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- Gambling Venue Policy
- Dangerous and Insanitary Buildings Policy

STATEMENT OF PROPOSAL 2025

Feedback closes Monday 27 October



Ashburton
DISTRICT COUNCIL

- Gambling Venue Policy
 - Dangerous and Insanitary Buildings Policy
-

PURPOSE OF THIS STATEMENT OF PROPOSAL

The purpose of this Statement of Proposal is to inform the Ashburton District community of proposed changes to both the **Gambling Venue Policy** and the **Dangerous and Insanitary Buildings Policy**, and to ensure our community has the opportunity to provide feedback on the proposed policies.

This statement of proposal has been prepared in accordance with the requirements of section 83 and 87 of the Local Government Act 2002. It includes links to the draft policies and rationale behind both, as well as other reasonably practicable options Council considered.

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The easiest way to share your feedback is at ***ItsOurPlace.nz***



Submissions close Monday 27 October

Gambling Venue Policy



Every three years, Council is legally required to review its Gambling Venue Policy—and it's time to do it again.

This policy guides how we make decisions about class 4 gambling venues (*pokie machine venues*) and TAB venues in our district. Although we've reviewed the policy regularly, it hasn't changed in 12 years.

Now, a few updates are needed to keep it compliant with current legislation and we want to hear what you think about these and the other changes we're proposing.

ABOUT THE POLICY

Under the Gambling Act 2003 and the Racing Industry Act 2020, all councils must have a policy that sets rules for:

Class 4 gambling venues: these are places like pubs and clubs that have pokie (gaming) machines.

TAB venues: these are venues where people can place bets in person on horse racing and sports.

Ashburton District Council currently has a combined policy that covers both types of venues. It's important to note that this policy does not apply to other forms of gambling like casinos, online gambling, or Lotto.

The law requires us to review this policy every three years. When we do, we must consider both the positive and negative social impacts of gambling on our community. At a minimum, the policy must state whether new class 4 gambling and TAB venues can be established in the Ashburton District, and if so, where they may be located.

The policy can also include additional rules, such as setting a maximum number of pokie machines allowed at each venue, venue numbers, and whether existing venues can relocate while keeping their current consent conditions—for example, retaining the same number of machines.

KEY PURPOSES

The policy reflects the key purposes of the Gambling Act 2003 at a local level. Wherever possible it aims to:

- ✓ Control the growth of gambling
- ✓ Prevent and minimise harm from gambling
- ✓ Facilitate responsible gambling
- ✓ Ensure that money from gambling benefits the community
- ✓ Enable community involvement in decisions about the provisions of gambling

INFLUENCING CLASS 4 GAMBLING IN OUR COMMUNITY

While oversight of class 4 gambling and TAB venues is managed by the Department of Internal Affairs (DIA), councils do have some influence.

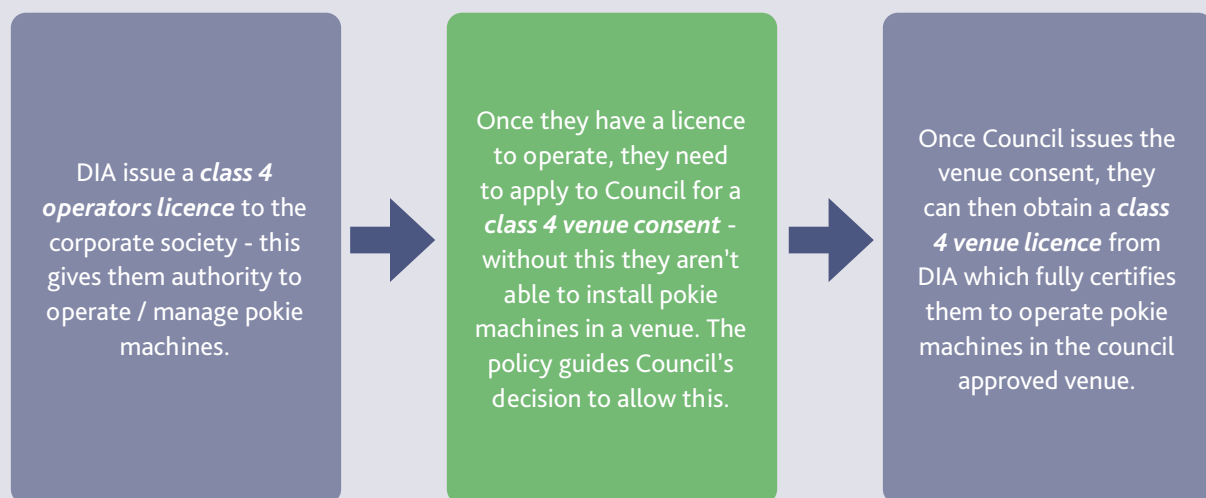
We are responsible for issuing venue consents for any new class 4 gambling or TAB venues that wish to operate in the Ashburton District. Without this consent, a venue cannot legally be established here.

