

# **GAMING POLICY & STATEMENT OF PRACTICE**

February 2007

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## BACKGROUND

This policy updates and supersedes Council's Gaming Policy & Statement of Practice 2001.

### Policy Aim

The aim of this policy is to articulate Maroondah City Council's ('Council') position in respect to gaming activities. This policy has been developed with full reference to the statutory obligations of Council and State Government regulations.

Although it is broadly based, the focus of the policy is on electronic gaming machines (EGMs). The policy does not specifically address the forms of gambling (eg sports betting) over which Council has no dedicated planning control or avenue to comment (other than advocacy).

### Authority of Local Governments

The main Victorian legislation that identifies specific roles and responsibilities for Local Government Authorities (LGAs) in respect to gaming activities are the:

- *Local Government Act 1989*
- *Gambling Regulation Act 2003*
- *Planning and Environment Act 1987* (Victorian Planning Provisions).

All applications to install EGMs in a new gaming venue or to increase the number of EGMs in an approved venue will require a planning permit. In their Local Planning Policy Framework, councils can specify objectives and strategies for the location of gaming machines to respond to local environmental, social and economic considerations.

Additionally, Council has a statutory responsibility to advocate against any activity in the municipality that is having, or may have, a negative or detrimental impact on the local community. Sections 3C, 3D and 3E of the *Local Government Act 1989* set out the objectives, role and functions of a council, which include:

- the primary objective of achieving the best outcomes for the local community having regard to the long term and cumulative effects of decisions
- improving the overall quality of life of people in the local community
- acting as a representative government by taking into account the diverse needs of the local community in decision making
- providing leadership by establishing strategic objectives and monitoring their achievement
- advocating the interests of the local community to other communities and governments
- fostering community cohesion and encouraging active participation in civic life.

Advocacy, information exchange, awareness-raising, monitoring and research are additional key activities that Council can focus on to minimise the negative impacts of gambling in the City of Maroondah.

### Problem Gambling

There are a number of ways to define problem gambling.

In the context of this Policy, Council has adopted the Victorian Government definition developed by Gambling Research Australia and endorsed by the Australian Ministerial Council on Gambling:

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

An Australian National University report prepared for the Gambling Research Panel in 2004 and based on the 2003 Victorian Longitudinal Community Attitudes Survey concluded that 'large numbers of Victorians continue to experience problems associated with their gambling. Therefore problem



gambling remains an important issue for public policy'. The study found that around 1.1% of Victoria's adult population are problem gamblers and another 1.0% of the population could be classified as borderline cases with a moderate risk of having or developing a gambling problem. These figures suggest that around 2.1% of adult Victorians have, or are at-risk of having, a gambling problem.

A broad range of harmful impacts can result from problem gambling. These detrimental consequences can affect not only the individual gambler, but can also have bearing on those in the gambler's social network, on local businesses, on community services and on the community as a whole. Commonly recognised harms associated with problem gambling include<sup>1</sup>:

- Financial hardship – chronic indebtedness, asset loss, bankruptcy, homelessness
- Co-related health problems – depression, dissociative disorders, anxiety, stress-related health problems, suicidal ideation
- Interpersonal and domestic impacts – domestic tension, relationship breakdown, domestic violence
- Work impacts – loss of job, absenteeism, productivity loss
- Crime – revenue-raising crimes such as theft, fraud, forgery and embezzlement
- Impact on general emergency welfare services – added demand and drain on emergency welfare services.

Although people who experience problems associated with gambling form a small proportion of the overall population, they spend far more money on gambling than non-problem gamblers: the Productivity Commission analysis concluded that problem gamblers account for 42% of total player losses on gaming machines<sup>2</sup>.

People who experience problems associated with gambling can come from all walks of life. However, research has identified that clear correlations exist between the following factors, which tend to be external to the individual, and the prevalence of problem gambling:

- Accessibility of gambling opportunities<sup>3</sup> – Accessibility has multiple dimensions including the number of opportunities to gamble per venue, the number of venues, opening hours, conditions of entry, the location of venues and the level of social accessibility.
- Environment of gaming venues<sup>4</sup> - Gambling risks can be reduced through certain aspects of the gambling environment, such as access to credit (Automatic Teller Machines, method for payouts of winnings), natural lighting, clocks and areas for breaks.
- Features of EGMs<sup>5</sup> - Certain features of the EGM product, such as bank note acceptors, linked jackpots and free spins, have been identified as contributory factors in excessive gambling.
- Intensity of play<sup>6</sup> - EGMs are particularly associated with problem gambling, more so than other types of gambling products. EGMs allow for more intensive play through which gambling can occur continuously as frequent bets can be placed over a short period of time and there is a short interval between each play.
- Gambling expenditure<sup>7</sup> - Higher per capita expenditure on non-lottery forms of gambling, including gaming, are correlated with a higher prevalence of problem gambling.

Accessibility to local gaming venues is an important factor in influencing gaming behaviour. Nearly one-third (32%) of the EGM gamblers surveyed in the 2003 Victorian Longitudinal Community Attitudes Survey<sup>8</sup> had travelled less than 2.5 kilometres to the last venue where they played gaming machines. Another one-quarter (25%) of the survey sample travelled less than five kilometres. As

<sup>1</sup> Department of Justice, 2008.

<sup>2</sup> Productivity Commission, 1999. (Volume 3, Appendix P).

<sup>3</sup> Productivity Commission, 1999.

<sup>4</sup> Productivity Commission, 1999.

<sup>5</sup> Australian Institute for Primary Care, 2006.

<sup>6</sup> Productivity Commission, 1999.

<sup>7</sup> SA Centre for Economic Studies, 2005.

<sup>8</sup> Australian National University, 2004.



the large majority (83%) of EGM gamblers went directly from home to the gaming venue—8% went to the venue from work—this finding has significant implications for decisions regarding the location of gaming venues.

### **Gaming Machine Distribution in Victoria**

State Ministerial Directions, issued on 19 September 2002, set the following restrictions on EGMs for all approved venues (other than the Melbourne Casino) in Victoria:

- The maximum number of EGMs permitted in all approved venues is 27,500.
- The maximum number of EGMs permitted in any one venue is 105.
- At least 20% of EGMs must be located outside the Melbourne Statistical Division.
- There must be a 50:50 split in the distribution of the 27,500 EGMs in hotel and club venues.

The Melbourne Casino is permitted a maximum of 2,500 EGMs, bringing the EGM ceiling in Victoria to 30,000.

The first round of regional caps were introduced in 2001 in response to community concern about the high concentration of gaming machines in some local areas. In 2006, this initiative was extended and regional caps currently cover 19 regions: Ballarat, Banyule, Bass Coast, Brimbank, Casey, Greater Dandenong, Darebin, Greater Geelong, Hobsons Bay, Hume, Latrobe, Maribyrnong, Melbourne, Monash, Moonee Valley, Moreland, Greater Shepparton, Warrnambool and Whittlesea. The capped regions cover parts of the identified LGAs that are considered to be most at risk, based on a high level of disadvantage, significant density of EGMs and relatively high levels of EGM losses.

### **Municipal Status**

The City of Maroondah is not a capped region. However, at the same time as the new regional caps policy was announced, the State Government stipulated a maximum density on the number of EGMs in all LGAs (except for the central business district, Southbank and Docklands in the City of Melbourne) not subject to a regional cap. By 2010, the number of gaming machines in these LGAs must not exceed 10 EGMs per 1,000 adult population<sup>9</sup>. Where the EGM density in a LGA is above the set maximum density, the excess EGMs must be removed. This universal cap is intended to prevent future high concentrations of gaming machines in LGAs.

There are 770 licensed electronic gaming machines in Maroondah located across 10 venues. Of the 10 venues, 6 are classified as clubs and offer a combined total of 400 EGMs. The remaining 4 venues are classified as hotels and offer a combined total of 370 EGMs.

The municipal map in Appendix B identifies the geographic location of each gaming venue. Appendix C shows a listing of the 10 venues by venue type and gaming operator and Appendix D details the changes in venue and EGM numbers in Maroondah since 1992.

Based on population projections for 2007, the EGM density in the City of Maroondah at 30 June 2007 is 9.27 EGMs per 1,000 adults (aged 18+ years)<sup>10</sup> compared with the metropolitan figure of 6.81 per 1,000 adults. Of the 31 metropolitan LGAs in Victoria, Maroondah has the 4<sup>th</sup> highest density of EGMs per adult.

With 10 gaming venues in the municipality, Maroondah also has a higher density of venues (8,039 adults per venue at 30 June 2007) than the MSD (8,715 adults per venue). This places the City of Maroondah as the 12<sup>th</sup> highest metropolitan LGA in terms of venue density.

In the 2006—07 financial year, the gaming expenditure<sup>11</sup> in Maroondah amounted to \$62.9 million. This equates to an average gaming expenditure of \$782 per adult compared with \$688 per adult in metropolitan Melbourne and \$639 in Victoria. This places Maroondah as the 11<sup>th</sup> highest metropolitan local government area in terms of per adult gaming expenditure. The gaming expenditure trend in the municipality since 1992 is detailed in Appendix E.

<sup>9</sup> Note that the Regional Electronic Gaming Machine Caps Review Panel report recommends that the universal cap be set a density of 8.0 EGMs per 1,000 adults.

<sup>10</sup> This density is based on the 745 EGMs in operation in the City of Maroondah at 30 June 2007.

<sup>11</sup> Gaming expenditure refers to the net amount lost, or the total amount wagered less total winnings/prizes paid.



