



Statement of Proposal

under Special Consultative Procedure as per
Section 83 of Local Government Act 2002:

2018 Review of Class 4 Gambling Venues Policy

[Submit online at www.westlanddc.govt.nz](http://www.westlanddc.govt.nz)

1 October 2018

THE PROPOSAL:

As required by Section 102 (5) of the Gambling Act 2003, the Westland District Council has reviewed its Class 4 Gambling Venues Policy as required by the Act and proposes three amendments as a result of the Social Impact Assessment Workshop held 22 August 2018

This proposal is now open for public consultation (1 October 2018 through to 1 November 2018).

[Submit online at www.westlanddc.govt.nz](http://www.westlanddc.govt.nz)

GET YOUR SUBMISSION TO COUNCIL BY 5.00PM ON 1 November 2018.

Reason for the Proposal

The Gambling Act legally requires every Territorial Local Authority to have a Class 4 Gambling Venues Policy.

Westland District Council's Policy was last reviewed in 2015 and was due for review this year.

A copy of the reviewed Class 4 Gambling Policy is attached to this Statement of Proposal, and available at www.westlanddc.govt.nz.

What amendments have been proposed?

The following are the changes proposed to the Policy as part of this review. Interested parties are able to view the entirety of the Policy, and compare it with the previous version available at www.westlanddc.govt.nz/bylaws-and-policies, to identify the complete extent of the changes proposed.

Because of the written request from Franz Josef Community Council regarding requests to the area by visitors for gaming machines, that Clause 3.1 in the 2015 policy be amended to read " The number of venues within the Westland District outside of Hokitika is capped at three, with two of these three venues being located in the glacier country." This would increase the number of venues outside Hokitika from two to three.

Understanding the Hokitika Chartered Club's concerns regarding how the current sinking lid policy would impact them if they disestablished any machines, that Clause 3.3 of the existing policy be amended to read "If an existing Hokitika venue closes and relinquishes machines, the permitted number of venues and machines would reduce as per a sinking lid policy, with the exception of a venue that is not funded by a nationwide trust or society."

Bearing in mind the Department of Internal Affairs advice that all venues should provide a restricted (but not physically separated) area for Class 4 Gambling, that Clause 3.6 in the 2015 policy be amended to read "All venues must provide a restricted area for Class 4 Gambling."

How to make a submission

Any interested person or body is invited to make a submission or comments on the reviewed Policy.

Council will take account of all submissions made when making decisions on the Policy review. There will be a Council hearing in November 2018 for those submitters who indicate they wish to speak in support of their submission.

Please submit your feedback to Council by:

- (1) Delivery to the Customer Service desk, 36 Weld Street, Hokitika
- (2) Post to Community Development Advisor (Attn: Class 4 Gambling Venue Policy), Private Bag 704, Hokitika
- (3) Email to consult@westlanddc.govt.nz
- (4) You can also complete submissions at www.westlanddc.govt.nz

All submissions, including name and contact details of the submitter, will be made available to the public and media on Council's website, unless you specifically request that your contact details are kept private.

All enquiries (not submissions) should be directed to the Community Development Advisor, at 03 756 9010 or derek.blight@westlanddc.govt.nz.

Timetable

1 October 2018: submissions open

1 November 2018 (5pm): submissions close

TBC (between 1 November and 22 November): hearing of submissions

22 November 2018: Council meeting to decide on final content of Policy

Don't forget, get your submission to Council by 5:00pm on Monday, 1 November!

DRAFT ONLY



CLASS 4 GAMBLING VENUE POLICY 2018

1. Objectives of the Policy

- 1.1 To minimise the harm to the community caused by gambling;
- 1.2 To control the growth of gambling in the District;
- 1.3 To ensure the Council and the community have influence over the provision of new gambling venues in the District;
- 1.4 To allow those who wish to participate in gaming machine or TAB gambling to do so responsibly within the District.

2. TAB Venues

No new TAB stand-alone TABs may be established in Westland.

3. Where Class 4 Gambling Venues may be established

- 3.1 The number of venues within the Westland District outside of Hokitika is capped at three, with two of these three venues being located in the glacier country.
- 3.2 No new venues may be established in Hokitika.
- 3.3 If an existing Hokitika venue closes and relinquishes machines, the permitted number of venues and machines would reduce as per a sinking lid policy, with the exception of a venue that is not funded by a nationwide trust or society.
- 3.4 In a neighbourhood not being primarily associated with family or children's activities.
- 3.5 An existing Class 4 venue affected by earthquake-related risk or event, a destructive event, lease termination or new planned facilities shall be permitted to relocate within their current census mesh block area if Council grants consent in respect of a new venue to replace an existing venue
- 3.6 New venues must provide a restricted area for Class 4 Gambling.

