

POLICY



Date adopted: 29/10/2019
File no: 309966-1
Minute number: 178/2019

Policy title: **GAMING MACHINES**

Directorate: COMMUNITY SERVICES

Branch: COMMUNITY SERVICES

Policy objective: To describe Council's role regarding the provision of advice on gaming machine applications and to establish a framework to determine applications seeking the introduction of, or additional, gaming machines on Council owned and/or controlled land.

Policy scope:

1. Preamble

Council has a significant role to play in ensuring local environments are safe, healthy and promote positive social and community outcomes. Council is aware of the significant negative social, economic and cultural impacts which problematic gambling activity have on the community and is committed to minimising these impacts.

2. This policy will apply to:

- (a) Council's advice and correspondence with the Queensland Governments' Office of Liquor and Gaming Regulation regarding gaming machine licence applications.
- (b) Council's role in authorising the introduction of, or additional, gaming machines in new or existing venues on Council owned and/or controlled land.
- (c) Council's response to a Social and Health Impact Assessment, where required through Council's development application process, where there is intention to include gaming machines in the development.
- (d) Council's involvement in the development of collaborative responses to issues relating to gaming machines or problem gambling within the Logan local government area.

3. Council's policy position relating to gaming machine licensing within the City

- (a) Council, through its advisory, approval and/or regulatory role, is committed to minimising the negative social, economic and cultural impacts associated with problem gambling activity in Logan City.
- (b) Council will decide on authorising a lessee on Council owned and/or controlled land to apply for gaming machines on a case by case basis and when accompanied by a completed statement that addresses criteria outlined in Section 4 of this policy.
- (c) Council will not indicate direct support for a gaming machine licence application on private land, but will outline site specific facts and concerns related to the proposed application as outlined in Council's Gaming Machine Guidelines and Procedures to help inform the decision on that application by the Commissioner of Liquor and Gaming.

- (d) Council supports the Queensland Responsible Gambling Code of Practice and requests that all premises on Council owned and/or controlled land abide by, implement and incorporate the Code of Practice.
4. Gaming machines on Council owned and/or controlled land

The Council currently permits gaming machines on some Council owned and/or controlled land. The Council will consider additional applications for gaming machines on Council owned and/or controlled land on a case by case basis, subject to such applications being accompanied by a statement addressing all or any of the following criteria that it considers necessary:

Criteria one:

The total financial profile of the venue. This assessment is to include the development of a commercial strategy/business plan by the applicant, which incorporates the following:

- (a) description of the business
- (b) financial management plan
- (c) marketing plan
- (d) supporting documents and financial projections.

Criteria two:

The possible financial implications on other venues on Council owned and/or controlled land. This assessment is to include, but not necessarily be limited to:

- (a) membership numbers of club applying
- (b) the current density of gaming machines in the venues on Council owned and/or controlled land within the local community
- (c) other income sources of clubs.

Criteria three:

Community impact assessment. This assessment is to include, but not necessarily be limited to:

- (a) the current density of gaming machines in the local community within a 5 kilometre radius of the venue
- (b) the population growth potential in the local community
- (c) the range of recreational pursuits located in the local community
- (d) the socio-economic profile of the residents in the local community
- (e) the potential for employment opportunities for residents, associated with the application
- (f) potential negative impacts on nearby residents such as noise, lighting and vehicle parking from the patronage of the venue
- (g) the gambling support services available in the locality
- (h) evidence of planned minimisation of potential negative impacts to residents and the broader community
- (i) evidence that the operation of gaming machines is ancillary to other uses, i.e. sporting and/or recreational uses
- (j) the local community's views on the application from community consultation.

Criteria four:

- (a) Community benefit statement. This statement is to include the proposed contribution to social infrastructure, beyond the development of the venue, such as the following:
 - (i) contributions to other Logan City based recreational or sporting facilities
 - (ii) support for local Logan City based community initiatives and activities
 - (iii) employment and training opportunitiesto the satisfaction of the Director of Community Services.
- (b) Organisation benefit statement. This statement is to include the following:
 - (i) facility development
 - (ii) program development
 - (iii) organisational development.
- (c) The community impact assessment and the community benefit statements are to be prepared by the applicant and forwarded to the Council, on an annual basis or upon the applicant seeking additional gaming machines.

Criteria five:

Consideration is to be given to the lost funding opportunities resulting from the inability to access substantial government grants and subsidies, upon the commercialisation of a venue through the installation of gaming machines.

NOTE: This criteria is in addition to that required under the *Gambling Legislation Amendment Act 2004*, which amends the *Gaming Machine Act 1991* and any new amendments to the Act. It is expected that the venue adhere to the requirements of the voluntary Queensland Government Responsible Gambling Code of Practice.

Definitions:

Not applicable.

Policy statement:

The following principles and framework are to be undertaken for this Policy:

1. Advice on Gaming Machine Applications
 - (a) Council will provide a written response to each request from the Queensland Governments' Office of Liquor and Gaming Regulation seeking community feedback relating to applications for gaming machine licences, applications for extended hours of operation of gaming machines and various other changes to conditions on existing gaming machine licences within the Logan City local government area. This response will be developed in accordance with Councils' Gaming Machine Guidelines and Procedures.
 - (b) The Social Planning program will coordinate a response to the Office of Liquor and Gaming Regulation in consultation with internal Council branches and the Chairperson of the relevant committee. Where possible, the Chairperson and internal Council branches will have five business days to provide a response.
2. Gaming Machines on Council Owned and/or Controlled Land

Upon receipt of requests of support for an application for gaming machines on Council owned and/or controlled land, the relevant Council branch that has authority to support the application will advise the applicant of Council's Gaming Machine Policy.

 - (a) An applicant must lodge a formal response addressing all or any of the above criteria that the Council considers necessary.

- (b) Assessment of the criteria could result in conditions being imposed upon the applicant by the Council.
 - (c) All applications will be submitted to the Council for consideration.
 - (d) Council will provide a written response advising the applicant of the Council's decision.
3. Responding to development applications where there may be intention to provide gaming machines
- (a) Through Development Assessment processes, premises where there may be intention to provide gaming machines and which have been required to provide a Social and Health Impact Assessment (SHIA), the Development Assessment branch can elect to consult with the Community Services branch and impose development approval conditions based on the recommendations of the impact management plan.
 - (b) Where an impact management plan has been required as part of a SHIA for a new premises or material change of use which include gaming machines, a community benefit statement must be provided. This community benefit statement is to include the proposed contribution to social infrastructure, beyond the development of the venue, such as the following:
 - (i) contributions to other Logan City based recreational or sporting facilities
 - (ii) support for local Logan City based community initiatives and activities
 - (iii) employment and training opportunities
4. Reporting research and legislative changes to gaming machine related matters
- (a) The Community Services branch will provide updated research, strategies and reports to Council relating to the issue of gaming machines and problem gambling within the Logan local government area.

This policy is to be used in conjunction with the gaming machine guidelines identified in the related documents table.

Related policies/legislation/other documents:

DOC ID	DOCUMENT TYPE	DOCUMENT NAME
-	Legislation	<i>Gambling Machine Act 1991</i>
-	Legislation	<i>Gambling Legislation Amendment Act 2004</i>
-		<i>Charitable and Non-Profit Gambling Act 1999</i>
-		Queensland Government Responsible Gambling Code of Practice 2015
12917127	Guideline	Gaming Machine Guidelines and Procedures