



BULLER
DISTRICT COUNCIL
Te Kaunihera O Kawatiri

Issue #1  August 2023

Frequently asked Questions

Class 4 Gambling and TAB Venue Policy

FAQ

Get started to find out more about what is happening by reading our frequently asked questions (FAQ).

Why a review?

The Buller District Council, under the Gambling Act 2003 and the Racing Industry Act 2020, must have a Class 4 Venue and Board (TAB) Venue Policy, that needs to be reviewed every three years.

Although there are several types of gambling available in the district including Lotto, scratch tickets, and – increasingly – internet gambling, Council only has regulatory powers with regard to Class 4 gambling machines (also called pokies), Class 4 gambling Venues, and Board (TAB) Venues (stand-alone TABs).

The current Class 4 Gambling and Totalisator Agency Board (TAB) Venue Policy 2018 therefore focuses on non-casino gaming machines (pokies) and Board (TAB) Venues (stand-alone TABs).

It specifies the circumstances under which gaming machine venues may be established in the district and specifies the maximum number of gaming machines that may be operated at that venue. The Policy also determines how and under what circumstances new stand alone TABs may be established in the district.

The policy needs to be reviewed every three years and this review is an opportunity to ask the community for their opinion on how gambling and TAB venues should be managed in the future.

It's important to understand that the policy only covers where a venue can be located and how many machines can be in the venue (if it is decided to set a limit less than the 9 legally allowed). The Department of Internal Affairs is then responsible for granting the actual licence to operate gambling machines in that venue if the venue is given approval by the Council under this policy.

What has happened to date?

In March 2023, Council considered a report on the Class 4 Gambling venues and Agency (TAB) venues policy which is due for review. The information in the report related to the social impacts (both positive and negative) of gambling on the community as well as some of the options for reviewing the policy, Staff were asked to prepare a Statement of Proposal that set out the various options

which would form the basis for community consultation as required under the legislation.

This Statement of Proposal was presented to the Regulatory and Hearings Committee in May 2023 and was approved. Various options for managing gambling venues are set out in the Statement of Proposal and the Committee decided that all the options should be presented to the community for feedback.

Next step, how to have your say?

There are several ways you can find out more about the the review of the Class 4 Gambling and Totalisator Agency Board (TAB) Venue Policy

- Download the Statement of Proposal and the current Class 4 Gambling and Totalisator Agency Board (TAB) Venue Policy 2018.
- Consultation Documents and submission forms can be collected from Council's offices and libraries in Westport and Reefton, i-Sites, and Resource Centres across the district.
- Make a submission online.
- Download the submission form and drop it off at Council's offices in Westport and Reefton or send them to Buller District Council, PO Box 21, Westport 7866.

You can request copies or ask questions by sending an email to info@bdc.govt.nz with the subject **Gambling Policy**.

What happens next?

The consultation period closes at 4:30pm Monday 21 August 2023. Written submissions must be received at Council by that time, late submissions cannot be accepted.

If you indicate on your written submission that you wish to speak to your submission – to present your information to Councillors – you will be given a time slot to do so during the hearing that Councillors will hold, most likely in September – October.

After considering all submissions, Council will agree on one option per key issue and make changes to the current Class 4 Gambling and Totalisator Agency Board (TAB) Venue Policy 2018. This will be

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the base to draft a proposed new Class 4 Gambling and Totalisator Agency Board (TAB) Venue Policy for Buller.

Once this proposed policy is finalised, Council will go out for a second consultation process to collect the communities feedback on the proposed policy. This will most likely be in early 2024.

After considering all submissions that came in this second consultation round, Council will make any further changes to the proposed Class 4 Gambling and Totalisator Agency Board (TAB) Venue Policy.

The final policy will be adopted by Council and come into effect as soon as it is adopted.

In short, this is round one for the consultation and we will be back to ask you for your feedback on a proposed policy which will include the Council's preferred option for moving forward.

What is a policy?

A policy is a document which guides council's decision making on a particular issue. In this case council is obligated to have a policy to guide it when it is considering any applications for new venues to be used for Class 4 Gambling activities or TABs which are stand alone.

What will the policy cover?

Under the Gambling Act 2003, Council's policy:

- Must specify whether or not Class 4 venues may be established and, if so, where they may be located within the District;
- May specify any restrictions on the maximum number of gaming machines that may be operated at a venue, and;
- May include a relocation policy.

The Gambling Act 2003 sets a maximum number of nine machines for new venues. Council is able to set a lower limit through its policy. Council cannot close Class 4 gaming venues.

Under the Racing Industry Act 2020, Council's policy:

- Must specify whether or not new TAB venues may be established and, if so, where they may be located within the district

What are the issues that the policy needs to address?

Council has identified five key issues that the policy needs to address to manage gambling in the Buller district.

- The number of Gaming Machines allowed in the district
- Number of venues in the district
- Venue location for both Gambling Venues and Board (TAB) venues

- Number of gambling machines per venue (either the 9 permitted under the Act or less)
- Relocation of licenses to other venues either permitted or not.

A summary of the options and issues under consideration is presented in the Statement of Proposal. Residents are encouraged to read the Statement of Proposal which includes an analysis for each option and background information.

