

**22.07 GAMING**

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This policy applies to all applications which require a permit to install or use a gaming machine or to use land for the purpose of gaming

**22.07-1 Policy Basis**

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*Clause 52.28 requires a planning permit to be granted to use or install electronic gaming machines. The policy will guide decision making by implementing the findings of the Port Phillip Responsible Gambling Policy (2011).*

This policy:

- provides additional detail to assist with the interpretation of Clause 52.28 – Gaming at the local level; and
- implements the MSS provisions at Clause 21.04-6 – Tourism and Arts in relation to the location of gaming facilities and 21.04-8 - Social Impact Assessments.

This policy is based on an understanding that there are links between vulnerable communities, problem gambling and proximity to gaming venues. This policy seeks to discourage the location of gaming machines that are proximate to vulnerable communities and seeks to ensure that the location of gaming machines minimises opportunities for convenience gaming.

Taking into account specific characteristics of the local community that make it vulnerable to the negative impacts of gaming, this policy guides the location of gaming machines to appropriate areas, sites and venues. Despite the municipality’s overall level of advantage and socio-economic status, parts of the City of Port Phillip’s residential population are disadvantaged in socio-economic terms, particularly associated with social housing. In addition, multiple community support services and community facilities are relied upon by the community particularly the disadvantaged and those vulnerable to the potentially harmful effects of gaming. Given these characteristics, the basis of the policy is to discourage gaming machines in disadvantaged areas and in locations that are convenient to vulnerable communities.

For the purposes of this policy, social (community and public) housing means housing for people on lower incomes that is owned or leased by the Department of Housing, registered housing associations or not-for-profit housing organisations.

**22.07-2 Objectives**

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

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

**Appropriate areas**

Gaming machines should be located in areas which are not:

- Within 400 metres walking distance of locations with, or concentrations of, support/referral services and welfare agencies servicing vulnerable communities.
- Within 400 metres walking distance of social (public and community) housing developments:
  - with 50 or more dwellings; or

- where a cluster of social housing exceeds 50 dwellings.

### **Appropriate sites**

Gaming machines should be located on sites:

- That minimise the likelihood of people passing the venue in the course of their usual business or every day activities.

### **Appropriate venues**

Gaming machines should be located in venues that:

- Offer social, entertainment and recreational opportunities and activities other than gaming as the primary purpose of the venue.
- Have a gaming floor area of less than 25 per cent of the total floor area of the venue.
- Promote responsible gaming practices.
- Do not allow for 24 hour-a-day operation.

Venues with gaming machines should not:

- Have significant adverse amenity impacts on the adjoining land uses as a result of operating hours, traffic, noise, car parking, safety and security.

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### **Application requirements**

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

- Details about the existing and proposed distribution and density of gaming machines in the municipality and its neighbourhoods.
- The proposed design and layout of the premises including all signage.
- 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.
- If an application includes a reduction in the number of car parking spaces required in Clause 52.06, a Traffic Impact Assessment and Parking Report which assesses the existing traffic demand and parking provision and the need for improved traffic and pedestrian amenity, including any additional car parking based on the number of gaming machines proposed and likely additional venue patron numbers generated by this use.
- An assessment of the social and economic benefits and disadvantages of the proposed gaming machines including:

#### *Socio-economic impacts*

- An analysis of the venue's projected patron catchment and its socio-economic profile. The analysis should include justification and details of the projected catchment area.
- If it is proposed to move gaming machines from one part of the municipality to another, details of the relative social and economic differences between the two areas. An explanation of why the gaming machines are being transferred is to be provided.
- The relative socio-economic disadvantage of the local suburb or neighbourhood and the broader catchment of the venue in comparison with the Melbourne and Victorian average in the SEIFA index of Relative Disadvantage.

#### *Location assessment*

- Characteristics of the local area including the location of and walking distance to shopping complexes and strip shopping centres, community facilities, social housing, counselling services and public transport.
- Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities and activities at the venue and within 1km of the venue.

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

*Gaming machine impact*

- Details of existing gaming expenditure at the venue over a 3 year period prior to the application (if relevant) and a one year forecast of the anticipated gaming expenditure at the venue if the proposal was to be approved.
- If gaming machines are to be relocated from other venues, and as a result gaming expenditure is likely to be transferred from other venues:
  - Particulars as to how the level of transfer has been calculated (including, but not limited to, a comparison of per machine expenditure at the venue prior to and after the additional machines, current usage levels of machines at the venue, projected usage level of machines at the venue after the additional machines).
  - The amount of transfer expenditure anticipated.
  - The resulting impact on revenue of the venue from where the expenditure is transferred.
  - The resulting impact on the venue from where the expenditure is transferred (such as loss of employment, loss of complementary expenditures, loss of customers, impact on ability to provide services etc).

*Analysis and net community impact*

- Assessment of key social and economic issues and overall net community impact.
- 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.
- Measures to mitigate any negative impacts.

**22.07-5 Decision Guidelines**

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Before deciding on an application the responsible authority will consider, as appropriate:

- Whether the application is likely to minimise harm from gaming and avoid a detrimental net social and economic impact upon the local community.
- Whether approval is likely to increase the socio-economic disadvantage of the local community or have other adverse impacts on vulnerable communities.
- Whether the proposal will result in a redistribution of gaming machines away from vulnerable communities and areas of relatively high socio-economic disadvantage.
- Whether the location of gaming machines or gaming premises will facilitate or encourage convenience gaming.
- Whether patrons will have a choice of non-gambling entertainment and recreation activities at the venue or within the local area.
- Whether the proposed use or development will have an impact upon the amenity of the area and surrounding uses as a result of traffic and parking, crowd or patron related noise, hours of operation, and/or an increase in the intensity of the use due to an increase in patron numbers.

**22.07-6 References**

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*Responsible Gambling Policy* (2011), City of Port Phillip