



**I, John Freeman, Interim Chief Executive Officer, hereby give notice that
an Extraordinary Meeting of Council will be held on:**

Date: Tuesday, 22 August 2017
Time: 3.30pm
**Location: Council Chamber, Wairoa District Council,
Coronation Square, Wairoa**

AGENDA

Extraordinary Council Meeting

22 August 2017

The agenda and associated papers are also available on our website: www.wairoadc.govt.nz

For further information please contact us 06 838 7309 or by email info@wairoadc.govt.nz

Order Of Business

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- 1 KARAKIA**
- 2 APOLOGIES FOR ABSENCE**
- 3 DECLARATIONS OF CONFLICT OF INTEREST**
- 4 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 14.14 requests to speak must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

Verbal Submissions:

Time	Organisation	Name
3.30pm		Jean Martin
3.40pm	First Light Community Foundation Ltd	Mark Sowman
3.50pm	Te Rangihaeata Oranga Trust	Shelley Burne-Field
4pm	Racing Board	Jarrod True
4.10pm	Ministry of Education	Andrew Hill

5 GENERAL ITEMS

5.1 DOG CONTROL POLICY & BYLAW

Author: Charlotte Knight, Governance Advisor & Policy Strategist

Authoriser: John Freeman, Interim Chief Executive Officer

Appendices:

1. Summary of submissions [↓](#)
2. Submissions received [↓](#)
3. Draft Bylaw [↓](#)
4. Draft Policy [↓](#)
5. Draft Selected Owner Policy [↓](#)

1. PURPOSE

- 1.1 For Council to review the policy proposals and submissions for the Dog Control Policy, and Selected Owner Policy; and, the proposed changes to the Council's bylaw.

RECOMMENDATION

The Governance Advisor & Policy Strategist RECOMMENDS that Council adopt the proposed Dog Control Policy, Dog Control Bylaw, and Selected Owner Policy.

2. BACKGROUND

- 2.1 The Council's Dog Control Policy is required to be reviewed under legislation every 5 years. Given the links with the Dog Control Bylaw it is efficient to review the two documents together in order to ensure that they are consistent. The proposed Selected Owner Policy is offered for Council's consideration based on informal feedback from members of the public on the Council's dog registration process. These documents reflect the intention of Council to consider a different registration fee for working dogs in the district as part of the Fees & Charges Schedule in the 2017/18 Annual Plan.
- 2.2 Currently the Council does not have a Selected Owner Policy recognising responsible owners in the district by providing them with a discount on the registration fee. As suggested in the policy proposal, Council could include dogs registered in Class M - Menacing in a one year trial. Section 33C of the Dog Control Act 1996 requires that Council must classify the breeds or types in Schedule 4 of the Dog Control Act 1996 as menacing. This would give these owners the opportunity to receive a discounted registration along with dogs classified as Class S – Standard. As noted in the policy the discounted registration would apply in the case of qualifying owners with dogs in the Class S category, with a 1 year trial for the Class M category. It would not apply to other registration categories.

3. CENTRAL GOVERNMENT LEGISLATION

- 3.1 It was previously anticipated that amendments to the Dog Control Act 1996 will be introduced in a Bill to be placed before Parliament at some point this year. These would have potentially given local authorities more powers in this area, these have not yet come to fruition and until after the election it is difficult to say what will happen in this

space. More information and the associated Cabinet reports can be found at the link provided under the 'Further Information' section of this report.

4. OPTIONS

- 4.1 The options identified are:
 - a. Status quo – review policy and make no changes
 - b. Adopt proposed changes
 - c. Adopt alternative changes
- 4.2 Option C: Council may wish to make further changes to the two policies attached and the bylaw. Any changes may need to be workshopped and if Council wish to do this the policies and bylaw may need to be referred to a future Council meeting and may require further consultation.
- 4.3 Option B: Council has made some changes to the way the Animal Control Team operate out in the field – to further improve the service provided by the team the suggested changes reflect some additional steps and mechanisms in this space for consideration by Council. All comply with current legislation.
- 4.4 Option A: Council can choose to make no changes to the policy or bylaw, and not to adopt a Selected Owner Policy. A note would be added to the Dog Control Bylaw and Dog Control Policy that these had been reviewed and no changes had been made.
- 4.5 The preferred option is Option B, this meets the purpose of local government as it will help meet the current and future needs of communities for performance of regulatory functions in a way that is most cost-effective for households and businesses.

5. CORPORATE CONSIDERATIONS

What is the change?

- 5.1 There will be minor changes to the operational side of dog control in the district.
- 5.2 This will not trigger a s17a review.

Compliance with legislation and Council Policy

- 5.3 The changes in the Dog Control Policy and Dog Control Bylaw are permitted under the Dog Control Act 1996.

What are the key benefits?

- 5.4 A Selected Owner Policy will provide a monetary incentive (saving on their registration) for owners to be responsible and ensure that their dog is adequately looked after and controlled to avoid nuisance to the community in general. It is hoped that this incentive will in the long term reduce the number of call outs for minor issues that the enforcement team receives; however, at this stage this is difficult to predict.
- 5.5 By reviewing the Dog Control Policy and Dog Control Bylaw Council will have met their legislative requirements.

What is the cost?

- 5.6 There is unlikely to be a measurable increase in cost to this area.

What is the saving?

5.7 No saving can be identified at this point.

Who has been consulted?

5.8 Public consultation has been undertaken in preparing the proposed policies and bylaw. Submissions received are attached to this report.

Service delivery review

5.9 Not applicable.

Maori Standing Committee

5.10 This matter has not been referred to the committee.

6. SIGNIFICANCE

6.1 Medium impact

6.2 There is a history of public interest in dog control issues both locally and nationally.

6.3 The policies and bylaw can be amended once adopted through the same process as is being used for the review of the current policy and bylaw.

6.4 No alteration to service levels.

7. RISK MANAGEMENT

7.1 The strategic risks identified in the implementation of the recommendations made are as follows:

- a. Financial – if a large number of people apply to be selected owners and are successful this may have an impact on the budget for delivery of Council dog control services. Mitigation of this risk will involve all owners being appropriately and thoroughly vetted before their application is accepted. Any owners who fail to meet the conditions ongoing will be required to pay the full registration amount along with any infringement penalties.

Further Information

DIA website regarding review <https://www.dia.govt.nz/Resource-material-Dog-Control-2016-Review-of-Dog-Control-Regime>

Background Papers

None.

References (to or from other Committees)

None.


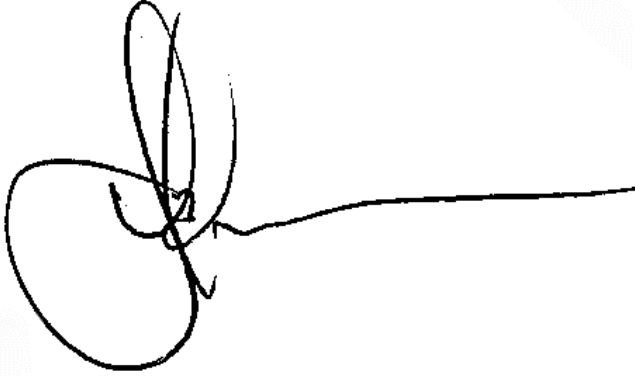
Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,

- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

	
Author Charlotte Knight	Approved by John Freeman

Name	Last	Speaking	Comments on the proposed bylaw
Jason	Clough	No	<p>Some of the dog control is over the top. Your dog rangers have been telling porkies to a few dog owners (including myself twice) as to what their dogs are up to so they can shoot them at will. The recent public man Sean with his dog who is harmless playing frisbee or tennis ball down the river is a role model to companion dog owners and been persecuted by OTT dog rangers. Some real world discretion need to come in here. I am disappointed in the dog control. I know we now have all the mongrel pit bull / fighting dog breeds now which are the problem genetically , but to punish poor joe average with their nice mate breed companion is bullshit. I would like to discuss this if you do. I have 2 dog rangers next door , and for nearly 2 years while I had a beautiful harmless lab bitch pup who loved to socialise at any opportunity , she would jump gates to visit , to get get given a biscuit for being nice , brought back home and another biscuit , then I'd get tuned up for being a bad owner.. fuck me , a lab is a pig that looks like a dog , if I was a lab I'd be back every 5 mins for a free biscuit and a pat too. I've been told , twice that " I've had a call that your dog was trying to get into a paddock a few doors down to get at the sheep in there , and I'll shoot it if I see it out ". Is bullshit. My lab has raised lambs like a mother. She will hang out in our own paddock with them , and sniff bums n faces with them for ages, they are part of her friends . If she can jump a 5 ft fence to visit next door to score a biscuit , why the hell cant she walk thru a half rooted 5 wire fence to " get at those sheep a few doors down". One time I was told this I was heading home when I saw my girl just heading out the drive at lunchtime. I came in the drive , growled her (as soon as she saw me she knew she was naughty) and sent her back in . One of your rangers also saw her and had a go at me and said " I just been called out to 44 Mitchell rd there's a black lab trying to get at the shop , I'll shoot her I'll shoot her " I said my dog hasn't been out there and why would she " try" to get thru a rooted 3 ft high fence when she can jump a 5 ft one . The reply was I'll shoot her if I see her . I went past 44 Mitchell rd , to see a bunch of sheep quietly sitting down doing nothing right beside the road side fence , totally undisturbed. The ranger was across chatting . I stopped and yelled out " there's been nothing here - those sheep are so quiet even no human has walked past for an hour or two ". He said I'm just saying I'm just saying. I knew he was lying. I also had a similar thing when she was a 6 mth old pup . She was in the vets because she had ripped her stitches from being spayed , there all day , and the other ranger came to me saying a similar story about a black lab being seen trying to get into a paddock at sheep in the same area, and accuse my dog , and that he'll shoot it. My dog was in the vets all day from 8.30'in the morning . I knew he was lying then too , and honestly , I have no trust in them. My lab is 3 plus yrs old now and settling down , but I still have no trust in your rangers and fear for my dogs safety , because she is friendly and like a biscuit and a chat, from those who are supposed to protect . That fella gaskin has a beagle for gods sake that had been given a hard time for not being on a lead. Dangerous animal that beagle is huh. Well done team. You've chained down a beagle that sit and wait outside the shop while it's owner does his thing . Bravo. That poor guy Sean with the dog he (used to) take to the river bank each day to play tennis ball with . Well you shut that down , because he's a bad example of a dog owner. You even decked him with 2 grand worth of fines . My daughter used to go join him to play with the dog . Not now. There's no Sean or dog to play with. There's plenty of poor dogs chained up all their life ignored and abused, no exercise, un socialised and no life , no attention , and they are the " good dog owners" in your books. Don't get me started on the no fires down the beach bullshit either. I nearly got arrested for having marsh mellows with the kids down the beach here 1st April.... after 170 mm of rain. All my life we go down the beach , fishing , light a fire to throw our hot plate on and cook sausages , spuds , as a source of light , now you lot are trying to shut down our god given way of life .. go jump as far as I'm concerned. Your breaching our human rights to freedom and respect to responsible family times. Amen</p>

Paulette Steed No

I would like there to please be included under the law, inspections. Property inspections of where and how the dogs are kept. Starting with dangerous breeds as first important then to a lesser extent other dogs. This will lessen abuse, and neglect which can lead to making dogs dangerous. And the possibility that the Police are linked into who owns what dogs because dangerous dogs are protecting drug houses a lot of the time. And could all dog owners be given pamphlets and advise on ownership and responsibility that advises nutrition and exercise requirements, and health and safety of their animals. Lastly any dog that bites, maims or has serious behavioural problems is put down and owners acquire a hefty fine. Thank you for giving us this awesome option to have a say.

Linda Cook No

*on/off leash areas need to be signposted *greater transparency around any impounded dogs/methods of destroying to avoid negative comments/minimise ill feeling (on social media) *information sheet/flier for dog owners on paying registration required inc basic information on requirements of owner, note of any on/off lead areas and any contact numbers/website for further info'. Currently nothing issued plus no signposts so zero/minimal awareness perhaps of bylaws *better communication eg the article in Wairoa Star of 23 May: not everyone gets the Star and so the submission option plus details of the 'microchipping amnesty' will not have been seen by many who may otherwise participate/benefit. There are at least three local facebook pages which appear to reach a far wider audience - posts could go on there, with comments switched off if felt necessary. *ref17.3-17.6 'evidence' too of any education programmes around interactions with dogs ie "public and school education", "community engagement and education" "owner education" - marvelous if this is being carried out regularly in all schools etc but is it? *Council/locally run obedience classes would be an asset as not many will travel to the closest one being in Gisborne

Jason	Smith	No	<p>Only two off lead areas for a substantial number of dogs in the Wairoa township. Council should consider if there is there enough offlead space considering the number of registered and unregistered dogs. The proposed offlead area on Fraser Street does not have any suitable parking or facilities (such as disposal bins, seats, dunking water for dogs etc). It could become a suitable area if council invests in this. If this bylaw is adopted these should be priority. This area also becomes very wet in winter - council needs to consider how this will be managed or there will be substantial damage to the reserve area. No off lead areas proposed in Mahia, Tuai or Frasertown areas. Given the urbanisation at these locations, off lead areas should be included in this policy.</p>
Fenton	Wilson	No	<p>My submission is around the use of technology to register farm dogs. At a current cost of \$60 per farm dog I wonder if we used micro chips could we save costs and be more accurate in monitoring/managing the districts farm dog population. For example - If the first two dogs (all dogs chipped) were at a cost of \$50-60 then the rest after 6 months were \$5 per head first year/ongoing you would get better uptake on registration plus save costs and time in running the operation. Anecdotaly there are many unregistered young dogs in the District. The database would be easier and require less time to manage and Wairoa could demonstrate value plus innovation in managing the Districts dog registration. Main theme in the submission - use technology to reduce costs and make a more accurate service for council with better uptake/compliance.</p>
Dawid	Roos	No	<p>I would liked large and/or dangerous dog breeds to be muzzled at all times in public areas.</p>

Emma	Turner	No	Under section 5.1 adequate shelter . I feel there should it should be mentioned that the shelter should provide adequate cover from the elements such as rain and wind. Given that wairoa has no spca I feel the council should be coming on board with animal welfare. Section 10.3 Impounding The spaying or neutering of dogs does not stop roaming of dogs as I becomes habit . Perhaps some training courses to teach owners how to keep thier dogs in to prevent roaming beginning . Section 4 off lead areas The off leash area provided I feel is not a suitable place to have dogs running free controlled or not it is located next to the wairoa cemetery where people go to visit loved ones . The smell of urine from males dogs is potent and it may cause a few grips from people visiting the cemetery, also there is no parking provided for vehicles and as I've seen already many people have been driving on the reserve making a mess .there is no mention of the pilots hill reserve or beach and whether this is on or off leash. Thank you for reading my submission. I feel education is the key to better control of all animals in wairoa socializing dogs to all things including stock will help with many problems and I hope the council will look into providing programs that will help the wairoa people become better pet owners .thank you
Brenda	Allen	No	I note that it is proposed to have only 2 off-lead exercise places. Fraser Street is often waterlogged and in the past there have been rabbits. The proposed removal of the Kopu Road walkway and reserve as an off-lead area is very disappointing. It is a joy to have a dog running freely with us on our walks. I see families playing with dogs in the water at the Pilot Hill beach and at the Yacht Club slipway. Is this to be banned too? Where will Labradors and other water loving dogs go? I request that the Kopu Road walkway and reserve and access to the river remain a off-lead exercise area. May I suggest that more education on the care of dogs be undertaken with new puppies and owners. Children too need to learn how to approach dogs.
Nic & Bron	Tizard	No	See email
Glenys	Single	No	See file

Jean	Martin	Yes	See file
John	Foss	No	See file
Wairoa Collie Club	C/- Sonya	Yes	See file

From: Wairoa District Council
To: [Charlotte Knight](#)
Subject: WDC - Submission Form Dog Control Bylaw [#1]
Date: Friday, 19 May 2017 11:01:57 p.m.

Name *	Jason Clough
Address *	<input type="checkbox"/> 66 Mitchell rd Blah blah Blah, Blah Wairoa New Zealand
Do you want to speak to your submission in person? *	Yes

Comments on the proposed bylaw *

Some of the dog control is over the top. Your dog rangers have been telling porkies to a few dog owners (including myself twice) as to what their dogs are up to so they can shoot them at will. The recent public man Sean with his dog who is harmless playing frisbee or tennis ball down the river is a role model to companion dog owners and been persecuted by OTT dog rangers. Some real world discretion need to come in here. I am disappointed in the dog control. I know we now have all the mongrel pit bull / fighting dog breeds now which are the problem genetically , but to punish poor joe average with their nice mate breed companion is bullshit. I would like to discuss this if you do. I have 2 dog rangers next door , and for nearly 2 years while I had a beautiful harmless lab bitch pup who loved to socialise at any opportunity , she would jump gates to visit , to get get given a biscuit for being nice , brought back home and another biscuit , then I'd get tuned up for being a bad owner.. fuck me , a lab is a pig that looks like a dog , if I was a lab I'd be back every 5 mins for a free biscuit and a pat too. I've been told , twice that " I've had a call that your dog was trying to get into a paddock a few doors down to get at the sheep in there , and I'll shoot it if I see it out ". Is bullshit. My lab has raised lambs like a mother. She will hang out in our own paddock with them , and sniff bums n faces with them for ages, they are part of her friends . If she can jump a 5 ft fence to visit next door to score a biscuit , why the hell cant she walk thru a half rooted 5 wire fence to " get at those sheep a few doors down". One time I was told this I was heading home when I saw my girl just heading out the drive at lunchtime. I came in the drive , growled her (as soon as she saw me she knew she was naughty) and sent her back in . One of your rangers also saw her and had a go at me and said " I just been called out to 44 Mitchell rd there's a black lab trying to get at the shop , I'll shoot her I'll shoot her " I said my dog hasn't been out there and why would she " try" to get thru a rooted 3 ft high fence when she can jump a 5 ft one . The reply was I'll shoot her if I see her . I went past 44 Mitchell rd , to see a bunch of sheep quietly sitting down doing nothing right beside the road side fence , totally undisturbed. The ranger was across chatting . I stopped and yelled out " there's been nothing here – those sheep are so quiet even no human has walked past for an hour or two ". He said I'm just saying I'm just saying. I knew he was lying. I also had a similar thing when she was a 6 mth old pup . She was in the vets because she had ripped her stitches from being spayed , there all day , and the other ranger came to me saying a similar story about a black lab being seen trying to get into a paddock at sheep in the same area, and accuse my dog , and that he'll shoot it. My dog was in the vets all day from 8.30'in the morning . I knew he was lying then too , and honestly , I have no trust in them. My lab is 3 plus yrs old now and settling down , but I still have no trust in your rangers and fear for my dogs safety , because she is friendly and like a biscuit and a chat, from those who are supposed to protect . That fella gaskin has a beagle for gods sake that had been given a hard time for not being on a lead. Dangerous animal that beagle is huh. Well done team. You've chained down a beagle that sit and wait outside the shop while it's owner does his thing . Bravo. That poor guy Sean with the dog he (used to) take to the river bank each day to play tennis ball with . Well you shut that down , because he's a bad example of a dog owner. You even decked him with 2 grand worth of fines . My daughter used to go join him to play with the dog . Not now. There's no Sean or dog to play

with. There's plenty of poor dogs chained up all their life ignored and abused, no exercise, un socialised and no life , no attention , and they are the " good dog owners" in your books. Don't get me started on the no fires down the beach bullshit either. I nearly got arrested for having marsh mellows with the kids down the beach here 1st April.... after 170 mm of rain. All my life we go down the beach , fishing , light a fire to throw our hot plate on and cook sausages , spuds , as a source of light , now you lot are trying to shut down our god given way of life .. go jump as far as I'm concerned. Your breaching our human rights to freedom and respect to responsible family times. Amen

From: Wairoa District Council
To: [Charlotte Knight](#)
Subject: WDC - Submission Form Dog Control Bylaw [#2]
Date: Sunday, 21 May 2017 3:37:16 p.m.

Name *	Paulette Steed
Address *	<input type="checkbox"/> 58 Lahore St Wairoa Hawkes Bay 4108 New Zealand
Phone Number	(406) 838-6566
Do you want to speak to your submission in person? *	No
Comments on the proposed bylaw *	
<p>I would like there to please be included under the law, inspections. Property inspections of where and how the dogs are kept. Starting with dangerous breeds as first important then to a lesser extent other dogs. This will lessen abuse, and neglect which can lead to making dogs dangerous. And the possibilty that the Police are linked into who owns what dogs because dangerous dogs are protecting drug houses alot of the time. And could all dog owners be given pamphlets and advise on ownership and responsibility that advises nutrition and exercise requirements, and health and saftey of their animals. Lastly any dog that bites, mames or has serious behavioural problems is put down and owners aquire a hefty fine. Thank you for giving us this awesome option to have a say.</p>	

From: Wairoa District Council
To: [Charlotte Knight](#)
Subject: WDC - Submission Form Dog Control Bylaw [#3]
Date: Thursday, 25 May 2017 10:00:03 a.m.

Name *	Linda Cook
Address *	<input type="checkbox"/> 9 Te Maara Street RD8 Nuhaka, Hawkes Bay 4198 New Zealand
Email	sjcookies@xtra.co.nz
Do you want to speak to your submission in person? *	No
Comments on the proposed bylaw * <p> *on/off leash areas need to be signposted *greater transparency around any impounded dogs/methods of destroying to avoid negative comments/minimise ill feeling (on social media) *information sheet/flier for dog owners on paying registration required inc basic information on requirements of owner, note of any on/off lead areas and any contact numbers/website for further info'. Currently nothing issued plus no signposts so zero/minimal awareness perhaps of bylaws *better communication eg the article in Wairoa Star of 23 May: not everyone gets the Star and so the submission option plus details of the 'microchipping amnesty' will not have been seen by many who may otherwise participate/benefit. There are at least three local facebook pages which appear to reach a far wider audience – posts could go on there, with comments switched off if felt necessary. *ref17.3–17.6 'evidence' too of any education programmes around interactions with dogs ie "public and school education", "community engagement and education" "owner education" – marvelous if this is being carried out regularly in all schools etc but is it? *Council/locally run obedience classes would be an asset as not many will travel to the closest one being in Gisborne </p>	

From: Wairoa District Council
To: [Charlotte Knight](#)
Subject: WDC - Submission Form Dog Control Bylaw [#4]
Date: Sunday, 28 May 2017 7:36:28 p.m.

Name * Jason Smith

Address * ☐ 60 Kopu Road
Wairoa, Hawkes Bay 4160
New Zealand

Phone Number (646) 838-8676

Do you want to speak to your submission in person? * No

Comments on the proposed bylaw *

Only two off lead areas for a substantial number of dogs in the Wairoa township. Council should consider if there is there enough offlead space considering the number of registered and unregistered dogs.

The proposed offlead area on Fraser Street does not have any suitable parking or facilities (such as disposal bins, seats, dunking water for dogs etc). It could become a suitable area if council invests in this. If this bylaw is adopted these should be priority. This area also becomes very wet in winter – council needs to consider how this will be managed or there will be substantial damage to the reserve area.

No off lead areas proposed in Mahia, Tuai or Frasertown areas. Given the urbanisation at these locations, off lead areas should be included in this policy.

From: Wairoa District Council
To: [Charlotte Knight](#)
Subject: WDC - Submission Form Dog Control Bylaw [#5]
Date: Tuesday, 27 June 2017 8:09:01 p.m.

Name *	Fenton Wilson
Address *	<input type="checkbox"/> 141 Maromauku road RD 6 wairoa 4196 New Zealand
Email	fentonwilsonfarmer@gmail.com
Do you want to speak to your submission in person? *	No
Comments on the proposed bylaw *	
<p>My submission is around the use of technology to register farm dogs. At a current cost of \$60 per farm dog I wonder if we used micro chips could we save costs and be more accurate in monitoring/managing the districts farm dog population. For example – If the first two dogs (all dogs chipped) were at a cost of \$50–60 then the rest after 6 months were \$5 per head first year/ongoing you would get better uptake on registration plus save costs and time in running the operation. Anecdotaly there are many unregistered young dogs in the District. The database would be easier and require less time to manage and Wairoa could demonstrate value plus innovation in managing the Districts dog registration.</p> <p>Main theme in the submission – use technology to reduce costs and make a more accurate service for council with better uptake/compliance.</p>	

From: Wairoa District Council
To: [Charlotte Knight](#)
Subject: WDC - Submission Form Dog Control Bylaw [#6]
Date: Thursday, 29 June 2017 9:26:02 a.m.

Name *	Dawid Roos
Address *	<input type="checkbox"/> 27 Crocombe Crescent Auckland 0626 New Zealand
Phone Number	(649) 482-1210
Email	ddmroos@yahoo.com
Do you want to speak to your submission in person? *	No
Comments on the proposed bylaw *	I would liked large and/or dangerous dog breeds to be muzzled at all times in public areas.

From: Wairoa District Council
To: [Charlotte Knight](#)
Subject: WDC - Submission Form Dog Control Bylaw [#7]
Date: Thursday, 29 June 2017 8:15:28 p.m.

Name *	Emma Turner
Address *	<input type="checkbox"/> 251 Te rato rd Wairoa 4108 New Zealand
Do you want to speak to your submission in person? *	No

Comments on the proposed bylaw *

Under section 5.1 adequate shelter . I feel there should it should be mentioned that the shelter should provide adequate cover from the elements such as rain and wind.
Given that wairoa has no spca I feel the council should be coming on board with animal welfare.

Section 10.3 Impounding

The spaying or neutering of dogs does not stop roaming of dogs as I becomes habit . Perhaps some training courses to teach owners how to keep thier dogs in to prevent roaming beginning .

Section 4 off lead areas

The off leash area provided I feel is not a suitable place to have dogs running free controlled or not it is located next to the wairoa cemetery where people go to visit loved ones . The smell of urine from males dogs is potent and it may cause a few grips from people visiting the cemetery, also there is no parking provided for vehicles and as I've seen already many people have been driving on the reserve making a mess .there is no mention of the pilots hill reserve or beach and whether this is on or off leash.

Thank you for reading my submission.

I feel education is the key to better control of all animals in wairoa socializing dogs to all things including stock will help with many problems and I hope the council will look into providing programs that will help the wairoa people become better pet owners .thank you

From: Wairoa District Council
To: [Charlotte Knight](#)
Subject: WDC - Submission Form Dog Control Bylaw [#8]
Date: Friday, 30 June 2017 4:16:57 p.m.

Name * Brenda Allen

Address * ☐ 92 Queen St
Wairoa, Hawkes Bay 4108
New Zealand

Email kevin.brenda@xtra.co.nz

Do you want to speak to your submission in person? * No

Comments on the proposed bylaw *

I note that it is proposed to have only 2 off-lead exercise places. Fraser Street is often waterlogged and in the past there have been rabbits.

The proposed removal of the Kopu Road walkway and reserve as an off-lead area is very disappointing. It is a joy to have a dog running freely with us on our walks. I see families playing with dogs in the water at the Pilot Hill beach and at the Yacht Club slipway. Is this to be banned too? Where will Labradors and other water loving dogs go?

I request that the Kopu Road walkway and reserve and access to the river remain a off-lead exercise area.

May I suggest that more education on the care of dogs be undertaken with new puppies and owners. Children too need to learn how to approach dogs.

From: [Paul van Dorrestein](#)
To: [Charlotte Knight](#)
Subject: FW: Dog Bylaw Submission
Date: Thursday, 29 June 2017 1:23:03 p.m.

FYI

From: Bronya & Nic Tizard [mailto:blackwill@xtra.co.nz]
Sent: Thursday, 29 June 2017 12:03 p.m.
To: Paul van Dorrestein <paul@wairoadc.govt.nz>
Subject: Dog Bylaw Submission

Good afternoon

I am making a submission on the Dog Control Bylaw to bring attention to the cost of registering working dogs. I would like to see Wairoa District Council adopt the policies of other Local Governments in Hawkes Bay and further a field and reduce the prohibitive cost of registering working dogs. We pay far too much to register these dogs, they pose no burden at all to local infrastructure and public areas yet we are required to pay registration fees to cover costs. Working dogs are a farm tool and are costly to keep (but vital). We believe this is revenue grabbing from farmers and I want to see the registration fees at least halved for farm working dogs, but even then we will see no return for our fee. I would like to see the WDC recognise the main contributors to our local economy and acknowledge that current fees as they stand are prohibitive - most farms have 8-10 working dogs - the costs very quickly begin to mount

We thank you for the opportunity to make a submission and implore the WDC to hear the collective voice of our local farmers - the fees are too high and must be reduced - lets get realistic.

Nic & Bron Tizard

699 Ohuka Road

R D 5

Wairoa 4195

PH: 06 8386378

MOB: 021672998

SUBMISSION TO COUNCIL.

The new dog rules and regulations

In the booklet recently published and made available on the new dog rules and regulations in Wairoa the right to walk a dog unleashed on the Kopu Road walkway from Spooners Point to Pilot Hill is not mentioned.

This area has for some years been legally deemed an unleashed area. Very recently a write up in the Wairoa Star on the subject of where to walk dogs Kopu Road was still designated as an area to walk dogs unleashed.

As a dog owner I have always found other dog walkers to be extremely diligent in carrying a lead and attaching the lead when another dog is in view.

I would appreciate clarification on this issue and hope the Council sees fit to let the designated area of Kopu Road walkway remain a dog unleashed area.

Glenys Single
Ph 838 8232





§358974

SUBMISSIONS CLOSE 5PM 30TH JUNE 2017.

2 pages

Name: Jean Martin

Address: R.D. 1, Wairoa.

Phone Number: §386946 + Fax.

Email address:

- ☐ I do not wish to speak to my submission
☒ I do wish to speak to my submission

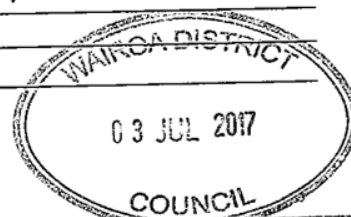
Page 1

SUBMISSION FORM TURE A-ROHE WHAKARARATA KURI DOG CONTROL BYLAW

Comments on the proposed bylaw

Firstly your consultation document is hard to follow because the pages are not numbered.
 Statement 5-12 The Dog Control act requires that all monies received may only be spent on such activities.

5-14 Dog registration fees are set to cover costs.
 The compliance costs on farm working dogs must surely be less than urban dogs - so why are our registration fees so high?
 Does this mean you are you are simply passing on to cover the problems you have in town?



1.0

01 JUL 17 01:31

7 01:31a

p.2

SUBMISSION FORM KAUPAPA HERE WHAKARARATA
KURI DOG CONTROL POLICY

Comments on the proposed policy

Page 2

14.01 & 14.02

You acknowledge that working dogs
ie. disability dogs and dogs
for herding or driving stock are
unlikely to present problems or
risk to the community.

