

Approval of premises for gaming

This package contains the application and information material for approval of premises for gaming.

How to apply

Send application to:

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

or lodge in person at:

49 Elizabeth 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
- telephone the VCGLR on 1300 182 457
- email the VCGLR at contact@vcglr.vic.gov.au



Approval of premises for gaming

Making an application

Section 3.3.4 of the *Gambling Regulation Act 2003* makes provisions for applications for approval of premises as suitable for gaming. Applications filed with the VCGLR must be in the approved form and accompanied by the prescribed fee (go to vcglr.vic.gov.au/Fees-Fines to confirm the fee).

Applicants must also ensure that all items on the Mandatory Information Checklist are lodged with this application form. Incomplete applications will not be accepted and will be returned to the applicant.

A complete copy of the application must be given to the responsible authority and then lodged with the VCGLR **within three days** of receipt by the responsible authority, unless there are exceptional circumstances. If there are exceptional circumstances the VCGLR may extend the period of time within which the applicant may make the application.

The VCGLR must determine an application at a public hearing within 60 days of either:

- being notified that the responsible authority will not make a submission (the responsible authority must advise whether it intends to make a submission within 37 days of receiving a notice from the VCGLR); or
- receiving a submission from the responsible authority (the responsible authority has a total of 60 days from receipt of a notice from the VCGLR to make a submission).

As an applicant you will be required to appear at the public hearing and present evidence in support of your application. If a responsible authority makes a submission relating to an application, it may also appear at the public hearing and provide their evidence to support its position.

The application form

Part A of this application form requires detail relating to the premises, planning permits, liquor licensing, gaming machine area plans and premises plans. Providing this information will assist the Commission in determining whether your venue is, or upon completion of building works will be, suitable for the purpose of gaming.

Following receipt of an application, a site inspection will be carried out by an Inspector. The Inspector will assess the suitability of the premises for the management and operation of gaming machines, in particular whether the size, layout and facilities are suitable. You may be required to provide further information in connection with your application. For further information relating to **Part A** of this application please contact the VCGLR on 1300 182 457.

Part B of this application requires details relating to the economic and social impact of the application. This information will assist the Commission in determining whether the application is likely to result in net social and economic detriment to the local community in which the premises is located.

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**. An applicant cannot amend the number of gaming machines sought in an application once the first 30 days after giving a copy of the application to the responsible authority has elapsed.

Responsible authority

Section 3.3.6 of the *Gambling Regulation Act 2003* provides the responsible authority with an opportunity to make a submission regarding the economic and social impact of the proposal on the local community within specified time frames.

Information you provide in **Part B** of this application will assist the responsible authority in making an economic and social impact submission (should they choose to). The submission form used by responsible authorities can be found at vcglr.vic.gov.au/Submission form.

A submission from a responsible authority is due 60 days after the responsible authority receives notification from the VCGLR advising of the application. If an application is amended, the responsible authority has a further 60 days to respond from the date it receives the amended application. The responsible authority must also advise the VCGLR whether it intends to make a submission within 37 days from receiving notification from the VCGLR advising of the application, or from receiving an amended application.

If an amendment to the number of gaming machines sought in the application is received within the first 30 days after giving a copy of the application to the responsible authority, the VCGLR may grant an extension of 30 days for the responsible authority to make a submission.

You can supply any additional information to the VCGLR and the responsible authority which may be of assistance in making an assessment of your proposal. The information required by this application is only the minimum that can be supplied. Applicants and responsible authorities are free to communicate directly throughout the application process.

For further information relating to **Part B** of this application please contact the VCGLR on 1300 182 457.

Important Information

Approval of premises for gaming

Matters for consideration

The matters the VCGLR will consider when determining whether to approve an application for approval of premises as suitable for gaming are set out under 3.3.7 of the *Gambling Regulation Act 2003*. In particular, the VCGLR must be satisfied that:

- the premises are, or on completion of building works, will be suitable for the management and operation of gaming machines; and
- the net economic and social impact of the approval will not be detrimental to the well being of the community of the municipal district in which the premises is located.

In addition, if the premises contains any area or facility designed specifically for children or that could reasonably be expected to be used by children, the VCGLR will also have regard to the *Decision making guidelines – Assessment of children’s play areas in gaming premises*.

