

# Approval to provide an ATM in an approved gaming venue

**This package contains the application and information material for an approved gaming venue to provide an ATM.**

## How to apply

**Send application to:**

Victorian Commission for Gambling and Liquor Regulation  
GPO Box 1988  
Melbourne Vic 3001

**or lodge in person at:**

Level 3, 12 Shelley Street  
Richmond

## Need help?

For more information on how to apply for a liquor or gambling licence or permit:

- visit the Victorian Commission for Gambling and Liquor Regulation (VCGLR) website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au)
- telephone the VCGLR on 1300 182 457
- email the VCGLR at [contact@vcglr.vic.gov.au](mailto:contact@vcglr.vic.gov.au)



## Gambling Application

# Approval to provide an ATM in an approved gaming venue

## Important information for applicants

Under section 3.5.33C of the *Gambling Regulation Act 2003* (the Act), from 1 July 2012, ATMs are not permitted within an approved gaming venue, including:

- on the exterior walls of an approved gaming venue
- on any land that is owned or leased by the gaming venue operator on which the gaming venue is located
- on any car park owned or operated by the venue operator that is used primarily by the gaming venue patrons.

## Racecourses and casinos

The rules for casinos and gaming venues located on racecourses are different. ATMs are not permitted within:

- the gaming machine area
- 50 metres walking distance of the entrance to a gaming machine area or casino.

## VCGLR may approve an ATM

A venue operator may apply to the VCGLR for an approval to provide, or for another person to provide on its behalf, an automatic teller machine in an approved venue.

Applications are made to the VCGLR using this form, by carefully reading the *Important information for applicants* and by following the included instructions. Applications must include all items on the *Mandatory information checklist*, which is submitted as part of the application.

The VCGLR will not accept incomplete applications or applications that are not made using the approved application form.

## Matters for consideration

In accordance with section 3.5.33F of the Act the VCGLR can only approve applications in which it is satisfied:

- the venue does not reside within the Melbourne Statistical Division
- there is no reasonable access to alternative cash facilities
- the community would suffer hardship without the approval

The VCGLR is required to be satisfied that the Applicant has adequately addressed the three matters provided in the Ministerial Direction dated 7 March 2011 under Section 3.5.33G(1) of the Act by the Minister for Gaming. Each matter is incorporated in the application questions.

## Fees and charges

At this time, an application does not attract any prescribed fees or charges payable to the VCGLR.

## Notifying the responsible authority

Applicants must lodge a copy of the application, including any attachments with the responsible authority prior to lodging the application with the VCGLR

The VCGLR will then seek the responsible authority's view in relation to the application and advise that it may make a submission.

## Additional information

During the process the following may occur:

- applicants may be asked for more information
- VCGLR Inspectors may visit the applicant's premises.

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## Inspection

As part of the assessment process the VCGLR may visit the applicant's premises to confirm:

- the location and type of cash facilities available at the premises
- accessibility and operation of the cash facilities
- that all cash facilities within the venue area are identified on the application as required
- the position of the proposed ATM or the position of the ATM for retention.

## Decision

Applicants are advised of the outcome of their application in writing and in the case of approvals an approval notice is published in the Victoria Government Gazette. Approvals come into force on the date they are published in the Gazette or at a later date specified in the Gazette notice.

Approvals remain in force until revoked by the VCGLR or relinquished by the venue operator.

## Review

Approvals are subject to review at least once every five years after the approval comes into force or within 90 days of the VCGLR becoming aware that there has been a change in access to banking services within the community in which the approved venue is situated.

## About the form

### Applicant details

The applicant or the applicant's authorised representative completes this section with the venue details and business contact details.

### Alternative cash facilities

This section requires the applicant to provide information about all alternative cash facilities within a five kilometre radius of the venue, including any cash facilities within the venue.

The Act defines a cash facility as an ATM, EFTPOS facility or any other prescribed facility that enables a person to gain access to his or her funds or to credit.

A separate document must provide additional information on each cash facility including operating hours, address, operator name, accessibility concerns and available transaction types.

### Community profile and hardship

The applicant is required to collect, collate and present any evidence that support the case that the community would **suffer hardship** without the approval of the application.

### Community consultation

As part of the application process you are required to demonstrate to the satisfaction of the Commission that:

- the local community would suffer hardship, particularly with regard to distances travelled, if the approval is refused
- local business will be adversely affected if the approval is refused
- you have consulted the local community and the local community's views are adequately reflected in the evidence provided.

