

Council Policy Title:	KĀPITI COAST DISTRICT COUNCIL CLASS 4 GAMBLING POLICY 2010
Policy Number:	POL: 1.1.0
Active Date:	

1. Policy Validation

The Kāpiti Coast District Class 4 Gambling Policy 2010 was approved at a meeting of the Kāpiti Coast District Council held on 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 or that is a venue owned or leased by the NZ Racing Board or a Racing Club that is:

- i. used mainly for racing or sports betting; or
- ii. a racecourse

Class 4 Gambling means gambling:

- 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

To minimise gambling harm to Kāpiti Coast communities caused by Class 4 gambling.

- i. To Control the growth of Class 4 gambling in the Kāpiti Coast District.
- ii. To ensure Class 4 gambling venues are appropriately located.
- iii. 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
- iv. To control the number of Class 4 gaming machines in the Kāpiti Coast District.
- v. 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 national 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 This Policy maintains the existing cap on stand alone TAB venues at **2**. No new stand alone TAB venues will be approved in any part of the Kāpiti Coast District if it means this cap will be exceeded.
- 5.3 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 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 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.

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 ward 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) now applies and is distributed in accordance with Table 1.

¹ District average calculated as follows: 36,910 adults/228 non-cassino gaming machines = 162 adults to 1 gaming machine as at June 2010. Data sourced from 2006 census and Problem Gambling Foundation gaming machine data.

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

Ward	Current no. of gaming machines as at June 2010	Permitted no. of gaming machines in each ward under 2010 Policy	Change Required	Machines to adult ratio if changes are made (apprx)
Paekākāriki – Raumati	27	45	+18	1:162
Paraparaumu	95	88	-6	1:162
Waikanae	30	53	+23	1:162
Ōtaki	76	42	-34	1:162
TOTAL DISTRICT	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.
- 7.5 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 outlined in sections 3 and 6 of this policy.
- 7.6 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 Compliance Manager) 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 liquor 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.
 - vi. Application Fees

8.2 Application fees are as follows:

- i. Deposit of \$2000.00 for new venue applications.
- ii. Deposit of \$400.00 for all other applications.
- iii. Hearing fee of \$675.00.
- iv. Processing time at \$90.00/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 additional Class 4 Venue or Machine capacity is available.

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 2013.

OPTION TWO