



A/ Deputy Director-General (Operations)

Decision Notice

Matter:	Application for Increase in Gaming Machines
Premises:	Katherine Country Club Pearce Street Katherine NT 0850
Applicant:	Katherine Country Club Inc.
Dual Nominees:	Mr Frank Dalton and Ms Jennifer McCulley
Submissions:	Amity Community Services Incorporated
Legislation:	Section 41 <i>Gaming Machine Act</i>
Decision of:	A/Deputy Director-General (Operations)
Date of Decision:	23 August 2016

Background

1. On 10 May 2016, Mr Anthony Adams and Mr Bradley Goodings, Authorised Executive Officers of Katherine Country Club Inc ("the Applicant") applied for an increase in the number of gaming machines authorised for use at Katherine Country Club ("the premises") pursuant to section 41 of the *Gaming Machine Act* ("the Act").
2. Regulation 3(b) of the Gaming Machine Regulations ("the Regulations") sets the maximum number of gaming machines that may be authorised for Category 2 licensed premises under section 41 of the Act.
3. Regulation 2(2)(b) of the Regulations defines Category 2 licensed premises as premises for which a club liquor licence is in force at any particular time.
4. Under section 41(1) of the Act, a licensee may apply to have the number of gaming machines authorised for use under the license increased. The Director-General of Licensing ("Director-General") may grant or refuse such an application and in determining the application shall have regard to Part 3, Division 5 of the Act.
5. The Applicant is the holder of a licence issued under the *Liquor Act* endorsed AUTHORITY – CLUB (INCORPORATED) (number 81401075), which is defined under section 3 of the Act as a club liquor licence.
6. The Applicant currently holds Gaming Machine Licence No. GM119 and is seeking to increase the number of gaming machines from its current level of 35 to a proposed new number of 45 gaming machines.
7. The application was accompanied by the prescribed application fee for the ten additional gaming machines applied for. No levy was due as the Applicant is not exceeding the previous maximum limit of 45 machines.

8. The application was also accompanied by the required Community Impact Analysis ("CIA") prepared by DWS Hospitality Specialists.

Consideration and Reasons

9. When determining this application, the Director-General must have regard to relevant provisions of the Act and Regulations, including but not limited to the statutory objects of the Act which are:
 - (a) *to promote probity and integrity in gaming;*
 - (b) *to maintain the probity and integrity of persons engaged in gaming in the Territory;*
 - (c) *to promote fairness, integrity and efficiency in the operations of persons engaged in gaming in the Territory;*
 - (d) *to reduce any adverse social impact of gaming; and*
 - (e) *to promote a balanced contribution by the gaming industry to general community benefit and amenity.*
10. Additionally, pursuant to section 41(4) of the Act, the Director-General shall when determining an application for an increase in the number of gaming machines authorised for use, have regard to:
 - (a) *the increased number of gaming machines that the applicant seeks to have authorised for use under the gaming machine licence;*
 - (b) *if section 41A applies – the community impact analysis;*
 - (ba) *if section 41B applies – any submissions received under the section;*
 - (c) *the gross monthly profit of existing gaming machines operated on the premises;*
 - (d) *the hours and days when the premises are open for the sale of liquor;*
 - (e) *the size, layout and facilities of the premises together with any proposed modification or relocation of the gaming machine areas of the premises; and*
 - (f) *such other matters as the Director-General considers are relevant.*

Increased number of gaming machines

11. The Applicant seeks to increase the number of gaming machines from its current level of 35 to a proposed new number of 45 gaming machines, an increase of ten gaming machines. The current maximum allowable for this Applicant is 55 machines.
12. The Applicant currently holds Gaming Machine Licence No. GM119.
13. Regulation 3 of the Regulations sets the maximum number of gaming machines for a Category 2 licensed premise at 55. As the Applicant is the holder of a licence issued under the *Liquor Act* endorsed AUTHORITY – CLUB (INCORPORATED), which is defined under section 3 of the Act as a club liquor licence, the premises are considered to be a Category 21 licensed premise pursuant to 2(2)(b) of the Regulations.
14. As such, the Applicant is able to apply for an increase of 20 gaming machines and if granted, I am satisfied that the number of gaming machines on the premises would be within the statutory limit of 55 gaming machines.

