

# APPLICATION FOR CLASS 4 GAMBLING VENUE CONSENT



HASTINGS  
DISTRICT  
COUNCIL

## Section 1: Details of Applicant

- (a) Full Name of Society/Trust/Club: Hastings Returned and Services' Association Incorporated
- (b) Postal Address: 308 Victoria Street, Hastings
- (c) Contact Person: Jarrod True
- (d) Telephone No: 0274527763 Fax: N/A
- (e) Email Address: Jarrod.True@truelegal.co.nz

## Section 2: Details of Gambling Venue

- (a) Trading Name of Venue: The Elbow Room Sports Bar
- (b) Other Names Relating to the Venue: Nil
- (c) Contact Person: Mike Newrick Tel: 027 6680215
- (d) Street Address: *(state the address on the existing gambling venue licence or if there is no existing licence, the same address as on the liquor licence)*  
1001 Tomoana Road, Hastings
- (e) Legal Description: Lot 1, DP17270, CT HBJ4/1162
- (f) Type of Venue: ~~Private Club~~ / Non-Club / TAB *(please circle one)*
- (g) Primary Business Activity Sale of Alcohol  
Sunday to Wednesday 8am to 11pm, Thursday 8am to
- (h) Hours of Primary Business Activity 12.30am, Friday and Saturday 8am to 1.30am
- (i) Number of Gaming Machines proposed to go into the Venue: 18
- (j) Number of Gaming Machines already licensed in the Venue: 14

*Please attach a copy of the deposited plan clearly identifying the area where the venue is located.*

### Section 3: Details of Venue Operator and Managers

- (a) Full Name(s) of Operator: Youldes Mahora Limited
- (b) Postal Address: 1001 Tomoana Road, Hastings
- (c) Occupation: Company - Sale of Alcohol and Food
- (d) Full Names, Addresses and Manager's Certificate Numbers of Managers Employed by the Venue:
- GM: 29/CERT/279/14 Full Name & Address: Michael Francis Newrick  
51 Turamoe Road, RD 11, Hastings
- GM: 29/CERT/303/14 Full Name & Address: Roger Karl Wright  
108A Gascoigne Street, Hastings
- GM: 29/CERT/273/15 Full Name & Address: Stacey Mareen Brown  
805A Outram Road, Hastings

*Please attach copies of a Manager's Certificate for each Duty Manager employed by the venue.*

Richard Kawana Kereru, 1011 Glenhope Street, Hastings, 29/CERT/248/14

### Section 4: Details of Liquor Licence

- (a) Licensee: Youldes Mahora Limited
- (b) Licence Number: 29/ON/047/17
- (c) Type of Licence: On-licence

*Please attach a copy of the liquor licence to this application.*

### Section 5: Other Information Requirements

- (a) In which District Plan Zone is the Venue Located?: Suburban Commercial Zone
- (b) Is the Venue within a 100 metre radius of another gambling venue (either a Class 4 or TAB venue)? If yes, please name the venue(s).
- No
- (c) Is the principal entrance of the Venue within a 100 metre radius of any residentially zoned land, any suburban commercial zoned land, an educational facility, place of assembly, licensed early childhood centre, or another Class 4 gambling venue or TAB venue? (If yes, please attach details)
- Yes, but note this is not a "new" venue.
- (d) Is the principal entrance of the Venue within a 100 metre radius of an educational facility, place of

**Section 5: Other Information Requirements**

assembly, licensed early childhood centre? (If yes, please attach details)

No

**DECLARATION:**

I Jacqueline Anne Wells, of Hastings declare that:

- The gaming area within the venue will not have a separate entrance, a separate name or otherwise seem to be separate from the primary activity of the venue
- All the information included with this application is true and correct.

**Please delete any declaration that your venue will be exempted from**

Dated at Hastings this 21st day of September 20 17

Signed:   
(Applicant)

**Society Key Persons**

Jacqueline Wells  
David Moat  
David Holmes  
Gerald Tuarau  
Gregory Horton  
John Jenkins  
John Sturgess  
Sarah Powell  
Michael Le Geyt