Last page

Owners of registered working dogs
are excluded from the discount of
a selected owner as their
registration fees are set only
to recover the cost of
registration

Question - What are the costs of
registration of farm working
dogs?

Many young dogs are shot
at registration time as
stations limit the number of
dogs shearers are allowed to
register because of costs

M. J. Martin



SUBMISSIONS CLOSE 5PM 30TH JUNE 2017.

Name:

JOHN B. FOSS

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- ☒ I do not wish to speak to my submission
☐ I do wish to speak to my submission

SUBMISSION FORM TURE A-ROHE WHAKARARATA KURI DOG CONTROL BYLAW

Comments on the proposed bylaw

Point ①

Is there a bylaw controlling barking dogs while in transit or on vehicles parked in town. If not I would like to see a bylaw put in place. My farm is on both sides of Tinirōto road and when a vehicle with barking dogs passes by my stock are sent running, misbehaving lambs at that time of year, let alone the noise pollution, weekends are the worst with mostly pig hunters.

Point ②

I would like to see kennel inspections done as I find it distressing to see tin kennels out in the hot sun without any shade, like a P.O.W. sweat box.



SUBMISSIONS CLOSE 5PM 30TH JUNE 2017.

Name: Sonya Smith - 1 Jan Denton for Wauve College Club

Address: c/o S. Smith 1849 Lake road RDS Warren Calif.

Phone Number: 06 281 5014

Email address: wainhsanna@yahoo.co.uk

- ☒ I do not wish to speak to my submission
- ☐ I do wish to speak to my submission

**SUBMISSION FORM TURE A-ROHE WHAKARARATA
KURI DOG CONTROL BYLAW**

Comments on the proposed bylaw

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 3. Methodology
 4. Results
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 255. Summary
 256. Abstract

Dog control bylaw and policies Submission on behalf of the Wairoa Collie Club June 29 2017

Wairoa Collie club as per earlier submission to Council in 2016 assert that Working dog owners heavily subsidize Animal Control in Wairoa and therefore are subject to inequality compared to other dog owners.

Farm owners and workers own multiple dogs to support an effective working team of dogs. Subsequently working dog owners pay large total amounts from multiple registrations yet inversely have little need for Dog Control.

Many other districts in particular, our neighbouring boroughs recognize this and make concession for working dogs. This is either in the form of discounts from owner status, dog type or through discounts on multiple working dog registrations.

This assertion is why our submission is highlights fees and charges, and annual reporting.

1. Essentially we support the draft policy if it provides for reduced overall costs of registration for working dogs. The difficulty is despite the draft policy stating "As noted above, owners of dogs registered as Working Dogs will be excluded from the discount associated with being a selected owner as their registration fees are set to only recover as near practicable the cost of the registration process as per the Council's Dog Control Policy." the draft policy does not make explicit the actual fee.

5.13 Time and costs associated with monitoring and compliance activities, investigating complaints, and generally carrying out dog control activities will be reflected in the dog registration fees.

We understand that costs need to be covered through dog registration revenue. We support 5.13 as a method to ensure equity amongst users of the service.

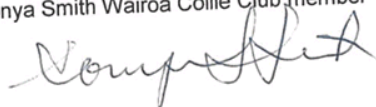
19.3 The report is required for each financial year and must cover the administration of:

- o its dog control policy
- o its dog control practices
- 19.4 The report must include information relating to the number of:
 - o registered dogs in the district;
 - o probationary owners and disqualified owners in the district;
 - o dogs classified as dangerous, and menacing;
 - o infringement notices issued; and,
 - o complaints received and the number of prosecutions taken.

2. The Wairoa Collie Club request the number of working dog registration numbers to be added to the report despite not being named in Section 10 of the Act. As a group representing a number of working dog owners through dog trials in Wairoa we have a vested interest in ensuring positive advocacy to this part of the rural sector in terms of identifying any trends and reviewing effects of policy. Also we want assurance the report is publicly accessible on an annual basis through the WDC website.

Regards

Sonya Smith Wairoa Collie Club member



Ian Denton Wairoa Collie Club President



Ture a-Rohe Whakararata Kuri Dog Control Bylaw

DATE



TE WAIROA
WAIROA DISTRICT

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WAIROA DISTRICT COUNCIL CONSOLIDATED BYLAW PART 7 – DOG CONTROL BYLAW 2011

The purpose of the Dog Control Bylaw 2011 is to enable the Council to set standards to be observed by dog owners and provide controls around the keeping of dogs in the Wairoa District in order to minimise danger, distress, and nuisance caused by dogs.

1. INTRODUCTION

1.1 SCOPE

The purpose of the Dog Control Bylaw 2011 is to enable the Council to set standards to be observed by dog owners and provide controls around the keeping of dogs in the Wairoa District in order to minimise danger, distress and nuisance caused by dogs.

The purpose of this Bylaw as outlined in the Dog Control Policy is to provide controls for:

- a) Prescribing minimum standards for the accommodation of dogs
- b) Regulating and controlling dogs
- c) Requiring dogs to be on a lead at all times in public places
- d) Defining prohibited areas, on-lead and off-lead exercise areas
- e) Requiring owners to immediately remove faeces left by their dog(s) defecating in public places
- f) Providing for breeding kennels and breeding of dogs
- g) Requiring bitches in season to be confined
- h) Impounding dogs
- i) Limiting the number of dogs that may be kept on a property, and
- j) Licensing of additional dogs
- k) Any other purpose that from time to time Council deems necessary or desirable to further control dogs

1.2 TITLE

This Bylaw shall be known and cited as the Wairoa District Council Dog Control Bylaw 2011 and shall come into operation on the date specified by public notice after the Wairoa District Council makes this Bylaw. For expediency this Bylaw may be referred to in this or other Bylaws as the Dog Bylaw 2011.

1.3 ENABLING ENACTMENTS

This Bylaw is made pursuant to sections 145 and 146(a)(v) of the Local Government Act 2002 and section 20 of the Dog Control Act 1996. Nothing in this Bylaw shall derogate from any provision of, or the necessity for, compliance with the:

- a) Dog Control Act 1996 and its Amendments;
- b) Local Government Act 2002;
- c) Impounding Act 1955;
- d) Dog Control (Microchip Transponder) Regulations 2005

1.4 DOG CONTROL POLICY

This Bylaw should be read in conjunction with the Wairoa District Council Dog Control Policy.

1.5 LIST OF SCHEDULES PASSED IN TERMS OF THE DOG CONTROL BYLAW

Schedule 1: Application for a Licence to Keep Three or More Dogs on a Property

Schedule 2: Prohibited Areas

Schedule 3: On-Lead Areas

Schedule 4: Off-Lead Exercise Areas

1.6 ADOPTION, AMENDMENT, AND REVOCATION OF SCHEDULES

The Council may from time to time adopt, amend or revoke by resolution the Schedules of this Bylaw listed in section 1.5

2. DEFINITIONS & INTERPRETATIONS

2.1 The provisions of the Introduction Bylaw shall apply to this Bylaw.

2.2 For the purposes of this Bylaw the following definitions shall apply:

AT LARGE in relation to any dog refers to a dog that is free, roaming or at liberty in an on-lead area, or prohibited area

BREEDING KENNELS means any animal hospital, home, boarding or breeding kennel and shall include any establishment where dogs of a greater age than three months are accommodated for reward or payment for the purposes of treatment, custody or whelping and shall also include any establishment where dogs are registered in the name of the person in charge of such hospital, home or breeding kennels.

CONTROL in relation to any dog, means that the owner shall have the dog under continuous physical control at all times either on a leash or in a container or other apparatus so as NOT to cause nuisance or become a danger to any person, animal or property; provided that where any person has a dog on a leash that person must themselves be physically capable of restraining that dog by means of the leash and must be in control of that dog. In off-lead areas this refers to the ability to command and control the actions of the dog(s) – including voice command, hand signals or whistling – and carrying a leash or lead at all times.

DISABILITY ASSIST DOG means a dog certified as being a dog trained to assist (or as being a dog in training to assist) a person with a disability by one of the following organisations:

- (a) Hearing Dogs for Deaf People New Zealand;
- (b) Mobility Assistance Dogs Trust;
- (c) New Zealand Epilepsy Assist Dogs Trust;
- (d) Royal Foundation for the Blind;
- (e) Top Dog Companion Trust;
- (f) an organisation specified in an Order in Council made under section 78D of the Dog Control Act 1996.

DOG CONTROL OFFICER means a Dog Control Officer appointed by the Wairoa District Council under section 11 of the Dog Control Act 1996; and includes a warranted officer exercising powers under section 17 of the Dog Control Act 1996.

DOG RANGER means a Dog Ranger appointed by the Wairoa District Council under section 12 of the Dog Control Act 1996, and includes an honorary Dog Ranger.

IMPOUND means the seizure, taking into custody or receiving into custody, confinement or other exercise of control over a dog by any duly authorised officer of the Wairoa District Council in accordance with the provisions of the Dog Control Act 1996.

LEAD or **LEASH** means a line, cord, rope, chain or harness of appropriate material securely attached to a correctly fitted dog collar, held/secured by a person capable of controlling the dog, and of no more than 2.0 metres in length so that a dog cannot break loose.

MENACING or **DANGEROUS DOG** means a dog that poses a threat to any person, animal or protected wildlife and/or specific breed as defined in the Dog Control Act 1996.

NEUTERED DOG means a dog that has been spayed or castrated but does not include a dog that has been vasectomised.

OFF LEAD means a dog that is not on a lead or leash.

OFF LEAD EXERCISE AREA means an area described in Schedule 4 of this bylaw where a dog may be exercised whilst not on a leash or lead.

ON LEAD means that a dog is on leash or lead, which is held by a person so the dog cannot break loose. The term **ON LEASH** has a corresponding meaning and may be used interchangeably.

ON LEAD AREA means any part of any street, road or public place described in the second schedule prescribed from time to time by the Council by resolution publicly notified.

OWNER, in relation to any dog, means any person who:

- (a) Owns the dog; or
- (b) Has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage or distress or for the sole purpose of restoring a lost dog to its owner; or
- (c) Is the parent or guardian of a person under the age of 16 years who
 - (i) Is the owner of the dog pursuant to paragraph (a) or paragraph (b) or this definition; and
 - (ii) Is a member of the parent or guardian's household, living with and dependent on the parent or guardian BUT does not include any person

who has seized or taken custody of the dog under the Dog Control Act 1996, or the Animals Protection Act 1960 or the National Parks Act 1980, or the Conservation Act 1987, or any order made under the Dog Control Act 1996 or the Animals Protection Act 1960.

PRINCIPAL ACT means the Dog Control Act 1996 or any enactment thereafter in substitution.

PRIVATE WAY has the same meaning given to it by section 351(1) of the Local Government Act 1974.

PROHIBITED AREAS means any of the following places:

- (a) Those places described in Schedule 2 or added to as in b) below.
- (b) Any roads or streets or places specified by resolution of the Council and subsequently advised by public notice as areas or places where dogs are prohibited from frequenting or being present.
- (c) Any recreational buildings owned or controlled by the Council

PUBLICLY NOTIFIED means a notice published in the newspapers circulating generally in the District or through any other suitable means.

RESPONSIBLE PERSON means any person other than the owner who for the time being is in charge of a dog and who is capable of physically restraining the dog.

RURAL AREA means; for the purpose of this Bylaw; any area zoned as Rural under the operative Wairoa District Plan.

URBAN AREA means; for the purpose of this Bylaw; any area zoned as Residential or Settlement under the operative Wairoa District Plan.

WARRANTED OFFICER means any person who is for the time being a warranted officer within the meaning of the Conservation Act 1987.

WORKING DOG means a dog that is:

- (a) Any disability assist dog; or.
- (b) Any dog -
 - (i) Kept solely or principally for the purposes of herding or driving stock; or

- (ii) Kept by the Police, or any constable, the Customs Department, the Ministry for Agriculture, the Ministry of Fisheries, Department of Conservation, Department of Corrections, Aviation Security Service, or Ministry of Defence, or any officer or employee of any such Department of State solely or principally for the purposes of carrying out the functions, powers, and duties of the Police or the Department of State, or that constable or employee; or
 - (iii) Kept solely or principally for the purposes of destroying pest or agents under any pest management strategy under the Biosecurity Act 1993; or
 - (iv) Certified for use by the Director of Civil Defence Emergency Management for the purposes of carrying out the functions, duties, and power conferred by the Civil Defence Emergency Management Act 2002; or
 - (v) Owned by a security guard as defined in section 4 of the Private Investigators and Security Guards Act 1974 and kept solely for the purposes of carrying on the business of a security guard; or
- (c) Declared to be a working dog for the purposes of this Bylaw by resolution of the Council.

3. OBLIGATIONS OF DOG OWNERS

3.1 REGISTRATION

3.1.1 The Dog Control Act 1996 requires all dogs over three (3) months old to be registered with Wairoa District Council every year by 1 July.

3.1.2 All owners or persons responsible for a registered dog shall ensure that Wairoa District Council is promptly notified of any change of ownership or address, both within the district and outside of the district.

3.2 MICROCHIPPING

3.2.1 Under the Dog Control Act 1996 microchipping is required for:

- (a) Dogs over three (3) months old that are registered for the first time (except for farm dogs used for working stock);
- (b) Dog classified as dangerous or menacing;
- (c) Unregistered dogs that are impounded; and,
- (d) Registered dogs that are impounded twice.

3.3 STANDARDS FOR KEEPING DOGS

3.3.1 The owner and/or occupier of any land or premises on which a dog is kept shall take all steps necessary to:

- (a) Ensure the dog has adequate shelter; and
- (b) Ensure the dog receives proper care and attention and is supplied with proper and sufficient food and water; and
- (c) Ensure the dog is kept under control at all times; and
- (d) Prevent the dog from becoming a nuisance or a danger to any other animal, person or property; and
- (e) Prevent the keeping of a dog beneath the floor of any building; and
- (f) Restrain the dog behind a fence so as to allow reasonable public access to privately owned land or premises.

- (g) Removal or burial of faeces on owner's private property and removal from other private property and public places.

3.3.2 In addition to Clause 3.3.1, the owner or person responsible for the dog must comply with all other standards for the keeping of a dog or dogs as specified in this Bylaw.

3.4 CONTROL OF DOGS

3.4.1 The owner or person responsible for the dog shall keep the dog under control at all times.

3.4.2 The owner or person responsible for the dog must ensure that the dog is restrained by a lead or leash which is secured or held by a person capable of physically controlling the dog while in any public place or area not designated as an off-lead exercise area.

3.4.3 The owner or person responsible for the dog shall ensure that the dog cannot leave any privately owned land or premises unless it is under the control of its owner or a responsible person.

3.4.4 Owners are permitted to exercise their dogs in Council's designated off-lead exercise areas (see Schedule 4 for exact areas) providing the owners are able to control their dogs by command (including voice command, hand signals or whistlings, and they carry at all times a leash or lead.

3.4.5 Council shall impound any dog found not under control or at large or off-lead when in a public area – including off-lead areas in cases where a dog is not under control as stated in 3.4.4. Repeated infringements will require further measures to be taken, such as requiring the dog to be neutered.

3.4.6 The owner or person responsible for the dog must comply with all other requirements as specified in this Bylaw.

4. NUMBER OF DOGS ON LAND OR PREMISES

4.1 LIMITATION ON NUMBER OF DOGS PERMITTED ON LAND OR PREMISES

4.1.1 No person shall keep or allow to be kept on any land or premises in an urban situation¹ more than two (2) dogs over the age of three months unless there is, in respect of such land or premises, a permit from the Council for such purposes in relation to the additional dog or dogs, pursuant to section 3.3 of this Bylaw.

4.1.2 Nothing in Clause 4.1.1 of the Bylaw shall apply to dogs registered as Working Dogs or Disability Assist dogs.

4.1.3 This permit shall be subject to owners being able to ensure their dogs are controlled at all times and not causing a nuisance, in accordance with the Council's policy and bylaw.

4.1.4 Any nuisance proven to be caused through having more than two (2) dogs on a property may see the permit revoked.

4.2 PERMITTING ADDITIONAL DOGS

4.2.1 A permit is required for any additional dogs in excess of the two (2) dogs permitted under Clause 4.1.1.

4.2.2 Any person making an application for a permit shall do so on the prescribed form (provided in Schedule 1) to the Council within 14 working days from acquiring more than the permitted two (2) dogs.

4.2.3 When considering the application for a permit to keep three (3) or more dogs Council shall have regard to:

- the adequacy of the land or premises for the keeping of the additional dog or dogs specified in the application; and
- the likely effects which the keeping of the additional dog or dogs would have upon the surrounding neighbourhood; and
- the likelihood of the dog or dogs becoming a nuisance; and
- any previous complaints made to that the Council believes is relevant to the application; and,
- Any prior infringements and/or call-outs

¹ Urban property refers to properties in areas zoned as Residential and Settlement in the District Plan.

4.2.4 Subject to the foregoing provisions of this Bylaw, the Council may issue a permit for the purpose of allowing a person to keep or allow to be kept on any land or premises three

(3) or more dogs over the age of three months.

4.2.5 Any such permit may be issued upon or subject to such reasonable terms, conditions and restrictions consistent with the Bylaw as the Council may determine either generally or in a form set out in Schedule 1 and subject to Clause 4.2.6 shall remain in force from the date of issue until such time the Council deems appropriate.

4.2.6 The Council shall specify the fee payable in respect of the issue of any permit under this Bylaw in the Fees and Charges schedule of Council's Annual Plan and/or Long Term Plan. Any fee prescribed shall be paid upon uplifting the permit.

4.2.7 Permits for additional dogs are not transferable to any subsequent owner(s).

4.2.8 The Council may at any time while a permit is in force revoke the permit if the Council is satisfied that

- a) The keeping of the additional dog or dogs on the land or premises specified in the permit has caused or materially contributed to a nuisance or the likelihood of injury to health; or
- b) The keeping of the additional dog or dogs on the land or premises specified in the permit has caused a detrimental effect upon the surrounding neighbourhood; or
- c) There has been a failure to comply with all or any of the terms, conditions and restrictions of the permit.

In any such above case or cases the Council may revoke the permit.

4.2.9 Where Council resolves to revoke or amend the original decision on an application for a permit after it has made its determination in accordance with Clause 4.2.8, the owner shall comply with the decision within 14 days of receipt of written notice of the decision.

4.2.10 Where the owner of a revoked permit applies for a new permit as in Clause 4.2.2, the application will be deemed to be a new permit. If granted, the new permit is therefore subject to Clause 4.2.6.

4.2.11 Pursuant to sections 4.1 and 4.2 of this Bylaw the keeping of more than two dogs without a permit is an offence against this Bylaw.

5. STANDARDS FOR KEEPING OF DOGS

5.1 ADEQUATE SHELTER

5.1.1 The owner or person responsible for any dog shall provide for the dog or dogs adequate shelter which is:

- a) Able to confine the dog within the shelters dimensions; and
- b) Accessible in order to provide the dog with clean water and food; and
- c) Of sufficient size to allow the dog to freely move, stretch out and recline; and
- d) Of sufficient height so that the dog may stand freely; and
- e) Is located on dry ground; and
- f) Provided with a floor and constructed so that surfaces are easily cleaned; and
- g) Able to be kept in a clean and sanitary condition; and
- h) Situated not closer than 3 metres from the boundary of any adjoining land.

Where a shelter has no means of confinement, the dog must be provided with a fixed chain that allows the dog free movement. Note that this is not considered to be an appropriate long-term solution.

5.1.2 If the Council considers that the keeping of a dog or dogs is such that Clause 5.1.1 is breached, Council may serve a notice on the owner of the dog and/or owner and/or occupier of the land or premises on which the dog is kept to take actions to require the conditions under which the dog is kept to be improved, so as to comply with Clause 5.1.1. The notice may specify all or any of the following actions to be taken and, except in the case of ongoing actions, the time which such actions must be undertaken within to achieve compliance:

- a) Reduce the number of dogs kept (not withstanding the existence of a permit under Clause 4.2);
- b) Construct, alter or reconstruct kennels or other places where dogs are kept;
- c) Keep dogs confined, controlled or restrained in specific ways, in specified area and for specified time, including specifying the height and construction type of a secure fence and gate that must be installed;
- d) Clean kennels and other places where dogs are kept;
- e) Take such other action as may be reasonably necessary to provide adequate shelter for the dog or dogs or to reduce or eliminate any nuisance or injury to health cause by or to such dog/s.

5.1.3 The Council shall only specify actions under Clause 5.1.2 which are reasonable having regard to the inadequacy of shelter or confinement of the dog, or the nature of the nuisance or injury to health being caused. In specifying any action under Clause 5.1.2 the Council shall have regard to:

- a) The need for adequate shelter or space and the need of the dog or dogs to be provided with a clean and healthy living area;
- b) The proximity of dwellings, kennels or other places so as not to cause a nuisance;
- c) The use of materials which are easily cleaned in kennels and other places dogs are kept;
- d) The construction of the flooring or ground treatment of any kennel or other place where dogs are kept, whether it is graded and whether it is drained to a sewer drain;
- e) The need for cleaning of kennels or other places where dogs are kept.

5.1.4 Notwithstanding these provisions Council may permit alternative accommodation for a dog where it is satisfied that the owner or person responsible for the dog will be providing adequately for the need of the dog or dogs and no other reasonable person in its opinion is adversely affected.

5.2 CONFINEMENT OF DOGS AT NIGHT

The owner or person responsible for any dog shall ensure that the dog or dogs are securely tied up or otherwise confined or under direct control during the period of time between half an hour after sunset on any one day and half an hour before sunrise on the next day.

Where a shelter has no means of confinement, the dog must be provided with a fixed chain that allows the dog free movement. Note that this is not considered to be an appropriate long-term solution.

6. DOGS IN VEHICLES

6.1 No person shall:

- a) Take a dog in a motor vehicle or leave a dog unattended in a vehicle or on the open tray of any vehicle unless the dog is physically secured so that the dog cannot lunge or snap at passersby and is unable to leave the vehicle;
- b) Leave a dog unattended in a vehicle in such a manner as to cause the dog undue distress.

6.2 While a vehicle is on a road or highway, a dog shall not be carried on the open rear of a vehicle unless it is secured or enclosed in a dog crate, so as to prevent the dog from leaving the vehicle or endangering passing pedestrians or vehicles.

6.3 Subject to compliance with the Land Transport Act 1998 and the Land Transport (Road User) Rule 2004 (SR 2004/427); working dogs shall be exempt from complying with 6.2 when used for the purpose herding and driving stock on a road or highway.

7. DOGS IN PUBLIC PLACES

7.1 CONTROL OF DOG IN PUBLIC PLACES

7.1.1 No person shall cause or permit or allow any dog or dogs that they own or are responsible for or are in possession of to be at large in or remain on any public place or private way or any land or premises other than land or premises owned and/or occupied by the owner or person responsible for the dog.

7.1.2 Menacing and Dangerous dogs must be muzzled and on a lead or leash when in any public place or area.

7.1.3 Nothing in Clause 7.1 shall apply to Disability Assist dogs.

7.2 PROHIBITED DOG AREAS

7.2.1 No person shall cause or permit or allow any dog onto or into any place or area designated as a PROHIBITED AREA.

7.2.2 The Council may, by publicly notified resolution, designate an area within the District or under its control to be an area prohibited to dogs.

7.2.3 The areas designated as prohibited are listed in Schedule 2 to this Bylaw.

7.2.4 Nothing in Clause 7.2 shall apply to any Disability Assist dogs.

7.2.5 Areas prohibited to dogs shall be publicly notified and marked by at least one sign.

7.3 ON-LEAD AREAS

7.3.1 The Council may, by publicly notified resolution, designate dog ON-LEAD areas.

7.3.2 The areas designated as ON-LEAD areas are listed in Schedule 3 to this Bylaw.

7.3.3 Areas designated as “on-lead” will be publicly notified and may be marked by appropriate signs.

7.3.4 Nothing in Clause 7.3 shall apply to Disability Assist dogs or Working Dogs in rural areas.

7.3.5 If a litter bin or similar container is available in a public place, the owner may dispose of the dog’s faeces after enclosing the faeces in a suitable plastic or leak proof bag.

7.4 OFF-LEAD EXERCISE AREAS

7.4.1 The Council may, by publicly notified resolution, designate dog OFF-LEAD exercise areas.

7.4.2 The areas designated as OFF-LEAD exercise areas are listed in Schedule 4 to this Bylaw.

7.4.3 Areas designated as "OFF-LEAD exercise areas" will be publicly notified and shall be marked by appropriate signs.

7.4.4 The owner or person responsible for the dog shall keep the dog under control and shall have in their possession a leash or lead at all times.

7.4.5 Any bitch 'in season' (on heat) is to be prohibited from any OFF-LEAD exercise areas.

7.5 FOULING IN PUBLIC PLACES

7.5.1 Every dog owner or person responsible for any dog which fouls in any public place or on land not occupied by the owner must remove and dispose of the faecal matter immediately in a way that does not cause a nuisance.

7.5.2 Every dog owner or person responsible for any dog shall at all times, when in a public place or off-lead exercise area with their dog, carry a suitable receptacle to enable them to remove any faeces of that dog immediately.

7.5.3 If a litter bin or similar container is available in a public place, the owner may dispose of the dog's faeces after enclosing the faeces in a suitable plastic or leak proof bag.

7.5.4 No offence shall be deemed to have been committed against this Bylaw where the owner or person responsible for or in possession of the dog removes the dog's faeces immediately for disposal in a hygienic manner

8. INFECTED OR IN SEASON DOGS

8.1 No person owning or having control of or in possession of any dog infected with an infectious disease shall take the infected dog into any public place or allow it to wander free and at large.

8.2 The owner or person responsible for any dog infected with an infectious disease shall ensure that the dog is properly treated and, unless taking the dog for treatment, shall ensure that the dog is confined to land occupied by the owner while it is so affected.

8.3 Where there is two (2) or more dogs kept at privately owned land or premises and only (1) dog is infected with an infectious disease, provision must be made to quarantine the affected dog within a dog-proof enclosure away from unaffected dogs or other animals.

8.4 If a dog is suffering from an infectious disease (such as fleas, worms, or a virus) or is in season (on heat), exercising must be carried out on the owner's property until the dog is no longer infectious or in season.

9. NUISANCE, MENACING OR DANGEROUS DOGS

9.1 The owner or person responsible for any dog or the owner and/or occupier of the land or premises where any dog or dogs are kept shall:

- a) Keep every bitch in season (on heat) on the premises confined within a dog-proof enclosure but adequately exercised whilst it is in that condition for the duration of the oestrus cycle;
- b) Take such steps as are necessary to prevent dogs on the premises from causing a nuisance to any other person, stock, poultry, domestic animal or protected wildlife (this includes excessive barking);
- c) Take such steps as are necessary to prevent dogs on the premises from causing damage to or endangering any property adjoining or in the surrounding neighbourhood;
- d) Be requested to comply with actions specified in Clause 5.1.2 or any other action as may be deemed necessary by an Animal Control Officer.

9.2 Menacing and Dangerous dogs must be muzzled and on a lead or leash when in any public place or area.

9.3 The Council may prohibit any dog classified as a dangerous dog from being exercised in any particular area or areas which shall be specified in a notice given to the owner or person responsible for the dog.

9.4 Any person served a notice under Clause 9.3 may object in writing to Council who shall consider the objection and may confirm, modify or cancel the notice.

9.5 Any person who behaves so as to cause any dog in any public place to become aggravated causing the dog to become a nuisance, menacing or dangerous; whether or not that person is the owner; shall be guilty of an offence against this Bylaw.

10. IMPOUNDING

10.1 Any dog found at large, roaming or in breach of this Bylaw may be impounded by the Dog Control Officer, Dog Ranger or duly authorised officer of Council.

10.2 Any dog found in a public place not being an OFF-LEAD exercise area and not being on a leash or lead shall be considered uncontrolled and/or at large and may be seized and impounded by any Dog Control Officer, Dog Ranger or duly authorised officer of Council.

10.3 Any owner or person responsible for a dog impounded on two (2) or more occasions within any two (2) year period may be required to neuter the dog.

10.5 No dog shall be released from any pound of the Council unless:

- a. Proof of ownership and identity of the dog is established; and
- b. In the case of any dog three or more months of age, the current annual registration fee payable under the Dog Control Act 1996 is paid unless such fee has previously been paid; and,
- c. Payment has been received of any other fees and/or charges that have been issued by the Council under this bylaw or the Dog Control Policy; and,
- d. Any dog three or more months of age where the dog is registered or unregistered and impounded by the Council, the dog shall be microchipped prior to release.

10.6 It shall be an offence for any person to remove any dog from any pound without the approval of the Council and then only in accordance with Clause 10.5.

10.7 Council will destroy any impounded dog after seven days if the owner is not known or cannot be located or after all reasonable steps have been taken.

11. DOG HOSPITALS, BOARDING, BREEDING KENNELS

11.1 No person shall establish, maintain any hospital, home, boarding or breeding kennels for dogs except on a site approved by the Council and subject to such conditions as may be reasonably imposed. In addition, a Resource Consent may be required under the Resource Management Act 1991.

12. OFFENCES

12.1 Any person commits an offence against this Bylaw, who:

- a) Contravenes, or permits a contravention of the provisions of this Bylaw and any notice issued pursuant to this Bylaw; and
- b) Does not cease any action which that person is required to cease under this Bylaw; and
- c) Obstructs or hinders any officer in the exercise of any power conferred by this Bylaw.

12.2 Every person who commits a breach of any provision of this Bylaw may be issued with an infringement notice under Schedule 1 of the Dog Control Act 1996 or shall be liable for summary conviction to a fine not exceeding \$20,000 prescribed by section 242(4) of the Local Government Act 2002.

12.3 Council may apply for an injunction preventing a person from continuing to breach this Bylaw, in accordance with section 162 of the Local Government Act 2002.

12.4 Council may impound any dog in accordance with Clause 10 Impounding where there is a breach under Clauses 3.3 and 7.1 relating to the Control of Dogs.

12.5 Council may disqualify a person from owning a dog or declare them to be a probationary owner in accordance with the Dog Control Act 1996.

13. NOTICES

13.1 Any notice required by this Bylaw to be given in writing to the owner and/or occupier of any premises may be posted or delivered to that person by normal mail or may be affixed to the premises, and shall be deemed to have been served.

13.2 Every person who commits a breach of any provision of the Bylaw shall be liable to an infringement fine as specified in the Dog Control Act 1996.

14. DISPENSING POWER

14.1 The Council may grant a dispensation from full compliance with any provision in this Bylaw where it is of the opinion that full compliance would needlessly and injuriously affect any person or business without corresponding benefit to the public or any section of it.

14.2 Written applications for dispensation shall be made to the Council giving full details of and the reasons why relief is sought.

14.3 The Council may in its absolute discretion, either refuse the application, or grant it subject to such conditions as it may consider appropriate.

