

# Policy

## GAMBLING VENUE

<b>TEAM:</b>	Compliance & Development
<b>RESPONSIBILITY:</b>	Group Manager –Compliance & Development
<b>ASSOCIATED DELEGATIONS:</b>	As per <a href="#">LocoDelegations</a> under the Gambling Act 2003
<b>ADOPTED:</b>	17 December 2025
<b>REVIEW:</b>	17 December 2028
<b>CONSULTATION:</b>	Consultation as required by the Gambling Act 2003 and Racing Industry Act 2020.
<b>RELATED DOCUMENTS:</b>	Gambling Act 2003, Racing Industry Act 2020, Local Government Act 2002, District Plan, and Sale of Liquor Policy / Local Alcohol Plan, Class 4 Gambling Social Impact Report 2025.

## Glossary and Definitions

**Business Zone** means the same as stated in the Ashburton District Plan.

**Class 4 Gambling** means gaming machines within pubs and clubs (i.e outside a casino), which the Gambling Act 2003 classifies as high-risk, high turnover gambling. Class 4 gambling may only be conducted by a corporate society and raise money for authorised (e.g. community and non-commercial) purposes.

**Council** means Ashburton District Council.

**Designated Site** means the same as stated in the Ashburton District Plan.

**Gambling Harm** means the same as stated in the Gambling Act 2003.

**Gambling Venue** means a class 4 gambling venue or a stand-alone TAB gambling venue.

**Gambling Venue Consent** means a formal approval issued by a territorial authority under the Gambling Act 2003 to a corporate society, permitting the establishment or relocation of a Class 4 gambling venue or a stand-alone TAB venue at a specified location within the district. This consent is a prerequisite for the corporate society to apply for a gambling licence from the Department of Internal Affairs (DIA). The consent is permanent, unless the venue ceases to operate for a continuous period of six months or more, in which case a new consent may be required. The granting of a territorial authority consent does not guarantee that a gambling licence will be issued by the DIA.

**Gaming Machine** means the same as stated in the Gambling Act 2003. Often referred to as pokie or slot machines.

**High Deprivation** means the most deprived areas in New Zealand, represented in the NZDep index as areas with a decile score 8-10.

**Low Deprivation** means the least deprived areas in New Zealand represented in the NZDep index as areas with a decile score of 1-3.

**Medium Deprivation** means areas in New Zealand that have moderate levels of deprivation, represented in the NZDep index as areas with a decile score of 4-7.

**New Zealand Deprivation Index (NZDep)** means the index used to measure socioeconomic deprivation in New Zealand using Statistics NZ mesh block (small area) data whereby decile 1 represents the least deprived areas in New Zealand and decile 10 represents the most deprived areas.

**Problem Gambling** means gambling that results in severe harm to individuals, families and communities.

**Relocation** means an existing class 4 venue can move from the current site to a new site while retaining the same consent conditions e.g. same number of gaming machines where consent has been granted by a territorial authority.

**TAB Venue** means a stand-alone venue operated by TAB New Zealand where horse and sports betting services are offered.

**Territorial Authority** means the same as stated in the Local Government Act 2002.

## 1. Introduction

- 1.1. The Gambling Act 2003 and the Racing Industry Act 2020 require territorial authorities to adopt a class 4 Gambling Venue Policy and a TAB Venue Policy for its district. This Gambling Venue Policy covers both class 4 or “pokie” gambling, and TAB New Zealand (hereafter referred to as TAB”) gambling venues.
  - “Class 4 gambling venue” refers to a place where gaming machine (pokie machine) gambling can take place under the Gambling Act 2003.
  - “TAB” venue refers to a venue owned or leased, and operated, by TAB New Zealand and where the main business carried on at the premises is providing racing betting or sports betting services as provided for in the Gambling Act 2003 and the Racing Industry Act 2020.
- 1.2. The Gambling and TAB Venue Policy must be reviewed at least every three years and adopted in accordance with the requirements of the Gambling Act 2003 and the Racing Industry Act 2020.
- 1.3. The Gambling and TAB Venue Policy will guide Council decisions on the issuing of class 4 gambling venue consents required for all new class 4 gambling venues and for existing venues seeking to increase the number of gaming machines operated at a particular venue. It also covers whether or not TAB gambling venues may be established in the district and where they may be located.

