

NSW Independent Liquor & Gaming Authority

Our ref: DF25/062284

Mr Michael McCluskey
Pigott Stinson Lawyers

11 December 2025

Dear Mr McCluskey

Application No.	1-9509758432
Applicant	Dubbo Golf Club Ltd
Application for	Gaming Machine Threshold Increase with Class 1 Local Impact Assessment
Application date	19 June 2025
Decision date	19 November 2025
Licence name	Dubbo Golf Club Ltd
Licence No.	LIQC300237095
Trading hours	UNRESTRICTED
Gaming machine shutdown hours	Monday to Sunday 4:00 AM – 10:00 AM
Premises	Peak Hill Road Dubbo NSW 2830
Legislation	Sections 3, 34, 35, 36 and 37B of the <i>Gaming Machines Act 2001</i> Clauses 35, 37, 38 and 57 of the <i>Gaming Machines Regulation 2019</i> Section 53 of the <i>Liquor Act 2007</i>

Decision of the Independent Liquor & Gaming Authority Application for a Gaming Machine Threshold Increase and Class 1 Local Impact Assessment – Dubbo Golf Club Ltd

We first considered this application at the meeting of 17 September 2025 and, following consideration of further information, decided on 19 November 2025 to **approve** this application 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. Revoked conditions are set out in Schedule 2.

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

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 Act.

Statement of reasons

We are satisfied that:

- the gaming machine threshold (**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 Dubbo Statistical Areas Level 2 (**SA2**). The broader community is the Local Government Area (**LGA**) of Dubbo Regional.

The applicant is seeking to increase the GMT of 20 (from 20 to 40) for Dubbo Golf Club Ltd. The application is accompanied by a Class 1 LIA.

The application was deferred from the September meeting for the applicant to consider further upgrading their risk management strategies or limiting the increase.

The venue has proposed to make a financial contribution of \$551,891 to the Responsible Gambling Fund (**RGF**) over the next five years in five equal instalments of \$110,378 commencing within 28 days of the approval and then annually thereafter.

Social impacts

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:

- the venue seeks to increase its GMT by 20, doubling the current threshold
- the venue is in a Band 2 SA2
- the gaming intensity statistics indicate that the average profit per gaming machine at the venue is higher than comparable venues
- the venue has unrestricted trading, limited by the shutdown hours which allows for 28 hours of post-midnight gaming. 14 of those hours are in the high risk post-2am period

- in the SA2 there is a high rate of young people, people with lower levels of education, single people and Aboriginal and Torres Strait Islander people, which are groups known to be at higher risk of gaming related harm
- the gambling participation in the Local Health District (**LHD**) is above the NSW rate
- the LHD exhibits an above average rate of combined moderate and high-risk gambling compared to the NSW average.

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

- the gaming machines will cease operation by midnight
- the average profit per gaming machine at the venue is lower than the averages in the SA2 and LGA
- although the venue's licensed trading hours are unrestricted, based on CMS trading data, it does not operate past midnight on any night of the week
- the venue will be contributing to the RGF
- the venue is legislatively required to have 1 responsible gambling officer on duty whenever gaming machines are in operation
- 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
- licence documents
- the gaming plan of management
- conditions proposed by Liquor & Gaming NSW (L&GNSW) to be imposed on the liquor licence
- venue compliance history
- venue maps and images
- statistics from Liquor & Gaming NSW pertaining to:
 - location factors for 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 material
- stakeholder submissions and the applicant's response to them.

We also considered [Guideline 11](#) that sets out the requirements for the Local Impact Assessment and [Guideline 16](#) regarding applications involving late-night gaming.

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 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 if you have any questions.

Yours sincerely



Caroline Lamb

Chairperson

NSW Independent Liquor & Gaming Authority

Schedule 1: Licence conditions to be imposed - Dubbo Golf Club Ltd

No.	Condition to be imposed	Description
1.	Financial community contribution	The venue is to make a financial contribution of \$551,891 to the Responsible Gambling Fund over the next five years in five equal instalments of \$110,378 commencing within 28 days of the approval and then annually thereafter.
2.	Closed-circuit television system	<ol style="list-style-type: none"> 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"> 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), b. recordings must be in digital format and at a minimum of ten (10) frames per second, c. any recorded image must specify the time and date of the recorded image, d. the system's cameras must cover the following areas: <ol style="list-style-type: none"> i. all entry and exit points on the premises, ii. the footpath immediately adjacent to the premises, and iii. all publicly accessible areas (other than toilets) within the premises. 2. The licensee must also: <ol style="list-style-type: none"> a. keep all recordings made by the CCTV system for at least 30 days, 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 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.
3.	Late-night gaming	Gaming machines are to cease operation by 12:00 AM.

Schedule 2: Licence conditions to be revoked - Dubbo Golf Club Ltd

Condition to be revoked	Reason
<p>Condition 61010</p> <p>The venue is to make a financial contribution of \$50,616.8 to the Responsible Gambling Fund over the next five years in five equal instalments of \$10,123.37 commencing (within six months of grant) and then annually thereafter.</p> <p>Start date: 16/07/2020</p>	<p>The required payments have been made, the condition has been satisfied and can be revoked.</p>