Whitehorse Gambling Harm Minimisation Policy 2024

1. PURPOSE

The purpose of this policy is to outline Whitehorse City Council's approach to minimise harm from gambling, with a focus on reducing the economic, social and health harms associated with electronic gaming machines and other forms of gambling.

The policy also guides Council responses to gaming proposals and planning applications within the municipality of Whitehorse.

This policy replaces the previous Whitehorse City Council Responsible Gambling Policy which was developed in 2011. It recognises the statutory and regulatory changes that have occurred since that time and the increased knowledge and understanding of the social and economic impacts of gambling on the community.

The policy balances the right to undertake a legal revenue-generating activity with the need to promote wellbeing in the context of public health. It recognises that gambling harm can be experienced by individuals, their loved ones, and the wider community.

2. ROLE OF COUNCIL

Council has a statutory obligation to:

- Assess a planning permit application to install or use electronic gaming machines within the framework of the planning provisions of the Whitehorse Planning Scheme and the Planning and Environment Act 1987; and
- Assess the potential social and economic impacts of an application for a gaming licence in the municipality or adjoining municipality in accordance with the Gambling Regulation Act 2003 and, if required, make a submission on behalf of the community to the Victorian Gambling & Casino Control Commission.

Clause 52.28 of the Whitehorse Planning Scheme enables Council to prohibit electronic gaming machines in designated shopping complexes and all strip shopping centres. Council does not have the same defined roles in relation to other forms of gambling.

Council also has broader statutory roles under the Local Government Act 1989 and Public Health and Wellbeing Act 2008, which focus on exercising good governance and promoting and protecting the health and wellbeing of the community.

At the state level, gambling is regulated by the Victorian Gambling & Casino Control Commission. The Commission is an independent statutory body responsible for the licensing of the gambling industry. Gambling advertising is regulated at a federal level by the Australian Communications and Media Authority.

3. BACKGROUND

Gambling has become normalised and celebrated as part of our culture, from sporting events to the expansion of gaming venues and online platforms. There is an average of 948 advertisements on television in Victoria every day, with 1 in 4 children able to name four or more gambling brands.

As a result, 70 per cent of Victorians gamble, and at least 1 in 5 experience gambling harm, while an additional 6 per cent are harmed by someone else's gambling (Responsible Gambling Foundation, 2023).

Public health approach

Whitehorse City Council considers gambling a public health issue that impacts not just individuals but whole families and communities. A public health approach recognises that addressing gambling harm requires consideration of the social, economic and environmental factors that contribute to people's health. By taking a public health approach, we can work together to prevent harm from gambling for the whole population, not just those experiencing significant harm from gambling.

We recognise that Council plays an important role in addressing this issue and it requires collaboration from various stakeholders, including individuals, community groups, businesses and government at all levels.

Several factors contribute to the issue, such as social norms, public awareness, accessibility of gambling (both venues and online), legislation around gambling product design and advertising, how venues operate, the process for approving electronic gaming machines, and where these machines are located, especially in vulnerable areas.

Gambling harms

Electronic gaming machines and other forms of gambling are having an increasingly harmful impact on the health and wellbeing of the community. Harm experienced by people who gamble and those close to them can be broadly grouped into the following six areas:

- Relationship harm (e.g. conflict within relationships, neglect of responsibilities).
- Emotional or psychological harm (e.g. feelings of regret, worthlessness and failure).
- Financial harm (e.g. credit card debt, reduced spending on essentials and bankruptcy).
- Health harm (e.g. stress, depression and reduced sleep).
- Work / study harm (e.g. reduced performance due to tiredness, absenteeism or loss of employment).
- Harm through criminal activity and neglect of responsibilities (e.g. involvement in illegal activities such as theft or fraud, failure to fulfil obligations such as child support payments).

