

# G101 - Gambling Venue Policy

<b>Category</b>	Gambling	<b>Type</b>	Policy
<b>Policy Owner</b>	<a href="#">Group Manager Environmental and Regulatory Services</a>	<b>Approved by</b>	Council
<b>Last Approved Revision</b>	July 2022	<b>Review Date</b>	July 2025

## CURRENTLY UNDER VIEW

### PURPOSE

The purpose of the Gambling Policy is to:

- a) control the growth of gambling in the district
- b) prevent and minimise the harm caused by gambling, including problem gambling
- c) allow those who wish to participate in responsible Class 4, and race and sports betting to do so in the Selwyn District.

### DEFINITIONS & ABBREVIATIONS

<b>TAB Venue</b>	<b>Class 4 Gambling Venue</b> refers to a premises owned or leased by TAB NNZ and where the main business carried on at the premises is providing racing betting or sports betting services under the Racing Industry Act 2020 a place where pokie machine gambling can take place under the Gambling Act 2003
<b>TAB New Zealand (TAB)</b>	It is the body established under the Racing Industry Act 2020 to conduct racing better, sports betting, or other racing or sports betting under the Racing Industry Act 2020
<b>Gambling Act 2003</b>	The Gambling Act 2003 and Racing Industry Act 2020 require Territorial Authorities to adopt a Class 4 Gambling Venue Policy and a TAB Venue Policy for its District. This Policy covers both Class 4 gaming machine gambling (or “pokie gambling”) and TAB gambling venues.

### THE POLICY

#### 1. General Conditions

- a) A society must get a Class 4 gambling venue consent from the Council before it may:
  - i. increase the number of gaming machines that may be operated at such a venue;
  - ii. start operating gaming at such a venue that was not on any society’s licence within the previous six months
  - iii. start operating gaming machines at such a venue for which a licence was not held on 17 October 2011

- iv. continue to operate gaming machines at such a venue for which a licence was not held on 17 October 2001, but which was added to a society's licence on a date after 17 October 2001 and before 19 September 2003.
- b) The TAB must get the consent of the Council if it intends to establish a stand-alone TAB venue for sport and race betting.
- c) An applicant for Council consent under this policy must:
  - i. meet the application conditions specified in this policy; and
  - ii. meet the fee requirements specified in this policy

## **2. Consent for a New Class 4 or Board Venue**

- a) The Council will grant a consent for a Class 4 gambling venue licence or a TAB venue licence only when the following conditions are met:
  - i. the proposed venue must not be located in any Living Zone in the Operative Selwyn District Plan or any Residential or Settlement Zone in the Proposed District Plan
  - ii. the number of gaming machines proposed for a Class 4 venue will not exceed the district-wide cap of 124 gaming machines.

## **3. Consent to Amend an Existing Class 4 Venue Licence**

- a) Under the Gambling Act 2003, no society may operate more gaming machines at a Class 4 venue than were legally operated at that venue on 22 September 2003 unless the Council approves an amendment to the venue's licence increasing the number of machines at that venue.
- b) The Council will only approve an amendment to an existing venue licence for an increased number of gaming machines if:
  - i. the increased number of gaming machines at the venue will not exceed the district-wide cap of 124 gaming machines; and
  - ii. the venue is not located in any Living Zone in the Operative Selwyn District Plan or any Residential or Settlement Zone in the Proposed District Plan.

## **4. Venue Relocation**

- a) A new venue consent will be issued by the Council in the following circumstances:
  - i. where the venue is intended to replace an existing venue within the district; and
  - ii. where the proposed new location meets all the other requirements of this policy.
- b) The new venue will be permitted to have the same number of machines as the existing venue.

## **5. Applications for Consent**

- a) All applications for consents must be made on the approved form.
- b) All applications will incur a fee, to be known as the Gambling Venue Consent Fee, which will be prescribed by the Council pursuant to section 150 of the Local Government Act 2002. This fee will cover:
  - i. the cost of processing the application; and
  - ii. a proportion of the cost of monitoring and reviewing the Policy.

- c) The consent fee is \$220 (inclusive of GST) and will be reviewed annually through the Annual Plan Process.
- d) The Council has thirty (30) working days in which to determine a consent application.
- e) The decision will be made at the officer level pursuant to delegated authority and be based on the criteria detailed in this Policy.
- f) In the case of an application relating to a Class 4 venue:
  - i. the assessment of the number of gaming machines in Selwyn District will be based on Department of Internal Affairs official records
- g) There is no right of appeal to the Council against a decision.

## **6. Review**

- a) The Council will complete a review of the Policy within three (3) years, after that the completion of that review, and of each subsequent review.
- b) If Council amends or replaces this Policy, it shall do so in accordance with the special consultative procedure outline in the Local Government Act 2002.

## **DELEGATION**

The implementation of this policy is delegated to the Group Manager Environmental and Regulatory Services.

## **RELATED POLICIES, PROCEDURES AND FORMS**

- Gambling Act 2003
- Racing Act 2003
- Local Government Act 2002

## **CONTACT FOR FURTHER INFORMATION ABOUT THIS POLICY**

If you have queries about the content of this policy, contact the Regulatory Manager.