



**Hobsons Bay**  
CITY COUNCIL

# Electronic Gaming Machines (EGMs) in Hobsons Bay

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**Background Paper**  
**January 2014**



## Acknowledgements

This paper was compiled by the Strategy and Advocacy Department in November 2013.

The Council acknowledges all language groups of the Kulin Nation as the traditional owners of these municipal lands. We recognise the first people's relationship to this land and offer our respect to their elders past and present.

The Council acknowledges the legal responsibility to comply with the Charter of Human Rights and Responsibilities Act 2006 and the Equal Opportunity Act 2010. The Charter of Human Rights and Responsibilities is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to 20 fundamental human rights under four key values that include freedom, respect, equality and dignity.

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# Executive Summary

Hobsons Bay City Council currently has an Electronic Gaming Machine (EMG) Policy Statement which has been in place since 2008. In order to reflect the changes that have taken place since its development and the current environment a review of the policy statement is required.

The purpose of this paper is to inform the development of an updated gambling policy statement for the Council. The paper includes:

- an outline of relevant trends and issues concerning the management of EGMs by local government in Victoria;
- a summary of key policies, directions and legislation relevant to EGMs;
- an overview of relevant data; and
- recommendations for a renewed gambling policy statement.

Local government has an important role to play in protecting communities from the risks and harms associated with EGMs. Since 2007, local governments in Victoria have been tasked with granting or rejecting planning permits for facilities wanting to operate EGMs in their municipalities.

With the support of the Planning and Environment Act 1987 and the Local Government Act 1989, local government has responsibility for assessing permit applications related to the building of facilities to house EGMs and their operation. Local government can also comment on the appropriateness of location of these facilities by assessing the social, economic, amenity and accumulative impacts within the community. In addition the Victorian Planning Provisions enable councils to identify shopping strips and centres where EGMs are prohibited.

Responsibility for the issuing of licences and other matters related to the management of

EGMs sit with the state Victorian Commission for Gambling and Liquor Regulation (VCGLR) which is also responsible for regulating the liquor industry. VCGLR can override local governments and their recommendations.

Due to local government's role in influencing the location of EGMs, it is important that councils have a well-developed understanding of the impacts of gaming machines and develop a clear strategic direction to manage these impacts. This should include the identification of areas in their municipality where the community is, or may be, negatively affected by the installation or the increased number of EGMs.

Hobsons Bay is a capped municipality, with a maximum limit of 579 EGMs. The VCGLR is the responsible authority for identifying which regions should be capped and the maximum limit of EGMs.

Despite the cap, Hobsons Bay has a ratio of 8.33 EGMs per 1000 adults which is well above the Victorian rate of 6.0. In addition, the venues in Hobsons Bay with the greatest losses tend to be located in or near socially and economically vulnerable communities. As a result, it is important that there are no further increases in the number of EGMs in these areas and preferably the number is reduced.

In 2009 the Victorian Government introduced the Gambling regulation Amendment (Licensing) Act 2009 which led to hotels and clubs bidding for 10 year EGM entitlements.

Under these relatively new arrangements it is still not clear how changes to the ownership of EGMs will affect the municipality, particularly the triggering of transfers of EGMs between venues and also the possible concentrations of EGMs in certain areas or venues.



# Contents

<b>Introduction .....</b>	<b>1</b>
<b>Background .....</b>	<b>3</b>
Impacts of Gambling and EGMs .....	3
Gambling Losses - Victoria .....	3
Gambling Losses - Hobsons Bay .....	3
The Cost of Problem Gambling .....	4
Factors Influencing Problem Gambling on EGMs .....	6
SEIFA Index of Disadvantage .....	6
Financial Disadvantage .....	6
Housing Stress .....	7
Impacts of Gambling on Health and Wellbeing .....	7
Vulnerable Groups .....	7
Planning Considerations for EGMs .....	9
Venue Location .....	9
Geographical Accessibility to EGMs, Catchment Areas and Density .....	9
Design and operation of EGMs and Venues .....	10
Alternative Entertainment .....	11
<b>Policy and Legislation .....</b>	<b>12</b>
Federal Government .....	12
Regulating Online Gambling .....	12
State Government .....	13
Gambling Regulation .....	13
The Planning and Environment Act (1987) .....	13
Regional EGM Caps .....	13
Community Support Fund and Benefit Statements .....	14
Recent Regulatory Changes .....	14
Local government policy options .....	16
Hobsons Bay City Council Gambling Policy .....	16
<b>Recommendations .....</b>	<b>18</b>
Improved Data .....	18
Identify the preferred locations for EGMs to operate .....	18
A Consistent Approach to the use of Council Owned Facilities .....	19
Strengthen Social and Economic Impact Assessments Requirements .....	19
Developing Cross Municipal relationships .....	20
Consulting with Key Stakeholders .....	20



Monitoring and management of Online Gambling .....	21
<b>Appendices .....</b>	<b>22</b>



# Introduction

**Local governments have a legislative requirement to protect and promote the health and wellbeing of communities. This includes protecting communities from the risks and harms associated with EGMs.**

Hobsons Bay City Council's current EGM Policy Statement has been in place since 2008 and in order to reflect the current environment a review of the policy statement is required.

The purpose of this paper is to inform the development of an updated gambling policy statement for the Council and provides:

- an outline of relevant trends and issues concerning the management of EGMs by local government in Victoria;
- a summary of key policies, directions and legislation relevant to EGMs;
- an overview of relevant data; and
- recommendations for a renewed gambling policy statement.

Under the *Local Government Act 1989*, councils are responsible for monitoring the long term and cumulative effects of planning decisions to ensure the best outcomes are achieved for their communities.

As the closest level of government to the community, local government is in a good position to understand the effects of gambling and to limit the negative impacts of gambling on their communities.

Since 2007, local governments in Victoria have been tasked with the issuing of planning permits for facilities wanting to operate EGMs in their municipalities

Responsibility for the issuing of licences and other matters related to the management of EGMs sits with the Victorian Commission for Gambling and Liquor Regulation (VCGLR) which is also responsible for regulating the liquor industry.

Appeals against decisions made by local government and the VCGLR can be made by the Victorian Civil and Administrative Tribunal (VCAT).

Hobsons Bay is one of 20 capped regions in Victoria. Caps apply to "identified municipalities (in full or part) that are considered to be most at risk, based on a high level of disadvantage, significant density of EGMs and relatively high levels of EGM losses."<sup>1</sup> Currently, Hobsons Bay is capped at 579 EGMs.

Prior to 2010, Tattersalls and Tabcorp owned all EGMs, however in 2010 this changed and gambling venues now own the machines they operate. As of 2012, venues are responsible for implementing their own responsible gambling strategies.

Through the *Planning and Environment Act 1987* and the *Local Government Act 1989*, local government has responsibility for assessing permit applications related to the building of facilities to house EGMs and their operation. Local government can also comment on the appropriateness of location of these facilities by assessing the social, economic, amenity and accumulative impacts within the community. In addition the Victorian

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<sup>1</sup> VLGA (2012) Pokies Assessments: a 'how to' guide. VLGA Inc, p11

Planning Provisions enable councils to identify shopping strips and centres where EGMs are prohibited.

Due to local government's role in influencing the location of EGMs, it is important that councils have a well-developed understanding of the impacts of gaming machines and develop a clear strategic direction to manage these impacts. This should include the identification of areas in their municipality where the community is or may be negatively affected by the installation of EGMs, or any increases in their number.

Whilst caps are one method of managing the impact of EGMs, councils also need to develop gambling policies or policy statements which clearly articulate their position and commitment to the management of EGMs. In some cases councils have also introduced planning scheme amendments to further control where new venues can and cannot be located.

Hobsons Bay City Council's existing EGM Policy Statement was adopted in 2008. It presents the Council's position on EGMs and commitments on managing their impact within the municipality.

Since the EGM policy statement was adopted, changes in legislation and the technology relating to EGMs have been introduced and new data is available on the impact of EGMs. To reflect these changes, a review of the existing policy statement is required.



# Background

**It is important that Councils have a well-developed understanding of the impacts of EGMs within their municipality.**

Research clearly shows that, whilst gambling is a legal activity, EGMs are problematic for some people within our community. The recent work by the Productivity Commission highlights *'the potential for significant harm from some types of gambling is what distinguishes it from most other enjoyable recreational activities.'*<sup>2</sup>

The compilation of trend data is an important part of the process of developing an effective policy response for the management of EGMs.

The following section is an analysis of data used to gauge the economic and social impacts of EGMs on the Hobsons Bay municipality.

## Impacts of Gambling and EGMs Gambling Losses - Victoria

Gambling in Victoria consists of EGMs, the Crown Casino, wagering and lotteries. All of these are regulated by the VCGLR. Recently there has also been a growth in online gambling, which is regulated by the Australian Government and the *Interactive Gambling Act 2001*.

As of October 2013, there were 26,778 EGMs in 509 venues across Victoria. According to the VCGLR this equates to 6.00 EGMs per 1000 adults.

A report by the Victorian Auditor-General (2010) found that in 2008-2009, Victorians lost \$5.1 billion on all forms of gambling.<sup>3</sup>

According to Charles Livingston (2013), gambling taxes in Victoria contribute 10.8 per cent of the state's total tax revenue and of this 61 per cent comes from EGMs. "In Victoria in 2010-11, pub and club pokies generated net gambling revenue of \$2.7 billion. These machines provided just over \$1 billion in tax, an average tax rate of 37.8%."<sup>4</sup>

In the financial year 2012-2013, losses on EGMs equated to an average loss of \$601 per adult.<sup>5</sup>

In terms of who is affected by gambling losses, the 2010 Productivity Commission Inquiry noted the impact was very concentrated. It estimated that 21 per cent of Victorian adults were users of EGMs and that, 40 per cent of EGM losses were derived from problem gamblers.<sup>6</sup>

Using the findings of the Commission's report, further research was auspiced by Uniting Care Australia, applying these impacts at the electoral level. Their research found that, based on 21 per cent of adults being EGM users, losses in Gellibrand (which includes most of Hobsons Bay, Maribyrnong and parts of Brimbank) equated to \$4,010 per year for each adult who gambles, or 14 per cent of the median individual income.<sup>7</sup>

## Gambling Losses - Hobsons Bay

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<sup>4</sup> Livingston C (2013) *Why tax reform can help reduce problem gambling*, The Conversation (website) cited 10/10/2013

<sup>5</sup> VCGLR website, cited 10/10/2013

<sup>6</sup> Productivity Commission (2010), *Gambling, Report No. 50*, Canberra, Overview p.11

<sup>7</sup> Livingstone C (2012) *Assessment of Poker Machine Expenditure and Community Benefits Claims in selected Commonwealth Electoral Divisions*, Uniting Care.

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<sup>2</sup> Productivity Commission (2010), *Gambling, Report No. 50*, Canberra,

<sup>3</sup> Victorian Auditor-General (2010) *Taking Action on Problem Gambling*

As previously mentioned, Hobsons Bay has a cap of 579 machines within the municipality. Despite this, Hobsons Bay has 8.33 EGMs per 1000 adults, above the Victorian rate of 6.0.<sup>8</sup>

There are 10 EGM venues in Hobsons Bay which are located in the suburbs of Altona, Altona North, Laverton, Newport, Seaholme and Williamstown.

In 2012-2013, losses on EGMs in Hobsons Bay were \$689 per adult and the municipality was ranked 12<sup>th</sup> highest in terms of per capita losses among the 79 local government areas in Victoria (see Appendix 1 for map and table of EGM losses within Hobsons Bay).

There has been a slight decline in EGM losses over the past couple of years, both in Hobsons Bay and across Victoria. This may be due, in part, to initiatives such as the removal of ATMs from gaming venues.

EGM losses in Hobsons Bay decreased from \$49.8M in 2009-2010 to \$47.9M in 2012-2013. However, a closer analysis of where losses are highest in Hobsons Bay reveals that gaming losses are highest in locations where there are vulnerable communities. For example, Altona North and nearby Brooklyn are the second and third most disadvantaged neighbourhoods in the municipality (refer to section on SEIFA page 6); neighbouring Altona is relatively advantaged. Compared to Altona, which has three venues, one of which has the largest number of EGMs (83) in the municipality, Altona North has one venue with 70 EGMs and losses that are more than double those of any other venue in Hobsons Bay. In 2009-2010 the EGM losses in Altona North were \$12.1M increasing to \$14.2M in 2012-2013. With 16 per cent of the municipality's EGMs, this venue accounts for 30 per cent of all expenditure.

Similarly, Laverton which has a significantly smaller population than Altona North and is the most disadvantaged area in Hobsons Bay has the third highest municipal losses. With only one venue and 60 machines (10 per cent of total EGMs), Laverton's losses in 2012-2013 were \$6.3M (13 per cent of Hobsons Bay

losses). It should also be noted that another venue, the Westside Hotel (formerly Westside Taverner) in Laverton North, sits on the municipal boundary with Wyndham. It has a further 68 machines with losses of \$10.2 million, however these losses are counted as Wyndham losses.

The table below shows of the size of gambling losses at each venue. It should be noted that this does not represent total revenue to venues. In addition to state government taxes, hotels contribute 8.33 per cent of EGM expenditure to the Community Benefit Fund which the state government distributes, while clubs contribute a similar percentage which they distribute for approved community purposes or activities.

#### EGM Venues and Expenditure (losses) in Hobsons Bay

Venue	Number of EGMs	Expenditure (July 2012-June 2013)
Altona Bowling Club,	37	\$2,228,481.83
Altona RSL	58	\$3,460,526.76
Altona Sports Club	83	\$3,853,373.73
Club Laverton	60	\$6,271,833.83
Koorngal Golf Club, Altona	61	\$3,896,665.06
Millers Inn Hotel, Altona North	70	\$14,243,496.10
Rifle Club Hotel, Williamstown	40	\$2,832,195.22
Seagulls Nest, Newport	66	\$6,814,484.81
The Vic Inn, Williamstown	60	\$3,131,661.92
Williamstown RSL	42	\$1,128,394.37
<b>Total</b>	<b>577</b>	<b>\$47,861,113.63</b>

Source: Victorian Commission for Gambling and Liquor Regulation, Venue expenditure data

### The Cost of Problem Gambling

In 2005, the Ministerial Council on Gambling commissioned a report into problem gambling<sup>9</sup> which provided the following definition:

<sup>9</sup> The South Australian Centre for Economic Studies and Department of Psychology, University of Adelaide (2005) *Problem Gambling and Harm: Towards a National Definition*

<sup>8</sup> VCGLR website, cited 10/10/2013

*Problem gambling is characterised by difficulties in limiting time and/or money spent on gambling which leads to adverse consequences for the gambler, others, or for the community.*

*Reference to “difficulties in limiting money and/or time spent on gambling” implies a continuum of gambling behaviours from those who have no difficulty (including non-gamblers) to those who have extreme difficulty so that no direct reference to a continuum need be incorporated into the definition.*

A report by the Victorian Competition and Efficiency Commission, *Counting the Cost*, estimated that \$3.3 billion was spent on EGMs in 2010-2011 and that 35 per cent (\$1.14b) came from problem gamblers.<sup>10</sup>

However the Commission also found that it is difficult to accurately estimate the full cost of problem gambling due to the lack of available data. That said, it estimated the socio-economic cost of problem gambling in Victoria to be between \$1.5 billion (lower estimate) and \$2.8 billion (higher estimate) in 2010-2011.

The report estimated that between \$1.1 - \$1.6 billion were economic costs (such as loss of work, justice cost, and health cost), while the social costs (such as emotional individual and family distress) were between \$400 million - \$1.2 billion. The table below provides a further breakdown in costs.

#### **Estimated economic and social costs of problem gambling (2010-11, \$ million)**

<b>Cost</b>	<b>Low</b>	<b>High</b>
<b>Economic costs</b>		
Victorian Government policy, regulatory, research and education and treatment services costs	42	42
Victorian Government health and human service costs	6	79

<sup>10</sup> Victorian Competition and Efficiency Commission (2012). *Counting the Cost: Inquiry into the Costs of Problem Gambling*.

Victorian Government justice system costs	26	26
Productivity loss at work	6	39
Economic costs of excess expenditure	1,000	1400
Job change costs	12	12
Productivity losses outside work	2	14
Bankruptcy	0.5	6
Financial costs of divorce and separation	1	1
Local government costs	0.35	0.7
<b>Total economic costs (a)</b>	<b>1,100</b>	<b>1,600</b>
<b>Social costs</b>		
Emotional distress to gamblers	60	120
Emotional distress to immediate family members	340	960
Emotional distress to parents	Zero	160
<b>Total social costs (b)</b>	<b>400</b>	<b>1200</b>
<b>Total economic and social costs (a + b)</b>	<b>1,500</b>	<b>2,800</b>

Source: Victorian Competition and Efficiency Commission (2012) *Counting the Costs: Inquiry into the Costs of Problem Gambling*.

Problem gamblers are likely to experience a number of psychological and health related impacts. A Department of Justice study on the health impacts of 15,000 problem gamblers<sup>11</sup> found that:

- 46 per cent reported anxiety as a major issue;
- 27 per cent had considered suicide in the past 12 months;
- 43 per cent smoke between 11-20 cigarettes a day;
- 25 per cent have risky rates of alcohol consumption 15-28 drinks per week;
- 52 per cent reported depression as a major issue;
- 21 per cent were obese; and
- 28 per cent had a disability.

In addition, a review into the links between crime and gambling by the Victorian

<sup>11</sup> Dept of Justice (2009) *A Study of Gambling in Victoria - Problem Gambling from a Public Health Perspective*.

Responsible Gambling Foundation<sup>12</sup> found a higher prevalence rate of problem gambling among correctional populations (19 to 44 per cent nationally) compared to the general community (0.7 per cent in Victoria). An earlier study of Australian convictions for deception related offences between 1998 and 2007 found that Victoria had the highest number of criminal cases relating to gambling, as well as the highest losses to fraud totalling \$102.7 million.

## Factors Influencing Problem Gambling on EGMs

As stated earlier there is a strong association between high gambling losses and socio-economic disadvantage. The following analysis draws out socio-economic disadvantage factors that influence problem gambling associated with EGMs in Hobsons Bay.

## SEIFA Index of Disadvantage

Socio-Economic Indexes for Areas (SEIFA) are produced by the Australian Bureau of Statistics.<sup>13</sup> SEIFA consists of a set of four indices which each measure a different aspect of socio-economic advantage/disadvantage and are weighted to provide a single score.

The Index of Socio-Economic Disadvantage is based on factors such as low income, low educational attainment, high unemployment, jobs in relatively unskilled occupations and other variables that reflect disadvantage.

The Australian average score is set at 1000 with scores below that representing greater disadvantage within an area. Hobsons Bay has a municipal SIFA score of 1001.7 and ranks 49<sup>th</sup> in Victoria and 9<sup>th</sup> in metropolitan Melbourne. The SEIFA scores for Hobsons Bay neighbourhoods are as follows:

SEIFA scores for Hobsons Bay

Neighbourhoods	SEIFA Score
Laverton	891.3
Altona North	910.3
Brooklyn	946.8
Altona Meadows	981.2
Hobsons Bay	<b>1001.7</b>
Altona - Seaholme	1019.0
Spotswood - South Kingsville	1023.5
Newport West	1030.8
Seabrook	1044.3
Williamstown North – The Rifle Range	1058.0
Williamstown	1061.6
Newport East	1087.4

An analysis of the correlation between SEIFA disadvantage scores and gambling losses provides some insights into which groups in the community are at higher risk of problem gambling. It is generally accepted that people on low incomes, including pension recipients and those who are unemployed, or those who have few social connections, are more vulnerable.<sup>14</sup>

The nexus is apparent in the spatial distribution of EGMs in Victoria, where the densities of EGMs are greatest in areas of socio-economic disadvantage. This means the people who can least afford to, are losing the most money on EGMs.<sup>15</sup>

As set out in *Branbeau P/L v V.CGR (2005)*, “*problem gambling is more likely if an area has a high number of EGMs per adult person and; problem gambling is more likely if an area is relatively poor.*”

In Hobsons Bay, a quarter of all EGMs are located within two of the most disadvantaged neighbourhoods, Laverton and Altona North.

