

SOUTH WAIRARAPA DISTRICT COUNCIL

26 JUNE 2019

AGENDA ITEM C2

PROPOSED WAIRARAPA CLASS 4 GAMBLING AND STANDALONE TAB VENUES POLICY

Purpose of Report

The report has the following two purposes:

1. *To present the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy for Council's adoption.*
2. *To provide proposed responses to the submitters for Council approval.*

Recommendations

Officers recommend that the Council:

1. *Receive the Proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy Report.*
2. *Approve the proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy (Appendix 1).*
3. *Approve the suggested responses to submitters (Appendix 2).*

1. Executive Summary

Officers have followed the special consultative procedure as outlined in the Local Government Act 2002 (LGA) for undertaking the three-yearly review of the Class 4 Gambling Policy and the TAB Venue Policy.

As part of the review process, officers have consolidated these separate policies into a single policy, undertaken community consultation including the holding of Hearings and have produced the attached Wairarapa Class 4 Gambling and Standalone TAB Venues Policy.

The policy is presented here for Council approval along with suggested responses to those individuals/organisations that submitted on the proposed policy.

2. Background

The Gambling Act 2003 requires that territorial authorities have a policy relating to whether a class 4 gambling venue (commonly known as 'pokies') may be established in the district. The policy may also detail restrictions on the number

of gaming machines per venue and also whether the venue can relocate to another site.

The Racing Act 2003 similarly requires that territorial authorities must have a policy outlining if new TAB venues may be established and if so, where they may be located in the district.

Each Act aims to minimise the community harm arising from gambling activities and requires that the policies are reviewed every three years.

In 2016, SWDC along with Masterton District Council (MDC) and Carterton District Council (CDC) adopted the Wairarapa Gambling Venue Policy 2016 and the Wairarapa TAB Board Venue Policy 2016.

2.1 Joint Review

SWDC has conducted the review of the above policies jointly with CDC and MDC. Both CDC and MDC will be considering the proposed combined Wairarapa Class 4 Gambling and Standalone TAB Venues policy for adoption at each of their Council meetings scheduled for 26 June 2019.

2.2. Community Consultation

At the April 3 2019 Council meetings, SWDC, CDC and MDC all adopted the Statement of Proposal for the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy.

The Wairarapa community was subsequently consulted on the proposed policy in accordance with the Special Consultative Procedure outlined in the LGA. Community consultation was undertaken between 15 April to 15 May 2019.

3. Discussion

3.1 Submissions

The authority to hear submissions and make recommendations back to the three Councils on the proposed policy was delegated to the Wairarapa Policy Working Group at the April Council meeting.

Fifteen submissions were received on the proposed policy and these were from harm prevention organisations, the gaming machine industry organisations and concerned individuals.

3.2 Hearing

Membership of the Working Group consisted of:

- Cr Mike Gray, SWDC
- Cr Ross Vickery, SWDC
- Cr Frazer Mailman MDC (appointed Chairperson for this policy review)
- Mayor Lyn Patterson, MDC (stepping in for Cr Brent Goodwin due to a declared conflict of interest)
- Cr Rebecca Vergunst, CDC
- Cr Ruth Carter, CDC

Three submitters presented at the hearing which was held on 5 June 2019 at the Carterton Event Centre.

Following the hearing, the Working Group deliberated and agreed on a set of recommendations for the three Councils, which are presented in Appendix 2.

3.3 Options

Officers have joined the two previous separate policies into the combined policy provided in Appendix 1.

One minor amendment to the proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy is recommended, as detailed in the table below.

Proposed Changes	Reason for Proposal	Implications of Not Changing
Amend Clause 5 as follows: Where Council consents to the merger of two or more clubs under Section 95 of the Gambling Act 2003 merge, the combined club may: continue to operate existing venues; operate an existing single venue, which will be regarded as an existing venue, subject to clause 7.4; or apply to the Council for a single new venue to be established, provided that all existing venues are closed, subject to section 6 and clause 7.4.	To clarify that clubs that wish to merge under Section 95 of the Gambling Act 2003, require Council consent for the proposed venue. Under the Gambling Act 2003 (s.95(1)c), clubs that wish to merge are required to demonstrate that they 'intend to merge into a single club operating at a single class 4 venue'. Multiple existing venues are not permitted to continue.	The policy would be inconsistent with the provisions of the Gambling Act 2003.

