



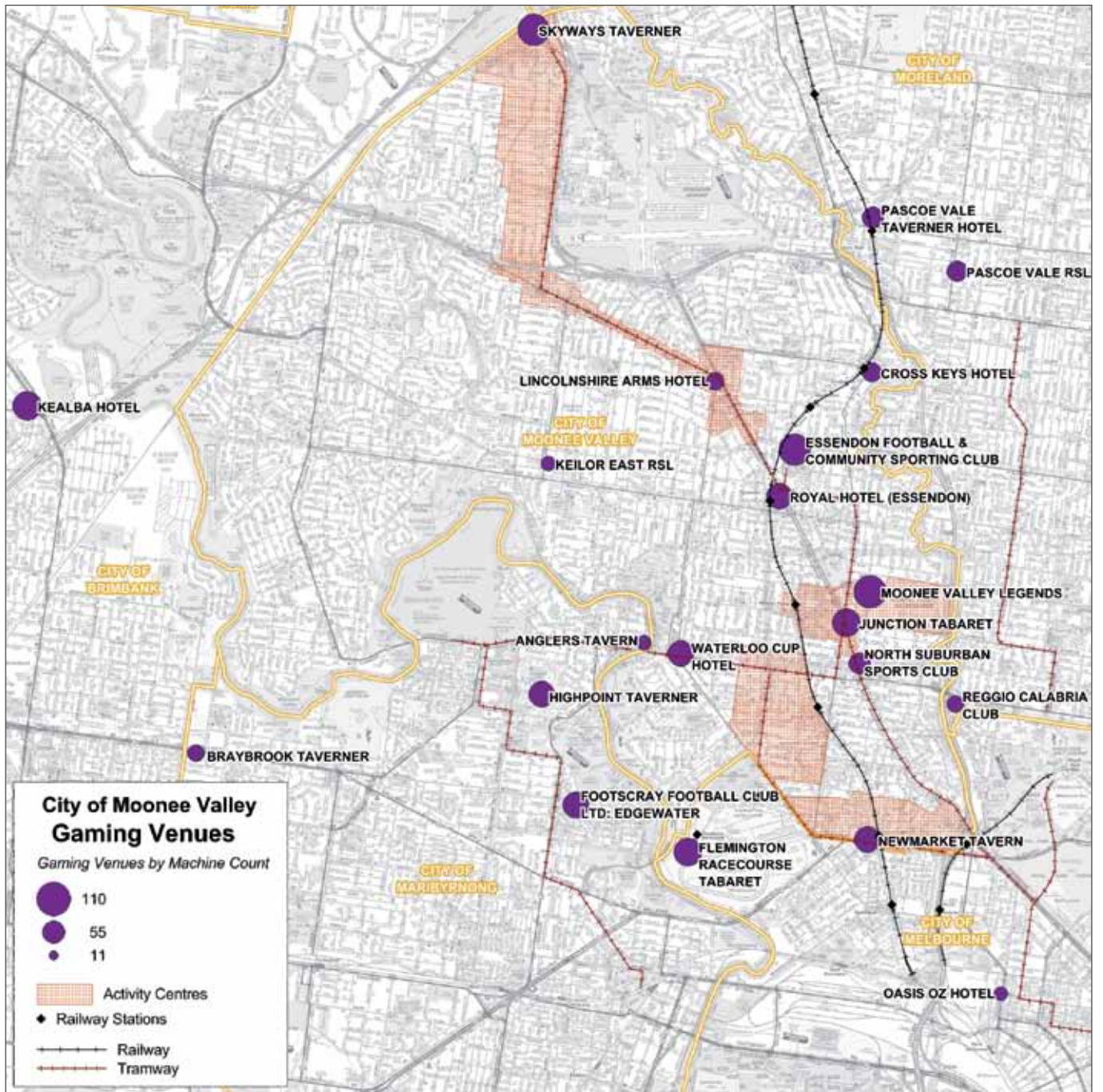
Gaming Position Paper

July 2011

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 City of
Moonee Valley



Date modified: 20 June 2011

Figure One: Map of EGM Premises in Moonee Valley¹

(Note a small selection of premises with relative accessibility in neighbouring municipalities have been included in the map)

1. Purpose

The purpose of this policy document is to clarify Council's policy position on gaming which will assist in the delivery of services and planning for the municipality.

