

The Commissioners
Gambling Inquiry
Productivity Commission
P.O. Box 80
Belconnen
ACT 2616

November 20, 1998

Dear Sir/Madam,

The Shire of Yarra Ranges welcomes the review by the Productivity Commission into Australia's gambling industries. We find the scope of the Inquiry broad enough to encompass the concerns of this Shire which are outlined below. In addition, please find enclosed a copy of the Council's current work regarding gaming issues in the Shire of Yarra Ranges.

The Shire stresses that it is not opposed to gambling in principle, yet seeks to develop, what is now commonly termed, a 'Responsible Approach to Gambling' that recognises both the benefits of gaming machines and venues, but seeks to minimise the harmful and negative effects of gambling on individuals, their families and the broader community.

The Shire of Yarra Ranges is a large fringe municipality in the Outer East Region of Melbourne that, according to 1997 figures, has 15 per cent of the Region's overall population. The Shire has a unique and significant mix of rural and urban communities which are impacted upon by gambling in different ways. There are over 50 communities in the Shire comprising urban suburbs, rural townships and small scale regional centres. The Shire is characterised by a number of distinguishing features, of particular importance when associated with gambling issues:

- a population density of 55 people per sq kilometre which is significantly lower than most metropolitan fringe municipalities;
- a higher than average population of residents aged between 0-14 years;
- over half the people residing in the Shire live in families where there are dependent children (45.5% couples & 10% sole parents);
- household size in the Shire tends to be larger than the Melbourne average with four or more people living in each house;
- on the ABS Index of Relative Socio-Economic Disadvantage, the Shire is the most disadvantaged municipality in the Eastern Region;
- Healesville and the Upper Yarra Valley areas have significantly high unemployment rates; and
- the Shire, which forms part of the Wurundjeri-balluck territory, also has a significant and active Aboriginal population.

Draft Gaming Discussion Paper

The enclosed draft policy paper identifies a series of issues about gambling that are consistent with the focus of the Productivity Commission's inquiry. For instance, the Shire is concerned about the profile of gamblers and their gambling patterns, in particular, in identifying how much people spend and lose at gambling. Further, Council has an interest in ascertaining the direct and indirect impacts gambling has on individuals, communities and the local economy. This is of particular concern for the small rural townships in the Shire which have more closely knit communities and rely on local employment opportunities.

Yet, a lack of specific information inhibits a more comprehensive understanding of gambling, its benefits and costs to the Shire. At the moment, Council relies on the research findings from broader studies, such as those undertaken by the Victorian Casino and Gaming Authority, but the application of this data to the Shire's communities is, at best, a general guide. Council is concerned about the lack of local area statistical data available/allowed to be released by Break Even, the counselling service for problem gamblers, funded by the Community Support Fund.

Accordingly, Council advocates more thorough research on gambling issues as they pertain to specific local government areas. This research should provide a model that captures the uniqueness and particular concerns of the Shire of Yarra Ranges, and allows the local effects of gambling upon individuals, households, businesses and the broader community to be identified. Such microeconomic research is an imperative if we are to attain a better understanding of the gambling industries and their economic and social impacts. In this context, we would support an increased role for the Australian Bureau of Statistics (ABS) in the collection and distribution of gambling data as well as improvements to research funding through the Community Support Fund.

The Shire is also critically interested in future regulations and controls on the gambling industry, in particular, poker/electronic gaming machines. Although not a significant issue in this Shire at present, the lack of sufficient regulations and controls have the potential to be a major concern in the future. Council would like clear guidance for the future on:

- acceptable limits on the number of electronic gaming machines in a municipality using standard measures such as the number of machines per 1,000 head of population; and
- the location or siting of electronic gaming machines, as outlined in our draft discussion paper (attached).

In respect to the later point, we recognise that different regulations and siting requirements may be necessary for more densely populated urban areas. Yet, rural areas should not be disadvantaged by national guidelines that only recognise urban localities and requirements. In other words, siting requirements need to relate to the specific geographic area, population density and availability of suitable development areas.

If you have any questions or queries, please feel free to contact myself on 03-9294-6191 or e-mail: p.harris@yarraranges.vic.gov.au.

Yours sincerely,

Pamela Harris
Research & Analysis Officer
Corporate Strategy Unit



DRAFT GAMING DISCUSSION PAPER

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INTRODUCTION

The introduction of electronic gaming machines (EGM's) into the State and the subsequent growth of the industry at the local level, has generated a high degree of community debate, not only within the Shire, but generally throughout Victoria.

