Item 12.2

Notices of Motion

Action on Gaming Machines

By Councillor Worling

It is resolved that:

(A) Council note:

(i) as at 31 December 2024, there were 3,671 gaming machines in the City of Sydney;

(ii) people who gamble in the City of Sydney lost over $110 million in just 3 months between September and December 2024, yet the highest losses are in Fairfield, Canterbury-Bankstown and Cumberland areas;

(iii) unlike many countries, Australia does not limit gaming machines to casinos and betting shops, but instead permits them in hotels, clubs and pubs. Gaming machines are everywhere;

(iv) in 2022, Council supported a Lord Mayoral Minute about the proliferation of gambling in NSW. In response, Council resolved to support a mandatory cashless gaming card and other harm minimisation initiatives;

(v) the NSW Government has attempted to reform the gambling industry and reduce its harmful impacts by:

(a) banning political donations from clubs involved in gaming;

(b) reducing the cash input limit from $5,000 to $500 for all new poker machines;

(c) banning all external gambling-related signage, however, some signage has simply been converted or tweaked to bypass legislation;

(d) introducing a cashless gaming trial, however, with limited participants, it was ineffective and found that voluntary systems do not work;

(e) requiring Responsible Gaming Officers; and

(f) working on tackling money laundering in casinos;

(vi) while action is being taken to regulate illegal activities in casinos, there is concern that this activity and gambling harm has and will shift to other venues, particularly those with a large number of gaming machines;

(vii) despite NSW Government action, in 2024, gamblers in NSW lost a record $8.64 billion in gaming machines;

(viii) the role of successive NSW Governments in enabling this harm is indisputable, and it is incumbent upon the current NSW Government to fix it;

(ix) the primary regulatory authority for gaming machines is the NSW Independent Liquor and Gaming Authority (ILGA). It oversees approval and regulation of gaming machines under the Gaming Machines Act 2001 and the Liquor Act 2007;

(x) Section 209 of the Gaming Machines Act 2001 prevents planning instruments and conditions of development consent from prohibiting or otherwise restricting the installation, keeping or operation of gaming machines. The repeal of this section would enable councils to establish their own provisions regarding gaming machines in local environmental plans;

(xi) councils can request design amendments to ensure compliance with the Location of Gaming Machines requirements set out by ILGA under the Gaming Machines Act 2001, or object to a venue's proposal to include a significant number of gaming machines, particularly if there are concerns about the social and community impacts. However, the final decision rests with ILGA, which has the ultimate authority to approve or reject such applications;

(xii) the Smoke Free Environment Act 2000 enables smoking in "outdoor areas" of hotels. In practice, areas can be considered outdoor if they are 75% enclosed and this enables venues to create "outdoor" gaming areas by simply providing openings in rooms. This means patrons can comfortably play at a machine for extended periods while smoking and even being served drinks and food;

(xiii) smoking in such enclosed spaces worsens impacts from gambling by affecting people's health and encouraging longer periods of gambling. Smoking should be prohibited in gaming areas in the same way it is prohibited in dining areas;

(xiv) community members have raised concerns about:

(a) venues trading late to operate their gaming rooms and these hours should be restricted; and

(b) that lights and noise from gaming machines in "outdoor" gaming areas can be seen and heard from public places and peoples' homes, in contravention to ILGA's Location of Gaming Machines requirements;

(xv) studies repeatedly highlight the link between gambling and suicide, bankruptcy and criminal behaviour, including family violence; and

(xvi) it is clear councils should have greater authority over gaming machines which harm local communities, individuals, families and workplaces;

(B) the Lord Mayor be requested to write to the NSW Minister for Health asking him to:

(i) review and update the current definition of an "outdoor" area; and

(ii) amend Section 6A of the Smoke Free Environment Act 2000 by including gaming machine areas as areas where smoking is prohibited, in the same way that commercial dining areas are listed; and

(C) the Lord Mayor be requested to write to the NSW Minister for Gaming and Racing and the Minister for Planning and Public Spaces asking them to work together and:

(i) repeal Section 209 of the Gaming Machines Act 2001 to enable councils to establish their own provisions regarding gaming machines in local environmental plans giving them greater planning authority to assess the number, location, operating hours, lights and noise of gaming machines; and

(ii) take further action to reduce gambling harm including investigating the introduction of gaming room hours, similar to license hours, to restrict the hours gaming machines can operate.

X113756