

**NOTICE IS HEREBY GIVEN THAT AN EXTRAORDINARY MEETING OF THE GORE DISTRICT COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS, 29 CIVIC AVENUE, GORE ON MONDAY 15 MARCH 2010, AT 4 PM**

**Stephen Parry  
CHIEF EXECUTIVE**

**10 March 2010**

## **A G E N D A**

### **1. ADOPTION OF GAMBLING AND TAB VENUE POLICY**

(Memo from Chief Executive – 10.03.10)

In accordance with the Gambling Act 2003, the Council is required to review its Class 4 Gambling and TAB Venue Policy every three years. The new policy must be adopted by 17 March.

Councillors will recall the appointment of a Hearings Panel comprising Crs Davis, Dixey and Sharp to hear submissions to the policy. The hearing was held on 17 February.

Attached is:

- Notes of the hearing held on 17 February
- A revised draft Gore District Council Class 4 Gambling Venue Policy
- A revised draft Gore District Council TAB Venue Policy.

### **RECOMMENDATION**

**THAT the Council adopt the Gore District Council Class 4 Gambling Venue Policy and the Gore District Council TAB Venue Policy, for the next three year period commencing 16 March 2010.**

**NOTES OF A MEETING OF A GORE DISTRICT COUNCIL HEARING PANEL, CONVENED TO CONSIDER SUBMISSIONS TO THE REVIEW OF THE COUNCIL'S CLASS 4 GAMBLING AND TAB VENUE POLICY AND HELD IN THE COUNCIL CHAMBERS, 289 CIVIC AVENUE, GORE ON 17 FEBRUARY 2010 AT 4.00PM.**

**PRESENT** Cr Davis (Chairperson), Crs Dixey and Sharp.

**IN ATTENDANCE** The Chief Executive (Mr Stephen Parry), Community Development Officer (Ms Colleen TeAu), Mr Tom Banks (Salvation Army) and Andre Gold (Public Health South)

**APOLOGIES** Sue Price (PHO)

**Jarrold True (Teleconference)**

I am the Solicitor for the NZ Racing Board TAB. We speak to policies at the Territorial Authorities particularly how they are related to the TAB. The TAB Racing Board is a statutory body established under the Racing Act. It is the only body in NZ that is permitted to conduct race horse betting. Your Policy covers TAB but only covers our Board venues, not our stand alone TABs. The policy does not cover TAB outlets in a bar or a self service terminal. At the moment we have no board venues in the Gore District. We have two pub TABs and two facilities of self service terminals. We would however like the policy to be consistently fair and in the event that we had a board venue established in the future, for the policy to reflect that.

We have had a look through the policy and the documents in relation to that and the NZ Racing Board supports the general policy concept. It was an excellent well balanced policy. It did however invite the Council to amend the single policy by separating the TAB policy from the Class 4 Policy and enabling each policy to be considered on its own merits. At the moment one document covers the TAB venues and gaming machines. The Council is required to adopt 2 separate policies. One for board venues and a separate policy is required to be adopted in relation to gaming machines. What we have seen over the past 3-5 years is that the TAB gets washed under the carpet and all the discussion is in relation to gaming machines. There were no real issues raised in relation to TAB. Most issues relate to gaming machines.

Formal feedback from the Councils to date to formulate two separate policies has so far been in agreement to consider both separate to enable the TAB to be considered on its own merits.

TABs versus gaming machines. Only 1% of all problem gamblers were problem sports betters. Only 5% of all problem gamblers reported a problem with racing gambling. It is highly supervised and a non-continuous form on gambling as opposed to gaming machines. The TAB board venues were an important part of the TAB network and supported the racing industry in New Zealand. Racing is a key part of the local community fabric providing entertainment and employment. Racing generated direct and indirect contribution of 1.5 billion to New Zealand's gross domestic product each year. Over 40,000 people were involved in racing either in an employment or voluntary capacity. All TAB board venues are alcohol and smoke free, are highly controlled, provide signage and pamphlets to promote helpline. Staff are trained to identify problem gamblers, and to exclude them from all TAB venues for two years within a 100km radius. The TAB is monitored by several authorities and also takes its statutory obligations very seriously. Mystery shoppers are used.

The gaming machine policy is sensible and we support that. New Zealand has the lowest rate of problem gamblers in the world. New Zealand has a very strong problem gambling fund available to address problem gamblers. 1.7% of revenue goes to the Government, and then is distributed to the Ministry of Health (\$3 million per annum).

