



BULLER
DISTRICT COUNCIL
Te Kaunihera O Kawatiri

GAMBLING

VENUES POLICY

Draft Created on:	24/09/ 2025	Owner:	Senior Policy Advisor
Draft Approved on:	24/09/2025	Approved by:	Council
Approved on:	22/04/2026	Approved by	Council
Next Review	22/04/29		

1 INTRODUCTION

1.1 PURPOSE

To manage the establishment of Class 4 gambling and TAB venues to minimise the adverse effects of gambling on the Buller district.

1.2 SCOPE

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” gambling 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.

1.3 BACKGROUND

The Gambling Act 2003 and Racing Industry Act 2020 give Councils the ability to limit the number of venues and gaming machines, having regard to the social impact of gambling in the District. This policy has been prepared in accordance with Section 101 of the Gambling Act 2003 and Section 96 of the Racing Industry Act 2020. Both Acts require Territorial Authorities to have a policy that guides if, where and how many Class 4 (pokies) and TAB venues may be established in the district.

The Gambling Act 2003

The Gambling Act has eight purposes, with Councils being given the ability by Parliament to assist in achieving four of these, namely:

- (a) Controlling the growth of gambling.
- (b) Preventing and minimising harm from gambling, including problem gambling.
- (c) Facilitating responsible gambling.
- (d) Facilitating community involvement in decisions about the provision of gambling.

The Racing Industry Act 2020

The purposes of the Racing Industry Act 2020 are to –

Reform the law relating to New Zealand racing in order to –

- (a) Provide effective governance arrangements for the racing industry; and
- (b) Promote the long-term viability of New Zealand racing; and
- (c) Facilitate betting on galloping, harness, and greyhound races, and other sporting events; and
- (d) Ensure that the value of racing property is retained in the industry and is used for maximum industry benefit; and
- (e) Prevent and minimise harm from gambling conducted under this Act, including harm associated with problem gambling.

1.4 OBJECTIVES

This Gambling Venue Policy has the following objectives:

- (a) To provide the Buller District Council and the community with influence over the location and operation of Class 4 gambling venues and TAB venues within the Buller District.
- (b) To have regard to the social impact of gambling within the Buller District, including the cumulative effects of additional opportunities for gambling.
- (c) To minimise harm from gambling, including problem gambling.
- (d) To provide opportunities for people to participate in machine gambling and betting on horse races and other sporting events within the Buller District.
- (e) To ensure that the local community continues to have access funding from the proceeds of Class 4 gambling in the District.

2 CLASS 4 GAMBLING VENUES AND GAMING MACHINES POLICY

2.1 Class 4 Gambling Consent required

A Class 4 Gambling consent, under Section 99 of the Gambling Act 2003, is required for the following:

- To establish a new Class 4 Gambling Venue in Buller District.
- To increase the number of gaming machines at an approved Class 4 Gambling Venue in Buller District.

2.2 Permitted Locations

No Class 4 gambling venue may be established closer than 50 metres* to the entrance to any school, early childhood centre, after school care facility, kindergarten, place of worship or other community facility.

No gaming machines shall be sited so that they are wholly or partly visible from the street or footpath outside the premises.

Class 4 gambling venues must comply in all respects with the provisions of the operative District Plan.

**The 50 metre distance is measured from the edge of the building that houses the Class 4 Gambling venue in a straight line in all directions.*

2.3 Numbers of Gaming Machines Allowed per venue

Subject to the restriction on number of machines in clauses 2.4 and 2.5 below:

- a) New and existing venues shall be allowed a maximum of nine (9) gaming machines;
- b) Venues that merge shall be allowed a maximum of nine (9) gaming machines

2.4 Number of Class 4 Gambling Venues in the District

No consents for new Class 4 Gambling Venues will be granted where granting of the consent would result in the total number of venues operating in the district exceeding eight (8).

2.5 Number of Class 4 Gambling Machines in the District

No Class 4 Gambling consents for new Class 4 Gambling Machines will be granted where granting of the consent would result in the total number of Class 4 Gambling machines operating in the district exceeding sixty-six (66).

2.6 Primary Activity of Class 4 Gambling Venues

Class 4 gambling venues may be established in Buller subject to:

- (a) The primary activity of the premises being onsite entertainment, recreation, or leisure focused on persons 18 years and over; and
- (b) The premises being authorised under the Sale and Supply of Alcohol Act 2012 for the sale of alcohol for consumption on the premises; and
- (c) Application being made to and granted by Buller District Council

2.7 Applications for Class 4 Gambling Venues and Machines

An applicant for a Class 4 Gambling consent under this policy must:

- a) Meet the application requirements specified in this policy;
- b) Meet the fee requirements specified in the adopted Buller District Council Annual Plan; and
- c) Meet the requirements of 2.1 to 2.6 above.

