

**CLASS 1**  
**LOCAL IMPACT ASSESSMENT**

**WATERWORKS HOTEL**  
**1102 BOTANY ROAD**  
**BOTANY N.S.W 2019**

**Filed by:**  
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### EXECUTIVE SUMMARY

<b>Premises</b>	Waterworks Hotel
<b>Address</b>	1102 Botany Road, Botany 2019
<b>Licence name</b>	Waterworks Hotel
<b>Licence number</b>	LIQH400102070
<b>Local Government Area (LGA)</b>	Bayside Council
<b>Licensee</b>	Kieran Joseph King
<b>Licensee representative</b>	LAS Lawyers and Consultants
<b>Current Gaming Machine Threshold (GMT)</b>	26
<b>Proposed GMT increase sought</b>	4

### INTRODUCTION

This is a LIA Class 1. It accompanies a Threshold Increase Application ('the **Application**') for a 'low range' (as that term is defined in regulation 35 of the *Gaming Machines Regulation 2010* ('the **GMR**')) gaming machine threshold increase approval of four (4) for the Waterworks Hotel ('the **Hotel**').

The applicant is the Hotel's licensee Kieran Joseph King ('the **Applicant**'). The Hotel is situated at 1102 Botany Road Road, Botany located in the Bayside Council LGA ('the **LGA**'). Its licence number is LIQH400102070.

The LGA is a Band 2 LGA (as that term is recognised under s 33 of the *Gaming Machines Act 2001* (NSW) ('the **GMA**') and as categorized under LGNSW fact sheet FS3031 effective 14 June 2017.

The Hotel currently has a gaming machine threshold of 26. This LIA demonstrates that the proposed increase in the gaming machine threshold for the Hotel will provide a positive contribution to the local community where the Hotel is situated.

Chapter 1 and 2 provides further introduction about the Hotel and the Applicant's details along with the proposal to make a positive contribution

## **HARM MINIMISATION and RESPONSIBLE GAMBLING MEASURES**

This report also demonstrates how gambling activities at the Hotel are currently conducted in a responsible manner and will continue to be conducted in a responsible manner if the Application is approved.

Chapter 3 provides these details.

## **LOCAL COMMUNITY**

The LGA has been identified as the local community. This report further details the characteristics and provides a demographic description of the LGA.

These details are provided in Chapter 4 and a map of the LGA is included.

## **POSITIVE CONTRIBUTION**

This report additionally and further details the positive contribution that will be provided to the local community if the application is approved.

The Applicant proposes to donate \$52,000 to the Salvation Army Rockdale, a charitable organization within the LGA. It serves both the local and wider community. The donation will provide towards the ongoing costs associated with providing personal and practical assistance to people and families who engage with the Salvation Army's Rockdale Community Centre.

To the extent that there is a general potential negative impact that where additional gaming machines are available to play that there may be an increased risk for problem gambling to occur, this is offset by the donation the Applicant proposes to make.

Chapter 5 and 6 provides these further details.

## **SUBMISSIONS FROM STAKEHOLDERS**

The Applicant is unaware of any specific community concerns but in the event any arise following advertising and notification requirements associated with the Application they will be addressed at that time.

## **CONCLUSION**

The Applicant submits that this LIA Class 1 accompanying a 'low range' Application and satisfies the requirements of section 36(3) of the GMA, applicable regulations and guidelines for the Authority to approve the application.

## 1. INTRODUCTION

This LIA Class 1 accompanies the Application for a Band 2 LGA venue for a “low-range” increase of four (4) gaming machines for the Waterworks Hotel, located at 1102 Botany Road, Botany located in the Bayside Council LGA.

### 1.1 Applicant details and history

The Hotel’s license was granted in February 1960. It is currently held by the Applicant.

The Hotel provides a wide range of facilities including meals, liquor, function, gaming and accommodation facilities. The consumption of liquor can be made available on the premises until 5:00am the following day, Monday to Saturday inclusive and until 12:00 midnight on Sunday.

The Hotel’s current gaming machine threshold is 26 to which the Hotel currently operates 26 gaming machine entitlements. If the application is granted it will increase the Hotel’s gaming machine threshold to 30 thus allowing the Applicant to obtain and transfer up to an additional 4 entitlements or permits within 2 years from the date the Application is granted (s 37(1) the GMA).