## 1. COUNCIL POSITION

The impact of gambling on Maroondah's community should be seen as a continuum. At one end, gambling is an activity that can provide entertainment, recreation and socialising opportunities and one in which a majority of people can partake without experiencing adverse effects. At the other end, a small but significant number of people gamble excessively and experience a variety of resulting personal, family and financial problems. Council recognises the existence of this continuum and acknowledges that gambling is a legitimate recreational activity; however, Council's overall goal and long-term commitment is to minimise and reduce the negative impacts (current and potential) on the Maroondah community.

Council is particularly concerned about the potential harms associated with gambling on EGMs. EGMs allow for a highly intensive and continuous mode of gambling and research<sup>12</sup> has shown that EGMs have higher associations with problem gambling than other gambling forms. However, Council recognises that the provision of gaming, alongside a range of other non-gambling activities, in local venues can expand the choices available to the local community for social and recreational activities. Gaming can also supply local clubs, and sometimes hotels, with additional revenue that can be employed for community purposes (such as donations, sponsorships or developing and supporting local groups and clubs).

In recognising both the positive and negative impacts of gaming venues, Council's position and actions on gaming-related issues need to have regard for the overall, net effect on the local community.

Given that the densities of EGMs and gaming venues and the per capita gaming expenditure in the City of Maroondah is already higher than the respective averages for the Melbourne metropolitan area and the State, Council will not approve any gaming applications that will result in an increase in the number of EGMs, number of venues or gaming losses in the municipality.

## 2. PRIORITY AREAS & GOALS

The Maroondah Gaming Policy 2007 will focus on the following three priority areas and associated goals:

➔ **Priority Area 1: Statutory & Strategic Planning**

*Goal: To minimise the detrimental impacts on and maximise the benefits for the community resulting from the establishment of new gaming venues or changes to existing gaming venues.*

➔ **Priority Area 2: Community Consultation & Representation**

*Goal: To ensure Council represents the views and aspirations of the community in regards to gaming.*

➔ **Priority Area 3: Information, Advocacy & Research**

*Goal: To enhance community awareness of the issues relating to problem gambling and to further develop the knowledge-base within Council and in collaboration with stakeholders in order to inform practice, planning and advocacy around gambling and gaming issues.*

## 3. KEY STATEMENTS

### 3.1. Statutory & Strategic Planning

3.1.1. Council does not support the further expansion of EGMs in the municipality due to serious concerns about the social, economic and neighbourhood impacts and will strongly advocate against any increases in EGM numbers.

3.1.2. Council will not support any gaming application that will result in an increase in:

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<sup>12</sup> See the Productivity Commission, 1999.



- the EGM ratio in Maroondah (per adult population)
  - the ratio of gaming venues in Maroondah (per adult population), or
  - the amount of per adult gaming expenditure.
- 3.1.3. Council will continue to advocate strongly for a reduction in the EGM ratio in Maroondah (per head of adult population) to at least the metropolitan average.
- 3.1.4. Council will strongly advocate for a reduction in gaming expenditure (per adult) in Maroondah to at least the metropolitan average.
- 3.1.5. Council does not support the introduction of EGMs into any Council owned facilities and/or on Council owned land.
- 3.1.6. Council will not support the conduct of gaming activities in isolation. Gaming should only form one aspect of the facilities and activities offered by venues and must be offered alongside a range of non-gaming entertainment and recreation activities.
- 3.1.7. Council will not derive any direct income from EGMs.
- 3.1.8. Council will provide resources, as appropriate, to ensure suitable representation at appeals of Council decisions in respect to gaming applications to the Victorian Civil Administrative Tribunal (VCAT).

### **3.2. Community Consultation & Representation**

- 3.2.1. Council will encourage community participation in the identification and evaluation of community impacts from gambling activities, not limited to electronic gaming.
- 3.2.2. Council will ensure, where possible and appropriate, that Council strategic documents are consistent with the position and statements in the Maroondah Gaming Policy. Council will introduce a local planning policy into the Maroondah Planning Scheme and insert a statement in the Maroondah Municipal Strategic Statement that incorporates the position and statements of practice contained in this policy.
- 3.2.3. Council will actively consult with the community and other key stakeholders on any proposed changes to Council's policy position in regards to gaming and gambling.
- 3.2.4. To ensure that Council continues to accurately represent the views, aspirations and concerns of the Maroondah community, Council will engage the community and other key stakeholders on gambling-related issues as appropriate.

### **3.3. Information, Advocacy & Research**

- 3.3.1. Council will advocate strongly for the strengthening of existing, and the development of new, responsible gambling measures at individual gaming venues, in the industry codes of practice<sup>13</sup> and in State Government legislation. Council will also strongly advocate for the introduction of independent auditing by the State Government to ensure compliance with such regulations.
- 3.3.2. Council fully supports and will continue to advocate for an appropriate regulatory framework for all forms of gambling on a statewide basis which includes appropriate consumer protection.
- 3.3.3. Council recognises that problem gambling is an important social, economic and community issue. Information, counselling and support services for people who experience problems associated with gambling and those close to them is essential. In recognising this, Council will continue to:
- advocate for the provision of appropriate funds to support such programs and services
  - support the operation of such programs and services in the municipality.

<sup>13</sup> Current gaming industry Codes of Practice include the Australian Gaming Council Responsible Gaming Code, the Victorian Gaming Machine Industry Secretariat Code of Practice, the Tabcorp Responsible Gambling Code of Practice and the Tattersall's Responsible Gaming Policy. All of these are voluntary codes of practice.



- 3.3.4. Council will support the delivery of appropriate educational programs within the Maroondah community and the Eastern Region to raise awareness about the gaming industry, EGM operations and the potential impacts of gambling activities on individuals and the broader community.
- 3.3.5. Council recognises the need for ongoing local research into the impacts of gaming activities on the community and will participate in such research programs as appropriate.
- 3.3.6. Council will continuously monitor the impacts of gaming on the existing Maroondah community and on new, emerging communities in the municipality.

## 4. STATEMENTS OF PRACTICE

The following statements of practice detail the committed actions of Council in relation to gambling and gaming issues in the municipality. These statements of practice are directly related to the three priority areas and goals.

### 4.1. Statutory & Strategic Planning

On 18 October 2006, the State Government implemented changes to the gaming provisions in the Victoria Planning Provisions to improve the input of local councils in the location of gaming machines. A planning permit is required for all applications for the installation and use of EGMs in a new venue or for an increase in the number of EGMs approved for an existing venue.

Through the Local Planning Policy Framework, local councils can articulate objectives and strategies for the location of gaming machines and gaming venues to respond to local environmental, social and economic considerations. In deciding on a planning application, councils must have consideration to the planning decision guidelines as stipulated in the General Provisions, Clause 65 of the Planning Scheme.

The relevant section of the Maroondah Planning Scheme (Clause 52.28) is provided in Appendix D.

STATEMENT OF PRACTICE	RESPONSIBILITY
<p><b>SP1.</b> Council will consider and apply the following policy statements (statements 4.1.1. to 4.1.8.) in assessing all gaming applications for planning permits.</p>	<p><i>Statutory Planning</i></p>
<p><b>SP2.</b> Council will determine the appropriate representation at VCAT (in relation to appeals by applicants to VCAT) on a case-by-case scenario.</p>	<p><i>Statutory Planning; Community &amp; Health Services</i></p>
<p><b>SP3.</b> Council will provide the appropriate resources and funds to allow for suitable representation at VCAT hearings.</p>	<p><i>Corporate Management Team</i></p>
<p><b>SP4.</b> Council will introduce a local planning policy into the Maroondah Planning Scheme and insert a statement in the Maroondah Municipal Strategic Statement that incorporates the position and statements of practice contained in this policy.</p>	<p><i>Strategic Planning</i></p>

#### 4.1.1. Car Parking

- The Maroondah Planning Scheme does not specify a car parking requirement to be provided in accordance with the use of a gaming premises. Based on current definitions, the car parking requirements to be applied to a gaming premises within Maroondah will be in accordance with the requirements for a Place of Assembly. This control states that, as a standard requirement,



0.3 of a car space should be provided for each seat or to each square metre of net floor area, whichever is the greater.

- The only exception to this requirement will be if the provision of gaming facilities is ancillary to an existing use such as a hotel. In these situations, car parking provided for a re-development or extension of the building must be at the standard rate for the predominant use of the site.
- Where an application is made to reduce the standard car parking requirement under the Planning Scheme, Council will consider the following issues:
  - o car spaces that are available on nearby land and suitable roads
  - o the intensity of the use of the land
  - o the likely impact on the surrounding area.
- Council's position in relation to the provision of car parking for a gaming premises is that an applicant should attempt to provide all of the required car parking on site. This is particularly important where off site car parking would place pressure on the capacity of existing roads or commercial car parking areas associated with existing facilities.

#### 4.1.2. Amenity

- In the assessment of any planning application for a gaming premises, Council will give consideration to the potential impact of the facility on the surrounding area. In particular, this consideration will have regard to the existing level of amenity that characterises adjoining and nearby residential areas. Planning issues that will be assessed include:
  - o the impact of traffic and parking
  - o internal noise associated with the gaming premises
  - o noise from car parking areas
  - o behaviour or noise problems associated with patrons accessing or leaving the facility.
- To provide for the effective management of gaming premises and to minimise the potential for amenity issues to occur, Council will also consider the following issues:
  - o proposed hours of operation
  - o acoustic attenuation measures
  - o management of the premises
  - o security measures
  - o access to the site.
- While each application must be dealt with on its merits and requires individual assessment, Council will not support a gaming application if it is considered that there will be a significant negative impact on the amenity of the local area or wider community.

