



HAMILTON CLASS 4 GAMBLING VENUE POLICY

STATEMENT OF PROPOSAL

MAY 2019

Hamilton City Council is seeking feedback on the proposed Class 4 Gambling Venue Policy (Class 4 Policy).

The proposed Class 4 Policy regulates the location and number of venues and clubs that have gambling machines (venues) within Hamilton.

WHY ARE WE DOING THIS?

The Gambling Act 2003 (the Act) requires the Council to have a Class 4 Policy. The Council has resolved to review its existing Class 4 Policy prior to its scheduled review date (September 2019).

QUICK FACTS

WHAT IS THE MAIN PURPOSE OF THE CLASS 4 POLICY?

The Council is required by legislation to create a Class 4 Policy that:

- must specify whether new venues may be established and, if so, where they may be located,
- may specify any restrictions on the maximum number of gaming machines that may be operated at class 4 venues; and
- may include a relocation policy.

HOW DOES THE CLASS 4 POLICY WORK?

The Class 4 Policy outlines the process that the Council will follow in relation to an application for a new venue consent.

WHAT VENUES DOES THE CLASS 4 POLICY APPLY TO?

The Class 4 Policy applies to any application for a new venue consent upon a request to relocate. It does not regulate existing venues that do not wish to change their location.

OPTIONS

In compliance with the LGA, the Council provides two options. If you think the policy should be kept as is, or amended, then the Council would like to know why.

OPTION A: RETAIN THE EXISTING CLASS 4 POLICY

This would mean the existing Council policy position remains in place until it is reviewed (September 2022).

Relocations

- Outside of a non-permitted gambling area into a permitted gambling area.
- Within a permitted gambling area if the:
 - o venue is physically incapable of being reused for the purpose of the venue
 - o landlord refuses to renew a lease-building deemed earthquake-prone, dangerous or insanitary.
- Further relocation restrictions in relation to:
 - o other venues
 - o the Casino
 - o schools/early childhood centres
 - o Residential/Special Character/Community Facilities Zones.

Example 1: A venue outside of a gambling area can currently relocate to anywhere within a gambling area (subject to relocation restrictions above e.g. cannot be within 100 metres of a residential zone).

Example 2: If a landlord increases the rent of a venue site, a venue will not be able to relocate.

Example 3: If a venue site inside of a gambling area is destroyed due to a fire it will be allowed to relocate within 50 metres of another venue (subject to relocation restrictions above e.g. cannot be within 100 metres of a residential zone).

Example 4: A venue outside of a gambling area will not be allowed to relocate next to another venue even if it is within a gambling area.

Club Mergers

- Permitted for a combined venue within the gambling area.
- Max or lesser:
 - o 24 machines
 - o sum of machines previously operated by each club.

Example: two clubs with nine machines each are currently allowed 18 machines at a new combined club

OPTION B: ADOPT THE PROPOSED CLASS 4 POLICY

The proposed policy would mean no relocations or mergers are permitted.

Relocations

- No relocations permitted.

Example: A venue site that is destroyed due to a fire will not be permitted to relocate to another venue site.

Club Mergers

- No club mergers permitted

Example: A club that is destroyed due to a fire will not be permitted to merge its gambling operations with another club

TELL US YOUR THOUGHTS ON THE CLASS 4 POLICY

Before making any final decisions, we'd like to have your input.

HOW TO GIVE FEEDBACK:

- Fill out a feedback form online at hamilton.govt.nz/haveyoursay
- Fill out the feedback form included in this Statement of Proposal and send to:
Hamilton City Council, c/- Communication and Engagement, Private Bag 3010, Hamilton 3240.
- Fill out the feedback form and deliver it to the Municipal Building Reception or any branch of Hamilton libraries.

Feedback forms and the proposed Class 4 Policy are available from all Hamilton libraries, and from the Ground Floor reception of the Council's Municipal Building in Civic Square.

For any queries please ring 07 838 6699 or email haveyoursay@hcc.govt.nz

NEXT STEPS

Staff will collect and analyse all feedback at the close of the submission period.

The feedback analysis will be presented to the 20 August 2019 meeting of the Regulatory and Hearings Committee. At this meeting, submitters who want to speak to their written submission will be able to do so.

The Council will then consider all the views and make a decision on the Class 4 Gambling Venue Policy in September 2019.

FURTHER INFORMATION

Hamilton City Council
Garden Place, Private Bag 3010, Hamilton



haveyoursay@hcc.govt.nz



07 838 6699 (24-7)



hamilton.govt.nz/haveyoursay



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