



Wairarapa Class 4 Gambling and Standalone TAB Venues Policy

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1. Purpose

- 1.1. The purpose of the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy is to:
 - a) minimise the harm to the community caused by gambling;
 - b) have regard to the social impacts of gambling in the Wairarapa region, including the cumulative effect of additional opportunities for gambling in the district;
 - c) control Class 4 gambling in the Wairarapa region; and
 - d) ensure that Council and their communities have influence over the provision of new Class 4 gambling and standalone TAB venues in the Wairarapa region.
- 1.2. This policy is made in accordance with the Gambling Act 2003 (s.101) and the Racing Act 2003 (s.65D).

2. Scope

- 2.1. This policy applies to Class 4 and standalone TAB venues in the Masterton, Carterton and South Wairarapa Districts (referred to collectively as the Wairarapa region).

3. When Council Consent is Required

- 3.1. Council consent is required before:
 - a) A corporate society applies for a Class 4 Venue licence and a Class 4 Venue licence has not been held by any corporate society for the venue within the last six months.
 - b) A corporate society increases the number of gaming machines that may be operated at a Class 4 Venue (this includes at a venue where clubs propose to merge).
 - c) A corporate society changes the location of a venue to which a Class 4 Venue licence currently applies.
 - d) The NZ Racing Board establishes a standalone TAB Venue.

4. Establishment of New Class 4 Gambling Venues

- 4.1. No new Class 4 gambling venues may be established in the Wairarapa region.
- 4.2. Gambling venues existing or consented as at 1 January 2019 and not ceasing operations for any period longer than six months will be regarded as existing venues under this policy and will be granted consent to continue their operations automatically.

5. Merged Gambling Venues

- 5.1. Where Council consents to the merger of two or more clubs under Section 95 of the Gambling Act 2003, the combined club may:
 - a) operate an existing single venue, which will be regarded as an existing venue, subject to clause 7.4; or
 - b) apply to the Council for a single new venue to be established, provided that all existing venues are closed, subject to section 6 and clause 7.4.

6. Relocation of Class 4 Gambling Venues

- 6.1. Council may permit a Class 4 venue to re-establish at a new site where, due to extraordinary circumstances, the owner or lessee of the Class 4 venue cannot continue to operate at the existing site. Examples of such circumstances include, but are not limited to, the following:
- a) expiration of the lease;
 - b) acquisition of property under the Public Works Act 1981; or
 - c) site redevelopment.
- 6.2. Permission to relocate a Class 4 venue will be subject to the following conditions:
- a) the gambling venue operator at the new site shall be the same venue operator at the site to be vacated;
 - b) the number of gaming machines permitted to operate at the new venue will not exceed the number permitted to be operated at the existing site.
- 6.3. A standalone TAB venue with gaming machines may be considered as an alternate venue if a Class 4 venue closed, subject to the conditions of this policy.
- 6.4. Class 4 gambling venues will not be permitted where the Council reasonably believes that:
- a) the character of the district, or part of the district, for which the venue is proposed will be adversely affected; or
 - b) there is likely to be an adverse effect on any kindergartens, early childhood centres, schools, places of worship, or other community facilities.
- 6.5. Except in the case of a standalone TAB venue, Class 4 gambling venues will not be approved outside premises authorised under the Sale and Supply of Alcohol Act 2012 to sell and supply alcohol for consumption on the premises, and where the gaming area is designated as restricted and is visually and physically separated from family or children's activities.

7. Restriction on the Number of Gaming Machines

- 7.1. No increase in the number of gaming machines currently operating or consented in the Wairarapa Region as of 1 January 2019 (165) will be permitted.

Further to the provision above, the maximum number of gaming machines allowed in each district is detailed in the table below.

District	Maximum Gaming Machines Allowed
Masterton	64
Carterton	45
South Wairarapa	56

- 7.2. Any gaming machine that is relinquished for a period of longer than six months may not be replaced on that site and may not be transferred to another site under any circumstances.
- 7.3. No venue may operate more than 18 gaming machines if existing at 17 October 2001 and not ceasing operations for any period longer than six months, or more than 9 machines if not existing prior to the 18 October 2001 or having ceased operations for any period longer than six months.

- 7.4. Where two or more club venues merge, the combined club may operate the lesser of 18, or the number of gaming machines both clubs operated immediately prior to the merger.

8. Standalone TAB Venues

- 8.1. New standalone TAB venues may be established in the Wairarapa region.
- 8.2. No new standalone TAB venue will be permitted where the Council reasonably believes that:
- a) the character of the district, or part of the district for which the venue is proposed will be adversely affected; or
 - b) there is likely to be an adverse effect on any kindergartens, early childhood centres, schools, places of worship or other community facilities.

9. Applications

- 9.1. Applications must be made on the approved form and must provide:
- a) Name and contact details of the applicant.
 - b) Street address of the proposed or existing Class 4 gambling venue or standalone TAB venue.
 - c) A scale site plan covering both gambling and other activities proposed for the venue, including any screening or separation from other activities proposed.
 - d) A copy of any certificate of compliance or resource consent required for the primary activity of the venue under the Wairarapa Combined District Plan.
 - e) For Class 4 gambling venues only, evidence of the authority to sell or supply alcohol for consumption on the premises under the Sale and Supply of Alcohol Act 2012.
 - f) For applications relating to the merging of two or more clubs, details of the number of machines operated at each venue immediately prior to merger and the number of machines intended to be operated at each site, as applicable.
- 9.2. To aid the Council in determining whether there is likely to be an adverse effect, all applications are required to be publicly notified and will include a social impact statement.
- 9.3. Applications will be determined by the Hearings Committee of the Council, which may receive submissions from the applicant and any interested parties at a public hearing.
- 9.4. Applicants will be notified of Council's decision within 30 days after the application is received.

10. Application Fees

- 10.1. Fees for gambling consent applications will be set by Council annually and will include consideration of the cost of:
- a) processing the application;
 - b) establishing and triennially reviewing the Gambling and Standalone TAB Venues Policy;
 - c) the triennial assessment of the economic and social impact of gambling in the Wairarapa region.

11. Review of Policy

11.1. The policy will be reviewed every three years.

12. Definitions

Class 4 Gambling: Gambling that utilises or involves a gaming machine, as defined in the Gambling Act 2003 (s.30).

Class 4 Gambling Venue: A place to conduct Class 4 gambling.

Council: The Masterton, Carterton or South Wairarapa District Council.

Gaming Machine: A device, whether totally or partly mechanically or electronically operated, that is adapted or designed and constructed for the use in gambling, as defined in the Gambling Act 2003 (s.4). Commonly known as 'pokie machines'.

Standalone TAB Venue: Premises that are owned or leased by the New Zealand Racing Board and where the main business carried on at the premises is providing racing or sports betting services under the Racing Act 2003.

Venue Licence: A Class 4 venue licence issued by the Secretary for Internal Affairs.

13. Related Documents

Wairarapa Combined District Plan

14. References

Gambling Act 2003

Racing Act 2003

15. Version Control

Date	Summary of Amendments	Approved By
2016	Minor updates	Masterton, Carterton and South Wairarapa District Councils
2019	Merged the Wairarapa Gambling Venue Policy and the Wairarapa TAB Board Venue Policy. Minor amendments for clarification.	Masterton, Carterton and South Wairarapa District Councils