



Have your say

# Proposed Class 4 Gambling Venues Policy and TAB Venues Policy



Te Kaunihera-ā-Rohe o Ngāmotu  
**New Plymouth  
District Council**

# Background

## NPDC has reviewed its Class 4 Gambling Venues Policy and TAB Venues Policy and wants your feedback before finalising it.

### Class 4 Gambling Venues Policy

The Gambling Act 2003 requires the Council to adopt a Class 4 Gambling Venues Policy and that this policy be reviewed every three years.

Class 4 Gambling refers to gambling on gaming machines hosted in pubs, hotels and clubs.

The New Plymouth District Council Class 4 Gambling Venues Policy was last reviewed in December 2020, so is now due for review.

The Class 4 Gambling Venues Policy must state whether or not Class 4 venues can be established in the district, and if so where. In addition, the policy can restrict the maximum number of gaming machines that may be operated.

We must consider the social impact of gambling within the district when developing the policy.

### TAB Venues Policy

The Racing Industry Act 2020 requires us to adopt a TAB Venues Policy. The policy must state whether or not new TAB venues can be established in the district and, if so, where.

When adopting the policy, we must consider the social impact of gambling within the district.



### ***Where can I get more information?***

For more information visit the NPDC website: [npdc.govt.nz/HaveYourSay](https://npdc.govt.nz/HaveYourSay)

Or phone us on 06-759 6060.

The proposed Class 4 Gambling Venues Policy and TAB Venues Policy can be found at the back of this document.

A copy of this document is available for viewing at the Civic Centre, Liardet Street, New Plymouth or library and service centres at Bell Block, Inglewood and Waitara.

# Proposed changes to the policies

## Class 4 Gambling Venues Policy

The current policy has:

- A gaming machine cap of 300 for New Plymouth District (excluding Waitara).
- A sinking lid for Waitara until the number of gaming machines that may be operated in Class 4 gambling venues is reduced to 25.

NPDC would like to see what the community thinks of a new policy approach for the Class 4 Gambling Venues Policy. That is, to introduce a district-wide sinking lid for New Plymouth District. This would mean that NPDC would not grant consent for any new Class 4 gambling venues, or for any new Class 4 gaming machines in the district. Over time, this will lead to a decrease in the number of venues and gaming machines in our district.

### The options for amending the Class 4 Gambling Venues Policy in relation to gaming machine numbers/venues.

1

Introduce a district-wide sinking lid. NPDC will not grant consent for any new Class 4 gambling venues or Class 4 gaming machines.

This option would allow for no gaming machine growth.

2

Retain the current policy approach, with a cap on the number of gaming machines for New Plymouth District excluding Waitara, and a sinking lid policy for Waitara. Under this option Council could:

- a) Reduce the gaming machine cap from 300 to 269 (current number licenced). This option would allow for no gaming machine growth.
- b) Reduce the gaming machine cap from 300 to 285. This is between the current number of licenced gaming machines and the current cap. This option would allow for 16 additional gaming machines.
- c) Status quo – retain the current gaming machine cap of 300. This option would allow for 31 additional gaming machines.

**The Council's preferred option is Option 1 - introducing a district-wide sinking lid. This option does not allow for any growth in Class 4 gaming machines.**

This option is preferred as it is the most effective approach for reducing harm from Class 4 gambling over time.

## TAB Venues Policy

The current TAB Venues Policy is considered to be mostly fit for purpose. However, an update to the 'location of venues' clause is proposed. See next page for more details.

# Location restrictions

## Class 4 Gambling Venues Policy and TAB Venues Policy

The current Class 4 Gambling Venues Policy has location restrictions for new venues. These restrictions will not apply if a district-wide sinking lid policy is approved. They will apply if the district-wide sinking lid is rejected and the existing cap approach is retained. The location restrictions will apply for new TAB venues.

The New Plymouth District Plan has been updated since the Class 4 Gambling Venues and TAB Venues policies were last reviewed. It is proposed to update the location restrictions in both policies to align with the updated Proposed New Plymouth District Plan<sup>1</sup>.

The District Plan has introduced Mixed Use Zones. These zones provide for a compatible mixture of commercial services, recreational, residential and community activities. The general philosophy of both the Class 4 Gambling Venues and TAB Venues policies is to prohibit gambling venues in residential zones.

Therefore, the proposed approach for aligning both policies to the District Plan is to exclude the Mixed Use Zones from the location restrictions where new venues can establish.

In addition, the District Plan has included Fitzroy as a Town Centre Zone, so this map will be included in the policies and the options below will apply for this area too.

### The options for amending the location clauses for New Plymouth City Centre, Inglewood, Waitara and Fitzroy Town Centres.

**1**

Status quo.

Retain the location restrictions for venues (based on the 2005 District Plan) for New Plymouth CBD Area, Inglewood, Waitara and Fitzroy.

**2**

Update the location restrictions for venues to include the Town Centre Zones and the City Centre Zone plus the surrounding Mixed Use Zones.

*The map boundaries for the Town Centre Zones would be more closely aligned to the current policies' map boundaries. The map boundary for the New Plymouth City Centre would increase to a greater extent than Option 3.*

**3**

Update the location restrictions for venues to reflect the Town Centre Zones and the City Centre Zone.

