



Victorian Commission for Gambling and Liquor Regulation

DECISION AND REASONS FOR DECISION

In the matter of an application under section 3.4.17(1)(b) of the *Gambling Regulation Act 2003* by Dandenong Club Inc for amendment of its venue operator's licence to vary the number of gaming machines at the approved premises, the Dandenong Club, 1579 Heatherton Road, Dandenong, Victoria, from ninety-four (94) to one hundred and three (103) gaming machines.

Commissioners: Miss Gail Owen, Deputy Chairman
Ms Kate Hamond, Commissioner

Appearances: Ms Nicola Collingwood as Counsel for the Applicant
(instructed by Bazzani Scully Priddle Lawyers)

Mr Cameron Warfe as Counsel Assisting the Commission

Date of Hearing: 14 August 2014

Date of Decision: 8 September 2014

Decision: That the application be granted.

Signed:

Miss Gail Owen
Deputy Chairman



REASONS FOR DECISION

INTRODUCTION

1. This is an application by Dandenong Club Inc (**the Applicant**) for amendment of its venue operator's licence to vary the number of electronic gaming machines (**EGMs**) operating at the Dandenong Club (**the Club**) located at 1579 Heatherton Road, Dandenong, from 94 to 103 EGMs.
2. The relevant municipal authority is the Greater Dandenong City Council (**the Council**). The Council did not support the application and lodged an economic and social impact statement with the Commission (a copy of which was provided to the Applicant) but did not appear at the hearing.

THE LEGISLATION AND THE TASK BEFORE THE COMMISSION

3. Determination of this application is governed by section 3.4.17(1)(b) of the *Gambling Regulation Act 2003* (**the Act**).
4. Gambling on EGMs is a legal recreational and commercial activity in Victoria so long as it is done in accordance with the Act. The Act recognises that, notwithstanding individual rights of self-determination, gaming on EGMs causes harm to some communities and some members of some communities.¹ For this reason the Act includes safeguards to ensure an appropriate balance is struck between a lawful and legitimate recreational activity for some and harm for others. In particular, the balance is maintained by requiring an applicant who wishes to increase the number of EGMs at a venue to satisfy the Commission of the "no net detriment test" and the other matters set out in section 3.4.20(1) of the Act.²
5. The no net detriment test requires the Commission to weigh the likely positive social and economic impacts of an application against the likely negative social and economic impacts. The test will be satisfied if, following the weighing of any likely impacts, the Commission is satisfied that the net economic and social impacts of

¹ See s 1.1(2) of the Act.

² See *Romsey Hotel Pty Ltd v Victorian Commission for Gambling Regulation* [2009] VCAT 2275, [247] (Bell J).



approval on the well-being of the relevant community will be either neutral or positive.³

6. The Commission has a discretion to grant or refuse an application subject only to the condition stipulated in the Act that requires that the Commission not grant an application unless it is satisfied that the net economic and social impact of approval is not detrimental to the wellbeing of the municipality in which the premises are located.

THE CITY OF GREATER DANDENONG

7. The City of Greater Dandenong (**Greater Dandenong**) is a metropolitan Local Government Area (**LGA**) located approximately 30 kilometres south-east of Melbourne and includes the suburbs of Dandenong, Springvale and Noble Park. In terms of social and economic disadvantage, Greater Dandenong is characterised by high levels of disadvantage, above average unemployment and below average household income.
8. Greater Dandenong is comprised of two Statistical Local Areas (**SLA**), Dandenong and Balance. The Club is located in the north east corner of Greater Dandenong within the Dandenong SLA, approximately 2km north of the Dandenong central business area.
9. The Dandenong SLA is ranked 4th of the 79 metropolitan SLAs on the SEIFA scale of disadvantage,⁴ indicating a very high level of disadvantage. Notably, 71.8% of Statistical Area Level 1 (**SA1**) within a 2.5km radius of the Club is in the first quintile of disadvantage (relative to all Victorian SA1s) and a further 17.1% is in the second quintile of disadvantage, which suggests that a large portion of residents living within 2.5km of the Club are likely to be significantly disadvantaged. The Commission notes there are five other gaming venues operating within this radius of the Club.
10. Greater Dandenong is subject to a regional cap of 989 EGMs.⁵ Currently there are fifteen gaming venues in Greater Dandenong with approvals to operate a total of

³ *Macedon Ranges Shire Council v Romsey Hotel Pty Ltd* (2008) 19 VR 422, 435 (**Romsey**).

