

Strategic Reference Document for Gaming in Hume City

November 2007



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List of Abbreviations

ABS – Australian Bureau of Statistics

CBD – Central Business District

CBS – Community Benefit Statements

CSF – Community Support Fund

EGM – Electronic Gaming Machine

LGA – Local Government Area

SD – Statistical Division

SLA – Statistical Local Area

VCGR – Victorian Commission for Gambling Regulation

VCAT – Victorian Civil and Administrative Tribunal

VPPs – Victorian Planning Provisions

Preamble

Hume City Council was funded the Victorian Local Governance Association (VLGA) for the development of a Gambling Planning Framework.

Hume City Council engaged Coomes Consulting Group Pty Ltd to develop a Hume City Council Gambling Planning Framework, with of the following outputs:

- development of a strategic reference document for gaming in Hume City which will directly inform the development of a local planning policy for gaming. The reference document will also incorporate a spatial audit of Hume City's shopping complexes and shopping strips;
- development of a draft local planning policy for gaming for all planning zones, and
- development of standard suite of planning permit conditions regarding the location of gaming machines.

An Internal Council Steering Group was established, to provide guidance and input into the draft products.

The draft work was finalised and refined by Hume City Council staff.

Acknowledgements

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- Representatives of the gaming venues and community service providers for their participation and contribution to the project.
- Members of Coomes Consulting Group for the development and finalisation of the suite of draft documents related to the project: the draft strategic reference document – including and audit of shopping complexes and shopping strips; the local planning policy for gaming; and the suite of planning permit conditions.
- Members of the Internal Steering Group for their experience, guidance and assistance on the project, in particular to Kristine Mueller for project co-ordination and Kim Giaquinta for her strategic planning expertise.

Disclaimer: Consultation Document

Hume City Council has developed these documents: *Strategic Reference Document for Gaming in Hume City* and *Hume City Council Prohibited Gaming Areas* as part of its response to amendments in the Victorian Planning Provisions (Clause 52.28 Gaming). Community comment is sought by the 25th January 2008 to assist in improving the content of the document and to obtain comment and feedback from the Hume City community on any issues raised in this document. The final content of this document will be subject to the comments and feedback received through the consultation process.

Executive Summary

Context

Changes to the Victorian Planning Provisions on the 18th October 2006 require a planning permit be obtained for the location all new gaming machines in the State of Victoria. This document provides a planning framework and the strategic justification for a Strategic Reference Document for Gaming in Hume City, as it relates to applications for the installation or use of Electronic Gaming Machines (EGMs) in the municipality.

Gaming is a legitimate activity in Victoria and for the majority of gamblers gaming is a source of recreation. However, it is recognised that gaming can have serious detrimental implications for a small but significant proportion of gamblers.

Legislation

The legislative provisions governing the conduct of gaming are set out in a range of legislation, the most pertinent being the *Gambling Regulation Act 2003* and the *Planning and Environment Act 1987*.

The main objective of the *Gambling Regulation Act* is to foster responsible gambling in order to minimise harm caused by problem gambling and to accommodate those who gamble without harming themselves or others.

There is limited legislative clarity or guidelines for what constitutes an appropriate location for a gaming venue; however, the proposed location of gaming venues and machines must be in accordance with the planning objectives for Victoria as set out in the *Planning and Environment Act 1987*. Any development should consider the social, environmental and economic impacts to ensure it will produce net community benefit and sustainable development.

The regulation of gaming is also influenced by State and local policy positions on gaming. A review of State and Hume policies has informed locational principles for gaming venues in the municipality.

Gaming in Victoria and Hume City

In 2007, the State of Victoria had 27,279 EGMs in 522 venues, resulting in an overall density of 6.86 machines per 1000 adult population. Average annual expenditure on gaming machines per adult in Victoria was \$639. There are 19 regions across Victoria, which are capped at 10 machines per 1000 adults or at the density at the time of the gaming cap announcement, whichever is the lower.

Hume City is a partly capped region with 803 machines located in 14 venues. The regional cap of 10 gaming machines per 1,000 adults will result in the removal of 32 gaming machines from the capped area by 18th December 2007. The municipality has a higher overall density than the State average at 7.2 EGMs per 1000 adults. Hume City also has a significantly higher than average annual expenditure at \$888 per adult.

Hume City Local Context

Hume City is a rapidly growing municipality on the metropolitan fringe of Melbourne, with high levels of growth occurring in Craigieburn and relatively lower, but steady growth, in Sunbury. There is a need to plan for a future population, including the recreational and entertainment needs of new communities.

Hume City has pockets of significant disadvantage across the municipality, particularly in the Broadmeadows Statistical Local Area—encompassing the suburbs of Broadmeadows, Dallas, Coolaroo, Meadow Heights, Campbellfield, Jacana and Westmeadows. New growth areas such as Craigieburn and Roxburgh Park are comparatively less disadvantaged (though still below State and metropolitan levels); however, large proportions of these households do suffer from housing stress and are financially vulnerable.

Many suburbs in Hume City experience on average low incomes, low educational attainment, low labour force participation, high unemployment, a lower proficiency in English and a higher proportion of single parent families. Hume City is also a highly diverse municipality with nearly half of the population speaking another language other than English at home. These indicators all contribute to Hume City's vulnerability to the harm caused by gambling.

Socio-Economic Implications – Research Findings

Research has identified that disadvantaged communities are more vulnerable to the negative impacts of gaming. The tension that exists within gaming is that whilst it is a legitimate, and for many enjoyable, form of entertainment, any policy must address the community concerns regarding problem gambling that is evident in the research.

Whilst there is no simple causal relationship between problem gambling and gaming venue locations, there are a number of features that can make an individual and the wider community more vulnerable to the harm caused by gaming. These include accessibility, socio-economic disadvantage, marital status, gender, ethnicity, exposure to gaming venues and social context. The main trigger for the problems of most problem gamblers is financial loss which has a range of social and personal repercussions for the gambler and the wider community.

The accessible location of gaming venues has been identified to correlate to the level of problem gambling. People who gamble at accessible venues (through co-location with other everyday activities where people congregate) are more likely to have higher expenditure, gamble more regularly and play for longer periods of time.

Socio-Economic Implications – Planning Considerations

The Hume Planning Scheme encourages recreational and entertainment facilities to locate within activity centres. However, the Planning Scheme also prohibits the locating of gaming venues in strip shopping centres and shopping complexes, a common feature of most activity centres. Planning considerations state that entertainment uses should be located in accessible areas to promote sustainable development.

The resolution of these conflicting issues to produce a net community benefit suggests that gaming venues should have the attributes of 'destination gaming', but embody principles of sustainable development. To overcome this conflict, venues should be located proximate to; but not within the retail core of activity centres in Hume City and located away from vulnerable communities.

Locational Principles for Gaming

Consideration of the legislative framework surrounding the location of gaming venues, when balanced with the key socio-economic and planning issues, has culminated the development of a set of locational principles for gaming venues. These principles focus on locating venues away from vulnerable communities where they will have negative impacts on that community and ensuring such venues are not convenient to the community; whilst supporting the fundamental principles of sustainable development and net community benefit.

Gaming venues should offer a range of services within the proposal and should also be located in areas where the community has a choice of recreational and entertainment options. This is particularly important in an area such as Hume when planning for new growth communities.

Local Planning Policy

This document provides a Local Planning Policy suitable for inclusion into the Hume Planning Scheme. There are also a range of planning tools including applicant requirements and an assessment tool for gaming venue applications. These tools will assist planners and applicants to better understand the new policy and complex planning and socio-economic issues involved in the location of gaming machines.

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

In January 2007 the Victorian Department of Justice announced funding opportunities for the development of Gambling Planning Frameworks. The Victorian Local Governance Association (LGA) assisted in securing funding for Local Councils to undertake the work necessary in developing their own gambling planning frameworks, including local planning policies for gaming.

These frameworks provide the opportunity for municipalities to respond to gambling as a planning concern. By increasing the planning control over gaming, Councils can influence the location of gaming machines and give consideration to the social and economic effects of new gaming machines.

Gaming is a legitimate activity in Victoria and for the majority of gamblers gaming is a source of recreation. However, gambling does have serious detrimental implications for a small but significant proportion of gamblers. The industry should be transparent, customers informed and policy adopted that mitigates the negative impacts on the community and increases the benefits of gaming.

In June 2007 Hume City engaged Coomes Consulting to develop a Gambling Planning Framework for the municipality. This document provides an evidence base for a Gaming Policy suitable for inclusion within the Hume Planning Scheme. Section 8.3 of this document provides a policy suitable for inclusion into the planning scheme.

The methodology relied upon in preparing this policy is detailed in Attachment 1.

3 The Legislative Context to Gaming

This section provides the legislative context for gaming in Victoria. It discusses gaming as it relates to gambling and planning legislation at a State and local level.

The legislation and subordinate legislation discussed in this section sets the context in which decisions on the locations of gaming machines and gaming venues can be made. Operational provisions are not discussed in detail in this report.

The provisions governing the conduct of gaming are set out in the following legislation:

- Gambling Regulation Act 2003
- Planning and Environment Act 1987
- Local Government Act 1989
- Casino Control Act 1991
- Casino (Management Agreement) Act 1993
- Liquor Control Reform Act 1998

Statutory Rules and Directions:

- Ministerial Direction No. S277 18 October 2006
- Ministerial Direction No. S124 Thursday 26 June 2003
- VCGR Determination No. S 318 Monday 11 December 2006
- Gambling Regulation Regulations 2005
- Gambling Regulation (Signage) Regulations 2005
- Gambling Regulation (Infringements Offences) 2006

3.1 The Regulation of Gaming (EGMs) in Victoria

In 1991 the Victorian Parliament passed legislation enabling the introduction of electronic gaming machines (EGMs) into hotels and licensed clubs (under the *Gaming Machine Control Act 1991*). Melbourne's Crown Casino opened on 30 June 1994.

The *Gambling Regulation Act 2003* ('the Gambling Act') re-enacts and consolidates various laws relating to gambling in Victoria and establishes various powers and authorities on gambling.

The main objectives of the Gambling Act (under Section 1.1(2)) are:

- (a) *to foster responsible gambling in order to -*
 - (i) *minimise harm caused by problem gambling; and*
 - (ii) *accommodate those who gamble without harming themselves or others;*
- (f) *to promote tourism, employment and economic development generally in the State.*

The Gambling Act identifies that gambling has both positive and negative impacts on the community. The challenge for managing gaming is to produce a balanced outcome by enabling gaming as a form of recreation while minimising the harm caused by problem gambling.

The Gambling Act states that premises suitable for gambling in Victoria must have one of the following licenses:

- a pub license
- a club license
- a racing club license

Therefore, appropriate venues for gaming are decided jointly by Consumer Affairs Victoria under the *Liquor Control Reform Act 1998*.

The Gambling Act establishes the Victorian Commission for Gambling Regulation (VCGR) (under Section 1.1 (3)(j)) to oversee the conduct of gambling in Victoria and gives it the power to grant or refuse an application for a gambling license. Approval is given to a premise for gaming under Division 2, Part 3, Chapter 3 of the Act.

Pursuant to Sections 3.3.6 and 3.4.19 of the Gambling Act, Council (as the “relevant responsible authority”) may make a submission to the VCGR on a gaming application and should address the social and economic impact of the proposed application on community wellbeing and on surrounding municipal districts.

The Gambling Act gives power to the Minister to give Directions to the VCGR on requirements for gaming machines are set out in Section 3.2.3. Such matters include:

- the maximum permissible number of gaming machines available for gaming in the State;
- the maximum permissible number of gaming machines available for gaming in any approved venue in the State or a specified part of the State
- the proportion to be located outside the Melbourne Statistical Division;
- the proportion of machines to be placed in a premises with a pub license, club license or racing club license.

Section 3.2.4 of the Gambling Act further sets out the ministerial powers to determine regional areas and the regional limits permissible within them.

Taxation of gaming revenue is set out in Section 3.6.6 of the Gambling Act. A venue operator of an approved venue with a pub license must pay to the Commission 8.333% of total daily net cash balances, to be paid into the Consolidated Fund (Community Support Fund).

Each financial year, approved venues who received gaming revenue over that year are required to submit a Community Benefit Statement under section 3.6.9, which must state the percentage of gaming revenue applied for community purpose. Under the Act ‘community purpose’ is defined as an activity determined

by the Minister under section 3.6.9(3). Refer Attachment 2 for Ministerial Direction S124 (June 2003) on the activities that constitute community purpose.

In June 2007, the Office of Gaming and Racing released an information paper '*Community Benefit Statements: A new direction*' which outlines the State Governments proposed reforms to community benefit statements. Within this document it is acknowledged that some community benefit statements are failing to meet their purpose of '*showing the public exactly how gaming machines provide benefits to the community*,' This was due predominately to the broad range of activities that can be claimed for community purposes. The Minister has made a commitment to adopt these recommendations in 2008.

Section 11.2.1 of the Gambling Act sets out the regulations put in place by the Act. The objective of these regulations is to provide for matters relating to gaming machines and other matters that are authorised or required to be prescribed by the Gambling Act including display of time of day, lighting and external views, printed and electronic information and loyalty schemes. These matters are controlled under the *Gambling Regulation Regulations 2005*.

3.2 Planning

The *Planning and Environment Act 1987* (the P&E Act) establishes a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians. The P&E Act establishes the content and regulation of planning schemes in Victoria and recognises the legal power of authority over various issues covered by the Act.

The most pertinent objective of the Act with regard to the regulation of gaming machines and gaming venues are:

- 4. (1) (a) *to provide for the fair, orderly, economic and sustainable use, and development of land;*
- (c) *to secure a pleasant, efficient, safe working living and recreational environment for all Victorians and visitors to Victoria;*
- (g) *to balance the present and future interests of all Victorians.*

In addition to these objectives, Section 4(2)(d) requires that consideration be given to the social and economic impact of the use and development of land.

Section 60 of the P&E Act sets out the matters a responsible authority must consider before deciding on a planning application. These include the relevant planning scheme and the objectives of planning in Victoria. Before deciding on an application the responsible authority may consider any significant social and economic effects of the use or development for which the application is made.

The P&E Act gives Council, as the responsible authority, the power to grant or refuse a planning permit for the installation or use of a gaming machine.

A planning scheme may set out policies and specific objectives under section 6(2)(a) without limiting the relevant State policy. A planning scheme may also regulate or prohibit the use or development of any land under Section 6(2)(b).

3.3 Subordinate Legislation and Directions

The legislative context is complemented by the following relevant directions and subordinate legislation:

3.3.1 Directions and Subordinate Legislation

- Ministerial Direction
 - Victorian Government Gazette – No. S277 18 October 2006
 - Sets out key parameters for the maximum permissible number of gaming machine available for gaming in Victoria and operational controls
- VCGR Determination
 - Victorian Government Gazette - No. S 318 Monday 11 December 2006
 - Permissible number of gaming machines in capped areas in Victoria
- Ministerial Determination
 - Victoria Government Gazette - No. S124 Thursday 26 June 2003
 - Community Benefit Statements and what constitutes 'community purposes'
- Gambling Regulation Regulations 2005
- Gambling Regulation (Signage) Regulations 2005
- Gambling Regulation (Infringements Offences) 2006

3.3.2 Planning Schemes

The location of gaming machines is further guided by the following provisions across Victoria.

State Policy and Provisions

The removal of former Clause 19.02 on gaming in October 2006 means there is no State policy for the regulation of gaming in planning schemes throughout Victoria.

The use of land for the purposes of gaming, like other land uses, is regulated by the State policies set out at Clauses 10-19 of the VPPs. These policies must be taken into account when making a decision under the planning scheme. Those policies that are relevant to the location of gaming machines in Victoria relate to the following key themes:

- Net Community Benefit and Sustainable Development
Clause 11.02 The goal of the State Planning Policy Framework seeks to ensure the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic

factors in the interests of net community benefit and sustainable development.

- Entertainment and Recreation

- | | |
|----------------|--|
| Clause 12.06-2 | Increase access to the arts, recreational and other cultural facilities |
| Clause 14.01 | The objective of this clause is to ensure a sufficient supply of land is available for residential, commercial, industrial, recreational, institutional and other public uses. |

- Activity Centres and Sustainable Transport

- | | |
|----------------|--|
| Clause 12.01-2 | Develop a network of activity centres that are the focus for business, shopping, working, leisure and community facilities.
Ensure activity centres are developed in such a way that reduce the number of private motorised trips by concentration activities that generate high numbers of trips in highly accessible locations. |
| Clause 17.01 | The objective of this clause is to encourage the concentration of major retail, commercial, administrative, entertainment and cultural developments into activity centres (including strip shopping centres) which provide a variety of land uses and are highly accessible to the community. |

- Gaming

- | | |
|----------------|--|
| Clause 52.28 | Under this provision, a planning permit is required to install or use gaming machines. This provision was introduced in October 2006 as part of the State Amendment VC39. It creates a discretion which a local policy will inform. |
| Clause 52.28-1 | The purpose of this Clause is: <ul style="list-style-type: none">• To ensure that gaming machines are situated on 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 |
| Clause 52.28-4 | A strip shopping centre is defined as an area that meets all of the following requirements: <ul style="list-style-type: none">• 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; and
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally.

Clause 52.28-6

The decision guidelines state that before deciding on an application a responsible authority must consider:

- 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.

- Gaming – Hume City

Local Schedules to Clause 52.28 allow Council to specify local shopping complexes and strip shopping areas where gaming is prohibited.

Schedule to Clause 52.28-3: Specifies eight shopping complexes where gaming venues are prohibited:

- Broadmeadows Plaza, Broadmeadows
- Greenvale Shopping Centre, Greenvale
- Craigieburn Shopping Centre, Craigieburn
- Gap Road Shopping Centre, Sunbury
- Gladstone Park Shopping Centre, Tullamarine
- K Mart, Mahoney Road, Campbellfield
- Meadow Heights Shopping Centre, Meadow Heights
- Sunbury Square Shopping Centre, Sunbury

Schedule to Clause 52.28-4: Under the Hume Planning Scheme, this Schedule states *“a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme”*.

The relevant section of the Hume Planning Scheme (Clause 52.28) is provided at Attachment 3

3.4 State Government Policy Position

The State Government's approach to gambling within Victoria is informed by the following principles:

- Developing and reinforcing the Government's commitment to responsible gaming through measures that assist and protect problem gamblers and those at risk of becoming problem gamblers, their families and the wider community.
- Developing and maintaining the States commitment to the highest standards of probity for gambling service providers;
- Accepting gambling is a valid activity for many Victorians who are entitled to expect ongoing high standards of service, transparency and accountability from the gambling sector.
- Ensuring that the legitimate financial benefits of gambling (both public and private) are transparent appropriately recognisable and fairly distributed to the Victorian community.
- That to the extent possible consistent with the other principles, that gaming service providers operate in a competitive environment.
- Establishing proper consultative processes to ensure that appropriate information is given to, and input is received from, the wide variety of persons interested in gambling including stakeholder, affected parties and to the wider extent possible, the broader Victorian community.

Also, *Taking Action on Problem Gambling: A strategy for combating problem gambling in Victoria* (2006) is the State Government's 5 year strategy to address problem gambling. It was published concurrently with Amendment VC39.

The *Taking Action on Problem Gambling* strategy sets out a number of major initiatives and actions to be taken by Government including:

- Reviewing and extending regional caps to 19 regions (at 10 machines per thousand adults);
- Introducing a maximum EGM density of 10 machines per thousand adults by 2010;
- Researching the community benefit of "destination gambling";
- Amending the VPPs to require a planning permit for the establishment of gaming venues;

The fourth action area of this strategy is entitled *Protecting Vulnerable Communities* which sets out the Government's position on the locating of gaming machines in areas of low socio-economic areas. These areas are considered to be particularly at risk from the harm associated with problem gambling.

The Strategy states that the Government is committed to "*effectively managing the distribution of gaming opportunities to better protect the communities most at risk from problem gambling*" including the expanded regional caps.

The strategy relies on previous research and the recommendations of the *Regional Caps Review Panel* (2005) to commit to the further investigation of

whether destination gaming can deliver community benefit to Victoria. This strategy recognises that further evidence is required to justify this recommendation but is supportive of the initial evidence available on destination gaming.

A Fairer Victoria (2005) is the State Government's social policy action plan aimed at reducing social disadvantage and creating opportunities.

The plan aims to minimise inequality and disadvantage by:

- Emphasising early intervention and prevention
- Matching local service delivery to individual needs
- Assisting communities to support individuals to overcome problems
- Making services easier to access, more responsive and more successful.

The plan acknowledges that disadvantage is concentrated in particular locations where it adversely affects people's chances in relation to jobs, health and education.

Victoria was the first Australian state to enact formal protection of human rights by introducing a *Charter of Human Rights and Responsibilities* in 2006. This charter will ensure that human rights are valued and protected within government and the community in Victoria. Human rights are essential in a democratic and inclusive society that respects the rule of law, human dignity, equality and freedom.

3.5 Local Policies and Provisions

This section reviews relevant policies and strategies (including those which have been adopted by Council and incorporated into the planning scheme) that inform the location of gaming venues.

3.5.1 Hume Planning Scheme

- Municipal Strategic Statement

Clause 21.01-5	Key issues affecting Hume City include: <ul style="list-style-type: none"> • Management of urban growth; • Maintaining social and physical infrastructure • Creating employment opportunities and access to employment • Development of activity centres
Clause 21.02-1	Council's vision for Hume City (as stated in the Council Plan is: <i>Hume – a prosperous, progressive, sustainable and vibrant city: distinguished by the diversity of its community and renowned for social justice and community inclusion.</i>
Clause 21.02-6	The Hume Strategic Framework Plan indicates future growth and land use for

- Hume City, including the orderly development of the growth areas of the Merri (Hume) Growth Corridor and Sunbury, a focus on sustainable and comprehensive transport planning and the establishment of a hierarchical framework for the future development of activity centres in the municipality (See table 2).
- Clause 21.03 Outlines the broad State Policy Context in relation to future growth for Hume. The Merri (Hume) corridor is one of five urban growth corridors in metropolitan Melbourne and is experiencing rapid development. This Clause outlines the objectives and strategies for different localities within Hume City. See table 1 below.
- Local Policy Planning Framework

Clause 22.05 Broadmeadows Transit City Local Policy seeks to establish a safe, vibrant, and viable Principal Activity Centre in Broadmeadows.

Clause 22.06 The Sunbury Town Centre Local Policy seeks to consolidate and revitalise the Sunbury Town Centre as a Major Activity Centre in the municipality.

Clause 22.12 The Roxburgh Park Activity Centre Local Policy seeks to facilitate the development of the activity centre with a range of commercial and light industrial activities compatible with surrounding retail land use.

**Table 1: Objectives and Strategies for Settlements
(Summarised from Clause 21.03 and Local Policies)**

Broadmeadows - Transit City and Principal Activity Centre

- Encourage the continued development of the Broadmeadows Transit City as a Principal Activity Centre and Transit City to be preserved for business, cultural, entertainment, education and professional services and facilities and higher order retailing
- Services such as hotels, motels, restaurants, conference meeting and reception facilities along Pascoe Vale Road and eastward

Craigieburn - Designated Major Activity Centre

- Development of the proposed Craigieburn Town Centre to service the needs of future residents of the Hume Growth Corridor and ensure maximum accessibility to a range of retail, office, education, recreation, entertainment and cultural facilities and services.
- Ensure that all residents have convenient and safe access to a range of schools, jobs, leisure facilities, community facilities and shops.

Roxburgh Park - Major Activity Centre

- Encourage the Roxburgh Park Shopping Centre as a core retail centre in the area
- Facilitate the development of the Roxburgh Park Activity Centre with a range of commercial and light industrial activities compatible with surrounding land use.

Dallas, Coolaroo and Campbellfield Neighbourhood - Neighbourhood Activity Centres

- Support the development of a regional sporting, entertainment and leisure facility in Northcorp Industry Park.
- Implement a Broadmeadows/Dallas urban renewal program

Gladstone Park / Tullamarine - Major and Neighbourhood Activity Centres

- Enhance the livability and amenity of the neighbourhood and the community's accessibility to a range of education, retail, community and recreation services and facilities.

Greenvale, Attwood and Westmeadows Neighbourhoods

- Small, mainly residential areas with convenient access to infrastructure and services
- Only Neighbourhood Activity Centres to be supported in this area

Rural Areas

- Maintain rural areas as a non-urban buffer separating Sunbury from the main metropolitan areas of Melbourne

Somerton

- Encourage Somerton as a vibrant and active industry and employment corridor

Sunbury - Major Activity Centre

- Encourage the orderly expansion of Sunbury as a self-contained Major Activity Centre that would benefit from additional retail and entertainment facilities
- Encourage employment opportunities within Sunbury
- Limit retail development outside of Sunbury Town Centre
- Encourage the provision of a greater range of comparison and convenience shopping facilities, entertainment and recreation services and facilities to consolidate the Centre's role as a Major Activity Centre.
- Locate retail developments that have large floor area requirements and are dependent on high exposure and vehicular access outside of the retail 'core', but within the Centre.