*The Town Centre Zone would be reduced compared to the current map boundaries.*

*The map boundary for the New Plymouth City Centre would increase compared to the current map boundary.*

**The Council's preferred option is Option 3 - updating the location clauses in the Class 4 Gambling Venues Policy and TAB Venues Policy to align with the Town Centre Zones (Inglewood, Waitara and Fitzroy) and the City Centre Zone. The updated map boundaries would outline where new Class 4 venues and new TAB venues may establish.**

This option is preferred as it ensures venues can only be established within business zones and also aligns the policies' rules with the operational rules of the Proposed New Plymouth District Plan<sup>1</sup>. In addition, this proposal aims to reduce the potential for harm from gambling. A map of each location is provided on the following page.

<sup>1</sup> Proposed New Plymouth District Plan Appeals Version as released on 14 September 2023.

# Relocation clause

## Class 4 Gambling Venues Policy

If the sinking lid approach is approved for the Class 4 Gambling Venues Policy, it is proposed to update the relocation clause to prevent additional Class 4 gaming machines from entering Waitara. This is proposed as there are a range of risk factors which can increase the incidence of harm from problem gambling in this area.

The following restrictions are proposed for relocating Class 4 gambling venues.

- **Venues within Waitara** may relocate to within Waitara Town Centre or another Local Centre Zone, Town Centre Zone or the City Centre Zone.
- **Venues outside of Waitara** may relocate to Local Centre Zones, Town Centre Zones – excluding Waitara, or the City Centre Zone, i.e. venues outside of Waitara may not relocate to Waitara.

This approach is proposed to prevent additional gaming machines from entering the Waitara Town Centre Zone, an area identified as having a number of factors that can increase the risk of harm from gambling.

### The options for amending the relocation clause for the Class 4 Gambling Venues Policy.

**1**

Allow Class 4 gambling venues to relocate within the areas specified in the policy's location restrictions.

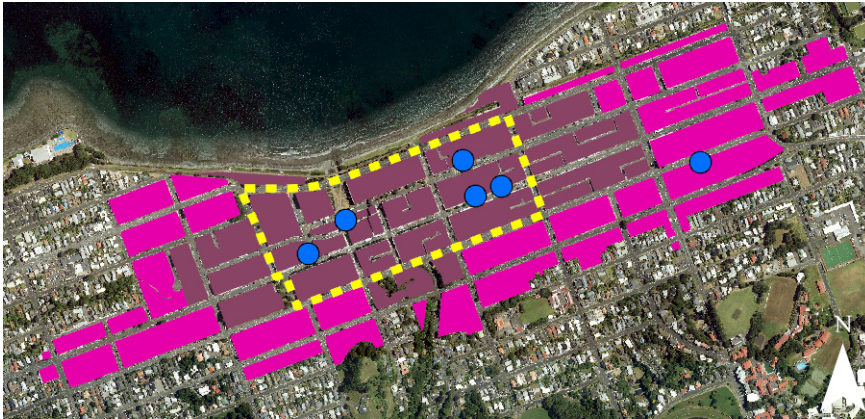
**2**

Do not allow for the relocation of Class 4 gambling venues.

**The Council's preferred option is Option 1 - allow Class 4 gambling venues to relocate within the areas specified in the policy's location restrictions: preventing additional Class 4 gambling venues from entering Waitara.**

This option is preferred as it prevents additional gaming machines from entering the Waitara Town Centre Zone, an area identified as having a number of factors that can increase the risk of harm from gambling.

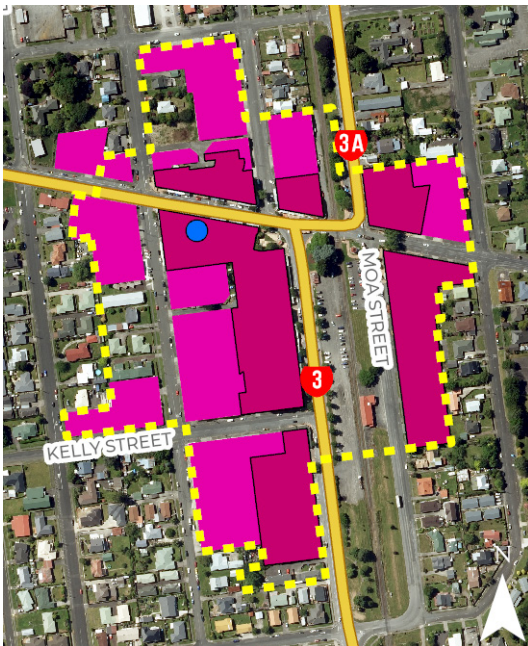
## New Plymouth City Centre



## Legend

- Current Class 4 Gambling Venues
- Boundary in current policy
- Proposed District Plan City Centre Zone
- Proposed District Plan Mixed Use Zone
- Proposed District Plan Town Centre Zone

## Inglewood



## Fitzroy



## Waitara





# Have your say

The proposed Class 4 Gambling Venues Policy and TAB Venues Policy are now open for public consultation. This is your chance to tell us your views and preferences about these policies, so please take the time to have your say.

