

**CLASS 1 LOCAL IMPACT ASSESSMENT FOR GAMING  
MACHINE THRESHOLD APPLICATION**

**APPLICANT: CABRAMATTA BOWLING & RECREATION  
CLUB LIMITED**

**PREMISES: MALUA BAY BOWLING & RECREATION CLUB  
LIMITED (LIQC324007158)**

## 1. EXECUTIVE SUMMARY

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- 1.1 This Class 1 Local Impact Assessment is lodged by Cabramatta Bowling & Recreation Club Limited (**the Club**) in support of and as part of an application to increase the gaming machine threshold (**Threshold**) of its premises known as Malua Bay Bowling & Recreation Club Limited located at 40 Sylvan Street Malua Bay NSW 2536 (**Premises**).
- 1.2 The Premises is located in the Batemans Bay – South Local Statistical Area and in the Eurobodalla Shire Council Local Government Area.
- 1.3 For the purposes of section 33 of the *Gaming Machines Act*, the Batemans Bay – South Local Statistical Area is classified as a Band 2 area by the Independent Liquor & Gaming Authority (**Authority**).
- 1.4 The current Threshold of the Premises is thirty six (36).
- 1.5 Thirty six (36) poker machine entitlements are issued to the Premises.
- 1.6 Thirty six (36) gaming machines are kept at the Premises but the Club is not currently operating any gaming machines at the Premises for the reasons set out in Section 3 below.
- 1.7 The Club is applying to increase the Threshold of the Premises by twenty (20) so that twenty (20) additional poker machine entitlements can be transferred to the Premises from a related premises of the Club.
- 1.8 If the application is granted, the Threshold will be fifty six (56) and the Club can operate a maximum of fifty six (56) gaming machines at the Premises.
- 1.9 The Club complies with its responsible conduct of gambling obligations and its harm minimisation policies are over and above its legislative obligations.
- 1.10 If the application is granted, it will result in the positive contributions to the local community set out in Section 5.
- 1.11 This LIA contains the following sections:
  - (a) Application;
  - (b) Information about the Club;
  - (c) Details regarding the Club's responsible conduct of gambling practices;
  - (d) An analysis of the Club's local community;
  - (e) Details regarding the proposed positive contribution;
  - (a) Conclusion.

## 2. APPLICATION

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- 2.1 The current Threshold of the Club's Premises is thirty six (36).
- 2.2 Thirty six (36) poker machine entitlements are issued to the Premises.
- 2.3 Thirty six (36) gaming machines are kept at the Premises.
- 2.4 The Club is not currently operating any gaming machines at the Premises for the reasons set out in Section 3 below
- 2.5 The Club is applying to increase the Threshold of the Premises by twenty (20) so that twenty (20) additional poker machine entitlements can be transferred to the Premises.
- 2.6 If the application is granted, the Threshold will be fifty six (56) and the Club can operate a maximum of fifty six (56) gaming machines at the Premises.

## 3. THE CLUB, THE PREMISES AND THE LOCAL COMMUNITY

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### *The Club*

- 3.1 The Club was established in 1951 as a bowling club.
- 3.2 From 1951, the Club has occupied and traded from its main premises known as Cabramatta Bowling & Recreation Club Limited (LIQC300226085) which is located in Fairview Road, Cabramatta.
- 3.3 On 8 September 2017, the Club amalgamated with Bundeena Memorial Club Limited and from that date, the Club has occupied and trades from premises known as Bundeena Memorial Club Limited (LIQC3000226042) which is located in Loftus Street Bundeena.
- 3.4 On 8 May 2019, the Club amalgamated with Malua Bay Bowling & Recreation Club Limited and from that date, the Club has occupied and traded from the Premises.

### *The Premises*

- 3.5 On or about 18 October 1978, Batemans Bay Soldiers Club established the Premises.
- 3.6 Batemans Bay Soldiers Club operated the Premises until on or about 9 November 1998.
- 3.7 From on or about 9 November 1998, the Premises were operated by Malua Bay Bowling & Recreation Club Limited.
- 3.8 As and from 8 May 2019, the Club has occupied and traded from the Premises.
- 3.9 The Premises is located in the Batemans Bay – South Local Statistical Area and the Eurobodalla Shire Council Local Government Area.
- 3.10 A map showing the Batemans Bay – South Local Statistical Area, the location of the Premises and neighbouring local statistical areas is attached as Annexure "A" to this LIA.

