



Class 4 Gambling

August 2011

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Class 4 Gambling

Class 4 gambling is any activity that involves the use of a gaming machine outside a casino.

Venues are the licensed premises and other sites where gaming machines are located.

Council Consent for Class 4 Gaming Machines and TAB Venues

Consent is required for the following:

- To increase the number of gaming machines at a Class 4 Venue.
- To establish a new Class 4 Venue.
- To establish a new TAB venue, other than pub TAB agencies.
- The first time there is an application for a class 4 venue licence for a venue for which a class 4 venue licence was not held on 17 October 2001
- For which there is a class 4 venue licence granted after 17 October 2001 and before the commencement of the Gambling Act 2003.

Limits on Class 4 Gaming Machine Numbers

- New venues shall be allowed a maximum of no more than 9 gaming machines
- Where a venue licence is held before 17 October 2001 the limit is no more than 9 machines.
- Where a venue license is issued after 17 October 2001 the limit is no more than 9 machines.
- From 1 January 2012 no new Class 4 Gambling Venue are permitted to be established in Hokitika.

Notes

- A Class 4 venue licence will be required for venue-based Class 4 gambling (gaming machines).
- Under the Gambling Act 2003, the Department of Internal Affairs will issue Class 4 licenses (venue license and operator's license) and ensure compliance with the Act.
- The number of gaming machines at a venue may be reduced if the Council's gambling policy states that there will be no, or fewer, gaming machines at the type of venue.



GAMBLING VENUE POLICY

1. Objectives of the Policy

- 1.1 To minimise the harm to the community caused by gambling;
- 1.2 To control the growth of gambling in the District;
- 1.3 To ensure the Council and the community have influence over the provision of new gambling venues in the District;
- 1.4 To allow those who wish to participate in gaming machine or TAB gambling to do so responsibly within the District.

2. Where TAB Venues may be established

TAB Venues may be established within the Westland District subject to:

- 2.1 Meeting application and fee requirements;
- 2.2 Not being a venue primarily associated with family or children's activities.
- 2.3 No stand-alone TAB venue may be used for gambling involving a gaming machine.

3. Where Class 4 Gambling Venues may be established

Class 4 Gambling Venues may be established within the Westland District subject to:

- 3.1 Meeting the application and fee requirements;
- 3.2 Not being a venue primarily associated with family or children's activities;
- 3.3 New venues must provide a separated area for Class 4 Gambling;
- 3.4 Established venues applying to increase the number of gaming machines within the venue must provide a separated area for Class 4 Gambling.

EXCEPT that as from 1 January 2012 no new Class 4 Gambling Venue shall be permitted to be established in Hokitika.

4. Number of gaming machines to be allowed

- 4.1 New venues shall be allowed a maximum of no more than 9 gaming machines;

- 4.2 Venues with licences issued after 17 October 2001 and operating fewer than 9 gaming machines shall be allowed to increase the number of gaming machines operated at the venue to 9;
- 4.3 Existing venues with licences issued before 17 October 2001 shall be able to increase the number of gaming machines in the venue to no more than 9 and where, at the date of the adoption of this policy, existing numbers of machines are greater than 9, that number can be maintained.

5. Applications

Applications for consent for new venues must be made on the approved form and must provide:

- 5.1 Name and contact details of the applicant;
- 5.2 Street address of the premises;
- 5.3 A site plan covering both gambling and other activities proposed for the venue;
- 5.4 Details of any liquor licence(s) applying to the premises;
- 5.5 Any relevant gambling harm minimisation policies;
- 5.6 Suitability of the applicant.

6. Decision Making

- 6.1 Upon receipt of a complete application form containing all required information and the full application fee, the Council has 30 working days to determine a decision;
- 6.2 The decision on an application will be made by the appropriate Council Committee pursuant to delegated authority and be based on the criteria detailed in this policy.
- 6.3 Where applications for Class 4 Gambling Consents can be demonstrated to be in full compliance with Council's Class 4 Gambling Policy, the approval of the application is delegated to the Chief Executive Officer.

7. Application Fees

These will be set by the Council from time to time, and shall include consideration of:

- 7.1 The cost of processing the application, including any consultation and hearings involved;
- 7.2 The cost of establishing and triennially reviewing the Class 4 Gambling Venue and TAB Venue policy;

- 7.3 The cost of inspecting Class 4 Gambling Venues on a regular basis to ensure compliance with consent conditions;
- 7.4 A contribution towards the cost of triennial assessments of the economic and social impact of gambling in the district.

8. Monitoring and Review

- 8.1 The Council will review the policy within 3 years of its adoption and then within 3 years after that review and after each subsequent review;
- 8.2 The Council will monitor the social and economic impact of gambling on the community as part of the policy review process;
- 8.3 The Council may amend this policy as a result of the findings of the social and economic impact monitoring;
- 8.4 Any review or amendment of this policy will be undertaken in accordance with the special consultative procedure outlined in the Local Government Act 2002.

9. Commencement of Policy

- 9.1 This policy is required to be adopted by the Council in accordance with the special consultative procedure provided for in the Local Government Act 2002.
- 9.2 The initial resolution to adopt this policy was passed by the Westland District Council at an ordinary meeting of the Council held on 21st October, 2010 and was confirmed, following consideration of submissions received and undertaking a Social Impact Assessment workshop during the special consultative procedure, by a resolution at a meeting of the Council held on 25 August 2011.
- 9.3 This policy will take effect from the day after its adoption by the Council.



APPLICATION FOR CLASS 4 GAMBLING CONSENT

1. Applicant Details

Name of Applicant: _____

Postal Address: _____

Telephone Number: _____ Fax Number: _____

2. Venue Details

Class 4 Venue

Street Address of Class 4 Venue: _____

Liquor Licence(s) Applying to Class 4 Venue: _____

TAB Venue (if applicable)

Street Address of TAB Venue: _____

3. Class 4 Gaming Machine Details

Number of Class 4 Gaming Machines on the premises (currently licenced): _____

Proposed Number of Class 4 Gaming Machines being applied for: _____

4. Additional Information

- A Site Plan (covering both gambling and other activities proposed for the venue)
Yes No
(If yes, please attach)
- Any relevant gambling harm minimisation policies
Yes No
(If yes, please attach)
- Does your proposal meet the Council's Gambling Venue Policy?
Yes No
- I have included the application fee of \$281.25 (inc. GST).
Yes No

Applicant's Signature: _____ Date: _____

CLASS 4 GAMBLING REPORT

APPLICANT:

DATE RECEIVED:

VENUE DETAILS:

CLASS 4 GAMING MACHINE DETAILS:

APPLICATION REQUIREMENTS MET: Yes No

**GAMBLING VENUE POLICY
REQUIREMENTS MET:** Yes No

TERRITORIAL CONSENT REQUIRED: Yes No

Explanation:

This application has been considered in accordance with the Westland District Gambling Venue Policy and section 100 of the Gambling Act 2003.

ADDITIONAL COMMENTS:

RECOMMENDATION:

That Council Consent for _____ machines at _____ be granted to _____.