EGM's were legally introduced in 1992 to Victorian licensed premises. Their introduction has been rapid and widespread. EGM's now dominate the gaming industry in terms of expenditure in Victoria. (VCGA, 1997) The introduction of EGM's have brought with it a mix of, positive and negative, economic and social impacts. Council, on behalf of the community, must develop strategies and policies to manage the impacts of gaming at the local level.

Council has limited power to control the spread of EGM's. Generally council's power relates to planning issues and the establishment of EGM's within facilities on Council land (eg. at sporting clubs) However there are a number of proactive strategies available to council which aim to manage the impacts of gaming.

This discussion paper provides Council with:

- A summary of the current status of Gaming within the Shire
- Commentary on the economic and social impacts of gaming
- Details of the legislative powers and proactive actions available to Council
- Recommendations on future actions

This discussion paper is aimed at providing Council with information through which it can:

- be informed of the options available to it;
- form a considered position regarding the positive and negative impacts of Gaming
- determine a future course of action to progress this issue, including the revision of the Shire's Gaming Policy and development of associated strategies.

The data has been used in formulating this paper is based on the Victorian Casino and Gaming Authority (VCGA) research data, which is recognised as a good readily available source of quantitative data on the social impacts of Gaming. This quantitative data is supplemented, where available, by qualitative data obtained from service providers working with gamblers from the Shire.

However, local service providers are unable to provide the same level of quantitative data as the VCGA. Much of their information is anecdotal and there is a need for further local research and consultation. There is a need to obtain better local level data to enable more accurate assessment of the impacts and risks associated with the introduction of gaming into the Shire.

Actions taken by other Councils has also been considered in the formation of this paper and the associated attachments.

CURRENT STATUS

BACKGROUND

Legal gambling in the form of TAB Agencies, Tattsлото Agencies and other gambling outlets has long been an accepted part of the Victorian community and monitored through various legislation and planning controls. There are two horse racing clubs in the Shire.

EGM's were legally introduced in 1992 to Victorian licensed premises. The State Government has set a quota on the number of machines allowed to operate in the State. This figure has been set at 27,500 and frozen there till the year 2000. There are currently around 26,000 machines operating in the State

The Victorian Casino and Gaming Authority (VCGA) has responsibility for administering the relevant gaming Acts. The VCGA's principal objectives are to

- ensure honest operations of all gambling and betting activities,
- promote tourism, employment and economic development through the administration of the relevant Acts.
- ensure the government's policy on gaming is introduced, and
- fund research into and advise the Minister on the social and economic impact of gaming and on gambling issues

STATUS IN THE SHIRE

Currently there are approximately 300 EGM's in the Shire. The number and location of machines are detailed in the following table.

There are two types of venue operators within the Shire.

- Large private venues, which have a significant number of machines. Profits from these venues generally benefit a small group of private investors/shareholders
- Smaller venues, generally run by community and sporting groups. These venues operate a smaller number of machines and profits from these venues are more likely to flow back to the local and wider community.

Venue	No. Licensed EGM's
Chirnside Park Country Club	29
Crown Hotel, Main St. Lilydale	50
Healesville RSL	38
Lilydale Italian Country Club at the Lilydale International	80
Monbulk Bowling Club	30
Mooroolbark Bowling Club	5
Olinda Creek Hotel, Lilydale	45
York on Lilydale Resort	75
Yarra Junction RSL	10

Council policies need to recognise the particular impacts, risks and benefits associated with each of these groups of operators

The two key local providers of gambling specific social services to the Shire are Anglicare and the "Break Even" program run by the Maroondah Social and Community Health Centre which provides services for problem gamblers throughout the Eastern Region. Note that the "Break Even" program is funded through the State Community Support Fund which is in turn funded through gaming revenue.

IMPACTS OF GAMING

POSITIVE & NEGATIVE EFFECTS

According to the VCGA there has been measurable economic benefits flowing from increased gaming opportunities. Yet, it is acknowledged that there has been a net adverse social impact. The policy challenge lies in ensuring that gaming activities proceed only where the over-all benefit of gaming outweighs the negative social effect upon individuals, their families and the community generally.

This section assesses the economic and social impacts of gaming in terms of the positive and negative effects. The following general findings have been drawn from the VCGA data, will inevitably fail to fully account for individual or localised circumstances.