- 3.11 The Premises is not a “new club” for the purposes of Regulation 33 of the Gaming Machines Regulation and therefore, the restrictions contained in that regulation do not apply.
- 3.12 The land on which the Premises is situated is 23,930 square metres and it includes the Clubhouse, car park and two (2) bowling greens.
- 3.13 The Clubhouse at the Premises was destroyed by the bushfires in late December 2019.
- 3.14 Although it was not legally required to do so, the Club resolved to rebuild the Clubhouse at the Premises acknowledging its commitment to the local community and the importance of the Premises to the local community.
- 3.15 The Club is currently trading from a “demountable pop up clubhouse” without any gaming machines.
- 3.16 The Club is currently in the process of rebuilding the Clubhouse and it is anticipated the new Clubhouse will be opened in March 2022.
- 3.17 The cost of rebuilding the Clubhouse has been substantial and it is anticipated that the final cost of the rebuild will be approximately \$9.5 million (comprising \$6.5 million in insurance proceeds and a further \$3 million contribution from the Club).
- 3.18 The internal floor space of the new Clubhouse will be one thousand seven hundred (1,700) square metres with two hundred and thirty (230) square metres to be dedicated to gaming areas.
- 3.19 The location of the proposed gaming areas are set out in the plan of the Premises which is attached as Annexure “B”.
- 3.20 The facilities and services which will be made available to members and guests at the Premises include bars, restaurants, cafes, function rooms, entertainment areas, bowling greens and other related bowling facilities.
- 3.21 The current Threshold of the Premises is thirty six (36).
- 3.22 Thirty six (36) poker machine entitlements are issued to the Premises.
- 3.23 Thirty six (36) gaming machines are kept at the Premises but they are not currently being operated because the Club is trading from a “pop up demountable Clubhouse”.

### ***Local Community***

- 3.24 For the purposes of this application, the Club has determined that the local community of the Premises is the Batemans Bay – South Local Statistical Area.
- 3.25 The Batemans Bay – South Local Statistical Area comprises the suburbs of Batehaven, Sunshine Bay, Denhams Beach, Surf Beach, Lilli Pilli, Malua Bay (where the Premises are located), Rosedale and Guerilla Bay.
- 3.26 To the best of the Club’s knowledge, information and belief, the Premises is the only registered club within the Batemans Bay – South Local Statistical Area and it is also the only venue which operates gaming machines in the Batemans Bay – South Local Statistical Area.
- 3.27 The Club has four hundred and twenty four (424) members which reside within the

Batemans Bay – South Local Statistical Area and nine thousand nine hundred and sixty two (9,962) members who reside outside the Batemans Bay – South Local Statistical Area. This is not unusual because the Club has three (3) licensed premises located in Cabramatta, Bundeena and Malua Bay and its main premises is located in Cabramatta.

3.28 The Australian Bureau of Statistics provides the following information regarding the Batemans Bay – South Local Statistical Area as at the 2016 Census:

- (a) the population was 8,358 people consisting of 3,991 males and 4,368 female.
- (b) the median age was 54 years of age (compared to the median age of 38 for NSW).
- (c) there was 352 Aboriginal and/or Torres Strait Islander people comprising 4.2% of the local community population (compared to 2.4% for NSW).
- (d) 6,358 people were born in Australia which comprises 76.6% of the local community population (compared to 66.7% for NSW).
- (e) 7,315 people stated that only English was spoken at home comprising 87.8% of the local community population (compared to 72.7% for NSW).
- (f) 1,435 people worked full time comprising 45.9% of the local community population aged 15 years or older (compared to 57.7% for NSW).
- (g) 1,238 people worked part time comprising 39.6% of the local community population aged 15 years or older (compared to 30.4% for NSW).
- (h) 266 people were unemployed comprising 8.5% of the local community population aged 15 years or older (compared to 6.9% for NSW).
- (i) the most common occupations were professionals (17.0%), community and personal service workers (14.5%), technicians and trades workers (14.2%), sales workers (13.7%), and clerical and administrative workers (12.3%).
- (j) the median weekly personal income for persons aged 15 years and over was \$521 (compared to \$662 for Australia).
- (k) the median weekly family income for persons aged 15 years and over was \$1,199 (compared to \$1,734 for Australia).
- (l) the median weekly household income for persons aged 15 years and over was \$1,000 (compared to \$1,438 for Australia).
- (m) 26.0% were couple families with children, 56.0% were couple families without children and 17.3% were one parent families.
- (n) 26.3% of people were attending an educational institution and of those people, 24.7% were in primary school, 20.0% in secondary school and 10.7% in a tertiary or technical institution.
- (o) of people aged 15 and over, 11.1% reported having completed Year 12 as their highest level of educational attainment, 19.2% had completed a Certificate III or IV and 8.4% had completed an Advanced Diploma or Diploma.

