

Local Impact Assessment Class 1 Application

The New Commercial Hotel Bigge & Scott Street LIVERPOOL NSW 2170

The New Commercial Hotel (LIQH400101384) December 2017



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Liquor & Gaming Specialists

EXECUTIVE SUMMARY

1. INTRODUCTION

This document is a Local Impact Assessment Class 1 to accompany a Threshold Increase Application made for the approval of a 'low range' gaming machine threshold increase of seven in relation to The New Commercial Hotel (the "Hotel") by Donald Christopher Roy Tully (the "Applicant"). The Hotel is situated at Bigge & Scott Streets, Liverpool, NSW 2170 (the "Venue"), which is located in the Liverpool City Council Local Government Area (the "LGA") and is a Band 2 LGA.

The Hotel's gaming machine threshold has currently been approved for 23. The business owner of the Hotel proposes to increase the threshold by a further seven (7) gaming machine entitlements/permits for the Hotel's threshold to be increased to the maximum of 30.

2. RESPONSIBLE GAMBLING MEASURES

Chapter 3 of this Report details the mandatory and additional responsible conduct of gambling measures put in place by the Applicant at the Hotel.

3. LOCAL COMMUNITY

Liverpool City Council LGA has been identified as the Local Community. Chapter 4 provides a demographic description of the LGA/Local Community.

4. POSITIVE CONTRIBUTION

Chapter 5 of this Report details the positive contribution that will result from approval of the Threshold Increase Application to the Local Community.

The Applicant proposes to donate \$70,000.00 to the City of Liverpool Meals on Wheels Inc. The donation will contribute towards the purchase of a new refrigerated vehicle.

5. CONCLUSION

Given the satisfaction of the requirements of the Gaming Machines Act and the associated Regulation through the conduct of gaming machine operation at the Venue in a responsible manner, along with the evidence of substantial positive contributions to the Local Community, it is the Applicant's belief that this LIA meets the requirements of the Legislation.

1. INTRODUCTION

This Report is a Class 1 Local Impact Assessment (“LIA”) to accompany a Threshold Increase Application for a Band 2 LGA venue for a “low-range” increase. The increase will be for seven (7) gaming machines to be installed at The New Commercial Hotel located at Bigge and Scotts Streets, Liverpool NSW, located in the Liverpool City Council LGA.

Methodology

- 1.1. In respect of LIAs relating to threshold increase applications, the LIA Guidelines provide that the Independent Liquor and Gaming Authority (“the Authority”) can only approve an LIA where the LIA complies with the requirements of the *Gaming Machines Act 2001* and the *Gaming Machines Regulation 2010* (“the Legislation”) and demonstrates that gambling activities will be conducted in a responsible manner.
- 1.2. The Guidelines further state that a Class 1 LIA must demonstrate that the proposed increase in gaming machine threshold for the Hotel will provide a positive contribution towards the Local Community in which the Venue is situated.

Applicant Details and History

- 1.3. The Authority’s records indicate the Hotel’s licence was granted in September 1942. The Hotel is currently exercised by Donald Christopher Tully on behalf of Topgrange Pty Ltd as the business and premises owner of the Venue. The Venue provides a wide range of facilities associated with the type of licence operated including accommodation, food, liquor and gaming facilities.
- 1.4. The Hotel’s gaming machine threshold is approved for 23. The Hotel currently has 23 gaming machine entitlements allocated to the licence for the operation of the 23 gaming machines at the Venue.
- 1.5. The intention is for the grant of this application for a further seven (7) gaming machine entitlements or poker machine permits to be procured and transferred to the Hotel’s licence to allow a maximum of 30 gaming machines to be operated at the Hotel.

Current Applicant Services, Facilities

- 1.6. The Venue includes the following facilities:-

- Lounge Bar
- Bistro
- Accommodation
- Gaming room
- Tab area
- Keno and Tab facilities
- Outdoor seating area
- Bottle shop

1.7. The Hotel's trading hours are:-

Lounge and Saloon Bar

- Monday - 5:00 am until 12.00 midnight
- Tuesday to Saturday - 5.00 am until 5:00 am the following day
- Sunday - 10:00 am until 12:00 midnight

1.8. The other areas of the Hotel have standard trading hours pursuant to the Liquor Act, that is 5:00am to 12:00 midnight Monday to Saturday.