By obtaining these entitlements at the Hotel it will also reduce the overall number of gaming machines state-wide due to the forfeiture provisions that would apply upon the transfer (s 20(3)(b) the GMA).

### 1.2 Services and description

The Hotel provides:-

- Café Grill – bistro with live music;
- Conservatory Bar with large overhead glass skylight;
- outdoor courtyard with tables and heated umbrellas;
- accommodation with built-in robes, wall mounted flat-screen TV, and some ensuites
- alternative vegetarian and gluten free meals
- big screens with live sport fixtures;
- functions with full function menu;
- trivia nights;
- meeting rooms;
- birthdays;
- new wine selections;
- bottle shop;
- amenities.

The Hotel's permitted trading hours endorsed on its licence for consumption (excluding the beer garden) are:-

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

Additionally, the Hotel's gaming machine shutdown hours endorsed on its licence are:-

Monday to Friday 4:00am until 10:00am; and  
Saturday, Sunday & Public Holidays 6:00am until 9:00am.

The internal floor space of the venue is approximately 808sqm.

## **2. PROPOSAL**

If the application is granted it will increase the Hotel's gaming machine threshold from 26 to 30. This will allow the Applicant to obtain and transfer up to an additional 4 entitlements or permits within 2 years from the date the application is granted.

The positive contribution proposed by this LIA will not occur without the approval of the Application.

The Applicant proposes to donate \$52,000 to the Salvation Army, a charitable organisation within the LGA. It serves both the local and wider community. The donation will be used specifically for its identified needs in its Rockdale Community Centre where it provides community engagement, emergency relief, food parcels, counselling, community meals, a community laundry and shower, financial counselling and case worker.

## **3. HARM MINIMISATION and RESPONSIBLE GAMBLING MEASURES**

The primary purpose of the business carried out at the Hotel is the sale of liquor by retail.

The keeping and operation of gaming machines at the Hotel does not detract unduly from the character of the Hotel or from the enjoyment of persons using the Hotel otherwise than for gambling.

Gaming machines are provided within a designated gaming room within the Hotel. The gaming room is compliant with the GMA and GMR as it is:-

- located in a bar area of the Hotel and is not located in the area that the minor's area authorization applies;

- physically separated from the general bar area by permanent walls with at least the bottom half of such wall being constructed of opaque material;
- situated such that 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 and situated such that gaming machines cannot be seen from any place outside the Hotel;
- available to enter free of charge;
- set up so that machines are suitably spaced; there is a doorway or space that provides access to an operating bar and washroom for each gender without the need for patrons to leave the Hotel; and cannot be accessed directly from a public street.
- monitored by CCTV, the Applicant and gaming attendant employees. The Applicant and gaming attendant employees directly supervise the gaming room allowing them to detect any possible signs of problem gambling.

