

# NSW Independent Liquor & Gaming Authority

Our ref: DF25/068866

Mr Josh Ungaro  
HTA Legal

12 November 2025

Dear Mr Ungaro

Application No.	1-9531886652
Applicant	Donna Hamilton
Application for	Gaming machine threshold increase of 6 with Class 1 local impact assessment
Application date	18 July 2025
Decision date	15 October 2025
Licence name	Shoreline Tavern Harrington
Licence number	LIQH400112998
Trading hours	Monday to Saturday 05:00 AM – 03:00 AM Sunday 05:00 AM – 12:00 AM
Premises	Harrington Waters Estate Harrington Waters Lot 1 Harrington NSW 2427
Legislation	Sections 3 and 53 of the Liquor Act 2007 Section 34, 35, 36 and 37B of the Gaming Machines Act 2001

## Decision of the Independent Liquor & Gaming Authority Application for a Gaming Machine Threshold Increase and Class 1 Local Impact Assessment – Shoreline Tavern Harrington

We **approve** the application for a Gaming Machine Threshold (**GMT**) increase of 6 under section 34(4) of the *Gaming Machines Act 2001* (the **Act**) and the class 1 Local Impact Assessment (**LIA**) under section 36(3) of the Act – with the conditions set out in Schedule 1.

### Impact of *ILGA v Whitebull & Ors [2023] NSWCA 224*

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The court in *ILGA v Whitebull & Ors [2023] NSWCA 224* (the **Whitebull decision**) confirmed that the Authority may take into account harm minimisation considerations when making a decision under section 34 of the Act.

It also confirmed the Authority's power to impose conditions in relation to the operation of gaming machines under section 53 of the *Liquor Act 2007* (the **Liquor Act**).

The principles in the Whitebull decision underpin the Authority's decision making under section 34 of the GM Act.

## Statement of reasons

We are satisfied that:

- the GMT increase application and LIA comply with the requirements of Part 4 Division 1 of the Act and Part 3 Division 3 of the *Gaming Machines Regulation 2019* (the **Regulation**)
- the LIA has demonstrated that gambling activities in the relevant venue are likely to be conducted in a responsible manner
- the proposed increase in the gaming machine threshold for the relevant venue will provide a positive contribution towards the local community where the venue is situated
- the LIA has adequately addressed any community concerns arising out of the consultation process under the Regulation

### Our main findings

The local community for the purposes of this decision is the Statistical Area 2 (**SA2**) of Taree Surrounds. The broader community is the Local Government Area (**LGA**) of Mid-Coast.

The applicant is seeking a gaming machine threshold increase of 6 for Shoreline Tavern, Harrington.

The venue is to make a financial contribution of \$287,016 to the Responsible Gambling Fund over the next five years in five equal instalments of \$57,403, commencing within 28 days of the approval and then annually thereafter.

Factors which may suggest that the grant of the application 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 include:

- increase to the venue's gaming machine threshold – the applicant seeks to increase the venue's gaming machine threshold by 6, a 66% increase
- banding – the venue is in a Band 2 SA2
- post-midnight gaming – the venue has 12 hours of post-midnight gaming, although limited by an existing no gaming post 2am condition
- location factors – the SA2 has some location factors including higher rates of Aboriginal and Torres Strait Islander people and people with lower education levels which have been identified by research as risk factors for the local community
- gambling prevalence – the percentage of moderate and high-risk gamblers for the local health district is above the NSW rate
- gambling participation – gambling participation for gaming machines in the local health district is above the NSW rate.

However, the factors below weighed in favour of approval of the application, and may also partially or fully mitigate some of the risks identified above:

- gaming intensity – the average profit per gaming machine is on par with comparable venues and venues in its SA2 and is lower than the LGA
- post-midnight gaming – while the venue can operate gaming machines until 2am six nights a week, based on CMS trading data, it does not operate past midnight on any night of the week, and the applicant has no objection to a no gaming past 12am condition being imposed
- gambling participation – overall gambling participation is below the NSW rate
- gambling prevalence – due to the low sample size, gambling rates in the Mid North Coast local health district should be interpreted with caution
- responsible gambling officer – the venue is not required to have a responsible gambling officer, however the applicant has agreed to a responsible gambling officer condition being imposed on their licence
- the harm-minimisation measures outlined in the plan of management and licence conditions, as set out in Schedule 1.