1.9. The internal floor space area of the Hotel is approximately 415 square metres. **Attached** and marked "A" is a plan of the Hotel that depicts the facilities offered at the Venue and confirming the internal floor space measurements.

2. PROPOSAL

2.1. The positive contribution put forward by this LIA will not occur without the approval of the Threshold Increase Application.

2.2. The Applicant proposes to donate \$70,000.00 to Liverpool Meals on Wheels, a not-for-profit community group which serves the local community in Liverpool City Council LGA.

2.3. The donation will be used to contribute towards a new refrigerated vehicle for Meals on Wheels.

2.4. Further details in relation to this positive contribution is provided later in this report.

3. RESPONSIBLE GAMBLING MEASURES

3.1. The provision of gaming machines is only one aspect of the services and facilities provided at the Hotel.

3.2. Gaming is provided within a designated gaming room within the Hotel.

3.3. The gaming room complies with Clause 8 of the *Gaming Machine Regulation 2010* in that:-

- (a) It is located in a "bar area" of the Hotel (and is not located in an area in which a minor's area authorisation or minors functions authorisation is in force);
- (b) The gaming room is physically separated from the general bar area by permanent opaque walls;

- (c) Patrons are not compelled to pass through the gaming room in order to enter or leave the Hotel or to gain access to another part of the Hotel;
- (d) Entry is provided free of charge;
- (e) The gaming machines are situated so that they cannot be seen from any place outside the Hotel;
- (f) All machines are suitably spaced to facilitate access;
- (g) The gaming room is monitored by a gaming room supervisor, as well as by electronic means (CCTV) at all times;
- (h) There is a door way or space that provides reasonable access to at least one operating bar and one toilet for each gender, without the need for patrons to go out onto the street or outside the Hotel; and
- (i) The gaming room cannot be accessed directly from a public street.

3.4. Other requirements of the *Gaming Machines Act* and *Gaming Machine Regulation* are complied with, in that:-

- (a) All staff involved in gaming duties hold a current and approved responsible conduct of gaming (RCG) competency card (or interim certificates). Copies of competency cards (or interim certificates) are kept by each staff member when working at the Hotel and are available for inspection;
- (b) The Hotel makes arrangements through AHA for the provision of gambling counselling;
- (c) The Hotel participates in the GameCare AHA Gaming self-exclusion scheme and policy;
- (d) Staff are trained in the requirements of the self-exclusion scheme and associated referral process;
- (e) All statutory signage is prominently displayed throughout the gaming room;
- (f) Pamphlets informing patrons of the dangers of problem gambling and of the availability of counselling and the self-exclusion scheme are displayed within the Hotel in a number of community languages;
- (g) The Hotel's automatic telling machine (ATM) is located outside the gaming room. Patrons not permitted to make withdrawals on credit;
- (h) There are no advertising or promotions of the availability of gaming machines conducted at the Hotel;
- (i) A clock is present and visible to all patrons within the gaming room;

- (j) The Hotel does not accept third party cheques or the cashing of cheques by patrons;
- (k) There is a limit of \$5,000 on cash payment for winnings;
- (l) Minors are not permitted entry to the gaming room;
- (m) Consumer information on the chance of winning maximum prizes and jackpots is made available in the gaming area;
- (n) The Hotel does not publish any gaming machine advertising;
- (o) All gambling-related signs are situated within the Hotel and are not visible from the exterior of the Hotel; and
- (p) Inducements are not offered at the Hotel for the use of the gaming machines.

3.5. At all times the gaming room is operated, the Hotel engages a Gaming Room Attendant who is present to provide direct supervision of this area. The presence of the Gaming Room Attendant allow management to make early detection of any possible signs of problem gambling being experienced at the Venue.

4. LOCAL COMMUNITY

- 4.1. For the purposes of this Local Impact Assessment, the Local Community is defined as the Liverpool City Council Local Government Area ("LGA").
- 4.2. Liverpool Meals on Wheels is situated at Memorial Avenue, Liverpool within the Liverpool City Council LGA.