4. OBJECTIVES

The key objectives of this policy are:

- To create a safe environment for residents in the City of Whitehorse.
- To improve awareness of the risks associated with gambling, both to individuals and the community.
- To minimise the adverse impacts of gambling and promote alternatives that lead to positive economic, social, and health outcomes.
- To collaborate with relevant stakeholders to implement evidence-based strategies for preventing and addressing gambling-related harm in the community.
- To advocate for legislative and regulatory reforms aimed at reducing gambling-related harm.

- To regulate where electronic gaming machines are located, ensuring their proximity to areas of social and economic vulnerability is limited.

5. SCOPE

This policy has a primary focus on electronic gaming machines, as Council has a legislated role as the Planning Authority responsible for issuing planning permits to gaming venues, and a legislated role as a Referral Agency, whereby it can make a submission to the Victorian Gambling & Casino Control Commission in response to a new or revised gaming licence application.

The secondary focus of this policy is on the negative impacts of online gambling and sports betting. While the levels of harm from online gambling and sports betting are lower than those caused by electronic gaming machines, the level of participation in this form of gambling is growing rapidly.

6. DEFINITIONS

Term	Definition
Application	An application, or a proposed application, for a planning permit and/or approval from the Victorian Gambling & Casino Control Commission for either a new gaming venue, an increase in electronic gaming machines or extension of opening hours at an existing venue.
Bingo	A gambling activity where players receive a ticket(s) with randomly numbered squares, then players mark off the numbers as they are randomly drawn and announced. To win, a player must be the first to mark off all numbers on their ticket and call ‘line’, or ‘pattern’, or ‘bingo’ or make an audible noise or have another person call on their behalf.
Community contribution	Financial or in-kind support provided by gambling operators to local communities or charitable causes as a requirement of their gambling licence.
Council building	A building owned by Whitehorse City Council.

Council land	Land owned by Whitehorse City Council, including vacant land, discontinued roads, and any building and development thereon.
Council program or event	An activity organised, sponsored, hosted or facilitated by Whitehorse City Council.
Electronic Gaming Machine (EGM)	A computerised gambling device that has a video screen displaying symbols on simulated reels. Cash is inserted into 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. They are also referred to as EGMs, gaming machines, pokies and pokie machines.
Funding / financial contribution	For the purposes of this policy, 'funding' refers to the provision of monetary resources to support a project, organisation or individual. This includes various forms of financial support, such as donations, sponsorships or grants. However it excludes investments in or allocation of Council land or buildings.
Gambling	An activity in which: (a) a prize of money or something else of value is offered or can be won; and (b) a person pays or stakes money or some other valuable consideration to participate; and (c) the outcome involves, or is presented as involving, an element of chance'. For the purpose of this policy, raffles, bingo, and sports tipping for fundraising activities have been excluded.
Gambling industry	For the purposes of this policy, the gambling industry encompasses all businesses, services and organisations that promote or offer gambling as a commercial activity. It does not include organisations declared by the Victorian Gambling & Casino Control Commission as community or charitable

	organisations conducting a raffle as a fund-raising activity if they have obtained a minor gaming permit.
Gaming venue	A hotel or club approved by the Victorian Gambling & Casino Control Commission as a premise suitable for electronic gaming machine gambling. The Gambling Regulation Act 2003 permits the use of electronic gaming machines in venues with a pub licence (hotel operating under a General Liquor Licence), club licence (operating under a Full Club Liquor Licence) and racing club licence (Full Club Liquor Licence).
Gambling support services	A range of services designed to assist individuals and their families affected by gambling harm. These services often include counselling, therapy, financial advice, support groups, and educational resources aimed at helping individuals understand and manage their gambling behaviour. In Victoria, gambling support services are typically provided by organisations such as Gambler's Help.
Mandatory pre-commitment	A requirement for someone to set limits on the time and/or money they are willing to spend playing electronic gaming machines.
Online gambling	A wide range of different forms of gambling that can be provided in an online format i.e. accessed and played via the internet. This can include traditional casino-style games, sports betting, horse racing betting, or other forms of online wagering.
Raffle	A lottery where entrants purchase tickets for the chance to win prizes. Any method can be used to draw winners, if it: – provides a random and equal chance of each ticket being drawn, and – the method does not allow the possibility of more than one entry being deemed the winner of the same prize.

