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Sponsor/Group:	City Growth

Hamilton City Council
Te kaunihera o Kirikiriroa

CLASS 4 GAMBLING VENUE POLICY

Purpose

1. To control the growth of Class 4 gambling venues.
2. To minimise the harm caused by Class 4 gambling.

Definitions

Adjacent	Allotments sharing one or more common boundaries
Allotment	a) any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not:- i). the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or ii). a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or b) any parcel of land or building or part of a building that is shown or identified separately:- i). on a survey plan; or ii). on a licence within the meaning of Part I of the Companies Amendment Act 1964; or c) any unit on a unit plan; or d) any parcel of land not subject to the Land Transfer Act 1952.
Class 4 Gambling Venue	a building located on one or more contiguous allotments at which gambling machines are located, or for the purposes of application at which it is proposed that gambling machines be located
Gambling Machine	As defined in the Gambling Act 2003
Premises	A building in which a Class 4 gambling venue is located
Private Club	In this context meeting the criteria of operating as a club as defined in Section 65 (3), in the Gambling Act 2003
Society	A corporate society as defined in the Gambling Act 2003 (including reference to Section 33), which has an operator's licence for Class 4 gambling machines.

Policy

3. To be considered for a venue consent under this policy, the primary activity of a venue must be either for:
   a. the sale of alcohol or, the sale of alcohol and food where the venue is subject to an on licence (but not being a bring-your-own licence) or club licence; or
   b. the conducting of race and sports betting in standalone, alcohol free New Zealand Racing Board venues under the Racing Act, 2003 subject to compliance with s 33(3) of the Gambling Act 2003..

4. Council will not grant consent for the establishment of any new Class 4 gambling venues or machines except in the following circumstance(s):
   a. Where two or more private clubs merge and consolidate the operation of their class 4 gambling activities at a single ~~existing~~ gambling venue that is located within a Gambling Permitted Area (Schedule 1); or
   b. Where a society undertakes to permanently close an existing Class 4 gambling venue located inside of a Gambling Permitted Area as part of an application for new Venue Consent and the proposed new Class 4 gambling venue is located within a Gambling Permitted Area (outlined in Schedule 1).
   ~~b.~~c. Where a society undertakes to permanently close an existing Class 4 gambling venue located **outside** of a Gambling Permitted Area as part of an application for a new Venue Consent and the proposed new Class 4 gambling venue is located within a Gambling Permitted Area (outlined in Schedule 1).

5. This relocation policy only applies:
   a. Where the applicant surrenders the existing venue licence (with the Department of Internal Affairs) for the existing venue, and
   b. The application meets all other provisions of this policy.

Location restrictions

6. If the proposed gambling venue premises is located **within the Central City** (Map 4, Schedule 1):
   a. the premises must not be adjacent to any other Class 4 gambling venue or casino; and
   b. must not be adjacent to any school, or early childhood centre; and
   c. must not be closer than 100 metres (in a straight line) to any residentially or special character zoned land or community facilities zoned land as outlined in the Hamilton City Proposed District Plan (or resulting Operative District Plan).

7. If the proposed gambling venue premises is located **outside of the Central City** (Maps 1,2,3,5,6,7,8,9, Schedule 1):
   a. the premises must not be within 50m (in a straight line) of the principal entrance of any other Class 4 gambling venue or casino; and
   b. must not be adjacent to any school, or early childhood centre; and
   c. must not be closer than 100 metres (in a straight line) to any residentially or special character zoned land or community facilities zoned land as outlined in the Hamilton City Proposed District Plan (or resulting Operative District Plan).

Number of machines

8. On the relocation of a Class 4 gambling venue, the maximum number of machines permitted to operate at the new Class 4 gambling venue at the time when the new Class 4 gambling venue licence takes effect is the same as the maximum number of gaming machines permitted to operate at the old venue immediately before the licence relating to the old venue is cancelled (as prescribed in Section 97A of the Gambling Act 2003).