Applications for a Class 4 Gambling consent must be made on the approved form and must provide:

- a) Name and contact details of the organisation or company applying for the new or amended Class 4 venue licences;
- b) Street address of premises proposed for the Licence;
- c) Proposed trading name (if any) and ownership details for the premises;
- d) Number of gambling machines to be installed;
- e) Details on the frequency of distribution of gaming funds to the community;
- f) Whether the premises are within 50 metres of the entrance way to any school, early childhood centre, kindergarten, after school care facility, place of worship or other community facility;
- g) Proximity of the premises to other licensed Class 4 gambling venues;
- h) Evidence that the premises are authorised under the Sale and Supply of Alcohol Act 2012 for the sale of alcohol for consumption on the premises;
- i) A site plan covering both gambling and other activities proposed for the venue, including details of each floor of the venue;
- j) Evidence of police approval for owners and managers of the venue; and
- k) Evidence of the primary purpose of the venue.

2.8 Relocation of Venues

On application Council may permit existing Class 4 Gambling venues to re-establish at a new site where extenuating circumstances beyond the control of the owner or lessee of the premises in which the machines are located, the premises cannot continue to operate at the existing site.

Any application to relocate a current venue will be considered on a case-by-case basis and approval will be at the discretion of the Council.

An application, and the proposed venue, must comply with all other conditions and provisions set out in this Policy and is also subject to the following conditions:

- a) The venue operator of the new location will be the same as the former location.
- b) 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 old venue immediately before the licence relating to the old venue is cancelled.
- c) Meeting the application fee requirements.

Note: Where a venue relocates, the Class 4 licence for the old venue will be cancelled and the old venue will be treated as if no Class 4 venue licence had ever been held for that venue.

2.9 Council Decision making

In considering all applications relating to Class 4 gambling venues Council may consider matters, including but not limited to, the following:

- a) Characteristics of the district and parts of the district.
- b) Locations of kindergartens, early childhood centres, schools, places of worship and other community facilities.
- c) The number of gaming machines that should be permitted at any venue.
- d) The cumulative effects of additional opportunities for gambling in the district.
- e) How close any venue will be to other permitted existing venues.
- f) What the primary activity at any venue is.

2.10 Application Fees

Application fees will be set by the Buller District Council in the adopted Annual Plan and Long Term Plan, pursuant to Section 150 of the Local Government Act 2002 and shall include consideration of the cost of processing the application, including any consultation involved.

3 TAB VENUES POLICY

3.1 TAB Venue Consent Required

A TAB venue consent, under Section 94 of the Racing Industry Act 2020, is required from Council to establish a new TAB Venue in Buller District.

3.2 Permitted Locations TAB Venues

New TAB venues may be established in the Buller District subject to being no closer than *50 metres to the entrance to any school, early childhood centre, after school care facility, kindergarten, place of worship or other community facility.

TAB venues must comply in all respects with the provisions of the operative District Plan.

**The 50 metre distance is measured from the edge of the building that houses the TAB venue in a straight line in all directions.*

3.3 Application Requirements

An applicant for Council TAB Venue consent under this policy must:

- a) Meet the application requirements specified in this policy;
- b) Meet the fee requirements specified in the adopted Buller District Council Annual Plan;
and
- c) Meet the requirements of 3.2 above.

Applications to Buller District Council must be made on the approved form and must provide:

- a) Name and contact details of the applicant
- b) Street address of premises proposed for the venue;
- c) Proposed trading name and ownership details for the premises;
- d) Evidence that the premises are a NZ Racing Board venue;
- e) A site plan covering both gambling and other activities proposed for the venue, including details of each floor of the venue;
- f) Evidence of police approval for owners and managers of the venue; and
- g) Evidence of the primary purpose of the venue;

3.4 Council Decision making

In considering all applications relating to Class 4 gambling venues Council may consider matters, including but not limited to, the following:

- a) Characteristics of the district and parts of the district.
- b) Locations of kindergartens, early childhood centres, schools, places of worship and other community facilities.
- c) The cumulative effects of additional opportunities for gambling in the district.
- d) How close will any venue be to other permitted existing venues.

3.5 Application Fees

Application fees will be set by the Buller District Council in the adopted Annual Plan and Long Term Plan, pursuant to Section 150 of the Local Government Act 2002 and shall include consideration of the cost of processing the application, including any consultation involved.

4 POLICY REVIEW

This policy will be reviewed every three years.