Available research suggests there is a variation in the impact of gaming between metropolitan and non-metropolitan areas. This has implications when developing policy for the communities within the Shire of Yarra Ranges.

Positive Effects

Identifiable positive social effects of gaming for individuals and communities include:

- providing an opportunity for organisations, such as sporting groups to raise funds and increase membership.
- increased revenue to these clubs and groups can benefit the general community through donations and other forms of community fund raising.
- increased employment opportunities, at larger venues, through an increase in hospitality services in conjunction with the gaming facilities.

Negative Effects

The negative effects of Gaming impact on both the individual and the broader community. Generally the negative effects of gaming occur regardless of whether gaming machines and venues are operating within the municipality. Social problems and problem gambling will always be imported back to the Shire by its residents. The negative effects can be summarised as:

- Immediate and flow on effects to families and children. One recent study (Melbourne & Deakin Universities 1997) gave examples of young people who reported stress, neglect, poor family life, conflict separation, divorce, hidden addiction, lack of places to socialise and debt as effects of gaming upon them. This has been confirmed by local service providers.
- Increased costs the community bears in servicing those with a gaming problem. This impact is felt regardless of where the gambling takes place. According to “Break Even”, those Shire residents who do have a gambling-related problem predominantly gamble venues located in Knox and Maroondah on their way home from work. Yet, problem gambling and the resultant social problems impact on the Shire.
- Some decrease in employment opportunities in retail and other leisure/entertainment venues competing against venues with gaming machines.

Neutral Effects

For some individuals and communities, research suggests that gaming has a neutral effect. It should be noted that VCGA research emphasises that only 1.5% of the population are likely to become problem

gamblers. The great majority of gamblers integrate the activity into a range of leisure pursuits with responsible management of their gaming expenditure and neutral impact on their economic and social circumstances.

For instance, VCGA research indicates that for older persons (over 55 years), gaming has a neutral effect. In this case gaming was found to be part of an overall entertainment package and social opportunity for older persons, offering benefits such as relief from loneliness, a safe environment, and inexpensive meals.

Risk Groups

According to VCGA research there are number of identifiable ‘risk groups’ in the community that are negatively effected by gaming. These ‘risk groups’ include:

- problem gamblers,
- low income earners;
- the intellectually disabled;
- sole parents;
- the unemployed;
- financially dependent women; and
- individuals who are recently retrenched.

Table 1 below provides an estimate of the number of persons in the Shire which fall within each of the identified of ‘at risk’ groups. Note that these numbers do not reflect the actual number of persons effected, but rather they reflect those “at risk” of being effected by gaming. The VCGA research into the effect of gaming machines on non-metropolitan areas highlights that the population of depressed rural areas and towns are more likely to be adversely affected by gaming activities due to their above average quota of “at risk” population categories. Also the limited availability of other recreational activities increases the attraction of gaming to these communities.

RISK GROUPS	YARRA RANGES DEMOGRAPHICS & AREAS OF IMPACT (based on 1996 Census Data)
Problem Gamblers - refers to the situation when a person’s gambling activity gives rise to harm to the individual player, and/or to his or her family, and may extend to the community	<ul style="list-style-type: none"> • Approx 1500 persons (based on 1.5% of adults over 15 years) • Shire Wide impact
Low Income Earners - much higher proportions of personal and household income are gambled by low income households (less than \$299 per week) than by higher income groups (VCGA 1997b).	<ul style="list-style-type: none"> • Approx. 5770 households with income less than \$299 per week. (Approx. 13% of all households)
Intellectually Disabled - Individuals with an intellectual disability are deemed to be at risk of developing a gambling-related problem. Approx. 0.42% of the adult Victorian population (18,300 individuals) are considered to have an intellectual disability under the terms of the <i>Intellectually Disabled Persons’ Services Act 1986</i> or.	<ul style="list-style-type: none"> • Approx 410 persons (based on 0.42% of the Shires adult population) • Shire Wide impact
Sole Parents -	<ul style="list-style-type: none"> • Approx 4,407 residing in the Shire • Shire Wide impact
Unemployed - This risk group overlaps with the low-income earners.	<ul style="list-style-type: none"> • Approx. 4,595 for the Shire (Source Jobs East) • specific areas within the Shire, include Healesville, Woori Yallock, Yarra Junction, Millgrove
Financially Dependent Women. - Defined as adult females over the age of 15 years who are not in the paid workforce. Some overlaps with ‘low income earners’ and ‘unemployed’.	<ul style="list-style-type: none"> • Approx. 20,423 for the Shire • Shire Wide impact
Recently Retrenched - Individuals recently retrenched typically have a redundancy payment which may be used for gambling (source: Break Even program)	<ul style="list-style-type: none"> • Awaiting figures from Jobs East

