February 2019 Local Government Working Group on Gambling meeting minutes

VLGA back rooms, 60 Leicester Street, Carlton

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|  | Item |  |
| 1. | Present | Cr Lambros Tapinos, VLGA, Chairperson Cr Susan Rennie, VLGA ‘Michele Purtle, City of WhittleseaBrook Quinn, Wyndham City CouncilAssociate Professor Samantha Thomas, Deakin UniversityAmy Carson, Hume City CouncilTony Phillips, VRGFLindsay Shaw, VRGFNathan Bibby, Hobsons Bay City CouncilCr Jodi Jackson, Hume City CouncilLiz O’Loughlin, City of BoroondaraAlanta Colley, Darebin City CouncilJafar Hussein, Banyule City CouncilSarah Spragg, Deakin University | Terry Larkman, Glen Eira City CouncilHannah Pitt, Deakin UniversitySimone McCarthy, Deakin UniversityNick Locandro, Ballarat City CouncilBree Doody, Ballarat City CouncilLyn Dundon, ECCVStephen Mayne, AGRSteve Levakis, City of Greater GeelongGlenn Menner, Brimbank City CouncilCr Jackie Fristacky, Yarra City Council Lachlan McKenzie, Banyule Community HealthMay Haeder, Moreland City CouncilJo van Dort, Banyule CouncilRose O’Leary, VLGA - minute taker**Special guest: Petrina Dodds Buckley (Cardinia Shire), Lucas Moon and David Petersen (RSL)** |
| 2. | Apologies | Lisa Stafford, Stonnington City CouncilAdam Muir, Geelong City CouncilCr Glenn Milne, Mildura Rural City CouncilHayden Brown, City of Greater GeelongGavin Wilson, Casey City CouncilJames Searle, Yarra City CouncilCr John Hedditch, City of Brimbank | Mike Symon, Maroondah City CouncilRebecca Sirianni, Mitchell Shire CouncilRyan Hood, Whitehorse City CouncilSally Abbott, Moonee Valley City CouncilRachel Masters, Frankston City CouncilLisa Stafford, Stonnington City Council |
| 3. | Officer Hotel Wrap up | Petrina Dodds Buckley, the Manager of Social and Community Planning at Cardinia Shire spoke to the group about the Officer Hotel application as a useful case study for other councils who may face applications in the future. Petrina’s powerpoint presentation is attached to the email with these minutes for reference. When Council was first provided the proposal for a new Hotel in the Gateway to Officer township, it was a positive due to the need for additional recreational activities and businesses to service a fastly growing community. The community was excited by the prospect of a new Hotel, but not once they leant it would include 80 poker machines. There was a huge community campaign including a community video, handwritten letters, submissions from local key agencies, public meetings, petitions, t-shirts, corflutes, news stories and billboards. Community members presented at both the VCGLR and VCAT hearing.The VCGLR rejected the application, you can read that decision [here](https://www.vcglr.vic.gov.au/sites/default/files/gaming_decision_and_reasons_officer_hotel.pdf). The VCAT hearing was conducted over 7 days, the applicant requested to amend the proposed trading hours due to a significant error made by an independent expert witness (PVS and Geotech) which adversely impacted the Applicant's ability to present case. PVS miscalculated the total expenditure based on incorrect trading hours of the proposed venue. The hearing was then suspended, new hearing dates were proposed, however an outcome was negotiated and the applicant withdrew both the Gaming and Planning applications. Petrina said her biggest learnings to be shared with other councils include:* Follow due process and remain independent
* Let the community take the lead
* Consider two experts to give SEIA evidence
* Encourage community to give evidence
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| 4. | Advocacy opportunity: Responsible Gambling Codes of Conduct | Susan and Tony spoke about [The Labor Party Platform](https://www.viclabor.com.au/wp-content/uploads/2018/07/Platform-2018-Web.pdf) which promises to ensure a more responsible delivery of gambling in gaming venues, we have an opportunity for us to ask for them to deliver.There will be a review of the responsible gambling codes of conduct. The codes of conduct are supposed to protect everyone, but we know they are not successful. A list of the codes of conducts can be found here: <https://www.vcglr.vic.gov.au/resources/data-and-research/gambling-data/list-responsible-gambling-codes-conduct> Key things to consider: What things would we like to see in those codes compared to what is in them right now? What can we add that ensures reduction of harm from gambling? We need to ensure the codes can hold venues accountable and that they are measurable and reportable. What can councils do? Talk to your local MPs (Labor members in particular). Things you can ask for in the codes are maximum lengths of play, mandatory breaks of play, rules against playing two machines at once and providing free food and drinks at poker machines (rather than another room) and ensure codes are not subjective (instead the Commission needs to be given the power to hold venues accountable). Helpful research: * Livingstone, Rintoul and Francis report around how harm minimisation strategies currently in place are not actually significantly reducing harm, [see report here.](https://apo.org.au/node/41459)
* 2013 study describing people in distress from gambling harm, validated signs of gambling problems through ‘traffic light system.’ [See table 28 here.](https://www.responsiblegambling.nsw.gov.au/__data/assets/pdf_file/0005/138128/Validation-study-of-in-venue-problem-gambler-indicators.pdf)