The document relates to all applications which require a planning permit to relocate, install, use, or store an electronic gaming machine (EGM), or a change in land use to incorporate gaming.

“Community health and wellbeing is central to Moonee Valley City Council policies”

2. Council's role

According to the *Local Government Act 1989 section 3A*, the functions of Council include advocating and promoting proposals which are in the best interests of the local community, plus planning for and providing services and facilities for the local community.

The *Gambling Regulation Act 2003* provides Council with authority to develop Social Impact Assessments and make submissions to the Victorian Commission for Gambling Regulation.

The *Public Health and Wellbeing Act 2008 Section 26* specifies that municipalities must have public health and wellbeing plans which identify goals and strategies for creating a local community in which people can achieve maximum health and wellbeing. Problem gambling is a priority area of Council's *Community Wellbeing Strategy 2008 – 2013*.

The *Charter of Human Rights and Responsibilities Act 2006* recognises rights based approaches to community wellbeing issues.

The *Planning and Environment Act 1987* provides a consistent and coordinated framework for the Victorian Planning Schemes and requires specific municipalities including Moonee Valley to have a Municipal Strategic Statement (Sections 4 and 6).

3. The local policy context

This Gaming Position Paper acts alongside related Moonee Valley City Council social and planning policies, including:

- *Council Plan 2009–13*
- *Community Wellbeing Strategy 2008–12*
- *Diversity, Access, and Social Inclusion Strategy 2009–13*
- *Moonee Valley 2020 Community Vision 'Living Together, Living Well'*
- *Moonee Valley Planning Scheme and Municipal Strategic Statement*
- *Recreation Plan 2007*
- *Responsible Gaming Strategy 2002–12^a*
- *Women's Health Initiative 2009–13*
- *Youth Engagement Strategy 2009–13*

The *Responsible Gaming Strategy* uses a preventative approach to minimise impacts. This is complimented by the *Community Wellbeing Strategy 2008 – 2013*, which identified problem gambling as one of seven priority action areas for specific attention^a.

The *Moonee Valley Planning Scheme* relates directly to gaming through Section 52, which clarifies permits and approvals related to EGMs, prohibits the installation of EGMs within particular land uses, and provides brief decision guidelines. The Schedules to Section 52 list specific locations where EGMs are prohibited.

^a Both the Responsible Gaming Policy and the Community Wellbeing Strategy are due for review in 2012/2013.

4. Policy basis

Moonee Valley City Council supports residents to enjoy a range of recreational facilities and activities, and seeks to attract investment and employment to increase economic competitiveness and sustainability.

Many people in Moonee Valley access gaming premises and enjoy using EGMs without harm; however a small proportion of the population is affected by problem gambling. Problem gambling has significant negative social and financial impacts for gamblers and their families, having detrimental effects on the wellbeing of communities. Wellbeing is crucial issue for communities and needs to be considered when assessing developments².

Priority communities at risk of problem gambling in Moonee Valley are older people, women over the age of 40, young people (especially those from culturally and linguistically diverse backgrounds), and people who are attracted to multiple forms of gambling. Built environment factors which attract people at risk of problem gambling are easy physical access to premises, internal layout allowing privacy and large and glitzy appearances³. To reduce prevalence of problem gambling, gaming premises can address these built environment factors and can support a range of alternative entertainment options targeted at people most at risk⁴.

There are links between social disadvantage, problem gambling, and accessibility of gaming premises. Moonee Valley has had high accessibility to gaming premises; in Moonee Valley EGM density is significantly higher

than the Metropolitan average. In 2009/2010 Moonee Valley had 8.5 EGMs per 1000 adults, compared to a Metropolitan average of 6.1 EGMs per 1000 adults⁵.

Assuming the cap on EGM numbers will not increase, forecasts over the next 20 years show an overall decrease of EGM density alongside population growth. Considering Melbourne's overall growth rate it is predicted that average EGM densities in Metropolitan Melbourne will remain lower than Moonee Valley (see Figure Two).

When EGMs are located in areas of pedestrian thoroughfares or adjacent community facilities and services, this encourages convenience gaming.

