

TAB Venue Policy

Auckland Council, July 2013



Background

The Racing Act 2003 required territorial authorities to adopt a New Zealand Racing Board (TAB) venue policy, and to review the policy every three years. Adoption or amendment must use the special consultative procedure under section 83 of the Local Government Act 2002. The Racing Industry Act 2020 replaced the Racing Act 2003, requiring the same but calling this a TAB venue policy.

The policy must specify whether new TAB venues may be established and where they may be located.

In the Racing Industry Act, a TAB venue means “*premises owned or leased by TAB NZ and where the main business carried on at the premises is providing racing betting, sports betting, or other racing or sports betting services under this Act.*”

It therefore does not apply to any other TAB outlet or self- service betting machine.

Following the amalgamation of the seven former territorial authorities on 1 November 2010, Auckland Council inherited seven policies on gambling venues. Section 65 of the Local Government (Auckland Transitional Provisions) Act 2010 requires that Auckland Council must, for policies made by an existing local authority which are expressly required by an enactment, review each such policy and confirm, amend, or revoke it before the close of 31 October 2015.

In November 2012, the Committee adopted a proposed Racing Board (TAB) Venue Policy for public consultation [minute: RDO/2012/222].

The special consultative procedure for the racing board (TAB) venue policy was combined with another consultative procedure, for a class 4 gambling (pokie) venue policy, as permitted by section 83A of the Local Government Act.

A hearings panel was appointed to hear submissions in response to the statements of proposal for a Racing Board (TAB) Venue policy and a Class 4 Gambling (Pokie) Venue policy, and make recommendations to the Committee on both policies [minute: HC/2013/24].

The hearings panel reported back to the Committee on 24 July 2013. The new New Zealand Racing Board (TAB) Venue policy was adopted, with immediate effect, at 12:25 pm [minute: RDO/2013/118].

The policy was reviewed and retained without changes in 2016 [REG/2017/50]. In October 2020 the Regulatory Committee decided to again retain the policy without changes, and to update the name and venue definition to the new Racing Industry Act 2020 terms. The policy name was updated to the TAB Venue Policy 2013 [REG/2020/65].

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Ko te Kaupapa mō ngā Wāhi TAB

Definition

TAB venue is defined in the Racing Industry Act 2020 as:

“...TAB venue means premises owned or leased by TAB NZ and where the main business carried on at the premises is providing racing betting, sports betting, or other racing or sports betting services under this Act

Objectives

- To control the growth of gambling in Auckland.
- To minimise the harm caused by gambling in Auckland.

Rules

1. Auckland Council will grant consents for up to 43 TAB venues in its district.
2. No new TAB venues may be located within 50 metres of the nearest boundary of a church or other place of worship, a marae, a school or early childhood education centre.
3. Before consent to a new TAB venue will be granted, TAB NZ must make an application in writing for consent to be granted.
4. The application must include the following information:
 - (i) the location and street address of the new venue;
 - (ii) evidence that there will be fewer than 43 TAB venues operating in Auckland Council's district on the date that the new venue becomes operational, and;
 - (iii) evidence that the new venue is a TAB venue as defined in the Racing Industry Act 2020.
5. To avoid doubt, Auckland Council alone will determine whether the evidence presented in fulfilment of rule 4 (ii) and (iii) is satisfactory.
6. The application must be accompanied by an application fee. The amount of the fee will be set by Auckland Council in accordance with Section 150 of the Local Government Act 2002, and shall include consideration of the cost of processing the application.
7. A decision to grant consent under rule 4, and any determination under rule 5, will be made by the Chief Executive or a person delegated to do so on his/her behalf.