Social and Economic Indexes for Areas (SEIFA)	An index which ranks areas in Australia according to their relative levels of socio-economic disadvantage. It is produced by the Australian Bureau of Statistics and is based on data from the Census.
Sports betting	A form of gambling where individuals place wagers on the outcome of sporting events. This can involve predicting the winner of a game, the final score, or other specific outcomes within the event. Participants typically place bets through licensed bookmakers or betting agencies, with the potential to win money based on the accuracy of their predictions.
Sports tipping	A tipping competition (e.g. AFL footy tipping) that allows entrants to pick the winning team/s in each week of a sporting season to earn points if successful, and where: – All of the money that has been collected is returned as prizes. – The total value of prizes distributed is not more than $5000.
Vulnerable groups	Groups within the community at an elevated risk of gambling-related harms because of their age, socio-economic status, gender, cultural and linguistic background or exposure to opportunities to gamble.

7. POLICY

Policy statements are grouped around six themes representing Council's policy roles including Council operations, awareness raising and engagement, land-use planning, Council assets and infrastructure, funding and support, and advocacy and partnerships.

It is policy that Council will:

Council operations

7.1 Prohibit the hosting of any community events, activities, programs, or social outings in venues with electronic gaming machines.

Awareness Raising & Engagement

7.2 Publicise gaming applications within the City of Whitehorse through print or social media, and/or Council's website. These notifications will inform residents of their right to submit their views regarding the application directly to the Victorian Gambling & Casino Control Commission.

7.3 Inform the community about gambling harm, including electronic gaming machine gambling, sports and online betting and other forms of gambling, while also directing individuals on where to seek support.

7.4 Collaborate with gambling support services to develop and implement initiatives aimed at raising awareness about gambling-related harms, particularly amongst vulnerable groups.

7.5 Collaborate, where appropriate, with research and data collection projects aimed at enhancing understanding of the prevalence and impacts of gambling in Whitehorse.

7.6 Monitor emerging trends and ongoing issues in relation to electronic gaming machines and other gambling forms, particularly their impacts on vulnerable communities, to guide community awareness efforts and advocacy.

7.7 Seek community feedback on gaming licence applications to the Victorian Gambling & Casino Control Commission, subject to timelines and available resources.

Land use planning

7.8 Assess the social and economic impacts of electronic gaming machine applications that propose a new gaming venue; a variation to the number of gaming machines at an existing venue; and or a variation to the hours of operation at an existing gaming venue, including consideration of its proximity to sensitive land uses, such as schools, childcare facilities, welfare agencies, gambling support services and healthcare facilities.

7.9 Not support any planning and licensing application for additional electronic gaming machines and the transfer of electronic gaming machines in the municipality where evidence indicates a negative net social and economic impact on Whitehorse residents.

7.10 Not support gaming licence applications in neighbouring municipalities if they are considered to have a negative net social and economic impact on Whitehorse residents.

7.11 Require gaming venue applicants to conduct comprehensive social and economic assessments of their proposals, providing specific information to Council as outlined in Section 8.

Council Assets & Infrastructure

7.12 Prohibit electronic gaming machines on any land or facilities owned or managed by Council, including reserves and sporting venues.

7.13 Amend lease and licence agreements with current and future tenants (at the time of renewal) to prohibit gambling (as defined in this policy) on Council owned or controlled land.

7.14 Amend lease and licence agreements with current and future tenants (at the time of renewal) to prohibit advertising of gambling activities on Council land and buildings. This aims to reduce community exposure to gambling advertising and the normalisation of sports betting.

7.15 Filter and block access to gambling websites on Council-provided equipment and internet (Wi-Fi) to prevent gambling activity by staff and community, in accordance with Whitehorse City Council's IT Acceptable Use Policy.

