

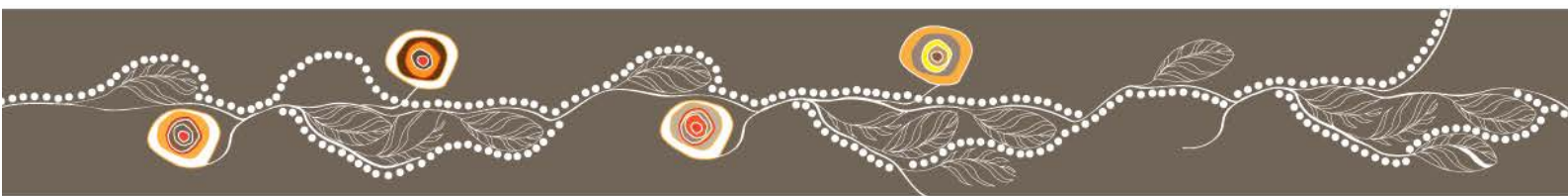


the place
to live

AGENDA

Special Council Meeting to be held
at Darebin Civic Centre,
350 High Street Preston
on Monday, 12 February 2018
at 5.30pm.

Public question time will
commence shortly after 5.30pm.




ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

Darebin City Council acknowledges the Wurundjeri people as the traditional owners and custodians of the land we now call Darebin and pays respect to their Elders, past, present and future.

Council pays respect to other Aboriginal and Torres Strait Islander communities in Darebin.

Council recognises, and pays tribute to, the diverse culture, resilience and heritage of Aboriginal and Torres Strait Islander people.

We acknowledge the leadership of Aboriginal and Torres Strait Islander communities and the right to self-determination in the spirit of mutual understanding and respect.



Italian

Questo è l'ordine del giorno della riunione del Consiglio Comunale di Darebin per la data che compare sulla prima pagina di questo documento. Se desiderate informazioni in lingua italiana sugli argomenti dell'ordine del giorno, siete pregati di chiamare la Linea Telefonica Multilingue del Comune al 8470 8888.

Greek

Αυτή είναι η ημερήσια διάταξη για τη συνεδρίαση του Δημοτικού Συμβουλίου Darebin, για την ημερομηνία που φαίνεται στο εξώφυλλο αυτού του εγγράφου. Αν θα θέλατε πληροφορίες στα Ελληνικά σχετικά με τα θέματα σ' αυτή την ημερήσια διάταξη, παρακαλούμε καλέστε την Πολυγλωσσική Τηλεφωνική Γραμμή του Δήμου στον αριθμό 8470 8888.

Chinese

這是一份戴瑞濱市議會議程表，其開會日期顯示於此文件之封面。如果您欲索取有關此議程表的中文資料，敬請致電 8470 8888 聯絡市議會的多語種電話專線。

Arabic

هذا هو جدول أعمال اجتماع مجلس بلدية داربيبن والذي سيحدد في التاريخ الوارد في الصفحة الأولى من هذه الوثيقة. إذا أردت الحصول على مزيد من المعلومات في اللغة العربية حول المواضيع المذكورة في جدول الأعمال، فيرجى الاتصال برقم هاتف البلدية المتعدد اللغات 8470 8888

Macedonian

Ова е дневниот ред за состанокот на Општината на Градот Даребин, која ќе биде на датумот покажан на предната корица од овој документ. Ако Вие сакате некои информации на Македонски јазик, за предметите на овој дневен ред, Ве молиме повикајте ја Општинската Повеќејазична Телефонска Линија на 8470 8888.

Vietnamese

Đây là nghị trình cho cuộc họp của Hội đồng Thành phố Darebin; ngày họp có ghi ở trang bìà tài liệu này. Muốn biết thêm về chương trình nghị sự bằng Việt ngữ, xin gọi cho Đường dây Điện thoại Đa Ngôn ngữ của Hội đồng Thành phố qua số 8470 8888.

Bosnian

Ovo je dnevni red za sastanak Gradske općine Darebin čiji je datum održavanja naznačen na prvoj strani ovog dokumenta. Ako želite više informacija o tačkama ovog dnevnog reda na bosanskom jeziku, molimo nazovite općinsku višjejezičnu telefonsku službu na 8470 8888.

Croatian

Ovo je dnevni red sastanka u Darebin City Council za dan koji je naveden na prednjem ovitku ovog dokumenta. Ako želite informacije o tačkama ovog dnevnog reda na hrvatskom jeziku, molimo da nazovete Council Multilingual Telephone Line (Višjejezičnu telefonsku liniju) na 8470 8888.

Portuguese

Esta é a pauta para a reunião da Câmara Municipal de Darebin a ser realizada na data que consta na capa deste documento. Se você deseja informação em Português sobre os itens desta pauta, por favor ligue para a Linha Telefônica Multilíngue da Câmara no 8470 8888.

Serbian

Ово је дневни ред за састанак Darebin City Council-а (Градско веће Darebin) који ће се одржати на дан који је наведен на насловној страни овог документа. Ако желите информације на српском о тачкама дневног реда, молимо вас да назовете Council Multilingual Telephone Line (Вишејезичку телефонску линију Већа), на 8470 8888.

Somali

Kuwani waa qodobada shirka lagaga wada hadli doono ee Degmada Degaanka Darebin ee taariikhda lagu xusey boga ugu sareeya ee qoraalkan. Haddii aad doonysid wararka ku saabsan qodobadan oo ku qoran Af-Somali, fadlan ka wac Khadka Taleefanka Afafka ee Golaha oo ah 8470 8888.

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Agenda

Public Notice – Special Council Meeting 12 February 2018

Insufficient lead time was available to provide the required minimum 7 days public notice for this meeting as per section 89 (4) of the Local Government Act 1989. Public notice was given in 'The Age' newspaper on 7 February 2018 and published on Council's website on 7 February 2018.

Notwithstanding the above requirement involving at least 7 days public notice, section 89 (4A) of the Act provides that if urgent or extraordinary circumstances prevent compliance with this requirement, Council must give public notice as is practicable and specify the urgent or extraordinary circumstances which prevented compliance.

The urgency is due to the need to resolve a formal position with regard to these matters.

1. MEMBERSHIP

Cr. Kim Le Cerf (Mayor) (Chairperson)
Cr. Steph Amir
Cr. Gaetano Greco
Cr. Tim Laurence
Cr. Trent McCarthy
Cr. Lina Messina (Deputy Mayor)
Cr. Susanne Newton
Cr. Susan Rennie
Cr. Julie Williams

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONSIDERATION OF REPORTS

4.1 DRAFT DAREBIN ELECTRONIC GAMING MACHINE POLICY 2018-2022

Author: Coordinator Equity and Diversity

Reviewed By: Acting Director Community Development

Report Background

This report seeks Council's in principle endorsement of the Draft Darebin Electronic Gambling Machine Policy 2018 – 2022 and endorsement to commence the process for public comment and community feedback on the Draft Policy given critical time frames in relation to a current application by the Darebin RSL Sub-Branch to increase the number of gaming machines and the need for a strengthened policy position in lodging objection.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

5 February 2018

Council Plan Goal/Endorsed Strategy

Goal 5 - Involving our diverse community

Darebin Council Electronic Gaming Machine Policy 2016-2019

Summary

An updated Darebin Electronic Gambling Machine Policy 2018 – 2022 (Draft) has been developed to build on the work of the previous policy and to elevate and strengthen Council's investment and effort in response to the changing political, legislative and regulatory environment.

The policy framework is underpinned by those strategies where Council can exert its influence:

1. Urgent structural and systems reform;
2. Addressing the dangers of poker machine design; and
3. Population based harm minimisation strategies.

Importantly, the Draft Darebin Electronic Gambling Machine Policy 2018 – 2022 takes a stronger human rights approach.

There are now critical timeframes that have emerged as a result of the Darebin RSL sub branch application to increase the number of EGMs with Officers seeking:

- In principle endorsement of the Draft Darebin Electronic Gambling Machine Policy 2018 – 2022 (Draft);
 - Endorsement of the draft policy for public comment and community feedback.
-

Recommendation

That Council:

- (1) Provides in principle endorsement of the Draft Darebin Electronic Gambling Machine Policy 2018 – 2022.
 - (2) Provides endorsement of the Draft Darebin Electronic Gambling Machine Policy 2018 – 2022 for public comment and community feedback.
-

Introduction

Council is committed to reducing the harmful effects of EGM gambling in Darebin. Council adopts a community wellbeing approach to problem gambling which encompasses a range of harm prevention and harm minimisation measures that focus on the social, economic and environmental determinants of problem gambling. Council however also recognises that the use of EGMs is closely associated with a range of social, health and economic harms that have a direct and indirect impact on the wellbeing of individuals, their families and the broader community. These harms are concentrated within groups that are particularly vulnerable to problem gambling due to their socio-economic circumstances, health status or cultural background.

Despite a number of measures that are intended to reduce the harms associated with EGM gambling introduced in 2012 / 2013 by the State Government, the gambling losses in Darebin remain high and unchanged at around \$80M per annum.

Despite recent strong opposition from Council and other partners in the Alliance for Gambling Reform, the *Gambling Regulation Amendment Act 2003* (the Bill) was passed on 1 December 2017.

The amendments to the Bill continued to privilege poker machine operators and profits over harm minimisation measures and embed legislative and playing systems to maximise player losses.

At a national level the Federal Government have taken some tentative first steps around EGMs including the adoption of:

1. A national self-exclusion register; and
2. A voluntary opt out pre-commitment scheme

Both of which offer minimal and passive consumer protection.

Policy Scope

The 'business as usual' attitude by State and Federal Governments requires Council and its partners to redouble its efforts to reduce gambling related harm to the communities.

The primary focus of this policy is the reduction of harm caused by EGM's because:

- a. The gambling losses from EGM's in Darebin are higher than any other form of gambling;
- b. These gambling losses create the greatest harm to Darebin's communities; and
- c. The regulation and management of EGM's fall within Council's jurisdiction where it can exert its greatest influence and intervention

A secondary and important element of this policy is the reduction of harm caused by online gambling and sports betting. While online gambling and sports betting is outside the remit of Council's direct jurisdiction it is important to work towards changing the increasing levels of this type of gambling and the 'normalisation of gambling' in Australia.

Issues and Discussion

- The aspirational objective of the Draft Darebin Electronic Gambling Machine Policy 2018 – 2022 reflects a 'zero tolerance' approach to EGM's.
- The policy statements, strategic framework and action plan have been developed to give substance and practical traction to Council's objective.
- There is an urgency to have the new policy endorsed in principle due to the pending planning application lodged by the Darebin RSL sub branch to increase the number of EGM's from 65 to 80.
- If the Draft Darebin Electronic Gambling Machine (EGM) Policy 2018 – 2022 has not been endorsed when the VCGLR is scheduled to consider the application, then Darebin Council's previously endorsed EGM policy is likely to be given primacy.
- The previous Darebin Electronic Gambling Machine (EGM) Policy 2016 – 2019 has a fundamentally weaker policy position that may be detrimental to Council's rejection of the application by the Darebin RSL. The language used is equivocal and could favour the Darebin RSL's interpretation as being ambiguous.

Conclusion

The updated Darebin Electronic Gambling Machine Policy 2018 – 2022 (Draft) has been developed to build on the work of the previous policy and to elevate and strengthen Council's investment and effort in response to the changing political, legislative and regulatory environment.

The Draft Policy has been informed by and builds on the work and advocacy of:

- The Alliance for Gambling Reform (National body)
- The Local Government Working Group on Gambling (VLGA)
- The Local Government Gambling Alcohol and Other Drug Issues Forum (MAV)
- The Northern Metropolitan Region Councils 'Libraries After Dark' project

The updated policy strengthens Council's position and the actions we can undertake in reducing harms caused by EGMs in our community.

Options for Consideration

- Endorsement of the Draft Darebin Electronic Gambling Machine Policy 2018 – 2022 and release for Public exhibition.

Financial and Resource Implications

Potential legal costs in opposing EGM gaming applications.

Risk Management

In the short term there may be some reputational risks that may need to be managed as Council commences work to divest sporting clubs of EGM's and revenue generated from EGM's.

The risk of not providing in-principle endorsement of the Draft Policy at this stage may have implications regarding the strength of the Darebin Social and Economic Impact Assessment Submission to the Victorian Commission for Gaming and Liquor Regulation.

Policy Implications

Economic Development

Gambling losses directly diminish the capacity of households to participate the mainstream local economy and more urgently their capacity to spend on food, health and education. In 2010, the Productivity Commission estimated that there were around 115,000 “problem gamblers” in Australia, who account for 40% of losses on poker machines. People who live closer to poker machine venues are more likely to experience gambling problems.

The poker machine industry is not a significant job generator. In 2010, the Productivity Commission estimated 1 full time job was generated for every \$1M spent compared to the hospitality industry that generated 3.5 full time jobs for every \$1M spent.

