

22.06

06/02/2014
C115

GAMING

This policy applies to all applications to install or use a gaming machine or use of land for gaming.

22.06-1

06/02/2014
C115

Policy Basis

Clause 52.28 requires a planning permit to be granted to install or use electronic gaming machines. This policy will guide decision-making by implementing the recommendations of the *Maribyrnong City Council Electronic Gaming Machines Reference Document (August 2012)*.

This policy:

- Provides additional details to assist in the application of Clause 52.28 at the local level.
- Implements the provisions of Clause 21.08-5 as it relates to gaming.
- Takes into account specific characteristics of the local community that make it vulnerable to the negative impacts of gaming and guides the location of gaming machines to appropriate areas, sites and venues.

For the purposes of this policy social (community and public) housing means housing for people on lower incomes that is owned and leased by the Department of Housing, registered housing associations or not for profit housing organisations. A concentration of social (community and public) housing will generally be said to exist if there are 50 or more dwellings of that type within a circle with a nominal 150 metre radius.

22.06-2

06/02/2014
C115

Objectives

- To minimise harm from gaming and the incidence of problem gambling.
- To discourage the location of gaming machines in and proximate to disadvantaged and vulnerable communities.
- To minimise opportunities for convenience gaming.
- To protect the amenity of surrounding uses of venues containing gaming machines.

22.06-3

06/02/2014
C115

Policy

It is policy to locate gaming machines in accordance with the following criteria:

Appropriate areas

Gaming machines should not be located:

- Where any ABS collection district within 400 metres walking distance of the proposed venue is in the 20% most disadvantaged collection of districts in Maribyrnong, as set out in the latest SEIFA Index of relative socio-economic disadvantage.
- Within:
 - Neighbourhood activity centres
 - Local activity centres
 - Small destination centres that are not already strip shopping centres by operation of Clause 52.28-4.
- Within 400 metres walking distance of a concentration of social (public and community) housing.

Gaming machines should be located:

- Where they will make a positive contribution to the redistribution of gaming machines away from relatively disadvantaged areas, as defined by the latest ABS SEIFA index of relative socio-economic disadvantage.

- Where there is a choice of non-gaming entertainment and recreation facilities operating in the vicinity at the times that the proposed gaming venue will operate including hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities.

Appropriate sites

Gaming machines should not be located:

- Where they are convenient to concentrations of shops, major community facilities or key public transport nodes where large numbers of pedestrians are likely to pass in the course of their daily activities.
- On sites that abut, are adjacent to, are opposite or are in the direct line of sight up to 100 metres of a strip shopping centre listed in Clause 52.28-4.

Gaming machines should be located on sites:

- That minimise the likelihood of people passing the venue in the course of their usual business or everyday activities.
- Where the location could reasonably be perceived as a destination in its own right. This would be achieved by separation from strip shopping centres, shopping complexes, railway stations and community facilities involving a high concentration of people undertaking daily activities.

Appropriate venues

Gaming machines should not be located in venues:

- That operate 24 hours a day.
- With a gaming floor area of more than 25% of the total floor area.

Gaming machines should be located in venues:

- That have a range of entertainment and leisure options and offer social and recreational opportunities other than gaming as the primary purpose of the venue.
- Where the premises and associated uses are compatible with the predominant surrounding land uses.
- That already have gaming machines (in preference to the establishment of a new gaming venue).
- Where the design and operating hours will not detrimentally affect the amenity of the surrounding area.

22.06-4

06/02/2014
C115

Application Requirements

All applications must include the following information to the satisfaction of the responsible authority:

- How the application is consistent with the broader State and Local Planning Policy Framework including policies on recreation and entertainment and activity centres.
- A venue management plan identifying mitigating strategies to manage patron behaviour and minimise problem gambling through the design and management of the venue, including the applicant's responsible gaming practices.
- Detailed plans of the design and layout of the premises including the location of all existing and proposed gaming machines, signage, external lighting, and evidence of consistency with any relevant gaming regulations for premises layout, design and operation of the gaming venue.
- Social and economic impact assessment prepared by suitably qualified and experienced persons that provides a robust assessment of the social, and economic impacts (positive and negative) of the proposed EGMs.

The social and economic impact assessment should address but not necessarily be limited to the following:

- Details on the proposed number of gaming machines and associated forecast gaming expenditure (player losses).
- Details about the existing and proposed distribution and density of gaming machines in the municipality and local area, including adjoining municipalities proximate to the venue, any proposed reallocation of gaming machines in the municipality, and the proposal's expected impact on patronage.
- If the applicant contends that gaming expenditure is likely to be transferred from other venues, the applicant is to provide:
 - Particulars as to how the level of transfer has been calculated (including, but not limited to comparison per machine expenditure at the venue prior to and then after the additional machines, current usage levels of machines at the venue, and projected usage of machines at the venue after the additional machines); and
 - The amount of transfer expenditure anticipated.
- Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the broader local community.
- A detailed social profile of the population within the catchment area of the venue including:
 - The relative socio-economic disadvantage of the local neighbourhood and suburb and catchment of the venue;
 - The latest ABS SEIFA index of relative socio-economic disadvantage; and
 - The projected growth, housing affordability and housing stress, income levels by household and per capita, occupation, age, unemployment rates, educational retention and attainment levels, and the percentage of social security recipients.
- An academically rigorous representative social impact survey from a CATI generated random digital sample of no less than 500 residents and businesses from the local community within the catchment area of the proposed venue. The survey should measure current and anticipated levels of community satisfaction (happiness, contentment, and wellbeing) from living in the local area.
- Details of existing and proposed gambling and non-gambling entertainment and recreation facilities at the venue and the catchment area of the venue including existing and proposed electronic gaming machine density and location of other gambling venues.
- Details of the venue's distance to shopping complexes, strip shopping centres, major areas of community congregation, proximity to areas of normal daily activity such as public transport, shops, community facilities, and proximity to welfare and counselling services.
- Details of currently available social support services including specific problem gambling services, financial counselling services, and material and financial aid services; the location of these services in relation to the patron catchment area; and the level of current demand for these services to the extent that this is available.
- Pedestrian counts for venues which are within close proximity to places where large numbers of pedestrians are likely to pass in the course of their daily activities. Pedestrian counts should be taken on different days and at a variety of times.
- A detailed overall assessment, which shows and summarises the economic and social impacts of the proposal and their effect on community wellbeing and health.

22.06-5

06/02/2014
C115

Decision Guidelines

Before deciding on an application the Responsible Authority will consider, as appropriate:

- Whether the proposal will positively respond to harm minimisation.
- Whether the proposal will be proximate to areas of socio-economic disadvantage.
- Whether the proposal will facilitate convenience gambling.
- Whether there is to be a net community benefit derived from the application, aside from any community contribution scheme. Net community benefit in this context means the broad objectives of planning in Victoria as sought by Clause 10.02 - Goal.
- Whether users of the gaming venue will have a genuine choice of gaming and non-gaming entertainment in the local area and in the venue itself.

22.06-6

06/02/2014
C115

Policy References

Maribyrnong City Council Electronic Gaming Machines Reference Document (August 2012)