Reducing Harm from Gambling Policy

Date first adopted:	13 June 2024
Dates amended:	
Next review date:	June 2027
Position title of responsible business unit Manager:	Manager Community and Economic Development
Approved by:	Council

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1. TITLE

Reducing Harm from Gambling Policy

2. OBJECTIVE

The objective of this policy is to:

- Provide an overarching framework to guide Council's positions in reducing and preventing gambling-related harm in the community.
- To provide a consistent and transparent approach to the assessment of applications for new gaming venues and electronic gaming machines.

3. BACKGROUND

Gambling harm

- All forms of gambling can cause social and economic harm to individuals, families and communities, making it a significant public health issue.
- The term 'harm' is used to describe any negative consequence that results from a person's own or another's gambling. Harms may include financial problems, relationship conflict or breakdown, health problems, emotional or psychological distress, reduced capacity in other parts of life, cultural harms and criminal activity.
- All localities within Glen Eira display some indicators of vulnerability to gambling-related harms.
- Gambling harm is not evenly distributed. There are groups within the community at an elevated risk of gambling-related harms because of their age, socio-economic status, gender, cultural and linguistic background, exposure to opportunities to gamble, and other intersectional factors.

Gambling in Glen Eira

- As of January 2024, there are 652 electronic gaming machines (EGMs) across nine licensed venues in Glen Eira. This number of EGMs is 42 per cent below the permissible municipal cap of 1,119 machines.
- In the 2022-23 financial year, an estimated $163M was lost on all forms of legal gambling in Glen Eira.

Council's role in gambling harm prevention and reduction

- As the closest level of government to the community, Council is committed to preventing and reducing harm and minimising the negative impacts of gambling to the community through its local government mechanisms.
- In regard to the *Planning and Environment Act 1987* and *Gambling Regulation Act 2003*, Table 1 below specifies two roles for Council in response to applications for a gaming venue in Glen Eira, new EGMs, or additional EGMs at existing venues:

Table 1: Role of Council

Act	Role of Council
Planning and Environment Act 1987	The granting or refusal of planning approval for the addition of further EGMs, or the establishment of a new gambling venue.
Gambling Regulation Act 2003	Make a submission to the Victorian Gambling and Casino Control Commission (VGCCC) - (a) addressing the economic and social impact of the proposal for a gaming venue (proposal) or proposed amendment to the number of EGMs (proposed amendment) on the wellbeing of the community of the municipal district in which

Act	Role of Council
	the premises or approved venue is located; and (b) taking into account the impact of the proposal or proposed amendment on surrounding municipal districts.

4. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
Community	Refers to the people who have a stake and interest in the City of Glen Eira, including: • those who live, work, study, own property, conduct business or provide services in the municipality. • those involved in local community groups or organisations. • those who visit, use or enjoy the services, facilities and public places within the municipality.
Council land and facilities	Land and/or buildings owned, tenanted or managed by Council.
Crown land	Land owned by the State or Commonwealth Government.
Economic and Social Impact Submission	An Economic and Social Impact Submission aims to identify the extent to which a gaming license application (typically for additional EGMs) will affect the wellbeing of local communities. Council may prepare a submission itself or may commission an independent Economic and Social Impact Submission to inform its decision as to whether to oppose any gaming license application within its municipal borders.
Electronic gaming machine (EGM)	A computerised gambling device with a video screen displaying symbols on simulated reels. Funds are loaded onto the machine, and buttons are used to place bets. The machine randomly determines the position of symbols on the screen. Wins are returned as credits back into the machine.
Gambling	Gambling is defined in the *Gambling Regulation Act 2003* as an activity which includes all of the following: • a prize of money or something else of value is offered or can be won. • a person pays or stakes money or some other valuable consideration to participate. • the outcome involves, or is presented as involving, an element of chance. An activity is defined as 'gambling' if it involves an element of chance. This applies even if the outcome of the activity may be influenced by a person's skill.
Gambling-related harm	Any adverse consequence due to an engagement with gambling that leads to a decrease in the health or wellbeing of an individual, family, community or population. Gambling-related harm can be divided into seven key areas: Financial harm, relationship disruption, emotional or psychological distress, decrements to health, cultural harm, reduced work or study performance and criminal activity.
Gaming venues	Licensed gaming venues, including hotels and clubs, that are required to hold a gaming venue license to operate.
Harm minimisation	A framework that considers the health, social and economic consequences of an activity to the individual and community. The three core elements of harm minimisation are supply reduction, demand reduction and harm reduction.
Public health approach	Utilising scientific knowledge, evidence-based strategies, and community-based interventions to improve the health and wellbeing of populations by focusing on prevention, health promotion, and addressing the underlying determinants of health.
Victorian Gambling and Casino Control Commission (VGCCC)	The Victorian Gambling and Casino Control Commission is the independent regulator of Victoria's gambling industry.

5. SCOPE

- This policy applies across the whole municipality. This policy applies equally to all gambling venues, whether on Council-owned/managed land, Crown land or privately-owned land.
- The policy covers the following forms of gambling: electronic gaming machines, casino games, online gambling, lotteries, race betting, sports betting and similar activities.
- Bingo, raffles, card games and sports tipping competitions are exempt from the policy when providing a community benefit.
- The policy will be relevant to make decisions relating to:
    - Gaming venue and license applications
    - Lease and licensing agreements
    - Contracts and grants
    - Council-hosted events
    - Advertising on Council-owned and managed buildings
    - Research and monitoring trends
    - Advocacy commitments
    - Health promotion partnerships, campaigns and events
    - Other matters in which gambling harm can be reduced.
- This policy applies to all the statutory responsibilities fulfilled by Council in protecting the community from gambling-related harm across various forms of gambling within the scope of this policy. This policy places particular emphasis on harm reduction related to EGMs. It does not replace the processes associated with permit applications governed by the *Planning and Environment Act 1987*, nor does it replace the submission procedures for EGM licensing applications under the *Gambling Regulation Act 2003*.