4. Number of gaming machines to be allowed

- 4.1 New venues outside Hokitika shall be allowed a maximum of no more than 4 gaming machines;
- 4.2 Venues with licences issued after 17 October 2001 and operating fewer than 9 gaming machines shall be allowed to increase the number of gaming machines operated at the venue to 9;
- 4.3 Existing venues with licences issued before 17 October 2001 shall be able to increase the number of gaming machines in the venue to no more than 9 and where, at the date of the adoption of this policy, existing numbers of machines are greater than 9, that number can be maintained.

5. Applications

Applications for consent for new venues must be made on the approved form and must provide:

- 5.1 Name and contact details of the applicant;
- 5.2 Street address of the premises;
- 5.3 A site plan covering both gambling and other activities proposed for the venue;
- 5.4 Details of any liquor licence(s) applying to the premises;
- 5.5 Any relevant gambling harm minimisation policies;
- 5.6 Suitability of the applicant.

6. Decision Making

- 6.1 Upon receipt of a complete application form containing all required information and the full application fee, the Council has 30 working days to determine a decision;
- 6.2 The decision on an application will be made by the appropriate Council Committee pursuant to delegated authority and be based on the criteria detailed in this policy.
- 6.3 Where applications for Class 4 Gambling Consents can be demonstrated to be in full compliance with Council's Class 4 Gambling Policy, the approval of the application is delegated to the Chief Executive Officer.

7. Application Fees

These will be set by the Council from time to time, and shall include consideration of:

- 7.1 The cost of processing the application, including any consultation and hearings involved;
- 7.2 The cost of establishing and triennially reviewing the Class 4 Gambling Venue and TAB Venue policy;
- 7.3 The cost of inspecting Class 4 Gambling Venues on a regular basis to ensure compliance with consent conditions;
- 7.4 A contribution towards the cost of triennial assessments of the economic and social impact of gambling in the district.

8. Monitoring and Review

- 8.1 The Council will review the policy within 3 years of its adoption and then within 3 years of that review and each subsequent review;
- 8.2 The Council will monitor the social and economic impact of gambling on the community as part of the policy review process;

- 8.3 The Council may amend this policy as a result of the findings of the social and economic impact monitoring;
- 8.4 Any review or amendment of this policy will be undertaken in accordance with the special consultative procedure outlined in the Local Government Act 2002.

9. Commencement of Policy

- 9.1 This policy is required to be adopted by the Council in accordance with the special consultative procedure provided for in the Local Government Act 2002.
- 9.2 This policy will take effect from 22 November 2018.

Statement of Proposal: 2018 Review of Westland District Council's Class Four Gambling Venue Policy.



SUBMISSION on the 2018 REVIEW OF CLASS FOUR GAMBLING VENUE POLICY

This submission is a public document and the details provided will be displayed to members of the public.

Description of Proposal

On 1 October 2018 Council provided public notice of a Statement of Proposal in relation to the review of its Class 4 Gambling Venue Policy. The public notice provides information about how the public can acquire information about the proposal and make a submission.

The closing date for submissions is 1 November 2018 at 5pm.

Send or deliver to:

The Westland District Council
Private Bag 704
36 Weld Street
HOKITIKA.

Email to:

consult@westlanddc.govt.nz

Complete a submission online: www.westlanddc.govt.nz

Name:

Organisation (if applicable):

Preferred contact details i.e. your postal address, or your email:

Phone Number: _____

Signature _____

NB: Your signature is not required if submitting by electronic means

1. Please use one form for each submission

Extra forms are available from the Council Office and online www.westlanddc.govt.nz

2. Indicate your attitude to the policy

i.e. I support/oppose/ am neutral to the policy.

3. Make your submission

State clearly and in summary the nature of your submission. Give reasons.

4. State whether or not you wish to be heard by the Council at a hearing

Please note: If you do not want to speak, your written submission will still be equally taken into account.

5. State if you wish to present a joint submission, if you require a language interpreter, or if you would like the Council to consider audio or audio-visual presentation options.

Use separate paper if necessary.

Use separate paper if necessary.

I support / oppose / am neutral to the policy *(Circle one)*

My submission is:

Submissions will be heard in November 2018

Do you wish to be heard in support of your submission? Yes / No (Circle one)

If yes, do you want to make a joint case with another party? Yes / No (Circle one)

Specify the party:

Do you require a language interpreter in order to present at the hearing? Yes / No (Circle one)

If yes, please specify your requirements:

Would you prefer to present via an audio or audio-visual link? Yes / No (Circle one)

If yes, you will be contacted to discuss arrangements.

Thank you for providing your input.