



Gambling & TAB Venues Policy

Supporting Information

- Draft Gambling & Tab Venues Policy
- Gambling Venue Policy 305
- TAB Board Venue Policy 309



Waimate
District Council



Waimate
District Council



[Publish Date]

Draft 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.
- 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.
- 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 the 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 this 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 this 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 detailed below:
- 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 the 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 this 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
- 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 this 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

LEGISLATION

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

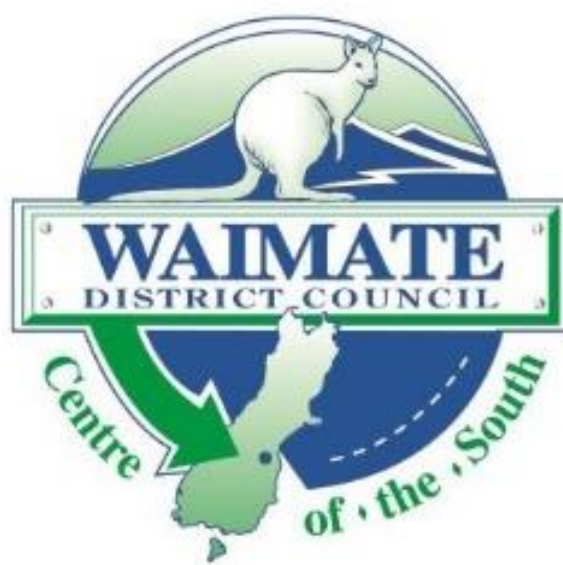
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WAIMATE DISTRICT COUNCIL

Gambling Venue Policy 305



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1. Introduction

This policy applies to venues licensed on or after, and for license applications made after 17 October 2001, which make available gaming (pokie) machines for use by the public, or in the case of clubs, by members or guests, within the Waimate District.

2. Purpose

The Gambling Act 2003 set new requirements with respect to the control of Class 4 venues, (gaming machine venues as defined below), and gave Territorial Local Bodies the responsibility for determining local policy as well as executing that policy.

This policy describes actions and requirements with respect to Class 4 Gambling Venues within the Waimate District which:

- Will allow those who wish to participate in gaming machine gambling to do so within the city/district
- Will restrict the number of Class 4 Venues in the District.

3. Responsibility

It is the responsibility of all persons who provide, own, or otherwise make available, gaming machines (within the Waimate District) to adhere to the requirements of this policy.

4. Definitions

The following definitions are fundamental to this policy and describe the intent that lies behind formulating this policy document.

4.1. Gaming Machines

Electronic gambling machines also referred to as pokies.

4.2. Class 4 Venues

A place located on one or more contiguous allotments at which gaming machines (also known as pokies) are located, or for the purpose of application, at which it is proposed that gambling machines be located.

4.3. Zones

Residential - Locations where the primary character is residential.

Rural - The Rural Zone encompasses all the non-residential areas of the district including lakes and rivers.

Business 1 - Commercial Focus - An area of concentrated commercial and retail facilities that is accessible, safe, convenient and identifiable.

Business 2 - Mixed Business Use Area - The existing business area in close proximity to Queen Street, Waimate, suitable for the establishment of a mixture of commercial, service, industrial and residential activities.

Business 3 - Industrial Activity Area - Locations for the establishment and maintenance of industrial activities that do not adversely affect the amenities of area in the vicinity.

5. Policy

5.1. Where Class 4 Gambling Venues may be Established

Some venues existing at the time of formulating this policy may not meet all requirements listed below. This policy recognises their rights as an existing use.

NOTE: The zones listed below are generic and need to be 'read' in conjunction with the specific zones set out in the Waimate District Council's District Plan.

5.1.1. Business Zone 1 and 2

Class 4 Gambling venues may be established within the Business Zones 1 and 2, subject to:

- Meeting application and fee requirements; and
- The number of gaming machines proposed for the venue being able to be met within the overall district cap (maximum) on machines and venue licences determined by the Waimate District Council; and
- Not being a venue at which the primary activity is associated with family or children's activities.

