

Electronic Gaming Policy

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1. Purpose

This Policy provides a framework to guide Council's response to gambling that occurs through electronic gaming machines (EGMs) within the City of Greater Dandenong.

The purpose of the Policy is to provide direction for Council in relation to EGMs on behalf of the community, specifically in relation to advocacy, enhanced community engagement and leadership and a guide to Council's response to EGM applications.

The Policy is supported by extensive research and a variety of consultations, conducted by Council over time.

2. Background

Council developed a Gambling Policy in 2009 which has been used to guide Council actions relating to EGM gambling over the past five years. This Policy replaces the former Gambling Policy and reflects the intentions of the Council Plan 2013-2017 particularly Strategic Objective One: 'A Healthy and Sustainable Community', priority 1.1: 'Promoting healthy lifestyles' and the Community Wellbeing Plan 2013-2017 under priority five: 'Building Healthy and Sustainable Communities'.



The City of Greater Dandenong has a 'cap' of 989 EGMs as determined by the State Government with 933 EGMs currently operating across 15 hotels and clubs throughout the municipality. This represents a density of 8.3 EGMs per 1000 adults in Greater Dandenong, the second highest concentration of gambling machines in metropolitan Melbourne.

It is recognised that EGM gambling is a legal activity that provides recreational benefit for many who wish to gamble and such activity can occur without harm or negative impact. However, the high levels of EGM gambling expenditure incurred by the Greater Dandenong community, coupled with relatively low incomes among residents, make gambling-related problems a long-standing issue of concern for Council and for the community.

Losses to EGMs in Greater Dandenong exceeded \$110 million in 2013/14, the equivalent of \$940 per adult in this community and the highest rate of gambling losses in Victoria.

Since the introduction of EGMs into Victoria, cumulative losses to EGMs within Greater Dandenong have surpassed \$2.5 billion, representing the highest rate of such losses in the State.

EGMs form the bulk of gambling losses in Victoria and account for the majority gambling-related problems among residents.

In response to applications for further EGMs at existing gambling venues or for new venues, State legislation specifies a dual role for Councils in the process of approval as follows:

- The granting of planning approval of the addition of further EGMs or establishment of a new gambling venue; and
- The opportunity to respond to an application by submission to the Victorian Commission for Gambling and Liquor Regulation (VCGLR). As part of this process, legislation specifies the amount of time Councils may take to notify the VCGLR of its intention in relation to an application and to present its submission on behalf of the community. Having made a submission, Council has the option of supporting its position with an oral presentation at a hearing of the Commission, should it choose to do so.

Council has no role in regulating other forms of legal gambling activity. However, Council can advocate on behalf of its community for policy reforms and changes to legislation.

This Policy guides Council involvement in community development and leadership and advocacy in this area.

3. Scope

This Policy encompasses local gaming venues and associated license applications for new venues or additional EGMs. Applications may be submitted to Council as initial statutory planning applications or referred to Council by the VCGLR.



This Policy also covers community engagement in relation to gambling and advocacy for reforms to the regulation of EGM gambling, particularly for issues that impact on residents and community organisations in the City of Greater Dandenong.

4. Human Rights and Responsibilities Charter – Compatibility Statement

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this Policy and are consistent with the standards set by the Charter, in particular, those bearing upon:

- Privacy and reputation;
- Freedom of thought, conscience, religion and belief;
- Freedom of expression;
- Peaceful assembly and freedom of association;
- Protection of families and children; and
- Taking part in public life.

5. References

Planning and Environment Act (1973)
Gambling Regulation Act (2003)
Victorian Charter of Human Rights and Responsibilities 2006
Council Plan 2013-2017
Community Wellbeing Plan 2013-2017

6. Definitions

Caps Limits set by the VCGLR or Minister for Gambling, under the

provisions of the Gambling Regulation Act (2003), upon the number of EGMs permitted within specified regions, including

Greater Dandenong.

EGMs Electronic gaming machines.

EGM applications Applications by venue operators for approval to operate

additional EGMs at a venue.

Gambling losses Funds lost by gamblers to EGMs. Such losses equal the

difference between the total amount of money fed into EGMs

and the total returned to gamblers as winnings.

Gambling venue A hotel or club approved by the VCGLR as premises suitable

for EGM gambling.



Problem gambling Sustained pattern of gambling which results in financial losses

that cause persistent and detrimental effects to gamblers

and/or their families.

Proposal An application, or proposed application, for a planning permit

or approval from the VCGLR for a new gambling venue, for an increase in EGMs, or for an extension of opening hours at

an existing venue.

7. Council Policy

7.1 Advocacy

- 7.1.1 Council will advocate, and support the advocacy of other local governments or organisations, for reform to the regulation of EGM gambling, including but not limited to the following:
 - Reduction in the density and number of EGMs permitted under the caps, in municipalities of socio-economic disadvantage and relatively high EGM density;
 - Measures that diminish problem gambling. For example:
 - Imposition of a limit of \$1 upon the amount of money that may be lost in a single bet on an EGM;
 - Removal of EFTPOS facilities from EGM gambling venues;
 - Introduction of a compulsory pre-commitment mechanism; and
 - Increased State Government financial support for programs and services that prevent problem gambling or the harms associated with problem gambling;
 - An extension in the period of time Councils are allowed to respond to gambling applications; and
 - Revision of the VCGLR Social and Economic Impact Assessment Form, to more clearly direct local governments to relevant evidence about the local impact of gambling applications.
- **7.1.2** Council will support residents or community groups which seek to advocate on their own behalf for reforms to prevent or address gambling-related problems in the community.

