

**COUNCIL POLICY**

**TITLE: GAMBLING VENUES POLICY**

**MEETING: Council**

**DATE: 25 May 2010**

**FILE REFERENCE: 110800**

**MINUTE BOOK PAGE(S):**

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**A. POLICY OBJECTIVES**

- To facilitate Council's Vision "*To provide the people of Kawerau with a quality of life that is second to none,*" and
- To give effect to the Community Outcome themes relating to safety and health, by allowing those who wish to participate in gaming machine or Totalisator Agency Board (TAB) gambling to do so within the District, whilst:
  - i. Reducing the number of Class 4 venues and TABs in the District via a sinking lid policy, and
  - ii. Reducing the number of electronic gaming machines via a sinking lid policy, and
  - iii. Increasing the distance between gambling venues and between gambling venues and residential areas.

**B. POLICY STATEMENT**

**Number of Class 4 gambling venues to be allowed**

The number of Class 4 gambling venues operated within the District shall not exceed the number operated at the time this policy was made (5).

**C. New Class 4 gambling venue licences or TAB outlets**

There shall be no additional Class 4 gambling venue licences or TAB outlets allowed anywhere in the District.

**D. Number of gaming machines to be allowed**

1. No new consents will be granted for any venue or licensee to operate gaming machines.
2. Existing venues shall not be allowed to increase the number of machines operating at the venue.
3. The number of gaming machines operated within the District shall not exceed the number at the time this policy was made (72).
4. As the opportunity arises through a society ceasing to hold its Class 4 gambling venue licence or reducing the number of machines, the cap on the number of gaming machines allowed to operate within the District will be reduced accordingly.

**E. Relocation of Class 4 gambling venue licences or TAB outlets**

1. Existing Class 4 gambling venue licences or TAB outlets may, at Council's discretion, be relocated to the **Commercial Zone Area 1** (commonly referred to as the CBD), **other Commercial Zones** (commercially zoned areas 2 and 3) and to the **Industrial Zone** subject to:
  - i. Not exceeding the overall district cap (maximum) of 5 Class 4 gambling venue licences.
  - ii. Being no closer than 50 metres to any residential zone.
  - iii. Not being a venue at which the primary activity is associated with family or children's activities.
  - iv. Being no closer than 50 metres to any existing venue at which the primary activity is associated with family or children's activities.
  - v. Meeting the standards of the District Plan for the Commercial Zone.
  - vi. Meeting application and fee requirements.
2. Where a society ceases to hold its Class 4 gambling venue licence in relation to a particular venue, a licence may, at Council's discretion, be granted to that society in relation to a different venue where:

- i. The venue meets all the requirements outlined in section E1 above, and
  - ii. The number of gaming machines does not exceed the number operated in the original venue, and
  - iii. The gaming machines are operating at the new venue within a period of 6 months from the time at which they ceased to operate at the original venue.
3. In exercising discretion in relation to clauses 1 and 2 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, and
  - ii. Where the new venue is located at a greater distance from family or children's activities than the existing venue, and
  - iii. Where a licence holder is prepared to voluntarily reduce the number of gaming machines in the new venue, and
  - 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, and
  - v. Any other factors that Council considers relevant.

**F. Primary activity of Class 4 gambling venues**

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

1. Sporting activities, or
2. The sale of liquor or liquor and food, or
3. A New Zealand Racing Board venue.

**G. Applications**

Any applications for Council consents or licences 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 together with verification of their host responsibility training relating to prevention of harm from gambling.
- iv. Evidence of recent police approval for owners and managers of the venue.
- v. Details of liquor licence(s) applying to the premises.

## **H. Application Fees**

These 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 TAB 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.