

Gambling (Class 4) Venue Policy

1. Purpose

Gambling in New Zealand is regulated by the Gambling Act 2003.

The Gambling Act came into force on 18 September 2003. Under the provisions of the Act territorial authorities must adopt and review a Class 4 Gambling Venue Policy.

The Act regulates six classes of gambling. This Policy is concerned with Class 4 gambling, which is gambling that involves the operation of gaming machines (pokies), outside of casinos.

While the Council recognises that gambling is a legitimate form of entertainment, there is concern about the social impact that gambling, and in particular problem gambling, can have in the community. This policy seeks to minimise harm from problem gambling.

2. Policy Context

Section 101 of the Gambling Act 2003 requires a territorial authority to adopt a Class 4 venue policy.

The Policy allows the Council to directly control the growth of Class 4 gambling via gaming machines by creating rules around numbers of venues and gaming machines, and their location within the District. It also allows the community to input to decision-making through the Council's public notification and submission process, should there be any new requests for venues or an increase in gaming machines numbers at an existing venue.

3. Policy Objective

- 3.1. To control the growth of gambling.
- 3.2. To prevent and minimise the harm to the community caused by gambling, including problem gambling.
- 3.3. To control the growth of electronic gambling machine gambling in the district.
- 3.4. To allow those who wish to participate in electronic gambling machine gambling to do so, safely and responsibly, within the District.

4. Policy Statement

4.1. Societies requiring Council consent

Any society requires Council consent in respect of a Class 4 venue to:

- Increase the number of gambling machines that may be operated at the venue.
- Start operating gambling machines at such a venue that was not on any society's licence within the previous six months.
- Start operating gambling machines at such a venue for which a licence was not held on 17 October 2001.

- Continue to operate gambling machines at a venue for which a licence was not held on 17 October 2001, but which was added to a society's licence on a date after 17 October 2001 and before 19 September 2003.

4.2. Matters that the Council will consider when making a decision on any application are:

- 4.2.1. That the application is associated with premises that have an on licence, club licence or is a chartered club in terms of the Sale and Supply of Alcohol Act 2012, or is a TAB venue.
- 4.2.2. That gambling machines are not the primary part of the venue's operation or income.
- 4.2.3. That the venues are not in a Residential Zone as defined by the Operative District Plan.
- 4.2.4. That the venue is not on a site that the Council considers will unnecessarily display Class 4 gambling activity to places and institutions primarily frequented by people under the age of 18 years old.
- 4.2.5. Class 4 gambling venues should not be located in premises that are incompatible with other predominant uses of the premises or of other premises in close proximity.
- 4.2.6. Class 4 gambling machines will not be located within a venue where the primary activity is associated with family or children's activities.
- 4.2.7. The number of gaming machines permitted in the Waimakariri District is capped at the ratio of 1 gambling machine per 260 people 18 years or older.
- 4.2.8. That external signs at venues be restricted to one per site, of an appropriate size and attached directly to the building, and that describes that gambling machines are on the premises. Advertising of prize money of any description shall not be visible from the exterior of the premises.
- 4.2.9. Gambling machines must not be visible from the road.
- 4.2.10. That the gambling area of a venue does not have a separate entrance to a street, separate name or otherwise appears as a separate activity from the primary venue.
- 4.2.11. Venues are to have a host responsibility and gambling harm minimisation policy and staff training programme.
- 4.2.12. Relocation of Class 4 Gambling (pokie) machines is allowed where the venue is intended to replace an existing venue (within the district) to which a Class 4 licence applies. The proposed new location must meet all the other requirements of this policy.

4.3. Applications and Fees

- 4.3.1. All applications will be publicly notified and open for submissions for a period of 10 working days. The Hearings Committee will hear and decide all applications.
- 4.3.2. All fees and charges must be paid before any consent is granted. A deposit of \$1,000 is required with hearing costs and disbursements charged monthly.
- 4.3.3. Councillor and staff time is charged at the rates specified in the Fees and Charges Schedule.

5. Links to Legislation, Other Policies and Community Outcomes

Gambling Act 2002, Section 101 Territorial authority must adopt class 4 venue policy, Section 102 Adoption and review of class 4 venue policy

Local Government Act 2002, Decision making and consultation

Community outcomes:

Effect is given to the principles of the Treaty of Waitangi.

There are wide ranging opportunities for people to contribute to the decision making that affects our District

- The Council makes information about its plans and activities readily available
- The Council takes account of the views across the community including mana whenua
- The Council makes known its views on significant proposals by others affecting the District's wellbeing
- Opportunities for collaboration and partnerships are actively pursued.

There is a safe environment for all

- Crime, injury and harm from road crashes, gambling, and alcohol abuse are minimised.

6. Adopted by and date

Adopted by Council on 4 October 2022.

7. Review date

4 October 2025

8. Policy owned by

Manager, Planning and Regulation

9. Approval

Adopted by Waimakariri District Council on 4 October 2022