A summary of the options considered is included in the table below.

Option	Advantages	Disadvantages
1 Adopt the proposed Wairarapa Class 4 Gambling and TAB Venues Policy with the recommended amendment.	The policy will be consistent with the Gambling Act 2003.	No disadvantages identified.
2 Adopt the proposed Wairarapa Class 4 Gambling and TAB Venues Policy without the recommended amendment.	No advantages identified.	The policy would be inconsistent with the requirements of the Gambling Act 2003.

3.4 Strategic, Policy and Legislative Implications

All statutory requirements have been addressed as detailed through this report.

Option 1 is in alignment with the purpose of the Gambling Act 2003 to control gambling and prevent and minimise harm from gambling. Option 1 also aligns

with the requirements for a territorial authority policy as described in the Racing Act 2003 to consider the social impact of gambling within the district.

In addition, option 1 further aligns with:

- the Community Outcome of “Healthy and Economically Secure People”, by limiting the possibility for gambling related harm and therefore providing for individuals to be economically secure.
- the assets of “Human Capital” and “Financial and Physical Capital” identified by Treasury in the Living Standards Framework for generating wellbeing within our community.

3.5 Significance, Engagement and Consultation

As noted earlier in this report, the Wairarapa community was consulted on the proposed policy, in accordance with the Special Consultative Procedure, from 15 April to 15 May 2019. The consultation period was promoted via public notice in the Wairarapa Times Age, distribution via email database, Councils’ websites, Facebook posts, the REAP community noticeboard and the Connecting Communities Neighbourhood Support newsletter.

Kahungunu ki Wairarapa and Rangitane o Wairarapa were notified of the consultation period.

The following key stakeholders were also notified:

- Regional Public Health;
- Whaiora Medical Centre;
- Compass Health;
- Connecting Communities;
- Te Hauora Runanga o Wairarapa;
- Salvation Army Oasis Centre;
- Gambling Helpline;
- Problem Gambling Foundation;
- Lion Foundation;
- One Foundation Ltd;
- Trillian Trust;
- Trust House Foundation;
- Wairarapa Services and Citizens Club;
- Pub Charity;
- South Wairarapa Working Mens Club;
- NZ Racing Board;
- Gaming Machine Association of New Zealand;
- New Zealand Community Trust;
- Ngāti Kahungunu ki Wairarapa Tāmaki Nui ā Rua Settlement Trust;
- Rangitāne Tu Mai Rā Trust; and

- the Wairarapa DHB Māori Health Team.

The decision to adopt the proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy following consultation has been assessed against SWDC's Significance and Engagement Policy. The decision is not considered significant as the change proposed following consultation is a minor point of clarification and does not affect the intent of the policy.

3.6 Financial Implications

No financial implications have been identified.

3.7 Treaty Considerations/Implications for Māori

Research shows that Māori communities are at a higher risk of being affected by problem gambling. As such, feedback was specifically sought from organisations that represent Māori in the Wairarapa. This included the SWDC Māori Standing Committee who submitted on the policy.

3.8 Communications/Engagement Plan

The Wairarapa Class 4 Gambling and Standalone TAB Venues Policy will be published on the SWDC website.

The community will be notified of the revised policy via public notice, a news item on the SWDC website home page and Facebook posts.

A copy of the policy will be provided to the Secretary of the Department of Internal Affairs and the NZ Racing Board, as required under the Gambling Act 2003 (s.102(4)) and the Racing Act 2003 (s.65E(4)).

4. Conclusion

Staff recommend Option 1, as it ensures the policy is consistent with the Gambling Act 2003.

5. Appendices

Appendix 1 – Wairarapa Class 4 Gambling Venues and Standalone TAB Venues Policy

Appendix 2 - Responses to submitters

Prepared by: Shane Sykes, Environmental Services Manager

Reviewed By: Russell O'Leary, Group Manager Planning and Environment

Appendix 1 - Wairarapa Class 4 Gambling and Standalone TAB Venues Policy



Wairarapa Class 4 Gambling and Standalone TAB Venues Policy

DRAFT

First Adopted:	2016
Latest Version:	
Adopted by:	Masterton, Carterton and South Wairarapa District Councils
Review Date:	

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1. Purpose

- 1.1. The purpose of the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy is to:
 - a) minimise the harm to the community caused by gambling;
 - b) have regard to the social impacts of gambling in the Wairarapa region, including the cumulative effect of additional opportunities for gambling in the district;
 - c) control Class 4 gambling in the Wairarapa region; and
 - d) ensure that Council and their communities have influence over the provision of new Class 4 gambling and standalone TAB venues in the Wairarapa region.
- 1.2. This policy is made in accordance with the Gambling Act 2003 (s.101) and the Racing Act 2003 (s.65D).

