

Gaming machine entitlement lease transfer – hotel with GMT increase and LIA not required

Liquor & Gaming NSW

Before you complete this form

What this form is for

This application form is for two hotels entering into a leasing arrangement to transfer one or more gaming machine entitlements (GMEs) and where:

- ▲ the lessee hotel (the hotel to which the GMEs are being transferred) requires a Gaming Machine Threshold (GMT) increase and
- ▲ where a local impact assessment (LIA) is not required to lease out GMEs.

What you need to know

- ▲ If you will be increasing the availability of gaming after midnight you may be captured by Guideline 16 - Late-night gaming applications, which sets out additional factors that the Independent Liquor & Gaming Authority may consider when reviewing applications involving late-night gaming.
- ▲ Under section 36 of the *Gaming and Liquor Administration Act 2007* and section 307A of the *Crimes Act 1900* it is an offence to provide false or misleading information in this application.
- ▲ To be eligible to be a lessor hotel a hotel must have a Gaming Machine Threshold (GMT) of less than or equal to 10.
- ▲ An eligible hotel can lease all of its GMEs.
- ▲ A copy of the signed Model Lease must be submitted with this application form.
- ▲ If you are leasing GMEs you must have sufficient GMT for the premises to which the GMEs are being transferred. If you do not have the correct GMT you will need to apply for it, this may or may not require a Local Impact Assessment (LIA).

Note

An LIA **is not** required where the GMT increase application is made at the same time as the lease transfer and the lessee hotel:

- ▲ is situated in a Band 1 Statistical Area Level 2 (SA2) and the GMT increase (if approved) when added to the total of all other GMT increases approved over the previous 12 months, is 20 or less.
- ▲ is located in the same SA2 as the hotel from which the GME/s are leased.
- ▲ is located in the same Local Government Area (LGA) from which the GME/s are leased, and the SA2 Band the lessor hotel is located is the same or higher than the SA2 Band where the lessee hotel requesting the GMT increase is located.
- ▲ is located in adjoining SA2s (whether or not in the same LGA) as the hotel from which the GME/s are leased, and the SA2 Band of the lessor hotel is the same or higher than the SA2 Band of the hotel requesting the GMT increase.

A class 1 LIA is required where the Hotel is in a Band 1 LSA and

- ▲ Increases granted over the past 12 months total more than 20
- ▲ Proposed increase is between 21 and 30 (irrespective of any previous approved increases)

The Hotel is in a Band 2 LSA and the increase sought is less than 21

Class 2 LIA is required where the hotel is seeking a GMT increase of:

- ▲ More than 20 in a Band 2 LSA.




How to lodge this form

@ gaming.applications@liquorandgaming.nsw.gov.au
Include 'GMTXLH Gaming machine entitlement lease transfer – hotel with GMT increase and LIA not required' in the subject line.

Please provide all pages of this application, your payment, and supporting documents.

There's no need to attach these introduction pages.

Need more information?

 liquorandgaming.nsw.gov.au
 [Contact us online](#)
 1300 024 720

continue overleaf

Before you complete this form *continued*

Cost

- ▲ The fee for this application is available in the [gaming machine licence and application fee schedule](#).
- ▲ No GST applies.
- ▲ A levy of 5% of the lease amount (rounded to the nearest dollar) or \$1,000 per lease for each year the lease operates (whichever is higher), is payable by the lessee (hotel receiving the GMEs). You will be invoiced for this amount when your application is assessed.

Pre-lodgement checklist

Please ensure you have filled out the relevant sections. If information is missing, processing this application will be delayed and the application may be withdrawn.

- ☐ Have you answered all questions in Parts 1 to 5?
- ☐ Have you read and signed Part 6?

I have attached:

- ☐ Additional pages for interested parties

Your privacy

We will handle your personal information in accordance with the *Privacy and Personal Information Protection Act 1998*. It is being collected by Liquor & Gaming NSW and will be used for the purpose of processing your application and may be disclosed to other Government agencies for this purpose. General information about your application may be published on an electronic noticeboard and information about the application, if granted, on a public register. Providing this information is voluntary, but where relevant information is not provided this may lead to your application being refused, delayed or not further considered. You have the right to request access to, and correct details of, your personal information held by us. You can access further information on privacy at liquorandgaming.nsw.gov.au.