You will be advised in writing of the outcome of the VCGLR’s decision concerning your application. If the application is successful and the applicant subsequently satisfies all conditions of the approval, a Notice of Approved Premises for Gaming will be issued together with an approved plan of the premises and a plan of the approved gaming machine area. The approval is ongoing unless cancelled, revoked or surrendered.

Attaching an approved premises to a venue operator's licence

In order to operate gaming machines in an approved venue, the approved premises must be attached to a Venue Operator’s licence.

After the Notice of Approved Premises for Gaming has been issued, the applicant must apply to the VCGLR to include the approved premises on a Venue Operator’s licence. The application form and guidelines to include or remove approved premises can be found at www.vcglr.vic.gov.au.

When approved premises receive authorisation from the VCGLR for inclusion on a Venue Operator’s licence, the approved premises becomes an approved venue and a Notice of Approved Venue will be issued. The number of gaming machines permitted to operate at the approved venue is specified on the notice.

Providing false or misleading information

In accordance with the *Gambling Regulation Act 2003*, it is an offence to provide false or misleading information or to omit information that is materially relevant to your application. Providing false or misleading information or failure to provide required information may result in prosecution or non-approval of your application, or both.

Privacy policy

The VCGLR is committed to responsible and fair handling of personal information consistent with the *Privacy and Data Protection Act 2014* and its obligations under the *Gambling Regulation Act 2003*.

Confidentiality provisions

Information provided in your application must not be disclosed by the VCGLR or its staff to someone else, except for the purposes stated in Division 6 of Chapter 10 of the *Gambling Regulation Act 2003*. You may access these provisions at www.vcglr.vic.gov.au.



Mandatory Information Checklist

Approval of premises for gaming

The following documentation *must* be submitted with this application

- Completed current application form – the VCGLR will not accept an application if any part of an application form is incomplete or missing.
- The prescribed fee (refer to the Schedule of Fees and Fines at vcglr.vic.gov.au/Fees-Fines).
- If applicant is not the owner, written evidence from the owner of the premises permitting the premises to be used for gaming, as specified in **question 4**.
- Evidence of planning permit requirements as specified in **question 9**.
- Economic and Social Impact Assessment – please provide 4 copies.
- 1:100 scale plan of the premises as specified in **question 11**.
- 1:50 scale plan of the gaming machine area as specified in **question 11**.
- Evidence that the application has been lodged with the VCGLR within 3 days of being given to the responsible authority as specified in **question 12**.
- Expenditure Analysis – expenditure estimates or any other analysis of anticipated gaming machine expenditure as a result of the proposal as specified in **question 15**.
- All witness statements as specified in **question 26**.
- Any reports or documents the applicant intends to rely on at the public hearing, as specified in **question 26**.

How to lodge this form

By post

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

In person

Victorian Commission for Gambling and Liquor Regulation
49 Elizabeth Street, Richmond



Application

Application for the approval of premises for gaming

OFFICE USE ONLY

Date Rec'd / /

Receipt No. _____

File No. _____

Signature

Application is hereby made to approve premises for gaming:

Name of premises

Name of applicant

I, the Authorised Officer for the above applicant, declare that:

- i. I have read the information pages attached to this application.
- ii. 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.
- iii. The application given to the responsible authority is a true copy of the application lodged with the Victorian Commission for Gambling and Liquor Regulation.
- iv. I will communicate any changes made to this application directly to the Victorian Commission for Gambling and Liquor Regulation, as soon as possible.

Signature of Authorised Officer

Date

Signature of witness

Date

Print name of Authorised Officer

Print name of witness

It is an offence under section 10.5.16 of the *Gambling Regulation Act 2003* to make a statement that is false or misleading in relation to this application. An offence under section 10.5.16 of the *Gambling Regulation Act 2003* carries a maximum penalty of 60 penalty units.

Important information

Please note that once an application has been registered, the application fee is non-refundable. Refer to the Schedule of Fees and Fines on the VCGLR website to confirm the current fee. The application fee can be paid by:

- cheque or money order, made payable to the VCGLR;
- credit card by completing the **appropriate details below**.

Advertising requirement

Within 7 days of lodging the application with the responsible authority the **applicant must publish** in a newspaper circulating in the local area of the proposed premises a notice, in the format prescribed below, informing the public of the application. The notice invites public comment on the application in writing, to the responsible authority or directly to the VCGLR.