From here we'll look at **existing penalties** for breaching the codes, and if anyone has actually received a fine from breaching the code. UK is a benchmark for fines. It is critical we have a ‘louder voice’ than the industry, we have seen how the $500 cash out limit was influenced due to the industry. We do not want to allow this to happen again in terms of the code.  |
| 4.  | RSL Update | David Peterson and Lucas Moon from Camberwell City RSL came and spoke to the group in regards to poker machines in RSL venues across Victoria. Lucas was from Camberwell City RSL, a venue without pokies. David and Lucas spoke about how many younger ex-servicemen want to move away from poker machines. See recent [news article about this here](http://www.theage.com.au/victoria/young-veterans-reform-group-presses-for-a-pokie-free-rsl-20190304-p511o4.html?btis). Lucas and David spoke about how the original intention and meaning of RSLs has been lost due to pokies- there were originally 250 clubs and the ability to advocate was lost when they entered into pokies business. Simply put, veterans are not benefiting from pokies. Of the 50 pokies clubs, 0.6% of funds from pokies were returned to veteran welfare. As RSL veterans are not businessmen, RSLs hire people from the gaming industry to do it on their behalf is this ethical and appropriate? Camberwell City RSL is living proof that there is alternative business models that are more profitable and better for veterans. It’s important RSLs find ethical and sustainable revenue models. David and Lucas will be looking at doing this with constitutional amendmentsWhat role can council play?* Stop taking money from the RSLs in terms of grants
* Don't allow pokies venues on council land

Brook Quinn asked how can you break down council reluctance to be too harsh on RSLs?* Look at their veteran membership at RSLs compared to social or gaming membership, it will be surprising to see the small number of veteran members
* Compared with how many veterans live in your area to how many are members at your local RSL.

Samantha Thomas suggested a survey of veteran attitude about RSL pokies venues. The VRGF is conducting research that talks about vulnerable veterans- we will share when that research paper has been published. |
| 5. | Alliance for Gambling Reform update | 1. [Melton Country Club:](http://www.starweekly.com.au/news/pokies-face-fails/)
	1. Champs came along
	2. New lease for 29 years approved unfortunately
2. 2018 calendar year poker machine data
	1. Up 4% for the year
	2. $103 million increase in a calendar year
3. ‘Friends of’ MP group in Victoria following election, roll it out after fed election with 6-8 MPs
4. ACT ‘buy back’ process in Australia successful, reduced by 900 entitlements. See [here](https://the-riotact.com/canberras-move-to-reduce-gambling-harm-is-paying-off/287767) for more.
5. ClubsNSW [new MOU](https://www.clubsnsw.com.au/resources/policy/NSW-election-policies) which is terrible, Liberal have signed, Labor have not signed yet.
6. QLD- Noosa joined AGR! Premier saying she wants to reduce numbers, read [here](https://www.brisbanetimes.com.au/politics/queensland/premier-wants-fewer-pokies-in-queensland-20190219-p50yrh.html).
7. TAS: Labor has crab walked away from their position to phase out pokies.
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| 6. | Victorian Responsible Gambling Foundation update | Lindsay Shaw (Lindsay.D.Shaw@responsiblegambling.vic.gov.au) from the VRGF spoke to the GIRO update.**VCGLR decisions**In 2017 and 2018, the VCGLR determined 21 applications for new premises or EGM increases. It refused 7 of these applications (1/3). As opposed to 94% approval rate in 2016. None of the refusals were overturned by VCAT. In fact, Officer Hotel was the only refused application that was appealed and proceeded to VCAT.Here is a list of these decisions on the VRGF website (I have filtered by VCGLR & VCAT decisions):<https://responsiblegambling.vic.gov.au/about-us/news-and-media/topic/vcglr-vcat-decisions/>It appears the commissioners are now more confident of refusing applications if they consider there will be harm to the community. Reasons for this include:* stronger evidence of harm from gambling (the Harm Study by Matt Browne has been important)
* expert witnesses, such as Bonnie Rosen and SGS, who are able to refute data/evidence submitted by the applicant and provide authoritative alternative data to the commissioners
* community members and organisations giving evidence at hearings that is relevant to the particular application.

**VCGLR revising Economic & Social Impact Submission form** VCGLR has commenced the process to revise the form to be completed by councils.VRGF, VLGA and a number of council officers have provided feedback.VCGLR has advised there will be a public consultation period and indicated they would like to present on this at the April LGWGOG meeting. (Rose - I met with VCGLR staff yesterday and they confirmed this information. I advised them to contact you or Susan to get on the April agenda).**Cashless gaming introduced at clubs and hotels**The Minister recently introduced new regulations which enable club and hotel gaming venues to offer cashless gaming to customers. The VCGLR also published Technical Standards for cashless gaming.These changes allow clubs and hotels to offer Ticket-In Ticket-Out (TITO) tickets at their venue. TITO is already available on pokies at Crown casino and at clubs and hotels in NSW and Queensland.Clubs and hotels can also offer Card Based Cashless (CBC) where a person can establish a cashless wallet which allows them to use a player card on the pokies.Here is a more comprehensive summary on the VRGF website:<https://responsiblegambling.vic.gov.au/about-us/news-and-media/cashless-gaming-commences-victorian-venues/> |
| 7. | Other Business | * ALGWA are running their annual conference at the Rooty Hill RSL in NSWs which is concerning.
* Opportunity for councils/ LGWGOG to make submission into Royal Commission into Mental Health, important to include harm from gambling in your submissions
* Public Health Conference 12th, 13th and 14th June and prior there is a pre conference one day workshop - ‘unhealthy marketing to children: gambling, alcohol and junk food.’ Fantastic speakers, worth attending. Contact Samantha Thomas <samantha.thomas@deakin.edu.au> for details.
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| 8. | Current applications | **EGM applications –** [**link here for details**](https://www.vcgr.vic.gov.au/CA256F800017E8D4/VCGLR/775C37E1F7909A1DCA257B320078027A?OpenDocument)If you have any questions about an application contact Rose at rose@vlga.org.au or 9349 7999 or Lindsay Shaw on Lindsay.D.Shaw@responsiblegambling.vic.gov.au  |
| 9. | Next meeting | **17th of April 9.30am-11.30am at VLGA** |