

# NSW Independent Liquor & Gaming Authority

Our ref: DF24/028329

Ms Nicole Beath  
JDK Legal

20 December 2024

Dear Ms Beath

Application No.	1-9210852072
Applicant	ISAAC PROPERTY DEVELOPMENTS AUSTRAL PTY LIMITED
Application for	Gaming Machine Threshold (GMT) increase with Class 1 Local Impact Assessment (LIA)
Application date	5 September 2024
Decision date	12 December 2024
Licence name	Austral Hotel
Licence No.	LIQH440019075
Trading hours	Monday to Sunday 10:00 AM – 12:00 AM
Shutdown hours	Monday to Sunday 04:00 AM – 10:00 AM
Premises	352 Bringelly Road Austral NSW 2179
Legislation	Sections 3, 34, 35 and 36 of the <i>Gaming Machines Act 2001</i>

## Decision of the Independent Liquor & Gaming Authority Application for a GMT increase with a Class 1 LIA – Austral Hotel

We **refuse** the Local Impact Assessment (LIA) under section 36 of the *Gaming Machines Act 2001* (the Act) and **refuse** the application for a gaming machine threshold (GMT) increase under section 34 of the Act.

### Statement of reasons

We are concerned that the social impact of approving the application may be detrimental to the well-being of the local or broader community and therefore refused the application on harm minimisation grounds.

## **Our main findings**

We are concerned that if the application were granted it is likely to increase the harm associated with the misuse and abuse of gambling activities due to:

- the venue's location in a Band 2 statistical area (SA2) with high populations of young people, people from culturally and linguistically diverse backgrounds and people with lower levels of education, who are at increased risk of experiencing gambling problems and gambling harm
- strong objections from South Western Sydney Local Health District and Liverpool Council
- the rate of problem gamblers and 'at risk' gamblers in the venue's local health district being higher than the NSW rate (23.3% vs 19.5%)
- the higher rate of alcohol-related domestic assault in Austral compared to both the Liverpool LGA and all of NSW
- the rate of malicious damage to property in Austral being higher compared to both the Liverpool LGA and all of NSW rates.

We further note that the licence was granted in January 2024 and the premises is still under construction. The applicant is invited to re-apply for a GMT increase after 12 months of trading.

## **The material we considered**

We considered the following material when making our decision:

- the material considered by the board in relation to the January 2024 decision regarding the Austral Hotel
- the application material
- liquor licence document dated 10 September 2024
- LIA dated September 2024
- gaming plan of management for the licensed business
- SA2 location factors
- stakeholder submissions and the applicant's response to them.

We also considered Guideline 11 regarding Class 1 Local Impact Assessment process guidelines.

This decision will be published on the ILGA website in accordance with section 36C of the Gaming and Liquor Administration Act 2007.

## **Opportunity for review**

The applicant and anyone who was notified of the application and made a submission, may apply to [NCAT](#) for a review of the decision.

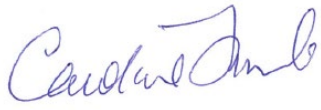
An application for review must be made no later than 28 days after the decision is published on the website. There is a fee to lodge the application.

For more information, please contact the NCAT Registry at Level 10 John Maddison Tower, 86-90 Goulburn Street Sydney or visit the NCAT website.

## **If you have any questions**

Please contact the case manager, Jason Owston, at Liquor & Gaming NSW if you have any questions.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Caroline Lamb', written in a cursive style.

Caroline Lamb  
**Chairperson**  
**Independent Liquor & Gaming Authority**