2. Scope

- 2.1. This policy applies to Class 4 and standalone TAB venues in the Masterton, Carterton and South Wairarapa Districts (referred to collectively as the Wairarapa region).

3. When Council Consent is Required

- 3.1. Council consent is required before:
 - a) A corporate society applies for a Class 4 Venue licence and a Class 4 Venue licence has not been held by any corporate society for the venue within the last six months.
 - b) A corporate society increases the number of gaming machines that may be operated at a Class 4 Venue (this includes at a venue where clubs propose to merge).
 - c) A corporate society changes the location of a venue to which a Class 4 Venue licence currently applies.
 - d) The NZ Racing Board establishes a standalone TAB Venue.

4. Establishment of New Class 4 Gambling Venues

- 4.1. No new Class 4 gambling venues may be established in the Wairarapa region.
- 4.2. Gambling venues existing or consented as at 1 January 2019 and not ceasing operations for any period longer than six months will be regarded as existing venues under this policy and will be granted consent to continue their operations automatically.

5. Merged Gambling Venues

- 5.1. Where [Council consents to the merger of two or more clubs under Section 95 of the Gambling Act 2003-merge](#), the combined club may:
 - a) ~~continue to operate existing venues;~~

- b) operate an existing single venue, which will be regarded as an existing venue, subject to clause 7.4; or
- c) apply to the Council for a single new venue to be established, provided that all existing venues are closed, subject to section 6 and clause 7.4.

6. Relocation of Class 4 Gambling Venues

- 6.1. Council may permit a Class 4 venue to re-establish at a new site where, due to extraordinary circumstances, the owner or lessee of the Class 4 venue cannot continue to operate at the existing site. Examples of such circumstances include, but are not limited to, the following:
- a) expiration of the lease;
 - b) acquisition of property under the Public Works Act 1981; or
 - c) site redevelopment.
- 6.2. Permission to relocate a Class 4 venue will be subject to the following conditions:
- a) the gambling venue operator at the new site shall be the same venue operator at the site to be vacated;
 - b) the number of gaming machines permitted to operate at the new venue will not exceed the number permitted to be operated at the existing site.
- 6.3. A standalone TAB venue with gaming machines may be considered as an alternate venue if a Class 4 venue closed, subject to the conditions of this policy.
- 6.4. Class 4 gambling venues will not be permitted where the Council reasonably believes that:
- a) the character of the district, or part of the district, for which the venue is proposed will be adversely affected; or
 - b) there is likely to be an adverse effect on any kindergartens, early childhood centres, schools, places of worship, or other community facilities.
- 6.5. Except in the case of a standalone TAB venue, Class 4 gambling venues will not be approved outside premises authorised under the Sale and Supply of Alcohol Act 2012 to sell and supply alcohol for consumption on the premise, and where the gaming area is designated as restricted and is visually and physically separated from family or children’s activities.

7. Restriction on the Number of Gaming Machines

- 7.1. No increase in the number of gaming machines currently operating or consented in the Wairarapa Region as of 1 January 2019 (165) will be permitted.

Further to the provision above, the maximum number of gaming machines allowed in each district is detailed in the table below.

District	Maximum Gaming Machines Allowed
Masterton	64
Carterton	45

- 7.2. Any gaming machine that is relinquished for a period of longer than six months may not be replaced on that site and may not be transferred to another site under any circumstances.
- 7.3. No venue may operate more than 18 gaming machines if existing at 17 October 2001 and not ceasing operations for any period longer than six months, or more than 9 machines if not existing prior to the 18 October 2001 or having ceased operations for any period longer than six months.
- 7.4. Where two or more club venues merge, the combined club may operate the lesser of 18, or the number of gaming machines both clubs operated immediately prior to the merger.

