



chatham islands council

**STATEMENT OF PROPOSAL
TO ADOPT THE
CHATHAM ISLANDS COUNCIL
CLASS 4 - GAMBLING VENUE & TOTALISATOR
AGENCY BOARD VENUE POLICY 2023**

August 2024

Making a submission

Submissions can be made in writing using the submission form on the Council's website – www.cic.govt.nz

Hard copies of the submission form are available from the Chatham Islands Council office, or by request at info@chathamislands.govt.nz

**The formal consultation period will last for 30 working days,
running from 19 August 2024 and
closing at 4.30pm on 16 September 2024**

Persons who wish to be heard by Council will be given the opportunity to do so. If you wish to make an oral submission, please indicate YES on the submission form and ensure you have included your contact details. We will contact you to arrange a time for you to speak.

Submissions will be heard on 2 October 2024

Introduction

- 1 This Statement of Proposal relates to the proposed adoption of a Class 4 Gambling & TAB Venue Gambling Policy 2023 for Council.
- 1.1 In reviewing the policy, consideration is given to the balance between the potential harm to health, and the benefits of gambling, on individuals, whānau and the wider Chatham Islands community.
- 1.2 This Statement of Proposal:
 - helps the community understand the Council's responsibilities and the review process to date;
 - explains the areas of analysis we have undertaken and why we are proposing changes; and
 - invites the community to make submissions on the Draft Chatham Islands Council Class 4 Gambling & TAB Venue Gambling Policy 2023 (draft 2023 policy).

Background

- 1.3 Council has had Class 4 gambling and TAB venue gambling policies (or a combined policy) since 2004.
- 1.4 Class 4 gambling refers to non-casino gambling using electronic gaming machines (EGMs) often referred to as "pokies", the proceeds of which are distributed for authorised purposes (e.g. community grants) by the club or non-club corporate societies that own and operate them.
- 1.5 TAB Venue gambling is where racing and/or sports betting is undertaken at a standalone venue owned/leased by TAB New Zealand (distinct from TAB betting services available at pubs).

Purpose

- 1.6 The purpose of the Draft Chatham Islands Council Class 4 and TAB Venue Gambling Policy 2023 is to minimise gambling harm in the Chatham Islands (the District) by implementing a 'sinking lid' approach for Class 4 gambling and TAB venue gambling. This will be achieved by:
 - preventing any increase in the number of Class 4 gambling venues and standalone TAB gambling venues
 - preventing the introduction of additional EGMs
 - restricting the relocation of Class 4 gambling venues.

Legislative requirements

- 1.7 Under the Gambling Act 2003 (the Gambling Act), Territorial Authorities (TAs) like Chatham Islands Council must adopt a policy on Class 4 venues and review it every three years. Under the Racing Industry Act 2020 (the Racing Industry Act) TAs must adopt a policy on TAB venues and review it every three years.
- 1.8 Under each respective Act, TAs are required to set local limits on the location and number of Class 4 gambling venues and TAB venues. Under the Gambling Act 2003, TAs are also required to consider inclusion of a relocation policy within a Class 4 policy. This relates to whether venues can relocate their Class 4 gambling licence to new premises.
- 1.9 In developing and reviewing these policies, consideration must be given to the social impacts of gambling in the district.
- 1.10 In line with the three-year review cycle, the policy commenced review in 2022. As part of the review process, Council is required to consult with the community when making, amending, or reviewing these policies using the Special Consultative Procedure under section 87 of the Local Government Act 2002 (LGA).
- 1.11 To help the public understand the policy review process and the proposed amendments, the LGA requires Council to present this Statement of Proposal.

Limitations on role of Local Government in gambling regulation

- 1.12 Under the Gambling Act and the Racing Industry Act, TAs have the responsibility of setting limits on the number of gambling venues and EGMs in a district. However, TAs are unable to actively reduce the number of EGMs currently in operation (i.e. by requiring the closure of existing venues or the removal of existing machines).

A reduction of this kind can only be achieved over time through the implementation of a 'sinking lid' policy where no new consents are granted so the number of venues and EGMs are permanently lowered as venues close, lose their licence, or look to relocate.

Proposed Changes

- 1.13 Chatham Islands Council proposes to amend the Chatham Islands Council Class 4 - Gambling Venue and Totalisator Agency Board Venue Policy with the following changes –

Clause	Proposed amendment or addition	Reason
4.2 – Added clause	<p>Council uses a 'sinking lid' approach to Class 4 venues or additional gaming machines. Therefore, Council will not grant consent for:</p> <p>a. The establishment of any additional Class 4 venues or additional gaming machines.</p> <p>b. The re-establishment of a Class 4 venue with gaming machines once a licence is no longer held for that venue and territorial authority consent is required.</p>	<p>By preventing any new venues and EGMs from becoming established, this would most effectively achieve a reduction in harm from Class 4 gambling in the long term.</p> <p>However, problem gambling activities may be diverted towards unregulated overseas online gambling sites which have the potential to cause significant harm and provide no benefits to the community.</p>

Consultative Procedure

- 1.14 The LGA 2002 requires that the community be consulted on the adoption, review or amendment of a bylaw. Accordingly, the Council is using the special consultative procedure, which requires the initiation of a formal submission process.
- 1.15 The Council would like to know what residents, ratepayers, and stakeholders think about the draft Chatham Islands Council CIC Stock Control and Keeping of Poultry, Bees & Pigs, and Boundary Fencing Bylaw 2023.
- 1.16 The proposed plan is as follows:

Task	Date
Council approved the draft 2023 Bylaw and a Statement of Proposal for public consultation	15 August 2024
Submissions Open	19 August 2024
Submissions Close	16 September 2024
Hearing of Submitters	2 October 2024
Council Decision	31 October 2024
Effective Date of Bylaw	1 November 2024

Methods for Making a Submission

- 1.17 Submissions can be made in writing, by mail or by email.
- 1.18 To make a submission in writing, use the submission form attached in Appendix 2. Submissions can be dropped off at Council or can be emailed to jo.guise@chathamislands.govt.nz or posted to –

Submission
Chatham Islands Council
PO Box 24
Chatham Islands

Submission Period

- 1.19 The formal consultative period will be 30 working days from 19 August 2024 to 16 September 2024.

Hearing of Submissions

- 1.20 Persons making written submissions who wish to be heard by Council will be given the opportunity to do so. Submissions will be heard on Wednesday 2 October 2024. Submitters wishing to speak to the Council in support of their submission must indicate YES on the official submission form.

Appendices

Appendix 1: Draft Chatham Islands Council Class 4-Gambling Venue and Totalisator Agency Board Venue Policy 2023

Appendix 2: Official submission form