### **The material we considered**

We considered the following material when making our decision:

- the application material – including evidence that stakeholders and the community were notified about the application
- the legislation
- the local impact assessment
- liquor licence document
- the Gaming Plan of Management
- conditions proposed by Liquor & Gaming NSW (**L&GNSW**) to be imposed on the liquor licence
- venue maps and images
- data provided by L&GNSW pertaining to:
  - location factors for the LGA and SA2 where the venue is located
  - gaming profits at the venue
  - gaming participation and prevalence in the local health district (**LHD**) compared to NSW
- L&GNSW compliance materials
- LIA calculation tool
- Daily Net Meter for destination venue
- stakeholder submissions and the applicant's response to them.

We also considered [Guideline 11](#) Class 1 Local Impact Assessment process guidelines.

This decision will be published in accordance with section 36C of the *Gaming and Liquor Administration Act 2007*.

### **Opportunity for review**

The applicant and anyone who was notified of the application and made a submission, may apply to [NCAT](#) for a review of the decision.

An application for review must be made no later than 28 days after the decision is published on the website. There is a fee to lodge the application.

For more information, please contact the NCAT Registry at Level 10 John Maddison Tower, 86-90 Goulburn Street Sydney or visit the NCAT website.

**If you have any questions**

Please contact Liquor & Gaming NSW at: [new.applications@liquorandgaming.nsw.gov.au](mailto:new.applications@liquorandgaming.nsw.gov.au) if you have any questions.

Yours sincerely



Caroline Lamb

**Chairperson**

**NSW Independent Liquor & Gaming Authority**

## Schedule 1: Licence conditions to be imposed - Shoreline Tavern Harrington

No.	Condition to be imposed	Description
1.	Financial community contribution	The venue is to make a financial contribution of \$287,016 to the Responsible Gambling Fund over the next five years in five equal instalments of \$57,403, commencing within 28 days of the approval and then annually thereafter.
2.	CCTV	<ol style="list-style-type: none"> <li>1. The licensee must maintain a closed-circuit television (CCTV) system on the premises in accordance with the following requirements: <ol style="list-style-type: none"> <li>a. the system must record continuously from opening time until one hour after the premises is required to close (or, in the case of a premises that is not required to cease trading, continuously at all times),</li> <li>b. recordings must be in digital format and at a minimum of ten (10) frames per second,</li> <li>c. any recorded image must specify the time and date of the recorded image,</li> <li>d. the system's cameras must cover the following areas: <ol style="list-style-type: none"> <li>i. all entry and exit points on the premises,</li> <li>ii. the footpath immediately adjacent to the premises, and</li> <li>iii. all publicly accessible areas (other than toilets) within the premises.</li> </ol> </li> </ol> </li> <li>2. The licensee must also: <ol style="list-style-type: none"> <li>a. keep all recordings made by the CCTV system for at least 30 days,</li> <li>b. ensure that the CCTV system is accessible at all times the system is required to operate pursuant to clause 1(a), by at least one person able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and</li> <li>c. provide any recordings made by the system to a police officer or Liquor and Gaming NSW inspector within 24 hours of any request by the police officer or Liquor and Gaming NSW inspector to provide such recordings.</li> </ol> </li> </ol>
3.	Late night gaming	Gaming machines are to cease operation by 12:00 AM.
4.	Responsible Gambling Officer	<ol style="list-style-type: none"> <li>1. The Licensee shall ensure that one Responsible Gambling Officer (Gambling Contact Officer), being a staff member who holds a current advanced RCG certificate, is on duty whenever gaming machines are operating.</li> <li>2. The Officer's duties are to: <ol style="list-style-type: none"> <li>a. maintain the gambling incident register</li> </ol> </li> </ol>

No.	Condition to be imposed	Description
		<ul style="list-style-type: none"> <li>b. make reasonable efforts to identify gaming machine players who or at risk of, or displaying behaviour related to gambling harm.</li> <li>c. make inquiries with a patron if the officer suspects the patron is, or is at risk of, experiencing gambling harm</li> <li>d. notify senior management of serious instances of patrons who are experiencing gambling harm</li> <li>e. facilitate requests by patron for information about, or to participate in the venues self-exclusion scheme</li> <li>f. assist staff and management in ensuring the venue meets its harm minimisation obligations under the Act</li> <li>g. promote harm minimisation measures within the venue.</li> </ul> <p>3. The Officer may perform other duties:</p> <ul style="list-style-type: none"> <li>a. that do not prevent them from carrying out the duties above; or</li> <li>b. in an emergency situation.</li> </ul>