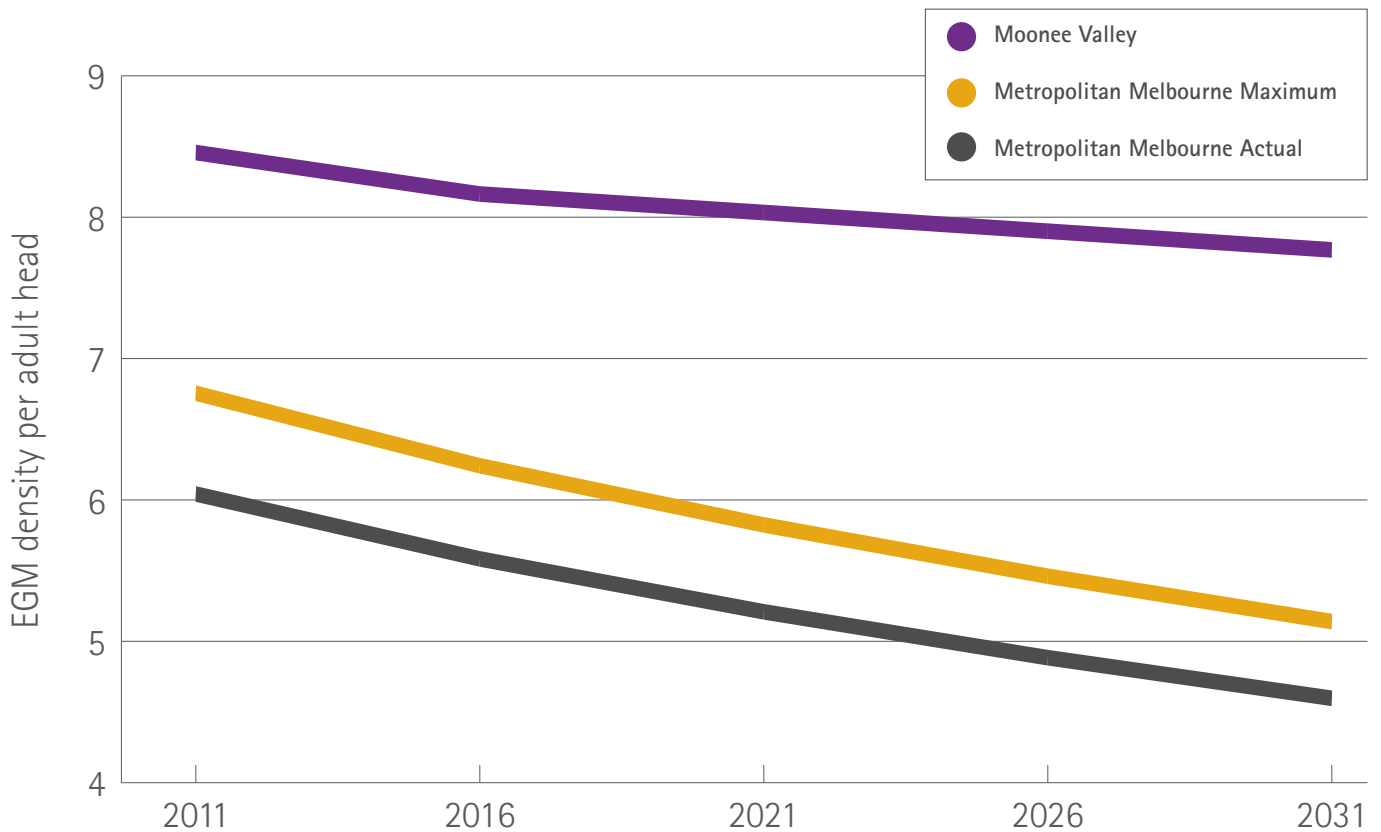


Figure Two: Forecast EGM Densities 2011 – 2031⁵

For destination gaming, people will generally travel 2.5 to 5 kilometres from their home to access a gaming premises⁷.

