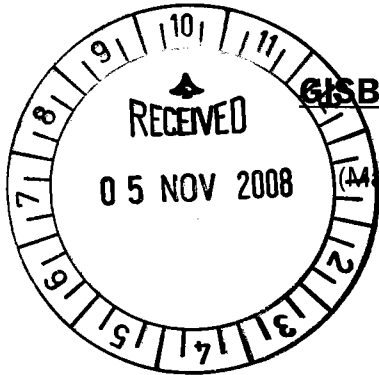




# GISBORNE DISTRICT COUNCIL



## GISBORNE DISTRICT COUNCIL GAMBLING VENUE POLICY

(Made for the purposes of section 101 of the Gambling Act 2003 and section 65D of the Racing Act 2003)

### 1. OBJECTIVES OF THE POLICY

- (i) To exercise local influence over the location and extent of Class 4 venues and Board venues.
- (ii) To control the extent of Class 4 gambling within the Gisborne District in a manner which will prevent and minimise the potential harm caused by gambling, particularly problem gambling.
- (iii) To reduce the number of gaming machines in the Gisborne District to the extent that Council is empowered by the Gambling Act 2003.
- (iv) To recover costs where appropriate.

### 2. WHERE BOARD VENUES MAY BE ESTABLISHED

- 2.1 Board venues without gaming machines may only be established in any Commercial or Industrial zone. This is subject to:
  - (i) meeting application and fee requirements; and
  - (ii) any other regulatory approvals or provisions required by other legislation.

### 3. STANDARDS

#### 3.1 Venues and Gaming Machines

Subject to clause 3.2 the Council will not grant territorial authority consent to:

- (i) operate gaming machines at any venue not already operating machines; or
- (ii) increase the number of gaming machines operating at an existing Class 4 venue or Board venue above that licensed by the Department of Internal Affairs or granted territorial authority consent at the time of this policy coming into force; or

- (iii) re-establish a Class 4 venue or a Board Venue with gaming machines once a licence is no longer held for that venue and territorial authority consent is required.

*Note: This situation usually applies when no licence has been held by any society for a particular venue within the previous six months.*

### **3.2 Exceptions**

- (i) Clubs that rebuild or relocate may be allowed a maximum of the number of gaming machines approved at the time of closing of the former premises.
- (ii) When two or more clubs wish to merge physically and legally they may be allowed to operate the sum of the number of gaming machines specified in all the clubs Class 4 venue licences at the time of application or 18 machines, whichever is the lesser.

### **3.3 Visual and Sound**

The operation of gaming machines shall not be audible from beyond the venue property boundary.

- (i) Only one sign may make reference to the existence of class 4 gambling, and may be visible from the street or other public space, this sign shall not mimic or replicate the operation of gaming machines.
- (ii) No other sign shall promote or identify the existence on site, of gaming machines.
- (iii) Advertising signs and activities within the building associated with the operation of gaming machines shall not be visible from beyond the property boundary.

*Note: These requirements only apply to premises that are granted territorial authority consent*

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

- 4.1 The primary activity of any Class 4 venue shall not be the operation of gaming machines.

## **5. APPLICATIONS**

- 5.1 Applications for territorial authority consent must be made on the approved form and must provide to the satisfaction of Council:
  - (i) Name and contact details of the applicant.
  - (ii) Street address and exterior photograph of the premises proposed for the Class 4 venue or Board venue.

- (iii) A copy of the proposed gambling harm minimisation policy, including the staff training programme and details of how underage access and use will be controlled effectively.

*Note: Any liquor licence details should be included.*

- (iv) Sufficient evidence to confirm compliance with Clause 4.

*Note: This may include a 12 month business plan or budget for the establishment, a site plan covering both gambling and other activities proposed for the venue, including details of each floor or confirmation of approval from the Department of Internal Affairs.*

- (v) Details of design and layout shall be provided to demonstrate how the venue will comply with clause 3.3.

- (vi) Written approval of the property owner.

5.2 Any application for consent in respect of a Class 4 venue that is outside of the City Centre zone is required to be publicly notified by the applicant. This public notification shall include one notice in the Public Notices section of the Gisborne Herald newspaper and when located in an identifiable suburban or rural community such public place notices as the Council shall determine. The application shall include evidence of this notification. Submissions shall be invited and accepted for 15 working days from the date of publishing of the Public Notice.

## **6. DETERMINING APPLICATIONS**

6.1 Any application for consent shall be considered and determined by the Hearings Committee and consideration shall include the following:

- (i) The application is in compliance with this policy.
- (ii) The application details demonstrate compliance with the relevant parts of the Gambling Act and it's objectives.
- (iii) Where there have been submissions resulting from public notification, that the views of the local community have been given high regard.
- (iv) The characteristics of that part of the district.
- (v) The location of sensitive activities in the vicinity of the site.
- (vi) The cumulative effects of additional opportunities for gambling in that part of the district, or the Gisborne District as a whole.

**7. FEES**

7.1 Gambling Venue Consent application fees will be set by the Council from time to time, and may include consideration of:

- (i) The cost of processing the application, including any consultation and hearings related costs.
- (ii) The cost of monitoring Class 4 venues and Board venues to ensure compliance with consent conditions.

**8. REVIEW**

8.1 A review of this policy shall be undertaken at least once every 3 years.

8.2 Council will monitor the effect of this policy on gambling in this district.

**9. DEFINITIONS**

Board venue	“as defined in the Racing Act 2003” <i>Note: This refers to a stand alone TAB which is not part of another business</i>
Class 4 venue	“as defined in the Gambling Act 2003”
Gaming machine	“any non-Casino Class 4 venue gaming machine as defined by the Gambling Act 2003”
Gambling Venue Consent	“any territorial authority consent required pursuant to the Gambling Act 2003 or the Racing Act 2003”

The following terms where referred to in this Policy shall take the meaning as defined in the Gisborne District Combined Regional and Land District Plan:

Commercial Zone  
Industrial Zone  
Reserve Zone  
City Centre Zone  
Sign

**This policy will come into force on 25 September 2008.**

Adopted by the Hearings Committee acting under delegated authority from the Gisborne District Council.



Councillor A G Davidson  
CHAIRPERSON

20 August 2008