14.4 The Council may impose a fee or charge for any hearing or consideration of any application under this clause for a dispensation.

15. COMMENCEMENT OF BYLAW

THE COMMON SEAL of THE WAIROA DISTRICT COUNCIL

was affixed this [day of May 2017] in the presence of:

MAYOR

A signed and sealed copy is available on request from the Main Council Offices.

CHIEF EXECUTIVE

SCHEDULE 1: APPLICATION FOR A LICENCE TO KEEP THREE OR MORE DOGS ON A PROPERTY

FULL NAME OF APPLICANT: [Click here to enter text.](#)

DATE OF BIRTH OF APPLICANT: [Click here to enter a date.](#)

PROPERTY ADDRESS FOR WHICH A LICENCE IS SOUGHT:

[Click here to enter text.](#)

PHONE NUMBER OF APPLICANT: [Click here to enter text.](#)

NUMBER OF DOGS OVER THE AGE OF 3 MONTHS: [Click here to enter text.](#)

NAMES OF CANINE OBEDIENCE CLUB OR RELATED AFFILIATIONS:

[Click here to enter text.](#)

DETAILS OF DOGS

REG NO.	NAME	COLOUR	BREED	AGE	SEX

Any or all dogs are kept for breeding purpose ☐

If there is an existing permit to keep 3 or more dogs please attach a copy to the permit as evidence.

Sketch attached ☐

Please attach a sketch of the property showing the position of all kennels and runs of the property. Please note on the boundaries in the sketch where the parties noted in the below section reside.

Names and addresses of person/s whose property has a common boundary with the land on which the dogs are to be kept:

1. Name and address [Click here to enter text.](#)

2. Name and address [Click here to enter text.](#)

3. Name and address [Click here to enter text.](#)

4. Name and address [Click here to enter text.](#)

DECLARATION BY APPLICANT

I, Full name of applicant [Click here to enter text.](#) , declare the information above to be correct and hereby apply for a licence to keep [insert number of dogs] [Click here to enter text.](#) on the abovenamed property.

Signatures:

Permit Holder

Dated:

APPROVED/DECLINED

Bylaw Officer

Dated:

SCHEDULE 2: PROHIBITED AREAS

All dogs with the exception of Disability Assist Dogs are prohibited from the following areas:

1. All school grounds throughout the district
2. All pre-school/kindergarten/early childhood centre facilities throughout the district
3. All playgrounds throughout the district
4. All sports facilities throughout the district
5. Wairoa District Council buildings
6. Any other areas as that Council deems necessary, either permanently or temporarily, and which will be publicly notified and sign-posted accordingly.

SCHEDULE 3: ON-LEAD AREAS

Dogs shall only be allowed in the following areas while under continuous direct physical control by its owner or responsible person by way of an effective lead or being carried in a vehicle while tethered to the vehicle.

- a) Streets within any residential or commercial area and all public places within these; and,
- b) All public parks, carpark, public reserves and parts of parks and reserves under the control of Council which are neither prohibited areas, or off lead areas.

SCHEDULE 4: OFF-LEAD EXERCISE AREAS

The following areas are designated off-lead exercise areas:

- a) Private properties with suitable means of containment of the dogs;
- b) Old landfill site at Fraser Street (please see Map A for precise area);
- c) Alexandra Park from the Motor Camp to the water ski club building (please see Map B for precise area);



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PERSON RESPONSIBLE:	Chief Operating Officer	FILE REFERENCE:	A.04.11/ I.09
CATEGORY:	Regulatory	STATUS:	DRAFT
DATE REVISED POLICY ADOPTED:		APPROVAL BY:	Council
REVIEW PERIOD:	5 Years and As required	NEXT REVIEW DUE BY:	2022
DATE PREVIOUSLY ADOPTED:	13 September 2011	REVISION NUMBER:	1

INTRODUCTION

This policy on dogs is prepared in accordance with the requirements of Section 10 of the Dog Control Act 1996 (the Act) and originally came into force in 2011. This section requires every territorial authority to adopt a policy in respect of dogs within its district and requires the policy to be reviewed at least every five years.

ROLE AND LEGISLATIVE FRAMEWORK

The primary focus of Wairoa District Council's Dog Control services is to provide a cost effective and professional service through monitoring, compliance and enforcement activities. Council's principal involvement in dog control is in response to the legislative obligations set out in the Dog Control Act 1996.

This includes:

- The maintenance of the National Dog Database and the registration of dogs within the District, including the identification and processing of unregistered dogs.
- Providing a dog ranging service and facilities for the impounding and care of stray and seized animals.
- Providing public education on dog control ownership and safety.
- Providing a compliant investigation and resolution service, including an after-hours service.
- Classifying specified breeds of dogs as dangerous or menacing.
- Microchipping specified dogs.
- Monitoring and enforcing the provisions of the Dog Control Act and Council's Dog Control Bylaw.

The legislation sets out Council's and dog owners' responsibilities. The Council's approach to dog control is one of assisting owners to understand their responsibilities,

rewarding those owners who exercise good control of their dogs and taking any necessary action against those who do not meet their obligations.

POLICY & BYLAW REVIEW PROCESS

The Council has previously determined that it is necessary to have controls on dogs in addition to the controls provided by the Dog Control Act 1996, and a Bylaw is the most appropriate means of achieving this.

Section 10AA of the Dog Control Act 1996 requires the Dog Control Policy to be reviewed, if after a review of its Dog Control Bylaw, the territorial authority considers the Bylaw should be amended, revoked or replaced.

The Dog Control Bylaw is required to be reviewed in accordance with sections 158 and 159 of the Local Government Act 2002. If after the review process the territorial authority considers that the Bylaw should be amended, revoked or replaced, the proposed Bylaw must be open to public consultation in accordance with the Special Consultative Procedure set out in section 86 of the Act. The proposed Bylaw changes will therefore be open to public submission and submitters have the opportunity to appear before the Council in support of their submissions.

PLANNING & BUDGETARY FRAMEWORK

The Long Term Plan identifies the total financial commitments, broad work programmes, and overall funding requirements for Council activities.

At an operational level the Bylaw Compliance Activity Plan identifies in detail financial and funding requirements for Council's Dog Control unit and more detailed work programmes and targets and outputs.

Bylaws of the Wairoa District Council are designed to support the Dog Control Policy.

WHAT IS A RESPONSIBLE OWNER?

A responsible owner is someone that:

- Chooses the right dog and treats them well.
- Ensures their dog has adequate exercise.
- Considers the health benefits for their dog of neutering them at an early age.
- Registers and microchips their dog.
- Teaches their dog basic obedience (keeps their dog under control at all times).
- Knows the best locations where they are allowed to take (exercise) their dog.
- Is particularly vigilant near children and closely supervises interaction between children and their dog.
- Knows when their dog will ignore commands: put dog on-leash, shorten leash, or avoid the area altogether (even if in an off-leash area).
- Respects other people's personal space. Public places are for everyone's enjoyment and not everyone is fond of dogs.
- Ensures their dog cannot leave their property by itself.
- Knows when their dog must be on a leash, and always carries a leash.
- Picks up after their dog and carries the means (e.g. a bag) to pick-up their dog's faeces.

PURPOSE

The purpose of this policy is to provide a practical framework to give effect to the Act regarding the care and control of dogs throughout the Wairoa district in order to minimise any danger, distress or nuisance caused by dogs to the community in general whilst ensuring the wellbeing and welfare of dogs is protected through responsible ownership.

POLICY OBJECTIVES

The expected outcomes to be achieved as a result of this policy are:

1. Effective dog control practices and the proper control of dogs at all times
2. Minimise the risk of dog attacks
3. Ensure appropriate levels of monitoring and enforcement of dog control legislation
4. An enjoyable environment and lifestyle where both dogs and people can happily and peacefully co-exist

The community expects dog owners to act responsibly. Many in the community believe dogs can play a positive role in society and provide enjoyment for individuals and families. Council believes that by formulating a Dog Control Policy it can balance these two perspectives by encouraging owners to make better provision for the control and care of their dogs as well as clarifying how and why it undertakes dog control functions.

POLICY STATEMENTS

There are 19 policy points that current dog owners must adhere to and prospective owners should consider before taking a dog into their care.

STATEMENT 1: COUNCIL BYLAW

1.1 The Council is empowered under the Local Government Act 2002 and the Dog Control Act 1996 to make and enforce Bylaws for the following purposes:

- Prescribing minimum standards for the accommodation of dogs.
- Regulating and controlling dogs.
- Requiring dogs to be on-lead at all times in public places
- Defining prohibited, on-lead areas and off-lead or exercise areas.
- Requiring owners to immediately remove faeces left by their dog(s) defecating in public places.
- Providing for breeding kennels and breeding of dogs.
- Requiring bitches „in season“ to be confined.
- Providing for the impounding of dogs.
- Limiting the number of dogs that may be kept.
- Providing for the licensing of additional dogs, or
- Any other purpose that from time to time Council deems necessary or desirable to further control dogs.

1.2 Council has a Dog Control Bylaw that outlines matters regarding (but not limited to): obligations of dog owners (registration, microchipping etc.); number of dogs on land or premises; standards for keeping dogs; dogs in vehicles; dogs in public places; infected dogs; nuisance, menacing, or dangerous dogs; impounding; breeding kennels; offences; notices; dispensing power; and, commencement of bylaw.

1.3 This policy should be read in conjunction with the bylaw by dog owners and prospective dog owners in order to ensure an understanding of their ownership responsibilities under the Council's policy and bylaw.

STATEMENT 2: CARE OF DOGS

2.1 Dog ownership carries with it responsibilities to provide proper care, attention and facilities. Failure to do so can lead to unhealthy conditions for the dog and give rise to nuisance to neighbours through odours, vermin, pests, and noise from dogs barking or howling.

2.2 Dog owners shall be required to keep their dogs in clean and hygienic conditions and maintain appropriate facilities for the housing and care of dogs in a good state of repair.

2.3 Council may prohibit the keeping of dogs on properties that can result in a nuisance or a health risk being generated in accordance with the relevant bylaw provisions¹.

¹ RELEVANT SECTIONS OF BYLAW

STATEMENT 3: IMPOUNDING OF DOGS

3.1 The Council's dog pound is not open to the public due to health and safety issues posed by dangerous dogs, only authorised Council officers will be permitted entrance to the Council's dog pound. There are no exceptions to this policy statement.

3.2 Any dog found in breach of the Council's policy or bylaw, may be impounded and held until claimed by the owner, or destroyed if not claimed by its owner within seven days².

3.3 Impounded dogs shall only be released when:

- Proof of ownership has been established;
- The dog has a working microchip (where applicable);
- Registration fees have been paid (where applicable); and,
- When payment is received of all other fees and charges that have been issued by the Council under this policy or the bylaw.

3.4 Costs are incurred by Council in catching, collecting, housing and feeding the dogs as well as for the administration of impounded dogs – where possible these will be passed on to the dog owner in question. It is important that impounded dogs are returned to their correct owners as soon as possible and that costs are fully recovered to ensure that costs do not become a burden on ratepayers.

3.5 Any dog impounded that does not have a working microchip in accordance with Council's bylaw will be microchipped at the owner's cost before being released. The relevant charge can be found in the Council's Fees and Charges schedule – this is set every year through either the Annual Plan or Long Term Plan process.

3.6 It shall be unlawful to remove any dog from the pound, or from a Council vehicle without the approval of a Council officer who holds the appropriate delegations to do so.

² Relevant bylaw section

STATEMENT 4: RELINQUISHMENT OF DOGS

4.1 To prevent the release of unwanted dogs into the community, the Council will accept dogs into the pound for disposal, in appropriate circumstances for a fee and upon receipt of a declaration of release from the owner. Owners may voluntarily relinquish a dog in order to resolve a problem and when they have accepted responsibility for a complaint received by the Council under the Dog Control Act 1996.

4.2 Dogs may be accepted for relinquishment, as a means of resolving a complaint or for a fee, and upon receipt of a declaration of release from the owner.

4.3 The service shall be provided without any privileges, concessions or offerings being made to the owner.

STATEMENT 5: FEES & CHARGES

5.1 The majority of impoundings are caused by dogs wandering at large. Some are seized following an offence under the Dog Control Act 1996 by which seizure is an option. In general, impounding of wandering dogs reflects a lack of the responsibility by dog owners and the actual and reasonable cost of recovery should follow user-pays principles. Payment of impounding costs shall therefore squarely lie with the owner of that dog and not the ratepayer.

5.2 Revenue collected shall reflect the actual and reasonable cost of the time involved in the recovery, the cost of transport, the provision of food, veterinary care, microchipping, shelter and maintenance of the pound. The charge shall also reflect the imposition of a penalty for a breach of Council's Dog Control Bylaw.

5.3 All registered dogs impounded must be microchipped prior to release, in accordance with section 69A(4) of the Dog Control Act 1996.

5.4 Payment of impounding fees shall be required from all dog owners prior to release of any dog from the pound.

5.5 The fees shall be set at a level so as not to discourage the retrieval of a dog from the pound whilst covering the actual and reasonable costs incurred by Council.

5.6 The fees shall increase to impose a greater penalty element for any subsequent impounding of that same dog.

5.7 No unregistered dog or dog impounded shall be released until payment of registration and microchipping fees has been received.

5.8 Sustenance charges shall be set to recover all the costs of feeding, housing and caring for dogs in the pound.

5.9 Registration fees, infringement fees, and other relevant fees and charges will be set in the annual Fees and Charges schedule. Council's bylaw will outline any additional fees/charges for any infringement of the bylaw.

5.10 Dog registration fees shall be calculated to provide sufficient revenue to fund the service.

5.11 Currently Council's funding policy indicates a 10% input from Rates to recognise the Public Good aspect of Dog Control.

5.12 The Dog Control Act also requires that all monies received for Dog Control may only be spent on such activities. All excess money shall be placed in the Dog Control reserve account for use in following years.

5.13 Time and costs associated with monitoring and compliance activities, investigating complaints, and generally carrying out dog control activities will be reflected in the dog registration fees.

5.14 Dog registration fees shall be set to ensure that all costs associated with monitoring, investigation, compliance and general dog control activities are adequately funded.

5.15 The funding of the Dog Control operations will be derived from dog owners and the community generally where this is deemed appropriate by Council.

5.16 A discount scheme will be provided for those owners who pay on time, and for those who acquire Selected Owner Status – as per the Selected Owner Policy.

5.17 Dog control funds shall be set aside for the sole purpose of funding dog control activities.

5.18 Fees and charges not specifically provided for in the Council's Fees and Charges schedule shall be set to recover all the costs reasonably incurred by Council.

STATEMENT 6: DANGEROUS DOGS

6.1 Section 31 of the Dog Control Act 1996, allows the territorial authority to classify dogs as dangerous. Council will classify dangerous dogs, in accordance with the provisions of the Dog Control Act 1996. Through this policy and the bylaw, Council will create a regulatory requirement for more responsible dog ownership of dangerous dogs.

6.2 The owner of a dangerous dog shall:

- a) Be given notice of the dog's classification in writing.
- b) Be allowed to object to the classification and be heard by Council in a hearing (subject to the payment of any hearing fees and charges).
- c) Be given notice of Council's decision on any objection and the reasons for that decision as soon as practicable.
- d) Comply with the requirements of the Dog Control Act 1996 to keep the dog securely fenced within a portion of the owner's property so that it is not necessary to enter the secured area in order to obtain access to any dwelling on the property.
- e) Comply with the requirements of the Dog Control Act 1996 to ensure that the dog is not at large or in any public place or private way unless confined completely within a vehicle or caged or muzzled and controlled on a leash or lead.
- f) The dog must also be neutered.
- g) Pay the Class D – Dogs classified Dangerous registration fee (as set by Council in the annual Fees and Charges)
- h) Not dispose of (e.g. sell or give) the dog to any other person without Council's written approval.
- i) Shall advise any person in possession of the dangerous dog of the requirement to muzzle, cage, and leash the dog when in public as outlined in point E.
- j) Shall ensure that the dog is microchipped.

STATEMENT 7: MENACING DOGS

7.1 Section 33A of the Dog Control Act 1996, allows the territorial authority to classify dogs as menacing. Furthermore section 33C requires that Council must classify the breeds or types in Schedule 4 of the Dog Control Act 1996 as menacing. Through this policy and the bylaw, Council will create a regulatory requirement for more responsible dog ownership of menacing dogs.

7.2 Council may classify menacing dogs in accordance with the provisions of the Dog Control Act 1996.

7.3 The owner of a menacing dog shall:

- a) Be given written notice of the dog's classification.
- b) Be allowed to object to the classification and be heard by Council in a hearing (subject to the payment of any hearing fees and charges).
- c) Be given notice of Council's decision on any objection and the reasons for that decision as soon as practicable.
- d) Comply with the requirements of the Dog Control Act 1996 to keep the dog muzzled and/or caged and controlled on a leash or lead when in a public place or private way.
- e) The dog must be neutered within 1 month of receipt of notice of classification.
- f) Advise any person in possession of the menacing dog of the requirement to muzzle/cage the dog when in public, as outlined in Point D.
- g) Ensure that the dog is microchipped.
- h) Pay the Class M – Dogs classified Menacing registration fee (as set by Council in the annual Fees and Charges)
- i) Not dispose of (e.g. sell or give) the dog to any other person without Council's written approval.

7.4 Council must classify all dogs belonging to the breed or type, listed in Schedule 4 of the Dog Control Act 1996 as menacing.

STATEMENT 8: MICROCHIPPING

8.1 Section 36A of the Dog Control Act 1996, requires dogs to be provided with a permanent identification. Dogs registered as Working Dogs under the Dog Control Act 1996 are exempt from microchipping requirements.

8.2 Microchipping will ensure that dogs can be permanently and easily identified, provide a secure link to their owner and will also facilitate the reuniting of the dog with its owner in instances where it has strayed from its property.

8.3 In accordance with the Dog Control Act 1996, Council will ensure that systems are in place to provide information to the National Dog Control Information Database.

8.4 Council requires dogs to be microchipped in accordance with the Dog Control Act 1996 as stated in the bylaw³.

8.5 Any registered or unregistered dog impounded that has not been microchipped will be microchipped prior to release. Owners of impounded dogs will be given the choice of having their dog microchipped by Council or their vet – this must take place at the pound prior to release of the dog.

8.6 A fee will be charged to cover any microchipping and administration costs incurred by Council. The fee will be reviewed annually to cover costs incurred. This service is available to all dog owners in the district, not just owners of impounded dogs.

³ Section 3.2

STATEMENT 9: PROHIBITED AREAS

9.1 Council recognises that there are areas in the district where the presence of a dog is undesirable such as;

- a) Areas of high activity used by people in pursuit of sporting or recreational activities;
- b) Areas where dog fouling would have a higher chance of causing a health risk;
- c) Areas where the presence of dogs threaten the peace or comfort of those present.

9.2 Dogs (with the exception of identifiable disability assist dogs as per statement 14) are prohibited from the following areas (in line with the bylaw):

- a) Wairoa District Council buildings including public libraries, and public swimming pools/paddling pools;
- b) Children's playing areas under the control of the Wairoa District Council;
- c) All areas under the control of the Wairoa District Council set aside for organised games or sports;
- d) Any other areas as that Council deems necessary, either permanently or temporarily, and which will be publicly notified and sign-posted accordingly.

STATEMENT 10: ON-LEAD AREAS

10.1 In many cases dogs form an integral part of family life or offer companionship to their owners. While it is desirable to prohibit dogs in areas of high public usage, it is recognised that socialising is an inherent requirement for both owners and dogs. In such cases it will be necessary for dogs to be under more stringent control by the use of a leash or enclosure in a vehicle.

10.2 Constraint via a leash will:

- a) Ensure proper control of a dog in areas of high activity;
- b) Enable fouling to be immediately recognised and cleaned up; and,
- c) Enable secure tethering of the dog when momentarily left unattended.

10.3 Dogs shall only be allowed in the following areas while under continuous direct physical control by its owner or responsible person by way of an effective lead or being carried in a vehicle while tethered to the vehicle.

- a) Streets within any residential or commercial area and all public places within these.
- b) All public parks, carparks, public reserves and parts of parks and reserves under the control of Council which are neither prohibited areas, or off lead areas

STATEMENT 11: OFF-LEAD EXERCISE AREAS

11.1 Council has a legal requirement to have regard to;

- a) The exercise and recreational needs of dogs under section 10(6) of the Dog Control Act 1996 in that the Council must give effect to a policy by making a bylaw. However it is noted that this policy does not mandatorily require the designation of OFF-LEAD Exercise Areas.
- b) The need to minimise danger, distress and nuisance to the community generally would be met if areas where dogs may be exercised at large were specifically provided. This would not only allow dog owners' freedom areas but signal to the public generally to expect the presence of dogs in those areas.

11.2 However, Council does recognise that it may not be practical or enforceable to require dogs at all time to be on lead and/or leash control.

11.3 Dog owners however have a responsibility to ensure that animals do not cause a nuisance, run amongst traffic, and to remove and appropriately dispose of any dog faeces. Any dog off a lead must therefore be kept under continual surveillance and be responsive by verbal calls, hand signals, whistles or other commands from the owner or person responsible for, or in charge of, the dog at any time.

11.4 Private properties with suitable means of containment of the dogs shall be declared an OFF-LEAD exercise area.

11.5 Council may from time to time designate dog OFF-LEAD exercise areas in the bylaw.

11.6 Any such public places, specifically identified by Council, will be notified to the public and sign-posted accordingly.

STATEMENT 12: PROBATIONARY OWNERS

12.1 Section 21 of the Dog Control Act 1996 allows the territorial authority to classify owners as probationary owners if they are convicted of any offence against the Dog Control Act, or other Acts or they commit three or more infringement offences within 24 months.

12.2 This policy aims to indicate to the public generally that poor dog control is not acceptable and to create a regulatory requirement for more responsible ownership. Irresponsible dog owners should be penalised for their actions.

12.3 Council shall adopt a classification of probationary owners in accordance with the Dog Control Act 1996. A probationary owner shall;

- a) Be given notice of the classification as soon as possible in writing;
- b) Be allowed to object to a classification and be heard by Council in a hearing (subject to the payment of any hearing fees and charges);
- c) Be so classified for 24 months unless terminated earlier;
- d) Not own a dog other than those they already own;
- e) Pay a surcharge of 50% on all Dog Control fees payable;
- f) Pay a surcharge of 5% of annual Dog Control fees for each month of any part year the classification applies;
- g) Dispose of any unregistered dog in their possession;
- h) Be so classified over the whole of New Zealand.

12.4 In accordance with the Dog Control Amendment Act 2003, a “probationary owner” will be required to undertake a dog owner education programme or a dog obedience course with each dog that they own (or both).

STATEMENT 13: DISQUALIFICATION OF AN OWNER

13.1 Section 25 of the Dog Control Act 1996 allows a territorial authority the power to disqualify a person from being an owner of a dog if they are convicted of an offence (not being an infringement offence) against the Dog Control Act 1996 or they are convicted of an offence against Part 1 or Part 2 of the Animal Welfare Act 1999, section 26ZZP of the Conservation Act 1987, or section 561 of the National Parks Act 1980, or they commit three or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months.

13.2 In order to indicate to the public generally that repeated irresponsibility will lead to severe restriction on dog ownership, the disqualification system provides for Council to restrict ownership of dogs, where required.

13.3 Council shall disqualify dog ownership in accordance with the Dog Control Act 1996.

13.4 A disqualified owner shall;

- a) Be given notice of the classification as soon as possible in writing;
- b) Be disqualified for a period decided by the territorial authority up to five years;
- c) Be allowed to object to the disqualifications and be heard by Council in a hearing (subject to the payment of any hearing fees and charges);
- d) Dispose of every dog owned by them to a person that does not reside with them.
- e) Be so disqualified over the whole of New Zealand.

STATEMENT 14: DISABILITY ASSIST DOGS & WORKING DOGS

14.1 It is generally recognised that this class of dog poses no risk or problems to the community. The use of dogs to assist people with disabilities warrant special attention and in many cases applying bylaws relating to access would be to deny the rights of disabled persons.

14.2 It is also acknowledged that working dogs used for public duties, kept solely or principally for the purposes of herding or driving stock, and used for assisting people with disabilities are unlikely to present problems. The animals' general demeanour, their housing, location and their use as working animals ensure owner responsibility.

14.3 Council will promote and encourage access to any public place and registered premises for disability assist dogs.

14.4 In recognition of the value of dogs trained for the public good and where used by people with disabilities, dog registration fees for such dogs shall be set to recover as near practicable the cost of the registration process. Disability assist and working dogs will have their own registration classification. The registration fee for this will be set annually as part of the Council's Fees and Charges Schedule.

14.5 Such dogs may include:

- Guide dogs
- Hearing ear dogs
- Dogs kept by the: Police, Customs Department, Ministry of Agriculture, Ministry of Fisheries, Ministry of Defence, and Department of Conservation.

14.6 It is noted that the definition of Working Dog does not include dogs used for hunting.

STATEMENT 15: PERMISSION TO KEEP ADDITIONAL DOGS

15.1 Owners who can demonstrate that they are responsible dog owners and who have suitable facilities, may be granted the opportunity to keep more than 2 dogs in an urban situation⁴.

15.2 However this permit shall be subject to owners being able to ensure their dogs are controlled at all times and not causing a nuisance.

15.3 A permit is required to keep more than two (2) dogs housed on an urban property. Upon receipt of an application and fee, dog owners will be required to meet all conditions and requirement of section 4 of the Wairoa District Council Dog Control Bylaw 2011, together with the requirements of the permit application.

15.4 Any nuisance proven to be caused through having more than two (2) dogs on a property may see the permit revoked.

15.5 If the conditions of the permit have not been complied with, Council may revoke the permit.

15.6 The fee for the permit to keep more than two (2) dogs shall cover all the inspection and administration costs incurred by Council. The fee will be reviewed annually and is set out in the Fees and Charges Schedule.

⁴ Urban property refers to properties in areas zoned as Residential and Settlement in the District Plan.

STATEMENT 16: INFRINGEMENT NOTICES

16.1 An Infringement Notice is an instant fine and if paid within a certain period of time avoids the need to prosecute through the Court.

16.2 An Infringement Notice is only able to be issued for an infringement offence. The offences and fixed fines are specified in the first schedule of the Dog Control Act 1996.

16.3 Failure to comply with an Infringement Notice can lead to court proceedings.

16.4 The advantage of the Infringement Notice system is the provision of fixed, instant fines with the vagaries of judge's decisions removed. It also allows for the withdrawal of the notice at the discretion of Council Officers. Direct action with an offender reduces the cost of legal advice and infringement fees are retained by Council.

16.5 Council will use infringement notices as provided in the Dog Control Act 1996.

STATEMENT 17: OWNER AND PUBLIC EDUCATION

17.1 Owners who attend obedience courses generally have a sensible and caring attitude towards their pets.

17.2 Obedient dogs may still wander and be allowed by their owners to contravene a bylaw, foul in public places and cause a nuisance in public.

17.3 Through public and school education, people will be given the knowledge to deal with some of the situations and nuisances that they may come in contact with. That education may also lead to a more responsible attitude towards dog ownership in the future.

17.4 Council will encourage responsible dog ownership through owner education and encouragement to attend obedience and other methods of responsible dog management and control.

17.5 Council will use focus particularly on developing knowledge and good attitude towards dog ownership through community engagement and education.

17.6 Topics include:

- The correct way to approach a dog;
- Responsibilities of dog owners;
- How to read a dog's body language;
- How to behave if an aggressive dog is encountered;
- Basic care of dogs;
- Disease prevention in dogs;
- Correct way to handle a dog;
- How to control a dog; and,
- How to stop a dog barking to avoid being a nuisance.

STATEMENT 18: COMPLAINTS

18.1 Owners have a responsibility to ensure that their dogs are under control at all times. If a dog is not under control, the public have the right to report the incident to Council Officers and to expect action to be taken, in a consistent and effective manner.

18.2 The public therefore need to be aware of, or have access to, the methods of making their concerns known, how those concerns will be dealt with, what the outcome of their complaint has been, and any rights to have a review of that process undertaken.

18.3 Council endeavours to handle each complaint in a manner appropriate to the particular circumstances. The complainant will be made aware of the process when their complaint is received by a member of the Bylaw Enforcement Team.

18.4 The procedures will include methods to:

- Record the complaint;
- Ensure action is taken by officers;
- Ensure that a report on the complaint is completed;
- Ensure that the complainant is advised of the outcome;
- Provide for a means of review of the actions taken/outcome.

18.5 Complaints will be investigated promptly and within agreed levels of service.

STATEMENT 19: ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES

19.1 Dog control matters are of interest to both dog owners and the general public. Council has a responsibility to keep the public informed of dog control issues and Section 10A of the Dog Control Act 1996 establishes the process by which this must happen.

19.2 Council is required under Section 10A of the Dog Control Act 1996, to report annually on its policy and practices this is available on the Council's website.

19.3 The report is required for each financial year and must cover the administration of:

- its dog control policy
- its dog control practices

19.4 The report must include information relating to the number of:

- registered dogs in the district;
- probationary owners and disqualified owners in the district;
- dogs classified as dangerous, and menacing;
- infringement notices issued; and,
- complaints received and the number of prosecutions taken.

19.5 A copy of the report must then be sent to the Secretary for Local Government.

Kaupapa Here Ringamau Kowhiri Selected Owner Policy

DATE ADOPTED



TE WAIROA
WAIROA DISTRICT

PERSON RESPONSIBLE:	Chief Operating Officer	FILE REFERENCE:	A.04.11/ I.09
CATEGORY:	Regulatory	STATUS:	DRAFT
DATE REVISED POLICY ADOPTED:		APPROVAL BY:	Council
REVIEW PERIOD:	5 Years and As required	NEXT REVIEW DUE BY:	2022
DATE PREVIOUSLY ADOPTED:	13 September 2011	REVISION NUMBER:	1

INTRODUCTION

WHAT IS A RESPONSIBLE OWNER?

A responsible owner is someone that:

- Chooses the right dog and treats them well.
- Ensures their dog has adequate exercise.
- Considers the health benefits for their dog of neutering them at an early age.
- Registers and microchips their dog.
- Teaches their dog basic obedience (keeps their dog under control at all times).
- Knows the best locations where they are allowed to take (exercise) their dog.
- Is particularly vigilant near children and closely supervises interaction between children and their dog.
- Knows when their dog will ignore commands: put dog on-leash, shorten leash, or avoid the area altogether (even if in an off-leash area).
- Respects other people's personal space. Public places are for everyone's enjoyment and not everyone is fond of dogs.
- Ensures their dog cannot leave their property by itself.
- Knows when their dog must be on a leash, and always carries a leash.
- Picks up after their dog and carries the means (e.g. a bag) to pick-up their dog's faeces.

PURPOSE

The purpose of this policy is to provide incentive to dog owners to take good care of their dogs and be a responsible dog owner.

