

HOBSONS
BAY CITY
COUNCIL



Social Impact Assessment guidelines

Electronic gaming machines

Acknowledgment of Country

Council acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past, present and emerging.

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1. Introduction

In the ten years to 2018-19, almost \$500 million has been lost by community members at Electronic Gaming Machine (EGM) venues in Hobsons Bay, equating to more than \$135,000 per day. Research indicates up to 60 per cent of these losses have been incurred by people experiencing gambling harm.¹ Harm impacts people with varying levels of severity and is not restricted to problem gamblers. In fact, research shows that 85 per cent of gambling harm in Victoria is experienced by moderate and low risk gamblers.² Gambling harm also affects people in different ways, including through their relationships, health, emotional state and financial capacity.

Councils policy on gambling, and specifically gambling on EGMs, is to minimise the harms and risks they can cause, particularly for vulnerable groups within the community.³ Clause 52.28 (Gaming) of the Hobsons Bay Planning Scheme states that 'a permit is required to install or use a gaming machine'. To support assessments of EGM planning permit applications, Council requires applicants to submit a Social Impact Assessment (SIA) with their application. This process is consistent with the approach taken by the Victorian Commission for Gambling and Liquor Regulation (VCGLR) to assess EGM licence applications.

2. What type of application requires a Social Impact Assessment?

A Social Impact Assessment is required where an applicant seeks to:

- establish a new EGM venue in Hobsons Bay
- increase the current number of EGMs in operation at an existing venue in Hobsons Bay
- transfer EGMs between two venues in Hobsons Bay

A Social Impact Assessment is not required where an applicant seeks to decrease the number of operational EGMs in an existing venue in Hobsons Bay and does not transfer these EGMs to another venue in Hobsons Bay.

3. What are social impacts?

Social impacts may be broadly defined as the consequences (both positive and negative) associated with a planning application that may affect or concern people, whether directly or indirectly.⁴ In the context of electronic gaming machine applications, social impacts include (but are not limited to) changes to:

- levels of problem gambling and gambling harm
- availability and quality of social, recreational and entertainment facilities and activities

¹ Armstrong & Carroll (2017) Gambling activity in Australia, Australian Gambling Research Centre, Australian Institute of Family Studies, Melbourne; Productivity Commission (2010) Gambling, Report No. 50, Canberra.

² Browne et al (2016) Assessing gambling-related harm in Victoria: a public health perspective, Victorian Responsible Gambling Foundation, Melbourne.

³ Hobsons Bay City Council (2015), Problem Gambling- Electronic Gaming Machines (EGMs) Policy Statement, <https://www.hobsonsbay.vic.gov.au/Council/Policies-Strategies-Plans/Gambling-Harm>

⁴ This definition is adapted from Vanclay, F. (2003) 'International Principles for Social Impact Assessment', Impact Assessment and Project Appraisal, Vol. 21, No. 1, pp. 5-12

- local business and employment opportunities
- community contributions made by EGM venues

4. Purpose of these guidelines

These guidelines have been prepared to assist applicants and consultants in the preparation of a Social Impact Assessment (SIA) for applications involving electronic gaming machines. An SIA ensures that social, as well as economic, impacts are considered as part of the planning process.

More specifically, an SIA aims to identify the extent to which an application affects community health and wellbeing, including amongst disadvantaged groups, and will provide a net social and economic benefit or cost to the Hobsons Bay community.

The process helps to identify, assess and manage social and economic impacts and to facilitate quality planning outcomes that are responsive to the needs of current and future residents, visitors and workers within Hobsons Bay.

5. Requirements for a Social Impact Assessment

Social Impact Assessments for applications involving electronic gaming machines **MUST** be prepared by a consultant with experience and expertise in preparing social impact assessments, at the applicant's expense. The report must address four key areas:

- **details** - information about the applicant, site and proposal, including relevant maps and plans
- **context** – analysis of relevant demographic data and indicators in the catchment area and an overview of gambling prevalence data, local venues and patron profiles
- **impacts** – description and analysis of ALL relevant social and economic impacts (both positive and negative), suggested measures to mitigate or enhance impacts, and any cumulative impacts with other EGM venues in the catchment area
- **conclusion** – a summary of the key social and economic impacts and enhancement/ mitigation measures, and a statement regarding the application's overall net benefit/cost to the Hobsons Bay community

The SIA does not seek to duplicate work for applicants, and it is acknowledged that some of the required information may already be contained within an applicant's planning report.

