



te kaunihera ā-rohe o  
**matamata-piako**  
district council



# Kaupapahere mō ngā Wāhi Petipeti 2025 | Gambling Venue Policy 2025

|                              |   |
|------------------------------|---|
| <b>Department</b>            | Policy, Partnerships and Governance                           |
| <b>Policy Type</b>           | External  |
| <b>Resolution Date</b>       | June 2025 (TBC)   |
| <b>Policy Effective From</b> | 1 July 2025   |
| <b>Review Frequency</b>      | Three-yearly or as required by Council or legislative changes |
| <b>Review Date</b>           | June 2028 (TBC)   |
| <b>Engagement Required</b>   | Special Consultative Procedure (Local Government Act 2002)    |
| <b>Policy Supersedes</b>     | Gambling Venue Policy 2022                                    |





## 1. Te Kaupapa | Purpose

The purpose of this Policy is to meet the requirements of the Gambling Act 2003 and set out whether or not class 4 venues may be established in the district and, if so, where they may be located.

## 2. Ngā Whainga | Objectives

The objectives of this Policy are to:

- a) Support the purpose and intent of the Act;
- b) Control the growth of class 4 gambling machine numbers within the Matamata-Piako district;
- c) Have regard to the social impacts of gambling and reduce the risk of gambling exposure of persons under 18 year old; and
- d) Avoid the establishment of class 4 gambling activities in locations proximate to residential areas, or other identified sensitive sites.

## 3. Ngā Tautuhinga | Definitions

| Term                                     | Definition  |
|--|---|
| <b>The Act</b>                           | The Gambling Act 2003   |
| <b>Adjoin</b>                            | Allotments sharing one or more common boundaries or separated only by a road width or similar equivalent.   |
| <b>Authorised officer</b>                | Means any person or delegated body appointed or authorised by the Council to carry out duties and exercise powers under this Policy.  |
| <b>Class 4 gambling/gaming venue</b>     | Means a place used to conduct 'class 4' gambling, not including a casino, that contains gaming machines (Non Casino Gaming Machines or 'pokies').   |
| <b>Club</b>                              | Voluntary association of persons combined for a purpose other than personal gain. The net proceeds from a club's gaming machine operation are spent on the club's "authorised purpose", such as club facilities and member services. Some clubs may also choose to distribute their gaming proceeds as grants to community organisations. If a club operates electronic gaming machines, it must hold both an operator licence and a venue licence. |
| <b>Corporate Society</b>                 | The societies operate their electronic gaming machines out of venues and must distribute their net proceeds to authorised purposes.   |
| <b>Council</b>                           | Matamata-Piako District Council.  |
| <b>Electronic gaming machines (EGMs)</b> | Electronic gaming machines (EGMs) or 'Pokies' are electronic gaming machines that operate outside of a casino location (typically a club, pub, bar or hotel). They  |



| Term                     | Definition   |
|--------------------------|--|
|                          | may also be called 'gaming machines' as defined in Part 1 (4) of the Gambling Act 2003.  |
| <b>Gambling</b>          | The Gambling Act defines gambling as—<br>(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<br>(b) includes a sales promotion scheme; and<br>(c) includes bookmaking; and<br>(d) includes betting, paying, or staking consideration on the outcome of a sporting event; but<br>(e) does not include an act, behaviour, or transaction that is declared not to be gambling by regulations made under section 368. |
| <b>Harm</b>              | Harm as defined in the Gambling Act 2003. Means harm or distress of any kind arising from, or caused or exacerbated by, a person's gambling; and includes personal, social, or economic harm suffered—<br>by the person; or<br>by the person's spouse, civil union partner, de facto partner, family, whanau, or wider community; or<br>in the workplace; or<br>by society at large  |
| <b>LGA</b>               | Local Government Act 2002  |
| <b>Primary activity</b>  | The activity or activities primarily associated with and promoted by the Venue.  |
| <b>Relocation Policy</b> | This policy constitutes the relocation policy of Matamata-Piako District Council.  |
| <b>Sensitive sites</b>   | Includes:<br>(a) any community facility including park and reserve, playground, library, museum, community hall or recreational facility, or Marae, or place of worship;<br>(b) any school, kindergarten, childcare facilities, or other educational institution;<br>(c) any premises occupied by a social welfare agency such as the Salvation Army, Work and Income or similar agency.<br><br>[Insert hyperlink]   |



| Term          | Definition   |
|---------------|--|
| <b>Venues</b> | These are the pubs and other venues where gaming machines are located. |

#### **4. Ngā tūnga karangata 4 me ngā mīhini petipeti tepenga | Class 4 venue and gaming machine cap**

The total number of gaming venues in the district that may operate at one time shall not exceed 15.