Community Impact Analysis

15. Pursuant to section 41A(2) of the Act, the CIA must provide details pertaining to:
- (a) *the suitability of the premises to which the application relates having regard to the size, layout and facilities of the premises;*
 - (b) *the suitability of the premises to which the application relates having regard to the primary activity conducted at the premises;*
 - (c) *the suitability of the location to which the application relates having regard to the population of the local area, the proximity of the premises to other gaming venues and the proximity of the premises to sensitive areas such as schools, shopping centres, other community congregation facilities, welfare agencies, banks and pawn brokers;*
 - (d) *the appropriateness of problem gambling risk management and responsible gambling strategies;*
 - (e) *economic impact of the proposal including contribution to the community, employment creation and significance or reliance of the venue to or on tourism.*

Suitability of Premises – size, layout and facilities

16. Information contained within the CIA indicates that the current gaming area occupies 29% of the total floor space. The CIA states that these percentages of floor space utilisation will not change in the event this application is approved.

Suitability of Premises – primary activity

17. The CIA states that there is a mix of facilities at the venue including three bars, three restaurants and two function rooms. There is also a golf course, children's playground, bowling rink and other entertainment facilities. The premises also offers a TAB facility and KENO. An examination of the floor plan of the venue shows that that there is a large alfresco dining area as well as a band stage area outside on the grassed area of the premises.
18. The CIA provides information regarding the venue's financial performance. In 2012 the total revenue was \$4.6M with a net profit of \$1.05M. This has steadily risen in 2015 with total revenue in excess of \$5.96M returning \$1.32M. In the period of financial years 2012-15 the club has experienced 26% growth in total revenue representing a dollar value of \$1.3M. This period also observed a 42% growth in gaming revenue of \$0.9M with liquor sales growing at 21%. Total revenues across all streams have increased at the premises each year.
19. On the basis of the financial analysis provided, it is appears that gaming is a significant contributor to the venue's revenue. Since 2012 it has regularly contributed 40% of the overall revenue. This has however grown in 2014 and 2015 to 43% and 47% respectively. Whilst it cannot be said the primary activity of the premises is that of its gaming machines, they clearly play an important role in the operation and growth the club has experienced.

Suitability of Location - population of local area, proximity to other gaming venues and proximity to sensitive areas

20. The Local Community Area ("LCA") agreed to with Licensing NT for use in the development of a CIA for any venue in Katherine is the sole census SA2 of Katherine.

