GAMING POLICY

This policy applies to all planning permit applications to install or use a gaming machine, or use the land for the purpose of gaming.

Policy basis

Clause 52.28 of the Mansfield Planning Scheme requires a planning permit for the use and installation of gaming machines. This policy will guide decision making by implementing the findings of the Mansfield Shire Gaming Policy Framework 2010 and supports Clause 21.03-18 of the Municipal Strategic Statement by setting out criteria for the location of gaming venues.

Whilst it is recognised that gaming may be a valid recreational choice for some within the community it is desirable that gaming machines should not be convenient to places of everyday activity such as shops and community hubs, so that a pre-determined decision is required to gamble.

Given the settlement structure and characteristics of the Shire it is desirable to focus gaming machines away from settlements that merely service the local community, as well as those communities which might be most vulnerable to the negative effects of gaming.

Objectives

- To ensure the location of gaming venues minimises opportunities for convenience gaming and the incidence of problem gambling.
- To ensure that installation of additional gaming machines will achieve a net community benefit through their location and venue characteristics.
- To ensure that gaming machines are located in areas where the community has a choice of non-gaming entertainment and recreation activities.
- To protect the amenity of areas surrounding gaming venues.

Policy

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

Appropriate areas

Gaming machine venues should not be located:

- In a location where any Australian Bureau of Statistics collection district within 400 metres of the proposed venue is within the most disadvantaged 20% of collection districts in Victoria, as set out in the SEIFA index of relative disadvantage and illustrated in Map 1 of this Policy.
- Within settlements that only service a local population catchment.
- In towns where the proposal will lead to the total density of gaming machines per 1000 adults exceeding the regional Victorian average.

Subject to meeting the above criteria, it is preferred that gaming machine venues are located:

- Within or proximate to the Mansfield township.
- In non-urban locations that focus on providing services for visitors, or a sports or recreation club with a land holding of more than 2 hectares.
Where the local community has a choice of alternative non-gaming entertainment and recreation facilities operating at the times the proposed gaming venue will operate.

**Appropriate sites**

Gaming machines should not be located in the areas shown on Map 2 of this policy.

It is preferred that gaming machine venues are located:

- Where the location could reasonably be perceived as avoiding the incidence of spontaneous decisions to play gaming machines by being removed from areas where large numbers of people will be passing in the course of their daily activities.
- That achieve a separation of at least 400 metres from strip shopping centres and other community hubs (this may include schools, medical centres, churches and other public offices).
- Where the gaming venue, and its associated uses, will be compatible with the predominant surrounding land uses by ensuring that the proposed location, design and operating hours do not detrimentally affect the amenity of the surrounding area.

**Appropriate venues**

Gaming machines should be located in venues which:

- Will not have an adverse impact on the amenity of adjoining areas as a result of operating hours, traffic and noise from patrons or vehicles.
- Offer a range of social, entertainment and recreational activities other than gaming as a means of ensuring gaming is not the primary purpose of the venue.
- Do not detract from the character and integrity of the Shire’s tourism and heritage assets through their location, siting and design.
- Have a gaming floor area of less than 25% of the total floor area of the venue.
- Promote responsible gaming practices, including not allowing gaming machines to operate when alternative entertainment is not available at the venue.
- Are designed so that amenities for the venue’s non-gambling activities, such as entrances and exits, toilets, meeting spaces and dining spaces, can be accessed without entering the gaming area.
- Have access to natural light and allows patrons surveillance of outdoor areas.
- Do not operate gaming machines between 1am and 9am.

**Application requirements**

It is policy that all applications must include the following information:

- The proposed design and layout of the premises, including all signage, and evidence of compliance with the relevant gaming regulations for premises layout and design.
- 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 proposed responsible gaming practices.
- A robust assessment of the social and economic benefits and disadvantages of the proposed gaming machines comprising of:

  *Socio-economic impact*
• An analysis of the demographic and socio-economic profile of the municipality and the venue’s projected patron catchment and its potential vulnerability to problem gambling, with the inclusion of data from the SEIFA index of relative disadvantage.

• Details of the relative social and economic differences between the existing gaming venue and the proposed gaming venue if the proposal is to move gaming machines from one part of the municipality to another. An explanation as to why the gaming machines are being transferred is also required.

• Details of, and justification for, the projected patron catchment.

*Location assessment*

• Characteristics of the local area, including the location of and distance to shops, community facilities, public housing and counselling services.

• Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities and activities at the venue and within a 5km radius of the venue.

• Pedestrian counts outside the venue on different days and at a variety of different times.

*Gaming machine impacts*

• Details about the existing and proposed distribution and density of gaming machines in the Shire and individual towns.

• Details of the anticipated expenditure at the venue on gaming if the proposal was to be approved, along with existing gaming expenditure for the venue for the past 3 years if gaming machines already exist at the venue.

If the gaming machines are to be relocated from other venues, and as a result gaming expenditure is likely to be transferred from other venues:

• The anticipated amount of total expenditure to be transferred from the current venue to the new venue;

• Particulars as to how the level of transfer has been calculated (including but not limited to a per machine comparison of current expenditure at the existing venue to projected expenditure at the new location, current usage levels of machines at their existing location and projected usage levels of machines at the new venue should the proposal be approved);

• The resulting impact of the transfer of the revenue on the venue where the gaming machines are to be located (including but not limited to employment, provision of additional services, project impact on customer numbers, increase in complementary expenditure at the venue); and

• The resulting impact on the venue from where the gaming machines are to be transferred from (including but not limited to loss of employment, loss of complementary expenditure, loss of custom, impact on the ability to provide services etc).

*Benefits*

Details of the nature and extent of community benefits expected from the proposal and how these benefits are to be secured and distributed to the local community.

*Analysis*

• Assessment of key social and economic issues and the overall net community impact.

• Measures that will be adopted by the venue to mitigate any negative social, economic and community impacts.
Decision Guidelines

Before deciding on an application in addition to the decision guidelines at Clause 52.28 and Clause 65, it is policy that the responsible authority considers, as appropriate:

- The net community benefit to be derived from the application.
- Whether approval is likely to increase the level of socio-economic disadvantage with the community.
- Whether the location of the gaming venue, and the gaming machines, is close to places of community congregation and may therefore encourage spontaneous decisions to gamble.
- Whether patrons will have a choice of non-gambling entertainment and recreation activates both at the venue and within the local area.
- The impact of the proposal on the amenity and character of the area and surrounding land uses.

References

*Mansfield Shire Gaming Policy Framework, 2010*
Map 1 – Areas of relative disadvantage

Areas highlighted are within the 20% most disadvantaged collection districts in Victoria as set out in the Australian Bureau of Statistics SEIFA Index of Relative Disadvantage (2006).

A - Mansfield Shire
B - Mansfield township

C - Jamieson township
Map 2 – Mansfield prohibited and discouraged gaming areas