3.5.2 Hume City Council Policies and Strategies

Applicable policies incorporated into the planning scheme include:

- City Plan 2030
- Hume City Council Plan 2006-2010
- Activity Centre Hierarchy 2004
- Transit Priorities Plan 2004
- Broadmeadows Transit City Masterplan 2004
- Craigieburn Strategy Plan 1993
- Sunbury Strategic Framework Plan 2005.

Council Plan 2006-2010 and City Plan 2030

The Vision for Hume City is:

'Hume- a prosperous, sustainable and vibrant City: renowned for social justice, lifelong learning and community inclusion.'

Hume in the year 2030 will be:

"the ideal location for healthy living, lifelong learning, employment, recreation, enjoyment and prosperity"

The strategic objectives of the Council Plan are based on the outcomes of the Hume City Plan and focus on nine themes:

- Community wellbeing
- Health and wellbeing
- Arts, leisure and culture
- Lifelong learning
- Economy and employment
- Environment
- Appearance of the city
- Transport
- Council.

Activity Centre Hierarchy Study (2004)

The purpose of the report is to confirm the activity centre hierarchy of Hume and to provide a clear decision-making framework for Hume's activity centre network development over the next 20 years. The study identifies issues and opportunities relating to activity centres in the municipality to help guide future development. This hierarchy is summarised in the table below.

Table 2: Hierarchy of Activity Centres	
Level	Urban Centre
Transit City and Principal Activity Centre	Broadmeadows
Specialist Activity Centre	Melbourne Airport
Major Activity Centre	Roxburgh Park Shopping Centre, Craigieburn Town Centre, Gladstone Park Shopping Centre, Sunbury Town Centre
Neighbourhood Activity Centre	Campbellfield Plaza, Craigieburn East, Meadow Heights, Greenvale, Westmeadows Village, Dallas, Olsen Place, Tullamarine, Upfield shopping centres and Homestead Place.

Source: Activity Centre Hierarchy Study 2004

Centres that should be the focus of growth and expansion, according to the study, are:

- Broadmeadows Transit City
- Melbourne Airport
- Future Craigieburn Town Centre
- Roxburgh Park Shopping Centre
- Gap Road Shopping Centre (Sunbury)
- New neighbourhood/ local centres in growth areas.

Strategic directions of Broadmeadows, Sunbury and Craigieburn Activity Centres can be found in the Broadmeadows Transit City Masterplan 2004; Craigieburn Strategy Plan 1993 and Sunbury Strategic Framework Plan 2005.

Transport Priorities Plan (2004)

The Transport Priorities Plan provides the framework for delivery of sustainable Hume City transport directions detailed in the Transport Strategy. The transport network will include sustainable land use design for neighbourhoods, major developments, activity centres and local facilities access.

3.6 Local Policy Position

This section reviews relevant policies and strategies adopted by Hume City that sit outside the planning scheme but are relevant documents in informing the local policy position on gaming.

Relevant policies adopted by Council include:

- Social Justice Charter 2001, 2004, and 2005
- Responsible Gaming Policy 2001
- Municipal Public Health Plan 2007-2010
- Tackling Poverty Together 2003
- Development Principles for Recreation and Community Facilities 2006
- Leisure Strategy Plan 2006-2010.

Social Justice Charter 2005

Building strong, vibrant and prosperous communities is an over arching objective of Hume City Council and social justice sits at the heart of this objective. Every citizen is entitled to aspire to that of a quality of life that allows them to freely realise their potential. Through the Social Justice Charter, Hume City Council affirms its respect for, and its commitment to promote these rights for all of its residents and their communities.

Some citizens do not enjoy these rights as they should. Some citizens do not enjoy the true equality of opportunity to which they are entitled. Hume City Council recognises that social justice requires additional actions to be taken.

The Social Justice Charter:

- Promotes strong and resilient communities
- Recognises the diversity of the Hume City community
- Responds to areas of disadvantage.

Through its Citizen's Bill of Rights in 2005, Council recognises that its citizens have rights to enjoy the highest quality of life and to participate in decisions which affect them.

Responsible Gaming Policy 2001

The aim of the Responsible Gaming Policy is to provide a framework for Council to respond to the applications for new or expanded gaming facilities within the municipality. The policy provides a set of guidelines to encourage responsible gaming practices by venue operators in the municipality which aim to minimise the harm of problem gambling and encourage a positive economic benefit to the municipality.

Council's position on gaming is that whilst it is one avenue for recreation within Hume City, it can cause harm to some people. Council believes it has a responsibility to collaborate on harm minimisation and encourage equitable distribution of income generated from gambling.

Hume City's approach to responsible gaming is underpinned by the view that each municipality should have an equitable share of gaming machines. Thus Council's position is that they want to see a comparative gaming machine density average to that of the Melbourne metropolitan average. This supports the State government's principle that:

'the legitimate financial benefits of gambling (both private and public) are transparent, appropriately recognisable and fairly distributed to the Victorian community.'

Municipal Health and Wellbeing Plan 2006 – 2009

This plan has been developed to ensure that there is a clear and well documented strategy to meet key health priorities. The strategic priorities that constitute the overarching strategies for the plan are:

- Together we do best - partnership and collaboration
- Investing in infrastructure and services – in line with population growth
- A caring and connected community to support those in need
- Keeping Healthy – a community free from infection and disease
- Healthy design - neighbourhoods that are planned for health

Key needs areas include:

- Improved mental Health
- Prevention of cancers, cardiovascular disease and diabetes
- Improved peri natal health outcomes
- Improved management of chronic disease
- Support for 'at risk' or disengaged population groups
- Healthy living strategies
- Improve health infrastructure in areas of increased need

A key element of the health plan is to develop a place based planning approach for the municipality, which focuses on specific local needs and enables solutions to be developed that are appropriate for that particular community.

Hume City recognises the importance of incorporating healthy design considerations into policies, strategies and plans that relate to the built environment as a means of protecting and improving the health of the community.

Tackling Poverty Together 2003

This policy develops an action plan for tackling poverty within Hume by:

- Determining the incidence, characteristics, and causes of poverty
- Identifying appropriate strategies to reduce the experience of poverty

Eight '*identity*' groups were recognised that are at experience high rates of poverty and at risk of poverty:

- Indigenous population
- Culturally Diverse People
- Women
- People in low-income earning occupations (Elementary Clerical, Sales and Service Workers and Labourers and Related Workers).
- Same sex attracted people
- People with a Disability
- Younger People
- Older People.

Development Principles for Recreation and Community Facilities 2006

These principles provide the basis for the planning of open space, recreation and community facility provision in newly developing communities.

The key principles outlined within the report for the provision of services for recreation and community infrastructure are:

- Catchment Hierarchy (refer table below)

Table 3: Hierarchy of Catchments		
Catchment	Community Infrastructure	Parks and Open Spaces
Neighbourhood	Local health, older persons services and state primary.	1:500 households
Sub-District	No provision at this level	1:1,500 households
District	2 community hubs per 3,000 households, 3 family resource centres, government and non government primary and secondary, a health clinic per 2600 households, community health centre and youth activity space.	1 park and active sporting reserve per 3,000 households and 2 recreation facilities.
Principal Population Centre	Community hub, art and cultural centre, family resource centre, library and learning centre higher education residential aged care, retirement village.	1 major park, sporting reserve and recreational facility
Regional	Art and cultural centre for region	Catchment beyond the municipality

Source: Hume City Development Principles, 2006

- Integration; communities will be integrated with the broader area and be provided with appropriate infrastructure according to size and the spatial relationship of existing facilities and proposed facilities
- Siting; where possible, facilities should be co-located in appropriate locations
- Transport; recreation and community facilities should be linked to the public transport network and should be developed as mixed use facilities
- Infrastructure; social infrastructure will be provide in a staged manner to meet a range of local and regional needs

Leisure Strategy Plan 2006-2010

The vision for the planning, management and delivery of leisure services in Hume City will be:

"Hume City will be the ideal location for healthy living recreation and enjoyment with residents of all ages, cultures and abilities benefiting from access to a complete range of responsive and accessible recreation services and sporting opportunities."

The plan acknowledges the extensive benefits to people's health and wellbeing through participation in leisure pursuits.

Population Growth and demographic trends will require that additional and appropriate recreation and leisure infrastructure is established in the future. Craigieburn is an area of particular note that will require additional recreation and leisure outlets.

3.7 Commentary

What is clear from a review of legislation, strategy and planning controls regarding gaming machines is that there is limited legislative clarity or guidelines for what constitutes an appropriate location for a gaming venue.

Various State Government strategies place a high importance on social justice and community wellbeing through developing programs and initiatives to minimise inequality and disadvantage.

The legislative context seeks to protect vulnerable members of the community from the possibly harmful outcomes of gaming machines, whilst recognising the activity is legitimate form of recreation throughout Victoria.

From the above legislative and policy review, the following broad conclusions can be drawn:

- The proposed location of gaming venues and machines must be in accordance with the planning objectives for Victoria, including securing a safe, pleasant working and recreational environment and balancing the present and future interests of all Victorians
- Any development should consider the social, environmental and economic impacts to ensure it will produce:
 - Net community benefit
 - Sustainable development
- Activity centres should be the focus for entertainment and leisure facilities.
- Entertainment uses and other uses which attract people are encouraged to locate with other uses in accessible areas to reduce the number of motorised trips made
- There are regulations in place such as community benefit statements and social impact assessments which aim to minimise the impact of EGMs on community wellbeing, however these are limited in their capacity to achieve positive outcomes for communities.

Gaming Venues

- Gaming venues should consider the social and economic impacts of the proposed use
- There is support for locating gaming machines away from areas of socio-economic disadvantage
- Gaming venues should not be located in:
 - Shopping complexes
 - Strip shopping centres
- Gaming venues should consider adjacent land uses
- There is indicated support from State Government for a destination style of gaming

Hume Local Policies

- Local policy and legislation supports State legislation
- Hume City is committed to social justice and community wellbeing.
- Hume City is committed to managing future growth areas and to the development of activity centres within the municipality
- Council's policy position on gaming is that they want to see a comparative gaming machine density average to that of the Melbourne metropolitan average.
- Growth areas are recognised as areas for future recreation and leisure facilities, which may make these areas vulnerable to future demand for EGM venues and its social and economic impacts
- There are places of lower socioeconomic advantage throughout the municipality suffering from social isolation and a sense of disconnection that may be susceptible to the risks associated with problem gambling.

4 Applications of Gaming Machines – Victoria, metropolitan Melbourne and Hume City

This section reviews how legislation and regulation have managed the implementation of gaming in Victoria and Hume City.

4.1 Victoria and metropolitan Melbourne

4.1.1 Electronic Gaming Machine Numbers

State Ministerial Directions issued on the 18 October 2006 set the following parameters on Victoria's gaming machine industry:

- The maximum number of gaming machines permitted in Victoria, other than the Melbourne Casino, is 27,500.
- The maximum permissible number of machines in any approved venue outside of the Melbourne Casino is 105 machines
- The proportion of the 27,500 gaming machines to be located outside the Melbourne Statistical Division is to be not less than 20%.
- The proportion of the 27,500 gaming machines which may be placed in premises in respect of which there is a general licence under the Liquor Control Reform Act 1998 is 50%.
- The proportion of the 27,500 gaming machines that may be placed in premises in respect of which a full or restricted club licence is in force under the Liquor Control Reform Act 1998 or a licence is in force under Part 1 of the Racing Act 1958 is also 50%.
- The proportion of the 27,500 gaming machines which each gaming operator (Tabcorp and Tattersall's) is permitted to operate is 50%.

In June 2007 the State of Victoria had a total of 29,779 EGMs. Of these, 2,500 are located at Crown Casino. A further 27,279 machines operate in 522 hotels and clubs throughout the State. For the same period the metropolitan area had a total of 19,832 EGMs situated in 334 gaming venues. The maximum amount of EGMs permitted in Victoria is 30, 000 (2,500 of which are to be accommodated within the Melbourne Casino).

Table 4: Historical Data – Gaming Machines in Victoria

Date	Adult population	No. of Venues	No. of EGMs	Net EGM expenditure	Average no. EGMs per 1,000 adults	Average no. adults per venue	Average net EGM expenditure per adult
30/06/2000	3,531,882	536	27,408	\$2,170,581,995	7.76	6,589	\$615
30/06/2001	3,572,889	537	27,444	\$2,366,016,584	7.68	6,653	\$662
30/06/2002	3,679,669	534	27,400	\$2,562,820,950	7.45	6,891	\$696
30/06/2003	3,720,628	532	27,260	\$2,334,294,514	7.33	6,994	\$627
30/06/2004	3,816,854	530	27,132	\$2,290,929,976	7.11	7,202	\$600
30/06/2005	3,870,537	523	27,124	\$2,393,030,966	7.01	7,401	\$618
30/06/2006	3,924,728	521	27,147	\$2,472,451,853	6.92	7,533	\$630
30/06/2007	3,979,244	522	27,279	\$2,543,175,356	6.86	7,623	\$639

Notes:

- Adult population - The projected adult population figures used in this table are sourced from the Department of Sustainability and Environment.
- Number of Venues - Only licensed venues with EGMs are reported in this table. Licensed venues with zero EGMs have been excluded from the total number of venues for each year so that they are not included when formulating the above averages.

Source: VCGR Website, www.vcgr.vic.gov.au

4.1.2 Regional Caps

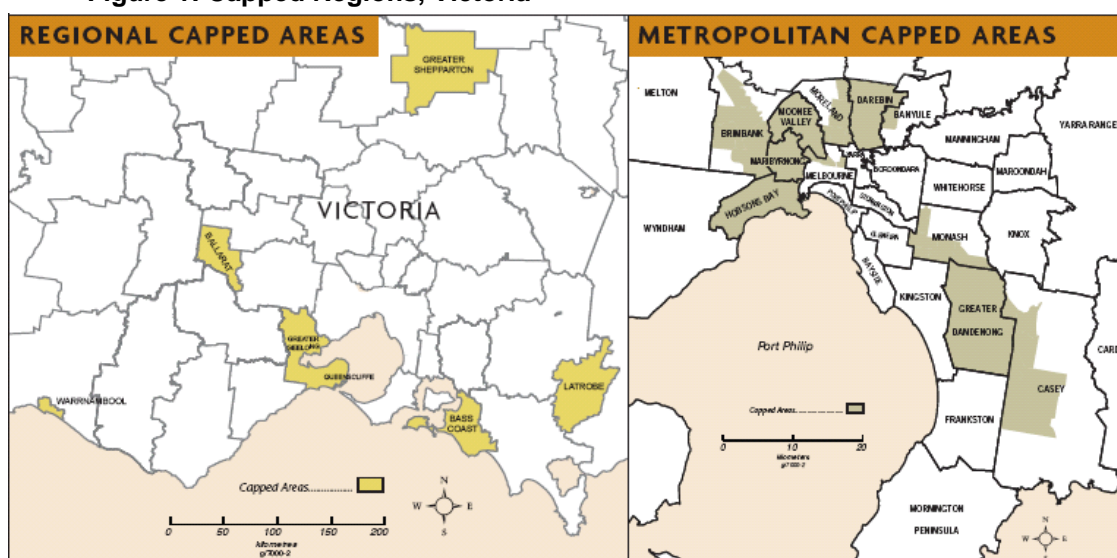
Regional caps are a way of setting limits on the number of gaming machines that can be available for gaming in certain specified areas. The capped regions cover parts of the identified municipalities that are considered to be most at risk, based on a high level of disadvantage, significant density of EGMs and relatively high levels of EGM losses.

The first round of regional caps was introduced in 2001 in response to community concern about the high concentration of gaming machines in some local areas. Under the new regional caps policy, introduced in 2006, nineteen regions are capped at either 10 machines per 1000 adults or at the existing density of the region, whichever is lower. This will result in the removal of approximately 540 machines.

The regional caps currently cover 19 regions:

Ballarat, Banyule, Bass Coast, Brimbank, Casey, Darebin, Greater Dandenong, Greater Geelong (including Queenscliff), Greater Shepparton, Hobsons Bay, Hume, Latrobe, Maribyrnong, Melbourne, Monash, Moonee Valley, Moreland, Warrnambool and Whittlesea.

Figure 1: Capped Regions, Victoria



Source: *Taking Action on Problem Gambling*, 2006

At the same time as introducing regional caps, the State Government stipulated that the density of electronic gaming machines in all local government areas must not exceed 10 machines per 1000 adults by the year 2010.

This future requirement will mean the removal of machines from some areas where this density is higher. This will most probably lead to a significant increases in the number of applications for gaming venues and increases in electronic gaming machines in areas that have lower densities of EGMs than 10 per 1000 adults.

4.1.3 EGM Density

Established measures of the distribution and potential impact of EGMs include the number of EGMs compared to adult population, namely the gaming machine density. There are currently 6.86 gaming machines per thousand adults in Victoria¹ and 6.81 for metropolitan Melbourne. It is also important to consider other measures of gaming impacts —such as total gaming expenditure, the loss per adult to gaming and losses per machine.

4.1.4 Gaming Expenditure in Victoria and metropolitan Melbourne

In 2006/2007 the average expenditure on EGMs across Victoria was \$639 per adult per year² and for Melbourne \$688. The expenditure per adult per year had experienced an increase for both the State and for metropolitan Melbourne— both increasing by \$9per adult when compared with 2005/2006 figures (representing an approximate increase for the State of 1.4% and 1.3% for the metropolitan area).

The Productivity Commission found that Australians are considered to be some of the heaviest gamblers in the world (Productivity Commission 1999). In 1998, 80 - 90% of Australians gambled during the year and 40% gambled regularly.

ABS data from 2005 on the gambling industry indicates that 56% of all gambling revenue comes from gaming machines, a total of \$8,700 million. The gambling industry employed 76,848 people in Australia in 2005 (ABS), where the majority are employed in the racing industry.

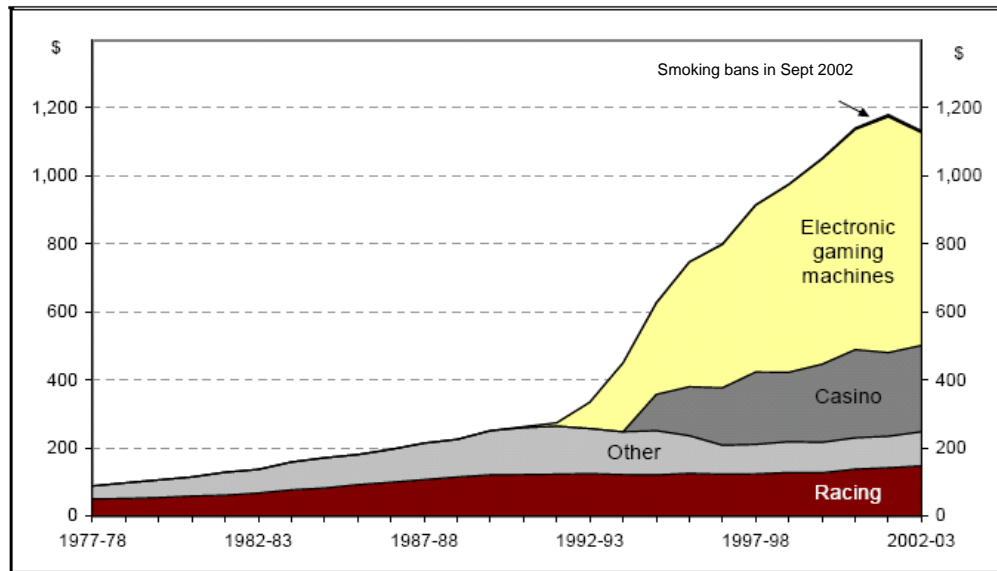
Victorian gambling expenditure has grown at a phenomenal rate during the past decade. In particular, the five-year period ending in 1997-98 (which followed the introduction of EGMs and included the opening of the Crown Casino) saw expenditure as a percentage of household disposable income more than double (see figure below). As seen in the figure below, growth in gambling expenditure has occurred concurrently with growth in expenditure on EGMs.

¹ As calculated by the VCGR from DSE population projections for 2007

² As calculated by the VCGR from DSE population projections for 2007

Figure 2: Gaming Expenditure, Victoria

Per capita gaming expenditure, Victoria: 1977-78 to 2002-03



Source: VCRP 2005

Gaming experienced a significant drop in popularity after the introduction of smoking bans in gaming facilities in September 2002, with expenditure on gaming machines falling by 8.9% between 2001/02 and 2002/03 (SA Economics 2005).

Currently growth in spending on gaming machines is increasing at a rate of approximately 1.9% per annum this contrasts with 16% per annum in 1998-1999. Expenditure growth appears to have slowed with the introduction of legislative reforms aimed at reducing the extent of gambling problems (including setting bet limit at \$10 and ban on \$100 note acceptors on machines).

4.2 Hume City

4.2.1 Electronic Gaming Machine Numbers

In 2007, Hume City had a total of 803 gaming machines accommodated in 14 venues. These venues are listed in the table below.

	Name and Address	EGMs	Date Opened	Operator	Venue Type
1	Ballcourt Hotel 60 Macedon Street Sunbury	5	30/06/1994	Tattersall's	Hotel
2	Broadmeadows Sporting Club 11 Sunset Boulevard Jacana	66	16/07/1993	TABCORP	Club
3	Coolaroo Taverner Cnr Barry Road and Maffra Street Coolaroo	60	24/02/1994	Tattersall's	Hotel
4	Craigieburn Sporting Club Craigieburn Road Craigieburn	63	12/05/1994	TABCORP	Club
5	Gladstone Park Hotel 186-202 Mickleham Road Gladstone Park	100	07/01/1993	TABCORP	Hotel

	Name and Address	EGMs	Date Opened	Operator	Venue Type
6	Meadow Inn Hotel 1435 Sydney Road Campbellfield	85	29/07/1994	Tattersall's	Hotel
7	Olive Tree Hotel 11 Evans Street Sunbury	38	05/05/1997	TABCORP	Hotel
8	Roxburgh Park Hotel 225 Somerton Road Coolaroo	80	12/2004	TABCORP	Hotel
9	Royal Hotel (Sunbury) 63 Evans Street Sunbury	31	11/06/1993	TABCORP	Hotel
10	Sunbury Bowling Club 49 Riddell Street Sunbury	78	18/09/1992	Tattersall's	Club
11	Sunbury Football Social Club Clarke Oval, Riddell Road Sunbury	38	11/09/1993	TABCORP	Club
12	Sunbury United Sporting Club Langama Park Mitchells Lane Sunbury	27	05/02/1998	TABCORP	Club
13	Sylvania Hotel 1631 Sydney Road Campbellfield	90	25/06/1995	TABCORP	Hotel
14	Westmeadows Tavern 10 Ardlie Street Westmeadows	42	26/07/1996	Tattersall's	Hotel
	TOTAL	803			14 (9 Hotels, 5 Clubs)

Source: VCGR, 2007

4.2.2 Regional Caps

Hume City is a partly capped region that is applied to the postcodes areas of 3043, 3047, 3048, 3060 and 3061. The region is capped at 10 gaming machines per 1,000 adults which will result in the removal of 32 gaming machines from these areas by 18th December 2007.

