

OPEN SESSION

14 NOTICES OF MOTION

14.1 Poker Machines

The following Notice of Motion was submitted by **Cr Cordover**

RECOMMENDATION

That Council:

- a) Acknowledges that pokies cause harm;
- b) Has advocated to mitigate that harm by joining the Tasmanian Community Coalition in 2016 (now referred to as Community Voice on Pokies Reform) alongside other Councils such as Brighton, Glenorchy, Hobart, Southern Midlands and Meander Valley;
- c) Commits to opposing any additional pokies in Kingborough by making a submission whenever a Community Interest Test is being undertaken by an applicant whose proposed licensed premises is in our municipality.

Background

- 1.1. Kingborough Council became a member of Community Voice on Pokies Reform following a vote by Council on 26 April 2016 to apply for membership of the Tasmanian Community Coalition.¹ Other Councils in the coalition include Hobart City Council, Glenorchy City Council, Brighton Council, Meander Valley Council and Southern Midlands Council.
- 1.2. As part of the Tasmanian Government's *The Future of Gaming in Tasmania* (Future Gaming Market) policy, announced during the 2018 State election, the exclusivity arrangements under the Deed with the Federal Group to conduct casino operations, operate electronic gaming machines and conduct games of keno in Tasmania will end in 2023.
- 1.3. This change to state legislation will see pubs and clubs offered licences to operate their own pokies after July 1 2023, via the creation of individual venue licences to operate EGMs in hotels and clubs.
- 1.4. There are a number of reforms for the gaming industry in Tasmania under the future gaming market model, including:
 - the creation of individual venue licences to operate EGMs in hotels and clubs²;
 - a decrease in the statewide cap for EGMs of 150, with a new cap number of 2350 EGMs in pubs and clubs.
- 1.5. The implementation of the Future Gaming Market policy may result in additional venues in Kingborough seeking to attain a licence to operate poker machines in hotels and clubs.

¹ Kingborough Council Minutes, 26 April 2016, <https://www.kingborough.tas.gov.au/wp-content/uploads/2017/09/Council-Minutes-No.-7-26-April-2016-Public-Copy.pdf>, accessed 22/10/21

²Department of Treasury and Finance, Tasmanian Government, 2020, Future of Gaming in Tasmania Public Consultation Paper February 2020, https://www.treasury.tas.gov.au/Documents/Future_of_Gaming_in_Tasmania_Public_Consultation_Paper_February_2020.pdf, accessed 22/10/21

- 1.6. A Licensed Premises Gaming (LPG) licence enables an entity to operate gaming machines in licensed premises such as hotels and clubs in Tasmania. Where an application for gaming machines is received and gaming machines have not been either previously installed or have not been installed in the premises within the last six months, the applicant is required to complete a Community Interest Test (CIT) as part of the application³.
- 1.7. On 17 March 2016, the Treasurer's Ministerial Statement on Gaming announced the introduction of a public interest test, now referred to as a community interest test.⁴ The intent of the Government's policy is to give local communities a greater voice in determining the future location of EGMs in their community.⁵
- 1.8. Unlike most other elements of consumer spending, gambling has acknowledged and measurable social costs. The ACIL-Allen Social and Economic Impact Study for Tasmania found that 2.4% of the Tasmanian population are moderate risk/problem gamblers.⁶
- 1.9. The Alliance for Gambling Reform, which is supported by dozens of local councils across Australia, says on their website that "poker machines are designed to addict and rigged to con the user to keep playing." Poker machines are mathematically programmed to return around 90% of the money put in. This means, the more a person plays, the more they lose.
2. Discussion
 - 2.1. There are currently 2300 EGMs in pubs and clubs in Tasmania, which is 50 less than the proposed new cap of 2350. The current cap is 2500.
 - 2.2. Kingborough has 50 EGMs across two venues.
 - 2.3. There is a cap of 30 EGMs per hotel and 40 EGMs per club.
 - 2.4. At least one in 6 people who regularly use a poker machine are likely to develop a problem with gambling (Productivity Commission 2010, p. 5.25).
 - 2.5. The harmful impacts of gambling are widespread. They affect an individual's health, family, relationships and work, which in turn impacts on health care costs and economic productivity.
 - 2.6. The Local Government Association of Tasmania submitted a discussion paper on the Gaming Control Act Community Interest Test to the Tasmanian Liquor and Gaming Commission in February 2017 with responses from Glenorchy and West Tamar Councils stating that, "*Poker machine venues should not be allowed near schools, shopping centres, sports and community facilities, places of worship, emergency relief providers, hospitals, child care centres, welfare services, credit providers, aged care facilities, banks and ATM machines, parks and open spaces.*" (LGAT 2017, p. 6)⁷.
 - 2.7. In July 2017, University of Queensland Professor John Mangan examined the economics of poker machines in Tasmania and found that removing poker machines from pubs and clubs would provide a positive benefit to the Tasmanian Economy. The report, *Removing poker*