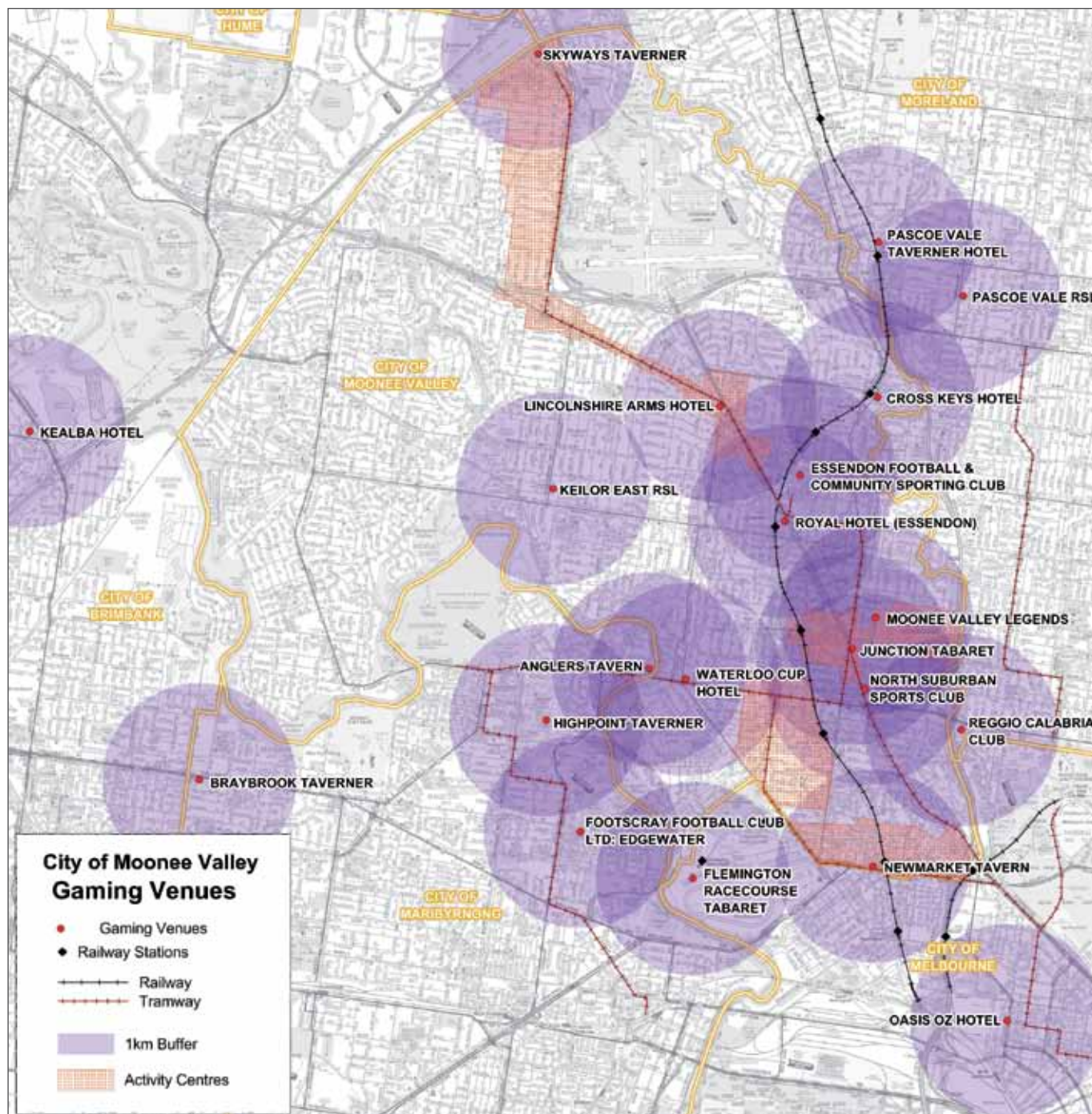
Gaming premises catchment areas in metropolitan densities similar to Moonee Valley use a one kilometre radius to assess social and economic impacts⁹. Using this methodology, 1km

radius gaming premises catchment areas in Moonee Valley can be viewed in Figure Three.

Some gaming premises catchment areas overlap between Moonee Valley and adjacent municipalities.

When assessing proposed development Social Impact Assessments are important¹⁰ in

providing a thorough analysis of a range of social consequences. Representative Community Surveys provide useful information in relation to community views and community wellbeing, enabling thorough Social Impact Assessments¹¹. Community Surveys and Social Impact Assessments must be independent of the applicant.