Table 6: Capped Postcodes and Suburbs in Hume City	
Postcode	Suburbs covered
3043	Gladstone Park, Tullamarine
3047	Broadmeadows, Dallas, Jacana
3048	Coolaroo, Meadow Heights
3060	Fawkner
3061	Campbellfield

The VCGR's determination of the maximum number of machines in the regional capped areas was gazetted on 11 December 2006. The removal of gaming machines affects six of the 19 capped regions. Within Hume City this results in:

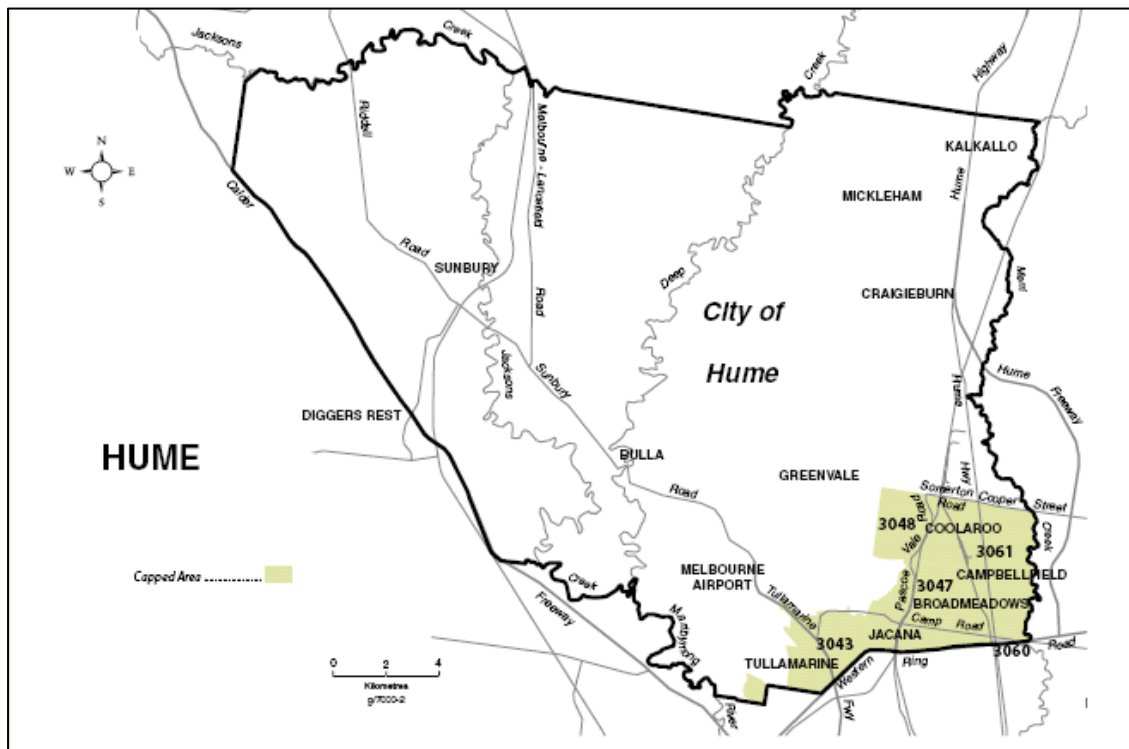
- The removal of 32 EGMs from six venues in Hume City
- Four of the six affected venues are operated by Tabcorp (total of 19 EGMs) while the remaining 2 venues are operated by Tattersall's (total of 13 EGMs)
- 31 of the 32 machines that will be removed are from hotels.

Refer to Table 7 below which shows the gaming venues in Hume City that are affected by the determination:

Table 7- EGMs to be removed within Hume City				
Operator	Venue	EGMs at date of determination	Number of machines to be removed	Revised total number of EGMs at venue
TABCORP	Broadmeadows Sporting Club	66	1	65
TABCORP	Gladstone Park Hotel	100	10	90
TABCORP	Roxburgh Park Hotel	80	6	74
TABCORP	Sylvania Hotel	90	2	88
Tattersall's	Coolaroo Taverner	60	4	56
Tattersall's	Meadow Inn Hotel	85	9	76
Total		481	32	449

Source: www.vcgr.vic.gov.au

Figure 4: Capped areas in Hume City



Source: Department of Justice, Office of Gaming and Racing

4.2.3 EGM Density in Hume

In 2007, Hume City had a density of 7.27 EGMs per 1000 adults³, higher than the average of both the Melbourne Statistical Division (6.81) and the Victorian Average (6.86). Currently the suburbs of Coolaroo, Campbellfield, Jacana and Gladstone Park have EGM densities which higher than 10EGMS per 1000 adult, which are well above the average densities for metropolitan Melbourne and Victorian. Tables 8 and 9 below show the current EGM densities for the municipality.

Table 8: EGM Density in Hume City 2007

Adult Population Projections (18+)	EGMs	Venues	EGMs per 1000 adults
110,439	803	14	7.27

Source: VCGR database using DSE population projections for Hume City

It is important to note that although some suburbs do not have any EGMs physically located within their boundaries, many of them have gaming venues located in close proximity to their boundaries e.g. - Roxburgh Park, Dallas, and Meadow Heights⁴.

³ As calculated by the VCGR from DSE population projections for 2007

⁴ Research shows that the majority of patrons of gaming venues travel within a five kilometre radius of the venue.

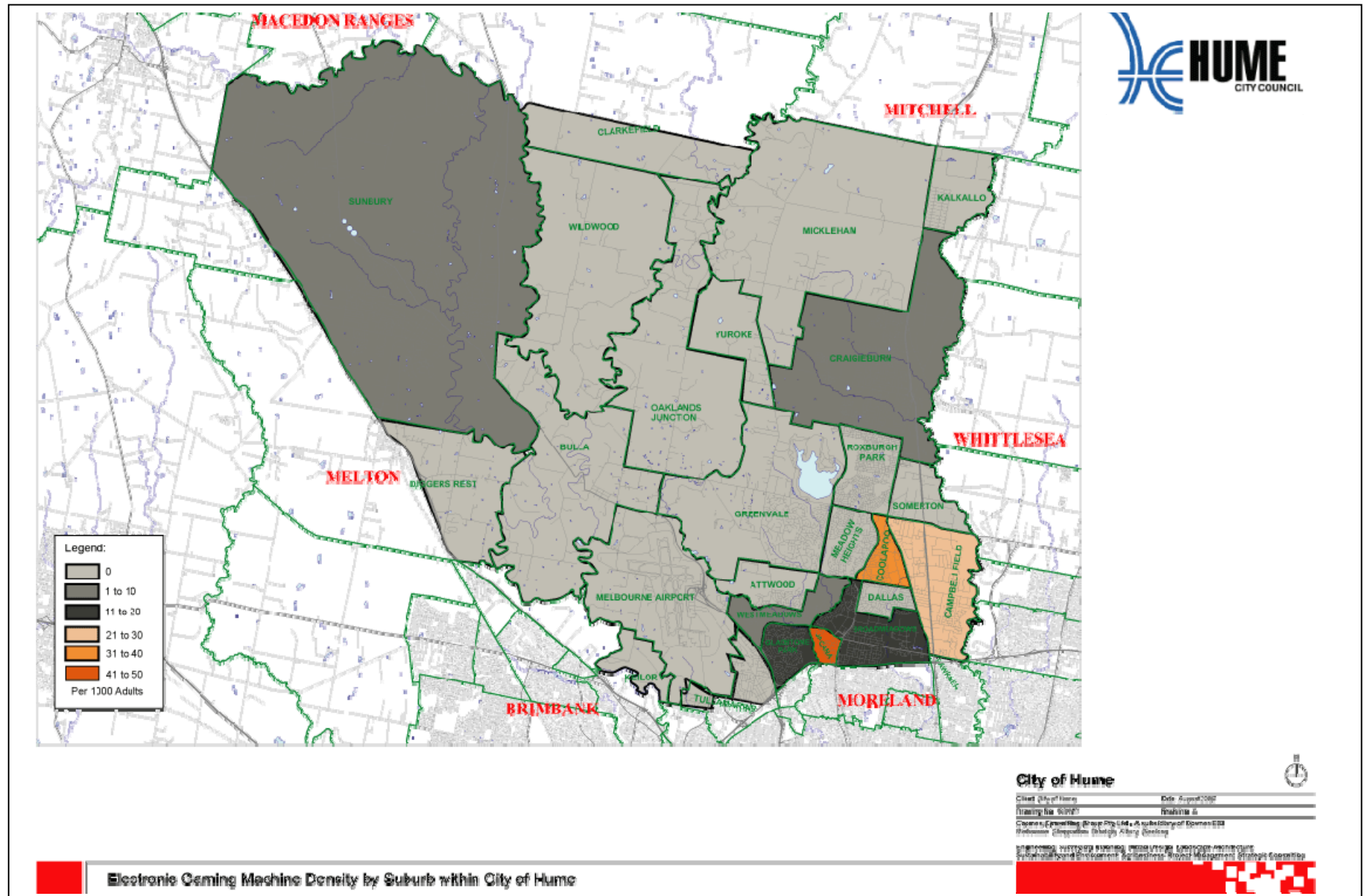
Please note that the EGM density of each suburb has been calculated below by using the 2006 ABS Census data.

Table 9: EGM Density per 1000 adult in Hume City 2006				
Suburb	No. EGMs	No. Venues	Adult Population (18+)	EGMs per 1000 Adults (18+)
Attwood	0	0	2,008	0
Broadmeadows	85	1	7,113	11.9
Bulla	0	0	298	0
Campbellfield	90	1	3,997	22.5
Coolaroo	140	2	2,539	32
Craigieburn	63	1	13,996	4.5
Dallas	0	0	4,121	0
Gladstone Park	100	1	6,909	14.5
Greenvale	0	0	7,237	0
Jacana	66	1	1,541	44
Meadow Heights	0	0	9,546	0
Roxburgh Park	0	0	10,779	0
Sunbury	217	6	22,243	9.67
Westmeadows	42	1	4,466	9.4
Tullamarine	0	0	5,269	0
Hume City	803	14	104,381	7.6
Melbourne Statistical Division	19,822	335	2,774,100	7.14
Victoria	27,147	521	3,780,057	7.18

Sources: VCGR 2007, ABS 2006

As the table indicates, there are high gaming machine densities within several suburbs in Hume City. The highest densities occurring within Jacana (44 EGMs per 1000 adults), Coolaroo (32), Campbellfield (22.5), and Gladstone Park (14.5).

Figure 5: Map of EGM Densities in Hume City



4.2.4 Gaming Expenditure in Hume

The gaming machine losses in Hume City from 1992/1993 to 2005/2006 were approximately \$772.5 million⁵. The gaming machine losses during this time showed that the growth in Hume City's expenditure was consistently higher than that for the State of Victoria.

Table 10 Gaming machine losses in Hume City from 1992/93 to 2005/06 (net gaming revenue NGR)			
Financial Year	Total EGM NGR or losses in Hume City	% growth in NGR from previous year	% growth in NGR for Victoria from previous year
1992-1993	\$2,125,911.00	-	-
1992-1994	\$9,519,799.00	347.80%	168.08%
1994-1995	\$21,179,362.00	122.48%	39.64%
1995-1996	\$31,090,524.00	46.80%	30.66%
1996-1997	\$38,649,188.15	24.31%	16.95%
1997-1998	\$47,618,256.49	23.21%	14.63%
1998-1999	\$57,864,650.00	21.52%	17.05%
1999-2000	\$66,556,065.22	15.02%	11.07%
2000-2001	\$76,040,031.00	14.25%	9%
2001-2002	\$85,539,408.28	12.49%	8.3%
2002-2003	\$77,421,307.45	-9.5%	-8.9%
2003-2004	\$77,269,209.41	-0.2%	-1.85%
2004-2005	\$86,954,461.93	12.53%	4.4%
2005-2006	\$94,613,815.52	8.8%	3.21%

(Based on historical data provided at www.vcgr.vic.gov.au)

Further, the total net gaming expenditure in Hume City increased by 8.8% during 2004/2005 to 2005/2006—to a total of \$94,613,815, while in Metropolitan Melbourne the expenditure increased by 3.5%. This is equivalent to an increase in the average loss per adult from \$820 to \$ 875 for Hume City in comparison to \$665 to \$679 per adult for metropolitan Melbourne.

During 2006/07 Hume City's net EGM revenue was \$98,102,742.56. This is approximately \$888 per adult population (18+) based on VCGR's population projections for 2007. This result is much higher than the State average expenditure of \$639 per adult. This is an increase from 2005/06, where the annual expenditure in Hume City was \$875 per adult.

The table below outlines the details of gaming machine expenditure in Hume City last year.

Table 11: Hume City Gaming Machine Expenditure 2006-2007					
2007 Population Projection	2007 Population (18+)	Venue No.	EGM No.	Total Net Expenditure	Net EGM expenditure per adult
152,942	110,439	14	803	\$98,102,742.56	\$888

⁵ \$772,441,989.45 net gaming expenditure for Hume City from 1992/1993 to 2005/2006

It is important to note that gaming expenditure within Hume City is growing faster than the growth in adult population. Between 2001 and 2006 Hume City had a population growth rate of 12.6%. This is compared with the 24% growth rate in gaming expenditure within Hume City between these years.

It is also evident that household spending on gaming is higher than spending on education, health and leisure. According to YourPlace data in 2001, Hume City residents were spending more of their weekly household incomes on gambling than the State average. This spending was higher than spending on holidays, health services and education (refer table 12 below).

Table 12- Average Weekly Spend for Hume City, 2001		
Item	Amount	State Average
Gambling	\$50.77	\$42.76
Health Services	\$14.20	\$16.44
Education	\$12.74	\$14.97
Holidays	\$34.39	\$40.81

Source: YourPlace, National Economics, 2001

4.2.5 Community Benefit of Gaming to Hume City

The intention of the Community Benefit Statement is to publicly demonstrate the benefits of gaming to the community by quantifying the benefits provided by the venue. The CBS for Hume City venues indicate that the majority of financial benefits obtained from gaming revenue are shown to be invested back into the community via employment expenses and direct and indirect fixed assets. This expenditure is generally related to the operations of the gaming venues than to the direct benefits to the community

The data shows that the clubs in Hume City contributed on average 3.7% of all CBS expenditure on direct community benefit categories⁶ from 2003/04- 2005/06. This equates to \$424,000 over three years.

In 2005/06 clubs within Hume City contributed 5.1% of CBS expenditure to direct community benefit categories. This contribution was below the Melbourne Metropolitan Average of 12.4% and the State wide average of 11.5%. The data for hotels illustrated that a lower amount of revenue was directed towards community benefit. On average less than 0.1% of all the CBS was invested on direct community benefit activities in Hume City compared to 0.7% for Metropolitan Melbourne and 0.9% for Victoria (VCGR, 2007).

Last financial year in Hume City, 11.97% (\$11,322,097) of the net gaming revenue raised across the municipality (\$94.6 million) was claimed for community benefit (Refer Table below).

⁶ CBS Categories: Category 2- Gifts of funds, Category 3- Sponsorships, Category 4 – Gifts of goods to the community Category 5- Voluntary services provided to the community, Category 6-Volunteer Expenses

Table 13: Community Benefit Statement 2005-2006, Hume City			
Number of CBS lodged: 14 - Clubs (5) and Hotels (9)			
2005-2006 Net Gaming Revenue (NGR) - \$94,613,806			
Community Benefit Statement Claims	Clubs \$	Hotels \$	Total \$
Category 1 Employment Expenses	2,690,606	4,817,836	7,508,442
Category 2 Gifts of Funds	13,034	3,406	16,440
Category 3 Sponsorships	81,666	4,269	85,935
Category 4 Gifts of goods to the community	1,568	-	1,568
Category 5 Voluntary services provided to the community	102,820	661	103,481
Category 6 Volunteer expenses	1,850	-	1,850
Category 7 Activities subsidised	260,014	7,941	267,955
Category 8 Fixed assets provided	281,225	994,773	1,275,998
Category 9 Direct and Indirect costs	538,822	1,521,606	2,060,428
TOTAL	3,971,604	7,350,492	11,322,097
Percentage of NGR claimed for Community Purposes			11.97%

Source: VCGR, www.vcgr.vic.gov.au

Gaming revenue contributed \$91 million to the Community Support Fund in 2005/2006. 85% of this funding is returned to community wellbeing projects across Victoria (Department of Premier and Cabinet). In 2005/06, \$6,415,376 was contributed to the CSF from hotels within Hume City.

Some examples of CSF funded projects in Hume City include:

- Hume Global Learning Village
- Cultural Identity Building Initiative

Currently all these venues also provide direct and indirect financial contributions to the Hume community which range from financial contributions to free use of function rooms and subsidised meals for sporting and community organisations (Refer attachment 6).

Due to widespread community discontent with the Community Benefit Statement system, a review of the system was initiated in 2007 by the Office of Gaming and Racing. Recommendations were made that hotels no longer submit a CBS in light of their contributions to the CSF and that changes be made to what constitutes a community purpose proposing that it no longer should include employment, rent, service costs or subsidised meals. The finalisation of the review process will take place in 2008.

5 Hume City Local Context

To apply the legislative context and research on principles of this policy to the circumstances of Hume City, it is necessary to briefly appreciate the local context and direction foreshadowed to the area.

The local context has been derived from local policies and strategies and relevant social research. It is arranged under three sections:

- Socio-Economic Profile
- Urban Development and Growth Trends

5.1 Hume City Socio-Economic Profile

5.1.1 Indigenous People

The Gunung-Willam-Balluk people are the traditional custodians of the area. Hume City's Indigenous community accounts for at least 0.6% of its total population, compared to 0.4% for metropolitan Melbourne⁷.

Indigenous persons are younger compared with the rest of the population. Those under 20 years make up 53% the total number of Indigenous persons, compared to 32.2% of non-Indigenous persons living in Hume City (ABS Census 2006).

5.1.2 Cultural diversity

Hume City is one of the most culturally diverse municipalities in Victoria. There are high numbers of Turkish (5,765), Iraqi (4,484), Italian (3,596) and Lebanese (2,403) immigrants within the municipality with recent new settlers predominantly coming from Iraq, Turkey and Lebanon (MPHP 2006).

There are a large proportion of refugees that have settled within Hume City compared to other municipalities in Victoria. Of the total number of migrants that have settled in Victoria through the Humanitarian Migration (Refugee) Program in the past 5 years, 10% have settled within Hume City (MPHP, 2006).

41.7% of the Hume City population speak a language other than English at home. This is compared to the 31.9% within Metropolitan Melbourne. There are also a high proportion of residents within Hume City whose proficiency in spoken English is low. This is particularly high within the suburbs of Campbellfield (15%), Dallas (14.28%), and Meadow Heights (12.29%).

5.1.3 Age Structure

Hume City has a relatively young age profile with a median age of 32 compared to 36 for metropolitan Melbourne. The newer residential growth areas have a younger profile. The 2006 Census data shows that 32.7% of Craigieburn and 36.3% of Roxburgh Park populations were aged less than 18 years, compared to 29.4% across the entire municipality and 22.8% for the Melbourne Statistical Division.

⁷ Australian Bureau of Statistics, *2001 Census of Population and Housing*, 2002

5.1.4 Family Composition

Families living within Hume City are largely two-parent families with children (55.7% compared to metropolitan Melbourne 48.4%) This is particularly evident within the growth areas.

There is also a significant level of single parent families within Hume City, having a level of 17.7% compared to metropolitan Melbourne 15.4%. It is particularly high within the Broadmeadows SLA in the suburbs of Broadmeadows (28.7%), Coolaroo (26.5%), Jacana (24.9%), Dallas (23.3%) and Meadow Heights (21.3%).

5.1.5 Community Connection

The Victorian Community Indicators project measures community strength by comparing Local Government Areas with Victorian and metropolitan or regional levels across a range of community indicators.

The key results for Hume City as compared to the Melbourne metropolitan average indicate that there are lower levels of self-reported health (53.6%) and subjective wellbeing (74.1%) within the region.

Perceptions of safety during the day (93.2%) and night (58.8%) were also lower than average. Levels of crime against the person were lower than average however crime against property was higher than the average.

Transport limitations (22.8%) were also higher than the metro average.

Participation in arts and cultural activities (40.5%), community acceptance of diverse cultures (87%) and participation in citizen engagement (41.6%) were all considerably lower than the metropolitan average (refer table 14).

Table 14: Community Indicators 2007 – Hume City and Metropolitan Melbourne		
Community Indicators Victoria, 2007		
	% of Population Hume	Metro Average
Self reported health	53.6	54.3
Subjective wellbeing	74.1	76.4
Feeling part of the community	67.2	70.7
Social Support	94.3	n
Volunteering	35.5	n
Child health assessments	72.6	58.0
Perceptions of Safety (day)	93.2	96.0
Perceptions of Safety (night)	58.8	66.4
Crime (person)	745.5	774.1
Crime (property)	5741.2	5609.1
Home internet access	78.4	78.8
Food security	7.8	6.1
Adequate work-life balance	53.0	53.0
Transport limitations	22.8	20.4
Waste water recycling	79.2	75.0
Household waste recycling	28.3	37.9
Participation in arts and cultural activities	40.5	46.6
Community acceptance of diverse cultures	87.0	89.3
Participation in citizen engagement	41.6	53.8

Source: Community Indicators Victoria, 2007

5.1.6

Income

In 2006, there were several suburbs within Hume City that had a medium weekly household income that was considerably lower than the average for Hume City (\$1030), Melbourne Statistical Division (\$1079) and Victorian (\$1022) figures. The lowest incomes fell within the Broadmeadows Statistical Local Area with Broadmeadows, Dallas, Coolaroo and Campbellfield all having incomes that were below \$700, while Jacana and Meadow Heights are below \$800 (refer to table 15 below).

Table 15: Incomes for Suburbs within Broadmeadows Statistical Local Area		
Suburb	Gross Median weekly household income	Gross Median Individual Income
Broadmeadows	\$619	\$262
Dallas	\$606	\$241
Coolaroo	\$648	\$246
Meadow Heights	\$760	\$259
Campbellfield	\$640	\$234
Jacana	\$743	\$319
Tullamarine*	\$930	\$446
Westmeadows	\$1,043	\$438
Gladstone Park	\$1,017	\$418
Hume City	\$1,030	\$403
Melbourne Statistical Division	\$1,079	\$481

Source: ABS, 2006

* this figure represents the total suburb of Tullamarine (a proportion falls outside of the BM SLA)

There are areas within Hume City that experience higher levels of income and the City's average. Median household weekly incomes in the suburbs of Attwood (\$1,346), Bulla (\$1,335), Craigieburn (\$1,118), Greenvale (\$1,448) and Sunbury (\$1,165) all have average incomes that are above the average for Hume City (\$1,030) and metropolitan Melbourne (\$1,070). However, these areas are also experiencing significantly higher levels of housing costs (refer to section 5.1.2), which result in experiences of housing stress.

5.1.7 Housing Costs

In 2006, the median monthly housing loan repayment for Hume was \$1300, which was slightly higher than Victoria (\$1252) and the same for Melbourne Statistical Division (\$1300). However, median monthly housing loan repayments and median weekly rents are significantly higher in the suburbs of Greenvale, Bulla, Roxburgh Park, Attwood and Craigieburn, which are all experiencing housing costs above Hume City, Melbourne Statistical Division and Victorian figures (refer to table 16 below).

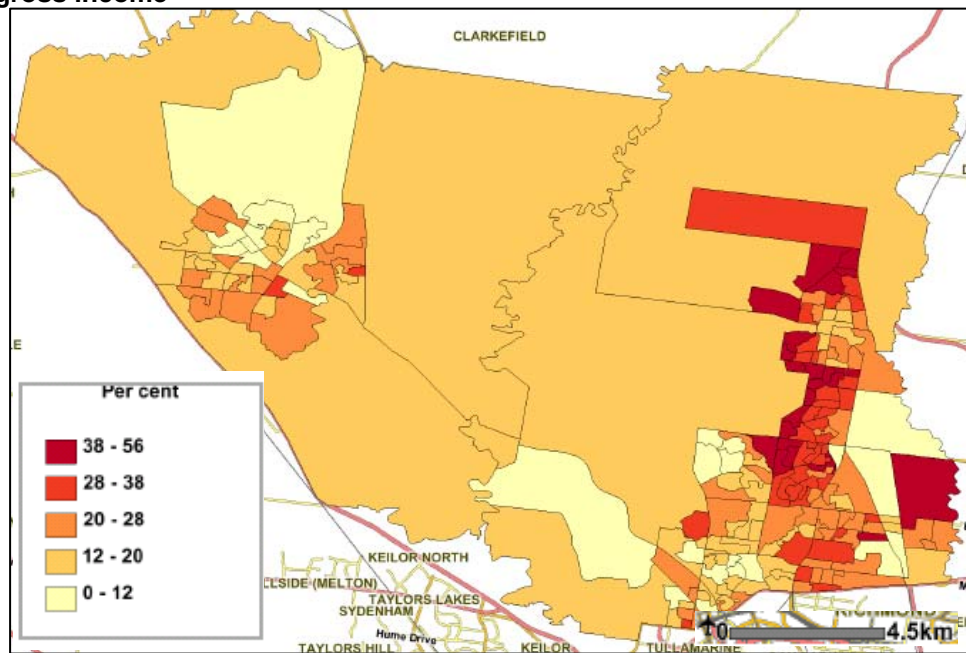
Table 16: Median accommodation payments		
	Median rent (\$/weekly)	Median housing loan repayment (\$/monthly)
Australia	\$ 190	\$ 1,300
Victoria	\$ 185	\$ 1,252
Melbourne SD	\$ 200	\$ 1,300
Hume	\$ 185	\$ 1,300
Attwood	\$ 205	\$ 1,423
Broadmeadows	\$ 150	\$ 1,012
Bulla	\$ 230	\$ 1,437
Campbellfield	\$ 176	\$ 1,100
Coolaroo	\$ 170	\$ 867
Craigieburn	\$ 201	\$ 1,343
Dallas	\$ 166	\$ 975
Gladstone Park	\$ 202	\$ 1,192
Greenvale	\$ 260	\$ 1,464
Jacana	\$ 170	\$ 867
Meadow Heights	\$ 180	\$ 1,083
Roxburgh Park	\$ 225	\$ 1,430
Sunbury	\$ 190	\$ 1,300
Westmeadows	\$ 185	\$ 1,178

Hume City is currently experiencing a rate of housing stress between 22-24% which is higher than the Melbourne Statistical Division of 17-19%. The eastern region of the municipality is currently experiencing the highest proportion of housing stress particularly within the suburbs Meadow Heights, Craigieburn, Roxburgh Park and the northern half of Campbellfield (refer to figure 6).