## Financial Disadvantage

According to 2011 Census data, over 50 per cent of Hobsons Bay households have a gross

<sup>12</sup> Victorian Responsible Gambling Foundation (2013) *Problem gambling and the criminal justice system*

<sup>13</sup> Australian Bureau of Statistics (2011) *Census of Population and Housing*

<sup>14</sup> Productivity Commission (1999) *Australia's Gambling Industries*, Department of Justice (2009) *A Study of Gambling in Victoria*

<sup>15</sup> Livingstone, C (2006) *The Changing EGM Industry and Technology*

annual income of less than \$63,000\* and of these 24 per cent have incomes below \$28,000. Among those on very low incomes are people who are unemployed, older people or people with a disability and receiving pensions, sole parents, and those in low skilled, part-time work.

(\*These households are in the bottom two income quartiles.)

While the Hobsons Bay unemployment rate is generally on par with metropolitan Melbourne, there are major differences between each neighbourhood in the municipality.

In 2011, Hobsons Bay had an unemployment rate of 5.6 per cent however unemployment in Laverton was 12.9 per cent and Altona North was 7.2 per cent. While the unemployment rate in Altona North is not as pronounced as in Laverton, it has a greater older population who are no longer in the labour force. As previously stated, these neighbourhoods also had the highest EGM losses and the lowest SEIFA disadvantage scores.

Unpublished data from Centrelink helps to quantifying the number of Hobsons Bay residents on very low incomes. Data for the December 2012 quarter showed that 15,879 people (18 per cent of the total population) were receiving Disability Support payments (3,100), Single Parenting (960), Newstart (2,404) or Age Pensions (9,415).

## Housing Stress

Data from the 2011 Census shows that 9.6 per cent of low income households (3,649) in Hobsons Bay<sup>16</sup> paid more than 30 per cent of their income on housing, placing them in housing stress.

The data further shows that the neighbourhoods with the highest proportion of households in housing stress were Laverton (15.6 per cent), Brooklyn\* (13.5 per cent) and Altona North (10.9 per cent). This again reinforces the link between areas of high disadvantage and high losses on EGMs.

(\*The closest EGM venue to Brooklyn is in Altona North).

## Impacts of Gambling on Health and Wellbeing

A number of reports have identified health and wellbeing issues as contributing to, or be an outcome of problem gambling.<sup>17</sup> These include factors such as poor mental health, dependence on alcohol and cigarettes and family violence.

According to the Victorian Population Health Survey (2011)<sup>18</sup> in Hobsons Bay:

- 13 percent of residents sought help for a mental health issue in the last 12 months;
- Approximately 12 per cent of residents have high to very high levels of psychological distress;
- 21.5 per cent of residents are smokers; and
- Just over 45 per cent of residents drink at levels that put them at either risk or high risk, in the short term.

In addition, there were 920.7 family violence incidents per 100,000 people reported in Hobsons Bay in 2012-2013. Of these incidents, 308.8 charges were laid. These figures have risen substantially since 2011-2012 when there were 697.2 incidents and 166.0 charges were laid. (It should be noted that this increase maybe due to the increased confidence and awareness to report.)

## Vulnerable Groups

In terms of those who are of moderate risk gamblers (this includes all forms of gambling) Department of Justice (2009) research indicates that relative to the Victorian population, they are more likely to be:

- male;
- aged between 18-24 years;
- single and living in a group household;
- early school leavers, with Year 10 or lower as their highest qualification;

<sup>17</sup> <http://www.socialimpactsofpokies.org.au>

<sup>18</sup> Department of Health (2013) *Victorian Population Health Survey 2012-13;selected preliminary survey findings*

<sup>16</sup> Unpublished data

- employed in the community/personal services workers, sales workers, machine operators and labourers; and
- earning between \$52,000 and \$83,199 per year.

For various reasons it has been identified by research that these groups are more likely to be vulnerable to the harm gambling can cause.

The *Problem Gambling Community Awareness and Education Strategy (2009)*<sup>19</sup> identifies the following population groups for consideration when determining the potential social impacts of EGMs.

Hobsons Bay's vulnerable groups include:

Older People (55 years and over)	Approx 25 per cent of the Hobsons Bay population, primarily residing in Altona Meadows, Altona and Altona North. <sup>20</sup>
Newly Arrived and Culturally And Linguistically Diverse Populations (CALD)	CALD make up 31 per cent of the Hobsons Bay population, primarily residing in Altona North, Brooklyn, Altona Meadows and Laverton. <sup>21</sup> About 3,940 residents arrived in Australia between January 2008 and 2013. <sup>22</sup>
Young People (12-25 years)	Young people make up 17 per cent of the Hobsons Bay population. Approximately 15 per cent of young people aged 20-24 are disengaged (not in paid work or education). <sup>23</sup>
People With a Disability	Approx 17 per cent of Hobsons Bay residents have disability. <sup>24</sup>
Problem Gamblers	Between 0.5 per cent and 1 per cent of adult Australians are problem gamblers. This equates to approx 440-880 residents of Hobsons Bay. A further 1.4 to 2.1 per cent are vulnerable to problem gambling. <sup>25</sup>

<sup>19</sup> Dept of Justice, 2009, Problem Gambling and Community Awareness Strategy

<sup>20</sup> ABS 2011 *Census of Population and Housing*

<sup>21</sup> ABS 2011 *Census of Population and Housing*

<sup>22</sup> Dept. of Immigration and Citizenship, *Settlement reports*

<sup>23</sup> City of Greater Dandenong, *Social Statistics* (derived from the 2011 Census)

<sup>24</sup> ABS(2003) *Survey of Disability*

<sup>25</sup> Productivity Commission (2010) *Public Inquiry on Gambling*



## Planning Considerations for EGMs

It is evident from the demographic data that that a significant proportion of the Hobsons Bay population is vulnerable to the risks and harms EGMs can cause.

In addition there are a number of other factors that contribute to problem gambling. From a policy perspective, it is important to understand these factors to ensure they are considered when permit applications are received.

## Venue Location

A 2006 study by the Department of Justice<sup>26</sup> found that the positioning of venues in convenient locations can facilitate the likelihood of people gambling. Hotels and clubs with EGMs are often located in or around activity centres or near local shopping areas. By increasing their visibility, these venues make it convenient to gamble not only for those who gamble occasionally but also for problem gamblers.

Further research undertaken by the City of Greater Dandenong<sup>27</sup> and by the Department of Justice<sup>28</sup> shows that 90 per cent of people living in metropolitan Melbourne reside within a 2.5 kilometre radius of a club or hotel with EGMs and most people will travel less than 5 kilometres to gamble.

As mentioned earlier, the socioeconomic status of communities should also be considered. Currently in Hobsons Bay, a quarter of all EGMs are located within two of the most disadvantaged neighbourhoods in Hobsons Bay, Laverton and Altona North.

The prohibition of gambling in shopping and strip centres as set out in Clause 52.28 of the Victorian Planning Provisions (VPPs) demonstrates that placement of EGMs should be avoided in areas where people are going about their everyday business. (More

information on the VPPs is provided in a following section on the role of government page 15) The shopping areas where new gambling venues are prohibited in Hobsons Bay are listed in Appendix 2. It should be noted that venues which pre-date this inclusion are able to apply to increase their EGMs as long as the Hobsons Bay cap is not exceeded.

A number of gambling planning policies have concluded that gaming should be located on the periphery of activity centres, but not within them, as a way to avoid passing and unintended traffic. Others have also encouraged gaming to be located where there is a choice of non gambling entertainment to avoid destinations that are dedicated to gambling.<sup>29</sup>

## Geographical Accessibility to EGMs, Catchment Areas and Density

EGM density\* is an established measure of the accessibility a community has to gambling opportunities. (\*Density is measured at a rate of EGMs per 1000 adults within an area).<sup>30</sup>

In September 2012, the VCGLR, in accordance with the criteria specified in the Minister for Gaming's order on 15th August 2012, determined the maximum permissible number of gaming machine entitlements for each municipal district in Victoria. The order specifies a maximum of 10 gaming machine entitlements per thousand persons in the municipal district aged 18 years and above as at 30th June 2008 and applies to all municipal regions which are not subject to EGM caps.<sup>31</sup>

As has been previously stated, the Hobsons Bay municipality is capped at 579 machines and has 8.33 EGMs per 1000 adults in the municipality, above the Victorian rate of 6.0 EGMs. These are located in 10 venues.

In order to assess the social and economic impact of EGMs, a catchment area must be

<sup>26</sup> Department of Justice (2006) *Changing Electronic Gaming Machine Industry and Technology*

<sup>27</sup> City of Greater Dandenong (2009) *A Review of Gambling-Related Issues*, p 31

<sup>28</sup> Department of Justice (2009) *A Study of Gambling in Victoria - Problem Gambling from a Public Health Perspective*

<sup>29</sup> A Victorian Local Governance Association (2012), *Pokies Assessment: A how-to guide*, p.38

<sup>30</sup> Victorian Local Governance Association (2012), *Pokies Assessments: A 'how to' guide*, p.10

<sup>31</sup> Minister for Gaming (2012) *Victoria Government Gazette*, No. S 280, 15 August 2012.

defined. Evidence has shown that on average people travel between two and five kilometres to gamble via EGMs and people who live closer to gaming venues are more likely to use EGMs and spend more.<sup>32</sup>

Other factors to consider include:

- venue patronage and identified trade area;
- natural and psychological barriers – for example rivers, freeways or railways;
- current traffic, public transport and pedestrian routes;
- surrounding land uses;
- the population likely to travel to the area; and
- existing EGM venues, non-gaming entertainment and other areas where people congregate.

Consideration given to surrounding land uses is important, with some local policies seeking to discourage EGMs away from 'sensitive uses' such as schools, community facilities and health services.<sup>33</sup>

Furthermore, the impact of gaming venues is not contained by the municipal borders. Hobsons Bay abuts Brimbank and Maribyrnong City Council, both which are also capped. However, like Hobsons Bay, these municipalities may also be affected by the relocation of EGMs without exceeding their caps.

In addition Hobsons Bay shares a boundary with the City of Wyndham, the fastest growing municipality in the state which does not have caps.

Currently, there are 13 venues and 891 EGMs operating in Wyndham (2013), up from 10 venues and 644 EGMs in the previous year. Unlike Hobsons Bay, Wyndham has a much lower ratio of 5.07 machines per 1,000 adults

and is therefore well below the maximum number of EGMs that could be installed. EGM activity in Point Cook and Laverton North is of particular concern, given their proximity to areas of high disadvantage in Hobsons Bay, particularly Laverton and parts of Altona Meadows. As previously mentioned, the Westside Taverner in Laverton North has 68 machines with an average loss per machine of \$149,380 in 2012-2013. There are also three venues in Point Cook. The Brook on Sneydes has 80 EGMs, with an average loss per machine of \$72,000. The Sanctuary Lakes Hotel has 70 with an average loss of \$49,600 per machine. Another venue at the Phoenix Hotel has 50 machines began operating in January 2013.

### Design and operation of EGMs and Venues

EGMs are designed to encourage players to engage in the repetitive placement of small bets. This can be habit forming and presents conditions that can be favourable to the development of an addiction. This is reinforced by a win/loss cycle that creates the illusion that players are influencing gambling outcomes. (It should be noted that machines that are restricted to smaller bets are preferable to reduce the risk of gamblers losing large amounts of money.)

The following factors are often used by venues to create a sense of escapism and to make it easy, comfortable and rewarding for gamblers to continue gambling, relatively uninterrupted:

- placement of EGMs near other facilities such as toilets or bars or next to eating areas to allow gamblers to continue with other activities while still gambling;
- lack of natural light in a gambling area, making gamblers unable to easily tell how much time has passed while they have been gambling; and
- provision of inducements to gamble such as raffles, free tickets, cheaper alcohol and food, giveaways and awards/gifts.

<sup>32</sup> KPMG (2000) *Report of the 1999 Longitudinal Community Impact Study*; Hare (2009) *A Study of Gambling in Victoria*, Department of Justice; ANU (2004) *Gaming Machine Accessibility and Use in Suburban Canberra*; Thomas et al (2010) *Problem Gambling Vulnerability*, Department of Justice

<sup>33</sup> *VCAT Romsey Hotel v Macedon Ranges Shire Council*; Planning Policy Maroondah City Council



As part of the internal fit-out of venues, operators could, until recently, install ATMs, providing an easy method to withdraw cash without having to leave the venue. Due to recent legislative change, ATMs are no longer permitted within venues which is a positive intervention. However EFTPOS facilities in venues are still available, increasing the risk for problem and moderate gamblers. In its response to the VCEC report<sup>34</sup> the Victorian Government has committed to introducing legislation to prohibit “alternative cash access facilities other than genuine EFTPOS”<sup>35</sup> however, presumably this will still allow cash to be taken out with a purchase.

### Alternative Entertainment

Problem and moderate gamblers often view the act of playing the pokies as part of a social activity. Clubs in particular can become the main social outlet for people who are lonely or isolated in the community.

Gambling should not be the only form of entertainment in a community. As mentioned earlier, a range of both gaming and non-gaming entertainment options should be provided within the EGM catchment area.<sup>36</sup>

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<sup>34</sup> Victorian Competition and Efficiency Commission (2012) *Counting the Costs: Inquiry into the Costs of Problem Gambling*.

<sup>35</sup> Dept of Treasury and Finance (2013) *Victorian Government response to the Victorian Competition and Efficiency Commission's Final Report*

<sup>36</sup> Planning Policy Yarra, Greater Bendigo, and Mansfield City Councils; VCAT Whittlesea City Council v George Adams P/L (Laurimar Tavern) 2011

# Policy and Legislation

**Policy to manage EGMs is necessary to ensure the community's health and wellbeing is not compromised. While gambling is a legal form of recreation, special attention is required to ensure the harm caused is minimised or prevented where possible.**

## Federal Government

The Federal Government is not directly involved in the regulation associated with EGMs. However, at times it has intervened such as in the late 1990s when, as a result of community backlash against EGMs, it directed the Productivity Commission to conduct the first independent national public inquiry.

In 2010, the Council of Australian Governments (COAG) directed the Productivity Commission to conduct a follow-up review, with a focus on problem gambling. The subsequent report provided evidence-based advice on policies to improve outcomes for gamblers and the community as a whole. This included a plan to pilot mandatory pre-commitment, requiring gamblers to specify the amount they are prepared to gamble. Following the subsequent election of the Coalition government in 2013, plans for the pilot were not continued.

The government has recently released its policy *Helping Problem Gamblers* (2013) with a commitment to work towards the introduction of voluntary pre-commitment and the establishment of an industry advisory council, comprising representatives of clubs and gaming venues, meeting quarterly with the responsible Minister. A key priority of the advisory council is to plan for the roll-out of targeted counselling and support services for problem gamblers at gaming venues, encouraging venues to partner with counselling services to assist patrons.<sup>37</sup>

## Regulating Online Gambling

Whilst outside the scope of this discussion paper, it should be noted that the popularity of online gambling is becoming a challenge for all levels of government and the community. It is increasingly acknowledged that the advent of new forms of gambling - particularly online gambling - will present new issues for individuals and communities.<sup>38</sup>

Online gaming is the regulatory responsibility of the Australian Government, which passed the *Interactive Gambling Act (IGA) 2001*.

In reviewing the IGA, a report into gambling by Productivity Commission (2010)<sup>39</sup> found that it “targets the supply of online gaming, rather than its demand. It prohibits the *provision* of online gambling services to customers in Australia, but does not outlaw Australians from accessing online gambling services. Nor does it prevent Australian based companies from providing online gambling services to (non-Australian) customers in other countries.”

The Commission recommended that the IGA be amended to permit online poker gambling which the Commission found posed the least risk, compared to the other common forms of online gambling. The Commission argued that this would enable better regulation and monitoring to occur. The report stated that a staged liberalising of the domestic supply of online poker card games, accompanied by appropriate harm minimisation measures, would test whether managed liberalisation should be extended to all online gaming forms. However there has been no action on this recommendation as yet.

<sup>37</sup> Liberal Party (2013) *Helping Problem Gamblers*, Aug 2013

<sup>38</sup> Gainsborough, S et al (2013) *How the Internet is changing gambling: Findings from an Australian prevalence survey*

<sup>39</sup> Productivity Commission (2010) *Public Inquiry on Gambling*

More broadly, the report raised concern that internet gambling could provide easier access to gambling and the use of credit cards “exposing a new population group to the risks of gambling.”<sup>40</sup>

## State Government

### Gambling Regulation

The operation of EGMs in Victoria is governed by the provisions of the *Gambling Regulation Act 2003* which aims to “*foster responsible gambling in order to minimise harm and to promote tourism, employment and economic development in the State.*”<sup>41</sup> It identifies that gambling has both positive and negative impacts.

The Act was subsequently amended, resulting in the *Victorian Commission for Gambling and Liquor Regulation Bill 2011*. The Bill combined the regulation of gambling and liquor and the establishment of the VCGLR to oversee the conduct of gambling in Victoria and assess applications for gambling and liquor licenses.<sup>42</sup>

### The Planning and Environment Act (1987)

The *Planning and Environment Act 1987*<sup>43</sup> establishes a framework for planning regarding the use, development and protection of land in Victoria.

Under the *Planning and Environment Act 1987*, local governments in Victoria are the responsible authority for the issuing of planning permits. The main land use objectives guiding councils’ assessment of permit applications for the installation and operation of EGMs are set out in Section 4.1 of the Act:

- a) to provide for the fair, orderly, economic and sustainable use, and development of land.

- b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.
- c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.

Section 4.2 of the Act also requires:

- d) explicit consideration of social and economic effects when decisions are made about the use and development of land.

Further details on the Act and Local Government as a planning authority can be found under the ‘Local Government’ section page 15.

### Regional EGM Caps

State Government policy to reduce the accessibility to and harm from EGMs has resulted in the regional caps policy. As determined by the Minister for Gaming, the capped regions cover municipalities considered to be most at risk based on high levels of disadvantage and EGM losses.

Currently 20 regions in Victoria are capped. Regions cover parts of or an entire municipality. Under section 3.4A.5(3)(b) of the *Gambling Regulation Act 2003*, the VCGLR determines the maximum permissible number of gaming machine entitlements.

Under section 3.2.4 of the *Gambling Regulation Act 2003*, the VCGLR can, at its discretion, review its determination and alter the maximum number of EGMs permitted in a region if the current number is no longer appropriate.

The Act requires the VCGLR to review EGM caps every five years. The review was due in 2011 but at the time of writing this paper no further information had been released.

This may become problematic in municipalities that are experiencing significant population growth.

<sup>40</sup> Productivity Commission (2010) *Public Inquiry on Gambling*

<sup>41</sup> Gambling Regulation Act 2003, Section 1.1(2)

<sup>42</sup> Gambling Regulation Act 2003, Section 1.1(3)(j)

<sup>43</sup> The Planning and Environment Act 1987, version incorporating amendments as at 24 September 2010

## Community Support Fund and Benefit Statements

Established in 1991, the Community Support Fund (CSF) is a trust fund governed by the *Gambling Regulation Act 2003* which requires a portion of gaming revenues be directed back into the community. Under the Act, hotels contribute 8.33 per cent of their revenue from EGMs to the fund. The majority of the CSF is directed towards:

- hospitals and charities in the health sector;
- the Victorian Government's drug strategy; and
- the Victorian Veterans Fund.

