

TAB Venues Policy

1. Relevant Legislation

Racing Act 2003
Gambling Act 2003
Local Government Act 2002

2. Definitions

Board means the New Zealand Racing Board established under section 7 of the Racing Act 2003.

Class 4 Gambling is:

- (a) gambling that is not gambling of another class and that satisfies the following criteria:
 - (i) the net proceeds from the gambling are applied to or distributed for authorised purposes;
 - (ii) no commission is paid to, or received by, a person for conducting the gambling;
 - (iii) the gambling satisfies relevant game rules; and
- (b) gambling that utilises or involves a gaming machine; or
- (c) gambling categorised by the Secretary as class 4 gambling

Existing Venue means a venue operating gaming machines as of January 2013

Gambling

- (a) means paying or staking consideration, directly or indirectly, on the outcome of something seeking to win money when the outcome depends wholly or partly on chance; and
- (b) includes a sales promotion scheme; and
- (c) includes bookmaking; and
- (d) includes betting, paying, or staking consideration on the outcome of a sporting event; but
- (e) does not include an act, behaviour, or transaction that is declared not to be gambling by regulations made under section 368.

Gaming Machine:

- (a) means a device, whether totally or partly mechanically or electronically operated, that is adapted or designed and constructed for use in gambling; and
- (b) includes a device for gambling that is conducted partly by a machine and partly by other means; and
- (c) includes a device, or type of device, that is declared to be a gaming machine by regulations made under section 368; but
- (d) does not include:

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- (i) a device used only to draw a lottery; or
 - (ii) a random selection device used in a game of housie; or
 - (iii) a device used only to dispense tickets that is not capable of being used to decide the outcome of gambling; or
 - (iv) a communication device that is used both to dispense tickets in and draw a lottery that is a sales promotion scheme; and
- (e) does not include a device, or type of device, that is declared not to be a gaming machine by regulations made under section 368; and
- (f) does not include a device operated by the Lotteries Commission.

Gambling Harm:

- (a) means harm or distress of any kind arising from, or caused or exacerbated by, a person's gambling; and
- (b) includes personal, social, or economic harm suffered—
- (i) by the person; or
 - (ii) the person's spouse, civil union partner, de facto partner, family, whanau, or wider community; or
 - (iii) in the workplace; or
 - (iv) by society at large

"TAB" means Totaliser Agency Board

Board Venue means premises that are owned or leased by the Board and where the main business carried on at the premises is providing racing betting or sports betting services under the Racing Act 2003. Note: this refers to a stand alone TAB which is not part of another business e.g. pub.

3. Policy Objectives

- 3.1** To support the purpose and intent of the Racing Act 2003.
- 3.2** To ensure the Council and its communities has influence over the provision of stand alone TAB's and Class 4 Gambling Venues in the District.
- 3.3** To control the growth of gambling while providing for the availability of racing and sports betting within the District.
- 3.4** To ensure that actual and reasonable costs relating to venue consent applications for stand alone TAB's are paid by the applicant(s).

4. General Approach

- 4.1** The Racing Act 2003 requires the Council to have a policy on TAB Venues for its district. The Council is required to review its policy every three years.

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- 4.2** Section 65D of the Racing Act 2003 requires that the TAB Venue Policy must specify whether or not new TAB Venues may be established in the District, and if so, where they may be located.
- 4.3** In determining its policy on whether TAB Venues may be established in the District and where any TAB venue may be located, the Council may have regard to any relevant matters, including:
- (a) the characteristics of the district and parts of the district;
 - (b) the location of kindergartens, early childhood centres, schools, places of worship, and other community facilities;
 - (c) the cumulate effects of additional opportunities for gambling in the district.

5. Policy Criteria and Conditions

5.1 Who the policy applies to

This policy applies to stand alone TAB Venues. It does not apply to TAB facilities in premises not owned or leased by the TAB (e.g. hotels, bars and clubs).

5.2 TAB Venues

Council permits the establishment of TAB Venues in the District, subject to the requirements of this policy.

5.3 Location of TAB Venues

TAB Venues will not be permitted where the Council believes that the amenity of the area will be adversely affected or where there is likely to be an adverse effect on any community facilities including kindergartens, early childhood centres, schools and places of worship.

5.4 Relocation of Existing TAB Venues

Council permits the relocation of TAB Venues subject to meeting the location requirements outlined in clause 5.3.

5.5 Primary Activity

The Primary Activity of a TAB Venue shall be racing betting, or sports betting.

5.6 Gaming Machine Numbers

Consent will not be granted for new Class 4 Gambling Venues if the total number of Gaming Machines in the District exceeds the cap of 191 as set out in clause 5.6 of the Class 4 Gambling Venues Policy.

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TAB's with licenses granted after 17 October 2001 shall be allowed a maximum of 9 Gaming Machines.

6. Policy Procedures

6.1 Applications for consent must be made on the approved form (available from Council) and must provide:

- (i) A site plan covering both gambling and any other activities proposed for the TAB Venue
- (ii) The name and contact details of the applicant
- (iii) The street address of the TAB Venue.
- (iv) Evidence of the distance to the nearest residential and community facility zones, and to the nearest school, early childhood centre, kindergarten, place of worship, and to other gambling venues;
- (v) The applicant must provide a description of how the TAB Venue will prevent people under the age of 18 years gaining access to the venue.

6.2 TAB Venue Consent Fees

Council will set fees and charges through its usual fees and charges process appropriate to cover the costs associated with processing a TAB Venue consent applications and to contribute to the cost of the review of the TAB Venues Policy and any associated assessment of the impact of Gambling in the District.

7. Review

In addition to the statutory requirements to review the Policy every three years, Council may elect to review this Policy at any time in order to respond to monitoring information and/or community feedback on the operation and level of activity of TAB Venues in the District.

Group	Policy, Planning and Community	Contact (3rd Tier Manager)	Policy, Planning and Community Manager
Supersedes	Class 4 Venues and Board Venues Policy		
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