Housing stress levels should be used in conjunction with other indicators of socio-economic disadvantage to identify areas that may be vulnerable to the impacts of gaming in an area. In Hume, the emerging growth areas of Roxburgh Park and

Craigieburn are good examples of areas to be viewed with caution when considering the locations of new gaming venues. Whilst SEIFA and socio-economic indicators indicate that they are more advantaged than other areas within the municipality (though still below State and metropolitan levels), large proportions of the households suffer from housing stress and are financially vulnerable.

Figure 6: Households with housing cost more than 30% or more of their gross income



Source: ABS, 2006

5.1.8 Education and Employment

The level of educational attainment in 2006 within Hume City is considerably lower than the Melbourne Statistical Division and Victorian figures. The proportion of Hume City's residents whose highest level of schooling completed⁸ is *year 10 or below* is 35.6%, higher than the Melbourne Statistical Division (27.8%) and Victorian (31.4%) figures.

The proportion of tertiary education within Hume City was particularly low within the suburbs of Coolaroo and Campbellfield (refer to attachment 5).

5.1.9 Labour force participation and Unemployment

The unemployment rate within Hume City in 2001⁹ was 8.4% which is considerably higher than 6.6% for the Melbourne Statistical Division. At March, 2007, the current unemployment rate was 6.5% compared to Melbourne Statistical Division 4.7%¹⁰, with the highest occurrence of unemployment in the Broadmeadows SLA at a level of 9.4%.

⁸ Applies to persons ages 15+

⁹ 2006 census data for labour force was unavailable at the time of writing

¹⁰ Source: Small Area Labour Markets, Dept of Employment and Workplace Relations

Labour force participation in 2001 within the suburbs of Coolaroo (46.7%), Jacana (44.2%), Dallas (41.6%), Broadmeadows (44.4%) and Meadow Heights (55.6%) was considerably lower than the Melbourne Statistical Division (61.7%) and Hume City (60.9%).

5.1.10 Health

Residents within the Northern Metropolitan region, in which Hume City is located, show significant differences in levels of health when compared with other regions in Melbourne and Victoria. The life expectancy of women within Hume City (80.26) is significantly lower than the Victorian average (81.41), while males are slightly higher with 76.9 compared with 76.6 years. These lower life expectancies and longer periods of life lived in less than full health among Hume City residents increases the levels of disadvantage and financial stress on households. Mental illness is currently the highest cause of active life lost to a disability within Hume City, with alcohol abuse/dependence being the most predominant amongst men and depression being the most predominant among women (MCPHP 2006).

The number of Hume City residents receiving social support payments is also particularly high. The total number of payments within Hume City was 23,942. The Broadmeadows SLA had the highest proportion of social security payments out of the three SLAs within Hume City, with a total of 15,090 recipients. This is more than the 3 times the total number of benefits for Craigieburn SLA (4,584) and the Sunbury SLA (4,268) (MCPHP 2006)

5.1.11 Disadvantage

The *Index of Disadvantage* (SEIFA, 2001) is derived from attributes such as income, educational attainment, unemployment, occupation, and dwellings without motor vehicles. A low score indicates that an area has many low income families and people with little training and in unskilled positions. A high score indicates that an area has few families of low income and few people with little training and in unskilled occupations. A high score reflects lack of disadvantage rather than high advantage. (Australian Bureau of Statistics, 2001).

According to SEIFA 2001, Hume City is the 5th most disadvantaged municipality in Victoria with an index of 954.2. However, the majority of suburbs that fall within the Broadmeadows Statistical Local Area have considerably lower SEIFA 2001 indexes than the other suburbs in the municipality (refer to Table 17 and Figure 7).

Table 17: SEIFA Index of Disadvantage, 2001 within Broadmeadows SLA

City and suburb	SEIFA index
Hume City	954.2
Broadmeadows	777.2
Dallas	804.5
Coolaroo	822.7
Meadow Heights	849.9
Campbellfield	850.3
Jacana	881.0
Westmeadows	973.7
Gladstone Park	1010.8

Source: ABS, 2001

Figure 7: SEIFA rating of Relative Disadvantage by Postcode, Hume City

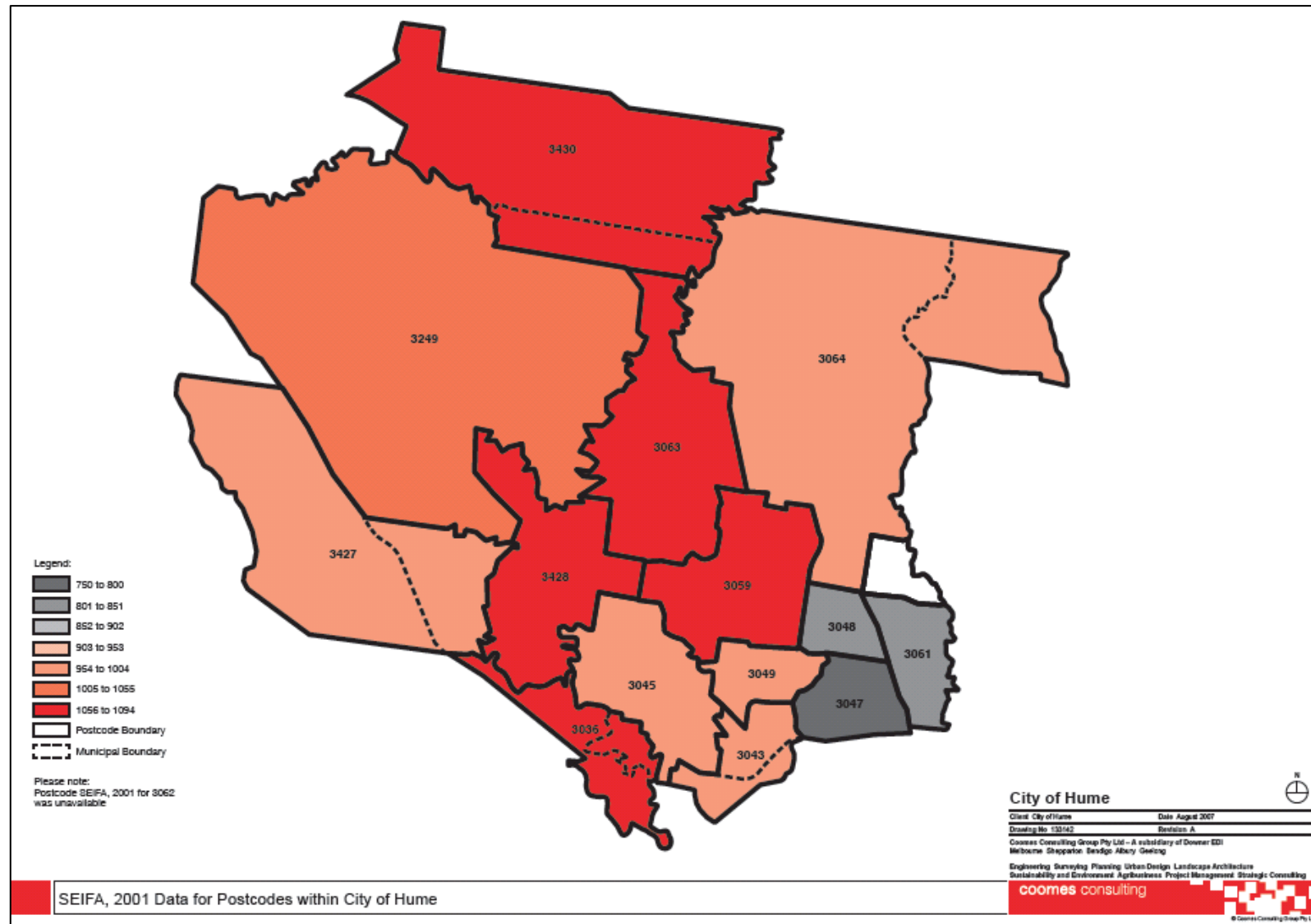
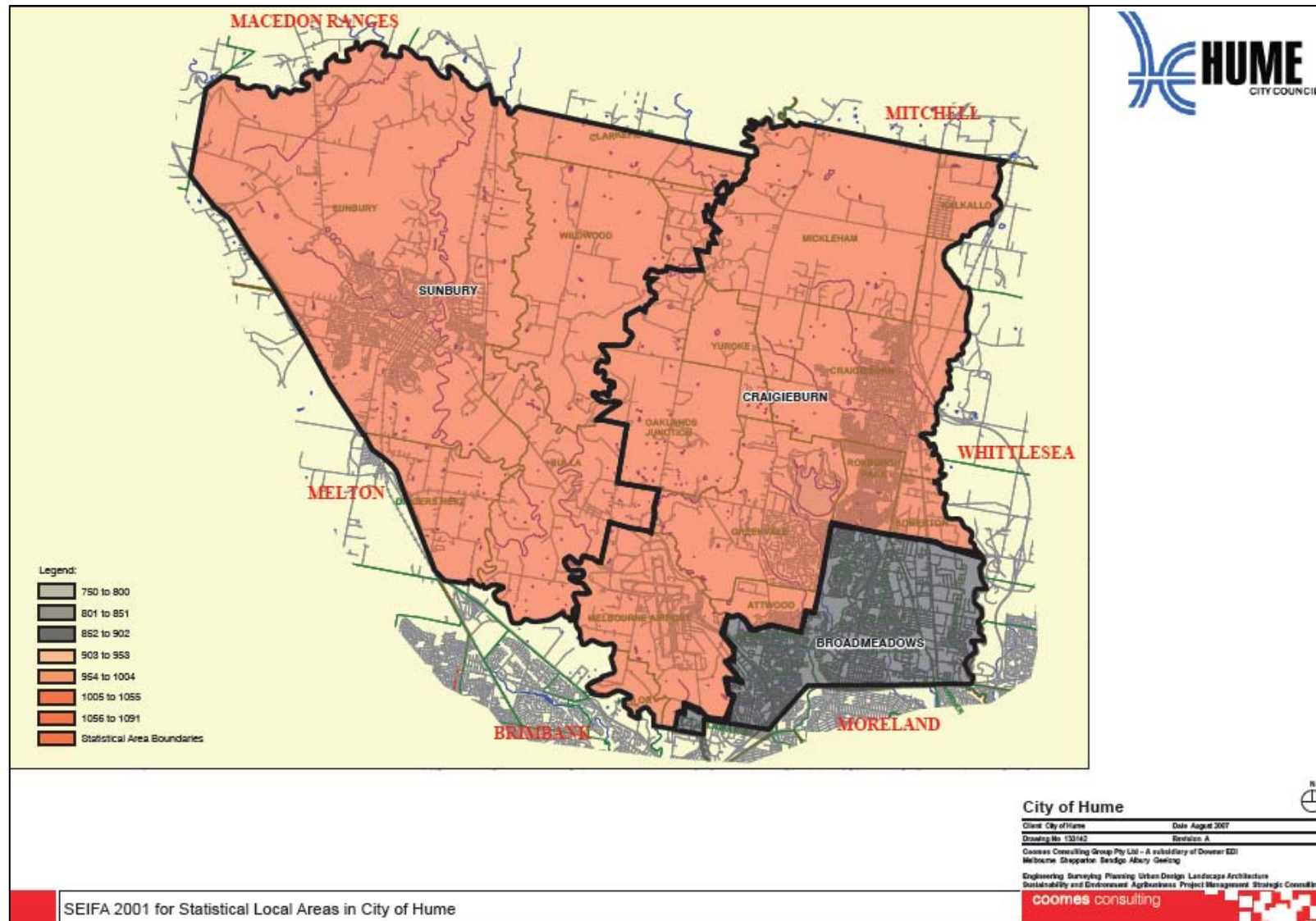


Figure 8: SEIFA Rating of Relative Disadvantage by Statistical Local Area, Hume City



5.2 Urban Development and Growth Trends

5.2.1 Hume City is experiencing significant urban growth

Hume City is a growing municipality which has experienced a 12.6% increase in population between 2001 and 2006. The forecast population in 2031 is expected to reach 213,060 which is an annual average change of 1.36% between 2007 and 2031 (Refer table 18).

Although there is expected to be significant growth within Hume City, this will predominantly occur within the northern regions of the municipality. It is predicted that many suburbs within the southern region will actually experience population decline. This is expected to occur within the suburbs of Gladstone Park, Dallas and Meadow Heights (Id Forecasting, 2007).

5.2.2 This population growth will predominantly occur within the northern region of the municipality in the suburbs of Craigieburn, Roxburgh Park, Greenvale and Sunbury

Craigieburn and Greenvale are expected to have the highest growth rates within the municipality with the average annual growth rates between 2006 and 2031 of 3.64% and 3.18% respectively (Id Forecasting, 2007). It is expected that the majority of Roxburgh Park's growth will occur before 2020, there after the growth will slow, predominantly due to a decrease in available residential land for development. Sunbury's growth is expected to be relatively steady during the next 24 years with an annual average growth rate of 1.28% between 2007 and 2031.

Table 18: Forecast Population in Hume City 2007-2031					
Suburb	2007	2020	2031	Total number	Annual average % change
Craigieburn	22,457	40,479	52,321	29,864	3.59
Greenvale	11,258	16,202	24,313	13,055	3.26
Sunbury	32,667	42,558	44,291	11,624	1.28
Roxburgh Park	17,575	21,488	20,837	3,262	0.71
Hume City	154,224	189,932	213,060	58,836	1.36

Source: Id Forecasting, 2007

5.2.3 Inadequate provision and access to social and physical infrastructure within Hume City

The provision of social and physical infrastructure within newly developing communities has a significant impact on community wellbeing. The *Municipal Public and Community Health Strategic Plan 2007-2012* highlights that there is a time lag between the settlement of new communities within Hume City and the provision of adequate, interlinked, social and physical infrastructure within these areas. Health and community services are currently at capacity within the region, and as the population grows the demand for these services is increasing significantly. There is a need for increased access to a range of health services including mental health services and drug, alcohol and gambling counselling services.

There is also significant concern about the accessibility, cost and frequency of public transport within the Hume City region. The City, like other Metropolitan fringe or Interface municipalities, experiences relatively poor access to public transport and is of a higher cost than inner city areas. Therefore many people within these areas rely heavily on private vehicles for transportation, which makes them vulnerable to rising petrol prices.

The VAMPRE Index (“Vulnerability Assessment for Mortgage, Petrol and Inflation Risks and Expenditure”) was developed at the Urban Research Program, Griffith University (Dodson & Sipe 2006). It assesses urban areas for their socio-economic vulnerability to rising oil prices at the collection district level by combining the variable of car dependence, income level and mortgages. The study found that households with mortgages located in the outer suburbs are most adversely affected by rising petrol prices, largely due to the existence of housing stress and a lack of alternative modes of transport to the private car (Dodson & Sipe 2006). The study highlights that the north west region of Hume City is highly vulnerable to rising oil prices and mortgage stress.

5.2.4 There is currently a range of recreational and entertainment opportunities within Hume City. However increased population growth will see the need for the further provision of such facilities.

The *Hume City Leisure Strategy (2006-2010)* recognises that there is a need to ensure that there a range of recreational and entertainment opportunities that are affordable, accessible and provide for a range of age groups (particularly the younger and older age groups).

5.3 Commentary

Whilst there is no typical profile of a problem gambler, there are a number of identified factors that have been proven to make a population more vulnerable to the harm that gaming can cause. These include:

- Areas of socio-economic disadvantage; including lower incomes and high unemployment and isolated or disconnected members of the community (Livingstone 2006; PC 1999)
- Areas of financial stress; including housing stress, high mortgage rates, unpaid childcare and other dependent assistance, lone parents, financially dependent women, and newly arrived residents and people from a non-English speaking backgrounds (PC 1999; VCGR 1997).

Hume City displays a range of these attributes that make it vulnerable to the impact of gaming, including:

There are significant levels of disadvantage within the municipality. These are most evident within the Broadmeadows Statistical Local Area including Broadmeadows, Dallas, Coolaroo, Meadow Heights, Campbellfield, Jacana and Westmeadows. These areas have on average low incomes, low educational attainment, low labour force participation, high unemployment, a lower proficiency in English and a higher proportion of single parent families.

Hume City is a highly diverse municipality with nearly half of the population speaking another language other than English at home.

The region is experiencing significant urban growth particularly within Craigieburn and Roxburgh Park. These newly developing communities generally have higher levels of income than the more established areas; however, this is offset by higher housing costs. Within these regions there is a significant lack of adequate social and physical infrastructure including community, health services and public transport. Supportive community connections and social cohesion tend to be weaker in newly establishing communities. These regions also have a younger age profile and are largely two parent families with children.

6 Key Social and Economic Issues Associated with Gaming (EGMs)

This section draws on current research on gaming and planning provisions to explore emerging concepts and discuss the dichotomy that exists between them in relation to gaming. It then considers how this may be resolved in the interest of net community benefit.

The tension that exists within gaming is that whilst it is a legitimate form of entertainment, any policy must address the community concerns and impacts regarding problem gambling that is evident in the research.

It is important that there is a **balance** between access for those who wish to gamble for recreation and the need for place harm minimisation strategies for those negatively affected by gaming, for their family and friends and the broader community.

Research has identified that disadvantaged communities are more vulnerable to the negative impacts of gaming (Livingstone 2006; Doughney 1999). It has also been identified that adolescents can be particularly vulnerable to gaming. Research identified that early disengagement from school has been attributed to adolescent participation in health risk and antisocial behaviours, and that there are substantial associations between under-age gambling and engagement in antisocial behaviours. (Department of Justice, 2006)

There is also increasing recognition that gaming should be viewed as a public health issue. In the State Government's strategy '*Taking action on problem gambling- a strategy for combating problem gambling in Victoria, 2006*' it is acknowledged that problem gamblers often have other health or lifestyle problems. Serious mental illness, depression and drug and alcohol abuse may co-exist with a gaming problem. Understanding the nature of the relationship between problem gambling and other social problems is considered '*critical to creating coordinated and responsive services for problem gamblers.*'¹¹

The 2003 Victorian *Longitudinal Community Attitudes Survey*'s found that the majority of EGM gamblers did not travel out of their local area to access machines, with almost two-thirds travelling less than 5 kilometres to the venue and just over one-third travelling less than 2.5 kilometres.

Location of gaming venues has been identified to correlate to the level of problem gambling. People who gamble at accessible venues (through co-location with other everyday activities where people congregate) are more likely to have higher expenditure, gamble more regularly and play for longer periods of time (ANU, 2004). There are some states within Australia, that have introduced legislation that prohibits against venues being located within close proximity to 'gambling sensitive areas', such as schools, community facilities, welfare centres, child care centres, banks churches problem gambling service providers and pawn shops.¹²

¹¹ Department of Justice, *Taking action on problem gambling- a strategy for combating problem gambling in Victoria, 2006*, p10

¹² Northern Territory Government, NT Treasury, Community Impact Analysis Guidelines .

These areas are considered as areas where people congregate and therefore sensitive to gaming. The Victorian government does not have such system in place.

Research has provided evidence that problem gambling is linked to a number of complex interactions between the gambler and the gaming machine venues, such as distance, exposure, accessibility and social context. One of the challenges of developing a location based gaming policy is ensure that all relevant social, economic and environmental considerations are taken into account when assessing an application regarding the location of gaming machines.

6.1 Research on Gaming and Location

Leading research that is relied on in this report includes:

- 2006 Australian Institute for Primary Care, La Trobe University (Livingstone, C.) *The Changing Electronic Gaming Machine (EGM) Industry and Technology* ("Livingstone 2006")
- 2005 New Focus Research, *Experiences of Problem Gamblers, Their Loved Ones and Service Providers* ("New Focus 2005")
- 2005 *Regional Electronic Gaming Machine Caps Review Panel* ("Caps Review 2005")
- 2005 The SA Centre for Economic Studies, *Community Impact of Electronic Gaming Machine Gambling*
- 2004 Australian National University Centre for Gambling Research, *Gaming Machine Accessibility and Use in Suburban Canberra: A Detailed Analysis of the Tuggeranong Valley* ("ANU 2004")
- 2003 Victorian *Longitudinal Community Attitudes Survey*
- 1999 Productivity Commission *Australia's Gambling Industries*, ("PC 1999")
- 1999 Australian Medical Association *Submission to the Productivity Commission Inquiry into Australia's Gambling Industry*
- 1999 KPMG Consulting, *Longitudinal Community Impact Study* ("KPMG 1999")
- 1999 Doughney, J & Kelleher, T. *The Impact of Poker Machine Gambling on Low Income Municipalities – A Critical Survey of Key Issues*
- 1997 Brown S and Coventry L. *Queen of Hearts. The Needs of Women with Gambling Problems.*
- 1997 Victorian Commission for Gambling Regulation (VCGR) *Impact of Electronic Gaming Machines on Small Rural Communities*

Refer to Section 10 - References for full reference titles and list of research.

The research supports a broad conclusion that discourages 'convenience gambling' and indicates that the emerging approach of 'destination gambling' is likely to reduce the socio-economic impact of gaming and to protect vulnerable communities.

The following key messages emerge from the above documentation:

- Problem gambling affects a small proportion of gamblers but the proportion of their losses are significant (PC 1999).
- People gamble for a variety of reasons, including reduction of boredom, isolation and loneliness; to win money; for excitement and entertainment and for social contact (PC 1999; New Focus 2005).
- For the majority of EGM gamblers, gaming is a form of enjoyable recreation and social contact. (PC 1999; KPMG 1999).
- People are attracted to EGMs as a form of entertainment that provides social contact in a non-confrontational and independent environment (New Focus 2005).
- Gaming should be available to the majority of the population who see it as a form of enjoyable recreation, but vulnerable members of the community should be protected from the harm it can cause.
- Gaming machine venues can provide increased recreational and entertainment opportunities (the machines and also the other club and hotel facilities that are included in the facility); and increased opportunities for social contact.
- Evidence has indicated that gamblers who live within 4km of their regular club are more likely to gamble, to have a higher annual expenditure on gambling, to gamble more frequently and to play for longer duration than those who have to travel further to gamble (ANU 2004).
- Areas of socio-economic disadvantage are more vulnerable to problem gambling and the negative impacts of gaming (Livingstone 2006; AMA 1999; New Focus 2005; Doughney 1999)
- Whilst there is no typical profile of a problem gambler, there are a number of features that can make a person more vulnerable to problem gambling. Evidence shows that the majority of known problem gamblers earn a lower than average income and are single (New Focus 2005; AMA 1999; PC 1999).
- Problem gamblers often have other health or lifestyle problems (AMA 1999).
- Problem gambling does not only affect the individual, but can have social implications for surrounding family and friends; which can resonate throughout the wider community (PC 1999; New Focus 2005).
- Problem gambling is considered an addiction and can have serious health implications (PC 1999).
- A VCGR study found that rates of participation in gaming was lower in the four cultural groups studied (Chinese, Greek, Vietnamese and Arabic speaking) than the general community, but that those who did participate were more likely to spend more on gaming (with the exception of the Arabic speaking group) and were more likely to have a problem with gambling. (Cultural Partners 2000).
- EGM usage, reasons for gambling and level of problem gambling vary between men and women (AMA 1999).
- The main trigger for the problems of most problem gamblers is the financial loss which then has a range of social and personal repercussions for the gambler and the wider community (PC 1999).

- The impact of stress, including housing stress, loss of job, dependents within the household, housing tenure and reliance of pensions or benefits affects financial resilience.
- Economic impacts of gaming affect the individual and can be the catalyst for health and social implications (PC 1999).
- Gaming represents a net loss of revenue to local economies (KPMG 1999).
- There is a community benefit scheme in place to return some of the economic losses of gaming to the community but the system is not managed to have the best outcome for the community.

Implications for the location of gaming machines arising from the above are:

- Gaming machines can be a benefit to the community where they introduce a range of improved opportunities to entertainment and recreation. However, this must be balanced with locational and demographic context of the area.
- Convenient access to gaming machines can make the local community more vulnerable to problem gambling and negative impacts of gaming machines (PC 1999; ANU 2004; KPMG 1999).
- Gaming venues can 'entice' people to gamble in areas where people congregate for everyday activities; and may cause harm to the community (referred to as 'convenience gaming') (ANU 2004; PC 1999).
- Research supports locating gaming machines in less convenient areas (PC 1999; Caps Review 2005).
- Research supports the concept of destination gaming as a way to ensure that people make a pre-determined decision to gamble (PC 1999; Caps Review 2005).
- Gaming revenue needs to be better regulated and targeted to produce a better financial outcome for the community from which the revenue is raised.

The above research is examined in greater detail at Attachment 4.