Environmental Sustainability

There are no Environmental Sustainability impacts related to this report.

Human Rights, Equity and Inclusion

The policy framework has been underpinned by an integrated set of principles; Equity, Wellbeing and Human Rights.

The policy highlights that areas of disadvantage bear the greatest harms from gambling both in the short term and cumulatively. The action plan identifies specific actions to address the range of specific health, equity and human rights issues generated by gambling.

Other

There are no other factors which impact on this report.

Future Actions

- The Draft Darebin Electronic Gambling Machine Policy 2018-2022 to go out for public exhibition and community consultation (4 weeks)
- Council Meeting with Final Draft April 30 2018

Consultation and Advocacy

The draft policy has been informed by and builds on the work and advocacy of

- The Alliance for Gambling Reform (National body)
- The Local Government Working Group on Gambling (VLGA)
- The Local Government Gambling Alcohol and Other Drug Issues Forum (MAV)
- The Northern Metropolitan Region Councils ‘Libraries After Dark’ project

Internal including

- Manager Planning and Building
- Coordinator Equity and Diversity

- Coordinator Health and Wellbeing
- Manager Leisure and Community Facilities
- Manager Families Diversity and Community

Related Documents

- *Planning and Environment Act 1987*
- *Local Government Act 1989*
- *Public Health and Wellbeing Act 2008*
- *Charter of Human Rights and Responsibilities Act 2006*
- The References section of the Darebin Electronic Gambling Machine Policy 2018 - 2022 provides a comprehensive summary of the documents and resources used to inform the strategic framework and action plan. E.g. 'KA- CHING – Pokies Nation'. Documentary.

Attachments

- Draft Darebin Electronic Gaming Machine Policy 2018-2022 (**Appendix A**) [↓](#)

Disclosure of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



DRAFT

Darebin Electronic Gambling Machine Policy 2018–2022

Darebin Electronic Gambling Machine Policy 2018–2022 (Draft)

Mayor’s Foreword

Section to be completed after exhibition

DRAFT

Darebin Electronic Gambling Machine Policy 2018–2022 (Draft)**1. Policy Objective**

To make the City of Darebin free of poker machines (Electronic Gambling Machines).

2. Policy Statements

- The harms resulting from the annual \$80 million-plus in gambling losses from Electronic Gambling Machines (EGMs) in Darebin greatly outweigh any perceived benefits.¹
- The highest losses and greatest harms occur in areas of highest disadvantage.²
- Council will approval applications for EGMs where this is solid evidence that the application will have tangible and significant community benefit.
- The harms caused by EGMs in clubs are the same as the harms caused by EGMs in hotels.³
- In assessing any future proposals for the operation of EGMs in the municipality, applications from clubs will be treated in the same way as applications from pubs and other venue operators.
- Council rejects the public rhetoric of 'responsible gambling' and 'problem gambler', which seeks to shift the responsibility to the individual. This language deliberately hides the systemic and structural problems in the gambling environment, such as:
 - (a) The dangerously addictive design of EGMs used in Australia ⁴
 - (b) The opportunistic conduct of the gambling industry ⁵
 - (c) A conflicted reliance on the significant taxation revenue by the State Government. ⁶
- Existing harm minimisation measures have made little difference in Darebin.⁷
- Council will assist all poker machine operators in Darebin to divest themselves of poker machines.
- Council will assist all community-based organisations in Darebin to divest themselves of their reliance on cash and in-kind support generated from poker machines.
- Council will continue to invest in community infrastructure, community programs and community networks to provide alternatives to gambling.
- Council will continue to be a statewide leader and innovator in reducing gambling harm.
- Council will maintain independence from the gambling industry. Council will not accept financial contributions from gambling venues and will not promote community grants or initiatives offered by local poker machine venues.
- The Victorian gambling legislation and regulation privileges the interests of EGM owners, operators and venues above the interests of communities.⁸
- The gambling harms persist, despite the EGM management measures introduced by the federal and state governments.^{1,10}

Darebin Electronic Gambling Machine Policy 2018–2022 (Draft)

3. Policy Scope

- (i) The primary focus of this policy is the reduction of harm caused by EGMs. This is important because:
 - a. Gambling losses from EGMs in Darebin are higher than any other form of gambling.⁸
 - b. Gambling losses create the greatest harm to Darebin's communities.
 - c. EMG regulation and management falls within Council's jurisdiction, where it can exert its greatest influence and intervention.
- (ii) The secondary focus of this policy is the reduction of harm caused by 'online' gambling and sports betting using the internet and mobile apps. While 'online' gambling and sports betting is outside the remit of Council's direct jurisdiction, it is important to work towards changing the increasing levels of this type of gambling and the 'normalisation' of gambling in Australia.

4. Public Policy Context

State Government

In 2012/2013, the State Government devised and implemented a number of measures that were intended to reduce the harms associated with EGM gambling. These include:

- Caps on the number of EGMs permitted in each municipality (municipal caps) and in some regions (regional caps). The City of Darebin is subject to a regional cap of 986 EGMs, which applies to the entire municipality.
- Controls over the size and placement of signage advertising the presence of EGMs in hotels and clubs.
- A restriction on the number of hours EGMs are permitted to operate in hotels and clubs, i.e. 20 out of every 24.
- A prohibition on ATMs in hotels and clubs.
- Funding for Gambler's Help Services, allocated through the Responsible Gambling Fund and the Community Support Fund.
- A statutory requirement for each gaming venue to adhere to the Responsible Service of Gambling Code of Conduct and to ensure their employees undergo Responsible Service of Gambling training.
- The requirement that all EGMs be fitted with technology that supports those patrons to participate in the voluntary pre-commitment scheme. This enables them to set a limit on the amount of time and/or money spent using EGMs in any one session.

These provisions have had little effect on the extent and severity of gambling harm in Darebin.

Despite strong opposition from Council and other partners in the Alliance for Gambling Reform, the *Gambling Regulation Amendment Act 2017* (the Bill) was passed on 1 December 2017.

The amendments to the Bill continued to privilege poker machine operators and profits over harm minimisation measures and embed legislative and playing systems to maximise player losses.

The amendments include:

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Draft Darebin Electronic Gambling Machine Policy 2018-2022 V2 2018

Darebin Electronic Gambling Machine Policy 2018–2022 (Draft)

- new 20-year gaming machine licence entitlements following expiration of current licences in 2022
- allowing for \$500 cash to be withdrawn in a 24-hour period (a 20% increase from previous \$400 limit)
- the introduction of provisions to enable cashless gambling in all pokies venues.

Federal Government

Although the State Governments have responsibility for the regulation of EGMs, the Federal Government, under its responsibility for Communications, has a responsibility for online gambling and gambling advertising.

The Federal Government has taken some tentative first steps around EGMs, including the adoption of a:

- National Self-Exclusion Register; and a
- Voluntary opt-out pre-commitment scheme.

Based on the experience in Victoria, these provisions offer minimal harm protection and passive consumer safeguards.

In 2017, the Federal Government introduced a ban on gambling advertising before 8.30pm during live sporting events and for five minutes before and after the start of play.

This has proven quite ineffective, as the commercial television industry has released its proposed new gambling provisions that exploit a loophole in the legislation. Clause VIII of 'Part B – Proposed Gambling Provisions' allows the promotion of odds and spot commercials during what is called a 'Long Form Live Sporting Event'. This includes cricket, golf, tennis, Formula 1 Moto GP and V8 Supercars, and the Olympic and Commonwealth Games.

This example indicates the pervasive influence of the gambling industry on other industries reliant on gambling-generated sponsorship.

5. Legislative and regulatory reforms sought by Darebin Council (Summary)

The introduction of the following reforms are proposed to reduce harm, provide greater player protection, provide for a more even legislative playing field and give communities a greater voice in any new planning/licensing applications.

These reforms are consistent with and complement advocacy work of Council's partners including the Alliance for Gambling Reform (AGR), the Victorian Local Governance Association (VLGA), the Municipal Association of Victoria (MAV) and the network of Northern Metropolitan Councils.

The proposed reforms are:

Darebin Electronic Gambling Machine Policy 2018–2022 (Draft)

- \$1 maximum bet limit per button push
- safer EGM design
- fewer EGMs
- fixed and lower municipal limits on EGM numbers
- maintaining of the 50/50 split of EGM licences between clubs and pubs
- a ban on political donations
- including EFTPOS in the ban on 'cash out' in venues
- directing the VCGLR to take into account all gambling harm
- retaining a ban on cashless gambling
- reduced operating hours
- mandatory staff intervention to people showing signs of being *harmed* by gambling
- setting enforceable limits
- creating a duty-of-care for venue operators
- removing 'fostering competition' as a rationale for more machines
- a stronger requirement for the commission to take council submissions into account
- mandating the operator of new EGMs to meet social and economic impact tests
- consideration of the specific communities and neighbourhoods, not just a municipality-wide approach
- that the VCGLR "develop principles or guidance for assessing net detriment and report transparently against them in decisions on applications for electronic gaming machines"
- amending the federal law to make it clear it's illegal for overseas gambling companies to offer products to Australians unless they hold a licence under State or Territory laws
- empowering the Australian Communications and Media Authority (ACMA) with new civil penalties, complementing existing Australian Federal Police criminal penalties powers and allowing ACMA to be responsible for the entire complaint-handling process from receipt to enforcement
- introducing other disruption measures to curb illegal offshore gambling activity, such as placing offending company directors on the Movement Alert List, so any travel to Australia can be disrupted.

Council's advocacy for reform will continue to be agile and relevant as the impacts of current legislation, regulation and gambling industry behaviour changes.

See Appendix 3: Explanation and analysis for legislative and regulatory reforms being sought by Council.

Darebin Electronic Gambling Machine Policy 2018–2022 (Draft)

6. Northern region context and comparison

Table 1 – Key gaming indicators, City of Darebin and adjoining municipalities, 2016/17

As indicated in Table 1 (below), the City of Darebin has the second-highest EGMs losses in the Northern metropolitan region for 2016/2017. The community harms from these losses is magnified by the relatively high unemployment levels and high levels of disadvantage.²

LGA Name	Net EGM Expenditure (\$)	SEIFA Score Disadv	DIS RANK METRO	Adults per Venue 2017	Density EGMs per 1,000 Adults 2017	Exp per Adult 2017	Unemployed as at June 2017
City of Darebin	\$81,112,259.79	990.32	6	10,602	5.8	\$637.53	6.95%
City of Whittlesea	\$106,994,642.75	988.60	5	15,737	4.4	\$679.89	7.31%
City of Moreland	\$61,627,685.48	998.06	8	11,837	4.5	\$433.87	6.82%
City of Banyule	\$55,820,854.07	1047.40	22	11,289	6.2	\$549.40	4.52%
City of Yarra	\$30,801,195.80	1019.05	13	10,094	3.8	\$381.42	5.73%
Metro				11,693	5.2	\$561.07	6.07%
Victoria				9,690	5.5	\$541.86	5.92%

Source: VCGLR

7. City of Darebin Context

- EGM expenditure and density of EGMs per 1,000 adults in the City of Darebin decreased between 2014/15 and 2016/17.
- The City of Darebin had a higher EGM expenditure per adult compared with metropolitan Melbourne and the second-highest EGM expenditure per adult compared with adjoining municipalities.
- The City of Darebin is ranked 10th highest of all metropolitan municipalities and 11th highest for EGM expenditure of all municipalities in 2016/17.
- The City of Darebin had the second-highest score of relative socio-economic disadvantage compared with adjoining municipalities.
- The City of Darebin had a higher density of EGMs per 1,000 adults compared with metropolitan Melbourne and the second-highest density of EGMs per 1,000 adults compared with adjoining municipalities.
- In September 2017 the Victorian Minister for Consumer Affairs, Gaming and Liquor imposed a regional cap on 769 EGMs on the municipality.⁹
- At present there are 754 EGMs operating in the municipality, 15 below the maximum permitted.
- The reduction of EGMs in the Darebin region is unlikely to have any practical impact on gambling levels. The 754 EGMs have been operating in Darebin since 2014/2015.
- A 5.5% decrease in EGMs has resulted in a 1.7% decrease in losses between 2013/14 and 2016/17

Darebin Electronic Gambling Machine Policy 2018–2022 (Draft)

See Appendix 1: Comparison of Gambling Losses per venue 2013/2014 and 2016/2017

Table 2: History of EGM Gambling Losses in Darebin

Financial Year	Total EGM losses (\$million)	SEIFA Score	Ranking of Disadvantage (Metro)
2010/2011	\$89.0m	990	6
2011/2012	\$89.2m	990	6
2012/2013	\$82.4m	990	6
2013/2014	\$82.4m	990	6
2014/2015	\$83.9m	990	6
2015/2016	\$84.3m	990	6
2016/2017	\$81.1m	990	6

8. Targeting disadvantaged neighbourhoods

Across metropolitan Melbourne, our most disadvantaged municipalities have the highest density of poker machines. This is also reflected in Darebin and is a deliberate strategy of the gambling industry to target disadvantaged neighbourhoods for higher numbers and densities of EGMs.¹¹

Analysis of key gambling data per statistical local area 2016/2017

	South (Northcote /Thornbury)	North (Preston, Reservoir)	Darebin
SEIFA index of disadvantage	1046	966	995
Adults (No. approximate and % Darebin)	46,948 (36.9%)	80,281 (63.1%)	127,229 (100%)
Number of venues (No. and % Darebin)	3 (25%)	9 (75%)	12 (100%)
EGM operating numbers (No. and % Darebin)	134 (18%)	612 (82%)	754 (100%)
Expenditure 2016/17 (\$ and % Darebin)	\$11,344,610 (14%)	\$69,767,649 (86%)	\$81,112,259 (100%)

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Darebin Electronic Gambling Machine Policy 2018–2022 (Draft)

EGM density per 1000 adults	2.85	7.65	5.9
Expenditure per adult per annum	\$242	\$869	\$637

Source: VCGLR

Expenditure in Preston statistical area is 3.5 times higher than Northcote.