The total number of gaming machines in the district that may operate at one time shall not exceed 201.

The cap will remain in place until the next review of this policy.

#### **5. Ngā tatai tepenga o ngā mīhini petipeti | Maximum number of gaming machines allowed**

The number of gaming machines any one new class 4 venue may be licensed to operate at one time shall not exceed nine (9).

A venue that held a license on or before 17 October 2001, and has not been without a venue consent for a period of six months or more, shall not operate more than eighteen (18) gaming machines at one time.

#### **6. Ngā tūnga karangata 4 o ngā tūnga | Class 4 venue location**

No new venue shall be located within 100 metres radius of the legal boundary of a sensitive site; and

No venue shall adjoin an existing class 4 gambling venue.

Applications that do not meet these requirements may be considered by the Authorised Officer on a case-by-case basis, and shall be subject to Council approval.

Council's preference is that class 4 gambling occurs within premises located within the Business Zone. Where an application is made to locate outside of the Business Zone under the Matamata-Piako District Plan, the application will be considered on a case-by-case basis and shall be subject to Council approval.

Class 4 venues must not allow any gambling activity to be visible to passing pedestrian traffic.

## **7. Mahi Matua o ngā Wāhi Petipeti Kāwai 4 | Primary activity of class 4 gambling venues**

**7.1** The primary activity of any venue shall not be class 4 gambling. All class 4 gambling venues must:

- a) Hold a alcohol licence (but not being a bring-your-own licence) or club licence; or
- b) Conduct race and sports betting in a standalone TAB Venue under the Racing Industry Act 2020.

## **8. Ngā Tononga Whakaritenga | Application requirements**

**8.1** Applications to Council for a class 4 venue consent may be lodged at any time.

**8.2** Applications to Matamata-Piako District Council for a new class 4 gambling venue must be made on the approved form and must include:

- a) Name and contact details for the applicant, the Corporate Society, the venue trading name(s), and any other name(s) related to the venue;
- b) Street address of the proposed class 4 venue;
- c) The legal description clearly identifying the area where the proposed class 4 gambling venue is to be located;
- d) The number of gaming machines proposed at the new venue;
- e) Details of the sale and supply of alcohol licence(s) applying to or proposed for the premises; and
- f) Any other relevant information requested by the Council, or that the applicant wishes to provide in support of the application.

**8.3** Application fees will be set by Matamata-Piako District Council from time to time, and shall consider the costs of processing the application, and any consultation or hearings that may be required.

**8.4** The Authorised officer approved by Council shall consider all applications for class 4 venue consents received; and

The Authorised officer approved by Council shall consider the social impact for all applications it receives.

**8.5** The Authorised officer approved by Council, may suspend consideration of, or refuse consent where any part of the application falls outside of this Policy or where further information is required.

**8.6** The Authorised officer will notify the applicant of its decision as per Section 100 of the Act.



## **9. Ngā nekenga o ngā tūnga karangata 4 | Relocation of class 4 venues**

Under certain circumstances the authorised officer may grant an application for a venue to relocate. These circumstances include:

**9.1** Where the venue cannot continue to operate due to a natural disaster, fire, or the venue is unfit to operate; or

Where the venue proposes to move to a location with the same or lower deprivation score.<sup>1</sup>

In making this decision, the authorised officer will weigh the following factors:

- a) The underlying zoning of the proposed location;
- b) Proximity to sensitive sites;
- c) The social impact of gambling and the deprivation score of the proposed location; and
- d) That the proposed venue meets the application requirements as set out in this Policy.

The maximum number of gaming machines permitted to operate at the relocated venue is as per Section 97A of the Act.

## **10. Te Hanumi i ngā Karapu | Merging of clubs**

**10.1** The authorised officer will consider granting a consent and the social impact of two or more clubs holding existing class 4 venue licences to merge physically and legally into a single club, provided:

- a) The location where the venues that are being merged to holds a current class 4 venue licence;
- b) The application for venues to merge meets the application requirements of this Policy; and
- c) The maximum number of machines allowed to operate will be the sum of the number of gaming machines specified in all the corporate societies' class 4 venue licences at the time of application; or
- d) 30 machines, whichever is the lesser.

**10.2** An applicant must meet the application requirements as listed in this Policy and:

- a) Meet the fee requirements specified in the Council's fees and charges schedule; and
- b) Comply with regulations set out in the Gambling Act 2003

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<sup>1</sup> Deprivation score as per the latest New Zealand Index of Deprivation.



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## 11. Te Arotakenga | Review

In addition to the statutory requirements to review the Policy every three years, Council may elect to review this Policy at any time.

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