Total Population

- 4.3. Liverpool City Council LGA has a current population of 204,326¹ with an area of 305.5 km².
- 4.4. Meals on Wheels provides approximately 700 to 900 meals a week to elderly people in the LGA. These numbers can increase depending on the number of people who have been released from hospital or who are recovering from surgery that Meals on Wheels need to provide meals to.
- 4.5. Liverpool City Council LGA has the following SEIFA scores and deciles from the 2011 ABS Statistics:

INDICATOR	Liverpool LGA Score	Liverpool LGA Decile
IRSEAD	968	6
IRSED	951	4

¹ www.censusdata.abs.gov.au - Census 2016

IER	1,002	8
IEO	956	6

- 4.6. The above data indicates that residents of the Liverpool City Council LGA are more advantaged than average, with the exception of being just below average in respect of the decile for IRSED. The above scores also suggest that the Local Community is not particularly vulnerable to gaming-related harm, with the grant of this application to be unlikely to have a detrimental effect on the Local Community.
- 4.7. The ABS statistics for 2016 discloses that Liverpool City Council LGA has a higher median weekly household income (\$1,550) than that of NSW (\$1,486).
- 4.8. The latest regional data for problem gambling prevalence published in the Ogilvy Illumination (2012) study stated that prevalence rates in western Sydney (0.5%) were below State-wide prevalence rates (0.8%).

5. POSITIVE CONTRIBUTION

Proposal

- 5.1. The grant of the Application will yield a significant social benefit for the Local Community by the Applicant's contribution of \$70,000 to be donated to Liverpool Meals on Wheels.
- 5.2. Meals on Wheels is a not-for-profit organisation that relies on the support of local businesses in the community. Meals on Wheels currently employs 7 paid staff members, consisting of a chef, assistant cook, kitchenhand, service manager and 3 client assistance officers. All these staff members are part time. Meals on Wheels also has a dedicated group of volunteers who help prepare meals in the kitchen and deliver them to clients. It is partially funded by the Federal Government; however, this partial funding does not cover nor is it intended to cover the cost of preparing and delivering meals. These costs are borne by Meals on Wheels.
- 5.3. Meals on Wheels delivers meals to a wide variety of members in the community, ranging from elderly people in the area, individuals released from hospital and recovering from surgery, people who are suffering from dementia to those who do not have re-heating facilities available in their homes.
- 5.4. There are also various groups who have expressed their interest in Meals on Wheels submitting a tender to supply meals. These groups currently purchase their meals from commercial catering suppliers and are spread across Sydney metropolitan areas. To date, Meals on Wheels have been unable to submit a tender as they do not have the funds to purchase the necessary vehicle capable of supplying meals in quantity and over a considerable distance. At the moment, it is too difficult for Meals on Wheels to deliver bulk meals in their current refrigerated delivery bags and using a small Toyota or Hyundai vehicle nor does it meet the strict NSW Food Safety Guidelines.

Description of items to be acquired

- 5.5. Meals on Wheels will use the positive contribution amount to acquire a new refrigerated vehicle to enable them to deliver meals to those requiring the delivery of warm meals daily. It will also be in a position to deliver meals to other services in the area who do not have a production kitchen. The new vehicle will also enable them to provide meals to aged care facilities in the area.