There are several ways you can have your say. You can submit the submission form on the next page or you can fill in your submission online.

To get your submission to us, either:

Do it online: [npdc.govt.nz/HaveYourSay](https://npdc.govt.nz/HaveYourSay)

Email it to: [submissions@npdc.govt.nz](mailto:submissions@npdc.govt.nz)

Post it to: NPDC Gambling Policies Submissions, Reply Paid DX, DX Box NX10026, New Plymouth 4342

Deliver it to: Civic Centre, Liardet Street, New Plymouth or to a library and service centre in Bell Block, Inglewood or Waitara

**Submissions close at 5pm, Friday 10 May 2024**

**Late submissions will not be accepted.**

# Class 4 Gambling Venues Policy and TAB Venues Policy

## Submission Form

Name: .....

Organisation: .....

Address:\* .....

Email:\* .....

Phone (Day):\* .....

\* we require either an address, email or phone to inform you about hearing times and decisions

Do you want to speak to the Council in support of your submission?     Yes     No

If one of the boxes is not ticked, we'll assume you don't want to be heard.

### CLASS 4 GAMBLING VENUES POLICY

#### Number of gaming machines

1. Which policy approach do you support for regulating Class 4 Gambling Venues and gaming machines in New Plymouth District? (please tick one)

- District-wide sinking lid - Council will not grant consent for any new Class 4 venues or machines
- Status quo - gaming machine cap and a sinking lid for Waitara

2. If New Plymouth District (excluding Waitara) does have a gaming machine cap, what do you think the cap should be? (please tick one)

- 269 - allows for no additional gaming machines
- 285 - allows for 16 additional gaming machines
- 300 (status quo) - allows for 31 additional gaming machines

3. Do you have any comments on how NPDC regulates the number of Class 4 gambling venues and gaming machines for New Plymouth District?

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All submissions (including your name, address and contact details) are provided to Council officers and elected members for the purpose of analysing feedback. Your personal information will also be used for the administration of the engagement and decision-making process. Submissions (with individuals names only) will be available online. If requested, submitter details may be released under the Local Government Official Information and Meetings Act 1987. If there are good reasons why your details and/or submission should be kept confidential please contact our Privacy Officer on 06-759 5688 or through enquiries@npdc.govt.nz



**Location of Class 4 gambling venues**

4. **Where do you think new Class 4 gambling venues should be restricted to in the New Plymouth City Centre, Inglewood, Waitara and Fitzroy?** *(please tick one)*
- Current policy boundaries - status quo
  - Town Centre Zones, City Centre Zone and their surrounding Mixed Use Zones
  - Town Centre Zones and City Centre Zone only

**Relocation of Class 4 gambling venues**

5. **If NPDC has a district-wide sinking lid policy, should Class 4 gambling venues be allowed to relocate?** *(please tick one)*
- Yes
  - No

6. **Do you have any comments on the location restrictions of the Class 4 Gambling Venues Policy?**

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7. **Do you have any comments on the proposed Class 4 Gambling Venues Policy?**

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**TAB VENUES POLICY**

**Location of TAB venues**

8. **Where do you think new TAB venues should be restricted to in the New Plymouth City Centre, Inglewood, Waitara and Fitzroy?** *(please tick one)*
- Current policy boundaries - status quo
  - Town Centre Zones, City Centre Zone and their surrounding Mixed Use Zones
  - Town Centre Zones and City Centre Zone only

9. **Do you have any comments on the location restrictions of the TAB Venues Policy?**

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10. **Do you have any comments on the proposed TAB Venues Policy?**

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Thank you for your submission

# **P17-005 New Plymouth District Class 4 Gambling Venues Policy**

*Approved by the Council on 14 November 2017. Reviewed and amended 22 December 2020.*

The Council is required to adopt a class 4 gambling venues policy under the Gambling Act 2003. This policy supports the purpose and intent of the Gambling Act 2003 with regard to the regulation and management of class 4 gambling venue premises. Class 4 Gambling refers to gambling on gaming machines hosted in pubs, hotels and clubs.

## **Policy Purpose**

To minimise the harm caused by gambling in the New Plymouth District and to control the location of Class 4 gambling venues and the number of gaming machines.

## **Class 4 Gambling Venues Policy**

### **1.0 Establishment of Class 4 Gambling Venues**

1.1 A sinking lid is applied by this policy. This means Council will not grant consent for any new Class 4 gambling venues in the District. Council will also not grant consent for any new Class 4 gaming machines in any existing Class 4 venue in the District.

