

GAMBLING DIVISION

PRE-HEARING SIZE, LAYOUT AND FACILITIES REPORT

DORSET GARDENS HOTEL

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Pre-hearing Size, Layout and Facilities Report

Report date: 08 December 2025

1	Trading name of premises:	Dorset Gardens Hotel
2	Location:	335 Dorset Road CROYDON VIC 3136
3	Venue Operators Licence: V06095993	DG HOTEL PTY LTD
4	Liquor Licence: 31916767	Applicant holds a General Licence
5	Applicant (Gaming):	DG HOTEL PTY LTD
6	Authorised Representative:	Joesph Scerri
7	Premises Approval Number: P98000009	Premises approval number P15001434 was issued on 16 June 1992 when gaming first commenced at premises
8	Monitor Licensee:	Intralot Gaming Services (IGS)

DORSET GARDENS HOTEL

History

The applicant, DG Hotel Pty Ltd, is applying for approval to amend its venue operator's licence (VOL) to vary the number of gaming machines operating at the Dorset Gardens Hotel, 335 Dorset Road, Croydon, from ninety-seven (97) to one hundred and five (105). Approval to operate an additional eight (8) gaming machines is sought.

A recent inspection of the Dorset Gardens Hotel was conducted by Inspectors on 12 November 2025, with NIL breaches identified.

Planning

When gaming machines were first installed in the Dorset Gardens Hotel in 1992, no planning permit was required to install gaming machines in a "restricted area" (as defined under the relevant gaming legislation) if that restricted area did not exceed 25% of the floor area where liquor might be consumed. Reference to the "restricted area" means the Gaming Machine Area (GMA) which is defined under the *Gambling Regulation Act 2003* (the Act), in relation to an approved venue, as an area in the approved venue that is approved by the Commission under Part 3 of Chapter 3 as an area in which a gaming machine is permitted to be installed.

On 18 October 2006, an amendment was passed for all Victorian planning schemes to remove the provisions in clause 52.28 that allowed gaming machines for up to 25% of a premises' floor space without a permit. Clause 52.28-2 now provides that a permit is required to install or use a gaming machine however does not apply when:

- Clause 52.28-3 or clause 52.28-4 specifically prohibit a gaming machine, or
- The gaming machine is in an approved venue under the Act on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

In 2011, a matter was heard in the Supreme Court of Victoria (McKinnon Hotels Pty Ltd v Glen Eira City Council), now commonly referred to as the McKinnon Hotel decision in relation to existing use rights. The Court determined that if a venue had gaming machines as at 18 October 2006 (the date that clause 52.28 was amended to remove the old 25% rule) and provided the gaming area remained the same size as it existed on 18 October 2006, a venue could increase the number of gaming machines in the existing gaming room, without the need for a planning permit to install those machines.

DORSET GARDENS HOTEL

The applicant has supplied written correspondence from Maroondah City Council which states “We agree that the proposal to increase the number of electronic gaming machines (EGMs) does not require a planning permit by reason of existing use rights that allowed for gaming machines in a restricted area provided it did not exceed 25% of the floor area where liquor may be consumed, as outlined in *McKinnon Hotels Pty Ltd v Glen Eira CC* (includes Summary) (Red Dot) [2011] VCAT 413 (17 March 2011).

Premises and Gaming Machine Area / Layout and Suitability

Currently, the premise incorporates dining facilities in a dedicated bistro area housing up to 350 patrons, a Sports Lounge with TAB facilities and a designated outdoor smoking area (DOSA) and the capacity for 650 patrons, a gaming machine area housing ninety-seven (97) gaming machines, function space with adjacent terrace, entertainment area, accommodation with 45 units and self-contained apartments, a drive-thru Thirst Camel bottle shop, associated back of house and office facilities and exceptionally large off-street parking.

The premise is located on Dorset Road, Croydon, in a general residential zone (GRZ 1).

If successful, the applicant intends to undertake works totalling approximately \$6.7 million, with all works estimated to be completed within 12-18 months of relevant approvals being granted.

The proposed works comprise:

- New café area to be placed at the entry to the bistro
- Revamped bistro, including modernising the interior and exterior and enhancing and relocating the children’s play area
- Upgrade to the foyer and external pick up/drop off area
- Improved accessibility through the disabled-only parking spots
- LED installations
- Installation of sound insulation

The applicant has provided indicative gaming machine area (GMA) and site plans with a layout of one hundred and five (105) gaming machines.

An assessment of the proposed plans and supporting reports provided indicates the following positive harm minimisation aspects:

- The gaming cashier and bar facilities are contained within the room housing the GMA, assisting the VOL to have a Responsible Gambling Officer available in the GMA at all times

DORSET GARDENS HOTEL

- there is an identified respite / lounge area within the GMA, where patrons would be able to take a break, however it is noted that it is located next to the exit point to the DOSA, which may not appeal to non-smokers and is still within proximity of the gaming machines that the patrons would be taking a break from. There are alternate respite areas in the adjacent Sports Lounge and Bistro areas.
- the DOSA attached to the GMA is enclosed on all sides and does not provide views from external to the premise into the GMA.
- the venue's current approved liquor licence allows for on-premises consumption up until 1:00 am at the latest and the applicant has indicated in its planning application to the Maroondah City Council that they do not intend to alter the conditions of their liquor licence. With the recent government-imposed changes to gaming operating hours, gaming will only be available for a maximum of 15 hours per day, three hours less than the possible maximum of 18 hours under the amended legislation (10:00 am to 04:00 am).

The following negative harm minimisation aspect was identified with the proposed plans:

- the applicant has not indicated on the indicative GMA plan the location of the cash redemption terminals (CRT) in use at the venue, which were located near to the entry to the current Sports bar side of the GMA and also near the bar located within the gaming room adjacent to EGM number thirty-eight (38) at the recent inspection visit to the Dorset Gardens Hotel on 12 November 2025.

Comment

Applications for new venues, variations to the licensed number of gaming machines and the relocation of GMAs are assessed by Gambling Division inspectors against standards and guidelines in relation to:

- the size, location and layout of the GMA
- type and height of perimeter barriers
- floor numbering and layout of gaming machines
- windows
- proximity of the GMA to other facilities within the venue (e.g., children's play areas), and
- any liquor or statutory authority conditions imposed.

DORSET GARDENS HOTEL

These criteria enable us to make informed assessments as to whether the size, layout and facilities of a venue will be suitable for the management and operation of gaming machines regarding the following sections of the Act:

Section 3.3.7

Matters to be considered when determining applications for the approval of premises for gaming.

Section 3.3.16

Modification of gaming machine areas.

Sections 3.4.17

Amendment of conditions - variation of the number of gaming machines permitted in an approved venue.

Section 3.4.18

Proposal of amendment by venue operator - request by a venue operator for an amendment of licence conditions.

If the concern raised regarding:

- the location of the Cash Redemption Terminals (CRT) facilities

are addressed, we consider that the size, layout and facilities of the approved venue, Dorset Gardens Hotel, will be suitable for the management and operation of one hundred and five (105) gaming machines.

Prepared by:

A handwritten signature in dark ink, appearing to read 'Meg Ryan', with a long, sweeping horizontal line extending to the right.

Meg Ryan
Senior Regulatory Officer
Gambling Division

Date: 08/12/2025

DORSET GARDENS HOTEL

Noted:

A handwritten signature in black ink that reads 'Angela Grozos'.

Angela Grozos
Director
Gambling Division

Date: 11/12/2025