

## **52.28 GAMING**

15/07/2013  
VC100

### **52.28-1 Purpose**

18/10/2006  
VC39

To ensure that gaming machines are situated in appropriate locations and premises.  
To ensure the social and economic impacts of the location of gaming machines are considered.  
To prohibit gaming machines in specified shopping complexes and strip shopping centres.

### **52.28-2 Permit requirement**

18/10/2006  
VC39

A permit is required to install or use a gaming machine.  
This does not apply in either of the following circumstances:

- Clause 52.28-3 or Clause 52.28-4 specifically prohibit a gaming machine.
- the gaming machine is in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

### **52.28-3 Prohibition of a gaming machine in a shopping complex**

18/10/2006  
VC39

Installation or use of a gaming machine is prohibited on land specified in a schedule to this clause.  
This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

### **52.28-4 Prohibition of a gaming machine in a strip shopping centre**

15/07/2013  
VC100

Installation or use of a gaming machine is prohibited in a strip shopping centre if:

- the strip shopping centre is specified in the schedule to this clause.
- the schedule provides that a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.

This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

A strip shopping centre is an area that meets all of the following requirements:

- it is zoned for commercial use;
- it consists of at least two separate buildings on at least two separate and adjoining lots;
- it is an area in which a significant proportion of the buildings are shops;
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally;

but it does not include the Capital City Zone in the Melbourne Planning Scheme.

### **52.28-5 Decision guidelines**

23/09/2011  
VC77

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The compatibility of the proposal with adjoining and nearby land uses.

- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.