9. Prevalence of severe EGM gambling-related problems in Darebin

Table 3 Estimated number of adults (selected metropolitan councils)

Local Government Area	Estimated number of adults	Ranking
Brimbank	6,548	1 (Highest prevalence)
Whittlesea	4,303	7
Darebin	2,968	11
Moreland	2,157	20
Banyule	1,832	27
Yarra	706	37
Nillumbik	252	55 (Lowest metro prevalence)

Source: ABS: Census Data 2016

The table above indicates that adult residents of Darebin have a high prevalence of severe gambling-related problems.

A major correlative factor affecting prevalence is the saturation of EGMs in Darebin and their neighbourhood proximity.

A Productivity Commission report on gambling in 2010 was clear that gambling leads to financial, family and psychological problems, including crime and suicide. It stated that Australia's 115,000-plus problem gamblers – who are mainly low-income earners – lose a disproportionate amount of money, contributing to 40% of the total cash put into poker machines.^{12,13}

See Appendix 2: Saturation of EGMs and proximity to households in Darebin

10. Pubs vs Clubs

The harms caused by EGMs in clubs are the same as the harms caused by EGMs in hotels. Any real community benefits claimed by the clubs are miniscule compared to the benefit to the clubs themselves and do not address gambling-related harms.

For the purposes of this policy, EGMs and EGM operators in pubs and clubs will be treated equally.

There are three clubs that operate poker machines in Darebin in 2016/2017

1. Darebin RSL (65 EGMs)
2. The Furlan Club (30 EGMs)
3. The Reservoir RSL (68 EGMs)

The Fairfield/Alphington RSL closed in 2017.

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Legislation regulating the operation of local hotel and club electronic gaming machine (EGM) venues in the state of Victoria provides a taxation benefit for club venues in comparison to hotel venues. Under the *Gambling Regulation Act 2003*, club venue operators get a reduction of 8.3% on the gambling tax they pay, compared to hotel venues.

In Victoria, club pokie venues are required to submit an annual community benefit statement to the VCGLR which demonstrates that they have provided at least 8.3% of their gambling revenue to community purposes. The clubs' claims for the monetary value of their contributions to community benefit are published on the regulator's website.

Table 4 – Community Benefits Claimed by Clubs in Darebin

Financial year	Gambling losses	% reported for community purposes
2016/2017	\$9.3m	36%
2015/2016	\$10.4m	32%
2014/2015	\$9.9m	47%
2013/2014	\$9.7m	36%

Source: VCGLR

This table provides a selected summary of the Community Benefits Statements lodged by clubs in Darebin. It seems that they contribute more than the minimum 8.3% community benefits required.

Monash University undertook a closer analysis of the 559 community benefits statements lodged in 2005/2006 in Victoria. This research showed that only 2.6% were actual funds, gifts or sponsorship provided to the community, despite the claims lodged to the VCGLR. The analysis showed that 97.3% of the funds were reinvested into the operations and capital works of the clubs themselves.

The study also showed that 0% was provided for the provision of responsible gambling measures and activities, but excluding those required by law.¹⁰

The Productivity Commission's comment about these arrangements was based on this rather special treatment.

"Some clubs do provide genuine benefits to their communities. Unfortunately, clubs have developed significant poker machine dependency – an average of about 60% of total revenue. Some club representatives may gild the lily in their claims of community support, fearful perhaps of the consequences of more effective harm-minimising regulation, or fairer taxation."¹²

11. Problem gamblers

Council will consciously use public health language in communicating gambling messages. Language including 'responsible gambling' and 'problem gamblers' will not be used by Council due to the notion that the responsibility or problem lies with the individual.

In all Council publications 'Problem gambler' is to be replaced with 'people harmed by gambling'. 'Pokie players' is to be replaced with 'poker machine users.' 'Pokie venues' is to be replaced with 'poker machine operators' or 'gambling industry', and 'gambling expenditure' is to be replaced with 'gambling losses' or 'money taken'.

A recent study commissioned by the Victorian Responsible Gambling Foundation examined gambling harm from a public health perspective. The results indicated that 'low risk' and

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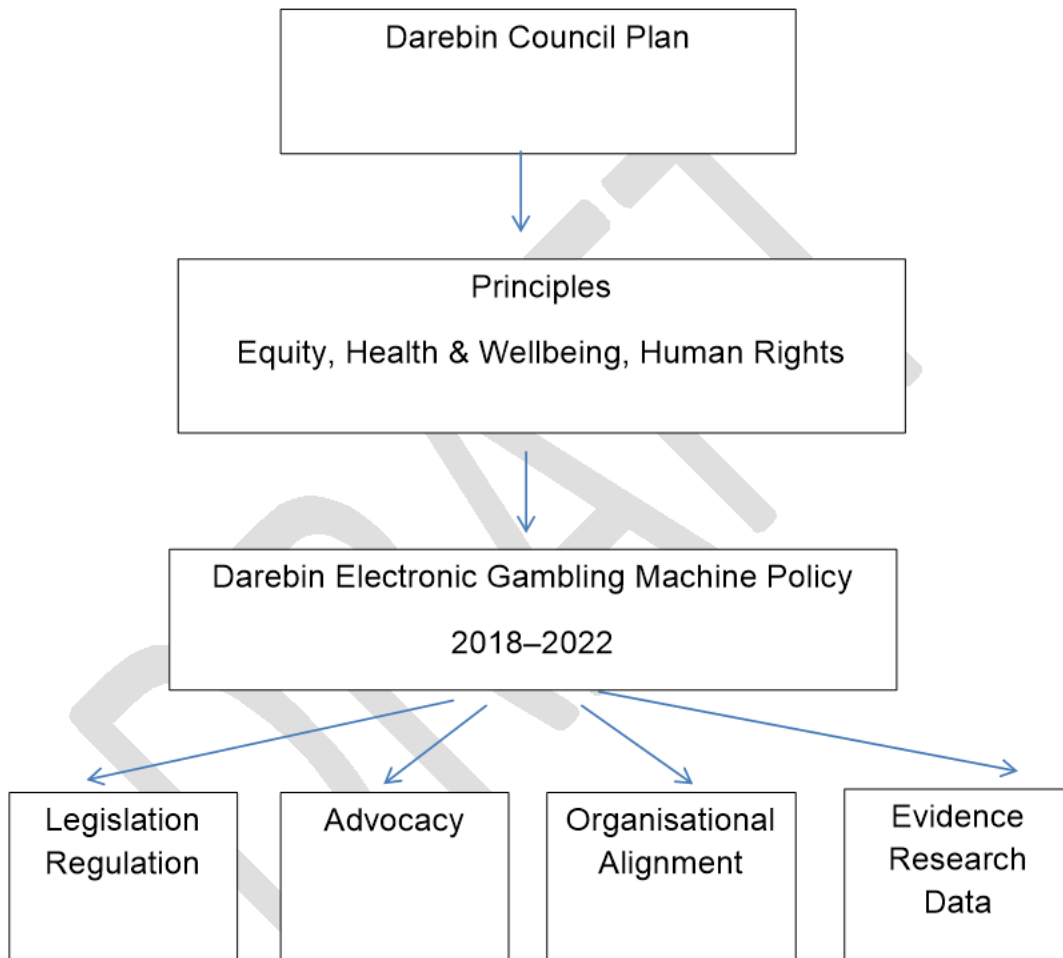
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'moderate risk' gamblers do experience harm. In fact, they account for 85% of gambling harm in Victoria.^{14,15}

12. Darebin Electronic Gambling Machine Policy: Strategic Framework

Electronic Gambling Machine Policy Framework



The four main strategies that inform strategic framework have been developed to maximise Council’s investment and influence, and provide an organising structure to guide future actions.

The four strategies build on Council’s current effort and reflect Councils approach for changing systems and structures as a primary approach for minimising harm at a population level, and is consistent with Council’s Health and Wellbeing Plan.

Some examples of the work informing the framework include:

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Advocacy

Federal Court action against Crown Casino and Aristocrat Leisure

Crown Casino and pokies manufacturer, Aristocrat Leisure, brought by Maurice Blackburn. Organised by the Alliance for Gambling Reform, the event highlighted the addictive nature of poker machines and alleged deceitful and misleading conduct by the industry bodies.

This important legal case could not have occurred without Council having a national advocacy body as a key partner.

Organisational alignment

Encourage sporting clubs and community groups to divest themselves of poker machines and the revenue from poker machines.

Evidence research data

Northern region 'Libraries After Dark' project examines the efficacy of providing more targeted community programs as alternatives to gambling.

Council acknowledges that there are some particular community cohorts or individuals who may be more vulnerable to the harms associated with EGM gambling. Community-based agencies and welfare groups are best placed to provide individual case work and prevention programs that are targeted, relevant and culturally appropriate.

Under this policy, Council will support the community-based agencies and relevant local welfare networks to continue their work.

12 Darebin Electronic Gambling Machine Policy: Action Plan

The approach to address problem gambling from a health prevention perspective encompasses a range of harm prevention and harm minimisation measures that focus on the social, economic and environmental determinants of problem gambling.

This whole of Council approach is underpinned by the following legislation:

1. *The Planning and Environment Act 1987*
2. *The Local Government Act 1989*
3. *The Public health and Wellbeing Act 2008*
4. *The Charter of Human Rights and Responsibilities Act 2006.*

Strategies:	Actions
<p>Regulation and Legislation</p> <p>1. To exercise the full extent of Council's regulatory and</p>	<p>1.1 Council will oppose all planning applications and licensing applications for new additional EGMs, or the transfer of EGMs in the municipality.</p> <p>1.2 Council will oppose any application for EGMs on Council owned or Council managed land.</p> <p>1.3 Council's Health and wellbeing, Equity and Inclusion and Statutory Planning departments will collaborate and share expertise to oppose all planning applications involving EGMs.</p> <p>1.4 Council will ensure that all poker machine operators adhere to the conditions</p>

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legislative mandate to minimise harm from EGMs	<p>in their planning permits, and will advocate to the VCGLR if conditions are not being met.</p> <p>1.5 Council will make formal written submissions to the VCGLR and VCAT to all EGM planning applications and licensing applications in neighbouring municipalities.</p> <p>1.6 Council will develop a local planning policy on gaming for incorporation into the MSS of the Darebin Planning Scheme and actively work towards the 'platform' of legislative and regulatory gambling reforms.</p> <p>1.7 Maintain and strengthen current regulatory regimes to ensure the community and community views are directly considered in any decisions.</p> <p>1.8 Council will ensure that the community is notified through the Council website of all planning applications related to EGMs and provide opportunities for comment, if timelines allow.</p> <p>1.9 Council will include copies of all gaming-related submissions it makes on the Council webpage.</p>
<p>Advocacy.</p> <p>2. Council will continue to be recognised as a statewide leader in driving changes to dismantle those systems and structures that cause gambling-related harm to the Darebin community</p>	<p>2.1 Council will continue to seek reform to the Gambling Regulation Act to place greater regulation and restrictions on the gambling industry which seeks to mislead and profit from individuals.</p> <p>2.2 Council policy, action and advocacy will be informed by evidence-based public health and wellbeing research and policy.</p> <p>2.3 Council will make submissions to State and Commonwealth inquiries on gambling and meet with government and gambling industry representatives, where possible and appropriate, to represent the interests of the local government sector and Darebin community.</p> <p>2.4 Continue Council's membership of the Alliance for Gambling Reform and to actively contribute to the national and statewide strategic advocacy at a local level.</p> <p>2.5 Inform and contribute to the advocacy of the local government peak bodies' (VLGA and MAV's) local gambling networks to generate local, sub-regional and regional advocacy strategies.</p> <p>2.6 Council will highlight the harm from EGMs as one of the most important community issues for the purposes of informing State and federal election campaigns.</p>
<p>Organisational alignment</p> <p>3. Council will take a whole of organisation approach to minimising harm, acknowledging that all activities can contribute to</p>	<p>3.1 Council will not support any application for EGMs on Council-owned or managed land.</p> <p>3.2 Council will work with the Darebin community to raise awareness about gambling harm, encourage community ownership, action and participation in non-gambling community pursuits, decrease stigma and encourage help-seeking.</p> <p>3.3 Council will maintain independence from the gambling industry. Council will not accept financial contributions from gambling venues and will not promote community grants or initiatives offered by local poker machine venues.</p> <p>3.4 Council will promote a range of non-gambling social, cultural and recreational opportunities in Monash to promote engaged, active and healthy</p>