Table 1: Risk Groups within the Shire of Yarra Ranges (indicative figures only based on 1996 Census Data)

COMMUNITY PERCEPTIONS

“In assessing the significance of community perceptions of gaming and gambling, it is important to acknowledge that however strongly held, community perceptions and opinions about public issues like gaming are often not based on detailed factual knowledge.” (VCAG Summary of Findings 1997, p.6)

In general the level of community acceptance of EGM's has fallen since they were introduced since 1992, as evidenced by the following figures:

- Level of Acceptance: - from 88% in 1992 to 77% in 1996
- Positive Expectations - from 78% in 1992 to 69% in 1996
- Those who believed gambling problems had worsened - from 64% in 1995, to 84% in 1997

(source: VCGA Summary of Findings 1997, p.5)

Community Perceptions Within the Shire

No survey of community perceptions of Gaming has been undertaken for the Shire. However there has been adverse community reaction to recent planning applications involving gaming facilities. (Yarra Junction 1996 ⇒ 400+ objections, Chirnside Park 1998 ⇒ 100+ individual objections and 200+ signature petition). A summary of these objections is as follows:

- a bad influence on young people; hence residents don't want gaming facilities near child care, kindergartens, schools and public reserves
- causes social problems (family breakdowns); hence residents don't want facilities near or visible to existing and proposed residential estates.
- reduces consumer retail spending. (The State Government has already legislated to prevent new gaming facilities in retail strip and shopping centres.)
- combined with liquor sales leads to anti social behaviour; hence residents want facilities to be isolated and access available as a specific purpose trip.
- facilities are already established in too many locations.

SPECIFIC ISSUES RELATED TO GAMING

Township & Commercial Issues

Representatives from a small number of traders groups/township committees were consulted about their perceptions on the potential impact of increasing the number of gaming machines into the local community. The views expressed by these representatives fall into one of two categories - those strongly opposed to the introduction of gaming machines, and those more accepting of the prospect of gaming machines.

It was generally felt that those gaming machines that already exist in the Shire, together with those in adjoining municipalities, provide sufficient outlet for residents and visitors requiring them.

These traders also expressed the opinion that there is only a certain amount of money in the community, and the percentage that goes to gaming machines is not available for other uses, particularly retail spending. It was expressed that the only businesses likely to grow as a result of the introduction of gaming machines are the venues themselves.

However, as previously noted, commuters are already gambling at Knox on their way home; as Knox is seen as offering greater shopping and entertainment opportunities. The recent Public Transport Study undertaken by the Shire supported these trends, and if they continue,

the local traders will still be under threat and they could lose income from both the retail and the gambling dollar!

A more positive view of gaming was expressed by a small number who had experienced the development of closer working relationships between venue operators and trader groups and residents, for example, through active participation in lucky shopper competitions, and sponsorship of local young sports people, etc.

These traders see the machines as just another form of competition for the shopping dollar, and realise that they have to address it the way they would address competition from another trader.

It was felt that the most suitable location for gaming machines, if introduced, is seen as existing large sporting clubs (golf, bowls, football, etc.), where the clubrooms are generally located well away from the town's commercial and residential areas. New, purpose built, gaming venues would generally require quite a high return on investment to be profitable, and are likely to 'drain' more money out of the community, putting more existing businesses at risk. They are also less likely to make significant use of their profits for community/ charity purposes, as would sporting clubs.

Demands on Social Services

The available research suggests that the increased availability of gaming can result in an increased demand on social services, such as gambling specific services, emergency relief, housing support, financial counselling, family counselling and Centrelink.

It is reiterated that the negative social effects of gaming occur regardless of whether gaming machines and venues are operating within the municipality. Social problems and problem gambling will always be imported back to the Shire by its residents.

Findings from the Social and Economic Effects of Gaming Machines in Non-Metropolitan Communities (VCGA 1997b: 4) found that:

"State agencies report social and economic impacts in the form of marginally increased workloads...Officials in private community service agencies...reported major increases in workloads, not necessarily in a large volume of cases but in the severity and complexity of cases related to actual or suspected problem gambling."