Date modified: 20 June 2011

Figure Three: Map illustrating 1km radius of local gaming premises⁸

5. Objectives

The objectives of this Gaming Position Paper are:

- To ensure that the social and economic impacts of gaming are measured to deliver a net community benefit.
- To discourage the locations of gaming machines in disadvantaged areas.
- To ensure that the location of gaming machines and the design of gaming premises minimise the risks associated with exacerbating problem gaming.

6. Policy

Gaming premises and the location of EGMs must be planned as part of entertainment and recreational facilities in Moonee Valley.

Gaming premises catchment areas will extend to any land parcel which is located within one kilometre of the boundaries of the subject site.

The subject site is the land parcel where the proposed development is located.

In determining whether there will be an overall net community benefit, the responsible authority shall assess its positive and negative implications in relating to the following:

- The social and economic impacts of the proposal.
- The socio-economic profile of the catchment area.
- The distribution and density of gaming machines in the neighbourhood and municipality.
- Location of the premises in relation to nearby land uses and transport facilities.
- The availability of alternative and comparative entertainment facilities for groups and individuals within the premises catchment area.

- If the gaming machines are to be relocated from within the municipality, the comparative advantages and disadvantages of the two locations.

In determining location criteria, EGMs are not desirable when located:

- where there may be adverse affects to the detriment of public thoroughfare, streetscape, or existing land uses in the gaming premises catchment area
- in areas which are identified as experiencing social and economic advantage
- convenient to pedestrians, shops, community facilities and infrastructure
- where there may be adverse affects to community wellbeing, including an increase in problem gambling incidences or affects
- where people living in the gaming premises catchment area do not have access to alternative recreational activities for groups and individuals

Premises which operate EGMs should offer a wide range of entertainment options, gaming should not be their primary activity.

7. Planning application requirements

In addition to standard planning application requirements, applications must include:

- A thorough and independent Social Impact Assessment which assesses the net community benefit for Moonee Valley, including: a detailed demographic profile of the catchment area, a location assessment, a thorough and representative Community Survey external to the applicant, an assessment of economic and social impacts, and opportunities for mitigation.
- Design and layout plans comprehensively illustrating the locations of all EGMs, ATMs, signage, car parking spaces and compliance with gaming regulations.
- A management plan detailing operating hours, noise management and responsible gambling strategies.
- A location analysis of existing land uses within the gaming premises catchment area, highlighting public transport routes, pedestrian thoroughfares and comparative alternative recreational options for groups and individuals who are at risk of problem gambling.

8. Community engagement

Council will ensure that community impacts are considered by conducting Social Impact Assessments.

If the gaming premises catchment area extends beyond Moonee Valley boundaries, Council will consider impacts on people living in adjacent municipalities.

Council may also conduct a Social Impact Assessment when residents of Moonee Valley are within a gaming premises catchment area of a planning application in an adjacent municipality.

All Social Impact Assessments shall involve a Community Survey, the questions of which must be approved by Council administration prior to survey implementation.

9. Related action

This Gaming Position Paper is supported by a range of social policy, strategies and ongoing action.

Problem gambling is a priority action area of the *Community Wellbeing Strategy 2008–2013*. Through this strategy Council implements a variety of actions to reduce the incidence of problem gambling, enable alternative recreational options and improve community wellbeing.

Other social initiatives such as the *Diversity, Access, and Social Inclusion Strategy 2009–2013*, the *Youth Engagement Strategy 2009–2013* and the *Community Safety Program 2011–2014* will continue to provide safe spaces for people at risk of problem gambling to be proactive and maximise development opportunities.

The Responsible Gaming Strategy will be reviewed in the 2012/2013 financial year, which will involve a comprehensive consultation with residents, service providers, the gaming industry, and other relevant stakeholders.

“ Council will ensure that community impacts are considered by conducting Social Impact Assessments which include Community Surveys ”

10. Glossary

Electronic Gaming Machine (EGM)

Computerised rapid play gaming machines otherwise known as poker machines or pokies. EGMs have rewards based on chance, in Victoria there is a predetermined rate of return to player of 87 per cent. Machines which are considered to be 'low intensity' limit player losses to around \$120 per hour.

Gaming

The playing of an electronic gaming machine¹².

Electronic Gaming Machine Area

The area within a Gaming Premises where EGMs are stored or operated. These areas are regulated by the Victorian Commission for Gambling Regulation¹³.