Funding & Support

7.16 Not provide funding to hotels and clubs that own or operate electronic gaming machines.

7.17 Not accept financial contributions from the gambling industry or venues with electronic gaming machines, except in cases where proposed investments by clubs or hotels increases the amenity of its operations on leased Whitehorse City Council owned land and facilities, and are considered by Council to offer significant community benefit.

7.18 Support and encourage clubs with electronic gaming machines to allocate their gambling-related community contributions to relevant services targeted towards minimising gambling-related harm.

Advocacy and Partnerships

7.19 Where appropriate engage in government and parliamentary inquiries that present an opportunity to advance gambling reform.

7.20 Advocate for the provision of adequately funded and easily accessible support services for people affected directly or indirectly by gambling.

7.21 Advocate for enhancements to consumer protection measures, strengthened legislative controls, and industry practice reforms, including but not limited to:

a. Advocating for mandatory pre-commitment.
b. Advocating for the removal of misleading and addictive features in electronic gaming machines, such as 'near misses' and losses disguised as wins.
c. Advocating for a maximum bet limit of $1 per spin on electronic gaming machines.
d. Advocating for reduced operating hours of gambling rooms, from midnight to 10 am.
e. Advocating for increased rigour on the assessment criteria for electronic gaming machine licence applications (net determinate test).
f. Advocating for increased transparency regarding community contributions from club gaming venues.
g. Advocating for stronger regulation to decrease advertising of online gambling, particularly during television broadcasts and live sports events.

7.22 Collaborate with local government, community organisations and key agencies to leverage their expertise in broader advocacy issues, to achieve systemic changes and structures that mitigate gambling-related harm in the Whitehorse community.

8. INFORMATION REQUIRED BY APPLICANTS

Any application to Whitehorse City Council for a Planning Permit for a new gaming venue or to increase electronic gaming machine numbers in an existing venue will be required to include a robust impact assessment of the social and economic impacts

and risks of the proposal. Factors to be included in this assessment are outlined in Table 1.

Table 1 – Factors to be included in impact assessment

Factor	**Information required**
Locational features	Description of the gaming venue, its proposed location and details about the existing and proposed distribution of electronic gaming machines in the municipality. List businesses and facilities in the immediate vicinity.
Patron profile	Social and demographic profile of the current and/or anticipated patrons of the gaming venue including how the profile and conclusions about patrons were reached. Rationale for the patron catchment based on established patterns of movement by local residents and visitors. Supporting evidence (such as attendance records) provided of patronage and anticipated patronage.
Social profile	Detailed profile of the residential population in the catchment area (5km radius of venue), including information about recreational habits and tourism. Include the current population profile and projected growth, Socio-Economic Index of Disadvantage, level of housing affordability and housing stress, income levels, employment and unemployment rates, educational retention and attainment levels, crime data, and levels of demand for financial aid/social support services (if available). Appropriate comparative measures to be provided to assess the relative vulnerabilities and strengths of the local community.
Vulnerability and proximity to sensitive uses	Description of currently available support services that deal with vulnerable members of the community, problem gambling or gambling-related harm including: specific gambling support services, financial counselling, social and financial support services, general psychological support

	services and their location in relation to the anticipated patron catchment area. Level of current demand for gambling help services, financial counselling, material and financial aid (if available).
Community attitudes	Evidence of the community's attitude toward the application for increased electronic gaming machines in the municipality broadly, and the local area more specifically. The Applicant needs to provide evidence of this attitude by conducting a technically sound and robust attitudinal survey of patrons of the premises and more broadly. Summarise the community survey methodology and the results. Where the application concerns a club licence (as opposed to a hotel licence) evidence that the application has the support of the majority of the club's members. This would ordinarily require a copy of a club resolution following full details of the application being conveyed to the club members and debated.
Community contributions	Details of the nature and extent of community contributions expected from the proposal and how the contributions are to be secured and distributed to the local community. Where, for example, the Applicant claims that the proposal will result in improvements being made to the premises or improvements to services, how the community will be assured that these improvements will occur once the application is approved. Where the application concerns a club licence (as opposed to a hotel licence) details of the distribution of Community Benefit Funds to the local community.
Alternative entertainment	Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities within the local area and, if it is being contended that those