~~1.2 Class 4 Gambling Venues may be established in the District provided that:~~

~~a) The primary activity of the venue is:~~

~~(i) for the sale of alcohol or, the sale of alcohol and food and the venue is subject to a valid on licence or club licence; or~~

~~(ii) for sporting or club activities and the venue is subject to a valid on licence or club licence and is not associated with family or children's activities; or~~

~~(iii) TAB venue as defined by the Racing Industry Act 2020;~~

~~and~~

~~b) The venue is permitted under the New Plymouth District's current operative District Plan and/or holds all necessary resource consents and/or is otherwise lawfully established.~~

~~1.3 For the avoidance of doubt, a Class 4 Gambling Venue is not permitted in the District if Class 4 Gambling is the primary activity carried out at the venue.~~

~~1.4 There is no cap on the number of Class 4 Gambling Venues that may operate in the District.~~

### **2.0 Number of gaming machines**

~~2.1 The total number of gaming machines that may be operated in Class 4 Gambling Venues in the District, excluding Waitara, is 300 269.~~

~~2.2 A sinking lid policy will apply in Waitara, until the total number of gaming machines that may be operated in Class 4 Gambling Venues in Waitara is reduced to 25. Once~~

~~there are no more than 25 gaming machines permitted to operate in Waitara, the maximum number that may be operated in Waitara will be capped at 25.~~

~~2.3 For the avoidance of doubt both the cap and sinking lid referred to in clauses 2.1 and 2.2 are calculated by adding both operative and sleeping machine numbers.~~

#### New venues

~~2.4 The maximum number of gaming machines that will be permitted at new venues is 9, provided the maximum number permitted in the District is not exceeded.~~

#### Existing venues

~~2.5 The maximum number of gaming machines permitted at existing venues are as follows:~~

~~a) For venues that held a gaming machine licence on 17 October 2001, which have not been without a licence for six months or more since that date: 18 machines or the number of machines lawfully operated on that date, whichever is the lesser;~~

~~b) For all other existing venues: 9 machines or the number of gaming machines approved previously by the Minister under section 96 of the Act.~~

#### Merged clubs

~~2.6 The maximum number of gaming machines that will be permitted in a merged club venue is the lesser of: 18 machines or the sum of the number of gaming machines specified in each of the clubs' class 4 venue licences at the time of the merge.~~

#### Relocated clubs

~~2.7 The maximum number of gaming machines that will be permitted to operate in a relocated club at the time when the new class 4 venue licence takes effect for the new venue is the same as the maximum number of gaming machines permitted to operate at the old venue immediately before the licence relating to the old venue is cancelled.~~

### **3.0 Location of Class 4 Gambling Venues<sup>1</sup>**

~~3.1 New Class 4 Gambling Venues may be established in:~~

~~a) the New Plymouth CBD Area; Waitara Town Centre and Inglewood Town Centre Area; or~~

~~b) areas zoned as Business Environment Areas (A, B, C or D) in the New Plymouth District Plan, provided the venue is not:~~

~~(i) within 50 metres of any land that is zoned as Residential (A, B or C) Environment Area or Rural Environment Area in the New Plymouth District Plan; and/or~~

~~(ii) within 100 metres of a Sensitive Site.~~

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<sup>1</sup>Note: The locational restrictions for this policy relate to the current operative District Plan (as at the date this policy is adopted), once the Proposed District Plan is adopted this policy will be reviewed with respect to the new zonings.

- ~~3.2 For the purposes of clause 3.1, distances are measured along the shortest possible publicly accessible route from the site boundary of the venue to:~~
- ~~(a) in the case of a zone or area: the boundary of the zone or area; and~~
  - ~~(b) in the case of a sensitive site: to the site boundary of the sensitive site.~~
- ~~3.3 The Council will not grant consents for Class 4 Gambling Venues to establish in any locations other than those referred to in clause 3.1.~~
- ~~3.4 Clause 3.3 does not apply to:~~
- ~~a) An existing Class 4 Gambling Venue, which is subject to an application to renew the venue's Class 4 Gambling Venue licence where there is no change in the venue's location and the renewal application has not been refused; or~~
  - ~~b) An existing Class 4 Gambling Venue that holds a current Class 4 Gambling licence, which is subject to an application to merge with another club and is the proposed venue for two or more merged clubs to operate from; or~~
  - ~~c) An existing Class 4 Gambling Venue, where the venue is unable to continue to be used as a Class 4 Gambling Venue due to a natural disaster or fire and an application for territorial consent is received in respect of the same site within 12 months of the previous venue's licence having lapsed or been cancelled.~~

#### **4.0 Relocation Policy**

- 4.1 The Council may grant territorial consent for an existing venue to re-establish at a new venue (the replacement venue) where the replacement venue is intended to replace the existing venue if it is satisfied that:
- a) The existing venue has ceased to operate, is unable to continue to be used as a Class 4 Gambling venue, or the nature of the Class 4 Venue has changed;
  - b) The Class 4 Gambling Licence held for the current venue has been / will be surrendered;
  - c) The replacement venue will be operated by the same corporate society which operated the existing venue;
  - d) The replacement venue holds a current Class 4 Gambling venue licence and will operate the same number of machines (or less) as the existing venue, subject to any restrictions applicable under the Act;
  - e) The replacement venue meets the other relevant requirements of this Policy and the Act and is consistent with the objectives of each;
- 4.2 For the avoidance of doubt, the merging of existing venue conditions and replacement venue conditions is not permitted.
- 4.3 The maximum number of gaming machines that will be permitted to operate in a relocated club at the time when the new Class 4 venue licence takes effect for the replacement venue is the same as the maximum number of gaming machines permitted to operate at the old venue immediately before the licence relating to the old venue is cancelled.

