

**22.07**

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**GAMING**

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

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**Policy Basis**

Clause 52.28 of the Ballarat Planning Scheme 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 of gaming venues.

Ballarat has a high overall density of gaming machines, and a level of gaming expenditure that exceeds both Victorian and regional municipal averages. The settlement characteristics of the City of Ballarat have resulted in an urban structure whereby approximately 82% of residents live within 2.5 kilometres of a gaming venue.

Research has concluded that there are links between social vulnerability, problem gambling and the accessibility of gaming venues. Although gaming machines may be accessible to the community as a form of entertainment and recreation, it is desirable to focus gaming machines away from everyday activity including shops, such that a pre-determined decision to gamble is required. Furthermore, the socio-economic characteristics of the municipality should be considered in any application for gaming machines. A number of areas of Ballarat, primarily around Wendouree, Sebastopol and North Ballarat, are particularly disadvantaged, and these areas are least capable of addressing the potential harmful effects of gaming.

The location of gaming machines within Ballarat should seek to balance competing social, economic and environmental issues in order to achieve a net community benefit by using the locational criteria set out in this policy.

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**Objectives**

- To minimise the harms that arise from gaming.
- To protect the amenity of existing uses surrounding gaming venues.
- To ensure that the area, site and venue characteristics contribute to net community benefit.

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**Policy**

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

**Appropriate areas**

Gaming machines should not be located:

- In or within 400 metres of areas of relative socio-economic disadvantage. This is defined as locations where any Australian Bureau of Statistics collection district is within the most disadvantaged 20% of collection districts in Victoria, as established by the SEIFA Index of Relative Disadvantage.
- In small towns or small urban settlements where there is not a variety of non-gaming entertainment and recreation activities.

Subject to the above criteria, it is preferred that gaming machines are located:

- In the Central Business District (CBD), outside of the core precinct of Bridge Mall, as defined in the map in Clause 21.09-1 Ballarat CBD.
- Where they will make a positive contribution to the redistribution of gaming machines away from areas of relative socio-economic disadvantage.
- Where the community has a choice of other non-gaming entertainment and recreation activities operating at the times the proposed gaming venue will operate.

- Where there is established social infrastructure and social networks within the area.
- In areas proximate to, but not in the primary retail core of activity centres. This does not apply within the CBD.
- In areas where the population is growing or future growth is foreshadowed. In these areas, gaming machines should not be established ahead of the provision of non-gaming entertainment and recreation activities or social infrastructure.

#### **Appropriate sites**

It is preferred that gaming machines outside the CBD be located on sites:

- That minimise the potential for large numbers of the local community to pass the venue in the course of their daily activities, thereby minimising the incidence of spontaneous decisions to play gaming machines.
- Where the gaming venue, and its associated uses, are compatible with the predominant surrounding land uses by ensuring that the proposed design, location and operating hours do not detrimentally affect the amenity of the surrounding area.
- That are at least 400m from shops, supermarkets, and major health and community service hubs, particularly those which provide services for vulnerable persons.
- In a sports or recreation club with a land holding of more than 2 hectares.

It is preferred that gaming machines within permitted areas of the CBD be located on sites:

- Where the gaming venue, and its associated uses, are compatible with the predominant surrounding land uses by ensuring that the proposed design, location and operating hours do not detrimentally affect the amenity of the surrounding area.
- Outside of the core area of the Bridge Mall precinct.
- That can be reasonably avoided by persons accessing problem gambling support services, welfare agencies and high level social or health services not available elsewhere in Ballarat.

#### **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.
- Include non-gaming activities and facilities that increase net community benefit.
- Promote responsible gaming practices.
- Do not operate gaming machines between at least 1am and 9am.

It is preferred that gaming machines be located in venues that are integrated with existing tourism uses and primarily focused on providing tourism services for visitors to the City of Ballarat.

Gaming machines should not be located in venues that:

- Have a gaming floor area of more than 25% of the total floor area of the venue.
- Will have a significant adverse impact on the amenity of adjoining areas as a result of operating hours, traffic and noise from patrons and vehicles.

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### **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 responsible gaming practices.
- A robust assessment of the social and economic benefits and disadvantages of the proposed gaming machines comprising:

### **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.
- 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.
- 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, 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 2.5km 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 municipality.
- Details of existing gaming expenditure at the venue over a three year period prior to the application (if relevant) and a forecast of the anticipated 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, 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).

### **Benefits**

- Details of the nature and extent of community benefits expected from locating the gaming machines at the proposed venue and how the benefits are to be secured and distributed to the local community.

### **Analysis**

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

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**Decision Guidelines**

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 socio-economic disadvantage of the local community.
- Whether the proposal will result in a redistribution of gaming machines away from areas of relatively high socio-economic disadvantage.
- Whether the location of the gaming machines or gaming premises is close to places of community congregation and will encourage convenience gaming.
- Whether patrons will have a choice between entertainment and recreation venues with and without gaming in the local area, as well as established social infrastructure.
- Whether the venue provides a range of non-gaming entertainment, leisure and recreation options.
- Whether the venue can be considered to be primarily associated with tourism uses and activities.
- The impact of the proposal on the amenity and character of the area and surrounding land uses.

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**Reference document**

*Ballarat Gaming Policy Framework, 2011*