

SUMMARY OF INFORMATION: CLASS 4 GAMING VENUE POLICY

**SUBMISSIONS DUE FRIDAY 30TH
JUNE 2017 AT 5PM**



**TE WAIROA
WAIROA DISTRICT**

Statement of Proposal

Review of Wairoa District Council Class 4 Gaming Venue Policy



Reason for the Proposal

Under the Gambling Act 2003, applicants for Class 4 gaming venue licenses must have the consent of the territorial authority in which the venue is, or will be, situated. In order to consider and determine applications for consent, territorial authorities are required by section 101 of the Act to have a policy specifying whether or not Class 4 venues may be established in their district, where Class 4 licensed venues may be located in the district, and may also place additional limits on the number of machines per venue, which the Act sets at nine.

101 Territorial authority must adopt class 4 venue policy

(1) A territorial authority must, within 6 months after the commencement of this section, adopt a policy on class 4 venues.

(2) In adopting a policy, the territorial authority must have regard to the social impact of gambling within the territorial authority district.

(3) The policy—

(a) must specify whether or not class 4 venues may be established in the territorial authority district and, if so, where they may be located; and

(b) may specify any restrictions on the maximum number of gaming machines that may be operated at a class 4 venue; and

(c) may include a relocation policy.

(4) In determining its policy on whether class 4 venues may be established in the territorial authority district, where any venue may be located, and any restrictions on the maximum number of gaming machines that may be operated at venues, the territorial authority may have regard to any relevant matters, including:

(a) the characteristics of the district and parts of the district:

(b) the location of kindergartens, early childhood centres, schools, places of worship, and other community facilities:

(c) the number of gaming machines that should be permitted to operate at any venue or class of venue:

(d) the cumulative effects of additional opportunities for gambling in the district:

(e) how close any venue should be permitted to be to any other venue:

(f) what the primary activity at any venue should be.

(5) A **relocation policy** is a policy setting out if and when the territorial authority will grant consent in respect of a venue within its district where the venue is intended to replace an existing venue (within the district) to which a class 4 venue licence applies (in which case [section 97A](#) applies).

102 Adoption and review of class 4 venue policy

(1) A policy on class 4 venues under [section 101](#) must be adopted in accordance with the special consultative procedure in [section 83](#) of the Local Government Act 2002 and, for the purpose of subsection (1)(e) of that section, the territorial authority must give notice of the proposed policy, in a manner that the territorial authority considers appropriate, to—

(a) each corporate society that holds a class 4 venue licence for a venue in the territorial authority district; and

(b) organisations representing Māori in the territorial authority district.

(2) A policy may be amended or replaced only in accordance with the special consultative procedure, and this section applies to that amendment or replacement.

(3) Subsection (1)(b) does not affect the ability of a territorial authority to take similar action in respect of any other population group.

(4) A territorial authority must, as soon as practicable after adopting, amending, or replacing a policy, provide a copy of the policy to the Secretary.

(5) A territorial authority must complete a review of a policy within 3 years after the policy is adopted and then within 3 years after that review and each subsequent review is completed.

(5A) The first time that a territorial authority commences a review of a policy after the [Gambling \(Gambling Harm Reduction\) Amendment Act 2013](#) comes into force, the territorial authority must (and may at any other time) consider whether to include a relocation policy (as defined in [section 101\(5\)](#)) in its class 4 venue policy.

(5B) Whenever a territorial authority is considering whether to include a relocation policy in its class 4 venue policy, it must consider the social impact of gambling in high-deprivation communities within its district.

(6) A policy does not cease to have effect because it is due for review or being reviewed.

Council is considering whether it should make any changes to the current policy. It considers that this is a matter for local communities to decide, there is also a legislative requirement for the special consultative procedure to be used. Council is therefore seeking feedback from its communities on whether they believe Council should make changes to the current policy.

More Information

Where to get a copy of the Summary of Information and submission form

The Summary of Information and the submission form may be collected from the Council's Main Office in Wairoa, or from the Council's website www.wairoadc.govt.nz

Period for Consultation

Written submissions on the Review of Wairoa District Council Class 4 Gaming Venue Policy may be made until **5pm Friday 30th June 2017**.

Those who make a written submission may choose to make an oral submission. Hearings of oral submissions are tentatively scheduled for Tuesday 11th July at 10am.

Please indicate on your submission form if you wish to speak to your submission.

