



Waimate
District Council



31 January 2023

Gambling & TAB Venues Policy 305

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POLICY OVERVIEW

1.0 Purpose

- 1.1 To regulate establishment and operation of gambling venues, specifically Class 4 gambling venues and Totalisator Agency Board (TAB) venues, in the Waimate district, and
- 1.2 To minimise gambling behaviour, in order to safeguard and enhance the socio-economic wellbeing of the community, in the Waimate district.

2.0 Applicability

- 2.1 District-based Class 4 gambling venues licensed since 17 October 2001, and
- 2.2 District-based TAB venues.

3.0 Policy Statement

- 3.1 The Waimate District Council (WDC) will not grant consent to permit any increase in number of either Class 4 venues, or TAB venues, or Class 4 gaming machines, thus enforcing a 'sinking lid' approach to the management of the specified types of gambling in the district (See Section 5).

4.0 Definitions

- 4.1 For the purpose of the present policy, key terms are defined as below:
 - a. **Class 4 gambling:** as defined by the Gambling Act 2003, Section 30
 - b. **Class 4 venue:** a place used for conducting Class 4 gambling
 - c. **Gaming machines:** electronic gambling machines
 - d. **Sinking lid policy:** a policy that prevents issuing of any new consents for any Class 4 or TAB venue being established, and reduces the maximum permissible number of gaming machines in a district once a licensed Class 4 venue ceases to operate.
 - e. **TAB venue:** premise owned, or leased by, TAB New Zealand, where the main business carried on at the premise is providing racing betting, sport betting, or other racing or sport betting services.

PROCEDURES

5.0 Limitations

- 5.1 With the exception outlined in Section 8 of the present policy, the WDC will not grant consent to allow any increase in numbers of either Class 4 venues, TAB venues, or Class 4 gaming machines, as hereby detailed:
- a. Once a district-based Class 4 gambling venue ceases to operate, the WDC will not issue any other society a license to replace that venue; and
 - b. Once the number of Class 4 gaming machines licenced to operate in the district decreases, the WDC will not issue any other society a license to replace those machines; and
 - c. Once a district-based TAB venue ceases to operate, the WDC will not issue any other society a license to replace that venue.
- 5.2 The maximum number of gaming machines permissible at a Class 4 venue is 8.

6.0 Relocation of Class 4/TAB Venue

- 6.1 The WDC will consider granting consent for relocation of existing Class 4 or TAB venues, if:
- a. The existing site is rendered inoperable and/or unsafe due to any circumstance- including, but not limited to, natural disaster, fire, or other forces causing physical damage to the site- or
 - b. The proposed relocation is to a comparatively more appropriate location, as determined by the criteria outlined in Sections 6.2 and 6.3 of the present policy.
- 6.2 In determining a relocation application, the WDC shall consider:
- a. Proposed location's proximity to any schools, early childhood centres, kindergartens, places of worship or any other community facility (at least no closer than 100 meters, by public access way); and
 - b. Proposed location's proximity to other Class 4 or TAB venues (at least no closer than 100 meters, by public access way).
- 6.3 The proposed venue must be in a lower deprivation area, in comparison to the location of the existing venue, if applicable.

7.0 Application for Relocation Consent

- 7.1 Applications for relocation consent must be submitted via the completion of the WDC's approved form, and are to include:
- a. Name and address of gambling license holder,
 - b. Contact details for the consent,
 - c. Street address of the new venue,

- d. Details and evidence of the operation of the venue, and in case of a club, details of the membership and activities,
- e. 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,
- f. A location map of the new venue, detailing distances to nearby schools, early childhood centres, kindergartens, places of worship or any other community facility,
- g. The number of gaming machines proposed at the new venue,
- h. Evidence that the new location is in a lower deprivation area than the existing venue, if applicable, and
- i. Copies of evidence of all other applicable approvals (e.g. liquor, health, planning, building, etc.).

7.2 Applications fees are set in compliance with relevant legislation, and will be reviewed annually through the Annual Plan process.

8.0 Merger of Corporate Societies

- 8.1 Section 5 of the present policy notwithstanding, the WDC will grant a consent where 2 corporate societies are merging, pending Ministerial approval to operate up to the statutory limit.
- 8.2 The total number of gaming machines that may operate at such a combined venue must not exceed 16.

9.0 Associated Documents

PRIMARY LEGSLATION

- a. Gambling Act 2003
- b. Local Government Act 2002
- c. Racing Act 2003

10.0 Document Control

Document owner:	Regulatory & Compliance Group Manager
Effective:	31 January 2023
Previous review date(s):	7 August 2018
Next review date:	Combined 305 Gambling Venue Policy & 309 TAB Board Venue Policy – January 2023 January 2026
Policy can only be amended by:	Resolution of Council
Council resolution number:	2023/11