

ELECTRONIC GAMING POLICY

| | | | |
|-----------------------|---------------------------|-----------------------------|------------------------------|
| Policy Number: | Issued by Governance | Directorate: | Community Services |
| Approval by: | Council | Responsible Officer: | Manager, Community Wellbeing |
| Approval Date: | Meeting Date | Version Number: | 2 |
| Review Date: | 4 Years from Meeting Date | | |

1. PURPOSE

The purpose of this policy is to foster responsible electronic gaming and provide direction to Council, the community and businesses in relation to applications for new electronic gaming machines in Knox.

2. CONTEXT

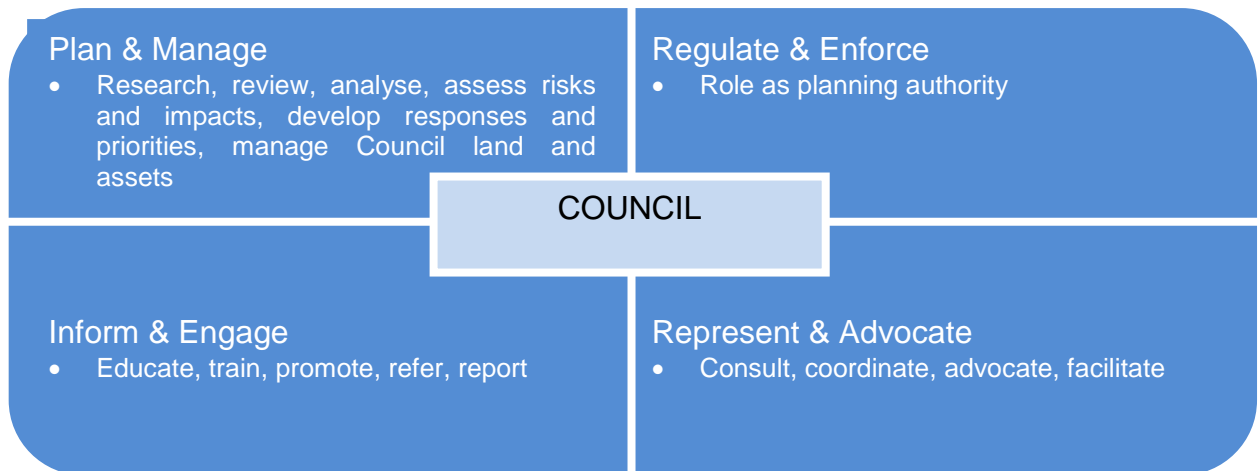
Knox City Council acknowledges that gaming is a legal activity in which people participate for recreational purposes. Council also recognises that problem gaming can have a detrimental impact upon individuals, families and the broader community. Council supports a harm minimisation approach to gaming which seeks to mitigate possible adverse individual and community impacts.

Council's particular responsibility concerning gaming arises through its role in determining planning permits for gaming venues and electronic gaming machines in Knox. Accordingly, Council requires a detailed social policy on electronic gaming, as well as policies and strategies in the Knox Planning Scheme to inform its decision making. Council does not have the same defined role in relation to other gambling methods.

There has been an 11% (92) reduction in the number of electronic gaming machines in Knox since 2009 – from 855 in 2009 to 763 in 2014. Electronic gaming machine losses have also dropped by almost \$15,000,000 for the same period – from \$89,194,002 in 2008/09 to \$74,200,233 in 2013/14. Nevertheless, Knox has a slightly higher density of electronic gaming machines than the Melbourne Metropolitan average – at 6.12 machines per 1,000 adults compared with 5.48 machines (2013/14). The reduction in the density of electronic gaming machines in Knox coincided with the changes in the Victorian licensing regime in 2011.

The Role and Functions of Local Government

Local government functions and activities that relate to electronic gaming fall into four areas of core business activity.



Key activities local governments undertake with regard to the electronic gaming role are:

1. *Plan and Manage*: including researching, reviewing, analysing and assessing characteristics of the population and environment to determine risk and impact on public health of new gaming machines and venues and develop appropriate responses and strategies, such as local gaming policies in the Knox Planning Scheme, as well as managing Council land and assets;
2. *Regulate and Enforce*: including determination of planning permits and make submissions to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) with regard to applications for new gaming machines;
3. *Inform and Engage*: including education and promotion of a range of recreational and leisure activities that do not pose a risk to public health, to residents and community organisations as well as working in collaboration with business, residents and community organisations and other tiers of government;
4. *Represent and Advocate*: including consulting, coordinating and facilitating Council's participation in government, business and community alliances, working groups, forums and reviews.