Gaming premises

Land used for gambling by gaming, and where there is the ability to receive a monetary reward¹⁴. The Venue Operator must hold a licence for a pub, a club, or a racing club¹⁵.

Gaming venue

See 'Gaming Premises'.

Gaming Premises Catchment Area

This is the area where gaming premises will have (social) impacts. The shape and sizes of catchment area can vary greatly depending on the natural and built environment of the locality. This policy determines gaming catchment areas in Moonee Valley to be any land parcel which is located within one kilometre of the premises.

Problem gambling

Problem gambling is characterised by difficulties in limiting money and/or time spent on gambling which leads to adverse consequences for the gambler, others or for the community¹⁶.

Responsible gambling

Responsible gambling is about minimizing harm caused by problem gambling while accommodating those who gamble without harming themselves or others. A number of measures and initiatives have been introduced to foster responsible gambling by engaging the community and key stakeholders in decision making about gambling; encouraging gamblers to play safely without harming themselves or others; and promoting good customer service practices by gambling providers¹⁷.

Social Impact Assessment

A Social Impact Assessment includes the processes of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned development. Its primary purpose is to bring about a more sustainable and equitable environment¹⁸.

Venue Operator

The operator of a gaming premises who either manages Gaming Licences or owns Gaming Entitlements.

“ Moonee Valley City Council supports residents to enjoy a range of recreational facilities and activities, and seeks to attract investment and employment to increase economic competitiveness and sustainability. ”

11. Endnotes

- 1 Victorian Commission for Gambling Regulation Licenses June 2011
- 2 See *Romsey Hotel Pty Ltd V VCGR & Anor* [2009] VCAT P2275 12 November 2009; *Macedon Ranges Shire Council V Romsey Hotel Pty Ltd* [2008] VSCA 45 19 March 2008.
- 3 Hing & Haw (2010), *The Influence of Venue Characteristics on a Player's Decision to Attend a Gambling Venue*, Centre for Gambling Regulation and Research, Southern Cross University New South Wales for Gambling Research Australia.
- 4 Thomas, Moore, Kyrios, Bates, Meredyth, Jessop (2010), *Problem Gambling Vulnerability: The interaction between access, individual cognitions and group beliefs/preferences*, Gaming and Racing Victoria.
- 5 Information sources: Moonee Valley Id Population Forecasts & Victorian Commission for Gambling Regulation Statistical Information and License/Entitlement Caps
- 6 Victorian Commission for Gaming Regulation historical data 2009/2010.
- 7 See *Rennie V Darebin City Council* [2010] VCAT 20 798/2010 23 September 2010
- 8 Victorian Commission for Gambling Regulation Licenses June 2011
- 9 Yarra Planning Scheme amendment C109 11/11/2010
- 10 See *Minawood V Bayside Council* [2009] Hearing 27 November 2008 VCAT P1629/2008.
- 11 See *Macedon Ranges Shire V Romsey Hotel VSCA 45* hearing 26/11407 No 3703 of 2007 19 March 2008; *Romsey Hotel Pty Ltd V VCGR & Macedon Ranges Shire Council* [2009] VCAT 2275 12 November 2009.
- 12 Moonee Valley Planning Scheme Clause 72 General Terms
- 13 Gambling Regulation Act 2003 Section 3.3.16
- 14 Moonee Valley Planning Scheme Clause 74 Land Use Definitions
- 15 Gambling Regulation Act 2003 Section 3.3.2
- 16 Australian Institute for Primary Care La Trobe University, *the Changing Electronic Gaming Machine (EGM) Industry and Technology*, March 2006.
- 17 Victorian Government Department of Justice 2011
- 18 The International Association for Impact Assessment (Frank Vanclay), *International Principles for Social Impact Assessment*, published May 2003

Moonee Valley Language Line

عربي	Arabic	9280 0738	Ελληνικά	Greek	9280 0741	Español	Spanish	9280 0744
中文	Cantonese	9280 0739	Italiano	Italian	9280 0742	Türkçe	Turkish	9280 0745
Hrvatski	Croatian	9280 0740	Somali	Somali	9280 0743	Việt-ngữ	Vietnamese	9280 0746

All other languages 9280 0747

Hearing Assistance 133 677

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