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21. Information obtained from the 2011 Census Data shows the LCA area has a population of about 9,549 with 6,834 being adults. This information is almost 5 years old but it can be reasonably considered that the LCA is an established area and that the total population and adult ratio would not alter significantly in the past 5 years. The LCA is more densely populated than the Katherine LGA with most people living within the Katherine LCA when compared with the Katherine LGA encompassing large portions of uninhabited land spread across the Census SA2 areas of Elsey, Gulf, and Victoria River with many parts of the KLGA being 100's of kilometres from the Katherine township.
22. The LCA has a wide spread of age demographics with a slightly higher proportion of residents aged 55-64 and 65 – 74 indicating the presence of an aging population. The LCA also shows a much lower proportion of residents aged 19 – 24 in comparison to other benchmarks, with typically the 19 – 24 age bracket more likely to frequent bars and taverns rather than a club. The profile of the LCA is more suited to a family oriented venue. The low proportion of 19 – 24 year old is positive from a harm minimisation perspective. Research conducted by the Victorian Responsible Gambling Foundation (2015) suggests that the 19 – 24 year old market is more likely than other age groups to develop problem gambling behaviours. That said, it is noted that 30% of the population is aged 1 – 18 year old and will be exposed to gambling machines in the future.
23. The LCA has a population density with 1.2 people per square kilometre, compared to the Darwin LGA of 651 and the NT which is 0.2. This is however vastly skewed due to the LCA covering an area of 7,444 square kilometres, much of which is uninhabited with most of the population residing in the Katherine township and nearby areas.
24. 24.2% of LCA's residents were identified as being Indigenous (Aboriginal and/or Torres Strait Islander) which is more than the Greater Darwin area LGA of 8.1 % and slightly lower than the Northern Territory wide figure of 25.7%. The Katherine LGA area however has a much higher percentage of 50.2% recorded. It must be noted that the LGA area covers a vast and expansive area of the NT with the indigenous population spread throughout.
25. The proportion of indigenous residents in the LCA is at an approximate same level as that of the NT. Research shows that the Indigenous population are more likely to be pathological gamblers compared to non-Indigenous people (refer The Productivity Commission Inquiry Report 2010). The LCA's slightly lower Indigenous profile could lower the risk associated with problem gambling in the catchment area but it is well noted that the indigenous population does move within the LGA for various family and cultural reasons and can also be affected by seasonal weather patterns.

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26. Statistical information obtained from this data shows that the LCA has a very low proportion of people with higher level qualifications such as bachelor degrees, graduate qualifications or post graduate degrees. People with postgraduate degree are recorded as 3%, Graduate Diploma and Graduate Certificate 3%, Bachelor Degree 16%, Advanced Diploma and Diploma 12%, Certificate 38% with the remaining 28% inadequately described or not stated. It is suggested that this lower level of education may be linked to the mining industry where a lower level of education is required with more emphasis on vehicle licence qualifications and WHS Certificates.
27. Weekly house hold incomes for the LCA is spread across 8 major income streams with 16% of the population recorded as "other" and not defined. Of the remaining seven income levels, they are recorded as follows; <\$300 6%, \$300 - \$600 10%, \$600 – \$999 12%, \$1,000 - \$1,499 14 %, \$1,500 – \$2,499 24%, \$2,500 - \$3,499 15% and \$3,500+ 4%. This income is attributed to the occupational profile and mining and agriculture industry nature of the LCA with individual incomes much higher than other areas. The LGA and NT Outback areas receive community support payments but this is not heavily apparent in the Katherine township. Over half of the Katherine residents earn \$800 - \$1,999 per week indicating high level of disposable income.
28. 11% of the LCA residents reported as being non-Australian, the majority of these being from Asia, the United Kingdom and New Zealand. However 10% of the population did not state their country of origin.
29. The Australian Bureau of Statistics' Socio-Economic Indexes for Areas ("SEIFA") is a product that enables the assessment of the welfare of Australian communities based on census data relating to household income, education, employment, occupation, housing and other indicators of advantage and disadvantage. The SEIFA analysis indicates that the LCA is an area of medium social advantage. The SA2 areas of Elsey, Victoria River and Daly all show a low social advantage decile.
30. There are a number of ways to view the scores from the SEIFA, with one being through the decile score system where a ranking is given from 1 to 10 with 1 indicating that an area is in the bottom 10% of areas or in other words, the most disadvantaged and 10 indicating that the area is in the top 10% of areas thus being the most advantaged.
31. The overall SEIFA score for the LCA was 944 below that of Greater Darwin which was 1,044, and below Litchfield LCA which was 1,032. The LCA score of 944 is higher than the Katherine LGA score of 752.
32. The area also has an unemployment rate of 2.6%, which is lower than the NT rate of 4.3%. The unemployment rate has fluctuated between 1.5% and 3.4% over the past few years. It is acknowledged that unemployment rates can vary over time due to a range of economic factors.