## 2. Policy Objectives

- 2.1. To ensure the council and the community has influence over the provision of new class 4 and TAB gambling venues in the Ashburton District.
- 2.2. To enable the council and the community to influence the operation of existing class 4 and TAB gambling venues in the Ashburton District.
- 2.3. To allow those who wish to participate in class 4 and TAB gambling to do so within the Ashburton District.
- 2.4. To minimise any potential negative social and economic impacts of class 4 and TAB gambling in the Ashburton District.
- 2.5. To ensure the Ashburton District community is able to maximise the benefits from class 4 gambling proceeds returned to the community.

## 3. Policy Principles

The following principles have guided the development of the Ashburton District Council Gambling and TAB Venue Policy.

### 1. Gambling is a legitimate form of entertainment

Gambling is a popular and legitimate form of entertainment. Council believes class 4 and TAB gambling is entertainment that the majority of people who choose to, can enjoy in a responsible and safe manner.

### 2. Gambling harm effects individuals, families, and the wider community

While many people gamble without harm, Council acknowledges that a proportion of the community may experience gambling related harm or have higher risk of developing problem gambling behaviours. Problem gambling can result in significant negative social and economic impacts, some of which will be serious for the individuals affected, their families and friends and for the community as a whole. Council recognises the need to mitigate both problem gambling and the wider spectrum of gambling harm.

### 3. Harm minimisation is a shared responsibility

Venue operators and corporate societies have the ultimate responsibility to ensure harm minimisation processes are developed and implemented to minimise the potential negative effects of problem gambling. Council will seek to encourage a responsible approach to gambling and consider harm minimisation when reviewing this policy.

### 4. Allowing controlled growth

Council supports a controlled growth approach to Class 4 gambling, recognising that while Council can apply regulatory controls, the gambling environment is largely shaped by external market forces such as consumer demand, economic conditions, and national policy settings. Council believes that growth should be carefully managed to ensure that any expansion is socially responsible and maintains the right balance between entertainment, harm minimisation, and community funding.

### 5. Equitable and localised distribution of proceeds

Council does not have direct control over the distribution of community funding generated through Class 4 gambling. However, Council will support and facilitate local decision-

making to ensure that proceeds are returned to and benefit the Ashburton community wherever possible.

## Policy Statement

### 4. TAB Venue Policy

Council does not permit the establishment of stand-alone TAB gambling venues within the Ashburton District.

### 5. Class 4 Gambling Venue Policy

Council permits the establishment of new class 4 gambling venues within the Ashburton District provided they meet the requirements of this policy.

#### 5.1 Location of Class 4 Gambling Venues

Class 4 gambling (pokie machine) venues may be established in Ashburton District subject to:

- 5.1.1 Meeting application and fee requirements set by the Council and by the relevant legislation administered by the Department of Internal Affairs;
- 5.1.2 The primary activity of the venue being for the sale of liquor or for liquor and food, and the location of gaming machines within the venue being in an area where under 18 year-olds do not have free access to;
- 5.1.3 The venue being located within a Business Zone of the Ashburton District Plan or otherwise permitted by way of resource consent;
- 5.1.4 All necessary resource consent(s) having been granted and complied with;
- 5.1.5 The venue not being one where the primary activity of the venue is associated with family or children's activities and is not on a site listed as a "designated site" within the Ashburton District Plan;
- 5.1.6 The venue being located in an area in the district with a socio-economic deprivation score of decile 7 or less<sup>1</sup>.

#### 5.2 Venue and Gaming (pokie) Machine Limits

##### **Number of machines allowed at a venue**

- 5.2.1 New class 4 gambling venues shall be permitted a maximum of 5 gaming machines.
- 5.2.2 As per section 92 of the Gambling Act 2003, existing class 4 gambling venues with a licence issued before 17 October 2001 shall be permitted a maximum of 18 gaming machines,

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<sup>1</sup> This means that the area will be a statistical area 1 (SA1) on the New Zealand Deprivation Index (NZDep) of 1-7. The NZDep decile rating will be that which applies at the time the application is submitted to Council.

provided there has been no period of 6 months or more since 17 October 2001 when no class 4 venue licence was held for the venue.