The consultation process may include surveys of the local community and evidence of support from local business, community groups and the local municipal authority.

### Community hardship

*General community support for the application is insufficient. Applicants must show that the local community, directly or indirectly, would **suffer hardship** without the approval.*

### Amending an application

An application may be amended at any time before it is determined by the VCGLR. An amended application must be given to the responsible authority and lodged with the VCGLR **on the same day**.

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## Additional information

Applicants can supply any additional information to the VCGLR and the responsible authority that may be of assistance in making an assessment of the application.

The information required by the application process is the minimum on which the VCGLR will accept and review an application.

Applicants and responsible authorities are free to communicate directly throughout the application process.

## False or misleading information

In accordance with the Act, it is an offence to provide false or misleading information or to omit information that is materially relevant to an application. Providing false or misleading information or failure to provide required information may result in prosecution or non-approval of the application or both.

## Privacy

Personal information supplied by the applicant is collected, used and stored in accordance with the *Policy and Data Protection Act 2014*. In accordance with the VCGLR's privacy policy and relevant laws, the applicant may be able to gain access to any personal or health information held by the VCGLR about the applicant.

The VCGLR's privacy policy is available online at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

Alternatively, telephone the Privacy Project Manager on 1300 182 457 or email [contact@vcglr.vic.gov.au](mailto:contact@vcglr.vic.gov.au) to request that a copy is sent to you.

## Confidentiality

Information provided in your application must not be disclosed by the VCGLR or its staff to someone else, except for the purposes provided under Division 6 of Chapter 10 of the Act.

You may access these provisions online at [vcglr.vic.gov.au](http://vcglr.vic.gov.au) > About Us > Legislative Framework.

# Approval to provide an ATM in an approved gaming venue

## Mandatory information checklist

Please submit this checklist, along with the following information, with the application:

- I confirm that the venue is located outside the Melbourne Statistical Division.
- I have attached a map of the local community showing the location of all cash facilities within a five kilometre radius of the approved gaming venue. Refer to **page 9**.
- I have attached documentation that provides the opening hours, transaction types, accessibility concerns and other details as required on **page 9**.
- I have attached documentary evidence showing how the local community would suffer hardship without the approval; and/or local business would be adversely affected and as such the local community would suffer hardship. Refer to **page 8**.
- I have attached a 1:100 plan and layout of the approved gaming venue marked with the location of any existing cash facilities and the location of the proposed ATM(s) as described on **page 10**.
- I have lodged a copy of the Application with the Responsible Authority prior to lodgement with the VCGLR.
- I have attached documentary evidence of the community consultation undertaken, including results. Refer to **page 8**.
- I acknowledge that I must publish a copy of the advertising requirement three days after submitting the application to the VCGLR. In addition I acknowledge that I must provide a copy of the advertising requirement as published to the VCGLR, within 14 days of submitting the application. Refer to **page 10**.

Signature of Authorised Officer

X \_\_\_\_\_

Date

/ /

Print name of Authorised Officer

\_\_\_\_\_



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**OFFICE USE ONLY**

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Receipt No. \_\_\_\_\_

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**1. Applicant details**

Venue operator full name:

VOL number:

Business telephone number:

Daytime telephone number:

Mobile telephone number:

Address of applicant:

  
  


Postcode

Email address:

**2. Nominee/Authorised officer**

Full name:

Daytime telephone number:

Mobile telephone number:

Email address:

**3. Full name and address of premises**

Premises name:

Approved venue number:

Address of premises:

  
  


Postcode

Contact person: (in relation to premises operations)

Daytime telephone number:

Email address:

**4. Automatic teller machines**

The VCGLR may only approve the installation of an ATM at an approved gaming venue providing the ATM complies with section 3.5.33H of the Act. A complying ATM must:

- have a withdrawal limit of not more than \$200 for every transaction
- not allow cash advances from credit accounts
- not be located within the gaming machine area of the approved gaming venue
- comply with any other condition determined by the VCGLR as a condition of approval under section 3.5.33H of the Act
- not allow more than \$500 to be withdrawn on any one debit or credit card in an approved gaming venue within a 24 hour period.

Information submitted may be verified by inspection.

This is an application to:

- retain an existing ATM
- apply for a new ATM

**Please provide the details of the company who will operate the proposed ATM:**

ATM operator company name:

Contact person:

Address:

  
  


Postcode

Daytime telephone number:

Mobile telephone number:

Email:



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## 5. Community profile – hardship

You must demonstrate that members of the community who are dependent on public transport, or have limited physical mobility, will not be able to reasonably access alternative cash facilities if the approval was refused and would suffer hardship as a result, particularly having regard to the distance to be travelled to access alternative cash facilities.

