

City of Greater Bendigo - Gaming Policy Review

FINAL REPORT

Prepared by K2 Planning Pty Ltd and 10 Consulting Group

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List of Abbreviations

ABS	Australian Bureau of Statistics
CoGB	City of Greater Bendigo
EGM	Electronic Gaming Machine
SEIA	Social and Economic Impact Assessment
SEIFA	Socio-Economic Index for Areas
LGA	Local Government Area
RSL	Returned and Services League of Australia
VCGLR	Victorian Commission for Gambling and Liquor Regulation
VCAT	Victorian Civil and Administrative Tribunal
VLGA	Victorian Local Governance Association
VPP's	Victorian Planning Provisions
VPPF	Victorian Planning Policy Framework

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1. Introduction

The City of Greater Bendigo (CoGB) has engaged K2 Planning Pty Ltd and 10 Consulting Group to conduct a Gaming Policy Review including the following:

Objectives

1. Advise Council on Best Practice Local Planning Policy approaches that limit the harm from electronic gaming machines (EGM's) on the community
2. Support the CoGB development of a new Gambling Policy which takes a Public Health approach to reduce harm from gambling

The review includes:

1. A review of the current CoGB local planning policy 'Accessible but not Convenient'
1. An overview of a harm minimisation approach to gaming policy
2. A review of relevant Victorian Commission for Gambling and Liquor Regulation (VCGLR) and Victorian Civil and Administrative Tribunal (VCAT) decisions
3. Identification of challenges facing the implementation of the current COGB Gaming Policy
4. Identification of opportunities to strengthen the local policy
5. Recommendations to modify the current City of Greater Bendigo Gaming Policy

2. Relevant Legislation

In Victoria, local government decision making processes related to electronic gaming machines (EGM's) are guided by the following legislation:

1. **Planning and Environment Act 1987** - there is a statutory responsibility for Council to consider the social and economic impacts of gaming machines in their municipality under Clause 52.28 of the Victorian Planning Provisions
2. Under the Victorian **Public Health and Wellbeing Act 2008** Council is also required to seek to protect, improve and promote health and wellbeing and to apply the 'precautionary principle' to preventing and controlling public health risk
3. The **Gambling Regulation Act 2003** 'The Act' entitles Council to make a submission to the VCGLR on the social and economic impacts of gaming applications. The Act prohibits the Commission from granting an application for gaming unless satisfied that the net economic and social impact of approval will not be detrimental to the wellbeing of the community.

Electronic Gaming Machine Caps

The State Government of Victoria regulates the number of gaming machines that may be operated in Victoria. The total number of gaming machines that can be operated in Victoria (outside Crown Casino) is 27,372. No more than 50 per cent of this total can be operated at either clubs or hotels. At least 20 per cent (i.e. 5,475) of the total must operate outside metropolitan Melbourne. No more than 105 gaming machines can be operated in any one venue. Regional caps apply to 25 defined regions and municipal limits apply to all uncapped regions

The maximum permissible number of gaming machine entitlements under which gaming may be conducted in each region is determined under section 3.4A.5(3A) of the Gambling Regulation Act 2003. For the City of Greater Bendigo this maximum permissible number of gaming machine entitlements is currently set at **870 electronic gaming machines**.

3. Local Government Gaming Policies - Victoria

In October 2006 the State Government of Victoria introduced amendments to the Victorian Planning Provisions (VPP's) which gave Councils decision making power over the location of electronic gaming machines (EGMs). Clause 52.28 'Gaming' was amended (State Amendment VC39) to require a planning permit be obtained for all gaming machines. Previous as-of-right provisions for the installation of gaming machines were removed. In 2009 a Planning Scheme Amendment introduced Local Planning Policy to guide decision making when assessing application for approvals for electronic gaming machines.

Prior to 2007 there was no legislative requirement for a local government policy related to gaming. However, a number of municipalities had developed Responsible Gambling Policies or Strategies which aimed to minimise the negative social impacts of gaming, particularly electronic gaming machines, in the municipal area.

Following the amendment to the VPP's in 2007 the Victorian Local Governance Association provided funding to support local Councils to develop local policies related to gaming. At that time thirteen local government gaming policies were developed by Coomes Consulting Group under the Principles of *Accessible but not Convenient*. The City of Greater Bendigo gaming policy is one of these policies. Other policies were developed by SGS Economics based on a consortium approach, eg. Melbourne South East Regional Consortium. Various other local government gaming policies have been developed since that time. Clause 52.28 'Gaming' remains the primary driver of these existing policies including:

1. to inform appropriate locations for EGM's
2. to ensure the socio economic impacts of the location of gaming machines are considered
3. to prohibit gaming machines in strip shopping centres and shopping complexes

2018 Planning Scheme Amendment

Amendment VC148 was gazetted in Victoria on 31 July 2018 implementing changes to the Victoria Planning Provisions (VPP) and planning schemes. The amendment adds clarity to schemes by simplifying and improving their structure, function and operation. It also has removed unnecessary regulation.

Specific revisions introduced through Amendment VC148 introduce significant changes to Clause 52.28 Gaming. This Clause now seeks Council's to develop specific guidelines around:

- 52.28-6 Locations for gaming machines
- 52.28-7 Venues for gaming machines
- 52.28-8 Application requirements

Development of these specific guidelines is beyond the scope of the current project. The City of Greater Bendigo CoGB will work internally to develop specific guidelines for the above sub-clauses of Clause 52.28 Gaming.

Public Health Approach to Gaming¹

Many Victorian local governments are currently conducting reviews of their Gaming Policies including revision of the principles within existing policies and development of a public health approach to gambling.

Electronic gambling machines are a legal form of entertainment in Victoria. However, gaming is considered a risky or addictive consumption alongside alcohol and tobacco and is therefore subject to government regulation. The potential for harm distinguishes gambling from other forms of recreation or entertainment. Gambling is now understood to be a public health issue with outcomes that affect communities, not the sole responsibility of an individual as a consumer.

An evidence-based public health approach shares responsibility for population health among individuals, businesses, community groups, corporations and governments, by reducing inequities in access to the resources needed for good health.

The public health approach to problems associated with gambling includes 'upstream' strategies to prevent harm before it occurs. The prevention or minimisation of harm from gambling includes understanding key risk factors, such as:

1. environmental risk factors (e.g. the accessibility and location of gaming machines)
2. social risk factors (e.g. the normalisation of gambling as entertainment; the impact on community cohesion)
3. the safety of gambling products (e.g. ambiguity on gaming machine design features, cost of play, pre-commitment, and responsible service of gambling)

Figure 1 provides an overview of the role of Gambling Harm Minimisation strategies within the local government policy context and within the application processes related to electronic gaming machines.

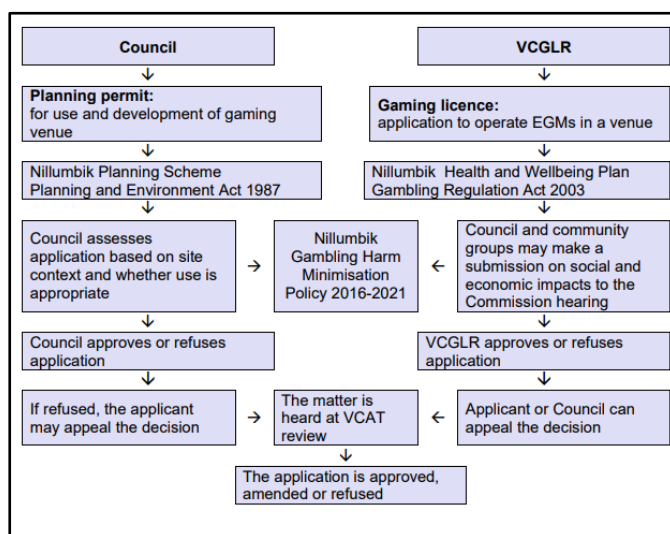


Figure 1: EGM Application Process

Source: Nillumbik Shire Council Gambling Harm Minimisation Policy 2016 – 2021, p. 10

¹ Adapted from Nillumbik Shire Council *Gambling Harm Minimisation Policy 2016 – 2021*, p. 11

4. City of Greater Bendigo Gaming Policy

4.1 Current Policy

In 2007 the City of Greater Bendigo developed a gaming policy entitled 'City of Greater Bendigo Gaming Policy Framework 'Accessible but not Convenient' 2007'. This policy is a reference document in the Planning Scheme that informs the local planning policy entitled 'Gaming' which is found at Clause 22.28. The CoGB was one of the first Councils in Victoria to implement a gaming policy which comprises:

- Greater Bendigo Planning Scheme Clause 22.28 Gaming
- City of Greater Bendigo Gaming Policy Framework – "Accessible but not Convenient" October 2007
Prepared by Coomes Consulting Group for the City of Greater Bendigo

The CoGB Gaming Policy informs Council decision making in two regulatory processes:

- VCGLR applications for new or additional EGM's/venues (Gambling Regulation Act - Council SEIA)
- Planning permit application to install or use EGM or land for purpose of gaming
- Both processes are open to review through VCAT

Local policy is used in planning decisions to help 'guide' a decision in cases where a permit is required (whether a permit is required or not depends on the planning history or a site and/or the operation of the state planning provisions found at clause 52.28 of all Planning Schemes).

Greater Bendigo's Gaming Policy is based on an understanding that problem gambling affects a small proportion of gamblers and that having gaming venues in locations that are convenient, but not highly accessible, will decrease the incidence of 'convenience gaming'. The current CoGB Gaming Policy Objectives are:

1. To discourage new gaming machines in disadvantaged areas
2. To ensure the location of gaming machines and design and operation of facilities containing gaming machines minimise opportunities for convenience gaming and the incidence of problem gambling
3. To ensure that gaming machines are located where the community has a choice of non-gaming entertainment and recreation activities within the venue or in the local area
4. To protect the amenity of existing uses surrounding gaming venues

The Greater Bendigo Planning Scheme Clause 22.28 Gaming also sets out criteria to for the following:

- Appropriate areas; Appropriate Sites; Appropriate Venues
- Application Requirements
- Decision Guidelines

As noted in 3, above, the City of Greater Bendigo will work internally to revise these criteria in response to Amendment VC148.