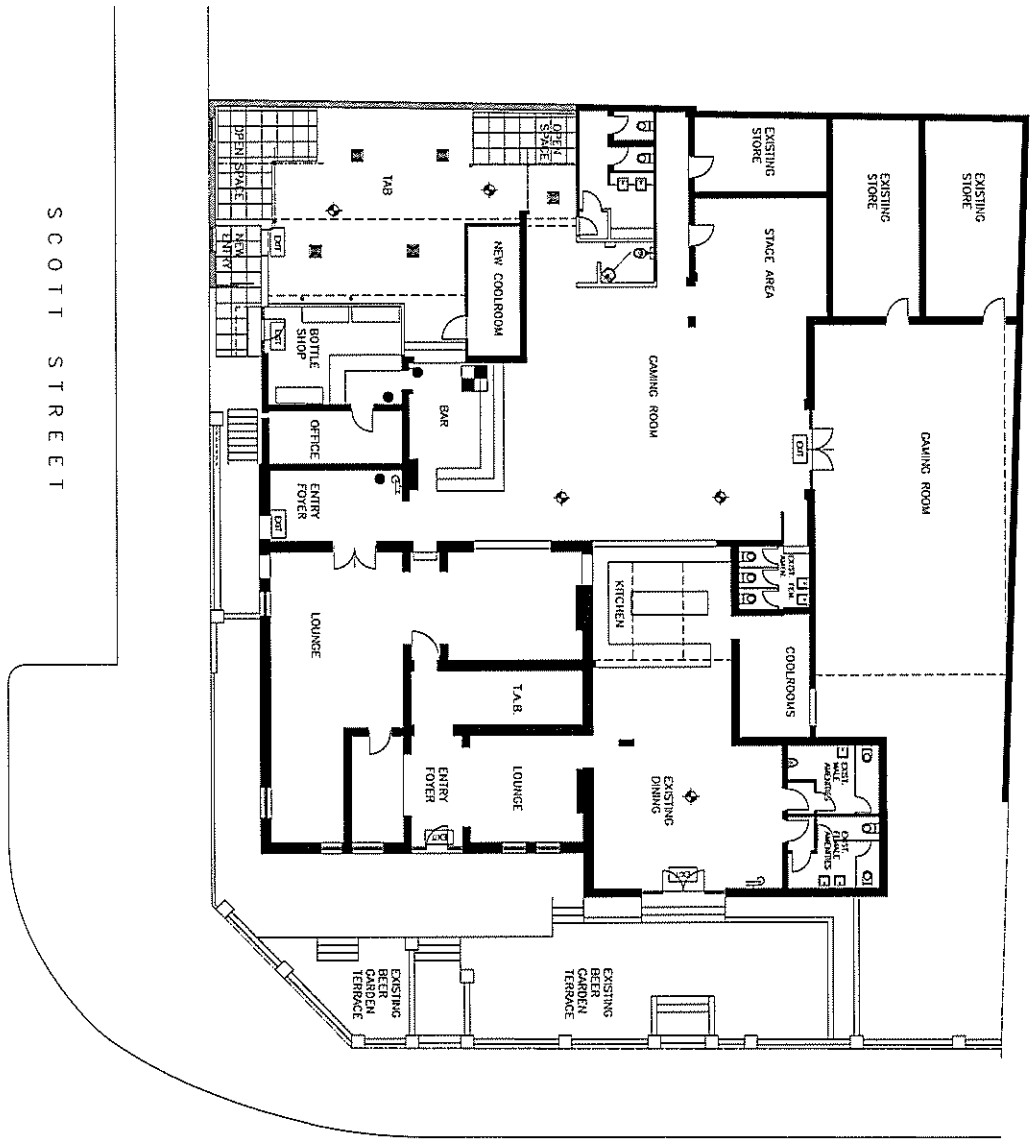
Benefit to the Local Community

- 5.6. It is evident from the above that there are a large number of residents in Liverpool City Council LGA who may potentially benefit from the proposed donation.
- 5.7. **Attached** and marked “**B**” is a copy of a letter from City of Liverpool Meals on Wheels expressing their interest in the positive contribution, setting out details of what the contribution will be put towards and also setting out details of a recent advertisement they received to submit a tender but were unable to do so. Meals on Wheels believe they would have been able to apply for this tender if they had the necessary refrigerated vehicle at their disposal.

6. CONCLUSION

- 6.1. This LIA, pursuant to *Section 37 of the Gaming Machines Amendment Regulation 2009*, defines the Applicant’s Local Community, details the positive contributions that the Applicant will provide to the Local Community if the Threshold Increase Application is approved, and details the harm minimisation and responsible gambling measures that are in place at the Venue.
- 6.2. The Applicant operates gaming at the Venue in compliance with mandated Legislative requirements and operates a best-practice style of interventions and procedures. The Applicant enforces this strict approach by implementing the GameCare AHA self-exclusion program.
- 6.3. The positive contribution put forward in this LIA will not occur without the approval of the Threshold Increase Application. That positive contribution of \$70,000 donation to Liverpool Meals on Wheels will go towards the purchase of a new refrigerated vehicle.
- 6.4. It is therefore submitted that the test as set out in the Guideline and Legislation are met and the Applicant submits that the Threshold Increase Application should be approved.