In addition, you must demonstrate that local businesses will be adversely affected if the approval was refused and that the community would suffer hardship as a result.

Provide a statement, with relevant evidence and particular regard to the distance travelled, to show that members of the surrounding community would suffer hardship should the VCGLR not approve an ATM within the approved gaming venue.

Provide a statement, with relevant evidence to show that local businesses will be adversely affected and as a result the community would suffer hardship, should the VCGLR not approve an ATM within the approved gaming venue.

Information submitted may be verified by inspection.

**Attachment/page number:** ..... / .....

## 6. Community profile – consultation

You must demonstrate to the satisfaction of the VCGLR that you have consulted the community and that the community's views about the application are adequately reflected in the evidence provided.

Provide documentary evidence as to the consultation undertaken with the community and views expressed in opposition and support of the application. Detail the nature of the consultation, for example, survey, direct mail, call for public submission or any other method used.

**Attachment/page number:** ..... / .....

## 7. Map of the venue and surrounding community

Please attach a map showing the community within a five kilometre radius of the venue including:

- all ATMs
- all EFTPOS facilities
- any other facility that enables a person to gain access to his or her fund or to credit.

**Attachment/page number:** ..... / .....

Please provide a document with the following details for each cash facility marked on the map:

- address
- operator name
- hours of availability:
  - during a typical seven day week
  - on public holidays
- types of transactions available e.g. cash withdrawal, cash advance from credit, purchases on credit/debit
- any limitations on available transactions, examples include:
  - cash out via EFTPOS is only available with purchases of \$10 or more
  - cash out not available
  - any maximum or minimum transaction values, i.e. maximum cash out is \$100.

**Attachment/page number:** ..... / .....

With regard to the nearest available full service cash facility, full service includes:

- usually available 24 hours a day, seven days a week regardless of holidays
- accepts all standard debit and credit cards
- distance from the approved venue
- type of public transport available to the full service cash facility, including days and hours of operation
- any accessibility concerns.

**Attachment/page number:** ..... / .....

## 8. Plan and layout

Please attach a 1:100 plan of the venue showing:

- the location of any existing cash facilities, differentiating between
  - EFTPOS
  - ATMs (proposed or existing).

**Attachment/page number:** ..... / .....



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## 9. Advertising requirement

Three days after lodging your application with the VCGLR and the responsible authority, you must publish a notice in a state and local newspaper. The notice must:

- notify the public of your intent to apply to provide or retain an ATM
- be published in a newspaper for a local audience and in a newspaper for a state audience
- seek submissions from the public regarding any potential hardship that may result if the application is not approved
- provide the name of the applicant and the venue details.

The VCGLR cannot assess applications that do not include a copy of this notice as published in a local and state newspaper. The VCGLR will reject applications for which a public notice is not received within 14 days of the date the application is received.

### Required format of Public Notice of Application for Approval to Operate an ATM in an Approved Gaming Venue Application

**Notice of Application for Approval to Operate an ATM in an Approved Gaming Venue Section 3.5.33E of the Gambling Regulation Act 2003**

**<Applicant>** has applied to the Victorian Commission for Gambling Liquor Regulation (VCGLR) for approval to operate an ATM at an approved gaming venue **<venue name, address, and suburb (and any additional contact details/method)>**.

Residents of the **<Municipality>** are invited to comment on this application within 30 days of this notice. Submissions should provide the resident's views and comment on whether individuals or businesses would suffer hardship should the application be rejected and the ATM be **<removed/not approved>**.

To make a submission please provide your response to the applicant or alternatively contact the VCGLR directly by email at [contact@vcglr.vic.gov.au](mailto:contact@vcglr.vic.gov.au) or telephone 1300 182 457 for contact details and information on how to make a submission.

## 10. Applicant declaration and authorisation

I declare that all statements contained in and all matters accompanying this application are true and correct in every detail and fully disclose all information required to complete the application.

I will communicate any changes made to this application directly to the Victorian Commission for Gambling Liquor Regulation as soon as possible.

Signature of Authorised Officer

X \_\_\_\_\_

Date

\_\_\_\_ / \_\_\_\_ / \_\_\_\_

Print name of Authorised Officer

\_\_\_\_\_