Applicants are required to include venue details and the number of electronic gaming machines proposed to be installed at the venue in the notice.

The authorised officer, on behalf of the applicant, must forward to the VCGLR a copy of the notice **within 14 days** of the application being given to the responsible authority.

This requirement is made under section 3.3.4 of the *Gambling Regulation Act 2003*.

Required format of Public Notice for Approval of Premises Application:

Notice of Application for Approval of Premises as Suitable for Gaming Section 3.3.4 of the Gambling Regulation Act 2003

(Applicant) has applied to the Victorian Commission for Gambling and Liquor Regulation for approval of premises as suitable for gaming at **(venue name, address, and suburb)**, with **(number of machines)** gaming machines.

Persons from the municipality where the venue is proposed may comment on this application in writing, within 30 days of this notice. For more information and contact details regarding this application please visit vcglr.vic.gov.au. Person wishing to make a submission that do not have internet access can telephone the VCGLR on 1300 182 457 to obtain



Information relating to public hearings and publication of application materials under section 10.1.22 of the Act

Section 10.1.22 of the *Gambling Regulation Act 2003* (the Act) requires the Victorian Commission for Gambling and Liquor Regulation (VCGLR) to conduct certain aspects of its business in public. The matters the VCGLR must decide in public include applications for approval of premises as suitable for gaming.

This means that your application for approval of premises as suitable for gaming will be determined at a public hearing.

Furthermore, any application material provided by you in respect of your application will also be made publicly available on the VCGLR's website. This includes any social and economic impact assessment and financial analyses.

However, under section 10.1.22 (3) of the Act the VCGLR may direct that an inquiry or meeting or part of an inquiry or meeting be held in private if it considers:

- it necessary to do so to prevent the unreasonable divulgence of information relating to the personal affairs of any person including a deceased person; or
- it is otherwise in the interests of justice or the public interest to do so.

The following "Acknowledgment in Relation to Public Hearings and Publication of Application Materials" must be completed by all applicants for approval of premises as suitable for gaming. The acknowledgment requires you to certify that you have read and understand this information about public hearings and the publication of application materials. It also provides you with the opportunity to make submissions to the VCGLR as to why it should decide to consider this application in private, and/or not publish the application materials on its website.

Please note that any reasons you provide will be considered but the final decision of whether your application will be decided in private or in public and if it will be published on the VCGLR website will be made by the VCGLR.

If you have any questions regarding this process please contact the VCGLR on telephone 1300 182 457.

Acknowledgement of public hearings and publication of application materials under section 10.1.22 of the Act

Full name of the applicant

Full address of the applicant

 Postcode

Full name of authorised officer signing the application on behalf of the applicant

As the authorised officer completing the application form on behalf of the Applicant, I hereby state that:

- I have read the 'Information relating to Public Hearings and Publication of Application Materials' detailed above; and
- I understand that material which is relevant to this application to amend a venue operator's licence is liable to be publicly disclosed in the course of the decision-making process.

Further, I hereby advise the VCGLR that (tick the appropriate boxes)

- The Applicant has no objection to this application being heard in public.
- The Applicant has no objection to the application materials being published on the VCGLR website
- The Applicant objects to this application being heard in public and has attached a statement of reasons as to why this application should be decided in private.
- The Applicant objects to the publication of the application materials on the VCGLR website and has attached a statement of reasons as to why this information should be not be made public.

Signature of Authorised Officer

 X

Date

 / /

Application for the approval of premises for gaming

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Date Rec'd / /
Receipt No. _____
File No. _____

1. Applicant details

Name of applicant

Australian Business Number/Australian Company Number

Address of applicant

Postcode

Daytime telephone number Mobile telephone number

Email address

Postal address for service of documents

Postcode

2. Authorised representative

The applicant can authorise a person or an organisation (such as a legal representative) to access and discuss details about your application.

Do you want an authorised representative to make enquiries and provide information on your behalf regarding this application?

- NO
- YES – please provide details below

Contact name

Organisation name (if applicable)

Daytime telephone number Mobile telephone number

Email address

Postal address for service of documents

Postcode

3. Full name and address of premises

Premises name

Address of premises

Postcode

Contact person (in relation to premises operations)

Daytime telephone number

Email address

4. Premises ownership

Are you the owner of the premises?