The State Government then allocates the remaining funding to provide community grants for the following purposes:

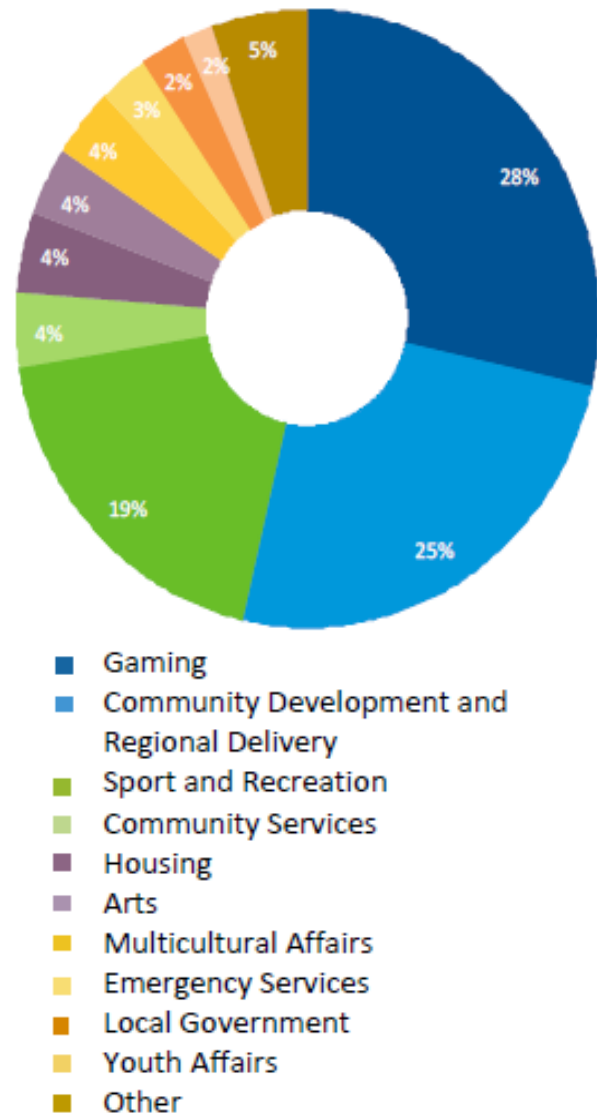
- programs to tackle problem gambling;
- drug education, treatment and rehabilitation programs;
- financial counselling and support for families in crisis; and
- youth, sport, recreation, arts and tourism programs.

In addition to the CSF, clubs that have EGMs are required to provide an annual Community Support Benefit Statement. The statement covers a range of contributions the club has made to the community which can then be used to reduce their taxation rate. Like hotels, clubs are required to contribute 8.33 per cent. Contributions they can claim include those made to charities, sporting clubs and volunteers. They can also claim for the operating costs such as the upkeep of sporting facilities, purchases such as TVs for club users, community buses to bring customers to the club, and subsidised meals for patrons.

A study commissioned by Uniting Care Australia found that in Victoria, the average community benefit claim by clubs was 2.4 per cent of EGM expenditure. This figure was highest in the Gellibrand electorate, which includes all suburbs in Hobsons Bay except

Laverton, where the claim was 8.3 per cent of EGM expenditure.<sup>44</sup>

2010-2011 CSF Expenditure



## Recent Regulatory Changes

The introduction of the Gambling Regulation Amendment (Licensing) Act 2009 by the Victorian government led to hotels and clubs bidding for 10 year EGM entitlements at an auction in May 2010. This effectively ended the duopoly by Tabcorp and Tattersalls who, up

<sup>44</sup> Livingstone C (2012) *Assessment of Poker Machine Expenditure and Community Benefits Claims in selected Commonwealth Electoral Divisions*, Uniting Care.

until then, had held 50 per cent of gambling licenses.

Under this arrangement, different tax rates apply, with venues receiving a higher proportion of EGMs revenue; that is revenue will be split 50:50 between the venue and the state.

Despite these changes, the impact of ownership of EGM licenses remains unclear with some venues holding entitlements that are still to be activated and some unattached entitlement remaining unpurchased. The risk is that EGMs could be transferred between venues, concentrating EGMs in certain areas or venues, with limited ability for local or state government to intervene. This is a particular concern in areas with vulnerable communities.

Since August 2012, under these arrangements, operators are required to link their EGMS to an independent monitoring system operated by an independent monitoring licensee.

Provisions under the Gambling Regulation Act 2003 also require exiting and new venue operators to have an approved Responsible Gambling Code of Conduct which contains information on responsible gambling, how to help customers set gambling limits, complaint resolution and discourage extended gambling.

Venues are also required to have Self Exclusion Programs (SEP) in place which allow people to ban themselves from entering a venue if they are experiencing problem gambling. Staff training will be increased to ensure they are able to interact with and assist people who may be experiencing gambling problems.

The Act included legislation which banned ATMs in all Victorian gaming venues from 1<sup>st</sup> July 2012.

As stated earlier, the Liberal National Coalition Plan for Gaming (2010) resulted in:

- incorporating liquor licensing regulation into the VCGLR;

- funding more problem gambling programs from the CSF;
- plans to introduce a voluntary pre-commitment scheme including a program to encourage take up; and
- the establishment the Victorian Responsible Gambling Foundation to act as an independent gambling information and advocacy body to assist councils and communities. The Foundation replaced the Responsible Gambling Advocacy Centre which was established by the previous Labor Government.

## Local Government

### *Role as Planning Authority*

There are several State Government Acts and Planning Provisions which define and also limit the extent of local government powers to control the operation of EGMs.

As determined under the Planning and Environment Act 1987, each municipality has a Planning Scheme which includes both state designated and local policies.

Within the local Planning Scheme are Victorian Planning Provisions which are determined by the state government. They include specific directions relating to EGMs. Clause 52.28 in the Planning Scheme (see Appendix 2) contains the following objectives for gambling:

- ensure that EGMs are situated in appropriate locations and premises;
- ensure the social and economic impacts of the location of EGMs are considered; and
- prohibit EGMs in specific shopping complexes and strip shopping centres.

This Clause triggers planning permits to be required for most EGM applications, whether in relation to new or increases to the number of EGMs within the municipality<sup>45</sup>.

<sup>45</sup> A permit is not required if specifically prohibited elsewhere in the Scheme or if the gaming machine is in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.



Venues therefore need to obtain both a planning permit from the Council to allow gaming as a land use, as well as an entitlement to operate a gambling venue, and a license to operate EGMs from the VCGLR (see Appendix 3 for permit process flow chart).

At the present time, Victorian local government policies do not include reference to forms of gambling other than EGMs. This is largely because councils have a degree of control over EGM's that they do not have over other forms of gambling such as online gambling, TABCORP betting or lotteries.

As set out in the Local Government Act 1989,<sup>46</sup> the primary objective of local government is to endeavour to achieve the best outcomes for its local community while having regard to the long term and cumulative effects of decisions.

To achieve this, councils must aim to:

- a) promote the social, economic and environmental viability and sustainability of the municipal district;
- b) improve the overall quality of life of people in the local community.

In addition to meeting these requirements, councils are able to consult with their community regarding the environmental, social and economic effects of new EGMs.

#### *Advocacy Role*

Sections 3.3.6 and 3.4.19 of the Gambling Act 2003 allows councils to make submissions to the VCGLR on gambling license applications. Submissions include an analysis of the social and economic impacts of the proposed application on the community wellbeing of the residents in the area within which the venue is proposed. These submissions play an extremely important role in setting out a council's position on gambling and providing evidence as to why a council opposes an application.

## Local government policy options

The issues and regulations surrounding EGMs can be complex and as such the provision of local policies and local decision guidelines assist the responsible authority and the applicant. This can be supported via referencing to gambling as a land use issue in the local Municipal Strategic Statement (MSS) which guides all development in the municipality.<sup>47</sup>

In addition, a number of councils have adopted gambling policies and amended their Planning Schemes (refer to Appendix 5). The aim is to strengthen gambling regulation in their municipalities and to articulate their intent to minimise the negative effects of gambling in their local areas by introducing:

- Land use restrictions associated with areas of high disadvantage;
- Venue design requirements;
- Requirements around use of funds for community benefit purposes and reporting of community benefits;
- Differential rates for gaming venues, where gaming venues attract higher rate levies, and the funds are used to support alternative activities to gambling and improved research on gambling; and
- Amendments and alterations to other parts of the Local Planning Provisions Framework including the Municipal Strategic Statement and the Municipal Public Health and Wellbeing Plan.

The State Government has raised its concern about some councils introducing differential rates as a way to offset some of the negative impacts of gambling and also to strengthen their somewhat limited control of gambling operations in their municipalities. To date, no action has been taken to require councils to cease imposing differential rates.

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<sup>46</sup> Planning and Environment Act 1987, Version incorporating amendments as at 24 September 2010

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<sup>47</sup> Victorian Local Governance Association (2012), *Pokies Assessment: A how-to guide*, p.31

## Hobsons Bay City Council Gambling Policy

Hobsons Bay City Council's first policy on EGMs dates back to 1997.

The current EGM Policy Statement has been in place since 2008 and is built around the following five principal activities:

- Responsible management of EGM density and reducing gaming losses;

- Supporting those affected by EGM problem gambling;
- Increased accountability around community support and benefit funds;
- Understanding the social and economic impacts of gaming; and
- Advocacy, lobbying and monitoring.

The Council applies differential rating for all businesses in the municipality and this includes gaming venues

# Recommendations

**A new gambling policy statement should clearly articulate the Council's intent to protect and promote the health and wellbeing of the Hobsons Bay community by ensuring the harms associated with EGM gambling are minimised.**

A new local planning policy statement on gambling will assist the Council to assess and manage EGM applications, strategic planning across the municipality, as well as clearly articulate the Council's intent in relation to minimising the harms of gambling.

The following set of recommendations is provided for a revised social policy statement on EGMs for Hobsons Bay.

## 1. Improved Data

*Location and priority population groups should be clearly articulated within the policy.*

The policy statement should include a clear definition about what constitutes relative disadvantage. It should also include information and data on the groups in Hobsons Bay who are most at risk of problem gambling.

The Council has most of the 'risk' data required to incorporate into a new policy statement, although the data on problem gambling is an area where there is limited data available.

However, information relating to community attitudes to EGM gambling has not been collected. Consideration should be given to undertaking and incorporating the findings of a community consultation into the policy statement.

## 2. Identify the preferred locations for EGMs to operate

*More clarity is required on where EGM venues should not be located and by default, identification of the preferred locations for venues.*

The current policy statement makes it clear that the Council will oppose the transfer of machines to areas of low socio-economic disadvantage.

In addition, The Hobsons Bay Planning Scheme Clause 52.28 identifies the shopping complexes and shopping strips where EGMs are prohibited, although this does not apply to existing venues in these locations.

Given gambling on EGMs is a legal activity, the policy statement should clearly enunciate the preferred and also the non-preferred locations for venues in Hobsons Bay. Using the available evidence, a mapping process should be undertaken to identify these localities and accumulation thresholds. It is also important that the Council develops a rationale for selecting these locations.

The prohibition of gambling in shopping and strip centres as set out in Clause 52.28 of the Victorian Panning Provisions demonstrates that placement of EGMs should be avoided in areas where people go about their everyday business.

By mapping the areas deemed to promote 'convenience gambling' rather than 'destination gambling', an EGM policy clarifies the intent of the Council in regards to where EGMs should be placed.

A number of local government gambling policies have concluded that gaming should be located on the periphery of activity centres, but not within them, as a way to overcome these differences. Others have encouraged gaming



to be located where there is a choice of non gambling entertainment.<sup>48</sup> Based on evidence that there are common characteristics amongst problem gamblers, mostly related to socio-economic disadvantage, local EGM policies should direct venues away from areas of socio-economic disadvantage.

The impact of EGMs located in adjacent municipalities should also be taken into consideration, acknowledging that people live, work and socialise across municipal boundaries.

In line with a stronger and clearer focus on locality, the Council could also adopt a statement similar to that being used by the Darebin City Council that seeks a reduction of EGM's in areas of high disadvantage such that the number of EGM's is in line with the state average for all areas.

### 3. A Consistent Approach to the use of Council Owned Facilities

*Review the lease, hire or use of Council owned facilities for the operation of EGMs and other forms of gambling.*

Currently there are two Council owned facilities that are leased with EGMs operating in part of the building. Both have five year leases ending in 2015 and 2016 with option to extend the current lease.

These leases predate the current EGM policy statement however that statement is clear that "the Council does not support any new or additional EGMs at venues which are situated on land that is owned or managed by the Council". Therefore, the current arrangements should be reviewed when leases are due.

The statement also sets out that, "the Council does not support new or additional EGMs at sporting or recreation clubs which are owned or managed by the Council. The Council will consider the Electronic Gaming Machine Policy

Statement in relation to Council owned buildings, the establishment of new contracts, leases, legal agreements and recreation and leisure policies."

It is recommended that this position be maintained and possibly strengthened to include wording similar to Yarra City Council's Gaming Strategy requiring "that no EGMs be introduced in Council owned and managed facilities and venues, including those for which Council has Committee of Management (on behalf of the Crown) responsibilities." The Yarra strategy also states that "leasing and expressions of interest (EOI) processes will consider this strategy and require, in the case of licensed premises, that licensees must not apply for a licence, approval or permit pursuant to the Gambling Regulation Act 2003 (Vic) in respect of any part of the licensed area, nor allow any EGMs to be operated on the licensed area."<sup>49</sup>

### 4. Strengthen Social and Economic Impact Assessments Requirements

*Under both the Gambling Regulation Act 2003 and the Planning and Environment Act 1987, an effective analysis should be undertaken by the Council to assess the social and economic impacts of gambling.*

A key task in the assessment process is the application of indicators to specific cases, especially with regard to location and land use.

The Council should strengthen its current requirements for Social Impact Assessments and attach specific templates or checklists similar to those in use by the Macedon Ranges Shire in its gambling policy.

This will ensure the Council is able to request the right level of information from EGM applicants and allow for a more universal analysis of any EGM applications.

### 5. Advocacy

*If EGM applications are at risk of increasing problem gambling the Council should provide a*

<sup>48</sup> A Victorian Local Governance Association (2012), *Pokies Assessment: A how-to guide*, p.38

<sup>49</sup> City of Yarra, *Yarra Gaming Strategy: A Community Wellbeing Approach 2011-2015*

*submission and the appropriate resources for representation to the VCGLR or VCAT.*

It is important that the Council commits to a strong advocacy role to minimise the negative impacts of gambling, particularly in relation to applications to the VCGLR for EGM licences. If a licence application is made to introduce or increase the number of EGMs in areas that are vulnerable to problem gambling, the Council should lodge a submission to VCGLR. In addition, the Council should provide enough resources to fund the appropriate legal representation at either VCGLR or VCAT, if the issuing of a licence is appealed.

## 6. Developing Cross Municipal relationships

*The Council's commitment to minimising the risk of EGMs on Hobsons Bay residents should extend beyond the municipal boundaries.*

Under the current arrangements, the Council is advised by the VCGLR of applications for EGMs within a 5 km radius, including those in adjacent municipalities.

The new policy should clearly articulate the internal process for responding to these applications. This would allow for better regional responses to be developed and for advocacy in relation to reducing gambling harm for vulnerable populations.

## 7. Consulting with Key Stakeholders

Development of a new policy statement for the Council in relation to EGMs should involve community consultation with service providers, venue operators and other stakeholders and be based on strong evidence tailored to meet local priorities and needs.

## 8. Strengthening the Gambling Policy Statement for inclusion into the Planning Scheme and Consideration of a Planning Scheme Amendment

Developing a policy position on EGMs sets clear objectives and directions about the

preferred location and distribution of gambling activities within the municipality.<sup>50</sup>

A policy not only provides clear guidance about where EGMs should and should not be located but it also saves time and resources when responding to new applications. The development of a strong EGM policy, highlighting the areas in the municipality which are at risk of problem gambling, is both a necessary pre-condition for a planning scheme amendment and a worthwhile end in itself.

It is also important that the policy statement is incorporated into the Council's Planning Scheme to give it added weight.

Furthermore, a planning amendment provides strategic strength to decisions relating to new EGM venues. It is a transparent and effective mechanism to help minimise the well documented harms associated with EGMs, particularly in areas of high disadvantage.<sup>51</sup> Councils that have been successful in introducing amendments have done so in the context of having a well-developed policy on gambling.

The development of an amendment can be time consuming and costly and may require further investigation and resources. However, the inclusion of a local gambling policy in the Council's planning scheme should be considered.

## 9. Review the Distribution of Community Benefit and Support Funds

*Under the current arrangement, hotels with EGMs contribute to the Community Benefits Fund, with the State Government managing the distribution of those funds. Clubs are able to spend the support funds they raise and are required to submit annual public statements of how those funds were spent.*

Eight of the 10 EGM venues in Hobsons Bay are managed by clubs. It is important to

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<sup>50</sup> Extract from Explanatory Report, Greater Bendigo City Council Amendment C110, March 2009

<sup>51</sup> Victorian Local Governance Association (2012), *Pokies Assessment: A how-to guide*, p.32

recognise that clubs provide opportunities for a range of community activities. However, substantial proportion of community support funding money that they raise from EGMs is spent on improvements to their venues and their operations.

## 10. Monitoring and management of Online Gambling

*While local government has no control over gambling, other than EGMs, it still has an important advocacy role in terms of harm minimisation.*

Online gambling has the potential to encourage the expansion of a group of hidden problem gamblers that is greater in number and more intractable than those addicted to EGM's.

A recent study into the behaviours of Australian online gamblers found that while gambling participation is generally declining, interactive gambling is increasing. "Interactive gamblers appear to represent a unique cohort of players demographically as well as in terms of their gambling. Internet gambling appears to be enabling highly involved gamblers to engage in a variety of gambling activities both online and offline. As interactive modes of gambling are still evolving and as participation increases it is likely that further shifts in the use of gambling will be seen."<sup>52</sup>

The new policy statement could include recognition that other forms of gambling are potentially harmful, setting out the Council's concerns. The Council's role would then be to advocate for better data collection and the strengthening of controls, if possible.

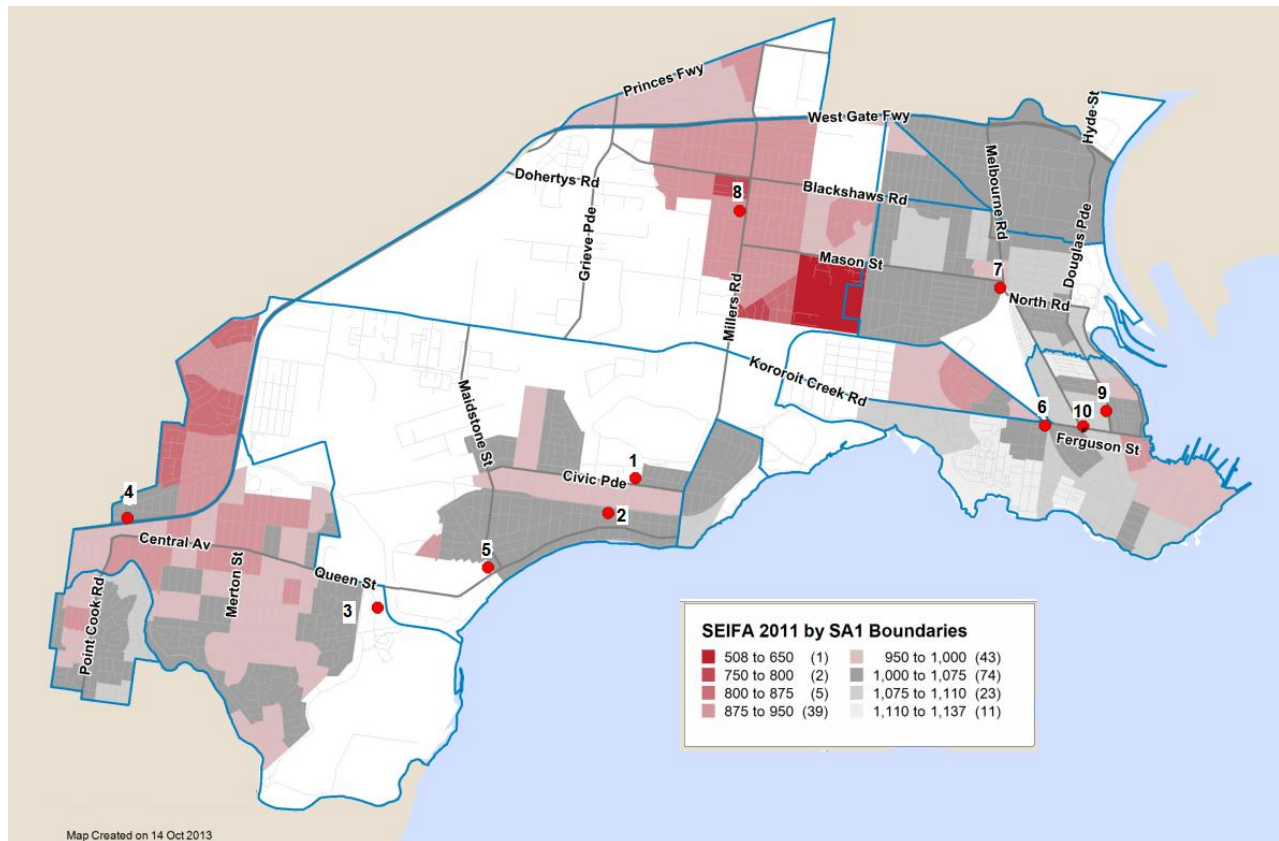
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<sup>52</sup> Gainsborough, S et al (2013) *How the Internet is changing gambling: Findings from an Australian prevalence survey*

# Appendices

## Appendix 1

### Map of EGM Venues in Hobsons Bay (by SEIFA disadvantage score) and EGM losses



### Losses by Venue

	Venue	Address	Number of EGMs	Expenditure (July 2012- June 2013)
1.	ALTONA BOWLING CLUB	ALTONA	37	\$2,228,481.83
2.	ALTONA RSL	ALTONA	58	\$3,460,526.76
3.	ALTONA SPORTS CLUB	SEAHOLME	83	\$3,853,373.73
4.	CLUB LAVERTON	LAVERTON	60	\$6,271,833.83
5.	KOORINGAL GOLF CLUB	ALTONA	61	\$3,896,665.06
6.	MILLERS INN HOTEL	ALTONA NORTH	70	\$14,243,496.10
7.	RIFLE CLUB HOTEL	WILLIAMSTOWN	40	\$2,832,195.22
8.	SEAGULLS NEST	NEWPORT	66	\$6,814,484.81
9.	THE VIC INN	WILLIAMSTOWN	60	\$3,131,661.92
10.	WILLIAMSTOWN RSL	WILLIAMSTOWN	42	\$1,128,394.37
Total			577	\$47,861,113.63

## Appendix 2

### Hobsons Bay Planning Scheme Clause 52.28

#### 52.28 GAMING

23/08/2011  
VC77

##### 52.28-1 Purpose

18/10/2006  
VC38

To ensure that gaming machines are situated in appropriate locations and premises.