- (p) of occupied private dwellings, 46.5% were owned outright, 23.2% were owned with a mortgage and 26.8% were rented.
  - (q) of all households, 68.2% were family households, 29.2% were single person households and 2.6% were group households.
- 3.29 The Australian Bureau of Statistics also provides that the Batemans Bay – South Local Statistical Area recorded the following SEIFA rankings in 2016:
- (b) Index of Relative Socio-economic Disadvantage – decile 3; and
  - (c) Index of Relative Socio-economic Advantage and Disadvantage – decile 3;
  - (d) Index of Economic Resources – decile 4;
  - (e) Index of Education and Occupation – decile 4.

#### 4. **RESPONSIBLE CONDUCT OF GAMBLING AND HARM MINIMISATION**

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- 4.1 The Club's Plan of Management for the Premises sets out the Club's responsible conduct of gambling procedures and specific harm minimisation measures.
- 4.2 Clause 12 of the Club's Plan of Management for the Premises provides as follows:

**“12. RESPONSIBLE CONDUCT OF GAMBLING**

***Compliance with Gaming Machines Act and Club Licence***

12.1 *The Club must comply with the provisions of the Gaming Machines Act and its associated regulations and the conditions on its club licence.*

***RCG Qualifications***

12.2 *All staff involved in the gaming at the Premises will have current and up to date New South Wales Responsible Conduct of Gambling (RCG) qualifications.*

12.3 *The Club will maintain an RCG register containing copies of the certificates showing satisfactory completion of RCG courses undertaken by the Club's staff. A copy of this register will be held at the Premises and it shall be made available for inspection to the relevant authorities.*

12.4 *No staff member will be allowed to commence duty or be involved in gaming at the Premises unless they have provided a copy of their RCG qualifications or have shown an authorised officer of the Club their current RCG Competency Card.*

12.5 *Staff with an RCG Competency Card must have the card available to them at all times when they are involved in the gaming at the Premises.*

***Specific Harm Minimisation Procedures***

12.6 *The Club will:*

- (a) *provide information to patrons and Club personnel on counselling services, the use and operation of gaming machines, the chances of winning and the problems caused from excessive gambling by the use of adequate signage and brochures throughout the Premises; and*
- (b) *limit the cashing of cheques;*

- (c) *limit the payment of prizes by cash;*
- (d) *prohibit the provision of credit for the purpose of enabling a person to gamble at the Premises;*
- (e) *locate cash dispensing facilities out of the view of gaming areas;*
- (f) *limit gambling-related advertising and marketing by the Club and ensure that the contents of any advertising is truthful, accurate and not misleading;*
- (g) *not offer patrons with any inducements to gamble;*
- (h) *prohibit underage gambling;*
- (i) *support and liaise with organisations and medical practitioners offering counselling and rehabilitation services for problem gamblers and their families;*
- (j) *promote industry and community awareness of problem gambling and associated activities through the provision of information. This may include referring patrons to local support services, having site visits from relevant gambling counsellors, organisations (for example, BetSafe) or speakers and participation in gambling related awareness campaigns;*
- (k) *promote local support services and where possible, assist them with the provision of their services;*
- (l) *provide regular training and resources for Club personnel on the Club's RCG policies and procedures, RCG generally, signs of risky and problematic gambling behaviour and how to approach "at risk patrons;*
- (m) *appoint dedicated staff to provide specialist support to staff and patrons on RCG matters;*
- (n) *have a strong presence of Club personnel in gaming areas;*
- (o) *provide feedback on the action taken by Club personnel in relation to RCG issues and matters;*
- (p) *have structured systems for Club personnel to conduct welfare checks, encourage breaks in play and suggest alternatives to gambling available in the Premises;*
- (q) *increase welfare checks and patron interactions after midnight to encourage breaks in play;*
- (r) *place a strong emphasis on patron welfare;*
- (s) *discuss harm minimisation at staff meetings and handovers;*
- (t) *maintain a Gambling Incident Register to record RCG related incidents and the actions taken to address them;*
- (u) *recognise staff who demonstrate a commitment to harm minimisation;*
- (v) *provide a "nominated escalation point" for each shift at the Premises (being a senior employee of the Club) where Club personnel can raise RCG concerns or issues, including without limitation any possible problem gamblers or any possible problem gambling activities;*