4.2 Harm Minimisation Policy

A core driver for the CoGB Gaming Policy review is to inform the development of a harm minimisation approach to gaming policy. A harm minimisation approach draws on lessons learnt across many of the addiction fields. It brings a focus on resilience, risk, and protective factors. The following common themes inform a harm minimisation approach to gaming policy:

- gambling can occur at a safe (or harm free) level, similar to alcohol or other public health issues like sun safe behaviour
- there exists a continuum of harm for involvement in gambling
- measures can be put in place to encourage safe behaviour

Purpose

Like the existing gaming policies, a Gaming Policy informed by a harm minimisation approach continues to:

- guide Council's response to applications for gaming machines
- work to minimise the negative impacts of gambling in the community

Scope

- The primary focus of a Harm Minimisation Gaming Policy is on electronic gaming machine gambling
- It is recognised that sports betting and internet gambling are rapidly growing in the community - some aspects of the gaming policies that adopt a harm minimisation approach also aim to reduce harms to people experiencing problems from other forms of gambling

A public health framework guides the development of policies using a harming minimisation approach. Figure 2 sets out the levels of influence that can be addressed through a harm minimisation approach to gaming policy.

Intrapersonal	Knowledge, attitudes, beliefs, skills and personality traits.
Interpersonal	Social networks and support systems; family and peers that provide social identity, support and role definition
Institutional	Social institutions with formal/ informal rules, regulations, policies that constrain or promote behaviour
Community	Relationships, standards and networks that exist among individuals, groups and institutions
Public policy	Local, state, federal policies and laws that regulate, support or constrain healthy actions and practices

Figure 2: Levels of Influence on Gambling Behaviour

Source: Victorian Responsible Gambling Foundation 2015 Using a Public Health Approach in the Prevention of Gambling-Related Harm, p. 11

Common actions within gaming policies that are informed by a harm minimisation approach include:

1. Eliminate deceptive and misleading features from EGMs
2. Reducing maximum bets on Electronic Gambling Machines to one dollar per spin
3. Amend the Gambling Regulation Act 2003
4. Reduce venue opening hours

An example of a Harm Minimisation Gaming Policy Statement is provided in Figure 5, p. 41

4.3 COGB Gaming Profile

This section sets out some of the features of electronic gaming machines currently located in the City of Greater Bendigo. The CoGB Gaming Profile helps to inform an understanding of community need for gambling, and potential areas of vulnerability to the risks of problem gambling. These issues inform the Gaming Policy Review, below.

While the maximum permissible number of gaming machine entitlements in the City of Greater Bendigo is currently set at **870**, there are currently **657** licenced gaming machines in the municipality. This shows that there is significant capacity for additional applications to increase the number of EGM venues and machines in the City of Greater Bendigo. Current venues accommodating EGM's, and their location in the municipality, are shown below.

Table 1: CoGB EGM Venues 2017/18

	Venue Name	Ven type	Attached Entitlements	Licenced EGM's	Expenditure Jul 17 – Dec 17
1	ALL SEASONS INTERNATIONAL HOTEL BENDIGO	Hotel	100	100	\$ 5,643,822.01
2	BENDIGO DISTRICT RSL CLUB	Club	93	93	\$ 3,844,748.22
3	BENDIGO STADIUM	Club	105	105	\$ 3,078,749.37
4	CITY FAMILY HOTEL	Hotel	0	39	\$ 606,926.52
5	KANGAROO FLAT SPORTS CLUB	Club	60	60	\$ 1,149,906.66
6	RISING SUN HOTEL	Hotel	35	35	\$ 1,938,292.74
7	SHAMROCK HOTEL	Hotel	60	60	\$ 2,022,740.72
8	THE BENDIGO CLUB	Club	60	60	\$ 1,257,521.74
9	THE BOROUGH CLUB	Club	40	40	\$ 1,897,432.91
10	THE FOUNDRY HOTEL COMPLEX	Hotel	25	25	\$ 1,103,456.01
11	WINDERMERE HOTEL	Hotel	40	40	\$ 3,058,141.40
	Total		618	657	\$ 25,601,738.30

Source: www.vcglr.vic.gov.au May 2018

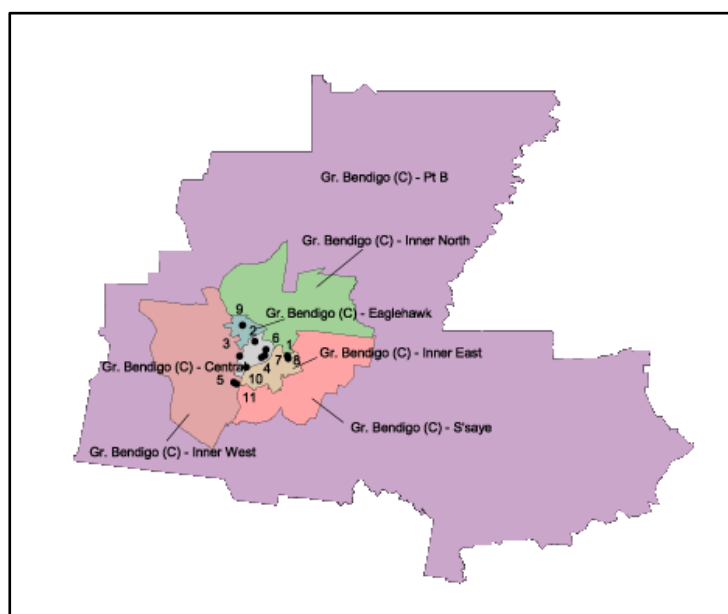


Figure 3: COGB Licenced EGM Venue Locations 2018

Source: www.vcglr.vic.gov.au May 2018

Net EGM expenditure is the total amount lost by players. Table 2 provides the net EGM expenditure for the CoGB 2015 – 2018. This data shows:

- a slight decline in net EGM expenditure in the municipality 2015 – 2017
- an increase of \$1.58 million in expenditure between the financial years 2016/2017 and 2017/2018

It is also noted that the July 2018 expenditure of \$4,526,909 exceeds the expenditure for July 2017 (\$4,302,990).

Table 2: CoGB EGM Expenditure 2015 - 2018

MONTH	2017 / 2018			2016 / 2017			2015 / 2016		
	Expenditure	No of Egms	No of Venues	Expenditure	No of Egms	No of Venues	Expenditure	No of Egms	No of Venues
JULY	\$ 4,302,990	641	11	\$ 4,464,933	629	11	\$ 4,523,232	629	11
AUGUST	\$ 4,533,112	641	11	\$ 4,244,203	629	11	\$ 4,245,240	629	11
SEPTEMBER	\$ 4,232,438	602	11	\$ 4,125,955	628	11	\$ 4,097,661	629	11
OCTOBER	\$ 4,152,621	602	11	\$ 4,159,653	629	11	\$ 4,066,587	629	11
NOVEMBER	\$ 4,180,591	601	11	\$ 4,056,665	629	11	\$ 4,060,371	628	11
DECEMBER	\$ 4,199,985	602	11	\$ 4,018,075	629	11	\$ 4,104,772	628	11
JANUARY	\$ 3,808,071	601	10	\$ 3,661,715	629	11	\$ 4,056,855	628	11
FEBRUARY	\$ 3,595,423	587	10	\$ 3,459,203	641	11	\$ 3,664,926	629	11
MARCH	\$ 4,101,516	591	10	\$ 4,097,766	638	11	\$ 4,065,929	629	11
APRIL	\$ 3,919,693	601	10	\$ 3,905,309	641	11	\$ 4,022,572	629	11
MAY	\$ 4,042,495	601	10	\$ 3,827,051	641	11	\$ 3,873,292	627	11
JUNE	\$ 4,266,287	600	10	\$ 3,733,599	641	11	\$ 3,914,945	628	11
TOTAL	\$ 49,335,224			\$ 47,754,127			\$ 48,696,384		

Source: www.vcglr.vic.gov.au/resources/data-and-research/gambling-data/gaming-expenditure-local-area

Table 3 provides data on the EGM density for the CoGB 2014 – 2017 which shows:

- A decline in expenditure per adult 2014 – 2017
- Increasing numbers of adult per venue
- Decreasing numbers of unemployed people in the municipality

Table 3: COGB EGM Density 2014 - 2017

STATISTIC	2016/2017	2015/2016	2014/2015
Adult Population	86,564.98	84,709.22	83,265.32
Adults per Venue as at June	7,869.54	7,700.84	7,569.57
EGMs per 1,000 Adults as at June	7.40	7.41	7.55
EXP per Adult as at June	\$551.66	\$574.87	\$572.61
Workforce as at June	53,436.00	53,626.00	56,538.00
Unemployed as at June	2,318.00	3,850.00	4,016.00
Unemployment rate as at June	4.34%	7.18%	7.10%

Source: www.vcglr.vic.gov.au May 2018

The gaming profile of the CoGB summarised in this section shows that a range of factors make the municipality a potentially attractive location for applications for increased numbers of EGM's including:

- Current levels of EGM's below the municipal cap
- Increasing EGM expenditure in the area
- Decrease EGM densities per 1,000 adults

5. Relevant Recent Research - Emerging Issues

The COGB Gaming Policy Review, and development of a new Gambling Policy which reflects a harm minimisation approach, should respond to the following issues emerging through relevant recent research:

1. Population health is a **shared responsibility**
2. The harm reduction approach to problem gambling draws on the **lessons learnt from the tobacco, alcohol and illicit drug prevention programs**
3. There is strong implicit association between **gambling and sport** is likely to contribute to increased levels of gambling related harm within the community
4. Gambling increases the frequency and severity of **family violence**
5. Prevalence of problem gambling and gambling-related harm has a **relationship with comorbid psychiatric disorders** – particularly drug use disorder
6. **Alcohol use and affiliation with antisocial peers** were risk factors for the persistence of problem gambling amongst young people
7. **Activism amongst young people** is protective of new incidents of problem gambling
8. **Psychological and emotional impacts** of problem gambling on the **families and social networks** of gamblers are costed at \$2 billion (Victoria 2014/15)

Key lessons for a local government gaming policy include:

1. **Addressing socio-economic disadvantage and health inequalities** is essential to the success of interventions aimed at improving the health of populations
2. **Adopt an evidence-based approach** to effective gambling harm measures to reduce the frequency and severity of family violence in their communities
3. Recognise that **complex social issues** - financial stress, mental illness, depression, alcohol abuse and family dysfunction may also be comorbidities of problem gambling
4. **Partnering** with others to raise awareness of gambling harm provides access to a range of effective help services
5. Promotion of **civic and social engagement**, particularly amongst young people, can reduce the incidence of problem gambling

Details of the relevant research that documents these issues are set out in Table 4, below.