While Council plays an important role in influencing the provision of new venues in the district, our influence is limited when it comes to venues that were already operating in the district before the Gambling Act came into effect in 2003.



There are several steps involved in setting up a new gambling venue. Here's how Council's policy fits into the process:

Process for authorising a new pokie machine venue



What we've done so far

We've been working on the policy review for a few months. Here's what we've done in that time.

STAKEHOLDER ENGAGEMENT

- ✓ We sought feedback from industry stakeholders to get their thoughts on the effectiveness of the current policy and get their views on the positive and negative social impacts of gambling in the district.
- ✓ We received feedback from eight stakeholders including venue managers, corporate societies, industry experts and harm minimisation organisations.

SOCIAL IMPACT ASSESSMENT

- ✓ We've also spent time assessing the gambling industry to identify any trends that might indicate an increased level of harm being experienced in the community and to assess the balance between the positive and negative impacts of class 4 gambling in the district.
- ✓ The social impact assessment report can be found at itsourplace.nz

POLICY DRAFTING

- ✓ Based on the findings of the social impact assessment report, a review of the current policy against current legislation, and discussions had during a public workshop in July, we've drafted an updated policy. The key changes we are proposing are:
 - ✓ To introduce a district wide venue cap of 20
 - ✓ To allow relocations of existing venues under certain circumstances
 - ✓ To introduce an additional location condition to prohibit venues establishing or moving into high deprivation areas
- ✓ We are also proposing to retain the cap of five machines for any new venue

GAMBLING IN THE ASHBURTON DISTRICT - WHAT WE FOUND OUT

Based on the findings from our social impact assessment report, we've gained a clearer picture of how gambling is impacting our district. While there have been some changes since the last report was completed in 2022, we do not believe these changes have led to, or signal, a significant increase in gambling-related harm within our community.



There are currently **131 pokie machines** in the district across 11 venues. There is also an additional licence being approved that will add a **further five machines**.



10 of the 11 venues in the district were approved prior to the Act, meaning they can operate a **maximum of 18 machines** compared to **five for new venues**.



Ashburton District's **machine per capita ratio is higher than the national average** – we have the **third highest number of machines** compared to other districts in Canterbury.



As a district, we lost **\$6.8m dollars to pokie machines** in 2024. This equates to **\$18,912 per day**, or **\$144 per machine per day**.



On average, this equates to a **weekly loss of \$4.48 per person** in the district.



Ashburton District ranks **33rd out of 63 councils for loss per head** – this means that per capita, our residents are **losing more money** than residents from **30 other councils**.



Six people in the district sought **help for problem gambling** behaviour for the year ending 2023.



Per capita, Ashburton District has a **slightly higher problem gambling intervention rate** than the national average.



Almost half of the venues in our district are located in **medium-high deprivation** areas which represent **higher risk areas for gambling harm and problem gambling**.



\$1.56 million dollars was returned to the community through grant funding in 2023.



65 community organisations received funding in 2023 including sporting, education, arts, culture and heritage groups, and environmental organisations.

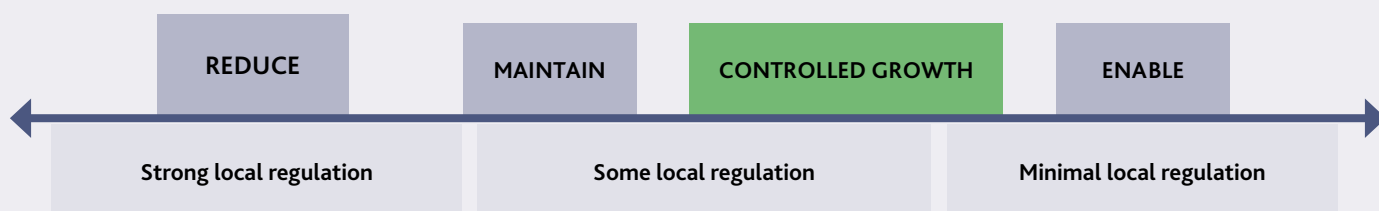


The Returned Services Association club and MSA club were able to **fund their operations** with support from **funding generated by pokie machines**.

