

22.09 GAMING POLICY30/05/2013
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This policy applies to all applications to install or use a gaming machine or use land for the purpose of a gaming premises.

22.09-1 Policy Basis30/05/2013
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This policy acknowledges that gaming machine gambling is a legal form of recreation for adult members of the community. It also acknowledges that a proportion of the community is susceptible to problem gambling which can have significant adverse impacts on the health and wellbeing of communities and seeks a planning outcome of net community benefit.

Clause 52.28 of the Bayside Planning Scheme requires a permit to install or use a gaming machine. This policy seeks to guide Council's decision making in relation to planning applications for gaming machines by implementing the findings of the *Bayside Gaming Policy Review 2010* and the objectives of Clause 21.07 of the Municipal Strategic Statement.

22.09-2 Objectives30/05/2013
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- To ensure the location, design and operation of venues containing gaming machines, including gaming premises, minimises opportunities for convenience gaming.
- To guide the location, design and operation of venues containing gaming machines, including gaming premises, to reduce the risk of social and economic harm and protect vulnerable communities.
- To minimise harm from gaming and the incidence of problem gambling.
- To ensure the net social and economic impact of gaming machines will not be detrimental to the wellbeing of the community.
- To respect the amenity of existing uses surrounding gaming premises.
- To ensure that gaming premises do not compromise the social and economic role of activity centres.

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It is policy that applications to install or use a gaming machine or use land for the purpose of a gaming premises comply with the following criteria:

Appropriate sites

Gaming machines should be located on sites that are more than 500 metres along the road network from:

- An Australian Bureau of Statistics collection district that is within the most socio-economically disadvantaged 20 percent within Victoria as defined by the Socio Economic Indexes for Areas (SEIFA) Index of Relative Disadvantage;
- Another venue which operates gaming machines;
- Sensitive community facilities;
- the offices of public and private welfare agencies; and
- A railway station or transport interchange.

Gaming machines should not be located:

- In Neighbourhood Activity Centres.
- In the Mixed Use and Business 1 zones of the Bayside Business Employment Area as shown in Figure 1 to Clause 22.04.
- In suburbs where the density of gaming machines per 1,000 resident adults, including the proposed machines, is greater than the metropolitan Melbourne average.

(The average gaming machine density for metropolitan Melbourne will be based on the most recent statistical data for the Melbourne metropolitan region released by the Victorian Commission for Gambling Regulation, the Australian Bureau of Statistics or other government source).

Appropriate venues

Gaming machines should be located in venues that:

- Provide a range of social, leisure and recreational activities other than gaming as the primary purpose of the venue. Alternative non-gaming social, leisure and recreational facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities operating at the same times as the proposed gaming venue will operate.
- Have a gaming floor area less than 25 per cent of the total floor area of the venue.
- Have access to natural light and allow patron surveillance of outdoor areas.
- Have clear directional signs to all non-gaming amenities, including toilets and dining areas, lounges, recreational facilities.
- Physically and visually separate the venue's non-gaming activities from gaming activities.
- Are designed so that amenities for the venue's non-gaming activities, including entrances and exits, toilets, meeting spaces and dining areas, can be accessed without entering the gaming area.
- Do not operate for more than 16 hours per day.
- Will not have a significant adverse amenity impact on the adjoining land uses as a result of operating hours, traffic, noise, car parking, safety and security.

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Application Requirements

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It is policy that an application for the installation or use of gaming machines or the use of land for a gaming premises be accompanied by the following information:

- A summary of the application with details of:
 - the proposed hours of operation;
 - patron numbers;
 - the number of staff positions (equivalent full time);
 - proposed security measures;
 - non-gaming facilities to be provided; and
 - the number of gaming machines to be installed.
- A report addressing:
 - How the proposal addresses the objectives and location criteria of this policy;
 - The probable social, economic, environmental and amenity impacts of the proposal;
 - 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 local community; and
 - Details of any existing gaming expenditure at the premises (over a three year period prior to the application) and a forecast of the anticipated gaming expenditure at the premises if the proposal were approved.

For applications to increase the number of gaming machines in an existing gaming premises, the report must address these matters in relation to both the existing and proposed gaming machines.

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Decision Guidelines

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Before deciding on an application, in addition to the decision guidelines of Clause 52.28-5 'Gaming' and Clause 65, the responsible authority will consider, as appropriate:

- The specific and overall incremental social and economic impacts.
- The immediate and longer-term social and economic impacts.
- The direct and indirect social and economic impacts.
- Projected changes in per capita gaming expenditure, gaming machine density and gaming premises density resulting from the proposal.
- Social and economic indicators of residents living within a two kilometre radius of the proposed premises.

These indicators include:

- The Socio Economic Indexes for Areas (SEIFA), in particular the Index of Relative Socio-Economic Disadvantage and the Index of Economic Resources.
- Household and family composition.
- Proportion of households experiencing rental and/or mortgage stress.
- Location of public housing.
- Proportion of residents receiving income support.
- Retained retail spending.
- Proximity of the proposed premises to areas of disadvantage.
- Location aspects of the premises in terms of the accessibility of gaming opportunities.
- Whether the location design and operation of the venue is likely to minimise harm from gaming and avoid a detrimental net social and economic impact to the community.
- Measures that have been proposed by the applicant to restrict the access of minors to the gaming area.
- Measures proposed by the applicant to minimise the risk of harm associated with problem gambling.
- Design measures to minimise exposure to gaming facilities by other patrons of the venue.
- Non-gaming activities, facilities and opportunities at the premises.
- The amount of gaming revenue proposed by the applicant to be provided for the benefit of the community in the City of Bayside (such as through sponsorships and donations), and the procedures by and purposes to which these funds will be allocated.
- Any other relevant probable social and economic impacts on the local and wider communities.

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Definitions

“convenience gaming” – exposure to gaming opportunities as part of day to day activities such that a decision to gamble may be spontaneous rather than predetermined.

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References

Bayside Gaming Machines Policy 2010

Bayside Gaming Policy: Review and Implementation Report 2010