As stated previously, the major gambling support services available in the Shire are:

- Anglicare in Lilydale, funded in part by the Shire, which provides a financial counselling service to Shire residents, and
- Break Even Program - provided by the Maroondah Social and Community Health Centre which services the Eastern Region. The Break Even Program is a Statewide program funded through the Community Support Fund, which in turn is financed through State gaming revenues.

The Break Even program works with individuals with gambling-related problems. The Program provides a one day a week service in Yarra Junction, Lilydale and in the Upper Gully area.

However there is a perception by the Program coordinators, that the service is not yet picking up individuals with gambling-related problems in the Sherbrooke and Healesville areas. The Program has expressed a desire to provide an outreach service to Healesville and Belgrave. Numbers of clients treated from the Shire were not available at this stage. However demographic analysis indicates that the Shire of Yarra Ranges has a number of 'risk' groups within its resident population. (Refer table 1)

Leisure Issues

Sporting clubs see the introduction of gaming machines as a source of revenue raising and additional entertainment source for members. It can reduce the clubs dependence on external funding sources, such

as Council, and can contribute significantly to the larger community through sponsorship, provision of facilities for community events and ensured continuity of a sporting or leisure activity.

Concerns expressed regarding the introduction of gaming machines into larger sporting clubs include:

- potential to shift the core activity or focus from sport to gaming machines
- possible reduction in the amount of money available to smaller clubs through fund raising activities
- larger clubs with gaming facilities are likely to attract more members, thus increasing the inequities between clubs.
- potential for additional revenue channelled to individuals (eg. higher player salaries) rather than facilities and equipment.

Currently there are four clubs within the Shire with gaming machines. These venues are all privately operated with profits returning to the respective clubs and proprietors.

- Chirnside Park Country Club
- Monbulk Bowling Club
- Mooroolbark Bowling Club
- Lilydale Italian Country Club.

Council currently supports local community “Not for Profit” leisure clubs and organisations. Several of these facilities are on Council owned or managed land. None of these clubs have to date sought to introduce gaming machines. However the possibility of this occurring presents policy implications which will be discussed later in this paper.

Tourism Issues

The Shire of Yarra Ranges is already well established as a day trip destination, and aims to consolidate its position as Victoria’s premier day trip destination. To increase yield the Regional Tourism Board aims to increase overnight getaway experiences and repeat visitation. The Region is being positioned as a retreat away from the pressures of city living. The development of conference facilities is also being encouraged.

Day-trip expenditure in the region is dominated by food and drink, transport and shopping with gambling accounting for only 1.4% of expenditure. (source: Victorian Regional Travel & Tourism Survey, 1995)

Whilst not viewed as a primary activity, gaming has the potential to become a secondary or ancillary attraction to overnight visitors; and thereby maximise tourist expenditure as part of a combined dining / gaming experience.

WHAT CAN COUNCIL DO

State Legislation significantly limits Council's ability to influence, restrict or further limit the introduction of gaming facilities in the Shire. Given this the options available to Council to maximise the community benefit and minimise the social impacts of gaming are generally restricted to:

- Land use planning controls (within State guidelines)
- Establishing a Responsible Gaming Strategy - which includes protocols, guidelines, Codes of Practice and harm minimisation strategies
- Advocate and influence at several levels
- Support for the provision of Social Services
- Controls on the use of Council owned buildings

PLANNING CONTROLS

State Legislation prescribes a number of conditions relating to the introduction of gaming machines into the community. These conditions can be summarised as:

- Planning schemes must not limit the location of gaming machines in hotels and clubs-
 - which are considered suitable by the Victorian Casino and Gaming Authority;
 - where the gaming facilities are ancillary to the established use of the land.
- The effects of the gaming activities on the amenity of the area may be considered only where new gaming facilities are not ancillary to the established use of the land.
- Gaming machines should not be located in shopping centres (except within existing hotels and clubs).
- Planning Permits are only required where the floor space allocated to gaming machines exceeds 25% of the venue's total floor space.

It is noted that VCGA research suggests that, apart from retail spending impacts, there is limited or no substantive proof of any relationship between location decisions for gaming facilities and social impacts on a particular community.

The State legislation provides Council with little scope to control or limit the number or location of Gaming facilities. There are currently 9 gaming venues in the Shire with over 300 EGM's between them. The recent AAT decision to allow the development at Chirnside Park will add a 10th facility to the Shire.