If you have any questions please contact Charlotte Knight, Governance Advisor & Policy Strategist on 06 838 7309

WAIROA DISTRICT CLASS 4 GAMING VENUES SOCIAL IMPACT ASSESSMENT SUMMARY

INTRODUCTION

PURPOSE

This Social Impact of Gambling Assessment (SIA) is produced in accordance with Section 101(2) of the Gambling Act 2003. This has been produced by combining a number of different sources of information together into one document, including the information obtained from the Department of Internal Affairs. The purpose of this document is to highlight the social impacts that gambling has within the Wairoa district as well as a comparison between the national statistics and observations, and local statistics and observations.

BACKGROUND

The Gambling Act 2003 defines a problem gambler as a person whose gambling causes harm or may cause harm, and 'harm' is defined as:

(a) harm or distress of any kind arising from, or caused or exacerbated by, a person's gambling; and

(b) including personal, social, or economic harm suffered –

(i) by the person; or

(ii) by the person's spouse, civil union partner, de facto partner, family, whānau, or wider community; or

(iii) in the workplace; or

(iv) by society at large.

Since 1 July 2004 the Ministry of Health has been responsible for developing and implementing the 'integrated problem gambling strategy focused on public health' that is described in section 317 of the Gambling Act 2003. The Department of Internal Affairs (DIA) is the main gambling regulator and the main policy advisor to the Government on gambling regulatory issues. DIA administers the Act and its regulations, issues licences for gambling activities, ensures compliance with the legislation and publishes statistical and other information concerning gambling. DIA's role includes key regulatory aspects of gambling harm prevention and minimisation.

There were 4 submissions received when the Council previously review the policy in 2014. The main points of these submissions were:

- Dedicated security person for venues
- TAB venues – add to list of venues permitted to have gaming machines
- Replace sinking lid policy with a cap on current venues and machine numbers
- Importance of community funding to Wairoa groups from gaming trusts
- Wairoa is disproportionately affected by a range of social issues e.g. low income, high social deprivation
- Social cost of gambling is only a fraction of that caused by alcohol, tobacco, and other drugs
- Reducing machine numbers will not reduce the number of problem gamblers
- Fewer people in Wairoa are seeking help for problem gambling
- 7.1 machines per 1000 people – higher than rest of NZ (4.5)
- Robust systems and significant funding are in place to support problem gamblers

CURRENT SITUATION: NUMBER OF MACHINES IN THE DISTRICT

Over a period of time the number of machines and venues has fluctuated and eventually decreased in the Wairoa district primarily due to the closure of 4 venues since 2001.

30 September 2016

First Light Community	18	Clyde Hotel	Marine Parade	Wairoa
First Light Community	18	Ferry Hotel	Caroll Street	Wairoa
First Light Community	8	Sunset Point Sports Bar & Bistro	Cnr Ratau Street & Newcastle Street	Mahia Beach
Wairoa Club Inc	14	Wairoa Club	Marine Parade	Wairoa
TOTAL	58	4 venues		2 areas

As of 30 September 2016, Wairoa district has 58 pokie machines in 4 venues across the district – this has not changed since 2009. This represents 0.33% of non-casino venues across NZ and 0.36% of non-casino machines across NZ. The current ratio of resident adults per machine is 96:1.

The Wairoa population represents 0.002% of the national population¹ and ranks 62nd in size out of the 67 districts in New Zealand. The Māori population represents 0.008% of the NZ Māori population² and ranks 31st in size (i.e. total number) out of the 67 districts in New Zealand. Wairoa has the highest proportion of Māori population out of the 67 districts in New Zealand – 59% of the district’s population.

PROCEEDS

Gross Machine Proceeds (GMP) for Wairoa TLA for the September quarter 2016 was \$648,216.09 (That is the money left after paying out prizes). That represents a loss (Losses are the amount of money that players put into machines (Turnover) but are not returned to them) of \$115.18 per head based on Wairoa’s adult population³. That is the 4th highest loss per head of population out of the 67 districts. The table below shows the loss per head and national ranking of other districts with small populations⁴.

District	Population	Loss per head	National Ranking
Waitamo	8,907	\$77.95	16 th
Otorohanga	9,138	\$31.27	52 nd
Opotiki	8,436	\$117.09	3 rd
Kawerau	6,363	\$128.77	1 st
Stratford	8,988	\$44.48	44 th
Carterton	8,235	\$43.89	45 th
South Wairarapa	9,528	\$48.49	41 st
Westland	8,307	\$42.36	47 th
Kaikoura	3,552	\$60.72	31 st
Mackenzie	4,158	\$36.99	50 th
Waimate	7,536	\$38.49	49 th

PROPOSED CHANGES TO COUNCIL S POLICY

The Council currently has a policy which does not allow for new venues, for increased number of machines at existing venues, and for re-establishment of a venue.