**Venue Key Persons**

Michael Newrick  
Karen Newrick



## ITEMS TO ACCOMPANY THIS APPLICATION

- ☒ Recent Copy of the Certificate of Title for the Venue
- ☒ Manager's Certificate(s)  
*A copy of each manager's certificate must be provided for those persons who will be acting as Duty Manager for the on licence / club licence in the Venue.*
- ☒ Chartered Accountants Audit Assessment of Business Plan or Budget.  
*The chartered accountant must hold a Certificate of Public Practice and the business plan or budget must cover at least 12 months and clearly distinguish the percentage of revenue to be derived from both gambling and other activities proposed for the venue.*
- ☒ Site Plan  
*The site plan must clearly show the location of both gambling and other activities proposed for the venue, including details of each floor of the venue, and where the gaming machines will be located and the size of the area the machines will be in. The plan should clearly state the designation for each area as detailed on the liquor licence.*
- ☒ Photograph(s) of interior of Venue  
*Photographs must clearly show where the gaming machines are going to be located with respect to the primary activity.*
- ☐ ~~Details of previous grant applications. **For non-club applicants only.**~~  
~~*Details must be in electronic format and must include previous successful and unsuccessful applications including applicant's name(s), address(es) and the purpose(s) for which funds are applied.*~~
- ☒ Liquor Licence  
*A copy of the Liquor Licence for the venue must be supplied.*
- ☒ Evidence of Council approval of problem gambling assessment tools and procedures  
*Any problem gambling assessment tools, staff training programme, and procedures to reduce the likelihood of problem gambling, identify instances of problem gambling; refer those identified to problem gambling treatment agencies; and any bar/ self bar procedures for problem gamblers must have Council approval.*
- ☒ Application Fee Deposit of \$567.60  
*Fixed Fee.*

Hastings District Council may request additional information to process this consent application.

This application form should be read in conjunction with the Hastings District Council Class 4 Gambling Venue Policy.



# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952

Search Copy



R. W. Muir  
Registrar-General  
of Land

Identifier **HBJ4/1162**  
Land Registration District **Hawkes Bay**  
Date Issued 12 December 1985

## Prior References

HBK3/693

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<b>Estate</b>	Fee Simple
<b>Area</b>	1586 square metres more or less
<b>Legal Description</b>	Lot 1 Deposited Plan 17270

## Proprietors

Argyll Holdings Limited

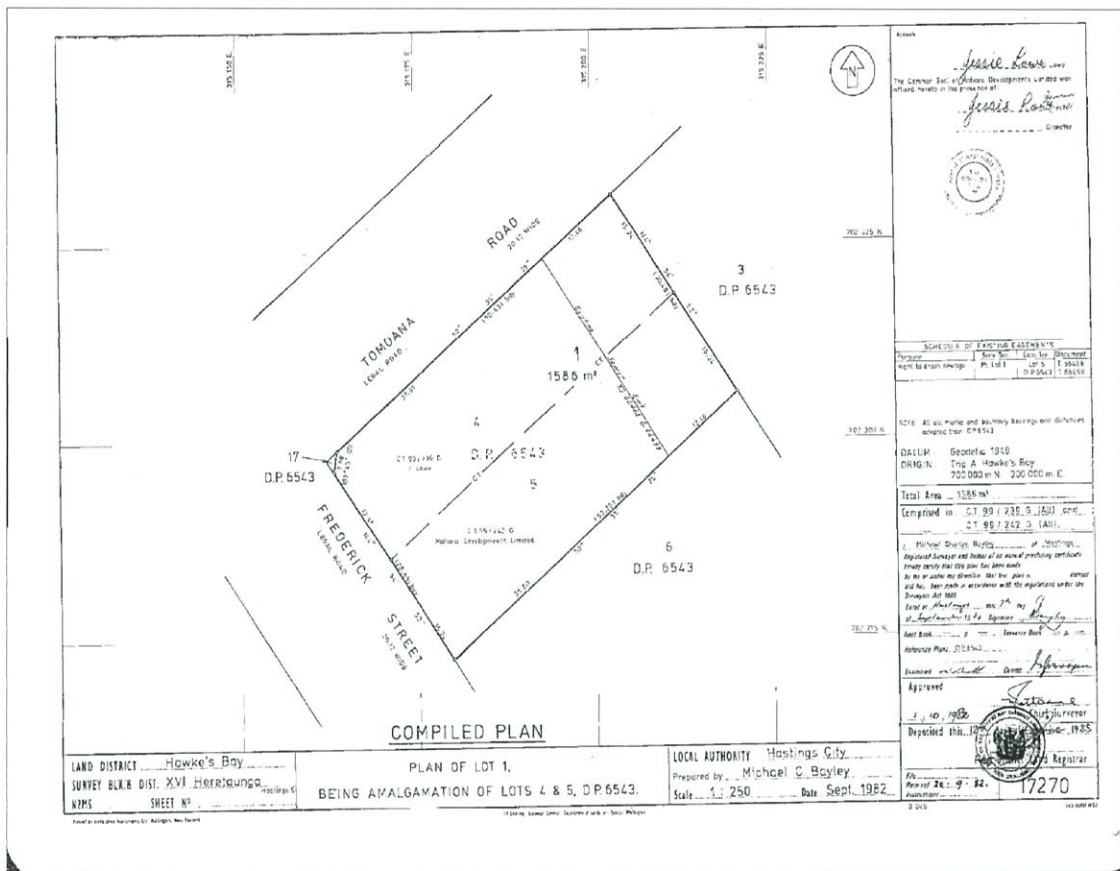
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## Interests

