

## **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; Waitara Town Centre Area 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.
- 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.

### 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.

**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.”

**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.

**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.

**New Plymouth District Plan** means the operative district plan in effect for the New Plymouth District at the date this Policy is adopted.

**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.

**Zone** means a zone or Environment Area as defined in the operative New Plymouth District Plan.

## 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 2 – Waitara Town Centre Area



Red line outlines Waitara 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