6.2 Planning Considerations

There is a dichotomy between the locational influences on gaming and the factors underpinning sustainable development.

6.2.1 Sustainability

Sustainability and sustainable development are the overarching principles of planning in Victoria; that is, an integrated approach to ensuring the social, economic and environmental requirements of the present and future generations is considered. 'Sustainable development' is described as:

"Development which meets the needs of the present without compromising the ability of future generations to meet their own needs" (Melbourne 2030)

A key platform of sustainable development is the establishment of multi-purpose, highly accessible activity centres to reduce the number of individual motorised trips made, increased health and wellbeing through walkability and integrated public transport and enhancing interest and vitality in our centres.

6.2.2 Activity Centres

Under Clause 17.01 of the Hume Planning Scheme, the objective of the activity centres policy is:

To encourage the concentration of major retail, commercial, administrative, entertainment and cultural developments into activity centres (including strip shopping centres) which provide a variety of land uses and are highly accessible to the community.

Activity centres policy includes a hierarchy of activity centres including Principal, Major and Neighbourhood centres; each with differing roles and services. Principal and Major Activity Centres *"have a mix of activities that generate high number of trips including business, retail, services and entertainment"* (Clause 12.01 Hume Planning Scheme)

Neighbourhood Activity Centres *"have a mix of uses that meet local convenience needs; are accessible to a viable user population by walking and cycling; and are an important community focal point"* (Clause 12.01 Hume Planning Scheme)

The hierarchy of activity centres, identified in *Melbourne 2030*, is applied to Hume City. Entertainment and recreation land uses are encouraged in major activity centres, which are more appropriate locations for large scale entertainment facilities than smaller neighbourhood centres where people undertake everyday activities.

Clause 12.01 of the Hume Planning Scheme discourages retail, commercial and recreational development outside of activity centres that is inaccessible and that stand alone. In these cases, development should only be allowed if it can be

convincingly demonstrated that the proposed use or development is of net benefit to the community in the region served by the proposal.

Whilst the recent VCAT case regarding a site in Wallace Avenue, Point Cook (*Walker Corporation Pty Ltd v Wyndham CC [2007] VCAT 1396 (24 July 2007)*) was not an application for a planning permit for the installation of EGMs, some pertinent discussion regarding the location of EGMs and activity centres was raised. The case established that large hotels and entertainment facilities should be located within or on the periphery of activity centres, so as to facilitate the orderly development of activity centre planning and not undermine their viability.

The location of a site within an activity centre should have the following characteristics:

- The site is shown in the Planning Scheme or any other incorporated plan for an activity centre.
- A boundary will usually be identified by a physical barrier such as a road, railway and natural barrier, and
- Distance from public transport nodes should be approximately 500m walking distance to be included within the activity centre.

The case concluded that:

“we must balance the policy outcomes achieved, or not achieved, by the proposal in deciding whether there is a net community benefit in allowing the proposal to proceed.”

6.2.3 Entertainment and Recreation Land Uses

Gaming is part of a suite of activities that can be characterised as recreation and entertainment. Recreation and entertainment can encompass a vast range of activities from golf and team sports to more sedentary and individual activities such as the cinema.

Not all recreation and entertainment can be accommodated in or adjacent to activity centres. Firstly, there are those recreation and entertainment uses which are land (or water) extensive or for which some other reason means they are unable to locate within an activity centre and as such are promoted as out of centre uses. For example, golf courses and football ovals.

The second and more common category is made up of those entertainment and recreation uses which involve congregations of people and are often located indoors, such as cinemas and theatres. Gaming venues are also included in this category. Entertainment and recreation facilities under this stream are encouraged, through planning policy, to locate within activity centres to promote more sustainable communities.

6.2.4 Retail

Central to Activity Centre policy is the notion of retail. However, the planning policy at Clause 52.28 of the Victorian Planning Provisions specifically discourages gaming facilities to locate with areas given predominantly to retailing – through the prohibition of gaming machines in shopping complexes and shopping strips. It seems to be apparent that there may be conflict within the Provisions where gaming, which is nested under the retail suite of land uses under Clause 75.11, is discouraged from co-locating with other 'like' land uses.

It is important to consider the implications of this by reviewing some cases brought before the planning appeals processes. *SC Project Management v City of Nunawading & P Stoles & Ors* 1992 was one of the first cases heard by the Administrative Appeals Tribunal¹³ early after the introduction of gaming machines to Victoria. The case involved the proposed location of a gaming venue (a tavern, bar, lounge and 90 gaming machines) within the Forest Hill Chase Shopping Centre. The critical issues considered included the adverse impact on shopping centre users and the compatibility of land uses.

In the absence of any provisions regarding accessibility and location of gaming venues, the Tribunal ruled that a permit should be granted and that the locating of gaming venues in prominent locations such as commercial centres (what is referred to as activity centres) was to be encouraged. The Tribunal held that,

"If gaming machines are to be considered legitimate and complementary entertainment facilities in our society, then it would appear preferable to locate them alongside a range of entertainment facilities in the major and dominant commercial centres in the City of Nunawading, rather than to relegate them to out-of-the-way centres"

Another case heard at the Tribunal, *WG Elms v Yarra Ranges Shire Council* 1998 stated that it was *"neither necessary nor desirable that gaming venues, clubs or hotels be placed in inaccessible locations."* (22 AATR p 127).

Since such time there has been more research has been conducted into the location of gaming machines and their impacts on incidences of gaming.

The State Government's strategy for addressing problem gaming: *Taking Action on Problem Gambling* (2006) recognises the vulnerabilities of communities to gambling. The strategies employed to protect vulnerable communities include:

- Expanding the number of Regional capped areas within the Melbourne metropolitan area;
- By 2010 capping the maximum density at 10EGMs per 1,000 adult population
- Investigate the destination gaming; and
- Introduction of planning permits for the location of gaming machines.

¹³ Now under the jurisdiction of VCAT

Baibrenick Holdings Pty Ltd vs Hume City Council (2007) indicated the concern of the Commission regarding the close proximity of the venue to everyday activities—where there may be the likelihood for some persons of being more attracted to the venue due to their gaming related problems. The Commission indicated that:

“a resident of Sunbury who has concerns about his or her gambling but who conducts normal family social activity or household shopping in the town centre will come in to contact with the subject hotel and that if the number of EGMs available is increased in accordance with the application, there is a likelihood that some persons with a propensity to problem gambling will be more attracted to the venue.” (pg 22).

6.3 Resolution of these Issues in the Interest of Net Community Benefit

Gaming is not regulated in the same manner as other industries in relation to the importance of consumer protection, minimising potential “unethical activity” and reducing the risks and social and economic costs of problem gambling (PC 1999). Therefore it is highly probable that a locational approach to gaming venues and gaming machines will be a complex process and will require careful consideration of the local context.

A combination of current research, legislative context, local social and economic and planning considerations has led to the conclusion that gaming should be accessible but not convenient—thereby addressing matters related to harm minimisation. This translated spatially indicates that gaming should be located outside the retail core but with some accessibility to an activity centre. It should also not be located in an area of low socio-economic disadvantage. In this sense, a gaming venue should be **accessible** to transport routes (to address sustainable development) but **not convenient** so that a gambler has to make a predetermined decision to gamble.

The steps taken to reach this conclusion can be summarised as follows:

- Legislation seeks to ensure that all development is sustainable.
- The Hume Planning Scheme encourages entertainment facilities to locate within activity centres.
- However, the scheme also prohibits the locating of gaming venues with retail facilities; specifically, strip shopping centres and shopping complexes common in activity centres.
- Research indicates that gaming should not be convenient and encourages the concept of destination gaming as a possible model for minimising the social and economic impact on vulnerable communities.

Therefore, gaming venues should have the attributes of destination gaming, but embody principles of sustainable development. To incorporate these two concepts into one approach, venues should be located proximate to; but not within the retail core of activity centres in Hume City.

Based on the foregoing analysis, the following are proposed as the principles that should underpin the local planning policy on gaming. The subsequent discussion justifies the inclusion of each principle.

1. Gaming machines should be proximate to, but not in the core of, Hume City's principal and major activity centres.
2. Gaming machines should be located such that their primary catchment encompasses areas where there are non-gambling social, entertainment and recreational activities which are existing or proposed (plans are approved and awaiting implementation), particularly Hume City's principal population centres of Sunbury, Broadmeadows and Craigieburn.
3. Additional gaming machines can be located in areas remote from activity centres and a choice of transport modes if associated with a sports or recreation club with extensive land requirements.
4. Proposals for gaming machines should –
 - a. not locate in areas of relative socio-economic disadvantage;
 - b. not locate in suburbs where the local gaming density is higher than the average gaming machine density for metropolitan Melbourne; and
 - c. where relevant, make a positive contribution to the redistribution of gaming machines away from areas of socio-economic disadvantage.
5. Gaming machines should be located in areas where there are limited gaming opportunities as determined by the local gaming machine density in comparison to the Melbourne metropolitan average.
6. Proposals should demonstrate that the provision of gaming machines in a particular location will achieve a net community benefit.
7. Proposals for gaming machines should be able to demonstrate that the chosen location could reasonably be perceived as a destination in its own right. Gaming machines should not be convenient to areas where people congregate. This would be achieved by separating the location of gaming machines from areas involving a high concentration of people undertaking daily activities, such as shopping centres, key transport nodes and community facilities and services .
8. Gaming machines should not be convenient to concentration of shops.
9. Gaming machines and any associated recreation and entertainment facilities should not be located in or in proximity to areas where the uses will be incompatible with the predominant surrounding land use.

10. It is preferred that gaming machines are located in venues which:
- Have a range of other non-gambling entertainment and leisure options;
 - Make non-gambling social and recreational activities the primary purpose of the venue;
 - Limit their hours of operation; and
 - Make direct contributions to the local community.

7.1 Rationale for Principles

7.1.1 Shops

Principle 8: Gaming machines should not be convenient to concentrations of shops

This principle is derived from one of the purposes of Clause 52.28 in the VPPs, which seeks to prohibit gaming machines in specified shopping centres and strip shopping centres. The aim of removing gaming venues from shopping centres has been an established part of State planning policy on gaming for some time. It is based on the idea of reducing accessibility to gaming in places where people congregate to spend money for other purposes.

Principle 8 seeks to extend the basis for the statutory prohibition of gaming in shopping centres; that is, minimising convenient access to gaming, to include those areas which can be easily accessed from shops. As the *Romsey Hotel Pty Ltd v VCGR 2007* Tribunal case showed, business areas not meeting the strict interpretation of a 'strip shopping centre' are potentially available for the location of gaming machines. There are likely to be instances when there is a fine line between whether land will be deemed to be in or outside a strip shopping centre. As such there is a need to make clear in any policy that those areas within easy walking distance of shopping centres are also not suitable for gaming, to minimise the incidence of convenience gaming. This will also ensure that shopping centres not scheduled in Clause 52.28 (perhaps because they are newly established) are given some policy protection.

7.1.2 Activity centres

Principle 1: Gaming machines should be proximate to, but not in the core of, Hume City's principal and major activity centres.

Principle 3: Additional gaming machines can be located in areas remote from activity centres and a choice of transport modes if associated with a sports or recreation club with extensive land requirements.

Gaming is an unusual land use in that 'gaming premises' are situated under the retail use hierarchy in the VPPs, yet Clause 52.28 seeks to prohibit gaming machines in shopping centres. Normally entertainment uses are encouraged to locate in activity centres where they will achieve the greatest accessibility (Clauses 12.01 and 17.01), however this does not sit comfortably with State gaming policy which essentially aims to reduce the convenient access to gaming machines and thereby promote harm minimisation strategies regarding problem gambling. It is this fundamental policy tension which Principles 1 and 3 seek to resolve.

Research has concluded that proximity of gaming venues to places of community congregation influenced gambler behaviour. The Productivity Commission also found that there appeared to be a connection between greater accessibility to gaming machines and greater prevalence of problem gambling. On this basis alone an isolationist approach to gaming would seem warranted.

However on the flip side, there are a number of reasons to support at least some level of accessibility for gaming venues. The Planning and Environment Act includes an objective to provide for the fair, orderly, economic and sustainable use and development of land. It is suggested that if gaming venues were to be located only in isolated locations, this negates any opportunity for multi-purpose trips and use of non-car based transport. To do so would be neither fair (to those without a car), nor environmentally sustainable. As gaming is a legal recreation activity that is enjoyed responsibly by a vast majority of those who gamble, it is considered important that measures to minimise the incidence of problem gambling should not completely undermine activity centre policy and sustainability principles.

It is therefore considered that encouraging gaming machines to establish towards the edge of principal and major activity centres (Principle 1) provides for a balance between competing policy objectives. The key is that gaming venues should not be located in the core of a town centre where the highest concentrations of people will be located and where convenience gaming could be encouraged.

There are a number of reasons why it is considered more appropriate to direct gaming machines towards larger activity centres. Firstly, it sits comfortably within the overall strategy to manage urban development in Hume. The spatial strategy set out in the MSS promotes hierarchy of accessible activity centres which provide for, among other things, community and entertainment facilities, particularly in centres such as Broadmeadows, Sunbury and the Craigieburn Town Centre. Melbourne 2030 also supports the provision of major trip generating uses in places of maximum accessibility.

Such a model is also supported by the research on the relationship between location of gaming venues and impact on communities, by protecting lower order centres where it is likely to be less appropriate to locate gaming venues. For example ANU research concluded that in general terms, clubs which draw their patrons from a more localised catchment have patrons with heavier gambling profiles than those clubs with a wider reach into the surrounding area. Furthermore clubs with spatially extensive catchments were typically located close to large areas of community congregation.

Finally Principle 3 recognises the reality that it is not feasible for all clubs to locate close to activity centres, as they may be associated with large recreation uses such as golf courses or ovals. In these cases such clubs should not be discriminated against in terms of location policy as these venues may in other respects be suitable for gaming. For example they are likely to be distant from other activities (a destination venue) and have a social and recreational focus which is not solely related to gaming.

7.1.3 Socio-economic disadvantage

Principle 4: Proposals for gaming machines should –

- a. not locate in areas of relative socio-economic disadvantage;*
- b. not locate in suburbs where the local gaming density is higher than the average gaming machine density for metropolitan Melbourne; and*
- c. where relevant, make a positive contribution to the redistribution of gaming machines away from areas of socio-economic disadvantage.*

It has been shown through a variety of research that gaming machine consumption patterns correlate with measures of socio-economic disadvantage. This is the basis of the regional caps which have been introduced by the Government to ensure that gaming is less accessible to vulnerable communities.

Accordingly Principle 4 seeks to apply this thinking at a more local level by seeking to ensure that gaming machines are not established in areas of disadvantage, and re-distributed away from areas of disadvantage. This is also in accordance with the objectives of the *Gambling Regulation Act 2003* which seeks to minimise harm caused by problem gambling.

Finally Principle 4 also recognises the link between gaming densities and gaming expenditure. As Livingston (2006) notes, the strongest available predictor of whether a particular municipality will have a high average consumption of EGM gambling is the density of EGMs. Livingston also notes that across Victoria, the highest densities of EGMs can be found in areas of lower socio-economic advantage. This approach seeks to avoid concentrations of gaming machines in a single area whilst considering the specific socio-economic context, as these combined factors can have a significant impact on vulnerable communities. In growth areas particularly such a principle is deemed advisable, as it should not be presumed that an emerging community will be an advantaged one.

7.1.4 Suitable areas for gaming

Principle 2: Gaming machines should be located such that their primary catchment encompasses areas where there are non-gambling social, entertainment and recreational activities which are existing or proposed (plans are approved and awaiting implementation), particularly Hume City's principal population centres of Sunbury, Broadmeadows and Craigieburn.

Principle 5: Gaming machines should be located in areas where there are limited gambling opportunities as determined by the local gaming machine density in comparison to the Melbourne metropolitan average.

It is considered advantageous to locate gaming machines in areas where there are a choice of entertainment options, which is less likely to occur in a local centre. State planning policy on gaming following Amendment S58 has suggested that it is desirable that gaming venues provide a variety of facilities and services for patrons so that gaming is not the sole purpose of the venue. To extend this concept to a more macro level, Principle 2 encourages gaming to be considered as part of the broader range of entertainment and recreation facilities and activities on offer in the

area. Alternative non-gambling facilities may include, but are not limited to, social clubs, restaurants, bars, live entertainment, dining facilities, cinemas and indoor recreation facilities, which are existing or will be established in the very near future (that plans are approved and awaiting implementation).

This essentially promotes choice, so that residents have the opportunity to engage in social activities in their local area, without being exposed to gambling. It is important to also ensure that choice is supported through the availability of the non-gambling activities during operating times of the gaming venues.

Hume City Council plans for community and recreation facilities on a hierarchical basis as set out in *Hume City Development Principles for Recreation and Community Facilities* (2006). The Principal Population Centres of Sunbury, Broadmeadows and Craigieburn are identified as including key activity centres which include a variety of community and recreational facilities which therefore offer alternative social activities to gaming.

Consumer Affairs Victoria believes there should be a range of transparent and fair consumer choice available to consumers in order for them to make balanced decisions regarding the expenditure of their money. This is particularly important in areas of lower socio-economic advantage and in isolated communities to ensure that they are protected from becoming vulnerable or disadvantaged consumers; therefore making ill-informed decisions on consumption, in this case – a non-benign form of consumption.

Given the findings of the 2003 Victorian Longitudinal Community Attitudes Survey, which found that more than 57% of EGM gamblers travelled less than 5km to the last venue where they played machines, 32.3% travelling less than 2.5 kilometres, it is clear that accessibility is a major contributing factor to gaming consumption. As such any alternative non-gambling activities must be available to residents within the immediate catchment of the venue (5km from the venue).

A range of entertainment options is particularly pertinent for growth areas and small communities with a limited range of recreation venues. A VCGR study (1997) of the impact of gaming machines on small rural communities found that entertainment and expenditure patterns changed after their introduction and there were an increased number of problem gamblers and bankruptcies.

However this is not a clear-cut issue. The same study noted some benefits to the introduction of EGMs into such towns, including the provision of a safe, accessible and non-discriminatory form of entertainment. Furthermore in the *Branbeau Pty Ltd v Victorian Commission of Gambling Regulation 2005* case, the Tribunal stated that it was not aware of evidence that the impact of a new venue on problem gambling when residents already have good access to gaming opportunities. This was despite the VCGR arguing that the possibility that the risk of harm to problem gamblers or people at risk of becoming problem gamblers might be more likely to be increased by the opening of a new venue in a location which has been previously free from EGMs.

Nevertheless on the basis that gaming is not a benign form of recreation, it is considered a reasonable proposition that consumers have access to a choice of entertainment and recreation facilities, not just those associated with EGMs and gambling. The Productivity Commission also suggested that policy approaches need to be directed at reducing the costs of problem gambling through harm minimisation.

Principle 5 also directs gaming machines towards areas with limited existing gaming opportunities, or the population is likely to grow. This is premised on the theory that gambling consumption is higher in areas of high EGM densities, and is one of the drivers behind regional capping. It is recognised that the links between problem gambling and accessibility are not full understood, although the Productivity Commission did find that “there is sufficient evidence from many sources to suggest a significant connection between greater accessibility – particularly to gaming machines – and the greater prevalence of problem gambling.” By taking a precautionary approach it would seem more appropriate, subject to other principles, to direct new gaming machines towards areas which can absorb additional gaming machines, rather than to areas with an already high concentration of gaming machines.

The establishment of EGMs in growth areas should not occur in an unconstrained manner though. It is important to ensure that:

- Gaming machine numbers are not excessive in newly establishing communities. This will mean that a growth area is not saturated with EGMs in its early years. As noted by Livingstone (2006) there is an apparent relationship between the number of EGMs at a venue and the average expenditure per EGM. High gaming machine densities are also correlate with higher per capita consumption. This therefore increases the relative risks associated with EGM consumption in these new communities; and
- Alternative non-gambling facilities and activities are already established or will be established in the very near future.

7.1.5 Destination gaming versus convenience gaming

Principle 7: Proposals for gaming machines should be able to demonstrate that the chosen location could reasonably be perceived as a destination in its own right. Gaming machines should not be convenient to areas where people congregate. This would be achieved by separating the location of gaming machines from areas involving a high concentration of people undertaking daily activities, such as shopping centres, key transport nodes and community facilities and services.

This principle relates to some of the earlier principles which sought to reduce opportunities for convenience gaming. However Principle 7 makes this issue more explicit and applies it to key areas of community congregation.

Again, this pertains to the theory that destination gambling is more likely to encourage gambling as a legitimate recreational activity. For a gaming venue to be a destination within its own right, the venue does not necessarily have to be inaccessible. Rather, this concept suggests that a venue is not ‘convenient’ in a

broad sense and that a conscious decision has to be made to go to the gaming venue to undertake the gaming activities.

State Government policy as set out in *Taking Action on Problem Gambling* foreshadows that destination gambling is seen as a possible direction for future policy. In any event, research by the ANU found that proximity of gaming venues to places of community congregation influenced gambler behaviour. As with shopping centres, separating gaming machines from other major land uses where people concentrate in daily activities, such as railway stations, will also minimise the likelihood of convenience gaming¹⁴.

7.1.6 Net community benefit

Principle 6: Proposals should demonstrate that the provision of gaming machines in a particular location will achieve a net community benefit.

Gaming involves both positive and negative impacts upon local communities. This is recognised by the *Gaming Regulation Act 2003* which requires the VCGR to consider the net social and economic impacts when considering approval of premises suitable for gaming. Given the dual planning permit and gaming license approval system that now operates, it is appropriate that councils also consider issues of net community benefit to ensure both sides of any socio-economic assessment are examined. Ideally a gaming venue would contribute directly to necessary services or facilities in the local community, however it is not considered that this is something that planning system can specifically require due to the overlap with development contribution requirements. Community contributions may be something an applicant could voluntarily undertake though in order to demonstrate a net community benefit.

7.1.7 Compatibility with surrounding land uses

Principle 9: Gaming machines and any associated recreation and entertainment facilities should not be located in, or in proximity to, areas where the uses will be incompatible with the predominant surrounding land use.

Although gaming machines themselves do not cause external amenity impacts, gaming premises are encouraged through State policy to co-locate with other complementary activities. Therefore it is likely to exacerbate the potential for problems at the interface between gaming venues and surrounding land uses. While this principle can relate to the potential impact of a gaming venue on the amenity of nearby sensitive uses, such as residential areas or community service hubs, or schools, this should not be seen as encouraging gaming machines and associated uses to be located in industrial areas either. Such areas are unlikely to be appropriate both in terms of lack of access by a variety of transport modes and safety issues after hours for non-vehicle users. Furthermore, given the regional significance of the industrial areas that are in Hume City, the ongoing operation of

¹⁴ Herald Sun 24 February 2007 – showed that The Clocks at Flinders Street Station was Tattersalls highest turnover venue over a period of 10 weeks (\$16.27million in 10weeks)

businesses in these areas should not be compromised by incompatible uses and amenities.

7.1.8 Preferred attributes of gaming venues

Principle 10: It is preferred that gaming machines are located in venues which:

- Have a range of other non-gambling entertainment and leisure options;*
- Make non-gambling social and recreational activities the primary purpose of the venue;*
- Limit their hours of operation; and*
- Make direct contributions to the local community.*

Principle 10 suggests that gaming machines should preferably be located in venues that have particular attributes to both minimise opportunities for problem gambling and to increase the benefits to communities made from gaming machines and gaming venues..

Research suggests that certain types of venues are more likely to have the characteristics of low risk venues in terms of levels of EGM consumption (Livingston 2006). These attributes include small club venues with a relatively small numbers of EGMs, modest activity levels whether measured by the value of EGM consumption or the proportion of time EGMs are in use, and some definite social or recreational purpose other than gambling. It is considered problematic to set a maximum number of EGMs as the State has already regulated this matter (105 EGMs per venue) and the appropriate number of EGMs for any given location is likely to be a function of other factors such as floor space, levels of disadvantage, contributions to the community and EGM density in the area.

It is also inappropriate to specifically distinguish between hotels and clubs as there are State regulations for an overall 50/50 split of EGMs between hotels and clubs across Victoria. Nevertheless, given that Clause 52.28's objectives include ensuring that gaming machines are located in appropriate premises, there is a case to be made for ensuring that gaming is not a primary function in that premises and that there are a range of other activities to engage patrons. Furthermore, limiting hours of operation to avoid 24 hour gaming will assist in ensuring gaming machines are not available at times when other recreation opportunities are closed.

8.1 Opportunities to influence gaming outcomes through local planning policy

A local planning policy cannot influence all aspects of Council's approach to gaming in the way that a more generic Council policy on gaming might seek to. For example, local government gaming policies often advocate lower numbers of gaming machines, incorporate harm minimisation strategies, and advocate for increases in gaming services in the municipality.