9. Two or more private clubs which merge may consolidate the number of gambling machines being operated at the merged private club venue to the lesser of:
    a. 24 gambling machines or
    b. the sum of the number of gambling machines previously operated by each private club individually.

Application and Fees

10. Applications for a Venue Consent must be made on the approved form.
11. Application fees and charges will be set annually through the Annual Plan (fees schedule) process

Exemptions from Meeting Parts of the Policy

12. Where a legally established venue is required to apply for a venue consent at a new site because its existing site has been rendered physically incapable of being reused for the purpose of the venue (meaning a fire, earthquake or similar event), Council will consider the application under clause 6 and 7 of the venue policy for venue consent. The consent shall allow for up to the number of gambling machines the venue was licenced for immediately prior to the cessation of activity.

SCHEDULE 1 – GAMBLING PERMITTED AREAS

The Gambling Permitted Area is indicated by the grey shaded areas of the following maps:

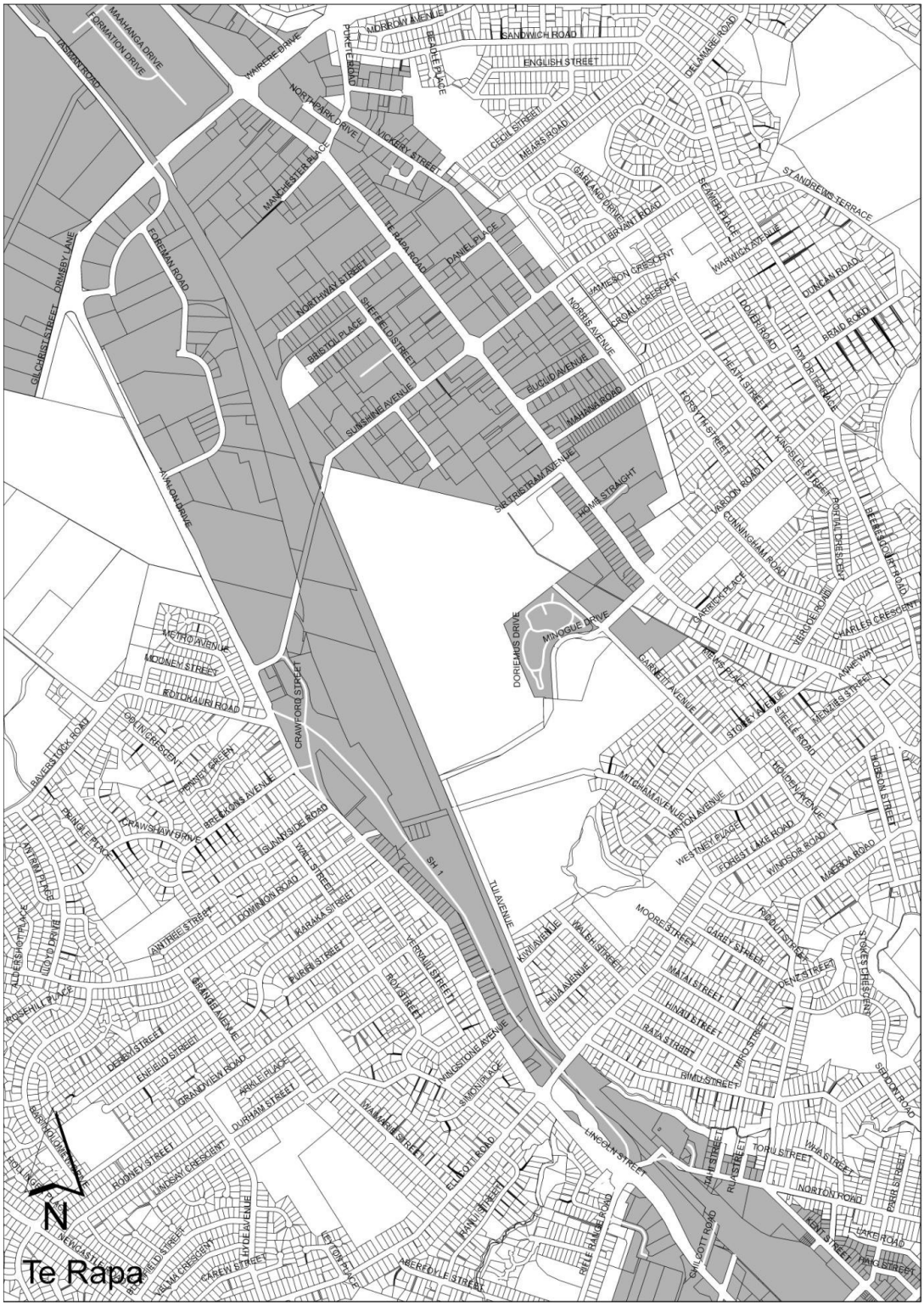
- Map 1 - Gambling Permitted Area Northern Te Rapa
- Map 2 - Gambling Permitted Area Southern Te Rapa
- Map 3 - Gambling Permitted area Frankton Industrial
- Map 4 - Gambling Permitted Area Central City
- Map 5 - Gambling Permitted Area Hamilton East
- Map 6 - Gambling Permitted Area Frankton Commercial
- Map 7 - Gambling Permitted Area Dinsdale
- Map 8 - Gambling Permitted Area Claudelands
- Map 9 - Gambling Permitted Area –Chartwell

