

Application for approval of premises for gaming

This form is for applications to approve a premises as suitable for gaming.

How to lodge your application

Via post

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

In person

Level 3, 12 Shelley Street
Richmond
Victoria
3121

Via email

contact@vcglr.vic.gov.au



Application for approval of premises for gaming

How your application is assessed

The *Gambling Regulation Act 2003* provides the framework for assessing applications to approve a premises as suitable for gaming. The Commission cannot approve an application unless it is satisfied that:

- the premises are, or on completion of building works will be, suitable for the management and operation of gaming machines (and in particular, the Commission must consider whether the size, layout and facilities of the premises are or will be suitable) and;
- the net economic and social impact of the proposal will not be detrimental to the wellbeing of the community of the municipal district.

Several elements can be relevant to the 'no net detriment' test. Part B of the application form guides you through these elements and asks you for information or evidence about each one.

The application process

- Your application must be given to the local council before being lodged with the VCGLR.
- The local council must notify the VCGLR whether it intends to make a submission within 37 days of being notified by the VCGLR of your application. If they choose to make a submission, it must be made within 60 days of the notification.
- You are free to communicate with the local council during the application process.
- The Commission will hear your application at a public hearing and make reasonable endeavours to decide it within 60 days of the VCGLR:
 - receiving a submission from the local council or
 - being notified by the local council that they will not make a submission.
- You will be invited to attend a public hearing and give evidence in support of your application.

Directions for completing your application

- Unless otherwise indicated, you must complete every question. Incomplete applications will not be considered and will be returned.
- It is an offence to provide false or misleading information.
- If you need to amend your application, you can do this by providing the amended application to the local council and the VCGLR on the same day. You cannot change the number of gaming machines sought if more than 30 days have passed since you provided your original application to the Council.
- Lay and expert witnesses may provide statements and appear at the hearing to present evidence in support of your application. If this application relies on statements from expert witnesses, their qualifications must be attached.
- You are welcome to supply any additional information you consider relevant to the application. If you include attachments that provide information relevant to one of the questions in this form, please note this in your response to the question.



Part A: Applicant details

1. Applicant details

Name:

ABN/ACN:

Address:

Daytime telephone number:

Mobile telephone number:

Email address:

Postal address for service of documents:

2. Authorised representative details

You, as the applicant, must authorise a person or an organisation (such as a legal representative) to access and discuss details about your application.

Name:

Organisation name (if applicable):

Address:

Daytime telephone number:

Mobile telephone number:

Email address:

Postal address for service of documents:

3. Premises details

Name:

Address:

Telephone number:

Email address:



4. Premises ownership

You must provide evidence that you own the property, or if you do not own the property, that you have the owner's approval to submit this application.

Are you the owner of the premises?

Yes

No

If no, do you have the owner's approval to make this application?

Yes

Have you attached evidence of your ownership or evidence of the owner's approval?

Yes

5. Licence held

In order for an approval of premises for gaming to come into force, you must hold a general licence, a club licence or a racing club licence.

What type of licence do you hold, have you applied for or do you intend to apply for?

A general licence under section 8 of the *Liquor Control Reform Act 1998*.

A club licence (full or restricted) under section 10 of the *Liquor Control Reform Act 1998*.

A Racing Club licence under Part 1 of the *Racing Act 1958*.

If applicable, what is your licence or application number?

6. Planning permit

Your application must include at least one of the following types of planning permit evidence. If you do not have a permit and have not submitted a permit application, other evidence must be provided that gaming machines would be permitted under the relevant planning scheme. 'Other evidence' would include a letter from the local Council.

What evidence have you attached to this application?

A copy of a permit issued under the *Planning and Environment Act 1987* permitting the premises to be used for gaming on gaming machines.

A copy of an application that has been made in accordance with the *Planning and Environment Act 1987* for a permit that, if granted, would permit the premises to be used for gaming on gaming machines.

Other evidence that use of the premises for gaming on gaming machines would not contravene the planning scheme that applies under the *Planning and Environment Act 1987*.

7. Venue Operator's Licence (VOL)

In order to operate gaming machines at an approved premises, the premises must be attached to a VOL.

Do you hold a VOL?

Yes

No

If yes, what is the VOL number?

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

Yes

No

If yes, who is the proposed nominee?

8. Premises and gaming area plans

The Commission must not grant an application unless satisfied that the premises are, or on the completion of building works will be, suitable for the management and operation of gaming machines. In particular, the Commission must consider whether the size, layout and facilities are or will be suitable for gaming.