Research from Professor Max Abbot, as mentioned in our submission, showed that having restricted numbers of venues or machines available has little, if any, effect on gambling. On balance the gaming society is the biggest funder to community organisations in New Zealand per year (\$350 million). The environment is highly regulated and is very tough on the operators. All staff are trained. Venues have to be aimed at adult entertainment areas. Helpline posters and pamphlets are promoted. Venues are not allowed to be situated at eg cinemas or internet cafes. Gaming machines are regulated to spin at a set speed and how much a gambler can bet on a machine is regulated, as opposed to a Big Wednesday huge prize pool, the maximum prize winnings would be \$1,000. Every half an hour stats pop up to the player stating how long the player has been playing and how much the player has spent and won. Gaming venues are not allowed to advertise. Each machine is linked via an electronic monitoring system linked to the Ministry of Affairs to report all activity.

Research showed capping the number of machines did not alter the problem gambling statistics. A person with an addiction to gambling would seek out an alternative if there were no machines available. Gaming machines are transparent, out in the open.

Mr True asked the Council to consider having two separate policies, one for TABs and one for gaming machines. That TAB issues be

considered on their own merits and the gaming machine issues be considered on their merits.

In response to Cr Davis, Mr True said on the crusade in relation to get the two policies separated by all Councils, it had been ongoing for six months now. 90% of the Councils had been in support. In response to Cr Davis, Mr True stated of the five or six councils approached so far, all had separated their policies.

### **Mr Tom Banks (Salvation Army)**

At present the Gore District Council has a disproportionately higher number of gaming machines per capita than the NZ national average. For that reason the Salvation Army would like to see a sinking lid approach being adopted with regard to the number of venues and or machines.

They had asked the Council to consider looking at a social impact survey to look at the overall influence of pokies in the lives of ordinary local families.

Mr Banks distributed handouts from the Problem Gambling Foundation of New Zealand and a power point presentation printout from the Salvation Army Oasis Centre in Dunedin and a national presentation to assist with deliberation. He said the information presented certainly dispelled the myth that gaming machines were just a bit of harmless fun.

He also distributed a DVD to the meeting from Eruwera Roach, a Health Promotions and Gambling Advocate, that contained interviews of problem gamblers and their families for panel members to view.

A copy of a publication from the Ministry of Health, a gambling problem resource for Local government was also distributed. He encouraged the meeting to view all the information before coming to a conclusion as to what was best for the local community.

In response to Cr Dixey, Mr Banks said although it would be a wish list to have no TAB venues or gaming machine venues in the district, he did not agree with a comment from Mr True regarding Max Abbot's comments about the sinking lid concept making no difference. The comment had been taken out of context from Max Abbot's research.

Cr Davis noted the Max Abbot research was dated 2006.

In response to Cr Sharp, Mr Banks said people arrived at their centre seeking help for lots of different reasons. Some were because of gambling addiction but the information was voluntary.

## **Public Health South (Andre Gold)**

Andre Gold said she would also be speaking on behalf of Sue Price from Hokonui PHO, who could not be present to speak to her organisation's submission.

Had contacted Adult Mental Health, Gore Counselling Centre, Gore Districts Budget Advice prior to making the submission and sought feedback.

Ms Gold commended Colleen on her involvement and congratulated the Gore District Council on its openness in being prepared to hear what the public had to say.

She thought the Policy did not address the geographical location of the gaming machines and venues across the district and wanted support to control the number of outlets and machines in the district.

Included in her notes was an example of a code of conduct policy drafted by the Waitakere City Council for gaming societies and outlets to engage in best practise. If the Council want to show social leadership by way of a harm minimisation project this was a good way to start on a serious public health issue.

Local media was a classic example highlighting gambling issues. Last week a man was profiled who had lost his marriage and employment due to a gambling habit.

Gore Counselling Centre said while numbers locally were low, (4 to 5 people using the gambling addiction services) this may not be an accurate reflection of problem gambling statistics. Most vulnerable people in the district were in East Gore and Mataura yet these areas had the highest members of gaming machines.

With regard to the TAB submission quoting that funds were distributed to Community organisations, we were all losers. Not all funds went back to community and some went back to tax.

She questioned the viability and expense of a social impact assessment. It could be quite time consuming.

She referred back to the LTCCP leadership statement. She thought the time had come for the Council to do that.

Cr Dixey noted that the media had stated that Southland was one of the better areas of return for gaming revenue.

Ms Gold said the statement was more directed from ILT figures rather than from the charitable trust. She did not want however, to disparage those that utilised the funds for good causes.

In response to Cr Sharp, Ms Gold said the figures related to general statistics for New Zealand. For every one person that gambled, five people were affected in a spin off way. Eruwera Loach from Nga Kete Pounamu Charitable Trust service could have the individual results of each district as they had the contract with the DHB.