ATTACHMENT 'A'



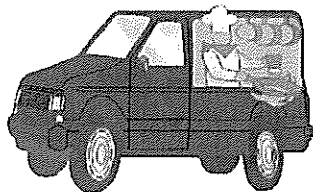
01 PLAN
GROUND FLOOR PLAN 1:100

Scale: As Shown
 Date: 21/11/17
 Project No: 17/201
 Client: NDA
 Architect: NDA
 Engineer: NDA
 Designer: NDA
 Checker: NDA
 Approver: NDA
 Title: GROUND FLOOR PLAN



Project: NEW EDINBURGH HOTEL
 Location: DUNDEE STREET
 Scale: 1:100
 Date: 21/11/17
 Project No: 17/201
 Client: NDA
 Architect: NDA
 Engineer: NDA
 Designer: NDA
 Checker: NDA
 Approver: NDA
 Title: GROUND FLOOR PLAN

ATTACHMENT 'B'



City of Liverpool Meals on Wheels Inc

Woodward Park, 92 Memorial Ave, Liverpool 2170

Postal Address: PO Box 637 Liverpool NSW BC 1871. ABN: 58 159 158 265

Phone: (02) 9601 3728/Fax: (02) 9734 6529

Email: livmow@ihug.com.au

Website: www.liverpoolmealsonwheels.com.au

5th December 2017

Karen Lennox
Hatzis Cusack Lawyers
Level 9, 68 Pitt Street
SYDNEY NSW 2000
GPO Box 3743 SYDNEY NSW 2001

The New Commercial Hotel - Application for a Gaming Machine Threshold Increase

Dear Karen,

Thank you so much for your letter inviting us to be a recipient of your client's donation if they are successful in their application for an increase to their gaming license threshold. This is such a wonderful gesture and would be an enormous boost to our plans for maintaining and expanding our service. To say it is a timely offer would be an understatement.

Perhaps a little background information to our service would be helpful for you and your client so I will endeavour to accomplish this in as succinct a manner as possible.

In New South Wales, Meals on Wheels started in March 1957 by the Sydney City Council. The service spread to other areas and today there are approximately 325 groups which are known as Meals on Wheels or Food Service in NSW. Over the course of a year, approximately 14 million meals are delivered by more than 100,000 volunteers to about 60,000 recipients Australia wide. About 4.5 million of these are in NSW, where 35,000 volunteers are active.

It has been estimated by the Federal Government that Meals on Wheels assistance in helping the elderly to stay in their own homes contributes a cost saving to the Government of \$1000 per day in hospitalisation costs.

Liverpool Meals on Wheels began in 1964 when an Alderman of Liverpool Council Mr Gus Wych, his wife Judy and a friend Flo Hanna recognised the plight of elderly residents living alone and often isolated. In those days Liverpool was very much a farming area with homes spread a good distance apart having limited public transport and general facilities. Gus, Judy and Flo began cooking in Judy's kitchen and delivering meals wrapped in blankets in order to keep them warm.

As the service to clients grew the preparation was moved to the hall of St Luke's Anglican Church as it had a larger kitchen and a larger work space and obviously more parking for the increased number of volunteers to come and park their cars.

By 1977 members of the Meals on Wheels Management Committee began to lobby the Council for dedicated premises, this resulted in an allocation of \$120,000 to erect a building on our current site. This was expanded in 1993 and ultimately became the building from which we now operate. It is from this building that all our meals are cooked and delivered as we have a fully operational production kitchen. Many other services are no longer able to maintain a kitchen due to rising costs and limited support.

Initially the service began with 1 client, an elderly widow, we have now grown to provide nutritious meals to an average of 120 regular clients each week. We expect this number to slowly increase as the NDIS rollout becomes available to more people and they become aware that they may now use our service to provide their meals. This was not previously an option for many disabled people. We also provide meals for Centre Based Groups, this is where another organisation, such as a church group will bring elderly or disabled people to a "Centre" such as a community centre of church hall and we deliver hot or cold meals for the group as they require.