8. Standalone TAB Venues

- 8.1. New standalone TAB venues may be established in the Wairarapa region.
- 8.2. No new standalone TAB venue will be permitted where the Council reasonably believes that:
 - a) the character of the district, or part of the district for which the venue is proposed will be adversely affected; or
 - b) there is likely to be an adverse effect on any kindergartens, early childhood centres, schools, places of worship or other community facilities.

9. Applications

- 9.1. Applications must be made on the approved form and must provide:
 - a) Name and contact details of the applicant.
 - b) Street address of the proposed or existing Class 4 gambling venue or standalone TAB venue.
 - c) A scale site plan covering both gambling and other activities proposed for the venue, including any screening or separation from other activities proposed.
 - d) A copy of any certificate of compliance or resource consent required for the primary activity of the venue under the Wairarapa Combined District Plan.
 - e) For Class 4 gambling venues only, evidence of the authority to sell or supply alcohol for consumption on the premise under the Sale and Supply of Alcohol Act 2012.
 - f) For applications relating to the merging of two or more clubs, details of the number of machines operated at each venue immediately prior to merger and the number of machines intended to be operated at each site, as applicable.
- 9.2. To aid the Council in determining whether there is likely to be an adverse effect, all applications are required to be publicly notified and will include a social impact statement.
- 9.3. Applications will be determined by the Hearings Committee of the Council, which may receive submissions from the applicant and any interested parties at a public hearing.
- 9.4. Applicants will be notified of Council's decision within 30 days after the application is received.

10. Application Fees

- 10.1. Fees for gambling consent applications will be set by Council annually and will include consideration of the cost of:
- a) processing the application;
 - b) establishing and triennially reviewing the Gambling and Standalone TAB Venues Policy;
 - c) the triennial assessment of the economic and social impact of gambling in the Wairarapa region.

11. Review of Policy

- 11.1. The policy will be reviewed every three years.

12. Definitions

Class 4 Gambling: Gambling that utilises or involves a gaming machine, as defined in the Gambling Act 2003 (s.30).

Class 4 Gambling Venue: A place to conduct Class 4 gambling.

Council: The Masterton, Carterton or South Wairarapa District Council.

Gaming Machine: A device, whether totally or partly mechanically or electronically operated, that is adapted or designed and constructed for the use in gambling, as defined in the Gambling Act 2003 (s.4). Commonly known as 'pokie machines'.

Standalone TAB Venue: Premises that are owned or leased by the New Zealand Racing Board and where the main business carried on at the premises is providing racing or sports betting services under the Racing Act 2003.

Venue Licence: A Class 4 venue licence issued by the Secretary for Internal Affairs.

13. Related Documents

Wairarapa Combined District Plan

14. References

Gambling Act 2003

Racing Act 2003

15. Version Control

Date	Summary of Amendments	Approved By
2016	Minor updates	Masterton, Carterton and South Wairarapa District Councils
2019		

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Appendix 2 - Responses to submitters

**REPORT OF THE JOINT PROPOSED WAIRARAPA CLASS 4 GAMBLING AND STANDALONE TAB VENUES
POLICY JOINT HEARINGS HELD AT THE CARTERTON EVENTS CENTRE ON WEDNESDAY 5 JUNE 2019 AT
4.00PM**

PRESENT

Councillor Frazer Mailman (Chair, MDC), Mayor L Patterson (MDC), Councillor Rebecca Vergunst (CDC), Councillor Ruth Carter (CDC), Councillor Ross Vickery (SWDC) and Councillor Mike Gray (SWDC)

IN ATTENDANCE

MDC Manager Strategic Planning, MDC Policy Advisor, SWDC Environmental Services Manager, CDC Infrastructure, Services and Regulatory Manager

CONFLICTS OF INTEREST

No conflicts of interest were declared

APOLOGIES

There were no apologies

LATE ITEMS

There were no late items

HEARING OF SUBMISSIONS

The Hearing Panel heard from the following submitters:

Sub #	Name
12	Tina McIvor, Problem Gambling Foundation
14	Ramil Adhikari, Salvation Army Oasis
8	Jarrod True, Gaming Machine Association of New Zealand

Moved by Councillor Ruth Carter

That the Joint Hearing Panel:

- a. **receives the submissions on the proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy;**
- b. **notes that 15 submissions were received; and**
- c. **notes that of those submissions received, three submitters have requested to be heard by the Joint Hearing Panel.**

