



Mr Daniel Munk

By email to: daniel@munkmanagement.com.au

29 November 2023

Dear Mr Munk

Application No.	1-8770626523 & 1-8770626553
Applicant	Strathfield Recreation Club Ltd
Application for	Gaming machine threshold increase and a gaming machine entitlement transfer
Licence name	Strathfield Recreation Club Limited
Licence number	LIQC300230538
Trading hours	Monday to Sunday 5:00 AM – 5:00 AM
Shutdown hours	Monday to Sunday 4:00 AM – 10:00 AM
Premises	4A Lyons Street Strathfield NSW 2135
Legislation	Sections 3, 19 and 34 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 gaming machine threshold increase and a gaming
machine entitlement transfer – Strathfield Recreation Club Limited**

The Independent Liquor & Gaming Authority (Authority) deferred consideration of the application above at our meeting on 16 August 2023 in view of the decision in *Whitebull HTL Pty Ltd & Ors v Independent Liquor and Gaming Authority [2023] NSWSC 588*. We considered the application on 12 October 2023 and decided to **refuse** the application under section 34 of the *Gaming Machines Act 2001*.

Statement of reasons

Overall, we are 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 venue's availability of 28 hours of post-midnight gaming, with 14 hours of these during the higher risk post-2:00AM period. There are high rates of problem gambling in the area compared to the NSW average. In addition, we are concerned about the average annual profit per electronic gaming machine at the venue as it suggests an increase in harmful gaming. We were also concerned about the risk factors identified by the Office of Responsible Gambling that may result in high levels of social harm. We noted that although a forfeiture benefit of 5 electronic gaming machines is part of the proposal, that the option of imposing harm minimisation conditions under section 53 of the *Liquor Act 2007* would not effectively mitigate the high risks presented.

Our findings

Procedural requirements

We are satisfied that the secretary 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 Strathfield, and the relevant 'broader community' comprises the Local Government Area of Burwood.

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 Burwood LGA:

- the proportion of population aged 20-24 is almost double the NSW average
- the proportion of the population who speak a language other than English at home is double 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 venue being licenced for 28 hours weekly of post-midnight gaming, 14 of these during the higher risk post-2:00AM period
- problem gambling in the area being above average compared to the NSW average
- due to the gaming intensity at the venue being above average and the destination venue having a much higher profit per machine than the source venues
- the venue being located in an area exhibiting two of six Office of Responsible Gambling identified problem gaming risk factors
- the gaming plan of management being assessed as not effectively mitigating the high risk of gambling harm

The risks may be mitigated by the:

- the venue being located in a Band 1 SA2 area

The material we considered

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

Application Material

- completed application dated 23 June 2023
- liquor licence documents recorded as at 4 July 2023
- gaming plan of management documents for the premises, titled Gaming Plan of Management (GPOM) and dated September 2023

Other relevant material

- correspondence between L&GNSW staff and the applicant between 23 June 2023 and 3 October 2023 in relation to the assessment of the Application and submissions

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

If you have any questions

Please contact the case manager, Marina Rahman, at Marina.Rahman@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**