

Gambling Policy 2016

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.

In 2016 Council considered the issue of relocation but opted to retain the current Policy without change.

NELSON CITY COUNCIL GAMBLING POLICY

OBJECTIVE	
1. To support and promote harm minimisation principles for gaming activities within the Nelson City area	
GOAL	
1.1 Class 4 Gambling Venues may be established within the City subject to: (NB. Class 4 Gambling Venues are venues where non-casino gaming machines or 'pokies' are operated)	<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>
1.2 The total number of gaming machines in operation in the city shall be capped at 273	<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 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>
1.3 Totalisator Agency Board (TAB) venues may be established in the City subject to: (TAB owned and operated venues)	<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>1.4.2 The cost of reviewing the Policy every three years</p>