



POLICY ON GAMBLING VENUES		ACTIVITY GROUP:	REGULATORY SERVICES
Policy Type:	Council		
Approved by:	Council		
Department:	Regulatory		
Date Approved:	31 March 2021	Next Review Date:	31 March 2024 (3 years)
Relevant Legislation:	Gambling Act 2003 Racing Industry Act 2020 Local Government Act 2002		
Clutha District Council Documents referenced:	Clutha District Council Schedule of Fees and Charges		

PURPOSE

The purpose of the policy is:

- To control the growth of gambling and to prevent and minimise harm to the community caused by gambling, including problem gambling, in the Clutha District.
- To allow those who wish to participate in Class 4 gambling to do so safely and responsibly within the Clutha District.
- To promote standards for Class 4 gambling and TAB venue gambling which are acceptable to the community.
- To define the parameters for applications for Class 4 gambling or TAB venue gambling in the Clutha District.

SCOPE

This policy applies to Class 4 gambling in the Clutha District. This policy regulates Class 4 venues and the gaming machines within them. This policy applies to new Class 4 venues and existing Class 4 venues applying to change their location or the number of gaming machines located within them.

This policy also applies to standalone TAB venues. This policy applies to new TAB venues or the relocation of existing TAB venues. This policy does not regulate self-service TAB machines.

This policy and any subsequent reviews must be adopted in accordance with the special consultative procedures set out in the Local Government Act 2002. This policy is required to be reviewed every 3 years.

A Policy on Gambling Venues was originally adopted by Council on 28 May 2004, and revised versions were adopted on 11 October 2007 and 30 June 2011.

DEFINITIONS

Class 4 gambling	means any activity that involves the use of a gaming machine outside of a casino, which may be conducted only by a Corporate Society and only to raise money for authorised purposes.
Class 4 venue	means a place used to operate Class 4 gambling.
Council	means Clutha District Council.
New venue	means any venue that has not held a venue licence for six months or more or that has never held a venue licence.
Sensitive uses	for the purposes of this policy means childcare facilities, schools, places of worship, other community facilities used by families and in particular children, automated teller machines (ATM's) and other Class 4 venues.
TAB gambling	means racing betting, sports betting, or other racing or sports betting services under the Racing Industry Act 2020.
TAB venue	means standalone premises owned or leased by TAB NZ and where the main business carried on at the premises is TAB gambling.

POLICY

1. When Council consent is required

- 1.1. Council consent is required in the circumstances set out under section 98 of the Gambling Act 2003 and section 93 of the Racing Industry Act 2020.

2. Where Class 4 venues may be established?

- 2.1. Council has a sinking lid policy regarding Class 4 venues in the Clutha District.
- 2.2. No new Class 4 venues may be established in the Clutha District.

3. Relocation policy for Class 4 venues

- 3.1. Council will only consider relocation applications for existing Class 4 venues if the premises cannot continue to operate at the existing venue site. Examples of such circumstances include but are not limited to the following:
 1. Due to a natural disaster or fire, the existing premises are unfit to continue to operate.
 2. The existing venue is deemed to be earthquake prone.
 3. The property is acquisitioned under the Public Works Act 1981.
 4. Expiration of lease.
 5. Site redevelopment.
- 3.2. Relocation applications that meet the criteria in section 3.1 also need to meet the following criteria:
 1. The relocated venue are premises are appropriate to the activity and the activity either complies with the relevant zone standards of the site or has been granted resource consent.
 2. The primary activities of relocated Class 4 venues must be premises that have an on licence or club licence for the sale of alcohol.

3. Class 4 gaming machine gambling is not the predominant activity of the relocated venue.
4. The relocated premises are located more than 100 metres from existing sensitive uses as defined by this policy.
5. The relocation will not create any additional venues or any additional gaming machines in the Clutha District.

4. Redistribution of gaming machines

- 4.1. This policy does not allow any redistribution of gaming machines between existing licensed premises.
- 4.2. This policy does not allow redistribution of existing licenced gaming machines associated with club or venue mergers in the Clutha District.

5. Number of Class 4 venues

- 5.1. Council has a sinking lid policy regarding the number of Class 4 venues allowed in the Clutha District.
- 5.2. No additional Class 4 venues shall be granted consent by the Council.
- 5.3. If a Class 4 venue closes it cannot be replaced.

6. Number of gaming machines

- 6.1. Council has a sinking lid policy regarding the number of gaming machines allowed in the Clutha District.
- 6.2. No additional gaming machines shall be granted consent by the Council.
- 6.3. If a gaming machine licence is relinquished or lost it cannot be replaced or transferred within the Clutha District.

7. Limits on number of gaming machines per venue

- 7.1. Gaming machines numbers per venue may not exceed the limits as set out in the Gambling Act 2003.
- 7.2. This policy also does not allow any redistribution of gaming machines between existing licensed premises (refer to section 4 of this policy).
- 7.3. Council will not provide consent under Sections 95(1)(f) or 96(1)(e) of the Gambling Act 2003 to any application by corporate societies with Class 4 licences seeking Ministerial discretion to increase the number of gaming machines permitted at a venue.

8. Where may TAB venues be established?

- 8.1. Council has a sinking lid policy regarding TAB venues in the Clutha District.
- 8.2. No new TAB venues may be established in the Clutha District.
- 8.3. As there are no existing TAB venues in the Clutha District on the day this policy was enacted no relocation policy or further limit on the number of TAB venues is set out in this policy.

9. Applications for consent

- 9.1. Applications for consent must be made in accordance with Councils gambling venue application form.

- 9.2. Applications will not be accepted and working days will not commence until such time as all the information required in Council's gambling venue application form is supplied in full by the applicant to the Council.
- 9.3. Council has 30 working days to determine a gambling venue application.
- 9.4. Fees for gambling venue applications are set out in Council's Schedule of Fees and Charges, which is reviewed annually.
- 9.5. Decisions on gambling venue applications are delegated to Council's Group Manager Planning and Regulatory.

10. Best Practice

- 10.1. All Class 4 venues are to adhere to the Best Practices Guidelines issued by the Department of Internal Affairs relating to gambling harm and minimisation. These will be displayed on the Clutha District Council website to ensure that they are always up to date. Information relating to Gambling Help or support will also be provided there and updated regularly.

Version History			
Date:	Action:	Name:	Version:
31 March 2021	Policy adopted	Council	1