To ensure the social and economic impacts of the location of gaming machines are considered.

To prohibit gaming machines in specified shopping complexes and strip shopping centres.

##### 52.28-2 Permit requirement

18/10/2006  
VC38

A permit is required to install or use a gaming machine.

This does not apply in either of the following circumstances:

- Clause 52.28-3 or Clause 52.28-4 specifically prohibit a gaming machine.
- the gaming machine is in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

##### 52.28-3 Prohibition of a gaming machine in a shopping complex

18/10/2006  
VC38

Installation or use of a gaming machine is prohibited on land specified in a schedule to this clause.

This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

##### 52.28-4 Prohibition of a gaming machine in a strip shopping centre

18/10/2006  
VC38

Installation or use of a gaming machine is prohibited in a strip shopping centre if:

- the strip shopping centre is specified in the schedule to this clause.
- the schedule provides that a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.

This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

A strip shopping centre is an area that meets all of the following requirements:

- it is zoned for business use;
- it consists of at least two separate buildings on at least two separate and adjoining lots;
- it is an area in which a significant proportion of the buildings are shops;
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally;

but it does not include the Capital City Zone in the Melbourne Planning Scheme.

##### 52.28-5 Decision guidelines

23/08/2011  
VC77

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The compatibility of the proposal with adjoining and nearby land uses.
- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.

## SCHEDULE TO CLAUSE 52.28-3

### Prohibition of a gaming machine in a shopping complex

Name of shopping complex and locality	Land description
Central Plaza Shopping Centre, Altona	Land on the southwest corner of Central Avenue and Merton St, also known as 1 - 23 Central Avenue, Altona Meadows
Altona Gate Shopping Centre, Altona North	Land on the northwest corner of Beuron Rd and Millers Rd, also known as 124 - 134 Millers Rd, Altona North

**SCHEDULE TO CLAUSE 52.28-4****Prohibition of a gaming machine in a strip shopping centre**

A gaming machine is prohibited in a strip shopping centre specified in this schedule.

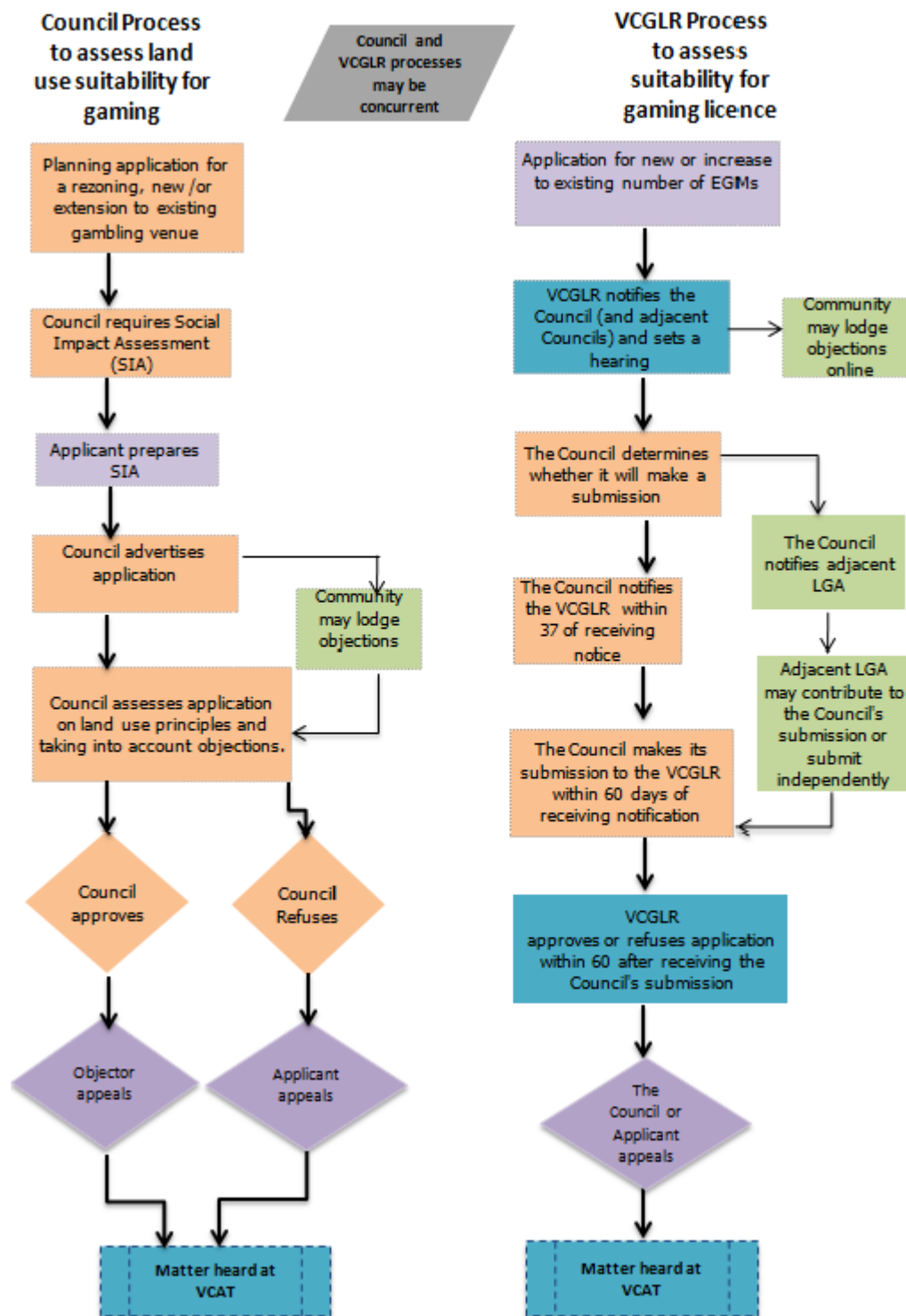
<b>Name of strip shopping centre and locality</b>	<b>Land description</b>
Aviation Road Shopping Centre, Laverton	1-9 (odd numbers) and 2-28 (even numbers) Aviation Rd; 161-163 (odd numbers) Railway Ave; 2-8 (even numbers) Neville Ave
Borrack Square Shopping Centre, Altona	1-39 (odd numbers) and 2-40 (even numbers) Borrack Square; 202-204 (even numbers) Millers Rd
Challis Street Shopping Centre, Williamstown North	31-47 (odd numbers) and 44-56 (even numbers) Challis St
Douglas Parade / Ferguson Street Shopping Centre, Williamstown	2-102 (even numbers) and 7-97 (odd numbers) (including land at the rear of 87) Ferguson St; 1-111 (odd numbers) and 4-110 (even numbers) (including land at the rear of 32-36 (even numbers)) Douglas Pde; 32-36 (even numbers) Lyons St; 101 Napier St; 4-10 (even numbers) Roaches Terrace; 64-68 (even numbers) and 77-83 (odd numbers) Stevedore St; land at the rear of 85 Stevedore St; 72-74 (even numbers) Electra St; 1-17 (odd numbers) and 2-14 (even numbers) Coss Garden; 2-16 (even numbers) and 15-27 (odd numbers) (including land at the rear of 27) Wellington St; 166-168 (even numbers) Aitken St
Harrington Square Shopping Centre, Altona	1-26 Harrington Square; 120 Maidstone St
Hudsons Road Shopping Centre, Spotswood	29 Hope St; 68-98 (even numbers) and 79-101 (odd numbers) (excluding the rear of 87-97 (odd numbers)) Hudsons Rd
Newport Junction Shopping Centre, Newport	1-5 (odd numbers), 2-26 (even numbers) and 17-33A (odd numbers) Mason St; 33-37 (odd numbers) and 50 Davies St; 1 Susman St; 1-46A Hall St (excluding land at the rear of 15 Hall St); 314-344 (even numbers) and 405-455 (odd numbers) Melbourne Rd
Pier Street Shopping Centre, Altona	18-122 (even numbers) (including the 3 lots at the rear of 122) and 39-121 (odd numbers) Pier St; 9 and 19 Bent St; 112-122 (even numbers) Queen St; 66-92 (even numbers) Railway St Sth; 137 and 153 The Esplanade



Name of strip shopping centre and locality	Land description
The Circle Shopping Centre, Altona	9-13 (odd numbers) and 25-75 (odd numbers) The Circle
The Range Shopping Centre, Williamstown	71-79 (odd numbers) Kororoit Creek Rd
Woods Street Shopping Centre, Laverton	44-68 (even numbers) Woods St; 2-18 (even numbers) Lohse St; 36-38 (even numbers) Maher St
Vernon Street Shopping Centre, Spotswood	15-41 (odd numbers) and 30-36 (even numbers) Vernon St

## Appendix 3

### Process for obtaining permits to operate EGMs



## **Appendix 4**

### **Evidence is critical to framing the Council's intent for its new Gambling Policy Statement.**

The following table includes factors that should be defined and considered in the new policy statement.

Factor	Definition	Evidence to Support Council Intent
<b>Location</b>		
<ul style="list-style-type: none"> <li>▪ Radius of 2.5-5km</li> <li>▪ Surrounding land uses and existing barriers</li> <li>▪ Venue Patronage</li> <li>▪ Current traffic, transport and pedestrian routes</li> </ul>	<p>A catchment area should be defined and each of the following indicators considered to identify the likely catchment area of a proposed venue.</p>	<p>EGMs should be restricted in the most disadvantaged neighbourhoods in Hobsons Bay, including Laverton and Altona North where currently a quarter of EGMs are located.</p> <p>EGM activity in Point Cook and Laverton North is of particular concern, given their proximity to areas of high disadvantage in Hobsons Bay.</p> <p>In line with Clause 52.28 installation of EGMs is prohibited on land defined within the Act and also in a shopping complex or strip shopping centres.</p> <p><i>The aim of a local gambling policy should be to reduce the convenience of gambling outlets.</i></p>
<b>Social and Economic Impacts</b>		
<ul style="list-style-type: none"> <li>▪ SEIFA disadvantage index</li> <li>▪ EGM Density and Expenditure and Geographical Accessibility</li> <li>▪ Alternative Entertainment</li> <li>▪ Community Attitudes to Gaming</li> <li>▪ Presence of vulnerable groups</li> <li>▪ Community Benefit</li> <li>▪ Venue Harm Reduction measures</li> </ul>	<p>The council should have a good understanding of location factors which influence the level of impact on the local community and gambling behaviour.</p>	<p>Hobsons Bay ranks 44th in Victoria and 9th in Metropolitan Melbourne in terms of Socio-Economic disadvantage. Laverton, Brooklyn and Altona North are the most disadvantaged areas in the municipality.</p> <p>Hobsons Bay has 8.42 EGMs per 1000 adults, above the Victorian rate of 6.9.</p> <p>In Hobsons Bay, there are more venues and more machines in or near areas of high disadvantage and these machines accumulate greater losses per machine than machines in less disadvantaged areas.</p> <p>Although Altona North does not have the highest numbers of EGMs, it has the highest EGM losses, increasing from \$12.1M in 2009/10 to \$13.4M in 2010/11. Similarly, the 60 machines in Laverton lost on average in 10/11 \$128,473.</p> <p>Insert findings of community consults if they happen.</p>
Factor	Definition	Evidence to Support Council Intent
<b>Priority Populations</b>		
<ul style="list-style-type: none"> <li>▪ Socially isolated</li> <li>▪ CALD</li> </ul>	<p>Research has shown that these populations are more vulnerable to</p>	<p>Over 50 per cent of Hobsons Bay households have an annual gross income of less than \$56,000. While the Hobsons Bay unemployment rate is generally on par with metro Melbourne, unemployment in Laverton was 12 per cent; Brooklyn was 9 per cent; and Altona North was 8.6 per cent, above metropolitan Melbourne average.</p>

- *Young People*
- *People with Co morbidities*
- *People with disabilities*
- *Problem gamblers*

gambling. These should be considered when assessing whether a location is appropriate for EGMs.

Unpublished data for the March 2011 quarter shows that 16 per cent of the total Hobsons Bay population is receiving a Centrelink benefit.

Almost 45 per cent of residents drink at levels that put them at either risk or high risk, in the short term; 13 percent of residents sought help for a mental health issue in the last 12 months. Approximately 11 per cent of residents have high to very high levels of psychological distress.

Nearly a quarter of the Hobsons Bay population is aged over 55. Close to 30% of the Hobsons Bay population is from a CALD background, and four percent are recently arrived. Young people make up 17% of the Hobsons Bay population, and 15% of young people are disengaged. Approximately 1,150 Hobsons Bay residents have an acquired brain injury and 1,900 have an intellectual disability.

### ***Character & Amenity***

The concept of protecting amenity is well established in Planning and is another important consideration.

General planning principles that apply include: provisions for car parking requirements and signage, together with consideration of orderly hours.

Source: [www.socialimpactsofpokies.org.au](http://www.socialimpactsofpokies.org.au)

## Appendix 5

### Gambling Policies and Local Planning Frameworks

Council	Objectives of Policy and Amendment	Areas for location	Sites for location	Venues for location	Other
Greater Geelong City Council	<p><b>CLAUSE 22.57 GAMING</b> <b>14/10/2010 C168</b></p> <p><u><b>Policy Basis:</b></u></p> <p>Research has concluded that there are links between social disadvantage, problem gambling and proximity to gaming venues. Although gaming machines may be accessible to the community as a form of entertainment, they should not be convenient so that a pre-determined decision is required to gamble.</p> <p>Furthermore the location of gaming machines should account for the socioeconomic characteristics of the municipality. A number of areas within Greater Geelong are particularly disadvantaged, and can therefore least afford the potential harmful effects of gaming.</p> <p><u><b>Objectives:</b></u></p> <p>To avoid the risk of exacerbating problem gambling.</p> <p>To protect the operations and amenity of existing uses surrounding gaming venues.</p> <p>To ensure that the area, site and venue characteristics contribute to net community benefit.</p>	<p><u><b>Appropriate Areas</b></u></p> <p>Gaming machines should be located in areas:</p> <ul style="list-style-type: none"> <li>- Where they will contribute to a redistribution of gaming machines away from disadvantaged areas as defined by the SEIFA (Socio Economic Indicators for Areas) index of Relative Disadvantage.</li> <li>- Where the community has a choice of non-gaming entertainment and recreation activities and established social infrastructure, some of which operate during the times that the proposed gaming machines will operate in the local area.</li> <li>- Where socio-economic disadvantage is relatively lower.</li> <li>- Where the electronic gaming machine density of the locality and its catchment is equal to or below the overall municipal average.</li> <li>- Where the population is growing or expected</li> </ul>	<p><u><b>Appropriate Sites</b></u></p> <p>That minimise the likelihood of people passing the venue in the course of their usual business or every day activities.</p> <p>Near activity centres, or at a sports or recreation club with a land holding of more than two hectares.</p> <p>In respect of machines near activity centres, gaming machines should be located on sites:</p> <p>Close to an activity centre that serves more than a local catchment;</p> <p>At the periphery of the activity centres, outside of the main transport, shopping, community and civic functions of the centre.</p>	<p><u><b>Appropriate Venues</b></u></p> <p>Promote non gaming activities that increase net community benefit.</p> <p>Offer social, entertainment or recreational opportunities other than gaming as the primary purpose of the venue.</p> <p>Have a range of entertainment and leisure options.</p> <p>Promote responsible gaming practices.</p> <p><u><b>Inappropriate Venues</b></u></p> <p>Have a gaming floor area of more than 25 per cent of the total floor area of the venue.</p> <p>Have 24 hour-a-day operation.</p> <p>Are located within a prohibited area identified in Clause 52.28.</p>	<p>Greater Geelong City Council also has a reference document within the scheme titled: <i>Greater Geelong Gaming Policy Framework, City of Greater Geelong 2007</i></p> <p><u><b>Other</b></u></p> <p>The Greater Geelong City Council policy also includes specific application requirements for venues proposing to increase their EGM numbers. Some of those requirements include:</p> <ul style="list-style-type: none"> <li>- If it is proposed to move EGMs from one part of the municipality to another, details of the relative social and economic differences between the two suburbs or small towns need to be include in an social impact assessment;</li> <li>- An explanation of why the EGMs are being transferred is to be provided;</li> <li>- If relevant, details of existing EGM losses at the venue (over a three year period prior the application) and a forecast of the anticipated losses at the venue if the proposal was to be approved;</li> <li>- The relative socio-economic disadvantage of the suburb or neighbourhood and the broader catchment of the venue in comparison to the Melbourne average in the SEIFA index;</li> <li>- Details of what gaming and non-gaming entertainment and recreation venues and social infrastructure exist within five kilometres of the venue;</li> <li>- The distance to shopping complexes and strip shopping centres, community facilities, counselling services and public transport; and</li> <li>- Pedestrian counts outside the proposed venue on different days and at a variety of times.</li> </ul> <p>There are an additional nine application requirements.</p>

		<p>to grow. In these areas gaming machines should not be established ahead of the provision of non-gambling entertainment, recreation activities and social infrastructure.</p> <p><b><u>Inappropriate Areas</u></b></p> <p>- Where socio-economic disadvantage is high, as defined by the SEIFA index of Relative Disadvantage.</p> <p>- Identified for growth where the density of machines exceeds 10 gaming machines per 1,000 adults in the relevant postcode.</p>			
<b>Council</b>	<b>Objectives of Policy and Amendment</b>	<b>Areas for location</b>	<b>Sites for location</b>	<b>Venues for location</b>	<b>Other</b>
Yarra Ranges	<p><b>22.08 GAMING MACHINES 15/07/2010 C77</b></p> <p><b><u>Policy Basis</u></b></p> <p>There is some indication that there are relationships between distance, exposure, accessibility, socio-economic status and problem gambling. For this reason it is proposed to locate venues away from commercial and community hubs and areas of socio-economic disadvantage with the aim of protecting vulnerable communities.</p> <p><b>Objectives:</b></p> <p>To reduce the adverse health, social and economic impacts</p>	<p><b><u>Appropriate Areas</u></b></p> <p>More than 1.5 kilometres from an ABS collection district within the Shire that is within the most socio-economically disadvantaged 20 per cent as defined by the SEIFA index of relative disadvantage.</p> <p>Where there is a reasonable choice of alternative non-gaming entertainment and recreation facilities in the venue or in the local area. Alternative non-gaming entertainment and recreation facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities</p>	<p><b><u>Appropriate Sites</u></b></p> <p>Avoid a concentration of venues in a particular locality.</p> <p>Are more than 400 metres from:</p> <p>-A shop or outlet predominantly selling food and/or other goods that cater for day-to-day needs such as supermarkets, milk bars, post offices and newsagents.</p> <p>-Sensitive community facilities including schools, kindergartens, child care centres, libraries, medical centres, churches and the offices of public; and</p>	<p><b><u>Appropriate venues</u></b></p> <p>Provide a range of social, leisure and recreational activities other than gaming as the primary purpose of the venue.</p> <p>Alternative non-gaming entertainment and recreation facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities operating at the same times as the proposed gaming venue will operate.</p> <p>Incorporate effective management and mitigation measures to minimise the risk of problem gambling.</p> <p>Have a gaming floor area</p>	<p>There are two 2007 reference documents supporting the Gaming policy.</p> <p>- The Yarra Shire Council, Discussion Paper – Gambling Planning Policy Framework, Symplan Consulting (2007); and</p> <p>- Yarra Ranges Shire Council, Options Paper – Gambling Planning Policy Framework, Symplan Consulting (2007).</p>