Subject to sewage rights over parts created by Transfer 66468

Subject to sewage rights over parts created by Transfer 66499

8820016.2 Mortgage to Bank of New Zealand - 27.7.2011 at 4:41 pm



CERTIFICATE NUMBER: 29/CERT/279/14

**NOTICE OF RENEWAL  
OF MANAGER'S CERTIFICATE**

*Sections 226, Sale and Supply of Alcohol Act 2012*

To:

**Michael Francis Newrick**


Your Manager's Certificate is renewed.

Subject to the requirements of the Act relating to the payment of fees and to the provisions of the Act relating to the suspension and cancellation of Manager's Certificate, this Certificate shall expire;

**On the 18th day of October 2017**

(unless again renewed)

Dated at Hastings on the 5th day of November 2014

  
\_\_\_\_\_  
Tony Stothart  
Secretary  
Hastings District Licensing Committee

HASTINGS DISTRICT COUNCIL

207 Lyndon Road East  
Hastings 4122  
Private Bag 9002  
Hastings 4156

Phone 06 871 5000

Fax 06 871 5100

Hastingsdc.govt.nz



CERTIFICATE NUMBER: 29/CERT/248/14

**NOTICE OF RENEWAL  
OF MANAGER'S CERTIFICATE**

*Sections 226, Sale and Supply of Alcohol Act 2012*

To:

**Richard Kawana Kereru**

Your Manager's Certificate is renewed.

Subject to the requirements of the Act relating to the payment of fees and to the provisions of the Act relating to the suspension and cancellation of Manager's Certificate, this Certificate shall expire;

**On the 22nd day of July 2020**

(unless again renewed)

Dated at Hastings on the 3rd day of August 2017

Tony Stothart  
**Secretary**  
**Hastings District Licensing Committee**

HASTINGS DISTRICT COUNCIL  
207 Lyndon Road East  
Hastings 4122  
Private Bag 9002  
Hastings 4156

Phone 06 871 5000  
Fax 06 871 5100

[Hastingsdc.govt.nz](http://Hastingsdc.govt.nz)



CERTIFICATE NUMBER: 29/CERT/273/15

**NOTICE OF RENEWAL  
OF MANAGER'S CERTIFICATE**

*Sections 226, Sale and Supply of Alcohol Act 2012*

To:

**Stacey Mareen Brown**

Your Manager's Certificate is renewed.

Subject to the requirements of the Act relating to the payment of fees and to the provisions of the Act relating to the suspension and cancellation of Manager's Certificate, this Certificate shall expire;

**On the 30th day of January 2019**

(unless again renewed)

Dated at Hastings on the 18th day of January 2016



Tony Stothart  
**Secretary**  
**Hastings District Licensing Committee**

HASTINGS DISTRICT COUNCIL  
207 Lyndon Road East  
Hastings 4122  
Private Bag 9002  
Hastings 4156

Phone 06 871 5000  
Fax 06 871 5100

Hastingsdc.govt.nz  
customerservice@hdc.govt.nz

TE KAUNIHERA O HERETAUNGA





CERTIFICATE NUMBER: 29/CERT/303/14

**NOTICE OF RENEWAL  
OF MANAGER'S CERTIFICATE**

*Sections 226, Sale and Supply of Alcohol Act 2012*

To:

**Roger Karl Wright**

Your Manager's Certificate is renewed.