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this objective	<p>lifestyle choices.</p> <p>3.5 Through its Leasing and Licensing Policy, Council will not permit gambling activity, promotion or advertising in Council-owned facilities. This pertains to sports betting, online gambling and poker machines.</p> <p>3.6 Council will not permit community groups or sporting clubs to advertise or promote gambling-related activity at local venues or via online gambling agencies.</p> <p>3.7 Council will encourage sporting clubs to promote Gambler's Help services to patrons in their facilities.</p> <p>3.8 Council staff will not run Council and community events, activities, programs and social outings in venues that have EGMs.</p> <p>3.9 Council will not fund community groups who meet in venues that have EGMs through any of its community funding programs.</p> <p>3.10 Council will not provide community grants, funding, sponsorship, Council facilities, publicity or promotion for community groups/organisations that promote gambling.</p> <p>3.11 Council will promote gambling support services and programs on its website, through networks and via publications.</p> <p>3.12 Council will introduce, into the organisation's training calendar, staff awareness and understanding through training and cross-departmental collaboration about the harms of gambling, the support services available and alternative social and recreational pursuits to gambling.</p> <p>3.13 Council will promote non-gambling activities and facilities through Council programs, services, infrastructure development and publicity.</p> <p>3.14 Council will support local organisations and groups to undertake initiatives aimed at gambling prevention, raising awareness about gambling and potential harm, de-stigmatisation, help-seeking avenues and opportunities for community engagement free from gambling.</p> <p>3.15 Council will include gambling-related questions in relevant surveys and consultations with community to support policy or program development</p> <p>3.16 Council will annually publish key indicators describing the gambling environment in Darebin including gambling losses, EGM numbers, gambling prevalence, gambling venues and health, current public health research and health and wellbeing impacts.</p> <p>3.17 Council will engage local, state and national media in its public health activity and communication campaigns around the issue of gambling.</p> <p>3.18 Council will not support community groups participating in gambling activity and will seek to increase the awareness of community groups to the harms of gambling through information provision and referral to non-gambling community activities and services.</p> <p>3.19 Council will not assist in promotion, administrative support, committees or co-facilitation of community grants offered by local gambling venues.</p> <p>3.20 Council will assist community groups and clubs to develop transition plans to divest themselves from funding from poker machines.</p> <p>3.21 Council will block and filter internet accounts across its services to ensure computers are not being accessed for gambling activity by staff and community.</p>
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	<p>3.22 Council will continue to foster its long-standing, robust partnerships and allegiances with the MAV, VLGA, the Alliance for Gambling Reform, local government sector, the Victorian Responsible Gambling Foundation, Gambler's Help Northern, Local Government Working Group on Gambling (LGGWG), Link Health & Community and local neighbourhood houses and community groups in the progression of its public health approach to gambling.</p> <p>3.23 Council will support and promote local and state government services and community groups addressing the harms of gambling through prevention, innovative programs, service provision and treatment.</p> <p>3.24 Council will continue to seek external funding opportunities to progress its public health leadership, activity and advocacy in gambling prevention.</p>
<p>Research, Monitoring Data</p> <p>4. To develop a strong, robust and defensible evidence base that will enhance Council's capacity to effectively influence the location, management and operation of EGMs in the municipality.</p>	<p>4.1 Council will continue to source and maintain accurate data, information and research on poker machines and other forms of gambling for use in the development of policy, submissions, communications and as advocacy tools.</p> <p>4.2 Council will continue to monitor regulation and legislation and their impacts at a federal, state and local level.</p> <p>4.3 Council supports measures to prevent and/or respond to gambling harm that are evidence-based and likely to be effective in impact.</p> <p>4.4 Council will monitor decision-making principles emerging through the VCGLR and VCAT.</p> <p>4.5 Council will participate in and/or support research undertaken by organisations on the determinants and impacts of gambling environments and gambling, and effective harm prevention and harm minimisation measures.</p> <p>4.6 Council will monitor and review Council's policy position on gambling on a regular basis to ensure its currency, appropriateness and effectiveness.</p> <p>4.7 Council will commission and contribute to research that will directly inform Council's policy objectives.</p>

Appendices

Appendix 1: Comparison of gambling losses per venue 2013/2014 and 2016/2017

EGM Venue	Location	\$ Losses 2013/2014	EGM numbers in operation 2013 / 2014	\$ Losses 2016/2017	EGM numbers in operation 2016/2017	\$ Losses Change	EGM numbers Change
Albion Charles Hotel	2 Charles Street, Northcote	5.2m	50	5.6m	50	0.4m	0
Cramers Hotel	1 Cramer Street, Preston	10.5m	80	9.7m	79	-0.8m	-1
Croxton Park Hotel	607-619 High Street, Thornbury	5.6m	55	5.1m	54	-0.5m	-1
Darebin RSL (Club)	402 Bell Street, Preston	3.1m	65	4.4m	65	1.3m	0
Edwardes Lake Hotel	257 Edwardes Street, Reservoir	13m	100	13.5m	100	0.5m	0
Fairfield /Alphington RSL	CLOSED	1.2m	30	0	0	-1.2m	-30
Furlan Club (Club)	1 Matisi Street, Thornbury	1m	40	0.5m	30	-0.5m	-10
Junction Hotel	1 Plenty Road, Preston	6m	46	5.9m	46	-0.1m	0
Olympic Hotel	31 Albert Street, Preston	10.7m	80	10.2m	80	-0.5m	0
Preston Hotel	635 High Street, Preston	4.2m	40	4.2m	40	0	0
Reservoir	251 Spring	4.3m	68	4.3m	68	0	0

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RSL (Club)	Street, Reservoir						
Rose Shamrock and Thistle Hotel	709 Plenty Road, East Reservoir	5.5m	45	5m	44	-0.5m	-1
Summerhill Hotel	Shop 12, 830 Plenty Road, Reservoir	11.9m	88	12.4m	88	0.5m	0
Total		\$82.2m	787	\$80.8	744	-\$1.4m	-43

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Appendix 2: Saturation of EGMs and proximity to households

The following table shows the saturation and density of EGMs across Darebin. It also indicates the proximity and number of EGMs within 2.5 km of Darebin households (properties).

Current research indicates that the majority of EGM patronage is generated from gamblers who live within 2.5km of a pokies venue.

The accompanying heat map shows the concentration of EGMs (*Pending*)

Number of EGM venues	Number of houses / households within 2.5km of EGM venues
1 Venue	3,367 Households
2 Venues	4,238 Households
3 Venues	14,528 Households
4 Venues	8,415 Households
5 Venues	10,792 Households
6 Venues	9,978 Households
7 Venues	9,499 Households
8 Venues	10,389 Households
9 Venues	3,319 Households
10 Venues	467 Households

Darebin Electronic Gambling Machine Policy 2018–2022 (Draft)**Appendix 3: Explanation for Darebin Council's legislative reforms**

- \$1 maximum bets

Council strongly supports a \$1 bet limit per button push on EGMs. It has the support of Coles, who own EGM venues.

The 1999 Productivity Commission report pointed to bet limits on EGMs as a possible measure to reduce problem gambling. At that time, the Productivity Commission found that on average, people with gambling problems staked \$1.62 per button push, compared to 57 cents for non-problem gamblers.

Research commissioned by the gambling industry in 2001 found that only 3.5% of EGM gamblers bet above \$1 per button push. Of people without gambling problems, only 2.3% bet over \$1 per button push, while 7.5% of people with gambling problems bet over \$1 per button push. The report concluded that a bet limit per button push of \$1 would be “a potentially effective harm minimisation strategy for a small proportion of players”.

The Productivity Commission correctly dismissed the speculative argument made in EGM industry submissions that a reduction in bet size would result in people with gambling problems losing the same amount of money by increasing the length of their gambling. The commission took the view that “while it is likely some gamblers would play for longer, it is improbable that this effect would be so great as to nullify the impact of the reduced bet limit”.

- Machine design

The State Government should use the machine approval process to remove designs from machines that contribute to gambling harm, such as (1) losses disguised as wins (2) linked jackpots and (3) free spins.

This ban could be applied immediately to any new machine approvals and be a condition of new license purchases.

Skill-based gambling machines should not be allowed to operate in Victoria. Using the precautionary principle, unless independent assessment of these machines can establish that they do not create a higher risk of gambling harm, they should not be licensed for use.

- Fewer poker machines
- Council urges the state government to reduce poker machine numbers by 20%, as the ACT has done. The reduction would be focused on removing poker machines from vulnerable areas via a mechanism whereby local government policies would be given highest weighting in licensing processes, and could effectively result in a veto on new machine placement.

In the New Zealand model for poker machine licensing, councils determine a policy to reduce gambling harm. They are empowered to reduce machine numbers by not allowing licenses to be transferred, and require licenses to be retired when a venue closes. The model used in New Zealand allows local government to determine the issuing of a gaming licence for a new venue or for more machines in an existing venue consistent with the local government's own policy on gambling.

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The policy does not allow the local government to close down existing venues or reduce the number of machines they have. However, it does mean that if a venue closes or voluntarily gives up or reduces its number of EGMs, the local government can refuse to authorise a new venue or the transfer of the machines to another venue within its jurisdiction. A local government may adopt a policy of a 'sinking lid', reducing the number of machines in its jurisdiction over time as venues close or choose to give up machines.

The New Zealand Department of Internal Affairs reviews the decisions of the local governments to ensure they are consistent with the local government policy and that the local government policy has been adopted in accordance with the law.

- Fixed municipal EGM limits

Council supports the establishment of fixed municipal limits that do not rise with population increases. Growth-area councils are particularly vulnerable to limits based on population. We believe that 10 EGMs per adult is generally too high a limit to be effective in reducing harm from gambling. If the limit is fixed and remains static, over time, this may have some beneficial impact in reducing poker machine density.

- Maintain the 50/50 pokie club and pub split

In 2016/2017, Victorian gambling clubs took \$904 million, while gambling pubs took \$1.7 billion. Pubs market and manage their poker machines to extract around twice as much money per machine.

In any revision of government policy, the current 50/50 split needs to remain in place, even if clubs are not using all of their entitlements.

- Ban political donations

To avoid corruption, ban political donations and gifts by poker machine owners, operators and peak bodies to local and state politicians and parties.

At the state level these bans on political influence are long overdue. In the case of local government, they become more necessary as more decision making is moved to the local level.

- Include EFTPOS in ban on cash-out in Venues

The current ban on cash withdrawals in venues should include EFTPOS cash-out. People with a risk of problem gambling or a moderate risk of harmful gambling report accessing EFTPOS significantly more times when gambling than non-problem gamblers. The Victorian Government should deliver on the intended effect when it removed ATMs from venues, and include EFTPOS cash withdrawals in the ban on ATMs in and around venues. The Alliance for Gambling Reform feels that there is little practical distinction between EFTPOS and ATMs for people at risk of gambling harm.

The removal of EFTPOS withdrawals in venues is likely to have little impact on people who are not engaged in high-risk gambling behaviour. EFTPOS was considered an 'inconvenient' means to access additional cash by the majority of people visiting EGM venues. Over the past few years the widespread use of EFTPOS means that, for patrons paying for all other services in the venue, the same card used to withdraw cash can be used to make payments

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with far less effort and inconvenience than using it to withdraw cash and then pay for food and drinks.

- Direct the VCGLR to take into account all gambling harm

The VCGLR must adopt an inquisitorial model rather than the current adversarial model in determining the suitability of licences for new premises and machines. It must be a VCGLR responsibility to fully investigate all social and health impacts of EGM licensing, not rely solely on evidence put before it by applicants and councils when they choose to participate.

The Government must direct the VCGLR to take into account recent research on gambling harm in its determinations on poker machine applications. Recent research has found that gambling harm occurs in more ways than previously understood and that the majority of health harm is caused to people previously categorised as 'low' or 'moderate' risk.

- Retain ban on cashless gambling

Council is strongly opposed to the introduction of cashless gambling on the basis of the precautionary principle. Cashless gambling can disguise the fact that people are losing 'real money' and cashless systems may reinforce anonymous, intense and uninterrupted gambling, which increases the likelihood of the person gambling being harmed. There is evidence that people with gambling problems are far more likely to lose track of money while gambling on EGMs than people engaged in low-risk or moderate-risk gambling behaviour. It is reasonable to be concerned that cashless gambling would make this worse.