5.2.3 As per section 93 of the Gambling Act 2003, existing class 4 gambling venues with a licence issued after 17 October 2001 but before 1 July 2004 shall be permitted a maximum of 9 gaming machines.

5.2.4 No venue may, under any circumstances, operate more than 18 gaming machines.

#### ***District wide venue cap***

5.2.5 The total number of class 4 venue licences (including those licenced on or prior to 17 October 2001) in the district shall not exceed 20.

### **5.3 Relocations of Existing Class 4 Venues**

#### ***Grounds for Relocation Consent***

5.3.1 As per the Gambling Act 2003, Council may grant consent for an existing Class 4 venue to relocate within the district, provided that the application demonstrates one or more of the following grounds:

- a) There are unforeseen circumstances that prohibit continued operation at the current location, including but not limited to:
  - i. Acquisition of the property under the Public Works Act 1981;
  - ii. The corporate society is a tenant in a premises, and the landlord is either selling the premises, or the tenant's lease expires and obtaining a new lease is not possible;
  - iii. Closure due to natural disaster, fire, or other unforeseen events.
- b) The venue proposes to relocate to a lower deprivation area within the district, as defined by the latest NZ Deprivation Index.
- c) The venue seeks to move to newly developed or more economically viable premises.
- d) In circumstances not specifically outlined in this policy, delegated officers may exercise discretion to approve a venue relocation consent application, provided that the application aligns with the overall intent of the policy and the objectives of the Gambling Act 2003.

#### ***Conditions for Relocation Consent***

5.3.2 In addition to the requirements in sections 5.1 and 5.2, the following conditions must be met for relocation consent to be granted:

- a) The existing venue must cease operating as a Class 4 licensed premises upon relocation.
- b) The new venue must be located within the same geographical area (e.g., the same town) as the original venue and be in an area that is decile 7 or lower.
- c) The same corporate society must operate the new venue as operated the original venue.

## **6. Applications and Fees**

- 6.1 A venue consent application is required for all reasons as specified under section 98 of the Gambling Act 2003.
- 6.2 Venue consent applications must be made on the approved form and must provide all the information requested.
- 6.3 Any venue consent application will require payment of a fee. The fee will be known as the Gambling Venue Consent Fee, and the amount will be specified in Council's schedule of fees. The Gambling Venue Consent Fee must be paid prior to the consent being processed and is not refundable.
- 6.4 The Gambling Venue Consent Fee will be set by Ashburton District Council, and may include consideration for:
  - a. the cost of processing the application;
  - b. the cost of inspecting gambling venues on a regular basis to ensure compliance with consent conditions;
  - c. a contribution towards the cost of a triennial assessment of the social impacts of gambling in Ashburton District and the review of Council's Gambling and TAB Venue Policy;
  - d. Any other matters prescribed in the Local Government Act 2002 relating to the setting of fees by a Council.

## **7. Decision Making**

- 7.1 Council has 30 working days in which to determine a consent application upon receiving a complete consent application containing all required information, and receipt of the full application fee.
- 7.2 Decisions will be made at officer level under appropriate delegated authority and be based on the criteria detailed in this policy. Any decision may be referred to the relevant committee or Council for a final decision at the officer's discretion.
- 7.3 Where a decision made at officer level is objected to by the applicant there will be the opportunity for the applicant to present a submission to the relevant committee or Council for review and a final decision.

## **8. Monitoring and Review**

- 8.1 Council will review the policy within three years of its last adoption.
- 8.2 Council will monitor the social and economic impacts of gambling on the community as part of the policy review process.
- 8.3 Any review or amendment of the policy, will be consulted on as required by the Gambling Act 2003 and Racing Industry Act 2020. Council may amend this policy at any time within the three-year policy review cycle.
- 8.4 Council reserves the right to introduce bylaws it deems necessary to control signage,

advertising and visibility of machines issues; which may not be considered to be sufficiently covered by the Gambling Act 2003 regulations.

## **9. Commencement of Policy**

- 9.1 The policy will take effect from the day after its adoption by Council.

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