POLICY OBJECTIVES

As a way to encourage dog owners in our community to take good care of their dogs and be a responsible dog owner, Wairoa District Council has a Selected Dog Owner Policy.

This policy will reward responsible dog owners that are complying with the Dog Control Policy provisions and the Dog Control Bylaw with a discounted registration fee of 12.5% on top of the early payment discount.

See the Fees and Charges Schedule for more information on the discounted registration fee.

HOW TO BECOME A SELECTED OWNER

If you are a responsible dog owner and your property is a dog proof section that meets the below requirements regarding fencing, and you meet the following criteria you can apply to be a selected dog owner.

- We would prefer that your dog be neutered unless it is used specifically for breeding or show purposes
- Your dog is microchipped
- Your dog registration must always be paid before 31st July each year
- History proving good dog ownership history, no record of impounding, infringements or any justified complaints against your dog
- If you have more than two dogs on the property you must have a permit to keep more than 2 dogs

Exclusions:

- Dogs registered as Working Dogs

PROPERTY COMPLIANCE

Your dog must be contained on your property within a

- Fully fenced dog proof property, or within the property a fully fenced containment area suitable to the size of the dog.
- Containment area (enclosure) a suitable kennel raised off the ground, and size dependant on the dog

Visitors to your property must have free access to your front door, therefore you must have a suitable gated entrance to the front door, without entering the area where the dog is kept.

APPLICATION PROCESS

There is no cost to apply; applications need to be received before the 1st May, as the discount will apply from the following annual registration period i.e. 1 July that year.

Fill out the application form and return it to Council, when the form is returned an Animal Control Officer will arrange a time and day to inspect your property to ensure compliance with the requirements above. You would need to be present at the inspection to discuss the obligations of being a Selected Owner.

The Selected Owner Policy applies to the owner and only to the property that we have inspected. If you move you will need to notify us so that the new property can be inspected for compliance. If you sell or otherwise re home your dog(s) the discounted registration does not apply to the new owner.

If you have been a Selected Owner in another district, it does not automatically qualify you for this status in the Wairoa district

The Wairoa District Council reserves the right to revoke an owner's Selected Owner Policy status for any breach of the policy's conditions.

The Menacing category will be included for the first year of the policy as a trial to see whether this incentive decreases the number of incidents attended to by Animal Control Officers involving this category.

As noted above, owners of dogs registered as Working Dogs will be excluded from the discount associated with being a selected owner as their registration fees are set to only recover as near practicable the cost of the registration process as per the Council's Dog Control Policy.

Example of Discounted Registration Fees – please see Fees and Charges Schedule for current fee

Standard Breed:	Before 31 st July \$65.00 less 12.5% discount \$56.90
Menacing Breed:	Before 31 st July \$110.00 less 12.5% discount \$96.30

5.2 ADOPTION OF CLASS 4 GAMING VENUE AND BOARD VENUE POLICIES

Author: Charlotte Knight, Governance Advisor & Policy Strategist

Authoriser: John Freeman, Interim Chief Executive Officer

- Appendices:**
1. Summary of Submissions Gaming Venue [↓](#)
 2. Gaming Venue Submissions received [↓](#)
 3. Draft Statement of Proposal - Class 4 Gaming Venue Policy [↓](#)
 4. Social Impact Assessment of Class 4 Gaming Venues [↓](#)
 5. Wairoa District Council Class 4 Gaming Venue Policy adopted 10 June 2014 [↓](#)
 6. Board Venue Summary of Submissions [↓](#)
 7. Board Venue Submissions Received [↓](#)
 8. Draft Statement of Proposal - Board (T.A.B) Venue Policy [↓](#)
 9. Wairoa District Council Board (T.A.B) Venue Policy adopted 10 June 2014 [↓](#)

1. PURPOSE

- 1.1 For Council to consider the submissions under the review of the Board (T.A.B) Venue Policy and the Class 4 Gaming Venue Policy.

RECOMMENDATION

The Governance Advisor & Policy Strategist RECOMMENDS that Council adopt the Board (T.A.B) Venue Policy, and the Class 4 Gaming Venue Policy.

2. BACKGROUND

- 2.1 Under the Gambling Act 2003, applicants for Class 4 gaming venue licenses must have the consent of the territorial authority in which the venue is, or will be, situated. In order to consider and determine applications for consent, territorial authorities are required by section 101 of the Act to have a policy specifying whether or not Class 4 venues may be established in their district, where Class 4 licensed venues may be located in the district, and may also place additional limits on the number of machines per venue, which the Act sets at nine.
- 2.2 The Council currently has a policy which does not allow for new venues, for increased numbers of machines at existing venues, and for re-establishment of a venue.
- 2.3 The current policies were previously reviewed in 2014 and both were adopted by Council at their meeting on the 10th June 2014.
- 2.4 The Class 4 Gaming Venue Policy gives Council and the community influence over the location of venues, number of new venues, and number of new electronic gaming machines in the district. The Board (T.A.B) Venue Policy gives Council and the community influence over the location of new TAB venues in the district.

3. CLASS 4 GAMING VENUE POLICY

- 3.1 There have been no changes made to this policy as part of the policy proposal process.

4. BOARD (T.A.B) VENUE POLICY

- 4.1 There have been no changes made to this policy as part of the policy proposal process.

5. OPTIONS

- 5.1 The options identified are:
- a. Status quo – retain the status quo in the policy proposals and consult on the attached policies as part of the review process under the Gambling Act 2003 and the Racing Act 2003.
 - b. Alternative policy proposals – Council to make changes to one or both policies.
- 5.2 Unless Council has a particular wish to amend any of the current provisions of these policies then Option A is the preferred option.
- 5.3 There are some additional policy measures that Council could make that other local authorities have included in their policies. The impact of these would need to be looked at before being able to give advice on a specific measure desired by Council.
- 5.4 The preferred option is Option A, this meets the purpose of local government as it will help meet the current and future needs of communities for performance of regulatory functions in a way that is most cost-effective for households and businesses.

6. CONCLUSION

- 6.1 Council is asked to consider the review process for the Gaming Venue and Board Venue policies, suggest any changes they wish to see, and commence the review process for these 2 policies.

7. CORPORATE CONSIDERATIONS**What is the change?**

- 7.1 The policies that went out for consultation have no changes from when they were adopted in June 2014.

Compliance with legislation and Council Policy

- 7.2 Gambling Act 2003 (Class 4 Gaming Venue Policy)
- 7.3 Racing Act 2003 (Board (T.A.B) Policy)

What are the key benefits?

- 7.4 Council meets their legislative requirements under the Gambling Act 2003 and Racing Act 2003.
- 7.5 Continuation of current policy provisions for Class 4 Gaming Venues and TAB Venues

What is the cost?

- 7.6 Nil.

What is the saving?

- 7.7 Not applicable.

Who has been consulted?

- 7.8 The Council previously consulted the community during the last review of these policies in 2014.
- 7.9 Public consultation has been undertaken and the submissions are attached to this report.

Service delivery review

- 7.10 Not applicable

Maori Standing Committee

- 7.11 This matter has not been referred to the committee.

8. SIGNIFICANCE

- 8.1 Medium Impact
- 8.2 The policies can be amended at any time by the Council as long as the parties in the Act are notified and the special consultative procedure is used.

9. RISK MANAGEMENT

- 9.1 There are no strategic risks identified in the implementation of the recommendation.

Further Information

Racing Act 2003
Gambling Act 2003

Background Papers

Background papers for the social impact assessment of class 4 gaming venues are included at the end of that document.

References (to or from other Committees)


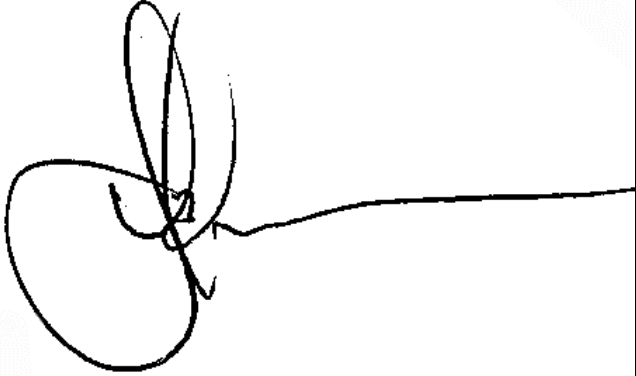
Council 10 June 2014 – Adoption of Class 4 Gaming Venue & Board (T.A.B) Venue Policies
Council 15 February 2017 – Review of Policies: Gaming Venue and Board Venue

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

	
Author Charlotte Knight	Approved by John Freeman

Name	Last	Speaking	Keep the current policy?	add/remove/change about the current poli
Shelley	Burne-Field	Yes	Yes, keep the policy as it is.	See email attachment
NZCT	C/- Tanya Piejus	No	No	See email attachment
Racing Board	C/- Jarrod True	Yes	No	See email attachment
Firstlight Community Foundation Ltd	C/- Mark Sowman	Yes	See email attachment	See email attachment

From: Wairoa District Council
To: [Charlotte Knight](#)
Subject: WDC - Submissions on Gaming Venue Policy [#3]
Date: Friday, 30 June 2017 9:20:28 a.m.

Name *	Shelley Burne-Field
Address *	<input type="checkbox"/> 210 Lyndon Road West Hastings, Hawke's Bay 4122 New Zealand
Email	shelley@trhor.org.nz
Do you wish to speak to your submission in person? *	Yes
Do you want to keep the current policy? *	Yes, keep the policy as it is.
Comments	See email attachment



Submission on the Proposed Wairoa City Council Gambling Venues Policy

To: Wairoa District Council
P.O. Box 54
Wairoa 4160
Hawkes Bay
Attn: Charlotte Knight

Submitter: Te Rangihaeata Oranga Trust

Gambling Recovery Service HB
210 Lyndon Road West,
Hastings, 4122

Proposal: Proposed: Class 4 Gaming Venue Policy Review 2017 &
TAB Venue Policy Review 2017

SUBMISSION ON PROPOSED GAMBLING VENUES POLICY REVIEW**Details of submitter**

1. Te Rangihaeata Oranga Trust – Gambling Recovery Service (HB) (the submitter) welcomes the opportunity to comment on the Proposed Gambling Venues Policy.
2. The submitter is the leading provider in Hawke's Bay for people who are affected by harmful gambling. We are a Kaupapa Māori Gambling Recovery Service that provides services with integrity to all ethnicities.
3. The submitter is well-known by the venue operators and we build relationships to help minimise harm in the district. One of the tools offered to addicted people is the ability to exclude themselves from venues. There is also an option of Multi-Venue Exclusion (MVE) which we administer in partnership with Societies, venues and the Government.
4. The submitter's goal is to help gamblers improve their own health outcomes. One way to do this is to build closer and effective relationships with Iwi, hapu, individuals, community, local and central government as well as other social services.

General Comments

5. The submitter recognises and supports the New Zealand Government stance that gambling is a public health issue (Gambling Act, 2003).
6. Gambling is often cited as a recreational and entertainment activity, however gambling is highly addictive. It can result in players displaying compulsive behaviours with loss of control to limit intake. Gaming machines (Pokie) machines are extremely addictive. They are specifically designed so players will ultimately lose.
7. Pokie gambling is not a 'fair' wager. Many problem gamblers begin playing pokie machines believing that the machine is offering an entertaining past-time. However, pokie machines are specifically designed to win – and gamblers to lose.

8. Pokies are constructed using techniques which trap players. This is widely accepted in the gaming industry. Mathematical logarithms are used to set win and loss points. Musical scores are composed to heighten perceived winnings and neutral losses. Addiction is a targeted activity.
9. The Gaming Machine industry for players is a zero sum game. Gamblers, their families, and their communities exclusively and continually lose. Societies and venue operators are the winners.
10. The submitter acknowledges the widely referenced and uncontested statistics that gaming machines (pokies) and sports betting are two of the most harmful forms of gambling in New Zealand.
11. \$664,666.85 of GMP¹ was lost in Wairoa District over THREE (3) months January – March 2017. Annual turnover in Wairoa pokies was almost \$30 million in 2016. \$2.6 million was lost in Wairoa over the year 2016².
12. \$80,000 is turned over **every day** across only **four** Wairoa venues: Clyde Hotel, Ferry Hotel, Sunset Point Sports Bar & Bistro, Wairoa Club. Through 58 machines.
13. A primary consideration around harmful pokie gambling is where the money comes from as well as where it goes? In most scenarios money is disproportionately taken from the most deprived communities. There is significant social, health and economic costs to people, families, the community, and businesses in Wairoa.
14. The submitter notes that 80% of pokie proceeds from (Stand Alone) or Agency TAB Venues which also host pokies are distributed back to the NZ Racing Board. 20% is distributed to amateur sporting codes.
15. The requirement to include a relocation policy in Council's Class 4 Gaming Venue Policy is non-compulsory. In considering any relocation policy, the most important consideration for Council (under the Act) is to 'have regard' to a robust Social Impact Assessment.

¹ Gross machine profit, or the amount wagered minus the amount won.

² Department of Internal Affairs, April 2017

16. It is important to note that simply capping numbers does not benefit at-risk gamblers, their affected families, their communities and employers. It does the opposite. A cap dramatically increases risk and opportunities for social harm.
17. If a person has a gambling addiction, then drug related disorders are more prevalent. For example, in the general population 6% of people suffer from a disorder associated with drugs. That figure skyrockets to 38% of people with a gambling addiction who also suffer from some form of drug addiction³.
18. If a person has a gambling addiction, then alcohol related disorders are also more prevalent in this population. For example, in the general population 13.5% of people suffer from a disorder associated with alcohol consumption. That figure rises to 74% of people with a gambling addiction who also suffer the effects of alcohol abuse⁴.
19. International research shows that over one-third of people with gambling problems report being the victims **OR** perpetrators of physical domestic violence. This equates to 38% for victims of intimate personal violence (IPV) and 37% for the perpetrators of IPV. Moreover, 11% of offenders of IPV report gambling problems⁵.
20. People who gamble excessively and their families have higher rates of suicide⁶.
21. Te Rangihaeata Oranga Trust – Gambling Recovery Service HB (the submitter) appreciates the opportunity to provide feedback on the 2017 Gambling Policy Review and has some comments for consideration which would further improve health outcomes for the community.

³ ABACUS

⁴ IBID

⁵ Dowling, N. A., Suomi, A., Jackson, A. C., Lavis, T., Patford, J., Cockman, S., et al. (in press). Problem gambling and intimate partner violence: A systematic review and meta-analysis. Trauma, Violence, and Abuse

⁶ Problem Gambling Canada

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Specific comments:**Wairoa District Council Class 4 Gaming Venue Policy**

22. "5. Gambling Venues"

The submitter supports the current policy setting:

- No further gaming machine venues to be established in the Wairoa District

23. "6. Gaming Machines"

The submitter supports the current policy setting:

Council will NOT grant territorial authority consent to:

- Operate gaming machines at any venue not already operating machines;
or
- Increase the number of gaming machines operating at an existing Class 4 venue above that licensed by the Department of Internal Affairs or granted territorial authority consent at the time of this policy coming into force; or
- Re-establish a class 4 venue with gaming machines once a licence is no longer held for that venue and territorial authority consent is required.

We praise the Council on utilising this policy as a mechanism to minimise gambling harm in Wairoa by attempting to reduce exposure to gaming machines (pokies).

Wairoa District Council TAB Venue Policy

24. In order to meet the objectives of the current policy, the Submitter respectfully requests that Council introduce the following clause to cap the number of TAB agencies in the Wairoa district on the grounds of minimising harm from a growing public health issue – harmful gambling:

Introduce Clause: ESTABLISHMENT OF BOARD VENUES

“Board venues are defined in the Racing Act 2003 as those premises that are owned or leased by the New Zealand Racing Board (TAB) and where the main business carried on at the premises is providing racing betting or sports betting services. Council will permit the establishment of Board venues with the total number of venues not to exceed 1 (one) venues in the District at any one time. Council believes that there are sufficient standalone Board venues to serve the demand in the District and that restrictive policy is in line with the community’s priorities of health, safety and the promotion of well-being.

Note: territorial authority consent is only required for standalone Board venues and is not required under the Racing Act 2003 to establish a TAB facility in a bar, hotel or club.”

Conclusion

25. Te Rangihaeata – Gambling Recovery Service HB wishes to be heard in support of this submission.

26. Thank you for the opportunity to submit on the review of Wairoa District Council Gaming Venue Policy.

27. Thank you for the opportunity to submit on the review of Wairoa District Council TAB Venue Policy.

Person making the submission

Shelley Burne-Field Date: 30 June 2017

Health Promoter
Gambling Recovery Service HB

Contact details

Shelley Burne-Field
On behalf of
Te Rangihaeata Oranga Trust - Gambling Recovery Service HB

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Submission to
Wairoa District Council
on the proposed
Class 4 Gambling Venue Policy

June 2017

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Executive summary

- Gaming trusts return around \$260 million to the New Zealand community every year in grants, while implementing the Gambling Act's stringent requirements for preventing and minimising harm from gambling. Many grassroots organisations would struggle or cease to operate without gaming trust funds.
- TLA gambling venue policies are critical to maintaining the infrastructure that allows community funding from gaming trusts to be sustainable long term. Sinking lid and limited relocation policies destroy this infrastructure. Council needs to take a balanced approach to community benefit and potential harm from gambling.
- Reducing the number of gaming machines in communities does not reduce problem gambling, which has been consistent at a rate of around 0.5% of the adult population since 2007, despite a decrease of over 4,000 gaming machines since then. Allowing gaming venues to relocate out of areas of high deprivation is more effective in reducing problem gambling.
- It is not gaming machines that are the problem, it is the behaviour of a small percentage of people with complex psychological issues who make a personal choice to gamble.

Community organisations rely on pub gaming to survive

The purpose of the pub gaming sector is to raise funds for the community. Many community sports, arts and other groups depend on pub gaming to survive. It is crucial that this fundraising system is sustainable long-term.

Funding to community organisations from gaming trusts reduced from \$389 million in 2004 to around \$260 million in 2016 – a decline of 33%. Seventy-five percent of groups surveyed in 2012 indicated their organisation is moderately or totally reliant on gaming funding to support their core business. Fifty-five percent said there would be a high to extreme risk to their organisation and their core business if they did not receive this funding.¹

The reduction in gaming trust funding has had a negative impact on community organisations, with many organisations and activities ceasing to operate and others severely reduced in capacity and capability. Grassroots communities are struggling with few alternative sources for funding available to replace the loss of gaming funding. Voluntary organisations are increasingly reliant on nationwide public donation campaigns to stay afloat.

In the year to 30 June 2016, the gaming trust sector as a whole raised around \$260 million² for thousands of worthwhile sports and community groups. The sector's contribution to the community through funding, in addition to the contribution to government revenue from GST, other taxes and levies, is acknowledged by the Government, prompting the current Class 4 review with its central focus on long-term sustainability of the funding model.

We anticipate that the Government will regulate to require gaming societies to return at least 80% of the net proceeds they generate to the region where the funds were raised. This means communities that do

¹ Page iii, Community Funding Survey, Point Research 2012.

² Page 13, Q11, Pokies in New Zealand, a guide to how the system works. [DIA statistics. http://www.dia.govt.nz/Gambling.](http://www.dia.govt.nz/Gambling)

not operate gaming machines will be unlikely to receive gaming grants and their local sports and community groups will suffer. NZCT voluntarily aims to return 90% of funds locally.

The pub gaming sector has experienced a significant decline

During the last 13 years the pub gaming sector has experienced a significant decline. Department of Internal Affairs (DIA) statistics show that, between 31 March 2004 and 31 March 2017:

- the number of gaming venues reduced from 2,007 to 1,197 (a 41% reduction)³
- the number of gaming machines operating reduced from 22,646 to 16,031 (a 30% reduction).⁴

Between 2004 and 2016, pub gaming expenditure fell from \$1,328 million to \$843 million (a 36.5% reduction),⁵ translating to a decline of around \$129 million in funds available for distribution to the community.

Council policies contribute to the decline in the pub gaming sector

One of the main contributors to the decline of the pub gaming sector is the inflexibility of council gambling policies, particularly those with sinking lids on gaming machine numbers, as is the case in Wairoa, and those that do not allow relocation of venues.

Such policies are based on the erroneous belief that limiting gaming machine numbers will limit problem gambling. In fact, despite the 26% reduction in gaming machine numbers during the past 10 years, New Zealand's problem gambling rate has remained consistently low at around 0.3% to 0.7% of the population. The New Zealand 2012 Gambling Study concluded "...there has probably been no change in the prevalence of current problem and moderate-risk gambling since 2006."⁶

Changes to the legislation have meant a higher minimum percentage of gaming machine profits must be returned to the community (40% up from 37.12%), putting additional pressure on many gaming societies. This may force them to shed venues not contributing enough, given other cost pressures.

Online gambling is an unregulated threat

The public has access to a growing number of overseas gambling websites where they can spend their entertainment dollar. These sites are highly accessible, even to minors, often offer inducements to keep players betting, and have no bet size restrictions or guaranteed return to players. They do not return any funds to the New Zealand community or the New Zealand Government, and have no harm minimisation measures in place.

Location of gambling machines is more important than their number

Research⁷ suggests that when it comes to preventing and minimising gambling harm, the location of gaming machines is more important than the number of gaming machines operating. The Government

³ DIA statistics: https://www.dia.govt.nz/diawebsite.nsf/wpg_URL/Resource-material-Information-We-Provide-Summary-of-Venues-and-Numbers-by-Territorial-AuthorityDistrict

⁴ Ibid.

⁵ DIA statistics: https://www.dia.govt.nz/diawebsite.nsf/wpg_URL/Resource-material-Information-We-Provide-Gambling-Expenditure-Statistics

⁶ Page 7, New Zealand 2012 Gambling Study: Gambling harm and problem gambling.

⁷ Brief Literature Review to Summarise the Social Impacts of Gaming Machines and TAB Gambling in Auckland, Gambling & Addictions Research Centre, AUT University, 2012.

acknowledged this point in 2013 when it amended the Gambling Act⁸ to require local authorities to consider adding relocation clauses to their gambling policies.

As well as harm minimisation benefits, relocation clauses provide sensible options for business owners who are otherwise at the mercy of building owners who know they have captive tenants. Relocation clauses also give councils more flexibility for re-zoning and city planning.

NZCT's recommendations

The New Zealand Community Trust recommends Wairoa District Council:

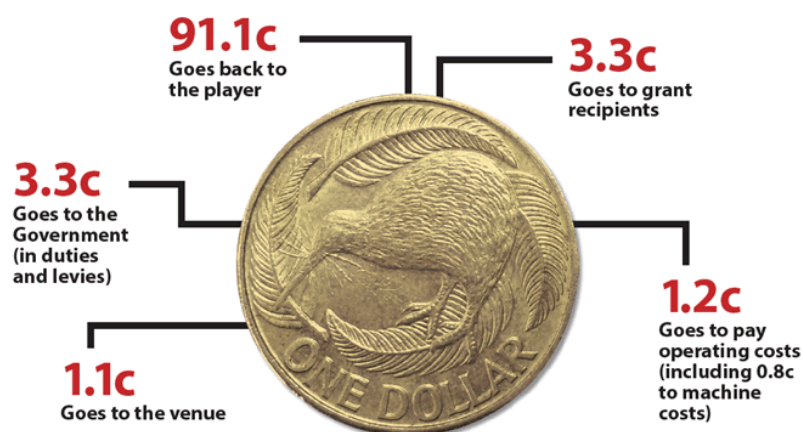
- move to a capped limit on the number of gaming machines based on the current number of gaming machines (58) or a ratio of machines to population (e.g. 1:200), rather than a sinking lid, to allow for future growth in hospitality and long-term sustainability of community funding
- include a broader relocation clause, allowing businesses with gaming machines to relocate to new premises in a wider range of circumstances. We provide a suggested clause on page 12.

⁸ Section 97A and 102(5A).

Pub gaming's vital support for the community

In most countries, gambling is purely for commercial gain. New Zealand is different. We are one of the few countries with a community-focused model for pub gaming, where the proceeds are returned to the community instead of the private sector.

For every dollar a player wagers at an NZCT gaming room, on average:



Research⁹ shows that the annual entertainment value from the pub gaming sector to recreational players is around \$250 million. The government revenue in the form of tax, duties and levies was also substantial at over \$279 million in 2014.

Grants distributed by gaming machine trusts were 10% of the total philanthropic funding to the community and voluntary sector in 2011 and was almost twice the level given by New Zealand businesses. In 2016, the amount of funds returned to the community from non-casino gaming grants was around \$260 million.¹⁰ Class 4 societies are required to distribute a minimum return of 40% to the community, on top of government fees, levies and GST, site rental, and machine and operating costs (see the chart below showing NZCT's revenue distribution for the 2015/16 reporting period).

Each year the gambling industry pays around \$18.5 million to the government, so the Ministry of Health can implement its Preventing and Minimising Gambling Harm Strategic Plan. These funds pay for the implementation of public health services, intervention services, research, evaluation and workforce development.

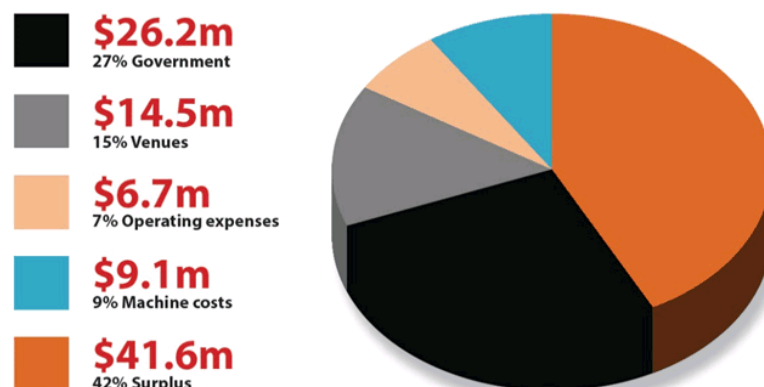
Pub gaming is tightly regulated and no more than 16% of gaming proceeds can be paid to gaming venue operators to cover site rental, including staff costs and business overheads relating to the gambling operation.

⁹ Maximising the benefits to communities from New Zealand's community gaming model, BERL, February 2013.

¹⁰ Pokie Proceeds: Building Strong Communities, DIA Website, 2016.

NZCT's contribution to community sports and other groups in 2015/16

Where the money went



In the year ending 30 September 2016, NZCT distributed \$40.9 million to 1,821 sports and community groups.

Amateur sport is our main focus, so around 80% of the grants we distribute go to sports organisations. Each year, NZCT funds around 50 different sports.

In 2015, we funded the equivalent of:

- uniforms for 46,771 rugby teams
- 2,806,236 footballs
- 5,262 four-person waka
- more than 2.1 million hours – or 241 years – of coaching
- 28 artificial playing fields.

To raise this much money themselves, our grant recipients would have had to:

- cook and sell more than 21 million \$2 sausages at sausage sizzles and every person in New Zealand would need to buy and eat four sausages, or
- sell at least four \$2 raffle tickets to every man, woman and child in New Zealand each year, or
- wash around 8.4 million cars at \$5 a wash, which would take 10 people continuously washing cars for 30 minutes each more than 48 years to achieve.

The pub gaming sector faces multiple, significant challenges

During the past 13 years the sector has experienced a significant decline. Between 31 March 2004 and 31 March 2017:

- the number of gaming venues reduced from 2,007 to 1,197 (a 41% reduction).
- the number of gaming machines operating reduced from 22,646 to 16,031 (a 30% reduction).

Between 2004 and 2016, pub gaming expenditure fell from \$1,328 million to \$843 million (a 36.5% reduction),¹¹ translating to a 33% decline of around \$129 million in funds available for distribution to the community.

As at 31 March 2017, there are four Class 4 gaming venues licensed to operate 58 electronic gaming machines (EGMs) in the Wairoa district. This is a decline from the six venues licensed to operate 76 EGMs as at 31 March 2004. This is a 33% decline in venues and a 24% decline in EGMs.

The Class 4 gambling sector is vulnerable to a number of ongoing cost pressures on what is an already-vulnerable hospitality sector. These may contribute to – or accelerate – its decline.

Increased minimum return to the community

In September 2014, regulations were promulgated that set a new minimum threshold for the return of gaming funds to the community. Societies must return a minimum of 40% of net proceeds, up from 37.12%. While NZCT achieved the 40% return in the year ending 30 September 2016, we have serious concerns about our ability to sustain this level of distribution due to other cost increases, such as the licence fee increase (see below).

We expect the minimum return rate of 40% will similarly put pressure on many gaming societies. Some societies will be forced to shed their lower-performing gaming venues to achieve this percentage return, given other cost pressures. Such venues are typically located in smaller centres, such as Wairoa. The 40% requirement may result in a lower overall dollar amount being returned to the communities through pub gaming grants. The Government's decision to limit the increase to 40%, rather than the proposed stepped increase to 42% over five years, recognised the potential for actual dollar returns to reduce under a higher percentage return.

In addition, the sector is awaiting regulatory changes that are expected to require gaming societies to return at least 80% of the net proceeds they generate to the region where the funds were raised. This means communities that do not operate gaming machines will be unlikely to receive gaming grants and their local sports and community groups will suffer.

¹¹ DIA statistics. See footnotes on page 3 for full references.

Licence fee increase

A 53% increase in Class 4 gambling licence fees was introduced on 1 February 2016. This increase added approximately \$1 million to NZCT's annual operating costs alone and has exacerbated the financial pressure imposed by the new minimum return requirement of 40%.

Increased competition

During the past four years, other modes of gambling, such as casinos, Lotto products and the New Zealand Racing Board (NZRB), have seen revenue increases – Lotto by 33%. While the Lotteries Commission does return funds to the community, casinos' profits go directly to their shareholders and the majority of NZRB distributions are directed towards the racing industry.¹² Many Lotto and NZRB products are available online and this area of their operation is growing, but the pub gaming sector is prohibited from operating online or otherwise promoting its offering.

In addition, the public has access to a growing number of overseas gambling websites where they can spend their entertainment dollar. These sites are highly accessible, even to minors, often offer inducements to keep players betting, and have no bet size restrictions or guaranteed return to players. They do not return any funds to the New Zealand community or the New Zealand Government, and have no harm minimisation measures in place.

The 2010 Health and Lifestyles Survey found that 19% of survey participants played an internet game for money through an overseas website.¹³ According to the Problem Gambling Foundation, the problem gambling rate among those who gamble on the internet is 10 times higher than that of the general population.¹⁴ We expect this form of unregulated gambling will increase exponentially.

Strict compliance requirements

The pub gaming sector is closely monitored by the DIA to ensure it complies with a complex regime of rules and regulations in addition to the Gambling Act. The resources needed to meet these compliance thresholds can be prohibitive and could explain why some people and organisations are leaving the sector.