8.1 Premises plan

Please attach a 1:100 scale plan of the premises. The plan must show the location of the gaming machine area within the premises and other services to be provided (for example, bistro, children's play area, bars, sports bars, toilets, outdoor smoking areas).

Have you attached a premises plan?

Yes

8.2 Gaming area plan

Please attach a 1:50 scale plan of the proposed gaming machine area. The plan must show the proposed placement of gaming machines and other services to be provided in or around the gaming machine area (for example, cashier area, bar facilities, toilets, entrances, catering facilities, outdoor smoking areas).

Have you attached a gaming area plan?

Yes

9. Evidence of lodgement with local council

Have you attached evidence that this application has been submitted to the VCGLR within three days of being lodged with the local council?

Yes

10. Public hearing

Your application will be decided at a public hearing unless the Commission decides a private hearing is necessary to prevent the unreasonable disclosure of information relating to any person's personal affairs, or is otherwise in the interests of justice or in the public interest to do so. Your application, including attachments, will also be published on the VCGLR's website.

Do you have any objection to your application, or any part of it, being decided in public?

Yes

No

If yes, please provide reasons for your objection.

Declaration

I, the authorised representative for the applicant, declare that I have read and understood the questions in this application form and the directions for answering them. I declare that I have answered the questions truthfully and completely to the best of my knowledge. I undertake to immediately notify the VCGLR should any information in this application change. I acknowledge that it is an offence to provide false or misleading information.

I understand that by typing my name below, I am deemed to have signed this document.

Authorised representative:

Date (dd/mm/yyyy):



Part B: Economic and social impact

Short responses can be provided in the box directly below the question. If your response exceeds the capacity of the box, you can provide it in an attachment or in the space provided at the end of this form.

If the information requested in this part of the application form is included in an attached expert report, you do not need to replicate the information here. Instead, please note the page and paragraph number where this information is located.

1. Application details

How many gaming machines are you applying for?

What are your proposed operating hours for the gaming room and the rest of the premises? For existing premises, please also note your current operating hours.

2. Location

When assessing the impact of a proposal, the Commission will consider the location and surroundings of the premises.

2.1 Accessibility and alternative venues

Please provide a description of where the premises are located within the municipal district, and in particular, what businesses and facilities are in the immediate vicinity.

What liquor, hospitality, social and/or recreational venues are available nearby for community members who seek an alternative to gaming?

2.2 Proximity to sensitive uses

Sensitive uses refers to places where people who may be more vulnerable to gambling-related harm can be found.

Please describe any sensitive uses located near the premises.

3. Patrons

3.1 Patron profile

Evidence regarding who is expected to attend the premises is used to assess the impact of the proposal. Key information about patrons might include: socio-economic status, gender, age and ethnicity, as well as where they live and work and whether they are customers of other gaming premises in the municipal district. For existing premises, evidence regarding the current patron profile is also relevant.

For existing premises, please describe the current patron profile.

Please describe the expected patron profile of the venue (and the gaming room specifically) if the proposal is approved.

3.2 Catchment area

The catchment area for a premises is the area in which patrons who use the premises are likely to live. Unless evidence is provided to the contrary, the Commission will usually adopt default catchment areas. For premises located in metropolitan Melbourne, the default catchment area is 2.5km. For premises located in regional cities and rural shires the catchment area is 5km. For the City of Greater Geelong, the City of Greater Bendigo, and the City of Ballarat, a 2.5km catchment area generally applies.

What catchment area do you believe applies to your premises?

If you believe the default catchment area does not apply, please explain your reasoning.

4. Gaming competition

Adding new gaming machines to a municipal district can create more competition between gaming venues. Given the benefits consumers derive from competition, the *Gaming Regulation Act 2003* seeks to promote a competitive gaming industry. This section seeks information that will allow for a better understanding of the impact the proposal may have on gaming competition.

4.1 Competitors

Please describe the existing level of gaming machine competition in the catchment area.

4.2 Increased gaming opportunities

If your proposal will provide increased opportunities for those who choose to use gaming machines, this is the section where this information should be provided. Evidence demonstrating demand for the increased gaming opportunities is relevant.

Will the proposal provide increased gaming opportunities?

Yes

No

If yes, please describe how the proposal would provide increased gaming opportunities.