HOW WE'VE APPROACHED THE POLICY REVIEW

We see the policy as a key tool that Council can use to help shape the long-term impact of gambling in our district. When considering what the policy can influence, we think of it as a spectrum: at one end, stronger local regulation can gradually reduce the presence of the gambling industry over time; at the other, more flexible rules may allow venues greater freedom to establish and operate.

This approach helps us balance the policy to ensure that any decisions made reflect both local values and the broader regulatory framework.



As a Council, we've carefully considered the social impacts of gambling alongside other relevant factors, and we believe **controlled growth** is the most appropriate approach for our community. This reflects the reality that the gambling industry in our district appears to be somewhat self-regulating, due to the district's size and the limited market space for new venues to establish.

You'll see this approach reflected in the changes we're proposing. We've also included options that represent other points along the regulatory spectrum—so you can see what different approaches might look like in practice.

We believe the policy is most effective when controls are applied as a holistic framework, rather than in isolation. That said, we're keen to hear your views on how each section should be approached.

KEY AREAS

The key areas of the policy that help implement our proposed approach include:

- ✓ The provision of new standalone TAB venues
- ✓ Capping class 4 gambling venue and machine numbers
- ✓ Location controls for both class 4 gambling and TAB venues
- ✓ Relocation of existing class 4 gambling venues

WHAT ARE WE PROPOSING?

TAB venues (Section 4 of the draft policy)

We are proposing to keep this section of the policy the same, allowing a stand-alone TAB venue to establish in the district given it meets the conditions of the policy.

Why are we proposing this approach?

Given that TAB betting is largely conducted through the online app or at TAB areas within other venues, we think it's unlikely that a stand-alone TAB venue will establish in our district. However, in the unlikely event that an application is received, we don't see that this will significantly increase the risk of gambling-related harm as it is likely that anyone who would visit the venue already engages in TAB gambling through other means currently available.

We believe the most effective way to manage the growth of TAB gambling in our district is to introduce an additional location-based condition that prohibits new TAB venues from being established in areas identified as having high levels of deprivation. These areas are more likely to experience greater exposure to gambling-related harm due to existing social and economic pressures. By restricting venue placement in such locations, we can help reduce the overall risk of harm and support a more responsible approach to gambling activity across the district.

What are the risks of this approach?

This approach assumes a stand-alone TAB is unlikely to establish in the district. This assumption is based on the fact that no applications have ever been received—even prior to the availability of online betting. There is a small risk that if a TAB venue does establish, this could increase gambling participation which may lead to an increase in negative effects being experienced within our community. It is also worth noting that unlike pokie machine operators, TAB doesn't have a legal obligation to return funding to the community – this means the money spent at a potential

TAB venue provides no benefit to the community other than the enjoyment that may be experienced from those who participate.

Other possible options

Reduce / Maintain

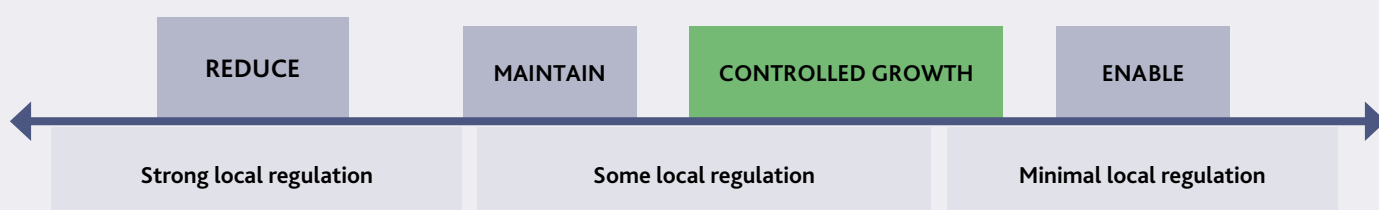
This option would see Council prohibit any stand-alone TAB venue from establishing in the district to keep the number of TAB venues in the district at its current level of 0.

Why not this option? We don't see that a change in policy will have any significant impact on what appears to be a declining stand-alone industry.

Enable

This option would see Council allow a stand-alone TAB venue to establish without any additional location controls. This means a TAB venue could potentially establish in a high deprivation area of the district.