It is considered reasonable, under the parameters of the Victoria Planning Provisions, to seek to influence the following matters through a local planning policy on gaming:

- Location of gaming machines in relation to other land uses and infrastructure.
- Distribution of gaming machines in a municipality.
- Socio-economic impact of, and net community benefit arising from, gaming machines.
- Uses associated with gaming venues.
- Amenity issues.
- Application requirements.

On the basis of existing State gaming regulations it is considered problematic local planning policy to seek to influence the following matters:

- Proportion of EGMs in clubs and pubs.
- Prohibiting additional EGMs in a specific geographic area.
- Certain detailed venue or EGM design features (such as location of ATMs, spin rates and so on).
- Advertising of gaming.

It is also not considered appropriate for a local policy to specifically deal with issues associated with gaming venues on Council owned land. There is no planning reason why an applicant for EGMs on Council land should be treated differently to an applicant on private land. However, this matter can be addressed through a Gaming Policy or through lease agreement conditions or any other viable means, to ensure that occupiers meet the Council's expectations of appropriate uses on municipal land.

8.2 Strategy Options

One of the tests for any local planning policy is that it needs to implement an objective or strategy in the Municipal Strategic Statement (MSS). There is currently no explicit reference to gaming in the Hume MSS. There are however a number of provisions in the MSS that pertain to establishing a range of entertainment facilities and social infrastructure, supporting a hierarchy of activity centres as the focus for entertainment, and promoting community well being. The main body of the MSS sets out a variety of strategies and objectives for each geographic part of Hume City.

It is considered that there are two options available.

1. Rely on current generic provisions relating to activity centres, community well being and providing for a range of community and entertainment facilities.
2. Insert a reference to gaming for each geographic area in Hume City.

It is recommended that the Council pursue Option 1 as:

- The proposed local planning policy will relate more to general principles about gaming machines, rather than dealing with specific locations;
- There is likely to be a high degree of repetition on overarching gaming provisions due to the geography-based structure of the MSS; and
- The current general MSS vision and objectives are consistent with the spatial framework established in the proposed local gaming policy.

8.3 Draft Policy

This draft local planning policy is based on the principles set out above. It is considered preferable to base the policy on generic location principles rather than naming specific towns as preferred/less preferred locations. This is because two of the key variables identified as important location principles (that is, socio-economic characteristics and population levels) will change over time. The proposed draft policy thus reads as the following:

Policy 22.xx Gaming

This policy applies to all applications which require a permit to install or use a gaming machine, or use land for the purpose of gaming.

22.xx-1 Policy Basis

This policy supports the broad planning objectives of the Municipal Strategic Statement, in particular the social, activity centre and amenity objectives, by setting out how and where gaming machines should be located.

It is recognised that whilst gaming is a legitimate form of recreational activity, for some it leads to adverse consequences for the gambler, others and for the community. Research has concluded that there are links between social disadvantage, problem gambling and proximity to gaming venues. Gaming machines should reasonably be accessible to the community as a form of entertainment, but not be convenient.

The need for a fair and equitable distribution of gaming machines through out metropolitan Melbourne and Hume City is recognised. This ensures an average gaming machine density for the City being comparable to that of metropolitan Melbourne.

22.xx-2 Objectives

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

22.xx-3 Policy

It is policy to:

- Plan the location of gaming machines as part of the overall range of entertainment and recreation facilities and activities on offer in Hume City.

It is policy that gaming machines should **not** be located:

- In suburbs of high socio-economic disadvantage.
- In suburbs where the average gaming machine density is higher than the average gaming machine density for metropolitan Melbourne.

- Where they are convenient to shops, community facilities and services or key public transport nodes where large numbers of pedestrians are likely to pass in the course of their daily activities.
- In the core of activity centres where there is the highest intensity of activity, including the main shopping areas, and other widely visited civic, transport and community functions.
- Where the gaming machines and associated uses will be incompatible with the predominant surrounding land uses on the basis of their:
 - ability to achieve safe pedestrian and vehicle access;
 - proposed design, location and operations detrimentally affecting the amenity of the surrounding area;
 - potential to compromise the ongoing operations of surrounding businesses and industry.

It is policy that gaming machines should be located:

- In, or within walking distance of, major and principal activity centres as listed in the Hume Activity Centre Hierarchy Study. This does not apply to a sports or recreation club with a land holding of more than 2 hectares.
- In suburbs where residents within 5km radius of the proposed location of the gaming machines have a reasonable choice of alternative non-gambling entertainment and recreation facilities and activities.
- In suburbs where the total density of gaming machines, is lower than the average gaming machine density for metropolitan Melbourne, provided that neighbouring suburbs also have lower gaming machine density or do not have high socio-economic disadvantage.
- Where the location could reasonably be perceived as a destination in its own right. This would be achieved through the separation of the location of gaming machines from areas where there are high concentrations of people undertaking daily activities,
- In venues which:
 - Have a range of non-gambling entertainment and leisure options;
 - Offer social and recreational opportunities other than gaming as the primary purpose of the venue;
 - Have gaming floor area of less than 25% of the total floor area of the venue; and
 - Do not allow for 24 hour a day operation.

22.xx-4 Application requirements

It is policy to require applications to include the following information:

- Details about the existing and proposed distribution and densities of gaming machines in the municipality.
- Evidence of the need for additional gaming machines in the municipality broadly and more specifically the proposed location.
- A robust assessment of the social and economic benefits and costs of the proposal to the local area (minimum 5km radius from the location of the proposed gaming machines).

- Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community (community benefits derived from existing contractual agreements that the applicant is obliged to undertake are to be detailed separately).
- Details of existing gaming expenditure at the venue (over a 3 year period prior to the application) and a 12 month forecast of the anticipated expenditure at the venue if the proposal was to be approved.
- Details of existing and proposed gaming and non-gambling related entertainment and recreation facilities within the local area of the proposed machines. If those facilities are not satisfying the current or future needs of the community, provide details of why those needs are not being, or will not be, satisfied.
- If the gaming machines are to be relocated from other venues, provide reasons why the gaming machines are being relocated and the likely social and economic impact of the proposal on those venues and the local areas from which those machines were taken.
- If the proposed location of the gaming machines will likely transfer expenditure away from other venues, provide:
 - particulars as to how the level of transfer has been calculated
 - the amount of transfer expenditure anticipated; and
 - the resulting impact on the venue from where the expenditure is transferred.
- Where relevant, details of the design and layout of the premises be provided, including all proposed and existing signage and evidence of compliance with any relevant gaming regulations concerning premises layout, design and operation.
- A venue management plan identifying strategies to mitigate problem gambling in relation to the design and management of the venue, including the applicant's responsible gaming practices.
- Distances of the proposed gaming machines from shopping complexes, shopping strips, community facilities and services, and public transport.

22.xx-5 Decision guidelines

It is policy that before deciding on an application the responsible authority will consider as appropriate:

- The net community benefit to be derived from the application.
- Whether approval is likely to increase the social disadvantage or financial vulnerability of the local community.
- Whether the location of the gaming machines or gaming premises will facilitate or discourage convenience gaming.
- Whether the venue is accessible by a variety of transport modes.
- Whether residents will have a choice between entertainment and recreation facilities and services with and without gaming in the local area.
- The impact of the proposal on the amenity of the area and surrounding land uses.

22.xx-6 Reference

Strategic Reference Document for Gaming in Hume City 2007
Hume Activity Centre Hierarchy Study 2004.

8.4 Prohibited and discouraged areas in and around shopping centres

Under Clause 52.28-4 of the Hume Planning a Scheme a strip shopping area is defined as an area meeting 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.

The schedule to the clause provides that gaming is prohibited in all strip shopping centres in Hume City.

Unfortunately there are a number of ambiguities associated with the definition of a strip shopping centre as shown by the *Romsey Hotel Pty Ltd v Victorian Commission for Gambling Regulation* decision and as it stands it is left to a decision maker to interpret on a case by case basis what constitutes a strip shopping centre.

To ensure consistency and certainty Coomes Consulting Group has undertaken an audit of shopping centres and business zoned areas in Hume City using a consistent methodology to interpret Clause 52.28-4. The results are set out in Attachment 7 and have been mapped. It is recommended that maps showing prohibited areas are attached to the schedule to Clause 52.28-4.

The mapping exercise has also identified areas where it is considered that, although gaming cannot be prohibited under the provisions of Clause 52.28, it should be discouraged. This is on the basis that gaming should not be convenient to concentrations of shops, community facilities or key public transport nodes where large numbers of pedestrians are likely to pass in the course of their daily activities, increasing the likelihood of spontaneous decisions to play gaming machines.

To ensure that the discouraged areas are given full weight in the decision making process these maps should become an incorporated document in the Hume Planning Scheme.

Alternatively if Council does not wish to follow this course of action the maps showing discouraged areas could be used as background guidance to help Council and applicants interpret the Clause 22 policy. In this case it is recommended that the relevant bullet point in the draft policy set out above be deleted.

9 Planning Tools

9.1 Application process for planning permits related to Gaming (EGMs)

9.1.1 Preferred Application Process

Persons wishing to install or use a gaming machine must apply to:

- a) The relevant local government authority for a planning permit under the provisions of the Planning and Environment Act 1987; and
- b) The Victorian Commission for Gambling Regulation (VCGR) for either premises approval or to increase the number EGMs under the provisions of the Gambling Regulation Act 2003.

Although there is no requirement to receive approval from one regulatory authority before an application to the other regulatory authority, it is considered preferable that planning issues are either dealt with prior to the gaming application (see Process Diagram 1), or in parallel with the gaming application (see Process Diagram 2).

Some benefits associated with dealing with planning issues prior to the gaming assessment are that:

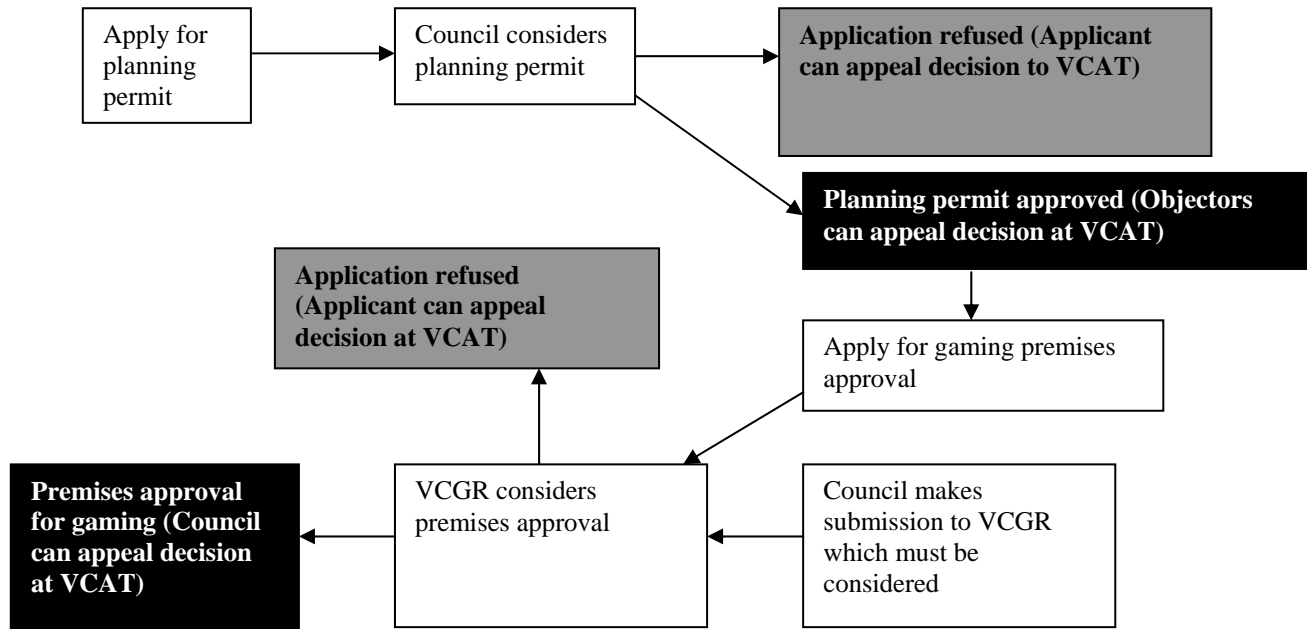
- Council may consider a broad range of land use, environmental, social and economic factors as well as public objections when determining a planning application for gaming. In comparison the matters that must be considered by the VCGR have a narrower focus (see Table 10 below).
- This is more consistent with other processes where a planning permit and other form of licensing are required, such as in relation to liquor licenses or building permits.
- In addition to being the responsible authority for the planning permit, Council can also make a submission under the provisions of the Gambling Regulation Act which must be considered by the VCGR in deterring whether a premises is suitable for gaming. To maximise the possibility of support from Council at this stage, it would be prudent to have already undertaken a successful planning permit process.
- Council's submission to the VCGR will be assisted by information obtained through the planning permit process.

An alternative approach would be to deal with the two processes in parallel. The advantages of such an approach will be to:

- Minimise the time taken to consider the proposal.
- Allow opportunities for more collaborative approaches between the applicant and Council to manage issues that may arise in both assessment processes.
- In the event of a refusal from both Council and the VCGR, possibly open the opportunity for a joint planning/gaming appeal to VCAT which will minimise the resources required to appear before the Tribunal. For example joint appeals have been conducted in relation to planning permits and liquor licenses.

It is possible however that Council would not be in a position to comment to the VCGR until after a decision had been reached on the planning permit application.

Process Diagram 1:



Process Diagram 2:

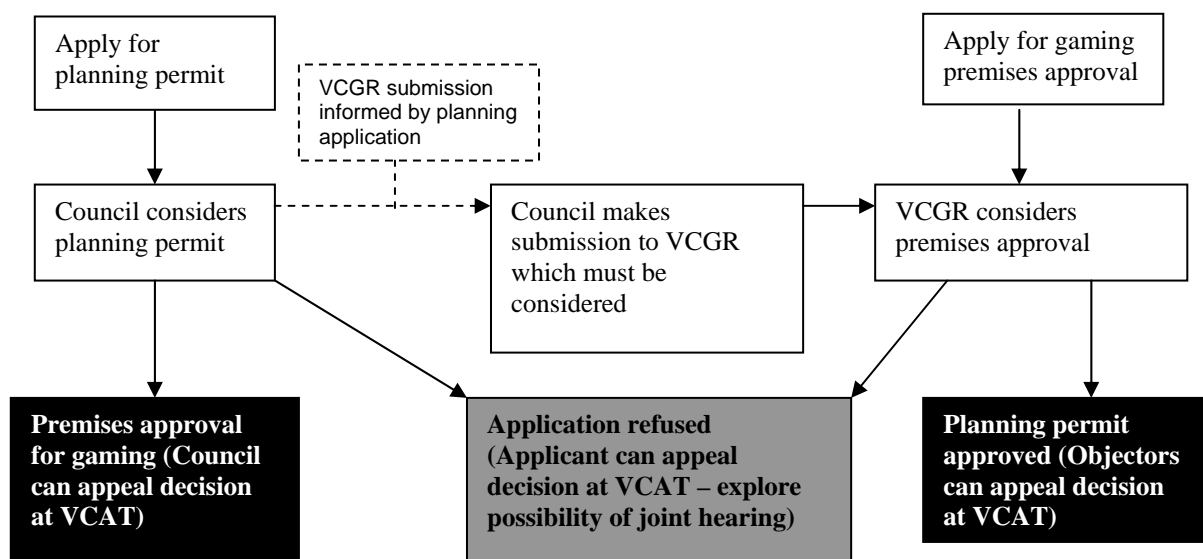


Table 19: Comparison of potentially relevant considerations for planning and gaming approval

Planning and Environment Act Section 60	Gambling Regulation Act 2003 Section 3.3.7
<p>Council must consider:</p> <ul style="list-style-type: none"> – the planning scheme – the objectives of planning in Victoria; – all objections and other submissions – any comments of a referral authority – any significant effects of the proposal on the environment or the environment on the proposal. 	<p>VCGR must not approve a premises as suitable for gaming unless it is satisfied that:</p> <ul style="list-style-type: none"> – the applicant has authority to make the application in respect of the premises – the premises will be suitable for the management and operation of gaming machines – the net economic and social impact of approval will not be detrimental to the well-being of the community of the municipal district in which the premises are located.
<p>Council may consider:</p> <ul style="list-style-type: none"> – any significant social and economic effects – any relevant State environment protection policy – any other adopted strategic plan, policy statement, code or guideline – any adopted, but yet to be approved amendment to the planning scheme – any agreement made pursuant to section 173 affecting the land the subject of the application – any other relevant matter. 	<p>The VCGR must consider:</p> <ul style="list-style-type: none"> – whether the size, layout and facilities of the premises will be suitable. – any submission made by the relevant Council. If the Council does not make a submission, the Commission must seek the Council's views on the application and must consider those views (if any) in determining the application.

9.1.2 Internal process

All applications for gaming machines should be internally referred to the relevant departments for comment, such as Social Development, Economic Development, Strategic Planning, and Leisure.

It is also recommended that the following external organisations be notified of applications for gaming machines, such as, but not limited to:

- Local problem gambling counselling services
- Community Health and Community Development service providers
- Local police
- Local traders group/s

9.2 Application requirements

9.2.1 Existing and proposed EGMs

Applicants must provide information about the proposal:

- Whether the proposal is for a new gaming venue or additional EGMs at an existing venue.

- Whether the EGMs have been relocated from an existing venue within the municipality or will be additional to those already in the municipality.
- The existing and proposed distribution and density of gaming machines in the municipality and its suburbs or towns.

9.2.2 Impact assessment

Applicants must provide an impact assessment outlining the environmental, social and economic benefits and costs of the proposed gaming venue.

Information to be included, but not limited to –

Detailed demographic profile of the anticipated catchment area of the venue	<ul style="list-style-type: none"> – Location of the anticipated catchment area and the basis for this projected catchment – Profile of patrons in the catchment area including a range of demographic and socio-economic characteristics (such as SEIFA and indicators of financial impact.) – Number of patrons attending the venue and proportion using and/or projected to use EGMs. – Comparative analysis of socio-economic profile with Hume and metropolitan averages – Projected population growth and characteristics
Location assessment	<ul style="list-style-type: none"> – Characteristics of the proposed location of the EGMs such as nearby land uses and movement patterns, including transport – Other entertainment/recreation uses, opportunities for social engagement and community services within the catchment area
EGM impacts	<ul style="list-style-type: none"> – Details of existing and anticipated EGM expenditure within the first 12 months of operation and what proportion will be diverted from existing EGM venues – Details of any proposed community contributions resulting from the proposal and the proportion of EGM expenditure to remain in the local community – If the Applicant contends that gaming expenditure is likely to be transferred from other venues, the Applicant is to provide: <ul style="list-style-type: none"> particulars as to how the level of transfer has been calculated (including, but not limited to, comparison per machine expenditure at the venue prior to and then after the additional machines, current usage levels of machines at the venue, projected usage level of machines at the venue after the additional machines); • the amount of transfer expenditure anticipated; the resulting impact on revenue of the venue from where the expenditure is transferred; and • the resulting impact on the venue from where the expenditure is transferred (such as loss of employment, loss of complementary expenditures, loss of customers, impact on ability to provide services etc).
Economic impacts	<ul style="list-style-type: none"> – Details of vulnerability of patrons to financial impact including indicators such as housing stress – Employment generated by gaming use and other uses associated only with the proposal, including details about the types of jobs created (EFT)

	<ul style="list-style-type: none"> – Value of new building and infrastructure provision associated only with establishment of the proposal – Anticipated shift in expenditure from local business – Any other economic benefits or costs associated with the proposal
Social impacts	<ul style="list-style-type: none"> – Details of vulnerability of patrons to social impact of the proposal, including health and wellbeing of people living in the catchment area – Details of proposed funding, sponsorship or other contributions to local services and facilities – Community benefits derived from existing contractual agreements that the applicant is obliged to undertake are to be detailed separately – Details of and demand for problem gambling support services including likely changes if application is approved – Any other social benefits or costs associated with the proposal
Analysis and mitigation	<ul style="list-style-type: none"> – Key social and economic impacts and possible measures to mitigate any negative impacts

9.2.3 Design and layout

Plans and documents submitted with the application should show:

- Internal layout of the venue including location of existing, additional and/or new EGMs in relation to other facilities, including ATMs.
- Location and details of all proposed signage
- Location and number of car parking spaces, including any justification for a reduction in the number of spaces required by Clause 52.06 of the planning scheme.
- Evidence of compliance with relevant gaming regulations regarding layout and signage.

9.2.4 Management plan

Applicants must provide a venue management plan detailing:

- Proposed operating hours
- Measures to manage noise, patrons leaving a premises at night and service of liquor.
- Measures to mitigate any potential negative consequences of EGMs, including responsible management plan, staff training, advertising, promotions, venue layout and design and EGM features.

9.2.5 Location analysis

Applicants must provide details of:

- The distances between the proposed location of EGMs to nearby shopping complexes and strip shopping centres, community facilities and public transport within the catchment area.
- Existing buildings and uses adjacent to the proposed location of the EGMs.

9.3 Planning Permit Conditions related to Gaming (EGMs)

Permit conditions will generally relate to managing outstanding or ongoing matters associated with a development or use. It is considered likely that in most if not all cases gaming machines will be co-located with other uses, that is hotels or clubs, due to the requirement under the *Gambling Regulation Act 2003* that only gaming machines can only be located in venues with a General or Club Liquor Licence or Racing Licence. As such most of the generic development and amenity issues associated with the development of a gaming venue are likely to be quite similar to those issues which would affect any large place of assembly or entertainment venue. Permit conditions will therefore also be similar.

It suggested that, if required, the Council utilise its standard permit conditions. In particular, conditions which may be relevant, depending on the site conditions and the nature of the proposed use are set out in Attachment 8.

Where a gaming premises is to be co-located with other complementary entertainment or recreation uses, a Council may wish to ensure that the gaming component of the venue does not commence operation prior to the other uses so that there are always alternative non-gaming activities available for patrons. Such a condition might be worded thus –

Prior to the commencement of operations of the gaming use hereby permitted, the following entertainment facilities shall be operational and available for use by the general public, unless otherwise authorised by the responsible authority:

– *[add list of other uses as proposed by the applicant]*

In the case of an application to increase the number of gaming machines in an existing premises, conditions should ensure that they are compatible with the parameters of previous approvals (e.g. opening hours) by either Council, Liquor Licensing or the VCGR.

In relation to matters specifically pertaining to the installation of gaming machines, or the design of gaming premises, it needs to be remembered that many of these issues are already regulated by the VCGR. It is suggested that any planning permit conditions and endorsed plans will need to be consistent with the minimum standards set out in gambling regulations to ensure that there is not a need for later amendments to the permit or plans. Conditions to exceed the normal gambling regulation standards would have to be justified under the normal tests for planning permit conditions:

- A condition must fairly and reasonably relate to the permitted development.
- A condition must serve a planning purpose.
- A condition is invalid if it is so unreasonable that no reasonable responsible authority would have imposed it.
- A condition will also be found to be void or invalid if it is overly vague or uncertain.

Relevant gambling regulations to be mindful of when imposing permit conditions include the following:

Directions under Section 80 of the Gaming Machine Control Act 1991

- A gaming machine area must be physically discrete.
- It must not be necessary for a patron of an approved venue to pass through a gaming machine area in order only to enter or leave the venue or gain access to a facility, such as toilets or a smoking area. However, access to a facility may be through a gaming machine area, if there is either –
 - (a) an alternative means of accessing that facility which does not require passing through the gaming machine area; or
 - (b) another of the same facility available to patrons elsewhere in the venue, outside of a gaming machine area;

Gambling Regulation Act – Rules under Section 3.5.23(1)

- A venue operator may offer gaming to a person only –
 - (a) during the period or periods when a licence granted under the *Liquor Control Reform Act 1998* in respect of the premises authorises the consumption on those premises of liquor supplied on those premises; or
 - (b) in the case of premises licensed under Part I of the *Racing Act 1958*, during a race meeting —but not during any break from gaming that the venue operator takes in order to comply with a condition of a premises approval or a venue operator's licence.
Note: Compliance with the Gambling Regulation Act requires a continuous 4 hour break from gaming after every 20 hours of gaming and that there must not be more than 20 hours of continuous gaming each day unless expressly approved by the VCGR and indicated in the Notice of Approved Venue.
- A venue operator must ensure that the operation of the gaming machine area and each gaming machine is subject to continual supervision. Supervision may be electronic or physical or a combination of both.
- Automatic teller machines (ATM) and electronic funds transfer (EFTPOS) devices must not be accessible by any person within the gaming machine area of an approved venue for the purposes of withdrawing cash.