What are the key options for each of the key issues?

Council is looking at various overall options for managing gambling venues in the future. These are:

- **Status quo** - Keeping the same policy we have now which has some restrictions on the location of venues but no limits on the number of machines or venues;
- **Set a cap/limit** - Put a limit to the total number of gaming machines, the total number of venues, the number of gaming machines per venue, and/or limit gaming venues to certain areas across the district
- **Sinking lid** - No new gaming machines or venues permitted. When one gambling venue closes or a gambling machine is no longer used it cannot be replaced.

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What are Class 4 Gambling Venues?

Class 4 gambling venues are places outside of casinos (usually pubs, restaurants or clubs) where electronic gaming machines (EMGs), i.e. pokies, are operated.

What are Board (TAB) venues?

A Board (TAB) Venue is any premises owned or leased by the New Zealand Racing Board and where the main business carried out is providing racing-betting or sports-betting services. These are standalone venues and do not include TAB outlets or agencies that are additional activities of a bar or hotel, such as self-service TAB terminals.

How is gambling controlled in New Zealand?

The oversight of Class 4 Gambling venues and TAB venues sits with the Department of Internal Affairs (DIA) which is responsible for the licensing of operators. The DIA also regulates, audits and investigates all types of gambling activity.

Councils are responsible for issuing consents for venues that wish to provide Class 4 or TAB gambling services. Council Gambling and TAB venue policies specify:



FOR MORE INFORMATION

To find out more visit Council's website www.bullerdc.govt.nz/have-your-say/class-4-gambling-and-tab-venue-policy-review/. If you have further questions, please email info@bdc.govt.nz with the subject **Gambling Policy**.

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- where new Class 4 venues and TAB venues may be located; and
- the number of machines that can operate in the venue.

Venue policies cannot take away licences that have already been granted. Class 4 gambling and TAB operators must hold both an operator's and a venue license.

What is Council's current policy?

The main purpose of the current policy is to manage the establishment of Class 4 gambling and TAB venues to minimise the adverse effects of gambling on the Buller district.

• Where venues may be established

Buller District Council's current policy places restrictions on the type of premises that new Class 4 gambling and TAB venues may be established being as follows:

The primary activity of the premises being onsite entertainment, recreation, or leisure focused on persons 18 years and over; and

The premises being authorised under the Sale of Liquor Act 1989 to sell and supply liquor for consumption on the premises.

• Maximum number of gaming machines

A maximum number of gaming machines set per venue with those venues licenced after 2001 being limited to nine gaming machines.

What is the current application process for a gambling and TAB facility?

Applications for gambling and TAB facilities must be made to Council and these applications are available for the public to make submissions on. A hearing will be held if submitters wish to speak to submissions and council will consider all submissions. Council will consider factors such as the characteristics of the district, location of community facilities (e.g. schools and early childhood centres) and the cumulative effects of any other nearby venues.

How many Class 4 gambling venues are in Buller District currently?

As of March 2023 in Buller District there are a total of 72 Electronic Gaming Machines (EGMs) spread across 8 separate venues. There are five venues in Westport (53 EGMs), two venues in Reefton (15 EGMs) and one venue in Karamea (4 EGMs).

What is the current social impact of gambling in Buller that needs to be taken into consideration?

Policy reviews must have regard to the social impact of gambling within the district. Gambling has both positive and negative impacts. Positive impacts relate to recreational and community funding benefits along with employment for those working at the

venues. Negative impacts relate to gambling expenditure, problem gambling and the harm these problems lead to for individuals and whanau.

There are three main areas to consider:

- the groups and organisations that benefit from class 4 gambling by way of grants from gaming societies;
- the populations that are disproportionately harmed by gambling, and
- the economic and entertainment benefits for the community.

A detailed overview of the current situation in the community in regard to the above can be obtained from Council's website. It includes information on:

- Electronic Gaming Venues and Machines
- Gaming Machine Proceeds (GMP)
- Socioeconomic deprivation
- Support Services uptake
- Grants

How will the policy impact gambling funded community grants in Buller?

The major benefit of Class 4 gambling to communities in New Zealand is in the form of grants. Pokie trusts must pay the current minimum of 40% of GMP to community groups New Zealand wide in the form of authorised purpose grants. These are meant to benefit the community by funding non-profit organisations.

Authorised purposes include amateur sport, charity, non-commercial purposes with community benefits, and the operation of racing. In total \$1,094,969 was granted to Buller organisations from 2019 to June 2022.

Details of which groups received grants can be found on the [granted.govt.nz](https://www.granted.govt.nz/dashboard.html) website (<https://www.granted.govt.nz/dashboard.html>).

How are venues monitored?

As part of their permit from the Department of Internal Affairs the operators must comply with any conditions that are part of the permits. The DIA regulates, audits and investigates all types of gambling activity.

Important documents

- Statement of Proposal
- Class 4 Gambling And TAB Venue Policy
- Submission Form

You can view the consultation documents on Council's website. Consultation Documents and submission forms can also be collected from Council's offices and libraries in Westport and Reefton, i-sites, and resource centres across the district.



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