Currently we deliver meals on a casual basis to people who have been released from hospital and not well enough to cook for themselves or who had surgery and require specially prepared meals such as pureed or minced (for example after cancer operations or therapy). As we have a production kitchen unlike other services we are also able to deliver **HOT** meals ready for immediate consumption for those who are sufferers of dementia or who have no reheating facilities.

Now, as mentioned to you in my previous email we are partially funded by the Federal Government. We do receive grant funding and this is to provide financial assistance in the administration of the service. It does not cover nor is it intended to cover the actual cost of preparing and delivering meals. These costs must be borne by us. We currently employ 7 paid staff, a Chef, Assistant Cook, Kitchen Hand, Service Manager and 3 Client Assistant Officers. All staff are part time. We have a dedicated group of volunteers who help prepare meals in the kitchen and deliver them to our clients. We also have a dedicated Volunteer Management Committee who oversight the operation.

The motto of Meals on Wheels is "More than just a meal" and these are very true words. Our volunteers delivering meals are often the only person a client will see from one day to the next and I can categorically state that on many occasions their visits have proved to be life saving. Only last week a volunteer delivering a meal could hear an elderly client calling from inside her home. The police were called and broke into the home and found the client on the floor. The woman who is in her 90's had fallen and was unable to get up. She was hospitalised and her relatives contacted, who as you may imagine were extremely grateful to our service. Her son rang later to advise that his mother would now be going into assisted care, but had we not been there it would definitely not had the satisfactory conclusion that it did.

Also, as mentioned to you in our previous correspondence was the Federal Government's request that all funded or partially funded "Not-for-Profit" organisations must work towards becoming more self sufficient and recoup 15% annually of their allocated grant funding. This in effect means we as an organisation must become innovative and find ways of becoming more

financially self-sufficient without putting the cost on the client. the Federal government funding for all " Not for Profit "organisations is currently not timetabled to continue past 2020 (it may continue we do not know)so we are desperately trying our best to become more independent.

It is to this end that we wish to purchase a small new refrigerated vehicle so that we can deliver meals to services who no longer have a production kitchen or to aged care facilities that currently buy in their meals. Throughout all the NSW Meals on Wheels Services there are now only 20 with production kitchens. 156 purchase their meals through a commercial caterer. These 156 are part of our possible future client base.

We have had conversations with various groups who have intimated that they would be interested to receive a tender from us to supply some meals. These groups currently purchase their meals through commercial catering suppliers and are spread across metropolitan Sydney, areas such as Parramatta, Strathfield, Camden and the Sutherland Shire. To date we have been unable to make a tender as we do not have the funds to purchase the necessary vehicle capable of supplying meals in quantity or over a considerable distance. As you may imagine trying to deliver bulk meals in our current refrigerated delivery bags from a small Toyota or Hyundai vehicle that many of our volunteers drive just does not work nor would it meet the strict NSW Food Safety Guidelines.

I have included a recent advertisement for a tender that we believe we would have been able to apply for if only we had the necessary refrigerated vehicle at our disposal,

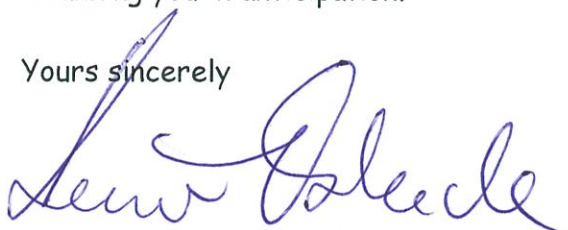
Title: Cook Chill Food Service for Garrawarra Centre Residential Aged Care Facility
Close Date
and time: 17th January 2018 2pm
Agency: Supply Chain Operations
Category: Packaged combination meals
Description: HealthShare NSW, on behalf of the South Eastern Sydney Local Health District seek tenders for the provision of Cook Chill Food Services for the Garrawarra Centre Residential Aged Care Facility.

this advertisement can be viewed at www.tenders.nsw.gov.au

I do hope this information is sufficient for your needs and also for your client to see that their donation to us would be very wisely used and be of benefit to a great many people in our local area.

Thanking you in anticipation.

Yours sincerely



Kerrie Oxlade (Mrs)
Honorary Secretary
City of Liverpool Meals on Wheels Service