Council could make changes to its policy to reverse one or all of the above.

The table below shows the policy settings of other authorities of similar sizes.

¹ 2013 Census figures

² 2013 Census figures

³ 2013 Census figures

⁴ Taken from PGF report Nov 16

TA	New Venues	No of New venues	Machines per venue	Location restrictions	Relocation	Notes
Wairoa	No	N/A	No increase for existing	Not mentioned	Y	
Tararua	No	N/A	9 for new venue, no increase allowed for existing Licenced pre 17 Oct 2001 - 18, licensed post this date 9	not closer than 100m from school, kindy or worship	Y	
Buller	Not mentioned	Not mentioned	Maximum number of venues per district: Masteron 5, Carterton 3, South Wairarapa 6	Taken into consideration but no limitation	Not mentioned	
Wairarapa Combined (Draft)	Yes - restrictions	6	No increase in total for area, max of 9 machines New venue can increase number from 6 to 9 after 2 years. Total number is 60 machines across district	No limitation given but is a factor in determination	Y	
Kaikoura	Yes - restrictions		Total number in district capped at 54; no consents will be issued to increase no per venue	Not explicit about limitation		External exposure and advertising included, host responsibility
Kawerau	No	N/A		Not mentioned	No	

Mackenzie	Yes - restrictions	Not mentioned	New and existing (post October 2001) venues max of 9. Total in district max of 65	Business Zones only mentioned but not explicit	Not mentioned	
Opotiki	No	N/A	No additional machines 9 per new venue, total for district 83	Not mentioned	Exceptional circumstances only	advertising
Rangitikei	Yes - restrictions	Not mentioned			Not mentioned	
Ruapehu	Yes - restrictions	not mentioned	stat provision (9 and 18), combined clubs 30 or sum of the clubs licences at time of application	commercial zone	Y	no separate entrance, signage, gambling harm minimisation policy, SIA attached
Southland	No	n/a	Not stated	Not explicit about limitation	Y	Visual and sound, responsible gambling
Stratford	Yes - restrictions	Not mentioned	New is max of 9	Not mentioned	Not mentioned	
Waimate	8 venues total allowed at any time	Not mentioned	Max of 9, district total not to exceed 40	Business Zones 1 & 2 with exemptions available	Not mentioned	
Waitamo	Yes - restrictions	Not mentioned	district total is 77, new venue max of 9, no increase for existing	Not adjacent to or directly opposite kindy, school or worship; veues limited to 5 in Te Kuiti urban area	Y	signage

BACKGROUND READING

NZ Health Strategy

Strategy to Prevent and Minimise Gambling Harm 2016/17 to 2018/19

Te Puāwaiwhero: The Second Māori Mental Health and Addiction National Strategic Framework 2008–2015.

Rising to the Challenge: The Mental Health and Addiction Service Development Plan 2012–2017

Ala Mo'ui: Pathways to Pacific Health and Wellbeing 2014–2018

He Korowai Oranga: Māori Health Strategy (refreshed in 2014)

Abbott M, Bellringer M, Garrett N, et al. 2014a. *New Zealand 2012 National Gambling Study: Attitudes towards gambling: Report number 3*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Abbott M, Bellringer M, Garrett N, et al. 2014b. *New Zealand 2012 National Gambling Study: Gambling harm and problem gambling: Report number 2*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Abbott M, Bellringer M, Garrett N, et al. 2014c. *New Zealand 2012 National Gambling Study: Overview and gambling participation: Report number 1*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Abbott M, Bellringer M, Garrett N, et al. 2015. *New Zealand 2012 National Gambling Study: Report number 4: 12-month follow-up (Wave 2)*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Rossen F. 2015. *Gambling and Problem Gambling: Results of the 2011/12 New Zealand Health Survey*. Auckland: Auckland UniServices Ltd, Centre for Addiction Research, University of Auckland.



Policy Name:	Wairoa District Council Class 4 Gaming Venue Policy	File Reference:	I18.01
Person Responsible:	Regulatory Manager	Date Policy Adopted	10 June 2014
Category:	Regulatory	Status:	Final
Next Review Due By:	2016	Revision Number:	1
Supersedes:	Previous	Date Last Revised:	

1. Background

- This Policy is made for the purposes of Section 101 of the Gambling Act 2003.
- Under the Gambling Act 2003, applicants for Class 4 gaming venue licenses must have the consent of the territorial authority in which the venue is, or will be, situated. In order to consider and determine applications for consent, territorial authorities are required by the Act to have a policy specifying whether or not Class 4 venues may be established in their district, where Class 4 licensed venues may be located in the district, and may also place additional limits on the number of machines per venue, which the Act sets at nine.
- This policy has been developed to enable the Council to consider and determine consent applications. As required by the Act, all decisions by Council to grant or decline consent must be made in accordance with this policy.

