



Wairarapa Class 4 Gambling and Standalone TAB Venues Policy

Kaupapa Here Whare Petipeti – Momo 4

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Latest Version:	31 July 2024
Adopted by:	Masterton (26 June 2024), Carterton (31 July 2024) and South Wairarapa (3 July 2024) District Councils
Review Date:	31 July 2027

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1. Purpose | *Pūtake*

- 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 Industry Act 2020 (s.96).

2. Scope | *Whānuitanga*

- 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. Objectives | *Whāinga*

- 3.1. The objectives of the three Wairarapa Councils are to:
- a) prevent and minimise harm to the community caused by gambling
 - b) control and manage gambling in the Wairarapa region
 - c) restrict the locations of gambling venues within the Wairarapa region
 - d) promote community involvement in decisions about the provisions of gambling
 - e) ensure the community have influence over the location of new gambling venues in the district
 - f) promote opportunities for money from gambling to benefit the Wairarapa community.

4. Definitions | *Kuputaka*

The following definitions are relevant to this policy:

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, as applicable.

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’.

New Zealand Deprivation Index (NZDep): An index of socioeconomic deprivation based on census information. Deprivation scores range from 1 (least deprived) to 10 (most deprived).

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.

Statistical Area 1 (SA1): Geographical areas with a range of approximately 100-200 residents, and a maximum population of approximately 500 residents.

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

5. Venue Criteria | *Paearu Whare*

Under sections 101 of the Gambling Act 2003 and section 96 of the Racing Industry Act 2020, this policy can restrict the establishment of class 4 gambling and standalone TAB venues, and consider other criteria including the maximum number of gaming machines.

5.1 Establishment of New Class 4 Gambling Venues

- No new Class 4 gambling venues may be established in the Wairarapa region.
- Gambling venues existing or consented as at 1 January 2024 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.

5.2 Establishment of Standalone TAB Venues

- No new standalone TAB venues may be established in the Wairarapa region.

5.3 Merged Gambling Venues

- 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 5.4; 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 5.4.

5.4 Restriction on the Number of Gaming Machines

- The three Wairarapa Councils have set a 'sinking lid' on the number of gaming machines in the Wairarapa region. This means no increase in the number of gaming machines in any Class 4 gambling venue in the Wairarapa region as of 1 January 2024 will be permitted.
- 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.
- 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.

6. Venue Relocation | *Te Hūnuku Wāhi*

- 6.1. Council will not grant consent for a Class 4 venue to permanently re-establish at a new site in Masterton District under any circumstances. Council may grant consent for an existing venue to temporarily establish at an alternative site in Masterton District subject to the following conditions:
- a) Council will only grant consent in circumstances where an existing site requires remedial work due to an adverse event, such as a fire, flood or earthquake.
 - b) The initial duration at the alternative site shall not exceed 12 months. Should remedial work not be completed within this timeframe, Council may consider renewal applications on a six-monthly basis up to a maximum duration of 36 months.
 - c) Renewal applications shall be submitted 30 days prior to the consent expiring and include supporting documentation evidencing the outstanding remedial work requirements and a copy of any building consent issued. Renewal applications will be

considered by the Hearings Committee of the Council and decisions will be notified to the applicant within 30 days after the application is received.

- d) The relocation is subject to clauses 6.3, and for the avoidance of doubt, 6.4 and 6.5 of the Policy.
 - e) For the purposes of clause 6.1 d), clause 6.3 applies with all the necessary modifications.
- 6.2. Council may permit a Class 4 venue to re-establish at a new site in Carterton or South Wairarapa Districts 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.
- 6.3. Permission to relocate a Class 4 venue in Carterton or South Wairarapa Districts will be subject to the following conditions:
- a) where the relocation is to an area outside of a town centre area (identified in Schedule 1), the relocation will be to a Statistical Area 1 (SA1) on the New Zealand Deprivation Index (NZDep) of decile 1 to 8. The NZDep decile rating will be that which applies at the time the application for relocation is submitted to the Council; and
 - b) the gambling venue operator at the new site shall be the same venue operator at the site to be vacated; and
 - c) 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.
- 6.4. 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. 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 premise, and where the gaming area is designated as restricted and is visually and physically separated from family or children's activities.