	<p>of gaming machines.</p> <p>To minimise opportunities for convenience gambling and the incidence of problem gambling.</p> <p>To ensure that the locality, site and venue are suitable for gaming machines and contribute to a net community benefit.</p> <p>To reduce the impact of gaming machines on vulnerable communities.</p>	<p>operating at the same times as the proposed gaming venue will operate.</p> <p><b><u>Inappropriate Areas</u></b></p> <p>In residential zones.</p>	<p>private welfare agencies.</p> <p>A railway station or transport interchange.</p> <p>Another venue that operates gaming machines.</p> <p><b><u>Inappropriate Sites</u></b></p> <p>Are in or at the edge of activity centres.</p>	<p>less than 25 per cent of the total floor area of the venue.</p> <p>Have access to natural light and allows patron surveillance of outdoor areas.</p> <p>Have clear directional signs to all non-gambling amenities, including toilets and dining areas.</p> <p>Physically and visually separate non-gambling activities from gambling activities within the venue.</p> <p>Are designed so that amenities for the venue's non-gambling activities, including entrances and exits, toilets, automatic teller machines, meeting spaces and dining areas, can be accessed without entering the gambling area.</p> <p>Do not operate more than 16 hours per day.</p> <p><b><u>Inappropriate Venues</u></b></p> <p>Will have a significant adverse amenity impact on the adjoining land uses as a result of operating hours, traffic, noise, car parking, safety and security.</p>	
Council	Objectives of Policy and Amendment	Areas for location	Sites for location	Venues for Location	Other
Macedon Ranges	<p><b>22.21 GAMING</b> 23/05/2013 C64</p> <p><b><u>Policy Basis</u></b></p> <p>Research has concluded that there are links between social</p>	<p><b><u>Appropriate Areas</u></b></p> <p>In towns which function as a Major Urban Centre and service a large population catchment, as shown on Map 1 of</p>	<p>Although no 'sites' are referenced, the policy does state gaming machine should be located:</p> <p>-Where the location could</p>	<p><b><u>Appropriate Venues</u></b></p> <p>Gaming machines should be located in venues that have a range of entertainment and leisure options; and offer social and recreational</p>	<p>The application is noteworthy in that it specifically mentions 'Tourism, Heritage and Amenity' as priority factors when considering placing EGM's.</p> <p>It is policy to:</p> <p>-Ensure the locations, setting and design of gaming</p>



<p>disadvantage, problem gambling and proximity to gaming venues. Therefore although gaming machines should generally be accessible to the community as a form of entertainment, they should not be so convenient as to encourage spontaneous gambling. Rather, they should be located at a distance that requires a pre considered decision to gamble.</p> <p>There is also concern in the Macedon Ranges Shire about the impact of gaming machines on its various townships, particularly small communities. As such it is important to ensure that gaming machines are located to take account of socio-economic considerations and the vulnerability of a local population and local economy to the negative consequences of gambling.</p> <p><b><u>Objectives</u></b></p> <p>To ensure no net harm to the health, social and economic well-being of residents and communities.</p> <p>To ensure the location of gaming machines minimise opportunities for convenience gaming and the incidence of problem gambling.</p> <p>To ensure that gaming machines are located where the community has a choice of non- gambling entertainment and recreation activities within the venue or in the local area.</p> <p>To protect the local</p>	<p>Clause 22.21 and as updated from time to time; and</p> <p>Where they will make a positive contribution to the redistribution of gaming machines away from disadvantaged areas, as defined by the latest ABS SEIFA index of relative socio-economic disadvantage; and</p> <p>There being limited existing gaming opportunities for residents, as evidenced by a total density of gaming machines in that township which is less than the regional Victorian average; or</p> <p>Identified future residential growth capacity.</p> <p>In areas suitable for non-residential uses which are either accessible by a variety of transport modes or at a sports and recreation club with a land holding of more than two hectares.</p> <p><b><u>Inappropriate Areas</u></b></p> <p>In areas, which are disadvantaged, having regard to the latest ABS SEIFA index of relative socio-economic disadvantage, as shown on Map 1 Clause 22.21, and as updated from</p>	<p>reasonably be perceived as a destination in its own right. This would be achieved by a separation from strip shopping centres, shopping complexes, railway stations and community facilities involving a high concentration of people undertaking daily activities.</p> <p>Machines should not be located:</p> <ul style="list-style-type: none"> <li>- In the prohibited and discouraged areas shown in the Incorporated document entitled; <i>Macedon Ranges Shire Prohibited and Discouraged Gaming Areas, 2009.</i></li> <li>- Where they are convenient to concentrations of shops, major community facilities or key public transport nodes where large numbers of pedestrians are likely to pass in the course of their daily activities, increasing the likelihood of spontaneous decisions to play gaming machines.</li> </ul>	<p>opportunities other than gambling as the primary purpose of the venue.</p> <p><b><u>Inappropriate Venues</u></b></p> <p>Gaming machine should not be located in venues that operate 24 hours a day.</p>	<p>venues and associated entertainment and recreation uses, including signage and external lighting, does not detract from the character and integrity of the Shire's tourism and heritage assets.</p> <p>-Encourage gaming venues and associated uses to be compatible with predominant surrounding land uses by ensuring that the proposed design, location and operating hours do not detrimentally affect the amenity of the surrounding area.</p> <p><b>PANEL REPORT MAY 2011</b></p> <p>The <i>Macedon Ranges Gaming Policy Framework 2008</i> was developed by Coomes Consulting Group and Council with funding from the Department of Justice and the Victorian Local Government Association. This document as well as <i>Electronic Gaming Machine (Pokies) Community Policy 2009</i> was intended to be applied as reference documents. Also the <i>Macedon Ranges Prohibited and Discouraged Gaming Areas 2009</i>, was intended to be applied as an incorporated document.</p> <p>The panel reflected on a recent VCAT case in justifying local planning policy in relation to gaming. <i>The Beretta's Langwarrin v Frankston CC 2009</i> case. Which the tribunal said:</p> <p>'it goes against the Council that there is no specific local gaming policy providing any spatial preference for which part of the municipality new EGM's should be located[93].</p> <p>The Panel was pleased with Coomes Consulting Group with development of the <i>Macedon Ranges Shire Gaming Policy Framework 2008</i>, one of the key points was 'Seeking to protect the Shire's tourism and heritage assets', as well as Discouraging gaming machines in disadvantaged areas'.</p> <p>The Panel was sympathetic to Council's use of 'net community benefit', yet it preferred other means in justifying gaming within the municipality. It stated, 'In our view references to net community benefit in the Municipal Strategic Statement and the Local Planning Framework should be modified to ensure that references relate to wider compliance with the</p>
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	<p>economies, heritage character, tourism assets and amenity of the Shire.</p>	<p>time to time.</p> <p>In townships where there are no alternative clubs or hotels without gambling in the township.</p> <p>In smaller urban centres designated as Service Centres or Villages with limited growth potential as shown in the municipality's Settlement Hierarchy at Clause 21.02 (Municipal Snapshot) and as updated from time to time.</p>		<p>purpose and goal of Clause 10 of the State Planning Policy Framework. We prefer wording that refers to 'minimising harm' or ensuring that the net social and economic impact of gaming machines will not be detrimental to the wellbeing of the community', as it better reflects the strategic work Council has carried out and the evidence it presented.'</p> <p>The Panel did not support Council's incorporation of strip shopping centre maps with boundaries, within the scheme, as it questioned the integrity of some of the boundaries. The Panel stated, 'We agree with Mr O'Farrell's submission that interpretation of where a strip shopping centre begins and ends is best made on a case by case basis and reviewed by the responsible authority when considering an application (or by VCAT on review). We believe that delineation on maps does not add any real value and prefer the previous wording 'A gaming machine is prohibited in all strip shopping centres on land covered by this scheme'. The Panel then clarifies, 'there is a further technical issue that in order to be 'prohibited' in Clause 52.28, an area must first be a strip shopping centre. This is a 'fact' that we think should be determined by the responsible authority (or by review, VCAT) in consideration of the conditions at the time, and cannot not be fixed in the schedule.'</p> <p>Council proposed the use of 'discouraged areas' be visualised on maps surrounding 'prohibited' strip shopping areas to further clarify Council's preferred areas for EGM's. However the Panel disagreed with this proposal. The Panel stated, 'We (Panel) share some of the concerns expressed by submitters that applications in a discouraged area may be largely predetermined as likely to fail. The very defined, site specific definition of the proposed discouraged areas implies that the location has already been assessed as unsuitable compared to the broader buffer area concept in policies in other schemes'.</p> <p>The Panel recommended applying the SEIFA index as a standard which applications can be assessed against. Particularly the Mansfield planning scheme, which in the Panels' view, 'specifically protects the most vulnerable communities without placing an unreasonable control over a greater area. The Mansfield Planning Scheme discourages EGM's within 400m of the most disadvantaged 20 per cent of collector districts as set out in the SEIFA index of</p>
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					<p>relative disadvantage.</p> <p>The Panel agreed with Council that a density guide should be applied in controlling the number of EGM's, namely EGM's should be located where there is a density less than the Victorian average, or where growth opportunities exist. So locating gaming machines in individual towns so as to not create a high concentration of machines in one location and effectively create a 'destination'.</p> <p>The Panel supported Macedon Ranges' approach to protecting its Tourism and Heritage 'assets', this approach was reinforced by the Council's MSS under 21.07-4 which the Panel stated: 'We prefer Council's submission in relation to including reference to tourism and heritage in the objectives and decision guidelines. We agree that, given the importance of these features to the Shire, as evidenced in Clause 21.07-4 of the Municipal Strategic Statement, inclusion of such references is justified.'</p>
Council	Objectives of Policy and Amendment	Areas for location	Sites for location	Venues for Location	Other
Hume City Council	<p><b>CLAUSE 22.17 GAMING 12/03/2009 C100</b></p> <p><b><u>POLICY BASIS</u></b></p> <p>Aims to make gaming machines reasonably accessible to the community as a form of entertainment, but not be convenient.</p> <p>It is recognised that whilst gaming is a legitimate form of recreational activity, for some it leads to adverse consequences for the gambler and for the community.</p> <p><b><u>Objectives:</u></b></p> <p>To discourage the location of gaming machines in disadvantaged areas.</p>	<p>The policy provides a series of location guidelines as to where gaming venues can best be located where they will cause the least harm to the community.</p> <p><b><u>Appropriate Areas</u></b></p> <p>In areas where residents within 5km radius of the proposed location of the gaming machines have a reasonable choice of alternative non-gambling entertainment and recreation facilities and activities.</p> <p>In areas where the total density of gaming machines, is lower than the average gaming machine density for metropolitan Melbourne.</p>	<p>Specific sites are not stated, whilst it is noted that EGM's are to be located:</p> <ul style="list-style-type: none"> <li>- On the periphery of, or within walking distance of, major and principal activity centres as listed in the Hume Activity Centre Hierarchy Study. This does not apply to a sports or recreation club with a land holding of more than two hectares.</li> </ul>	<p><b><u>Appropriate Venues</u></b></p> <p>Have a range of non-gambling entertainment and leisure options;</p> <p>Offer social and recreational opportunities other than gambling as the primary purpose of the venue;</p> <p>Have gaming floor area of less than 25 per cent of the total floor area of the venue; and</p> <p>Do not allow for 24 hour a day operation.</p>	<p>The Hume City Council has one incorporated document titled; <i>Prohibited Gaming Areas, 2007</i></p> <p>There are also two reference documents within the policy:</p> <ul style="list-style-type: none"> <li>- <i>Strategic Reference Document for Gaming in Hume City, 2007</i>, and;</li> <li>- <i>Hume Activity Centre Hierarchy Study, 2004</i>.</li> </ul>

	<p>To ensure the location of gaming machines and the design and operation of facilities containing gaming machines minimise opportunities for convenience gaming and the incidence of problem gambling.</p> <p>To ensure that gaming machines are located where the community has a choice of non-gaming entertainment and recreation facilities and activities within the gaming venue and in the local area.</p> <p>To protect the operations and amenity of existing uses surrounding gaming venues.</p>	<p>The average gaming densities of neighbouring suburbs where their densities are higher than the metropolitan average should be considered.</p> <p>Where the location could reasonably be perceived as a destination in its own right. This would be achieved through the separation of the location of gaming machines from areas where there are high concentrations of people undertaking daily activities.</p> <p><b><u>Inappropriate Areas</u></b></p> <p>Where they are convenient to shops, community facilities and services or key public transport nodes where large numbers of pedestrians are likely to pass in the course of their daily activities.</p> <p>In areas where the average gaming machine density is higher than the average gaming machine density for metropolitan Melbourne.</p> <p>In the core of activity centres where there is the highest intensity of activity, including the main shopping areas, and other widely visited civic, transport and community functions.</p>			
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		<p>Where the gaming machines and associated uses will be incompatible with the predominant surrounding land uses on the basis of their:</p> <p>-Ability to achieve safe pedestrian and vehicle access;</p> <p>-Proposed design, location and operations detrimentally affecting the amenity of the surrounding area.</p>			
Council	Objectives of Policy and Amendment	Areas for location	Sites for location	Venues for Location	Other
City of Maroondah	<p><b>22.16 GAMING PREMISES POLICY</b> <b>12/11/2009 C60</b></p> <p><u>Policy Basis</u></p> <p>This policy seeks to advance Council's Gaming Policy and Statement of Practice, 2007 (reference document).</p> <p>The purpose of this policy is to minimise the detrimental impacts of gaming on the community and to maximise the benefits for the community resulting from the establishment of new gaming premises or the introduction of additional gaming machines in existing gaming premises.</p> <p><u>Objectives:</u></p> <p>To discourage increases in the ratio of gaming machines per adult, number of venues or gaming losses per adult in the municipality.</p>	<p>Listed under 'Location' instead of appropriate areas, the policy states;</p> <p>New gaming premises or applications for additional gaming machines should be located to build upon the existing retail and commercial land use pattern within the municipality.</p> <p><u>Whilst</u></p> <p>New gaming premises should not be located within 400m of residential and community based uses including schools, kindergarten, child care centres, libraries, aged care facilities and churches.</p> <p>New gaming premises should not be located within residential areas</p>	<p>No sites or venues have been specifically mentioned within the policy.</p>		<p>The City of Maroondah also has a reference document within the scheme titled; <i>The City of Maroondah Gaming Policy and Statement of Practice, 2007</i>.</p>

	<p>To ensure that gaming premises minimise the harmful effects of problem gambling.</p> <p>To ensure that applications deliver a net community benefit.</p> <p>To encourage gaming premises to offer a range of non-gaming entertainment and recreation activities rather than be stand alone gaming premises.</p> <p>To ensure that the operation, location and design of gaming premises does not have a negative impact on the amenity, character, community values and safety of the area.</p> <p>To avoid concentration of gaming premises.</p>	<p>unless it can be demonstrated that there will be no material detriment on the surrounding residential area.</p> <p>New gaming premises should not be located within 400 metre walking distance of existing gaming premises to avoid a concentration of gaming premises.</p>			
<b>Council</b>	<b>Objectives of Policy and Amendment</b>	<b>Areas for location</b>	<b>Sites for location</b>	<b>Venues for Location</b>	<b>Other</b>
<b>City of Greater Bendigo</b>	<p><b><u>CLAUSE 22.28 GAMING</u></b> <b><u>26/03/2009 C110</u></b></p> <p><b><u>Policy Basis</u></b></p> <p>This Policy is based on an understanding that problem gambling affects a small proportion of gamblers and that by locating gaming venues in locations that are convenient, but not highly accessible will decrease the incidence of "convenience gaming".</p> <p><b><u>Objectives:</u></b></p> <p>To discourage new gaming machines in disadvantaged areas.</p> <p>To ensure the location of gaming machines and design</p>	<p><b><u>Appropriate Areas</u></b></p> <p>As identified in the <i>Greater Bendigo Discouraged Gaming Areas Incorporated Document</i>.</p> <p>Gaming machines should be located in areas that meet at least one of the following criteria:</p> <ul style="list-style-type: none"> <li>- The total density of gaming machines in the suburb and its adjoining suburbs is less than the regional Victorian average.</li> <li>- The area is identified as a future residential growth area in the</li> </ul>	<p><b><u>Appropriate Sites</u></b></p> <p>Gaming machines should be located on sites that meet at least one of the following criteria:</p> <ul style="list-style-type: none"> <li>- The site is towards the periphery of an activity centre, outside of the main shopping, transport, community and civic functions of the centre, or within walking distance of the edge of an activity centre.</li> <li>- The location could reasonably be perceived as a destination in its own right separate from high concentrations of people undertaking daily activities.</li> </ul>	<p><b><u>Inappropriate Venues</u></b></p> <p>Gaming machines should not be located in venues that have 24 hour a day operation, or have a gaming floor area of more than 25 per cent of the total floor area of the venue.</p> <p>Gaming machines should not be located where the gaming or any associated use will detrimentally affect the amenity of the surrounding area by way of design, location or operating hours.</p> <p><b><u>No Appropriate Venues Listed</u></b></p>	<p>The city of Greater Bendigo has a incorporated document in the policy tiled;</p> <p><i>Greater Bendigo Discouraged Gaming Areas, 2008.</i></p>

	<p>and operation of facilities minimise opportunities for convenience gaming and the incidence of problem gambling.</p> <p>To ensure that gaming machines are located where the community has a choice of non-gaming entertainment and recreation activities within the venue or in the local area.</p> <p>To protect the amenity of existing uses surrounding gaming venues.</p>	<p>Municipal Strategic Statement.</p> <p>- Gaming machines should be located proximate to higher order activity centres shown on the map attached to the schedule to clause 52.28-4</p> <p>- Gaming machines should be located where there is a reasonable choice of alternative non-gaming entertainment and recreation facilities proposed within 12 months. Alternative non-gaming entertainment and recreation facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities operating at the same times as the proposed gaming venue will operate.</p> <p><b>No Inappropriate Areas Listed</b></p>	<p>- At a sports or recreation club with a land holding of more than two hectares.</p> <p><b><u>Inappropriate Sites</u></b></p> <p>Gaming machines should not be located on sites where large numbers of pedestrians are likely to pass in the course of their daily activities, increasing the likelihood of spontaneous decisions to play gaming machines.</p>		
<b>Council</b>	<b>Objectives of Policy and Amendment</b>	<b>Areas for location</b>	<b>Sites for location</b>	<b>Venues for Location</b>	<b>Other</b>
City of Yarra	<p><b><u>22.15 GAMING POLICY 11/11/2010 - C109</u></b></p> <p><b><u>Policy Basis</u></b></p> <p>The Policy is based on an understanding that there are links between disadvantage, problem gambling and proximity to gaming venues. The Yarra City Council Gaming Policy Framework seeks to limit convenient access to gaming venues as a means to reducing negative</p>	<p><b><u>Inappropriate Areas</u></b></p> <p>Inappropriate locations for EGM's are areas within 500m of (the identified) disadvantaged locations.</p> <p>In or immediately opposite neighbourhoods with a relatively high concentration of gaming machines (above the</p>	<p><b><u>No sites are mentioned.</u></b></p>	<p>Venue characteristics are also explained below;</p> <p><b><u>Appropriate Venues</u></b></p> <p>It is policy to ensure that gaming machines are located in venues which:</p> <p>- Offer social, entertainment and recreational opportunities and activities other than gaming as the primary</p>	<p>The City of Yarra has a gaming reference document in the scheme titled;</p> <p><i>Coomes Consulting Group, Yarra City Council Gaming Policy Framework, 2008</i></p> <p><b><u>Other</u></b></p> <p>The Yarra Planning Scheme makes a specific reference to net community benefit under clause 22.15-3, stating:</p> <p>"It is policy to ensure proposals for gaming machines deliver a net community benefit. In determining whether there will be an overall net</p>