Within the limited State legislative framework Council is preparing a revised Gaming Policy. This policy addresses a number of statutory planning issues and introduces a Code of Conduct for gaming venue operators which will be discussed later in this paper. The statutory planning requirements of the Policy address:

- The State Planning Policy Context
- Local Policy for the Location / Siting of Gaming facilities

A draft copy of the revised Local Planning Policies - Electronic Gaming Machines is attached (Attachment 1).

ESTABLISHING A RESPONSIBLE GAMING STRATEGY

Recognising the limited legislative power of Council, the approach taken by other Victorian councils has been to establish what is often termed "Responsible Gaming Strategies", aimed at minimising the negative socio-economic impact of gaming.

The concept of a responsible gaming strategy is currently acknowledged by other Councils as the best approach for the development of local gaming strategies within Victoria. A responsible gaming strategy:

- accepts the existence of gaming machines within the municipality,
- recognises both the positive and negative impacts, and
- develops strategies for managing these impacts through a responsible and balanced approach.

This paper proposes the development of a similar approach for the Shire. These strategies rely on the participation of venue operators in the establishment of practices which minimise the negative social impacts on gaming.

A key element of a “responsible gaming strategy” is the development of a “Code of Practice” for venue operators. A draft Code of Practice is attached (Attachment 2). The Code of Practice seeks to provide guidelines on what venue operators can do to improve the amenity, minimise the social impacts and maximise community benefits.

COUNCIL’S ADVOCACY ROLE

Council, as representatives of the local community, can have a significant advocacy role in relation to gaming. There are several levels at which advocacy can take place.

For example at the State level Council can advocate, along with other Councils, for greater control over the amount of revenue from the community support fund and the allocation of that revenue to specific areas of the Shire. VCGA research noted that “communities were found to have little or no control over the manner in which revenue raised from gaming was spent”. The research contained claims that contributions to the Community Support Fund (CSF) derived from within a local community were not being fully returned to the local community.”(VCGA Summary of Findings 1997, p.62).

At the local level Council could advocate with the venue operators to ensure they actively participate in, and contribute to, the constructive development of their local community.

In addition Council can advocate with the community, developers and key stakeholders to educate people on Council’s Policy, Code of Conduct and Planning options.

Council can also provide a further educative and advocacy role with the community where it can be genuinely demonstrated that a specific gaming proposal would result in a significant community benefit.

It is proposed to further investigate Council’s advocacy role and develop a Paper which would detail how Council would advocate to address the on-going and long term issues related to the impacts of gaming in the Shire.

PROVISION AND SUPPORT FOR SOCIAL SERVICES

A Responsible Gaming Strategy also seeks to minimise the negative social effects of gaming through “harm minimisation” strategies. “Harm minimisation” aims to reduce the adverse social, economic and health consequences of addictive behaviour. It is based on the assumption that where addictive behaviours continue to occur, there is a responsibility to develop and implement measures designed to minimise the harm that behaviour can cause, both to individuals and the community. The harm minimisation approach forms the basis of the Break Even program.

It is essential that social support services are available for those individuals having gambling problems. Residents of the Shire of Yarra Ranges currently have access to two service providers that address problem gambling – Anglicare and Maroondah Social Services (Break Even Program).

Anglicare has recently advised that they have received additional funds, through the “Healthy Families” program, to increase the number of counsellors in the Shire.

Possible sources of funding for additional service provision are the State Government’s Community Support Fund and contributions from local venue operators. This could be used to establish an effective ‘preventative’ program that would involve:

- early identification of people at risk and
- information and advertising campaigns
- undertaking research at the local level to obtain quantitative data on the extent of gambling problems within the Shire.

USE IN COUNCIL OWNED BUILDINGS

Council strongly believes that EGM’s should not be permitted on Council owned facilities, however this position will be reviewed as part of the public consultation process.