Table 4: Relevant Recent Research – Key Issues

Research	Key Issue	Relevance to Harm Minimisation Strategy	Relevance to COGB Review
<p><i>Using a Public Health Approach in the Prevention of Gambling-Related Harm</i> Victorian Responsible Gambling Foundation 2015</p>	<p>A public health approach rests on shared responsibility for population health, from individuals and community groups to businesses, corporations and governments at all levels. A public health approach aims to address health inequalities by tackling the range of factors that impact on health beyond the individual level of lifestyle choice. These include social, economic and environmental factors</p>	<p>Addressing socio-economic disadvantage and health inequalities is now deemed essential to the success of interventions aimed at improving the health of populations.</p>	<p>Population-wide (universal) strategies as well as initiatives targeting groups at high risk or experiencing disadvantage</p> <p>Interventions delivered across a range of settings people are routinely found in daily life, eg. young people in schools, older people in workplaces, the internet</p> <p>Strategies which are tailored and delivered to people across their lifetime, at key ages, stages and at transition points</p> <p>The planned and deliberate utilisation of a selection of multi-pronged interventions: a range of complementary and synergistic actions that have effect across multiple fronts - implemented simultaneously rather than sequentially.</p>
<p><i>Assessing Gambling-Related Harm in Victoria: A Public Health Perspective</i> Victorian Responsible Gambling Foundation 2015</p>	<p>Health implications of EGM gambling and ways in which a public health framework might apply to the future regulation and operation of EGMs</p>	<p>The harm reduction model or approach to problem gambling utilises a public health approach that draws on the lessons learnt from the tobacco, alcohol and illicit drug prevention programs - resilience, risk, and protective factors from studies across many of the addiction fields.</p> <p>Harm reduction...is about the prevention of harm rather than the prevention of use or involvement in the activity...</p>	<p>The Productivity Commission (2010) definition states that harm reduction encompasses harm minimisation strategies that aim to minimise the risk associated with gambling and facilitate gambling appropriate limits, without overtly disturbing those who gamble in a non-problematic manner</p> <p>Gambling can occur at a safe (or harm free) level, similar to alcohol or other public health issues like sun safe behaviour... three tenets to this: 1) that gambling is a socially acceptable activity, 2) that there exists a continuum of harm for involvement in gambling, and 3) that adolescent experimentation is a normal part of the development process.</p>
<p><i>Submission to the Royal Commission on Family Violence</i> Victorian Responsible Gambling Foundation 29 May 2015</p>	<p>Evidence of a link between Domestic Violence and Problem Gambling</p>	<p>Levels of Problem Gambling: 2015 there were 30,000 problem gamblers in Victoria and 100,000 moderate risk gamblers. Therefore, of the estimated 4.73m adults in Victoria, these figures equate to 0.63% are problem gamblers and 2.1% are at moderate risk. It is estimated that 300,000 people are affected by problem gamblers (6.3%) in Victoria</p>	<p>A complexity of afflictions is also often found in cases of family violence</p> <p>Link between family violence and gambling: based on what we know of trauma being identified as a catalyst for problem gambling, that family violence may increase the risk of problem gambling. where problem gambling and family violence are both some of the antecedents of family violence – financial stress, mental illness, depression, alcohol abuse and family dysfunction</p>

Research	Key Issue	Relevance to Harm Minimisation Strategy	Relevance to COGB Review
		Complex social issues: Many of the factors associated with the higher risk of someone having a gambling problem are co-occurring, meaning those affected by gambling problems are often dealing with a complex range of issues	may also be comorbidities of problem gambling present they are likely to be part of a vicious circle of harm
<i>Understanding the Link between Family Violence and Gambling: Information for Local Government</i> Women's Health in the North	Gambling increases the frequency and severity of family violence	A public health approach to the co-existence of gambling and family violence can help move the focus away from the notion of 'problem gambling' as individual responsibility and think in terms of 'gambling related harm'	Local governments can adopt evidence-based , effective gambling harm measures to reduce the frequency and severity of family violence in their communities.
<i>Implicit associations between gambling and sport</i> Li, E, Browne, M, Langham, E, Thorne, H & Rockloff, M Victorian Responsible Gambling Foundation March 2018	Emergent evidence relating to gambling sponsorship and advertising is suggesting impacts similar to other products of public health concern such as tobacco, alcohol and high fat, salt and sugar (HFSS) food, in relation to behaviour adoption and levels of consumption.	Gambling and sport appeared to have become connected concepts in participants' minds. There was a stronger implicit association between gambling and sport , when the gambling logos were sport-relevant, rather than sport-irrelevant, or when the sports were gambling-relevant, rather than gambling-irrelevant. Previous findings from studies relating to gambling, alcohol, and tobacco, suggest that this is likely to contribute to increased levels of gambling related harm within the community	Sponsorship and other forms of incidental consumer brand encounters should be adopted, bringing gambling advertising in to line with current harm minimisation approaches to alcohol and tobacco
<i>The social cost of gambling to Victoria</i> Browne, M, Greer, N, Armstrong, T, Doran, C, Kinchin, I, Langham, E & Rockloff, M Victorian Responsible Gambling Foundation November 2017	Assessing the costs associated with gambling Review of the prior attempts to quantify the cost of gambling Estimated the costs of problem gambling to Victoria (2014–15)	Previous costings have mainly excluded low-risk and moderate-risk gamblers and have been limited by a lack of reliable or accurate data relating to the prevalence of harms, particularly those experienced by affected others Revealed substantial harm (in aggregate) occurring among less-affected gamblers - \$7 billion in annual costs resulting from gambling can be compared to gross industry revenue of \$5.8 billion. Any reasonable estimate of the consumer surplus of gambling would likely entail a neutral or (more likely) negative net benefit to the Victorian community	Major components of the cost of gambling are borne by gamblers themselves and those around them However, problematic gambling also gives rise to psychological impacts (e.g. loss of sleep due to worry, shame, stigma and distress), yielding costs that go beyond the simple monetary value of gambling losses. We estimated that psychological and emotional suffering by gamblers account for a further \$1.6 billion of costs at the individual level. Further psychological and emotional impacts on the families and social networks of gamblers are costed at \$2 billion. Factoring in other minor costs, approximately 75 per cent of the total cost of gambling is borne by gamblers, their families and their social networks.

Research	Key Issue	Relevance to Harm Minimisation Strategy	Relevance to COGB Review
<i>Problem gambling in people seeking treatment for mental illness</i> Lubman, D, Manning, V, Dowling, N, Rodda, S, Lee, S, Garde, E, Merkouris, S & Volberg, R Victorian Responsible Gambling Foundation July 2017	Examine the gambling behaviours of patients attending Victorian mental health services to determine the prevalence of problem gambling and gambling-related harm and explore its relationship with comorbid psychiatric disorders	Higher rates of gambling harm were reported among patients with certain mental health disorders. Patients with a drug use disorder were 3.6 times as likely and patients with psychotic disorder 2.4 times as likely to be experiencing gambling-related harm. Patients with drug use disorder were 3.4 times as likely and patients with borderline personality disorder were 2.6 times as likely to be a problem gambler	Screening for problem gambling - only 43 per cent of the sample reported having been asked about their gambling since attending the mental health service By partnering with others , the Responsible Gambling Foundation is working to raise awareness of gambling harm and provide access to a range of effective help services
<i>Longitudinal protective factors for problem gambling and related harms: Building resilience among young adult gamblers</i> Scholes-Balog, K & Dowling, N Victorian Responsible Gambling Foundation March 2017	Very little research on modifiable behavioural and social environmental factors contributing to the development of problem gambling and gambling-related harms. Sample comprised 2,280 young adults from Victoria, Australia	Activism was protective of new incidence problem gambling, and thus the promotion of civic and social engagement should be further investigated as a potential protective factor against the development of problem gambling in young adults. Alcohol use and affiliation with antisocial peers were risk factors for the persistence of problem gambling	Promotion of civic and social engagement amongst young people

6. Relevant Recent Decisions - Emerging Issues

The CoGB Gaming Policy Review, and development of a new Gambling Policy which reflects a harm minimisation approach, should respond to the following issues emerging through relevant recent VCGLR and VCAT decisions:

1. LGA statistics are misleading and there is need to focus SEIA on a **2.5km catchment from venue**
2. **Publicly provided submissions** can provide effective evidence of changing community attitudes towards gaming
3. There is a need to look beyond the first 12 months of **expenditure**
4. Consider the potential of the proposed location to contribute to **convenience gaming** (eg. on a busy intersection, adjacent to community facilities)
5. Provide evidence of potential **diversion of trade from retail facilities** (Cardinia Communities Business group submissions)
6. Where venues are located close to the boundary of other **neighbouring municipal districts**, the impact of the Application on those municipalities is a relevant consideration
7. Evidence is required as to what community organisations or projects are likely to **benefit from financial contributions**
8. Testing of definition of **strip shopping**

Details of the relevant decisions that documents these issues are set out in Table 5, below.

Table 5: Relevant Recent Decisions – Key Issues

Case Example	Decision	Lessons for Gaming Policy Review
<p>Commercial Hotel South Morang City of Whittlesea</p> <p>Application for approval of the Commercial Hotel, located at 820 Plenty Road, South Morang (Premises), as suitable for gaming with forty (40) electronic gaming machines</p>	<p>Council opposition rejected at VCGLR City of Whittlesea Appeal to VCAT VCAT upheld VCGLR decision</p>	<p>Consideration of social and economic impacts need to consider spatial impact of EGM's</p> <p>LGA statistics are misleading due to the uneven distribution of disadvantage in the municipality</p> <p>Applicant SEIA focused on 2.5km catchment from venue</p>
<p>Station Hotel Officer</p> <p>Application for approval of the Station Hotel, located at 1 Station Street, Officer (Premises), as suitable for gaming with forty (80) electronic gaming machines</p>	<p>VCGLR rejection of Application</p> <p>The Commission finds that this Application will result in a new venue being established with 80 EGMs, and that this will be associated with new expenditure of between approximately the amounts set out at paragraph 71 above.</p> <p>The Commission accepts that a proportion of expenditure will be associated with problem gambling</p> <p>The Commission finds that there will be an economic disbenefit associated with problem gambling as a result of this Application</p> <p>The Commission considers that, on balance, there is likely to be a small to moderate negative social impact of the proposal</p>	<p>The Commission considered the Application by way of a public inquiry</p> <p>Two members of the public provided submissions in opposition to the Application - The Commission considers that the level of opposition to this Application reflects changing community expectations and represents a strong concern that the fabric of the community of Officer would be altered due to granting the Application</p> <p>VCAT- impacts that may be both economic and social – for example the benefits of gaming consumption – must not be double-counted in the ultimate composite test</p> <p>The Commission therefore considers that the vast majority of the estimated new expenditure will come from the Shire of Cardinia, which accords with the Commission's view of the catchment area</p> <p>The Commission's view is that it is appropriate in this Application to look beyond the first 12 months of expenditure</p> <p>Location of the Premises had the potential to contribute to convenience gaming - noted the Premises would be convenient, largely due to its location on a busy intersection, but, looking at the PSP, that there was a good deal of physical separation from the Premises to core retail uses</p> <p>Potential diversion of trade from retail facilities - The Commission also accepts that any diversion of trade is likely to be spread across a wide number of retail facilities and is unlikely to materially impact any single retail facility</p>