	facilities are not satisfying the current or future needs of the community, provide evidence of the contended needs.
Gaming losses	Details of existing gambling losses at the venue (over a 3 year period prior to the application) and a forecast of anticipated losses at the venue if the proposal was to be approved. If the Applicant contends that gambling losses are likely to be transferred from other venues (including venues in other municipalities), the Applicant is to provide: – How the level of transfer has been calculated (including, but not limited to, a comparison per machine losses at the venue prior to and after the additional machines, current usage levels of machines at the venue, and projected usage level of machines at the venue after the additional machines). – The amount of transfer anticipated. – The resulting impact on revenue of the venue from where the losses are being transferred. – The resulting social and economic impact on the venue from where the losses are transferred (such as loss of employment, loss of complementary revenue, loss of customers, and impact on ability to provide services). – The resulting social and economic impact on the local area within which those venues are located. – Details of the relative social and economic differences between the two venue catchments (measured by SEIFA indices, ABS data and other relevant data). An explanation as to why the electronic gaming machines are being transferred is to be provided. This would ordinarily require a statement from the operators of other venues.

Gambling-related harm prevention measures	Details of the design and layout of the premises (including gambling area) including all proposed and existing signage and evidence of compliance with any relevant gambling regulations concerning the premises' layout, design and operation. Any information relating to gambling-related harm currently being experienced at the premises and/or in the municipal district. Details of any current or proposed measures by the applicant to minimise harms due to gambling that are additional to regulatory requirements.

9. RESPONSIBILITIES

When Council receives an application to increase the number of electronic gaming machines at a venue a dual assessment process of social planning and statutory planning is undertaken.

Planning permit applications for a new gaming venue or variation to the number of machines or hours of operation at an existing gaming venue must be directed to Council's City Planning & Development Department and are then referred to the Communities, Engagement & Integrated Planning Department for further comment.

Gaming licence referrals from the Victorian Gambling & Casino Control Commission must be sent to the Communities, Engagement & Integrated Planning Department who will review the social and economic impact assessment provided by the applicant.

10. RELATED POLICIES & LEGISLATION

This Policy should be read in conjunction with Council's Local Planning Policy, Clause 22.17 of the Whitehorse Planning Scheme, as well as the Municipal Public Health and Wellbeing Plan.

Internal Use Only

11. REVIEW

Responsible Manager: Director Community Services

Date Adopted: Month and Year

Date of Next Review: Month and Year

This policy has been reviewed for Human Rights Charter compliance.

12. APPENDICES

Appendix 1: Details of Electronic Gaming Machine Venues in the City of Whitehorse