³ Department of Treasury and Finance, <https://www.treasury.tas.gov.au/liquor-and-gaming/gambling/applying-for-a-gaming-licence-or-permit/licensed-premises-gaming-licence>, accessed 22/10/21

⁴ Ministerial statement on gaming, https://www.premier.tas.gov.au/releases/ministerial_statement_on_gaming, accessed 22/10/21.

⁵ Joint Select Committee on Future Gaming Markets Final Report (No.18), 2017, p. 109 <https://www.parliament.tas.gov.au/ctee/Joint/Reports/FGM/fgm.rep.170927.reportfinalforprinting.sw.pdf>, accessed 22/10/21

⁶ ACIL-Allen Consulting, 2018, Fourth Social and Economic Impact Study of Gambling in Tasmania (2017) Volume 1: industry trends and impacts, p. 88, <https://www.treasury.tas.gov.au/Documents/Volume%201%20-%20Industry%20Trends%20and%20Impacts.PDF>, accessed 22/10/21

⁷ Local Government Association of Tasmania, 2017, *Gaming Control Act Community Interest Test – Discussion Paper*, <https://www.treasury.tas.gov.au/Documents/Submission%2035%20-%20Local%20Government%20Association%20of%20Tasmania.pdf>, accessed 22/10/21

*machines from hotels and clubs in Tasmania: Economic considerations*⁸, found that removing poker machines from pubs and clubs across Tasmania would create up to 670 new jobs. This is because, as the report uncovered, “Expenditure on poker machines does not bring new economic activity to Tasmania, it simply replaces existing activity”.

- 2.8. Poker machine addiction can lead to poverty, child neglect, family violence, mental ill health and suicide. According to the Tasmanian Liquor and Gaming Commission, approximately 6,000 to 10,000 Tasmanians are harmed by their gambling, the vast majority of them being harmed by poker machines⁹.
- 2.9. For every person who is harmed by their own gambling, on average seven other people around them are also negatively affected (Productivity Commission 1999, p. 7.1)¹⁰
- 2.10. Regular polling over 25 years has shown 4 in 5 Tasmanians think that poker machines in pubs and clubs have a negative impact on the community.¹¹
- 2.11. A ReachTEL poll in September 2017 found that 81.5% of Tasmanians in the electorate of Franklin thought the number of poker machines should be decreased or phased out all together.¹²
3. Conclusion
 - 3.1. Poker machines cause social and economic harm.
 - 3.2. Previous polling and research indicates that the majority of the people in the Kingborough community do not want more poker machines in hotels or clubs.
 - 3.3. Kingborough Council, along with several other Councils, has already indicated to the community a commitment to reduce the social and economic harm caused by poker machines by joining the Community Voice on Pokies Reform coalition in April 2016.
 - 3.4. Additional poker machines in Kingborough would magnify the harm that they are already causing in the municipality.
 - 3.5. Legislative changes to the *Gaming Control Act 1993* that result from the Future Gaming Market policy may result in more venues seeking to attain poker machines in Kingborough.
 - 3.6. In the wake of recent debate in the community and media on this issue, Kingborough Council has an opportunity to send a clear signal that additional poker machines are not welcome in the Kingborough community.