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33. Within the LCA there are three other gaming venues in the area, they being the Katherine Country Club, Stuart Hotel and the Katherine Club. It is noted that the Katherine Sports & Recreation Club has closed and those gaming machines disposed of. Some of these premises have or are in the process of applying for additional gaming machines. Whilst the Katherine Sports & Recreation Club was approved for 19 gaming machines, by the disposal of these machines, and proposed increases at other venues, the total number of gaming machines in the LCA is expected to see no change or a slight overall increase in the number of machines in the area.
34. It is evident that the accessibility to gaming machines by people residing in the LCA will remain approximately the same, albeit at different levels at the different venues, should this and other similar applications be approved. However, the SEIFA decile scores which identify that the LCA area is generally not regarded as an area of socio-economic deprivation also needs to be taken into consideration in determining whether an increase in accessibility to gaming machines within the LCA will lead to greater harm. It would appear that the profile of the majority of residents living in the LCA does not mirror the profile of those most at-risk of experiencing harm from gambling.
35. Another consideration to take into account is that whilst the gaming machine density may remain stable at the moment should this and other similar applications be approved, the patron source for this venue and others in this area is not restricted to just residents of the LCA. This venue is well patronised by local residents and visitors to the town however this is unlikely to with the increase of machines. Given there is no dining at the premises few tourists or the like attend the premises. Considerations around problem gambling risk management and responsible gambling strategies implemented by the venue must also be taken into account.
36. Pursuant to 41A(2)(c) of the Act, the CIA must provide details with respect to the proximity of the premises to sensitive areas such as schools, shopping centres, other community congregation facilities, welfare agencies, banks and pawn brokers. In this case, it is submitted by the CIA there are no sensitive sites in close proximity to the venue.
37. In the wider LCA there are a number of schools, churches, sporting venues, pawn brokers, shopping centres, community centres and there are two aged care facilities in the LCA. This is all typical of a regional town such as Katherine. There are two organisations within the LCA that specialise in gambling issues, they being Somerville Financial Counselling and Anglicare Financial Counselling.
38. It should be noted that the venue has existed on this 71 hectare site for many years without causing any apparent harm to the businesses or locality. The Stuart Highway is nearby and provides the main arterial link to Alice Springs and Darwin; however the club and parking areas are not within sight of the highway. A very short distance away is the intersection with the Victoria Highway which is the main arterial link to Western Australia via Kununurra. Both roads carry high levels of tourists, local and commercial traffic.

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39. The club is required to contribute gaming revenue back into the club to improve facilities and also to the wider community. With the increase of gaming contributions this will continue. The Applicant has undertaken significant improvements at the premises over the past several years.
40. The club made a total of \$276K in contributions in 2015 to the local community, being approximately 10% of their gaming revenue. In 2014 the club contributed \$2.4M to improvements of the golf course and bowling facilities representing 88% of revenues earned in that period. In total 20 organisations have received contributions from the club and have been detailed in the CIA.
41. The venue currently holds a gaming machine licence and on the basis of the information available above, I am satisfied that the venue's location continues to be suitable for the operation of gaming machines.

Appropriateness of problem gambling risk management and responsible gambling strategies

