

WANGANUI DISTRICT COUNCIL GAMBLING VENUE and RACING BOARD POLICY

2008

1.0 Introduction

- 1.1** The Gambling Act 2003 requires the Wanganui District Council to adopt a policy on Class 4 venues (Gambling Venue Policy) for its district, and amends the Racing Act 2003 so that the Council must also adopt a policy on Board venues (Board Venue Policy).
Council adopted its original policy in April 2004.
- 1.2** The 2004 policy was a permissive policy with no district wide cap on the number of new machines allowed. Since the 2004 policy the number of Class 4 machines in Wanganui has decreased from 286 to 276 and the number of venues has remained the same at 21.
- 1.3** Council through its first review of the Gambling Venue Policy has decided to introduce a cap on machine numbers in the District via a continuous sinking lid policy. The reduction in machines and venues will take place by a process of natural attrition as venues cease operating.
- 1.4** The Wanganui District Council Gambling Venue and Board Venue Policy covers Class 4 venues operated by societies and clubs, and also New Zealand Racing Board venues.
- 1.5** All current licensed Class 4 venues that have not ceased operations for more than six months, do not require consent from the Council to continue their operations.
- 1.6** Council has developed the Gambling Venue and Board Venue Policy with regard for the social impact of gambling within its district as required by the Gambling Act 2003 and Racing Act 2003.

2.0 Objectives of the Policy

- 2.1** To ensure the Council and the community has influence over the provision of new gambling in the Wanganui District (includes Totalisator Agency Boards [TABs]).
- 2.2** To control the growth of Class 4 gambling in Wanganui.
- 2.3** To contribute to the minimisation of harm caused by gambling, including problem gambling, in the Wanganui District.

3.0 Rules Associated with Class 4 Gambling Venues or TAB Outlets

3.1 Location

Class 4 gambling venues and TAB outlets may be established subject to:

- (i) Being a permitted activity under the Wanganui District Plan or having a Resource Consent to undertake the activity proposed.

3.2 Number of Class 4 gambling machines to be allowed

- 3.2.1 Council will **not** grant consent for the establishment of any new Class 4 venues or machines as of adoption of this policy.

3.3 Racing Board Venues

3.3.1 Existing Venues

New Zealand Racing Board Venues with gambling machines are Class 4 venues for the purpose of this policy.

3.3.2 New Venues

There shall be no new Racing Board Venues or class 4 machines in Racing Board venues as of adoption of this policy.

3.4 General Conditions for Class 4 Gambling Venues

- (i) All Class 4 gambling venues shall be premises either –
 - (a) authorised to sell and supply liquor for consumption on the premises under the Sale of Liquor Act 1989, or
 - (b) a Totalisator Agency Board (TAB) venue
- (ii) The primary activity of the venue **shall not** be that which is **predominantly** associated with families and/or children's activities.
- (iii) Information about the Trust responsible for the distribution of gambling profits will be made available to the public (as required under the Gambling Act 2003) and to the Wanganui District Council, and will include:
 - contact details (address, phone numbers, electronic contact (if available))
 - names of trustees

4.0 Consent Applications

Applications for Wanganui District Council consent must be made on the approved form and must include:

- (i) Name and contact details of the applicant, trust and trustees.
- (ii) Street address of premises proposed.
- (iii) The names of management staff.
- (iv) Evidence of primary purpose of the venue.
- (v) A site plan covering both gambling and other activities.
- (vi) Details of liquor licence/s applying to the premises.
- (vii) A copy of the proposed Harm Minimisation Policy and staff training programme.

- (viii) The number of Class 4 machines being proposed for the premises.
- (ix) Evidence that the activity is a permitted activity in accordance with the Wanganui District Plan or a copy of the Resource Consent to undertake the activity proposed.

5.0 Application Fees

These will be set by the Wanganui District Council from time to time, pursuant to Section 150 of the Local Government Act 2002, and shall include consideration of :

- (i) The cost of processing the application, including any consultation and hearings involved.
- (ii) Any costs associated with monitoring Consent conditions of policy rules.
- (iii) The cost of reviewing Gambling Venue Policies.

6.0 Decision Making

- (i) The Council has 30 working days to determine a Consent application.
- (ii) That determination will be made at officer level (delegated authority) and be based against the criteria detailed within this Policy.
- (iii) On matters of discretion or interpretation, the officer will take into consideration:
 - (a) the objectives of this Policy
 - (b) the intent of the specific rule within this Policy
 - (c) the object of the Gambling Act 2003
- (iv) If an applicant is unhappy with the Council's determination they are entitled to appeal the matter to the Hearings Committee of the Council. The appeal period will **not** form part of the 30 working days requirement to determine a Consent application.

7.0 Adoption and Commencement

The Policy will take effect from 12 August 2008.

8.0 Review

This Policy will be reviewed within three years of it taking effect or such other time that Council deems it necessary.