⁸ Mangan, 2017, Removing poker machines from hotels and clubs in Tasmania: Economic considerations <https://www.anglicare-tas.org.au/research/removing-poker-machines-from-hotels-and-clubs-in-tasmania-economic-considerations/>, accessed 22/10/21

⁹ Tasmanian Liquor and Gaming Commission, 2016, Submission to the Joint Select Committee on Future Gaming Markets, <http://www.parliament.tas.gov.au/ctee/Joint/Submissions/JSC%20FGM/JSC%20FGM%20144%20Tasmanian%20Liquor%20and%20Gaming%20Commission.pdf>, accessed 22/10/21

¹⁰ Productivity Commission, 1999, Australia's Gambling Industries, <https://www.pc.gov.au/inquiries/completed/gambling>, as quoted in Anglicare Tasmania's Policy Position for the 2018 Tasmanian State Election – Removing poker machines from our communities, <https://www.anglicare-tas.org.au/research/election-position-paper-removing-poker-machines-from-our-communities/>

¹¹ ReachTEL poll, 15 February 2018 https://www.tai.org.au/sites/default/files/Tasmania%20Polling%20-%20Poker%20Machines%2C%20Donations_0.pdf, accessed 22/10/21

¹² ReachTEL, 6 September 2017, <https://www.tai.org.au/sites/default/files/TAI%20-%204%20September%202017%20-%20Franklin%20-%20poker%20machines.pdf>, accessed 22/10/21

Officer's Response

Council's previous position on this matter is outlined in the background to the motion.

Dr Katrena Stephenson, Director Environment, Development & Community

14.2 Infrastructure Contributions

The following Notice of Motion was submitted by **Cr Glade-Wright**

RECOMMENDATION

That Council note the issues raised.

That Council seek sector support through submitting the following motion to the next LGAT General Meeting:

"That LGAT advocate to the State Government for the introduction of a consistent State-wide approach to infrastructure charges to ensure that the burden of public infrastructure provision is shared equitably between developers and communities".

Background

Currently, all States other than Tasmania have systems in place for implementing infrastructure contributions, supported by state-level legislation. Each system varies in its scope and characteristics, but all are intended to ensure that development (especially urban growth) pays for its demand and impacts on public infrastructure.

Development contributions (also known as infrastructure/headwork charges or development levies) are fees that councils and infrastructure authorities collect from developers towards the supply of public infrastructure to meet the future needs of the community. It is a key mechanism for supporting local growth and development, which is why every other Australian jurisdiction has some form of state legislated contributions system. It delivers multiple benefits to councils, developers, and communities alike. They support local growth and the development industry by allowing infrastructure to be properly financed and paid for by the beneficiaries. When properly integrated into sound infrastructure planning, contributions schemes support timely delivery of the infrastructure that facilitates development.

Each development, subdivision and land use intensification incrementally contributes demand and pressure on the infrastructure networks it relies upon, from roads and water supply, to stormwater networks and water quality, as well as community facilities, parks and public open space. To keep pace with development, infrastructure management authorities such as councils must not only plan their infrastructure ahead of time but also find the finances to resource its delivery. Good development practice requires that developers connect their new developments to existing infrastructure networks and pay to extend any infrastructure networks required to service it, but the cumulative demand will eventually mean that more substantial infrastructure upgrades will be needed at some point to provide sufficient capacity. Without a well-thought-out financing mechanism, this can mean that development is held up until the major upgrade can be financed, or the developer must pay for the upgrade to facilitate the development. It can also mean that councils are left to lean on general revenue (i.e. rates) to subsidise local growth, which can impact financial sustainability and cut into local services. Development contributions therefore connect the costs of development to infrastructure costs, timely infrastructure delivery to help communities grow and underpinning financial sustainability and reducing upwards prices/rates pressure.