⁴ Socio-Economic Indexes for Areas (**SEIFA**) is a product developed by the ABS to assist in the assessment of the welfare of Australian communities. SEIFA allows the ranking of regions/areas, providing a method of determining the level of relative social and economic well-being in each region. The SEIFA scale of disadvantage ranks municipalities from least disadvantaged to most disadvantaged on a relative basis.

⁵ Pursuant to s 3.4A.5(3A)(b) of the Act, the Commission determined, in accordance with the criteria specified in the Minister for Gaming's Order on 15 August 2012, the maximum permissible number of gaming machine entitlements under which gaming may be conducted in each region.



978 EGMs.⁶ Greater Dandenong is characterised by above average gaming statistics, with:

- a) a density of 8.34 EGMs per 1,000 adults (49.5% greater than the metropolitan average and 43% greater than the State average);
 - b) expenditure for the 2013-14 financial year of \$110.1 million; and
 - c) annual expenditure per adult of \$984 (71.4% greater than the metropolitan average and 81% greater than the State average).
11. Despite Greater Dandenong's above average gaming statistics, expenditure in the municipality is declining and has decreased by 20.4% in real terms (indexed to CPI) over the last five years. Declining expenditure is common in metropolitan municipalities, and it is noted that expenditure in Greater Dandenong is declining at a similar rate to the metropolitan average (19.2%).

THE DANDENONG CLUB

12. The Club was established in 1955 and has been operating at its current location since 1987. The Club offers a range of sporting and social facilities targeted at patrons aged 40 and over. At the time of the application, the Club had approximately 3,400 full members and 5,100 social members.
13. The Club incorporates a number of sporting and social 'sub-clubs', such as lawn bowls, golf, fishing, darts, snooker and billiards, a food and wine club and an over 60s club. The Club comprises a café, restaurant/bistro, members' bar, sports bar and wagering, two function rooms, and a gaming room. The gaming room currently accommodates 94 EGMs and has sufficient room for an additional 9 EGMs.
14. In 2011, the then Victorian Commission for Gambling Regulation approved an application to increase the number of EGMs operating at the Club from 86 to 94 EGMs (**the 2011 application**).⁷ At the hearing of the 2011 application the Applicant indicated that the increase in gaming revenue was necessary to allow the Club to purchase the freehold title to the land it currently leases and undertake refurbishment of the facilities at the Club. The Applicant also committed to increase its cash community contributions by \$15,000 per annum.

⁶ This includes the recent approvals for EGM increases at the Noble Park RSL (from 30 to 35) and the Albion Hotel (from 24 to 30).

⁷ *In the matter of the Dandenong Club*, Victorian Commission for Gambling Regulation, 8 November 2011.



THE MATERIAL BEFORE THE COMMISSION

15. The Applicant filed the following documents in support of its application:
 - a) a Social and Economic Impact Assessment, prepared by Mr Rhys Quick of Urbis Pty Ltd, dated May 2014;
 - b) an Expenditure Report, prepared by Mr Richard Whitehouse of PVS Australia Pty Ltd, dated 12 May 2014;
 - c) a Witness Statement of Daniel Rafik Martin, General Manager of the Club, dated May 2014;
 - d) a Witness Statement of Philip Anthony Reynolds, Gaming Manager of the Club, dated May 2014; and
 - e) a Witness Statement of Leigh James Barrett, Consultant, dated 8 April 2014.
16. The Commission also had before it:
 - a) the economic and social impact statement lodged by the Council; and
 - b) a statistical report titled Economic and Social Impact Report (**the Commission Report**) dated August 2014 and a pre-hearing inspection and compliance report, both of which were prepared by Commission officers.

Expenditure Assessment – PVS Australia Pty Ltd

17. The Applicant engaged PVS Australia Pty Ltd to provide an estimate of the expenditure that would be generated by an additional 9 EGMs at the Club. Mr Richard Whitehouse, Director of PVS Australia, gave evidence at the hearing of the application based on the outputs of the Geotech Model.
18. Mr Whitehouse estimated that:
 - a) an additional 9 EGMS at the Club would result in increased expenditure of \$630,401 per annum;
 - b) of this expenditure, approximately 76.2% would be transferred from other venues in the Club's trade area (which covers both Greater Dandenong and the neighbouring LGAs of Knox and Casey); and