#### 4.1.3. Location

- Council will not generally support the establishment of a gaming premises within a residential location unless it can be established by Council that there will be no adverse impact on the surrounding residential area. It is considered more appropriate that gaming premises are located on land within either a business or industrial zone.
- A location within either of these zones should be carefully considered, particularly as the impact of a gaming premises on residential amenity and local retail and commercial facilities and services, will form part of Council's assessment.
- A site specific exemption may be applied to the above situation where an existing entertainment complex, Hotel or Club type use is located within a residential zone and seeks approval for the installation of gaming machines.
- Council will not support the establishment of gaming premises within shopping precincts (refer to the specifications in the schedules to clauses 52.28-3 and 52.28-4 of the Maroondah Planning Scheme).
- New gaming venues should be located so as to build upon the existing retail and commercial land use pattern in the City of Maroondah.



- The establishment of gaming premises close<sup>14</sup> to sensitive uses such as schools, kindergartens, child care centres, libraries, aged care facilities and churches will generally not be supported.
- The proximity<sup>15</sup> of a proposed gaming facility to other gaming premises within the local area will also be taken into consideration during the assessment of a gaming application, so as to avoid an excessive concentration of gaming venues or a ribboning effect along roads.

#### 4.1.4. Additional Entertainment Services & Facilities

- Preference will be given to the establishment of gaming premises that utilise the existing network of local community sports clubs (or similar facilities) and where a high level of community support can be demonstrated. This is particularly relevant where the provision of gaming machines will improve the range of entertainment services available to the community. An applicant must establish the credentials of a local club in order to demonstrate the merits of a gaming premises application.
- Gaming premises should also provide alternative, non-gambling forms of entertainment and dining services to the general public and/or club members to ensure that they have a broader function than just the provision of gaming.

#### 4.1.5. Lighting & External Views

- Gaming venues should be designed, where possible, to ensure that players seated at gaming machines have access to natural light and views to outdoor areas.
- Windows that provide outdoor views from the gaming area must not be obscured or removed, except for the purposes of temperature control or to reduce glare from direct sunlight.

#### 4.1.6. Signage

- Gaming applications must comply with the requirements stipulated in section 3.5.35 of the *Gambling Regulation Act 2003* and the *Gambling Regulation (Signage) Regulations 2005*. (refer to Appendix H for a copy of the relevant Act and Statutory Regulation).
- Signage must be in accordance with the specifications for signage in the Maroondah Planning Scheme.
- Signage on gaming venues should be limited to signs that identify the venue and non-gaming facilities only. Any signage that promotes the availability of gaming machines will not be supported.

#### 4.1.7. Social & Economic Impact

- Where evidence demonstrates that the establishment of gaming premises will lead to an increased dependence on social support services or would negatively affect the social and/or economic wellbeing of the community, Council will not support the application.
- Similarly, Council will not support the application if evidence demonstrates that approval of the application will adversely impact on any adjoining or nearby commercial centre, or on gaming or non-gaming club venues in the municipality.
- In considering the social and economic impacts arising from the gaming application, Council will take into account the following:
  - (a) the specific and overall incremental social and economic impacts
  - (b) the immediate and longer-term social and economic impacts
  - (c) the direct and indirect social and economic impacts
  - (d) projected changes in per capita gaming expenditure, EGM density and gaming venue density resulting from the proposal

<sup>14</sup> A distance of 400 metres is considered to be 'easy walking distance'.

<sup>15</sup> See previous footnote.



- (e) locational aspects of the venue in terms of the accessibility of gambling opportunities
- (f) proximity of the proposed venue to public, social or community housing
- (g) measures that have been proposed by the applicant to restrict the access of minors to the gaming area
- (h) responsible gambling measures proposed by the applicant
- (i) any impact of the proposal on community values and identified Neighbourhood Character
- (j) the internal environment of the gaming venue and the venue design as relevant to demonstrated links with problem gambling
- (k) non-gambling activities, facilities and opportunities at the venue
- (l) the amount of gaming revenue proposed by the applicant to be provided for the benefit of community in the City of Maroondah (such as through sponsorships and donations), and the procedures by and purposes to which these monies will be allocated.
- (m) social and economic indicators of residents living within a 2.5 kilometre radius of the proposed venue. These indicators<sup>16</sup> include:
  - the SocioEconomic Index for Areas (SEIFA) Index of Relative Disadvantage and Index of Economic Resources
  - education levels
  - unemployment rates
  - household and family composition
  - household income
  - housing tenure
  - proportion of households experiencing housing stress<sup>17</sup>
  - mortgage and oil vulnerability using the VAMPIRE index<sup>18</sup>
- (n) social and economic indicators on a postcode, suburb or LGA level (depending on the geographic level at which the data is available), including:
  - proportion of residents receiving income support<sup>19</sup>
  - annual average taxable income<sup>20</sup>
  - proportion of people who could raise \$2,000 in an emergency<sup>21</sup>
  - retained retail spending<sup>22</sup>
  - Community Adversity and Resilience Indicator<sup>23</sup>
- (o) the management structure of a club venue, including the costs and terms of lease and any management fees, and the effects of such on the amount of revenue available for direct community benefit
- (p) any other relevant social and economic impacts on the local and wider communities.

<sup>16</sup> These indicators can be sourced from the Australian Bureau of Statistics Census of Population and Housing. Comparisons should be made with the corresponding statistics for the Melbourne Statistical Division (MSD).

<sup>17</sup> According to Landt & Bray (1997), income units that are in the bottom 40% (based on their total pre-tax income) and paying 30% of more of their pre-tax income on rent or mortgage repayments experience housing stress.

<sup>18</sup> The Vulnerability Assessment for Mortgage, Petrol and Inflation Risks and Expenditure (VAMPIRE) has been developed by Dodson and Sipe (2006). Further information and methodology is provided in Appendix J.

<sup>19</sup> Data available from the Australian Bureau of Statistics

<sup>20</sup> Data available from the Australian Taxation Office

<sup>21</sup> Data available from the Victorian Community Indicators Project

<sup>22</sup> Data available from the Victorian Community Indicators Project

<sup>23</sup> Data available from the publication by Tony Vinson (2004), Jesuit Social Services



#### 4.1.8. Planning Permit Application Requirements

- Prior to the consideration of any application for the establishment of a gaming premises or the installation of additional gaming machines, the following information is required:
  - (a) completed application form and payment of the required fee
  - (b) detailed plans showing the external design, and elevations of the proposed building, the internal venue design and layout, the number and location of gaming machines to be installed, and the proposed car parking and landscaping on the site
  - (c) A summary of the application should be provided which details the proposed hours of operation, patron numbers, staff positions (Equivalent Full Time), proposed security measures, other facilities to be provided and the number of machines to be installed. (For applications for an increase to the number of EGMs in an approved gaming venue, the report must address these matters with respect to the current status as well as any incremental changes resulting from approval of the application.)
  - (d) A report addressing the social and economic impacts of the proposed gaming facility on the local community. This report must address the issues detailed in section 4.1.7. of this policy.
  - (e) Details of the bona fide or credentials of an existing club and the proposed operator of the gaming venue.
- When the gaming application is for the installation of EGMs in a new gaming venue, the applicant must give notice of the application in accordance with section 52 of the *Planning and Environment Act 1987*.

#### **4.2. Community Consultation & Representation**

Once an applicant has been granted a planning permit for new gaming premises or an increase in the number of EGMs in an existing venue, the applicant will need to apply to the VCGR for licensing approval. One of the matters the VCGR is required to consider in determining the application is the net economic and social impact of approval on the wellbeing of the community of the municipal district in which the premises are located. The VCGR may only grant the application if it is satisfied that this net impact will not be detrimental.

As per sections 3.3.6 and 3.4.19 of the *Gambling Regulation Act 2003* (Vic.), Council (as the 'relevant responsible authority') may make a submission to the VCGR on the gaming application. This submission should address the economic and social impact of the application on the wellbeing of the community of the municipal district and also take into account the impact of the proposal on surrounding municipal districts. An Economic and Social Impact Submission must be made within 60 days of receiving a copy of the gaming application and is optional for LGAs.

Local Government in Victoria is a representative government and the level of government closest to the community. Consultation with the community on matters of local importance is essential to ensure that councils have full understanding of local issues and can accurately represent community concerns and views.

Council's Community Participation Policy recognises that effective community participation:

- recognises that residents have the right to participate in decisions which may affect them
- ensures that Council is informed about the needs and aspirations of its residents
- provides the opportunity for early, open and ongoing dialogue in a range of settings with residents from diverse backgrounds
- provides a greater likelihood that the final decisions made will be reflective of the needs and aspirations of the local community
- assists in building a balanced partnership between Council and the community
- creates a sense of community ownership of outcomes and Council's actions



- ensures that one sector of the community is not over shadowed by others, thereby reducing the potential for conflict and confirming Council's commitment to social justice.

The Community Participation Policy requires that the development of issue-based policies or strategies requires, at minimum, consultation with individuals and groups that have a key stake in the issue under consideration.

<b>STATEMENTS OF PRACTICE</b>	<b>RESPONSIBILITY</b>
<b>SP5.</b> Council will engage the Maroondah community and other key stakeholders in discussions and decision-making on any changes to Council's policy position in regards to gaming and gambling, as appropriate.	<i>Community &amp; Health Services</i>
<b>SP6.</b> Council will consult the Maroondah community and other key stakeholders on wider issues in relation to gambling, as appropriate.	<i>Community &amp; Health Services</i>
<b>SP7.</b> Through applying section 4.1.8. of this policy, Council will ensure that the Maroondah community has the opportunities and avenues to express any concerns over gaming applications for planning permits.	<i>Statutory Planning</i>
<b>SP8.</b> Council will submit an Economic and Social Impact Submission to the VCGR where appropriate. In developing the Submission, Council will consult with the Maroondah community and other key stakeholders, as per Appendix G.	<i>Community &amp; Health Services</i>

### **4.3. Information, Advocacy & Research**

Council will continue to participate on local, sub-regional and statewide gambling networks to ensure that Council is up to date with developments in this rapidly changing industry. Council will maintain open and strong links with local gambling support agencies, networks and community advocacy groups to ensure that it is up to date with the issues and impacts of gambling based on 'on the ground' experience. Councillors will be regularly briefed on matters related to gambling activities in the municipality.