- YES
- NO

If NO, please enclose with this application form evidence of the owners approval to make this application together with the following details:

Owners name

Postal address

Postcode

Daytime telephone number Mobile telephone number

Relationship to applicant

5. Gaming machines

How many gaming machines are you applying for?

6. Liquor licensing

An approval of premises for gaming may be given for any premises to which one of the following licenses applies. What type of license(s) does the premises have in force:

- A general licence under section 8 of the *Liquor Control Reform Act 1998*. Go to **question 7**.
- A club licence (whether full or restricted) under section 10 of the *Liquor Control Reform Act 1998*. Go to **question 7**.
- A Racing Club licence under Part 1 of the *Racing Act 1958*. Please provide evidence of the relevant licence. Go to **question 8**.

If the premises does not hold a liquor licence or racing club licence, but an application for either has been lodged, please tick the appropriate box for the licence that has been applied for or intend to apply for:

- General Licence under section 8 of the *Liquor Control reform Act 1998*.
- Club Licence under section 10 of the *Liquor Control Reform Act 1998*.
- Racing Club Licence under Part 1 of the *Racing Act 1958*.

You must provide evidence of the relevant licence application in an attachment.

7. Liquor licence holder and licence number (if applicable)

Licensee name

Premises name

Licence number

Address

 Postcode

8. Racing club licence holder and licence number (if applicable)

Licensee name

Premises name

Licence number

Address

 Postcode

9. Permit under *Planning and Environment Act 1987*

For your application to be considered you must provide evidence of at least one of the following:

- A copy of a planning permit issued under the *Planning and Environment Act 1987* permitting the premises to be used for gaming.
- Evidence that use of the premises for gaming will not contravene the planning scheme that applies under the *Planning and Environment Act 1987*.
- A copy of an application that has been made in accordance with the *Planning and Environment Act 1987* for a permit that will permit the premises to be used for gaming with gaming machines.

10. Venue Operator's Licence (VOL)

Does the applicant hold a VOL?

- YES
- NO

If Yes, VOL Number

If No, has an application for a VOL been made?

- YES
- NO

Proposed nominee

11. Premises Plan and Layout

You must provide scale plans of the proposed premises and gaming machine area in accordance with the following specifications:

- 1:100 scale plan of the premises. This must show the location of the gaming machine area within the premises and other services to be provided including: bistro, children's play area, bars, sports bar, toilets, outdoor smoking areas, etc.
- 1:50 scale plan of the proposed gaming machine area. This must show the proposed placement of gaming machines and other services to be provided in or adjacent to the gaming machine area, including cashier area, bar facilities, toilets, entrances, catering facilities, external smoking areas, etc.

12. Evidence of lodgement

You must provide evidence that the application has been lodged with the VCGLR **within 3 days** of being given to the responsible authority.

If you have any questions relating to Part A, please contact the VCGLR.

Phone: 1300 182 457

Email: hearings@vcglr.vic.gov.au

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13. Additional gaming machines

The net number of gaming machines to be added by the proposal (New gaming machines sought less those relocated from within municipal district)

14. Venue Patron Profile

In an attachment describe the expected patron profile of the venue if the proposal is approved. Make reference to the following:

- Do they live near the venue, elsewhere in the municipal district, or do they work but not live in the municipal district?
- Are they from a particular socioeconomic background (includes ethnicity, gender, age, income level/type?)
- Are they already customers of other gaming venues in the municipal district?

Has an attachment been included? NO YES

If YES, attachment/page number is:/.....

15. Gaming expenditure

Anticipated net gaming machine expenditure arising from this proposal over the first 12 months:

\$
 (Net expenditure equal total money less prizes paid i.e. player losses)

Has an attachment been included? NO YES

If YES, attachment/page number is:/.....

16. Employment

Direct gaming employment from proposal:

(Provide equivalent full-time figures)

In addition, in an attachment, you should detail and describe the amount and type of direct new employment created. For example, number of new full-time or part-time, permanent or casual positions; whether in gaming, hospitality or administration; whether wages or conditions are above the award. Please include details of indirect employment creation.

Has an attachment been included? NO YES

If YES, attachment/page number is:/.....

17. Infrastructure Investment, Development and Maintenance

Please make an estimate. If you cannot, please state 'Unable to accurately determine'.