An applicant may therefore seek to prepare a SIA and only address specific matters not already covered in the planning report, referring to where the required information for the SIA is otherwise located. Alternatively, the required information for the SIA can be addressed within a specific section of the applicant's planning report.

The specific requirements for an SIA is provided at Section 8, including the types of social and economic impacts that should be considered when planning and developing the report.

6. Application and Assessment Process

The application and assessment process for a Social Impact Assessment occurs in four stages. The following description should be read in conjunction with the diagram at Figure 1 and Council's 'How the Planning Process Works' diagram (see Appendix 1).

Stage 1: Pre-application advice

The applicant is initially encouraged to meet with Council's Statutory Planning team to ensure their application includes all the information needed to resolve any potential issues.

The applicant is then encouraged to meet with the Economic Development and Social Planning team (either in person or by telephone) to discuss and clarify a range of topics related to the Social Impact Assessment, including:

- the scope of the report, e.g. types of impacts for consideration, catchment area for impacts
- availability of research on the social and economic impacts of EGM venues, including the various dimensions of gambling harm and its impacts on disadvantaged groups
- availability of information on social, recreational and entertainment facilities, as well as local community services and infrastructure within the catchment area (the applicant may be required to obtain data from providers where information is not available within Council)
- requirements and scope of community and stakeholder engagement

The applicant will also be provided with any other information Council deems worthy of consideration, which may include demographic data, key Council plans, strategies or research, and information about infrastructure and services within the catchment area.

Stage 2: Preparation and lodgement

A suitably qualified consultant will prepare the Social Impact Assessment for lodgement with the application. If a Social Impact Assessment is required but not provided at this stage, applicants will be informed and advised to meet with the Economic Development and Social Planning team (if Stage One did not occur) and complete the report prior to the application being considered.

Stage 3: Review

Council's Economic Development and Social Planning team will review the Social Impact Assessment. Written feedback will be provided to the Statutory Planning team for consideration in the detailed assessment of the application. A list of guiding questions used by Council officers in reviewing a Social Impact Assessment Report is provided at Appendix 2.

If a Social Impact Assessment does not include all information, impacts are missing, or Council considers that the impacts will be more significant than indicated in the report, Council may request further information by clearly identifying the areas for which there is some dispute on the extent or scope of impact. It should be noted that documents lodged at any stage of the application process may be made public as part of the advertising process.

Stage 4: Decision and further action

Following the advertising period and detailed assessment, Council's Statutory Planning team will make a decision on the application under delegation or make recommendations to Council. Applicants will be informed by Council regarding the outcome of the application and any requirements associated with approval (or otherwise).

At this stage, agreement may be reached regarding the actioning of any SIA recommendations. These may require a range of responses from various stakeholders, including the applicant, Council, local business, and/or state and federal government agencies. Recommendations may also be formalised through one or more of the following options: planning scheme controls, planning permit conditions, developer contributions, Section 173 Agreement or another relevant mechanism.