Council will continue to advocate to the State and Federal Governments in respect to any gambling matters that have an impact on local residents. Issues that Council will strongly advocate on include, but are not limited to:

- the need to reduce the total number of gaming machines in Victoria
- the need for adequately funded and widely available professional support services for people affected by problems caused by gambling
- the need to reduce the social and economic impacts of electronic gaming on individuals, families, local businesses, community services and local communities
- the need to reduce State Government dependency on gaming taxes
- the retention or introduction of measures that will reduce the negative impacts of gambling, such as but not limited to the removal of bank note acceptors and free spins from EGMs, restrictions on access to cash (such as restrictions on the availability of automatic teller machines and limiting EFTPOS withdrawals), pre-commitment systems and the reduction of bet limits
- the need for the public and timely release of all research relating to gaming conducted or commissioned by the State Government and/or the gambling industry
- access to data necessary for effective and responsive planning, including data collected through monitoring systems and non-identifying client data from gambling support services.



Council will ensure that relevant community publications (eg the Council Community Guide) include key contact numbers for gambling support agencies.

<b>STATEMENTS OF PRACTICE</b>	<b>RESPONSIBILITY</b>
<p><b>SP9.</b> Council will prepare an annual report (mid-year) for Councillors which outlines the current status and impacts of gaming in the municipality over the past 12 month period. The report will also review the financial 'benefit' to the community through the Community Support Fund (hotel venues) and community contributions (club venues).</p>	<i>Community &amp; Health Services</i>
<p><b>SP10.</b> Council will continue to advocate to the State and Federal Governments on key issues that relate to gaming and impacts on the local community.</p>	<i>Whole of Council</i>
<p><b>SP11.</b> Council will maximise available opportunities to support and work with local and peak organisations to advocate on issues including, but not limited to:</p> <ul style="list-style-type: none"> <li>▪ measures to maximise product safety</li> <li>▪ consumer protection, consumer rights and the accountability of the gaming industry</li> <li>▪ research, development, implementation and monitoring of effective responsible gambling measures.</li> </ul>	<i>Community &amp; Health Services</i>
<p><b>SP12.</b> Council will maximise available opportunities to support and work with local and peak organisations in:</p> <ul style="list-style-type: none"> <li>▪ the provision of information and community education on gaming issues</li> <li>▪ improving access to and collection of local area data relating to problem gambling and impacts on community and support services</li> <li>▪ undertaking research on key issues that relate to gaming and impacts on the local community.</li> </ul>	<i>Community &amp; Health Services</i>
<p><b>SP13.</b> Council will keep abreast of research, legislation and information in relation to gaming.</p>	<i>Community &amp; Health Services</i>
<p><b>SP14.</b> Council will include relevant contact numbers for local and regional gambling support agencies and community advocacy groups under an appropriate heading in the Community Guide.</p>	<i>Community &amp; Health Services; Public Affairs &amp; Communication</i>

## 5. LINKAGES TO COUNCIL DOCUMENTS

The following Council documents include sections that deal with or impact on gaming in the municipality and should be cross-referenced as appropriate.

- Maroondah 2025: A Community Planning Together
- Maroondah Council Plan
- Health, Safety & Wellbeing Plan
- Maroondah Planning Scheme
- Standard Licence and Lease Agreements

## 6. REVIEW OF POLICY

This policy will be reviewed within 6 months of any significant legislative change.

<b>Policy Endorsed</b>	<b>19 February 2007</b>
Policy Reviewed	4 August 2008 – reviewed and updated the sections: Problem Gambling (definition, prevalence, impacts), Municipal Status and Appendices A to E



## LIST OF APPENDICES

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## APPENDIX A: Municipal Profile

Unless otherwise stated, the statistics quoted in this Appendix are sourced from the Australian Bureau of Statistics 2006 Census of Population and Housing.

At 30 June 2006, an estimated 102,478 people were living in the City of Maroondah<sup>24</sup>. At the time of the 2006 Census, the median age of the Maroondah population was 37 years and the average household size was 2.6 persons. These medians are similar to the Melbourne Statistical Division (MSD).

### Cultural Diversity

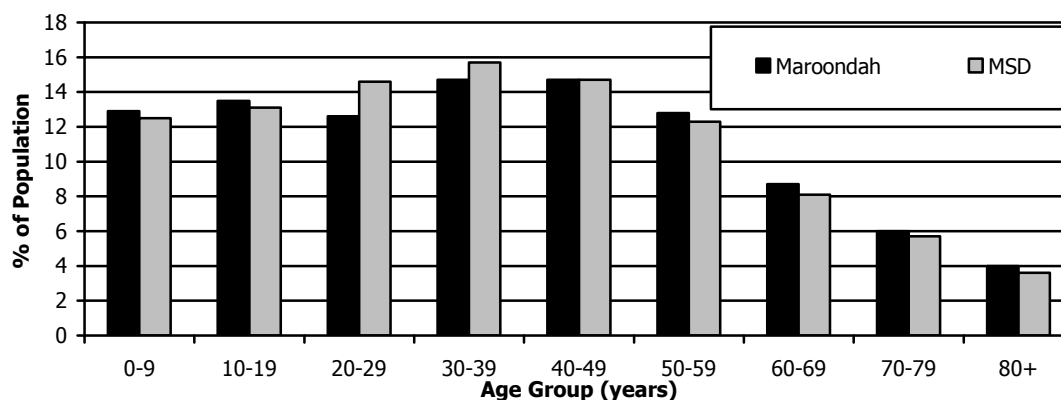
Relative to the MSD average, cultural diversity in Maroondah is quite low: at the time of the Census, 76% of Maroondah's population was born in Australia. However, data on recent migrant settlement in the municipality indicates that cultural and linguistic diversity is becoming an increasingly marked characteristic of the Maroondah community.

The United Kingdom is no longer the main source country of immigrants to Maroondah. Over the five financial years from 1 July 2003 to 30 June 2008, 21% of international settlers in the City of Maroondah came from Burma (Myanmar). The second largest source country during this period was China (12% of international settlers). The UK was the third largest source country, followed by India, Sudan and Thailand<sup>25</sup>.

### Age

As Figure 1 below illustrates, the age distribution in Maroondah at 2006 is similar to the MSD.

**Figure 1. Age Structure in Maroondah and the MSD, 2006**



### Household Composition

The family household (comprised of two or more persons related by blood or marriage) remains the most common household type in Maroondah: 72% of the 36,413 households in Maroondah are family households. Couples with children are the dominant family type, making up 62% of the family households in the City of Maroondah. Couple-only families make up 23% of all families, while 14% of families are one-parent families. Maroondah has a slightly higher proportion of one-parent families relative to the MSD (13%).

### Education

At the time of the Census, 23% of Maroondah's population were attending formal education, ranging from pre-school to tertiary level (6% of the total population). The Census data indicates that the

<sup>24</sup> Preliminary Estimated Resident Population. Source: Department of Sustainability & Environment, 2007.

<sup>25</sup> Source: Department of Immigration and Citizenship, Settlement Database, 2007.



average number of years of schooling (primary plus secondary schooling) of residents aged 15 years and over in Maroondah is 10.7 years which is the same as the MSD average.

Over half (54%) of Maroondah residents aged 15 years and over has attained a post-school qualification. This is the same as the MSD average. The most common type of post-school qualification attained by Maroondah residents is a Certificate qualification (18% of the population), followed by a Bachelor degree (12%) and an Advanced Diploma or Diploma (9%). Compared with the MSD population, Maroondah residents are less likely to have attained a Bachelor degree and much more likely to have a Certificate level qualification.

### Unemployment

Nearly two-thirds (64%) of Maroondah residents aged 15 years and over were in the labour force in 2006. At the time of the Census, the unemployment rate in Maroondah was 3.9% which was lower than the 5.3% unemployment rate recorded in the MSD.

### Income

In 2006, just under half of the population in Maroondah aged 15 years or over (47%) earned between \$1 and \$599 per week. The second most common income bracket is \$600 to \$999 which covers 21% of the Maroondah population. A relatively small proportion of the population (5%) earn \$1,600 or more per week. Although Maroondah has a lower proportion of people earning nil or negative income (7% compared with 8% in the MSD), there is also a much lower proportion with a weekly income of \$1,600 or more (5% in Maroondah compared with 7% in the MSD).

Family income shows a similar pattern with a lower proportion of families in the City of Maroondah having income levels at either extreme (under \$449 and \$3,000 or more per week) than families across the MSD. Overall, Maroondah residents show a greater concentration within the middle income ranges.

### SocioEconomic Index For Areas (SEIFA)

Based on 2001 SEIFA data, the City of Maroondah is ranked in the top quartile in Victoria on the Index of Disadvantage (index value of 1053, compared with the MSD value of 1021). However, on the 2001 Index of Economic Resources which considers variables relating to income, expenditure and assets, the index value for the City (1041) is just above the metropolitan value (1035). Furthermore, on a regional level, the Maroondah community exhibits greater general and economic disadvantage relative to the other six local government areas in the Eastern Metropolitan Region (EMR): the City of Maroondah ranks fifth out of seven on the Index of Advantage/Disadvantage, the Index of Disadvantage and the Index of Education and Occupation; and is placed sixth out of seventh based on the Index of Economic Resources. Maroondah, therefore, experiences marked relative socio-economic disadvantage on a regional level.