NEXT STEPS

This document, together with the draft revised Local Planning Policy and the draft Code of Practice should form the basis for a public consultation process. The process should involve all key stakeholder groups including representatives of the general public, traders, township committees, developers and venue operators. The aim of the consultation process would be:

- provide information to the community on the positive and negative aspects of gaming for the shire
- to ascertain the reaction of the local community towards gaming
- provide an opportunity for stakeholders to table and discuss their opinions
- invite public comment on Council’s draft policies and strategies

RECOMMENDATIONS

It is recommended that Council:

1. Receives the attached draft Local Planning Policy - Electronic Gaming Machines and Code of Practice - Responsible Gaming Behaviour as drafts for public consultation purposes
2. Conduct a public consultation process on gaming in the Shire involving representatives from all key stakeholder groups
3. Seek to ensure that the operation of gaming machines occur in a manner where the benefit of gaming out weighs the negative social effect upon individuals, their families and the local community.
4. Seeks to develop “responsible gaming strategy” for the Shire which that addresses the socio-economic issues raised in a positive and constructive manner and includes:
 - The adoption of a revised Local Planning Policies - Electronic Gaming Machines, to address statutory planning controls
 - The development of a Code of Practice for Gaming Machine Venue operators to address the socio-economic concerns through responsible gaming practices
 - The introduction of other harm minimisation strategies
 - The development of an Advocacy Paper detailing how Council would address the on-going and long term issues related to the impacts of gaming in the Shire.
5. Advocate for additional funding from the State Government’s Community Support Fund and contributions from local venue operators for the establishment of an effective ‘preventative’ program that would involve:
 - Early identification of people at risk and
 - Include information and advertising campaigns
 - Undertake research at the local level to obtain quantitative data on the extent of gambling problems within the shire.

22.14 LOCAL PLANNING POLICIES - ELECTRONIC GAMING MACHINES

This policy applies to all land in the Shire upon which it is proposed to establish a facility which incorporates electronic gaming machines.

1.0 Policy Basis

Council is concerned about the impact on the well being of the community from the potential growth of gaming venues and the possible proliferation of electronic gaming machines in licensed premises. These concerns surround the planning impacts caused through:

- increased patronage at facilities often established for a lesser intensive use (ie sporting clubs);
- wider spread of operating hours; and
- loss of residential amenity through traffic and noise, particularly late at night.

There are also community concerns about the socio-economic impacts of gaming, and the need to balance the availability of gaming facilities, with the disruption caused by their attraction to those in the community who are not able to gamble responsibly.

This local planning policy, which is supported in the Township Objectives of the Municipal Strategic Statement, seeks to ensure that the positive impacts of electronic gaming facilities machines and gaming venues outweigh the negative impacts.

2.0 Objectives

The objectives of this policy are to ensure that:

- The use of land and buildings for electronic gaming facilities may only occur having regard to the environmental, social and economic effects of their use and development on the local community;
- All gaming venues are located and designed to encourage responsible gaming behavior by patrons and minimise the harmful impacts of gaming on the community

3.0 Policy

The term ‘gaming’ as used in this policy includes the use of land or buildings for the installation and use of electronic gaming machines (EGM’s), as defined in the Gaming Machines Control Act 1991 and other related Acts.

Areas in which gaming machines are permitted within licensed premises are termed “restricted areas”.

It is policy that:

- Preferred locations for electronic gaming facilities are low density commercial areas (peripheral retailing), industrial areas and appropriate rural locations where the facilities can be established in association with other suitable tourist or recreational facilities. A concentration of gaming facilities should not be allowed to occur, in a way that establishes a perception of a gaming enclave.
- Electronic gaming machine facilities should:
 - * be sited and located so as to minimise the effect of increased activity associated with gaming activities on the amenity of residential and other sensitive areas.
 - * only be provided in locations which will generally require specific purpose trips to attend the facilities.
 - * be ancillary to another entertainment facility, such as a hotel, sporting club, tourist development, restaurant, place of assembly.

- * not be located within convenient walking distance of shopping centres, residential areas, schools, child care centres and other similar sensitive uses. The preferred distance from these activities is 400 – 500 metres, although the actual distance will be guided by the objectives and criteria above and the topography of the land.
- * generally be located near adequate public transport and provide adequate on-site car parking; and
- Car parking for any new gaming facilities which extend the floor area of the established use of the land, must comply with the car parking requirements specified in the Planning Scheme for that established use.
- Electronic gaming facilities should only operate during hours that will not conflict with the amenity of any nearby residential or other sensitive uses.
- Electronic gaming facilities should provide a range of facilities for the public and members and should incorporate internal amenities that encourage responsible gaming behavior.

