



# Victorian Commission for Gambling and Liquor Regulation

## DECISION

In the matter of an application under section 3.4.17(1)(b) of the *Gambling Regulation Act 2003* by Clifton Springs Golf Club Inc. to amend its venue operator's licence to vary the number of electronic gaming machines at the approved premises, the Clifton Springs Golf Club located at 92-94 Clearwater Drive, Clifton Springs (**the Approved Premises**) from forty (40) to fifty (50).

**Commission:**

Ms Deirdre O'Donnell, Deputy Chair  
Ms Danielle Huntersmith, Commissioner

**Appearances:**

Ms Sarah Porritt of Counsel, instructed by BSP Lawyers  
Mr Ian Munt of Counsel, instructed by the City of Greater Geelong  
Mr Lee Konstantinidis, Counsel Assisting the Commission

**Date of Hearing:**

6 and 7 April 2020

**Date of Decision:**

14 April 2020

**Decision:**

The application is granted subject to the conditions at Appendix A.

**Signed:**

A handwritten signature in black ink, appearing to read 'Deirdre O'Donnell'.

**Deirdre O'Donnell**

Deputy Chair



## **Appendix A**

Conditions of the Decision of the Commission dated 14 April 2020 to vary the number of electronic gaming machines (**EGMs**) permitted in the Approved Premises, the Clifton Springs Golf Club, located at 92-94 Clearwater Drive, Clifton Springs, from 40 to 50.

### **Conditions imposed under section 3.4.20(3) of the *Gambling Regulation Act 2003*.**

#### **1. The Works:**

- (a)** In accordance with section 3.4.20(3C) of the *Gambling Regulation Act 2003* (**GR Act**), the amendment the subject of this Decision does not take effect until the Works defined in clause 1(b) are completed to the satisfaction of the Victorian Commission for Gambling and Liquor Regulation (**the Commission**).
- (b)** For the purpose of clause 1(a), “the Works” comprise the works to the Approved Premises shown on the plans prepared by Scott Building Design (Proposed Pokie Room Layout) dated 7 October 2019 and which include:
  - i.** Closure of the foyer entry which currently provides direct access to the gaming room from the main (southern) entry point;
  - ii.** The creation of a manager’s office in place of the existing southern entry point to the gaming room;
  - iii.** The installation of a sliding door (with frosted glazing) and push button access along the eastern entry to the gaming room in lieu of the current opening door;
  - iv.** Closure of the carpark entry to the gaming room via the rear deck of the premises, adjacent to the gaming room;
  - v.** Relocating the sign-in area to be more prominent upon entry into the Approved Premises; and
  - vi.** Installation of visibility screens within the gaming room.
- (c)** In accordance with section 3.4.20(3) of the GR Act, the Remaining Works defined in clause 1(d) must be substantially completed in accordance with clause 1(d) to the satisfaction of the Commission by the date that is 24 months after the commencement of the operation of any of the additional ten (10) electronic gaming machines (**the Additional EGMs**) at the Approved Premises.
- (d)** For the purpose of clauses 1(c) – 1(g) the “Remaining Works” are the works to the



Approved Premises referred to in paragraphs 4.1.3, 4.1.4, 4.1.7 and 4.1.8 of the Social and Economic Impact Assessment prepared by Ratio Consultants dated November 2019, which relate to the expansion of the outdoor deck areas and kitchen refurbishment.

- (e) If the Remaining Works are not completed by the date that is 24 months after the commencement of the operation of any of the Additional EGMs at the Club, the operation of the Additional EGMs must cease immediately until the Commission is satisfied that the Remaining Works have been substantially completed.
- (f) The Commission may, on the request of the Venue Operator, agree to extend the time for completion of the Remaining Works. The request must be made no later than the date that is 21 months after the commencement of the operation of any of the Additional EGMs. Without limiting the matters that may be taken into consideration by the Commission in determining any extension of time, any request for an extension of time must include an explanation as to why the Remaining Works have not been completed.
- (g) If the Commission agrees to extend the time for completion of the Remaining Works in accordance with clause 1(f), the Commission may require that any of the Additional EGMs cease operation during the period of any extension of time granted by the Commission.

## 2. Community Contributions

- (a) The Venue Operator will make cash contributions to community groups referred to in clause 2(b), in addition to the Existing Contributions defined in clause 2(c), in the sum of \$10,000.00 (increased each year by the increase in CPI) (**the Additional Contributions**) for each year during which any of the Additional EGMs operate at the Approved Premises for as long as any of the Additional EGMs are in operation at the Approved Premises.
- (b) The Additional Contributions will be allocated each year to not-for-profit community groups and sporting organisations providing services and facilities to residents in the City of Greater Geelong.
- (c) The Venue Operator will continue to pay existing cash contributions to not-for-profit community and sporting groups in the City of Greater Geelong in an amount not less than \$4,127.27 per annum (**the Existing Contributions**), in addition to the Additional Contributions, for as long as any of the Additional EGMs are in operation at the Approved Premises.
- (d) If any part of the Existing Contributions or Additional Contributions remain unallocated at the end of each annual reporting period, the Venue Operator must



cease the operation of all Additional EGMs at the Approved Premises for as long as any part of the Existing Contributions or Additional Contributions remain unallocated.