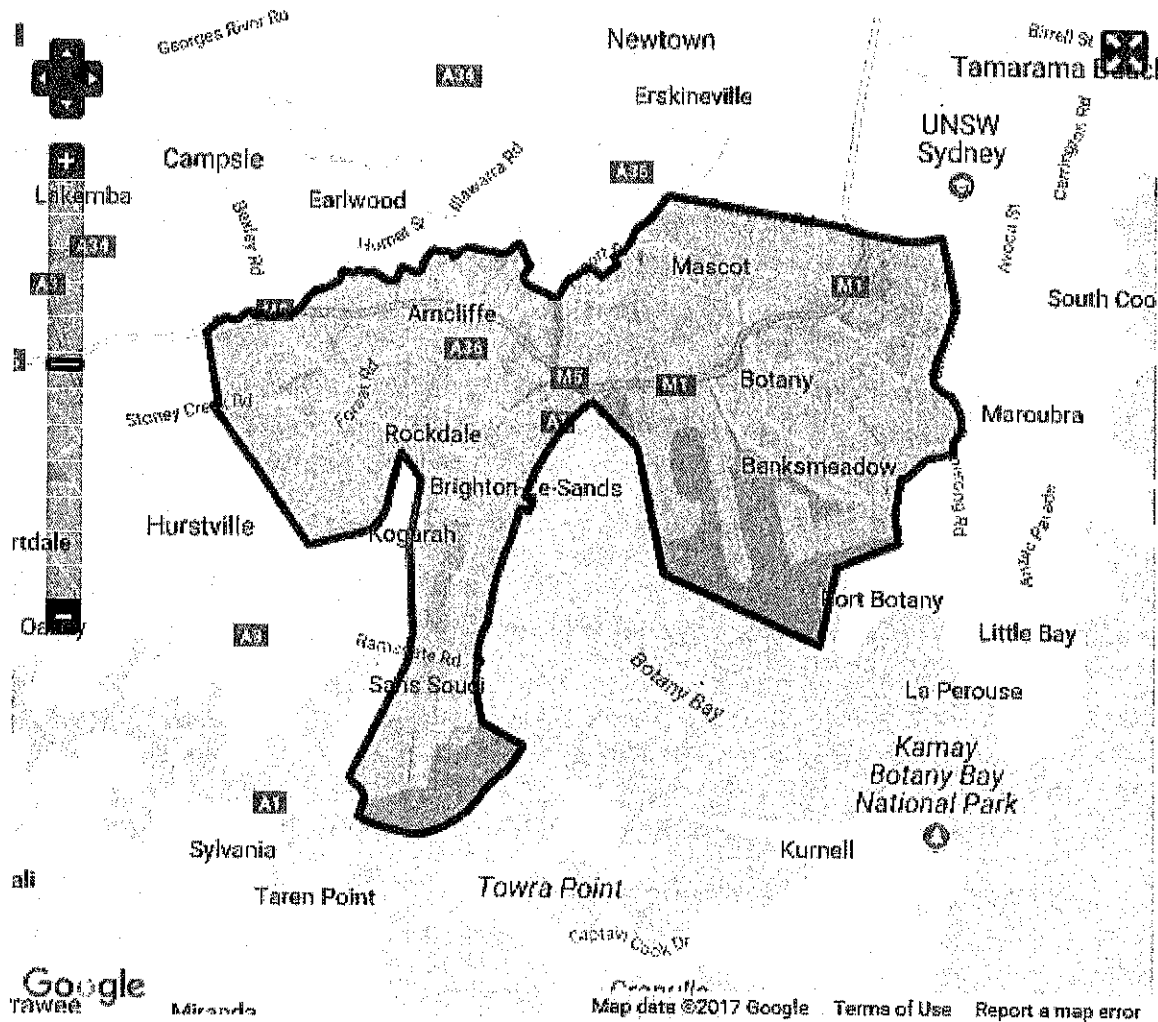
In addition to the above, the Hotel is compliant with the GMA and GMR in that:-

- the Applicant and staff involved with gaming hold a RCG competency;
- the Hotel provides a self-exclusion scheme to patrons on request. The self-exclusion scheme is offered through GameCare – operated by AHA (NSW).
- the name and contact details of a gambling help counselling service is available in the gaming room at all times to patrons and each self-exclusion scheme participant.
- the gaming room also provides a statement advising patrons that a self-exclusion scheme is available and the name and contact details of GameCare who is able to assist patrons with becoming a participant in the scheme conducted by the Hotel;
- all prescribed signage is displayed including display of information concerning chances of winning, the dangers of gambling and counselling services;
- brochures are displayed, including in community languages, informing patrons of the potential dangers of gambling, the availability of counselling and self-exclusion scheme;
- no ATM is located in the gaming room and patrons are not permitted to make withdrawals on credit;
- the Hotel does not advise or promote the availability of gaming machines at the Hotel or at all;
- clocks are visible to all patrons in the gaming room and set to and accurately reflect the correct time;
- the Hotel does not accept third party cheques nor permits the cashing of cheques;
- The Hotel limits cash payment of winnings to \$5,000;

- minors are not permitted to access the gaming room and for the avoidance of any doubt, prohibited from operating gaming machines;
- prize winning cheques are clearly identified as prize winning cheques;
- complies with the gaming machine shutdown hours endorsed on its licence.
- all gaming machines kept at the Hotel are approved gaming machines and are connected to an authorized CMS;
- gaming related signs are not visible from the outside of the Hotel and are situated within the Hotel;
- no inducements are offered for the use of gaming machines at the Hotel.

#### 4. LOCAL COMMUNITY

For the purpose of this LIA the local community is the Bayside Council LGA .



