

**22.12**

11/07/2014  
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**GAMING PREMISES**

This policy applies to any application under clause 52.28.

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**Policy basis**

This policy seeks to advance Council's *Gaming Policy and Statement of Practice, 2007*. The purpose of this policy is to minimise the detrimental impacts of gaming on the community and to maximise the benefits for the community resulting from the establishment of new gaming premises or the introduction of additional gaming machines in existing gaming premises.

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**Objectives**

To discourage increases in the ratio of gaming machines per adult, number of venues or gaming losses per adult in the municipality.

To ensure that gaming premises minimise the harmful effects of problem gambling.

To ensure that applications deliver a net community benefit.

To encourage gaming premises to offer a range of non-gaming entertainment and recreation activities rather than be stand alone gaming premises.

To ensure that the operation, location and design of gaming premises does not have a negative impact on the amenity, character, community values and safety of the area.

To avoid concentration of gaming premises.

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**Policy**

It is policy that:

**General design**

- Where a gaming area is co-located with non-gaming areas, access to the non-gaming areas should not be through the gaming area.
- The gaming area should have access to natural light and should allow patron surveillance of outdoor areas.
- Gaming premises offer a range of non-gaming entertainment and recreational activities.

**Amenity**

- The gaming premises should not have a detrimental impact on the amenity of the area, (including through the emission of noise and patrons arriving and leaving the gaming premises).
- The hours of operation are appropriate given the context of the site and the surrounding area.

**Location**

- New gaming premises should not be located within 400 metre walking distance of residential or community based uses, including schools, kindergartens, child care centres, libraries, aged care facilities and churches.
- New gaming premises should not be located within residential areas unless it can be demonstrated that there will be no material detriment on the surrounding residential area.
- New gaming premises should not be located within 400 metre walking distance of existing gaming premises to avoid a concentration of gaming premises.
- New gaming premises or applications for additional gaming machines should be located to build upon the existing retail and commercial land use pattern within the municipality.

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All applications must include a written Social and Economic Impact Statement to the satisfaction of the Responsible Authority. The Social and Economic Impact Statement must address the following, as appropriate:

- The existing and proposed distribution of gaming premises in the municipality.
- The nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community.
- A one year forecast of the anticipated expenditure at the gaming premises if the proposal was to be approved.
- The existing and proposed gaming and non-gaming related entertainment and recreation facilities within the local area.
- The design and layout of the gaming premises including all proposed and existing signage and evidence of compliance with any relevant gambling regulations concerning the gaming premises' layout, design and operation.
- Projected changes in per adult gaming expenditure, gaming machine density and gaming premises density resulting from the proposal.
- Proximity of the gaming premises to public, social or community housing.
- A venue management plan identifying strategies to manage patron behaviour, and minimise problem gambling in relation to the design and management of the venue, including the applicant's responsible gaming practices.
- Social and economic indicators of residents living within a 2.5 kilometre radius of the gaming premises. These indicators include:
  - the Socio Economic Index for Areas (SEIFA) Index of Relative Disadvantage and Index of Economic Resources.
  - other indicators of social and economic disadvantage or stress at the local level.
  - indicators of the social characteristics of the area on a postcode, suburb or LGA level.
- Any other relevant social and economic impacts on the local and wider communities.

The Social and Economic Impact Statement must, where relevant, also include the following:

- If the application concerns an existing gaming premise, details of the existing gaming expenditure at the gaming premises over a 3 year period prior to the application.
- If the gaming machines are to be relocated from other gaming premises, including gaming premises in other municipalities, the likely social and economic impact of the proposal on those gaming premises and the local area within which those gaming premises are located.
- If it is proposed to move gaming machines from one part of the municipality to another, the relative social and economic differences between the two parts, by measures of SEIFA indices, ABS data, etc. An explanation as to why the gaming machines are being transferred is to be provided.

All applications must describe how the proposal responds to the following to the satisfaction of the Responsible Authority:

- The impact of traffic and parking.
- Internal noise associated with the gaming premises.
- Noise from car parking areas.
- The way in which patrons access or leave the gaming premises and their behaviour.
- The proposed hours of operation and how that will impact the surrounding area.

- The safety of the area.
- Access to the site.

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**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines of Clause 65, the Responsible Authority must consider, as appropriate:

- Whether the application achieves the objectives of this policy.
- Whether the application satisfies the application requirements of this policy.

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**Policy references**

Gaming Policy and Statement of Practice, Maroondah City Council, 2007