



Mr Dean Lidis

Design Collaborative

By email to: deanl@designcollaborative.com.au

1 December 2023

Dear Mr Lidis

Application No.	1-8790066182
Applicant	Pendle Inn Pty Ltd
Application for	Gaming machine shutdown hours
Licence name	Pendle Inn Hotel
Licence number	LIQH400104650
Current gaming machine shutdown hours	Monday to Sunday 4:00 AM – 10:00 AM
Proposed gaming machine shutdown hours	Monday to Friday 4:00 AM – 10:00 AM Saturday 6:00 AM – 9:00 AM Sunday 4:00 AM – 10:00AM
Premises	223 Wentworth Avenue Pendle Hill NSW 2145
Legislation	Sections 3 and 40 of the <i>Gaming Machines Act 2001</i> Section 53 of the <i>Liquor Act 2007</i>

**Decision of the Independent Liquor & Gaming Authority
Application for a change of conditions - Gaming machine shutdown hours –
Pendle Inn Hotel**

The Independent Liquor & Gaming Authority (Authority) considered the application above and decided on 20 September 2023 to **refuse** the application under section 40 of the *Gaming Machines Act 2001*.

Statement of reasons

Overall, the Authority is concerned that the social impact of approving the application may be detrimental to the well-being of the local or broader community (defined below under 'Community impact').

We note the proposal seeking to increase gaming hours from 24 hours to 26 hours post midnight per week which increases the potential harm to the community. We further note the availability of 14 hours post 2:00 AM gaming if the application was approved, which is a known risk factor for problem gambling. We are also concerned about the above average gaming intensity at the venue.

Our findings

Procedural requirements

The Authority is satisfied that the hotelier 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 Pendle Hill, and the relevant 'broader community' comprises the Local Government Area of Parramatta.

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 Parramatta LGA:

- the proportion of the total population aged 20-24 years is above the NSW average
- the proportion of the population who speak a language other than English at home is above the NSW average

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 gaming intensity at the venue with gaming machines at the hotel being more than 1.6 times as profitable than the average for venues in metropolitan Band 1 areas
- the increase of post-midnight gaming at the venue
- the association between problem gambling risk and late-night gaming which has been reported in the 2023 'Impact of electronic gaming machine (EGM) late night play on EGM player behaviours' report by Roy Morgan Research.

The risks may be mitigated by the:

- the venue's proposed gaming plan of management (GPOM) having been assessed as meeting the Authority's standards for a venue of this type
- venue being located in a Band 1 (low risk) SA2
- venue being located in an area with below average rates of problem gambling.

The material we considered

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

Application Material

- completed application dated 4 April 2023
- Liquor Licence Document recorded as at 1 May 2023
- Proposed and amended gaming plans of management documents for the premises, titled *Gaming Plan of Management for Pendle Inn Hotel* and dated April 2023 and August 2023
- Cover letters, annexures and statutory declarations dated 4 April 2023, 9 May 2023, 10 August 2023 and 24 November 2022

Other relevant material

- correspondence between L&GNSW staff and the applicant between 4 April 2023 and 23 August 2023 in relation to the assessment of the Application

This decision will be published on the [Liquor & Gaming NSW website](#).

If you have any questions

Please contact the case manager, Charles Rivers, at Charles.Rivers@liquorandgaming.nsw.gov.au if you have any questions.

Yours sincerely

A handwritten signature in blue ink that reads "Sarah Dinning". The signature is written in a cursive style with a large initial 'S'.

Sarah Dinning

Deputy Chairperson

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