Exclusions

- The following exclusions apply to the policy:
    - The Caulfield Racecourse Reserve is a regionally significant major events and recreation open space within the City of Glen Eira.
        - *Policy Statement 4.2* does not intend to prohibit the promotion and advertising of Caulfield Racecourse Reserve in line with the *Caulfield Major Activity Centre Structure Plan*.
        - *Policy Statements 4.3* and *4.4* do not include events held at Caulfield Racecourse Reserve on non-race days in line with the *Caulfield Major Activity Centre Structure Plan*. This policy applies to events held in the gaming venue, Caulfield Glasshouse.
    - Council recognises the role of RSL clubs in conducting Anzac Day Services.
        - *Policy Statements 4.3* and *4.4* exclude commemorative events for ANZAC Day held by approved RSL clubs.

6. POLICY

- This policy takes a public health approach to preventing and reducing gambling harm and is underpinned by a harm minimisation framework.
- The ways in which intersecting attributes may have a compounding impact on a person's vulnerability to gambling-related harm and their ability to engage with this policy will be considered. Intersecting attributes may include, but are not limited to, Aboriginality, age, ethnicity, gender identity, race, religion, sexual orientation or experiences of family violence.
- This policy will be implemented through the provision of commitments and actions within municipal public health and wellbeing planning and other key Council plans and strategies.

1) **Planning and regulation:** Council has a statutory responsibility in regard to gambling legislation, and will fulfill this role by:

   1.1. Considering each application for new gaming venues or additional EGMs individually based on merit.

   1.2. Opposing any applications made to the VGCCC within the municipality which result in a net increase in the number of machines where an application is considered to cause a net social and economic harm to the local community.

   1.3. Where relevant, making recommendations and adding conditions in submissions to the VGCCC to improve an application's proposed approach to minimise harm to the community.

   1.4. Considering making submissions to the VGCCC for any gaming license application where the venue is located in an adjacent municipality.

2) **Advocacy for gambling reform:** Council has a role to act on the needs and concerns of the community and represent these views to the appropriate governing bodies, and will do so by:

   2.1 Advocating to State and Federal Governments for the implementation of legislative and regulatory reform in collaboration with key peak organisations and stakeholders.

   2.2 Advocating for a suite of complementary harm reduction measures, including but not limited to:

   - a reduction in the total number of EGMs and the municipal cap for EGMs in the municipality.
   - limits to increases of machines in areas of high concentration or existing clusters of gambling venues.
   - industry reforms to minimise harm at gambling venues.
   - strengthened regulation for online gambling.
   - support and promotion of gambling support services for individuals impacted by gambling harm.

3) **Capacity building and community engagement:** Council is committed to building the capacity and resilience of communities, and will do so by:

   3.1 Delivering and promoting contemporary education to raise awareness of the determinants of gambling-related harm and respond to emerging trends in gambling and community needs.

   3.2 Promoting and delivering non-gambling activities that cater to the diverse interests and preferences of community members.

   3.3 Promoting services available to those directly and indirectly experiencing issues associated with gambling harm.

   3.4 Monitoring and promoting research and data on the social and economic impact of gambling in local communities.

   3.5 Support and encourage members of the community to submit their views about gambling license applications.

4) **Council leadership:** Council will adopt a whole of organisation approach to minimising harm through its assets and activities, and will do so by:

   4.1 Identifying opportunities to address gambling harm in relevant strategic documents.

   4.2 Prohibiting advertising that promotes gambling participation on Council-owned or managed land, resources and facilities.

   4.3 Not holding Council events, activities and programs in gambling venues.

4.4 Not providing Council grants or in-kind support for events or activities that promote gambling or are held in gambling venues.

5) Collaboration and partnerships: Council will work with the sector to facilitate a coordinated response to preventing and reducing gambling harms in the community, and will do so by:

5.1 Participating in relevant networks and partnerships to strengthen advocacy efforts, support local health promotion and service delivery, and address community concerns related to exposure to gambling venues.

7. LEGISLATIVE COMPLIANCE

- This Policy has been assessed as being compatible with the Charter of Human Rights and Responsibilities Act 2006.
- This policy underwent a Gender Impact Assessment in line with requirements under the ***Gender Equality Act 2020***, which requires Council to conduct a gender impact assessment for new or reviewed policies, programs or services.

8. ASSOCIATED INTERNAL DOCUMENTS

- Glen Eira 2040 Community Vision
- Glen Eira Council Plan 2021-2025
- Glen Eira Community Wellbeing Plan 2021-2025
- Glen Eira Community Safety Plan 2022-2025
- Glen Eira Priority Advocacy Projects 2023-2024
- Glen Eira Advocacy Policy
- Glen Eira Community Engagement Policy
- Glen Eira Planning Scheme
- Sub-Delegations from CEO to Staff - powers, duties and functions under authority of instrument of delegation from Council
- Glen Eira Gambling prevalence and impacts - fact sheet

9. EXTERNAL REFERENCES/RESOURCES

- Planning and Environment Act 1987
- Gambling Regulation Act 2003
- Local Government Act 2020
- Public Health and Wellbeing Act 2008
- Gender Equality Act 2020
- Charter of Human Rights and Responsibilities Act 2006 (Vic)