

22.08 GAMING MACHINES

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This local planning policy applies to applications which require a permit to install or use land for the purpose of gaming in the Shire of Yarra Ranges.

22.08-1 Policy Basis

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Clause 52.28 of this scheme requires a permit to install or use a gaming machine. This policy will guide decision making by implementing the findings of the *Yarra Ranges Shire Discussion Paper – Gambling Planning Policy Framework*, (2007) and the *Yarra Ranges Shire Options Paper - Gambling Planning Policy Framework* (2007).

The policy recognises that while gambling is a legal activity in Victoria, for some it leads to problem gambling which has a range of socio-economic consequences that adversely affect the health and wellbeing of individuals, their families and interpersonal relationships as well as the wider community.

There is some indication that there are relationships between distance, exposure, accessibility, socio-economic status and problem gambling. For this reason it is proposed to locate venues away from commercial and community hubs and areas of socio-economic disadvantage with the aim of protecting vulnerable communities.

The policy implements the objectives and strategies of Clause 21.04 of the Municipal Strategic Statement.

22.08-2 Objectives

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To reduce the adverse health, social and economic impacts of gaming machines.

To minimise opportunities for convenience gambling and the incidence of problem gambling.

To ensure that the locality, site and venue are suitable for gaming machines and contribute to a net community benefit.

To reduce the impact of gaming machines on vulnerable communities.

To minimise the amenity impacts on existing uses surrounding venues containing gaming machines.

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It is policy that proposals for gaming machines are assessed against the following criteria.

Appropriate Areas

Gaming machines should be located in areas:

- More than 1.5 kilometres from an Australian Bureau of Statistics collection district within the Shire that is within the most socio-economically disadvantaged 20 per cent as defined by the SEIFA index of relative disadvantage;
- Where there is a reasonable choice of alternative non-gaming entertainment and recreation facilities in the venue or in the local area. Alternative non-gaming entertainment and recreation facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities operating at the same times as the proposed gaming venue will operate.

Gaming machines should not be located:

- In residential zones.

Appropriate Sites

Gaming machines should be located on sites that:

- Avoid a concentration of venues in a particular locality;
- Are more than 400 metres from:
 - Sensitive community facilities including schools, kindergartens, child care centres, libraries, medical centres, churches and the offices of public and private welfare agencies.
 - A shop or outlet predominantly selling food and/or other goods which cater for day-to-day needs such as supermarkets, milk bars, post offices and newsagents;
 - A railway station or transport interchange;
 - Another venue which operates gaming machines.

Gaming machines should not be located on sites that:

- Are in or at the edge of activity centres.

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;
- Incorporate effective management and mitigation measures to minimise the risk of problem gambling;
- Have a gaming floor area less than 25 per cent of the total floor area of the venue;
- Have access to natural light and allows patron surveillance of outdoor areas;
- Have clear directional signs to all non-gambling amenities, including toilets and dining areas, from the gambling areas;
- Physically and visually separate the venue's non-gambling activities from gambling activities;
- Are designed so that amenities for the venue's non-gambling activities, including entrances and exits, toilets, automatic teller machines, meeting spaces and dining areas, can be accessed without entering the gambling area;
- Do not operate more than 16 hours per day.

Gaming machines should not be located in venues that:

- Will 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

Applications must be accompanied, as appropriate, by:

- A written submission that includes:
 - Details about the existing and proposed distribution of gaming machines within the Shire;
 - Details of the relative socio-economic status of the area in which the venue is to be located and the broader 5 kilometre catchment of the venue in comparison to other

areas of the municipality and the Melbourne and regional Victoria averages as defined in the ABS SEIFA;

- An impact assessment, prepared by a suitably qualified and/or experienced person or persons to the satisfaction of the responsible authority, describing the health, social and economic impacts of the proposal, demonstrating how the proposed use will achieve a net community benefit and how and over what period of time the benefits are to be secured and distributed to the local community;
 - Details of any existing use of the land, including the range of activities, staff and patron numbers and hours of operation;
 - Proposed operations, including staff and patron numbers, hours of operation and assessment of patronage numbers;
 - A Traffic Impact Assessment and Parking Report, prepared by a suitably qualified and/or experienced traffic engineer, which assesses the existing traffic demand and parking provision for the existing venue 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;
 - Details of how the venue is to be managed in order to minimise problem gambling and the impact on surrounding properties;
 - Information outlining how the venue is to comply with the Victorian gaming regulations in relation to venue layout, design and operation;
 - 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 as to why the gaming machines are being transferred is to be provided.
- Plans & elevations, drawn to scale and dimensioned, showing:
 - The existing and proposed uses, including details of the location and layout of the gaming machines and any proposed car parking;
 - The location of relevant land uses and areas as follows:
 - Dwellings and sensitive community facilities within 400 metres;
 - Convenience shops, railway stations, transport interchanges, other gaming venues and areas of above average economic disadvantage as defined in the ABS SEIFA within a 1.5 kilometre radius;
 - Alternative non-gaming entertainment and recreation facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities within a 5 kilometre radius.

22.08-5 Decision guidelines

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Before deciding upon an application, the responsible authority must consider, as appropriate:

- Whether the application meets the requirements of this policy;
- The extent to which the proposal will have any significant adverse health, social or economic impacts and whether the proposed use will have a net community benefit;
- Whether the proposal is likely to have a significant adverse impact on a vulnerable community in the Shire of Yarra Ranges;
- Whether the location of the gaming venue will facilitate or discourage convenience gambling;

- The impact of the proposal on the amenity of the area and surrounding uses.

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References

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Yarra Ranges Shire Council, Discussion Paper – Gambling Planning Policy Framework, Symplan Consulting (2007)

Yarra Ranges Shire Council, Options Paper - Gambling Planning Policy Framework, Symplan Consulting (2007)