

11/07/2019
C65muri**SCHEDULE TO CLAUSE 52.28 GAMING****1.0**11/07/2019
C65muri**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 and impulse gaming.

To protect the amenity of surrounding uses from venues containing gaming machines.

2.011/07/2019
C65muri**Prohibition of a gaming machine in a shopping complex**

Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

Table 1

| Name of shopping complex and locality | Land description |
|---------------------------------------|------------------|
| None specified | None specified |

3.011/07/2019
C65muri**Prohibition of a gaming machine in a strip shopping centre**

A gaming machine as specified in Clause 52.28-5 is prohibited in all strip shopping centres on land covered by this planning scheme.

4.011/07/2019
C65muri**Locations for gaming machines**

Gaming venues and machines should be located:

- Where tourism is strongly evident and supported in policy and where large numbers of persons pass through the region and are inclined to stop.
- Where the population is growing or expected to grow. In these areas gaming machines should not be established ahead of the provision of non-gambling entertainment, recreation facilities and social infrastructure.
- Where they will make a positive contribution to the redistribution of gaming machines away from relatively disadvantaged areas, as defined by the latest 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.
- On sites that minimise the likelihood of people passing the venue in the course of their usual business or every day activities.
- At the periphery of activity centres and removed from land zoned for a commercial purpose or at a sports or recreation club or course.
- On sites that 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.
- In venues that are greater than 400 metres walking distance of a Statistical Area (SA1) that is in the 20% most disadvantaged SA1 in Murrindindi Shire, as set out in the latest SEIFA Index of relative socio-economic disadvantage.
- Outside of areas :

- Where a proposed venue would reasonably be considered to be convenient to uses of strip shopping centres identified in Section 3.0 of this Schedule.
- Proximate to where convenience services are provided and where no or limited alternative attractions are offered.
- Within 400 metres walking distance of a concentration of social (public and community) housing. This means housing for people on lower incomes that is owned or leased by the Department of Human Resources, 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 150 metre radius.
- Within line of sight of a social support agency or gamblers help centre.
- Proximate to areas where local convenience services are provided and where no or limited alternative attractions are offered.
- 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.
- Abut, are adjacent to, are opposite or are in the direct line of sight of a strip shopping centre.

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Venues for gaming machines

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 operation will not detrimentally affect the amenity of the surrounding area.
- That do not operate 24 hours a day.
- That have a gaming floor area of 25% or less of the total floor area accessible by the public.

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Application requirements

The following application requirements apply to an application for a permit under Clause 52.28, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A statement detailing how the application is consistent with the broader Planning Policy Framework, including policies on recreation and entertainment, economic development, tourism and town development.
- A venue management plan identifying mitigating strategies to manage patron behaviour and minimise problem gambling in relation to the design and management of the venue, including the venue operator'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 compliance with any relevant gaming regulations for premises layout, design and operation of the gaming venue.
- Social and economic impact assessment prepared by a suitably qualified and experienced person 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, 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).
 - 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 broader 5 kilometre catchment of the venue.
 - The latest SEIFA index of relative socio-economic disadvantage.
 - The projected growth, housing affordability and housing stress, income levels, unemployment rates, educational retention and attainment levels, and the percentage of social security recipients.
 - Details of existing and proposed gambling and non-gambling entertainment and recreation facilities at the venue and within a 5 kilometre radius 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, schools, early childhood centres, 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 both the revenue and patron catchment area; and the level of current demand for these services.
 - 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.

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 52.28, in addition to those specified in Clause 52.28 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal will positively respond to harm minimisation.
- Whether the proposal will be proximate to areas of socio-economic disadvantage.

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- Whether the proposal will facilitate convenience and impulse gambling.
- In the terms of Clause 71.02-3, whether there is to be a net community benefit derived from the application, aside from any community contribution scheme.
- 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.