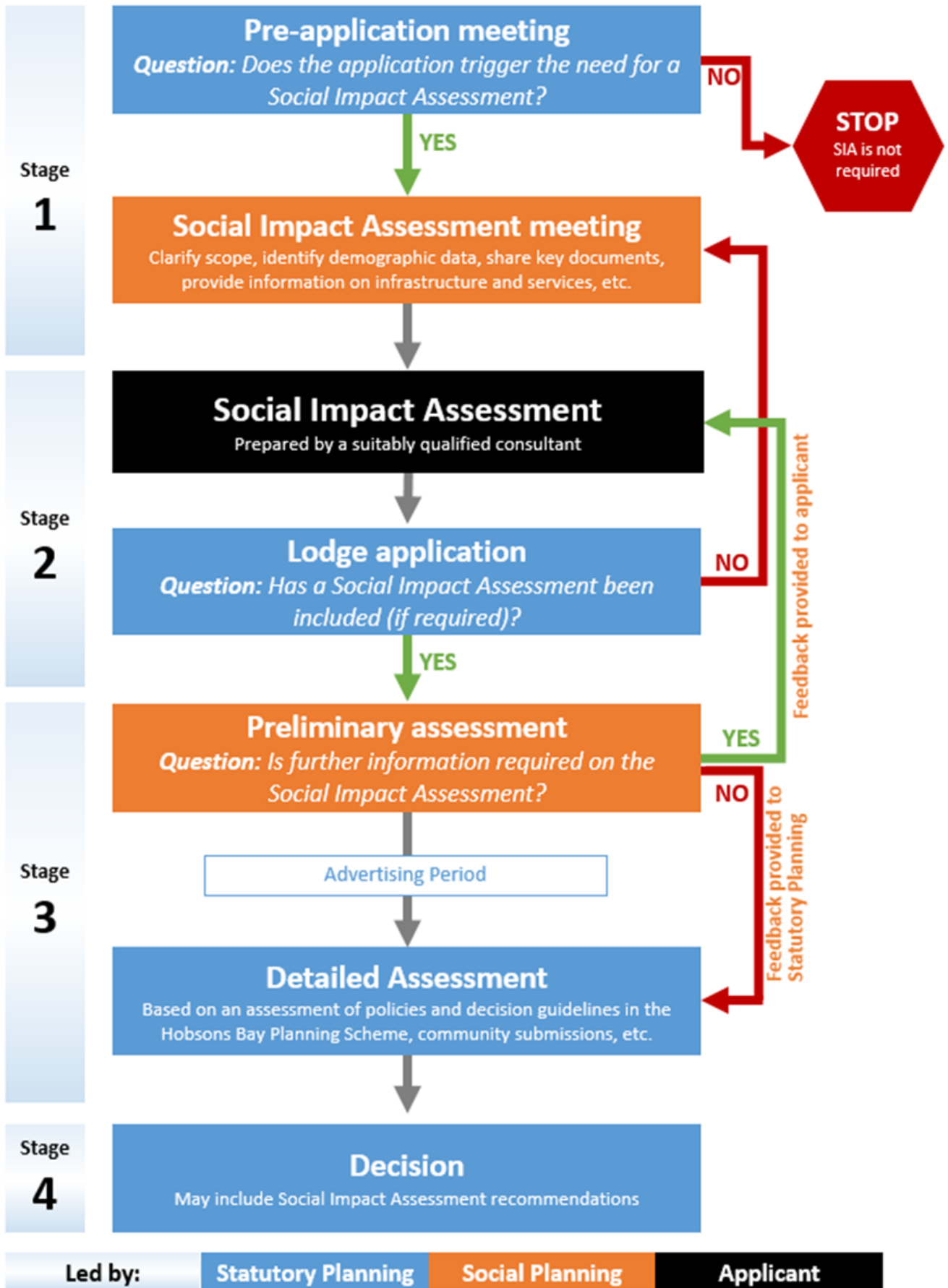


Figure 1: Social Impact Assessment process

7. Community and stakeholder engagement

Council encourages applicants to undertake community and stakeholder engagement in the development of a Social Impact Assessment. Engagement may take a range of different forms, including informal discussions, one-on-one interviews or questionnaires.

Results may be used to determine the impact of community attitudes on the proposal, as well as to identify and clarify other social and economic impacts, and potential mitigation or enhancement strategies. Key stakeholders include nearby residents and property owners, local community service and infrastructure providers, venue patrons, local businesses, and Council officers responsible for planning, service provision and infrastructure.

PLEASE NOTE: *all engagement participants should be made aware that their input will inform the SIA process, rather than determine the outcome of the planning permit application.*

8. Social Impact Assessment: Required information

This section provides a detailed description of the information that is required to be included in a Social Impact Assessment Report for EGM planning applications.