- Reduce venue operating hours

Reducing venue operating hours to 10am to midnight for gaming areas. In 2010, the Productivity Commission recommended that gaming machines in hotels and clubs (not casinos) should be shut down between 2am and 8am, at a minimum.

- Mandatory staff intervention to people showing signs of being harmed by gambling

The Alliance believes that it should be a separate obligation for venue operators to ensure their staff offers appropriate assistance to people showing signs of being *harmed* by gambling, not merely when the person is showing distress.

As there is a clear profit motive for venues to allow people to keep gambling, even when they are showing signs of harmful behaviour or problematic behaviour, a sanction is needed to motivate the venue to act in the best interest of the people gambling in the venue.

The review of the removal of ATMs from Victorian EGM venues noted that "venue based data showed that staff were observing patrons making multiple withdrawals through EFTPOS but in general were not using this information to inform identification of possible problem gamblers."

- Setting enforceable limits

The current system implemented by government allows people gambling to receive a warning when they reach a limit they set themselves, but they can continue to gamble beyond the limit they have set.

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Research on limit-setting from Canada has found the effectiveness is greatly reduced when people gambling are unable to set enforceable limits or use the limit-setting system as a means of self-exclusion.

Council strongly supports:

- giving gamblers the option of setting monthly, weekly or daily limits
- the ability for gamblers to set limits at any time in the venue, away from the venue online via a website, or by calling a support hotline
- the ability for gamblers to lower a limit at any time, while there being a 24-hour 'cooling off' period to any increase in limit. A 24-hour wait period to increase a limit, while allowing for a limit to be immediately reduced, is consistent with some existing limit-setting systems, such as the system operating at Crown Casino in Melbourne.
 - Create a duty of care for venue operators

In the view of the Alliance, all gambling providers owe a duty to their customers to do all they reasonably can to reduce any harm that may arise from the product they are selling. This is a duty that should apply universally to all businesses. However, in the view of the Alliance, the gambling industry fails to fulfil this 'duty of care' to their customers. Instead, many in the gambling industry seek to do the minimum required, in terms of consumer protection measures.

The current ability of gambling businesses to avoid a duty of care to their customers serves as a barrier to those businesses undertaking meaningful measures to reduce problem gambling and other harms caused by gambling activities. It fosters an industry culture of doing the minimum required by government.

The existing Mandatory Code for gambling providers should be strengthened by requiring gambling businesses to take all reasonable steps to observe identifiable signs of problem gambling and to intervene appropriately when such signs are detected.

There should be harsh penalties for gambling businesses that engage in 'egregious' conduct, knowingly or recklessly exploiting people with gambling problems. These penalties need to be sufficient to deter such behaviour by gambling businesses and need to empower the courts to award damages to those ruthlessly exploited by unethical gambling providers.

- Remove 'fostering competition' as an excuse for more machines and require the VCGLR to judge that an area already has enough pokies

There are two amendments here. One is intended to remove the provision about fostering competition, in order to permit the Commission to decide that an area already has enough EGMs and that no more are required. The second is to require the Commission to decide whether the EGM facilities in the area are sufficient to meet the needs of those who gamble without hurting themselves or others.

- A stronger requirement for the Commission to take council submissions into account

This amendment is to require the Commission to 'have regard to' rather than 'consider' any submission by the responsible authority. The effect of the change is to increase the extent to which the Commission must take the submission into account in determining the application.

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- Susan Feldman, Harriet Radermacher, Christopher Anderson, and Marissa Dickins. Victorian Responsible Gambling Foundation – May 2014. 'A qualitative investigation of the experiences, attitudes and beliefs about gambling in Chinese and Tamil communities in Victoria'.
- Victorian Government Department of Justice – September 2009. 'A study of gambling in Victoria – problem gambling from a public health perspective'
This study is Victoria's first epidemiological study investigating problem gambling and health. Finding from the study are based on a representative sample of 15,000 Victorians who were asked a series of questions in relation to gambling and health
- N Hing, L Cherney, A Blaszczyński, S Gainsbury and D Lubman. *International Gambling Studies* – 15 April 2014. 'Do advertising and promotions for online gambling increase gambling consumption?'
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Darebin Electronic Gambling Machine Policy 2018–2022 (Draft)

This study investigated the gambling behaviour of Indigenous Australians and surveyed 1,259 Indigenous adults in New South Wales and Queensland.

- Nicki Dowling. Australian Gambling Research Centre Discussion paper No.1 – November 2014. 'The impact of gambling problems on families'

This discussion paper is a literature review that summarises the available research about how gambling problems affect family relationships and family members, how families cope with gambling problems, and the assessment and therapy options available to the family members of people with gambling problems.

- Monica J Barratt, Michael Livingston and Sharon Matthews. Victorian Responsible Gambling Foundation – June 2010. 'Problem gambling in Victoria: identifying local area community and gaming industry risk and protective factors'

This study examines the characteristics of local government areas associated with self-identified problem gambling, as assessed through call volume and clients using the Gambler's Help telephone line

- Dr Kerry Brown. Office of Gaming and Racing, Victorian Government Department of Justice, Melbourne – December 2011. 'Socio-economic impacts of access to electronic gaming machines in Victoria: effects on demand and communities'

This report examines the socio-economic impacts of accessibility to gaming machine gambling in Victorian communities and in disadvantaged communities in particular.

- Angela C. Rintoul, Charles Livingstone and Damien Jolley 2012. 'Modelling vulnerability to gambling related harm: How disadvantage predicts gambling losses.'
- 'Understanding the Community benefit of EGMs: An Interim Analysis of Victorian EGM Community Benefit Statements 2007.' Charles Livingston Monash University Problem Gamblers

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Gambling Player Losses and taxes and levies paid 2016/2017 (Victoria)

As at 30 June 2017, player loss in its various forms within Victoria amount to \$5,221.5 million and taxes and levies paid to the State of Victoria amounts to \$1,642.8 million.

Table 9 – Player loss and taxes paid by category

Source	Player loss \$m	Taxes and levies paid into the Consolidated Fund \$m
Gaming machines - hotels and clubs	2,609.5	977.1
Melbourne Casino - gaming machines and table games[1]	1,556.3	207.7
Wagering - racing (totalisator), football, track-side and sports betting	830.6	54.1
Lotteries[2]	501.7	398.3
Keno	23.4	5.7
Total	5,521.49	1,642.82

VCGLR Annual Report 2016 / 2017

4.2 PRELIMINARY SOCIAL AND ECONOMIC IMPACT ASSESSMENT TO SUPPORT AN OBJECTION TO THE GAMING COMPONENT OF PLANNING PERMIT BY DAREBIN RSL SUB BRANCH INC.

Author: Coordinator Equity and Diversity

Reviewed By: Acting Director Community Development

Report Background

On 8 January 2018, Darebin Council received notice from the Victorian Commission for Gambling and Liquor Regulation (VCGLR) in relation to the Darebin RSL Sub Branch planning permit application to increase the number of gaming machines.

Section 3.3.6 of the *Gambling Regulation Act 2003* enables local authorities to make a submission to the Commission that addresses the economic and social impact of a proposal on the wellbeing of the community of the municipal district that the premises are located within. This assessment may take into account the impact of the proposal on surrounding municipal districts.

Officers have now prepared a Draft Social and Economic Impact Assessment for lodgement with the VCGLR by 6 March 2018 and following notification of intention to lodge by 11 February 2017.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

This matter has not previously been to a Councillor Briefing.

Council Plan Goal/Endorsed Strategy

Goal 5 - Involving our diverse community

Darebin Electronic Gambling Machine Policy 2018 – 2022 (Draft)

Summary

A preliminary social and economic impact assessment has been developed to provide Council with an overview of the key points and tone of the submission to be lodged with the Victorian Commission for Gambling and Liquor Regulation (VCGLR) objecting to gambling components of the planning permit by the Darebin RSL Sub Branch 404 Bell Street Preston.

The preliminary draft has been prepared by Council officers with the following sections pending at time of writing:

- a. Report on outcomes of a community survey and engagement process; and
- b. Evidence of gambling harm from local welfare agencies and Gamblers' Help Northern

Legal and expert advice has been obtained in preparation of the submission and adjoining Councils of Yarra, Moreland, Whittlesea and Banyule have been notified with option to provide a letter of support to the Darebin submission or to lodge their own submission to the VCGLR.

Recommendation

That Council:

- (1) Endorses the draft Social and Economic Impact Assessment Submission noting pending actions including expert peer review.
 - (2) Endorses lodgement of Council Submission to the VCGLR by the close date, 6 March 2018.
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Introduction

The Darebin RSL Sub Branch commissioned the 'NBA Group' to prepare a Social and Economic Impact Statement to support their Planning Permit application.

The conclusion of this assessment by the NBA Group is as follows:

- that there will be a positive net socio-economic impact on the wellbeing of the City of Darebin, as well as the catchment profile of the Darebin RSL, as a result of the installation of an additional 15 EGMs into the Sub-Branch, due to the increased entertainment opportunities and the additional cash contributions to the community, with a high proportion of this expenditure to be attributed to non-gamblers.
- that the change in problem gambling behaviour within the municipality, whilst difficult to measure, is likely to be minimal. Given the fact that the additional machines will be accommodated within the internally-extended gaming lounge with no visible advertising of their introduction, plus the high level of engagement with the Venue Support Worker and the dedication to regular training and assessment of the staff.
- The RSL Sub-Branch is making every effort to monitor and minimise any potential risk. Discussions are also underway to develop a program with Gamblers Help Northern for problem gamblers.

Darebin Council Social and Economic Impact Assessment has utilized detailed evidence, current research and information from previously successful submissions from other Councils to strongly challenge these assertions.

In order to ensure the necessary rigour, legal counsel will be engaged to 'peer review' Council's Social and Economic Impact Assessment prior to lodgement with the VCGLR.

It is anticipated that an updated and strengthened Council EGM policy will be endorsed prior to the VCGLR hearing. The EGM policy has been developed to provide a stronger 'strategic backbone' in line with the clear expectations voiced by Council over the last 12 months.

Issues and Discussion

The *Public Health and Wellbeing Act 2008* and *Local Government Act 1989* stipulate that Council plays an important role in promoting and protecting public health and wellbeing, advocating and promoting proposals that are in the best interests of the local community, and exercising functions that facilitate peace, order and good governance of the municipality.

The increase in the number of EGMs and the extension of operating hours of Darebin RSL Sub-Branch will likely result in an increase in EGM losses. This is unacceptable to Darebin Council because:

- An increase in EGM losses will increase the level of unnecessary EGM gambling harm.
- The EGM harm generated by this proposal will magnify the existing harms being experienced by the disadvantaged communities in proximity to the Darebin RSL.
- The additional EGMs, combined with the existing provision of an on-site TAB, will more firmly position the Darebin RSL as a one-stop gambling shop.

The VCGLR has overwhelmingly decided in favour of EGM operators over the objections by Council's. Based on some recent decisions made the VCGLR, Darebin Council's objection to the Darebin RSL may be weakened by the following elements:

- The Darebin RSL application involves a 'top up' rather than a new venue.
- The proposal does not involve an increase in the number of EGMs in the municipality.
- The proposal can be accommodated within the Darebin regional CAP.
- The municipality has experienced a reduction in EGMs expenditure and density of EGMs per 1,000 adults in the past three years.
- It is predicted the proposal would result in an increase in EGM expenditure of 0.5 per cent in the municipality.
- The proposal site operates as a club and RSL.
- The proposal site is not located in an area prohibited by the Darebin Planning Scheme.

Options for Consideration

Nil

Financial and Resource Implications

Costs association with commissioning of expert and legal advice and representation.

Risk Management

The proposed upgrading works proposed for the Darebin RSL site may not proceed without the approval of the additional EGM's and increased opening hours.

Policy Implications

Economic Development

The potential increase in employment directly associated with the proposal is minimal.

It appears as though the proposal reduces the proportion of floor area set aside for non-gambling activities (such as higher staffing hospitality functions) and facilities rather than increasing and diversifying these facilities.

Environmental Sustainability

There is no indication of how environmental sustainability will be addressed by the proposal.

Human Rights, Equity and Inclusion

The additional gambling losses anticipated from the additional EGM's will be generated from a local community that is at an elevated risk of gambling-related harms.

Other

There are no other factors which impact on this report

Future Actions

- That the outcomes of the community consultation be included in the SEIA
- That the evidence for Gamblers Help Northern and other welfare agencies be included in the draft SEIA
- That the draft SEIA is peer reviewed
- That Council is provided with a copy of the final SEIA
- That the SEIA is lodged with the VCGLR by 6 March 2018
- That the SEIA is made available on Council's website and provided to other Councils on request.

Consultation and Advocacy

The draft SEIA has been distributed across all relevant Council teams including Strategic Planning, Statutory Planning, Wellbeing and Advocacy teams.