- c) after taking into account new expenditure and expenditure transferred from gaming venues within Greater Dandenong, expenditure in Greater Dandenong would rise by \$346,710 for the first 12 months of operation (an increase of about 0.32% of the total gaming expenditure within Greater Dandenong in 2012/2013).
19. Mr Whitehouse indicated that reliance could be placed on the above estimates on the basis of the accuracy of the model's results in general, as well as the accuracy of the predictions made for the 2011 application.
20. The Commission sought clarification from Mr Whitehouse on the accuracy of his prediction of an annual increase of \$549,515 for the 2011 application compared with the Club's actual gaming revenue increase of approximately \$12,000 following the introduction of eight EGMs in June 2012. Mr Whitehouse explained that the predicted increase in gaming revenue was based on the difference between the Club's overall anticipated annual gaming revenue if the proposed EGMs were not introduced, and the Club's overall anticipated annual gaming revenue if the proposed EGMs were introduced. Given the general decline in gaming revenue across the State of approximately 6%, the introduction of 8 EGMs the subject of the 2011 application resulted in the Club's gaming revenue remaining relatively constant, rather than increasing in any substantial amount. He concluded that he expected a similar result on the introduction of 9 EGMs the subject of this application.
21. The Commission also sought clarification with regard to the estimated transferred expenditure rate of 76.2%. Mr Whitehouse confirmed that the major factor in the calculation of the transfer rate was the increased attractiveness of the Club with the introduction of the additional EGMs, and that the transfer rate was consistent with his prediction in the 2011 application.

Social and Economic Impact Statement – Urbis Pty Ltd

22. The Applicant engaged Urbis to prepare a social and economic impact statement in support of its application. Mr Rhys Quick, Director of Economics and Market Research at Urbis, gave evidence at the hearing of the application.



23. Based on a gaming room patron count conducted by the Applicant, Mr Quick concluded that there were only limited times during weekend periods when the gaming room reached peak utilisation of 70%.
24. Mr Quick relied on patron surveys conducted in the bistro and the gaming room at the Club to identify patron origins and noted that while the bistro patronage is approximately 35% from Greater Dandenong, 29% from Casey and 36% from other LGAs, only 17% of patrons to the gaming room were from Greater Dandenong. This demonstrates that a majority of gaming patrons visit from outside the immediate area, predominately from suburbs to the north (Endeavour Hills and Rowville) and the south-east (Narre Warren, Berwick, Cranbourne and Pakenham).
25. Mr Quick acknowledged that the immediate surrounding area of the Club exhibited a significant level of disadvantage and was categorised by lower than average incomes, higher unemployment and a much higher proportion of overseas born residents.
26. Despite this, Mr Quick noted that the actual trade area of the Club displays significantly less disadvantage than is present within Greater Dandenong. By way of example, Mr Quick highlighted that, while 76% of SA1s in Greater Dandenong fall within the 1st and 2nd quintiles of disadvantage, only 38% of SA1s in the Club's total trade area fall within the same range.
27. In terms of EGM provision, Mr Quick noted that there are six venues (including the Club) with a total of 313 EGMs within the Dandenong SLA, with the other five venues all located in the Dandenong CBD. Mr Quick noted that although the number of EGMs per adult, and expenditure per adult was much higher than the metropolitan Victorian average, this application was unlikely to have a material impact, with total expenditure increasing by only 0.3%.
28. Mr Quick considered there would be minimal change to problem gambling if the application was approved based on the following facts:
 - a) the application was for an increase of less than 10% of current EGMs, which would only increase access during the limited times of peak utilisation experienced at the Club;
 - b) the Club is a destination venue, and the addition of extra EGMs would not induce "convenience" gaming;



- c) the grant of the application would result in a very small increase in new gaming expenditure in Greater Dandenong, with a majority of increased expenditure transferred from other local venues; and
 - d) the Club has successfully operated EGMs for some time and demonstrated its ability to monitor and manage problem gambling behaviour during this period.
29. Mr Quick concluded that the risk of increased problem gambling as a direct result of the application was likely to be very low.
30. Mr Quick provided the following summary of the identified economic and social benefits and impact risks with the application:
- a) economic benefits
 - new gaming expenditure attributed to responsible gaming play, representing the value of the social benefit derived
 - economic support to the bowling club and proposed redevelopment works costing approximately \$970,000, including a renovated members' bar and refurbished function room
 - ability to increase the cash community contributions by a further \$15,000 per annum
 - increased government revenue of approximately one third of anticipated new gaming expenditure
 - b) economic impact risks
 - new gaming expenditure attributed to and economic costs associated with problem gambling, however noting the minimal impact of the application on problem gambling given the small increase in EGMs in a venue and municipality already offering gaming
 - new expenditure being derived from other local businesses, however this is unlikely to affect those businesses' ability to trade or impact current staffing levels
 - diversion of trade from other gaming venues in Greater Dandenong



- c) social benefits
 - provision of improved facilities at the Club for its members and visitors
 - provision of longer term security for the Club through the purchase of the freehold title
 - increased availability and variety in EGMs for gaming patrons
- d) social impact risks
 - possible increase in problem gambling behaviour and associated social impacts, despite the risk of such impact being assessed as very low.