One-off costs

One-off costs have been, and will continue to be, a challenge for societies. These include any new technological requirements imposed by regulations in the future, such as pre-commitment, player tracking or harm minimisation systems in, or associated with, gaming machines.

For example, the introduction of new bank notes in 2015 and 2016 required gaming societies to upgrade gaming machine software and hardware at significant cost. For NZCT, the cost of this project was around \$1 million. By 2 December 2015 all gaming machine jackpots had to be downloadable. Each conversion from a manual to a downloadable jackpot cost between \$3,000 and \$20,000 per venue. Based on the number of venues (1,220¹⁵) at the time, this project added a cost burden to the sector of between \$3.66 million and \$24.4 million. As a result of these two projects, gaming societies had fewer funds available for distribution to the community in the 2014/15 year.

¹² Page 6, NZRB Annual Report 2014 reports \$137.4 million total distributions, of which \$134.1 million (97%) was directed to racing.

¹³ Page 16, http://archive.hsc.org.nz/sites/default/files/publications/Gambling_Participation_final-web.pdf.

¹⁴ Problem Gambling Foundation Fact Sheet 04, July 2011.

¹⁵ DIA statistics.

The Government's response

In a media statement on 15 October 2015 relating to the passing of the Gambling Amendment Act (No.2), the Minister of Internal Affairs acknowledged the value of pub gaming grants and the need to ensure the sustainability of this funding model long-term. The sector is currently the subject of a major government review with a focus on long-term sustainability and effective allocation of funding to communities, without driving a growth in gambling.¹⁶

¹⁶ Discussion document: Review of class 4 gambling (Department of Internal Affairs, June 2016)

NZCT's position

In the following pages, we provide five reasons why we advocate for gaming venues to be allowed to relocate to new premises in a broad range of circumstances. We also provide six reasons for moving to a cap-based limit on gaming machines, rather than a sinking lid policy.

Reasons to allow gaming operations to relocate in a broad range of circumstances

Helping reduce harm

Research¹⁷ by Auckland University of Technology shows that problem gambling behaviour is influenced more by the distance to the nearest gambling venue, rather than the number of gambling venues within walking distance.

The Ministry of Health's 2013 Gambling Resource for Local Government acknowledges this point and states that one of the major factors associated with increased prevalence of problem gambling is "location and/or density of gambling venues and machines".¹⁸ The Ministry of Health also found "being a problem gambler is significantly associated with living closer to gambling venues."¹⁹ Allowing gaming operations to move out of high-deprivation areas could potentially diminish gambling harm for at-risk communities.

Supporting local hospitality businesses

Relocation clauses help ensure the continual improvement and growth of your local hospitality sector. Rather than tying gaming operations to a physical address, which may over time become a less desirable location, relocations allow gaming operators to move their business to more suitable premises. This is particularly important if premises are deemed unsafe or unusable for a lengthy period of time, such as after a fire or earthquake. The result is attractive and safe entertainment environments in your community.

Responding to future demand

Broad relocation clauses help gambling venue policies accommodate urban growth, re-zoning changes or changes in population demographics. This is not possible while gambling machine entitlements are linked to a physical address.

The DIA recommended relocation policies as a way of allowing territorial authorities to future-proof their class 4 gambling policies.²⁰

Allowing appropriate benefit and responsibility

Gaming machine entitlements sit with the property at a physical address, yet property owners are not regulated under the Gambling Act. In effect, the property owner holds the power, but has no responsibility for the gambling operation, unless they are also the operator of the site.

A broad relocation clause distributes the benefit and responsibility more fairly, enabling the gambling operator to choose where they wish to establish their business. A building owner could hike rents and ignore building maintenance because they know they have a captive tenant. In contrast, having a broad

¹⁷ Brief Literature Review to Summarise the Social Impacts of Gaming Machines and TAB Gambling in Auckland, Gambling & Addictions Research Centre, AUT University, 2012.

¹⁸ Page 21, Ministry of Health Gambling Resource for Local Government, 2013.

¹⁹ *ibid*

²⁰ Internal Affairs Policy Briefing 3: Options for improving territorial authority gaming machine policies, 28 March 2013.

relocation clause incentivises building owners to maintain and upgrade their premises to attract and retain high-quality tenants.

Parliament's directive is being acknowledged by other councils

Of the 18 local authorities that completed a gambling venue policy review in 2015, 2016 or 2017, all but three have included a relocation option or explicit clause in their new policy.

This reflects legislative change in September 2013, which required councils beginning a review of their gambling policy for the first time following the Gambling Act amendment to consider introducing a relocation clause (section 102(5A)).

Council	Submissions made	Review result
Thames-Coromandel	March 2015	Added relocation option
Wellington City	May 2015	Added relocation option
Westland	May 2015	Added relocation option
Hutt City	June 2015	Added relocation clause
Kaipara	June 2015	Added relocation option
Invercargill City	July 2015	Added relocation option
Waipa	August 2015	Added relocation option
Waitaki	September 2015	Added relocation option
Gisborne	November 2015	Added relocation option
Whakatane	April 2016	Added relocation clause
Matamata-Piako	April 2016	Added relocation clause
Southland	July 2016	Added relocation option
South Taranaki	August 2016	Added relocation option
Palmerston North	October 2016	Existing relocation option remains unchanged
Tasman	No public consultation	No relocation clause added
Otorohanga	March 2017	No relocation clause added
Hastings	March 2017	Existing relocation clause amended
Auckland	June 2017	No relocation clause added

NZCT's proposed relocation clause

Wairoa District Council's current gambling venues policy does not provide for a broad relocation clause as allowed for under section 101(3)(c) of the Gambling Act 2003. We recommend that the policy allow for relocation of venues in a wide variety of situations, for example, when an operator would like to move to newer or better maintained premises, when a change in population demographics alters the suitability of the current location, or when a building owner charges exorbitant rents.

We suggest a suitable clause:

A new venue consent will be issued by Council in the following circumstances:

- (a) *where the venue is intended to replace an existing venue within the district;*
- (b) *where the existing venue operator consents to the relocation; and*
- (c) *where the proposed new location meets all the other requirements in this policy.*

In accordance with section 97A of the Gambling Act 2003, when consent is sought to relocate a venue under this relocation provision, the new venue may operate up to the same number of machines that was permitted to operate at the old venue immediately before the old venue licence is cancelled as a result of the relocation.

Reasons to move to a cap on machine numbers, rather than retain a sinking lid

Gaming machines are an important component of your local hospitality sector and an important source of community funding

Local hospitality sector

Businesses that host gaming machines are typically pubs and hotels. These businesses contribute to your local economy, employing staff and providing hospitality options for residents and tourists.

Community funding

NZCT's primary purpose is to support amateur sport, so most of our grants go to local sports clubs. However, NZCT also grants funds to education, arts, cultural, welfare, Māori and community organisations.

We have probity processes we go through with every grant application to ensure the applicant is authentic and able to deliver the outcomes detailed in their grant application, and that any goods or services to be paid for by the grant are at arm's length and free from any conflicts of interest.

Regional funding

Between 1 May 2016 and 30 April 2017, NZCT approved 25 grants totalling \$411,953 to organisations that cover the whole Hawke's Bay region, some of which provide benefits to residents in Wairoa. Most of these grants were for amateur sports purposes. We often fund sports officers' salaries as these roles are pivotal to the success of regional sporting programmes and events. For example, we contributed:

- \$50,000 to Central Districts Cricket Association towards the salaries of their Manager, Director of Cricket and District Service Manager
- \$70,000 to Hawke's Bay Netball towards the salaries of their Administrator, Development Officer, Junior Coordinator, Operations Manager and Officials Manager
- \$10,000 to Hawke's Bay Hockey Association towards the salary of their Hockey Community Manager.

Full details of our funding across the Hawke's Bay region are in Appendix 2.

National funding

Around 10% of our grant funds go towards national organisations, such as Life Flight, Coastguard New Zealand, Barnado's New Zealand and Paralympics New Zealand, which offer benefits to the wider community.

Full details of our national funding from 1 May 2016 and 30 April 2017 are in Appendix 3.

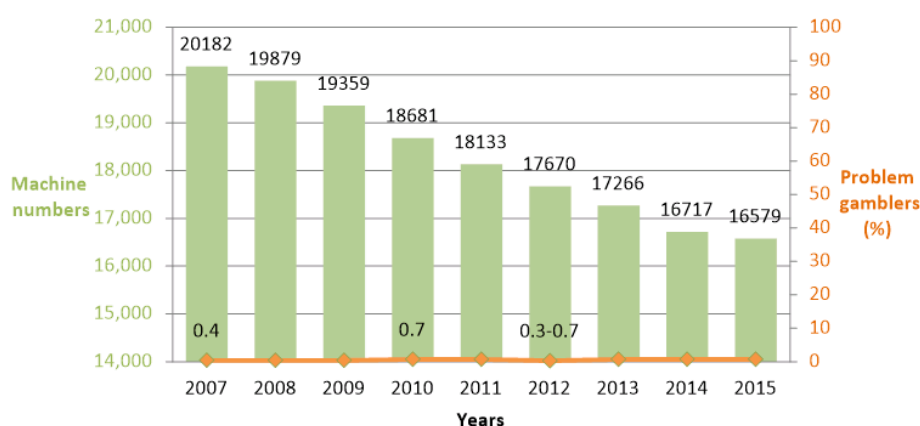
Difference between pub gaming societies, and clubs and NZRB

The pub gaming model differs from the gaming run at clubs like RSAs and in New Zealand Racing Board (NZRB) venues. Those entities are able to apply the funds they raise to their own purposes, for example, maintaining clubrooms or funding race meetings. In its 2016 annual report, NZRB advised its distributions totalled \$135.3 million to the three racing codes and only \$3 million to other sports codes. In contrast, Class 4 societies like NZCT distribute all net proceeds to the community.

Gaming machine numbers have little effect on problem gambling numbers

It is misleading and wrong to assume that fewer gaming machines will result in fewer problem gamblers. A gambling addiction is a complex psychological condition, which is influenced by many factors. As shown in the graph below, a reduction of nearly 4,000 gaming machines across the country between 2007 and 2015 has had almost no impact on the small percentage of problem gamblers nationally.

Gaming machine numbers and problem gambling prevalence 2007–2015:



Note: In the 2006/07 Ministry of Health NZ Health Survey, 0.4% of the population were categorised as problem gamblers using the Problem Gambling Severity Index (PGSI). In the 2010 Health and Lifestyles Survey, the rate increased to 0.7%. In the preliminary findings from the 2012 New Zealand Health Survey, the rate was 0.3% of the population, but the 2012 National Gambling Survey found the rate was 0.7% of people aged 18 years and over.

Gaming machines are a legal and valid entertainment choice

Pub gaming is a valid and enjoyable source of entertainment for Wairoa district residents and tourists alike. Most players regard gaming as light entertainment and know when to stop. The Gambling Commission has reminded councils and the regulator that "... conditions can only properly be imposed if they reduce the harm caused by problem gambling, as distinct from simply reducing gambling activity which is a lawful and permitted activity under the Act."²¹

We recognise that Wairoa District Council aims, through its Long-term Plan, to balance the needs of visitors and residents while achieving economic development. We support this objective and believe a vibrant hospitality sector is a vital part of achieving this outcome.

²¹ Gambling Commission decision GC 03/07.

Pub gaming brings many benefits to New Zealand. Business and Economic Research Ltd research²² has calculated that each year the entertainment value to recreational players is around \$250 million, the grants value to the community is also around \$250 million, and the Government revenue value in the form of tax, duties and levies is around \$279 million.

Problem gambling rates have plateaued

The New Zealand 2012 National Gambling Study found that the number of people who regularly participate in continuous forms of gambling, like gaming machines, decreased from 18% in 1991 to 6% in 2012.²³ The study concluded that "Problem gambling and related harms probably reduced significantly during the 1990s but have remained at about the same level despite reductions in non-casino EGM [electronic gaming machine] numbers and the expansion of regulatory, public health and treatment measures."²⁴

Prevalence of gambling by level of risk of gambling problems:²⁵

Problem gambling level	2006/07	2011/12
No gambling	34.9%	47.9%
Recreational gambling	59.9%	49%
Low-risk gambling	3.5%	1.8%
Moderate-risk gambling	1.3%	1%
Problem gambling	0.4%	0.3%

Problem gambling rates in New Zealand are relatively low

NZCT is committed to reducing and minimising the harm that can be caused by gambling. Thankfully, as can be seen in the table below, New Zealand has one of the lowest rates of problem gambling in the world.²⁶ Relatively few New Zealanders are gambling at levels that lead to negative consequences; the majority of people who gamble know when to stop.

International comparison of problem gambling prevalence:

Country	Problem gambling prevalence (% population*)
New Zealand	0.3–0.7
UK	0.6
Norway	0.7
Australia	0.5–1.0
USA	2.3
Canada	2.6
*Mixture of CPGI, PGSI and SOGS scores ²⁷	

²² Maximising the benefits to communities from New Zealand's Community Gaming Model, BERL, February 2013.

²³ Pg 8, NZ 2012 National Gambling Study: Overview and gambling participation.

²⁴ Pg 18, *ibid*.

²⁵ 2006/07 New Zealand Health Survey, 2011/12 New Zealand Health Survey preliminary findings.

²⁶ Maximising the benefits to communities from New Zealand's community gaming model, BERL, February 2013.

²⁷ A range of different measurements are available to measure problem gambling rates. CPGI refers to the Canadian Problem Gambling Index, PGSI is the Problem Gambling Severity Index and SOGS is the South Oaks Gambling Screen.

Gaming machines can only be played in strictly controlled environments

As a corporate society licensed to conduct Class 4 gambling, NZCT is fully aware of its obligations under the Gambling Act 2003. All our gaming rooms are operated by trained staff at licensed venues.

The DIA is responsible for monitoring the Class 4 gambling industry, including venue 'key persons', bar staff and societies, to ensure they adhere to legislative requirements. The penalties for non-compliance include fines, suspensions, loss of operating or venue licence and potential criminal charges.

Strict harm minimisation obligations

A key purpose of the Gambling Act is to prevent and minimise the harm that can be caused by gambling, including problem gambling. To that end, in all Class 4 gambling venues:

- stake and prize money is limited
- odds of winning must be displayed
- gaming rooms are restricted to people over the age of 18 years
- gaming rooms can only be operated in adult environments, such as pubs, nightclubs, clubs
- play is interrupted every 30 minutes with an update on how long the player has been at the machine, how much money they've spent, and their net wins and losses
- \$50 and \$100 notes are not accepted
- no ATMs are allowed in licensed gambling areas
- gaming advertising is prohibited
- the DIA monitors every gaming machine's takings
- syndicated play is prohibited
- all venues must have staff trained in gambling harm minimisation on duty whenever gaming machines are operating
- all venues must have a gambling harm minimisation policy in place
- all venues must display pamphlets and signs directing gamblers to help services
- venue staff must be able to issue and enforce Exclusion Orders
- venue staff must help problem gamblers if they have an ongoing concern about them.

NZCT's harm minimisation activities

NZCT takes all its legal obligations very seriously, none more so than those around minimising the harm that can be caused by gambling. To meet our harm prevention and minimisation requirements, NZCT provides a problem gambling resource kit to each of its gaming venues. The kit includes:

- NZCT's Harm Prevention and Minimisation Policy
- Exclusion Orders and guidance on the Exclusion Order process
- a Harm Minimisation Incident Register to record any problem gambling issues and action taken by staff
- signage, pamphlets and other problem gambling resources.

NZCT also provides all its gaming venues with harm minimisation signs to display in and around the gaming area.



Ongoing obligations

The Gambling Act obliges venue staff to provide ongoing help to a potential or current problem gambler. Offering help once, and then ignoring continued warning signs, is not sufficient. A venue is automatically in breach of the law if an excluded person enters the gambling area. Venues have to be able to show they have robust systems and processes in place that restrict excluded people from entering.

In late 2015 the Health Promotion Agency (HPA) developed a resource kit specifically to help pub staff interact with and help players. HPA interviewed 34 venue staff across the country to find out what barriers and challenges they face when interacting with gaming customers and what support they would find useful. They used this information to produce material that aims to make these interactions easier.



The kit includes posters that staff can refer to when talking to customers, a wallet card that can be given to customers, and guidelines and tips that bar staff can refer to when scanning for issues.

Training

NZCT provides face-to-face and online problem gambling training to staff at each of its gaming venues and trains over 500 staff a year.

Trainers deliver a presentation on problem gambling and take staff members through each part of the problem gambling resource kit in detail. Venue staff also have to work through an online training tool, which includes an assessment that they must pass. Refresher training is provided at regular intervals. Gaming venues are continually reminded of their obligation to ensure a person trained in harm minimisation is on duty at all times the venue is operating.

Support is available for problem gamblers

Each year the gambling industry pays around \$18.5 million to the government in the form of a problem gambling levy, so the Ministry of Health can implement its Preventing and Minimising Gambling Harm Strategic Plan (PMGH). These funds pay for the implementation of public health services, intervention services, research, evaluation and workforce development.

Two of the findings from the inaugural PMGH baseline report were that problem gambling services are effectively raising awareness about the harm from gambling, and interventions for gambling-related harm are moderately accessible, highly responsive and moderate to highly effective.²⁸

The world's largest clinical trial²⁹ for problem gambling treatment found that, one year after calling the Gambling Helpline, three-quarters of callers had quit or significantly reduced their gambling. This research provides a level of assurance for local communities, councils and the government.

²⁸ Page 16, Outcomes Framework for Preventing and Minimising Gambling Harm Baseline Report, May 2013.

²⁹ The Effectiveness of Problem Gambling Brief Telephone Interventions, AUT, Gambling & Addictions Research Centre.

Further information about our submission

For further information, or if you have any questions about NZCT's submission, contact Tanya Piejus, Communications Manager on (04) 495 1594 or tanya.piejus@nzct.org.nz.

Appendix 1 – About NZCT

Established in 1998, NZCT is New Zealand's largest gaming trust with 16% market share. Our publicans raise funds by operating gaming lounges within their pubs. In the 12 months to 30 September 2016, NZCT approved \$40.9 million in grant funding to sporting, local government and community groups nationwide.

We have twin goals of serving both our publicans and the communities in which they operate. At least 80% of the funds we distribute are directed towards sports activities, making NZCT the largest funder of amateur sports participation in New Zealand. We focus on sport because of the many positive benefits it offers communities, such as:

- crime reduction and community safety
- economic impact and regeneration of local communities
- education and lifelong learning
- participation
- physical fitness and health
- psychological health and wellbeing
- social capital and cohesion.³⁰



Overseas research³¹ has found participation in sport can lead to increased health and productivity for individuals, and increased wealth or wellbeing of society as a whole. While amateur sport is our main focus, we are also strong supporters of other worthy community activities, including local government projects. The list of grants appended to this submission shows the local organisations that have benefited from NZCT funding recently.

Who we are

We are proud of our robust grants system and of the quality of people involved with NZCT. All our trustees³² are highly regarded business and community leaders with extensive governance experience. They are supported by an experienced staff and nine Regional Advisory Committees (RACs) who add local knowledge and insight to our grant decisions.

Our Horizons RAC member who covers Hawke's Bay, Gerard Gillespie, reviews and makes recommendations on grant applications submitted by organisations in your region. Gerard has a strong interest in sport and wide networks that enable him to provide funding recommendations based on local feedback.

³⁰ Sport England's Value of Sport Monitor.

³¹ http://www.ausport.gov.au/information/asc_research/publications/value_of_sport.

³² Alan Isaac (NZCT chairman, professional director and sports administrator), Peter Dale (former Hillary Commission chief executive), David Pilkington (professional director), Kerry Prendergast (former mayor of Wellington) and Lesley Murdoch (Olympian and former New Zealand cricket captain, broadcaster).

Appendix 2: NZCT Hawke's Bay regional grants

Between 1 May 2016 and 30 April 2017, NZCT approved 25 grants totalling \$411,953.91 to Hawke's Bay regional organisations, many of which provided benefits to Wairoa residents.

Organisation	Amount	Purpose
Central Districts Cricket Association Inc	\$50,000.00	Towards salaries of Manager, Director of Cricket and District Service Manager from April 2016
Hawke's Bay Rugby Football Union Inc	\$5,000.00	Towards ground hire from 1 April 2016
Hawke's Bay Netball Centre Inc	\$70,000.00	Towards salaries of Administrator, Dev Officer, Junior Coordinator, Operations Mgr, Officials Mgr from 15 April 2016
Hawke's Bay Hockey Association Inc	\$3,500.00	Towards flights and vans hire for U18 Rep Teams travelling to Invercargill and Timaru for their National Hockey Tournament in July 2016
Hawke's Bay Cricket Association Inc	\$6,000.00	Towards salary of CEO and Women's Development Contract from July 2016
Hawke's Bay Hockey Association Inc	\$10,000.00	Towards Hockey Community Manager from July 2016
Volleyball Hawke's Bay Inc	\$2,000.00	Towards playing uniforms
Hawke's Bay Rugby Football Union Inc	\$5,000.00	Towards salaries of Administrator and Gear Custodian from August 2016 Administrator
Hawke's Bay Netball Centre Inc	\$10,000.00	Towards costs associated with hosting Court in the Bay netball festival in Hastings, 30 September-1 October 2016
Hawke's Bay Rugby Football Union Inc	\$10,000.00	Towards travel for U14 and secondary girls team to various tournaments in August/September 2016 and salaries of Club and Schools Officer and Rugby Development Officer from September 2016
Marching Hawke's Bay Association Inc	\$500.00	Towards venue hire only (excludes registration fees)
Hawke's Bay Hockey Association Inc	\$8,300.00	Towards salary of Administration Manager
Hawke's Bay Rescue Helicopter Trust	\$50,000.00	Towards cost of monthly lease for helicopter
Golf Hawke's Bay & Poverty Bay Women Inc	\$1,500.00	Towards travel and accommodation to attend Interprovincial Golf tournament in New Plymouth
Swimming Hawke's Bay Poverty Bay Inc	\$8,000.00	Towards travel and accommodation for Hawkes Bay/Poverty Bay swimmers to NZ Division II Championships in Rotorua on 5-8 March 2017
Central Districts Cricket Association Inc	\$100,000.00	Towards playing uniforms, 8x development programme costs and 1x tournament participation cost (excluding catering)
Hawke's Bay Hockey Association Inc	\$10,000.00	Towards salary for Hockey Community Manager
Volleyball Hawke's Bay Inc	\$15,200.00	Towards salary for Operations Manager
Squash Eastern Inc	\$9,000.00	Towards salary of District Administrator
Hawke's Bay Rugby Football Union Inc	\$20,000.00	Towards purchase of gym equipment

Tennis Eastern Inc	\$453.91	Towards cost of van hire, accommodation, entry fees and team uniforms for TNZ National Junior Teams Event 7-15 Jan 2017
Hawke's Bay Land Search and Rescue Incorporated	\$5,000.00	Towards purchase of a portable VHF radio repeater and antenna
Marching Hawke's Bay Association Inc	\$1,500.00	Towards airfares to attend National Marching Championships in Invercargill
Hawke's Bay Multisports Club Inc (Trading as Triathlon Hawke's Bay)	\$5,000.00	Towards costs of electronic safety/timing and safety barriers for Tremains Community Triathlon held 19 March 2017 (excludes gantry)
Hawke's Bay Cricket Association Inc	\$6,000.00	Towards salary of CEO
Total	\$411,953.91	

Appendix 3: NZCT national grants

Between 1 May 2016 and 30 April 2017, NZCT approved 130 national grants to the value of \$6,883,660, many of which provided benefits to Wairoa residents.

Organisation	Amount	Purpose
New Zealand Red Cross Inc	\$12,000	Towards tool kits and light towers
Special Olympics N Z Inc	\$250,000	Towards second year of multi-year funding of salaries for 8 Regional Sports Coordinators from June 2016
Project Litefoot Trust	\$100,000	Towards salaries of frontline staff from June 2016
Spirit of Adventure Trust	\$75,000	Towards survey and maintenance project costs for 2016
Look Good Feel Better NZ	\$10,000	Towards salary of Community Coordinator from 3 June 2016
NZ Choral Federation Inc	\$5,000	Towards venue hire and audio and visual for The Big Sing Finale in Dunedin, August 2016
Table Tennis NZ Inc	\$10,000	Towards salary of Central Regional Co-ordinator from June 2016
Life Flight Trust	\$125,000	Towards operating costs of air ambulance services from June 2016
NZ Cricket Inc	\$120,000	Towards salary for General Manager Community Cricket and Game Development Manager Towards travel for Boys and Girls secondary schools tournament
Arthritis Foundation of NZ Inc	\$10,000	Towards salary of Southern Regional Coordinator for land-based exercise classes in Christchurch
NZ Secondary Schools Sports Council Inc	\$50,000	Towards salary of Executive Director from June 2016
NZ Federation of Roller Sports Inc	\$15,000	Towards venue hire, programme printing and judges' accommodation for 2016 NZ Roller Sports Artistic Championships in Taranaki, July 2016
Netball NZ Inc	\$110,000	Towards salaries of National Manager Coach Development and National Training Manager from June 2016
NZ Water Ski Association Inc	\$20,000	Towards boat hire, accommodation and facility hire
N Z Croquet Council Inc	\$15,000	Towards salary of Executive Director from June 2016
National Heart Foundation of N Z	\$10,000	Towards salaries of Heart Health Advocates for Gisborne and Tauranga regions from June 2016
Malaghan Institute of Medical Research	\$12,500	Purchase of a X3R 3L Centrifuge unit for Immune Cell Biology Group
Te Awa River Ride Charitable Trust	\$500,000	Towards costs associated with construction of the Ngaruawahia to Horotiu section of the Te Awa River Ride
Amputee Golf NZ Inc	\$2,700	Towards course and cart hire for Annual National Amputee Golf Tournament in Christchurch
Nga Kaihoe O Aotearoa (Waka Ama New Zealand) Inc	\$30,000	Toward salary of Administrator from July 2016
NZ Choral Federation Inc	\$5,000	Towards venue hire and technical costs for 'Big Sing' (Wellington region) in June 2016
NZ Marist Rugby Football Federation Inc	\$20,000	Towards costs associated with Marist XV, Colts and primary schools events from August 2016 (travel, accommodation, playing gear, uniforms, medical equipment and programme printing

Barnardos N Z	\$10,000	Towards salaries for Children's Contact Coordinator and Social Worker Family Support (Taranaki region) from 3 June 2016
New Zealand Rugby Union Inc	\$32,000	Towards costs associated with hosting the 2016 Rippa Rugby Championship in Wellington
NZ Darts Council Inc	\$20,000	Towards venue hire, trophies, programme and transport of container for NZ Darts Council Championships in Rotorua, August 2016
NZ Recreation Association Inc	\$10,000	Towards salaries of Business Centre Manager and Customer Service Officer from August 2016
N Z Hockey Federation Inc	\$200,000	Towards salaries and operating costs for Black Sticks Amateur Men's International Test Series in North Island locations
NZ Kung Fu Wushu Federation Inc	\$3,600	Towards venue and truck hire, St John's services for event 23 September 2016 in Auckland
Fields of Remembrance Trust	\$45,000	Towards salaries of Administration staff from July 2016
Environmental White Water Park Trust	\$75,000	Towards river surfing feature, management and river design services, platform at finish gate, extension of platform at start gate and toilet block upgrade
Storylines Childrens Literature Charitable Trust of N Z	\$5,000	The Storylines Festival provides free access to NZ children and their families to 6 regional Family Days held in August
Get Kids Active Charitable Trust	\$10,000	Towards costs of running Junior Tough Guy and Gal Challenge events in Auckland, Wellington and Rotorua
First Foundation	\$100,000	Towards salary of Student Support Manager and four scholarships from August 2016
All Kiwi Sports Club Inc	\$100,000	Towards various costs associated with 2017 NZ Cycle Classic
Te Papa Takaro o Te Arawa	\$1,000	Towards costs associated with hosting 2016 Te Arawa Awards in Rotorua
Swimming NZ Inc	\$100,000	Towards Education Advisors
N Z Sports Hall of Fame Inc	\$25,000	Towards salaries of CEO, Office Assistant, Merchandising Officer and operating costs from September 2016
Canoe Racing N Z Inc	\$55,000	Towards cost associated with running National Regattas for the 2016-2017 season
Paralympics New Zealand Incorporated	\$100,000	Towards salaries for Leadership and Development Programme
Bowls NZ Inc	\$150,000	Towards salary of Events Manager from October 2016
NZ Indoor Bowls Inc	\$15,000	Towards salary of Development Advisor from September 2016
Graeme Dingle Foundation	\$50,000	Towards salaries of Executive Assistant, Grants Team Leare, Operations Manager, Partnership Manager and Trainer and Development from September 2016
Royal New Zealand Foundation of the Blind Inc	\$5,000	Towards salary of an Auckland-based Recreation Advisor from September 2016
NZ Rowing Association Inc	\$50,000	Towards salaries of Rowing Manager and Rowing Co-Ordinator from September 2016
Tennis N Z Inc	\$100,000	Towards salaries of Communications Coordinator, Head of Participation, Participation Programmers Manager and Coordinator from September 2016
New Zealand Golf Inc	\$150,000	Towards Salaries for CEO, 3x Capability Mgrs, Analyst, Support Mgr & Southern Golf Initiative Contract

Blind Sport New Zealand Inc	\$10,000	Towards salary for National Manager from October 2016
Canoe Racing N Z Inc	\$10,000	Towards the salary for Sport Development Manager
Bowls NZ Inc	\$50,000	Towards salaries of Community Development Officers and an Events Manager from September 2016
Halberg Disability Sport Foundation	\$60,000	Towards Salaries for Programme & National Managers and 5x Disability Sport Advisers
Yachting N Z Inc	\$30,000	Towards accommodation for sailors and officials to attend 'Youth World Sailing Championships' in Auckland
N Z Federation of Multicultural Councils Inc	\$10,000	Towards costs associated with hosting the New Zealand Communities Football Cup 2016 (referees, bus transport, event management fees, and flyer and media design)
N Z Badminton Federation Inc	\$20,000	Towards salary for Event Coordinators (2 roles) from October 2016
Touch NZ Inc	\$125,000	Towards Salaries of Tournament Mgr, Operations Coaching Mgr & Project Support Officer
Snow Sports NZ Inc	\$50,000	Towards accommodation, airfares, rental vehicles, judge, video and photography, physiotherapist, Development Coach, freestyle judge training, alpine race committee training, adaptive volunteer & instructor training
CanTeen NZ	\$30,000	Towards salaries for Youth Workers – Member Services and Patient Support Coordinator in Northland/Auckland and Waikato
Outward Bound Trust of NZ	\$40,000	Towards course fees
Ronald McDonald House Charities NZ Trust	\$25,000	Towards salary of Family Support Co-ordinator
NZ Softball Association Inc	\$87,000	Towards salaries of Administration Manager, CEO, High Performance Director, Softball Manager, Softball Officers and Tournament & Event Coordinator
N Z Football Inc	\$25,000	Towards salaries for Community Football Director, Football Development Manager - Youth and Head of Competitions
NZ Rugby League Inc	\$50,000	Towards salaries of key staff involved in delivery of community rugby programmes (Coach Educators, General Manager Community, National Coaching Manager, Referee Development Manager and Referee Development Officers)
NZ Secondary Schools Sports Council Inc	\$25,000	Towards salary of Administrator
NZ Marist Rugby Football Federation Inc	\$18,000	Towards costs associated with Heartland XV match in Auckland, November 2016
Racketlon New Zealand Incorporated	\$2,900	Towards purchase of equipment for school children to play Racketlon
Choirs Aotearoa N Z Trust	\$50,000	Towards salary of Operations Manager
NZ Water Polo Association Inc	\$14,000	Towards accommodation costs for Officials and Referees for FINA World Women's Water Polo Championships in Auckland
N Z Hockey Federation Inc	\$60,000	Towards various costs associated with amateur international hockey Trans-Tasman Test series in Auckland, November 2016
Gillies McIndoe Research Institute	\$172,140	Towards lease of GMRI premises