Case Example	Decision	Lessons for Gaming Policy Review
<p>Glenroy Hotel 186 Glenroy Road, Glenroy application to amendment to venue operator's licence to increase number of EGMs from 40 to 50</p>	<p>Approved: Went to VCAT and rejected. Moreland City Council took to Supreme Court and opposition was successful</p>	<p>VCAT took the view that social and economic considerations were considered by VCGLR and assumed VCAT had no role in looking at these indicators. Supreme court disagreed and sent back to VCAT for consideration</p> <p>VCGLR considered that where the premises are located close to the boundary of other neighbouring municipal districts, and as residents of those municipalities may use any new EGMs, the impact of the Application on those municipalities is a relevant consideration</p> <p>However, the commission is satisfied that it would not be appropriate to exercise its overriding discretion under the Act to refuse the Application</p> <p>The Commission recognises that the Applicant is committed to reinvesting in the local community, including the areas beyond the boundaries of the municipality in which it is located (community contributions)</p>
<p>Application for amendment to venue operator's licence to vary the number of EGMs at the approved premises, Royal Hotel 27 Vincent Street Daylesford from 18 to 25</p>	<p>Approval at VCGLR</p>	<p>Commission finds that Hepburn has a low EGM density and EGM expenditure per adult (when compared with rural and State averages)</p> <p>Hepburn does not present particular vulnerability to problem gambling</p>
<p>Application by Bendigo Stadium for approval of premises at the Wellington Botanical gardens, located at 555 Napier Street White Hills (Premises), as suitable for gaming with forty four (44) electronic gaming machines</p>	<p>Rejected by VCGLR based on no net detriment test' not being satisfied</p>	<p>Important that the Commission does not conflate community contribution with economic benefit</p> <p>Applicant has committed to distribute additional community contributions in consultation with Council however there was no evidence as to what community organisations or projects are likely to benefit from these contributions – marginal weight given to this social benefit</p> <p>Venue could be said to hold characteristics pertaining to a convenience venue – located in a main thoroughfare</p> <p>Community Attitude - a number of objections from local members of the community; one community organisation submission; Council submission community survey 419 respondents</p> <p>Commission found that there is some evidence of negative attitude and opposition within the community of the CoGB to this Application</p> <p>Commission accepted that the social disbenefit associated with problem gambling as a result of this applicant is low to moderate risk - it is a negative social impact</p> <p>Negative social impact – proposed location has no gaming venues and nearby other recreational features such as the Botanical Gardens and</p>

Case Example	Decision	Lessons for Gaming Policy Review
		local pool – The Commissions considers this to be a negative social impact as it increases the likelihood that people using the areas surrounding the Premises will be exposed to (and potentially attracted to) gaming where they previously may not have been (also directly across the road from a Primary school)
Kilmore Racing Club Inc Application for amendment of its venue operator's licence to vary the number of electronic gaming machines permitted in the approved premises, the Bendigo Club, located at 22 Park Street Bendigo, from forty-four (44) to sixty (60)	<p>Approved subject to conditions</p> <p>The Commission determined to grant the Application subject to conditions including:</p> <p>Community Contribution's - \$21,500 per annum cash contribution; additional contribution for NFP sporting organisations; continue \$65,000 in in-kind contributions and \$33,3500 cash for NFP community and sporting organisations</p>	<p>The commission found there would be a slightly positive social and economic impact on the wellbeing of the Greater Bendigo community if the application was approved, and hence the 'no net detriment' test was met</p>
Bendigo RSL Application for amendment of its venue operator's licence to vary the number of electronic gaming machines permitted in the approved premises, the Bendigo District RSL Sub-Branch, located at 73-75 Havilah road Bendigo, from eight-one (81) to ninety-three (93)	<p>Approved subject to a condition with regard to the completion of the proposed renovations</p>	<p>The Commission has determined that the 'no net detriment' test has been satisfied and that the total number of EGMs will be under the municipal limit</p> <p>The Commission is satisfied that the Applicant understands and will continue to act in accordance with its obligations to, so far as is reasonable, take measures to prevent problem gambling</p>

7. Challenges and Opportunities for COGB Gaming Policy

7.1 City of Greater Bendigo - Recent Applications for Electronic Gaming Machines

Since the 'City of Greater Bendigo Gaming Policy Framework 'Accessible but not Convenient' 2007' entered the Planning Scheme on 26 March 2009, a total of six planning applications have been assessed by Council's Statutory Planning which in summary includes the following venues and EGM increases:

1. The Foundry Arms Hotel (planning permit for a new venue – 25 EGMs);
2. Kangaroo Flat Sports Club (planning permit to increase number of EGMs from 48 to 60 machines);
3. Bendigo Stadium – West Bendigo (planning permit to increase number of EGMs from 75 to 105);
4. The Foundry Arms Hotel (planning permit increase the number of EGMs from 25 to 45);
5. RSL – Havilah Road (planning permit to increase the number of EGMs from 81 to 93); and
6. The Wellington Hotel (Planning permit for a new venue - 44 EGMs).

Two other venues (Shamrock Hotel and the Bendigo Club) have increased their EGM numbers; however neither venue required planning approval as a result of the operation of clause 63 of the Planning Scheme (Existing Use Rights). Approval in those cases was still required to be obtained from the Victorian Commission for Gambling and Liquor Regulation (VCGLR). One venue (City Family Hotel) has not operated for a little over 12 months, and its EGMs were removed when it close. Based on recent media reports, it is understood this venue will reopen and again operate EGMs in the near future. A planning permit will not be required in this instance as the 'use right' remains in place as the use has not ceased for greater than two years at this stage.

Of the six applications considered, the following three were refused by Council:

1. The Foundry Arms Hotel (planning permit for a new venue – 25 EGMs)
2. Bendigo Stadium – West Bendigo (planning permit to increase number of EGMs from 75 to 105)
3. The Wellington Hotel (Planning permit for a new venue - 44 EGMs)

All three refusals were subsequently appealed to the Victorian Civil and Administrative Tribunal (VCAT) with two permit applicant appeals successful (i.e. a permit granted, despite strong legal representation and expert evidence led) and in the case of the Wellington the permit applicant withdrew their appeal before it got to the hearing.

Key issues emerging through these recent decisions related to EGM's in the City of Greater Bendigo that should be considered in the Gaming Policy Review are set out in Table 6, below.

Table 6: Lessons from Recent Decisions - EGM Venues in the CoGB

Existing Policy	Lessons from Recent Decisions	Key Issue for Policy Review
Objectives of Clause 22.28-2		
To discourage new gaming machines in disadvantaged areas	<p>Relevant VCAT decisions:</p> <ol style="list-style-type: none"> 1. The Foundry Arms Hotel (planning permit for a new venue – 25 EGMs); 2. Bendigo Stadium – West Bendigo (planning permit to increase number of EGMs from 75 to 105) <p>Both these locations are in disadvantaged areas.</p> <p>In the case of the Foundry, the Tribunal stated that: “The site is in a locality and area experiencing some social disadvantage. The level equates to other parts of the municipality. The <i>impact of additional EGMs is mitigated by the existing level of access and exposure to EGMs</i> within 2.5 – 5 km and the patronage that includes a sizeable proportion of custom would be drawn from beyond 5 km.” (emphasis added)</p>	<p>Planners have relied on the Socio-Economic Index for Areas (SEIFA) map (an Incorporated Document entitled <i>Greater Bendigo Discouraged Gaming Areas, 2008</i> in the Planning Scheme) to assist determining whether this criterion is met.</p> <p><i>This criterion remains problematic as levels of socio-economic disadvantage continue to improve in urban Bendigo</i></p> <p><i>The criteria will continue to be important in consideration of a new venue in a small township.</i></p>
To ensure the location of gaming machines and design and operation of facilities containing gaming machines minimise opportunities for convenience gaming and the incidence of problem gambling	<p>Relevant VCAT decisions:</p> <ol style="list-style-type: none"> 1. The Foundry Arms Hotel (planning permit for a new venue – 25 EGMs); 2. Bendigo Stadium – West Bendigo (planning permit to increase number of EGMs from 75 to 105) 3. Kangaroo Flat Sports Club (planning permit to increase number of EGMs from 48 to 60 machines) 	<p>In the case of the Foundry, the main gaming entrance was located in such a way that it was from the associated car park; as opposed to Old High Street or Shamrock Street (which are more pedestrian orientated) entrances to venue.</p> <p>In the case of the Bendigo Stadium, there is a separate bistro/EGM entrance to the venue.</p> <p>Kangaroo Flat Sports Club is upstairs (licenced) and has a gaming room that is separate from the bistro/function areas, a similar configuration for the single storey RSL is also present.</p> <p><i>The objective remains a useful part of the guiding policy</i></p>
To ensure that gaming machines are located where the community has a choice of non-gaming entertainment and recreation activities within the venue or in the local area.	<p>All the applications that have required a planning permit have been within the Urban Growth Boundary of Bendigo, so <i>this criterion has not been determinative in permit applications to date.</i></p>	