	<p>impacts of gaming on vulnerable communities.</p> <p><b><u>Objectives:</u></b></p> <p>To discourage the location of gaming machines in disadvantaged areas.</p> <p>To ensure that the location of gaming machines and the design of gaming machine venues minimises the risks associated with electronic gaming and avoid exacerbating problem gambling.</p> <p>To discourage convenience gaming and limit impacts on surrounding uses.</p> <p>To ensure applications for gaming deliver a net community benefit in Yarra.</p>	<p>Victorian average).</p> <p>Where there is convenient access to places of high pedestrian activity, including shops and railway stations.</p> <p>Where the local community will not have a reasonable choice of alternative non gambling activities either within the venue, or in close proximity to the venue.</p> <p><b><u>No Appropriate Areas Listed</u></b></p>		<p>purpose of the venue.</p> <ul style="list-style-type: none"> <li>- Have a gaming floor area of less than 25 per cent of the total floor area of the venue.</li> <li>- Promote responsible gaming practices.</li> <li>- Do not allow for 24 hour-a-day operation.</li> </ul> <p>It is policy to ensure that the operations of gaming venues and associated uses do not detrimentally affect the amenity of the surrounding area through their:</p> <ul style="list-style-type: none"> <li>- Operating hours.</li> <li>- Management of patrons.</li> <li>- Generation of noise and disturbance.</li> </ul> <p><b><u>No Inappropriate Venues are listed</u></b></p>	<p>community benefit of the gaming application the responsible authority will assess its positive and negative implications in relation to the following:</p> <ul style="list-style-type: none"> <li>- The socio-economic profile and patron catchment of the area within 1km of the venue.</li> <li>- Location of the venue in relation to nearby land uses and transport facilities.</li> <li>- The availability of other entertainment and recreation facilities within 1km of the venue and at the venue.</li> <li>- The social and economic impacts of the proposal.</li> <li>- The distribution and density of gaming machines in the neighbourhood and municipality.</li> <li>- If the gaming machines are to be relocated from within the municipality, there must be comparative advantages and disadvantages of the two locations.</li> </ul>
Council	Objectives of Policy and Amendment	Areas for location	Sites for location	Venues for Location	Other
Mansfield Shire	<p><b><u>22.09 GAMING POLICY 25/11/2010 - C21</u></b></p> <p><b><u>Policy Basis</u></b></p> <p>Given the settlement structure and characteristics of the Shire it is desirable to focus gaming machines away from settlements that merely service the local community, as well as those communities which might be most vulnerable to the negative effects of gaming.</p>	<p><b><u>Appropriate Areas</u></b></p> <p>Within or proximate to Mansfield township.</p> <p>In non-urban locations that focus on providing services for visitors, or a sports or recreation club with a land holding of more than 2 hectares.</p> <p>Where the local community has a choice of alternative non-</p>	<p><b><u>Appropriate Sites</u></b></p> <p>Where the location could reasonably be perceived as avoiding the incidence of spontaneous decisions to play gaming machines by being removed from areas where large numbers of people will be passing in the course of their daily activities.</p> <p>That achieve a separation of at least 400 metres from strip shopping centres and</p>	<p><b><u>Appropriate Venues</u></b></p> <p>Will not have an adverse impact on the amenity of adjoining areas as a result of operating hours, traffic and noise from patrons or vehicles.</p> <p>Offer a range of social, entertainment and recreational activities other than gaming as a means of ensuring gaming is not the primary purpose of the venue.</p>	<p>Mansfield Shire has a gaming reference document in the scheme titled;</p> <p><i>The Mansfield Shire Gaming Policy Framework, 2010, CPG Australia,</i></p>



	<p><b><u>Objectives</u></b></p> <p>To ensure the location of gaming venues minimises opportunities for convenience gaming and the incidence of problem gambling.</p> <p>To ensure that installation of additional gaming machines will achieve a net community benefit through their location and venue characteristics.</p> <p>To ensure that gaming machines are located in areas where the community has a choice of non-gaming entertainment and recreation activities.</p> <p>To protect the amenity of areas surrounding gaming venues.</p>	<p>gaming entertainment and recreation facilities operating at the times the proposed gaming venue will operate.</p> <p><b><u>Inappropriate Areas</u></b></p> <p>In a location where any ABS collection district within 400 metres of the proposed venue is within the most disadvantaged 20 per cent of collection districts in Victoria, as set out in the SEIFA index of relative disadvantage and illustrated in Map 1 of this Policy.</p> <p>In towns where the proposal will lead to the total density of gaming machines per 1000 adults exceeding the regional Victorian average.</p>	<p>other community hubs (this may include schools, medical centres, churches and other public offices).</p> <p>Where the gaming venue, and its associated uses, will be compatible with the predominant surrounding land uses by ensuring that the proposed location, design and operating hours do not detrimentally affect the amenity of the surrounding area.</p> <p><b><u>Inappropriate Sites</u></b></p> <p>Gaming machines should not be located in the areas shown on Map 2 of this policy.</p>	<p>Do not detract from the character and integrity of the Shire's tourism and heritage assets through their location, setting and design.</p> <p>Have a gaming floor area of less than 25 per cent of the total floor area of the venue.</p> <p>Promote responsible gaming practices, including not allowing gaming machines to operate when alternative entertainment is not available at the venue.</p> <p>Are designed so that amenities for the venue's non-gambling activities, such as entrances and exits, toilets, meeting spaces and dining spaces, can be accessed without entering the gaming area.</p> <p>Have access to natural light and allows patrons surveillance of outdoor areas.</p> <p>Do not operate gaming machines between 1am and 9am.</p>	
Council	Objectives of Policy and Amendment	Areas for location	Sites for location	Venues for Location	Other
Mitchell Shire Council	<p><b>22.01 GAMING 05/12/2013 - C87</b></p> <p><b><u>Policy Basis</u></b></p> <p>It is important to ensure that gaming machines are located in areas that are accessible but not convenient taking into account local characteristics which make a community more vulnerable to the negative effects of gaming.</p>	<p><b><u>Appropriate Areas</u></b></p> <p>In towns which function as a major urban settlement servicing a large population catchment within the hierarchy of towns in the Mitchell Shire and are not relatively disadvantaged, as shown on the map attached to this policy.</p>	<p><b><u>Appropriate Sites</u></b></p> <p>Towards the periphery of a town centre.</p> <p>Where the location could reasonably be perceived as a destination in its own right. This would be achieved by a separation from shopping centres, railway stations and community facilities involving a high</p>	<p><b><u>Appropriate Venues</u></b></p> <p>Ensure that gaming machines are established in venues which:</p> <ul style="list-style-type: none"> <li>- Have a range of entertainment and leisure options;</li> <li>- Offer social and recreational opportunities other than gaming as the primary</li> </ul>	<p>Mitchell Shire has a gaming reference document in the scheme titled; <i>The Mitchell Shire gaming Policy Framework 2007, Coomes Consultancy Group.</i></p>

	<p><b><u>Objectives:</u></b></p> <p>To discourage new gaming machines in disadvantaged areas as defined by the SEIFA index of relative disadvantage.</p> <p>To ensure the location of gaming machines and design and operation of facilities containing gaming machines minimise opportunities for convenience gaming and the incidence of problem gambling.</p> <p>To ensure that gaming machines are located where the community has a choice of non-gaming entertainment and recreational activities within the venue and in the local area.</p> <p>To protect the amenity of areas surrounding gaming venues.</p>	<p>Where they will contribute to the redistribution of gaming machines away from areas of low relative socio-economic population in comparison to the Victorian average, as defined by the SEIFA index of relative disadvantage.</p> <p>In towns which can accommodate additional gaming due to:</p> <ul style="list-style-type: none"> <li>-Choice of alternative non-gaming entertainment and recreation facilities being available in that town including hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities operating at the same time;</li> <li>-there being limited existing gaming opportunities for residents, as evidenced by a total density of gaming machines in that township which is less than the regional Victorian average; and</li> <li>-identified future residential growth capacity as set out in the map attached to this policy.</li> </ul> <p>Proximate to town centres, or in areas suitable for non-residential uses which are accessible by a</p>	<p>concentration of people undertaking daily activities.</p> <p>Where a gaming venue and associated uses will be compatible with the predominant surrounding land uses by ensuring that the proposed design, location and operating hours do not detrimentally affect the amenity of the surrounding area.</p>	<p>purpose of the venue;</p> <ul style="list-style-type: none"> <li>-Do not allow for the operation of gaming machines when alternative entertainment is not available;</li> <li>-Do not allow for gaming machines to operate for more than 14 hours a day.</li> </ul> <p><b><u>Inappropriate Venues</u></b></p> <p>Where they are convenient to shopping centres, railway stations or major community facilities.</p> <p>In the core of town centres.</p> <p>That have 24 hour a day operation, or have a gaming floor area of more than 25 per cent of the total floor area of the venue.</p> <p>Where the gaming or any associated use will detrimentally affect the amenity of the surrounding area by way of design, location or operating hours.</p>	
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		<p>variety of transport modes.</p> <p>At a sports or recreation club with a land holding of more than two hectares.</p> <p><b><u>Inappropriate Areas</u></b></p> <p>Gaming machines should not be located in areas defined by the SEIFA index of relative disadvantage as indicated in the reference document <i>Mitchell Shire Gaming Framework, October 2007</i>. As well as:</p> <p>In towns of relative socio-economic disadvantage in comparison to the Victorian average, as defined by the SEIFA index of relative disadvantage and shown on Map 1 of this policy.</p> <p>In a town where there are no alternative hotels or clubs without gaming in the town.</p> <p>In small settlements which predominantly service a local population catchment and have limited growth potential.</p>			
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Council	Objectives of Policy and Amendment	Areas for location	Sites for location	Venues for Location	Other
Melbourne City Council	<p><b><u>22.12 GAMING PREMISES</u></b></p> <p><b><u>07/0/2008 - C92</u></b></p> <p><b><u>Policy Basis</u></b></p> <p>Clause 21.04-2 of the Municipal</p>	There are no appropriate areas specified within the policy, besides one of	There are no appropriate sites specified within the policy, besides one of the clauses objectives;	There are no appropriate sites specified within the policy, besides one of the clauses objectives;	Melbourne City Council has a gaming reference document in the scheme titled;

	<p>Strategic Statement sets out objectives and strategies for recreation, entertainment and the arts. These strategies include ensuring that the operation of entertainment venues maintains an appropriate level of amenity within the municipality and that gaming premises do not form concentrations in particular areas. Gaming machines are discouraged in residential areas.</p> <p><b><u>Objectives:</u></b></p> <p>To ensure that amenity, social and economic impacts of gaming are considered when deciding on a planning application.</p> <p>To encourage applicants to submit a social and economic impact assessment with the planning application.</p> <p>To ensure that gaming premises are primarily located in existing venues in commercial centres.</p> <p>To ensure that gaming premises are established in locations that will not detract from the amenity of surrounding residential areas.</p> <p>To restrict the proliferation of gaming premises in areas where residential use is encouraged.</p> <p>To ensure that a new gaming premises is consistent with the purpose of the zone applying to the land.</p>	<p>the clauses objectives;</p> <p>To restrict the proliferation of gaming premises in areas where residential use is encouraged.</p>	<p>To ensure that gaming premises are established in locations that will not detract from the amenity of surrounding residential areas.</p>	<p>To ensure that gaming premises are primarily located in existing venues in commercial centres.</p>	<p>The <i>Gaming Machine Policy, 1997</i> is a reference document.</p>
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Council	Objectives of Policy and Amendment	Areas for location	Sites for location	Venues for Location	Other
Boroondara City Council	<p><b>22.14 ELECTRONIC GAMING MACHINE POLICY</b> <b>19/01/2006 - VC37</b></p> <p><u><b>Policy Basis</b></u></p> <p>It is recognised that licensed venues having electronic gaming machines may have a considerable impact on surrounding communities and their amenity and that these impacts should be minimised in order to fulfil the strategic objectives of the MSS. By virtue of the nature of operation of gaming machine venues it is felt more appropriate to restrict these activities to existing commercial areas where they have a limited interface with residential activities and are thus able to minimise any potential amenity impacts.</p> <p><u><b>Objectives</b></u></p> <p>To recognise the impact that electronic gaming machine venues may have on surrounding communities.</p> <p>To ensure that electronic gaming machines are primarily located in existing venues in commercial centres.</p>	No areas suggested.	No sites suggested.	<p><u><b>Appropriate Venues</b></u></p> <p>To ensure that electronic gaming machines are primarily located in existing venues in commercial centres.</p> <p><u><b>No Inappropriate Venues listed</b></u></p>	<p><u><b>Other</b></u></p> <p>The city of Boroondara has released a draft gambling policy document titled <i>City of Boroondara Draft Responsible Gambling Policy</i> which is yet to be adopted.</p> <p>The purpose of the <i>City of Boroondara Responsible Gambling Policy 2013-18</i> is to provide the strategic direction for how Council will minimise the harms that are particularly associated with EGM gambling in the City of Boroondara. The policy also details work that Council will undertake in its role as advocate, partner, community educator and researcher in relation to EGM gambling and other types of gambling, which impact on the community. This policy supersedes <i>the City of Boroondara Gaming Policy July 2008</i> and builds on the work undertaken by Council under that policy.</p> <p>This policy applies to all venues within the City of Boroondara which have a restricted licence under the <i>Liquor Control Act 1987</i>.</p>
Council	Objectives of Policy and Amendment	Areas for location	Sites for location	Venues for Location	Other
City of Port Phillip	<p><b>CLAUSE 22.07 GAMING</b> <b>04/04/2013 - C88</b></p> <p><u><b>Policy Basis</b></u></p> <p>This policy is based on an understanding that there are links between vulnerable communities, problem gambling and proximity to gaming venues. This policy seeks</p>	<p><u><b>Inappropriate Areas</b></u></p> <p>Within 400 metres walking distance of locations with, or concentrations of, support/referral services and welfare agencies servicing</p>	<p><u><b>Appropriate Sites</b></u></p> <p>Gaming machines should be located on sites:</p> <p>That minimise the likelihood of people passing the venue in the course of their usual</p>	<p><u><b>Appropriate Venues</b></u></p> <p>Gaming machines should be located in venues that:</p> <p>- Offer social, entertainment and recreational opportunities and activities</p>	<p>Port Phillip City Council has a gaming reference document in the scheme titled; <i>the Port Phillip Responsible Gambling Policy, 2011</i>.</p> <p><u><b>Other</b></u></p> <p>C88 also went through a Panel hearing. In regard to the reference document it stated;</p>

	<p>to discourage the location of gaming machines that are proximate to vulnerable communities and seeks to ensure that the location of gaming machines minimises opportunities for convenience gaming.</p> <p>Taking into account specific characteristics of the local community that make it vulnerable to the negative impacts of gaming, this policy guides the location of gaming machines to appropriate areas, sites and venues. Despite the municipality's overall level of advantage and socio-economic status, parts of the City of Port Phillip's residential population are disadvantaged in socio-economic terms, particularly associated with social housing. In addition, multiple community support services and community facilities are relied upon by the community particularly the disadvantaged and those vulnerable to the potentially harmful effects of gaming. Given these characteristics, the basis of the policy is to discourage gaming machines in disadvantaged areas and in locations that are convenient to vulnerable communities.</p> <p><b><u>Objectives</u></b></p> <p>To minimise harm from gaming and the incidence of problem gambling.</p> <p>To discourage the location of gaming machines in, and proximate to, disadvantaged areas and vulnerable communities.</p> <p>To minimise opportunities for convenience gaming and the incidence of problem gambling.</p>	<p>vulnerable communities.</p> <p>Within 400 metres walking distance of social (public and community) housing developments:</p> <p>with 50 or more dwellings; or</p> <p>where a cluster of social housing exceeds 50 dwellings.</p> <p><b><u>No appropriate Areas listed</u></b></p>	<p>business or every day activities.</p>	<p>other than gaming as the primary purpose of the venue.</p> <ul style="list-style-type: none"> <li>- Have a gaming floor area of less than 25 per cent of the total floor area of the venue.</li> <li>- Promote responsible gaming practices.</li> <li>- Do not allow for 24 hour-a-day operation.</li> </ul> <p><b><u>Inappropriate Venues</u></b></p> <p>Venues with gaming machines should not:</p> <ul style="list-style-type: none"> <li>- Have significant adverse amenity impacts on the adjoining land uses as a result of operating hours, traffic, noise, car parking, safety and security.</li> </ul>	<p>'The Panel considers the <i>Port Phillip Responsible Gambling Policy, 2011</i> should be included as a reference document in Clause 22.07, including the policy and discussion paper. The policy addresses all forms of gambling and thus is well beyond the scope of the subject of Amendment C88 and proposed Clause 22.07. That is not, however, a fundamental problem. The role of reference documents is to provide background information to assist in understanding the context within which a particular policy or provision has been framed. A variety of different documents may perform this role. As the Council noted, the Practice Note states that reference documents may be wide ranging in their content and may contain information not directly relevant to specific decisions under a planning scheme.</p> <p>Reference documents should only be relied upon to provide background or explanatory material in support of a planning scheme. The Council has not sought to give the <i>Port Phillip Responsible Gambling Policy 2011</i> any role other than as a background document as the source of the local policy. It is appropriate to identify the Policy (with its discussion paper) as the source reference document.</p>
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	To protect the amenity of existing uses surrounding venues containing gaming machines.				
<b>Council</b>	<b>Objectives of Policy and Amendment</b>	<b>EGMs should be located in areas where</b>	<b>EGMs should be located on sites that</b>	<b>EGMs should be located in venues that</b>	<b>Other</b>
<b>Ballarat City Council</b>	<p><b>22.14 GAMING</b> <b>21/11/2013 - C154</b></p> <p><u><b>Policy Basis:</b></u></p> <p>Research has concluded that there are links between social vulnerability, problem gambling and the accessibility of gaming venues. Although gaming machines may be accessible to the community as a form of entertainment and recreation, it is desirable to focus gaming machines away from everyday activity including shops, such that a pre-determined decision to gamble is required. Furthermore, the socio-economic characteristics of the municipality should be considered in any application for gaming machines. A number of areas of Ballarat, primarily around Wendouree, Sebastopol and North Ballarat, are particularly disadvantaged, and these areas are least capable of addressing the potential harmful effects of gaming.</p> <p>The location of gaming machines within Ballarat should seek to balance competing social, economic and environmental issues in order to achieve a net community benefit by using the locational criteria set out in this policy.</p> <p><u><b>Objectives</b></u></p> <p>To minimise the harms that arise</p>	<p><u><b>Appropriate Areas</b></u></p> <p>In the Central Business District (CBD), outside of the core precinct of Bridge Mall, as defined in Map 1 to Clause 21.04-4 Ballarat CBD.</p> <p>Where they will make a positive contribution to the redistribution of gaming machines away from areas of relative socio-economic disadvantage.</p> <p>Where the community has a choice of other non-gaming entertainment and recreation activities operating at the times the proposed gaming venue will operate.</p> <p>Where there is established social infrastructure and social networks within the area.</p> <p><u><b>Inappropriate Areas</b></u></p> <p>In or within 400 metres of areas of relative socio-economic disadvantage. This is</p>	<p>Ballarat City Council has focused on appropriate sites within and outside the Central Business District of Ballarat.</p> <p><u><b>Appropriate Sites</b></u></p> <p>It is preferred that gaming machines outside the CBD be located on sites:</p> <ul style="list-style-type: none"> <li>- That minimise the potential for large numbers of the local community to pass the venue in the course of their daily activities, thereby minimising the incidence of spontaneous decisions to play gaming machines.</li> <li>- Where the gaming venue, and its associated uses, are compatible with the predominant surrounding land uses by ensuring that the proposed design, location and operating hours do not detrimentally affect the amenity of the surrounding area.</li> <li>- That are at least 400m from shops, supermarkets, and major health and community service hubs, particularly those which provide services for vulnerable persons.</li> <li>- In a sports or recreation club with a land holding of</li> </ul>	<p><u><b>Appropriate Venues</b></u></p> <p>Offer social, entertainment and recreational opportunities and activities other than gaming as the primary purpose of the venue.</p> <p>Include non-gaming activities and facilities that increase net community benefit.</p> <p>Promote responsible gaming practices.</p> <p>Do not operate gaming machines between at least 1am and 9am.</p> <p>It is preferred that gaming machines be located in venues that are integrated with existing tourism uses and primarily focused on providing tourism services for visitors to the City of Ballarat.</p> <p><u><b>Inappropriate Venues</b></u></p> <p>Have a gaming floor area of more than 25% of the total floor area of the venue.</p> <p>Will have a significant adverse impact on the amenity of adjoining areas as a result of operating hours, traffic and noise from patrons and vehicles.</p>	<p>C154 received a Panel, below is a summary of C154 and the Panel's recommendations.</p> <p>'Overall, the research supports discouraging 'convenience gambling' and indicates that limiting accessibility to EGMs is likely to reduce the socio-economic impact of gaming and protect vulnerable communities.</p> <p>A number of Planning Schemes have introduced Local Planning Policies over gaming machines. The Amendment is broadly consistent with these other schemes.</p> <p>A feature of the Amendment is that it identifies the Ballarat CBD as a preferred location for EGMs and would remove a prohibition that is likely to apply to many areas – or perhaps all of – the CBD.</p> <p>Having considered the submissions I have concluded:</p> <ul style="list-style-type: none"> <li>- there is strong justification for the inclusion of a local planning policy dealing with gaming machines the fundamental policy aims are sound and consistent with a range of other policies and VCAT decisions not all areas of the Ballarat CBD are inherently unsuitable for new EGMs and there may be some positive advantages from tourism though it is easy to overstate these benefits.</li> <li>- the core area of Bridge Mall is not a suitable location for new EGMs.</li> <li>- the balance of the Bridge Mall area on the map may be suitable for new EGMs.</li> <li>- the reference to net community benefit in the policy is appropriate.</li> <li>- there is no strategic justification for identifying other</li> </ul>