Why not this option? We believe that a stand-alone TAB venue in itself will not pose significant risk to our community but believe there is a need to restrict venues from establishing in vulnerable parts of the district.



Class 4 gambling venue and machine caps (Section 5.2 of the draft policy)

We are proposing to keep the policy the same for machine caps, continuing to limit the number of machines allowed in a new venue at five. For venue caps, we're proposing to introduce a district wide venue cap of 20 venues.

Why are we proposing this approach?

We propose to retain the cap on the number of pokie machines at five per venue—four fewer than the maximum of nine allowed under the Gambling Act. We see this as an effective way to manage the overall growth of machine numbers in the district. This lower cap still allows new venues to establish and benefit from the revenue generated by gaming machines, but it limits the scale of gambling activity at each location, helping to reduce potential harm.

In addition, we're proposing a district-wide venue cap of 20, which would allow for up to eight new venue consents beyond the 12 existing consents. This approach strikes a balance between enabling future business development while maintaining control over gambling expansion. It ensures that growth is gradual and measured, rather than reactive or unchecked.

Under this model, the total number of machines in the district could reach 230 housed across 20 venues.

What are the risks of this approach?

This approach allows for controlled growth of class 4 gambling venues, which could increase the risk of harm in the district. However, we consider this risk to be largely mitigated by a self-regulating market. Historical data suggests limited demand for new venues due to the district's size and market constraints, making significant growth unlikely.

That said, allowing eight new venues to establish could shift consumer spending away from existing venues. This may reduce the funding returned to the community by corporate societies with established local arrangements. New societies are not required to return funds locally, meaning any financial benefit to the community could be minimal even if there are more venues.

Additional risks include increased visibility and accessibility of gambling, which may normalise gambling behaviour and lead to higher participation rates.

Reduce

This approach would utilise a sinking lid policy, meaning no new venues could open—even if an existing one closes—this approach would gradually reduce the industry over time.

Why not this option? We believe allowing venues to operate in the district provides a net benefit to the community, current levels of harm do not indicate a more restrictive approach is needed.

Maintain

This approach would see Council set the venue cap to its current state of 12 venues. A new venue could only establish if an existing venue closed.

Why not this option? We believe this approach is unnecessarily restrictive and limits business opportunities and economic growth despite historically low levels of gambling-related harm in our district.

Enable

This approach would see Council allow an unrestricted number of venues to establish and increase the machine limit per venue from five to the maximum of nine allowed under the Act.

Why not this option? Unrestricted growth could lead to increased gambling-related harm. We believe a controlled approach is necessary to protect community wellbeing.

Location controls (Section 5.1 of the draft policy)

We are proposing to largely keep the location controls the same but introduce one additional location control which prohibits venues from establishing in, or existing venues relocating to areas that have a socioeconomic deprivation score of eight or more (indicating high levels of deprivation).

Why are we proposing this approach?

There is extensive evidence that gambling harm is disproportionately experienced by individuals living in areas of high socioeconomic deprivation. In recognition of this, the Act requires councils to specifically consider the impact of gambling on these communities when reviewing their gambling venue policies. While incorporating this consideration into policy is likely to have a positive effect in reducing harm, it's important to acknowledge the geographic context of our district. Due to the relatively compact nature of our towns, residents—regardless of where they live—can easily access gambling venues across the district. This means that even if venues are not located in high-deprivation areas, they remain relatively accessible to those most at risk.

What are the risks of this approach?

We think the benefits of this approach largely outweigh any potential risks. However, we acknowledge that this approach could result in displacement of gambling activity rather than reducing it. There is a small risk that gambling activity could simply shift or grow in other areas of the district which could create other issues for the community. There is also a risk that restricting venues from establishing in certain areas could push gambling into less regulated environments like online casinos where harm may be harder to monitor and mitigate.

Other possible options

Reduce / Maintain

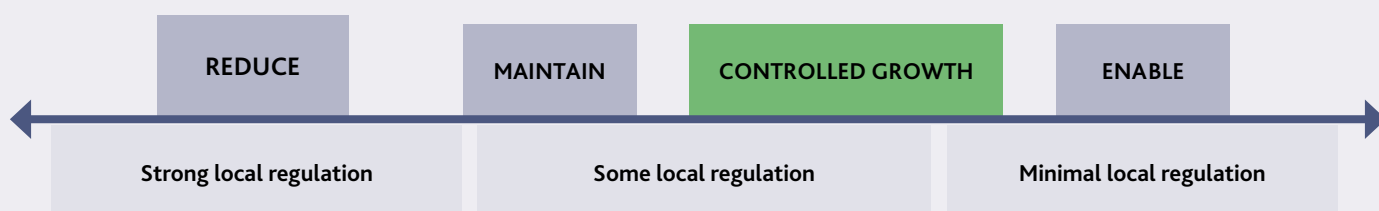
Council could introduce other additional location controls that further restrict where venues can establish or move to. These include restricting new venues from establishing within a certain distance to other venues, places of worship, schools and other sensitive sites.

