

# Decision Notification

## Application Details

Application no.	81072
Licence No.	57200180
Premises Name	Murray Bridge & District Community Club
Premises Address	1 Murray Cod Drive MURRAY BRIDGE SA 5253
Licensee	Murray Bridge & District Community Club Inc
Application Type	Application to Increase the Number of Approved Gaming Machines

## Outcome

Decision	Granted
Effective Date	23 Nov 2021

## Number of Approved Gaming Machines

I grant the increase of gaming machines from 33 to 40.

## Reasons for Decision

The licensee has applied to the Liquor and Gambling Commissioner (the Commissioner) to increase the number of gaming machines authorised by their licence from 33 to 40.

Section 27AA(4) of the *Gaming Machines Act* (the “Act”) states that the Commissioner may, after receiving an application for variation of a gaming machine licence, determine that the application is to be a designated application for the purposes of section 17A of the Act. The Commissioner has had regard to that provision and has determined that this is a designated application.

A designated application may only be granted if the Commissioner is satisfied that it is in the community interest to do so. In determining this application under section 17A of the Act, I must have regard to:

- the harm that might be caused by gambling, whether to a community as a whole or a group within a community; and
- the cultural, recreational, employment or tourism impacts; and
- the social impact in, and the impact on the amenity of, the locality of the premises or proposed premises; and
- any other prescribed matter;

I must also apply the community impact assessment which states, “*The onus is on the applicant to satisfy the Commissioner that the grant of the application is in the community interest and to provide relevant evidence and submissions to discharge this onus.*”

As part of the application the applicant has provided a community impact submission. I will have regard to this submission, the application itself and supporting material in making my determination.

### Background

The licensee has held a gaming machines licence since 1994, and has over the years increased the number of machines from 20 to 30, and then to 33. It is now seeking an additional 7 machines.

Located on Sturt reserve adjacent to the Murray River and surrounded by parks and outdoor sporting facilities, the Club attracts visitors from local and surrounding communities as well as tourists to the area.

The club has over 1000 members, it provides meals, bar service as well facilities available to sporting clubs and community groups to host events or hold meetings.

### Harm

Whilst this application may be for a 'small' increase in machines to an existing licence, it is still important to consider the impact the increase is likely to have on the community. I note the club has not identified any particular 'at risk' groups, however it acknowledges that Murray Bridge has a culturally diverse population and that gambling can be a problem for any person regardless of race, background or socio-economic status.

I am advised that the club has over many years established and developed excellent relationships with the local council and community groups such as Aboriginal Family Support Services and Relationships Australia.

The licensee maintains that it takes its responsible gambling obligations very seriously to ensure its patrons are not harmed by their gambling. All staff have undertaken basic and advanced training in responsible gambling and therefore are appropriately trained to detect, monitor, approach and assist patrons who may be displaying signs of problem gambling.

The club also has a Responsible Gambling Agreement with Club Safe, which ensures that a Club Safe officer visits regularly to provide advice, assistance and education as well as regulatory updates. It is the licensee's view that its long term management experience, its compliance record together with the harm minimisation measures already in place means that an increase of 7 machines will not adversely affect its safe gaming environment.

### Cultural, recreational, employment or tourism impacts

The Club is looking to contribute to and benefit from nearby developments and the expected increase in tourism to the town. These developments include improvements to the reserve that the Club is situated in, the Rowing Centre complex and the old rowing club next door.

According to the licensee, the additional gaming machines will enhance the venue as a major entertainment precinct, together with the food and beverage offerings and community based events. The Club believes that this will attract visitors from the town, local region, the whole State and country to enjoy the Club's facilities.

The Club already provides much needed employment in the area with 22 regular part time and casual staff, however there is no indication whether the grant of this application will have an impact on the current employment figures.

### Social impact and impact on amenity

The licensee has stated that as this application is for a small increase in machine there will be no adverse impact on the amenity of the locality. The Club is working together with council to further improve the facilities in the area and anticipates that the upgrade to Sturt Reserve will create a tourist icon for the area. There are also plans to redevelop the old rowing club next door to create a riverfront dining area.

### Decision

This is an application to increase the number of gaming machines from 33 to 40 (the maximum number that may be approved by the Commissioner). Section 27AA(7) of the Act requires me to have regard to the matters set out in s15(5) (a) to the extent that they are relevant in determining an application for a variation to a gaming machine licence. I do not consider those provisions relevant to the application currently before me.

I must therefore consider whether the grant of this application is in the community interest, by taking into account the likely effect on the community and the likely effect on problem gambling within the local community. I am guided by following test applied by His Honour Gilchrist, J in *Australian Leisure and Hospitality Group Pty Ltd (Federal Hotel Motel) v Liquor and Gambling Commissioner* [2021] SALC 64 at para 43

*“The fact that the grant of an application such as this will result in some additional problem gambling, is not decisive. it is matter of degree. The test requires the decision maker to make an evaluative judgement as to whether in all the circumstances, the adverse effect is sufficient to conclude that it would be contrary to the public interest to permit the variation”*

I note the licensee is an experienced gaming machine operator, and has held this licence for over twenty years. The increase in number of machines is not significant, and the application has not attracted any objections.

I am satisfied that the licensee has appropriate measures in place to minimise the risk of problem gambling on the basis that all staff have undertaken relevant training and are prepared to approach and assist any patrons that may be displaying signs of problem gambling.

The Club is a significant part of the local community, offering more than just a gaming venue. The recent developments in the vicinity of the Club, together with proposed future improvements to the club’s facilities are expected to provide a much needed boost to tourism in the area, as well as a likely increase to employment opportunities for locals.

Whilst there is a risk that an increase in gaming machines will increase the number of problem gamblers in the local community, I am reassured by the applicant’s submissions, it’s past conduct as well the support of relevant stakeholders, that any impact will be minimal. On that basis, I am satisfied that the grant of this application is in the community interest.

Under Delegation from the Liquor and Gambling Commissioner



Vicki Brunello  
Hearings Delegate  
23 Nov 2021