Existing Policy	Lessons from Recent Decisions	Key Issue for Policy Review
<i>To protect the amenity of existing uses surrounding gaming venues.</i>	In all instances, the applications that the City has assessed have involved existing, operating venues (pub/clubs) that have an existing impact.	<i>If a 'greenfield' venue was proposed or the introduction of EGMs meant a site would be used more intensively, this criterion would be of assistance.</i>
Policy of Clause 22.28-3 'Appropriate areas'		
<i>Gaming machines should not be located in areas identified in Greater Bendigo Discouraged Gaming Areas Incorporated Document.</i>	None of the prior application sites have been within a 'discouraged' area to date.	<i>The 'discouraged' areas generally take in commercial zoned land surrounding areas that are listed in the schedule to Clause 52.28 (mapped strip shopping areas, where EGM's are prohibited).</i>
<p><i>Gaming machines should be located in areas that meet at least one of the following criteria:</i></p> <ul style="list-style-type: none"> • <i>The total density of gaming machines in the suburb and its adjoining suburbs is less than the regional Victorian average</i> • <i>The area is identified as a future residential growth area in the Municipal Strategic Statement</i> 	<p>Relevant VCAT decisions:</p> <ol style="list-style-type: none"> 1. The Foundry Arms Hotel (planning permit for a new venue – 25 EGMs); 2. Bendigo Stadium – West Bendigo (planning permit to increase number of EGMs from 75 to 105) <p>In the Bendigo Stadium appeal VCAT noted that "We accept that throughout country Victoria higher numbers and densities of gaming machines will be typically found in larger regional centres like Bendigo compared with smaller towns and municipalities. As a consequence, the density of machines will be higher in these larger centres than lower in rural areas";</p> <p>and that "...this criterion is but one element of the policy and that failure to comply with it is not necessarily fatal to the application criteria".</p>	<p><i>There is high level state policy with respect to Bendigo being the dominant centre in the Loddon Mallee region. This criterion does not recognise this and seems to assume that catchment for a venue is more confined than the case may in fact be.</i></p> <p>The Foundry and Bendigo Stadium appeals presented evidence with respect to patron surveys that confirmed their custom was drawn from a wider region than the bordering suburbs.</p> <p><i>This criteria arguably runs counter to the 'on the ground' situation where there is a high level of exposure to EGMs in urban Bendigo already, and any new (or topped up) venue would not meet this criteria.</i></p>
<i>Gaming machines should be located proximate to higher order activity centres shown on the map attached to the schedule to clause 52.28-4</i>	This criterion would have been tested had the Wellington Hotel permit application progressed to an appeal as that site was not proximate to an activity centre.	
<i>Gaming machines should be located where there is a reasonable choice of alternative non-gaming entertainment and recreation facilities, including facilities proposed within 12 months. Alternative non-gaming entertainment and recreation facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation</i>	This has a strong link to the related 'objective' of the policy.	

Existing Policy	Lessons from Recent Decisions	Key Issue for Policy Review
<p><i>facilities operating at the same times as the proposed gaming venue will operate</i></p>		
Policy of Clause 22.28-3 'Appropriate sites'		
<p><i>Gaming machines should not be located on sites where large numbers of pedestrians are likely to pass in the course of their daily activities, increasing the likelihood of spontaneous decisions to play gaming machines</i></p>	<p><i>All the permits that have been granted have successfully argued that their venues are 'destination' venues.</i> The design/layout of the venue is important (which links to the 'location' objective) i.e. the policy anticipates that EGMs will be located 'mid venue', accessed via secondary (non-street frontage) entrances so as to meaningfully meet the 'accessible, but not convenient' policy desire.</p>	
<p><i>Gaming machines should be located on sites that meet at least one of the following criteria:</i></p> <ul style="list-style-type: none"> • <i>The site is towards the periphery of an activity centre, outside of the main shopping, transport, community and civic functions of the centre, or within walking distance of the edge of an activity centre</i> • <i>The location could reasonably be perceived as a destination in its own right separate from high concentrations of people undertaking daily activities, or</i> • <i>At a sports or recreation club with a land holding of more than 2 hectares</i> 	<p>This criterion is especially relevant to the establishment of a new venue</p>	<p><i>The policy is more relevant to a new venue.</i></p> <p><i>Is it better to increase EGMs at an existing venue as opposed to allowing a new one?</i></p> <p>Obviously, there are arguments for and against this as a smaller venue may be less attractive to a problem gambler as they are more likely to be recognised by staff or monitored then would be possible in a venue like the All Seasons or Bendigo Stadium (with the maximum 105 machines operating).</p>
Policy of Clause 22.28-3 'Appropriate venues'		
<p><i>Gaming machines should not be located in venues that have 24 hour a day operation or have a gaming floor area of more than 25 per cent of the total floor area of the venue</i></p>	<p>This criterion is 'odd' for a couple of reasons:</p> <ul style="list-style-type: none"> - to mount a successful argument for a new venue, operators emphasise that a 'closed' period for the venue is important in terms of harm minimisation i.e. patrons must go home - likewise the City (in its role in assessing liquor licence permits) would never entertain a 24 hour licenced venue. <p><i>The 25% policy is possibly a relic of the former state clause 52.28 provision</i>, where a permit was not required for machine numbers, only if the venue proposed to have a gaming area over that floor area percentage.</p>	
<p><i>Gaming machines should not be located where the gaming</i></p>	<p>As noted previously, the <i>main issue with increased operating hours according to research is that in cases where there is a minimal (or no) break in trade that may</i></p>	

Existing Policy	Lessons from Recent Decisions	Key Issue for Policy Review
<i>or any associated use will detrimentally affect the amenity of the surrounding area by way of design location or operating hours.</i>	<i>encourage problem gamblers to gamble for longer, particularly into the early morning where alcohol and/or fatigue may inhibit the decision to cease playing.</i>	

Source: Based on information provided by City of Greater Bendigo Statutory Planning 2018

A range of other challenges have also emerged through the implementation of the current City of Great Bendigo Gaming Policy. These challenges, and potential opportunities to respond, are set out in

Table 7, below.

Table 7: Other Challenges Evident in the implementation of the COGB Gaming Policy

Current CoGB Gaming Policy	Identified Challenges	Suggested Response
Clause 52.28 – Mapping	The Incorporated Document at Clause 81 Greater Bendigo Discouraged Gaming Areas, 2008 covers only the urban part of Bendigo (and has insets for both Heathcote and Strathfieldsaye).	<i>This mapping needs to be updated to account for changes in zoning (and the physical situation on the ground). For example, land in Strathfieldsaye has (or will be) rezoned as a result of the Township Plan and Urban Design Framework.</i>
	The document ignores the other small townships within the Municipality including Raywood, Redesdale, Elmore, Marong Goornong etc.)	
	The part of the schedule to Clause 52.28 also includes 4 shopping complexes having an outright prohibition on EGM's	Since amendment C110 there have been two other major shopping complexes approved and constructed that <i>should also be included in the schedule to clause 52.28 which are:</i> <ul style="list-style-type: none"> - Epsom Village (16-40 Howard Street, Epsom); and - Kennington Village (150-158 Condon Street, Kennington)
Planning Tools and overlap with VCGLR process	The schedule to Clause 52.28 nominates some (but certainly not all) strip shopping areas within the municipality.	<i>Long Gully (probably the most socially disadvantaged in the Municipality) should be looked at more closely in terms of expanding the strip shopping prohibition as there is a currently semi/disused hotel (Rose of Australia) that whilst within a 'discouraged' area the zoning and land use pattern means it would likely be within a Strip Shopping Prohibition area</i>
	The 'Planning Tools' (section 9) of the reference document would be helpful for a less experienced planner who has not been exposed to this application type before, though the application requirements listed in clause 22.28 do create some confusion as to the task the planner is asked to perform in assessing the application. There is overlap between the material a proponent prepares to support a licence application to the VCGLR and that which is	Since the policy has been in operation, there have been a range of approaches taken to how the City engages with the VCGLR process. These have included: <ul style="list-style-type: none"> - Making formal submissions (including community surveys) where the City has been legally represented and led evidence and subsequent VCAT appeal of VCGLR decision (Foundry and Bendigo Stadium); - Making no submission (Kangaroo Flat Sports Club/ RSL); or

Current CoGB Gaming Policy	Identified Challenges	Suggested Response
<p>introduced into the scheme and despite an estimated expenditure of \$200,000 from the City (in both the VCGLR process and VCAT) that took in legal representation and expert evidence the City was not able to defend its refusal of the planning application. The application was for a new venue also which arguably is where the policy is of most relevance.</p> <p>The Bendigo Stadium decision (Council refused, VCGLR/VCAT approved) was also assessed by Statutory Planning as being contrary to policy, but on review was unable to persuade the Tribunal the permit refusal should be upheld.</p>	<p>submitted in support of the Planning Application.</p> <p>The difficulty faced by a planner assessing such an application is that their task is to assess (in an integrated way) the whole of the proposal which in our experience forms either:</p> <ul style="list-style-type: none"> - A broader planning application (i.e. Foundry, Wellington and RSL) that includes substantial building and works component; or - The promise of facilities for which there will be a community benefit i.e. Bendigo Stadium and RSL using revenue from extra machines to fund the recently completed stadium expansion; and exhibition spaces respectively. <p>The consideration of a planning application is not a 'sequential' assessment where if one part fails, the whole must be refused rather it is a collective consideration of all the permissions being sought.</p>	<ul style="list-style-type: none"> - Simply lodging a written submission (Wellington/Bendigo Club). <p>Some of the decisions (to lodge/ not to lodge a submission) have been via Council resolution, some have not.</p> <p><i>It is suggested that a clear procedure be developed to determine how the City engages with the VCGLR process. The task of the VCGLR is more confined to Social/Economic Impacts on the municipal district; which may be a better position/forum for the City to argue its case as opposed to a planning application where the consideration is more confined (i.e. a more localised assessment or impact, with EGMs often being a part of a bigger integrated proposal).</i></p> <p>Consideration of EGMs (alone) may not produce an acceptable planning outcome, but when assessed in the context of a broader proposal seeking multiple positions not complying with parts of the policy does not appear to be a tenable position in terms of refusing planning applications.</p>
Current COGB Gaming Policy - overall	<p>The policy is a useful guiding tool, though is used infrequently as EGM applications in the period since the policy was adopted represent no more than 0.06% of applications received in that time (i.e. 6 of over 10,000 planning permit decisions in that time)</p>	<p><i>It is recommended that further work be undertaken including:</i></p> <ul style="list-style-type: none"> - updating mapping to account for new SEIFA data and changes to reflect 'as built' shopping centres - refining the policy according to the suggestions above
<p>2018 amendments to the Victorian Planning Provisions requiring new Clauses:</p> <p>52.28-6 Locations for gaming machines</p> <p>52.28-7 Venues for gaming machines</p> <p>52.28-8 Application requirements</p>	<p>At this time, Statutory Planning does not support the proposition that the scope of this review should try to populate the new clauses of 52.28</p>	<p>This task should be listed for future work in the City's <i>Planning Scheme Review</i> following consideration of the approach to this taken by other Municipalities and Planning Panels.</p> <p>Statutory Planning is wholly supportive of the development of a 'Council' gaming policy (that is separate to the gaming local planning policy).</p>
Can Council have a no pokies position – if not, why not?	<p>Cannot have a 'no pokies' position within Local Planning Policy framework as EGM's are a legal form of entertainment in Victoria</p>	<p>Can state Councils preference – to limit any increase and promote a decrease in the number of EGM's in the city</p> <p>Can use policy statements around rationalising the number of venues, limit number of new venues etc.</p> <p>Clause 52.28 can introduce prohibition areas where discouraged</p>