Why not this option? We believe the policy already restricts most of these locations as schools and places of worship are rarely located within the business zones that venues must establish within. We think adding in additional location controls will add complexity to the policy but will have minimal effect.

Enable

This option would see Council remove any additional location controls, allowing venues to establish or move anywhere in a business zone regardless of its deprivation indicator or proximity to a sensitive site.

Why not this option? The Act requires councils to consider the impact of gambling on high-deprivation areas. Reducing location controls could lead to a saturation of venues in these vulnerable communities, increasing accessibility and exposure. This heightened presence could lead to greater rates of gambling-related harm, undermining the Act's intent and Council's responsibility to help minimise harm.



Relocation of existing venues *(Section 5.3 of the draft policy)*

We are proposing to update the policy to permit existing venues to relocate to an alternative site while retaining the same consent conditions for specific reasons. Relocations would be subject to additional conditions and would only be permitted where the venue is moving to a new location within the same town and the proposed area has a deprivation score of seven or less (medium to low deprivation).

Why are we proposing this approach?

A recent Court of Appeal decision clarified the application of the Gambling Act 2003. This decision means councils must give formal consent for any gambling venue relocation—no matter how small the move. As a result, we need to update our policy to reflect this legal change and decide what our approach to relocations will be.

We're proposing to update the policy to allow relocations under a defined set of conditions. This approach recognises that many of the existing venues have operated in the district for over 20 years and are supported by the community. We acknowledge that, for practical reasons such as lease changes, venues may need to relocate during the course of their operations.

We don't think it's fair to revoke gambling consents solely due to a change in location. However, it is essential that relocations don't contribute to increased levels of harm. That's why we're proposing to restrict new locations to areas of lower socioeconomic deprivation. We think this will help reduce the concentration of gambling venues in higher-risk communities, while still allowing existing operators to continue under their current consent conditions.

Overall, we believe this approach strikes the right balance between supporting local businesses while meeting our responsibility to help minimise gambling-related harm in our community.

What are the risks of this approach?

While we do not consider the proposed approach to carry significant risk, it is important to acknowledge the small risk that it may lead to the displacement of gambling-related harm rather than a reduction, particularly if the new location increases accessibility for different groups. We also recognise that residents in the proposed relocation area may have concerns about the introduction of gambling venues in their neighbourhoods, including potential social impacts or changes to the character of their community.

Other possible options

Reduce / Maintain

This option would prohibit the relocation of existing class 4 gambling venues. Over time, this would result in a gradual reduction in the number of venues permitted to operate up to 18 gaming machines under existing consent conditions.

Why not this option? While this approach may appear to support harm minimisation, we believe it lacks flexibility and could unintentionally penalise long-standing, supported venues for reasons outside of their control. Given the current low levels of gambling harm in our district, we do not see clear value in prohibiting relocations.

Enable

This option would see Council allow relocations of existing venues for any reason without additional conditions.

Why not this option? This option could lead to existing venues currently in lower deprivation areas moving to more vulnerable areas of the community, potentially leading to increased levels of harm. We think a balanced, controlled approach to relocations is needed to mitigate the risk of harm to our community.

OTHER PROPOSED CHANGES

What	Draft Policy Section	Why
Introduce a glossary and definitions section.	Glossary and Definitions	To define and clarify the terminology used throughout the policy.
Merge clause 1.2 and 1.3.	1. Introduction	For clarity and continuity.
Introduce five principles that guide the policy.	3. Policy Principles	Clearly defining these principles ensures transparency in how the policy was developed, provides a consistent framework for future reviews, and helps explain Council's position to the community.
Make some minor wording changes, heading updates, and reorder sections of the policy.	Throughout the policy	For clarity and continuity.
Add an additional clause (6.1).	6. Application and Fees	To clarify when a venue consent application is required.
Update parts of the decision-making process.	7. Decision Making	To align the policy with the current or future structure of Council. At the time of this review, council does not have an environmental services committee.