7. Applications for Consent | *Ngā Tono Whakaaetanga*

- 7.1. Council consent is required before:
- a) Two or more clubs merge.
 - b) A corporate society changes the location of a venue to which a Class 4 Venue licence currently applies.
- 7.2. 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.
 - 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 premise 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.
- 7.3. 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.
- 7.4. 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.
- 7.5. Applicants will be notified of Council's decision within 30 days after the application is received.

8. Application Fees | *Ngā Utu Tono*

- 8.1. 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.

9. Policy Review Requirements | *Herenga Arotake Kaupapa Here*

- 9.1. The policy is required to be reviewed every three years.

Related Documents

Wairarapa Combined District Plan

References

Gambling Act 2003

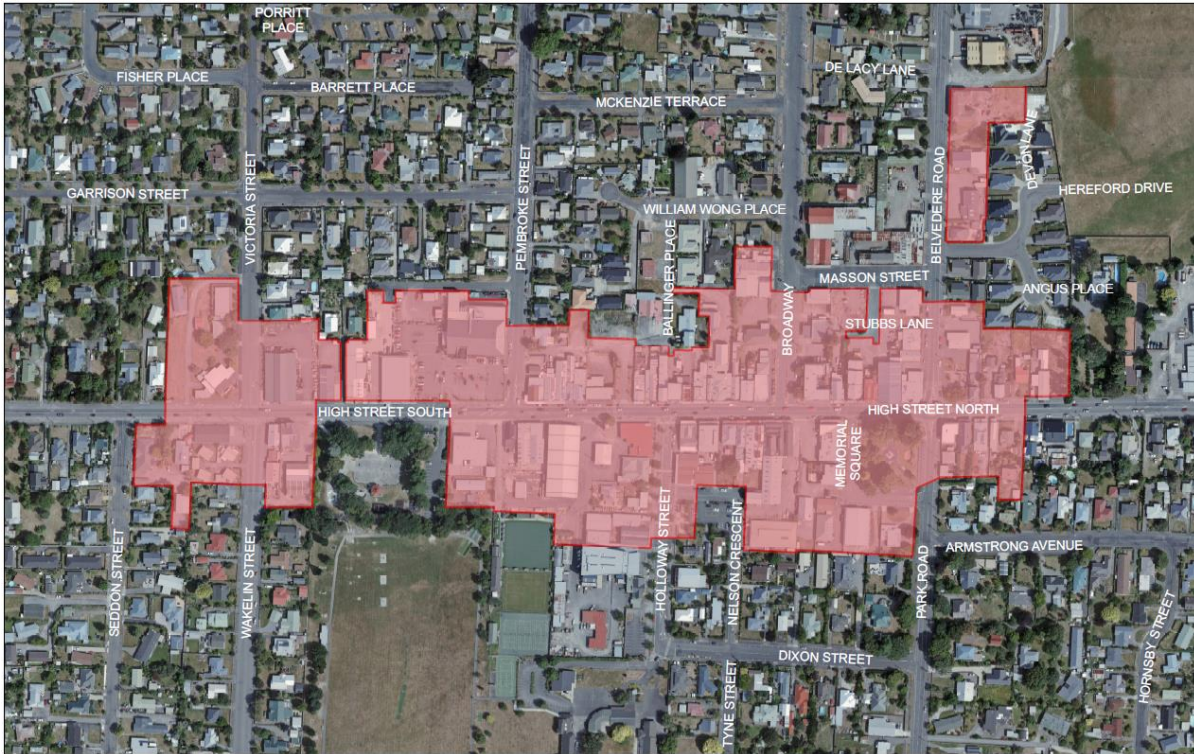
Racing Industry Act 2020

Version Control

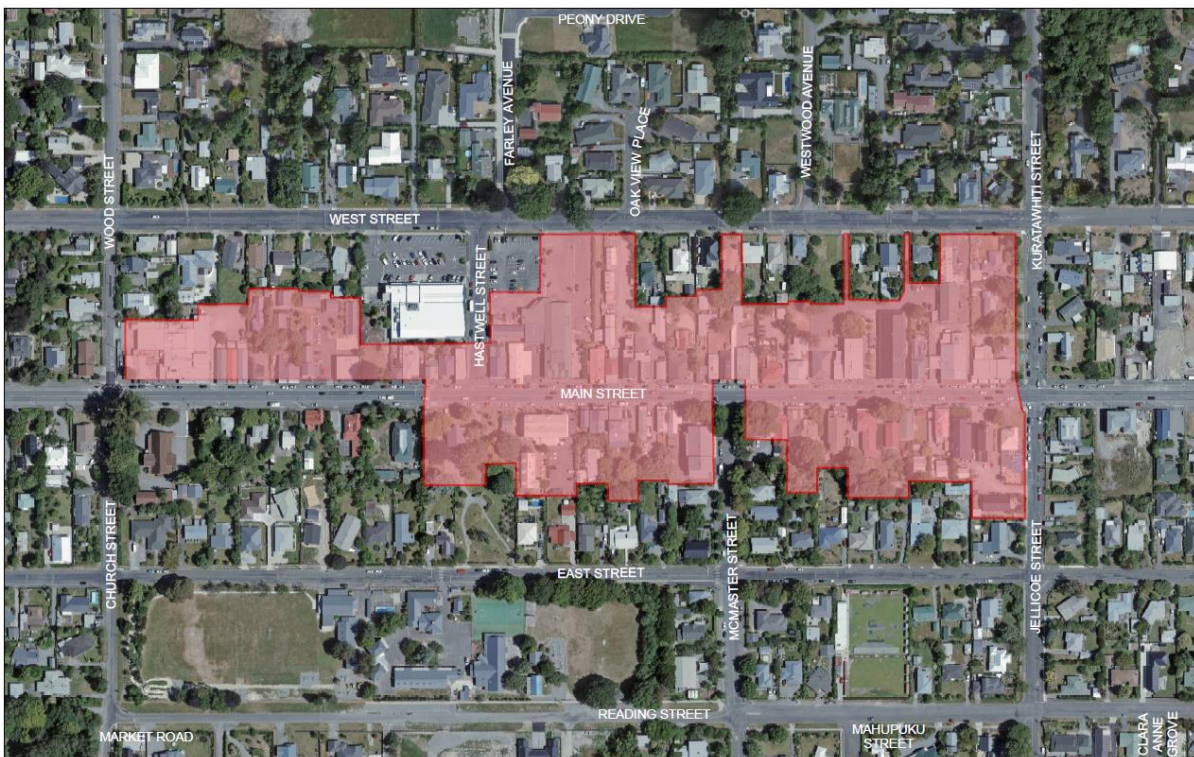
Date	Summary of Amendments	Approved By
2016	Minor updates	Masterton, Carterton and South Wairarapa District Councils
2019	Merged the Wairarapa Gambling Venue Policy and the Wairarapa TAB Board Venue Policy. Minor amendments for clarification.	Masterton, Carterton and South Wairarapa District Councils
2024	<p>Removal of reference to a “maximum number of gaming machines allowed” for clarification purposes.</p> <p>Amendment so that Class 4 venues cannot permanently re-establish at a new site in Masterton District under any circumstances.</p> <p>Inclusion of a new condition of relocation for Carterton and South Wairarapa Districts – that the relocation of Class 4 Gambling venues will be to a decile 1-8 area on the New Zealand Deprivation Index if the relocation is to an area outside of town centres identified in Schedule 1.</p> <p>Amendment so that no new standalone TAB venues may be established in the Wairarapa region.</p> <p>Minor amendments for clarification and to improve flow and readability.</p> <p>Updates to reflect the name of new legislation since the last review.</p>	Masterton, Carterton and South Wairarapa District Councils

Schedule 1: Maps of Town Centre Areas where Class 4 Gambling Venue relocation is permitted in NZDep SA1 areas of Decile 1 to 10