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Attachment 1 – Methodology and Consultation Report

Hume City Council Gaming Policy Consultation Report – August 2007

Consultation Plan

In order to ensure that relevant industry and community members were involved in the development of a Hume City Council Gambling Planning Framework the following approaches to consultation were used:

- A focus group with owners and operators of venues that accommodate electronic gaming machines
- A focus groups with representatives of relevant health and community sector organisations
- A focus group with Council planners
- A follow up call and correspondence in response to the focus group outcomes
- Telephone and face to face interviews with industry representatives (Tattersalls, Tabcorp)

This section outlines the approach and outcome of each consultation.

Focus group with owners and operators of venues that accommodate electronic gaming machines

Approach

A list of invitees was developed by Hume City Council and invitations were sent to 17 representatives from gaming venues within Hume inviting them to attend a focus group to inform the development of the Hume City Council Gambling Planning Framework and to obtain their contributions towards the development of the Framework.

4 participants attended a one and a half hour focus group at the Hume Global Learning Centre on 1 August, 2007. It should be noted that all participants were representatives of clubs and no hoteliers were present.

The purpose of the focus group was to:

- Provide participants with information about the project aims, timelines and anticipated outcomes
- Obtain information about current gaming venue operations, including current facilities available at gaming venues
- Discuss the location characteristics of gaming venues, including the spatial conditions that support the viability of gaming venues and 'drivers' for the location of new gaming machines
- Discuss the social, economic and environmental factors that might be considered in the assessment of planning permit applications for EGMs.

A presentation was given explaining the origins and intent of the Hume City Council Gambling Planning Framework and the process for developing the

framework, including consultations. Participants were also provided with a table that summarised available information about EGMs in Hume City, based on material available on the Victorian Commission for Gambling Regulation (VCGR) web site. They were also provided with a draft facilities audit table – which showed the participants the elements (such as types of venue facilities and services, community benefits, patron information and membership/loyalty programs) to be requested from the venues at a later stage.

Outcome

The focus group noted a range of issues including the following:

- Clarification and correction of data obtained through the VCGR web site
- Discussion was had about details related to draft facilities audit table – such as club specific facilities including entertainment, functions rooms and recreation facilities. Additional categories of information were suggested by the participants – including types of community benefit – sponsorships and donations.
- Club specific considerations of the locational characteristics that support gaming including population growth in surrounding areas, the amenity of the area, regular passing traffic
- The likely location of future EGMs in growth areas and the impact on existing clubs in established areas e.g.- removal of EGMs
- Information available through Community Benefit Statement that might be used in a planning permit application such as details of sponsorships and donations to community organisations
- Developing a register for the Community Support Fund.

Other Issues

- Discussion of the Community Benefit Statement raised the possibility of 5 year averages providing a summary of community contributions
- It was also noted that annual report provide clubs with the possibility of identifying donations and sponsorships not currently noted in the Community Benefit Statement
- Stated that venues are heavily reliant on the gaming operators views on where they would prefer EGMs to be located
- Given that no hoteliers were present at the focus group an alternate consultation approach was developed for hoteliers, see the section regarding the mail out to Hoteliers.

Focus groups with representatives of relevant health and community sector organisations

Approach

A list of invitees was developed by Hume City Council and invitations were sent to 22 representatives from health and community sector organisations inviting them to attend a focus group to inform the development of the Hume City Council Gambling Planning Framework and to obtain their contributions towards the development of the Framework

Six participants attended a one and a half hour focus group at the Hume Global Learning Centre on 1 August, 2007.

The purpose of the focus group was to:

- Provide participants with information about the project aims, timelines and anticipated outcomes
- Obtain information about current research and data on gaming, including the social and economic profiles of problem gamblers
- Identify factors that contribute to accessing gaming facilities
- Discuss the social, economic and environmental factors that might be considered in the assessment of planning permit applications for EGMs.

A presentation was given explaining the origins and intent of the Hume City Council Gambling Planning Framework and the process for developing the framework, including consultations. Participants were also provided with a table that summarised available socio-economic data for the suburbs of Hume City and for the municipality as a whole.

Outcome

The focus group noted a range of issues including the following:

- Changes to Suburb boundaries within ABS census data
- Additional census data to include in understanding socio-economic conditions at Hume City Council including housing stress, diversity, labour force participation, job security figures, Aboriginal and Torres Strait Islander numbers
- Other data sources including Centrelink, refugee settlement data base (migration categories), Office of Housing, Community indicators Victoria
- Triggers related to problem gaming including mental health, time of significant life change e.g.- retirement, loss of family member
- Problem gambling services within the region are currently stretched and are not located in the most appropriate locations
- Majority of problem gambling services that serve Hume are located in City of Moreland which are difficult to access for many residents, particularly those who use public transport
- Connections between mental health and problem gambling; different cultural groups and problem gambling
- There is a need for more community infrastructure within Hume

Other Issues

- Concern was noted about the proportion of Community Benefit monies that are allocated outside the municipality. It was proposed that policy recommendations might include an independent 3rd party in the decision making process related to the allocation of the community benefit funds
- Consideration was also made of the benefits of a community survey of all adjacent areas as part of a planning permit application process for EGMs.

Focus group with Hume City Council Planners

A consultation session was held with representatives of a range of Council areas to ensure that the Hume City Council Gambling Planning Framework operates effectively across social, statutory and strategic planning. Four Council officers attended the meeting on August 1 2007.

The purpose of this consultation was:

- Report back on industry, venue owners, community and health sector consultations
- Preliminary discussion of generic principles for a local gaming policy and their application to Hume City Council.

Outcomes of the meeting included:

- Clarification of roles and approach to industry consultation and hotelier information request
- Clarification of Hume City Council policies that should inform the Gambling Planning Framework
- Clarification of approach to Hume Spatial Audit
- Revision of Location Principles for Gaming.

Follow- up response to the outcomes of the focus group Mail out data request to Hoteliers

All the participants that had attended the venue focus group with owners and operators were representatives of clubs. No hoteliers were present.

Hume City Council ensured that the gaming venues which were not present at the focus group were notified by telephone of the outcome of the meeting and that their assistance was requested in completing the facilities audit.

A revised facilities audit table, which incorporated the comments from the focus group participants, was sent to the all venues with a covering explanatory letter. A request for data to be returned to Hume City Council within a two week timeframe was made. Council has received only one data response through this request..

The revised table, setting out venue information of clubs and hotels related to the facilities, services and community benefits was developed in order to assist the assessment process regarding the applications for planning permits for the location of EGMs.

Telephone and face-to-face interviews with Industry

Approach

Hume City Council requested that specific consultations be held with Tattersall's and Tabcorp as part of the development of a Hume City Council Gambling Planning Framework. Telephone interviews were arranged with both Tattersall's

and Tabcorp to discuss the following issues related to Hume City Council (refer to the interview schedule for details of the questions).

- Preferred locational characteristics for new venues
- Preferred locational characteristics for relocation of gaming machines
- Possible differences in locational requirements for hotels and clubs
- Criteria for inclusion in a planning permit application for EGMs
- Observations about evolution of the gaming industry in the Hume area
- Other services provided
- Demographic market
- Destination gaming and convenience gaming

Outcome

One telephone interview was completed with Tattersall's and the key issues raised were:

- Locations in industrial zones would be counterproductive due to safety and accessibility issues
- Large destination venues difficult to support due to legislative restrictions on number of EGMs, land supply
- Given the above restrictions larger destinations would need to be a club with a large site and start up capital
- Commercial considerations and resident interest drives location decisions
- No preference for clubs vs. hotels
- Parton type dependent on venue
- EGMs not relocated on a regular basis due to costs
- Approval process between VCGR and Council needs clarification
- Operator/investor preference is for gaming and planning applications processes to run concurrently
- Gaming necessary for the economics of clubs
- Size of market more important than other demographic features
- Need for venues in community hubs
- Safety and accessibility of venue essential
- Location near schools not desirable.

Other issues

Tabcorp was approached as part of this task. Due to schedule constraints, the Tabcorp representative was unable to make it to a face-to-face interview; however a list of questions was emailed to Tabcorp for comment. During the follow-up phone calls and subsequent discussions, the representative stated that they were unable to provide any comments on the specified questions.

Interview Schedule – Tattersall's and Tabcorp

Hume City Council – Gambling Planning Framework EGM Gaming Operator's Interview Schedule

The questions will revolve around the location of gaming machines and what considerations should be taken into account when Council considers a gaming application.

QUESTIONS:

Firstly, I would like to ask a broad question on gaming and the location of machines

1. What are your views on the concepts of destination and convenience gaming?

Secondly, I'd like to ask some broad questions about the location of EGMs:

2. When Tattersall's / TABCORP are considering locating gaming machines into an area, what are the preferred locational characteristics for new venues (*Access, machine density, community need, associated facilities*)
3. *Similarly*, what are the preferred locational characteristics for the relocation of gaming machines?
4. Are these locational factors different for hotels and clubs? Please explain why? (*Patrons, collocation to other land uses, range of services/facilities*)
5. What are the criteria you would like to be considered by Council when gaming applications are assessed? (*Economic, social and environmental considerations*)
6. Would you like to make any additional observations about how the industry is evolving in the Hume City, particularly as parts of the City are experiencing growth?

I'd now like to talk about services and patrons:

7. Does Tattersall's/TABCORP provide other services in hotels or clubs? (*i.e. poker nights, courtesy transport etc*)
8. What would you say is the main demographic market that you are trying to attract to the gaming venues?

Attachment 2 – Ministerial Direction S124 on Community Purpose



Victoria Government Gazette

No. S 124 Thursday 26 June 2003
By Authority, Victorian Government Printer

SPECIAL

Gaming Machine Control Act 1991

I, André Haermeyer MP, Acting Minister for Gaming, pursuant to section 136AB of the **Gaming Machine Control Act 1991**, make the following determination of the kind of activities or purposes that constitute community purposes.

1. The purposes that constitute community purposes are:
 - (a) any philanthropic or benevolent purpose, including the promotion of art, culture, science, religion, education or charity including the benefiting of organisations designated by the Australian Taxation Office as 'Income Tax Exempt Charities', and including the benefiting of a fund or part of a fund of the Australian Red Cross Society; or
 - (b) any sporting or recreational purpose, including the benefiting of any sporting or recreational club or association, but excluding any club or association that holds a venue operator's licence.
2. The activities that constitute community purposes are:
 - (a) employment expenses of all staff employed by venue operators, including employment expenses of staff in gaming and non-gaming areas, excluding State and Commonwealth taxes.
 - (b) gifts and sponsorships by venue operators that fall within the definition in (1) above, including gifts of:
 - i. funds:
 - A) donations of the venue operator's funds; and
 - B) sponsorships
 - ii. goods – donations of goods paid for by the venue operator are community benefits, but not collections of goods on behalf of charities or other community groups;
 - iii. services – all voluntary services provided by members and staff of the venue operator to the community in fulfilment of the community purposes. The amount of the benefit to be credited (as an hourly rate) for the voluntary activities is \$20.00. Expenses incurred by volunteers may also be included as community benefits.
 - (c) subsidised activities where the venue operator provides a commercial service to members of the community or community organisations at less than commercial rates, the amount of the benefit is the difference between the commercial selling price and the selling price that the venue operator offers to the public.
 - (d) The provision of fixed assets, other than fixed assets used for gaming purposes.

Dated 24 June 2003

ANDRÉ HAERMEYER MP
Acting Minister for Gaming

Attachment 3 - Clause 52.28

52.28 GAMING

18/10/2006
VC39

52.28-1 Purpose

18/10/2006
VC39

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 Permit requirement

18/10/2006
VC39

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 Prohibition of a gaming machine in a shopping complex

18/10/2006
VC39

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 Prohibition of a gaming machine in a strip shopping centre

18/10/2006
VC39

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 Transitional arrangements

18/10/2006
VC39

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

18/10/2006
VC39

Decision guidelines

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.

Attachment 4 – Gaming Research Key Issues Context

Why do people gamble?

For the majority of gamblers, gaming is an enjoyable form of entertainment. However, it is recognised that EGMs are not a completely benign form of entertainment and for a small percentage of the people, can cause harm to the individual, their families and the community in a way that other entertainment facilities and leisure pastimes may not.

The reviewed research indicates that people gamble for a number of reasons, including:

- to reduce loneliness, isolation and boredom
- to win money
- entertainment and excitement
- for social contact
- to reduce stress/ gambling as way to cope or escape
- in response to relationship difficulties or breakdown
- gaming is an accessible and non-discriminatory form of recreation
- local (PC 1999; New Focus 2005).

As a form of recreation, gaming machines address a series of distinct motivations that may not be satisfied by other forms of entertainment. Some of the features that particularly attract people to play EGMs as a form of gambling include:

- Entertainment facilities that are self-activated
- An individual form of entertainment where the start time and length of play can be decided by the player
- Social contact in a non-confrontational environment
- A social environment that allows for privacy and non-participation in organised activity
- Affordable food and beverages provided in many of the venues
- Accessibility by location and opening hours
- Personal security (New Focus Research 2005).

Gender and Gambling

The reasons for gambling differ between males and females; females gamble due to boredom, and are more likely to participate in 'chance' gaming (lottery, EGMs) whereas men are more likely to gamble for excitement and are more likely to bet on sporting events and games of skill (AMA 1999).

Isolated women are particularly attracted to EGMs as a form of entertainment as they offer social contact in a non-confrontational environment where women have reported feeling safe (New Focus 2005). EGMs provide a unique social environment that allows for privacy and non-participation in organised activity.

Ethnicity and Gambling

Approximately one quarter (24.4%) of problem gamblers were born overseas from a range of countries, reflecting the ABS data for the population of Victoria at the same time (1996 data) – 27% (University of Melbourne 1999). Over half of those born overseas were born in Europe (61.1%) and 85.3% of problem gamblers in this study spoke English as their main language.

A study conducted in 2000 for the VCGR investigated the impact of gaming on four specific cultural groups in Victoria (Arabic, Chinese, Greek and Vietnamese speaking cultural groups). The study found that rates of participation in gaming was lower in the four cultural groups than the general community but that those who did participate were more likely to spend more on gaming (with the exception of the Arabic speaking group) and were more likely to have a problem with gambling. (Cultural Partners 2000).

In addition, the preferred modes of gaming differed between the various cultural groups. The percentage of respondents who use the EGMs at the casino is higher for the Greek and Chinese cultural groups, but much lower for Vietnamese and Arabic groups. Conversely, respondents from this survey were much less likely to gamble in club venues. (Cultural Partners 2000).

Understanding Problem Gambling

The Productivity Commission Report *Australian Gambling Industries* defines problem gambling as:

“the situation where gambling in our society gives rise to harm to the individual player and/or to his or her family and may extend to the community”

By this definition, problem gambling is an issue of public health; and is an issue of concern not only for the individual problem gambler, but also for the Government, the gambling industry, and the general community.

‘Problem gamblers’ are estimated to make up 2.1% of Australian adults, yet they contribute to about a third of the gambling industry’s market; in 1999 problem gamblers lost on average \$12 000 a year (PC1999).

Whilst there is no typical profile of a problem gambler, there are a number of features that can make a person more vulnerable to problem gambling. Evidence shows that the majority of known problem gamblers earn a lower than average income and are single (New Focus 2005, AMA 1999, AIGR 1996; Brown and Coventry 1997, VCGR 1997, PC 1999).

Research conducted by New Focus regarding problem gamblers indicated that in addition to these broader features, female sole parents and unemployed males were also vulnerable groups (New Focus 2005).

Whilst the majority of known problem gamblers are men, the number of women problem gamblers is increasing, most likely related to gaming machines. EGMs have a higher association with problem gambling than other gambling forms and evidence has suggested that women were more likely to play EGMs than men (AMA 1999; PC 1999).

The 1999 Productivity Commission Report identified a series of negative impacts that can stem from problem gambling:

- Health impacts (mental and physical health, anxiety, depression, suicide and substance abuse)
- Interpersonal impacts (family and marital breakdown, domestic violence, neglect)
- Financial impacts (personal financial hardships and debt; cost of help services; loss of revenue to the local economy)
- Legal impacts (crime, theft, imprisonment)
- Impacts on community services (cost and workload for counselling and health services, police, local government)
- Impacts on work or study (job loss, poor performance, absenteeism) (PC 1999; supported by research from New Focus 2005).

Possible Social Impact

Research indicates that EGM gaming can have a series of social benefits as well as negative impacts on the community.

The venues themselves can provide opportunities for community cohesion, increased recreational and entertainment opportunities (the machines and also the other club and hotel facilities that are included in the facility) (refer to *Romsey Hotel Pty Ltd v VCGR 2007*); and increased opportunities for social contact.

However, studies have suggested that accessible EGMs (through a combination of the location, number of machines, number of venues, opening hours and social accessibility) and the growth of machine numbers and venues can have serious social consequences for disadvantaged communities in particular (ANU 2004).

EGM consumption patterns closely correlate with measures of socio-economic disadvantage. Evidence has shown that disadvantaged areas are more likely to have higher densities of EGMs and to spend more money on EGMs (Livingston 2006; Doughney 1999). People living in such areas, from a disadvantaged socio-economic background (including income, employment, marital status and gender) have been proven to be more vulnerable to problem gambling and the negative impacts of gaming (AMA 1999; New Focus 2005; PC 1999).

Evidence has indicated that gamblers who live within 4km of their regular club are more likely to gamble, to have a higher annual expenditure on gambling, to gamble more frequently and to play for longer duration than those who have to travel further to gamble (ANU 2004).

Research has suggested that the proximity of gaming venues to places of community congregation (including shopping centres and activity centres), residential areas and areas of socio-economic disadvantage influenced gambler behaviour (ANU 2004). This leads to the conclusion that gaming venues should be located away from areas of disadvantage and should be less accessible to vulnerable communities.

The implications of improved access to gaming machines in areas where these opportunities did not previously exist are that whilst entertainment opportunities are increased, there is a lack of choice, which can have particular ramifications for those who are recognised as vulnerable groups to problem gaming.

Consumer Affairs Victoria believes there should be a range of transparent and fair consumer choice available to consumers in order for them to make balanced decisions regarding the expenditure of their money. Vulnerable or disadvantaged consumers can be influenced by a lack of information but also by accessibility and a range of socio-economic attributes including low income, education, levels of English spoken and isolation (CAV 2004a).

Therefore, as with other consumer products, a variety of entertainment options should be available and gaming should not be offered as the sole outlet for entertainment and recreation in an area. This is particularly important in areas of lower socio-economic advantage and in isolated communities to ensure that they are protected from becoming vulnerable or disadvantaged consumers; therefore making ill-informed decisions on consumption, in this case – a non-benign form of consumption.

Research indicated that a balanced approach needs to be taken when assessing the social impact of a gaming venue. Gaming should be available to the majority of the community who see it as a form of recreation and social contact; whilst protecting vulnerable members of the community from the harm associated with it. The most vulnerable communities are recognised as those areas of disadvantage or marginalisation and as research shows that there is a correlation between problem gambling and the accessibility of gaming venues; venues should be encouraged to locate away from areas of socio-economic disadvantage.

Possible Health Impact

Gaming, and problem gambling in particular, can have adverse effects on individual and community health including higher levels of anxiety, depression and suicide. Problem gamblers have also been identified as being more prone to substance abuse (AMA 1999).

Problem gambling is an addiction and a serious public health problem. According to the Productivity Commission, the prevalence of problem gambling in Australia was lower than levels of excessive smoking or alcohol consumption, but higher than the use of illicit drugs (PC 1999).

Reduced funds mean that people have less ability to access health and counselling services or afford nutritious food, which can affect physical health (AMA 1999; Brown and Coventry 1997). Physical health is not improved by the consideration that gaming is a sedentary form of recreation.

Possible Economic Impact

The economic impact of gaming is the impact on the individual (debt and financial hardship) and a net loss of revenue from the local economy (KPMG 1999). Gaming can provide some economic benefit through the implemented Community Support Fund and increased community facilities and services, but the amount lost to the local economy is not always returned at a comparable rate (VCGR 1997).

The individual financial impact of gaming can be linked to social and health problems including stress, anxiety and marital and family break up; and can lead on to further social and community impacts. Financial implications of problem gambling may affect a gamblers' ability to pay bills, buy nutritious food or access medical services, therefore linking problem gambling, public health and socio-economic factors (Brown and Coventry 1997).

A variety of sources have indicated that entertainment patterns changed due to the introduction of EGMs into a localised area. Existing entertainment and retail operators in each of the subject areas noted a loss of trade that they believed was a direct result of the introduction of EGMs and the loss of the consumer dollar to gaming (PC 1999; VCGR 1997a; BCHS 2002).

Gaming machines result in slight increases in employment and provide financial revenue for clubs and hotels. Gaming revenue enables local clubs and hotels to develop their facilities and services to increase the range of recreational and entertainment opportunities within the local community and may provide the community with services.

Venue Type

Hotel gaming machines earn approximately twice the amount of club machines in Victoria (revenue per machine) (Livingston 2006; Market Solutions 1999) This, plus the general perception that clubs are more likely to produce community benefit as a result of their nature as sporting and charity-based clubs; has lead to the ministerial direction on a split between hotel and club venues at 50% for each.

There is minimal evidence of the reason people spend more on hotel than club machines; however, the Livingston report (2006) attempts to assess the reasons for this anomaly. It suggests that the club environment may deter heavy gamblers because of their relatively small numbers of machines and a lack of anonymity, and due to the clubs' role as a social, sporting or charity club. Large hotel venues may be more likely to have 'high-risk' characteristics such as, "higher numbers of EGMs, high activity levels, a substantial degree of anonymity, gambling as a major or primary business focus, more limited social purposes and extended

operating hours". (Livingston 2006) Therefore, it is likely that size of a venue plays as much a part as type of venue.

Whilst this research is not substantial, there is a preference amongst many communities and local governments to favour the installation of gaming machines in clubs rather than hotels based on expenditure rates.

Club venues with gaming facilities are more reliant on gaming revenue than hotel venues with gaming facilities (Market Solutions 1999; ABS 2005).

Community Return (CSF & CBS)

Hotels are required under legislation to pay an additional tax of 8.33% of net gaming revenue into the Community Support Fund (CSF). This State tax fund is then used across the State to direct a portion of the financial benefits of EGMs to the Victorian community, to which organisations are able to apply for grants to improve community wellbeing. Last year this fund raised \$91 million in Victoria.

The State funding does not always correlate to the expenditure that is removed from that particular community.

Clubs are not required to pay the CSF tax, but must produce a Community Benefit Statement (CBS) to show the public exactly how EGMs provide benefit to the community. The statements are also designed to show that clubs benefit the community in other ways to hotels with EGMs who pay the CSF tax.

Purposes and activities that constitute "community purpose" in the CBS are defined by the Minister for Gambling and are relatively broad. Ministerial Direction S124 (June 2003) defines community purpose activities as including employment expenses and subsidised activities, as well as sponsorship and donations. This can be broadly interpreted by clubs and may include what is considered normal business expenses claimed as community benefit (refer to Attachment 2 for a full copy of this Ministerial Direction).

Therefore, whilst legislation is in place to see that revenue is used for community purposes and is returned to the community from which it comes, the way in which the fund is implemented has seen an uneven rate of return to affected communities. In the past it has produced a net negative economic impact at the local community level.

This assumes an alternative use of this money, perhaps through a more targeted approach to funding, would produce a better outcome for the community. Local Councils should endeavour to find innovative ways that the community can better benefit from this revenue.

Implications for location

Gaming research as discussed above indicates that gaming venues need to be located away from disadvantaged communities and places where people

congregate for everyday activities. There is some evidence to support the idea of destination gambling as a way of limiting the impact of convenience gambling.

Used in this context, 'convenience gaming' relates to the co-location of gaming machines in areas where people undertake daily activities. 'Destination gambling' refers to a gaming venue that is a destination in its own right. The model looks at providing fewer venues but larger venues. The important element when assessing gaming venues is not that they are *inaccessible* (they may be located on transport routes or accessible by public transport) but that they are not convenient and that a conscientious decision has been made to gamble.

Destination gambling is described as:

"a style of gambling that encourages pre-determined decisions to gamble"
(Taking Action on Problem Gambling, 2006)

Destination gambling venues are set apart from retail and community facilities where everyday activities take place. This reduces the likelihood of people being enticed to enter gaming venues rather than the decision to gamble being predetermined and considered. In this sense, gamblers are exercising their right to partake in a legitimate recreational activity, whilst it is concurrently recognised that gambling can have negative social and economic ramifications for some patrons.

Destination gaming can be better for the community overall but has been proven to be devastating for the community where the large gaming venues is located (Kirby 2005). Using EGM density as an indicator of the potential impact may conflict with the destination gambling approach. Encouraging an even, low-density spread across a larger area can make gaming more accessible to more communities, which has a proven correlation to problem gambling (ANU 2004).

There is an identified need for further research into the costs and benefits of destination gambling in an attempt to underpin policy making in this area. The community and industry have shown support for destination gambling venues, which has encouraged Government to focus on examining destination gambling arrangements¹⁵.

