

**Mayor and Councillors**  
COUNCIL

24 JANUARY 2019

Meeting Status: **Public**

Purpose of Report: For Information

**SUBMISSIONS ON THE REVIEW OF THE CLASS 4 GAMBLING POLICY 2011 AND TAB BOARD VENUE GAMBLING POLICY 2011**

**PURPOSE OF REPORT**

- 1 The purpose of this report:
  - Is to provide the Council with **58** submissions received with regard to the Review of the Class 4 Gambling Policy 2011 and TAB Board Venue Gambling Policy 2011; and
  - To provide the opportunity for those submitters who wish to speak to the Council on their submission to be heard at this meeting.

**DELEGATION**

- 2 The Council has the authority to hear submitters under Section 83 of the Local Government Act 2002.

**BACKGROUND**

- 3 A report was presented to the Strategy and Policy Committee on 18 October 2018 (SP-18-617, see Appendix 1) seeking approval to:
  - Create a draft Kapiti Coast District Council Class 4 Gambling Policy 2018; and a draft Kapiti Coast District Council TAB Board Venue Gambling Policy 2018; and
  - Publicly notify the draft Statement of Proposal for the draft 2018 Policies using the special consultative procedure.
- 4 Under Section 83 of the Local Government Act 2002, Council undertook a special consultative procedure from 29 October 2018 to 30 November 2018.
- 5 Consultation involved a public notice in the Kāpiti Observer on 25 October 2018; discussions with Problem Gambling Foundation, Department of Internal Affairs, local community groups, venue operators and the New Zealand Racing Board and information emailed to local Iwi, local community organisations and gaming societies.
- 6 Of the **58** submissions received, **14** submitters have indicated that they wish to talk to their submissions on 24 January 2018.

## **NEXT STEP**

- 7 Once the submitters have been heard by Council, officers will prepare a report for Council meeting on 14 March 2019 with recommendations on adopting each policy.

## **CONSIDERATIONS**

### **Legal considerations**

- 8 Council is required by both the Gambling Act 2003 and the Racing Act 2003 to review its Class 4 Gambling Policy and TAB Board Venue Gambling Policy respectively, every three years. The process for reviewing and adopting both policies is prescribed by the LGA 2002.
- 9 Council's Legal Counsel has been involved in all stages of these policy reviews.

### **Financial considerations**

- 10 There are no financial implications for the Council to consider in approving the release of the Draft Kapiti Coast Class 4 Gambling Policy 2018 or the Draft Kapiti Coast TAB Board Venue Gambling Policy 2018 for public consultation.

### **Tāngata whenua considerations**

- 11 Te Whakaminenga o Kāpiti and the Iwi Relationships Manager have been briefed on this review project.

## **SIGNIFICANCE AND ENGAGEMENT**

### **Significance policy**

- 12 Both the Class 4 Gambling Policy and TAB Board Venue Gambling Policy are deemed to have a low level of significance in accordance with Council's Significance and Engagement Policy; however, the legislation requires that the public be invited to participate in this review using the special consultative procedure as outlined under the LGA 2002.

### **Engagement planning**

- 13 Engagement has been planned in two phases for preconsultation (refer to report SP-18-617) and the second stage of engagement began with the release of the Statement of Proposal calling for submissions from partners, community members, and interested stakeholders (began 29 October 2018).

### **Publicity**

- 14 The Council is required to use the special consultative procedure to seek input into the draft 2018 Class 4 Gambling Policy and draft TAB Board Venue Gambling Policy.
- 15 A Statement of Proposal has been prepared which sets out information on the review process, what is being proposed, and how to make a formal submission.

## RECOMMENDATIONS

16 That the Council notes:

16.1 That **58** submissions were received on the proposed draft Kapiti Coast District Council Class 4 Gambling Policy 2018 and the proposed draft Kapiti Coast District Council TAB Board Venue Gambling Policy 2018 as outlined in the previous report SP-18-617 presented to the Strategy and Policy Committee on 18 October 2018.

16.2 That **14** submitters have asked to speak to their submissions.

<b>Report prepared by</b>	<b>Approved for submission</b>	<b>Approved for submission</b>
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## ATTACHMENTS

Appendix 1 Submissions received – submitters speaking

Appendix 2 Submissions received – submitters not speaking

Appendix 3 Report SP-18-617 – Review of the Class 4 Gambling Policy 2011 and TAB Board Venue Gambling Policy 2011 – 18 October 2018