5. Gaming expenditure

Net gaming machine expenditure is the total money spent minus winnings (in other words, the player losses). Your estimate must include expenditure that is expected to be transferred from nearby premises. You will be given the opportunity to discuss transferred expenditure in part 7.1.

What is the anticipated net gaming machine expenditure that would arise from the proposal over the first 12 months?

Please provide your reasoning for this estimate.

6. Related expenditure

6.1 Supply contracts

Supply contracts means any contract between the premises and its suppliers, regardless of whether the contract relates to gaming machines. For existing premises, this includes only the supply contracts that would be directly attributable to the approval of the proposal. If evidence is available regarding the proportion of the supply contracts that would be provided by suppliers from within the municipal district, please provide this information.

We recognise that the value of supply contracts can be difficult to estimate. If no reasonable estimate can be made, you may respond with unable to estimate (or UTE).

Under the proposal, what is the estimated value of supply contracts over the first 12 months?

Please provide your reasoning for this estimate.

6.2 Complementary expenditure

Complementary expenditure is the increased economic activity in the municipal district, excluding gaming expenditure and employment, that will arise if the application is granted.

Internal complementary expenditure refers to any expenditure within the venue that is not related to gaming, such as meals or entertainment. External complementary expenditure refers to expenditure outside the premises but within the municipal district, including tourism. For the purposes of this application, a tourist is someone who travels from outside the municipal district to attend the premises.

We recognise that the value of complementary expenditure can be difficult to estimate, particularly external complementary expenditure. If no reasonable estimate can be made, you may respond with unable to estimate (or UTE).

6.2.1 Internal complementary expenditure

Under the proposal, are there any sources of increased expenditure within the proposed venue that are not related to gaming?

Yes

No

If yes, please describe the source(s).

If yes, please describe the source(s).

If possible, please estimate the value of this external complementary expenditure over the first 12 months. Please provide your reasoning for this estimate.

If possible, please estimate the value of this internal complementary expenditure over the first 12 months. Please provide your reasoning for this estimate.

6.2.2 External complementary expenditure

Under the proposal, are there any sources of increased expenditure within the municipal district but outside the proposed venue that are not related to gaming?

Yes

No

7. Diversion of trade

Diversion of trade refers to the decrease in expenditure within the municipal district that may occur as a result of the proposal.

This factor is related to complementary expenditure, in that increased complementary expenditure may indicate a diversion of trade from other businesses within the municipal district. If you are expecting an increase in complementary expenditure (discussed in part 6.2.1 of this form), then this indicates there will likely be a diversion of trade from non-gaming businesses. Similarly, a high proportion of transferred expenditure can indicate that non-gaming expenditure will also be diverted.

We recognise that the value of diversion of trade can be difficult to estimate, particularly diversion from non-gaming businesses. If no reasonable estimate can be made, you may respond with unable to estimate (or UTE).

7.1 Diversion from other gaming premises

Of the estimated gaming expenditure that would arise from the proposal over the first 12 months (the figure provided in part 5), how much is expected to be expenditure transferred from other gaming venues?

Please provide your reasoning for this estimate.

7.2 Diversion from non-gaming businesses

Under the proposal, are there any sources of increased non-gaming expenditure that could be diverted from other businesses within the municipal district?

Yes

No

If yes, please describe the source(s).

If possible, please estimate the value of this diverted non-gaming expenditure over the first 12 months. Please provide your reasoning for this estimate.

8. Capital works

8.1 Expenditure

If capital works form part of the proposal, please provide information on the nature and extent of the works. Relevant information includes: the nature and timing of the works, how the goods and services will be sourced (and in particular, whether they will be sourced from the municipal district), the funding source and whether it's been secured. For capital works occurring in stages, your response should clearly explain the nature, cost and timing of each stage. Evidence that the works are genuinely contingent on the approval of the application is also relevant.

What is the total value of new building or renovation works associated with the proposal?

If more than zero, please describe the nature of the capital works, ensuring that all relevant information is included.

Will these works occur regardless of the outcome of this application?

Yes

No

8.2 Short-term employment

Use this section to describe any short-term employment associated with the capital works. Relevant information includes the expected salary and length of the employment. If available, please provide any relevant information about whether the works will be undertaken by individuals who live in the municipal district.

How many short-term full time equivalent (FTE) positions would be directly created by the proposal?

Please describe the nature and type of positions that would be created.