## Location<sup>2</sup> of relocating Class 4 Gambling Venues

### Class 4 Gambling venue within the Waitara Town Centre Zone

- 4.4 The Replacement venue for venues located in the Waitara Town Centre Zone may only be established in the Waitara Town Centre Zone, or locations referred to in clause 4.5a) and clause 4.5b) below.

### Class 4 Gambling venue outside of Waitara Town Centre Zone

- 4.5 The replacement venue for venues located in the District, excluding Waitara Town Centre Zone, is may only be established in: New Plymouth CBD Area, or in the same Town Centre Area or suburb as the existing venue;

- a) The City Centre Zone, Fitzroy Town Centre Zone or Inglewood Town Centre Zone;  
or
- b) Areas zoned as Local Centre Zone in the Proposed New Plymouth District Plan, provided the replacement venue is not:
  - i. Within 50 metres of land that is zoned Low Density Residential Zone, General Residential Zone, Medium Density Residential Zone, Rural Production Zone or Rural Lifestyle Zone in the Proposed New Plymouth District Plan; and / or
  - ii. The replacement venue is not located Within 100m of a Sensitive Site

- 4.6 For the purposes of 4.5.b), distances are measured along the shortest possible publicly accessible route from the site boundary of the venue to:

- a) In the case of a zone: the boundary of the zone; and
- b) In the case of a sensitive site: to the site boundary of the sensitive site.

- ~~4.7 The replacement venue meets the other relevant requirements of this Policy and the Act and is consistent with the objectives of each.~~

- ~~4.8 For the avoidance of doubt, the merging of existing venue conditions and replacement venue conditions is not permitted.~~

## **5.0 Application for Territorial Consent**

- 5.1 Territorial consent is required:

- ~~a) For a new class 4 gambling venue;~~
- ~~b) To increase the number of gaming machines at a class 4 gambling venue, including for a merged club venue; and~~
  - a) To relocate a class 4 gambling venue;
  - b) For a merged club venue.

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<sup>2</sup> Note: the locational restrictions for this policy relate to the Proposed New Plymouth District Plan Appeals Version as released on 14 September 2023.

- 5.2 An application for territorial consent must be made on the prescribed form and be accompanied with all information required by the Council, to enable it to properly consider the application. The application form can be found at the link at the bottom of this page.
- 5.3 The Council will assess, consider and determine the application in accordance with the requirements of this policy and the Act.
- 5.4 The Council may set a non-refundable application fee for the cost of processing any applications for territorial consent, in accordance with the Local Government Act 2002.

## **6.0 Merger of clubs which hold Class 4 venue licences**

- 6.1 The Council may grant consent for the merger of two or more clubs which hold class 4 venue licences. The maximum number of gaming machines that will be permitted in a merged club venue is the lesser of: 18 machines or the sum of the number of gaming machines specified in each of the clubs' class 4 venue licences at the time of the merge.
- 6.2 The Council will only grant consent once proof has been provided that the original class 4 venue licences have been cancelled pursuant to section 95 of the Act.

## **Definitions**

This policy has the following definitions:

**Act** means the Gambling Act 2003.

**City Centre Zone** means the area delineated in Map 1, Schedule 1 that is zoned as City Centre Zone in the Proposed New Plymouth District Plan.

**Class 4 Gambling** has the same meaning as set out in section 30 of the Act, which is:

“Gambling that satisfies the following criteria:

- (a) the net proceeds from the gambling are applied to, or distributed for, authorised purposes; and
- (b) either –
  - (i) no commission is paid to or received by a person for conducting the gambling; or
  - (ii) the only commission that is paid to or received by a person for conducting the gambling is a commission payment to a venue operator that complies with regulations made under section 371(1)(dd) of the Act; and
- (c) there are game rules for the gambling; and
- (d) the gambling, and the conduct of the gambling satisfies relevant game rules; and
- (e) either –

- (i) the Secretary has categorised the gambling as class 4 gambling and not as another class of gambling; or
- (ii) the gambling utilises or involves a gaming machine.

**Class 4 Venue** has the same meaning as given in section 4 of the Act, which is:

“ a place used to operate Class 4 Gambling”.

**Club** has the same meaning as given in section 4 of the Act, which is:

“a voluntary association of persons combined for a purpose other than personal gain”.

**Corporate Society** has the same meaning as given in section 4 of the Act, which is:

“A society that is:

- a) incorporated under the Incorporated Societies Act 1908; or
- b) incorporated as Board under the Charitable Trusts Act 1957; or
- c) a company incorporated under the Companies Act 1993 that;
  - (i) does not have the capacity or power to make a profit; and
  - (ii) is incorporated and conducted solely for authorised purposes; or
- d) a working men’s club registered under the Friendly Societies and Credit Unions Act 1982.”

**Council** means the New Plymouth District Council.

**District** means the New Plymouth District.

~~**Environment Area** has the same meaning as given in the New Plymouth District Plan, which is:~~

~~“An area having a different character from another area and an existing level of amenity. Each may be considered to be similar to a “zone” and includes those areas identified on the planning maps in the New Plymouth District Plan, which include Residential, Rural, Industrial, Business, and Open Space Environment Areas.”~~

**Fitzroy Town Centre Zone** means the area delineated in map 2, schedule 1 that is zoned as Town Centre Zone in the Proposed New Plymouth District Plan.