Want to look at the Draft policy?

The *full draft policy* is available at itsourplace.nz and Ashburton District Council, 2 Baring Square East, Ashburton.

Dangerous and Insanitary Buildings Policy



ABOUT THE POLICY

As a regulator and Building Consent Authority, Council has the responsibility to confirm compliance with the Building Act 2004 and other relevant legislation with respect to dangerous and insanitary buildings. This includes ensuring existing buildings are safe and hazards are dealt with.

The Dangerous and Insanitary Buildings policy helps provide clarity for members of the community on the approach to dangerous and insanitary buildings and ensures Council meets legislative requirements. The policy also clarifies how this applies to heritage buildings in the district.

What does the policy cover?

The policy applies to all types of buildings within the district – residential, commercial, industrial etc. It does not include any reference to earthquake-prone buildings because, as of 2018, these are covered by sections 133AG - 133AY of the Building Act 2004.

How we've approached the policy review

The Ministry of Business, Innovation and Employment (MBIE) informed Council that we have to update the Dangerous and Insanitary Building policy 2022 by including the reference to 'affected' buildings, to reflect the changes to the Building Act 2004. Apart from this required change, the Ministry also recommended a few further changes to the policy. Officers have reviewed the policy and assessed MBIE's recommendations, leading to the proposed updated policy.

WHAT ARE WE PROPOSING?

Add 'affected buildings' to the policy

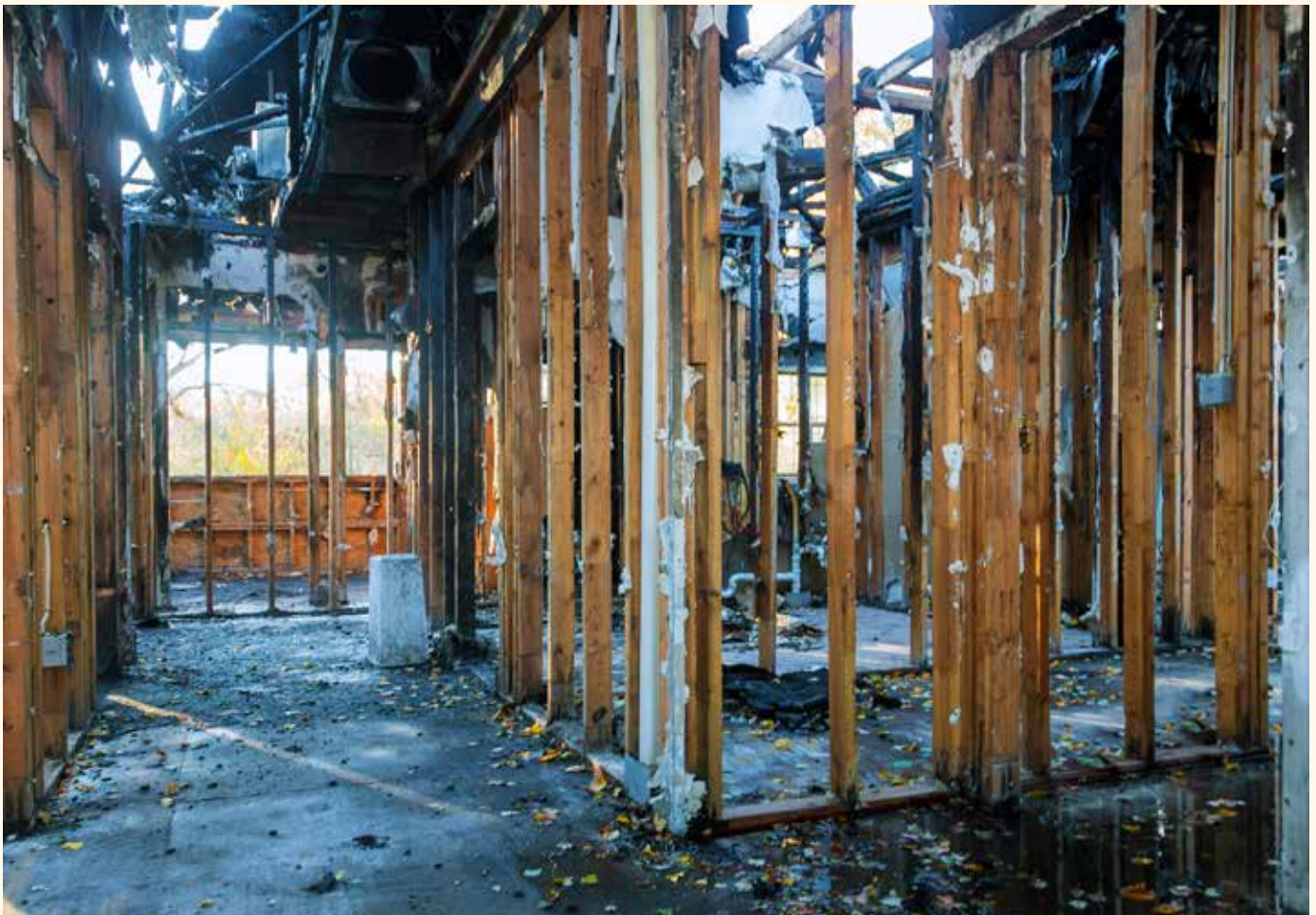
The key change is to account for '**affected buildings**' in the policy. This is a requirement following an amendment to the Building Act in 2013. In the draft policy we have added this in all the relevant sections.

