



Policy

on

Gambling

Venues

30 September 2008

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1.0 Policy Summary

- 1.1 This policy details the approach taken by Waitomo District Council (WDC) to controlling the number, nature and location of gambling venues within the District as required by the Gambling Act 2003.

2.0 Policy Background

- 2.1 The Gambling Act 2003 (the Act) came into force in September 2003.
- 2.2 The Act has four key objectives:
1. To control the growth of gambling.
 2. To prevent and minimise the harm caused by gambling.
 3. To ensure that money from gambling benefits the community.
 4. To ensure community involvement in decisions about the provision of gambling.
- 2.3 The Act requires WDC to have regard to the social impact of gambling within the District.
- 2.4 The Act allows WDC to control the number, nature and location of Class 4 gaming and Totalisator Agency Board (TAB) venues within the District.
- 2.5 WDC is required to develop a Class 4 and TAB venue policy.
- 2.6 The Act requires new Class 4 gambling venues within the District to obtain a venue consent from WDC as a prerequisite for obtaining a Class 4 venue licence from the Department of Internal Affairs.
- 2.7 WDC acknowledges that gambling may create social problems in the community.

3.0 Definitions

- 3.1 **The Act** shall mean the Gambling Act 2003.
- 3.2 **Council** shall mean the elected members that form the governing body (Council) of the District Council.
- 3.3 **Waitomo District Council (WDC)** shall mean the organisation established to administer Council affairs, conduct operations and bring effect to Council policy and strategies.
- 3.4 **Plans** shall mean Council's Annual Plan, District Plan and Long Term Council Community Plan (LTCCP) or Strategic Plan.
- 3.5 **Class 4 Gambling** shall have the meaning contained in Section 30 of the Act.
- 3.6 **Class 4 Venue** shall mean a place used to conduct Class 4 gambling as outlined in the Gambling Act 2003.
- 3.7 **Gaming Machine** shall mean a device, whether totally or partly mechanically or electronically operated, that is adapted or designed and constructed for use in gambling.
- 3.8 **Harm** means harm or distress of any kind arising from, or caused or exacerbated by, a persons gambling.
- 3.9 **Venue Consent** shall mean approval from the WDC to establish a Class 4 gaming venue within the District.
- 3.10 **Venue Licence** means a Class 4 venue licence.

- 3.11 **District** shall mean the Waitomo District as constituted under Schedule 2 of the Local Government Act 2003.

4.0 Policy Statements

- 4.1 WDC will allow those who are legally entitled to participate in Class 4 gambling to do so within the District.
- 4.2 WDC will control the growth of Class 4 gaming machine numbers within the Waitomo District.
- 4.3 WDC will prohibit the establishment of Class 4 gaming venues adjacent to or directly opposite any kindergarten, early childhood centre, school or place of public worship.
- 4.4 WDC will not consent to any gaming venue increasing the number of gaming machines it is currently operating.
- 4.5 WDC will allow new Class 4 venues to operate a maximum of 5 gaming machines.
- 4.6 The primary activity of any Class 4 gaming venue shall be:
- Clubs for sporting activities or
 - Chartered Clubs or
 - Businesses engaged in the sale of liquor or businesses engaged in the sale of liquor and food for consumption on the premises or
 - TAB agency outlets
- 4.7 In the event of two or more Class 4 gaming venues merging premises, a new venue consent shall be required. Notwithstanding other Council requirements for a venue consent, the venue shall be limited to a total number of gaming machines not exceeding the maximum number allowable for either of the former venues.
- 4.8 Gaming machines must not be the primary activity of any venue used for gaming.
- 4.9 Gaming machines and or signage relating to or promoting gambling must not be visible from any public place outside the venue.
- 4.10 WDC will consider its position in regard to the social impact of gambling within the District at all reviews of this policy.

5.0 Procedures

- 5.1 Applications for a venue consent must be made on the approved form and must be accompanied by the information required by WDC to enable it to consider the application in detail.
- 5.2 WDC will set a venue consent application fee that shall include consideration of:
- the cost of processing the application
 - the cost of triennially reviewing the Class 4 gambling venue
 - a contribution towards the cost of triennial assessments of the economic and social impact of gambling in the District
- 5.3 WDC shall review this policy at least every three years.