Whilst it is recognised that problem gaming is an addiction (PC 1999), and therefore normal consumer behaviour does not always apply, the destination gaming model seeks to protect communities that may be vulnerable to problem gambling and at risk of the impact of gaming.

¹⁵¹⁵ A project is currently underway to establish whether destination gambling can deliver net community benefit. The Project is entitled "Local Area Studies in Victoria: An Exploration of Destination Gaming and Harm Reduction" and is funded by the Department of Justice as part of State Government's *Taking Action on Problem Gambling Strategy*.

Attachment 5 – Socio-Economic Data for Hume

Refer to attached table

Socio Economic Data Set for Hume City (based on Census 2006 data, unless otherwise specified)																																					
Suburb	Population			Age		Income			Household Type					Tenure Type			Housing Costs		Housing Stress ⁷	Level of Schooling and Education Completed ¹						Labour force		Diversity						Family Type (no. of families)			
	Population 2001	Population 2006	Population change	Median Age	Aged 60+	Median Household Weekly Income ¹	Median Weekly Individual Income ¹	proportion of Low income households ⁶	Family ²	Single Parent	Lone Person	Group	Average household size	Households Fully Owned	Households being purchased	Households being rented ³	Median Weekly rent	Median Monthly Housing Loan Repayment	ranking of high/medium/low	Year 12 or equivalent	Year 11 or equivalent	Year 10 or below	Did not go to school	Proportion completed tertiary education ⁸	Labour Force Participation Rate 2001 ¹	Unemployment Rate 2001 ¹	Aboriginal and Torres Strait Islander Population	Born Overseas	Proficiency in English Very well or well	Proficiency in English not well or not at all	Languages spoken at home ⁴	Couple family with children	Couple family with no children	One parent family	SEIFA 2001		
Attwood	2,388	2,915	21.9%	32	7.0%	\$1,346	\$535	medium-low	82.5%	11.8%	12.7%	1.0%	3.2	27.6%	60.2%	9.1%	\$205	\$1,423	medium	45.6%	17.3%	29.7%	1.0%	medium	70.0%	5.6%	0.4%	22.6%	12.2%	2.1%	Italian 7.5% Greek 2.5% Turkish 2.2%	67.5%	19.6%	11.9%	1035.7		
Broadmeadows	9,997	9984	-0.13%	33	17.3%	\$619	\$262	high	68.8%	28.7%	21.4%	2.8%	2.9	29.5%	30.2%	33.6%	\$150	\$1,012	medium	29.0%	8.9%	42.0%	5.1%	medium	44.4%	18.7%	1.1%	37.7%	21.6%	9.5%	Arabic 13.9% Turkish 11.2% Assyrian 5.8%	44.9%	23.9%	28.6%	777.2		
Bulla	375	396	5.6%	37	13.4%	\$1,335	\$567	medium low	92.6%	11.3%	9.9%	0.0%	3.2	39.0%	52.8%	4.1%	\$230	\$1,437	medium	33.4%	15.0%	40.0%	8.4%	medium	75.7%	1.4%	0.8%	13.2%	6.0%	2.2%	Italian 5.5% Serbian 2.3% Mandarin 1.3%	56.1%	28.9%	10.5%	1040.28		
Campbellfield	5,497	5400	-1.76%	33	19.4%	\$640	\$234	high	72.6%	15.7%	18.2%	1.8%	3.1	45.3%	25.2%	23.7%	\$176	\$1,100	high	29.0%	7.5%	40.0%	9.1%	low	45.3%	14.6%	0.5%	47.8%	28.1%	15.0%	Assyrian 12.1% Italian 11.3% Turkish 8.7%	55.2%	28.0%	15.7%	850.3		
Coolaroo	3,228	3,094	-4.15%	35	20.2%	\$648	\$246	high	78.8%	26.5%	15.1%	1.9%	3	34.6%	38.9%	21.0%	\$170	\$867	medium	27.0%	9.4%	46.0%	13.0%	medium-low	46.7%	17.5%	0.5%	37.7%	21.2%	9.8%	Turkish 15.3% Arabic 13.6% Assyrian 7.2%	45.1%	27.0%	26.5%	822.7		
Craigieburn	14,972	20,784	38.8%	29	6.1%	\$1,118	\$496	medium-low	82.3%	17.4%	13.4%	1.5%	3.1	20.3%	62.0%	14.6%	\$201	\$1,343	high	37.2%	17.0%	37.0%	1.4%	high	70.0%	6.9%	0.7%	23.0%	13.2%	2.3%	Italian 3.8% Turkish 2.6% Sinhalese 2.4%	58.3%	23.2%	17.4%	979.8		
Dallas	6,323	5,487	13.20%	32	17.7%	\$606	\$241	high	75.3%	23.3%	16.7%	1.5%	3.1	37.8%	29.5%	27.0%	\$166	\$975	high	29.0%	10.4%	41.7%	4.7%	medium	41.6%	17.3%	0.8%	42.7%	23.1%	14.3%	Turkish 26% Arabic 12.5% Assyrian 4.4%	49.4%	25.6%	23.4%	804.5		
Gladstone Park	9,568	8668	-9.40%	40	20.4%	\$1,017	\$418	medium	79.1%	19.1%	16.6%	1.7%	2.8	50.5%	29.6%	16.8%	\$202	\$1,192	medium-low	38.7%	14.3%	35.6%	1.8%	medium-high	61.0%	6.1%	0.4%	33.1%	17.9%	4.0%	Italian 6.9% Arabic 6.7% Greek 3.6%	47.9%	31.4%	19.1%	1010.8		
Greenvale	9,095	10,401	14.3%	34	8.0%	\$1,448	\$500	low	92.7%	7.1%	5.3%	0.3%	3.6	42.9%	51.1%	3.4%	\$260	\$1,464	medium	45.8%	17.2%	30.9%	120.0%	medium	71.9%	3.8%	0.1%	28.4%	18.7%	2.9%	Italian 14.9% Turkish 5.9% Arabic 4.1%	73.7%	18.7%	7.2%	1073.2		
Jacana	2,162	1964	-9.1%	40	24.5%	\$743	\$319	high	67.4%	24.9%	25.0%	3.0%	2.7	43.5%	31.9%	20.9%	\$170	\$867	medium	29.7%	12.0%	44.0%	2.2%	medium	44.2%	9.7%	0.8%	31.0%	14.7%	6.3%	Arabic 4.3% Turkish 2.9% Greek 2.8%	41.1%	31.1%	25.1%	881		
Meadow Heights	15,308	14559	-4.89%	28	8.1%	\$760	\$259	medium-high	82.0%	21.3%	10.7%	1.3%	3.5	22.0%	48.7%	24.9%	\$180	\$1,083	high	36.0%	10.2%	36.0%	5.7%	medium-high	53.6%	14.9%	0.6%	42.7%	25.9%	12.3%	Turkish 25.1% Arabic 11.4% Assyrian 7.8%	59.9%	17.3%	21.3%	849.9		
Roxburgh Park	9,465	16,907	78.6%	28	5.4%	\$1,084	\$404	medium-low	85.6%	15.8%	7.9%	0.9%	3.6	13.1%	70.4%	13.2%	\$225	\$1,430	high	43.7%	12.4%	30.0%	2.5%	medium-high	69.3%	7.2%	0.7%	37.7%	25.4%	6.4%	Turkish 16% Arabic 8.7% Assyrian 7.4%	65.0%	18.2%	15.8%	978.2		
Sunbury	25,086	31002	23.5%	34	12.4%	\$1,165	\$514	medium-high	77.6%	15.9%	16.8%	2.4%	2.9	28.8%	52.7%	16.4%	\$190	\$1,300	medium-low	39.0%	18.8%	34.0%	36.0%	medium-high	68.6%	5.3%	0.6%	14.5%	3.3%	0.3%	Italian 1.2% Greek 0.4% Maltese 0.4%	53.0%	29.8%	15.9%	1028.4		
Westmeadows	6,238	5858	-7.53%	36	15.4%	\$1,043	\$438	high	75.9%	19.5%	16.2%	1.3%	2.9	39.1%	38.9%	19.1%	\$185	\$1,178	medium	36.0%	15.7%	34.8%	1.1%	high	63.7%	7.6%	0.7%	24.3%	12.4%	3.4%	Italian 7% Arabic 3.5% Turkish 2.5%	47.8%	30.9%	19.5%	973.7		
Hume City	131,182	147,781	12.6%	32	11.9%	\$1,030	\$403	n/a	79.1%	17.7%	14.8%	1.7%	3.1	30.4%	47.8%	18.2%	\$185	\$1,300	n/a	37.7%	14.6%	35.6%	2.2%	n/a	60.9%	8.4%	0.6%	29.2%	28.9%	7.1%	Turkish 7.9% Arabic 6.2% Italian 4.5%	55.7%	25.2%	17.7%	954.2		
Melbourne SD	3,338,704	3,592,592	7.6%	32	17.4%	\$1,079	\$481	n/a	68.1%	15.4%	22.6%	4.2%	2.6	34.7%	36.3%	25.4%	\$200	\$1,300	n/a	48.5%	12.5%	27.8%	1.3%	n/a	61.7%	6.6%	0.4%	23.8%	21.3%	4.9%	Italian 3.3% Greek 3.1% Vietnamese 1.9%	48.4%	34.1%	15.4%	1020		
Victoria	4,612,097	4,932,422	6.9%	37	13.6%	\$1,022	\$456	n/a	68.1%	15.4%	23.3%	3.8%	2.6	34.7%	34.0%	23.9%	\$185	\$1,252	n/a	44.0%	13.7%	31.4%	1.1%	n/a	60.9%	6.8%	0.6%	23.8%	16.6%	3.7%	Italian 2.7% Greek 2.3% Vietnamese 1.4%	46.9%	35.9%	15.4%	1016		

Source ABS 2006 Census of Population and Housing

Notes:

1. For people aged 15 years and over

2. A family is defined by the ABS as two or more persons, one of whom is at least 15 years of age, who are related by blood, marriage (registered or de facto), adoption, step or fostering, and who are usually resident in the same household.

3. Includes being rented by a real-estate

4 Lists the top 3 languages other than English spoken at home with the suburb

5. SEIFA index of advantage/disadvantage. To maintain consistency with the other indexes, the higher an areas index value, the less disadvantaged that area is compared with other areas e.g.- an areas with an index of 1200 is less disadvantaged than an area with an index of 800 (ABS, 2001)

All statistics are based on usual place of

6 (gross weekly income is less than \$500 per week) - low indicates 0 - 10%, medium indicates 10 - 28%, and high indicates 28 - 52% Source: ABS

7 (to be read in conjunction with figure 6) low indicates 0-12%, medium 12 - 28% and high 28% - 56%

8 low indicates 0-3%, medium indicates 3-7% and high indicates 7-15% Source: ABS

Please Note: at the time of writing the 2006 ABS data for some suburbs within Hume was unavailable

Attachment 6- Facilities within Existing Gaming Venues in Hume City

Refer to attached table

Facilities offered within existing gaming venues within Hume (other than EGMs)														
	Ballcourt Hotel	Broadmeadows Sporting Club	Coolaroo Taverner	Craigieburn Sporting Club	Gladstone Park Hotel	Meadow Inn Hotel	Olive Tree Hotel	Roxburgh Park Hotel	Royal Hotel	Sunbury Bowling Club	Sunbury Football social club	Sunbury United Sporting Club	Sylvania Hotel	Westmeadows Tavern
Facilities provided within venue	Restau - rant, bar	<ul style="list-style-type: none"> – Bistro – TAB – Sports bar – Bowls pavilion 	<ul style="list-style-type: none"> – Public bar – Bistro – Bottleshop – Accommodation – Function room 	<ul style="list-style-type: none"> – TAB – 18 hole golf course – Bistro – Sports bar – BBQ facilities – cafe 	<ul style="list-style-type: none"> – Bottle shop – Motel – Bar 	<ul style="list-style-type: none"> – Front bar – Bistro – Children play area – Sports bar – Bottle shop – Motel rooms 	<ul style="list-style-type: none"> – Main bar – Sports bar – TAB – Bistro – Lounge – Bottle shop 	<ul style="list-style-type: none"> – Smoking lounge – Bistro – Lounge bar – TAB – Sports bar – Bottle shop – Children's play area 	<ul style="list-style-type: none"> – Bar – Bistro 	<ul style="list-style-type: none"> – Bar – Function room – Restaurant – Meeting rooms 	<ul style="list-style-type: none"> – Club bistro – TAB – Bar – Function rooms – Conference rooms – bingo 	<ul style="list-style-type: none"> – function room, Restaurant, bar, gaming room bar, committee room, bowlers room 	<ul style="list-style-type: none"> – bistro – play area – Bottle shop 	<ul style="list-style-type: none"> – Bistro – Bottle shop – Public bar – TAB – Bistro bar –
Services provided within venue		<ul style="list-style-type: none"> – Turf practice – Expert coaching – Regular organised training – Social functions – Coaching – Cricket club – Billiards 		<ul style="list-style-type: none"> – Live entertainment every Thursday – Billiards – Bingo – Live music – Members discounts – Catering services 		<ul style="list-style-type: none"> – Billiards 	<ul style="list-style-type: none"> – Free poker competition – Function room 	<ul style="list-style-type: none"> – Cater for functions, dinners, celebrations 	<ul style="list-style-type: none"> – Live entertainment 	<ul style="list-style-type: none"> – Entertainment day (once a month) – Live music – Free bingo and poker – Raffles 	<ul style="list-style-type: none"> – Free hire of conference room for sporting or non profit community organisations 	<ul style="list-style-type: none"> live music, free Bingo, poker nights, raffels, entertainme nt days, 		<ul style="list-style-type: none"> – Pool competition – National pub poker league – Complementary kids meals (mon-tues) – Darts competition

Please note: this list has been compiled using data collected from venue websites and various gaming applications submitted to Hume City. It is noted that this is not a conclusive list of services offered.

Attachment 7 – Strip shopping centre audit

Under Clause 52.28-4 of the Hume Planning Scheme a strip shopping area is defined as an area meeting 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.

These tests have been applied in the following way in the audit of strip shopping centres

The first test:

- “Zoned for business use” includes all business zones.

The second test:

- As it reads

The third test:

Normally this will entail:

- More than 1/3 of the area being shops. Area will normally be defined as a “block”
 - A block will be the land between two public roads (or laneways), abutting a publicly accessible road/laneway and one lot deep.
- However if land between two public roads is in more than one zone then the area will only include that part zoned for business purposes.
- 'Buildings' are interpreted as structures i.e. excludes vacant land (irrespective of if it meets the other criteria)
- 'Shops' as per the VPP definition.

However what a reasonable person would consider a “strip shopping centre” is likely to include a variety of uses not technically defined as a shop, such as real estate agents, banks, take away food shops and laundromats. As such it is considered that if a small part of a larger, predominantly compliant centre does not meet the definition above (perhaps because the area had less than a third of buildings used as ‘shops’) it would be unreasonable to exclude this area from the overall strip shopping centre.

The fourth test:

- 'Road accessible to the public generally' irrespective of ownership and whether the road is primarily used for vehicular or pedestrian access.

Strip Shopping Centre Audit

The audit examined all areas in a business zone and areas in non-business zones which might include potential shopping areas.

Location	Suburb	Zone/ zones	Strip Shopping Centre	52.28-3 Prohibition- Shopping Complex	Comments / Recommendations
Area around Riggall Street, King William Street, Railway Crescent, Blair Street, Belfast Street, Maldon Street, Chiltern Street & Dallas Drive	Broadmeadows	B3Z	No	NA	Industrial B3 Zones
Broadmeadows Transit City	Broadmeadows	B1Z, PUZ	No	Yes, Broadmeadows Plaza only, except Lot 1 PS 326521D (Vol 10149 Folio 129)	Shops in public use zone cannot be prohibited. Gaming should be discouraged in PUZ areas and other community use areas around the Plaza.
Corner Stanhope Street & Central Avenue	Broadmeadows	B1Z	Yes	NA	
Martell Street	Broadmeadows	B1Z	Yes	NA	
Olsen Place	Broadmeadows	B1Z	Yes	NA	
Area around Northcorp Boulevard, Corporate Place, Lakeside Drive, Hume Highway & Camp Road	Broadmeadows (& Campbellfield)	B3Z, B5Z	No	NA	All industrial uses - The Meadows Greyhound track located adjacent to park sharing access road
Bulla Road	Bulla	TZ	No	NA	Limited retail confined to Petrol Station & Hotel.
Campbellfield Plaza & surrounds	Campbellfield	B1Z, B3Z	Yes	Yes, K Mart on Hume Hwy corner	
Augusta Avenue	Campbellfield	B1Z	No	NA	Insufficient shops to include as a strip centre. Discourage gaming in this location.
Corner Waratah Street & Mimosa Avenue	Campbellfield	B1Z	Yes	NA	
Upfield Shopping Centre	Campbellfield	B1Z	Yes	NA	
Craigieburn Town Centre	Craigieburn	CDZ1	No	No	Proposed commercial centre. Consider for addition to 52.28 schedules once plans are finalised.
Craigieburn East Shopping Centre	Craigieburn	B1Z	No	Yes	
Bank Street	Craigieburn	B1Z	Yes	NA	

Location	Suburb	Zone/ zones	Strip Shopping Centre	52.28-3 Prohibition- Shopping Complex	Comments / Recommendations
Corner Kingswood Drive & Hamilton Street	Craigieburn	B1Z	Yes	NA	
Corner Pines Way & Riversdale Street	Craigieburn	B1Z	No	NA	Insufficient shops to include as a strip centre. Discourage gaming in this location.
Hothlyn Drive	Craigieburn	B1Z	Yes	NA	
Dallas Shopping Centre	Dallas	B1Z	Yes	NA	
Corner Barry Road & King Street	Dallas	B1Z	Yes	NA	
Corner Blair Street & Tarra Place	Dallas	B1Z	No	NA	Small area used as car parking situated within open space
Corner Carrick Drive & Gaynor Crescent	Gladstone Park	B1Z	No	NA	Only one lot with two shops- take away food and milk bar
Gladstone Park Shopping Centre	Gladstone Park	B1Z	No	Yes, except Gladstone Park Hotel	Stand alone shopping complex with service station and hotel on separate lots
Greenvale Village Shopping Centre	Greenvale	B1Z	No	Yes	Stand alone shopping complex and car parking with medical centre
Corner Barrymore Road & Greenvale Drive	Greenvale	B1Z	No	Recommended	Shops all in one building. Recommended for inclusion in 52.28-3 schedule as a shopping complex.
Emu Parade	Jacana	B1Z	Yes	NA	
Meadow Heights Shopping Centre	Meadow Heights	B1Z, PPRZ	No	Yes	Stand alone shopping complex with car parking
Corner Proposed James Mirams Drive & Proposed E14	Roxburgh Park	CA	No	No	Future shopping centre shown in Melway. Add to 52.28 schedules when plan is finalised
Roxburgh Homestead Shopping Centre	Roxburgh Park	B1Z, MUZ	No	Recommended	All shops in one building. Recommended for inclusion in 52.28-3 schedule as a shopping complex.
Roxburgh Park Shopping Centre	Roxburgh Park	B1Z, B4Z, MUZ, R1Z, PUZ	Yes	Recommended	Most shops in one building. Recommend B1Z area for inclusion in 52.28-3 schedule as a shopping complex.

Location	Suburb	Zone/ zones	Strip Shopping Centre	52.28-3 Prohibition- Shopping Complex	Comments / Recommendations
Corner Mitchells Road & Reghon Drive	Sunbury	R1Z	No	NA	Milk Bar in residential area
Gap Road Shopping Centre	Sunbury	B1Z	No	Yes	Supermarket and service station with only one road frontage
Sunbury Town Centre	Sunbury	B1Z, B2Z, B4Z, PUZ, R1Z, IN3Z, PPRZ	Yes in part	Yes - Sunbury Square SC only	Business zoned areas to the south-east of the main town centre area along both sides of Sunbury Rd between Ardcloney Drive and Jackson Street do not meet strip shopping centre tests. Far enough removed from town centre to not designate as a discouraged area. Note – there appears to be an error in the 52.28-3 schedule as Sunbury Square centre is on the south-west, not the south-east corner of Macedon St and Evans St and this should be corrected.
Corner Batman Avenue & Burke Road	Sunbury	B1Z	Yes	NA	
100 - 108 Horne Street	Sunbury	MUZ	No	NA	Not in a business zone.
Melba Avenue	Sunbury	B1Z	Yes	NA	
Corner Sunningdale Way & Francis Boulevard	Sunbury (Goonawarra)	B1Z	No	Recommended	Neighbourhood shops - 6 - 8 shops surrounded by residential, but all on one lot. Recommend inclusion as a shopping complex
Corner Outlook Way & Bellview Drive	Sunbury (Jacksons Hill)	CDZ1 (DPO 7)	No	NA	Vacant land – may need to include in future updates to 52.28-3 is centre is established.
Area around Lambeck Drive, Keilor Park Drive, Aerolink Drive, Commercial Court, Annandale Road, Lillee Crescent, Mallett Drive & Mareno Road	Tullamarine	B3Z	No	NA	Industrial uses - small take away stores located within area
Area around Springbank Street, Derry Street, Garden Drive, Catalina Drive, Hercules Street, Freight Road, Custom Road, Dakota Court & Sabre Court	Tullamarine	B3Z	No	NA	Industrial uses - small take away stores located within area

Location	Suburb	Zone/ zones	Strip Shopping Centre	52.28-3 Prohibition- Shopping Complex	Comments / Recommendations
Area around Trade Park Drive, International Square, Sperry Drive, Aviation Place & Tarmac Drive	Tullamarine	B3Z	No	NA	Industrial uses - small take away stores located within area
Corner Garden Drive & Dakota Court	Tullamarine	B3Z	No	NA	Industrial uses - small take away stores located within area
Corner Lambeck Drive & Flight Drive	Tullamarine	B3Z	No	NA	Industrial uses - small take away stores located within area
Keilor Park Drive	Tullamarine	B3Z	No	NA	Industrial uses - small take away stores located within area
Melbourne Airport	Tullamarine	CA	No	No	Varied uses - commonwealth zones with propensity for hotel type uses
Dawson Street	Tullamarine	B1Z	Yes	NA	
Melrose Drive	Tullamarine	B1Z	Yes	NA	
Garden Drive	Tullamarine	B3Z	No	NA	Industrial uses - small take away stores located within area
Lambeck Drive	Tullamarine	B3Z	No	NA	Industrial uses - small take away stores located within area
Area around Western Avenue, Global Drive, Mickleham Road & International Drive	Westmeadows	B3Z, B2Z	No	No	Mainly industrial uses in western avenue area Retail type uses abutting Mickleham Road: take away/restaurants
Fawkner Street	Westmeadows	B1Z	Yes	NA	

Attachment 8 Relevant standard permit condition**Existing standard Hume City permit conditions***K9 Location of machines (gaming)*

The layout of the subject premises and the location of the gaming machines shown on the endorsed plan(s) must not be altered or modified except with the written consent of the Responsible Authority.

K10 Number of machines (gaming)

No more than (insert number) gaming machines shall be kept or used on the subject premises except with the written consent of the Responsible Authority.

K11 Manager

The subject premises must, at all times, be operated and supervised by a person over the age of 18 years who will be known as "the manager". The manager will be responsible for the conduct of patrons and shall be authorised to make statements and admissions to Council and Police officers, concerning such conduct and operation of the premises.

Modifications to existing standard Hume City conditions

The following standard conditions could be modified as shown in relation to permits for gaming if required:

B5 Hours of operation

Except with the prior written consent of the Responsible Authority, the gaming machines permitted by this permit may only operate between the following times:

- [Insert hours as required. Ensure that permitted hours does not exceed periods allowed for by the Rules under Section 3.5.23(1) of the Gambling Regulation Act - see Section 9.3 of this document for details.]

A4 Amended plans required

Before the use and/or development starts, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must show:

- (a) a physically discrete gaming machine area.
- (b) the location of ATMs outside the gaming machine area.
- (c) the ability for patrons to enter and exit the venue and other facilities in the venue without passing through the gaming machine area.

Additional recommended conditions*Coordinated commencement of operation*

Prior to the commencement of operations of the gaming use hereby permitted, the following recreation and entertainment facilities shall be available for use by the general public/club members [delete as relevant], unless otherwise authorised by the responsible authority:

- [add list of other uses as proposed by the applicant]

Venue management

The gaming machine area must be subject at all times to supervision by a person suitably trained in the responsible service of gaming.

Prior to the commencement of the operation of the gaming use hereby permitted, a venue management plan must be submitted to and approved by the Responsible Authority. The management plan must include:

- Measures to ensure orderly patron behaviour on the premises and when leaving the premises.
- Safety and security measures for patrons.
- Measures to control noise emitted from the premises.
- Responsible gaming measures to minimise the incidence of problem gaming, including details of staff training, venue policies, loyalty schemes and exclusion schemes.