Subject to the requirements of the Act relating to the payment of fees and to the provisions of the Act relating to the suspension and cancellation of Manager's Certificate, this Certificate shall expire;

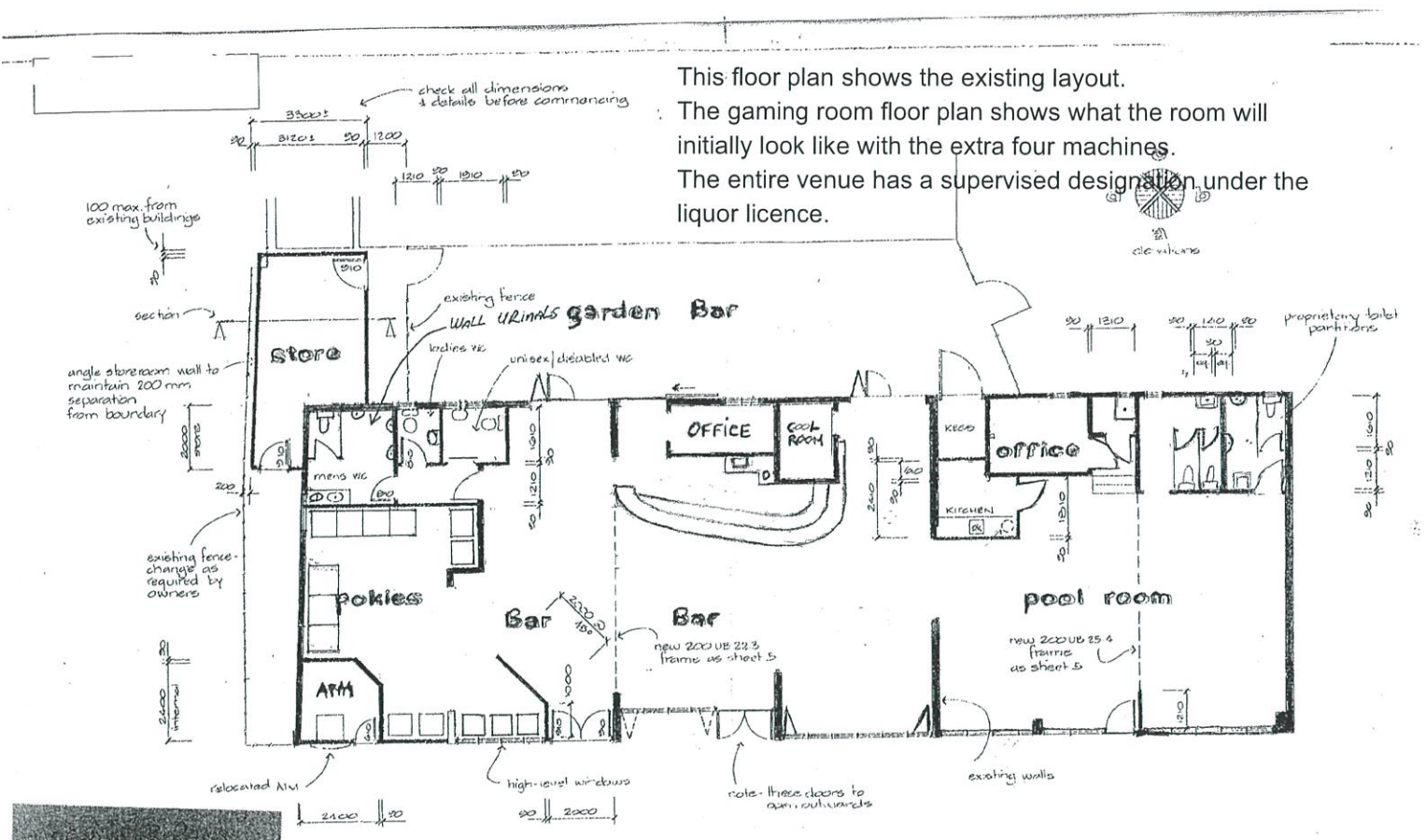
**On the 21st day of December 2017**

(unless again renewed)

Dated at Hastings on the 20th day of January 2015

Tony Stothart  
**Secretary**  
**Hastings District Licensing Committee**





This floor plan shows the existing layout.  
 The gaming room floor plan shows what the room will initially look like with the extra four machines.  
 The entire venue has a supervised designation under the liquor licence.