What is an affected building?

Affected buildings are buildings that could pose a risk to people's safety or to nearby properties because of their proximity to dangerous buildings. The Building Act states a building is an affected building if it is adjacent to, adjoining, or nearby to a dangerous building or a dangerous dam (Building Act 2004, Section 121A).

Identifying dangerous, affected and insanitary buildings

Another proposed change is to clarify that Council's approach to the identification of dangerous, affected or insanitary buildings is partially reactive, meaning it will not actively inspect but will act following complaints from the community, advice from Council officers or from other agencies (e.g. local health providers, New Zealand Police, Fire and Emergency NZ, tradespersons etc).



OTHER PROPOSED CHANGES

Additionally, Council is proposing minor changes identified during the review with the purpose to improve clarity and readability:

What	Draft Policy Section	Why
Change the name of the Policy to Dangerous, Affected and Insanitary Buildings Policy	Name	Consistency
Adding the reference that Council has to send a copy of the policy to the Ministry of Business, Innovation and Employment when adopted or amended	Policy Introduction	Required by s132(3) of the Building Act 2004
Adding 'dangerous dam' to the definition of affected building	Definitions	To match definition stated in the Building Act 2004.
Removing references to previous legislation	1	No longer relevant, removing the reference prevents confusion and improves readability.
Adding reference to relevant sections in the Act	3.5.2 / 3.6.1	Consistency and completeness
Adding clarification where the information if the building is found to be dangerous, affected or insanitary is recorded (e.g. on the LIM - land information memorandum).	3.7.3	Clarification

Why are we proposing this approach?

Apart from the proposed changes the policy is considered fit for purpose. The review period stated in the policy is every five years and the last review was completed only three years ago in 2022, when other minor changes were made to the policy.

What are the advantages?

- ✓ Updated policy will meet legislative requirements.
- ✓ There will be more clarity on Council's approach to identifying dangerous, affected and insanitary buildings.
- ✓ The document will have improved readability and clarity.
- ✓ Community will have the opportunity to have their say.

What are the disadvantages or risks of this approach?

- ✗ None identified

Other possible options

Make further/other changes to the policy

If community feedback asks for aspects to be added, removed or changed, Council can consider making further changes to the policy.

What are the advantages?

- ✓ Council could consider further changes to the policy.
- ✓ Policy will meet legislative requirements
- ✓ There will be more clarity on Council's approach to identifying dangerous, affected and insanitary buildings.
- ✓ The document will have improved readability and clarity.
- ✓ Community will have the opportunity to have their say.

What are the disadvantages or risks of this approach?

- ✗ Depending on the significance of the changes, additional time may be needed to prepare the draft for further consultation which would delay adoption of an updated policy.