How this request will be processed

When this request has been processed, all venues involved will receive a copy of their updated licence documents by email.

Explanation of terms

Term	Definition
Applicant	The person or organisation qualified to make this application. The applicant may nominate a legal or other representative to be their contact person regarding this application.
Gaming machine	A gaming machine, also known as a poker machine or a 'pokie', is an electronic device designed for gambling.
Gaming machine entitlement or poker machine permits	A venue must hold a gaming machine entitlement (GME) or poker machine permit (PMP) (hotels only) for each gaming machine operated.
Gaming machine threshold	The gaming machine threshold (GMT) is a number which limits how many gaming machine entitlements (GMEs), and for hotels, poker machine permits (PMPs) – that a club or hotel licence can hold. A venue must have a GME or PMP for each gaming machine operated. A hotel's GMT cannot exceed 30.
Local impact assessment	A local impact assessment (LIA) may be required when a hotel or registered club applies to increase its gaming machine threshold to operate more gaming machines, or where a hotel or club changes location.
LIA public register	Details of determined and pending local impact assessments are available on the LIA public register on the L&GNSW website. The register contains a list of LIAs that clubs and hotels have lodged, together with an application to increase the GMT.

Gaming machine entitlement lease transfer – hotel with GMT increase and LIA not required

Liquor & Gaming NSW

OFFICE USE ONLY

GMTXLH

By	<input type="checkbox"/> Email
Date lodged	<input type="text" value="DD / MM / YYYY"/>
Amount paid	<input type="text" value="\$"/>
Receipt no.	<input type="text"/>
Application no.	<input type="text"/>
Finalised by	<input type="text"/>
Date finalised	<input type="text" value="DD / MM / YYYY"/>
Notification issued	<input type="text" value="DD / MM / YYYY"/>

Part 1 Guideline 16 Late-night gaming applications

Are you licensed to trade past 2am any day?

- ☐ Yes
- ☐ No

Are you licensed to trade past midnight any day and are in a Band 3 SA2?

- No ☐
- Yes ☒

If Yes, describe how you will meet the requirements of [Guideline 16 - Late-night gaming applications](#)

Part 2 The hotel leasing the GME requires a GMT increase

The lessee hotel leasing the GME requires a Gaming Machine Threshold increase and the lessee hotel requesting the GMT increase is located in: (Please tick one of the following)

- ☐ a Band 1 Statistical Area Level 2 (SA2) and the GMT increase (if approved) when added to the total of all other GMT increases approved over the previous 12 months, is 20 or less.
- ☐ the same SA2 as the hotel from which the GME/s are leased.
- ☐ the same Local Government Area (LGA) from which the GME/s are leased, and the LSA Band where the transferring hotel is located is the same or lower than the SA2 Band where the lessee hotel requesting the GMT increase is located.
- ☐ adjoining local statistical areas (whether or not in the same LGA) as the hotel from which the GME/s are leased, and the LSA Band of the transferring hotel is the same or lower than the LSA Band of the lessee hotel requesting the GMT increase.

If none of these options is applicable to you, this application form is not the correct form for your circumstances. To find out more, including which application form to complete, search the gaming machine entitlement leasing forms at liquorandgaming.nsw.gov.au

Part 3 The Lessee (hotel leasing in the GMEs)

Premises number

LIQ

Premises name

Premises address

Suburb/town/city

continue overleaf

State Postcode

Local Government Area (LGA)

SA2

SA2 Band (select one)
☐ 1 ☐ 2 ☐ 3

Daytime phone

Email

Current gaming machine threshold for premises

Proposed increase in GMT for premises

Proposed new GMT for premises

What is the total internal floor space of the premises in square metres?

Is the premises a new hotel?
 No ☐
 Yes ☐

If Yes, please provide a map showing the location of the relevant venue and the location of any school, place of public worship or hospital within 200 metres of the venue.