Application requirements

- Any application for the establishment of an electronic gaming facility must be accompanied by sufficient information to enable proper consideration to be given to the proposal, having regard to Councils overall objectives for achieving a responsible approach to gaming.
- All planning permit applications or other proposals to establish electronic gaming facilities must include:
 - * Detailed floor plans and elevations of the existing or proposed building, showing an accurate delineation of all uses, including the total floor area deemed to be a ‘licensed area’ (where liquor may be consumed) and the ‘restricted area’ (where gaming machines are to be installed); and
 - * A written submission on the proposed use(s) of the land or buildings, including management of the use(s), hours of operation, expected patronage or seating numbers, the provision of car parking and any studies relating to issues such as traffic, environmental and social impacts.
 - * All applications to establish electronic gaming facilities must be advertised in accordance with Section 52 of the Planning and Environment Act 1987, by:
 - giving notice to all adjoining and nearby land owners and occupiers
 - placing a notice (minimum 1 sq metre in area) in a prominent position on the frontage of the land and;
 - placing a Notice in the most widely read local newspaper for two successive editions during the advertising period.

Performance Criteria

In considering any application for a electronic gaming machine facility, the responsible authority must have regard to:

- The State Planning Policy Framework
- Local Policy for Council owned Land and/or Facilities
- Any Code of Practice for Electronic Gaming Machines adopted by the responsible authority, which addresses management and amenity issues
- Any harm minimisation strategies adopted by the responsible authority to reduce the negative effects of gaming machines

CODE OF PRACTICE – RESPONSIBLE GAMING BEHAVIOUR

AMENITIES WITHIN GAMING VENUES

Objectives

This Code of Practice seeks to ensure that:

- Patrons are provided with a range of activities within the venues, in line with Council policy that gaming machines form an ancillary activity to other leisure and recreation activities
- The provision of a pleasant and safe environment for gambling activities
- Patrons are aware of their rights and responsibilities within gaming venues
- Gaming venues encourage responsible gaming behaviour in line with Council's responsible gaming strategy

Practice

Gaming venues are encouraged to:

- Display clocks, showing the correct time, in positions visible at all times to a large majority of gamblers in all gaming areas.
- Ensure all gaming areas have clearly visible direct access to daylight
- Display notices and pamphlets in the gaming areas, in a position visible to a majority of gamblers, advising of the availability of counselling services for problem gambling
- Display in the gaming areas, in a position visible to a majority of gamblers, notices advising of the odds of winning a prize on the gaming machines
- Provide within the gaming areas a smoke free area or air conditioning installed to achieve a "fresh air" standard
- Provide to patrons within the gaming areas free tea, coffee and water and an informal seating area. This informal seating area can contain other leisure pursuits such as a television playing predominantly non-gambling shows, or magazines that are not predominantly promoting gambling in any form.
- Display a "Customer Code of Conduct" detailing the standard dress requirements for the venue, and behavioural requirements including no aggressive or intimidating behaviour or excessive drinking.

MANAGEMENT PRACTICES

Objectives

This Code of Practice seeks to encourage:

- The operators of gaming venues to take an active role in minimising the negative effects of gaming machines.
- The operators of gaming venues to contribute to maximising the positive effects of gaming machines.

Practice

Gaming venue operators are encouraged to:

- Allow patrons to reserve machines for a maximum of five minutes at peak times, and up to thirty minutes at all other times
- Pay all winnings of over \$100 by cheque only, made out to the person (ie not a cash cheque)

- Contain a majority of machines that range in price from five to twenty cents to play.
- Establish and display procedures for responding to complaints from patrons, local residents and businesses and others.

HOURS OF OPERATION

Objectives

This Code of Practice seeks to:

Discourage incidental visits to gaming venues associated with shopping, banking, taking children to school and other non related activities

Practice

Note: Gaming venues are not permitted in residential areas or most retail areas, under Council's Gaming Policy. Hours of operation would therefore affect only those hotels / clubs with existing rights and permits in retail areas.

ECONOMIC AND SOCIAL IMPACTS (COMMUNITY OBLIGATIONS)

Objectives

This Code of Practice seeks to encourage gaming venue operators to:

- Care about the welfare of their customers,
- Provide a safe healthy and pleasant environment,
- Support the local community,
- Minimise the negative impacts of gaming machines and
- Maximise the positive effects of gambling

Practice

Gaming venue operators are encouraged to:

- Promote opportunities for patrons to participate in some of the non-gaming activities of the venue
- Contribute financially or in kind to local problem gambling support groups
- Support or sponsor local cultural, community and / or sporting activities
- Train staff through the Break Even program on methods of identifying and dealing with problem gamblers, and the support services that are available

Allow staff are to get to know and interact with patrons.