Current CoGB Gaming Policy	Identified Challenges	Suggested Response
<i>Can we use the planning part of the policy to limit the perception that gambling is a social norm – i.e. strongly discourage EGM's in areas where children and young people are exposed?</i>		Most value would be to be clear on areas of prohibition and rationalising number of venues and locational principles
Current Principles	<p>Preferred location for EGM's a Clubs that have larger land titles</p> <p>Council owned land - Council policy will not entertain clubs putting in machines if Council owned land, most sports clubs are on Council owned land.</p> <p>Activity Centres – Council has struggled with what is 'proximate' and what isn't – eg the Foundry decision located near, not within, Bendigo CBD. Is it proximate, not on the periphery? Every assumption Council made about locational attributes on the edge of an activity centre was not born out by the evidence at the hearing</p> <p>Preference for destination venues – have to make an effort to go to a destination – not within an activity centre; Bendigo club – is a destination – not easy to find, have to make a decision to go there</p> <p>Council's incorporated plan currently has discouraged areas – this takes in a lot of venues that might be attracted to apply for gaming</p> <p>Rates of pedestrian and driving activities – Bendigo has low rates of walking - concern that this makes the venue more visible</p> <p>Where there is a choice of non-gaming entertainment venues - this has not been an issue in cases so far but it would be an issue in a small towns.</p>	<p>Note concern in community that young impressionable people engage in sport and recreation</p> <p>If private sport facilities can we say these are not bad locations to have machines, they are already there and this is a destination</p> <p>Consider relevance of Activity Centre location principle</p> <p>Note Council's preference for destination venues</p> <p>Can we note potential for harm in a community that does not have exposure to gaming yet? Concern about where there are alternate entertainment opportunities adjacent to venues but only during the day and in good weather. There is a need to consider when these non-gambling entertainment options are available, what times, match the hours of operation of the venue etc.; Also a need to think about other forms of entertainment and to promote these – eg 'libraries after dark' program at Darebin City Council</p> <p>Need to consider maximum entertainment hours for entertainment in precinct All Seasons applied to expand hours of operation of existing EGMs, Council refused extended hours based on amenity impact and not complying with their own liquor licencing policy</p> <p>Need to think about a history of operations for responsible gambling procedures – as policy goal i.e. greeting clients when coming into venue, eyes on everyone in gambling room - lesson from Wellington case – concerns about amenity – Council refused application – (stadium lost the wellington case we didn't win it)</p>
Rural Areas	<p>Rural Areas – our policy concentrates on Bendigo and does not look at areas like Elmore, Huntley Heathcote etc. What if the industry wants to located in these areas? Elmore – traffic outside municipality and holiday traffic — these would be the most damaging location for a venue, visibility to passing trade, also some are low SEIFA areas, significant concern about going from 0 to many EGMs in an area - these areas are not mature markets, not exposure already therefore limited capacity for community to develop harm minimisation approaches and strategies in these areas</p> <p>Community Attitudes / Surveys – difficult debate about methodology and questions, whole of LGA survey not always accepted.</p>	<p>In non-Bendigo rural areas should we say something about we do not want to see EGMs in these locations there</p> <p>Significant concern about going from 0 to many EGMs in an area</p> <p>Rigorous survey now has to be venue specific</p> <p>Council can use online survey forms to collect gambling behaviour gambling harm, gambling attitudes etc. Council has traditionally run a wellbeing survey every few years 2015 last one, Council to check for gambling questions;</p> <p>Community leaders forums - consider community leaders and business groups potential attitudes regarding economic impact of Application; consider developing a Reference Group to guide Gaming Policy review – including community leaders; Lobby through VLGA to encourage community group submissions related to applications</p> <p>There is a need for a community education campaign helping people understand the harms associated with gambling</p>

Current CoGB Gaming Policy	Identified Challenges	Suggested Response
	Strip shopping definition – some of the more interesting tribunal decisions have to map strip shopping areas	Is there a need to check strip shopping areas? This is not an issue at CoGB
Data related to Social Harm	Comorbidities mental health clients, prevalence of anxiety and depression CoGB third highest in the state and highest amongst women at an LGA level	Challenge how to measure this issue in policy framework
	Domestic violence – how to apply this spatially – needs to be evidence based on application by application basis – require in SEIA – municipality wide	To be successful in a planning policy you need data for local level – need evidence close to venue
Role of Council	Council will not support clubs that promote gambling – not eligible for community grant etc. concern they are not an ancillary use - eg DECD use all seasons as venue for protection of children forums	Advocate to remove these venues from government platform
	Advocacy for legislative change – concerns with VCGLR decision making	Council can fulfil this role as an advocate
	Think through contradiction of funding to community groups through community contributions from EGM's	Consider policy support for community contributions to gamblers help services only
	Public Health Benefits - value for money defending gaming decisions - Why is gaming even in the planning system– duplicated process should sit with VCGLR – do not put through planning process – this is a key for our Councillors – how much do you want to spend on this	Consider whether it the right use of ratepayer funds? Possible prefer to provide for people who are at risk in the community with other resources, what is the benefit to Council
Expenditure Evidence	Forecast expenditure – Bendigo club challenged transfer; Foundry argument around proposed transferred expenditure figures – very little money is new money – does not bare out	Post occupancy survey checking; consider requirement to look beyond 12 months in expenditure
Other Issues	<ol style="list-style-type: none"> 1. Council preference to always refer to electronic gambling machines – not gaming 2. Recommend that revised Gaming Policy consider online gambling and sports betting gambling in scope – advocate to limit impacts etc. – contracts with clubs to say they will not support sports betting from their venues etc. 3. Reflect Darebin City Council approach to pushing healthy choices in sport – if you do receive funding or sponsorship from gambling venues you do not receive council funding – Council investment in facilities etc. on council land – question all types of council support 4. Smoking journey – influencing social norms around gambling – in some groups it is still high rates of smoking that is socially acceptable. Consider how Council can take a role in influencing social norms – how can we influence all groups 5. Requirement for post implementation review – policy requirement for evidence related to expenditure - who the users are, are they local etc? 	

Source: Based on information provided by the City of Greater Bendigo Statutory Planning and 'CoGB Gaming Policy Review Focus Group' June 2018.

7.1 CoGB Gaming Policy - Recommended Changes

A range of opportunities exist for developing a Gaming Policy informed by a harm minimisation approach including the opportunity to:

1. Review the locational principles currently guiding the Gaming Policy
2. Develop a clear Council position related to Gaming
3. Inform Councils position in relation to Gaming through appropriately conducted community engagement
4. Expand the data base required in a social and economic impact assessment report (SEIA) to include factors such as: family violence, relationship breakdown, financial abuse, and other data available through Council's Health and Wellbeing Plan
5. Document the economic impacts of gaming including: redistribution of spending from other businesses, reduced productivity and performance at work, absenteeism, job loss, fraud, accumulation of debt mortgage defaults etc.

Table 8 lists a series of recommended amendments to the current CoGB Gaming Policy that respond to the challenges identified above and aim to support the development of a gaming policy that reflects a harm minimisation approach. Recommendations relate specifically to:

1. Existing Gaming Policy – Principles
2. Existing Gaming Policy – Mapping
3. The Role of Council
4. Harm Minimisation
5. Venue Operations
6. Community Attitudes

Table 8: CoGB Gaming Policy - Recommended Amendments

Identified Challenge		Relevant Issues and Recommendations
1. EXISTING POLICY - PRINCIPLES		
Objectives of Clause 22.28-2		
1	To discourage new gaming machines in disadvantaged areas	The criteria will continue to be important in consideration of a new venue in a small township. <i>The Existing Policy (Incorporated Plan) should be updated to reflect more recent SEIFA data</i>
2	To ensure the location of gaming machines and design and operation of facilities containing gaming machines minimise opportunities for convenience gaming and the incidence of problem gambling	<i>The objective remains a useful part of the guiding policy and should be retained.</i>
3	To ensure that gaming machines are located where the community has a choice of non-gaming entertainment and recreation activities within the venue or in the local area.	<i>The criteria should be retained as it would be of greater importance to an application in a small township</i>
4	To protect the amenity of existing uses surrounding gaming venues.	<p>It is important to consider whether this criterion:</p> <ul style="list-style-type: none"> - applies to new growth areas - relates to amenity issues or harm minimisation <p>Amenity considerations include: hours of operation; over shadowing and overlooking etc. which are not impacted by the number of EGM's</p> <p>Clause 65.01 of the Scheme (Approval of an application or plan) compels consideration of 'amenity' and 'orderly planning' already</p> <p>Consideration of the criteria may be relevant if an application were received for EGMs in a greenfield location which would lead to increased intensity of uses in the area</p> <p><i>While this criterion is not an issue of consideration in many applications it is recommended that it is retained</i></p>
Policy of Clause 22.28-3 'Appropriate Areas'		
5	Gaming machines should not be located in areas identified in Greater Bendigo Discouraged Gaming Areas Incorporated Document.	This criterion should be retained
6	Gaming machines should be located in areas that meet at least one of the following criteria: <ol style="list-style-type: none"> The total density of gaming machines in the suburb and its adjoining suburbs is less than the regional Victorian average The area is identified as a future residential growth area in the Municipal Strategic Statement 	<p>This criterion is not sensitive to the specific situation at the CoGB:</p> <ul style="list-style-type: none"> - the criteria does not apply well to urban Bendigo - relatively isolated areas are vulnerable under this criterion as they may be a part of a future residential growth area - the 1st criteria almost undermines the need for a planning permit <p>The 2nd criteria continues to be relevant but requires further consideration of the scale of 'future residential growth areas'</p> <p><i>It is recommended that this criterion is removed and that the CoGB Planning Scheme definitions of growth areas are considered to identified areas of 'substantial residential growth where a new community will establish without reasonable access to gaming'</i></p>