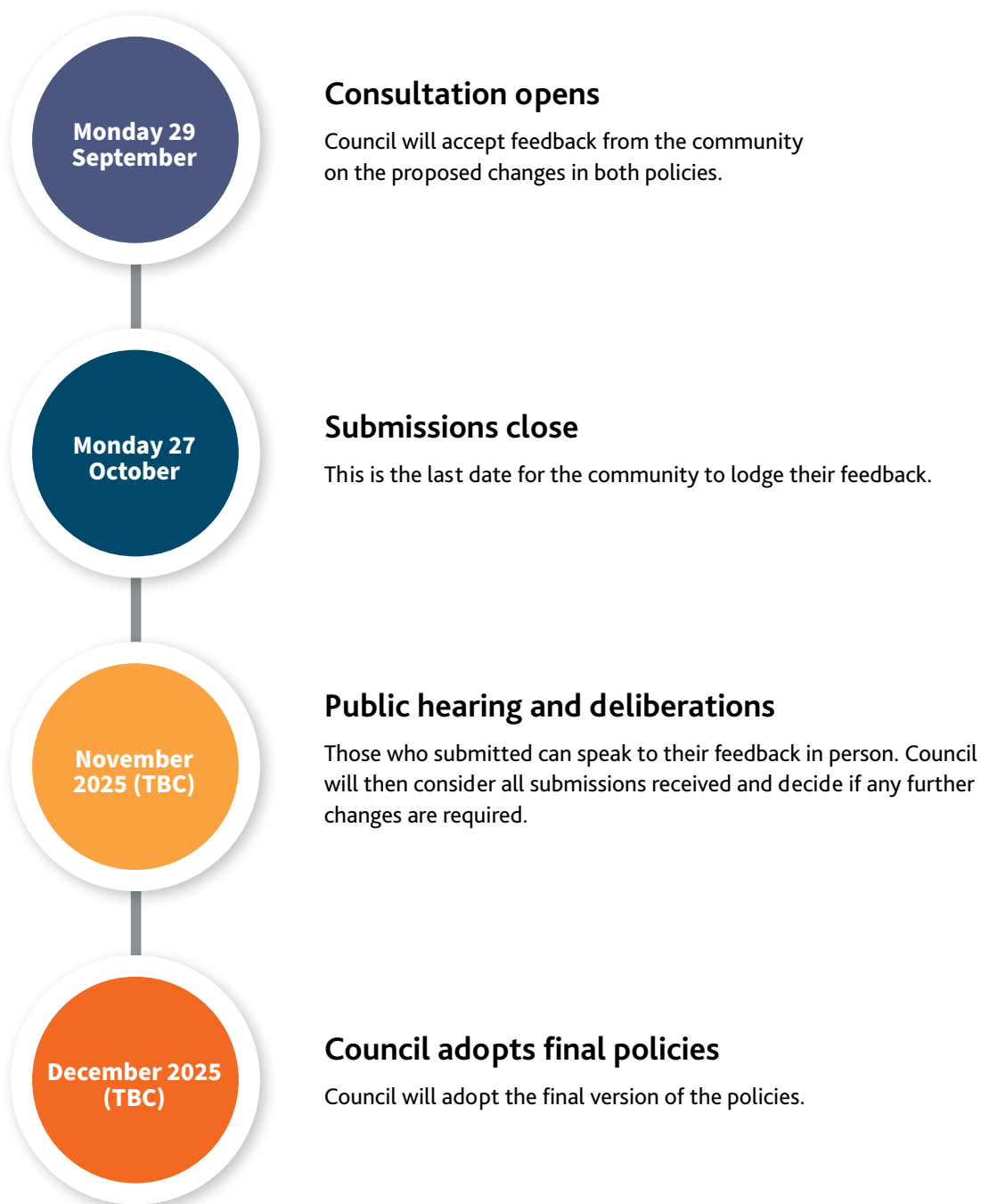
Want to look at the Draft policy?

The *full draft policy* is available at itsourplace.nz and Ashburton District Council, 2 Baring Square East, Ashburton.

REVIEW PROCESS AND TIMELINE

Consultation will open on Monday 29 September and we're accepting feedback on both policies from the community till Monday 27 October 2025.

Submitters will have the opportunity to present their views to Council in person at the hearing, after which Councillors will consider and deliberate on all the submissions received.



Have your Say!

- Gambling Venue Policy
- Dangerous and Insanitary Buildings Policy

Have your say!

Let us know what you think of the proposed changes on the included submission form or visit itsourplace.nz

We are accepting feedback until Monday 27 October.



The easiest way to share your feedback is at ***ItsOurPlace.nz***

You can also provide your feedback by:



FREEPOST

Ashburton District Council
Freepost 230444
PO Box 94
Ashburton 7740



IN PERSON

Dropping it off at:
Ashburton District Council
2 Baring Square East



ONLINE

[ItsOurPlace.nz](https://itsourplace.nz)



EMAIL

submissions@adc.govt.nz



Learn more and share
your thoughts at

ItsOurPlace.nz

