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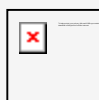
**Please indicate which meeting you would like to make a submission to by selecting the appropriate button: \*** Council meeting

**Date of meeting: \*** Tuesday 30 July 2019

**Agenda item title:** Planning Scheme Amendment C307 Gaming Policy

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**Alternatively you may attach your written submission by uploading your file here:**



[planning\\_scheme\\_amendment\\_c307\\_gaming\\_policy\\_doxa\\_community\\_club\\_final\\_submissions\\_290719.pdf](#)

135.49 KB · PDF

## **Submission to the Panel regarding Amendment C307 Gaming Panel – City of Melbourne**

We continue to act on behalf of Doxa Community Club Inc. ('Doxa') and wish to raise the following issues for consideration by the Council at its meeting.

Amendment C307 was the subject of detailed consideration by an independent planning panel, which had the benefit of detailed expert evidence, and submissions. Any departure from the recommendations of the Panel would need to be clearly justified.

In this respect, Doxa considers that the Council officer's position that certain recommendations of the Panel not be accepted by the Council have not been justified. Those recommendations are as follows.

### **Proximity to residential areas.**

The Independent Panel concluded in respect of this issue that that proposed policy relating to the proximity to residential areas would only be appropriate **outside** the central city, and was not appropriate **within** the central city.

The Panel stated at page 35:

*Although it may be challenging in practice to identify whether the predominant surrounding land use is residential in some locations within the City of Melbourne, the Panel accepts the evidence of Ms Rosen that this could be a factor that heightens convenience and therefore, risk for problem gamblers.*

*Balancing these considerations, it is a reasonable for it to be included as one of a number of the factors bearing on the appropriateness of the location **when considering areas outside the Central City** in particular (possibly excluding urban renewal areas intended for integrated mixed use). This may help to refine suitable or unsuitable **locations outside the Central City**, such as avoiding predominantly residential areas within Carlton or South Melbourne to reduce highly convenience access.<sup>1</sup>*

It follows that the fourth dot point of clause 1.0 of 52.28 should have the additional words "outside the central city" inserted.

### **Recommendation 15 - Tram Stops**

The Council Officers have recommended that the major tram stops be included where train stations are mentioned or in clause 4 of the schedule to clause 52.28.

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<sup>1</sup> Emphasis added

This is contrary to the Panel's recommendation as to the inclusion of tram stops, which is as set out below.

*It is more challenging to identify whether it is reasonable to discourage gaming venues in close proximity to other transport nodes such as tram stops, since the evidence of this interrelationship was not clearly presented to the Panel. In reality, the City of Melbourne has a relatively high level of public transport connectivity compared with more suburban locations. The mapping prepared by Council indicates that substantial areas of the municipality would be within a 400 metre radius of what it regards as a public transport interchange. **This has the capacity to vastly increase overall areas where gaming venues or machines would automatically be discouraged, without sufficient justification at this stage.**<sup>2</sup>*

No additional strategic work has been undertaken since the Panel hearing to provide any justification for this recommendation. The Council should therefore follow the clear recommendations of the Panel and remove the references to both tram and train stops in this part of the proposed schedule.

### **Requirement for Pedestrian Counts**

The Panel considered that the requirements for pedestrian count to be unnecessary. It said as follows:

*The Panel does not consider the requirement for pedestrian counts near a venue to be particularly to the point, especially in a context with high pedestrian flows as standard and encouraged.*

Again, the Panel recommendation should be followed. A requirement that a gaming venue provide pedestrian counts is both onerous and unlikely to assist with making good planning decisions. There is no basis to reject the Panel's clear findings in this respect.

### **Recommendation 21 - Net Community Benefit**

The Council proposes not to accept the Panel's recommendations about the reference to net community benefit. Again, there is no proper justification for this offered in the Officer's report.

The Council should accept the Panel's recommendation that this is unnecessary and undesirable.

if Council is insistent that a reference to achieving net community benefit needs to be included in the relevant policy, this needs to be done in a fair and balanced way. The

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<sup>2</sup> our emphasis

wording must reflect the considerations reflected in clause 71.02-3, and be phrased as follows:

*“An assessment of the proposal against the policies and provisions of the Melbourne Planning Scheme and an assessment of conflicting objectives in favour of net community benefit.”*

Yours sincerely,

**LGS Legal**

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**Please write your submission in the space provided below and submit by no later than 10am on the day of the scheduled meeting. We encourage you to make your submission as early as possible.**

As someone who has personally experienced harm from gambling, I am very supportive of the officer's recommendation in relation to Planning Scheme Amendment C307 Gaming Policy and am happy to see the City of Melbourne taking this step to protect your community from gambling harm.

My introduction to the pokies was seemingly harmless, just a bit of fun with a group of friends. Until one night, after a bad argument with my husband, I found myself in one of those familiar places. That was the first time I had gone by myself, and the beginning of ten years of destruction. At that time I had no idea I was dealing with a dangerous addictive product. I realise now, that the machines did what they are designed to do. Change my focus, give me little hits of 'winning', reduce my agitation and take me to a 'zone'. I soon found myself going regularly, staying hours longer than I had intended and losing more money than seemed possible.

I found myself in venues, wherever I went, at all hours of the day and night and there was no fun involved. I lost ten

years of my life to something that was meant to be entertaining. The shame I felt at doing things that were out of character for me, made it impossible to tell anyone, to seek help.

In my years of recovery, I have met many other gamblers who feel they cannot speak out publicly because of the stigma associated with being a gambler.

Thank you for what you are doing to protect people at risk from gambling harm.

It is good to see the City of Melbourne taking steps to enshrine a harm minimisation approach to gambling into the planning scheme, as this is one of the very practical steps Council can take to put its commitment to reducing gambling harm into action. The strategy of discouraging gaming venues where opportunistic gaming is likely, or close to predominantly residential areas or areas with a high concentration of vulnerable populations is to be applauded and I hope the Minister for Planning approves the document as proposed in the report before Council.

In particular I am pleased to see that officers have recommended that panel recommendations regarding Clause 1.0 of the Schedule to Clause 52.28 be partially accepted – it is very important that all residents of the City of Melbourne be protected from increased risk of gambling-related harms, whether they live within the Central City or elsewhere in the municipality. It would be unfair for residents to receive a lower level of protection just because they had an address in the Central City.

It is also excellent to see that the Framework will guide Council's action outside of the Planning Scheme to continue your leadership in the prevention of gambling-related harm, advocacy and collaborative partnerships. The City of Melbourne's voice is an important one in the fight to reduce the extraordinary level of harm people in this city and the broader Australian community face at the hands of the gambling industry.

I thank Council for its continued commitment to reducing harm from gambling and standing up for residents and hope that the Framework as proposed in the officer's recommendation is approved as soon as possible so it can be put to work protecting the community.