NZ Masters Billiards and Snooker Association Inc	\$4,000	Towards installation of five full size Billiard tables for 2016 Rotorua Masters Championships held 25-27 November 2016
Volleyball NZ Inc	\$63,000	Towards venue hire for North Island Junior Secondary Schools Volleyball Championships in Wellington, and salary of CEO
Triathlon New Zealand Inc	\$110,000	Towards Age Group Experience Manager, Coaching Coordinator, Community Director, Event Coordinator, Event Director, Technical Advisor
Sir Edmund Hillary Outdoors Education Trust	\$75,000	Towards salary support for outdoor education instructors and operational staff
New Zealand Festival	\$216,000	Towards salaries of Head of Business, Head of Programming, Marketing & Communications Manager, Marketing & Development Manager and Programme Manager
Underwater Hockey N Z	\$2,000	Towards purchase of underwater hockey goal bins for Wellington Aquatic Centre
Camp Quality New Zealand	\$15,000	Towards salary of Secretary/Administrator
Heart Kids New Zealand Inc	\$5,000	Towards travel, accommodation, t-shirts, craft supplies and manuals for Camp Teen Beat in Auckland
Netball NZ Inc	\$290,000	Towards salaries of five Coach Development Officers and costs of running three community development forums (excludes food, presenter, road travel and t-shirts)
Canoe Slalom NZ Inc	\$25,000	Towards fee for Head Coach and water hire costs at Wero Whitewater Park
NZ Recreation Association Inc	\$25,000	Towards water safety skills programme
New Zealand Handball Federation	\$2,000	Towards court hire for National Secondary Schools National Championships in Wellington
Cycling New Zealand Inc	\$100,000	Towards salaries of CEO and Community Pathways Manager
Boccia NZ Inc	\$3,000	Towards salary of Director
Environmental White Water Park Trust	\$15,000	Towards Event Management costs
Parkinsonism Society of NZ Inc	\$10,000	Towards salary of Clinical Leader
Floorball N Z Inc	\$3,000	Towards playing uniforms for women's team to attend World Floorball Championships in Wellington 31 January 2017
Chamber Music New Zealand Trust Board	\$150,000	Towards salaries for Artistic Assistant, Artistic Manager, Design and Print Coordinator, Education and Outreach Coordinator, Marketing and Communication Coordinator, Marketing Manager, Office Administrator, Operations Coordinator, Ticketing and Database Coordinator for 2017 NZCT Chamber Music Contest held 6 Jun-6 Aug 2017
NZ Squash Inc	\$23,134	Towards contract fee and polo shirts for CoachForce Programme and accommodation, venue hire and coach conference fee for Squash NZ National Coaching Conference held 18-19 March 2017
Surfing NZ Inc	\$50,000	Towards salary of National Development Officer

NZ Softball Association Inc	\$87,318	Towards salaries of Administration Manager, CEO, High Performance Director, Softball Manager, Softball Officers (Lower North Island and South Island) and Tournament & Event Coordinator
N Z Croquet Council Inc	\$15,000	Towards salary of Executive Director
Nga Kaihoe O Aotearoa (Waka Ama New Zealand) Inc	\$35,000	Towards costs of security, first aid, filtered water, start tower/safety boats and grounds/lake rental for 2017 Waka Ama National Sprint Championships held 16-21 January 2017
New Zealand Hansa Class Association Inc	\$9,800	Towards purchase of a Hansa Liberty boat
Athletics NZ Inc	\$160,000	Towards Club Development Manager, Coach Development Manager, Community and Participation Manager, Get Set Go Manager, Membership and Club Development Coordinator, Officials Development Manager, event medals, race timing services, traffic management, venue hire
Life Flight Trust	\$125,000	Towards operating costs of Fixed Wing Air Ambulance services from March 2017
NZ Marist Rugby Football Federation Inc	\$12,000	Towards accommodation, flights, bus hire, uniforms and trophies for NZ Marist Women's Rugby Sevens Tournament held 28-29 January 2017 in Wellington
N Z Football Inc	\$75,000	Towards salaries for Community Football Director, Football Development Manager - Youth and Head of Competitions
Maori Basketball New Zealand Inc	\$20,000	Towards venue hire for Annual National Maori Basketball Tournament in January 2016
Equestrian Sports New Zealand Inc - Operational	\$20,000	Towards salaries of CEO, National Sports Administrator and operating costs of Clean Sport (horse anti-doping) programme
Wheelchair Basketball NZ Inc	\$20,000	Towards contract fee for Development Officer
International Tae Kwon Do Foundation of N Z Inc	\$6,300	Towards course fee, facilitator's accommodation and venue hire
Basketball N Z Inc	\$125,000	Towards contract fees for regional development personnel and local Kiwi Hoops support
CanTeen NZ	\$15,000	Towards salaries of Youth Support Coordinators for Bay of Plenty, East Cape and Rotorua Bay of Plenty, East Cape, Rotorua
Child Cancer Foundation Inc	\$10,000	Towards salaries of Family Support Coordinators
Amputees Federation of NZ Inc	\$1,044	Towards van hire and activities
New Zealand Spinal Trust	\$35,000	Towards salaries of Vocational Consultants, National Manager and Administrator
Get Kids Active Charitable Trust	\$10,000	Towards operating costs for junior tough guy and gal challenge in various North Island locations
Scout Association of NZ	\$50,000	Towards salaries of Regional Development Managers (BOP) (Canterbury) regions
Aotearoa Maori Golf Assn Inc	\$12,500	Towards course hire at Taupo Golf Club for 80th NZ Maori National Golf Championships
New Zealand Outdoor Instructors Association Inc	\$15,000	Towards salary of Assessment and Membership Coordinator, instructor registration database and website upgrade
New Zealand Tag Football Inc	\$10,000	Towards operating costs for Tag National Championships at Bruce Pulman Park

Project Litefoot Trust	\$75,406	Towards Club Liaison/Project Manager, Club Liaison, Head of Operations, Partnerships Manager, Planning Manager and Sustainability Advisers
Motorsport NZ	\$20,000	Towards lease of Rallysafe Tracking and Safety System
Shakespeare Globe Centre NZ Trust	\$2,500	Towards office rental only
NZ Shooting Federation Inc	\$15,000	Towards salary of Sport Development Manager
New Zealand Wheelchair Tennis Inc	\$3,000	Towards Administration & Financial Services costs
Yachting N Z Inc	\$150,000	Towards salaries for Regional Support Officers in Northern (x2), Central, Northern South Island and Otago/Southland Regions
N Z Academy of Highland & National Dancing Inc	\$1,000	Towards venue hire for new teacher workshops in Napier
Gymsports N Z Inc	\$200,000	Towards salaries for Relationship Team Manager, Community Sport Manager and 4x Relationship Managers in Auckland/Northland, Wellington, Upper South and Southern
Surf Life Saving NZ Inc	\$37,500	Towards salaries for Club Support Manager (Gisborne), Sports Managers x2 (Southern and Eastern regions), Programmes and Service Manager (Central region) and storage container
Royal N Z Ballet	\$60,000	Towards costs associated with touring three shows in Christchurch, Napier, Rotorua, Palmerston North and Gisborne in 2017 (venue hire, music, accommodation, travel, freight and lighting)
Outward Bound Trust of NZ	\$35,000	Towards scholarships for Outward Bound Courses
N Z Ice Figure Skating Association Inc	\$2,000	Towards ice hire in Christchurch and Botany
Olympic Weightlifting NZ Inc	\$10,000	Towards salary of General Manager
New Zealand Festival	\$20,000	Towards salary of Marketing and Communications Manager
Volleyball NZ Inc	\$97,000	Towards costs associated with hosting the NZ Secondary Schools Championships in Palmerston North (excludes live streaming), and salaries of Game Development Manager and Operations Manager
NZ Choral Federation Inc	\$9,000	Towards venue hire and audio visual costs in Auckland
NZ Water Polo Association Inc	\$86,000	Towards salary for Operations Director and Office Manager
Equestrian Sports New Zealand Inc - Eventing	\$15,000	Towards equipment/infrastructure hire, event administration, portable radio hire, printing costs, presentation rugs and rosettes/sashes for NRM National Three Day Event Championships 2017 held 11-14 May 2017 in Taupo
NZ Softball Association Inc	\$87,318.00	Towards salary for CEO, Softball and Administration Managers, Softball Officers x2 (lower North Island and South Island), Tournament & Event Coordinator and High Performance Director
Holocaust Centre of New Zealand Inc	\$20,000	Towards IT equipment and salary of Project Manager for Education Outreach Programmes
Total	\$6,883,660	

The New Zealand Racing Board's Submission on Wairoa District Council's Class 4 Gambling Venue and TAB Board Venue Policy



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NEW ZEALAND
RACING BOARD

**The New Zealand Racing Board's Submission on Wairoa District Council's
Class 4 Gambling Venue and TAB Board Venue Policy**

Summary

1. The New Zealand Racing Board invites council to:
 - Retain the status quo TAB Board Venue policy; and
 - Replace the current sinking lid on gaming machines with a cap at current numbers (four venues, 58 machines).

Amending the Gaming Machine Sinking Lid

2. A sinking lid policy is the most restrictive approach that council can adopt. It is submitted that such an approach is no longer justified in the current environment of high regulation and naturally reducing machine numbers. It is submitted that the current sinking lid policy be replaced with a cap at current numbers (58 machines).
3. There is no direct correlation between gaming machine numbers and problem gambling rates. The table below details the problem gambling surveys that have been undertaken.

Survey Year	Survey Name	Screen	Problem Gambling Rate	Survey Size
1991	1991 National Prevalence Survey	SOGRS-R	1.2% people were current pathological gamblers (SOGRS-R score of 5)	3,933
1999	1999 National Prevalence Survey ¹	SOGRS-R	0.5% of people aged over 18 years had a SOGRS-R score of 5	6,452
2006/2007	2006/07 New Zealand Health Survey ²	PGSI	0.4% of people aged 15 years and over	12,488
2010	2010 Health and Lifestyles Survey ³	PGSI	0.70% of people aged 15 years and over	1,740

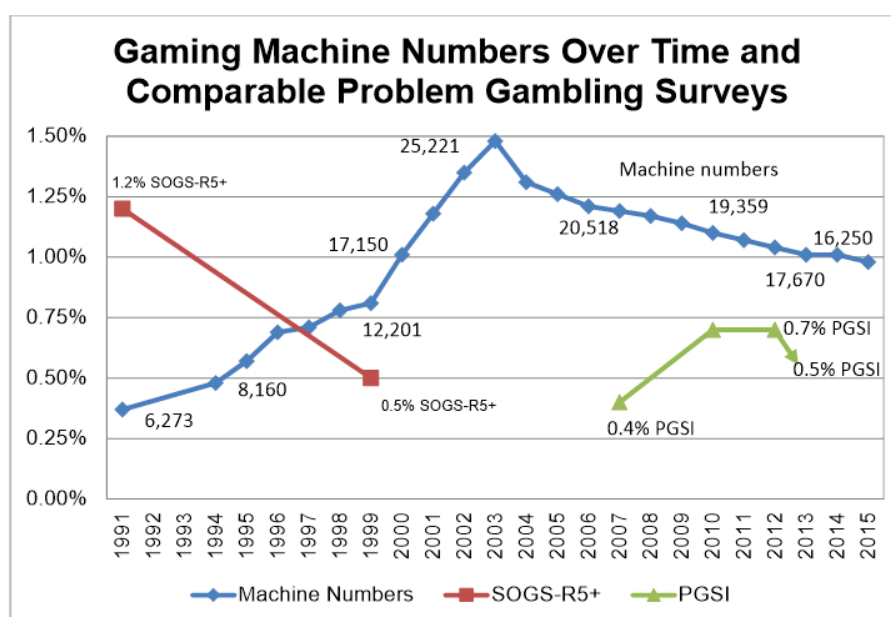
¹ [http://www.dia.govt.nz/pubforms.nsf/URL/TakingthePulse.pdf/\\$file/TakingthePulse.pdf](http://www.dia.govt.nz/pubforms.nsf/URL/TakingthePulse.pdf/$file/TakingthePulse.pdf)

² <http://www.health.govt.nz/system/files/documents/publications/portrait-of-health-june08.pdf>

³ Gray, R 2011 *New Zealanders' Participation in Gambling: Results from the 2010 Health and Lifestyles Survey* – Health Sponsorship Council http://www.hsc.org.nz/sites/default/files/publications/Gambling_

2011/2012	2011/12 New Zealand Health Survey ⁴	PGSI	0.30% of people aged 15 years and over	9,821
2012 (March to October)	2012 National Gambling Survey ⁵	PGSI	0.70% of people aged 18 years and over	6,251
2013	New Zealand National Gambling Study: Wave 2 (2013) ⁶	PGSI	0.50% of people aged 18 years and over	6,251

4. The graph below details the machine numbers over time and the problem gambling rate. Between 1991 and 1999 the problem gambling rate declined considerably despite gaming machine numbers doubling and gaming machine expenditure trebling. Between 2006 and 2010 the problem rate increased, despite the number of gaming machines in New Zealand falling considerably in the same period. Between 2010 and 2012 the problem gambling rate stayed the same, despite a continual decline in gaming machine numbers. When viewed as a whole, the above survey results confirm that there is no direct correlation between gaming machine numbers and problem gambling rates. The reasons for an increase or decrease in problem gambling are complex and multi-faceted, not simply the direct by-product of an increase or decrease in machine numbers.



Participation_final-web.pdf (page 14)

⁴ <http://www.health.govt.nz/system/files/documents/publications/problem-gambling-preliminary-findings.pdf>

⁵ http://www.health.govt.nz/system/files/documents/pages/national_gambling_study_report_2.pdf

⁶ <http://www.health.govt.nz/system/files/documents/pages/report-national-gambling-study-12-month-final-23-10-15.pdf>

5. The 2012 National Gambling Survey⁷ concluded that the prevalence of problematic gambling reduced significantly during the 1990s and has since stayed about the same. The report stated on pages 17 and 18:

Problem gambling and related harms probably reduced significantly during the 1990s but have since remained at about the same level despite reductions in non-casino EGM numbers and the expansion of regulatory, public health and treatment measures. Given that gambling availability expanded markedly since 1987 and official expenditure continued to increase until 2004, these findings are consistent with the adaptation hypothesis. This hypothesis proposes that while gambling problems increase when high risk forms of gambling are first introduced and made widely available, over time individual and environmental adaptations occur that lead to problem reduction.

6. Professor Max Abbott is New Zealand's leading expert on problem gambling. In 2006, Professor Abbott published a paper titled *Do EGMs and Problem Gambling Go Together Like a Horse and Carriage?* The paper noted that gaming machine reductions and the introduction of caps generally appear to have little impact on problem gambling rates. Professor Abbott noted:

EGM reductions and the introduction of caps generally appears to have little impact (page 1).

Over time, years rather than decades, adaptation ('host' immunity and protective environmental changes) typically occurs and problem levels reduce, even in the face of increasing exposure. (page 6).

Contrary to expectation, as indicated previously, although EGM numbers and expenditure increased substantially in New Zealand from 1991 to 1999, the percentage of adults who gambled weekly dropped from 48% to 40%. This is of particular interest because it suggests that greater availability and expenditure do not necessarily increase high-risk exposure. (page 14).

7. The current restrictive policy is unlikely to reduce problem gambling, but will reduce the amount of funding available to Wairoa-based community groups. Problem gamblers are people who are addicted to gambling. If a new bar is established and the policy prevents that bar from hosting gaming machines, a person who is addicted to gambling will simply travel the short distance to the next bar that has gaming machines, or worse, may move to another form of gambling such as offshore-based internet and mobile phone gambling.

⁷ http://www.health.govt.nz/system/files/documents/pages/national_gambling_study_report_2.pdf

Temptation to Simply Reduce Gambling Activity

8. There may be a temptation to introduce a restrictive policy to simply reduce the gambling spend as a whole. It must, however, be remembered that gambling is a lawful entertainment activity and that individuals in New Zealand remain free to make their own decisions as to how they spend their money on the lawful entertainment options that are available.
9. The Gambling Commission has been very critical of steps that have been taken in the past that have been aimed at reducing the gambling spend as a whole. In the Gambling Commission decision GC16/06, the Commission stated:

...measures should only be imposed if they reduce the harm caused by problem gambling, as distinct from simply reducing gambling activity which is a lawful and permitted activity under the Act.

Gaming Machine Funding

10. The Gambling Act 2003 seeks to balance the potential harm from gambling against the benefits of using gaming machines as a mechanism for community fundraising. Approximately \$275 million in grants are made each year from non-casino gaming machines. In addition to the external grants, clubs such as RSAs and Workingmen's Club receive approximately \$50 million each year in gaming proceeds to assist with meeting the clubs' operating costs. This funding is crucial.
11. The total annual authorised purpose funding (including the non-published club authorised purpose payments) received from Wairoa-based venues is approximately \$1 million.
12. The Auckland Council commissioned a community funding survey. The survey data is summarised in the report *Community Funding: A Focus on Gaming Grants* dated 4 September 2012.⁸ This report also confirmed how essential gaming machine funding is and how extremely difficult it would be for such funding to be obtained from alternative sources. The key findings of this survey were:

⁸ www.gamblinglaw.co.nz/download/Research/Auckland_City_Community_Funding_Report.pdf

- Most respondents (75%) indicated that their organisation is moderately or totally reliant on gaming machine funding to fund core business activities.
- Most respondents (81%) believed that there would be a moderate to high risk to their organisation and their core business if they did not receive gaming funding.

13. The report concluded:

Gaming Trust funding is a major source of community funding for organisations in the Auckland Region. Most respondents believe that the funding for their organisations is not particularly secure and are highly dependent on gaming funding, not just for discretionary or extra activities, but to fund their core business. There is a dependence on this funding with over half the respondents believing that their organisations would be at extreme risk if they did not receive it. Most felt that if the funding was not available, they would struggle to find an alternative source of funding. Some would cut down the activities they undertook, others say they would be forced to close down.

Conclusion

14. It is acknowledged that the council needs to strike a balance between the costs and benefits of gaming machine gambling. It is accepted that a small percentage of people (0.5% of people aged 18 years and over) have a problem with their gambling (all forms of gambling). However, for the vast majority of people, casual expenditure on gaming machines is a form of entertainment that they participate in and enjoy, without any harm being caused. Gaming machines also provide a considerable amount of community funding to local community groups. This funding (over \$1 million per annum) is the lifeblood of many Wairoa organisations.
15. Gaming machine numbers are in natural decline, and gaming machine participation is reducing. However, the harm minimisation measures that are now in place have never been higher. In light of the new regulations now in place, a cap at current numbers (a cap of 58 machines) is entirely appropriate. The continuation of a more restrictive policy is unlikely to reduce problem gambling, but will inevitably reduce local community funding opportunities and may encourage people to seek out other forms of gambling, including offshore-based internet and mobile phone-based gambling. This form of gambling is very harmful and provides no return to the local community and no contribution to employment, taxation and health services in New Zealand.

16. We wish to speak to our submission.



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22 May 2017



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22 May 2017

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Wairoa District Council
PO Box 54
WAIROA 4160

Attention: Charlotte Knight

Gambling Venue Policy Submission – First Light Community Foundation

Summary

In order to ensure that the valuable funding received by Wairoa community groups remains sustainable, First Light Community Foundation invites Council to replace the sinking lid policy with a cap at current numbers.

Current Wairoa Venues

Wairoa has four gaming venues with a total of 58 gaming machines, namely:

- Clyde Hotel – 18 gaming machines – First Light Community Foundation;
- Ferry Hotel – 18 gaming machines – First Light Community Foundation;
- Sunset Point Tavern – 8 gaming machines – First Light Community Foundation; and
- Wairoa Club – 14 gaming machines – Wairoa Club Inc.

Gaming Machines – Key Facts

Gaming machines have been present in New Zealand communities since the early 1980s. Initially the machines were operated without a gaming licence. The first gaming licence was issued to Pub Charity on 25 March 1988, over 28 years ago.

Gambling is a popular form of entertainment that most New Zealanders partake in. The Health and Lifestyles Survey 2012¹ found that 70.3% of New Zealanders aged 15 and over had participated in some form of gambling in the previous 12 months.

Gaming machine numbers are in natural decline. In 2003, New Zealand had 25,221 gaming machines. In March 2017, New Zealand had 16,031 gaming machines. In 2003, Wairoa had six class 4 venues and 76 machines. As set out above, Wairoa currently has four venues and 58 machines.

New Zealand has a very low problem gambling rate by international standards. The New Zealand National Gambling Study: Wave 2 (2013)² found the problem gambling rate was 0.5% of people aged 18 years and over (Problem Gambling Severity Index screen). This amounts to 16,205 people. The problem gambling rate is for all forms of gambling, not just gaming machine gambling.

All gaming machine societies contribute to a problem gambling fund. This fund provides approximately \$18,500,000.00 per annum to the Ministry of Health to support and treat gambling addiction and to increase public awareness. The funding is ring fenced and not able to be redirected to other health areas.

An excellent, well-funded problem gambling treatment service exists. The problem gambling helpline is available 24 hours a day, 365 days per year. Free, confidential help is available in 40 different languages. Free face to face counselling is also available and specialist counselling is available for Maori, Pacifica and Asian clients. An anonymous, free text service (8006) is available. Support via email is also available (help@pgfnz.org.nz).

Existing Gaming Machine Safeguards

A sinking lid policy is no longer necessary in light of the significant measures that are already in place to minimise the harm from gaming machines.

There is a statutory age limit that prohibits persons under 18 years of age playing a gaming machine.

There are very restrictive limits on the amount of money that can be staked and the amount of prize money that can be won. The maximum stake is \$2.50. The maximum prize for a non-jackpot machine is \$500.00. The maximum prize for a jackpot linked machine is \$1,000.00.

All gaming machines in New Zealand have a feature that interrupts play and displays a pop-up message. The pop-up message informs the player of the duration of the player's session, the amount spent and the amount won or lost. The message is then displayed asking the player whether they wish to continue with their session or collect their credits.

Gaming machines in New Zealand do not accept banknotes above \$20.00 in denomination.

ATMs are excluded from all gaming rooms.

All gaming venues have a harm minimisation policy.

All gaming venues have pamphlets that provide information about the characteristics of problem gambling and how to seek advice for problem gambling.

¹ http://www.hpa.org.nz/sites/default/files/NZers_participation_in_gambling.pdf

² <http://www.health.govt.nz/system/files/documents/pages/report-national-gambling-study-12-month-final-23-10-15.pdf>

All gaming venues have signage that encourages players to gamble only at levels they can afford. The signage also details how to seek assistance for problem gambling.

All gaming venue staff are required to have undertaken comprehensive problem gambling awareness and intervention training. Annexed is a copy of First Light Community Foundation's training notes.

Any person who advises that they have a problem with their gambling is required to be excluded from the venue.

It is not permissible for a player to play two gaming machines at once.

All gaming machines have a clock on the main screen. All gaming machines display the odds of winning.

The design of a gaming machine is highly regulated and controlled. For example, a gaming machine is not permitted to generate a result that indicates a near win (for example, if five symbols are required for a win, the machine is not permitted to intentionally generate four symbols in a row).

It is not permissible to use the word "jackpot" or any similar word in advertising that is visible from outside a venue.

Grassroots Funding

Gaming machines are the largest funders of Wairoa-based grassroots organisations. The funding (including the non-published funding used by the Wairoa Club) is just over \$1 million each year.

Annexed is a list of the grants First Light Community Foundation has made over the last three years, along with photos of some of the projects supported.

No other gambling provider provides this level of support for grassroots organisations. The Lottery Grants Board makes a small number of large grants to large organisations. The New Zealand Racing Board predominately uses the funds from race and sports betting to support the racing industry.

There is no alternative funding available. Council is not able to provide additional community grants of \$1 million each year. It is unrealistic to think that local grassroots organisations could obtain central Government or commercial sponsorship of \$1 million each year.

The Wairoa Club predominantly uses the gaming proceeds for its own internal costs, rather than making external grants. The Sunset Point Tavern only has eight machines. This means that the loss of either the Clyde Hotel or Ferry Hotel would result in local grants reducing by almost 50%. Continuation of the sinking lid policy will inevitably deprive the Wairoa community of a very valuable source of funding.

Cap at Current Numbers

While we accept that Council may wish to make a policy decision not to increase class 4 gambling, it would be reasonable to adopt a policy that allows the existing number of gaming machines to remain. This will ensure that the essential grassroots funding is sustainable for future years.

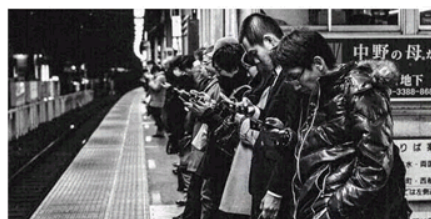
Unintended Consequences – Increase in Internet and Mobile Phone Gambling

The current sinking lid policy has unintended consequences, as it results in a migration of the gambling spend to offshore internet and mobile-based offerings. While it is illegal to advertise overseas gambling in New Zealand, it is not illegal to participate in gambling on an overseas-based website or mobile phone application.

The internet is progressively becoming a normal feature of commercial and social exchange. In 2015, 66% of music sales in New Zealand were via an online download or online music streaming service. Traditionally, overseas-based online gambling has not been available to people in lower socio-economic areas due to limited access to computers, the internet and limited access to credit cards. However, this has all changed. A Nextbook Android 4.4 Tablet (with a 7 inch screen and Wi-Fi) can currently be purchased from the Warehouse for a mere \$89.00. Today almost all cell phones include internet access and the ability to download apps. The introduction of Visa debit cards and Prezzie Cards mean that a bad credit rating is no longer a barrier to being able to spend money online or via mobile apps.

It now takes only a simple search and a few minutes to download to your computer, tablet or mobile phone any type of casino game you desire, including an exact replica of the gaming machine programs currently available in New Zealand venues. International Gaming Technology (an international provider of pokie machines with a New Zealand presence) has produced a 58-page brochure detailing their online and mobile offering. The catch phrase is "The Playing Field is Now Everywhere, Online and Mobile Gaming by IGT, It's a whole new game."

On 28 April 2015, the Problem Gambling Foundation circulated a link to an article published on the Huffington Post site about the rise of gaming on smart phones. Excerpts from the article are below:



Mobile is taking an increasing bite out of our lives - there is no longer any place safe zone from someone next to you texting, gaming, surfing or worse, yapping incessantly about God knows what.

I think the next horizon or maybe distraction for many will be gambling on smartphones.

...

"Traditional" gaming companies are quickly moving from online gaming to online gambling and much of the latter is via a phone. Bandwidth is cheap, smartphones are ubiquitous: by 2016 it's estimated over 2 billion people will have smartphones.

...

Global revenues from online gambling via pure play sites like TitanBet are leading the fray online gambling is projected to be over \$35 billion this year, with mobile gambling estimated to be over \$100 billion by 2017.

Clearly, the market is moving from desktop connectivity to mobile, especially as Apple and Samsung continue to improve the size of their screens, making it much easier to access and utilize any type of gaming site.

...

There is too much reward baked in to smartphone gaming and I would wager by 2020 (or sooner) you will have to put up with that person next to you shouting bingo and possibly broadcasting a Periscope enabled hologram of a blackjack hand. Stay tuned and connected, or maybe not.

Without the need to cover GST and gaming duties, overseas-based gambling providers are able to attract customers from New Zealand with a comprehensive gambling offer. Due to the lower margins and costs, the overseas-based providers can engage in extensive advertising and provide large rebates to players.

However, offshore-based online gambling poses considerable risks because it:

- is highly accessible, being available 24 hours a day from the comfort and privacy of your home;
- has no restrictions on bet sizes;
- has no capacity for venue staff to observe and assist people in trouble;
- reaches new groups of people who may be vulnerable to the medium;
- provides no guaranteed return to players;
- is more easily abused by minors;
- has reduced protection to prevent fraud, money laundering or unfair gambling practices. The most notable recent example is 'Full Tilt Poker' which is alleged by the US Attorney's Office to have diverted \$USD444m from customer accounts to its directors and shareholders, despite being regulated by the Alderney Gambling Control Commission (Guernsey); and
- is an unregulated form of gambling, so on-line gamblers are often encouraged to gamble more by being offered inducements or by being offered the opportunity to gamble on credit. For example, many overseas sites offer sizable cash bonuses to a customer's account for each friend that they induce to also open an account and deposit funds.

If a reduction in gaming machines only redirects gamblers to offshore-based internet gambling, there is no harm minimisation advantage in that strategy. In addition, there are further disadvantages in the fact that no community funding is generated for New Zealanders, no tax revenue is generated for the New Zealand Government and no contributions are made via the New Zealand problem gambling levy.

Yours faithfully

Mark Sowman

Director

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Statement of Proposal

Review of Wairoa District Council Class 4 Gaming Venue Policy

Reason for the Proposal

Under the Gambling Act 2003, applicants for Class 4 gaming venue licenses must have the consent of the territorial authority in which the venue is, or will be, situated. In order to consider and determine applications for consent, territorial authorities are required by section 101 of the Act to have a policy specifying whether or not Class 4 venues may be established in their district, where Class 4 licensed venues may be located in the district, and may also place additional limits on the number of machines per venue, which the Act sets at nine.

101 Territorial authority must adopt class 4 venue policy

(1) A territorial authority must, within 6 months after the commencement of this section, adopt a policy on class 4 venues.

(2) In adopting a policy, the territorial authority must have regard to the social impact of gambling within the territorial authority district.

(3) The policy—

(a) must specify whether or not class 4 venues may be established in the territorial authority district and, if so, where they may be located; and

(b) may specify any restrictions on the maximum number of gaming machines that may be operated at a class 4 venue; and

(c) may include a relocation policy.