### Housing Tenure

Just over one-third (35%) of households in Maroondah own their homes, 41% are purchasing their home and 21% are renting. Maroondah is a 'mortgage-belt' area with a higher proportion of households purchasing their home compared to the MSD average of 36%.

At the time of the Census, 2.1% of households in Maroondah were living in public housing. At January 2003, there were 812 public housing dwellings in the City<sup>26</sup>.

### Local Economy

Maroondah has a strong manufacturing base in a diverse mix of industries, (furniture, automotive, construction materials, equipment, tooling) and established infrastructure, suppliers and workers. The area is also strong in pharmaceuticals and associated industries.

The two major retail centres, Ringwood and Croydon, as well as an industrial area in the south, dominate the economy of Maroondah.

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<sup>26</sup> Source: Department of Human Services, Eastern Region, 2003.



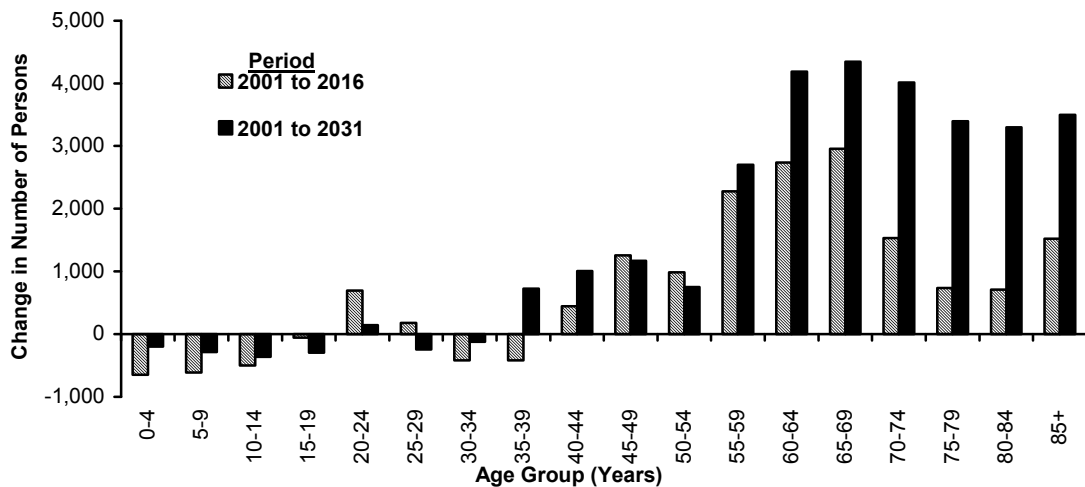
Maroondah has approximately 5,500 businesses, including 21 shopping precincts. The major shopping centres in Ringwood (Eastland) and Croydon (Main Street) are complemented by a number of smaller centres offering a wide range of boutique and larger stores, eateries, cinemas and entertainment.

### Population Growth<sup>27</sup>

Overall, Maroondah’s population is expected to increase by 28% or 27,714 persons between 2001 and 2031, making Maroondah the fastest growing municipality in the EMR, both in terms of the proportion of population and the number of persons.

Figure 2 below illustrates the projected changes in the age distribution of the Maroondah community from 2001 to 2016 and 2001 to 2031. Over the 15-year period from 2001 to 2016, there will be a significant overall decrease in the number of people aged under 20 years and 30 to 39 years. Increases are expected in all other age groups, most notably in the population aged 50 to 69 years. From 2016 to 2031, the decline in the younger population will lessen and the number of people in these age groups will remain relatively constant. However, considerable growth will continue in the older age groups, with population growth concentrated in the 55-plus population. These changes will result in a significant shift in the age structure of the population over the next 30 years. Between 2001 and 2031, the 55-plus population is projected to grow by 118% (an increase of 22,734 persons). Consequently, by 2031, the 55 years and over age group will comprise over one-third (37%) of Maroondah’s total population, while the proportion of persons aged under 55 years will have decreased to 63% (down from 78% in 2001). This means that, by 2016, the proportion of elderly residents in Maroondah (30%) will be higher than in both the EMR (29%) and the MSD (27%) and this gap is expected to have increased further by 2031 (to 37% in Maroondah, compared with 34% in the EMR and 33% in the MSD).

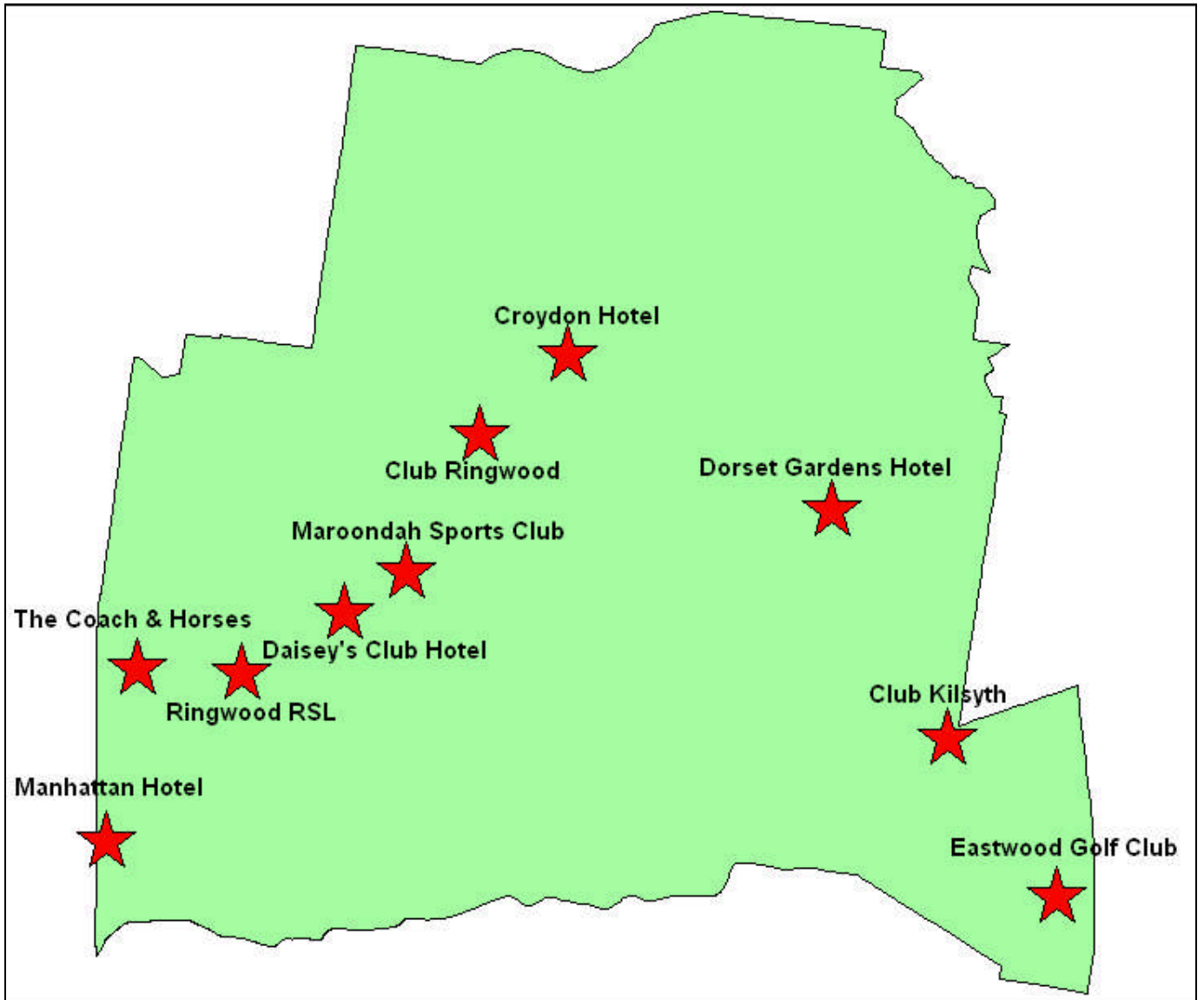
**Figure 2. Projected Change in Maroondah’s Population by Age Group**



<sup>27</sup> Source: Department of Sustainability & Environment, Victoria in Future 2004.