The Salvation Army Rockdale Community Centre is situated within the LGA.

Prior to 9 September 2016 Bayside Council was 2 separate LGAs: Rockdale and Botany Bay. They have since merged and are now what is known as Bayside Council.

The Office of Local Government's Local Government Directory does not currently show the population or area (sq Kms) of the newly formed Bayside Council unlike it does with other Councils. It has also removed listings for the former Rockdale and Botany Bay Councils. (Office of Local Government website accessed 10 September 2017 <https://www.olg.nsw.gov.au/local-government-directory/5416>).

The Bayside Council website however states that the Bayside LGA is approximately 55 square kilometers and that the 2015 estimated population was approximately 156,500 and is projected to grow to 190,000 by 2031 (<http://www.bayside.nsw.gov.au/faqs> accessed 10 September 2017).

From the Australian Bureau of Statistic (ABS) 2016 Census QuickStats it discloses the former Rockdale LGA median weekly household income as \$1,575. It further discloses that the former Botany Bay LGA median weekly house income as \$1,626. Both are above that of N.S.W as \$1,486, indicating the newly formed LGA has an advantaged population

Further advantage of the former LGA's populations is indicted from the SEIFA scores and deciles from the 2033.0.55.001 - Census of Population and Housing: Socio-Economic Indexes for Areas (SEIFA), Australia, 2011. This data was released 18 July 2013. The ABS state that it is latest version of SEIFA.

	Index of Relative Socio-economic Advantage and Disadvantage	Index of Relative Socio-economic Disadvantage	Index of Economic Resources	Index of Education and Occupation
Botany Bay LGA Score	985	976	962	1004
Botany Bay LGA Decile	7	5	4	8
Rockdale LGA Score	1001	991	978	1024
Rockdale LGA Decile	10	9	5	9

These scores demonstrate that the local community is not particularly vulnerable to potential gaming-related harm. The grant of the Application is unlikely to have a detrimental effect on the local community.



## 5. POSITIVE CONTRIBUTION

The grant of the Application will yield a significant social benefit for the local community through the Applicant's contribution of \$52,000 to the Salvation Army's Rockdale Community Centre.

### **The Salvation Army – Background**

The Salvation Army's beginnings date back to July 2, 1865 to a Methodist minister in East London. Today it is one of the world's largest Christian social welfare organisations.

Each year they extend care to more than one million Australians supporting marginalised and disadvantaged members of the community.

The Salvation Army's *Economic & Social Impact Survey* (ESIS) surveyed more than 1,600 clients in its community support centres. More than 85% of them received income support payments and could not afford what may consider the basics: Some key findings include:

- 89% do not have up to \$500 in savings for emergencies;
- 52% regularly went without meals;
- 53% regularly delayed utility bill payments;
- One out of five cannot afford medical treatment or prescriptions; and
- Three out of five cannot afford an internet connection for their children.

In the last year the Salvation Army provided 486,340 emergency relief sessions through their community support centres to more than 136,000 individuals.

### **The Salvation Army – Rockdale Community Centre – Proposal \$52,000**

In the course of preparing this LIA the Applicant identified a need by Salvation Army's Rockdale Community Centre (the Centre). It indicated it requires further funding for the Centre.

The Centre is located at 432 West Botany Street, Rockdale. In addition to providing a social outlet for the lonely, marginalised and abandoned with morning teas, craft sessions and social outings the centre also provides community engagement, emergency relief, food parcels, counselling, community meals, a community laundry and shower. It also provides financial counselling, and a case worker.

From time to time specific training sessions are held. For example, in August 2016 training was held for the Safe from the Start program – a one day program that covered the effect of violence on children, how to work therapeutically with children, educating workers, parents and the community on how brain development of young children is affected by exposure to violence, abuse or trauma.

The Applicant will provide a donation of \$52,000 to the Salvation Army to put towards the Centre's requirements. Given the any number of exigencies that might occur in one's life the Applicant is pleased the Centre can utilise his contribution for the benefit both the local and broader community if this donation is made.