- (w) *initiate self-exclusion when requested by patrons;*
- (x) *have strong systems in place so that Club personnel are aware of “self excluded patrons”;*
- (y) *proactively discuss the possibility of self exclusion with patrons who have been identified by the Club as possible problem gamblers;*
- (z) *use available technology at the Club to minimise and where possible, prevent “self exclusion breaches”;*
- (aa) *include and share responsible gambling messages in Club communications and at the Premises (for example, messages in Club publications or over the public address system at the Premises);*
- (bb) *have an appropriate complaints procedure in place for persons to make RCG related complaints to the Club and for such complaints to be addressed expeditiously by the Club;*
- (cc) *if requested, provide patrons and Club personnel with the relevant information to report RCG breaches to the relevant bodies.*
- (dd) *provide community contributions (financial and in kind) to support harm minimisation services in its local community such as gambling counselling services, domestic violence and financial counselling services, with the nature and amount of such contributions to be determined by the Board on a case by case basis.”*

4.3 Having regard to the above, the Club:

- (a) complies with all obligations in relation to the responsible conduct of gambling that are imposed by the *Gaming Machines Act* and *Gaming Machines Regulation*; and
- (b) has adopted a number of additional harm minimisation practices and procedures which are over and above those steps and actions required by the legislation and in many respects, follow the practices and procedures set out in the recent late night gaming application guideline issued by the Authority.

4.4 Accordingly, the Club’s responsible conduct of gambling practices and procedures significantly reduce the risk of any gambling misuse or abuse occurring on the Premises.

## 5. **POSITIVE CONTRIBUTION TO THE LOCAL COMMUNITY**

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- 5.1 As indicated above, the Club is applying to increase the Threshold of the Premises by twenty (20) so that twenty (20) additional entitlements can be transferred to the Premises from a related premises of the Club.
- 5.2 The Act requires the Authority to be satisfied that the approval of the application will result in a positive contribution to the local community
- 5.3 In addition to the positive contributions referred to in clauses 5.10 to 5.13 below, the Club will provide a donation to the Responsible Gambling Fund as its positive contribution.
- 5.4 As the Premises is not a “new club premises”, the formula of “15% of average profit of

*existing gaming machines before tax x GMT increase x 5 years*” would ordinarily be applied when determining the amount of the required donation.

- 5.5 Although the guidelines are somewhat unclear, the Club understands that the reference to the “average profit of existing gaming machines before tax” in the abovementioned formula refers to the average profit of gaming machines before tax during the financial year of the Club immediately preceding the date of the application.
- 5.6 However, as indicated above, the Clubhouse at the Premises was destroyed by the bushfires in late December 2019 and the Club has traded from a “demountable pop up Clubhouse” since that time without gaming machines.
- 5.7 As the Club has not operated gaming machines at the Premises since late December 2019, the average profit of those gaming machines for the past financial year is zero.
- 5.8 The Club acknowledges that the use of the abovementioned formula would not result in a positive contribution for the local community.
- 5.9 Accordingly, the Club proposes to make a one off donation of fifty thousand dollars (\$50,000) (or such other amount as may be agreed with the Authority) to the Responsible Gambling Fund if the application is approved and it will attend to that payment within thirty (30) days of the application being approved.
- 5.10 In determining the suggested donation, the Club has factored in the costs of rebuilding the Premises (approximately \$9.5 million which comprises \$6.5 million in insurance proceeds and a further \$3 million contribution from the Club).
- 5.11 The Club will employ approximately thirty (30) employees when it recommences trading from the Premises (which is significantly more than the twelve (12) employees which were employed prior to the Premises being destroyed). This will result in additional flow on effects for the local community and it constitutes a significant positive contribution for the local community.
- 5.12 Additionally, the Club currently engages a number of local businesses and suppliers in the local community and this will increase when the Club re-commences trading from the Premises.
- 5.13 Accordingly, the Club submits that the rebuilding of the Premises and its ongoing operation after the re-commencement of trade also constitutes a significant positive contribution to the local community. Furthermore, the Club:
  - (a) has implemented harm minimisation and responsible gambling measures that are in addition to the measures already required law; and
  - (b) has made payments into the ClubGRANTS Fund which are over and above its annual liability. In this regard:
    - (i) In 2019, the Club’s expenditure on Category 1 ClubGRANTS expenditure was \$70,055 (which was more than the required amount of \$66,440) and the Club’s expenditure on Category 2 ClubGRANTS expenditure was \$627,498 (which was more than the required amount of \$97,446); and
    - (ii) In 2020, the Club’s expenditure on Category 1 ClubGRANTS expenditure was \$54,447 (which was more than the required amount of