5.1.2. Business Zone 3, Rural Zone, Residential Zone

Class 4 Gambling venues may be established in Business Zone 3, Rural and Residential Zones subject to:

- Meeting application and fee requirements; and
- The number of gaming machines proposed for the venue being able to be met within the overall district cap (maximum) on venue licences determined by the Waimate District Council; and
- Being no closer than 100 metres to any school, early childhood centre, kindergarten, place of worship or other community facility; and
- Being no closer than 100 metres to any other Class 4 gambling venue; and
- Not being a venue at which the primary activity is associated with family or children's activities.

5.2. Number of Gaming Machines to be Allowed

Existing venues, with licences issued after 17 October 2001 and operating fewer than nine gaming machines, shall not be allowed to increase the number of machines operated at the venue to above nine.

5.3. Overall Cap on Number of Gaming Machines in the District

The number of machines operated within the district shall not exceed 20 (Twenty).

5.4. Overall Cap on Number of Class 4 Gambling Venues in the District

The number of Class 4 Gambling Venues operated within the district shall not exceed 8 (eight). However, where a society surrenders or otherwise ceases to hold its Class 4 venue licence in relation to a particular venue, a licence may be granted to that society or to another society in relation to a different venue.

Where an existing Class 4 gambling venue is ceasing to operate, the Council may at its own discretion, allow the transfer of existing venue conditions to another location(s) that meets the criteria of existing policy.

5.5. Primary Activity of Class 4 Gambling Venues

The primary activity of any Class 4 Gambling Venue shall be:

- For sporting activities
- For the sale of liquor or for liquor and food
- A venue operated by the New Zealand Racing Board as a stand alone TAB.

5.6. Incompatibility of Class 4 Gambling Premises

Class 4 Gambling Venues must not be located in premises that are incompatible with other predominant uses in the relevant zone.

5.7. Combined Premises

Where two or more clubs or societies legally and physically combine their premises, they may apply to have up to 9 gambling machines or the sum of the number of gambling machines specified in all of the clubs class 4 venue licences at the time of application whichever is the lesser of the two numbers.

5.8. Signage

All signage associated with Class 4 Gambling Venues must comply with relevant by-laws and policies of the Waimate District Council.

5.9. Applications

Applications for territorial authority consent must be made on the approved form and must provide the following information:

- Name and contact details for the application
- Street address of premises proposed for the Class 4 venue licence
- The names of management staff
- Evidence of police approval for owners and managers of the venue
- A copy of the proposed gambling harm minimisation policy and staff training programme

- A 12 month business plan or budget for the establishment, covering both gambling and other activities proposed for the venue
- A site plan covering both gambling and other activities proposed for the venue, including details of each floor of the venue
- If not in the Business Zone 1 or 2, evidence of the distance to the nearest residential zone, educational or religious establishment and other Class 4 Gambling Venues
- Details of liquor licence(s) applying to the premises.

5.10. Application Fees

These will be set by the territorial authority from time to time, and shall be set so as to offset the costs to the Council of executing the requirements of the Gambling Act 2003. These will include:

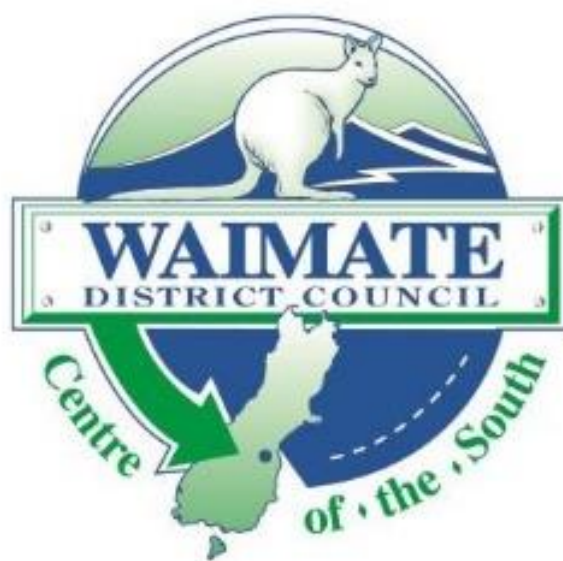
- The cost of processing the application, including any consultation and hearings involved
- The cost of triennially reviewing the Class 4 Gambling Venue policy
- The cost of inspecting Class 4 Gambling Venues on a regular basis to ensure compliance with consent or license conditions
- A contribution towards the cost of triennial assessments of the economic and social impact of gambling in the District.

6. Publication Details

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WAIMATE DISTRICT COUNCIL

TAB Board Venue Policy 309



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1. Introduction

This policy covers stand-alone TAB Board Venues, which are owned or leased by the New Zealand Racing Board. Council consent is not required under the legislation to establish a TAB facility in a bar, hotel or club. If a TAB Board Venue wishes to host gaming machines, a separate application must be made under Council's class 4 gambling policy and the TAB Board Venue must also meet the additional criteria set out in that policy.

2. Purpose

Section 65D of the Racing Act 2003 gave Territorial Local Bodies the responsibility for determining a TAB Board Venue Policy as well as executing that policy.

3. Definitions

The following definitions are fundamental to this policy and describe the intent that lies behind formulating this policy document.

3.1. Board Venue

Totalisator Agency Board venue which is not located on licensed premises.

3.2. Zones

Residential - Locations where the primary character is residential.

Rural - The Rural Zone encompasses all the non-residential areas of the district including lakes and rivers.

Business 1 - Commercial Focus - An area of concentrated commercial and retail facilities which is accessible, safe, convenient and identifiable.

Business 2 - Mixed Business Use Area - The existing business area in close proximity to Queen Street, Waimate, suitable for the establishment of a mixture of commercial, service, industrial and residential activities.

Business 3 - Industrial Activity Area - Locations for the establishment and maintenance of industrial activities which do not adversely affect the amenities of area in the vicinity.

4. Policy Objectives

4.1. Where Board Venues may be established

Some venues existing at the time of formulating this policy may not meet all requirements listed below. This policy recognises their rights as an existing use.

(NOTE: The zones listed below are generic and need to be 'read' in conjunction with the specific zones set out in the Waimate District Council's District Plan.)

4.1.1. Business Zone 1 and 2

Board Venues may be established within the Business Zones 1 and 2, subject to:

- Meeting all application and fee requirements
- Not being a venue at which the primary activity is associated with family or children's activities.

4.1.2. . Business Zone 3, Rural Zone, Residential Zone

Board venues may be established in Business Zone 3, Rural and Residential Zones subject to:

- Meeting all application and fee requirements
- Being no closer than 100 metres to any school, early childhood centre, kindergarten, place of worship or other community facility, the measurement being from the closest boundaries.
- Not being a venue at which the primary activity is associated with family or children's activities.

4.2. Applications

Applications for territorial authority consent must be made on the approved form and must provide the following information:

- Name and contact details for the application
- Street address of premises proposed for the Board Venue
- The names of management staff
- If not in the Business Zone 1 or 2, evidence of the distance to the nearest residential zone, educational or religious establishment

4.3. Application Fees

These will be set by the territorial authority from time to time, and shall be set so as to offset the costs to the Council of executing the requirements of the Racing Act 2003. These will include:

- The cost of processing the application, including any consultation and hearings involved
- The cost of triennially reviewing the TAB Board Venue policy
- The cost of inspecting TAB Board Venues on a regular basis to ensure compliance with consent or license conditions
- A contribution towards the cost of triennial assessments of the economic and social impact of gambling in the district.

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