Preliminary legal advice and expert consultant advice has been obtained

Related Documents

- Darebin Electronic Gaming Machine Policy 2018-2022 (Draft)

Attachments

- DRAFT Social and Economic Impact Assessment Darebin RSL Sub-Branch Inc. (Appendix A) [↓](#)

Disclosure of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



Social and Economic Impact Assessment

Darebin RSL Sub-Branch Inc

Bounded by St Georges Road/402 Bell Street/1-3 Arthur Street, Preston

VCGLR Application for an additional 15 electronic gambling machines

DRAFT V2 February 2018

DRAFT

DRAFT Darebin City Council Sub-Branch Social and Economic Impact Assessment v2 5 February 2018

Acronyms & Definitions

The following acronyms and definitions are used throughout the body of this report:

Acronym	Definition
ABS	Australian Bureau of Statistics
AEs	Attached entitlements: gaming machine entitlements attached to an approved venue by the venue operator owning the entitlements. The number of AEs may be equal to or less than the maximum number of gaming machines permitted to be installed in an approved venue as specified on the venue operator's licence
Decile	A tenth of the data represented. The first decile is the lowest 10% of the data range
Destination venue	A venue that, due to its location, encourages a pre-determined decision to gamble, making it less likely that players will attend venues on impulse alone. Generally located away from everyday activities such as shops, thus avoiding the 'ant trail' mentality, which suggests that having to pass a venue en route to a daily task would more likely cause impulsive or convenience gambling
EGM	Electronic gambling machine
GME	Gaming machine entitlements
Immediate surrounding area	A radial area surrounding the venue
IRSAD	Index of Relative Socio-Economic Advantage and Disadvantage, a gauge used by the Australian Bureau of Statistics (ABS) for measuring a series of advantage and disadvantage indicators for a specified area
IRSD	Index of Relative Socio-Economic Disadvantage. As for IRSAD, but focuses only on the disadvantages
LGA	Local government area, a geographical area under the responsibility of a local government council
Regional cap	Area 7 regional cap sets the Darebin maximum number of attached EGMs to 986
RSG	Responsible service of gaming
RSL	Returned Services League
SEIFA	Socio-economic indexes for areas
SA2	Statistical area, consists of one or more CDs. One or more SA2 make an LGA
Transferred Expenditure	Expenditure transferred from other venues
VCGLR	Victorian Commission for Gambling and Liquor Regulation

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Purpose

This social and economic impact assessment has been prepared to support Darebin City Council's objection to the Darebin RSL's planning application to increase its number of EGMs and to extend operating hours of the sub-branch.

Summary of Darebin Council's Objection

The increase in the number of EGMs and the extension of operating hours of Darebin RSL Sub-Branch will likely result in an increase in EGM losses. This is unacceptable to Darebin Council because:

- An increase in EGM losses will increase the level of unnecessary EGM gambling harm.
- The EGM harm generated by this proposal will magnify the existing harms being experienced by the disadvantaged communities in proximity to the Darebin RSL.
- The additional EGMs, combined with the existing provision of an on-site TAB, will more firmly position the Darebin RSL as a one-stop gambling shop.

Council's statutory roles

Section 3.3.6 of the *Gambling Regulation Act 2003* enables local authorities to make a submission to the Commission that addresses the economic and social impact of a proposal on the wellbeing of the community of the municipal district that the premises are located within. This assessment may take into account the impact of the proposal on surrounding municipal districts.

The *Public Health and Wellbeing Act 2008* and *Local Government Act 1989* stipulate that Council plays an important role in promoting and protecting public health and wellbeing, advocating and promoting proposals that are in the best interests of the local community, and exercising functions that facilitate peace, order and good governance of the municipality.

Introductions

In November 2017, Darebin Council received a Planning Permit application for the Darebin RSL Sub-Branch for the following:

1. Buildings and works – a small extension to the net total floor area of the building, internal refurbishment and façade upgrades.
2. Gaming – installation and use of an additional 15 EGMs, increasing the total number of EGMs at the venue from 65 to 80. The existing gaming lounge will be refurbished and a slight alteration to the green line plan is proposed.
3. Liquor consumption – an extension to the red line area to correspond with the revised layout of the RSL.
4. Access to a Road Zone Category 1 – alterations are proposed to the access arrangements to St Georges Road. Currently vehicles are only able to exit the RSL via St Georges Road, whereas the proposal seeks to allow vehicles to both enter and exit via St Georges Road (including signage and installation of business identification signage).

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Site Size, Shape & Location

The subject site is a large irregular-shaped allotment on the north-eastern side of Bell Street and St Georges Road, Preston. It has road frontage to Bell Street, St Georges Road and Arthur Street. The site is situated approximately 500m from the Preston Activity Centre and is included within the Preston Central Incorporated Plan.

The subject site is not located on Council owned or managed land.

Background

In 2011, the Darebin and Fairfield-Alphington RSL sub-branches were amalgamated into a premise located at 7 Railway Place, Fairfield, which operated 30 EGMs. Following the closure of the Fairfield-Alphington RSL sub-branch in 2016, 15 of the 30 EGM entitlements were transferred to the Darebin RSL and the other 15 were transferred out of the City of Darebin. The site on which the former Fairfield and Alphington RSL was located has been sold and will be redeveloped for residential purposes.

This social and economic impact assessment deals with the relevant considerations under the *Gambling Regulation Act 2003*. It therefore comments only briefly on the extent to which the proposal aligns with the Planning Scheme and should not be used as the basis for assessing the planning permit application.

Executive Summary of reasons for Darebin Council's objection to the Darebin RSL Sub-Branch Application for an additional 15 EGMs and extended opening hours

- The proposal site is located in a regional cap, which has been recognised by the Victorian State Government as an area vulnerable to gambling-related harms.
- The proposal site neighbours two more regional caps – Moreland and Whittlesea.
- The proposal involves a transfer of EGMs and EGM losses from an area of low to one of high socio-economic disadvantage.
- The proposal involves an increase in EGM losses. Any increase in EGM losses contributes to and is seen as a determinant of harm from gambling.
- The proposal site involves increasing gambling losses by extending opening hours by 27%.
- There has been a large increase in EGM losses at the proposal site relative to the rest of Darebin.
- In practical terms, the venue would operate like a hotel due to the number of EGMs and extended operating hours.
- The harm from EGM losses is exacerbated by the gambling losses generated by the on-site TAB.
- The City of Darebin has a higher density of EGMs per 1,000 adults and EGM losses than metropolitan Melbourne.

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- The City of Darebin has the second-highest density of EGMs per 1,000 adults, EGM expenditure per 1,000 adults and level of socio-economic disadvantage compared with adjoining municipalities.
- The 2016/2017 annual EGM losses per adult in the Preston Statistical district (\$869) is \$232 higher than the EGM losses in Darebin.
- There is a great deal of uncertainty with regard to the value (if any) and outcomes of community contributions.
- The total community contribution to the provision of responsible gambling measures and activities excluding those required by law between 2013/14 and 2016/17 is \$0.
- The proposal does not diversify or increase non-gambling activities. On the contrary; it involves an increase in the extent of the green line, a reduction in the existing floor area set aside for recreational purposes.
- The increase in employment is marginal, particularly employment directly associated with the additional EGMs, and furthermore, there is no guarantee that this additional employment will be sourced from the municipality.
- The paid tenure of the welfare officer does not increase the harm minimisation measures as this person is currently operating on a voluntary basis.
- The focus on problem gamblers by the Darebin RSL shifts all the blame to the individual.
 - *Discussions with Gambler's Help Northern are being undertaken independently of this proposal.*
- Venue contributes to convenience gambling due to its proximity to high level of foot traffic coming from:
 - a retail strip in High Street, Preston
 - a commercial/business strip in Bell Street
 - Red Rooster and McDonald's restaurants in Bell Street
 - the high number and density of health and welfare services.

This foot traffic is intensified by generous public transport to the area.

City of Darebin Council Plan 2017–2021

1. One of the six goals in this Plan is to improve the wellbeing of people in the community by providing opportunities for them to live their lives well.
2. One of the actions in this Plan is to reduce the municipality's high level of EGM losses.

The proposal increases the equity gap in Darebin by transferring EGM losses from richer neighbourhoods to poorer neighbourhoods. This will have an immediate negative impact to vulnerable communities and a cumulative effect on intergenerational disadvantage.

Darebin Council policy

The Darebin Electronic Gambling Machine Policy 2018–2022 (Draft) states:

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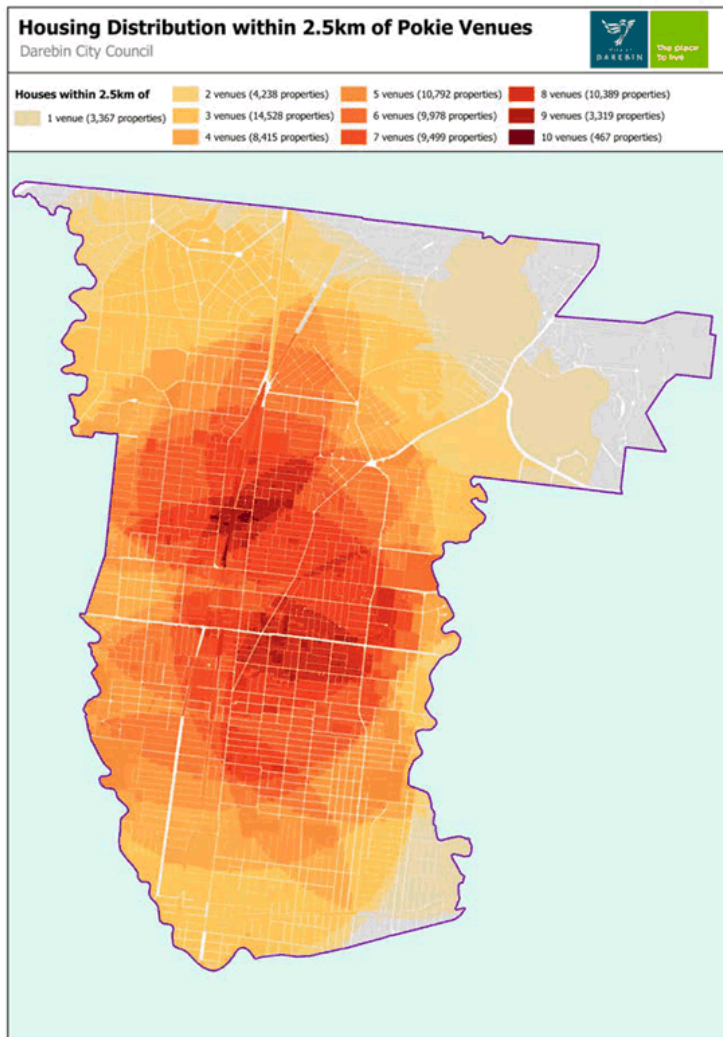
- Council will approval applications for EGMs where this is solid evidence that the application will have tangible and significant community benefit.
- The harms caused by EGMs in clubs are the same as the harms caused by EGMs in hotels.
- In assessing any future proposals for the operation of EGMs in the municipality, applications from clubs will be treated in the same way as applications from pubs and other venue operators.
- The harms resulting from the annual \$80m+ gambling losses from EGMs in Darebin greatly outweigh any perceived benefits.
- The highest losses and the greatest harms occur in areas of highest disadvantage.

Highest concentration of EGMs and EGM losses in Darebin

Venue name	Address	# of EGMS	Type of venue	Total exp for 2016/2017
Cramers Hotel	1 Cramer Street, Preston	79	Hotel	\$9,747,358.40
Croxton Park Hotel	607-619 High Street, Thornbury	54	Hotel	\$5,172,053.75
Darebin RSL	402 Bell Street, Preston	65	Club	\$4,428,871.98
Junction Hotel	1 Plenty Road, Preston	46	Hotel	\$5,873,160.10
Olympic Hotel	31 Albert Street, Preston	80	Hotel	\$10,203,638.80
Preston Hotel	635 High Street, Preston	40	Hotel	\$4,235,668.84
TOTAL		364		39,660,751

The proposal site is surrounded by six other EGM venues, all within a 2.5km radius. The \$39.6m annual losses generated by these venues represents 49% of the total EGM losses in Darebin.

Housing distribution within 2.5km of EGM Venues



Targeting disadvantaged neighbourhoods

Across metropolitan Melbourne, our most disadvantaged municipalities have the highest density of poker machines. This is also reflected in Darebin and is a deliberate strategy of the gambling industry to target disadvantaged neighbourhoods for higher numbers and densities of EGMs.