**Gaming Machine** has the same meaning as given in section 4 of the Act. It is commonly known as a “*Pokie Machine*”.

~~**Inglewood Town Centre Area** means the land within the area that is delineated by a red line on Map 1, Schedule 1 that is zoned as Business Environment Area (A, B, C or D) under the New Plymouth District Plan.~~

**Inglewood Town Centre Zone** means the area delineated in Map 3, Schedule 1 that is zoned Town Centre Zone under the Proposed New Plymouth District Plan.

**Local Centre Zone** means the area zoned as Local Centre Zone under the Proposed New Plymouth District Plan.

**Merged club venue** where two or more clubs, each with a significant history of operating as a club and holding a class 4 venue licence merge into a single club operating at a single class 4 venue pursuant to section 95 of the Act

**~~New Plymouth CBD Area~~** means the area delineated by a red line in Map 3 Schedule 1 and contained by:

- ~~— St Aubyn Street between Liardet Street to Queen Street,~~
- ~~— Queen Street;~~
- ~~— Devon Street West between Queen Street and Robe Street;~~
- ~~— Robe Street between Devon Street West and Powderham Street,~~
- ~~— Powderham Street and Courtney Street between Robe Street and Gover Street,~~
- ~~— Gover Street between Courtney Street and Molesworth Street, and~~
- ~~— Molesworth Street between Gover Street to Liardet Street.~~

**~~Proposed New Plymouth District Plan~~** means the operative district plan in effect for the ~~New Plymouth District at the date this Policy is adopted~~ means the Proposed New Plymouth District Plan Appeals Version as released on 14 September 2023.

**Sensitive site(s)** means:

- a) An early childhood centre, kindergarten, child care facility, a primary school and a secondary school (but excluding residential dwellings which are used for the provision of in-home early childcare services);
- b) A recreational facility or open space where facilities have been designed to attract the public, and in particular young people under the legal purchase age (e.g. play grounds, parks, skateboard parks and so on) (but excluding recreational facilities which are administered, managed or funded by privately owned entities for commercial gain);
- c) A community centre or hall where members of a community tend to gather for group activities, social support and related activities, public information, and other meetings and gatherings;
- d) Places of worship; and/or
- e) A hospital, addiction treatment facility, or Well Child / Tamariki Ora programme provider's centre

**Site boundary** means the boundary of the allotment or legally defined parcel of land upon which a venue or sensitive site is located.

**Society** has the same meaning as given in section 4 of the Act, which is:

“An association of persons established and conducted entirely for purposes other than commercial purposes”.



~~**Waitara Town Centre Area** means the land within the area delineated by a red line and shown on Map 2, Schedule 1 that is zoned Business Environment Area (A, B, C or D) under the New Plymouth District Plan.~~

**Waitara Town Centre Zone** means the area delineated in Map 4, Schedule 1 that is zoned Town Centre Zone under the Proposed New Plymouth District Plan.

**Zone** means a zone or environment area as defined in the New Plymouth District Plan. spatially identifies and manages an area with common environmental characteristics or where particular environmental outcomes are sought. The entire district is zoned and all land is identified as part of a 'zone' on the planning maps, with rules which manage activities in that particular zone.

## **Review of Policy**

This Policy shall be reviewed every three years, as required under the Act.

This Policy was adopted on 8 April 2004. Subsequent reviews of this Policy were adopted on 22 May 2007, 6 May 2010, 14 May 2013, 14 November 2017 and 22 December 2020.

## **Additional Information**

The Gambling Act 2003

## **SCHEDULE 1**

### **Map 1 – Inglewood Town Centre Area**



Red line outlines Inglewood Town Centre Area and Business Environment Area A, B, C or D where new class 4 gambling venues may be established

## Map 2 – Waitara Town Centre Area



Red line outlines Waitara Town Centre Area and Business Environment Area A, B, C or D where new class 4 gambling venues may be established


### Map 3 – New Plymouth CBD Area



Red line outlines New Plymouth CBD Area where new class 4 gambling venues may be established


**Map 1 City Centre Zone**



 Outlines the City Centre Zone where Class 4 gambling venues may relocate to


**Map 2 Fitzroy Town Centre Zone**



 Outlines the Fitzroy Town Centre Zone where Class 4 gambling venues may relocate to


**Map 3 Inglewood Town Centre Zone**



 Outlines the Inglewood Town Centre Zone where Class 4 gambling venues may relocate to

**Map 4 Waitara Town Centre Zone**



 Outlines the Waitara Town Centre Zone where Class 4 gambling venues may relocate to



# P17-004 New Plymouth District TAB Venues Policy

Approved by the Council on 14 November 2017. Reviewed and amended 22 December 2020.

The Council is required to adopt a TAB venues policy under the Racing Industry Act 2020. This policy supports the purpose and intent of the Racing Industry Act 2020 with regard to the regulation and management of TAB venues.

## Policy Purpose

To minimise the harm caused by gambling in the New Plymouth District and to control the location of new TAB venues.

## Policy Statements

### 1.0 Establishment of venues

- 1.1 The primary activity of the TAB Venue shall be for race and sports betting.
- 1.2 If a TAB Venue wishes to also host gaming machines a separate application must be made under Council's Class 4 Gambling Venues Policy, and the TAB Venue must also meet the additional criteria set out in that policy.

