

22.10 GAMING

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

22.10-1 Policy basis

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Clause 52.28 requires that a planning permit be granted prior to the use or installation of gaming machines. This local policy will guide decision making by setting out criteria for the location, design and operation of gaming premises; and outlining the information required with a planning permit application.

Gaming machine gambling is a legal form of recreation for adult members of the community and needs to be planned for among other forms of entertainment available within the municipality. While gaming can bring social and economic benefits, problem gambling can also have negative impacts on some individuals, their families and the broader community. This is of particular concern in Frankston City Council where gambling losses are high relative to the Melbourne metropolitan area; and several gaming venues are located in areas of relative disadvantage where residents are vulnerable to problem gambling. In response to these potential negative impacts, Frankston City Council has adopted a policy based on the principle of harm minimisation.

22.10-2 Objectives

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- To ensure that the social and economic impacts of gaming are considered when determining applications for gaming premises and machines.
- To support the social and economic wellbeing of municipality's communities.
- To locate gaming machines and premises in a manner consistent with municipality's activity centre hierarchy as part of the overall range of entertainment facilities and activities available in the municipality.
- To ensure that gaming premises and machines are located, designed and operated in a manner that minimises opportunities for convenience gaming.
- To discourage the location of gaming machines where they are readily accessible to areas of social disadvantage or gambling-sensitive uses.
- To redistribute gaming machines away from areas of relative socio-economic disadvantage.
- To ensure that gaming premises and machines are located, designed and managed so that the community has a choice of non-gaming entertainment and recreation facilities and activities within the gaming premises and in the local area.

22.10-3 Policy

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It is policy that proposals for gaming premises and machines comply with the following criteria:

Appropriate areas

Gaming premises and machines should be located:

- Where they will make a positive contribution to the redistribution of gaming machines away from areas within the municipality of relative socio-economic disadvantage as defined by the Socio Economic Indicators for Areas (SEIFA) Index of Relative Socio-Economic Disadvantage.
- At least 400 metres from areas of relative socio-economic disadvantage. This is defined as locations where any Australian Bureau of Statistics Statistical Area Level 1 (SA1) is within the most disadvantaged 20 per cent of SA1 in Victoria,

as established by the SEIFA Index of Relative Socio-Economic Disadvantage. This does not apply to existing gaming premises or land in the Frankston Metropolitan Activity Centre.

- Where the density of licensed gaming machines per 1,000 resident adults within a 2.5km radius of the subject premises, including the proposed machines, is less than the metropolitan Melbourne average. This does not apply to Frankston Metropolitan Activity Centre.
- Where a range of adult social, leisure and recreational activities other than gaming are available. Alternative non-gaming social, leisure and recreational facilities include hotel, clubs, cinemas, restaurants, bars and indoor recreation facilities.

Appropriate sites

Gaming premises and machines should be located:

- Towards the periphery of Activity Centres, outside of the main shopping, transport, community and civic functions of the centre.
- At a Restricted Recreation Facility with a land holding of more than 2 hectares.

Gaming premises and machines should not be located:

- In the area generally bounded by Kananook Creek, Fletcher Road, Cranbourne Road and Davey Street in Frankston Metropolitan Activity Centre.
- Adjacent to key pedestrian routes, where large numbers of pedestrians are likely to pass in the course of their daily activities, increasing the likelihood of spontaneous decisions to play gaming machines including core retail areas, supermarkets, community facilities and services.
- Within 400 metres of:
 - A railway station or bus interchanges;
 - Gambling-sensitive uses, such as social security offices, welfare agencies, and gambler support services;

Appropriate premises

Gaming premises and machines should be located in premises which:

- Provide a range of adult 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, restaurants, bars and indoor recreation facilities.
- Operate adult social and recreational activities at all times when gaming machines are available for use by patrons that provide a reasonable alternative to gaming.
- 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 from gaming areas 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, particularly children's play facilities.
- 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.

22.10-4 Application requirements19/10/2017
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All applications must include the following information to the satisfaction of the responsible authority, as relevant:

- A Social and Economic Impact Assessment prepared by a suitably qualified person that provides a robust assessment of the social and economic benefits and dis-benefits of the proposed gaming machines to determine if the proposal produces a net community benefit. The assessment must utilise the most recent publically available data and address the following:
 - 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 nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community (community benefits derived from existing contractual agreements that the applicant is obliged to undertake are to be detailed separately).
 - Measures proposed to address problem gambling in the local community.
 - Details of the relative socio-economic disadvantage of the suburb or locality and the broader 2.5km catchment of the venue in comparison to the metropolitan Melbourne average as defined in the SEIFA index of relative disadvantage.
 - Details of existing and proposed gaming and non-gambling related entertainment and recreation facilities within a 2.5km radius of the venue.
 - 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 parts. An explanation as to why the gaming machines are being transferred is to be provided and the likely social and economic impact of the proposal on those communities and the local area.
- Details about the existing and proposed distribution and densities of gaming machines within a 2.5km radius and the municipality generally.
- If the applicant contends that gaming expenditure is likely to be transferred from other premises, the applicant is to provide:
 - particulars as to how the level of transfer has been calculated (including, but not limited to, comparison per machine expenditure at the venue prior to and then 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; and
 - 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.).
- Details of the design and layout of the premises, including all proposed and existing signage and evidence of compliance with any relevant gaming regulations concerning premises layout, design and operation of the gaming venue.
- Distances of the proposed gaming machines from shopping complexes, shopping strips, community facilities and services, public housing, gambling counselling services and public transport.

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

22.10-5 Decision guidelines

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

- Whether the application achieves the objectives of this policy.
- Whether the application satisfies the application requirements of this policy.
- Whether the application satisfies the criteria set out in this policy regarding appropriate areas, sites and premises.
- Whether approval is likely to increase the social disadvantage or financial vulnerability of the local community.
- Whether the location of the gaming machines or gaming premises will facilitate or discourage convenience gaming.
- Whether the proposal will result in a redistribution of gaming machines away from areas of relatively high socio-economic disadvantage.
- Whether residents will have a choice between entertainment and recreation facilities and services with and without gaming in the suburb or locality.
- Whether the application achieves a net community benefit.

22.10-6 Reference

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Frankston City Council (2014) *Local Gaming Policy: Planning Implementation Report*.