Refer clause 6.3(a) of the Policy



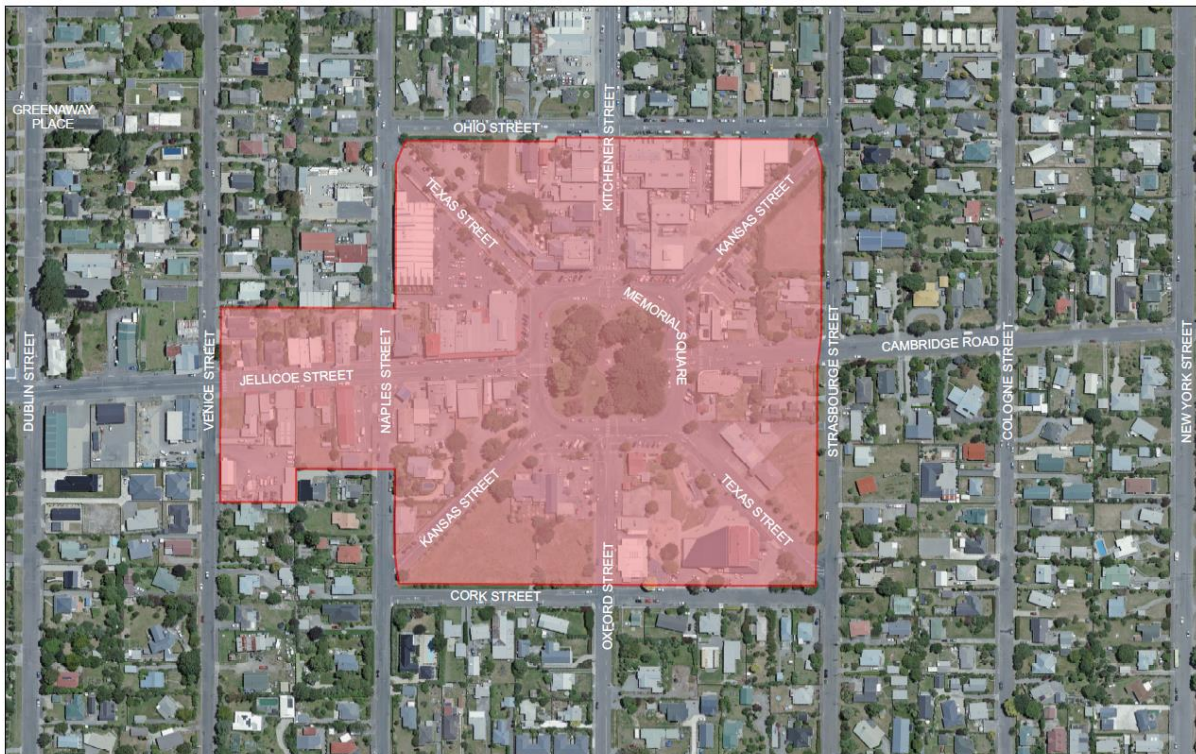
		CARTERTON TOWN CENTRE AREA	<p><small>DISCLAIMER: The Carterton District Council accepts no responsibility for actions or projects undertaken or use or damage caused, by any individual or company, or agency, using for or on the information provided on this map.</small></p> <p><small>The Carterton District Council does not provide interpretation of this information or advice on how to interpret, or utilise this information.</small></p> <p><small>You use independent and appropriate professional advice should be sought. The information displayed on this map may contain errors or omissions or may not have the spatial accuracy required for some purposes.</small></p> <p>Scale = 1:2,500 <small>Drawn by AP - Date: 12/04/2024</small></p>
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		GREYTOWN TOWN CENTRE AREA	<p><small>DISCLAIMER: The South Wairarapa District Council accepts no responsibility for actions or projects undertaken or use or damage caused, by any individual or company, or agency, using for or on the information provided on this map.</small></p> <p><small>The South Wairarapa District Council does not provide interpretation of this information or advice on how to interpret, or utilise this information.</small></p> <p><small>You use independent and appropriate professional advice should be sought. The information displayed on this map may contain errors or omissions or may not have the spatial accuracy required for some purposes.</small></p> <p>Scale = 1:2,000 <small>Drawn by AP - Date: 12/04/2024</small></p>
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		<p>FEATHERSTON TOWN CENTRE AREA</p>	<p><small>DISCLAIMER: The South Wairarapa District Council accepts no responsibility for action or inaction, or for any damage resulting from the use of the information provided on this map. The South Wairarapa District Council does not provide interpretation of the information provided on this map. Your own independent and appropriate professional advice should be sought. The information contained on this map may contain errors or omissions and may not have the spatial accuracy required for some purposes.</small></p>	 <p>Scale = 1:2,063 Drawn by AP - Date: 12/04/2024</p>
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MASTERTON TOWN CENTRE AREA

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