



CLASS 4 GAMBLING VENUE POLICY AND BOARD VENUE POLICY

1. Introduction

1.1 Overview

Under the Gambling Act 2003 and the Racing Act 2003, Council must have both a Class 4 Gambling Venue Policy and a Board Venue Policy. These Acts set out factors that Council must take into consideration when developing the policies.

1.2 Gambling Act 2003

The purpose of the Act is:

- control the growth of gambling; and
- prevent and minimise the harm caused by gambling, including problem gambling; and
- authorise some gambling and prohibit the rest; and
- facilitate responsible gambling; and
- ensure the integrity and fairness of games; and
- limit opportunities for crime or dishonesty associated with gambling; and
- ensure that money from gambling benefits the community; and
- facilitate community involvement in decisions about the provision of gambling.

The Gambling (Gambling Harm Reduction) Amendment Act 2013 required the Council to consider a relocation policy and to undertake a Social Impact Assessment. The review leading to this policy has fulfilled this requirement.

1.3 Racing Act 2003

The purpose of the Act is to:

- a) to provide effective governance arrangements for the racing industry; and
- b) to facilitate betting on galloping, harness, and greyhound races, and other sporting events; and
- c) to promote the long-term viability of New Zealand racing.

The New Zealand Racing Board may establish board venues where the main business carried out is providing racing betting or sports betting services.

1.4 Policy purpose

The **purpose** of this Class 4 Gambling Venue Policy and the Board Venue Policy is to state Council's position regarding class 4 gambling, provide guidance as to the conditions required for relocation of a class 4 venue as well as to provide a guide for the New Zealand Racing Board if they look to establish a board venue in the District.

2 Definitions

Class 4 gambling	Gambling that satisfies the following criteria: a) the net proceeds from the gambling are applied to, or distributed for, authorised purposes; and b) no commission is paid to, or received by, a person for conducting the gambling; and c) there are game rules for the gambling; and d) the gambling, and the conduct of the gambling, satisfies relevant game rules; and e) either - i. the Secretary for Internal Affairs has categorised the gambling as class 4 gambling and not as another class of gambling; or ii. the gambling utilises or involves a gaming machine.
Class 4 venue	A place at which class 4 gambling is conducted.
Club	A voluntary association of persons combined for a purpose other than personal gain
Board venue	A place where the main business carried out is providing racing betting or sports betting services (also known as 'TAB gambling').
TAB	Totalisator Agency Board.

3 Policy statement

3.1 Objectives of the policy

- To ensure the Council and the community has influence over the provision of new class 4 gambling and board venue licences.
- To provide a clear view of Council's position for those who may wish to apply for consent to operate a class 4 venue or a board venue.

3.2 Class 4 gambling

A 'sinking lid' is applied by this policy. This means that no new class 4 venues will receive consent from Council. Council will also not give consent for a current class 4 venue to operate more gaming machines.

3.3 Relocations of class 4 venues

Council will consider granting consent for relocation of existing class 4 venues if the premises cannot continue to operate at the existing site. Examples of such circumstances include but are not limited to the following:

- due to a natural disaster or fire, the licensed premises is unfit to continue to operate;
- the property is acquisitioned under the Public Works Act 1981;
- expiration of lease;
- site redevelopment.

In considering an application for class 4 venue relocation, Council will give regard to the proposed location of the new venue and its proximity to

- early childhood centres/kindergartens, schools, kohanga reo, and playgrounds, and
- other licensed class 4 venues and TAB venues

at the time of application.

The number of class 4 gaming machines at the new premises must be the same or less than the existing class 4 venue.

In the case of a club only, Council will consider granting a relocation consent to a new club site, or where two or more existing clubs combine.

3.3.1 Applications for consent for relocation under this policy

Applications for relocation consents must be on Council's approved form and must provide:

- Name and address of the class 4 gambling licence holder
- Contact details for the consent
- Street address of the new venue
- Details and evidence of the operation of the venue and in the case of a club, details of the membership and activities
- A scale site plan detailing both gambling and other activities proposed for the new venue, including details of each floor of the new venue, where gaming machines are to be located and the size of the area the gaming machines will occupy
- A location map of the new venue, detailing distances to nearby early childhood centre/kindergartens, schools, kohanga reo, playgrounds, other licenced class 4 venues and TAB venues
- The number of gaming machines proposed at the new venue
- Copies or evidence of all other applicable approvals (e.g. liquor, health, planning, building)

In the event where it is possible for the class 4 venue to re-establish in its original location after any repairs, this policy provides for relocation to the original site of the venue. Council will consider allowing temporary relocation to a site which complies with the conditions above whilst repairs are undertaken.

An application fee of \$500 for a class 4 venue relocation consent may be charged by Council. This fee is based on the estimated costs Council will incur in processing the application.

3.4 Mergers of clubs which hold class 4 venue licences

Council may grant consent for the merger of two or more clubs which hold class 4 venue licences. The maximum number of gaming machines at the merged venue shall be the lesser of;

- The number of merging venues multiplied by nine, or;
- The total number of machines in the merging venues prior to the merger.

Council will only grant consent once proof has been provided that the original class 4 venue licences have been cancelled as per s95(6)(a) of the Gambling Act 2003.

Nothing in this policy prevents a club with a class 4 venue licence from merging with a club without a class 4 venue licence, providing that the newly formed club has the same general purpose as the club which originally held the licence.

3.5 Board venues

New Zealand Racing Board Venues that do not operate class 4 gaming machines may be granted a consent by the Thames-Coromandel District Council.

Applications for board venues must follow any approved application processes that Council may require. As part of this application process, Council will give regard to the proposed location of the board venue and its proximity to

- educational facilities, places of worship and other community facilities, and
- other licensed class 4 venues and TAB venues

at the time of application.

4 Policy review

The Council will review these policies every three years.