8.3 Additional non-gaming services and facilities

If the proposal will result in additional non-gaming services and/or facilities, please list and describe the nature of the services and/or facilities. Relevant information includes: the nature of the additional service or facility, the cost to the user, whether there is evidence for demand, and when it will become available.

Does the proposal result in additional services and/or facilities at the premises?

Yes

No

If yes, please separately list and describe the nature of the services and/or facilities.

9. Ongoing employment

Use this section to describe any ongoing employment that would be created by the proposal. In particular, please provide any details about whether the employment will be undertaken by individuals who live in the municipal district.

How many FTE gaming positions would be created by the proposal?

If more than zero, please describe the nature and type of gaming positions that would be created.



How many FTE non-gaming positions would be created by the proposal?

If more than zero, please describe the nature and type of non-gaming positions that would be created.

10.2 The proposed approach to minimising harm

This section allows you to provide evidence regarding your ability and intent to comply with existing responsible gambling requirements. You may also provide evidence of any practices beyond the regulatory requirements that further demonstrate your commitment to responsible gambling.

Please describe your responsible gaming practices and harm minimisation strategies.

10. Problem gambling and gambling-related harm

The risk of increased gaming expenditure associated with problem gambling, and the harm it causes, is a factor the Commission must consider when assessing the proposal.

10.1 The vulnerability of the municipal district and the catchment area

The Commission primarily refers to the Australian Bureau of Statistics Socio-Economic Indexes for Areas (SEIFA) Index of Disadvantage. However, the Commission will consider other relevant data, metrics and information.

Please describe, using data where appropriate, the level and type of disadvantage and vulnerability within the municipal district and catchment area.

Does the venue include, or will it include, an area designed specifically for children or that could reasonably be expected to be used by children?

Yes

No

If yes, please note any steps that have been taken to ensure compliance with the relevant Guidelines regarding children's play areas.



11. Community wellbeing

The Commission must consider the impact of the proposal on the community's wellbeing, including the community's attitude towards the proposal. The community generally includes those who live or work in the municipal district.

11.1 Community notification

In order for the Commission to decide the impact of the proposal on the community, the community should be notified of the application and given sufficient opportunity to respond. In order for this to occur, the VCGLR recommends that applicants publish a notice in the local newspaper and post a prominent notice at the premises. The recommended text for the newspaper and on-site notice is as follows.

[Applicant] has applied to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) for approval of premises for gaming at **[Premises name and address]** with **[Number]** gaming machines.

If you are a member of the community where the premises are located and would like to make a submission on the application, please visit the VCGLR's website at vcglr.vic.gov.au/gaming-machine-applications. If you don't have internet access, you can make a submission by calling 1300 182 457.

Have you published a notice in the local newspaper?

Yes

No

Have you posted a notice outside the premises?

Yes

No

Please attach evidence of any steps you have taken to notify the community of your proposal.

11.2 Community attitude surveys

Have you conducted a community attitude survey in relation to the proposal?

Yes

No

If yes, please summarise the survey methodology and the results. Please also attach the survey.

11.3 Feedback from businesses, individuals or organisations

Have you received any feedback from businesses, individuals or organisations in relation to the proposal?

Yes

No

If yes, please attach the feedback.



12. Community contributions

A community contribution is any benefit granted to members of the community in which the premises are located. The Commission does not solicit or unilaterally impose community contributions. You are free to decide whether to include community contributions as part of your proposal.

Please outline any community contributions you propose to put to the Commission should your application be approved.

13. Conditions

Please outline any conditions you would propose to attach to this proposal should your application be approved.

Are any conditions included within the proposal?

Yes

No

If yes, please list and describe each condition separately.

Fee payment

IMPORTANT INFORMATION

Applications must be accompanied by the relevant fee. Please note that once an application has been registered, the application fee is non-refundable. To confirm the current fee, refer to the 'Gambling fees' fact sheet on our website. 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 at the VCGLR's office at Level 3, 12 Shelley Street, Richmond; or
- credit card by completing the appropriate details below.

Payment by Credit Card

Complete only if paying by credit card.

Visa Mastercard

Amount (\$):

Name of Cardholder:

Card number:

Card expiry date:

/

Daytime contact number of cardholder:

By typing my name below I am confirming I am authorised to make this payment.

Signature:

Date (dd/mm/yyyy):

Privacy – the VCGLR is committed to responsible and fair handling of personal information consistent with the *Policy 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.