Are the premises part of, or adjoining, a retail shopping centre as defined in section 4 of the *Gaming Machines Act 2001*?
 No ☐
 Yes ☐

If Yes, what are the name and address of the current or proposed shopping centre?

Part 4 The lessor (the hotel leasing out the GMEs)

Do you have a GMT of more than 10?
 Yes ☐ You are ineligible to participate in a GME leasing arrangement.
 No ☐

Premises number

LIQ H

Premises name

Premises address

Suburb/town/city

State Postcode

Local Government Area (LGA)

SA2

SA2 Band (select one)

☐ 1 ☐ 2 ☐ 3

Name of licensee

Signature of licensee

No. of GMEs to be transferred

Lease price \$A (incl GST)

continue overleaf

Part 5 Interested parties in lessor hotel

The entitlement transfer application must be supported by all people with a financial interest in the hotel(s) licence selling the GMEs.

A person is taken to have a financial interest in a licence if the person is entitled to receive any income derived from the business carried on under the authority of the licence or any other financial benefit or financial advantage from the carrying on of the business (whether the entitlement arises at law or in equity or otherwise).

A person is not considered as having a financial interest in a hotel licence by reason only of being the owner of the hotel. The undermentioned financially interested people support this transfer (of the hotel selling the GMEs):

Premises number

LIQ

Name of financially interested person

Nature of financial interest

Signature of financial interest person

Date

Premises number

LIQ

Name of financially interested person

Nature of financial interest

Signature of financial interest person

Date

Premises number

LIQ

Name of financially interested person

Nature of financial interest

Signature of financial interest person

Date

Premises number

LIQ

Name of financially interested person

Nature of financial interest

Signature of financial interest person

Date

If insufficient space, copy this page and complete for the additional interested parties and attach to this application.

continue overleaf

Part 6 Applicant declaration

- ▲ I declare that I am 18 years or older and I am authorised to lodge this application.
- ▲ I declare that the contents of this application including attachments are true, correct and complete and that I have made all reasonable inquiries to obtain the information required to complete the application.
- ▲ I undertake to immediately notify Liquor & Gaming NSW of any change to the information in this application, if the information changes before the application is determined.
- ▲ I acknowledge that under section 36 of the *Gaming and Liquor Administration Act 2007* and section 307A of the *Crimes Act 1900* it is an offence to provide false or misleading information in this application.
- ▲ I acknowledge that failure to provide all required information may result in refusal of the application.
- ▲ I understand that specific details I have supplied in this application may be 'personal information' under the *Privacy and Personal Information Protection Act 1998*. Personal information is any information or opinion that identifies an individual, or enables someone to identify an individual.
- ▲ I declare that this application is made with the consent of all financially interested persons in the lessor hotel licence.
- ▲ I acknowledge that Liquor & Gaming NSW is collecting information to enable processing of the application. I also understand that they will use the information for its intended purpose only, store the information securely, and allow me to access and update the information. When processing this application, they may need to disclose personal information to other Government agencies.

Name of licensee/manager of lessee hotel

Signature of licensee/manager of lessee hotel

Date

If the application is lodged by a legal or other representative, tell us:

Are you representing the lessee or lessor?

Name of representative

Representative's business name

Email

Contact phone daytime

Address for correspondence

Suburb/town/city

State

Postcode

Part 7 Payment for this application

The fee for this application is available in the [gaming machine licence and application fee schedule](#). Fill in the fee below.

Payment amount \$

Pay by credit card or PayPal® using the following link:

www.liquorandgaming.nsw.gov.au/applicationpayments

▲ Step 1

Click on the link or type the URL into your web browser

▲ Step 2

Follow the instructions online to complete the payment

▲ Step 3

When the lodgement fee is paid online you will receive a receipt number. Please record the receipt number below before lodging the application. Not providing this information may result in delays in processing your application.

Receipt number:

Part 7A Payment of the Lease Levy

A levy of 5% of the lease amount (rounded to the nearest dollar) or \$1,000 per lease for each year the lease operates (whichever is higher), is payable by the lessee (hotel receiving the GME's). You will be invoiced for this amount when your application is assessed.