### 2.0 Location of venues<sup>1</sup>

- 2.1 New TAB Venues may be established in:
  - a) the ~~New Plymouth CBD Area~~ City Centre Zone; Waitara Town Centre ~~Area~~ Zone, Fitzroy Town Centre ~~Area~~ Zone and Inglewood Town Centre ~~Area~~ Zone; or
  - b) areas zoned as ~~Business Environment Areas (A, B, C or D)~~ Local Centre Zone in the Proposed New Plymouth District Plan, provided the venue is not:
    - i. within 50 metres of any land that is zoned as ~~Residential (A, B or C) Environment Area or Rural Environment Area~~ Low Density Residential Zone, General Residential Zone, Medium Density Residential Zone, Rural Production Zone or Rural Lifestyle Zone in the Proposed New Plymouth District Plan; and/or
    - ii. within 100 metres of a Sensitive Site.
- 2.2 For the purposes of clause 2.1, distances are measured along the shortest possible publicly accessible route from the site boundary of the venue to:
  - (a) in the case of a zone ~~or area~~: the boundary of the zone ~~or area~~; and
  - (b) in the case of a sensitive site: to the site boundary of the sensitive site.
- 2.3 The Council will not grant consent for new TAB Venues to establish in any locations other than those referred to in clause 2.1.

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<sup>1</sup> Note: The locational restrictions for this policy relate to the current operative District Plan (as at the date this policy is adopted), once the Proposed District Plan is adopted this policy will be reviewed with respect to the new zonings. Note: the locational restrictions for this policy relate to the Proposed New Plymouth District Plan Appeals Version as released on 14 September 2023.

### 3.0 Application for Territorial Consent

- 3.1 Territorial consent is required when TAB New Zealand proposes to establish a TAB Venue in the New Plymouth District.
- 3.2 An application for territorial consent must be made on the prescribed form and be accompanied with all information required by the Council, to enable it to properly consider the application. The application form can be found at the link at the bottom of this page. The Council will assess the application and issue consent if the application meets the requirements of this policy and the Act.
- 3.3 The Council may set a non-refundable application fee for the cost of processing any applications for territorial consent, in accordance with the Local Government Act 2002.

### 4.0 Definitions

This policy has the following definitions:

**Act** means the Racing Industry Act 2020.

**City Centre Zone** means the area delineated in Map 1, Schedule 1 that is zoned as City Centre Zone in the Proposed New Plymouth District Plan.

**Council** means the New Plymouth District Council.

**District** means the New Plymouth District.

**Fitzroy Town Centre Zone** means the area delineated in Map 2, Schedule 1 that is zoned as Town Centre Zone in the Proposed New Plymouth District Plan.

**Environment Area** has the same meaning as given in the New Plymouth District Plan, which is:

“An area having a different character from another area and an existing level of amenity. Each may be considered to be similar to a “zone” and includes those areas identified on the planning maps in the New Plymouth District Plan, which include Residential, Rural, Industrial, Business, and Open Space Environment Areas.”

**Inglewood Town Centre Area** means the land within the area that is delineated by a red line on Map 1, Schedule 1 that is zoned as Business Environment Area (A, B, C or D) under the New Plymouth District Plan.

**Inglewood Town Centre Zone** means the land within the area delineated in Map 3, Schedule 1 that is zoned as Town Centre Zone under the Proposed New Plymouth District Plan.

**New Plymouth CBD Area** means the area delineated by a red line in Map 3 Schedule 1 and contained by:

- St Aubyn Street between Liardet Street to Queen Street,
- Queen Street;
- Devon Street West between Queen Street and Robe Street;
- Robe Street between Devon Street West and Powderham Street,
- Powderham Street and Courtney Street between Robe Street and Gover Street,
- Gover Street between Courtney Street and Molesworth Street, and
- Molesworth Street between Gover Street to Liardet Street.

**Proposed New Plymouth District Plan** ~~means the operative district plan in effect for the New Plymouth District at the date this Policy is adopted.~~ means the Proposed New Plymouth District Plan Appeals Version as released on 14 September 2023.

**TAB New Zealand or TAB NZ** means the body established by section 54 of the Act to conduct racing betting, sports betting, or other racing or sports betting under the Act.

**TAB Venue** has the same meaning given in the Act, which is:

“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”

**Council** means the New Plymouth District Council.

**District** means the New Plymouth District.

**Sensitive site(s)** means:

- a) An early childhood centre, kindergarten, child care facility, a primary school and a secondary school (but excluding residential dwellings which are used for the provision of in-home early childcare services);
- b) A recreational facility or open space where facilities have been designed to attract the public, and in particular young people under the legal purchase age (e.g. play grounds, parks, skateboard parks and so on) (but excluding recreational facilities which are administered, managed or funded by privately owned entities for commercial gain);
- c) A community centre or hall where members of a community tend to gather for group activities, social support and related activities, public information, and other meetings and gatherings;
- d) Places of worship; and/or
- e) A hospital, addiction treatment facility, or Well Child / Tamariki Ora programme provider's centre

**Site boundary** means the boundary of the allotment or legally defined parcel of land upon which a venue or sensitive site is located.