Cr Sharp said even if you removed half of the pokie machines, there would still be enough machines available to problem gamblers. Ms Gold agreed and said that was why she suggested a Code of Conduct Policy, which was what the TAB speaker had said was a very supportive factor for quality of delivery of what they do to assist in identifying and banning problem gamblers.

Ms Gold distributed a copy of the Waitakere City Council Policy that included a Best Practice Code of Conduct. Some problem gamblers used other ways to exploit venues, for example running a tab at a venue. The code of conduct policy could protect venue operators.

Cr Sharp asked if she knew of any districts that barred problem gamblers.

Ms Gold understood that Eruwera Loach has been instrumental in the Invercargill district in implementing the programme and had been working independent with other districts. She said Nga Kete had well qualified staff that would be able to provide comprehensive training or the likes of PHS could look at delivering it.

Cr Davis thanked the submitters for their attendance.

*The Submitters left the meeting at 4.40pm.*

Cr Dixey said he had trouble with the word “venues”. There were no venues in Gore at all. There were TAB outlets.

The Chief Executive said under the Racing Act the Council provide a policy on board venues.

Cr Davis asked the panel if they were comfortable looking at a two policy concept, one for the TAB and another for the Gambling Machines. Each policy could be tailored accordingly.

Cr Dixey said there were other opportunities for horse racing gambling now, eg phone account betting and computer betting.

Cr Dixey said the Gore District Council could never control that style of betting.

The Chief Executive said once there were no funds left in a TAB account, the gambler had to physically visit a TAB outlet to deposit more funds into their account. He thought real problem gamblers would still find access to gamble, even if venues or opportunities were reduced. Focussing on how machines operated and identifying people in trouble and barring them made sense to him.

In response to Cr Dixey, the Community Development Officer (CDO) said the lower socioeconomic areas usually had more gaming machines.

Cr Davis said as far as location went, it was the MLT that controlled that. How could one state there would be no gaming machines in East Gore or Mataura.

The Chief Executive said since the Policy has been in place, there had only been one application for a new venue, i.e. the Scenic Circle Croydon Hotel.

The CDO said the banning of smoking in public bars may have contributed to reduced amounts of gambling. She wondered if moving the pokie machines from East Gore and Mataura to other areas of the district would make a difference.

The Chief Executive said even a well heeled person could become addicted and get in all sorts of bother with gambling addiction.

Cr Davis said the statistics don't tell the true story. She knew of professional people who gambled alone while away on business. They would not be gauged in the statistics.

Cr Sharp said it was like trying to save people from themselves. It was extremely hard to do that. He was a club member at the local Town and Country Club and watched the pokie players. They were not alcoholics.

Cr Dixey said a large proportion of profits had to be paid out to charity.

Cr Davis wondered how the Waitakere Code of Conduct Policy compared with what was the current arrangement with the local MLT, RSA and Town and Country Club.

The Chief Executive said the Council was there to develop the policy with a moral force behind the establishments who were always acutely aware of problem gambling and support services. He suggested that

the Council incentivise the establishments to sign up for a Gore District Council Best Practice Code of Conduct Policy.

Cr Davis said for the Salvation Army and PHS the concern was around the problem gamblers. It would be helpful for a social policy from the Council to look at how else it could assist the Establishment providers to be more proactive in supporting them.

Cr Dixey thought the moral code set out for the TAB was quite good.

The Chief Executive said to try and keep the middle ground, the establishments could sign up to a code of conduct and next time the policy is reviewed, invite current suppliers of pokie machines, to submit to the Council evidence of compliance of the code so there is an honest exchange of views. This would also help Council to build a picture of gambling in the district.

In response to Cr Dixey, the Chief Executive said the Council could submit a code of conduct policy similar to that of the Waitakere City Council Policy to current pokie machine suppliers, with positive opinions about the Policy and request their feedback. There seemed to be a lot of institutions that ran the pokie machines and they were conspicuous in their absence.

Cr Davis said the RSA had filed a submission in the previous round. There had been concern back then that the two local country clubs, being the RSA and the Gore Town and Country Club, might not be able to survive, so they wanted to protect the number of machines they each currently had in the case of an amalgamation. She thought the decision had been declined at that time.

The CDO said that currently around a third of money gambled could come back into the community via the gaming trust. If the machines were not available, gamblers including problem gamblers could go on line and gamble, and that money would be lost to the community and support services.

The CDO said she thought that there were situations particularly in lower socioeconomic areas that gambling was a learned behaviour.

The Chief Executive thought that if machines were not replaced, hardened gamblers would just turn to other uncontrolled forms of gambling, eg internet gambling and the social harm could be far more acute.