\$53,915) and the Club's expenditure on Category 2 ClubGRANTS expenditure was \$161,510 (which was more than the required amount of \$79,075).

- (c) has made payments into Category 1 of ClubGRANTS that is spent on harm minimisation which is in excess of the amount required by law. In this regard, since 2018, the Club has provided \$79,530 to BETSAFE in relation to the provision of training to the Club and the provision of counselling services for problem gamblers.

5.14 The matters referred to in paragraph 5.13 above are prescribed as approved forms of additional positive contributions for the local community under the *Gaming Machines Act*.

## 6. **CONCLUSION**

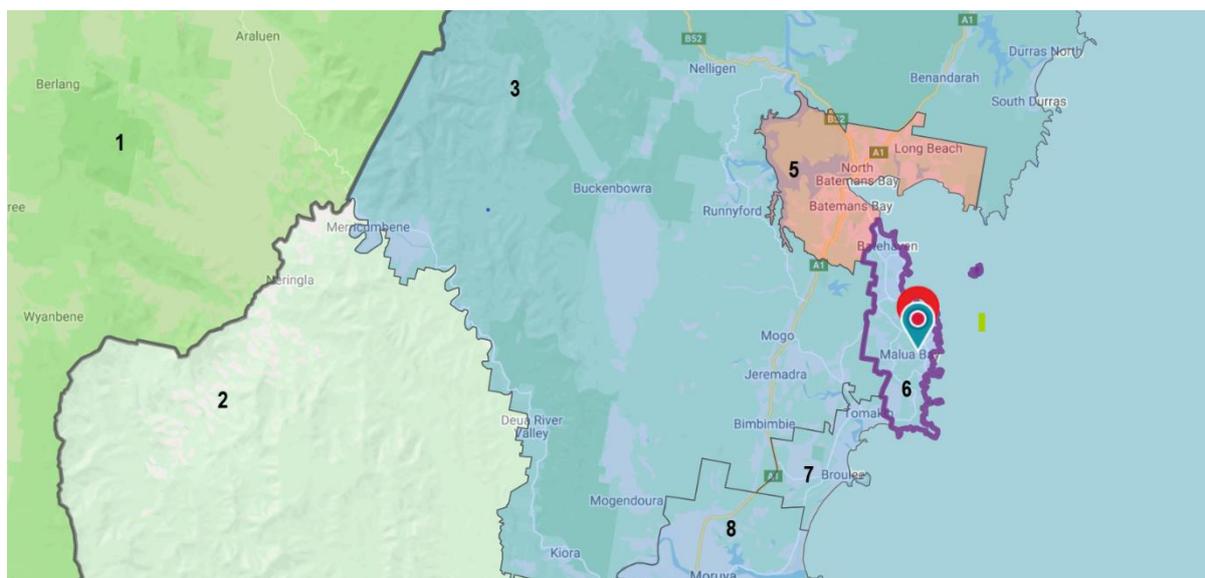
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6.1 The Club complies with its responsible conduct of gambling obligations.