In Victoria there are 3 types of mechanism for councils to obtain contributions towards infrastructure. These are 1) development levy, 2) community infrastructure levy, 3) metropolitan levy. An example of how these operate is this:

The estimated cost of the development to which a permit application relates is \$2,356,782. This is rounded up to \$2,357,000 to calculate the levy:

$$\$2,357,000 / \$1000 = \$2357$$

The metropolitan planning levy is:

$$(\$2357 \times \$1.30) = \$3064.10$$

Currently Kingborough Council does not charge developers any amount towards the cost of infrastructure and the burden falls on the ratepayer. Outside fees for permits of a subdivision in Kingborough, a developer is only charged in lieu of provision of public open space which is 5% of the area of land being subdivided.

LGAT investigations

The existing mechanisms available for councils in Tasmania to apply infrastructure charges are dispersed across a range of legislation and lacks a comprehensive and consistent infrastructure contributions policy.

There appears to be a significant opportunity for Tasmania to improve infrastructure financing, timely infrastructure delivery, and the financial sustainability of infrastructure authorities, particularly for local government. Subsequently, LGAT has been investigating infrastructure charging and contributions from other Australian states to see what can be learned and adapted in Tasmanian. The study reflects on the charging approaches of other states and identifies the best attributes that could be adopted here. It is likely that for clear, comprehensive and robust infrastructure contributions scheme in Tasmania a revised legislative framework will be needed.

LGAT has also released a survey seeking member council feedback on infrastructure contributions and to prepare an assessment of potential options for infrastructure financing i.e:

The status quo, which lacks contributions for major capacity upgrades;

'Shared external costs', where developers would not be charged, but the infrastructure costs of supporting development would be collected from water customers who would be charged more on regular water bills to finance major upgrades; or

'Enhanced status quo', where a standardised contribution would be levied on development.

It is also worthy to note that TasWater has put forward a revised developer charges approach as part of its proposed Price and Services Plan. This approach, and the response from government and development stakeholders, will help to inform further development on infrastructure contributions for local government in Tasmania.

Given that TasWater is continuing their public dialogue around developer charges, that other states are evolving and improving their charging systems, and particularly that Tasmania is the only state without a state-wide infrastructure contributions regime, LGAT has indicated their commitment to continue to research the subject with a view to initiating a dialogue with its membership and informing the work that TasWater is undertaking.

Officer's Response

The motion can be provided for LGAT's December General Meeting. It is understood that there will also be a report provided to that meeting on the progress of LGAT's investigations and advocacy around infrastructure charging.

Dr Katrena Stephenson, Director Environment, Development & Community

14.3 RV Friendly Municipality

The following Notice of Motion was submitted by **Cr Bastone**

RECOMMENDATION

That the Council declare Kingborough an RV friendly area, provide dedicated parking and sign post it accordingly.

Background

Since the outbreak of Covid19 and the closing of our borders, more Tasmanians have been travelling around the State in motor homes and caravans and enjoying our diverse scenery. I believe also when our borders open to travellers again, Tasmania, with its excellent record in preventing covid outbreaks will see a further influx of interstate, self-contained travellers, people who in other times would have travelled overseas.

The cost for signposting is minimal and the money spent on food and fuel by travellers is an added benefit to Kingborough businesses.

Parking areas can be identified and should be situated close to retail outlets but not at the expense of local shoppers. For example:

The area in Kingston could be beside the Coles complex and opposite the Kingston hotel and Shiploads on Beach Road which is not well used. Parking bays could also be marked in Margate, near the dentist; in Snug in Beach Road; in Kettering at the Hall; and in Woodbridge near the post-office opposite St Simons and St Jude.

These parking areas are not for overnight stays but double sized parking bays to enable people to shop.

Overnight parking areas for self-contained vans should be looked at in a separate motion.

Officer's Response

The declaration of an RV Friendly Town cannot be done by Council as the program is a trademarked initiative of the Campervan and Motorhome Club of Australia Limited (CMCA). Before any town can be appointed to the program, there is a set of CMCA guidelines that must be met, including:

Essential Criteria:

- Provision of appropriate parking within the town centre, with access to a general shopping area for groceries and fresh produce.
- Provision of short term, low cost overnight parking (24/48 hours) for self-contained recreational vehicles, as close as possible to the CBD.
- Access to potable water.