The CDO thought that could be the case with gamblers with more means to access broadband internet connections, though she doubted problem gamblers would even own a computer.

In response to Cr Sharp the CDO said she would not eliminate all pokie machines in Maitaia but would tighten up the regulations.

Cr Davis asked if the idea from the Salvation Army about conducting a social impact survey could be a possibility.

The Chief Executive said the whole social impact study process would be intensive and costly. And what would it tell you that you did not already suspect. He thought it could be an idea to encourage the institutions involved to adopt a code of conduct policy and use it as a means to equip the Council with more knowledge in three years time. He thought it was healthy for the machines providers and the social agencies to be able to converse in an open and professional manner to work together. There seemed to be a bit of an unhealthy standoff at present.

Cr Dixey said there was nothing in our Class 4 Gaming Venue Policy at this stage to govern standards. A code of conduct could do that.

Cr Davis asked how the committee felt about a separate policy for the TAB and a code of conduct policy being introduced.

Cr Sharp wondered what the upshot would be by separating the two policies.

The Chief Executive said you would then get submissions relevant to the problems of both TAB gambling and pokie machine gambling. Submissions could be called for both policies at the same time.

It was agreed that Council staff would draft two revised policies and a code of conduct based on the Waitakere Council's policy and send them out for review.

The meeting ended at 5.20pm.

## **Gore District Council Class 4 Gambling Venue Policy**

### **Objectives of the policy**

- To ensure the Council and the community has influence over the provision of new Class 4 gambling to the district.
- To allow those who wish to participate in electronic gaming machines to do so within the district.
- To review the number of Class 4 gambling venues being established in the district from time to time and assess any social effects arising from this activity

### **Where Class 4 Gambling Venues May Be Established**

Class 4 gambling venues may be established in the district to the provision of the Gore District Plan and application and fee requirements.

### **Numbers of Electronic Gaming Machines to be Allowed**

- New Venues shall be allowed a maximum of nine electronic gaming machines.
- Venues with licences issued after 17 October 2001 and operating fewer than nine electronic gaming machines shall be allowed to increase the number of machines operated at the venue to nine.

### **Applications**

Applications for consent to the Gore District Council must be made on the approved form and must provide:

- Name and contact details for the application;
- Street address of premises proposed for the Class 4 licence;
- The names of management staff;
- Evidence of police approval for owners and Managers of the venue;
- A 12 month business plan or budget for the establishment, covering both gambling and other activities proposed for the venue, including details of each floor of the venue;
- Details of liquor licence(s) applying to the premises.

### **Application Fees**

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

- i. The cost of processing the application, including any consultation and hearings involved;
- ii. The cost of triennially reviewing the Class 4 Gambling Venue and TAB Venue Policy;

- iii. The cost of inspecting Class 4 gambling venues on a regular basis to ensure compliance with consent or license conditions;
- iv. A contribution towards the cost of gambling in the Gore District

### **Monitoring and Review**

The Council will monitor the social and economic impact of gambling on the district's community during the life of the policy. The Council may amend this policy as a result of the findings of any economic and social impact of gaming on the community.

As part of its monitoring the Council will be seeking support from licence holders to adopt the Best Practice Code of Conduct attached as an appendix to this policy. Licence holders will be invited to submit to the Council evidence of actions taken to comply with this code as part of the monitoring and review process.

If the Council amends or replaces this policy it shall do so in accordance with the special consultative procedure of the Local Government Act 2002. The Council will carry out a review of this policy at a minimum of every three years in accordance with the Gambling Act 2003.

## **GORE DISTRICT COUNCIL TAB VENUE POLICY**

### **Objectives of the Policy**

- To ensure the Council and the community has influence over the provision of new gambling in the district.
- To allow those who wish to participate in totalisator (TAB) gambling to do so within the district.
- To review the type and number of TAB venues being established in the district from time to time and assess any social effects arising from this activity.

### **Where TAB Venues May Be Established**

TAB venues may be established in the district subject to the Gore District Council Plan, meeting application and fee requirements.

### **Applications**

Applications for consent to the Gore District Council must be made on the approved form and must provide:

- Name and address details for the application;
- Street address of premises proposed for the TAB venue;
- The names of management staff;
- A site plan covering both gambling and other activities proposed for the new venue, including details of each floor of the venue. This site plan must clearly show where the TAB stands are to be located on the premises.

### **Application Fees**

These will be set by Gore District Council from time to time and shall include consideration of:

- The cost of processing the application, including any consultation and hearings involved;
- The cost of triennially reviewing the TAB venue policy;
- The contribution towards the cost of triennial assessments of the economic and social impact of gambling in the Gore district.