## APPENDIX B: Map of Municipality & Gaming Venue Locations



## APPENDIX C: Gaming Venues, Gaming Operators & Number of EGMs in Maroondah

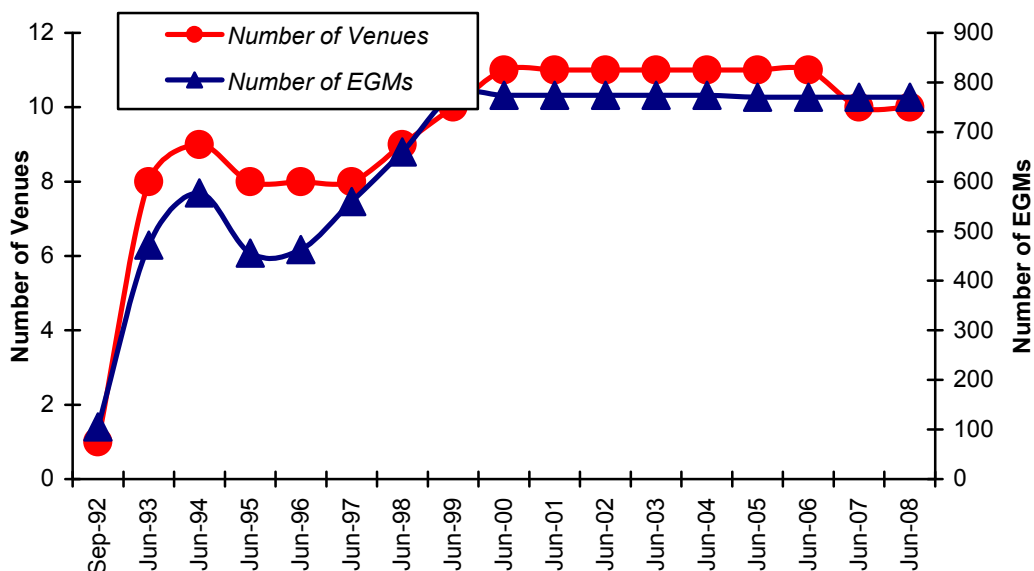
Venue Name	Address	Licensed EGMs	Venue Type	Gaming Operator	Approved Venue Operator (Nominee)	Date Opened
<b>Club Kilsyth</b>	Cnr Canterbury & Colchester Roads Bayswater 3153	100	Club	Tabcorp	Mr Reginald Thomas	02/12/98
<b>Club Ringwood</b>	523-531 Maroondah Highway Ringwood 3134	75	Club	Tabcorp	Mr Grant John Wallace	09/07
<b>Croydon Hotel</b>	47 Maroondah Highway Croydon 3136	95	Hotel	Tabcorp	Mr Samuel Castello	23/12/92
<b>Daisey's Club Hotel</b>	6 Mt Dandenong Road East Ringwood 31345	75	Hotel	Tattersall's	Mr Ross Blair-Holt	03/12/93
<b>Dorset Gardens Hotel</b>	335 Dorset Road Croydon 3136	97	Hotel	Tabcorp	Ms Ruth Francis	16/07/92
<b>Eastwood Golf Club</b>	Liverpool Road Kilsyth 3137	19	Club	Tattersall's	Mr Neil Mitchell	16/07/93
<b>Manhattan Hotel</b>	Cnr Canterbury & Heatherdale Roads Ringwood 3134	103	Hotel	Tattersall's	Mr Ross Blair-Holt	03/11/93
<b>Maroondah Sports Club</b>	Mt Dandenong Road East Ringwood 3135	56	Club	Tabcorp	Mr Barry Dawson	28/01/93
<b>Ringwood RSL</b>	16 Station Street Ringwood 3134	70	Club	Tattersall's	Mr Harrison Seymour	03/04/93
<b>The Coach and Horses</b>	33 Whitehorse Road Ringwood 3134	80	Club	Tabcorp	Mr Gregory Swann	03/00
Total: 10 Venues		Total: 770 EGMs (Hotels: 370; Clubs: 400)	Total: 6 Clubs; 4 Hotels	Total: 6 Tabcorp; 4 Tattersall's		

*Information from the Victorian Gambling for Regulation website, current at July 2008.*



## APPENDIX D: Number of Gaming Venues & EGMs in Maroondah<sup>28</sup>

Date	Total Number of Gaming Venues	Total Number of EGMs
September 1992	1	105
June 1993	8	472
June 1994	9	577
June 1995	8	456
June 1996	8	459
June 1997	8	463
June 1998	9	560
June 1999	10	660
June 2000	11	774
June 2001	11	774
June 2002	11	774
June 2003	11	774
June 2004	11	774 <sup>29</sup>
June 2005	11	770
June 2006	11	770
June 2007	10 <sup>30</sup>	770
June 2008	10	770



<sup>28</sup> Information from the Victorian Commission for Gambling Regulation

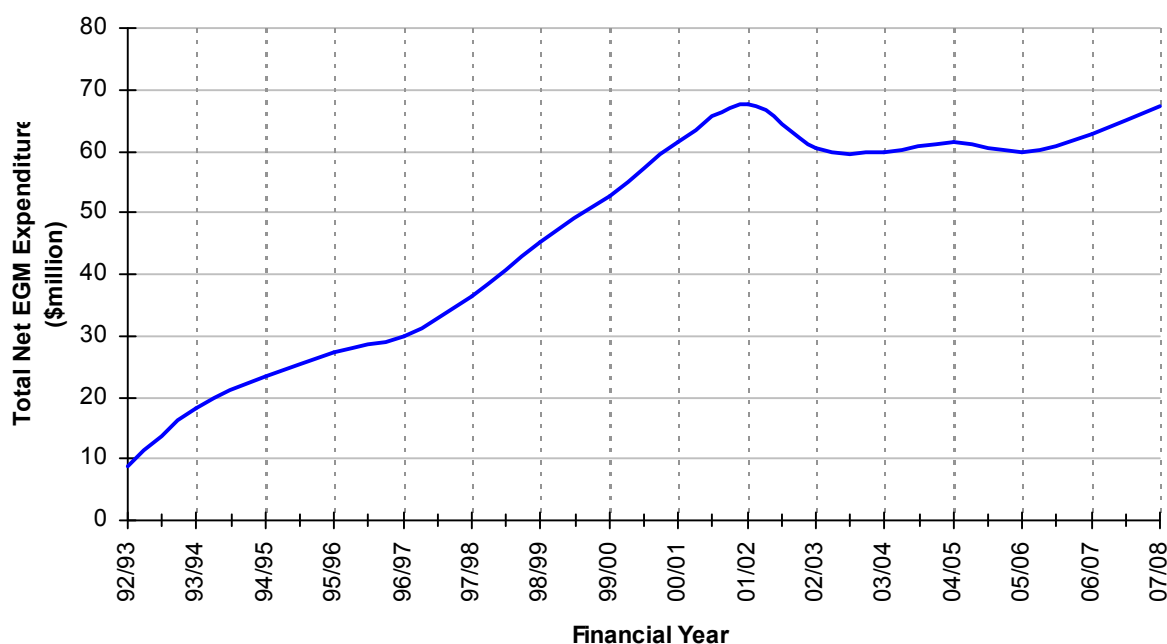
<sup>29</sup> 4 EGMs were removed from the Dorset Gardens Hotel on 23 November 2004, bringing the municipality total to 770 EGMs.

<sup>30</sup> All EGMs previously at the Bird & Bottle Sporting Club and the Croydon Golf Club venues were transferred to Club Ringwood which commenced operation in September 2007.



## APPENDIX E: Gaming Expenditure<sup>31</sup> in Maroondah

Financial Year	Total Net EGM Expenditure <sup>32</sup>	Net EGM Expenditure per Person <sup>33</sup>	Estimated Resident Population <sup>34</sup>
1992-1993	\$8,882,281.00	\$9.37	94,205
1993-1994	\$18,219,107.00	\$192.82	94,488
1994-1995	\$23,369,404.00	\$245.76	95,090
1995-1996	\$27,387,967.00	\$285.65	95,879
1996-1997	\$29,972,491.50	\$311.23	96,302
1997-1998	\$36,273,354.80	\$373.71	97,063
1998-1999	\$45,184,406.00	\$459.77	98,277
1999-2000	\$52,775,351.34	\$531.65	99,268
2000-2001	\$61,426,740.00	\$612.56	100,279
2001-2002	\$67,762,071.71	\$673.46	100,618
2002-2003	\$60,639,465.41	\$602.31	100,678
2003-2004	\$59,765,106.47	\$592.07	100,943
2004-2005	\$61,601,373.94	\$601.39	102,432
2005-2006	\$59,718,732.34 <sup>35</sup>	\$578.87	103,165
2006-2007	\$62,885,693.38 <sup>39</sup>	\$603.97	104,120
2007-2008	\$67,186,595.70	\$639.36	105,084



<sup>31</sup> Net Gaming Expenditure refers to 'player loss' or the total amount wagered less total prizes/winning paid.

<sup>32</sup> Information from the Victorian Commission for Gambling Regulation

<sup>33</sup> Includes all person, irrespective of age.

<sup>34</sup> Data for 1992 to 2004 is from the Department of Sustainability & Environment, Know Your Area. Data for 2005-2007 is from the VCGR, based on the DSE Victorian in Future 2004 population projections.

<sup>35</sup> Club Kilsyth was destroyed in a fire in November 2005 and reopened in November 2006.



## APPENDIX F: Maroondah Planning Scheme – Clause 52.28 Gaming

### 52.28

18/10/2006  
VC39

### GAMING

#### 52.28-1

18/10/2006  
VC39

#### Purpose

To ensure that gaming machines are situated in appropriate locations and premises.

To ensure the social and economic impacts of the location of gaming machines are considered.

To prohibit gaming machines in specified shopping complexes and strip shopping centres.

#### 52.28-2

18/10/2006  
VC39

#### Permit requirement

A permit is required to install or use a gaming machine.

This does not apply in either of the following circumstances:

- Clause 52.28-3 or Clause 52.28-4 specifically prohibit a gaming machine.
- the gaming machine is in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

#### 52.28-3

18/10/2006  
VC39

#### Prohibition of a gaming machine in a shopping complex

Installation or use of a gaming machine is prohibited on land specified in a schedule to this clause.

This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

#### 52.28-4

18/10/2006  
VC39

#### Prohibition of a gaming machine in a strip shopping centre

Installation or use of a gaming machine is prohibited in a strip shopping centre if:

- the strip shopping centre is specified in the schedule to this clause.
- the schedule provides that a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.

This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

A strip shopping centre is an area that meets all of the following requirements:

- it is zoned for business use;
- it consists of at least two separate buildings on at least two separate and adjoining lots;
- it is an area in which a significant proportion of the buildings are shops;
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally;

but it does not include the Capital City Zone in the Melbourne Planning Scheme.

#### 52.28-5

18/10/2006  
VC39

#### Transitional arrangements

The requirements of Clause 52.28 as in force immediately before 18 October 2006 continue to apply to a gaming machine referred to in a transitional application and permitted in the



determination of a transitional application if a planning permit was not required immediately before 18 October 2006 for that gaming machine.

