

22.12 GAMING

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This policy applies to all planning permit applications to install or use a gaming machine under Clause 52.28 of the Melbourne Planning Scheme.

22.12-1 Policy basis

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As the Capital City, the City of Melbourne is Victoria's pre-eminent cultural and entertainment location, providing entertainment for residents, visitors and tourists, and services that satisfy the needs of the community.

Gambling is a legal form of entertainment. Gaming machines are recognised as the form of gambling associated with the greatest harms to individuals, their families and the broader community. Evidence draws a link between convenience gambling, socio-economic disadvantage and gambling-related harms. Convenience gambling involves spontaneous decisions to use gaming machines.

There are both concentrations of socio-economic disadvantage, and groups at an elevated risk of gambling-related harm throughout the municipality. The municipality is expected to experience a growth in population, potentially increasing the demand for gaming machines in the future.

This policy guides the responsible authority's decisions on planning applications for gaming machines. It describes criteria for the appropriate location, design and operation of gaming venues across the City, including the areas that are subject to a regional and municipal cap and the CBD/Hoddle Grid that is not subject to a cap.

22.12-2 Objectives

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To minimise gambling-related harms to individuals and the community.

To ensure that gaming machines are situated in appropriate locations and premises to prevent convenience gambling.

To ensure that where gaming machines operate, they do so as part of the overall range of social, leisure, entertainment and recreation activities and facilities.

To reduce the concentration of gaming machines and gaming venues.

To ensure that gaming venues do not detract from the amenity of surrounding uses.

To ensure that the location and operation of gaming machines achieves net community benefit.

To discourage the proliferation of gaming premises in locations where the predominant use is residential.

22.12-3 Policy

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

Location

Gaming machines should be located:

- Where the community has convenient access to a choice of non-gaming entertainment, leisure, social and recreation uses that operate at the same time as the gaming venue in the surrounding area such as hotels, clubs, cinemas, restaurants, bars, theatres, galleries, exhibition centres, sporting venues and indoor recreation facilities.
- Where they would 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.

Gaming machines should not be located:

- In buildings used for residential purposes
- Within locations where the predominant surrounding land use is residential.

- Within 400m walking distance or clear line of site of:
 - an existing or approved gaming venue
 - shopping complexes and strip shopping centres
 - public transport interchanges
 - concentrations of social housing (housing for people on lower incomes that is owned or leased by the Department of Health and Human Services, registered housing associations or not-for-profit housing organisations)
 - student accommodation
 - a gambling sensitive service or facility that is used by people experiencing or vulnerable to gambling-related harms such as the offices of specific problem gambling services, financial counselling services and material and financial aid services.

Venue design and operation

Gaming machines should operate in venues that:

- Offer alternative forms of non-gambling activities, such as social, leisure, entertainment and recreation activities during gaming hours
- Where the gaming area is physically, visually and functionally separated from non-gambling facilities, passersby, pedestrian and vehicular access and car parking
- Has signage that is of high quality design and does not detract from the visual appearance and amenity of the surrounding area.

Gaming machines should not be located in venues:

- That operate for 24 hours per day
- Where the gaming area is more than 25 per cent of the total leasable floor area that is open to the public.

22.12-3 Application requirements

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An application for a new gaming venue or the addition of gaming machines to an existing gaming venue must be accompanied by the following information to the satisfaction of the responsible authority:

Proposal details

- A description of the proposal including the following, where applicable:
 - how the application is consistent with the State and Local Planning Policy Framework
 - existing and proposed number of gaming machines at a venue and within the municipality
 - details regarding the transfer of gaming machines, including number of gaming machines to be transferred, potential changes to the density of gaming machines per 1,000 adults in the municipality and local areas, and potential changes to the number of venues in the municipality
 - details regarding changes to gaming machine expenditure (at a municipal and venue level, per gaming machine and per adult)
 - existing and proposed number of people employed as a direct result of the proposal
 - pedestrian counts outside the venue on different days and at a variety of times
 - range and operating hours of non-gaming facilities and activities within the venue, including areas licensed to serve and consume alcohol
 - extent of the community contributions and their beneficiaries.

Location assessment

- A description of the location of the venue, including the following:

- land uses within 400m of the proposed venue, including facilities associated with day to day activities, such as shops, major community facilities and public transport networks and hubs that would contribute to convenience gambling
- location of social support services within 400m of the proposed venue including problem gambling services, financial counselling services and material and financial aid services
- location of, distance to and operating hours of gaming venues within 400m of the proposal site
- location and operating hours of alternative non-gaming social, leisure, entertainment and recreation uses, both within the gaming venue and within 400m of the venue.

Venue design and operations:

- Detailed plans of the design and layout of the venue, including the location of all existing (where applicable) and proposed gaming machines, location of existing (where applicable) and proposed gambling and non-gambling facilities, entrances and exits to the gaming lounge, screening, façade treatment, external signage, external lighting, pedestrian and vehicle access and car parking.
- Details of the venue's non-statutory harm minimisation and responsible gambling practices.
- Details demonstrating how the proposal will achieve net community benefit in addition to any statutory community contributions scheme.

Social and economic benefits

- The findings from an academically rigorous representative survey of residents, businesses, community organisations, agencies and service providers within a 400m radius of the proposed venue. The survey should measure current and anticipated levels of community satisfaction (i.e. happiness, contentment, wellbeing) from living, working and recreating in the local area, and the potential impact of the proposal on current and anticipated levels of community satisfaction.
- A robust assessment, prepared by a suitably qualified person, that details the following, where applicable:
 - SEIFA Index of Relative Socio-economic Disadvantage of the SA1 within which the venue is located, and adjoining SA1's
 - the impact of the proposal on groups vulnerable to gambling-related harms as a result of their socio-economic and health profile within 400m of the proposal site.
 - the impact of the proposal on venues from which gaming machines are to be transferred
 - the impact of the proposal on employment in the municipality
 - the potential for the proposal to contribute to the local economy
 - the impact of the proposal on the health and wellbeing of the community, including a discussion on the potential net community benefit associated with the proposal.

22.12-3 Decision guidelines

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

- Whether the proposal will achieve the objectives and outcomes of this policy.
- Whether the proposal will increase gambling-related harm.
- Whether the proposal can demonstrate that there is to be a net community benefit beyond any statutory community contributions scheme.
- Whether the proposal will contribute to the levels of socio- economic disadvantage and/or have any other adverse impacts on vulnerable communities.

- Whether the location of the gaming machines would result in convenience gaming.
- Whether the proposal would create, or contribute to an existing, spatial concentration of gaming venues.
- Whether patrons will have access to non-gaming entertainment and recreation facilities in the surrounding area and in the gaming venue that operate at the same time as the gaming machines.
- The impact of the proposal on the safety, amenity, character, tourism and cultural assets of the surrounding land area and municipality.

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City of Melbourne Electronic Gaming Machine Decision-Making Framework, 2017

City of Melbourne Electronic Gaming Machine Review Background Report, 2017