

**Manual number: A.III.10.4**

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# **Gambling Policy 2007**

## **INTRODUCTION**

In September 2003 the Gambling Act 2003 came into force. The key purposes of this act are:

- To control the growth of gambling
- To prevent and minimise the harm caused by gambling
- To ensure that money from gambling benefits the community
- To ensure community involvement in some decisions about the provision of gambling

The Act requires territorial authorities to develop Class 4 and Totalisator Agency Board (TAB) venue policies in consultation with their communities within six months of the commencement of the Act. Class 4 gambling is the term used to describe non-casino gaming machines (pokies).

Under the Act, the Department of Internal Affairs is still responsible for gaming licensing. However, Section 65(2)(b) provides that some applications to the Department for a Class 4 venue licence must be accompanied by territorial authority consent. The Act prescribes limits on the number of non-casino gaming machines in venues. The limits are:

- If the venue had a licence on 17 October 2001 a society can operate up to 18 gaming machines (Section 92).
- If the venue had its licence granted between 17 October 2001 and the commencement of the Act it can operate up to 9 machines (Section 93).
- Sections 92 and 93 can be overridden by Ministerial discretion of the territorial authority consents.
- If the venue is granted a licence after the commencement of the Act it can operate up to 9 machines (Section 94).
- No society can operate more machines at a venue that were operated at the commencement of the Act unless the local authority consents to the increase.

This revised Policy replaces Council's 2004 Gambling Policy.

**OBJECTIVES**

1. To support and promote harm minimisation principles for gaming activities within the Nelson City area

**GOAL**

<p>1.1 Class 4 Gambling Venues may be established within the City subject to:</p> <p>(NB. Class 4 Gambling Venues are venues where non-casino gaming machines or ‘pokies’ are operated)</p>	<p>1.1.1 The applicant meeting the application and fee requirements</p> <p>1.1.2 The number of gaming machines within the venue being able to be met within the overall Nelson City cap</p> <p>1.1.3 The venue being sited in any land zone as included in the Nelson Resource Management Plan apart from land zoned Residential or Open Space and Recreation</p> <p>1.1.4 The venue not being primarily used for operating gaming machines</p> <p>1.1.5 No more than 25% of the venue floor area being dedicated to Class 4 gambling activities</p> <p>1.1.6 The venue not being within 100 metres of any playground, kindergarten, early childhood centre, school or place of worship. The venue not being primarily associated with family or children’s activities</p> <p>1.1.7 The venue not being within 100 metres of any Automatic Teller machine</p> <p>1.1.8 Operators having measures in place to ensure that people under the age of 18 cannot access the gambling machines</p> <p>1.1.9 Best practice being demonstrated in the applicants proposed harm minimisation policy including the gaming machines being sited where there is natural light and clocks visible</p>
<p>1.2 The total number of gaming machines in operation in the City shall be capped at 301</p>	<p>1.2.1 New venues shall be allowed a maximum of no more than nine gaming machines</p> <p>1.2.2 Existing venues with licences issued on or after 17 October 2001 shall be able to increase the number of machines operated in the venue to nine</p> <p>1.2.3 Existing venues with licences issued before 17 October 2001 shall be able to increase the number of gaming machines operated in the venue to 18</p> <p>1.2.4 Clubs licensed after 2001 shall be able to increase their machine numbers to a</p>

	<p>maximum of nine</p> <p>1.2.5 Where clubs will merge, the number of machines permitted will be considered on a case by case basis and will not exceed a maximum 30 machines per venue</p>
<p>1.3 Totalisator Agency Board (TAB) venues may be established in the City subject to: (TAB owned and operated venues)</p>	<p>1.3.1 The applicant meeting the application and fee requirements</p> <p>1.3.2 The venue being sited in any land zone included in the Nelson Resource Management Plan apart from land zoned Residential or Open Space and Recreation</p> <p>1.3.3 The venue not being within 100 metres of any playground, kindergarten, early childhood centre, school or place of worship</p> <p>1.3.4 The venue not being within 100 metres of any Automatic Teller machine</p> <p>1.3.5 Operators having measures in place to ensure that people under the age of 18 cannot access the premises</p> <p>1.3.6 Best practice being demonstrated in the applicant's proposed harm minimisation policy</p>
<p>1.4 Application fees will be set by Council from time to time and shall include:</p>	<p>1.4.1 The cost of processing the new application, including any consultation and hearing involved</p> <p>1.4.1 The cost of reviewing the Policy every three years</p>