Source: Browne, M, Greer, N, Armstrong, T, Doran, C, Kinchin, I, Langham, E & Rockloff, M 2017, *The social cost of gambling to Victoria*, Victorian Responsible Gambling Foundation, Melbourne

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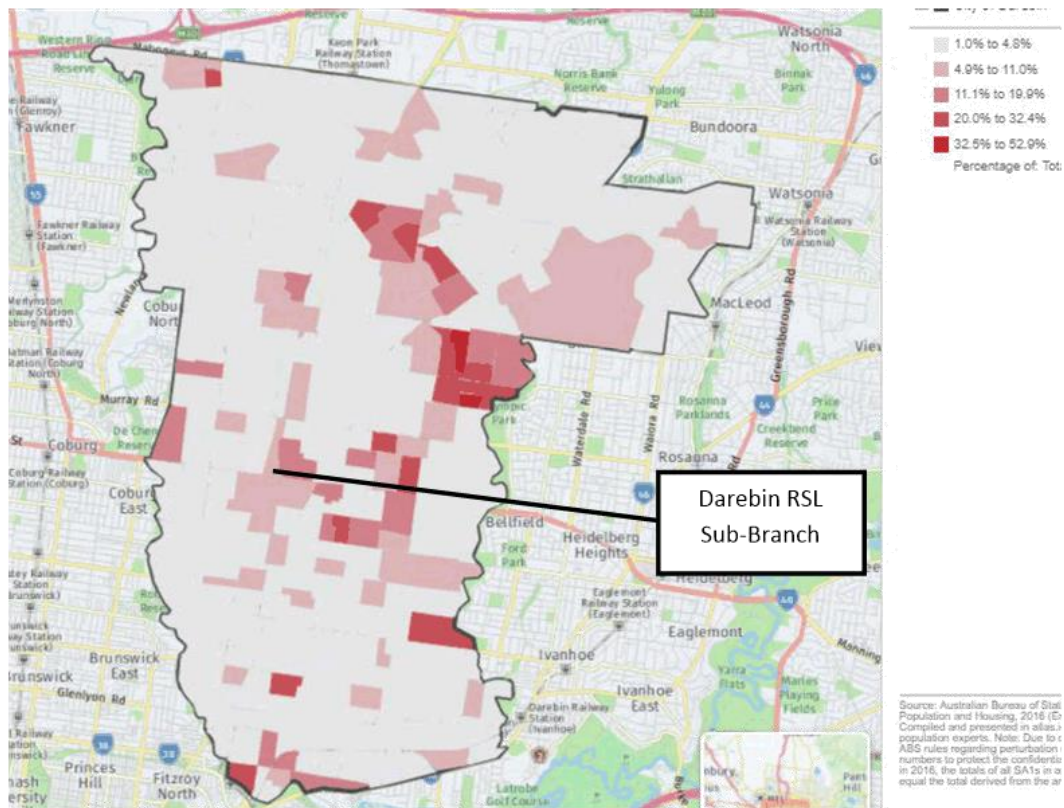
Analysis of key gambling data per statistical local area 2016/2017

	<u>Northcote statistical area (south)</u>	<u>Preston statistical area (north)</u>	<u>Darebin</u>
SEIFA index of disadvantage	1046	966	995
Adults (No. approximate and % Darebin)	46,948 (36.9%)	80,281 (63.1%)	127,229 (100%)
Number of venues (No. and % Darebin)	3 (25%)	9 (75%)	12 (100%)
EGM operating numbers (No. and % Darebin)	134 (18%)	612 (82%)	754 (100%)
Expenditure 2016/17 (\$ and % Darebin)	\$11,344,610 (14%)	\$69,767,649 (86%)	\$81,112,259 (100%)
EGM density per 1000 adults	2.85	7.65	5.9
Expenditure per adult per annum	\$242	\$869	\$637

The proximity of the proposed site to vulnerable communities

Proximity to EGMs elevates the risk for some vulnerable communities. The extended hours of operation in a warm, safe environment increases the likelihood of increased level of player losses from those players least able to afford them.

1. Location of proposal site in relation to concentrations of social housing



Source: i.d consulting

Subject site is surrounded by high levels of public and social housing. The current Victorian State Government’s ‘Homes for Victorian’ strategy has funded a further 68 public housing units to be constructed in Stokes Street and Penola Avenue, Preston, less than 100 metres from the Darebin RSL.

Darebin Council is advocating for the restoration of the 300 public housing units on Stokes Street and Penola Avenue, Preston.

Source:

https://www.vic.gov.au/system/user.../FINAL%20PDF%20DTF046_Q_housing01.pdf

2. The location of proposed site in relation to homeless populations

The current Victorian State Government’s ‘Homes for Victorian’ strategy has funded a homelessness strategy, ‘Towards Home’, in response to the rise in the number of people sleeping rough in inner-city Melbourne.

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Six transitional housing units have been built in Showers Street, Preston, less than 100 metres from the Darebin RSL. A permanent case manager has been appointed by a local mental health agency to provide 24/7 support.

Source:

https://www.vic.gov.au/system/user.../FINAL%20PDF%20DTF046_Q_housing01.pdf

3. The location of proposal site in relation to concentrations of other homeless populations (Bell City)

Advice from the Tenants Union of Victoria indicates that an increasing number of the studios at Bell City Hotel residences are being used as rooming house accommodation. Outreach staff from the Tenants Union of Victoria regularly respond to the increase in the number of residential complaints from neighbours and tenants.

This is exacerbated by the sporadic increase in drug-related anti-social behaviour and police call-outs. There is consistent drug use and dealing behaviour occurring in the GM Mott Reserve opposite Bell City. This is exacerbated by the sporadic increase in drug related anti-social behaviour and police call outs.

Bell City is located about 200 metres from the Darebin RSL.

4. The location of proposal site in relation to concentrations of other vulnerable populations (supported community housing)

The Preston Community hub (137 High Street, Preston) provides housing with support services on site for 25 people with psychiatric and acquired brain injuries.

The housing is managed by Housing Choices Australia, who have partnered with Preston Neighbourhood House, NEAMI (a community-based mental health service) and ARBIAS (acquired brain injury support services) to deliver programs and activities to those tenants and the broader community.

5. Family violence and problem gambling

There is an established link between problem gambling and family violence. Recent international research indicates that people who have significant problems with their gambling are more likely than people without gambling problems to be the victims and perpetrators of family violence (Source: WHIN gambling and family violence fact sheet, 2016/<http://www.whin.org.au/what-we-do/gambling-and-family-violence.html>).

The relationships are complex; however, people with gambling problems are more likely than people without gambling problems to be victims and perpetrators of IPV.

'There are a number of factors that may contribute to family violence. There is now consistent international evidence that gambling is one of these contributing factors to

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intimate partner violence (IPV) and family violence more broadly.iii Research indicates that people who have gambling problems are more likely than people without gambling problems to be victims and perpetrators of family violence.iv The most recent research is from the 2013 Australian arm of a large-scale study of the patterns and prevalence of co-occurrence of family violence and problem gambling in Australia, New Zealand and Hong Kong, which screened 120 help-seeking family members of problem gamblers in a range of clinical services for both family violence and problem gambling. The main results of this study indicated that 52.5 per cent reported some form of family violence in the previous 12 months: 20.0 per cent reported only victimisation, 10.8 per cent reported only perpetration and 21.6 per cent reported both victimisation and perpetration of family violence. They also noted the 'participants reported that problem gambling and family violence were related in over 70 per cent of their problem gambling family members'. *Source: WHIN / NEPCP submission to the Royal Commission into Family Violence;*

6. The location of proposal site in proximity to other sensitive uses and vulnerable populations

The following table provides an example of the range of community, and welfare services in proximity to the proposal site. These services are with two bus stops of the Darebin RSL.

Organisation / Community group	Address	Type of service
The Preston Community Hub	137 High Street, Preston	Social housing with support services on site for people with psychiatric and acquired brain injuries
Good Samaritan Inn Women's Refuge	Preston, address not disclosed for safety reason. Within 1km.	Short-term accommodation for women and children escaping family violence and homelessness.
Advocacy Disability Ethnicity and Community (ADEC)	175 Plenty Road, Preston	Centre based programs for people of non-English speaking background living with a disability, and their carers.
Preston Masonic Centre	382 Bell Street, Preston	Community hall
Parade College	8 Clifton Grove, Preston	Secondary school
Nino Early learning Adventures	365 Bell Street, Preston	Child care centre and kindergarten
Victorian Aboriginal Child Care Agency (VACCA)	340 Bell Street, Preston	Culturally-specific child care

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Leukaemia Foundation	1/340 Bell Street, Preston	Holistic support for sufferers and carers
Glenhaven Special Care Facility	100-102 David Street PRESTON	Residential facility for people with acquired brain injuries and other disabilities. Glenhaven is a share house with all single rooms and shared bathrooms. Community access is encouraged and neighbourhood shops are close by.
EACH	232 Plenty Road, Preston	This service provides programs to people with intellectual, physical, acquired brain injury; dual disability or people with complex care needs. People who have funding under Individual Support Packages (ISP), Transport Accident Commission (TAC) packages, National Disability Insurance Scheme (NDIS)
Victorian Aboriginal Health Service (VAHS)	238-250 Plenty Road, Preston	Victorian Aboriginal Health Service (VAHS) was established in 1973 to address the specific medical needs of Victorian indigenous communities. The organisation has expanded steadily over past 40 years to provide a comprehensive range of medical, dental and social services for our community.
PANCH Community Health Service	300 Bell Street, Preston	There are a number of participating organisations whose programs span acute, sub-acute and primary health care. These programs cater for people across the Northern Region, with a

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		particular emphasis on Darebin and surrounding areas.
SPECTRUM (Migrant Resource Centre)	306 Bell Street, Preston	Spectrum is a one-stop shop providing various centre based and outreach programs for newly arrived and established migrants and refugees
Sacred Heart Catholic Primary School	Cnr Bell Street and Clifton Street, Preston	Primary school
Preston Neighbourhood House (The Bridge)	218 High Street, Preston	Centre-based programs to overcome disadvantage & social exclusion through skill development, education, social interaction and direct services. The Bridge Preston is a vital part of our community
The Tipping Foundation	263 High Street, Preston	Services for people with disability, especially person-centred disability support services for local communities
Victorian Aboriginal Legal Services Co Op	273 High Street Preston	Aboriginal community-controlled organisation operating statewide in Victoria, providing community justice services and legal practice services to all Victorian Aboriginal communities
Darebin Information Volunteer Resource Centre (DIVRS)	285 High Street, Preston	Mentoring, advocacy and skills training for young people.
Salvation Army Employment Plus	293 High Street, Preston	Employment Plus was established in 1998 by The Salvation Army to help people find work to support their wellbeing

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Brotherhood of St Laurence	293 High Street, Preston	Support services under the NDIS
Australian Multicultural Education Service (AMES)	2/293 High Street, Preston	The centre is used to deliver seminars and conferences on issues related to inter-culturalism, film nights aimed to increase cross-cultural understanding, diversity training and English conversation classes with locals
OMNI CARE Support Services	5 Bruce Street, Preston	Provides a range of services to the elderly, disabled or those with serious medical conditions
Matchworks	327 High Street, Preston	Support service for employment and recruitment
Melbourne Polytechnic	St Georges Road, Preston (directly opposite Darebin RSL)	Tertiary education, especially for overseas students

Convenience Gambling

The EGM activity, combined with the on-site TAB, is in a location that has high levels of pedestrian activity, which increases the likelihood of convenience gambling and spontaneous decisions to play.

In particular, the RSL is in close proximity to:

- a retail strip in High Street, Preston
- a commercial/business strip in Bell Street
- Red Rooster and McDonald's restaurants in Bell Street
- a high number and density of health and welfare services

The increased foot traffic is generated by the generous level of public transport that directly feeds the area including the Darebin RSL and the community health and welfare services.

The public transport services in direct proximity are as follows;

Bus routes

- 552 and 553 along High Street, Preston
- 903 and 527 along St Georges Road

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- 513 along Bell Street

Tram route

- 96 along High Street

Train

- Bell Station (South Morang line), Bell Street

Community harms caused by clubs

Darebin Council's EGM policy 2018–2022 states that 'The harms caused by EGMs in clubs are the same as the harms caused by EGMs in hotels. Any real community benefits claimed by the clubs are miniscule compared to the benefit to the clubs themselves and do not address gambling-related harms.

For the purposes of this policy, EGMs and EGM operators in pubs and clubs will be treated equally.

There are three clubs that operate poker machines in Darebin in 2016/2017

1. Darebin RSL (65 EGMs)
2. The Furlan Club (30 EGMs)
3. The Reservoir RSL (68 EGMs)

The Fairfield/Alphington RSL closed in 2017.

Legislation regulating the operation of local hotel and club EGM venues in the state of Victoria provides a taxation benefit for club venues in comparison to hotel venues. Under the *Gambling Regulation Act 2003*, club venue operators get a reduction of 8.3% on the gambling tax they pay, compared to hotel venues.

In Victoria, club pokie venues are required to submit an annual community benefit statement to the VCGLR, which demonstrates that they have provided at least 8.3% of their gambling revenue to community purposes. The clubs' claims for the monetary value of contributions to community benefit are published on the regulator's website.