31. Based on his analysis of the social and economic profile of the municipality and the anticipated benefits and detriments of the application, Mr Quick concluded that an additional 9 EGMs at the Club would result in no net detriment to the Greater Dandenong community.

Evidence from the Applicant – Daniel Martin

- 32. Mr Martin is the General Manager of the Club and has considerable experience working in club venues in Victoria that operate gaming machines. Mr Martin has held the position of General Manager of the Club since February 2008.
- 33. Mr Martin told the Commission that the Club offers a number of facilities, including a café, bistro, two function rooms, a wagering area, a sports bar, and the gaming room. The Club's patrons are mainly seniors, with a median membership age of 65.
- 34. Mr Martin gave evidence that the Club has recently entered into a short term arrangement with the co-located Dandenong Bowls Club to pay all of its operating costs. He estimated the operating costs at \$3,500 per month for maintenance of the bowling green, and an additional \$20,000 per annum for ongoing improvements to the facilities.
- 35. Mr Martin gave evidence that the Club made the 2011 application in order to purchase the freehold title of the premises and undertake refurbishment works to various areas of the Club. He also confirmed that the Club committed to increase its community contributions by \$15,000 per year if the 2011 application was successful.



36. Mr Martin confirmed that the Club had undertaken all proposed works as part of the 2011 application, as well as additional improvements (including resurfacing one of the bowling greens at a cost of \$22,000) and service upgrades (such as the purchase of a third courtesy bus at a cost of \$48,000). The total cost of the renovations and improvements was \$258,000.
37. In relation to community contributions, Mr Martin told the Commission that the Club had increased its cash community contributions by at least \$15,000. He stated that the current level of community contributions was approximately \$55,000 in cash contributions, with a further \$50,000 provided by way of in-kind contributions (such as gifts, vouchers and free room hire).
38. Mr Martin confirmed that the Club had yet to purchase the freehold title of the premises as it had been unable to acquire the necessary funds to secure the purchase. Mr Martin told the Commission that the Club was recently advised that:
 - a) the estimated value of the premises was between \$11,150,000 and \$11,900,000;
 - b) lenders usually require a deposit of 30% for commercial property purchases; and
 - c) the Club therefore needed cash reserves of between \$3,000,000 to \$3,500,000 to purchase the freehold.
39. Mr Martin told the Commission that the Club had accumulated approximately \$680,000 since the 2011 application and he believed that a more robust savings plan would enable the Club to seek to purchase the freehold title by 2017.
40. Mr Martin gave evidence that if this application was approved, it would not only put the Club in a position to save funds for the purchase of the premises, but the Club would also commit to:
 - a) additional renovations to the function room bar, kitchen and toilets in the amount of \$470,000, and to the members bar in the amount of \$500,000, to be completed by 31 December 2015; and
 - b) an increase to the Club's community contributions by a further \$15,000.



41. As the additional EGMs would need to be installed prior to the commencement of those renovations in order to generate sufficient revenue for those works, Mr Martin indicated that the Club would be willing to accept the imposition of conditions linking the increased EGMs to the successful completion of the proposed renovations and increase in community contributions. The Applicant provided a draft of suggested conditions.
42. Mr Martin told the Commission that the revenue from the additional EGMs was critical to funding the renovations and continued support to the bowling club, and that these operations would be unlikely to be maintained without the additional revenue.
43. In relation to the Club's RSG obligations, Mr Martin provided evidence that the Club operates under the CCAV code of conduct, has implemented the AHA self-exclusion program and undertakes regular staff training and gaming audits through Leigh Barrett and Associates. He also told the Commission that the Club is committed to the responsible service of alcohol, is an active member of the local Liquor Accord and has been involved with the Delgarno Institute, which aims to minimise harm to communities and families from alcohol and drug use.

