

## WAIPA DISTRICT GAMBLING VENUE POLICY

### PURPOSE OF THE POLICY

Council is required by the Gambling Act 2003 to maintain gambling-related policies, and to periodically review those policies.

### SCOPE OF THE POLICY

In relation to Class 4 Gambling Venues this Policy applies to:

- (i) All venues / societies wanting to increase the number of gambling machines that may be operated at a venue; and
- (ii) All applications for a new Class 4 gambling venue; and
- (iii) All venues established after 17 October 2001; and
- (iv) All venues for which no Class 4 gambling venue license has been held for the last six months.

### DEFINITIONS

**Adjoin:** Allotments sharing one or more common boundaries or separated only by a road width or similar equivalent.

**Allotment:**

- a) Any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan; and
- b) Any parcel of land or building or part of a building that is shown or identified separately:
  - (i) On a survey plan; or
  - (ii) On a licence within the meaning of Part 7 of the Land Transfer Act 1952. or
- c) Any unit on a unit plan; or
- d) Any parcel of land not subject to the Land Transfer Act 1952.

**Board Venues:** Premises that are owned or leased by the New Zealand Racing Board and where the main business carried on at the premises is providing racing betting or sports betting services under the Racing Act 2003.

**Class 4 Gambling Venue:** A place located on one or more contiguous allotments at which electronic gambling machines (also known as 'pokies') are located, or (for the purposes of making an application under this Policy), at which it is proposed that gambling machines be located.

**Corporate Society:** Shall have the same meaning as that used in the Gambling Act 2003 and shall include the New Zealand Racing Board and any societies that are racing clubs under the Racing Act 2003.

**Gambling Machine:** Shall have the same meaning as that used in the Gambling Act 2003.

**Key Persons:** Shall have the same meaning as that used in the Gambling Act 2003.

**Licensed Early Childhood Centre:** Shall have the same meaning as that used in the Education Act 1989.

**Place:** Includes any of the following:

- a) A building, structure or tent whether fully or partly constructed;
- b) A room in a building or structure;
- c) A court or a mall;
- d) Land;
- e) A vehicle, vessel, or aircraft; and,
- f) A caravan or a trailer or other conveyance.

**Pokie Machine:** An electronic gambling machine

**Population Estimate:** The calculation of population based on the most recent publicly available Statistics New Zealand population estimates for the District.

**Premises:** Any place at which a Class 4 Gambling Venue or Board Venue is located.

**Primary Activity:** The activity(s) primarily associated with and promoted by the Class 4 Gambling Venue or Board Venue.

**Private Club:** A voluntary association of persons combined for a purpose other than personal gain.

**School:** Shall have the same meaning as that used in the Education Act 1989.

**Zone:** Any area of the Waipa District which is defined as a zone in the Waipa District Plan.

## **1. OBJECTIVES OF THE POLICY**

- (i) To support the purpose and intent of the Gambling Act 2003;
- (ii) To provide for the continued availability of Class 4 gambling within the Waipa District in accordance with the purpose and intent of the Gambling Act 2003;
- (iii) To control the growth of Class 4 gambling machine numbers within the Waipa District;
- (iv) To avoid the establishment of Class 4 gambling activities in locations proximate to residential areas, or other identified sensitive land uses;
- (v) To encourage responsible gambling practices and attitudes in Class 4 gambling venues;
- (vi) To reduce the exposure and risk of exposure of under-18 year old persons to gambling opportunities and the promotion of gambling;
- (vii) To ensure as far as practicable that actual and reasonable costs relating to Class 4 Gambling Venue and Board Venue consent applications are borne by the applicant(s).

## **2. LOCATIONS WHERE CLASS 4 GAMBLING VENUES AND BOARD VENUES MAY BE ESTABLISHED**

- (i) Subject to compliance with the relevant provisions of the Waipa District Plan, Class 4 Gambling Venues may only be established in accordance with the provisions of this Policy.
- (ii) No Class 4 Gambling Venue shall adjoin any school, or licensed early childhood centre.

## **3. PRIMARY ACTIVITY OF CLASS 4 GAMBLING VENUES**

The primary activity of any Class 4 Gambling Venue shall be:

- (i) Sporting activities; or
- (ii) Private club activities; or

- (iii) Sale of liquor for consumption on the premises; or
- (iv) Board venues as defined by Section 5 of the Racing Act 2003.

#### **4. NUMBER OF CLASS 4 GAMBLING MACHINES DISTRICT-WIDE**

- (i) The total number of gambling machines in Waipa District shall be capped so as not to exceed 232 machines (“**the cap**”) (this being the maximum approved number of gaming machines permitted to operate in Waipa District as at 27<sup>th</sup> April 2010).
- (ii) The cap of 232 will remain in place until the next review of this policy.

#### **5. NUMBER OF GAMBLING MACHINES PER CLASS 4 GAMBLING VENUE**

- (i) Subject to meeting the other requirements of this Policy, all new Class 4 Gambling Venues that wish to have gambling machines may operate a maximum of no more than nine gambling machines per Class 4 Gambling Venue.

#### **6. APPLICATION FOR A CLASS 4 GAMBLING VENUE CONSENT**

- (i) An application for a Class 4 Gambling Venue Consent may be lodged with the Waipa District Council at any time.
- (ii) Applications to Waipa District Council for a Class 4 Gambling Venue Consent must be made on the approved form and must provide:
  - (a) The name and contact details for the applicant, including the Corporate Society name, the venue trading name(s), any other name(s) related to the venue, and the venue operator’s name(s);
  - (b) The street address of the place where the proposed Class 4 Gambling Venue will be located;
  - (c) The names of key staff associated with the proposed Class 4 Gambling Venue
  - (d) Evidence of police approval for owners and managers associated with the proposed Class 4 Gambling Venue;
  - (e) Details of liquor licence(s) granted for, or proposed for, the proposed Class 4 Gambling Venue;
  - (f) The legal description (including a deposited plan number where relevant) clearly identifying the area where the proposed Class 4 Gambling Venue is to be located; and
  - (g) Any other relevant information requested by the Council, or that the applicant wishes to provide in support of the application.

## **7. APPLICATION FEES**

- (i) All actual and reasonable costs of processing the application, including but not limited to any notification, consultation, administration costs, and/or inspections, may be charged to the applicant.
- (ii) All applications must be accompanied by a deposit of \$600.00.
- (iii) The deposit will be utilised to pay for costs and fees associated with the application. Any further costs or disbursements incurred in connection with processing the application over and above the deposit will be charged to the applicant.
- (iv) In the event that an application is declined, any unused portion of the deposit will be refunded.

## **8. REGULATIONS TO PREVAIL**

Any regulations made pursuant to the Gambling Act 2003 and its amendments shall prevail over any contrary provision of this Policy.