In this clause, "transitional application" means an application or request made, and not determined, before 18 October 2006 to the Victorian Commission for Gambling under the Gambling Regulation Act 2003 for either:

- an approval of premises for gaming, or variation of approval of premises for gaming, or
- amendment of conditions of a venue operator's licence to vary the number of permitted gaming machines for an approved venue.

**52.28-6 Decision guidelines**

18/10/2006  
VC39

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The compatibility of the proposal with adjoining and nearby land uses.
- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.

18/10/2006  
VC39

**SCHEDULE TO CLAUSE 52.28-3**

**Prohibition of a gaming machine in a shopping complex**

Name of shopping complex and locality	Land description
Eastland Shopping Centre, Ringwood	Land on the northeast corner of Bond St and Ringwood St, Ringwood
Ringwood Square, Ringwood	Land on the southeast corner of New St and Charter St, Ringwood
Ringwood Market, Ringwood	Land on the southwest corner of Ringwood St and Bond St, Ringwood
Arndale Civic Shopping Centre, Croydon	Land on the southeast corner of Mt Dandenong Rd and Civic Square, Croydon
Croydon Market, Croydon	Land on the south side of Kent Avenue and north side of Wicklow Avenue, Croydon
Croydon North Shopping Plaza, Croydon North	Land on the southwest corner and northwest corner of Maroondah Highway and Exeter Rd, Croydon North
Canterbury Gardens Shopping Centre, Bayswater North	Land on the south side of Canterbury Rd, approx. 150m west of Colchester Rd, Bayswater North
North Ringwood Shopping Centre, North Ringwood	Land bounded by Warrandyte Rd, Oban Rd and Dickson Crescent, North Ringwood

18/10/2006  
VC39

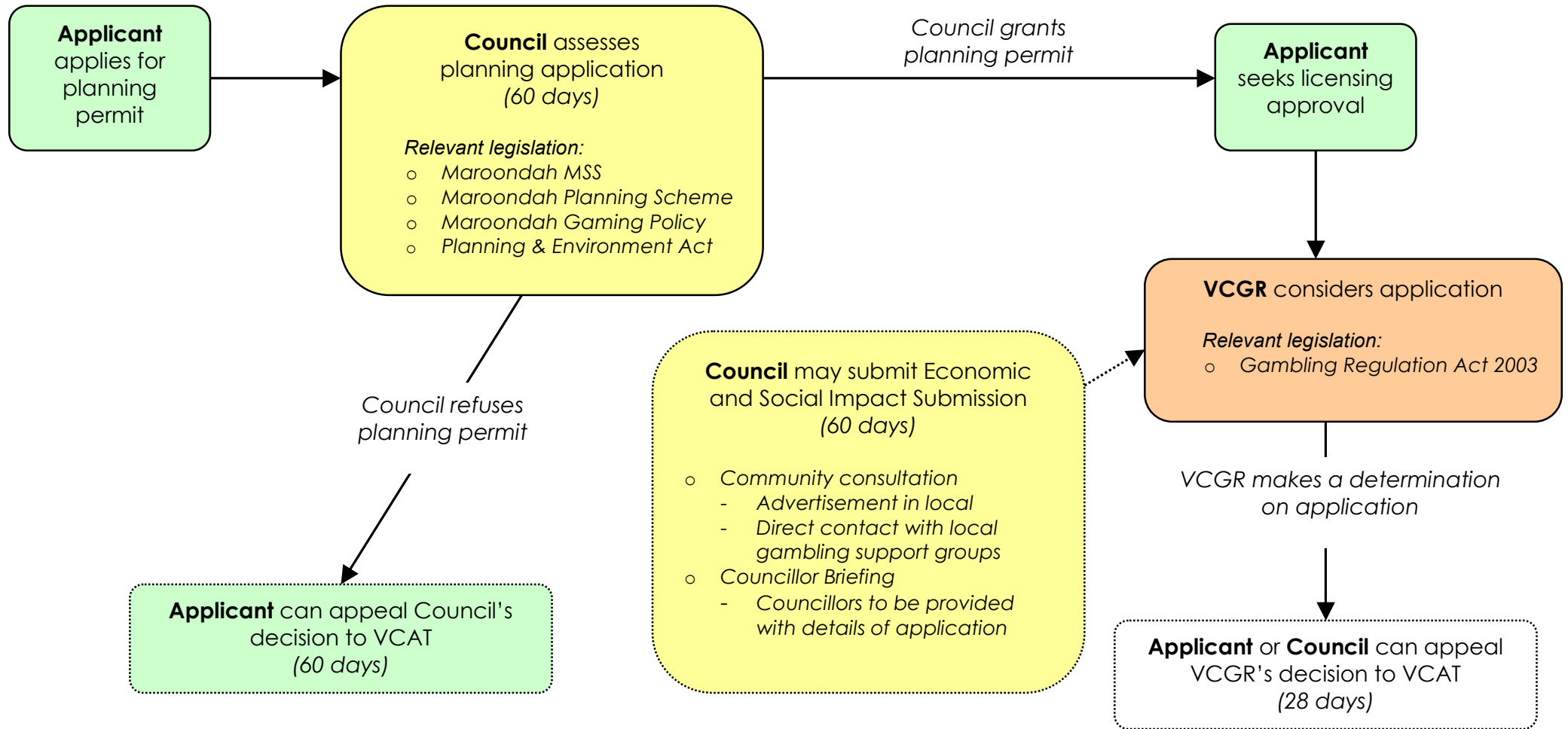
**SCHEDULE TO CLAUSE 52.28-4**

**Prohibition of a gaming machine in a strip shopping centre**

A gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.



## APPENDIX G: Council Process for Gaming Applications



## APPENDIX H: Victorian Government Legislation & Regulations

### Excerpt from the *Gambling Regulation Act 2003 (Vic.)*, Section 3.3.2

#### 3.3.2 Which premises may be approved as suitable for gaming?

- (1) An approval of premises as suitable for gaming may be given for any premises to which one of the following applies—
  - (a) a pub licence;
  - (b) a club licence;
  - (c) a racing club licence.
- (2) Premises may be approved before a licence referred to in sub-section (1) is granted or comes into force, but in that case the approval does not come into force until that licence comes into force.
- (3) Despite sub-section (1), an approval cannot be given under this Part for prescribed premises or premises of a prescribed class.

### Excerpt from the *Gambling Regulation Act 2003 (Vic.)*, Section 3.3.6

#### 3.3.6 Responsible authority may make submission

- (1) The relevant responsible authority may make a submission to the Commission on an application for approval of premises—
  - (a) addressing the economic and social impact of the proposal for approval on the wellbeing of the community of the municipal district in which the premises are located; and
  - (b) taking into account the impact of the proposal on surrounding municipal districts.
- (2) A submission must be in the form approved by the Commission and must include the information specified in the form.
- (3) A submission must be made within 60 days (or the longer period allowed by the Commission) after the responsible authority receives a copy of the application.

### Excerpt from the *Gambling Regulation Act 2003 (Vic.)*, Section 3.4.19

#### 3.4.19 Submissions on proposed amendments

- (1) Within 60 days (or the longer time allowed by the Commission) after receiving a copy of a request for an amendment referred to in section 3.4.18(2), a council may make a submission to the Commission—
  - (a) addressing the economic and social impact of the proposed amendment on the wellbeing of the community of the municipal district in which the approved venue is located; and
  - (b) taking into account the impact of the proposed amendment on surrounding municipal districts.
- (2) A submission under sub-section (1) must be in the form approved by the Commission and must include the information specified in the form.
- (3) The Commission must give the venue operator at least 28 days to make any other submissions to the Commission concerning any proposed amendment (whether proposed by the Commission or the venue operator) and must consider the submissions made.
- (4) The venue operator may waive the right under sub-section (3) to make submissions concerning a proposed amendment by giving notice in writing signed by the venue operator to the Commission.
- (5) The Commission must consider any submissions made in accordance with this section.

### Excerpt from the *Gambling Regulation Act 2003 (Vic.)*, Section 3.5.35

#### 3.5.35 Prohibition on displaying gaming machine related signs

- (1) A person must not display or cause to be displayed any gaming machine related sign.  
Penalty: 20 penalty units.
- (2) A person must not enter into, or extend the duration of, any contract or arrangement for displaying a gaming machine related sign that is displayed in contravention of sub-section (1).  
Penalty: 20 penalty units.



- (3) Any such contract or arrangement entered into or extended has no effect.
  - (4) This section prevails over the **Business Names Act 1962**.
  - (5) In this section—
    - "gaming machine related sign"** means any sign (whether consisting of words, symbols, pictures or any other thing)—
      - (a) that draws attention to, or can reasonably be taken to draw attention to, the availability of gaming machines for gaming; or
      - (b) that uses a term or expression frequently associated with gaming machines—
- but does not include any sign that is excluded from the operation of this section by the regulations.

## **Gambling Regulation (Signage) Regulations 2005 (Vic.)**

### **1. Objective**

The objective of these Regulations is to prescribe signs that are excluded from the operation of section 3.5.35 of the **Gambling Regulation Act 2003**.

### **2. Authorising provision**

These Regulations are made under section 11.2.1 of the **Gambling Regulation Act 2003**.

### **3. Commencement**

These Regulations come into operation on 1 July 2005.

### **4. Definitions**

In these Regulations—

**"sign"** means either a single sided sign or a double sided sign;

**"street frontage"** means any side of an approved venue that abuts or is aligned to a road or road related area within the meaning of the **Road Safety Act 1986**;

**"the Act"** means the **Gambling Regulation Act 2003**.

### **5. Excluded signs—in gaming machine areas**

For the purposes of the definition of "gaming machine related sign" in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if—

- (a) the sign is located in the gaming machine area of an approved venue and is displayed to be viewed primarily from inside the gaming machine area; or
- (b) the sign is located inside the boundaries of a casino and is displayed to be viewed primarily from inside the boundaries of the casino.