Community benefits claimed by Darebin RSL 2013/14 – 2016/17

The table below shows a comparison of the community benefits claimed by Darebin RSL Sub-Branch 2013/14 to 2016/17 and the actual non-RSL related community benefits claimed.

Financial year	Total community benefit claimed by RSL VCGLR	Total non-club related contributions to the community	% of non-club related contributions to the community
2016/2017	\$1,054,278	\$58,100 (cash and in kind)	5.5%
2015/2016	\$847,178	\$17,100	2.0%
2014/2015	\$1,146,699	\$13,690	1.2%
2013/2014	\$793,574	\$20,635	2.6%

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Total	\$3,841,729	\$109,525	2.8%

As indicated in the table above, the Darebin RSL does not contribute 8% to the broader community. Most of the claims are reinvested back into the operations of the club.

Apart from the one-off \$3,000 contribution to gambling diversion programs, which were reported on in the *Herald Sun* in November 2013, the total contribution by the Darebin RSL to the provision of responsible gambling measures and activities excluding those required by law (Class C (a) CBS Claim form) is \$0.

Source: VCGLR

Monash University undertook a closer analysis of the 559 community benefits statements lodged in 2005/2006 in Victoria. This research showed that only 2.6% were actual funds, gifts or sponsorship provided to the community, despite the claims lodged to the VCGLR. 97.3% of the funds were reinvested into the operations and capital works of the clubs themselves.

The study also showed that 0% was provided for the provision of responsible gambling measures and activities, excluding those required by law.

Source: Livingstone, C and Francis, L 2014, 'Review of Decisions of the Victorian Commission for Gambling & Liquor Regulation: Electronic Gambling Applications – Municipal Association of Victoria [MAV] & Monash University'

The 2010 Productivity Commission's following comment about these arrangements was based on this rather special treatment.

"Some clubs do provide genuine benefits to their communities. Unfortunately, clubs have developed significant poker machine dependency – an average of about 60% of total revenue. Some club representatives may gild the lily in their claims of community support, fearful perhaps of the consequences of more effective harm-minimising regulation or fairer taxation."

Source: Productivity Commission; 'Report No.50 Canberra 2010'. Definitive two-volume overview of gambling in Australia, looking at its effects and impacts and making recommendations for reform, particularly in relation to harm minimisation.

Problem gamblers

Darebin Council's EGM policy 2018–2022 states that the terms 'responsible gambling' and 'problem gamblers' will not be used by Council, due to the implication that the responsibility or problem lies with the individual.

A recent study commissioned by the Victorian Responsible Gambling Foundation examined gambling harm from a public health perspective. The results indicated that 'low risk' and 'moderate risk' gamblers do experience harm; in fact, they account for 85% of gambling harm in Victoria.

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Further, the idea of problem gambling deliberately hides and diminishes the deliberately addictive design of EGMs to promote player dependence and maximise player losses.

Sources:

- 'Hidden Harm: Low Risk and moderate risk gambling'. Background paper. July 2017. Victorian Responsible Gambling Foundation.
- Susan Feldman, Harriet Radermacher, Christopher Anderson, and Marissa Dickins. Victorian Responsible Gambling Foundation - May 2014.
- *KA- CHING: A POKIE NATION* – documentary (<http://kachingfilm.com/watch-film/>)

Prevalence of severe EGM gambling-related problems in Darebin

Estimated number of adults (Selected metropolitan Councils)

Local Government Area	Estimated number of adults	Ranking
Brimbank	6548	1 (Highest prevalence)
Whittlesea	4303	7
Darebin	2968	11
Moreland	2157	20
Banyule	1832	27
Yarra	706	37
Nillumbik	252	55 (Lowest metro prevalence)

Source: ABS: Census Data 2016

The table above indicates that adult residents of Darebin have a high prevalence of severe gambling-related problems.

A major correlative factor affecting prevalence is the saturation of EGMs in Darebin and their neighbourhood proximity.

A Productivity Commission report on gambling in 2010 was clear that gambling leads to financial, family and psychological problems, including crime and suicide. It stated that Australia's 115,000-plus problem gamblers – who are mainly low-income earners – lose a disproportionate amount of money, contributing to 40% of the total cash put into poker machines.

Source:

- Lubman, D, Manning, V, Dowling, N, Rodda, S, Lee, S, Garde, E, Merkouris, S & Volberg, R 2017, 'Problem gambling in people seeking treatment for mental illness', Victorian Responsible Gambling Foundation, Melbourne.
- Victorian Government Department of Justice - September 2009. 'A study of gambling in Victoria – problem gambling from a public health perspective'.

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This study is Victoria's first epidemiological study investigating problem gambling and health. Findings from the study are based on a representative sample of 15,000 Victorians who were asked a series of questions in relation to gambling and health.

Saturation of EGMs and proximity to households

The following table shows the saturation and density of EGMs across Darebin. It also indicates the proximity and number of EGMs within 2.5 km of Darebin households (properties).

Current research indicates that the majority of EGM patronage is generated from gamblers who live within 2.5km of a pokies venue.

Number of EGM venues	Number of houses/households within 2.5km of EGM venues
1 Venue	3367 households
2 Venues	4238 households
3 Venues	14,528 households
4 Venues	8415 households
5 Venues	10,792 Households
6 Venues	9978 Households
7 Venues	9499 Households
8 Venues	10,389 Households
9 Venues	3319 Households
10 Venues	467 Households

Concentration of venues within 2.5Kms of primary trading area

Venue name	Address	# of EGMS	Type of Venue	Total Exp for 2016/2017
Cramers Hotel	1 Cramer Street, Preston	79	Hotel	\$9,747,358.40
Croxton Park Hotel	607-619 High Street,	54	Hotel	\$5,172,053.75

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	Thornbury			
Darebin RSL	402 Bell Street, Preston	65	Club	\$4,428,871.98
Junction Hotel	1 Plenty Road, Preston	46	Hotel	\$5,873,160.10
Olympic Hotel	31 Albert Street, Preston	80	Hotel	\$10,203,638.80
Preston Hotel	635 High Street, Preston	40	Hotel	\$4,235,668.84
Browns Corner	502 Sydney Road, Coburg	35	Hotel	\$ 2,478,940.35
<u>Total</u>		<u>399</u>		<u>\$42,139,692.22</u>

Community attitude

Note section pending: Metropolis have been engaged to conduct community attitude survey and report which will be incorporated into this submission once received.

Critical review of the social and economic impact statement provided by the NBA Group, prepared for the Darebin RSL

Problem gambling

In support of the proposal, the NBA report quotes the VCAT Deputy President that “*The gaming revenue not attributable to problem gambling is an economic benefit, rather than a loss*” (refer to VCAT Red Dot Decision summary for VCAT Reference No. B47/2012, regarding the Maryborough Highland Society Inc application).

The idea that only ‘problem gambling’ is harmful is simplistic and not based on any data or evidence.

By reducing the act of gambling to a binary idea of ‘good’ and ‘bad’ or ‘problem’ and ‘non problem’ belies the complexity of the issue and the reality of the impact. The act of gambling and gambling harms are better understood as a continuum, where even moderate gamblers can experience moderate harm. A more useful model comes from the health and research data regarding alcohol and tobacco consumption – two similar products to EGMs, designed to create addiction.

Improved venue facilities

The proposed renovations would improve the general quality of the facilities, but would not diversify non-gambling activities and facilities.

The proposed works would result in:

- a reduction in the proportion of the floor area available for non-gambling activities, as it appears as though the size of the sports facility will be reduced
- diminishing the health and wellbeing of RSL members and others by demolishing the pool and squash courts.

By maintaining and upgrading the pool and squash courts, the RSL could provide valuable and much-needed health and social infrastructure for families living in nearby public housing.

Providing additional employment

There are some inconsistencies in the document regarding the potential increase in employment. The application documentation states that direct gaming employment from the proposal could potentially be 7.5 FTE.

However, the NBA SEIS (paragraph 12) provides a breakdown of the additional FTE employees, indicating that only 1 FTE role will be in the gaming room. The remaining FTE positions are distributed as follows:

- one in the reception, back of house and bistro (total three)
- 2.5 in the café area
- 0.5 for a paid welfare officer and bus driver (totalling one).

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There is no clear commitment to this level of additional employment or that staff will be sourced from the local community.

Construction works and stimulus to local economy

The \$9.6m investment is considered substantial. However, the application documentation does not indicate that the economic stimulus generated by these works will be of any benefit to the municipality and, again, that staff will be sourced from the local community.

Proposed extended hours of operation and the RSL duty of care

The sub branch is currently open 88 hours per week with a proposal to increase this to 112 hours per week.

The club's duty of care would require at least 2.75 eft in the gaming room to cover the spread of opening hours. This level of active monitoring is particularly important, as most of the non-gambling activities in the local area do not operate the same spread of hours.

Management expertise

The submission states that 'The management of the Sub-Branch have shown excellent knowledge of the RSG practices, implementing all mandatory RSG measures and several non-compulsory RSG measures at the venue to lessen the risk to problem gamblers.'

These are the minimum statutory harm minimisation measures required for all EGM operators and therefore should not be considered a benefit or additional protective factor.

Gambling impacts

The number of people on the Darebin RSL 'self-exclusion register' indicates that there is a significant problem at the Darebin RSL. By extending the operating hours, increasing the number of EGMs and increasing the venue size will contribute to the existing problem.

The proposed welfare office replaces space set aside for recreational purposes and therefore does not constitute an additional harm minimisation program on site. Furthermore, there are inconsistencies in the application documentation.

The statement on page 33 of the NBA Planning Report and references in the NBA SEIS are misleading, as the proposed extensions are primarily refurbishments and rearrangements to the existing gaming venue that, in effect, require and result in a reduction in the floor area and proportion of the venue, allocated to non-gambling activities.

Furthermore, the witness Statement of Mr Russell paragraph 12 states that the new EGMs would not fit into the existing gaming lounge, which needs to be extended while application documentation states that the only reason for the extension of the green line is to accommodate the new foyer.

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The presence of non-gambling activities is only considered a protective factor if they operate at the same time as the gaming venue.

Overall the proposal will increase EGM gambling harm because:

- An increase in EGM losses will increase the level of unnecessary increased EGM gambling harm.
- The EGM harm generated by this proposal will magnify the existing harms being experienced by the disadvantaged communities in proximity to the Darebin RSL.
- The additional EGMs combined with the provision of an on-site TAB intensifies the Darebin RSL as a one-stop gambling shop.

Conclusion

The proposal site would increase unnecessary levels of harm to the local community and the broader City of Darebin because:

- The proposed site is located in a regional cap which has been recognised by the Victorian State Government as an area vulnerable to gambling-related harms.
- The proposal site neighbours 2 more regional caps – Moreland and Whittlesea.
- The proposal involves a transfer of EGMs and EGM losses from an area of low to an area of high socio-economic disadvantage.
- The proposal involves an increase in EGM losses. Any increase in EGM losses contributes to and is seen as a determinant of harm from gambling.
- The proposal site involves increasing gambling losses by extending of the opening hours by 27%.
- There has been a large increase in EGM losses at the proposal site relative to the rest of Darebin.
- In practical terms, the venue would operate like a hotel due to the number of EGMs and extended operating hours.
- The harm from EGM losses is exacerbated by the gambling losses generated by the on-site TAB.
- The City of Darebin has a higher density of EGMs per 1,000 adults and EGM losses than metropolitan Melbourne.

- The City of Darebin has the second-highest density of EGMs per 1,000 adults, EGM expenditure per 1,000 adults and level of socio-economic disadvantage compared with adjoining municipalities.
- The 2016/2017 annual EGM losses per adult in the Preston Statistical district (\$869) is \$232 higher than the EGM losses in Darebin.
- There is a great deal of uncertainty with regard to the value (if any) and outcomes of community contributions.
- The total community contribution to the provision of responsible gambling measures and activities excluding those required by law between 2013/14 and 2016/17 is \$0.
- The proposal does not diversify or increase non-gambling activities. On the contrary, it involves an increase in the extent of the green line a reduction in the existing floor area set aside for recreational purposes.
- The increase in employment is marginal, particularly employment directly associated with the additional EGMs, and furthermore, there is no guarantee that this additional employment will be sourced from the municipality.
- The paid tenure of the welfare officer does not increase the harm minimisation measures as this person is currently operating on a voluntary basis.
- The focus on problem gamblers by the Darebin RSL shifts all the blame to the individual.
- *Discussions with Gambler's Help Northern are being undertaken independently of this proposal.*
- *Awaiting Community attitude outcomes from survey*
- The Darebin RSL Sub Branch venue contributes to convenience gambling due to its proximity to high level of foot traffic from:
 - a retail strip in High Street, Preston
 - a commercial/business strip in Bell Street
 - Red Rooster and McDonald's restaurants in Bell Street
 - the high number and density of nearby health and welfare services.

This foot traffic is intensified by generous public transport to the area.

5. CLOSE OF MEETING