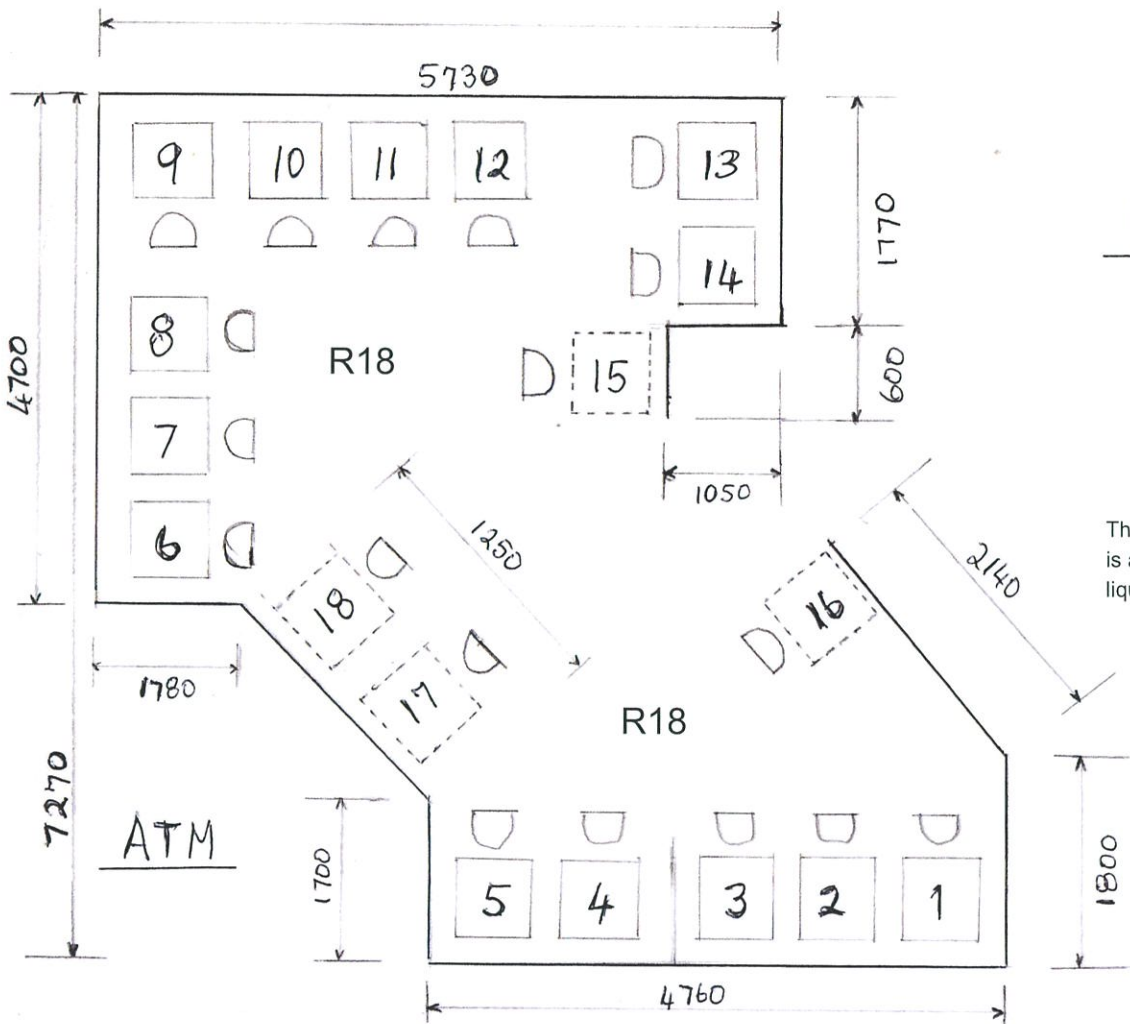
NOTE: DURING CONSTRUCTION A BARRIER MUST BE INSTALLED & MAINTAINED ALONG THE FRONT OF THE BUILDING TO COMPLY WITH NZ BUILDING CODE FS

floor plan 1:75

WOMILES MATIORA LTD.

2

FORWARD TO: 10/10/2015  
 10/10/2015  
 10/10/2015



BAR

1 - 14 existing Machines  
15 - 18 proposed Machines

The gaming room is an R18 area, and is also a supervised area under the liquor licence.