Evidence from the Applicant – Philip Reynolds

44. Mr Reynolds is the Gaming Manager of the Club and gave evidence concerning the day-to-day operation of the gaming room at the Club.
45. Mr Reynolds gave evidence concerning his role at the Hotel which encompasses customer care and monitoring roles as well as ensuring the Club meets its RSG obligations. Mr Reynolds told the Commission that the Club operates under the AHA self-exclusion program, has a "very close working relationship" with Gambler's Help and he is in regular contact with the local Gambler's Help Southern officer.
46. Mr Reynolds gave evidence that, during peak times, patrons may not have immediate access to their desired EGM. Mr Reynolds stated that he has spoken with these patrons and has been told they often leave for other nearby venues if required to wait for extended periods.
47. Mr Reynolds told the Commission the Club has 172 individuals listed on its Self-Exclusion Program, and, on average, one self-excluded person will attempt to enter the gaming room every two weeks. In all instances, self-excluded people are



identified quickly and asked to leave the venue in a discrete and polite manner. Mr Reynolds also gave evidence of previous instances where he handled situations involving patrons or family members with concerns about their own or their family member's potential problem gambling.

Evidence of responsible gambling practices – Leigh Barrett

48. Mr Barrett gave evidence about the responsible gambling practices at the Club and the potential impact the application may have on problem gambling.
49. Mr Barrett gave evidence that he was first engaged by the Club to provide regulatory compliance services in January 2010. Since that time, he has assisted the Club develop the Dandenong Club Responsible Gambling Policies and Procedures Manual, conducted 3-monthly audits to ensure regulatory compliance and facilitated regular staff training and workshops. Mr Barrett gave evidence that he has not witnessed any non-compliance with the Club's RSG obligations and considers the Club has robust and effective procedures in place to deal with instances of problem gambling.
50. Mr Barrett told the Commission that, in his opinion, the Club's RSG policy exceeds minimum requirements, pointing to the requirement for staff to have RSG qualifications prior to commencing employment and the Club's regular consultation and staff training with Gambler's Help.
51. Mr Barrett gave evidence that he has recently recommended the Club install an opaque glass partition above the existing partition between the gaming room and the café to minimise the visibility of EGMs from the café. He told the Commission the Club had accepted this recommendation.

Evidence by the Council – Economic and Social Impact Submission

52. The Council filed an Economic and Social Impact Submission dated 24 July 2014 with the Commission.
53. The Council does not support the application on the basis that the anticipated social impact would be detrimental to the well-being of the community given the pre-existing level of social disadvantage in the community and the high EGM density in proximity to the Club.



54. Council's submission highlighted the high levels of unemployment (8.9%) and low median weekly incomes (\$395), and relatively unfavourable educational outcomes in Greater Dandenong. These characteristics are heightened when looking within 2.5km of the venue (12.9% and \$394 respectively). Given the high levels of unemployment and low income, the corresponding higher average gambling losses have a compounding effect as those affected have less ability to absorb such losses.
55. The Council noted the EGM density within Greater Dandenong was 8.5 EGMs per 1,000 adults, compared with the metropolitan average of 6.1 EGMs. Again, this figure increases to 9 EGMs per 1,000 adults when looking within 2.5km of the venue. Council was of the view that the addition of further EGMs to a locality of relatively high EGM density may subject many disadvantaged members of the local community to the prospect of increased gambling losses.

LIKELY ECONOMIC IMPACT OF APPROVAL

56. There is often a large degree of overlap between economic and social impacts of applications to operate EGMs.
57. The Commission accepts that approval of this application will result in an increase in gaming expenditure at the Club of approximately \$630,401 in the first 12 months of operation. The Commission also accepts that the majority of this expenditure will be transferred from other venues both within and outside of the municipality. The Commission considers that the predicted transfer percentage of 76.2% is not unreasonable in this case.
58. Accordingly, it can be expected that approximately \$150,284 of the predicted increase in expenditure at the Club will be new expenditure, and an overall increase of gaming expenditure in Greater Dandenong of approximately \$346,710. In the context of a municipality with a high gaming machine density and high levels of gaming expenditure, such an increase is relatively small. The Commission considers that this new expenditure is likely to include expenditure received from both responsible gaming (a benefit) and problem gaming (a disbenefit).
59. The Commission is satisfied that the estimated \$970,000 value of the refurbishment to the members' bar, function room and second bowling green represents a moderate economic benefit to the community.



