

STATEMENT OF PROPOSAL

DRAFT GAMBLING AND TAB VENUES POLICY

Introduction

Currently Ōpōtiki District Council's (Council) approach towards Class 4 Gambling and TAB venues is outdated. Our current policy does not specifically address TAB venues as required to in the Racing Industry Act 2020 and also possesses no method of application for the merging or relocation of Class 4 or TAB venues.

To ensure Council's statutory obligations towards the Gambling Act 2003, and the Racing Industry Act 2020, and to ensure Council's approach towards gambling remains relevant, Council must renewal its policy and in while doing so, in accordance with a Special Consultative Procedure.

The Statement of Proposal has been prepared in accordance with section 83 of the Local Government Act 2002 – and relates to section 102(2) of the Gambling Act 2003.

This proposal is seeking to adopt the draft Gambling and TAB Venues Policy.

Reasons for the proposal

The Gambling Act 2003 and Racing Industry Act 2020 require territorial authorities to adopt policies covering Class 4 gambling and TAB venues. While Ōpōtiki District Council has a policy addressing Class 4 venues, it does not adequately reflect the requirements of the Racing Industry Act 2020 and does not provide guidance on TAB venues.

The existing policy is also outdated and lacks clarity, with limited guidance on key matters such as the merging and relocation of venues. The proposed draft policy addresses these gaps by incorporating provisions for TAB venues, streamlining content, and improving readability. It also introduces a clear application process for venue mergers and relocation, ensuring both operators and the community have accessible and comprehensive guidance for future decisions.

Council recognises that unrestricted Class 4 gambling and TAB venues can cause significant harm to communities. The draft policy has therefore been developed to minimise these impacts while remaining appropriate and relevant, and balancing community interests.

Purpose of the Policy

The purpose of the Gambling and TAB Venues Policy is to establish Council's approach towards gambling within the district.

Options considered by Council

Council considered two options on this matter:

Option 1 – Adopt the draft Gambling and TAB Venues Policy

This option will renew Council's previous policy with updated legislation and guidance on new relevant matters.

Advantages

- Reaffirms that no new Class 4 venues may be established in the district and extends this restriction to include TAB venues.
- Clarifies that the primary activity of any venue must be the sale of food and alcohol or the operation of a TAB NZ betting venue, with gambling remaining a secondary activity.
- Introduces clear conditions for all venues, including:
 - Restrictions on casino-style branding,
 - Limits on visibility from outside the premises, and
 - Prohibitions on associated with family or children-focused activities.
- Establishes a formal application process for venue mergers and relocation, improving on the previous policy which had criteria but no defined process. This ensures a structured, transparent and extensive approach while allowing Council to decline applications where appropriate, recognising the potential harms associated with gambling.

Disadvantages

- Existing venue operators may face additional constraints due to stricter conditions and the requirement to follow a formal process for relocations and mergers.
- Some stakeholders may view the draft policy as overly restrictive, particularly with limits on visibility, branding, and operational conditions.

Option 2 – Status quo, Do not adopt the draft Policy

This option would mean the draft Gambling and TAB Venues Policy would not be adopted, and no guidance will be easily accessible to the district on Council's approach towards TAB venues, the merging and also relocation of venues.

Advantages

- Maintains the current regulatory environment, providing short-term certainty for existing venue operators already familiar with the current settings.
- Removes the need for immediate administrative effort to implement and monitor new policy provisions.

Disadvantages

- Fails to meet Council's statutory obligations under the Gambling Act 2003 and Racing Industry Act 2020.
- Provides no clear or updated guidance on TAB venues, including whether they may be established in the district.
- Retains an outdated policy that does not reflect current legislation or best practice.
- Lacks clear processes for venue relocation or mergers, creating uncertainty for operators and Council staff.
- Increases risk of inconsistent or unclear decision-making due to gaps in policy direction.
- The current policy does not adequately address or mitigate potential social harm associated with gambling.

Summary of Proposal

Under the Gambling Act 2003 and Racing Industry Act 2020, Council is required to adopt a policy that determines whether Class 4 gambling venues and TAB venues may be established within the district, and if so, the conditions that apply to those venues.

The policy may also include provisions relating to the maximum number of gaming machines permitted at venues, and whether venues may merge or relocate, including the process for doing so.

A policy must balance enabling lawful gambling activity while minimising potential harm to the community. In doing so, Council must consider its statutory obligations and the social impacts associated with gambling.

Having regard to the above, Council is proposing to adopt a Gambling and TAB Venues Policy that sets out the following:

- Prohibits the establishment of new Class 4 gambling venues and extends this restriction to include TAB venues within the district.
- Retains limits and conditions on existing venues, including controls on gaming machine numbers and venue operations.
- Applications for venue relocation or merger must follow a formal assessment process.
- Ensures gambling remains a secondary activity to the primary purpose of the venue.

The Policy also sets out that it does not:

- Require any venue to operate gambling activities.
- Override legislative requirements under the Gambling Act 2003 or Racing Industry Act 2020.

- Apply beyond the scope of Class 4 gambling and TAB venue regulation.

Have Your Say On This Policy

Council is seeking community feedback on the Draft Gambling and TAB Venues Policy. Any individual or organisation is welcome to make a submission.

The consultation period will run from the 18 June 2026 to 23 July 2026.

All submissions will be considered by Council before making a final decision on whether to adopt the draft policy.

There are many ways you can have your say as outlined below. Submission forms, the draft policy and the Statement of Proposal are also available online or at Council office.

Submissions can be made:

Online: connect.odc.govt.nz

Emailed to: info@odc.govt.nz

Posted to: Ōpōtiki District Council
PO Box 44
Ōpōtiki 3162

Key Dates:

Submissions Open	18 June 2026
Submissions Close	23 July 2026
Proposed Submissions Hearing	4 August 2026
Council Deliberates and adoption (or not) of Proposed Policy	15 September 2026

Ōpōtiki District Council must receive written submissions by **4.00pm on Thursday 23 July 2026**.

As part of the consultation process your submissions will be copied and made available to the public after the submission period closes.

You will have an opportunity to have your submission heard in person, during the hearing of submissions scheduled to be held on 4 August 2026. When you complete the submission form, please tell us if you would like to be heard.

Council will contact all submitters who wish to be heard, to confirm time, date and venue of the hearing.

Council will then deliberate on any changes required and choose whether or not to adopt the Draft Gambling and TAB Venues Policy during a Council meeting on 15 September 2026.