42. The CIA quotes the 2014 report 'Gambling Harm in the Northern Territory: An Atlas of Venue Catchments' which was a report prepared for the Community Benefit Committee through the Department of Business in May 2014, submits that 84% of residents within the Northern Territory present as non-problem gamblers, with the remaining being within the scale of risk.
43. Due to a low response rate of 58 from a catchment of 1290 respondents, the CIA states specific figures relating to this Applicant are not available. Whilst this does not assist in the assessment of the application, it is noted a number of previous CIA's submitted to the Director-General suggest a cautious approach be taken in relying on figures provided due to the low level of respondents.
44. The CIA also sets out the policy and procedures underpinning the responsible delivery of gaming services relevant to the venue. Harm minimisation strategies and measures including exclusion provisions, cash limits, restrictions on cheque chasing and the location of the automatic teller machine away from the gaming room are in existence in the premises. These are also requirements that must be met to ensure the premises comply with gaming machine audits conducted by Licensing NT officers.
45. Further information was sought from the Applicant in relation to this application and as a result, a copy of the venue's Responsible Gambling Incident Register was provided. There are two persons recorded as self-excluded (2013 and 2014) and whilst little incidents are experienced they are duly noted as required.
46. There are few entries and the lack of entries could raise concerns that incidents are not being properly recorded, alternatively it may simply be that there has been so few incidents to record. It is submitted the management of the business conducted under the Gaming Machine Licence and the manner in which the Applicant conducts and manages the overall business of the premises may cause there to be few, if any incidents or concern in relation to gaming on the premises.
47. The gaming area is under the constant video surveillance and regularly patrolled which affords a higher degree of oversight.
48. The policies in place at the venue at present are compliant with the *NT Code of Practice for Responsible Gambling (2016)* and there is no indication that an increase in the number of gaming machines at the venue would require any amendment or addition to those policies or existing procedures relating to the management and monitoring of gaming.

Economic impact - contribution to the community, employment creation and significance/reliance of the venue to or on tourism

49. The CIA states the venue currently employs 37 staff, all local residents with 14 permanent and 23 casual. It is anticipated the premises will continue to increase their staffing levels in accordance with the increase in revenues and patronage they have been experiencing each year.
50. The CIA reports 23 organisations were contacted to ascertain their views on the potential impact of the application within the LCA. Eight organisations responded and their responses are provided below.
51. Mr Green, Deputy Unit Officer, Northern Territory Emergency Services stated he did not support the application. It is his belief that not all current machines are occupied at all times and therefore additional machines are unnecessary. He believes there will be more choice however not necessarily more people or more money into the club where the additional machines will have no impact.
52. Father McGuinness of the Catholic Church considers the additional machines will have a negative impact within the community where he indicates there are already a number of existing machines in a small town; they do not need any more.
53. Ms Perkins, Director of Katherine East Child Care Centre believes additional gaming machines will have a negative impact upon the community. Ms Perkins submits extra machines will increase financial burden on families who already struggle with their finances which should otherwise be spent on groceries and their children.
54. Ms Hollier, Head Psychologist of Katherine Psychology and Wellbeing likewise submits additional gaming machines will have a negative impact within the community. Ms Hollier suggests the population and demographics of Katherine as a community problem gambling is existent; additional machines will have a negative impact on persons seeking support. Further, it is submitted there are extremely limited services in Katherine to manage problem gambling. This will result in further poverty, effecting families and children and additional machines will lead to addiction.
55. Ms Fauni, Integrated Services Manager of Rocky Ridge Aged Care Facility considers the additional machines will have a negative impact upon the community as there will be more people gambling "...instead of spending their money wisely" which will lead to addiction. Ms Fauni submits there are sufficient numbers of machines in the area presently.
56. Mr Graham, Principal of St Joseph's Catholic College believes additional gaming machines within the community will have a negative impact upon the community given the "...high dependency the community has on gambling". Mr Graham states additional machines will have a negative impact on disposable income, placing a further restriction on those who can't meet the necessary living requirements and those who lack budgetary skills.
57. Mr Fawkner, Principal Legal Officer of the Katherine Women's Information and Legal Service states the additional machines will have a negative impact on the community. It is submitted parents will spend uncontrollably at the expense of the welfare of children and families. This will negatively impact the financially vulnerable and disadvantaged population.
58. Ms Frean, Acting CEO of the YMCA Katherine acknowledges the recent closure of one premises and in the event these are approved there will be net impact on the community as the numbers will effectively stay similar.