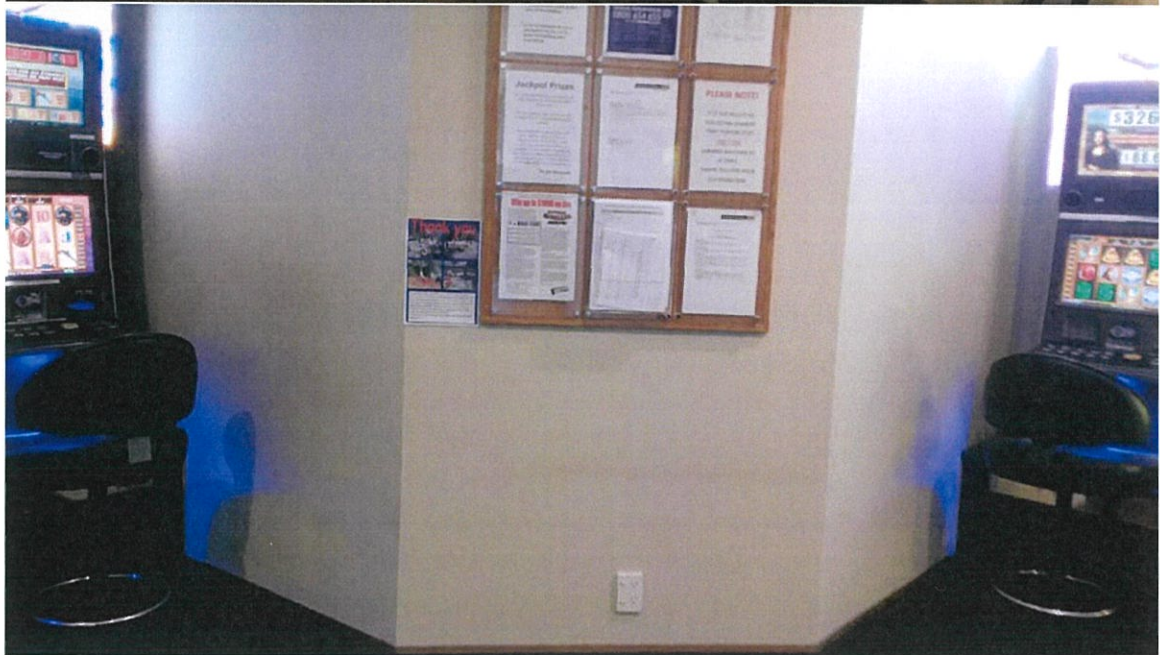


Interior Photos – Elbowroom Sports Bar









# R18

## KEEP YOUR GAMBLING AT LEVELS YOU CAN AFFORD

Gambling is a source of entertainment for a large number of New Zealanders. A small percentage of people do experience problems in control of their gambling.

Problem gambling occurs when there is a loss of control over gambling, jeopardising the safety and financial security of the gambler, the level of betting and the amount of money lost through gambling.

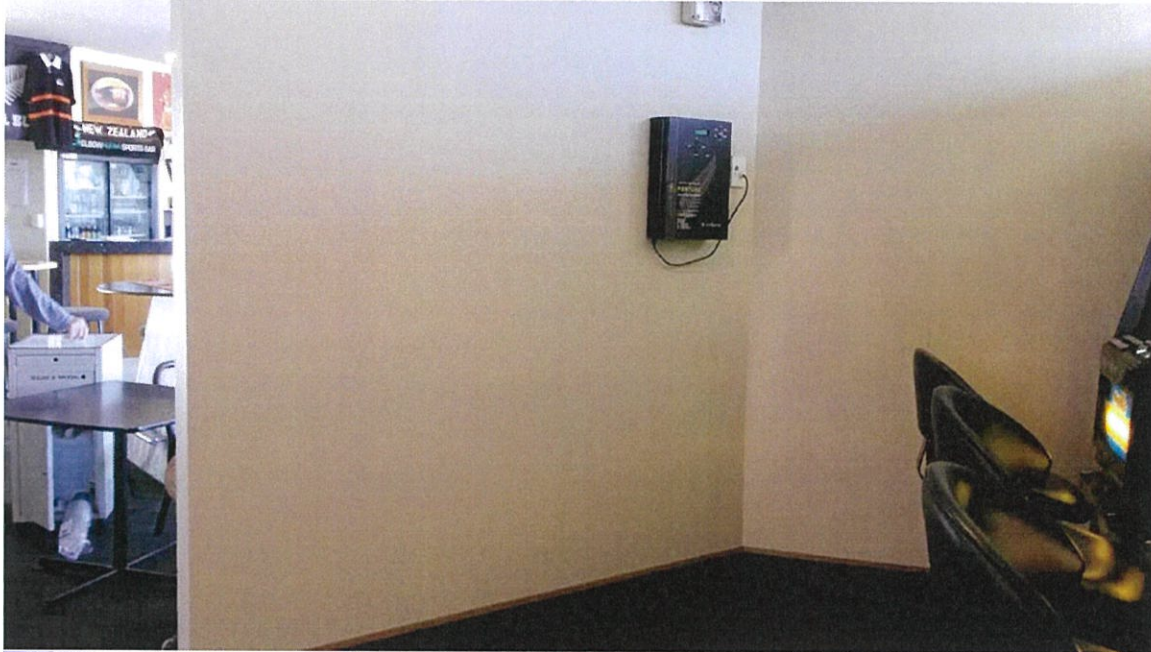
Please remember to gamble only if you can afford to.

**GAMBLING PROBLEM HELPLINE**  
**0800 654 655**

THE GAMBLING  
PROBLEM HELPLINE  
IS AVAILABLE 24  
HOURS A DAY, 7 DAYS  
A WEEK.