### **Monitoring and Review**

The Council will monitor the social and economic impact of gambling on the district's community during the life of the policy. The Council may amend this policy as a result of the findings of any economic and social impact of gaming on the community.

As part of it's monitoring the Council will be seeking support from licence holders to adopt the Best Practice Code of Conduct attached as an appendix to this policy. Licence holders will be invited to submit to the Council evidence of actions taken to comply with this code as part of the monitoring and review process.

If the Council amends or replaces this policy it shall do so in accordance with the special consultative procedure of the Local Government Act 2002. The Council will carry out a review of this policy at a minimum of every three years in accordance with the Gambling Act 2003.

## CLASS 4 GAMBLING AND TAB VENUE POLICIES

### Appendix 1 - Best Practice Code of Conduct (example)

A Code of Conduct is not within the scope of the Class 4 Gambling and TAB venue policies. Any code is voluntary and will not be assessed as part of venue consent. It is envisaged that as part of the District wide Alcohol Strategy and in line with DIA monitoring practices, such a code could be promoted and implemented to assist gambling venues to demonstrate responsible best practice. The code will however assist the Council in assessing the social impact of its Gambling and TAB Venue policies. The table below sets out relevant criteria and supporting actions that form part of the Code.

<b>Best Practice</b>	<b>Supporting Action</b>
Host responsibility and harm minimisation policy	The applicant has in place a host responsibility and harm minimisation policy. The program conforms to best practice as set out by national guidelines or standards should these become available.
Staff training program or activities	The applicant demonstrates that staff and management are familiar with its Host Responsibility and Harm Minimisation policy. The program provides information on: <ul style="list-style-type: none"> <li>• The potential effects of gambling on customers;</li> <li>• The identification of problem gambling traits;</li> <li>• The processes for approach, intervention and follow up for patrons with suspected problem gambling;</li> <li>• Identification practices for patrons appearing under 25 and actions to be followed;</li> <li>• Systems in place to support self barring;</li> <li>• Recognition of intoxicated patrons and steps to be followed to prevent intoxicated patrons from gambling; and</li> <li>• Systems to be followed if children are left unattended in premises or nearby premises.</li> </ul>
Policy on underage access to gambling machines	The licensee must ensure that appropriate signage is in place indicating age restrictions so that this is visible at every gambling machine and at the point(s) of entry into the gambling area. Policy on identification checks for patrons appearing under 25. Staff training on identification of patrons appearing under 25 and actions to be followed.
Provision of problem gambling information	The licensee must ensure that patrons have access to appropriate information on problem gambling and problem gambling help services. Gambling help line phone number information is placed on or near all gambling machines. Additional material on problem gambling and help services displayed in at least one other area within the premise, situated near to gambling machines.
Clocks are visible in premise	The licensee ensures that clocks are visible from gambling machines.
There is good visibility where gambling machines are located	Natural or artificial light illuminates the area where gambling machines are located at all times when

	machines are in operation.
Self barring of patrons is supported	The licensee ensures that systems to support self barring and exclusion by patrons are put in place. Staff training on systems to support self barring or exclusion of patrons.
Children are not left unattended while gambling is undertaken	The licensee will take active steps to prevent parents leaving their children unattended without adult supervision, including: <ul style="list-style-type: none"> <li>• Requiring employees to report incidents where a child have been left unattended, either inside the premise or immediately outside the premise; and</li> <li>• Where a child has been left unattended, the licensee will take steps to locate an adult responsible for the child. If this attempt is unsuccessful, the licensee will contact the police.</li> </ul>
Intoxicated patrons are prevented from gambling	Staff training on identification of intoxicated patrons and actions to be followed to if intoxicated patrons attempt to gamble. The licensee takes practicable steps to ensure that no person who appears to be intoxicated is allowed to gamble.

### **Host Responsibility and Harm Minimisation**

#### **Distribution of Gambling Profits**

Corporate societies are encouraged to demonstrate best practice by providing information to Council and the community on how they distribute the proceeds from their gambling machines.

The Code of Conduct would require corporate societies to provide information on the distribution of gambling profits to community groups by giving public notice at least annually in a newspaper circulated in the district free of charge, of funds allocation and providing a copy of this to Gore District Council. Where possible, societies are encouraged to provide information that is specific to the Gore District, and provide data on separate venues within the District. This information may be displayed on the Gore District Council website.

Information about the Trust or body responsible for the distribution of gambling profits should also be made available to the public and to the Gore District Council and should include:

- Contact details (address, phone numbers, electronic contact (if available)); and
- Names of trustees.