Identified Challenge	Relevant Issues and Recommendations
7 Gaming machines should be located proximate to higher order activity centres shown on the map attached to the schedule to clause 52.28-4	<i>This criterion (read in concert with the 'Appropriate Sites' policy criteria) is soundly based and should be retained</i>
8 Gaming machines should be located where there is a reasonable choice of alternative non-gaming entertainment and recreation facilities, including facilities proposed within 12 months. Alternative non-gaming entertainment and recreation facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities operating at the same times as the proposed gaming venue will operate	<i>The criteria should be retained as it would be of greater importance to an application in a small township</i>
Policy of Clause 22.28-3 'Appropriate Sites'	
9 Gaming machines should not be located on sites where large numbers of pedestrians are likely to pass in the course of their daily activities, increasing the likelihood of spontaneous decisions to play gaming machines	<i>There is ability for evidence to be used to verify this criterion</i> <i>The criteria is strongly supported</i>
10 Gaming machines should be located on sites that meet at least one of the following criteria: <ul style="list-style-type: none"> i. The site is towards the periphery of an activity centre, outside of the main shopping, transport, community and civic functions of the centre, or within walking distance of the edge of an activity centre ii. The location could reasonably be perceived as a destination in its own right separate from high concentrations of people undertaking daily activities, or iii. At a sports or recreation club with a land holding of more than 2 hectares 	<p>Criteria 1 was developed because the VPPF encourages recreation and entertainment facilities in Activity Centres and yet Activity Centres area also places of accessibility and convenience. The policy therefore specified sites on the periphery of Activity Centres. The concerns now is that even the periphery of Activity Centres are areas of daily activity.</p> <p><i>In relation to criteria 1 it is recommended that the following wording be removed:</i> <i>'within walking distance of the edge of an activity centre'</i> <i>and the following wording be added</i> <i>'unless the site is located in close proximity to uses that generate a substantial number of daily activities'</i></p> <p>Criteria 2 and Criteria 3 reflect the preference towards destination venues in the current Gaming Policy. Experience documented above indicates that this preference is effective in managing the potentially negative impacts of EGM gambling. <i>Given ongoing concerns about accessibility it is recommended that</i></p> <ul style="list-style-type: none"> - <i>the following wording be removed from Criteria 2: 'high concentrations of'</i> - <i>since 2 hectares is not a significantly large land holding, consideration be given to qualifying the land holdings of sports and recreation clubs through the replacement of 'more than 2 hectares' with the following wording: 'with a large land holding that separates the venue from proximity to other uses that generate daily repetitive activity'</i>

Identified Challenge	Relevant Issues and Recommendations
11 Expressed CoGB preference towards consolidating existing venue	<p>Given the preference towards consolidating existing venues, evident in comments received from the CoGB and recent VCGLR decisions, <i>a new objective or policy statement should be developed stating that ‘the City encourages a rationalisation of venues’</i></p> <p><i>It is recommended that new criteria that support this statement be developed as follows:</i></p> <ul style="list-style-type: none"> - <i>discouraging the establishment of new gaming venues except in significant size residential growth areas</i> - <i>in established areas aim to rationalise and consolidate venues and discourage establishment of new venues</i>
Policy of Clause 22.28-3 ‘Appropriate Venues’	
12 Gaming machines should not be located in venues that have 24 hour a day operation or have a gaming floor area of more than 25 per cent of the total floor area of the venue	<p><i>The 25% requirement is unnecessary and should be removed</i></p> <p>The following concerns are evident in relation to the 24 hour operation:</p> <ul style="list-style-type: none"> - other entertainment options are often not available at the same hours - there is a need to link this criterion to the hours of operation of alternate attractions <p><i>It is recommended that the following wording should be adopted: ‘hours of operation of the gaming venues should complement and not exceed the hours of operation that apply to other forms of recreation and entertainment in the locality of the area (i.e. within the 2.5km venue catchment)’</i></p>
13 Gaming machines should not be located where the gaming or any associated use will detrimentally affect the amenity of the surrounding area by way of design location or operating hours.	<p>Restrictions on hours of operation aim to protect people who are gambling as well as protect the interests of people nearby through consideration of the amenity of existing uses and surrounding venues</p> <p><i>It is recommended that this criterion be replaced with the above new criteria that states: ‘hours of operation of the gaming venue should be moderated to reflect the proximity of any sensitive uses in the immediate or adjacent area of the venue’</i></p>
14 Amendment VC148 requirement for specific guidelines around: <ul style="list-style-type: none"> - 52.28-6 Locations for gaming machines - 52.28-7 Venues for gaming machines - 52.28-8 Application requirements 	<p>The City of Greater Bendigo will work internally to develop specific guidelines for these sub-clauses of Clause 52.28 Gaming.</p> <p><i>This task should be listed for future work in the City’s Planning Scheme Review following consideration of the approach taken by other municipalities and Planning Panels.</i></p>
2. EXISTING POLICY - MAPS	
15 Clause 52.28 – Mapping	<p><i>The maps that support the City of Greater Bendigo Gaming Policy Framework – “Accessible but not Convenient” should be updated to:</i></p> <ul style="list-style-type: none"> - <i>account for changes in zoning (and the physical situation on the ground) eg. land in Strathfieldsaye has (or will be) rezoned as a result of the Township Plan and Urban Design Framework</i> - <i>account for new changes to reflect ‘as built’ shopping centres including the following new major shopping complexes: Epsom Village (16-40 Howard Street, Epsom); and Kennington Village (150-158 Condon Street, Kennington)</i> - <i>apply the definition of strip shopping centres at Long Gully</i> - <i>account for new SEIFA data</i>

Identified Challenge	Relevant Issues and Recommendations
3. THE ROLE OF COUNCIL	
16 VCGLR and VCAT overlap - concerns with VCGLR decision making	<p>This concern reflects the duplication of the application processes addressed through VCAT and VCGLR. The roles of each authority require a consideration of the potential social and economic impacts of EGM applications:</p> <ul style="list-style-type: none"> - VCAT, under the Planning and Environment Act (P&E Act) addresses locational issues and considers the social and economic attributes of a <i>location</i>; in some cases VCAT has assumed these issues have been addressed at VCGLR however in a recent case of the Glenroy RSL Club the Supreme Court, on appeal, found that VCAT should have addressed social and economic benefits relative to the appropriateness of the location - VCGLR, under the Gambling Regulation Act (GRA), addresses the social and economic benefits of an application and is concerned to prove that no net community detriment will result from the application; VCGLR considers venue operations, cash flow to the community and to clubs, including money paid as community benefit <p>Confusion occurs over the distinction between these two procedures and concerns are evident about the duplication of resources, both in time and monetary, required to respond to both processes.</p> <p><i>Council should consider advocating for legislative change related to the decision-making processes associated with EGM's including - clarification of differing criteria specific to VCGLR and VCAT</i></p> <ul style="list-style-type: none"> i. <i>Recommendations for coordinated timing of VCGLR and VCAT hearings</i> ii. <i>Consideration of the development of one process to address all required issues (refer also to Recommendation 22 below)</i>
17 Can Council have a no pokies position – if not, why not?	<p>The only current mechanism to prohibit EGM's is for the proposed location to qualify as strip shopping centre or shopping complex</p> <p>Councils can:</p> <ul style="list-style-type: none"> - state a preference to limit any increase, and promote a decrease, in the number of EGM's in the municipality - introduce a policy statement to rationalise existing venues and reduce new venues, whilst also recognise a case for new venues in substantial residential growth areas - Clause 52.28 can introduce prohibition areas where EGM's are discouraged <p>These options are reflected in recommendation 11 above.</p>
18 Concern about EGM's on Council Owned Land	<p><i>It is recommended that the current Gaming Policy be amended to state that:</i></p> <p><i>'Council will not support clubs installing EGM's in venues located on Council owned land or where council is the Committee of Management of any land or facility'</i></p>

Identified Challenge	Relevant Issues and Recommendations
19 Concern about supporting venues that promote gambling	<p>This concern includes two distinct elements:</p> <ul style="list-style-type: none"> - holding government events at venues that promote gambling - supporting organisations that promote gambling through the provision of community grants etc. <p><i>It is recommended that Council:</i></p> <ol style="list-style-type: none"> <i>advocate to remove venues that promote gambling from government events lists etc.</i> <i>amend Council eligibility criteria for community grant to state that: 'organisations that promote gambling are ineligible for support'</i> <i>amend the Gaming Policy to state: 'Council supports the allocation of community contributions related to gambling to gamblers help services'</i> <i>Conduct an awareness campaign with relevant community services about these changes to the eligibility criteria</i>
20 Private Sporting Facilities expressed preference for these facilities as EGM venues particularly when they meet the criteria of a destination venue, and have existing EGMs	<p>This issue is addressed in the Planning and Environment Act</p> <p>Including this preference within Council policy would allow this location to be considered positively at VCGLR hearings</p> <p><i>Amend current Gaming Policy to state:</i></p> <p><i>'Council supports the potential location of EGM's within Private Sporting Facilities that are not on Council owned land and meet the criteria of a destination venue' (as set out in Recommendation 10, above)</i></p>
4.HARM MINIMISATION	
21 Concern about the potential for harm in a community that does not yet have exposure to gaming	<p><i>It is recommended that following criteria be added to City of Greater Bendigo Gaming Policy Framework – "Accessible but not Convenient" 8.4 Prohibited and discouraged areas in and around shopping centres'</i></p> <p><i>'Council would discourage the establishment or expansion of gaming venues in small, relatively isolated communities and settlements where there are no or minimal alternative attractions'</i></p>
22 Public Health Benefits – concern about the value for money defending gaming decisions	<p>It is clearly a public benefit that CoGB makes representations in matters of dispute on gaming. The issue of concern is the need to make representations repetitively – i.e. through both the VCAT and VCGLR.</p> <p>Council has a responsibility to prosecute its policy position while also having an opportunity to advocate for procedural change.</p> <p><i>It is recommended that Council advocate for EGM planning permit and licence applications to be addressed through one process: eg. joint VCAT/VCGLR hearings addressing the appropriateness of: location; venue operator; community contributions</i></p>
23 Concern about limited hours of operation of alternate entertainment opportunities adjacent to venues (eg. sports facilities only accessible during the day or in good weather)	<p><i>Council should develop programs that reflect the Darebin City Council approach to promoting healthy choices in sport and other forms of entertainment and promote these including the 'Libraries after Park' program</i></p>