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59. The community organisations that did not respond are listed in the CIA.
60. Whilst the concerns expressed by those organisations that did complete the Community Representative Feedback survey are noted and taken into account they cannot, in my view be afforded sufficient weight to persuade me to reject the application on these responses alone

Written submissions in response to the application

61. As required by section 41B of the Act, notification of the application was advertised in the Northern Territory News on 8 June 2016. Pursuant to the Act, a written submission may be made to the Director-General within 30 days of the notification.
62. No submissions were received as a result of the public advertising. Despite this the author is aware of a general submission that has been received from Amity Community Services Inc ("Amity"), for other applications.
63. That submission states that Amity has been working in the area of gambling for over two decades and their programs are underpinned by a public health model that considers the impact of gambling on the entire community and on all gamblers, not just 'problem gamblers'. The model also focuses on prevention, rather than treatment alone.
64. Amity works predominately in the areas of prevention of and intervention in problem gambling areas by providing extensive training, education, community liaison and health promotion in consultation with the gambling industry. Amity provides its services throughout the Northern Territory with the aim of implementing harm minimisation strategies for safer gambling.
65. As there was no specific submission in relation to this application by Amity, their opposition to increasing gaming machines can only be general in nature and afforded the appropriate weight in consideration of this matter. Amity has clearly expressed their view is, that an increase in gaming machines in the Northern Territory will have an overall negative effect on the health, social and economic welfare of at least a proportion of the overall population.
66. Amity submits that there is a plethora of problem gambling research that demonstrates the effects of problem gambling, including adverse effects on physical and mental health and wellbeing, financial stability, relationships, employment and legal issues. Amity submits that problem gambling has been linked to risk factors for family violence and elevated levels of suicide including an increase in accessing homelessness services in the Northern Territory.
67. Amity states that research further indicates that 27% of the adult population in the Northern Territory participate in the use of gaming machines and problem gamblers spend on average \$30 000 per annum. During 2012-13, Amity state that the average net loss by players in community venues (pubs & clubs) in the Northern Territory was \$141 per machine, per day equating to approximately \$50 000 per machine per year.
68. Amity also advise that as their primary focus is on service delivery, they do not have the resources to analyse client data specifically in relation to the venue and are therefore unable to comment on the number of individuals that have been counselled by Amity in relation to gambling related issues in the last 12 months.
69. Clearly Amity's comments are general in nature with respect to their concerns about gambling and its potential negative impacts on a wider community. Further, they have made no specific submissions in relation to this application or the premises. It may however be accepted Amity are unlikely to support any application for an increase in gaming machines, regardless of which venue may apply. I certainly acknowledge that Amity, like many organisations find allocating resources to submissions such as the one made, difficult however I am also mindful that in taking into account generalised statements in relation to the impact of gaming machines may also be considered by the Applicant as an unjust approach to the assessment of this application. As such, I note the generalised concerns

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raised by Amity however I am not of the view that these comments alone can be afforded sufficient weight to persuade me to reject the application before me.

Gross monthly profit of existing gaming machines operated on the premises

70. Statistical information held by Licensing NT indicates that for the majority of venues with gaming machines in the Northern Territory for the 2014/15 financial year, the average gross monthly profit is \$5,950 per machine. The Katherine Country Club records that the average gross monthly profit per machine is \$7,050, which is slightly under the Northern Territory average of \$6,467 per machine.
71. In the event this application is approved, the outer projections for 2016, the year in which the 10 additional gaming machines would be installed, is the cost to the Applicant of the additional machines will be approximately \$250,000.
72. The financial analysis provided with the CIA indicates the Applicant is in a strong financial position and is capable of financing the purchase of additional machines.

Hours and days when the premises are open for the sale of liquor

73. The trading hours for the premises are, Monday to Thursday, 10:00 to 23:59hrs, Friday to Sunday and public holidays 10:00 to 02:00 hrs the following day.