Seconded by Councillor Ross Vickery and CARRIED

The hearings closed at 4.38pm

The meeting moved into deliberations at 4.39pm

DRAFT PROPOSED WAIRARAPA CLASS 4 GAMBLING AND STANDALONE TAB VENUES POLICY HEARING RECOMMENDATIONS

Members went through the spreadsheet providing individual responses to submitters and agreed to the recommendations in the spreadsheet as amended and, in particular, in relation to the key discussion points (the sinking lid approach and the relocation policy):

- To proceed with the proposed sinking lid approach, meaning no new Class 4 gambling venues may be established in the Wairarapa region. The three Wairarapa Councils note that the purpose of the Gambling Act 2003 includes preventing and minimising harm from gambling. The sinking lid approach is considered to be best tool available to Council to minimise gambling harm in our community over the long-term from Class 4 gambling venues.
- To advise that consideration to replacing the sinking lid with a cap on gambling venues may be considered during the next policy review in 2022.
- To proceed with the proposed relocation policy, meaning that existing venues may be permitted to relocate under extraordinary circumstances. This approach is considered to provide the most appropriate balance between minimising gambling harm without negatively impacting local business.
- To advise that the three Wairarapa Councils consider that Clause 6.1 of the policy [in relation to relocation] provides sufficient discretion and allows the Councils to retain the ability to consider applications on a case by case basis.

Panel Members agreed to recommend that the proposed policy should be adopted with the following amendment to Clause 5.1:

*Where **Council consents to the merger of two or more clubs under Section 95 of the Gambling Act 2003** ~~merge~~, the combined club may:*

- ~~a) continue to operate existing venues;~~*
- b) operate ~~on~~ an existing single venue, which will be regarded as an existing venue, subject to clause 7.4; or*
- c) apply to the Council for a single new venue to be established, provided that all existing venues are closed, subject to section 6 and clause 7.4*

This amendment clarifies that clubs that wish to merge under Section 95 of the Gambling Act 2003, require Council's consent for the proposed venue. Retaining this clause allows Council to consider applications to merge on a case-by-case basis.

Clause 5.1a needed to be removed as the Gambling Act 2003 states that venues applying to merge must 'demonstrate that they intend to merge into a single club operating at a single class 4 venue'.

Moved by Mayor L Patterson

That the responses to submitters be approved as provided in Minutes Attachment 1.

Seconded by Councillor F Mailman and CARRIED

Moved Councillor Mike Gray

That the Joint Hearing Panel/Policy Working Group recommends that Masterton District, Carterton District and South Wairarapa District Councils:

- (i) agree to the amendment to clause 5.1 of the Proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy as follows:**

Clause 5.1 Where *Council consents to the merger of two or more clubs under Section 95 of the Gambling Act 2003* ~~merge~~, the combined club may:

~~continue to operate existing venues;~~

- a. operate ~~on~~ an existing single venue, which will be regarded as an existing venue, subject to clause 7.4; or
- b. apply to the Council for a single new venue to be established, provided that all existing venues are closed, subject to section 6 and clause 7.4.

(ii) adopt the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy.

Seconded by Councillor Ross Vickery and CARRIED

CONFIRMATION OF MINUTES OF THE JOINT PROPOSED WAIRARAPA BYLAW REVIEW HEARINGS HELD AT THE CARTERTON EVENTS CENTRE ON WEDNESDAY 1 MAY 2019 AT 4.00PM (077/19)

Moved by Councillor Ruth Carter

That the minutes of the Joint Proposed Wairarapa Bylaw Review Hearings held on 1 May 2019 be confirmed.