(4) In determining its policy on whether class 4 venues may be established in the territorial authority district, where any venue may be located, and any restrictions on the maximum number of gaming machines that may be operated at venues, the territorial authority may have regard to any relevant matters, including:

(a) the characteristics of the district and parts of the district:

(b) the location of kindergartens, early childhood centres, schools, places of worship, and other community facilities:

(c) the number of gaming machines that should be permitted to operate at any venue or class of venue:

(d) the cumulative effects of additional opportunities for gambling in the district:

(e) how close any venue should be permitted to be to any other venue:

(f) what the primary activity at any venue should be.

(5) A **relocation policy** is a policy setting out if and when the territorial authority will grant consent in respect of a venue within its district where the venue is intended to replace an existing venue (within the district) to which a class 4 venue licence applies (in which case [section 97A](#) applies).

102 Adoption and review of class 4 venue policy

(1) A policy on class 4 venues under [section 101](#) must be adopted in accordance with the special consultative procedure in [section 83](#) of the Local Government Act 2002 and, for the purpose of subsection (1)(e) of that section, the territorial authority must give notice of the proposed policy, in a manner that the territorial authority considers appropriate, to—

(a) each corporate society that holds a class 4 venue licence for a venue in the territorial authority district; and

(b) organisations representing Māori in the territorial authority district.

(2) A policy may be amended or replaced only in accordance with the special consultative procedure, and this section applies to that amendment or replacement.

(3) Subsection (1)(b) does not affect the ability of a territorial authority to take similar action in respect of any other population group.

(4) A territorial authority must, as soon as practicable after adopting, amending, or replacing a policy, provide a copy of the policy to the Secretary.

(5) A territorial authority must complete a review of a policy within 3 years after the policy is adopted and then within 3 years after that review and each subsequent review is completed.

(5A) The first time that a territorial authority commences a review of a policy after the [Gambling \(Gambling Harm Reduction\) Amendment Act 2013](#) comes into force, the territorial authority must (and may at any other time) consider whether to include a relocation policy (as defined in [section 101\(5\)](#)) in its class 4 venue policy.

(5B) Whenever a territorial authority is considering whether to include a relocation policy in its class 4 venue policy, it must consider the social impact of gambling in high-deprivation communities within its district.

(6) A policy does not cease to have effect because it is due for review or being reviewed.

Council is considering whether it should make any changes to the current policy. It considers that this is a matter for local communities to decide, there is also a legislative requirement for the special consultative procedure to be used. Council is therefore seeking feedback from its communities on whether they believe Council should make changes to the current policy.

More Information

Where to get a copy of the Summary of Information and submission form

The Summary of Information and the submission form may be collected from the Council's Main Office in Wairoa, or from the Council's website www.wairoadc.govt.nz

Period for Consultation

Written submissions on the Review of Wairoa District Council Class 4 Gaming Venue Policy may be made from **[Time period of 1 month]**.

Those who make a written submission may choose to make an oral submission. Hearings of oral submissions are scheduled for **[Closest Council date after Submission end date or extraordinary hearing meeting 2 weeks after close of submissions]**. Please indicate on your submission form if you wish to speak to your submission.

If you have any questions please contact Charlotte Knight, Governance Advisor & Policy Strategist on 06 838 7309

WAIROA DISTRICT CLASS 4 GAMING VENUES – SOCIAL IMPACT ASSESSMENT

INTRODUCTION

PURPOSE

This Social Impact of Gambling Assessment (SIA) is produced in accordance with Section 101(2) of the Gambling Act 2003. This has been produced by combining a number of different sources of information together into one document, including the information obtained from the Department of Internal Affairs. The purpose of this document is to highlight the social impacts that gambling has within the Wairoa district as well as a comparison between the national statistics and observations, and local statistics and observations.

In addition to this SIA, Council will be consulting with the community on the proposed policy in order to gain additional information from the community for Council to consider when making a decision on the proposed policy.

BACKGROUND

While there is some agreement that there is a social impact resulting from gambling, there is as yet no agreed method to measure the social impact and the economic costs and benefits associated with gambling. There are indicators from various studies, both in New Zealand and overseas that indicate that the impacts of gambling include child neglect, relationship breakdown, depression, suicide, reduced work productivity, debt, eviction and loss of homes, workplace crime from theft and embezzlement, loss of jobs, bankruptcy and health costs. Problem gambling not only affects the person involved, but also has ripple effects associated with problem gamblers' family and friends.

The Gambling Act 2003 defines a problem gambler as a person whose gambling causes harm or may cause harm, and 'harm' is defined as:

(a) harm or distress of any kind arising from, or caused or exacerbated by, a person's gambling; and

(b) including personal, social, or economic harm suffered –

(i) by the person; or

(ii) by the person's spouse, civil union partner, de facto partner, family, whānau, or wider community; or

(iii) in the workplace; or

(iv) by society at large.

Since 1 July 2004 the Ministry of Health has been responsible for developing and implementing the **‘integrated problem gambling strategy focused on public health’** that is described in section 317 of the Gambling Act 2003. The Department of Internal Affairs (DIA) is the main gambling regulator and the main policy advisor to the Government on gambling regulatory issues. DIA administers the Act and its regulations, issues licences for gambling activities, ensures compliance with the legislation and publishes statistical and other information **concerning gambling. DIA’s role includes key regulatory aspects of gambling harm prevention and minimisation.**

Using a screening instrument called the Problem Gambling Severity Index screen, the 2012 National Gambling Study¹ estimated that:

- 0.7 percent of adults in New Zealand (approximately 24,000 people) were current problem gamblers
- 1.8 percent (60,000 people) were current moderate-risk gamblers
- 5.0 percent (168,000 people) were current low-risk gamblers
- 92.6 percent (3.109 million people) were current non-problem (‘recreational’) gamblers or non-gamblers.

There continues to be compelling evidence that Māori and Pacific peoples are more likely to suffer gambling harm (whether as a result of their own or someone else’s gambling) and more likely to be at risk of future harm than people in other ethnic groups. Some specific Asian populations and subgroups also seem to be more likely to suffer gambling harm.

Even at a high level, however, some inequities among populations are readily apparent. For example, the 2012 NGS found that, overall, Asian and Pacific adults are less likely to **participate in gambling than European/Other and Māori adults (the figures were 61 percent, 75 percent, 82 percent and 85 percent, respectively).** Taken together with prevalence rates for at-risk gambling, **this means that Pacific, Māori and Asian adults who do gamble are at much higher risk than the European/Other gambler group.** The NGS estimated that almost a fifth (17 percent) of Pacific gamblers are in the combined moderate-risk and problem gambler group. **The figures for Māori and Asian gamblers were 16 percent and 14 percent, respectively. The equivalent figure for European/Other gamblers was 8 percent.**

¹ This is a national study of gambling participation, gambling harm, problem gambling and attitudes towards gambling, with one-year and two-year follow-up components focusing on the incidence of problems related to gambling. <http://www.health.govt.nz/our-work/mental-health-and-addictions/problem-gambling/research-and-evaluation/implementation-2007-2010/national-gambling-study>

There were 4 submissions received when the Council previously review the policy in 2014. The main points of these submissions were:

- Dedicated security person for venues
- TAB venues – add to list of venues permitted to have gaming machines
- Replace sinking lid policy with a cap on current venues and machine numbers
- Importance of community funding to Wairoa groups from gaming trusts
- Wairoa is disproportionately affected by a range of social issues e.g. low income, high social deprivation
- Social cost of gambling is only a fraction of that caused by alcohol, tobacco, and other drugs
- Reducing machine numbers will not reduce the number of problem gamblers
- Fewer people in Wairoa are seeking help for problem gambling
- 7.1 machines per 1000 people – higher than rest of NZ (4.5)
- Robust systems and significant funding are in place to support problem gamblers

In the New Zealand National Gambling Study: Wave 3 (2014) Report Number 5 the main findings highlighted were:

“Results

- *Gambling participation (76.7% of adults), at-risk (1.5% moderate-risk, 5.0% low-risk) and problem gambling (0.3%) prevalence estimates in 2014 were largely unchanged from 2013 and 2012.*
- *The at-risk groups were the least stable over time (i.e. people were more likely to transition to higher or lower risk status), the non-problem and non-gambling groups were the most stable, and the problem gambling group was in the middle.*
- *Prevalence in each risk group did not change over time as people leaving each group were matched by new entrants.*
- *Substantial proportions of ‘new’ problem gamblers (21%), and to a lesser extent, moderate-risk gamblers (15%) have relapsed from past problem or moderate-risk gambling.*

- *The incidence rate of problem gambling from 2013 to 2014 (0.18%) was similar to that from 2012 to 2013 (0.28%).*
- *The strongest risk factors for developing at-risk or problem gambling were previously having a gambling problem, gambling intensity, ethnicity and some other demographic factors.*
- *Māori and Pacific adults continued to have higher rates of low-risk, moderate-risk and problem gambling over time. They also had higher incidence and more persistent problem and at-risk gambling.*

Implications

- *Whole-of-population public and targeted prevention strategies, taking into account ethnic and other differences, should be considered due to the substantial minority of problem and at-risk gamblers coming from non-problem and non-gambler sectors of the population.*
- *Greater attention could be given to relapse prevention through public policy and education, and in treatment programmes”*

CURRENT SITUATION: NUMBER OF MACHINES IN THE DISTRICT

Over a period of time the number of machines and venues has fluctuated and eventually decreased in the Wairoa district primarily due to the closure of 4 venues since 2001.

The number of machines at the Sunset Point Sports Bar & Bistro increased from 8 to 12 by 2003, it has now decreased back to 8.

The Clyde Hotel and Ferry Hotel have both increased the number of their machines to 18 which is the maximum number they can have by law as their initial licence was granted prior to 17 October 2001. All of the current venues in the district meet this test and could increase their number to 18 machines per venue if the Council chose to amend their policy restricting existing venues from increasing their number of machines. This would mean that an additional 10 machines could be added into the Sunset Point Sports Bar & Bistro and an additional 4 machines at the Wairoa Club – this would take the total number of machines in the district to 72 machines.

17 October 2001 – number of machines by venue in Wairoa District

Lion Foundation	11	Clyde Hotel	Marine Parade	Wairoa
Lion Foundation	8	Ferry Hotel	Caroll Street	Wairoa

				a
Pub Charity Inc	18	Legends Sports Bar & Casino	126 Marine Parade	Wairoa
The Southern Trust	8	Sunset Point Sports Bar & Bistro	Cnr Rataua Street & Newcastle Street	Mahia Beach
Waikaremoana District Club Inc	2	Waikaremoana District Club	State Highway 38	Tuai
Wairoa Bowling Club	1	Wairoa Bowling Club	Carroll Street	Wairoa
Wairoa Club Inc	14	Wairoa Club	Marine Parade	Wairoa
Wairoa County Club Inc	2	Wairoa County Club	Marine Parade	Wairoa
TOTAL	64	8 venues		3 areas

22 September 2003 – number of machines by venue in the Wairoa District

Lion Foundation	18	Clyde Hotel	Marine Parade	Wairoa
Lion Foundation	12	Ferry Hotel	Carroll Street	Wairoa
Heretaunga National Community and Sports Trust	18	Chances Sports Bar	126 Marine Parade	Wairoa
The Southern Trust	12	Sunset Point Sports Bar & Bistro	Cnr Rataua Street & Newcastle Street	Mahia Beach
Waikaremoana District Club Inc	2	Waikaremoana District Club	State Highway 38	Tuai
Wairoa Club Inc	14	Wairoa Club	Marine Parade	Wairoa
TOTAL	76	6 venues		3 areas

30 September 2016

First Light Community	18	Clyde Hotel	Marine Parade	Wairoa
First Light Community	18	Ferry Hotel	Carroll Street	Wairoa
First Light Community	8	Sunset Point Sports Bar & Bistro	Cnr Rataua Street & Newcastle Street	Mahia Beach
Wairoa Club Inc	14	Wairoa Club	Marine Parade	Wairoa
TOTAL	58	4 venues		2

				areas
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As of 30 September 2016, Wairoa district has 58 pokie machines in 4 venues across the district – this has not changed since 2009. This represents 0.33% of non-casino venues across NZ and 0.36% of non-casino machines across NZ. The current ratio of resident adults per machine is 96:1.

The Wairoa population represents 0.002% of the national population² and ranks 62nd in size out of the 67 districts in New Zealand. The Māori population represents 0.008% of the NZ Māori population³ and ranks 31st in size (i.e. total number) out of the 67 districts in New Zealand. Wairoa has the highest proportion of Māori population out of the 67 districts in New Zealand – 59% of the district's population.

PROCEEDS

Gross Machine Proceeds (GMP) for Wairoa TLA for the September quarter 2016 was \$648,216.09 (That is the money left after paying out prizes). That represents a loss (Losses are the amount of money that players put into machines (Turnover) but are not returned to them) of \$115.18 per head based on Wairoa's adult population⁴. That is the 4th highest loss per head of population out of the 67 districts. The table below shows the loss per head and national ranking of other districts with small populations⁵.

1. District	2. Population	3. Loss per head	4. National Ranking
5. Waitomo	6. 8,907	7. \$77.95	8. 16 th
9. Otorohanga	10. 9,138	11. \$31.27	12. 52 nd
13. Opotiki	14. 8,436	15. \$117.09	16. 3 rd
17. Kawerau	18. 6,363	19. \$128.77	20. 1 st
21. Stratford	22. 8,988	23. \$44.48	24. 44 th
25. Carterton	26. 8,235	27. \$43.89	28. 45 th
29. South Wairarapa	30. 9,528	31. \$48.49	32. 41 st
33. Westland	34. 8,307	35. \$42.36	36. 47 th
37. Kaikoura	38. 3,552	39. \$60.72	40. 31 st
41. Mackenzie	42. 4,158	43. \$36.99	44. 50 th
45. Waimate	46. 7,536	47. \$38.49	48. 49 th

² 2013 Census figures

³ 2013 Census figures

⁴ 2013 Census figures

⁵ Taken from PGF report Nov 16

CURRENT SITUATION: COMMUNITY WELLBEING

WAIROA

CENSUS DATA 2013

The data shown includes factors which have been identified by the Gambling and Addictions Research Centre at Auckland University of technology as high risk factors associated with problem gambling.

POPULATION FIGURES

FACTOR 1



INCOME:

61% of Wairoa's population earn less than \$35,000 a year. Nationally, 52% of the population earn less than \$35,000 a year. The median income in Wairoa is \$22,000, nationally it is \$28,500. The median income for Wairoa's Maori population is \$19,400 - nationally it is \$22,500.

FACTOR 2



MAORI POPULATION:

59% of Wairoa's population are Maori. This is significantly different to % of the whole of New Zealand which is 14%.

FACTOR 3



FORMAL QUALIFICATIONS:

32% of Wairoa's population do not hold a qualification, only 6% hold a university qualification. Nationally only 19% of the population do not hold a qualification, with 18% holding a university qualification. 36% of Wairoa's Maori population do not hold a qualification, only 4% hold a university qualification. Nationally 30% of the Maori population do not hold a qualification and only 9% hold a university qualification.

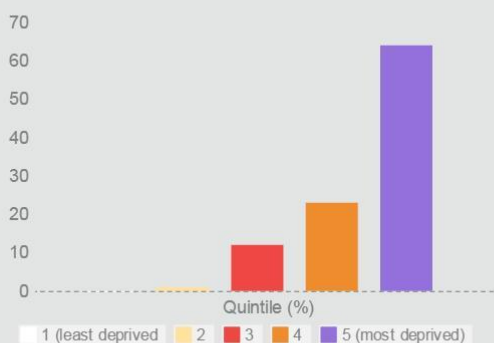
DEPRIVATION INDEX

In New Zealand 20% of the population live in each quintile.

NZDep2013 combines census data relating to income, home ownership, employment, qualifications, family structure, housing, access to transport and communications.

Each mesh block is given a decile rating (10 being in the 10% most deprived nationally):

Wairoa 10
Tuai 10
Frasertown 7
Ruakituri-Morere 7
Maungataniwha 8
Raupunga 9
Whakaki 9
Nuhaka 10
Mahia 9



Percentage of the population living in each socioeconomic deprivation quintile - 2013

SOCIAL WELLBEING

PUBLIC HEALTH

Problem gambling imposes extra costs on public health services and the criminal justice system. There has been a strong association between gambling and alcohol as the legislative requirements state that the primary activity of a Class 4 Venue may not be the operation of gambling machines. However, the primary activity of any Class 4 Venue can be in premises with a liquor licence. Problems associated with gambling include depression, loss of self-esteem, suicide and stress related health issues.

IMPACT ON LOW SOCIO-ECONOMIC GROUPS

Gamblers from low social economic backgrounds often try to use gambling as a means of increasing their income, but end up worse-off financially.

DEBT

There is a net loss associated with gambling. The primary social impact from excessive gambling is the resultant loss of money for the individual and their family.

IMPACTS ON INDIVIDUALS AND FAMILIES

One of the most visible impacts of problem gambling is on children. The media has highlighted the issue of children left in vehicles or outside venues while their caregivers gamble. The hidden costs associated for children and families, is often not visible or quantified. This can result in a lack of food, clothing, medical needs being met and attention from parents or caregivers.

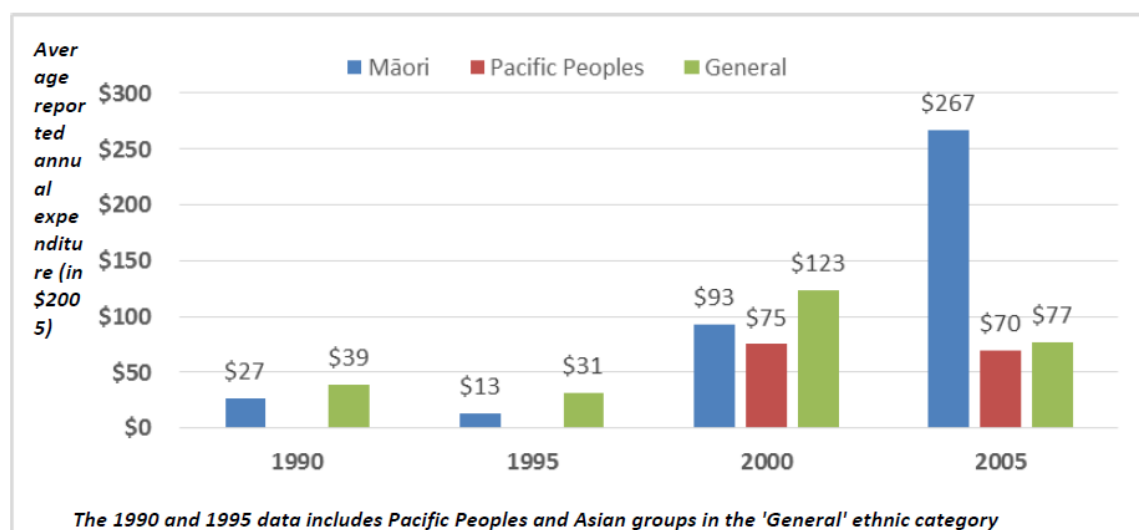
Marriages and relationships are also affected, with break-ups occurring as a result of one **person's gambling addiction**. These also can have serious effects on children, and the economic welfare of partners and families. Violence also appears to be more common among people with gambling problems.

Most social commentators agree that problem gambling is hidden and often does not surface until people are financially ruined.

CULTURAL WELLBEING

MĀORI

The Treaty of Waitangi has not been addressed in the Gambling Act 2003. About 33% of people with serious gambling problems identify as Maori. The table below identifies that Maori spend an average \$267 a year on gambling, as opposed to \$77 to the general ethnicities. Maori are also likely to be on a lower than average income in comparison to general ethnicities. This should be a concern for Council, with the District's larger than average Maori population. (As indicated in the 2013 census being 59% as compared to 14% nationally).



Note: The above table has been taken from the Department of Internal Affairs Gambling Participation Survey conducted from 1985-2005.

In the New Zealand National Gambling Study: Wave 3 (2014) Report Number 5 the findings in relation to Māori were:

“Across the three study waves, 11.5% of the transitions for Māori were into the low-risk, moderate-risk and problem gambling categories from the non-problem category.

- As found for the general population, in the bivariate associations, various gambling participation measures predicted the transition to low-risk, moderate-risk and problem gambling from non-problem gambling including regular continuous gambling, number of activities participated in, and annual and monthly participation in a number of individual activities. Of these the strongest risk factors were taking part in seven to nine gambling activities, monthly casino table games or EGM participation and monthly pub EGM participation. High average time spent playing pub EGMs was also a risk factor.*
- Setting a dollar limit for gambling before leaving home and setting a time limit were also significant predictors.*
- Māori aged between 35 and 64 years were significantly less likely than Māori aged 18 to 24 years to move into the low-risk, moderate-risk and problem gambling categories. Higher personal income was also protective.*
- Lower quality of life and higher psychological distress were further risk factors.*
- 49.*
- In the multiple logistic regression analyses, age was the only demographic predictor with Māori aged 35 to 64 years at much lower risk than those aged 18 to 24 years.*
- Time spent playing pub EGMs in an average day and setting a dollar limit before leaving home remained statistically significant in the analysis.*
- Higher psychological distress was the only other significant predictor.*

Across the three waves, 65% of Māori low-risk, moderate risk and problem gamblers remained in that category.

- *As for the overall population, in the bivariate associations, gambling participation measures were the strongest risk factors for remaining a low-risk/moderate-risk/problem gambler. Taking part in more than three different gambling activities in Wave 1 and typically spending over \$50 a month on gambling were strong risk factors, as was monthly or more frequent keno participation. Past year and monthly or more frequent involvement with pub EGMs and EGMs overall, and time spent playing pub EGMs in an average day were moderately strong risk factors. Annual participation in casino table games or EGMs, casino EGMs and club EGMs were further predictors, albeit less strong than the other participation measures.*
- *Setting a dollar limit for gambling before leaving home, hazardous alcohol use, cannabis use and other drug use were additional predictors.*
- *In the multiple logistic regression analyses, only two measures remained statistically significantly associated with remaining a low-risk, moderate-risk or problem gambler, namely spending 60 minutes or more playing pub EGMs in an average day and setting a dollar limit for gambling before leaving home.”*

ECONOMIC WELLBEING

ECONOMIC BENEFITS

There are no detailed New Zealand reports or international consensus on the economic benefits of gambling. Gambling machines do not tend to increase employment, with managers absorbing any extra work necessary for the inclusion of gambling machines in their venues. Community groups can benefit from owning or receiving money from gambling.

ENVIRONMENTAL WELLBEING

Certain types of activities are not suited to residential area and activities tend to have a series of effects that can be environmentally unsuitable to certain areas and in particular for the Social Impact of Gambling Assessment, to certain people.

SUMMARY EFFECTS

The following are identified as effects of gambling for which an applicant for a gambling machine venue or Class 4 consent needs to consider prior to submitting an application to Council.

PROBLEM GAMBLING EFFECTS TO MITIGATE FOR

(a) The incidence of children or dependants being left in vehicles whilst the caregiver gambles.

(b) Children or youth under the age of 18 years accompanying a caregiver or adult, or on their own, entering a designated gambling machine area.

(c) The lack of prominent signage in the gambling venue advising patrons who choose to engage in gambling, of the free-phone helpline of the Problem Gambling Foundation of New Zealand.

(d) Gambling machines visible and readily accessible by being located in public facilities, venues or commercial premises that are commonly associated with families and children, including but not limited to, shops, restaurants, cafés.

VENUE PROBLEMS TO MITIGATE FOR

(a) Signage or machines visible to the public outside the venue and advertising the availability of gambling machines, or by association, promoting them or their use.

(b) The lack of signage inside a venue with Class 4 machines that clearly delineates where the gambling machine area of the venue is located, and advising that no persons under the age of 18 years shall enter.

(c) The lack of standardised training for staff on procedures and the lack of assertiveness by all staff to enforce these procedures consistently every time.

(d) The venue having a separate entrance into the gambling machine area from the street or public space that would allow under age persons to enter and engage in gambling without the knowledge of venue staff.

(e) The location of venues with gambling machines in areas with District Plan controls not suited to managing a commercial activity of this nature, or of a venue being established without the knowledge and consent of neighbours in a residential area.

PROPOSED CHANGES TO COUNCIL'S POLICY

The Council currently has a policy which does not allow for new venues, for increased number of machines at existing venues, and for re-establishment of a venue.

Council could make changes to its policy to reverse one or all of the above if they wished.

Council could add to the existing policy e.g. signage.

The table below shows the policy settings of other authorities of similar sizes.

TA	New Venues	No of New venues	Machines per venue	Location restrictions	Relocation	Notes
Wairoa	No	N/A	No increase for existing	Not mentioned	Y	
Tararua	No	N/A	9 for new venue, no increase allowed for existing Licenced pre 17 Oct 2001 - 18, licensed post this date 9	not closer than 100m from school, kindy or worship	Y	
Buller	Not mentioned	Not mentioned Maximum number of venues per district:		Taken into consideration but no limitation	Not mentioned	
Wairarapa Combined (Draft)	Yes - restrictions	Masteron 5, Carterton 3, South Wairarapa 6	No increase in total for area, max of 9 machines New venue can increase number from 6 to 9 after 2 years. Total number is 60 machines across district	No limitation given but is a factor in determination	Y	
Kaikoura	Yes - restrictions			Not explicit about limitation		External exposure and advertising included, host responsibility

			Total number in district capped at 54; no consents will be issued to increase no per venue			
Kawerau	No	N/A	New and existing (post October 2001) venues max of 9.	Not mentioned	No	
Mackenzie	Yes - restrictions	Not mentioned	Total in district max of 65 No additional machines 9 per new venue, total for district 83 stat provision (9 and 18), combined clubs 30 or sum of the clubs licences at time of application	Business Zones only mentioned but not explicit	Not mentioned Exceptional circumstances only	advertising
Opotiki	No	N/A				
Rangitikei	Yes - restrictions	Not mentioned		Not mentioned	Not mentioned	
Ruapehu	Yes - restrictions	not mentioned		commercial zone	Y	no separate entrance, signage, gambling harm minimisation policy, SIA attached
Southland	No	n/a	Not stated	Not explicit about limitation	Y	Visual and sound, responsible gambling
Stratford	Yes - restrictions	Not mentioned	New is max of 9	Not mentioned	Not mentioned	

Waimate	8 venues total allowed at any time	Not mentione d	Max of 9, district total not to exceed 40 district total is 77, new venue max of 9, no increase for existing	Business Zones 1 & 2 with exemptions available Not adjacent to or directly opposite kindy, school or worship; veues limited to 5 in Te Kuiti urban area	Not mentioned	
Waitamo	Yes - restriction s	Not mentione d			Y	signage

BACKGROUND READING

NZ Health Strategy

Strategy to Prevent and Minimise Gambling Harm 2016/17 to 2018/19

Te Puāwaiwhero: The Second Māori Mental Health and Addiction National Strategic Framework 2008–2015.

Rising to the Challenge: The Mental Health and Addiction Service Development Plan 2012–2017

Ala Mo'ui: Pathways to Pacific Health and Wellbeing 2014–2018

He Korowai Oranga: Māori Health Strategy (refreshed in 2014)

Abbott M, Bellringer M, Garrett N, et al. 2014a. *New Zealand 2012 National Gambling Study: Attitudes towards gambling: Report number 3*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Abbott M, Bellringer M, Garrett N, et al. 2014b. *New Zealand 2012 National Gambling Study: Gambling harm and problem gambling: Report number 2*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Abbott M, Bellringer M, Garrett N, et al. 2014c. *New Zealand 2012 National Gambling Study: Overview and gambling participation: Report number 1*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Abbott M, Bellringer M, Garrett N, et al. 2015. *New Zealand 2012 National Gambling Study: Report number 4: 12-month follow-up (Wave 2)*. Auckland: Gambling & Addictions Research Centre, National Institute for Public Health & Mental Health Research, AUT University.

Rossen F. 2015. *Gambling and Problem Gambling: Results of the 2011/12 New Zealand Health Survey*. Auckland: Auckland UniServices Ltd, Centre for Addiction Research, University of Auckland.



Policy Name:	Wairoa District Council Class 4 Gaming Venue Policy	File Reference:	I18.01
Person Responsible:	Regulatory Manager	Date Policy Adopted	10 June 2014
Category:	Regulatory	Status:	Final
Next Review Due By:	2016	Revision Number:	1
Supersedes:	Previous	Date Last Revised:	

1. Background

- This Policy is made for the purposes of Section 101 of the Gambling Act 2003.
- Under the Gambling Act 2003, applicants for Class 4 gaming venue licenses must have the consent of the territorial authority in which the venue is, or will be, situated. In order to consider and determine applications for consent, territorial authorities are required by the Act to have a policy specifying whether or not Class 4 venues may be established in their district, where Class 4 licensed venues may be located in the district, and may also place additional limits on the number of machines per venue, which the Act sets at nine.
- This policy has been developed to enable the Council to consider and determine consent applications. As required by the Act, all decisions by Council to grant or decline consent must be made in accordance with this policy.

2. Scope of the Policy

- This policy covers Class 4 venues licensed under the Gambling Act 2003.

3. Objectives of the Policy

- To ensure the Council and the community has influence over the location of new Class 4 gambling venues in the Wairoa District.
- To control the extent of Class 4 gambling within the Wairoa District in a manner which will prevent and minimise the potential harm caused by gambling, particularly problem gambling.
- To reduce the number of gaming machines in the Wairoa District to the extent that Council is empowered by the Gambling Act 2003.

- To recover costs where appropriate.

4. Goals

- The Council supports the primary objectives of the Gambling Act, which are to ensure that:
- Gambling is primarily used to raise funds for community purposes;
- The harm caused by gambling is prevented or minimised;
- Local involvement in decisions about the availability in communities of various forms of gambling is facilitated;
- The growth of gambling is controlled.
- In terms of this policy, the objectives of the Council are to:
- Ensure that community input, via the Local Government Act 2002 Special Consultative Procedure, is sought from the Community in the preparation of the Policy.
- That gaming machines are located in appropriate venues.

5. Gambling Venues

- No further gaming machine venues to be established in the Wairoa District.

6. Gaming Machines

- Council will NOT grant territorial authority consent to:
- Operate gaming machines at any venue not already operating machines; or
- Increase the number of gaming machines operating at an existing Class 4 venue above that licensed by the Department of Internal Affairs or granted territorial authority consent at the time of this policy coming into force; or
- Re-establish a Class 4 venue with gaming machines once a licence is no longer held for that venue and territorial authority consent is required.

Note: This situation usually applies when no licence has been held by any society for a particular venue within the previous six months.

6. Relocation of class 4 venues

- Subject to the requirements of the Gambling Act 2003, Council may permit a class 4 gaming venues to re-establish to a new site where:
 - a) Due to the circumstances beyond the control of the owner or lessee of the class 4 venue, the venue cannot continue to operate at the existing site.