	<p>from gaming.</p> <p>To protect the amenity of existing uses surrounding gaming venues.</p> <p>To ensure that the area, site and venue characteristics contribute to net community benefit.</p>	<p>defined as locations where any ABS collection district is within the most disadvantaged 20 per cent of collection districts in Victoria, as established by the SEIFA Index of Relative Disadvantage.</p> <p>In small towns or small urban settlements where there is not a variety of non-gaming entertainment and recreation activities.</p>	<p>more than 2 hectares.</p> <p>It is preferred that gaming machines within permitted areas of the CBD be located on sites:</p> <ul style="list-style-type: none"> <li>- Where the gaming venue, and its associated uses, are compatible with the predominant surrounding land uses by ensuring that the proposed design, location and operating hours do not detrimentally affect the amenity of the surrounding area.</li> <li>- Outside of the core area of the Bridge Mall precinct.</li> <li>- That can be reasonably avoided by persons accessing problem gambling support services, welfare agencies and high level social or health services not available elsewhere in Ballarat.</li> </ul>		<p>tourism precincts in Ballarat as preferred locations for gaming machines.</p> <p>Other Strategic Justification raised in the Panel Report;</p> <p>- 'The SPPF does not include any reference to gaming. Previous Panels have agreed (as do I) that this has created a policy vacuum where there is no strategic land use framework or guidance to assist responsible authorities. In such circumstances a local planning policy becomes vital to assist in the exercise of discretion'.</p> <p>- 'Since at least 2009 VCAT has found that a lack of a local policy on gaming worked against a Council. In that case, the Tribunal said: It goes against the Council that there is no specific local gaming policy providing any spatial preference for which part of the municipality new EGMs should be located.'</p> <p>Like a number of other municipalities across Victoria, Ballarat is concerned about the adverse social and economic impacts of gaming and through the Amendment is seeking to provide a more rigorous framework to control the location of gaming machines in the municipality. Council has provided justification for the Amendment, and there have been a range of similar policies introduced into planning schemes, and other schemes are going through the amendment process.</p> <p>In the absence of any State planning policy guiding the location of gaming machines, it is entirely reasonable for Council to provide greater guidance to the location of gaming machines in its municipality.</p> <p>There is a range of views on Council's policy approach. This Amendment is not about whether we ought to have EGMs in Victoria or whether we were right to have adopted a 'community' model of gaming. It is about providing guidance to decision makers under the Ballarat Planning Scheme in the context where EGMs are a legitimate activity.</p>
Council	Objectives of Policy and Amendment	EGMs should be located in areas where	EGMs should be located on sites that	EGMs should be located in venues that	Other
City of	<u>22.09 GAMING POLICY</u>	<u>No Appropriate</u>	<u>Appropriate Sites</u>	<u>Appropriate Venues</u>	Bayside has two new Reference Documents within



<p><b>Bayside</b></p>	<p><b><u>30/05/2013 - C98</u></b></p> <p><b><u>Policy Basis</u></b></p> <p>This policy acknowledges that gaming machine gambling is a legal form of recreation for adult members of the community. It also acknowledges that a proportion of the community is susceptible to problem gambling which can have significant adverse impacts on the health and wellbeing of communities and seeks a planning outcome of net community benefit.</p> <p>Clause 52.28 of the Bayside Planning Scheme requires a permit to install or use a gaming machine. This policy seeks to guide Council's decision making in relation to planning applications for gaming machines by implementing the findings of the Bayside Gaming Policy Review 2010 and the objectives of Clause 21.07 of the Municipal Strategic Statement.</p> <p><b><u>Objectives</u></b></p> <p>To ensure the location, design and operation of venues containing gaming machines, including gaming premises, minimises opportunities for convenience gaming.</p> <p>To guide the location, design and operation of venues containing gaming machines, including gaming premises, to reduce the risk of social and economic harm and protect vulnerable communities.</p> <p>To minimise harm from gaming and the incidence of problem</p>	<p><b><u>Areas Listed</u></b></p>	<p>Gaming machines should be located on sites that are more than 500 metres along the road network from:</p> <ul style="list-style-type: none"> <li>- An ABS collection district that is within the most socioeconomically disadvantaged 20 percent within Victoria as defined by the Socio Economic Indexes for Areas (SEIFA) Index of Relative Disadvantage;</li> <li>- Another venue which operates gaming machines;</li> <li>- Sensitive community facilities;</li> <li>- the offices of public and private welfare agencies; and</li> <li>- A railway station or transport interchange.</li> </ul> <p><b><u>Inappropriate Sites</u></b></p> <p>In Neighbourhood Activity Centres.</p> <p>In the Mixed Use and Business 1 zones of the Bayside Business Employment Area as shown in Figure 1 to Clause 22.04.</p> <p>In suburbs where the density of gaming machines per 1,000 resident adults, including the proposed machines, is greater than the metropolitan Melbourne average.</p> <p>(The average gaming</p>	<p>Gaming machines should be located in venues that:</p> <ul style="list-style-type: none"> <li>- Provide a range of social, leisure and recreational activities other than gaming as the primary purpose of the venue. Alternative non-gaming social, leisure and recreational facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities operating at the same times as the proposed gaming venue will operate.</li> <li>- Have a gaming floor area less than 25 per cent of the total floor area of the venue.</li> <li>- Have access to natural light and allow patron surveillance of outdoor areas.</li> <li>- Have clear directional signs to all non-gaming amenities, including toilets and dining areas, lounges, recreational facilities.</li> <li>- Physically and visually separate the venue's non-gaming activities from gaming activities.</li> <li>- Are designed so that amenities for the venue's non-gaming activities, including entrances and exits, toilets, meeting spaces and dining areas, can be accessed without entering the gaming area.</li> <li>- Do not operate for more</li> </ul>	<p>the Planning Scheme:</p> <p><i>Bayside Gaming Machines Policy 2010</i></p> <p>And the</p> <p><i>Bayside Gaming Policy: Review and Implementation Report 2010</i></p> <p>Although the C98 was approved these were Panel Report findings (10th January 2012):</p> <ul style="list-style-type: none"> <li>- References to 'minimising harm' or 'ensuring that the net social and economic impact of gaming machines will not be detrimental to the wellbeing of the community' provide a more reasonable basis for assessment than net community benefit criterion.</li> <li>- The Council's stipulation of a 16 hour operation criterion, yet such policy provisions should be consistent with those under the Gaming Regulation Act 2003.</li> <li>- The Panel noted that the Council relied upon gaming policies in other Planning Schemes but 'policy content is likely to vary depending upon the socio-economic profile of the municipal district (in relation to 800 buffer distances from EGM's).</li> <li>- In section 1.4.1 there is reference to SPPF which encourages a mix of activities and entertainment in 'activity centres'. Yet the panel separates Major Activity centres from the less appropriate Neighbourhood Activity Centres for placing EGM's.</li> <li>- In section 1.4.3 Existing use intensification does not require a permit within the updated clause 52.28-2 (if the maximum number of EGM's for the approved venue under the Gaming Regulation Act 2003 on 18 October 2006 is not exceeded' and the policy the relevant conditions continue to be satisfied).</li> <li>- In section 2, the panel voiced its concerns over the level of consultation that had been undertaken in the preparation of the Draft 2010 policy. There was very little response to the exhibited amendment, whilst no requests to present at the panel hearing was noted. Yet they also note that, unlike site specific proposals where the consequences for individual properties are</li> </ul>
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	<p>gambling.</p> <p>To ensure the net social and economic impact of gaming machines will not be detrimental to the wellbeing of the community.</p> <p>To respect the amenity of existing uses surrounding gaming premises.</p> <p>To ensure that gaming premises do not compromise the social and economic role of activity centres.</p>		<p>machine density for metropolitan Melbourne will be based on the most recent statistical data for the Melbourne metropolitan region released by the Victorian Commission for Gambling Regulation, the ABS or other government source).</p>	<p>than 16 hours per day.</p> <p>- Will not have a significant adverse amenity impact on the adjoining land uses as a result of operating hours, traffic, noise, car parking, safety and security.</p>	<p>more obvious, it is not always easy to secure wide participation in consultative processes associated with strategic planning work.</p> <p>- Section 3. The Panel notes in relation to panel submissions 'It is important to recognise that the planning system is only part of the regulatory framework. The primary role of planning provisions in relation to gaming is to identify suitable locations criteria that can assist in achieving objectives to minimise harm from gaming.</p> <p>- In section 3.1.1 it is noted that clause 52.28 sets tests that apply in determining whether land is within a strip shopping centre for the purpose of the clause. The Panel then stated that 'like other Panels and VCAT, the Panel has inferred that the criteria are intended to manage 'convenience' gambling by identifying areas that serve the day to day needs of the community and have high levels of pedestrian traffic.'</p> <p>- In section 3.1.1 the 33 strip shopping centres identified by Council is questioned by the Panel which referred to clause 52.28 which states a strip shopping centre is defined 'in which a significant proportion of the buildings are shops'. Whilst the Panel also referred to the LPP to determine the strategic direction of the nominated centres within the scheme, and importantly the Panel referred to a Council adopted document which was outside of the scheme, that found contradictions to the suggested strip 'retail centres' .</p> <p>- In section 3.2.1, the Panel states 'It is not necessary to demonstrate a net benefit as it is not a test and the absence of any clear net community benefit is not sufficient reason to refuse to grant a permit. Whilst the Macedon Ranges Panel report considered a Council has the right to introduce a concept of 'net community benefit' where it is well justified. Nevertheless that particular panel preferred policy references to 'minimising harm' or ensuring that the net social and economic impact of gaming machines will not be detrimental to the wellbeing of the community'.</p> <p>It is noted that 'the management of accessibility to gaming opportunities appears to be a fraught area of planning policy'. With the gaming review highlighting</p>
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					<p>'the tension between providing access to a legitimate and acceptable leisure activity that causes harm to a significant minority'.</p> <p>The Panel concludes that there is very restricted opportunity for gaming within Bayside City Council, as a result of the characteristics of the area. Note: Namely a large residential density within Bayside and lots of strip shopping centres.</p> <p>The panel report ends by stating, 'The concept of convenience gaming' is central to the Policy and the Panel considers that the meaning of the term should be made explicit in the policy.</p>
Council	Objectives of Policy and Amendment	EGMs should be located in areas where	EGMs should be located on sites that	EGMs should be located in venues that	Other
Brimbank City Council	<p><b><u>21.11-2 Gaming Draft Policy Basis</u></b></p> <p><b><u>Proposed C41</u></b></p> <p>Brimbank is currently preparing planning scheme Amendment C41. At the time of writing this report, it has completed its public exhibition period.</p> <p>The Brimbank municipality is located in a partially capped gaming region and has a high density of gaming machines and a higher than State average level of gaming expenditure. This capped region also includes significant areas of relative disadvantage which experience very high losses on electronic gaming.</p> <p>Council will manage the recreational and leisure values of gaming with the responsibility to protect vulnerable communities within Brimbank.</p> <p><b><u>Draft Objectives</u></b></p>	<p>Brimbank's draft policy has no appropriate areas, venues or sites specified, instead using a general policy guidance criteria.</p> <p><b>Policy guidance (criteria for the exercise of discretion)</b></p> <p>It is policy that, as appropriate proposals for new electronic gaming machines, new gaming venues, the increase in the number of existing gaming machines or the relocation of electronic gaming machines within existing venues, will be assessed against the following criteria:</p> <p>- The density of electronic gaming machines should not exceed the</p>			<p>Brimbank has proposed to introduce a reference document into the scheme titled; <i>Brimbank Electronic Gambling Policy Action Plan (2010-2013)</i></p> <p>It states appropriate areas for EGM's within the Municipality.</p> <p>Its Policy intent states;</p> <p>Council's commitment to plan, lead and advocate on the social and economic impacts of EGMs is underpinned by the <i>Brimbank Community Plan (2009-2030)</i> vision that Brimbank will be an: 'active and connected community that will have a high participation in community life and that Council's actions will result in improvements to lifelong learning, health and wellbeing of all community members'.</p>

	<p>Objective 1</p> <p>To balance the recreational and leisure values of electronic gambling with the need to ensure the health and well-being of the community.</p> <p>Strategies</p> <p>1.1 Discourage an increase or relocation of gaming machines in areas of high socio economic disadvantage.</p> <p>1.2 Ensure responsible gaming is promoted in venues through the provision of information regarding support services for problem gambling, counselling services and alternative recreation and leisure opportunities.</p> <p>Objective 2</p> <p>To ensure that the area, site and gaming venue characteristics contribute to net community benefit.</p> <p>2.1 Ensure gaming venues provide a full range of hotel or club services and facilities available to members and/or patrons.</p> <p>2.2 Ensure gaming is not the primary use within the venue.</p>	<p>Melbourne metropolitan average.</p> <p>- New electronic gaming machines or new electronic gaming machine venues should not be located in activity centres or close to/within 400 metres of train stations.</p> <p>- Gaming activities should not be the dominant use of any venue.</p>			
<b>Council</b>	<b>Objectives of Policy and Amendment</b>	<b>EGMs should be located in areas where</b>	<b>EGMs should be located on sites that</b>	<b>EGMs should be located in venues that</b>	<b>Other</b>
<b>City of Benalla</b>	<p><b>22.07 GAMING Proposed C21</b></p> <p>The City of Benalla has no gaming policy. However Draft amendment C21 is</p>	<p><u>Draft Appropriate Areas</u></p> <p>Gaming machines should be located in areas:</p>	<p><u>No Appropriate Sites Listed</u></p>	<p><b>Draft Appropriate Venues:</b></p> <p>Gaming machines should be located in venues that:</p>	<p>Amendment C21 received a Panel Hearing. The Panel report was finished in August 2012 and Council is now responding to the recommendations.</p>

	<p>currently being reviewed.</p> <p><b>Draft Policy Basis</b></p> <p>This policy is based on an understanding that problem gambling affects a small proportion of gamblers and that by locating gaming venues in locations that are convenient, but not highly accessible will decrease the incidence of "convenience gaming".</p> <p><b>Objectives</b></p> <p>Ensure that gaming machines are situated in appropriate areas and venues.</p> <p>Ensure that the area, site and venue characteristics of gaming machines contribute to net community benefit.</p> <p>Minimise the adverse social and economic consequences of gaming.</p> <p>Protect the operation and amenity of existing uses surrounding gaming venues.</p> <p>Minimise opportunity for convenience gambling and the incidence of problem gambling.</p>	<p>- Where the community has a choice of non-gaming entertainment and recreation activities within the local area.</p> <p>- Away from locations of relatively high gaming vulnerability.</p> <p>- Where relatively low gaming vulnerability to overspending on electronic gaming, as identified in Map 2 (Gaming Vulnerability and Venues – Benalla Rural City 2009), Map 5 (Areas in which the addition of further Electronic Gaming Machines should be Discouraged) and Appendix 4 (Gaming Vulnerability Index) in the <i>Gambling Planning Framework Benalla Rural City 2010</i>.</p>		<p>- Have a gaming floor area of less than 25 per cent of the total venue floor area.</p> <p>- Have a range of non-gaming entertainment and recreation options.</p> <p>- Ensure the design and operation of facilities containing gaming machines minimises opportunities for convenience gaming and the incidence of problem gambling.</p> <p>- Encourage the redistribution of gaming machines away from gaming only venues.</p> <p>- Ensure that gaming machines are established where the community has a choice of nongaming entertainment and recreation activities within the venue.</p> <p>- Encourage gaming venues to diversify the range of activities onsite and to reduce the prevalence of multi-gambling forms within this activity mix.</p>	<p>What Amendment C21 proposes;</p> <p>- Amend Clause 21.08 by providing a link to the Council's <i>Gambling Planning Framework Benalla Rural City 2012</i> and local policy and introducing strategies relating to the location of electronic gaming machines (EGMs).</p> <p>- Introduce Clause 22.07 for permit applications to install or use a gaming machine or to use land for gaming.</p> <p>- Introduce the <i>Gambling Planning Framework Benalla Rural City 2012</i> as a reference document in Clause 21.10 and proposed Clause 22.07.</p> <p>- Amend the Schedule to Clause 52.28</p> <p><b>Panel response was as follows:</b></p> <p>The Panel found strategic support for a gaming policy to be introduced into the Benalla Planning Scheme, through amendments to the Municipal Strategic Statement and a new local policy. The nomination of locations in the Schedule to Clause 52.28 is also acceptable.</p> <p>A primary focus of the Panel's consideration is the Gaming Vulnerability Index (GVI) and whether it is in a form that is suitable for inclusion in the Scheme. The Panel appreciates it is appropriate to explore alternative or supplementary indices to SEIFA in a rounded assessment of social and economic impacts. The GVI could have potential in this regard. However, the Panel has a number of concerns about the GVI and proposed Permit Application Assessment Process being introduced into the Benalla Planning Scheme as explained in this report. Key among those concerns are the following:</p> <p>First, the Panel does not consider the GVI's quantitative and mapped outputs are suitable (individually or together) as the basis of, or as the tool within, the local policy to direct EGMs away from locations of high gaming vulnerability as proposed in Clause 22.07-3. The Panel considers that locations that should be avoided in the siting of EGMs should be informed by assessments with respect to SEIFA and a range of other data that leads to an</p>
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					<p>understanding of the socio economic profile of the catchment but the GVI should not be relied on in the policy for reasons set out in this report.</p> <p>Second, the Panel does not consider the Permit Assessment Process referred to in the proposed local policy (Clause 22.07-4) should be based on the methodology set out in the Framework. It is not satisfied that the "gaming vulnerability index value", based on a points system with respect to three areas of potential detriment, accords with the performance based approach that underpins the Victoria Planning Provisions. The three areas of potential detriment adopt a score value for criteria such as whether there are multiple gaming options at a venue. The Panel accepts submissions on behalf of the Royal Hotel that the basis for this item cannot necessarily be reduced to a single score as there may be various factors as to why, or why not, multiple gaming components are potentially problematic in any specific case. There is also the issue of subjectivity in ascribing scores to each of the three items.</p>
Council	Objectives of Policy and Amendment	EGMs should be located in areas where	EGMs should be located on sites that	EGMs should be located in venues that	Other
Campaspe Shire	<p><b>Gaming Policy Clause 22.05</b> <b>23/05/2013 - C87</b></p> <p><u><b>Policy Basis</b></u></p> <p>The location of gaming machines in the Shire should seek to balance competing social, economic and environmental issues to achieve a net community benefit on a Shire-wide basis by utilising the locational criteria set out in this policy.</p> <p><u><b>Objectives</b></u></p> <p>To protect the amenity of areas surrounding venues containing gaming</p>	<p><u><b>Appropriate areas</b></u></p> <p>It is preferred that gaming machines are located:</p> <ul style="list-style-type: none"> <li>- Within, or proximate, to the major urban settlements of Kyabram or Rochester. Existing gaming machines may also be redistributed within Echuca.</li> <li>- In non-urban locations that focus on providing tourism services for visitors to the Shire, or a sports or recreation club with a land holding of more than two hectares.</li> <li>- Where the local community has a choice of alternative non-gaming</li> </ul>	<p><u><b>Appropriate Sites</b></u></p> <p>It is preferred that gaming machines are located:</p> <p>Where the location could reasonably be perceived as avoiding the incidence of spontaneous decisions to play gaming machines by being removed from areas where large numbers of members of the local community will be passing in the course of their daily activities.</p> <p>Where the gaming venue, and its associated uses, will be compatible with the predominant surrounding land uses by ensuring that the proposed design, location and operating hours do not</p>	<p><u><b>Appropriate venues</b></u></p> <p>Gaming machines should be located in venues that:</p> <p>Offer social, entertainment and recreational opportunities and activities other than gaming as the primary purpose of the venue.</p> <p>Include a range of non-gaming entertainment and recreation options.</p> <p>Promote responsible gaming practices.</p> <p><b>Gaming machines should not be located in venues</b></p>	<p>Campaspe Shire also has a reference document in the scheme, called the "<i>Campaspe Shire Gaming Policy Framework, April 2011</i>"</p> <p><b>Amendment C87 also received a Panel Hearing, with the amendment explained below with the Panel's key recommendations.</b></p> <p>Amendment C87 to the Campaspe Planning Scheme amends the Municipal Strategic Statement at clause 21.04-3 to include reference to gaming, include the <i>Gaming Machine Policy Framework 2011</i> as a reference document in clause 21.05 and introduce a new Gaming Policy at clause 22.05. The Gaming Policy introduces locational guidelines for gaming machines in areas, sites and venues, and proposes 'discouraged areas' in a number of towns within the Municipality.</p> <p>The Amendment also specifies strip shopping centres in the schedule to clause 52.28 'Gaming' where gaming machines are prohibited.</p>