Seconded by Councillor Mike Gray and CARRIED

The meeting closed at 5.44 pm

Minutes Attachment 1

Proposed Wairarapa Class 4 Gambling and Standalone TAB Venues Policy

Considerations and Recommendations as agreed by the Joint Hearing Panel on 5 June 2019

Key Points for Discussion

Section 4: Establishment of New Class 4 Gambling Venues

Key Discussion Point 1	Recommendations
<p>Section 6: Relocation of Class 4 Gambling Venues</p> <p>Three of the four submissions received from Incorporated Societies/Trusts request that the sinking lid approach is replaced with a cap on gambling venues and gaming machines.</p> <p>The three submissions from service providers or the health sector support the sinking lid approach.</p>	<p>To proceed with the proposed sinking lid approach, meaning no new Class 4 gambling venues may be established in the Wairarapa region. The three Wairarapa Councils note that the purpose of the Gambling Act 2003 includes preventing and minimising harm from gambling. The sinking lid approach is considered to be best tool available to Council to minimise gambling harm in our community over the long-term from Class 4 gambling venues.</p> <p>To advise that consideration to replacing the sinking lid with a cap on gambling venues may be considered during the next policy review in 2022.</p>

Section 6: Relocation of Class 4 Gambling Venues

Key Discussion Point 2	Recommendations
<p>Section 6: Relocation of Class 4 Gambling Venues</p> <p>The four submissions received from Incorporated Societies/Trusts request that the proposed relocation policy is broadened to allow more flexibility for operators to relocate, should they wish.</p> <p>Two of the three submissions from service providers or the health sector requested the proposed relocation policy is removed.</p>	<p>To proceed with the proposed relocation policy, meaning that existing venues may be permitted to relocate under extraordinary circumstances. This approach is considered to provide the most appropriate balance between minimising gambling harm without negatively impacting local business.</p> <p>To advise that the three Wairarapa Councils consider that Clause 6.1 of the policy provides sufficient discretion and allows the Councils to retain the ability to consider applications on a case by case basis.</p>

Minutes Attachment 1

Recommended Responses

Sub #	Submitter	Recommendations
1	Mark Jerling	<p>To advise the submitter that:</p> <ol style="list-style-type: none">1. All Councils are legally required to have a policy on Class 4 gambling (i.e. pokie machines) and standalone TAB venues under the Gambling Act 2003 and the Racing Act 2003.2. Councils do not have the authority to revoke a consent once it is granted, or to impose conditions on any venue that has an existing licence. In practice, this means that Council cannot stop the operation of Class 4 gambling venues licenced prior to the introduction of the Gambling Act 2003.3. The policy does not allow new Class 4 gambling venues to be established in the Wairarapa. The intent of this policy stance is that over time, the number of gambling venues and gaming machines in the region will reduce. For example, the three Wairarapa Councils first introduced this 'sinking lid' approach in 2008 and since then venues have dropped from 19 to 12 (a reduction of 37%) and gaming machine numbers are down from 247 to 165 (a reduction of 33%).
2	Paul Graham	<p>Refer submission 1.</p>
3	Lauren Durrant	<p>To advise the submitter that:</p> <ol style="list-style-type: none">1. All Councils are legally required to have a policy on Class 4 gambling (i.e. pokie machines) and standalone TAB venues under the Gambling Act 2003 and the Racing Act 2003.2. Councils do not have the authority to revoke a consent once it is granted, or to impose conditions on any venue that has an existing licence. In practice, this means that Council cannot stop the operation of Class 4 gambling venues licenced prior to the introduction of the Gambling Act 2003.3. The policy does not allow new Class 4 gambling venues to be established in the Wairarapa. The intent of this policy stance is that over time, the number of gambling venues and gaming machines in the region will reduce. For example, the three Wairarapa Councils first introduced this 'sinking lid' approach in 2008 and since then venues have dropped from 19 to 12 (a reduction of 37%) and gaming machine numbers are down from 247 to 165 (a reduction of 33%).4. The three Wairarapa Councils acknowledge the harm caused by problem gambling and aim to minimise that harm through the sinking lid policy. As part of the policy review process, a Social Impact Assessment was completed, which looked at the effects of gambling on problem gamblers, their friends and family and the wider community. Feedback was also received from a range of individuals as well as organisations that provide problem gambling services.5. The three Wairarapa Councils acknowledge that online gambling is a problem, however Councils do not have the authority to regulate online gambling.