2. Scope of the Policy

- This policy covers Class 4 venues licensed under the Gambling Act 2003.

3. Objectives of the Policy

- To ensure the Council and the community has influence over the location of new Class 4 gambling venues in the Wairoa District.
- To control the extent of Class 4 gambling within the Wairoa District in a manner which will prevent and minimise the potential harm caused by gambling, particularly problem gambling.
- To reduce the number of gaming machines in the Wairoa District to the extent that Council is empowered by the Gambling Act 2003.

- To recover costs where appropriate.

4. Goals

- The Council supports the primary objectives of the Gambling Act, which are to ensure that:
- Gambling is primarily used to raise funds for community purposes;
- The harm caused by gambling is prevented or minimised;
- Local involvement in decisions about the availability in communities of various forms of gambling is facilitated;
- The growth of gambling is controlled.
- In terms of this policy, the objectives of the Council are to:
- Ensure that community input, via the Local Government Act 2002 Special Consultative Procedure, is sought from the Community in the preparation of the Policy.
- That gaming machines are located in appropriate venues.

5. Gambling Venues

- No further gaming machine venues to be established in the Wairoa District.

6. Gaming Machines

- Council will NOT grant territorial authority consent to:
- Operate gaming machines at any venue not already operating machines; or
- Increase the number of gaming machines operating at an existing Class 4 venue above that licensed by the Department of Internal Affairs or granted territorial authority consent at the time of this policy coming into force; or
- Re-establish a Class 4 venue with gaming machines once a licence is no longer held for that venue and territorial authority consent is required.

Note: This situation usually applies when no licence has been held by any society for a particular venue within the previous six months.

6. Relocation of class 4 venues

- Subject to the requirements of the Gambling Act 2003, Council may permit a class 4 gaming venues to re-establish to a new site where:
 - a) Due to the circumstances beyond the control of the owner or lessee of the class 4 venue, the venue cannot continue to operate at the existing site.

Examples of such circumstances include but are not limited to the following:

- i. Expiration of lease; or
- ii. Acquisition of property under the Public Works Act; or
- iii. Site redevelopment

Any permission to establish a new class 4 venue under this clause will be subject to the following conditions:

- iv. The venue operator of the business at the new site shall be the same venue operator at the site to be vacated;
 - v. Subject to the requirements of the Gambling Act 2003, the maximum number of gaming machines shall be the same as approved at the time of closing the former premises.
- Subject to the requirements of the Gambling Act 2003, clubs that rebuild or relocate may be allowed a maximum of the number of gaming machines approved at the time of closing of the former premises.
 - b) In the case of a club only, as defined in the Gambling Act 2003, Council will permit the relocation to a new site of a club. Where two or more existing clubs legally and physically combine into one, the resulting club may be allowed to operate the sum of the number of gaming machines specified in all Class 4 venue licences at the time of application or 24 machines whichever is the lesser.

7. Primary Activity of Class 4 Gambling Venues

- The primary activity of any Class 4 gambling venue shall be:
 - For the sale of liquor or for liquor and food, or
 - For sporting activities.
 - For race and sports betting conducted at a TAB Board Venue.

8. Application Fees

- These will be set by Wairoa District Council, and shall include consideration:
- The cost of processing the application, including any consultation and hearings involved;
- The cost of triennially reviewing the Class 4 (Gaming Machines) venue policy;
- The cost of inspecting Class 4 gambling venues on a regular basis to ensure compliance with consent or license conditions;
- The application fee will be reviewed by Council as part of the Annual Plan Fees and Charges review.

9. Policy Review

- This policy will be reviewed on a three-yearly basis.
- This policy may be reviewed at any time where there is an urgent concern or request from the community.



Name:

Address:

Phone Number:

Email address:

- I do not wish to speak to my submission
- I do wish to speak to my submission

SUBMISSION FORM TAB VENUE POLICY

Do you want to keep the current the policy?

- Yes
- No

If not what do you want to add/remove/change about the current policy?

Any other comments

SUBMISSION FORM GAMING VENUE POLICY

Do you want to keep the current the policy?

- Yes
- No

If not what do you want to add/remove/change about the current policy?

Any other comments