<p>Part One: Details</p> <p>This section seeks information about the applicant, site and proposals for new EGM venues or an increase in a venue's EGM entitlements.</p>	<p>Applicant</p> <ul style="list-style-type: none"> • name, position, address and contact information of the person(s) making the application • name of company/organisation (if relevant)
	<p>Site Details</p> <ul style="list-style-type: none"> • street address • current uses of the site • land area • current zoning • map indicating site and any other streets providing access/egress to the site • public transport access, e.g. distance to nearest bus stop/station and timetable/frequency information
	<p>Proposal details</p> <ul style="list-style-type: none"> • total number of EGMs to be added through the application • other details regarding proposed EGMs, including: <ul style="list-style-type: none"> ○ rationale for applying for additional machines if EGMs are already existing in the venue ○ size of gaming floor and proportion of gaming floor to overall size of venue ○ proposed location within the venue ○ anticipated hours of operation for the gaming room and existing operating hours for the wider venue ○ a summary of estimated net expenditure (i.e. player losses) for the first twelve months, including 'new' and 'transferred' expenditure, as well as impact on venues located within Hobsons Bay (a separate expenditure report may be provided as an attachment)

	<ul style="list-style-type: none">• summary of any proposed changes to the venue and/or its operations, including:<ul style="list-style-type: none">○ capital works (please include architectural plans, estimated construction period, and staging (if relevant); please also describe the extent to which capital works are dependent on the approval of proposed EGMs)○ number, tenure (e.g. full-time, part-time, casual) and type (e.g. gaming, hospitality, construction) of new or extended employment opportunities, as well as any indirect employment opportunities (e.g. material suppliers, employment agencies)○ new or expanded community contributions, limited to donations, gifts and sponsorships to organisations providing services or facilities for residents of the City of Hobsons Bay○ the development and delivery of any new programs which aim to benefit Hobsons Bay residents• if the venue already operates EGMs, a detailed description of existing community contributions and how these contributions are used to benefit residents in the City of Hobsons Bay, beyond what is required in Victorian Commission for Gambling and Liquor Regulation Community Benefit Statements
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<p>Part Two: Context</p> <p>This section seeks an assessment of the application’s description and analysis of local demographic data, and overview of gambling data and local EGM venues.</p> <p>Council’s research and data page, including Community Profile and Forecast, is a useful resource when developing an appropriate catchment and demographic profile.</p> <p>The Economic Development and Social Planning Team can assist with more specific data sources.</p>	<p>Catchment area</p> <p>A catchment of 2.5kms should be used to assess the social and economic impacts of the application. This is in line with the default metropolitan catchment area used by the Victorian Commission for Gaming and Liquor Regulation.</p> <p>A strong rationale should be provided if a catchment area other than 2.5kms is used.</p>
	<p>Demographic profile</p> <p>Using the defined catchment area as a basis, present an overview of current and forecast demographic data and indicators (with comparisons to Metropolitan Melbourne, where appropriate), including the following:</p> <ul style="list-style-type: none"> • population – municipal and neighbourhood totals, age profile by relevant service groups, cultural diversity data, e.g. language spoken, English proficiency, birthplace/ancestry • socio-economic indicators – these may include (but are not limited to) household size/types, equivalised household income, household tenure and housing/rental stress, labour force participation, educational attainment, reliance on income support, motor vehicle ownership, and journey to work data • social Economic Index for Areas (SEIFA) Index of Relative Socio-economic Disadvantage – provide latest data at the catchment and municipal levels (please include raw scores and decile ranking, and map results, where possible) • health and wellbeing indicators – provide latest data on relevant health and wellbeing indicators in the catchment area such as mental health and prevalence and incidence of family violence • social capital indicators – these may include (but are not limited to): <ul style="list-style-type: none"> ○ social environment and support networks, e.g. able to get help from family, friends and neighbours, years lived in current neighbourhood ○ social and civic trust, e.g. feel safe walking at night, feelings of trust ○ community and civic engagement, e.g. belong to a community group, proportion of adults who volunteer

Gambling data and local EGM venues

Provide an overview of EGM participation, venues and users, including the following:

- prevalence – present national and/or state data by gambling risk factor categories (e.g. low risk, moderate risk, problem gambler) and EGM participation rates (overall and by risk factor categories)
- local EGM venues – map all venues within the catchment area, alongside most recent annual expenditure figures and hours of operation
- venue patron profile – describe current and forecast (assuming the application is successful) patron profile, including (but not limited to) place of residence, socio-economic profile, and use of other EGM venues; please also estimate the current and forecast weekly number of patrons (for the gaming room and the entire venue)
- academic research describing typical travel behaviour of EGM users

Part Three: Impacts

This section seeks a description and analysis of all relevant economic and social impacts, both positive and negative. Assessment of impacts should be based upon considered data analysis (including material presented in Part Two) and credible findings in published literature, as well as community and stakeholder engagement and comparisons to similar venues. A process for systematically assessing social impacts is presented at Appendix 1.

