



Ms Joanne Thiele

By email to: joanne@clubwindang.com.au

4 December 2023

Dear Ms Thiele

Application No.	1-8755719713 & 1-8755719751
Applicant	Windang Bowls Club Ltd
Application for	Gaming Machine Threshold increase with Gaming Machine Entitlement Transfer
Licence name	Windang Bowls Club
Licence number	LIQC300244202
Trading hours	Monday to Sunday 5:00 AM – 5:00 AM
Shutdown hours	Monday to Sunday 3:00 AM – 9:00 AM
Premises	2-6 Judbooley Parade Windang NSW 2528
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 with Gaming Machine
Entitlement Transfer – Windang Bowls Club**

The Independent Liquor & Gaming Authority (Authority) was to consider the application above at its meeting on 16 August 2023, however we deferred our decision in view of the Supreme Court 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.

We note the licensed trading hours include the availability of 21 hours post-midnight gaming and 7 hours post 2:00 AM gaming which is a known risk factor for problem gambling.

We are also concerned that the venue is located in a Band 3 area with above average gaming intensity. Whilst recognising the quality of the venue's proposed gaming plan of management (GPOM), we are concerned that the plan would not mitigate the risk of potential harm in the community (defined below in the section 'community impact').

Our findings

Procedural requirements

The Authority is satisfied that the secretary manager 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 Windang and the relevant 'broader community' comprises the Local Government Area of Wollongong.

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 Wollongong LGA:

- the proportion of the total population aged 15 years and over who have completed Year 12 or equivalent or higher is below the NSW average
- the population who are indigenous is higher than the NSW average
- the proportion of lone person households is higher than 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:

- post-midnight trading – the venue is licensed to trade up to 21 hours post-midnight per week, seven of these during the higher risk post-2:00AM period
- the venue being located in an area exhibiting three of six Office of Responsible Gambling identified problem gaming risk factors (noted above)
- the above average gaming intensity at the venue
- the premises being located in a Band 3 SA2 area with above average gambling participation rates in the health district.

In our view, the risks identified above were not sufficiently mitigated by the venue's proposed GPOM, despite it being assessed as exceeding the Authority's standards for a venue of this risk profile.

The material we considered

We considered the following material:

Application Material

- completed application lodged 21 June 2023
- liquor licence documents recorded as at 26 June 2023
- Gaming Plan of Management reviewed 5 October 2023

Other relevant material

- correspondence between L&GNSW staff and the applicant between 21 June 2023 and 5 October 2023 in relation to the assessment of, and submissions for the Application.

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



Sarah Dinning

Deputy Chairperson

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