

COUNCIL POLICY

TITLE: GAMBLING VENUES

MEETING: Council

EFFECTIVE DATE: 25 May 2010 (revised 30 November 2010)

FILE REFERENCE: 110800

MINUTE BOOK PAGE(S): 37132 - 37146

1. POLICY OBJECTIVES

- 1.1 To provide a framework for transparent and consistent decision making about gambling consents in the Kawerau District
- 1.2 To contribute to the well-being of the Kawerau Community by:
 - Reducing the number of Class 4 venues; and
 - Reducing the number of electronic gaming machines; and
 - Increasing the distance between gambling venues and between gambling venues and residential areas.

2. POLICY STATEMENT

2.1 Primary activity of Class 4 gambling venues

The primary activity of a Class 4 gambling venue shall be:

- i. Sporting activities, or
- ii. The sale of liquor or liquor and food, or
- iii. A New Zealand Racing Board venue.

2.2 Applications

2.2.1 All applications for Council consents must be made on the approved form and must provide:

- i. Name and contact details for the application.
- ii. Street address of premises proposed for the Class 4 gambling venue licence.
- iii. The names of all management staff.
- iv. Evidence of recent police approval for owners and managers of the venue.
- v. Details of liquor licence(s) applying to the premises.

2.3. Application Fees

Application fees will be set by Council from time to time, and shall include consideration of:

- i. The cost of processing the application, including any consultation and hearings involved.
- ii. The cost of triennially reviewing the Class 4 gambling venue and NZ Racing Board venue policy.
- iii. The cost of Council's part, if any, in inspecting Class 4 gambling venues to ensure compliance with consent or licence conditions.
- iv. A contribution toward the cost of assessments of the economic and social impact of gambling in the District, which may occur at any time, but will occur at least once every six years.

2.4 Number of Class 4 gambling venues and NZ Racing Board venues

Council will issue no consent for any new Class 4 gambling venue or NZ Racing Board venue to operate in the District in addition to the number operating at the date on which this policy was made.

2.5 Number of gaming machines

2.5.1 Council will issue no new consents for any additional machines to be operated in the District.

2.5.2 Council will issue no consent to increase the number of machines operating at any existing venue above the number operating at that venue as notified to the Department of Internal Affairs in September 2003 under the Gambling Act 2003. This means that the total number of machines operating in the District will therefore be capped at a maximum of 73.

2.5.3 Subject to the provisions of clause 2.5.2 above, as the opportunity arises through a society surrendering or otherwise ceasing to hold its Class 4 venue licence, the cap on the number of gaming machines operated within the District will be reduced.

2.6 Relocation of Class 4 gambling venue

2.6.1 Under the Gambling Act 2003, each licence to operate Class 4 gambling machines is attached to a specific venue. Where an operation is relocated to a different venue, that venue is regarded as a new venue and a new licence from the Department of Internal Affairs is required.

Before a new licence to operate is issued, Council consent is required. Council may, at its discretion, grant a consent for a Class 4 gambling venue to relocate to a new venue. Any consent would be conditional upon the new venue meeting the following conditions:

- i. Being located in the Commercial Zone Area 1 (commonly referred to as the CBD), other Commercial Zones (commercially zoned areas 2 and 3) or the Industrial Zone.
- ii. Having no more machines than the number specified by Council (that number shall not exceed nine machines or the number operated at the previous venue, whichever is the lesser).
- iii. Not exceeding the overall district cap (maximum) of five Class 4 gambling venues.
- iv. Being no closer than 50 metres to any residential zone.
- v. Not being a venue at which the primary activity is associated with family or children's activities.
- vi. Being no closer than 50 metres to any venue at which the primary activity is associated with family or children's activities.
- vii. Meeting the standards of the District Plan for the zone within which it is located.

2.6.2 In exercising discretion under clause 2.6.1 above, Council will have regard to the following:

- i. Accidental destruction of the existing venue, for example by fire, flood, earthquake or other event beyond the control of the licence holder.
- ii. The new venue being located further from family or children's activities than the existing venue.
- iii. Where a licence holder proposes to reduce the number of gaming machines in the new venue.

- iv. Where the relocation is part of a comprehensive redevelopment proposal that in the opinion of Council would improve the appearance of the area or otherwise improve the social and/or economic outcomes for the Community.
- v. Any other factors that Council considers relevant.