The Gambling Problem Helpline is a free, confidential service. It is available to all New Zealanders who are experiencing problems with gambling. For more information, visit [www.gamblinghelpline.co.nz](http://www.gamblinghelpline.co.nz)







Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **YOULDES MAHORA LIMITED** (the licensee) is authorised to sell and supply alcohol on the premises situated at 1001 Tomoana Road, Hastings and known as "The Elbow Room Sports Bar", to any person for consumption on the premises and to let people consume alcohol there.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with Subpart 7 of Part 2 of the Act.

### Conditions

This licence is subject to the following conditions:

- a. No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00 pm on Anzac Day to any person who is not-
  - (i) residing or lodging on the premises; or
  - (ii) present on premises to dine.
- b. Alcohol may be sold only on the following days and during the following hours:  
**Sunday to Wednesday** 8.00 am to 11.00 pm  
**Thursday** 8.00 am to 12.30 am the following day  
**Friday and Saturday** 8.00 am to 1.30 am the following day; **EXCEPT THAT** on the Thursday before Good Friday; and on Easter Saturday; and on Christmas Eve; and on the day before Anzac Day, liquor may only be sold between 8.00 am and 12.00 midnight when these days do not fall on Sunday to Wednesday inclusive.
- c. Each of the following parts of the premises is designated as a supervised area: **The entire premises.**
- d. Drinking water is to be freely available and free of charge to customers at the following location while the premises are open for business: **At the bar.**
- e. The licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol.
- f. The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- g. The host responsibility policy supplied with the application is to be fully complied with.
- h. Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible and food should be actively promoted.
- i. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low alcoholic beverages.
- j. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from licensed premises.
- k. The licensed area is described on the floor plan dated as received on 26 August 2008.

### Duration

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force—

- (a) either—
  - (i) until the close of the period for which it was last renewed;
  - or
  - (ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, either—
  - (i) until the close of the period of 3 years after the period for which it was last renewed; or
  - (ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

Originally dated at Hastings on the 24th day of June 2004.



Tony Stothart

Secretary

Hastings District Licensing Committee



Maximum Building Occupancy: 99

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, the licence expires on:

**The 24<sup>th</sup> Day of June 2020**

Note: This licence replaces licence number 029/ON/036/14 issued by the Hastings District Licensing





## **NOTICE OF RENEWAL OF LICENCE**

*Section 135, Sale and Supply of Alcohol Act 2012*

To:

**Youldes Mahora Limited**

The on-licence **29/ON/047/17** replacing licence **29/ON/036/14**.

The on-licence in respect of the premises situated at 1001 Tomoana Road, Hastings, known as "The Elbow Room Sports Bar" is renewed.

The present conditions of the licence continue to apply.

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, the licence continues in force—

- until the close of the period for which it is renewed; or
- if an application for the renewal of the licence is duly made before it would otherwise expire, until the close of the period of 3 years after the period for which it is renewed.

The period for which the licence is renewed is three years and nil months, expiring on:

**24<sup>th</sup> Day of June 2020**

Dated at Hastings on the 17<sup>th</sup> day of August 2017.

Tony Stothart

**Secretary**

**Hastings District Licensing Committee**

**HASTINGS DISTRICT COUNCIL**

207 Lyndon Road East

Hastings 4122

Private Bag 9002

Hastings 4156

Phone 06 871 5000

**From:** Catherine Boulton  
**To:** ["Jarrod True"](#)  
**Cc:** [Caleb Sutton](#)  
**Subject:** RE: Request for Council Approval of Problem Gambling Assessment Tools and Procedures  
**Date:** Tuesday, 15 August 2017 11:00:02 AM

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Hi Jarrod,

I have reviewed this information and can confirm that this harm minimisation material is approved. You can keep a copy of this email for your records and include this in your application.

Regards

Catherine

**From:** Jarrod True [mailto:jarrod.true@truelegal.co.nz]  
**Sent:** Friday, 11 August 2017 3:16 p.m.  
**To:** Catherine Boulton <catherineb@hdc.govt.nz>  
**Cc:** 'Jackie Wells' <jackie@clubshastings.co.nz>  
**Subject:** Request for Council Approval of Problem Gambling Assessment Tools and Procedures

Hi Catherine,

Council's gambling venue consent application form indicates that the harm minimisation material at the venue must have been approved by council.