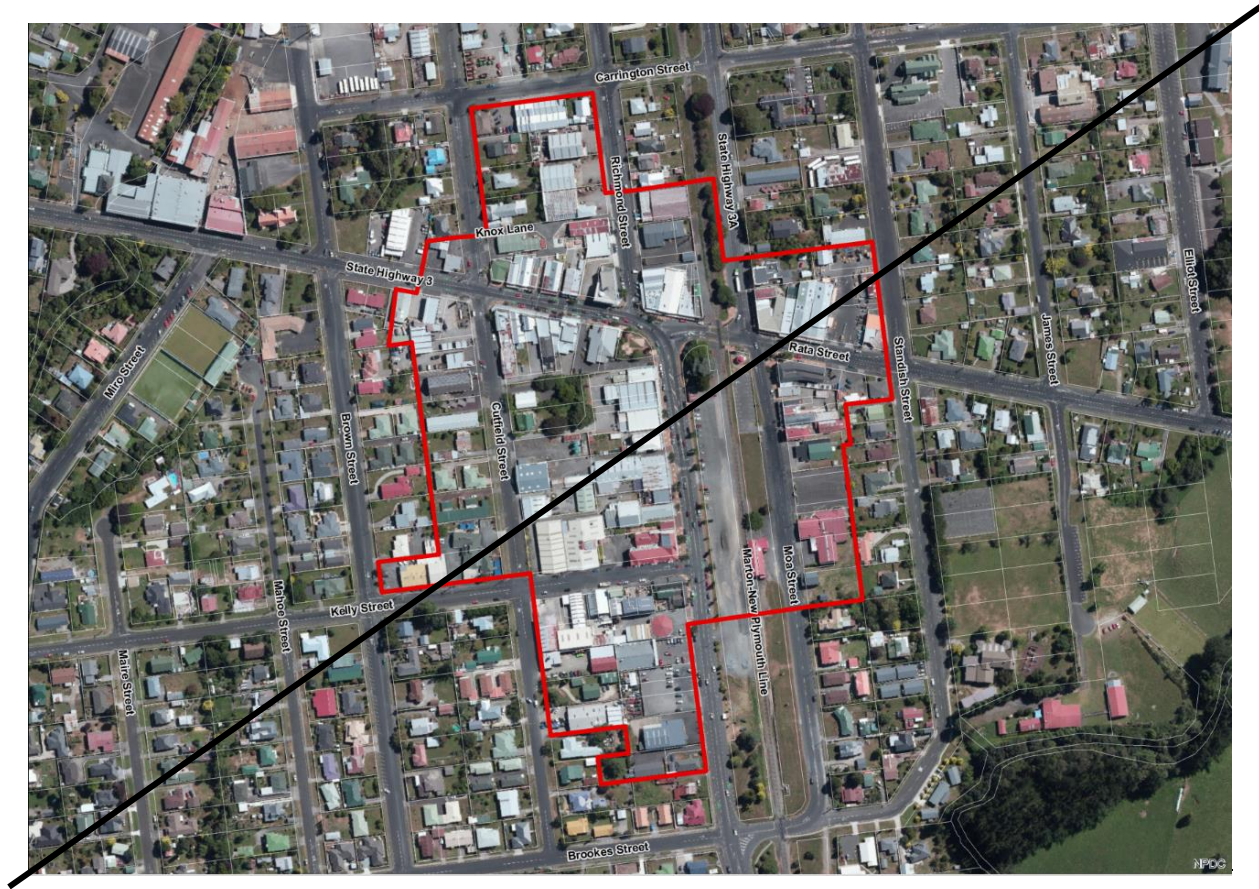
~~**Waitara Town Centre Area** means the land within the area delineated by a red line and shown on Map 2, Schedule 1 that is zoned Business Environment Area (A, B, C or D) under the New Plymouth District Plan.~~

**Waitara Town Centre Zone** means the area delineated in Map 4, Schedule 1 that is zoned Town Centre Zone under the Proposed New Plymouth District Plan.

**Zone** means a zone or Environment Area as defined in the operative New Plymouth District Plan. spatially identifies and manages an area with common environmental characteristics or where particular environmental outcomes are sought. The entire district is zoned and all land is identified as part of a 'zone' on the planning maps, with rules which manage activities in that particular zone.

# SCHEDULE 1

Map 1 – Inglewood Town Centre Area



Red line outlines Inglewood Town Centre Area and Business Environment Area A, B, C or D— where new TAB venues may be established




### Map 3 – New Plymouth CBD Area



Red line outlines New Plymouth CBD Area where new TAB venues may be established


**Map 1 City Centre Zone**



 Outlines the City Centre Zone where new TAB venues may be established

**Map 2 Fitzroy Town Centre Zone**




 Outlines the Fitzroy Town Centre Zone where new TAB venues may be established




**Map 3 Inglewood Town Centre Zone**



 Outlines the Inglewood Town Centre Zone where new TAB venues may be established

**Map 4 Waitara Town Centre Zone**



 Outlines the Waitara Town Centre Zone where new TAB venues may be established



Contact NPDC  
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