This section should also describe any measures to mitigate negative impacts or enhance positive impacts. This may be presented as a mitigation/enhancement action plan describing the timing and responsibility for actions by the applicant and/or other stakeholders. This section should also describe any measures to mitigate negative impacts or enhance positive impacts. This may be presented as a mitigation/enhancement action plan describing the timing and responsibility for actions by the applicant and/or other stakeholders, where appropriate, such as local, state or federal governments.

The report should also include an analysis of cumulative impacts of the application with existing, proposed or pending EGM venues within the catchment area.

Finally, it should be noted that consideration of some economic and social impacts may require input from other suitably qualified practitioners, or draw on the findings from other expert reports, e.g. expenditure reports, planning reports. Rather than repeat other experts' reports, the Social Impact Assessment should include a summary of the relevant impacts associated with each specialist area, as well as any relevant enhancement or mitigation strategies.

Social Impacts

Please describe the positive and/or negative social impacts likely to result from the approval of the application. Where negative social impacts exist, please describe how these risks will be managed and what steps will be taken to ensure they are minimised:

- entertainment options, incorporating an assessment of how the proposal will change the venue's facilities and activities, and affect the range of social, recreational and entertainment options within the catchment area
- increased access to EGMs, incorporating an assessment of increased choice for people engaging in non-harmful gambling, as well as any links between increased EGM density, family violence, and other forms of gambling harm
- new or expanded community contributions, incorporating an assessment of expected outcomes for community organisations providing services or facilities for residents of the City of Hobsons Bay, as well as an evaluation of the venue's previous community contributions and related outcomes
- gender impacts: incorporating an assessment of the different ways women, men and gender non-binary people may be impacted.
- gambling harm, incorporating an assessment of the extent to which new EGM expenditure may be associated with increased incidences of problem gambling and other harmful gambling, with consideration including (but not limited to):
 - the various types and levels of gambling harm, ranging from low risk gambling to problem gambling
 - the demographic profile of the catchment area, including any groups considered to be particularly vulnerable to gambling harm
 - the venue's location, e.g. proximity to public transport and community infrastructure, and overall status as a 'destination' or 'convenience' location
- the nature of the gambling environment, e.g. gaming room design, hours of operation, and current and proposed responsible service of gambling practices and harm minimisation strategies

Economic impacts

Please describe the positive and/or negative economic impacts likely to result from the approval of the application. Where negative economic impacts exist, please describe how these risks will be managed and what steps will be taken to ensure they are minimised:

- increased EGM expenditure, incorporating an assessment of expenditure related to problem gambling, other harmful gambling, and non-harmful gambling (often referred to as 'consumer surplus')

- complimentary expenditure over the first 12 months, incorporating an assessment of non-EGM spending within the venue (e.g. food and beverage, entertainment) and spending on businesses in close proximity to the venue
- employment, incorporating an assessment of additional local employment arising from proposed capital works, new program development and delivery, and expansion of ongoing operations, as well as the impact of increased EGM expenditure on the capacity of other businesses in the catchment area to develop, maintain or expand local employment opportunities
- supply contracts, incorporating an assessment of new or expanded supply contracts (e.g. venue maintenance, entertainment, food and beverage suppliers) for businesses based in Hobsons Bay
- other businesses and EGM venues in Hobsons Bay, incorporating an assessment of increased competition between businesses/venues and potential diversion of trade from other businesses/venues toward the applicant's new or expanded venue

Part Four: Conclusion

This section seeks an overall conclusion on the social impacts of the proposal.

This section seeks an overall conclusion on the social and economic impacts of the proposal, including:

- a summary of the key social and economic impacts and enhancement/mitigation measures, including which stakeholders have responsibility for mitigation
- a statement regarding the proposal's overall net benefit/cost to the community
- how the proposal aligns with and supports the vision and relevant priorities within the Hobsons Bay 2030 Community Vision, making reference to the issues identified in the previous sections

9. More information

Please contact Council's Economic Development and Social Planning team on 1300 179 944 or at socialplanning@hobsonsbay.vic.gov.au for more information on Social Impact Assessments for EGM applications.