MAP 1

Gambling Permitted Area, Northern Te Rapa

MAP 2

Gambling Permitted Area, Southern Te Rapa

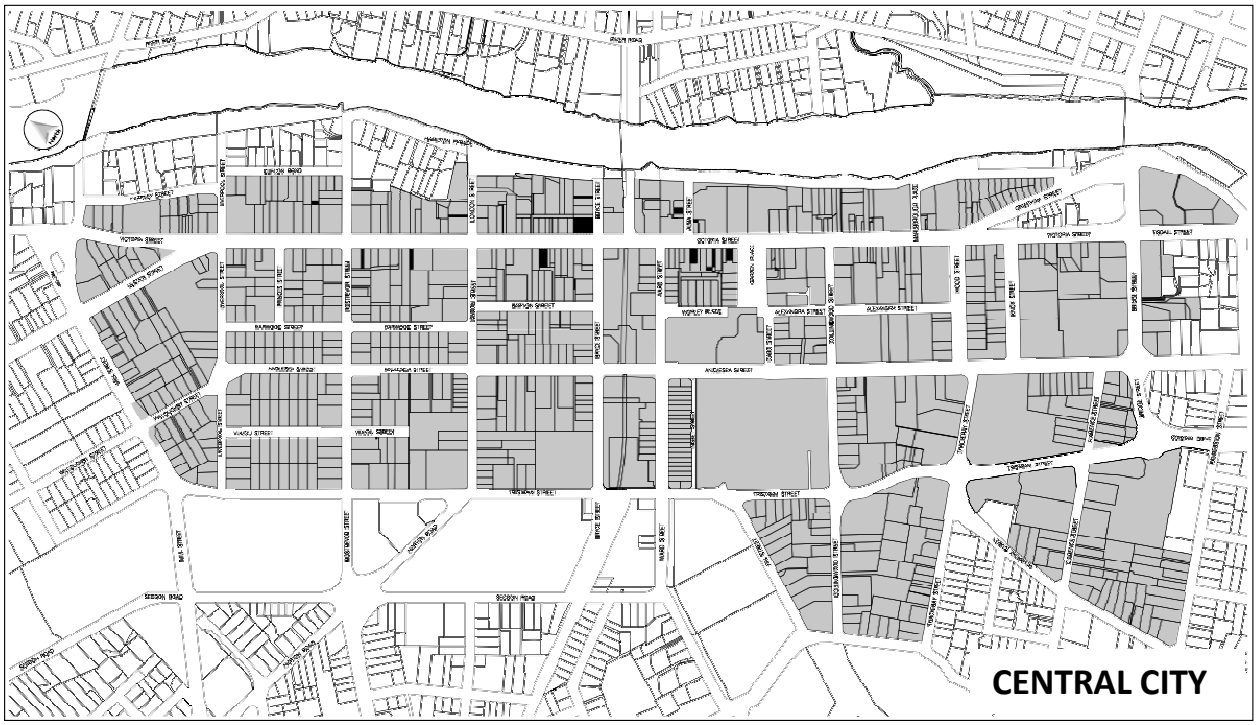


MAP 3

Gambling Permitted Area, Frankton Industrial

MAP 4

Gambling Permitted Area, Central City



MAP 5