3. SCOPE

This policy applies to:

- operators of clubs and hotels in Knox with electronic gaming machines;
- individuals, families and community in Knox who are affected by gaming/gambling on an electronic gaming machine;

- Knox City Council, in its role as a responsible authority under the *Planning and Environment Act 1987*, in making decisions on planning applications to use or install gaming machines or to use and develop land for gaming premises and in making submissions to the VCGLR under the *Gambling Regulation Act 2003*; and
- Knox City Council, as a landowner and lessor, in its planning and development and management.

4. REFERENCES

4.1 Council Plan

- Effective Governance
- Partnering and Engaging

4.2 Relevant Legislation

- Gambling Regulation Act 2003 (Vic)
- Planning and Environment Act 1987 (Vic)

4.3 Charter of Human Rights

- This policy has been assessed against and complies with the charter of Human Rights.

4.4 Related Council Policies

- Knox City Council Gaming Policy Direction Paper 2015
- Knox Gambling Profile Update, January 2015
- Knox Planning Scheme (Clause 52-28)

4.5 Related Council Procedures

- Electronic Gaming Policy Procedure for making a submission to the Victorian Commission for Gambling and Liquor Regulation

5. DEFINITIONS

| | |
|---------------------------|--|
| Council | means Knox City Council, whether constituted before or after the commencement of this Policy. |
| Individual(s) | means a resident(s) of the Knox Municipality. |
| Community | means people who live, work or study in the Knox Municipality. (TBC) |
| Community Group(s) | means a legal entity who provides services, support or activities to the Knox community. |
| Gaming Machine | is any device, whether wholly or partly mechanically or electronically operated, that is so designed that (a) it may be used for the purpose of playing a game of chance or a game of mixed chance and skill; and (b) as a result of making a bet on the device, winnings may become payable (<i>Gambling Regulation Act 2003</i> , S1.3). <i>A gaming machine is also referred to as an electronic gaming machine (EGM) in this Policy.</i> |
| Hotel | is a business that generates income predominantly from the provision of alcoholic beverages for consumption on premise. |
| Club | a licensed venue with significant contribution from gaming. |

6. COUNCIL POLICY

6.1 Policy Statement

Council commits to the mitigation of the negative impacts of electronic gaming. This commitment is underpinned by Knox City Council's City Vision to create a safe, healthy and connected community with high quality services, transport options, facilities and culturally rich experiences.

Council does not advocate the prohibition of electronic gaming. However, Council recognises that electronic gaming machines can pose a threat to public health and wellbeing due to the harm this activity can create for individuals, families and the community.

6.2 Policy Goal

Council is committed to mitigating the negative social and economic impacts of electronic gaming on local communities.

6.3 Policy Objectives

Council is committed to fostering responsible gaming and gaming venues. Council will adopt necessary actions to minimise the adverse effects of electronic gaming on individuals and the community. The key strategic objectives of the Electronic Gaming Policy are:

- 6.3.1 Transparent and coordinated decision-making processes with regard to electronic gaming machine and gaming venues.
- 6.3.2 Reducing the potential public health and wellbeing harm caused to individuals and the community by electronic gaming through actions including;
 - advocacy for best practice regulation and administration of electronic gaming; and,
 - managing the location of new electronic gaming machines and gaming venue design.

6.4 Electronic Gaming Policy Actions

The strategies in the Policy have been developed utilising data from the Victorian Commission for Gambling and Liquor Regulation and other credible sources and are in line with the four key roles and functions that Council can undertake in relation to gaming:

6.4.1 Plan and Manage

6.4.1.1 Manage the location of venues and EGMS in Knox

- Council will discourage proposals for new or transferred EGMs where the venue is in proximity to areas of relative socio-economic disadvantage as measured by SEIFA score (Index of Relative Socio-Economic Disadvantage) lower than the Knox average.
- Council will discourage proposals to transfer EGMs to another location within the municipality of greater socio-economic disadvantage, as measured by a low SEIFA score (Index of Relative Socio-Economic Disadvantage) relative to the Knox average. .
- Council will discourage proposals for EGMs to be located within 400 metres (convenient walking distance) of places with high pedestrian activity, including shops and railway stations.
- Council will discourage proposals for EGMs at locations where activity focuses upon children, families or young people. Accordingly, the establishment of gaming venues within 400m convenient walking distance of child care centres, playgrounds, kindergartens, schools, libraries, aged care facilities, churches and community centres, will be discouraged.
- Council will discourage a proposal for EGMs if there are reasonable grounds to consider that the operation of the gaming venue and its associated activities may adversely affect the amenity of the surrounding area through opening hours of the venue, management of patrons, generation of noise or disturbance, or other off-site amenity impacts.

6.4.1.2 Manage the number of density of EGMs in Knox

Council will discourage proposals for EGMs where the resulting number of EGMs per 1000 adults within a 2.5 km radius of that site (estimated) is greater than the average for Metropolitan Melbourne.

6.4.1.3 Respond to applications for additional EGMs in Knox

- Council may oppose by written submission to the VCGLR applications for additional or transfer of EGMs within or outside of Knox which would produce a net social and economic benefit for the Knox community. Refer to Electronic Gaming Policy Procedure for making a submission to the VCGLR (Appendix A).

6.4.1.4 Discourage the operation of EGMs on Council land

- Council will not grant new leases to any club which operates or intends to operate EGMs on Council land.
- Council will not support any increase in the number of EGMs held by the club which currently leases Council land¹.

6.4.1.5 Identify and understand the impacts of EGMs

Council will collect, analyse and report data on electronic gaming activity and its impact on the Knox community on a regular basis.

6.4.1.6 Integrate the Electronic Gaming Policy with Council plans and policies

Council will consider the Electronic Gaming Policy and current data when developing the Knox City Plan (Council's Municipal Public Health and Wellbeing Plan).

Council will not accept sponsorship for its activities from organisations or businesses that derive their income from EGMs.

6.4.2 Inform and Engage

6.4.2.1 Support alternative recreational and social activities

Council will engage with community organisations and clubs etc. to encourage support and grow additional recreational and social activities in Knox, particularly where gaming venues are located and populations are vulnerable to the high cost of living and have limited access to local services and facilities.

6.4.2.2 Support community education on EGMs

6.4.2.3 Council will collaborate with relevant organisations to support community education and information campaigns which focus on:

- the amount expended on EGMs in Knox;
- information about the potential harm of electronic gaming; and
- the health and wellbeing impacts of electronic gaming on individuals, families and community businesses.

¹ There is only one club with EGMs that currently leases Council land.

6.4.3 Represent and Advocate

6.4.3.1 Advocate for electronic gaming reform

In collaboration with state-wide alliances for gaming reform, Council will:

- Advocate for the transparent and equitable allocation of State Government revenue acquired from taxes on electronic gaming;
- Advocate for reform of the community contribution made by clubs with EGMs;
- Advocate for best-practice electronic gaming standards, regulation and administration.

6.4.4 Regulate and Enforce

6.4.4.1 Update the Knox Planning Scheme

Applications for new gaming machines require both:

- a planning permit (for the machines/venue) determined by Council, based on the strategies and objectives set out in the Knox Planning Scheme; and
- a determination of the impact on community wellbeing decided at a Victorian Commission for Gambling and Liquor Regulation hearing to which local government can make a submission.

The clause relating to electronic gaming in the Knox Planning Scheme is Clause 52.28-1 which requires a planning permit to install or use EGMs and enables local government to prohibit EGMs in designated shopping complexes or strip shopping centres².

- Council will undertake a planning scheme amendment to include specific objectives and strategies relating to gaming and a new gaming local policy to provide local guidance and direction in the assessment of planning permit applications for new EGMs as set out in this Gaming Policy Direction Paper;
- This Electronic Gaming Policy will be specified as a reference document to the local policy in the planning scheme. This allows Council to refer to the broader Council policy in the assessment of planning applications, and, along with the Gaming Policy Direction Paper, provides the appropriate evidence base for the local policies contained in the Knox Planning Scheme.

² Department of Planning and Community Development, 2006, Amendment VC 39 Gaming, State Government of Victoria