

Council Policy Title:	KĀPITI COAST DISTRICT COUNCIL CLASS 4 GAMBLING POLICY 2011
Policy Number:	POL: 1.1.0
Active Date:	9 June 2011

1. Policy Validation

The Kāpiti Coast District Class 4 Gambling Policy 2011 was approved at a meeting of the Kāpiti Coast District Council held on 9 June 2011 after completion of a public consultation process.

This Policy has been made pursuant to section 101 of the Gambling Act 2003. It has also been reviewed in accordance with the requirements of section 102 of the Gambling Act 2003.

2. Interpretation

In this Policy, unless the context requires otherwise:

Class 4 Gambling Venue	means a place that conducts class 4 gambling
Class 4 Gambling	means gambling: <ul style="list-style-type: none"> i. that utilises or involves a gaming machine; ii. where the proceeds are distributed for authorised purposes; iii. where no commission is paid; iv. that satisfies relevant gaming rules; and v. is categorised by the Secretary for Internal Affairs as class 4 gambling
Gambling Harm	means the adverse impact problem gamblers have on themselves, their family and friends, and wider society. For instance problems gamblers suffer from increased rates of bankruptcy, arrest, imprisonment, unemployment, divorce and poor physical and mental health. There is also evidence to suggest that problem gamblers have higher rates of suicide.
Problem Gambling	means a pattern of gambling behaviour that disrupts and damages a person's life, their friendships, family relationships and job interests.
The Council	means the Kāpiti Coast District Council or any committee, community board, or an enforcement officer authorised to exercise the authority of the Council.

3. Objectives of the Policy

- i. To minimise gambling harm to Kāpiti Coast communities caused by Class 4 gambling.
- ii. To Control the growth of Class 4 gambling in the Kāpiti Coast District.
- iii. To ensure Class 4 gambling venues are appropriately located.
- iv. To ensure that the Kāpiti Coast District Council and its communities have influence over the provision of new Class 4 gambling venues in the Kāpiti Coast District
- v. To control the number of Class 4 gaming machines in the Kāpiti Coast District.
- vi. To redistribute existing Class 4 venues and gaming machines in the District so that they are more evenly spread amongst the adult ward population and closer to the district average (measured at June 2010).

4. Rules Regarding Existing Class 4 Gaming Venues

- 4.1 The Act provides that venues licensed before 17 October 2001 can operate up to a maximum of 18 machines; but this number will be considered relative to the objectives outlined in section 3.
- 4.2 The Act provides that venues licensed after 17 October 2001, but before the Act came into force, can operate up to a maximum of 9 machines, but this number will be considered relative to the objectives outlined in section 3.
- 4.3 Section 96 of the Act provides that clubs that were licensed after 17 October 2001 and only able to operate 9 machines can apply to operate up to 18 machines. However they must obtain territorial authority consent, which will be considered relative to the objectives outlined in section 3; and if given must then apply for Ministerial approval.
- 4.4 Section 95 of the Act provides that clubs that merge are able to be licensed to operate up to 30 machines or the lesser of the number currently operated in each of the merging clubs. However they must obtain territorial authority consent, which will be considered relative to the objectives outlined in section 3; and if given must then apply for Ministerial approval.

5. Rules Regarding New Class 4 Gaming Venues:

- 5.1 Further to the provisions above, this Policy maintains the Class 4 gaming venue cap at **15** venues (set on 31 December 2003). No new Class 4 gaming venues will be approved in any part of the Kāpiti Coast District if it means this cap will be exceeded.

- 5.2 New Class 4 gaming venues may be established subject to a vacancy in the current venue caps and in compliance with the Kāpiti Coast District Plan, fee and application requirements, and sections 3, 6 and 7 of this policy.

