

CLUTHA DISTRICT COUNCIL POLICY

Policy Number	06 – 03 – 002	Gambling Venues
Prepared by	Manager Regulatory Services	
Authorised by	Council	
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Policy on Gambling Venues

Scope

This policy applies to any Class 4 (non-casino pokie machine) venue or TAB pub venue or TAB stand alone venue licensed after 17 October 2001. It will also apply to such venues licensed on or before that date if a venue licence has not been held for the site by any society within the past 6 months.

Purpose

The objectives of the policy are:

- To promote standards which are acceptable to the Community with a view to controlling the growth of gambling.
- To prevent and minimise harm to the community caused by gambling, including problem gambling.
- To control the growth of electronic gambling machine gambling in the district.
- To allow those who wish to participate in electronic gambling machine and TAB gambling to do so, safely and responsibly within the district.

Policy

Where class 4 gambling venues or tab outlets may be established

- The primary activities of Class 4 gambling venues must be those premises that have an on licence or club licence for the sale of liquor or board venues where race and sports betting is conducted under the Racing Act 2003.
- Pokie machine gambling must not be the predominant activity
- Venues must be in premises appropriate to the activity and which either comply with the relevant zone standards of the Clutha District Plan or have been granted resource consent

Numbers of pokie machines

The Council's consent to applications will be subject to the following:

- New venues may have a maximum of 9 pokie machines.
- Existing venues, with licences held on or before 17 October 2001 and operating fewer than 9 pokie machines, shall be allowed to increase the number of machines operated at the venue to 9. An increase to 18 machines (subject to ministerial discretion in terms of Section 96 Gambling Act) may be considered favourably on a case by case basis and in special circumstances such as the relocation of an existing venue or for economic reasons.
- Where two or more clubs or societies legally and physically combine their operations and merge into a single club, they may apply for the Minister's approval (Section 95 Gambling Act) to operate a number of pokie machines that must not in any case exceed either the lesser of 30 or the sum of the number of gaming machines

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specified in all of the corporate societies' Class 4 venue licences at the time of application.

- The number of pokie machines proposed for the venue being able to be met within the overall district cap that is specified in this policy.

Overall cap on venues and the number of pokie machines in the Clutha district

- The Council will withhold its consent to all applications for venue licences if they would serve to exceed the ratio of one venue per 1,000 of total population (1:1000) with reference to the population estimates for the district as calculated annually by Statistics New Zealand.
(Note: At December 2006, the ratio was 1:1217 i.e. 14 venues).
- The Council will withhold its consent to applications for venue licences or for any increases in the number of pokie machines within existing licences if they would serve to exceed the ratio of one machine per 150 of total population (1:150) with reference to the population estimates for the district as calculated annually by Statistics New Zealand.
(Note: At December 2006, the ratio was 1:201 i.e. 85 machines).

Application fees

Known as the Gambling Venue Consent fee, these will be set by the Council from time to time in accordance with the annual Fees and Charges Review process and at the time of this review is \$150 GST inclusive. As part of the review process Council will consider:

- the cost of processing the application, including any consultation and hearings involved;
- the cost of triennially reviewing the Class 4 Gambling Venue and TAB Venue policy;
- the cost of inspecting Class 4 gambling and TAB venues on a regular basis to ensure compliance with consent or licence conditions;
- a contribution towards the cost of triennial assessments of the economic and social impact of gambling in the District.

Commencement of policy

This policy was originally adopted by Council on 28 May 2004 and this revised policy was adopted by Council on 11 October 2007 following the special consultative procedure set down in the Local Government Act 2002.

This revised policy took effect from 11 October 2007.

The policy may be amended or replaced at any time in accordance with the special consultative procedure but otherwise will be reviewed at 3 yearly intervals following its adoption.

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Procedures

Applications for venue consent [Gambling Act 2003, section 99]

Must be made on the approved form and must provide:

- name and contact details for the application
- street address of premises proposed for the Class 4 or TAB licence
- the names of management staff
- evidence of police approval for owners and managers of the venue
- a 12 month business plan or budget for the establishment, covering both gambling and other activities proposed for the venue
- a site plan covering both gambling and other activities proposed for the venue, including details of each floor of the venue
- details of liquor licence(s) applying to the venue
- a copy of the applicant's host responsibility and gambling harm minimisation policy and staff training programme

The Council has 30 working days in which to determine a consent application. The application will not be considered to be a full application until such time as all of the above information has been supplied.

The decision will be made at officer level pursuant to delegated authority.

Definitions

There are no specific definitions included within this policy document.

Relevant Legislation

Gambling Act 2003
Racing Act 2003

Legal Compliance

The policy is directly relevant to the Council's role as a statutory consultee within the processes laid down within the Gambling Act for applications for a Venue Licence. These licences are issued by the Department of Internal Affairs and Territorial Authority consent is required for both new and amended licence applications.

The policy is itself a statutory requirement and applications cannot be considered in the absence of a current, valid policy being in force.

Territorial Authorities are also required to review their policies on a three year basis.

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Related Policy and Documents

Council's Schedule of Fees and Charges

Key Words

Class 4 venue, Gambling, Pokie machines