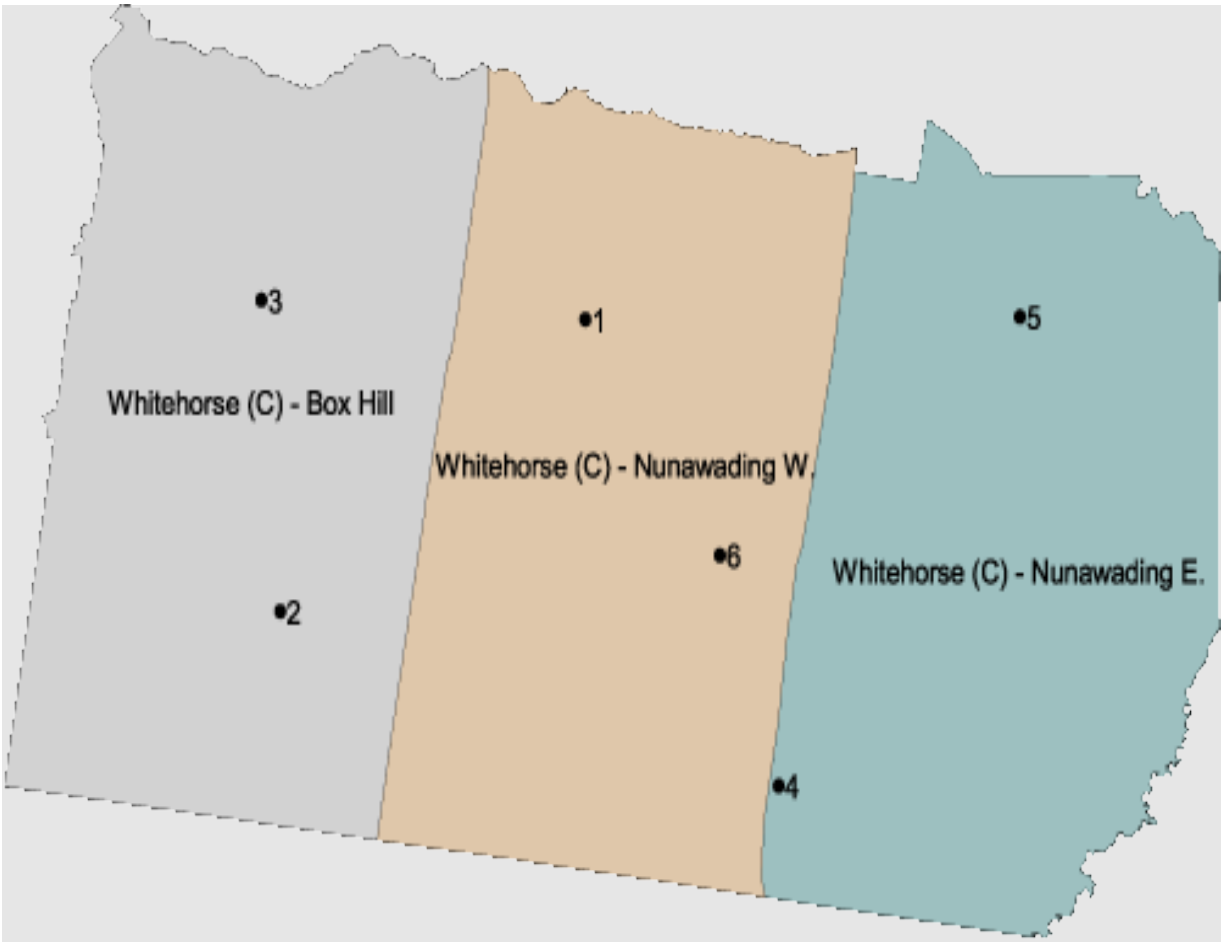
Appendix 2: Map of Gaming Venues in the City of Whitehorse

APPENDIX 1: DETAILS OF ELECTRONIC GAMING MACHINE VENUES IN THE CITY OF WHITEHORSE

	Venue	Address	Attached Entitlements	Licensed EGMs	Venue Type
1	Blackburn Hotel	111 Whitehorse Road, Blackburn	66	102	Hotel
2	Box Hill Golf Club	202 Station Street, Box Hill	39	39	Club
3	Box Hill RSL	26 Nelson Road, Box Hill	103	103	Club
4	Burvale Hotel	Cnr Springvale Road & Burwood Highway, Nunawading	73	103	Hotel
5	Mitcham Hotel	556 Maroondah Highway, Mitcham	60	100	Hotel
6	The Chase Hotel	Tenancy 304 Level 3, 270 Canterbury Road, Forest Hill	90	90	Hotel
Totals			431	537	

APPENDIX 2: MAP OF GAMING VENUES IN THE CITY OF WHITEHORSE

Source: Victorian Gambling & Casino Control Commission, *City of Whitehorse: Current Venues*, accessed in April 2024.



Legend

1	Blackburn Hotel	Blackburn
2	Box Hill Golf Club	Box Hill
3	Box Hill RSL	Box Hill
4	Burvale Hotel	Nunawading
5	Mitcham Hotel	Mitcham
6	The Chase Hotel	Forest Hill