More details provided by the Salvation Army regarding the proposed donation are attached and marked "A"

## **6. NEGATIVE IMPACT ON THE LOCAL COMMUNITY**

There is a general potential negative impact that where additional gaming machines are available to play, there may be an increased risk for problem gambling to occur. The current operation of the machines at the Hotel reveals that it is very rarely, if at all, the case that all of the machines currently on the floor in the Hotel are ever used by patrons at any one point in time. The presence of increased machines, is therefore not necessarily expected to result in increased numbers of patrons using the gaming machines.

The Hotel proposes to make a financial contribution in the sum of \$52,000 (calculated in accordance with the Birmingham analysis) to a charitable organisation servicing the local community. It provides, amongst other support services, a financial counselling service. Therefore proportions of the financial contribution can be applied to assist with the provision of support to problem gamblers in the local community and offsetting any potential negative impacts that could arise from the approval.

## **7. SUBMISSIONS FROM STAKEHOLDERS**

The Applicant is unaware of any specific community concerns but in the event any arise following advertising and notification requirements associated with the Application they will be addressed at that time.

## **8. CONCLUSION**

This LIA demonstrates that the Applicant operates and will continue to operate gaming activities in Hotel in a responsible manner by implementing practices that follow the relevant legislation.

The Applicant having identified the needs of an organisation servicing the local community has also demonstrated the positive contribution that will be put forward to the local community which will not occur without the approval of the Application. That positive contribution will be the donation of \$52,000 to the Salvation Army Rockdale Community Centre.

Based on the fact that the Hotel is located in a Band 2 Local Government Area and the Application is for a low-range increase in the gaming machine threshold, having regard to the

significant financial contribution proposed by the Applicant, the Applicant submits that there are more positive impacts for the community if the threshold application is approved than any negative impact by the installation of an additional four (4) gaming machines within the local government area. In addition, the installation of four (4) gaming machines at the Hotel will also reduce the overall number of gaming machines state-wide due to the forfeiture provisions that will apply upon the transfer of any gaming machine entitlements acquired by the Applicant.

The service nominated by the Applicant for a donation could assist in enhancing lives by making a positive change and assisting the community in any number of unexpected situations individuals and families might find themselves.

Accordingly, the Applicant respectfully submits that as the elements for a LIA Class 1 are met the Application should be approved.



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10<sup>th</sup> August 2017

Mr Adam Bowe

Solicitor

LAS Lawyers & Consultants

Suite 467 317-321 Castlereagh Street

SYDNEY NSW 2001

Annexure "A"  
of Waterworks LIA  
Application lodged  
19 September 2017

Dear Mr Bowe,

RE: PROPOSED DONATION TO THE SALVATION ARMY - BAYSIDE LGA (2017150)

Further to correspondence of the 21st July, 2017 firstly, please convey to your client our apology for the length of time to respond to his offer of support for The Salvation Army work in the Bayside LGA. There are various administrative streams within our social work and identifying the correct process has taken a little time.

We are appreciative of the client's understanding regarding Moneycare not being able to receive this donation and grateful your client remains desirous for us to identify a further area that would benefit from their financial support.

The Salvation Army Rockdale Community Centre, under the leadership of Major Janet Siddens, provides a place where people from all walks of life come seeking safety, acceptance and support, not only when crisis occurs in their lives, for many it is a place where the lonely, marginalised and abandoned have found a place to belong, a place to enjoy and a place to participate.

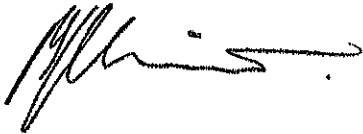
The centre provides community engagement, emergency relief, food parcels, counselling, community meals, a community laundry and shower, financial counselling, and a case worker. While practical support can be quantified there is something that cannot be measured. The Salvation Army's richest resource is it's staff and volunteers who graciously give of their time just sitting, listening, encouraging and bringing hope to those who feel hope-less. At Rockdale Salvos, this love for mankind is exemplified throughout every avenue of support and is the foundation for this thriving community centre.

Your client's donation would bring considerable relief to the ongoing costs associated with providing personnel and practical assistance to people and families who engage within the Salvos Rockdale Community Centre.

We do hope this marries well with your client's intentions to support the Bayside LGA.

If so, an opportunity to receive the donation, should they wish to make a public contribution, could be organised for an appropriate time at the centre.

Yours sincerely in service,



Paul Kinder (Major)  
Corps Officer  
The Salvation Army Rockdale  
Corps & Community Centre

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