60. In relation to community contributions provided by the Club, the Commission finds that the Club currently supports a range of sporting and community clubs, as well as organisations which provide direct assistance to disadvantaged people within the Dandenong region, and acknowledges the Applicant's commitment to further increase its cash community contributions by \$15,000 per year. The Commission considers the increased level of community contributions and its impact on local community organisations to be a small economic benefit.
61. The Commission finds that the Applicant's claim of an economic benefit through increased government revenue is minimal given the relatively low level of new expenditure expected to be generated and that any increase in government revenue will be split across all municipalities. As such, the Commission places little weight on this point.
62. In terms of the economic costs presented by the Applicant, the Commission considers the approval of the application is likely to result in a small loss of gaming revenue for a number of gaming venues, and a potential diversion of trade from other businesses in the area. However, the Commission notes that the predicted losses are essentially transfers without net cost and are minimal and therefore unlikely to impact the financial position of other gaming venues or local businesses.
63. The Commission accepts that Greater Dandenong is amongst the most disadvantaged municipalities in Victoria, with gaming statistics that are well above the metropolitan and State averages. While concerned about the highly disadvantaged nature of the area immediately surrounding the Club and the consequential impact of any increase to gambling expenditure on local residents, the Commission accepts that only a minority of Club patrons are from the local area, with a majority of patrons from areas of less disadvantage in the neighbouring municipalities of Knox and Casey. Accordingly, the Commission places less weight on the likely costs of this application relating to increased gambling expenditure attributable to problem gambling and the economic costs associated with problem gambling.
64. Overall, the Commission considers there would be a marginal economic benefit to the community if the application were to be approved.



LIKELY SOCIAL IMPACT OF APPROVAL

65. Wherever accessibility to EGMs is increased, there is always a risk of an increase in problem gambling, which leads to other costs such as lost productivity, increased health and social service requirements and other social costs. Accordingly, the Commission accepts that there is a potential for negative social cost of the application through possible increased problem gambling expenditure. However, for the reasons set out in paragraph 63 above, the Commission accepts the Applicant's evidence that the potential for increased problem gambling is low.
66. The Commission considered the Council's submission regarding the social disadvantage experienced in the immediately surrounding area and the potential impact of increased gambling on local residents. However, the Commission finds that the Council's submission was generic in nature and failed to provide a sufficient link between this application and the prevailing social conditions of the area. As such, the Commission gives little weight to Council's submissions in circumstances where it has accepted that a majority of the Club's patrons are from areas of less disadvantage, in particular, Knox and Casey.
67. The Commission is satisfied the potential for an increase in problem gambling is minimal. The Commission considers that the Applicant is an experienced venue operator with an appropriate attitude towards harm minimisation and RSG strategies. Further, the Commission was not presented with any evidence to demonstrate that the operation of this venue is conducive to problem gambling and has been given no reason to conclude that an additional 9 EGMs will dramatically change the nature of the Club or its approach to RSG.
68. The Commission finds that the proposed improvement to Club facilities (including the maintenance and upgrades to the bowling club facilities) will create a modest social benefit to the community through access to more modern and convenient facilities and enhancement of social interaction among the Club's target patronage.
69. The Commission finds that the increased number of EGMs at the Club will only marginally improve access to gaming facilities given the limited periods of peak utilisation currently experienced at the Club. Overall, the Commission considers this to be a negligible social benefit.



70. The Commission also considers that approval of this application will strengthen the long-term viability of the Club. While the level of this benefit is difficult to assess, there is clearly a social benefit to the community of having a community-based club with a diverse offering of services and strong community presence.
71. After considering the social benefits of the proposal against the detriments, the Commission considers that the likely social impact of the proposal will be marginally beneficial.

CONCLUSION

72. After considering all the evidence presented in this matter, the Commission is satisfied that there will be no net social or economic detriment to the immediately surrounding area or the wider community of Greater Dandenong. The application is therefore approved.
73. On the material that has been put before it, the Commission is satisfied of the other matters in section 3.4.20(1). The Commission is also satisfied that the Applicant understands and will continue to abide by its RSG obligations to take reasonable measures to prevent problem gambling.
74. The Commission recognises it has a duty to ensure that the Club redevelopment works and proposed community contributions, both major factors in the Commission's decision, proceed. However, given the Applicant successfully undertook the proposed actions in relation to the 2011 application, the Commission is satisfied that the Applicant will again proceed with the proposed actions without the need for conditions to be endorsed on the licence.

The preceding paragraphs are a true copy of the Reasons for Decision of Miss Gail Owen (Deputy Chairman) and Kate Hamond (Commissioner).