6. Location of New Class 4 Gaming Venues

- 6.1 No additional Class 4 gaming venues will be permitted in areas where additional gaming machine numbers will breach the objectives and restrictions outlined in section 3 and 7 of this policy.
- 6.2 New Class 4 gaming venues will not be permitted where the Council believes that the amenity of the area for which the venue is proposed will be adversely affected, or where there is likely to be an adverse effect on any community facilities including kindergartens, early childhood centres, schools, and places of worship.
- 6.3 Class 4 gaming venues are prohibited in commercial premises where family and/or children's activities are promoted (e.g. family dining, family recreational venues).
- 6.4 Class 4 gaming venues will only be approved in premises licensed under the Sale of Liquor Act 1989 with a restricted designation. Stand alone TAB venues are exempt from this requirement.
- 6.5 The primary activity of a Class 4 gaming venue must not be Class 4 gambling.
- 6.6 Where an existing Class 4 gambling venue is ceasing to operate, the Council may, at its own discretion, allow the transfer of existing venue conditions to another location(s) that meets the criteria of the policy.

7. Restriction on the number of Class 4 gaming machines

- 7.1 Ward based restrictions on the number of Class 4 gaming machines will be established using the national average of Class 4 gaming machines to adult population. The average will be calculated at the time of the Class 4 Social Impact Review conducted every three years.
- 7.2 A ward based ratio of 1 machine to 162 adults aged 18 years and older (determined from the District average calculated as at June 2010¹) applies and is distributed in accordance with Table 1.

¹ District average calculated as follows: 36,910 adults/228 non-casino gaming machines = 162 adults to 1 gaming machine as at June 2010. Data sourced from 2010 KCDC electoral role data and Problem Gambling Foundation gaming machine data.

TABLE 1: Class 4 Gaming Machines permitted in each Ward.

Ward	Population over 18 yrs as at 2006 census	Current no. of gaming machines as at June 2010	Permitted no. of gaming machines in each ward under 2010 Policy	Approx Change Required	Gaming machines to adults
Paekākāriki – Raumati	7,290	27	45	+18	1:162
Paraparaumu	14,353	95	88	-6	1:162
Waikanae	8,505	30	52	+22	1:162
Ōtaki	6,847	76	42	-34	1:162
TOTAL DISTRICT	36,910	228	228	0	1:162

- 7.3 The total district Class 4 Gaming Machine Cap is **228** gaming machines (refer Table 1).
- 7.4 Additional gaming machines will only be considered in the Paekākāriki/Raumati Ward if the machines are located in the Raumati Township and the increase does not breach the district venue cap of 15 or district machine cap of 228.
- 7.5 Additional gaming machines will only be considered in the Waikanae Ward if the increase does not breach the district venue cap of 15 or district machine cap of 228.
- 7.6 In the event that, for example, two or more existing clubs amalgamate, then the location, population and proposed number of machines will be considered relative to the objectives and rules outlined in sections 3, 4, 6 and 7 of this policy.
- 7.7 The number of gaming machines permitted in new venues, (licensed after the Act came into force), will be subject to consent criteria contained in this policy and limited to a maximum of 9 machines; as specified by the Act.

8. Applications for New Venues

- 8.1 Application for new Class 4 gaming venues or additional gaming machines at existing venues must be made on the approved form (available from the Council) and must provide:
- i. A site plan covering both gambling and other activities proposed for the venue.
 - ii. A copy of the current on licence or club licence under the Sale of Liquor Act 1989.
 - iii. The name and contact details of the applicant.
 - iv. The street address of the proposed or existing Class 4 gaming venue.
 - v. A copy of any certificate of compliance or resource consent required for the primary activity of the venue under the District Plan.

-
- 8.2 Application fees are as follows²:
- i. Deposit of \$2000.00 for new venue applications.
 - ii. Deposit of \$400.00 for all other applications.
 - iii. Hearing fee: \$125 per hour per Elected Member.
 - iv. Processing time at \$125.00/hour.
- (All fees are inclusive of GST. Deposits are non-refundable)
- 8.3 Applications will be considered by order of the date completed applications are received at the Council Offices.
- 8.4 Applicants will be advised when is available.
- 8.5 Applications lodged with the Council (but not actioned because no additional Class 4 venue or gaming machine capacity exists) will be kept until the commencement of the next Gambling Policy Review, when at this time, applicants will be advised to re-lodge their application or allow it to expire.

9. Next Policy Review

- 9.1 In accordance with section 102 of the Gambling Act 2003 this policy will be reviewed by the Council in 2015.

² Application fees are to be paid at the time an opportunity becomes available for additional venues or gaming machines