

# Gambling Venue Policy



<b>Approved by:</b>	Timaru District Council
<b>Group:</b>	Environmental Services
<b>Responsibility:</b>	Environmental Compliance Manager
<b>Date adopted:</b>	6 December 2022
<b>Review:</b>	Every 3 years, or earlier if required  Next review to be completed by mid-2025.  This Policy does not cease to have effect because it is due for review, or being reviewed
<b>Consultation:</b>	Required – Special Consultative Procedure ( <a href="#">Gambling Act 2003: S102</a> , <a href="#">Racing Industry Act 2020: S97</a> )
<b>Policy Type</b>	Council External Operational

## Introduction

### 1. Purpose and Objectives

- 1.1. The purpose of this policy is to:
  - 1.1.1 Detail Council’s policy with regards to consent applications for new Class 4 gambling venue and TAB New Zealand venue licences, in accordance with the Gambling Act 2003 and the Racing Industry Act 2020.
  - 1.1.2 Recognise that gambling can be a serious problem for people in our community.
  - 1.1.3 Ensure Council and the community has influence over the provision of new gambling venues within the Timaru District.
  - 1.1.4 Allow those who wish to participate in controlled gambling to do so within the Timaru District.
  - 1.1.5 Minimise harm to the community caused by gambling.

### 2. Scope

- 2.1. This policy applies to all new consent applications for Class 4 Gambling and TAB New Zealand venues in the Timaru District.
- 2.2. The Policy will not be applied retrospectively to venues with current licences.

- 2.3. This Policy takes effect from the date it is formally adopted by Council.

### **3. Definitions**

- 3.1. Definitions of the terms used in this policy are attached as Appendix 1.

## **Policy Statements**

### **4. Gambling Venue Locations**

- 4.1. Within the boundary of the Timaru Township, Gambling Venues may be established in Commercial 1, 2 and 3 Zones subject to:
- 4.1.1. Meeting application and fee requirements;
  - 4.1.2. Being no closer than 200 metres, by public access way, to any Residential Zone;
  - 4.1.3. Being no closer than 100 metres, by public access way, to any sensitive site (as defined in Section 3 of this policy);
  - 4.1.4. Being no closer than 100 metres, by public access way, to another Gambling Venue; excepting that TAB venues may, on application be exempt from this requirement, and;
  - 4.1.5. Not being a venue that is associated with family or children's activity unless the activity is in a room separate from gaming machines.
- 4.2. For all areas outside the boundary of the Timaru Township, Gambling Venues may be established in Commercial 1 Zone subject to:
- 4.2.1. Meeting consent application and fee requirements;
  - 4.2.2. Being no closer than 25 metres, by public access way, to any Residential Zone;
  - 4.2.3. Being no closer than 25 metres, by public access way, to any sensitive site (as defined in Section 3 of this policy);
  - 4.2.4. Being no closer than 25 metres, by public access way, to any other gambling venue excepting that TAB venues may, on application, be exempt from this requirement, and;
  - 4.2.5. Not being a venue that is associated with family or children's activity unless the activity is in a room separate from gaming machines.

### **5. Exemptions**

- 5.1. Where a proposed new venue is unable to comply with the location requirements of this policy the application will be referred to the Environmental Services

Committee which has discretion to approve or decline, subject to the application meeting all other requirements of this policy.

## **6. Relocation of Venues**

- 6.1. Applications for the relocation of existing venues to a new site will be referred to the Environmental Services Committee, which has discretion to approve or decline the application.
- 6.2. Any application, and the proposed new venue, must comply with all other conditions and provisions of this policy.
- 6.3. The maximum number of gaming machines permitted to operate at the new venue is the same as the maximum number of gaming machines permitted to operate at the venue before relocation.

## **7. Number of Gaming Machines to Be Allowed**

- 7.1. New Class 4 gambling venues shall be allowed a maximum of seven gaming machines.
- 7.2. Existing Class 4 gambling venues operating fewer than seven gaming machines, shall be allowed to increase the number of machines operated at the venue to seven.

## **8. Primary Activity of Venues**

- 8.1. The primary activity of any Class 4 gambling venue shall be:
  - 8.1.1. For the sale of alcohol, or the sale of alcohol and food; or
  - 8.1.2. For private club activities.
- 8.2. The primary activity for TAB New Zealand venues, as defined by section 5 of the Racing Industry Act 2020, shall be providing racing betting, or sports betting services.

## **9. Application**

- 9.1. Applications for Council consent must be made on the correct form, accompanied by all required documentation and fees.
- 9.2. Application forms are available on Council's website, [www.timaru.govt.nz](http://www.timaru.govt.nz), and at all Council service centres.

## 10. Application Fees

- 10.1. Application fees will be set by Council from time to time with the intention of recovering full costs from applicants/operators, and shall include consideration of:
- 10.1.1. The cost of processing the application, including any consultation and hearings involved;
  - 10.1.2. The cost of triennially reviewing the Gambling Venue Policy;
  - 10.1.3. The cost of inspecting Class 4 gambling and TAB New Zealand venues on a regular basis to ensure compliance with consent or licence conditions; and
  - 10.1.4. A contribution towards the cost of triennial assessments of the economic and social impact of gambling in the District.
- 10.2. Council will comply with section 150 of the Local Government Act 2002 in setting such fees.

## 11. Monitoring

- 11.1 Council will utilise a Social Impact Assessment to assess the effectiveness of this policy and the extent of gambling harm in the Timaru District.
- 11.2 The Social Impact Assessment – either a full review or an update of the previous Social Impact Assessment, as required – will be undertaken every three years when the policy is reviewed.

## 12. Reporting

- 12.1 Council will receive reports on the effectiveness of this policy when it is due for review.

### Delegations, References and Revision History

#### Delegations

Identify here any delegations related to the policy for it to be operative or required as a result of the policy

Delegation	Delegations Register Reference
Power to receive and process consent applications pursuant to the Timaru District Council Gambling Venue Policy	Delegation 5.18

#### References

Include here reference to any documents related to the policy (e.g. operating guidelines, procedures)

Title	Document Reference
-------	--------------------

N/A			N/A		
<b>Revision History</b>					
Summary of the development and review of the policy					
<b>Revision</b>	<b>Owner</b>	<b>Date Approved</b>	<b>Approval By</b>	<b>Next Review</b>	<b>Doc Ref</b>
1	Environmental Compliance Manager	6 December 2022	Council	By June 2025	1547386

## Appendix 1: Definition of terms used in this policy

<b>Class 4 Gambling</b>	Means any activity that involves the use of gaming machines (i.e. pokies) in pubs and clubs (i.e. outside a casino) which may only be conducted by a corporate society and only to raise money for an authorised (i.e. community and non-commercial) purpose.
<b>Commercial Zones</b>	As defined in the operative Timaru District Plan.
<b>Community Facility</b>	Any building, place or facility which provides for the physical, social, cultural or intellectual development or welfare of the community, including but not limited to; public playgrounds; recreational halls; community centres; community halls; libraries; museums; and public swimming pools.
<b>Gambling Venue</b>	Any Class 4 gambling venue or TAB New Zealand venue.
<b>Residential Zones</b>	As defined in the operative Timaru District Plan.
<b>Sensitive Site</b>	Any childhood centre, kindergarten, school, place of worship or community facility.
<b>TAB New Zealand Venue</b>	Means premises owned or leased by TAB New Zealand and where the main business carried on at the premises is providing racing betting, sports betting, or other racing or sports betting services.