6.2 If the application is granted, it will result in a positive contribution to the local community.

## ANNEXURE “A”

### MAP OF BATEMANS BAY – SOUTH LOCAL STATISTICAL AREA, LOCATION OF PREMISES AND NEIGHBOURING LOCAL STATISTICAL AREAS

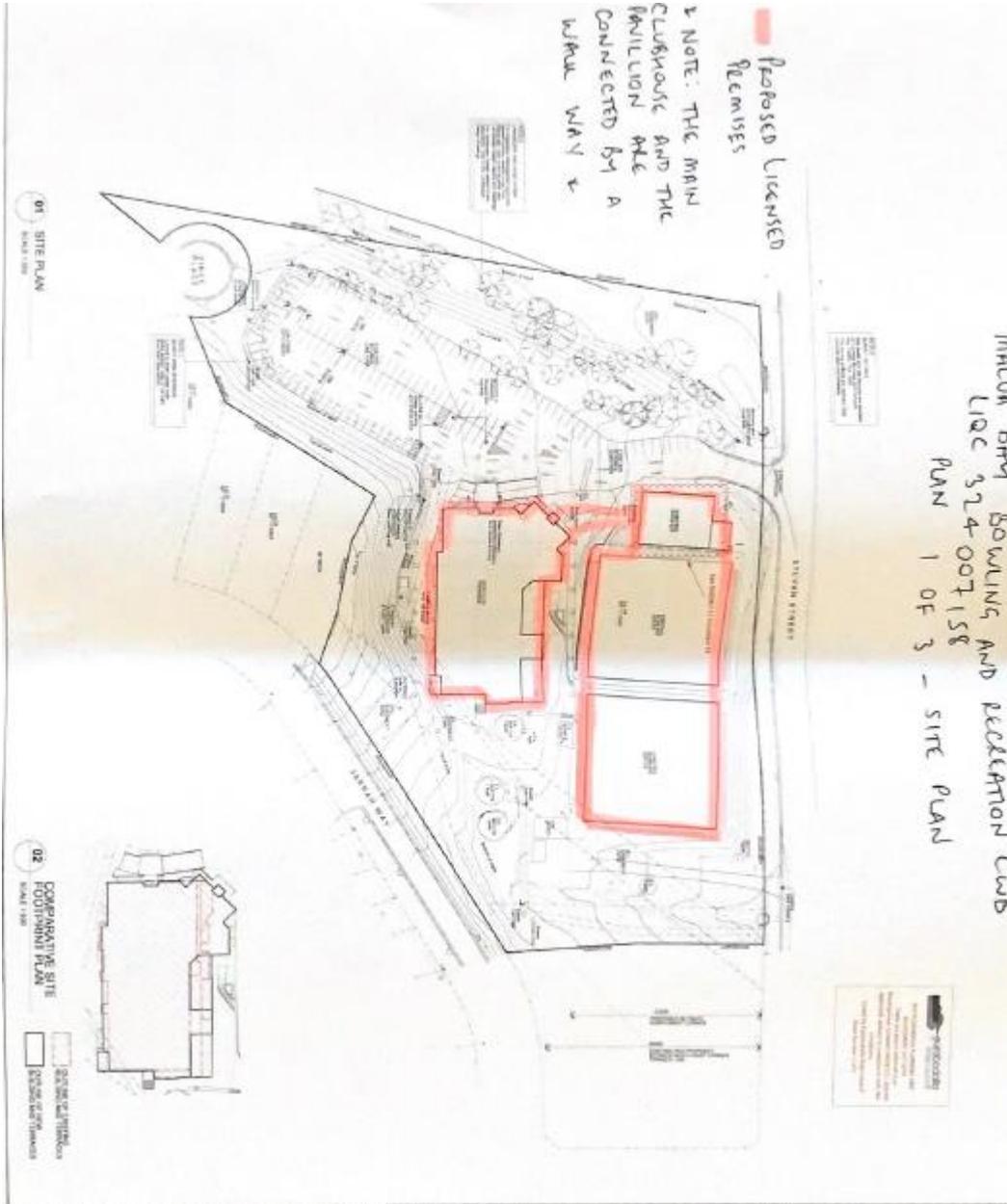


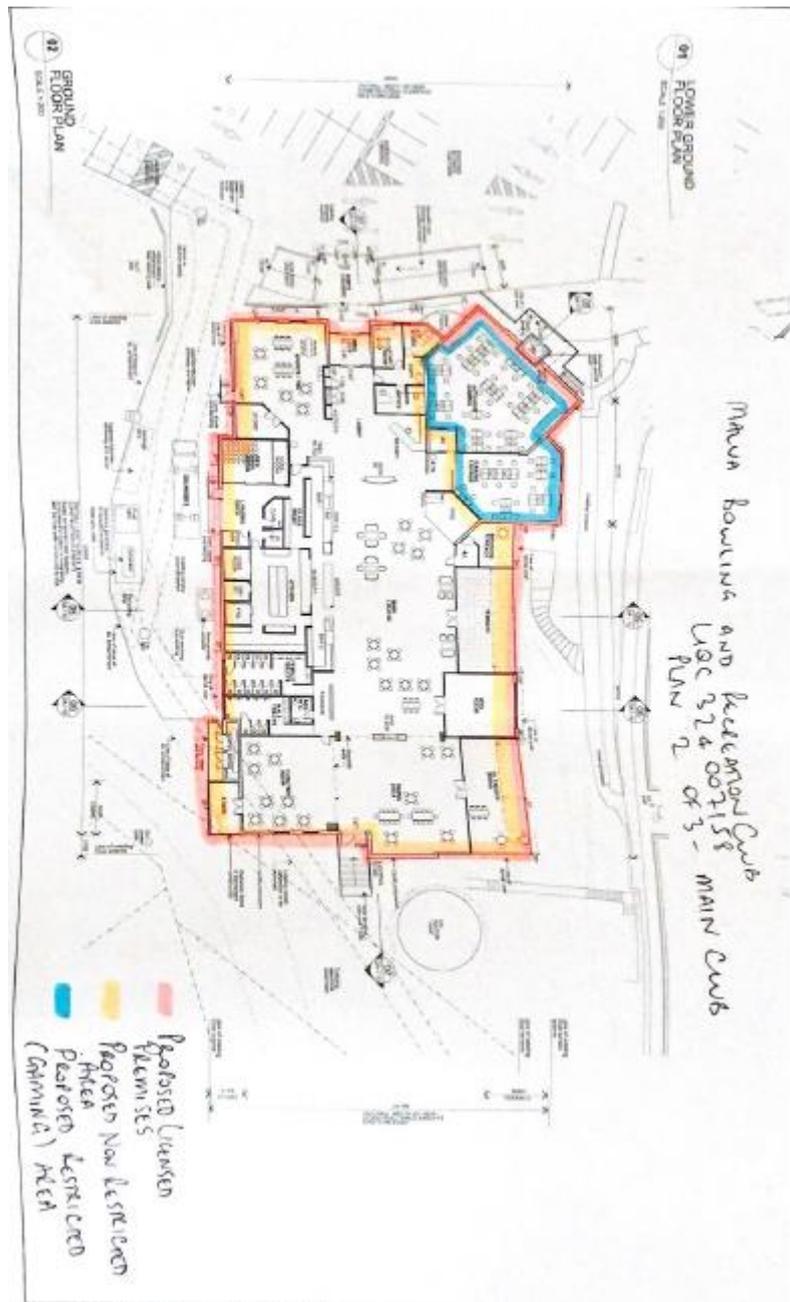
#### Notes:

1. The “markers” set out the location of the Premises (being Sylvan Street, Malua Bay which is located in the Batemans Bay – South Local Statistical Area).
2. The “neighbouring local statistical areas” are marked using the following identifying numbers:
  - (a) 1 – Braidwood Local Statistical Area.
  - (b) 2 – Deua – Wadbilliga Local Statistical Area.
  - (c) 3 – Eurobodalla Hinterland Local Statistical Area.
  - (d) 4 – Batemans Bay Local Statistical Area.
  - (e) 5 – Batemans Bay – South Local Statistical Area.
  - (f) 6 – Broulee – Tomakin Local Statistical Area.
  - (g) 7 – Moruya - Tuross Head Local Statistical Area.
3. The only local statistical areas which are located within five (5) kilometres of the Batemans Bay – South Local Statistical Area are:
  - (a) Eurobodalla Hinterland Local Statistical Area (marked as 3 in the map); and
  - (b) Batemans Bay Local Statistical Area (marked as 4 in the map);
  - (c) Broulee – Tomakin Local Statistical Area (marked as 6 in the map).

**ANNEXURE "B"**

**PLAN OF PROPOSED LICENSED PREMISES (INCLUDING PROPOSED GAMING AREAS)**





MWUA B&H BOWLING AND RECREATION CLUB  
 LIC 324007158  
 PLAN 3 OF 3 - PAVILION



ANCILLARY FACILITY  
 GROSS FLOOR AREA (GFA)  
 327m<sup>2</sup>

- Proposed License Premises
- Proposed Non-Restricted Area
- Proposed Restricted Area-N/A