17.1 Value of new building or renovation works from proposal: \$

17.2 Value of building maintenance contracts from proposal for next 12 months: \$

18. Supply contracts

For new premises this will involve all contracts.

Please make estimate. If you cannot, please state 'Unable to accurately determine'.

18.1 Value of supply contracts to venue for next 12 months: \$

18.2 Estimated proportion to be provided by suppliers from within municipal district: \$

19. Complementary expenditures

For new premises this will include all complementary expenditures.

Please make an estimate. If you cannot, please state 'Unable to accurately determine'.

Value of complementary expenditure for the next 12 months: \$

20. Revenue distribution

In an attachment please provide further comment and information in relation to the net expenditure on gaming machines that remain in the municipal district or return to the municipal district.

Has an attachment been included? NO YES

If YES, attachment/page number is:/.....

21. Tourism

21.1 Estimated impact of gaming on tourism to the municipal district for the previous financial year:

21.2 Estimated impact on tourism from the proposal (first 12 months)

Has an attachment been included? NO YES

If YES, attachment/page number is:/.....



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22. Social, recreational and entertainment opportunities

For each of the relevant sections make an estimate. If you cannot, please state 'Unable to accurately determine'.

22.1 Estimate of funding contributions towards improvements to recreational, entertainment or community facilities from this proposal:
\$

22.2 Estimate of value of sponsorship of sporting activities, social events and live entertainment from this proposal:
\$

22.3 Estimate funding towards opportunities for particular social groups from this proposal:
\$

Please provide further details in an attachment.

23. Social, recreational and entertainment opportunities continued

23.1 Estimate the average number of patrons who may use any part or all of the entire venue weekly:
.....

23.2 Estimate the average number of patrons who may use the gaming facility weekly:
.....

Has an attachment been included? NO YES

If YES, attachment/page number is:/

24. Incidence of problem/residents at risk and demand for community support services

Please provide detail of the proposed venue's responsible gaming practices and harm minimisation strategies in an attachment

24.1 What will be its responsible gaming practices and harm minimisation strategies (Comments could be made on any harm minimisation partnerships with any local agencies)?
Use an attachment to provide your response.

Has an attachment been included? NO YES

If YES, attachment/page number is:/

25. Responsible Gambling environment

In an attachment please outline how the proposal will provide a Responsible Gambling environment, including but not limited to the location and appropriateness of any area or facility designed specifically for children or that could reasonably be expected to be used by children, if applicable.

Venues with any area or facility designed specifically for children or that could reasonably be expected to be used by children, should refer to matters the VCGLR will have regard to outlined in the *Decision-making guidelines – Assessment of children's play areas in gaming premises* when preparing a response to this question.

Has an attachment been included? NO YES

If YES, attachment/page number is:/

26. Evidence and witness statements for public hearing

Expert witness may appear at the hearing and present evidence in support of your application. Written witness statements may also be lodged.

26.1 Any written witness statements which will be relied upon at the public hearing must be provided in an attachment:

26.2 You must provide any other evidence or documents that you intend to rely on or use in the public hearing. This includes documentation of any agreements between the applicant and venues where gaming machines are to be transferred from.

Has an attachment been included? NO YES

27. Qualifications of expert witness

27.1 Qualification details of the witness who completed the Social and Economic Impact statement must be provided in an attachment.

Has an attachment been included? NO YES

If YES, attachment/page number is:/

If you have any questions relating to Part B, please contact the VCGLR.
Phone: 1300 182 457
Email: hearings@vcglr.vic.gov.au

Payment Details

The prescribed fee must accompany this application. Please note that once an application has been registered, the application fee is non-refundable. Note: Go to www.vcglr.vic.gov.au to confirm the current application fee. The application fee can be paid by:

- cheque or money order, made payable to the Victorian Commission for Gambling and Liquor Regulation;
- Credit card (VISA or MasterCard) payment by completing the appropriate details below
-

Payment by credit card

Complete only if paying by credit card.

Visa Mastercard

Amount

Card number

Name of cardholder

Card expiry date

 /

Daytime telephone contact number of cardholder

Signature

Date

 /

Privacy – the VCGLR is committed to responsible and fair handling of personal information consistent with the *Privacy and Data Protection Act 2014* and its obligations under the *Gambling Regulation Act 2003* and the *Liquor Control Reform Act 1998*. This page will be destroyed once your payment has been processed.



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