Minutes Attachment 1

Sub #	Submitter	Recommendations
4	Rowan Anderson	<p>To advise the submitter that:</p> <ol style="list-style-type: none"> 1. The Department of Internal Affairs (DIA) is responsible for licencing venues. Council consent is not required as part of the renewal process. 2. DIA requires licences to be renewed annually or every three years. Section 51 of the Gambling Act 2003 states that as part of the renewal, DIA must undertake any investigations considered necessary to determine that the applicant is eligible and suitable to be granted a renewal. This may include referring to Police for information and/or comment.
5	Graeme Day	<p>To advise the submitter that:</p> <ol style="list-style-type: none"> 1. Councils do not have the authority to regulate and monitor Class 4 gambling operators. This is the responsibility of the Department of Internal Affairs (DIA). 2. Councils are only authorised to develop policies which state whether Class 4 venues may be established in the district, restrictions on the number of gaming machines a venue may operate, and if an existing venue may be permitted to relocate. 3. Class 4 gambling operators are required under the Gambling Act 2003 to minimise the risk of problem gambling. DIA's application process for new licences and renewals requires operators to state how they propose to do this. DIA may refuse the application if they are not satisfied. 4. The Masterton, Carterton and Wairarapa District Councils acknowledge and value the work of the three specialist problem gambling services in the region. These services are primarily funded by the Ministry of Health. 5. That the three Wairarapa Councils do not receive any direct income from gaming machine revenue. Requests for funding from problem gambling service providers could be submitted to each Council's annual grants round.
6	Antony Maguire	Refer Submission 1.
7	Allan Pollard, Trust House Foundation	<p>To advise the submitter that:</p> <ol style="list-style-type: none"> 1. Refer discussion point 2 recommendation.
8	Jarrold True, Gaming Machine Association of New Zealand	<p>To advise the submitter that:</p> <ol style="list-style-type: none"> 1. Refer discussion point 1 recommendation. 2. Refer discussion point 2 recommendation. 3. Council's responsibility is for Class 4 gambling, therefore online gambling is outside the scope of this policy review.
9	Tanya Piejus, New Zealand Community Trust	<p>To advise the submitter that:</p> <ol style="list-style-type: none"> 1. Refer discussion point 1 recommendation. 2. Refer discussion point 2 recommendation.
10	Michael Bruce- Smith	Refer submission 1.

Minutes Attachment 1

Sub #	Submitter	Recommendations
11	Murray Reade and Paul Allison, The Lion Foundation	To advise the submitter that: <ol style="list-style-type: none"> 1. Refer discussion point 1 recommendation. 2. Refer discussion point 2 recommendation.
12	Tina McIvor, Problem Gambling Foundation	To advise the submitter that: <ol style="list-style-type: none"> 1. Refer discussion point 1 recommendation. 2. Refer discussion point 2 recommendation. 3. Clause 5.1 has been amended to state: <i>“Where Council consents to the merger of two or more clubs under Section 95 of the Gambling Act 2003 merge, the combined club may:</i> <ol style="list-style-type: none"> 4. continue to operate existing venues; a. operate on an existing single venue, which will be regarded as an existing venue, subject to clause 7.4; or b. apply to the Council for a single new venue to be established, provided that all existing venues are closed, subject to section 6 and clause 7.4. <p>This amendment clarifies that clubs that wish to merge under Section 95 of the Gambling Act 2003, require Council’s consent for the proposed venue. Retaining this clause allows Council to consider applications to merge on a case-by-case basis.</p> <ol style="list-style-type: none"> 5. The Best Practice and Supporting Action provided has not been included in the policy, as problem gambling harm minimisation measures are monitored and enforced by the Department of Internal Affairs.
13	Craig Climo, Stephen Palmer and Peter Gush, Regional Public Health and Wairarapa DHB	To advise the submitter that: <ol style="list-style-type: none"> 1. The comments regarding the Social Impact Assessment are noted. 2. The three Wairarapa Councils support a reduction in the number of gaming machines in the Wairarapa region, but do not have the authority to either revoke a consent it has already granted, or to require a venue to reduce the number of gaming machines that a venue is already consented for. For this reason, Council cannot immediately reduce the number of gaming machines operating. However this is the long-term intent of the sinking lid policy.
14	Vicki Hirini and Ramil Adhikari, Salvation Army Oasis	To advise the submitter that: <ol style="list-style-type: none"> 1. The Masterton, Carterton and South Wairarapa District Councils wish to thank you for the problem gambling services you provide to our community and acknowledge the value of this this work. 2. Refer discussion point 2 recommendation.

Minutes Attachment 1

Sub #	Submitter	Recommendations
15	Suzanne Clark, on behalf of the South Wairarapa District Council Māori Standing Committee	To thank the submitter and note their support for the proposed policy.