	<p>machines.</p> <p>To ensure that the area, site and venue characteristics of gaming machines minimise harm from gaming and avoid a detrimental net social and economic impact to the community.</p>	<p>entertainment and recreation facilities operating at the times the proposed gaming venue will operate.</p> <p><b><u>Inappropriate Areas</u></b></p> <p>In areas of relative socio-economic disadvantage. This is defined as locations where any ABS collection district is within the most disadvantaged 20 per cent of collection districts in Victoria, as set out in the SEIFA index of relative disadvantage.</p> <p>Within small settlements that only service a local population.</p> <p>In towns where the proposal would lead to the total density of gaming machines exceeding 10 per 1,000 adults. This does not apply to existing gaming machines which are being relocated within the town of Echuca.</p>	<p>detrimentally affect the amenity of the surrounding area.</p> <p>In Echuca, gaming machines are encouraged to relocate to the Port of Echuca tourism precinct.</p> <p><b><u>Inappropriate Sites</u></b></p> <p>Gaming machines should not be located in the prohibited areas identified in the Schedule to Clause 52.28-4, or discouraged areas shown on the maps in this policy.</p>	<p><b>that:</b></p> <p>Have a gaming floor area of more than 25 per cent of the total floor area of the venue.</p> <p>Have a 24 hour-a-day operation.</p> <p>Will have a significant adverse impact on the amenity of adjoining areas as a result of operating hours, traffic and noise from patrons and vehicles.</p>	<p><b>Panel Recommendations</b></p> <p><b>Net community benefit</b></p> <p>In the Panel's view, references to 'net community benefit' in the LPPF should be modified to ensure that references relate to wider compliance with the purpose and goal of Clause 10 of the State Planning Policy Framework. The Panel prefers wording that refers to 'minimising harm' or 'ensuring that the net social and economic impact of gaming machines will not be detrimental to the wellbeing of the community', as it avoids the potential for a different (higher) standard being applied to the planning application than under the Gaming Regulation Act 2004, as commented on in the Bright Newbay VCAT case.</p> <p>In this context the reference to 'net community benefit' under 'Policy Basis' is considered appropriate as it is clear that this relates to the broader planning meaning and applies to the Shire as a whole, although further clarification that it is a Shire-wide assessment is considered useful. Other references in the Objectives, Policy and Decision Guidelines are, in the view of the Panel better expressed in different terms.</p> <p><b>Prohibited and discouraged areas</b></p> <p>It is clear that for a site to be in a strip shopping centre that it must meet all of the requirements set out in Clause 52.28. The Panel accepts that the work done by CPG in analysing the requirements in Campaspe is generally sound and notes that the vast majority of the proposed strip shopping centres identified in the Amendment have not been challenged.</p> <p>The Panel does not, however, agree that the assessment of Township Zone land as described by CPG in the <i>Gaming Machine Policy Framework</i> is necessarily correct. CPG, at page 128, (as quoted above) have interpreted that land zoned Township Zone meets the requirement 'is zoned for business use'. The Panel agrees that some business uses are permissible in a Township Zone subject to a permit, but believes that it is questionable that land in a Township Zone could be correctly said to be 'zoned for business use.' This presents somewhat of a</p>
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					<p>dilemma in that a Township Zone could be interpreted as primarily a residential zone and yet it is not afforded the same 'protection' from the inappropriate location of gaming machines as land in a Residential 1 Zone, for example, where Gaming premises (other than as an ancillary use in a hotel or tavern) is a Section 3 prohibited use. The importance of discouraged areas applying to these areas is mentioned further below (see report for more detail).</p> <p><b>Local Policy</b></p> <p>The Panel notes that it has been common practice in other rural Council's Gaming Policies to specify that 'gaming machines should not be located in towns where the proposal would lead to the total density of gaming machines exceeding the regional Victorian average'. The Panel thinks this is a reasonable approach, clearly designed to prevent a high concentration of gaming machines in one particular location. The Panel understands that the density of gaming machines in Country Victoria is 6.52 EGMs per 1000 adults. By adopting a higher criterion of 10 EGMs per 1000 adults, Campaspe could be argued to be applying a more lenient standard to towns and settlements within the Shire.</p> <p>The Panel believes that using a density cap to prohibit an application would not be appropriate. However, the Panel does believe it is reasonable to implement policy that applies discretionary guidelines to contain the impacts that a concentration of gaming venues may have on a town. The Panel believes that having a discretionary guideline provides for an application to still be considered on its merits, and taking the density of gaming machines over 10 per 1000 adults would not necessarily be fatal to an application.</p> <p>The Panel therefore concludes that this policy criterion should be supported. The Panel does not support the suggestion that planning applications for gaming machines in Echuca should be treated differently on the basis that venues should 'compete' for gamblers with NSW. Planning judgements should be based on managing the potential for harm and managing amenity impacts rather than economic competition across the border (see report for more details).</p>
Council	Objectives of	EGMs should be	EGMs should be	EGMs	Other



	Policy and Amendment	located in areas where	located on sites that	should be located in venues that	
Whitehorse City Council	<p><b>22.17 GAMING</b>  <b>28/03/2013</b>  <b>C108</b></p> <p><b><u>Policy Basis</u></b></p> <p>Council's Responsible Gambling Policy 2011 acknowledges that gambling is a legal form of recreation for adult members of the community. Whilst this is the case the Policy also acknowledges that a proportion of the community is susceptible to problem gambling which can potentially have significant impacts on the health and wellbeing of individuals, families and the broader community. These impacts are felt disproportionately by different segments of the community and more vulnerable groups tend to sustain the biggest losses.</p> <p><b><u>Objectives</u></b></p> <p>To ensure that the social and economic impacts of gaming are considered in applications for new venues or variations to the number of machines at existing venues.</p> <p>To ensure that the operation of gaming in Whitehorse delivers a net community benefit.</p>	<p><b>No Appropriate Areas Listed</b></p> <p><b>Instead Whitehorse have taken a more general approach;</b></p> <p><b>Application requirements</b></p> <p>It is policy to require the following information be provided as part of any application for a new gaming venue or for a proposal to increase the number of EGMs in an existing venue:</p> <p>The following areas are looked at;</p> <ul style="list-style-type: none"> <li>- Locational features</li> <li>- Patron profile</li> <li>- Social profile</li> <li>- Vulnerability and Supports</li> <li>- Community and Stakeholders</li> <li>- Community benefit</li> <li>- Alternate entertainment</li> <li>- Expenditure</li> <li>- Harm prevention and product safety measure</li> </ul> <p><b>Decision guidelines</b></p> <p>Whether the social and economic impacts of gaming associated with a proposal for a new gaming venue or the expansion of gaming machines at an existing venue can be</p>	No Appropriate Sites Listed	No Appropriate Venues Listed	<p><b>Whitehorse City Council also has a reference document within the scheme called;</b></p> <p><i>City of Whitehorse Responsible Gambling Policy 2011</i></p> <p><b>Policy basis;</b></p> <p>The Whitehorse City Council <i>Responsible Gambling Policy 2011</i> is based on the following:</p> <p>a. EGM gambling is a legal recreational activity in Victoria.</p> <p>b. EGMs can have significant social, economic and health impacts on individuals, families and communities. These impacts are felt disproportionately by different segments of the community and more vulnerable groups tend to sustain the biggest losses.</p> <p>c. There is a high level of community concern about the negative impacts of gaming machines in the City of Whitehorse.</p> <p>Council's overarching policy position is that it has a responsibility to minimise the harmful and negative impacts of EGMs in the local community.</p>

	<p>To ensure that the location and design of gaming machine venues minimises the incidence of problem gambling.</p> <p>To ensure gaming premises offer a range of non gaming entertainment and recreation activities rather than be stand alone gaming premises.</p> <p>To ensure that the operation, location and design of gaming premises does not have a negative impact on the amenity, character, community values and safety of the area.</p>	<p>demonstrated to be minimal on the community.</p> <p>Whether a proposal for a new gaming venue or the expansion of gaming machines at an existing venue can demonstrate that it can deliver a net community benefit.</p> <p>Whether the location and design of a new gaming venue is such that it helps minimise the possible incidence of problem gambling.</p> <p>Whether any new proposed gaming premises also offers a range of non gaming entertainment and recreation activities.</p> <p>Whether the operation, location and design of proposed gaming premises does not have a negative impact on the amenity, character, community values and safety of the area.</p>			
<b>Council</b>	<b>Objectives of Policy and Amendment</b>	<b>EGMs should be located in areas where</b>	<b>EGMs should be located on sites that</b>	<b>EGMs should be located in venues that</b>	<b>Other</b>
<b>Surf Coast Shire</b>	<p><b>CLAUSE 22.08 GAMING POLICY 22/03/2012 C72</b></p> <p><b>Policy Basis</b></p> <p>Research has concluded that there are links between social disadvantage, problem gambling and proximity to gaming venues. Although gaming machines may be accessible to the</p>	<p><b>Appropriate Areas</b></p> <p>In major urban settlements which service a large population catchment;</p> <p>Where the community has a choice of non-gaming entertainment and recreation activities operating during the times that the proposed gaming</p>	<p><b>Appropriate sites</b></p> <p>Gaming machines should be located on sites:</p> <p>That minimise the likelihood of people passing the venue in the course of their usual business or everyday activities;</p> <p>Towards the periphery of town centres and tourism</p>	<p><b>Appropriate venues</b></p> <p>Gaming machines should be located in venues that:</p> <ul style="list-style-type: none"> <li>- Are a destination in their own right;</li> <li>- Promote non-</li> </ul>	<p>Surf Coast Shire also has a reference document within the scheme called;</p> <p><i>Surf Coast Shire - Gaming Policy Framework (2008)</i></p> <p><b>Policy basis;</b></p> <p>Changes to the Victorian Planning Provisions on the 18<sup>th</sup> October 2006 require a planning permit be obtained for all new gaming machines in the State of Victoria.</p> <p>This document provides a planning framework and the strategic justification for a Local Gaming Policy for the Surf Coast Shire,</p>

	<p>community as a form of entertainment, they should not be convenient and should be located at a distance that requires a pre considered decision to gamble.</p> <p>The location of electronic gaming machines should have regard to the socio-economic characteristics of a community, avoiding relatively disadvantaged areas that are most vulnerable to the potential harmful effects of gaming.</p> <p><b><u>Objectives</u></b></p> <p>To avoid the risk of exacerbating problem gambling.</p> <p>To ensure that the installation or use of electronic gaming machines will not have a detrimental impact on the amenity, culture or character of a community.</p> <p>To ensure that the location of electronic gaming machines will not be detrimental to the social and economic well being of the community.</p> <p>To protect the amenity of existing uses surrounding gaming venues.</p>	<p>machines will operate;</p> <p>Where the gaming machine densities (based on the permanent population) are lower than the regional Victorian average;</p> <p>Away from towns that are classified as having high housing stress; and</p> <p>Away from towns where the levels of socio-economic disadvantage are in the bottom 33 per cent as set out in the SEIFA Index of Relative Disadvantage for Postal Area Codes.</p> <p>Gaming machines may be located outside established townships where they are in a sports or recreation club with a land holding of more than 2 hectares.</p>	<p>precincts, outside of the main transport, shopping, community and civic functions of the centre/precinct; and</p> <p>Away from foreshore activity areas and key community facilities.</p>	<p>gaming activities that increase net community benefit;</p> <ul style="list-style-type: none"> <li>- Have a range of entertainment, leisure and/or recreational options other than gaming as the primary purpose of the venue;</li> <li>- Have gaming floor area of less than 25 per cent of the total floor area of the venue;</li> <li>- Will not detrimentally affect the amenity of the surrounding area through their appearance, signage or generation of noise and disturbance; and</li> <li>- Do not allow for 24 hour-a-day operation.</li> </ul> <p>It is policy to discourage the display of large, illuminated signage associated with electronic gaming activities.</p>	<p>as it relates to applications for the installation or use of EGMs in the municipality.</p> <p>Gaming is a legitimate activity in Victoria and for the majority of gamblers gaming is a source of recreation. However, it is recognised that gaming can have serious detrimental implications for a small but significant proportion of gamblers.</p>
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Council	Objectives of Policy and Amendment	EGMs should be located in areas where	EGMs should be located on sites that	EGMs should be located in venues that	Other
Wyndham City Council	<p><b>22.15 ELECTRONIC GAMING POLICY PROPOSED C174</b></p> <p><u><b>Draft Policy Basis</b></u></p> <p>The location, design and operation of EGMs and gaming venues can assist in reducing the harm caused by EGMs and maximise the benefits to a community.</p> <p>The purpose of this policy is to give effect to Wyndham City Council's <i>Strategic Planning Policy Framework – Electronic Gaming (2012)</i> in order to guide decision making in the location, design and operation of EGMs and gaming venues.</p> <p><u><b>Draft Objectives</b></u></p> <p>To identify locations where the installation of EGMs, whether in an existing or new gaming venue, are either discouraged or encouraged; To identify design and operational elements for existing and new gaming venues that are encouraged.</p>	<p><u>Wyndham have taken a different approach and worded their policy in the following manner</u></p> <p><b>The installation of an EGM or the establishment of a new gaming venue be discouraged:</b></p> <p>In or adjoining a Census Collector District (CCD) with indicators of Comparatively high socio-economic disadvantage high levels of housing stress low levels of individual and household income in the rural townships of Wyndham where EGMs do not currently exist; within walking distance or visible from an existing or approved gaming venue; in a location passed by a considerable number of people going about their daily activities such as shopping, taking children to school/childcare/health care etc or going to work; in a location which shares car parking with other commercial or community premises; from within or on the edge of an identifiable activity centre, shopping strip or shopping complex.</p> <p><u><b>The installation of an EGM or the establishment of a new</b></u></p>	<u>See installation criteria</u>	<u>See installation criteria</u>	<p>Wyndham City Council has also proposed a reference document to be placed in the Scheme titled;</p> <p><i>Wyndham City, Strategic Planning Policy Framework – Electronic Gaming (2012)</i></p> <p><b>Other</b></p> <p><b>Wyndham have also decided to focus on the design and operation of EGM venues with the below policy in Clause 22.15.</b></p> <p><b>Design</b></p> <p>A new venue or the venue within which an EGM is proposed to be installed be sited on the land and designed such that:</p> <ul style="list-style-type: none"> <li>- the venue does not dominate the neighbourhood in which it is located so as to be a prominent feature of the area;</li> <li>- advertising signage is modest in size and discreet in nature;</li> <li>- vehicle and patron access is through the main road and not from adjacent local roads;</li> </ul> <p><b>Operation</b></p> <p>It is policy that a new venue or the venue within which an EGM is proposed to be installed be: one where electronic machine gaming is ancillary to other sporting, recreational and entertainment activities on the site; closed for the playing of EGMs for at least 6 continuous hours each day, preferably between 2.00am and 8.00am.</p>

		<p><u><b>gaming venue be encouraged in a location:</b></u></p> <p>Where the majority of its patrons will need to make a conscious plan to travel to the venue; where potential patrons have a choice of recreational and entertainment options other than gaming.</p>			
<b>Council</b>	<b>Objectives of Policy and Amendment</b>	<b>Areas for location</b>	<b>Sites for location</b>	<b>Venues for Location</b>	<b>Other</b>
<b>Moreland City Council</b>	Moreland City Council does not have a local policy, yet Council has adopted a social gaming strategy.				<p><b>Other</b></p> <p>Placing the Moreland's <i>Responsible Gaming Strategy 2010-14</i> into the scheme is one of the considerations being considered. The document is largely social policy, which does not focus on land use (like the <i>Responsible Gaming Strategy 1998</i> which is still referenced within the MSS). There is the risk the latest social policy will become outdated if placed as a reference document (i.e. like the document from 1998), as the policy is updated every two years.</p> <p>Further to this their thoughts are a better (but more resource intensive) process to get a strategic planning framework for gaming done would be to provide more details to assist planners when the application comes in. An example being Hume's gaming framework document:  <a href="http://www.pc.gov.au/data/assets/pdf_file/0006/87225/sub074-attachment.pdf">http://www.pc.gov.au/data/assets/pdf_file/0006/87225/sub074-attachment.pdf</a></p>
<b>Council</b>	<b>Objectives of Policy and Amendment</b>	<b>Areas for location</b>	<b>Sites for location</b>	<b>Venues for Location</b>	<b>Other</b>
<b>Darebin City Council</b>	Darebin does not have a local policy, yet the Council has adopted a social gaming policy.				<p><b>Other</b></p> <p>Darebin City Council was contacted and confirmed that after the negative 'Grandview Hotel vs. Darebin' Red dot VCAT decision, the lack of compromise within the Council's position on EGM gaming was greatly exposed. In response to VCAT's decision, it has been suggested a more balanced approach will be sought in future when drafting a new Gaming policy for Darebin, to better align itself with existing planning policies.</p> <p>The Council adopted document titled <i>Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014</i> (which isn't referenced in the scheme) was suggested by VCAT as a positive</p>

					<p>step for Darebin in tackling local 'problem gambling' but otherwise seemed to have no impact in VCAT's decision. However Darebin did mention it will need to be rewritten to match any new gaming policy for Darebin,</p>
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