Gambling Permitted Area, Hamilton East

MAP 6

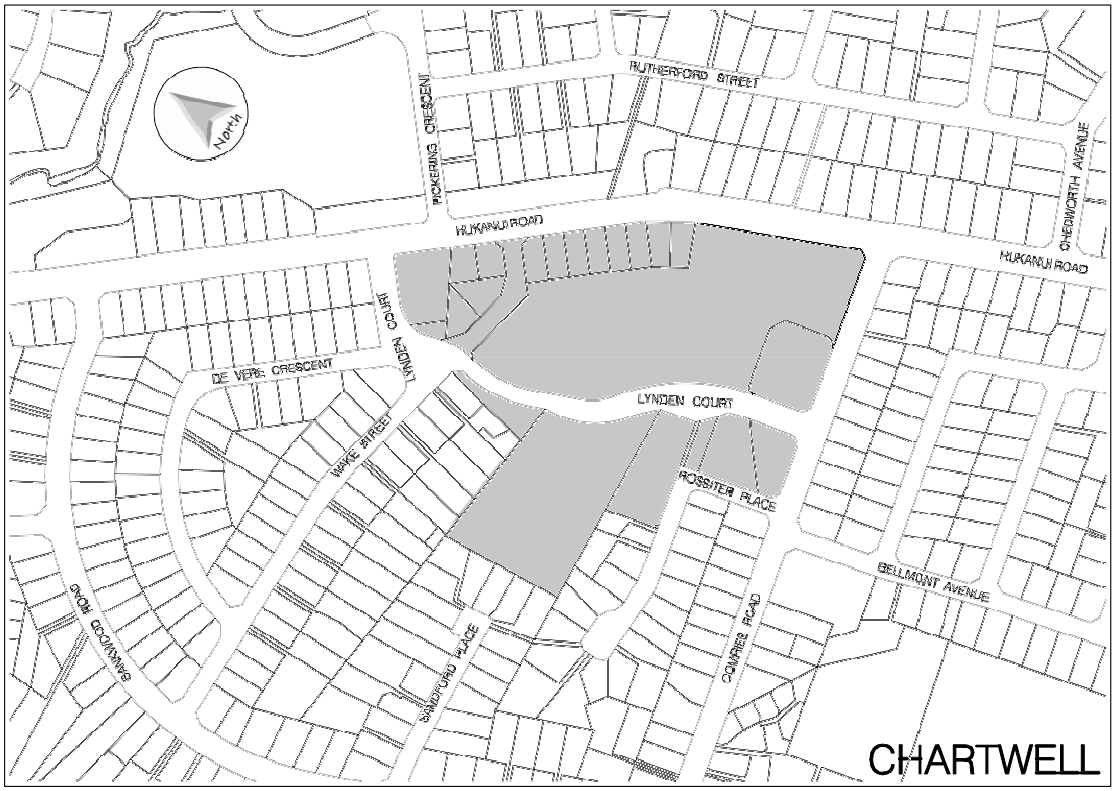
Gambling Permitted Area, Frankton Commercial

MAP 7

Gambling Permitted Area, Dinsdale

MAP 8

Gambling Permitted Area, Claudelands

MAP 9

Gambling Permitted Area, Chartwell