Size, layout and facilities of the premises

74. The premises advise there will be no additional expansion of the premises and that the facilities will stay as they are currently.
75. The Applicant advises that gaming area will continue to remain a discrete area within the venue and the focus of the venue will not change, that being sporting and dining facilities to members and visitors.

Other matters the Director-General considers relevant

76. The Gaming and Liquor Amendment Bill of 2015 amended the Act to effectively lift the previously imposed cap on authorisations of gaming machines in licensed hotels, taverns and clubs in the Northern Territory. As well as lifting the overall cap, the amendments also provided for an increase of the number of gaming machines for clubs with existing gaming machines from 45 to a maximum of 55 gaming machines. At the time of introducing the amendments, the Minister for Racing, Gaming and Licensing noted that the arbitrary Territory-wide cap was abolished in favour of a rigorous community impact assessment process for new applications and for applications seeking additional gaming machines.
77. Against that background the Applicant the subject of this decision has presented a well prepared application with strong supporting evidence indicating that this application meets the requirements of the Act in relation to an increase in the authorised number of gaming machines.
78. The comprehensive CIA prepared for the purpose of this application has been analysed in considerable detail and no issues arise which would preclude the approval of this application.

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79. The harms associated with gaming machines and problem gambling are well documented and well known within the general community. I am satisfied that the Applicant in this instance has in place policies and procedures that will have the effect of minimising the harms associated with gambling generally and the use of gaming machines specifically at the venue under consideration.
80. Whilst noting no specific objections were lodged Amity has submitted previously a well-researched and evidence based position paper. Amity clearly does not support any applications, suggesting the Northern Territory is not underserved with gaming machines at present and an increase in the number of gaming machines is a reflection of increasing gaming revenue which will, in Amity's submission, have an overall negative health, social and economic impact on the community and the Northern Territory as a whole.
81. The Applicant has evidenced their previous adherence to gaming laws and regulation, suggesting an adherence to the requirements.
82. There has been no adverse comments or reports received from Licensing NT departmental personnel in relation to the operation of these premises.

Decision

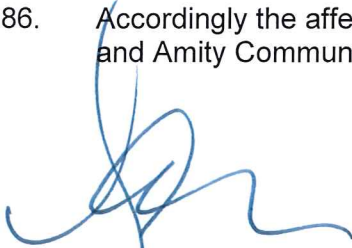
83. For the reasons set out above, and in accordance with section 41(3) of the Act I have determined to grant the application lodged by Katherine Country Club Inc and authorise the increase of the number of gaming machines located at the Katherine Country Club from the current limit of 35 gaming machines to 45 machines. This will not take the Applicant over the statutory limit of 55 machines for a club liquor licensee.
84. The additional approved ten gaming machines are required to be included in the schedule attached to the current licence in which each individual gaming machine is identified and authorised for use. The schedule will be updated upon submission by the Applicant of the details pertaining to the additional ten gaming machines.

Review of Decision

85. Section 8 of the *Licensing (Director-General) Act* prescribes a delegate decision is a decision, under any Act, of the Director-General that is made by a delegate of the Director-General. The Director-General delegated the determination of applications made under Section 41 of the *Gaming Machine Act* by instrument to the person from time to time holding, acting in or performing the duties of the position in the Department of Business specified in Schedule 2 of that instrument. This decision was made by a person referred to in that schedule. Section 10 of the *Licensing (Director-General) Act* provides that an affected person for a delegate decision may apply to the Director-General for a review of the decision. This application for review must be made within 28 days after written notice of the delegate decision is given to the affected person, or within any additional time that the Director-General allows. Section 9 of the *Licensing (Director-General) Act* prescribes an affected person for a delegate decision to be the applicant for the increase in gaming machines and a person who made a submission, complaint or objection (however described) during the process that resulted in the decision being made.

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86. Accordingly the affected persons in relation to this matter are Katherine Country Club Inc. and Amity Community Services Incorporated.



Mark Wood
A/Deputy Director-General (Operations)

23 August 2016