Attached is the harm minimisation material that relates to the Elbowroom Sports Bar. The venue's harm minimisation policy was formally approved by the Department of Internal Affairs when the Hastings RSA first obtained a venue licence for the venue. The majority of the other material is industry standard, having been developed by the Health Promotion Agency in conjunction with the Department of Internal Affairs.

I would be grateful if your approval could be provided by 18 August 2017.

**Jarrod True** | Director | True Legal Ltd | [truelegal.co.nz](http://truelegal.co.nz) | Phone 027 452 7763

TRUE LEGAL

Specialist legal advisors.

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**Attention:**



GRASSROOTS TRUST LIMITED	JUPITER'S DANCE BAR	303 EASTBOURNE STREET WEST HASTINGS CENTRAL HAWKES BAY	HASTINGS DISTRICT	18
THE NORTH AND SOUTH TRUST LIMITED	MAGPIES	116 King Street North HASTINGS CENTRAL HAWKES BAY	HASTINGS DISTRICT	18
NATIONAL SERVICE CLUB INC	NATIONAL SERVICE CLUB	MARKET STREET HASTINGS CENTRAL HAWKES BAY	HASTINGS DISTRICT	18
THE LION FOUNDATION (2008)	STORTFORD LODGE SOCIAL CLUB	103 STORTFORD STREET HASTINGS CENTRAL HAWKES BAY	HASTINGS DISTRICT	4
New Zealand Racing Board	TAB STORTFORD LODGE	1017 HERETAUNGA STREET HASTINGS CENTRAL HAWKES BAY	HASTINGS DISTRICT	18
Hastings Returned and Services Association Incorporated	THE ELBOWROOM SPORTS BAR	1001 TOMOANA ROAD HASTINGS CENTRAL HAWKES BAY	HASTINGS DISTRICT	14
New Zealand Community Trust	TURK'S BAR	5 NAPIER ROAD HAVELOCK NORTH HAWKES BAY	HASTINGS DISTRICT	18
FIRST LIGHT COMMUNITY FOUNDATION LIMITED	ZABEELS SPORTS BAR	115 KING STREET HASTINGS CENTRAL HAWKES BAY	HASTINGS DISTRICT	18
New Zealand Community Trust	BAYVIEW HOTEL	COAST ROAD KAIUA FRANKLIN	HAURAKI DISTRICT	5
FIRST SOVEREIGN TRUST LIMITED	COMMERCIAL HOTEL (WAIHI)	SEDDON STREET WAIHI WAIKATO	HAURAKI DISTRICT	18
TRILLIAN TRUST	NGATEA HOTEL	32 ORCHARD WEST ROAD NGATEA WAIKATO	HAURAKI DISTRICT	15
OHINEMURI CLUB INCORPORATED	OHINEMURI CLUB INCORPORATED	PRINCES STREET PAEROA WAIKATO	HAURAKI DISTRICT	12

## Statement in Support

Clubs Hastings currently operates gaming machines at two venues. The club operates 30 machines at its clubrooms at 308 Victoria Street, Hastings and 14 machines at the Elbowroom Sports Bar, 1001 Tomoana Road, Hastings.

The club would like to increase the number of gaming machines at the Elbowroom by four, to 18.

Increasing the number of machines slightly will increase the funding generated. This will help the club to continue to provide services to its members and enable the club to make an increased number of external grants.

Allowing a small increase in machines at one existing venue will not have any negative impact with respect to gambling harm. It has been acknowledged by the Problem Gambling Foundation that the number of machines in a venue does not have an impact on problem gambling. At the Dunedin Gambling Venue Policy hearing, the Problem Gambling Foundation South Island General Manager, David Coom stated:

We accept that there is no evidence of a link between machine numbers and problem gambling. It doesn't matter whether a venue has 18 machines or 2 machines. It is the accessibility of gambling venues, rather than the number of machines at each venue, which is the issue.

The Problem Gambling Foundation's comments have been repeated a number of times, including at the Christchurch and Invercargill gambling venue policy hearings. The minutes of the Invercargill hearing summarise the Problem Gambling Foundation's submission as follows:

In response to questions from the Committee, the submitter gave the following answers:

...

There is some evidence around concentrating machines in a casino-like environment, because it's easier to monitor, regulate and control. Most of the evidence is about availability and accessibility. It's not the number of pokie machines, it's the number of venues that's the problem, and the fact that they are on every street corner. There is some evidence that concentrating them in one venue is helpful, but still, even 10% of clients are addicted to pokie machines in casinos. It doesn't solve the problem, but it is less harm and it is more easy to monitor the harm.

Allowing the Elbowroom to have 18 machines would place the venue on a level playing field with the other 10 venues in Hastings that currently operate 18 machines.