7.2 Community Consultation, Support and Education

7.2.1 Council will support, through expertise and information, the efforts by external agencies to promote public awareness of the harm caused by gambling and of the support available to those affected by such problems.



- **7.2.2** Council will encourage and support through the provision of information, the activities of community groups which voice resident views about the effects of gambling upon the community or advocate for reform to the gambling industry.
- **7.2.3** Council will identify and support community education and awareness-raising initiatives that are complementary to existing programs and evidence-based.
- **7.2.4** Council will collaborate with other Councils in the region and work within Statewide forums to exchange gambling-related information, practical experience and other resources.
- **7.2.5** Council will engage with the community to better understand community views on EGM gambling and its impacts in Greater Dandenong.
- **7.2.6** Council will report relevant trends about gambling and its impacts to the community, local organisations and internal stakeholders.

7.3 Research and Monitoring Gambling Trends

- **7.3.1** Council will monitor and make information available about:
 - EGM gambling conditions and trends within the community;
 - Research into the nature of gambling problems and best practice in responding to such issues; and
 - Relevant policy or legislative developments and their implications for the Greater Dandenong community.
- **7.3.2** Statistical data about relevant conditions and the impact of EGM's within Greater Dandenong and other Victorian municipalities will be maintained on Council's website.

7.4 Planning Approval Applications

Council will critically evaluate any planning permit applications for EGM venues in Greater Dandenong in accordance with this Policy.

7.5 EGM Applications

The term 'EGM applications' refers to applications by venue operators for approval to operate additional EGMs at a venue. These include applications to add additional EGMs to a current gaming venue (sometimes referred to as 'top up applications') and applications to add EGMs to a non-gaming venue. EGM applications may take the form of a planning permit application to operate EGMs at a venue ('planning approval') or an application to the VCGLR for approval to operate EGMs at a venue ('gaming approval').



Council's response to EGM applications will be guided by consideration of this Policy. The merits of each application will be considered by Council on a case-by-case basis, considering the full range of economic and social benefits and detriments of the proposal and the matters included in this Policy.

For EGM applications seeking approval from the VCGLR, Council will consider whether the proposal complies with the 'no net detriment test' under the *Gambling Regulation Act* 2003, namely, whether the net economic and social impact of approval will not be detrimental to the well-being of the community in which the premises is located.

Council may, in its discretion, support EGM applications where it is satisfied that the EGM application is likely to provide a clear net positive impact upon the well-being of the local community. In exercising its discretion, Council may decide to oppose EGM applications where it considers that a proposal is likely to result in a negative impact upon the local community.

7.5.1 Relevant factors in considering EGM applications

When assessing whether to support or oppose an EGM application, Council will consider the full range of economic and social benefits and liabilities of the proposal. Additionally, to guide Council's approach towards EGM applications, Council will discourage locating additional EGMs in:

- Venues located in an area with high levels of socio-economic disadvantage among residents living within a 2.5 kilometre radius of the venue. This is to be measured by the SEIFA Index of Relative Socio-Economic Disadvantage, in conjunction with other relevant evidence, which may include:
 - low incomes;
 - o a high prevalence of limited English fluency;
 - elevated unemployment rates;
 - limited educational attainments:
 - a high proportion of government-subsidised housing; and
 - a high level of mortgage stress or rental stress;
- Venues in an area where the density of EGMs is higher than the average density
 of EGMs in the Melbourne Metropolitan area (measured by the number of EGMs
 per 1,000 residents within 2.5 km of the subject venue);
- Venues situated in an area where the average EGM expenditure per adult is higher than the average EGM expenditure per adult in the Melbourne Metropolitan area;
- Venues located in close proximity to activity centres, strip shopping centres or transport hubs and other areas where people go about their daily routines, which may encourage convenience or impulse gambling;
- Venues within 500 metres of any sensitive land uses, including areas frequented by children, families or vulnerable residents; welfare agencies; gambling support



service providers; counselling service providers; mental health clinics; schools; and aged care facilities;

- Venues in new growth areas where the local community does not have access to a range of non-gambling entertainment and recreational activities or community support services;
- Venues which do not provide a range of non-gambling entertainment and activities for patrons;
- Venues which do not currently operate EGMs. Council prefers that EGMs be added to existing gaming venues than new gaming venues;
- Venues which do not currently operate EGMs and are located in close proximity to other gaming venues, such that a cluster of gaming venues would exist in that area if EGMs were also added to that venue;
- Venues which may adversely affect safety or other aspects of amenity in their vicinity;
- Circumstances of a substantial level of community opposition or specific objections from residents, community groups, agencies or other Councils in relation to a specific EGM application; and
- Any other relevant adverse impacts upon the well-being of the community.

Response to EGM Applications

- **7.5.2** As an initial response to an EGM Application, Council may decide to prepare a Social and Economic Impact Assessment to assist its determination of how to respond to that EGM Application.
- **7.5.3** Council may determine to respond to an EGM Application for gaming approval as follows:
 - Support the EGM application by informing the VCGLR that it does not wish to make a submission:
 - Oppose the EGM application by providing a letter of objection or submission to the VCGLR; or
 - Oppose the EGM application by presenting a submission to the VCGLR and informing the VCGLR that it wishes to attend the VCGLR inquiry for the EGM application.



- **7.5.4** Any formal Council resolution outlining Council's position in relation to an EGM application will be made at an open meeting of Council.
- **7.5.5** Council may, at its discretion, inform the VCGLR or VCAT of its opposition to any EGM application in an adjacent municipal district where it considers that the proposal may result in adverse effects upon Greater Dandenong residents.

8. Related Documents

City of Greater Dandenong documents:

- Gambling-related Issues for Local Government; and
- Community Engagement Framework.

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