Identified Challenge	Relevant Issues and Recommendations
<p>24 Can Council use the planning part of the policy to limit the perception that gambling is a social norm – i.e. strongly discourage EGM's in areas where children and young people are exposed?</p>	<p>Most value would be to be clear on areas of prohibition and rationalising the number of venues (covered in Recommendation 11, above).</p> <p><i>The following section of the current policy could be amended to address this issue:</i></p> <p>6.1.8 Preferred attributes of gaming venues</p> <p>Principle 10: It is preferred that gaming machines are located in venues which:</p> <ul style="list-style-type: none"> - Have a range of other entertainment and leisure options - Make non-gaming social and recreational activities the primary purpose of the venue; and - Limit their hours of operation; <p><i>Suggested additional wording includes:</i></p> <ul style="list-style-type: none"> - <i>do not promote social and entertainment events for children and young people</i> <p><i>The City of Greater Bendigo Gaming Policy Framework – “Accessible but not Convenient” should be updated with evidence of the link between gambling normalisation and problem gambling to support this amendment</i></p>
<p>25 Challenges of including data related to harm minimisation eg: comorbidities (mental health clients, prevalence of anxiety and depression); domestic violence</p>	<p>This concern includes the following:</p> <ul style="list-style-type: none"> - A requirement to provide alternate data to the SEIFA data and not risk ‘double counting’ of evidence - The challenge of applying this data spatially, i.e. to be successful in a planning policy, data is needed at a local level, close to the EGM venue - Evidence needs to respond to each EGM application - There is a difficulty identifying a causal relationship between these indicators and gambling <p><i>The City of Greater Bendigo Gaming Policy Framework – “Accessible but not Convenient” should be updated with a ‘secondary data base’ including:</i></p> <ul style="list-style-type: none"> - <i>an evidence base comprising indicators of community harm including vulnerability to problem gambling</i> - <i>relevant literature documenting any link between these indicators and problem gambling</i> - <i>available evidence on the locational attributes of this evidence</i> - <i>until a direct relationship is identified between these indicators and problem gambling this evidence should be considered as secondary data in any EGM assessment</i>
<p>26 Preference to always refer to electronic <i>gambling</i> machines – not ‘gaming’</p>	<p>This concern reflects the harm minimisation approach to challenge the normalisation of gambling. However, current terminology in both the P7E act and GRA includes ‘gaming’.</p> <p><i>It is recommended that the City of Greater Bendigo:</i></p> <ol style="list-style-type: none"> i. <i>Apply the word ‘gambling’ to all communications related to EGM’s, responsible gambling and harm minimisation</i> ii. <i>Request all EGM SEIA’s to adopt the word ‘gambling’ instead of gaming</i>

Identified Challenge	Relevant Issues and Recommendations
	<p>iii. <i>Advocate to change the use of the word 'gaming' in current legislation related to EGM's</i></p>
<p>27 Concern that revised Gaming Policy should consider online gambling and sports betting gambling</p>	<p>Online gambling is not a municipal issue therefore as a regulative body Council has no authority over this type of gambling</p> <p>There are also challenges in applying concerns about online gambling to a locational analysis</p> <p>Council can advocate on State and Federal Government regulation of this form of gambling</p> <p>in scope – advocate to limit impacts etc. – contracts with clubs to say they will not support sports betting from their venues etc.</p> <p><i>It is recommended that CoGB policies related to the location of Council event, and criteria for receiving Council grants, include reference to this concern, eg:</i></p> <p><i>'Council will not conduct municipal events at venues that promote gambling of any form'</i></p> <p><i>'Organisations that promote gambling of any form will not be eligible for Council grants'</i></p>
<p>28 Influencing Social Norms</p>	<p><i>It is recommended that Council explore opportunities for community education campaigns that challenge the normalisation of gambling, including lessons learnt from community education campaigns related to the negative impacts of smoking</i></p>

5. VENUE OPERATIONS

<p>29 Concerns about maximum entertainment hours for entertainment in a Precinct area</p>	<p>Hours should be regulated by what other attractions are open at the same time, see recommendation 12 above related to Clause 22.28-3 'Appropriate venues':</p> <p><i>'hours of operation of the gaming venues should complement and not exceed the hours of operation that apply to other forms of recreation and entertainment in the locality of the area (i.e. within the 2.5km venue catchment)'</i></p>
<p>30 History of operations of venue and compliance with responsible gambling procedures</p>	<p>Compliance requirements associated with venue operation are a consideration for the VCGLR</p> <p>Council can comment on areas of operation at VCGLR hearings (not at VCAT)</p> <p><i>Council should seek appropriate operating procedures – eg documented responsible gambling policy that is publicly available on venue web site etc.</i></p>
<p>31 Concern that Forecast EGM Expenditure is not monitored</p>	<p>EGM expenditure data is provided on the VCGLR website</p> <p>Council has no authority to request a review of expenditure following an EGM application process</p> <p><i>Council should advocate to the VCGLR to require annual reporting of forecast and actual expenditure related to new and additional EGMs where forecast expenditure was a key component of the licence decision</i></p>

Identified Challenge	Relevant Issues and Recommendations
6.COMMUNITY ATTITUDES	
32 Community Attitude Surveys	<p>Evidence from prior VCGLR and VCAT cases show that a range of methods have been used to provide evidence of community attitudes to EGMs. Community Attitude surveys also require significant resourcing and have varying impact on the decision outcome.</p> <p><i>It is recommended that, where Council seeks to understand community attitudes to an EGM application, the following approaches be considered:</i></p> <ul style="list-style-type: none"> <i>i. Addition of questions related to EGM's to existing Council surveys/data bases (eg. Council's Wellbeing Survey)</i> <i>ii. use online survey forms to collect data related to gambling behaviour, gambling harm, gambling attitudes etc.</i> <i>iii. Community leader forums - addressing attitudes to EGM</i> <i>iv. Gaming Policy Reference Group to guide the revised Gaming Policy</i> <i>v. Council lobby through Victorian Local Governance Association (VLGA) to encourage community group submissions related to EGM applications</i> <i>vi. Joint partnership community education campaign raising awareness of the harms associated with gambling</i>

8. Conclusion

This report provides a review of the current City of Greater Bendigo Gaming Policy including:

1. An overview of a harm minimisation approach to gaming policy
2. A review of relevant Victorian Commission for Gambling and Liquor Regulation (VCGLR) and Victorian Civil and Administrative Tribunal (VCAT) decisions
3. Identification of challenges facing the implementation of the current COGB Gaming Policy
4. Identification of opportunities to strengthen the local policy
5. Recommendations to modify the current City of Greater Bendigo Gaming Policy

The report will be used by the City of Greater Bendigo to:

1. Advise Council on best practice Local Planning Policy approaches that limit the harm from electronic gaming machines (EGM's) on the community
2. Support the CoGB development of a new Gambling Policy which will adopt a Public Health approach to reduce harm from gambling

9. Attachments

Locational Principles for Gaming

Primary location criteria indicate the macro locational decisions to be made regarding where gaming machines should and should not be located. Detailed location criteria provide more specific direction as to appropriate sites within a local area, once the broad criteria have been satisfied.

Primary location criteria

1. Gaming machines should be proximate to, but not in the core of, higher order activity centres, particularly where entertainment is promoted as a policy objective.
2. Gaming machines can be located in areas remote from activity centres and a choice of transport modes if associated with a sports and recreation club with an extensive land holding.
3. Proposals for gaming machines should –
 - a. not locate in areas of relative socio-economic disadvantage; and
 - b. where relevant, make a positive contribution to the redistribution of gaming machines away from areas of socio-economic disadvantage.
4. Gaming machines should be located in areas which can accommodate additional gaming because:
 - a. residents also have a choice of other types of entertainment and recreation facilities in the local area; and
 - b. there are limited existing gaming opportunities for residents, or identified future residential growth capacity.
5. Gaming machines should not be located in a rural township if there are no alternative hotels or clubs without gaming in the town.
6. Proposals should demonstrate that the provision of gaming machines in a particular location will achieve a net community benefit.

Detailed location criteria

7. Proposals for gaming machines should be able to demonstrate that the chosen location could reasonably be perceived as a destination in its own right. This would be achieved by gaming machines and associated uses being separated from shopping centres, key public transport facilities and major community facilities involving a high concentration of people undertaking daily activities.
8. Gaming machines should not be convenient to shops.
9. Gaming machines and any associated recreation and entertainment facilities should not be located where these uses will be incompatible with the predominant surrounding land use.
10. It is preferred that gaming machines are located in venues which:
 - Have a range of other entertainment and leisure options;
 - Make non-gaming social and recreational activities the primary purpose of the venue; and
 - Limit their hours of operation.

Figure 4: City of Greater Bendigo Gaming Policy Framework – Locational Principles

Source: City of Greater Bendigo 2007 Gaming Policy Framework – “Accessible but not Convenient” pp. 35 - 36

Policy statement

Nillumbik Shire Council adopts the following policies in relation to gambling in Nillumbik:

1. Council recognises that electronic gaming is a legal activity, but the long-term social and economic impact of EGMs is an important public health issue.
2. Council will not support any gaming proposal for EGMs on Council owned or managed land or facilities, including reserves and sporting venues. This is to protect the amenity of community resources.
3. Council will not support any planning proposal for gaming that does not include a social and economic impact assessment (SEIA). Information required is included in Schedule 1: Process for planning permit applications for the use and installation of electronic gaming machines.
4. Council will not support any gaming proposal that does not provide a range of non-gaming entertainment and alternative recreational activities at the venue.
5. Council will assess the social and economic impacts for each application for EGMs to the VCGLR. The assessment will consider the social and economic impacts outlined in Schedule 2: Council process for assessing gaming licence applications.
6. Council will seek community views on gaming licence applications to the VCGLR, subject to timelines and available resources.
7. Where Council considers that a gaming licence application will be detrimental to community wellbeing, Council will either submit its own SEIA or a letter of objection to the VCGLR.
8. Council will not support gaming licence applications in neighbouring municipalities if it considers they could have a negative impact on Nillumbik residents.
9. Council will inform the community of the facts about gambling in Nillumbik.
10. Council will actively promote help-seeking for problems with gambling, and partner with other stakeholders to minimise gambling-related harm.
11. Council will contribute to advocacy campaigns for government regulations or industry-based measures that make gambling safer, such as implementing Productivity Commission recommendations.
12. Council will maintain independence from the gambling industry. Council will not accept financial contributions from gaming venues. Council will aim to run its community events, activities or social outings in venues that do not have EGMs.

Figure 5: Gambling Harm Minimization Policy – Example

Source: Nillumbik Shire Council Gambling Harm Minimisation Policy 2016 – 2021, p. 12