

23/01/2020

SCHEDULE TO CLAUSE 52.28 GAMING**1.0**---/---/---
CXX**Objectives**

To achieve a net community benefit in any change to the location of gaming premises and number of gaming machines throughout the Mornington Peninsula. [22.22-2 O]

To discourage new gaming machines in relatively disadvantaged suburbs as defined by the Socio-Economic Indicators for Areas (SEIFA) Index of Relative Socio-Economic Disadvantage. [22.22-2 O]

To encourage gaming machines only in locations where they are accessible but not convenient. [22.22-2 O]

To ensure gaming machines are installed in venues that are designed and operated to minimise negative social and economic impacts, and adverse impacts on the amenity of the surrounding areas. [22.22-2 O]

To ensure benefits associated with gaming machines accrue to the community in the local area. [22.22-2 O]

42.024/05/2018
C200**Prohibition of a gaming machine in a shopping complex**

Installation or use of a gaming machine as specified in Clause 52.28-~~3~~4 is prohibited on land described in Table 1 below.

Table 1

Name of shopping complex and locality	Land description
Bentons Square Shopping Centre , Mornington	Lot 2, Plan of Subdivision 300899, Dunns Road, Mornington.
Balnarring Village Shopping centre	Lot 2, Plan of Subdivision 524213, off Frankston – Flinders Road, Balnarring
Dromana Shopping Centre, Dromana	Lots 1-9 on Strata Plan 260219, off Point Nepean Road, Dromana.
McCrae Plaza Shopping Centre, McCrae	Land in Plan of Consolidation 367959, off Point Nepean Road, McCrae.
Mornington Central Shopping Complex, Mornington	Lot 99748A, Plan of Subdivision 437121 off Railway Grove, Mornington.
Mornington Safeway Complex, Mornington	Land in Plan of Consolidation 105098 at 219 - 257 Main Street, Mornington.
Port Phillip Plaza, Rosebud	Land in plan of consolidation 164612, Boneo Road, Rosebud
Rosebud Village Shopping Centre, Rosebud	Lots 1-18 plan of subdivision 332239, Point Nepean Road, Rosebud
Somerville Central, Somerville	Lot 1, plan of subdivision 505223, Eramosa Road West, Somerville.

23.025/05/2017
VC133**Prohibition of a gaming machine in a strip shopping centre**

A gaming machine as specified in Clause 52.28-~~4~~5 is prohibited in all strip shopping centres on land covered by this planning scheme.

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CXX**Locations for gaming machines**

Gaming venues and machines should be located:

- ~~Encourage a~~In a manner that redistribution redistributes of gaming machines from places with higher risks of problem gambling to places with lower risks ~~of problem gambling~~, including places that primarily cater for tourists. [22.22-3]
- ~~Discourage new gaming machines in~~ In the following locations ~~areas that are not:~~ [22.22-3]
 - ~~Suburbs of~~Of relative socio-economic disadvantage as indicated by scores of less than 1,000 in the SEIFA Index of Relative Socio-Economic Disadvantage. [22.22-3]
 - ~~Locations close~~Close to a strip shopping centre or shopping complex. [22.22-3]
- ~~Ensure new gaming machines are not installed in locations~~In areas that are not visible or within 400 metres from any of the following uses ~~(core uses)~~: [22.22-3]
 - School, kindergarten or childcare centre. [22.22-3]
 - A hospital, medical centre or other place providing a welfare service. [22.22-3]
 - Supported accommodation. [22.22-3]
 - Social (public and community) housing developments or clusters comprising 50 or more dwellings. [22.22-3]
 - Library or community hall or facility. [22.22-3]
 - Place of worship. [22.22-3]
 - A shop or retail premises, that attracts daily or weekly custom. [22.22-3]

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Venues for gaming machines

Gaming machines should be located:

- ~~Encourage gaming machines in~~In venues that offer all the following: [22.22-3]
 - Management and mitigation measures to minimise problem gambling and apply responsible gaming practices. [22.22-3]
 - A choice of recreational activities as the primary purpose of the venue, where such activities are available at similar hours as the gaming. [22.22-3]
 - A gaming floor area that is less than 25 per cent of the total floor area of the venue. [22.22-3]
 - A design that gives the gaming area access to natural light. [22.22-3]
 - Physical and visual separation of the gaming area from other areas. [22.22-3]
 - Access to venue amenities including entrances and exits, toilets, meeting spaces and dining areas without traversing gaming areas. [22.22-3]
 - Gaming operation of 16 hours per day or less. [22.22-3]
- ~~Protect the amenity of the local area having~~With regard to operating hours, traffic, noise, car parking, safety and security to protect the amenity of the local area. [22.22-3]

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Application requirements

The following application requirements apply to an application for a permit under Clause 52.28, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Details of the proposal [22.22-4]

- Plans and elevations, drawn to scale and dimensioned, showing the proposed use, including the location and layout of the gaming machines, other non-gaming activities and car parking. [22.22-4]
- Proposed operations, including staff and patron numbers, hours of operation and assessment of patronage numbers. [22.22-4]
- Details of proposed gambling and non-gambling related entertainment and recreation facilities at the venue. [22.22-4]

Impact assessment [22.22-4]

- A context plan showing any core uses within 400 metres of the venue. [22.22-4]
- An impact assessment, prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority, describing: [22.22-4]
 - The social and economic impacts of the proposal and the net community benefit. [22.22-4]
 - Anticipated gaming expenditure including: [22.22-4]
 - Any expected transfer from other gaming venues (including how the level of transfer has been calculated), comparison of existing and projected expenditure per machine at the venue, current usage levels of machines at the venue, projected usage level of machines at the venue with the additional machines. [22.22-4]
 - The resulting impact on revenue of the venue to where the expenditure is transferred. [22.22-4]
 - 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). [22.22-4]
 - The existing and proposed distribution of gaming machines across the Mornington Peninsula. [22.22-4]
 - The primary and secondary catchments of the venue, including an assessment of the demographics within each catchment. The primary catchment is radius of 2.5 kilometres; the secondary catchment is radius of 5 kilometres. [22.22-4]
- Details of community benefits expected from the proposal, how and when the benefits are to be secured, and whether these will be distributed to the local community. [22.22-4]

Existing conditions [22.22-4]

- Details of any existing use of the land, including the range of activities, staff and patron numbers and hours of operation. [22.22-4]
- Details of any historical gaming expenditure at the venue. [22.22-4]
- Distance to the nearest core uses. [22.22-4]
- Details of the relative socio-economic status of the suburb in which the gaming machines are to be located and the broader 5 kilometre catchment of the venue in comparison to other suburbs of the municipality and the Melbourne and regional Victoria averages as defined in the SEIFA Index of Relative Socio-Economic Disadvantage. [22.22-4]

7.0**Decision guidelines**

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The following decision guidelines apply to an application for a permit under Clause 52.28, in addition to those specified in Clause 52.28 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether ~~The~~ the proposal results in a net community benefit ~~from the proposal~~. [22.22-5]
- Whether the proposal is likely to increase social and economic disadvantage in the local community and the municipality. [22.22-5]
- Whether the location of the gaming premises or gaming machines facilitates ~~or~~ discourages convenience gambling. [22.22-5]
- The ~~Choice~~ choice of entertainment in the local area and in the proposed gaming premises. [22.22-5]
- ~~Protect~~ Whether the proposal has a detrimental impact on the amenity of the local area ~~having with~~ regard to operating hours, traffic, noise, car parking, safety and security. [22.22-3]