensions to be verified on site prior to any works.
2. The attached architectural drawings shall not be scaled with a ruler to obtain relevant dimensions.
3. All relevant dimensions are labeled accordingly.
4. All materials and workmanship carried out must comply with Australian Standards Codes (SAS) and the BCA req. (Noise Transmission and Insulation).
5. Roof and wall cladding to BCA Part 3.5.
6. Glazing to AS1288 & BCA Part 3.6.
7. Wet area flashing to AS3740 & BCA Part 3.8.1.
8. Termite management to AS3660.1.
9. Smoke Detectors to AS3786 & BCA 3.7.3
10. The building shall be constructed to comply with Part F5 of the BCA (Noise Transmission and Insulation).

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**Jomar Group Pty Ltd**  
Architectural Design & Planning Consultant  
23 Army Hawkins Circuit, Kellyville, N.S.W 2155  
mob - 0414 935 501  
email: mcaule@jg.com.au

LOCAL GOVERNMENT: KOGARAH CITY COUNCIL  
SCALE: 1:200 DRAWN BY: PGR SHEET No: **3-7**  
JOB NO: 0810 DATE: 16th, Jan 08

**PROPOSED ALTERATION & ADDITION TO AN EXISTING COMMERCIAL PREMISES BEING "KINGSHEAD TAVERN"**  
AT: 801 KING GEORGES ROAD, SOUTH HURSTVILLE  
FOR: JAKES PLACE PTY LTD

ISSUE	REVISION	DATE
A	DA APPLICATION SUBMITTED	16-01-08

**ATTACHMENT**  
**“C”**







**ATTACHMENT**  
**“D”**



**Health**  
South Eastern Sydney  
Local Health District

**St George Hospital and Community Health Service  
Community Partnerships**

T16/20785

Mr Brett Tobin  
Senior Associate  
Hatzis Cusack Lawyers  
GPO Box 3743  
SYDNEY NSW 2001

Dear Mr Tobin

In recent years the St George Hospital paediatric admissions have increased with more than 5,000 patients being admitted to the unit each year.

The Paediatric Unit is a 22 bed ward which predominately caters for families from the St George area. Patients admitted to the unit range in age from newborn to 18 years. The Paediatric Unit provides treatment and care for a wide range of illnesses including respiratory infections, asthma, gastroenteritis, fractures, appendicitis and also caters for general surgeries.

The beds now being used by our young patients are more than 20 years old and in need of replacement.

The purchase of the Tom-2 Paediatric Electric Cot Beds will not only ensure comfort and safety for the young patients but the latest features will allow our staff to provide an improved level of care. Additional information on the features and benefits of the Tom -2 Electric cot beds are attached for your perusal.

The cost of each Tom 2 Electric Cot Bed is \$6,000 which includes freight and installation.

With the ever increasing demand on our resources, your contribution towards the purchase of the Tom 2 Paediatric Electric Cot Beds is greatly appreciated.

If you require further information, please do not hesitate to contact the Community Relations Unit (02) 9113 2901.

Yours sincerely

Leisa Rathborne  
**General Manager**  
**St George Hospital and Community Health Services**

Date: 19/5/16