Appendix 1: How the planning process works

How the Planning Process Works

The *Planning and Environment Act 1987* sets out the legal process and procedures that must be followed in the planning process. The principal steps in the process are outlined here.



Pre-Application Advice

Applicants are encouraged to have a pre-application meeting with Council planning officers before lodging to ensure their application has all the information officers need and to resolve any potential issues with their application. This will lead to a better quality application and a quicker assessment.



Lodge Application

It is important that all the required information discussed in the pre-application meeting is submitted in the application and is of a high standard to avoid delays in the assessment.



Preliminary Assessment

If insufficient detail is provided in the application, the Council planner will ask for additional information within 28 days of lodging the application. The assessment will be put on hold until that additional information has been received.



Advertising Period

If the application has the potential to detrimentally impact another person, it will need to be advertised for a period of 14 days. If your application is advertised, any person may view the plans and supporting documents at Council and lodge an objection.



Detailed Assessment

A detailed assessment is undertaken by the planner based on an assessment of the policies and decision guidelines in the Hobsons Bay Planning Scheme, the planning merits of any objections received and responses from any referral authorities such as VicRoads and Melbourne Water.



Special Planning Committee (SPC)

If eight or more objections are received and are not resolved, the application is referred to the Special Planning Committee (SPC) which is chaired by councillors. Applicants and objectors are invited to attend and present at SPC.



Amendment or change to the Permit

A request to amend the application during the assessment stage, or amend the permit after the decision can be made to Council. An amendment follows the same process as a new planning application, and an application will be advertised again if the amendment has the potential to detrimentally affect another person.



Lodge Final Plans with Council

If a permit has conditions which require changes to the plans or additional information, updated plans and information must be submitted for final assessment and endorsement by Council.



Appeal

Applicants or objectors can appeal Council's decision to VCAT. The Council, objectors and the applicant present their cases to VCAT at a formal hearing. Following the decision Council will be directed to issue a planning permit, or a refusal.



Planning Permit

The planning permit authorises the use and development of land with conditions. The applicant has the ability to lodge an appeal against conditions to VCAT.



Notice of Decision

If Council proposes to approve the application and objections have been received, a Notice of Decision to grant a permit is issued. This allows objectors 21 days to apply to the Victorian Civil and Administrative Tribunal (VCAT) for an application for review. If no appeal is lodged, a planning permit is issued.



Notice of Refusal

A notice of refusal includes the reasons why the proposal was refused. The applicant has the ability to lodge an appeal against the Notice of Refusal with VCAT.

Decision
One of the following three decisions are made:

Other Requirements: Once you have planning approval, you may need other permits or licenses, such as a building permit, registration with Council's Public Health Unit or a liquor license. Please contact Council's customer service on **9932 1000** or email customerservice@hobsonsbay.vic.gov.au for further information

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Appendix 2: Guiding questions for reviewing Social Impact Assessments

When reviewing Social Impact Assessments for applications involving electronic gaming machines, Council officers will use the following questions to assess the report and determine whether further information is required.

Report and methods

- Does the report identify all relevant social and economic impacts, including for disadvantaged groups as well as direct and indirect impacts on the relevant community?
- Does it use robust and accurate social and economic baseline data (both qualitative and quantitative), including information provided by Council?
- Does it use data analysis, independent published research, and community and stakeholder engagement to inform assessments and determine appropriate mitigation/enhancement measures?
- Does it reflect the views and insights of potentially affected groups, as identified through community and stakeholder engagement?
- Where relevant, does it include information, data and analysis from other specialist studies undertaken for the application, e.g. expenditure report?

Impact mitigation measures

- Does the report identify all potential enhancements and incorporate these into the application to maximise community outcomes?
- Does it identify all potential mitigation measures?
- Are mitigation measures practical, action-oriented, evidence-based and assigned to specific persons/groups/organisations to lead implementation?
- Could any mitigation measures cause unintended impacts in another location or in relation to another issue?
- Do mitigation measures need to be monitored and reviewed, and potentially adapted in the future to ensure they remain effective?