### **6. Excluded signs—on approved venues**

For the purposes of the definition of "gaming machine related sign" in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if—

- (a) the sign is located on an approved venue; and
- (b) the sign (or each side of the sign) contains—
  - (i) the symbol in Part 1 of Schedule 1 and the word "TABARET" (used once); or
  - (ii) the symbol in Part 2 of Schedule 1; and
- (c) if the sign (or each side of the sign) contains the symbol in Part 1 of Schedule 1, the total area of the symbol and the word "TABARET" on the sign (or each side of the sign) does not exceed 2 square metres; and
- (d) if the sign (or each side of the sign) contains the symbol in Part 2 of Schedule 1, the area of the symbol on the sign (or each side of the sign) does not exceed 2 square metres; and
- (e) the sign contains no other words, numbers, symbols or pictures that draw attention to the availability of gaming machines for gaming or that are frequently associated with gaming machines, other than text that complies with the requirements of regulations 7(a) and 7(b); and



- (f) subject to paragraph (g), only one sign under this regulation is displayed on the approved venue; and
- (g) if the approved venue has more than one street frontage, no more than 2 signs under this regulation are displayed, and—
  - (i) one of those signs is displayed on each street frontage of the approved venue; or
  - (ii) one of those signs is displayed across the corner of the approved venue and the other sign is displayed on a street frontage of the approved venue.<sup>1</sup>

#### 7. Excluded signs—directional signs

For the purposes of the definition of "gaming machine related sign" in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if—

- (a) the sign contains text that draws attention to the availability of gaming machines for gaming or terms or expressions frequently associated with gaming machines but that text is limited to—
  - (i) words; or
  - (ii) numbers; or
  - (iii) arrow symbols; or
  - (iv) a combination of words, numbers and arrow symbols—
 

the purpose of which is to give directions to the location of the gaming machine area of an approved venue or the area of the casino in which gaming machines are situated; and
- (b) any words on the sign or, in the case of a double sided sign, on each side of the sign, that refer to the availability of gaming machines for gaming or use a term or expression frequently associated with gaming machines, in compliance with paragraph (a), do not exceed 0.3 of a square metre in size (when measured from the lowest and highest and the leftmost and rightmost extremities of the words); and
- (c) the sign contains no other words, numbers, symbols or pictures that draw attention to the availability of gaming machines for gaming or that are frequently associated with gaming machines; and
- (d) in relation to an approved venue, the sign is located—
  - (i) inside a building in which a gaming machine area of the approved venue is located; or
  - (ii) at any entrance to a building in which a gaming machine area of the approved venue is located and the sign is the only sign giving those directions at that entrance; or
  - (iii) at any entrance to a car park used primarily by patrons of the approved venue and the sign is the only sign giving those directions at that entrance; and
- (e) in relation to a casino, the sign is located—
  - (i) inside a building in which the casino is located; or
  - (ii) inside the area of land bounded by the Yarra River, Clarendon Street, City Road and Queensbridge Street.<sup>2</sup>

#### 8. Excluded signs—signs for clubs not on freeways or arterial roads

For the purposes of the definition of "gaming machine related sign" in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if—

- (a) the sign is displayed by an approved venue that—
  - (i) has a club licence within the meaning of section 10 of the **Liquor Control Reform Act 1998**; and
  - (ii) is not located on a freeway or arterial road within the meaning of the **Road Management Act 2004**; and



- (b) the sign contains text that complies with the requirements set out in regulations 7(a) and 7(b); and
- (c) the sign contains no other words, numbers, symbols or pictures that draw attention to the availability of gaming machines for gaming or that are frequently associated with gaming machines, other than a symbol, or symbol and word, that complies with the requirements set out in regulations 6(b), 6(c) and 6(d); and
- (d) only one sign under this regulation is displayed by the approved venue.<sup>3</sup>

**9. Excluded signs—convention signs**

For the purposes of the definition of "gaming machine related sign" in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if the sign is displayed at—

- (a) a trade promotion event for the gaming industry; or
- (b) a convention for the gaming machine industry.

**10. Excluded signs—corporate logo**

For the purposes of the definition of "gaming machine related sign" in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if the sign (or each side of the sign) contains only—

- (a) the symbol in Schedule 2; or
- (b) the symbol in Schedule 2 and the word "CROWN" (used once); or
- (c) the word "CROWN" (used once).

**11. Excluded signs—problem gambling**

For the purposes of the definition of "gaming machine related sign" in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if the sign consists only of information about problem gambling or services relating to problem gambling.

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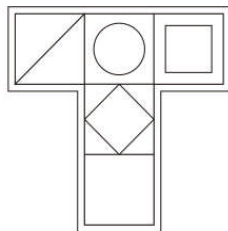


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**SCHEDULES**

**SCHEDULE 1: GAMING SYMBOLS**

**PART 1**



**PART 2**



**SCHEDULE 2: CORPORATE LOGO**



## APPENDIX J: VAMPIRE Index

*For more information on the research discussed in this Appendix, refer to Jago Dodson and Neil Sipe's report Shocking the Suburbs: Urban Location, Housing Debt and Oil Vulnerability in the Australian City.*

*A copy of the report can be downloaded from Griffith University's website:  
[www.griffith.edu.au/centre/urp/urp\\_publications/research\\_papers/URP\\_RP8\\_MortgageVulnerability\\_Final.pdf](http://www.griffith.edu.au/centre/urp/urp_publications/research_papers/URP_RP8_MortgageVulnerability_Final.pdf)*

### Research Background and Findings

Dodson and Sipe's (2006) research examines the socio-economic risk to households from a combined impact of rising mortgage expenses, rising petrol prices and inflationary pressures. The vulnerability of households to these economic phenomena has a socio-spatial distribution so that households with mortgages residing in outer-suburban locations are most adversely affected, largely because of their housing debt and the poor quality of alternative travel modes to the private car.

These findings have implications on the capacity of certain sections of the community in the City of Maroondah to sustain additional financial gambling losses.

### The VAMPIRE Index

The researchers developed the Vulnerability Assessment for Mortgage, Petrol and Inflation Risks and Expenditure (VAMPIRE) index to assess the average vulnerability of households within collection districts (CDs). The index uses four variables from the Australian Bureau of Statistics Census of Population and Housing:

- Proportion of those who travel to work by car (either as a driver or passenger)
- Proportion of households with two or more cars
- Median weekly household income
- Proportion of dwellings that are being purchased (either through a mortgage or a rent/buy scheme).

The first two variables indicate the extent of car dependence, the income variable measures the financial capacity of households to absorb price increases and the last variable factors in the prevalence of mortgage tenure (and therefore the exposure of households to interest rate rises).

To determine the VAMPIRE index for collection districts, a value assignment system and weighting scale were used as shown in Tables 1 and 2.

**Table 1. Value Assignment**

Percentile (CDs)	Value Assigned to Each Variable			
	≥ 2 Cars Owned	Travel to Work by Car	Income	Mortgage
100	5	5	0	5
90	4	4	1	4
75	3	3	2	3
50	2	2	3	2
25	1	1	4	1
10	0	0	5	0

**Table 2. Variable Weightings**

Indicator	Weighting
≥ 2 Cars Owned <i>plus</i> Travel to Work by Car	33.3%
Income	33.3%
Mortgage	33.3%

Based on the weighting system shown in Table 2, greater weight is assigned to the income and mortgage variables compared with the car ownership and travel to work variables. The total possible VAMPIRE score for each CD is 30 (potential 5 points for each of the car ownership and travel to work variables, and potential 10 points for each of the income and mortgage variables).

The results can then be presented through a thematic map to provide an indication of relative vulnerability within each CD.



## **APPENDIX K: Definition of Terms**

### **Approved Venue**

Premises on which a venue operator is licensed to conduct gaming

### **Club**

Land used by members of a club or group, or by members' guests, for religious or cultural activities, entertainment or meetings, and in respect of which a club licence (whether full or restricted) under section 48 of the *Liquor Control Act 1987* is in force.

### **Electronic Gaming Machine (EGM)**

Any device, whether wholly or partly, mechanically or electronically operated, that is designed so that:

- (a) it may be used to play a game of chance, or a game of mixed chance and skill; and
- (b) as a result of making a bet on the device, winnings may be payable.

### **Gaming Application**

An application for approval by the Local Government Authority and/or the State authority to establish a new gaming venue or to increase the number of EGMs in an existing gaming venue.

### **Hotel**

Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines and gambling.

### **New Gaming Venue**

An existing or proposed club or hotel facility for which there is no licence to install and use EGMs, and for which the owner or person authorised by the owner is applying for a planning permit to install and use EGMs.

### **Net EGM Expenditure**

Total amount wagered on EGMs, less the total amount of winnings/prizes paid to players, ie 'player loss'

### **Problem Gambling**

The situation where gambling gives rise to harm to the individual player and/or to his or her family and may extend to the community<sup>36</sup>.

### **Strip Shopping Centre**

An area zoned for business use and consisting of at least two separate buildings on at least two separate and adjoining lots, and in which a significant proportion of the buildings are shops, and in which a significant proportion of the lots abut a road accessible to the public generally.

### **Victorian Commission for Gambling Regulation (VCGR)**

The State regulatory body with the responsibility for the regulation of gambling and the issue of venue operator licences. The VCGR is governed by the *Gambling Regulation Act 2003* (Vic.).

### **Victorian Civil and Administrative Tribunal (VCAT)**

State tribunal for dealing with a range of disputes, including planning and environment matters. The legislation that governs VCAT is the *Victorian Civil and Administrative Tribunal Act 1998* (Vic.).

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<sup>36</sup> Productivity Commission, 1999.



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