Examples of such circumstances include but are not limited to the following:

- i. Expiration of lease; or
- ii. Acquisition of property under the Public Works Act; or
- iii. Site redevelopment

Any permission to establish a new class 4 venue under this clause will be subject to the following conditions:

- iv. The venue operator of the business at the new site shall be the same venue operator at the site to be vacated;
 - v. Subject to the requirements of the Gambling Act 2003, the maximum number of gaming machines shall be the same as approved at the time of closing the former premises.
- Subject to the requirements of the Gambling Act 2003, clubs that rebuild or relocate may be allowed a maximum of the number of gaming machines approved at the time of closing of the former premises.
 - b) In the case of a club only, as defined in the Gambling Act 2003, Council will permit the relocation to a new site of a club. Where two or more existing clubs legally and physically combine into one, the resulting club may be allowed to operate the sum of the number of gaming machines specified in all Class 4 venue licences at the time of application or 24 machines whichever is the lesser.

7. Primary Activity of Class 4 Gambling Venues

- The primary activity of any Class 4 gambling venue shall be:
- For the sale of liquor or for liquor and food, or
- For sporting activities.
- For race and sports betting conducted at a TAB Board Venue.

8. Application Fees

- These will be set by Wairoa District Council, and shall include consideration:
- The cost of processing the application, including any consultation and hearings involved;
- The cost of triennially reviewing the Class 4 (Gaming Machines) venue policy;
- The cost of inspecting Class 4 gambling venues on a regular basis to ensure compliance with consent or license conditions;
- The application fee will be reviewed by Council as part of the Annual Plan Fees and Charges review.

9. Policy Review

- This policy will be reviewed on a three-yearly basis.
- This policy may be reviewed at any time where there is an urgent concern or request from the community.

				What do you want to add/remove/change about the current policy?
Name	Last	Speaking	Do you want to keep the current policy?	
Shelley	Burne-Field	Yes	No, I wish to add/remove/change something.	See emailed attachment
Ministry of C/- Andrew Hill		TBC	No, I wish to add/remove/change something.	See emailed attachment
NZ Racing IC/- Jarrod True		Yes	Yes	

The New Zealand Racing Board's Submission on Wairoa District Council's Class 4 Gambling Venue and TAB Board Venue Policy



Contact Person:

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NEW ZEALAND
RACING BOARD

**The New Zealand Racing Board's Submission on Wairoa District Council's
Class 4 Gambling Venue and TAB Board Venue Policy**

Summary

1. The New Zealand Racing Board invites council to:
 - Retain the status quo TAB Board Venue policy; and
 - Replace the current sinking lid on gaming machines with a cap at current numbers (four venues, 58 machines).

Amending the Gaming Machine Sinking Lid

2. A sinking lid policy is the most restrictive approach that council can adopt. It is submitted that such an approach is no longer justified in the current environment of high regulation and naturally reducing machine numbers. It is submitted that the current sinking lid policy be replaced with a cap at current numbers (58 machines).
3. There is no direct correlation between gaming machine numbers and problem gambling rates. The table below details the problem gambling surveys that have been undertaken.

Survey Year	Survey Name	Screen	Problem Gambling Rate	Survey Size
1991	1991 National Prevalence Survey	SOGRS-R	1.2% people were current pathological gamblers (SOGRS-R score of 5)	3,933
1999	1999 National Prevalence Survey ¹	SOGRS-R	0.5% of people aged over 18 years had a SOGRS-R score of 5	6,452
2006/2007	2006/07 New Zealand Health Survey ²	PGSI	0.4% of people aged 15 years and over	12,488
2010	2010 Health and Lifestyles Survey ³	PGSI	0.70% of people aged 15 years and over	1,740

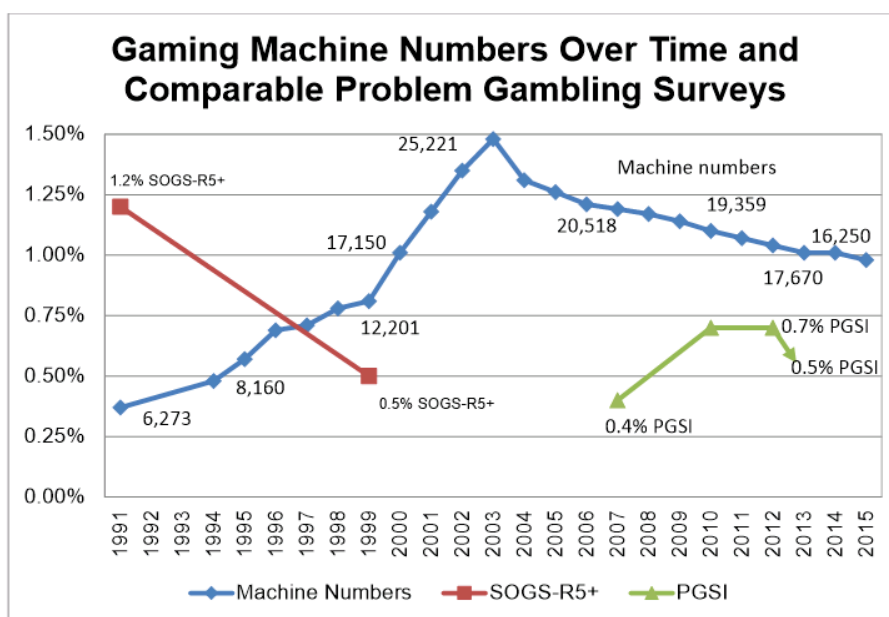
¹ [http://www.dia.govt.nz/pubforms.nsf/URL/TakingthePulse.pdf/\\$file/TakingthePulse.pdf](http://www.dia.govt.nz/pubforms.nsf/URL/TakingthePulse.pdf/$file/TakingthePulse.pdf)

² <http://www.health.govt.nz/system/files/documents/publications/portrait-of-health-june08.pdf>

³ Gray, R 2011 *New Zealanders' Participation in Gambling: Results from the 2010 Health and Lifestyles Survey* – Health Sponsorship Council http://www.hsc.org.nz/sites/default/files/publications/Gambling_

2011/2012	2011/12 New Zealand Health Survey ⁴	PGSI	0.30% of people aged 15 years and over	9,821
2012 (March to October)	2012 National Gambling Survey ⁵	PGSI	0.70% of people aged 18 years and over	6,251
2013	New Zealand National Gambling Study: Wave 2 (2013) ⁶	PGSI	0.50% of people aged 18 years and over	6,251

4. The graph below details the machine numbers over time and the problem gambling rate. Between 1991 and 1999 the problem gambling rate declined considerably despite gaming machine numbers doubling and gaming machine expenditure trebling. Between 2006 and 2010 the problem rate increased, despite the number of gaming machines in New Zealand falling considerably in the same period. Between 2010 and 2012 the problem gambling rate stayed the same, despite a continual decline in gaming machine numbers. When viewed as a whole, the above survey results confirm that there is no direct correlation between gaming machine numbers and problem gambling rates. The reasons for an increase or decrease in problem gambling are complex and multi-faceted, not simply the direct by-product of an increase or decrease in machine numbers.



Participation_final-web.pdf (page 14)

⁴ <http://www.health.govt.nz/system/files/documents/publications/problem-gambling-preliminary-findings.pdf>

⁵ http://www.health.govt.nz/system/files/documents/pages/national_gambling_study_report_2.pdf

⁶ <http://www.health.govt.nz/system/files/documents/pages/report-national-gambling-study-12-month-final-23-10-15.pdf>

5. The 2012 National Gambling Survey⁷ concluded that the prevalence of problematic gambling reduced significantly during the 1990s and has since stayed about the same. The report stated on pages 17 and 18:

Problem gambling and related harms probably reduced significantly during the 1990s but have since remained at about the same level despite reductions in non-casino EGM numbers and the expansion of regulatory, public health and treatment measures. Given that gambling availability expanded markedly since 1987 and official expenditure continued to increase until 2004, these findings are consistent with the adaptation hypothesis. This hypothesis proposes that while gambling problems increase when high risk forms of gambling are first introduced and made widely available, over time individual and environmental adaptations occur that lead to problem reduction.

6. Professor Max Abbott is New Zealand's leading expert on problem gambling. In 2006, Professor Abbott published a paper titled *Do EGMs and Problem Gambling Go Together Like a Horse and Carriage?* The paper noted that gaming machine reductions and the introduction of caps generally appear to have little impact on problem gambling rates. Professor Abbott noted:

EGM reductions and the introduction of caps generally appears to have little impact (page 1).

Over time, years rather than decades, adaptation ('host' immunity and protective environmental changes) typically occurs and problem levels reduce, even in the face of increasing exposure. (page 6).

Contrary to expectation, as indicated previously, although EGM numbers and expenditure increased substantially in New Zealand from 1991 to 1999, the percentage of adults who gambled weekly dropped from 48% to 40%. This is of particular interest because it suggests that greater availability and expenditure do not necessarily increase high-risk exposure. (page 14).

7. The current restrictive policy is unlikely to reduce problem gambling, but will reduce the amount of funding available to Wairoa-based community groups. Problem gamblers are people who are addicted to gambling. If a new bar is established and the policy prevents that bar from hosting gaming machines, a person who is addicted to gambling will simply travel the short distance to the next bar that has gaming machines, or worse, may move to another form of gambling such as offshore-based internet and mobile phone gambling.

⁷

http://www.health.govt.nz/system/files/documents/pages/national_gambling_study_report_2.pdf

Temptation to Simply Reduce Gambling Activity

8. There may be a temptation to introduce a restrictive policy to simply reduce the gambling spend as a whole. It must, however, be remembered that gambling is a lawful entertainment activity and that individuals in New Zealand remain free to make their own decisions as to how they spend their money on the lawful entertainment options that are available.
9. The Gambling Commission has been very critical of steps that have been taken in the past that have been aimed at reducing the gambling spend as a whole. In the Gambling Commission decision GC16/06, the Commission stated:

...measures should only be imposed if they reduce the harm caused by problem gambling, as distinct from simply reducing gambling activity which is a lawful and permitted activity under the Act.

Gaming Machine Funding

10. The Gambling Act 2003 seeks to balance the potential harm from gambling against the benefits of using gaming machines as a mechanism for community fundraising. Approximately \$275 million in grants are made each year from non-casino gaming machines. In addition to the external grants, clubs such as RSAs and Workingmen's Club receive approximately \$50 million each year in gaming proceeds to assist with meeting the clubs' operating costs. This funding is crucial.
11. The total annual authorised purpose funding (including the non-published club authorised purpose payments) received from Wairoa-based venues is approximately \$1 million.
12. The Auckland Council commissioned a community funding survey. The survey data is summarised in the report *Community Funding: A Focus on Gaming Grants* dated 4 September 2012.⁸ This report also confirmed how essential gaming machine funding is and how extremely difficult it would be for such funding to be obtained from alternative sources. The key findings of this survey were:

⁸ www.gamblinglaw.co.nz/download/Research/Auckland_City_Community_Funding_Report.pdf

- Most respondents (75%) indicated that their organisation is moderately or totally reliant on gaming machine funding to fund core business activities.
- Most respondents (81%) believed that there would be a moderate to high risk to their organisation and their core business if they did not receive gaming funding.

13. The report concluded:

Gaming Trust funding is a major source of community funding for organisations in the Auckland Region. Most respondents believe that the funding for their organisations is not particularly secure and are highly dependent on gaming funding, not just for discretionary or extra activities, but to fund their core business. There is a dependence on this funding with over half the respondents believing that their organisations would be at extreme risk if they did not receive it. Most felt that if the funding was not available, they would struggle to find an alternative source of funding. Some would cut down the activities they undertook, others say they would be forced to close down.

Conclusion

14. It is acknowledged that the council needs to strike a balance between the costs and benefits of gaming machine gambling. It is accepted that a small percentage of people (0.5% of people aged 18 years and over) have a problem with their gambling (all forms of gambling). However, for the vast majority of people, casual expenditure on gaming machines is a form of entertainment that they participate in and enjoy, without any harm being caused. Gaming machines also provide a considerable amount of community funding to local community groups. This funding (over \$1 million per annum) is the lifeblood of many Wairoa organisations.
15. Gaming machine numbers are in natural decline, and gaming machine participation is reducing. However, the harm minimisation measures that are now in place have never been higher. In light of the new regulations now in place, a cap at current numbers (a cap of 58 machines) is entirely appropriate. The continuation of a more restrictive policy is unlikely to reduce problem gambling, but will inevitably reduce local community funding opportunities and may encourage people to seek out other forms of gambling, including offshore-based internet and mobile phone-based gambling. This form of gambling is very harmful and provides no return to the local community and no contribution to employment, taxation and health services in New Zealand.

16. We wish to speak to our submission.



Jarrod True
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22 May 2017



15 June 2017

Charlotte Knight
Council's Governance Advisor and Policy Strategist
Wairoa District Council

Review of Wairoa District Council Board TAB Venue Policy

Attn: Charlotte Knight

Background:

The Ministry of Education is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing. The Ministry is therefore a considerable stakeholder in terms of activities that may impact on educational facilities and assets in the Wairoa District area.

The Ministry's submission on the TAB Venue Policy

Wairoa District Council is reviewing its TAB Venue Policy. The Ministry of Education is concerned with the access and exposure of students to gambling. Currently all applications for a consent to have TAB Venues shall be made to Council's Consent Section. The Ministry of Education supports the existing TAB Venue Policy and the current application requirements and requests that Council retain the following:

7. Application requirements – TAB Venues

All applications for a consent to have TAB Venues shall be made to Council's Consent Section, and shall be accompanied with the following information:

- *A full floor plan, and location map of premises, detailing distance to nearest school, kindergarten, child care centre, place of worship or other community facility.*

Relief Sought: The Ministry of Education also requests that an additional requirement is added to the policy. The suggested wording is provided below (under lined).

- *Where a TAB venue is located closer than 500 metres to a school, kindergarten or a child care centre then the applicant shall provide a copy of the application directly to these facilities which shall be considered as affected parties to the application.*

Should you have any more queries please do not hesitate to contact as the undersigned as the consultant to the Ministry.

Andrew Hill, Planner (Beca Ltd) P: 07 577 3938 E: andrew.hill@beca.com

From: Wairoa District Council
To: [Charlotte Knight](#)
Subject: WDC - Submissions on TAB Venue Policy [#4]
Date: Friday, 30 June 2017 9:18:52 a.m.

Name *	Shelley Burne-Field
Address *	<input type="checkbox"/> 210 Lyndon Road West Hastings Hastings, Hawke's Bay 4122 New Zealand
Email	shelley@trhor.org.nz
Do you wish to speak to your submission in person? *	Yes
Do you want to keep the current policy? *	No, I wish to add/remove/change something.
What do you want to add/remove/change about the current policy?	See emailed attachment
Comments	See emailed attachment



Submission on the Proposed Wairoa City Council Gambling Venues Policy

To: Wairoa District Council
P.O. Box 54
Wairoa 4160
Hawkes Bay
Attn: Charlotte Knight

Submitter: Te Rangihaeata Oranga Trust

Gambling Recovery Service HB
210 Lyndon Road West,
Hastings, 4122

Proposal: Proposed: Class 4 Gaming Venue Policy Review 2017 &
TAB Venue Policy Review 2017

SUBMISSION ON PROPOSED GAMBLING VENUES POLICY REVIEW**Details of submitter**

1. Te Rangihaeata Oranga Trust – Gambling Recovery Service (HB) (the submitter) welcomes the opportunity to comment on the Proposed Gambling Venues Policy.
2. The submitter is the leading provider in Hawke's Bay for people who are affected by harmful gambling. We are a Kaupapa Māori Gambling Recovery Service that provides services with integrity to all ethnicities.
3. The submitter is well-known by the venue operators and we build relationships to help minimise harm in the district. One of the tools offered to addicted people is the ability to exclude themselves from venues. There is also an option of Multi-Venue Exclusion (MVE) which we administer in partnership with Societies, venues and the Government.
4. The submitter's goal is to help gamblers improve their own health outcomes. One way to do this is to build closer and effective relationships with Iwi, hapu, individuals, community, local and central government as well as other social services.

General Comments

5. The submitter recognises and supports the New Zealand Government stance that gambling is a public health issue (Gambling Act, 2003).
6. Gambling is often cited as a recreational and entertainment activity, however gambling is highly addictive. It can result in players displaying compulsive behaviours with loss of control to limit intake. Gaming machines (Pokie) machines are extremely addictive. They are specifically designed so players will ultimately lose.
7. Pokie gambling is not a 'fair' wager. Many problem gamblers begin playing pokie machines believing that the machine is offering an entertaining past-time. However, pokie machines are specifically designed to win – and gamblers to lose.

8. Pokies are constructed using techniques which trap players. This is widely accepted in the gaming industry. Mathematical logarithms are used to set win and loss points. Musical scores are composed to heighten perceived winnings and neutral losses. Addiction is a targeted activity.
9. The Gaming Machine industry for players is a zero sum game. Gamblers, their families, and their communities exclusively and continually lose. Societies and venue operators are the winners.
10. The submitter acknowledges the widely referenced and uncontested statistics that gaming machines (pokies) and sports betting are two of the most harmful forms of gambling in New Zealand.
11. \$664,666.85 of GMP¹ was lost in Wairoa District over THREE (3) months January – March 2017. Annual turnover in Wairoa pokies was almost \$30 million in 2016. \$2.6 million was lost in Wairoa over the year 2016².
12. \$80,000 is turned over **every day** across only **four** Wairoa venues: Clyde Hotel, Ferry Hotel, Sunset Point Sports Bar & Bistro, Wairoa Club. Through 58 machines.
13. A primary consideration around harmful pokie gambling is where the money comes from as well as where it goes? In most scenarios money is disproportionately taken from the most deprived communities. There is significant social, health and economic costs to people, families, the community, and businesses in Wairoa.
14. The submitter notes that 80% of pokie proceeds from (Stand Alone) or Agency TAB Venues which also host pokies are distributed back to the NZ Racing Board. 20% is distributed to amateur sporting codes.
15. The requirement to include a relocation policy in Council's Class 4 Gaming Venue Policy is non-compulsory. In considering any relocation policy, the most important consideration for Council (under the Act) is to 'have regard' to a robust Social Impact Assessment.

¹ Gross machine profit, or the amount wagered minus the amount won.

² Department of Internal Affairs, April 2017

16. It is important to note that simply capping numbers does not benefit at-risk gamblers, their affected families, their communities and employers. It does the opposite. A cap dramatically increases risk and opportunities for social harm.
17. If a person has a gambling addiction, then drug related disorders are more prevalent. For example, in the general population 6% of people suffer from a disorder associated with drugs. That figure skyrockets to 38% of people with a gambling addiction who also suffer from some form of drug addiction³.
18. If a person has a gambling addiction, then alcohol related disorders are also more prevalent in this population. For example, in the general population 13.5% of people suffer from a disorder associated with alcohol consumption. That figure rises to 74% of people with a gambling addiction who also suffer the effects of alcohol abuse⁴.
19. International research shows that over one-third of people with gambling problems report being the victims **OR** perpetrators of physical domestic violence. This equates to 38% for victims of intimate personal violence (IPV) and 37% for the perpetrators of IPV. Moreover, 11% of offenders of IPV report gambling problems⁵.
20. People who gamble excessively and their families have higher rates of suicide⁶.
21. Te Rangihaeata Oranga Trust – Gambling Recovery Service HB (the submitter) appreciates the opportunity to provide feedback on the 2017 Gambling Policy Review and has some comments for consideration which would further improve health outcomes for the community.

³ ABACUS

⁴ IBID

⁵ Dowling, N. A., Suomi, A., Jackson, A. C., Lavis, T., Patford, J., Cockman, S., et al. (in press). Problem gambling and intimate partner violence: A systematic review and meta-analysis. Trauma, Violence, and Abuse

⁶ Problem Gambling Canada

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Specific comments:**Wairoa District Council Class 4 Gaming Venue Policy**

22. "5. Gambling Venues"

The submitter supports the current policy setting:

- No further gaming machine venues to be established in the Wairoa District

23. "6. Gaming Machines"

The submitter supports the current policy setting:

Council will NOT grant territorial authority consent to:

- Operate gaming machines at any venue not already operating machines;
or
- Increase the number of gaming machines operating at an existing Class 4 venue above that licensed by the Department of Internal Affairs or granted territorial authority consent at the time of this policy coming into force; or
- Re-establish a class 4 venue with gaming machines once a licence is no longer held for that venue and territorial authority consent is required.

We praise the Council on utilising this policy as a mechanism to minimise gambling harm in Wairoa by attempting to reduce exposure to gaming machines (pokies).

Wairoa District Council TAB Venue Policy

24. In order to meet the objectives of the current policy, the Submitter respectfully requests that Council introduce the following clause to cap the number of TAB agencies in the Wairoa district on the grounds of minimising harm from a growing public health issue – harmful gambling:

Introduce Clause: ESTABLISHMENT OF BOARD VENUES

“Board venues are defined in the Racing Act 2003 as those premises that are owned or leased by the New Zealand Racing Board (TAB) and where the main business carried on at the premises is providing racing betting or sports betting services. Council will permit the establishment of Board venues with the total number of venues not to exceed 1 (one) venues in the District at any one time. Council believes that there are sufficient standalone Board venues to serve the demand in the District and that restrictive policy is in line with the community’s priorities of health, safety and the promotion of well-being.

Note: territorial authority consent is only required for standalone Board venues and is not required under the Racing Act 2003 to establish a TAB facility in a bar, hotel or club.”

Conclusion

25. Te Rangihaeata – Gambling Recovery Service HB wishes to be heard in support of this submission.

26. Thank you for the opportunity to submit on the review of Wairoa District Council Gaming Venue Policy.

27. Thank you for the opportunity to submit on the review of Wairoa District Council TAB Venue Policy.

Person making the submission

Shelley Burne-Field Date: 30 June 2017

Health Promoter
Gambling Recovery Service HB

Contact details

Shelley Burne-Field
On behalf of
Te Rangihaeata Oranga Trust - Gambling Recovery Service HB

P 06 876 6267
shelley@trhor.org.nz



Statement of Proposal

Review of Wairoa District Council Board (T.A.B) Venue Policy

Reason for the Proposal

Under the Racing Act 2003 Council is required to have a policy on Board Venues. This policy covers stand-alone TAB Board Venues, which are owned or leased by the New Zealand Racing Board. Council consent is not required under the legislation to establish a TAB facility in a bar, hotel or club. If a TAB Board Venue wishes to host gaming machines a separate application must be made under Council's class 4 gambling policy and the TAB Board Venue must also meet the additional criteria set out in that policy.

65D Territorial authority must adopt Board venue policy

- (1) A territorial authority must, within 6 months after the commencement of this section, adopt a policy on Board venues.
- (2) In adopting a policy, the territorial authority must have regard to the social impact of gambling within the territorial authority district.
- (3) The policy must specify whether or not new Board venues may be established in the territorial authority district and, if so, where they may be located.
- (4) In determining its policy on whether Board venues may be established in the territorial district and where any Board venues may be located, the territorial authority may have regard to any relevant matters, including—
 - (a) the characteristics of the district and parts of the district:
 - (b) the location of kindergartens, early childhood centres, schools, places of worship, and other community facilities:
 - (c) the cumulative effects of additional opportunities for gambling in the district.

65E Adoption and review of Board venue policy

- (1) A policy on Board venues under [section 65D](#) must be adopted in accordance with the special consultative procedure in [section 83](#) of the Local Government Act 2002 and, for the purpose of subsection (1)(e) of that section, the territorial authority must give notice of the proposed policy, in a manner that the territorial authority considers appropriate to—
 - (a) the Board; and
 - (b) organisations representing Māori in the territorial authority district.
- (2) A policy may be amended or replaced only in accordance with the special consultative procedure, and this section applies to that amendment or replacement.
- (3) Subsection (1)(b) does not affect the ability of a territorial authority to take similar action in respect of any other population group.

(4) A territorial authority must, as soon as practicable after adopting, amending, or replacing a policy on Board venues, provide a copy of the policy to the Board and the Secretary.

(5) A territorial authority must complete a review of a policy within 3 years after the policy is adopted and then within 3 years after that review and each subsequent review is completed.

(6) A policy does not cease to have effect because it is due for review or being reviewed.

Council is considering whether it should make any changes to the current policy. It considers that this is a matter for local communities to decide, there is also a legislative requirement for the special consultative procedure to be used. Council is therefore seeking feedback from its communities on whether they believe Council should make changes to the current policy.

More Information

Where to get a copy of the Summary of Information and submission form

The Summary of Information and the submission form may be collected from the Council's Main Office in Wairoa, or from the Council's website www.wairoadc.govt.nz

Period for Consultation

Written submissions on the Review of Wairoa District Council Board (T.A.B) Venue Policy may be made from **[Time period of 1 month]**.

Those who make a written submission may choose to make an oral submission. Hearings of oral submissions are scheduled for **[Closest Council date after Submission end date or extraordinary hearing meeting 2 weeks after close of submissions]**. Please indicate on your submission form if you wish to speak to your submission.

If you have any questions please contact Charlotte Knight, Governance Advisor & Policy Strategist on 06 838 7309



Policy Name:	Wairoa District Council Board (T.A.B) Venue Policy	File Reference:	I18.01
Person Responsible:	Regulatory Manager	Date Policy Adopted	10 June 2014
Category:	Regulatory	Status:	Final
Next Review Due By:	2016	Revision Number:	1
Supersedes:	Previous	Date Last Revised:	

1. Background

- This Policy is made for the purposes of 65D of the Racing Act 2003.
- This policy has been developed to enable the Council to consider and determine consent applications. As required by the Act, all decisions by Council to grant or decline consent must be made in accordance with this policy.

2. Scope of the Policy

- This policy covers stand-alone TAB Board Venues, which are owned or leased by the New Zealand Racing Board. Council consent is not required under the legislation to establish a TAB facility in a bar, hotel or club. If a TAB Board Venue wishes to host gaming machines a separate application must be made under Council's class 4 gambling policy and the TAB Board Venue must also meet the additional criteria set out in that policy.

3. Objectives of the Policy

- To ensure the Council and the community has influence over the location of new TAB venues in the Wairoa District.
- To recover costs where appropriate.

4. Goals

- The Council supports the primary purposes of the Racing Act, which are:
- to provide effective governance arrangements for the racing industry; and
- to facilitate betting on galloping, harness, and greyhound races, and other sporting events; and
- To promote the long-term viability of New Zealand racing.
- In terms of this policy, the objectives of the Council are to:
- Ensure that community input, via the Local Government Act 2002 Special Consultative Procedure, is sought from the Community in the preparation of the Policy.

5. Where TAB Venues May Be Established

- The Wairoa District Council will accept New Zealand Racing Board applications for TAB venues, in relation to their location only.
- All new venues shall comply with the criteria for location and associated fee payments, as defined in this policy.
- All TAB venues shall be located in the Town Centre/Industrial zone.

6. Relocation of Board venues

- Subject to the requirements of the Racing Act 2003, Council may permit a Board venue to re-establish to a new site where:
 - a) Due to the circumstances beyond the control of the owner or lessee of the board venue, the venue cannot continue to operate at the existing site. Examples of such circumstances include but are not limited to the following:
 - i. Expiration of lease; or
 - ii. Acquisition of property under the Public Works Act; or
 - iii. Site redevelopment

Any permission to establish a new Board venue under this clause will be subject to the following conditions:

- iv. The venue operator of the business at the new site shall be the same venue operator at the site to be vacated

7. Application requirements – TAB Venues

- All applications for a consent to have TAB Venues shall be made to Council's Consent Section, and shall be accompanied with the following information:

- A fully completed prescribed application form;
- Appropriate application fee payment as specified in the Wairoa District Council's Annual Plan Fees and Charges schedule;
- A full floor plan, and location map of premises, detailing distance to nearest school, kindergarten, child care centre, place of worship or other community facility.

8. Application Fees

- These will be set by Wairoa District Council, and shall include consideration:
- The cost of processing the application, including any consultation and hearings involved;
- The cost of triennially reviewing the TAB venue policy;
- The cost of inspecting TAB venues on a regular basis to ensure compliance with consent or license conditions;
- The application fee will be reviewed by Council as part of the Annual Plan Fees and Charges review.

9. Policy Review

- This policy will be reviewed on a three-yearly basis.
- This policy may be reviewed at any time where there is an urgent concern or request from the community.



BOARD (T.A.B) VENUE APPLICATION

(For the purpose of Gambling Act 2003 & the Wairoa District Council (T.A.B.) Board Venue Policy adopted 10 June 2014)

For Office Use Only

Received	
Planning	
Building	
Liquor Licensing	

Venue details

I, _____ On behalf of: _____
Full Name: *Name of Society/Trust:*

seek a Board (T.A.B) Venue consent for:

Venue Trading Name

Street Address of Venue location: _____

Legal Description: _____

Applicant / Agent Contact details

Postal Address For Service: _____

 Postcode: _____

Phone: _____
 Work Home Fax Mobile

Email: _____

Names and titles of Key Persons at Society/Venue (Owner, Operator/Manager)

Society Name: _____ Venue Owner: _____

Address: _____ Address: _____

Contact Phone #: _____ Contact Phone #: _____

I attach: ☐ **\$200 fee (includes GST).** This fee is effective from 1 July 20XX to 30 June 20XX
 Payment can be in the form of a cheque, made in favour of 'Wairoa District Council' or by EFTPOS (excluding Credit Cards).

☐ **Completed Application Checklist**

☐ **Certificate of Title**

Signature of Applicant: _____

Date of Application _____/20

INFORMATION CHECKLIST
For
BOARD (T.A.B) VENUE APPLICATIONS

Every box on the following list must be addressed.

If you have any questions about anything on this form, please contact the Council's Consents Section at (06) 838-7309.

Check your application carefully. Once accepted for processing, the fee for processing venue consent applications is non-refundable.

For this reason, the first question requires you to have checked if there is capacity available, before you decide whether it is worthwhile to continue the application. If you have answered "NO" to any question in this checklist, or failed to provide the required information or fees, your application does not meet the Board (T.A.B.) Venue Policy criteria, and will be declined. You may also wish to check whether any other applications are currently being processed before submitting your application.

PART A

Circle as appropriate

Does the Venue Comply

Is the venue located in the Town Centre zone?

Yes

No

Is the venue located in the Industrial zone?

Yes

No

PART B

Applications must be made on the approved form and must provide:

- ☐ Name and contact details for the application, the venue trading name(s), any other name(s) related to the venue, and the venue operator's name(s);
- ☐ Street address of premises proposed for the board venue;
- ☐ A specific legal description with deposited plan clearly identifying the area where the venue is proposed to be located;
- ☐ The names of management staff;
- ☐ Other relevant information requested by the territorial authority;
- ☐ Application fee

NOTE:

If a TAB Board Venue wishes to host gaming machines a separate application must be made under Council's class 4 gambling policy and the TAB Board Venue must also meet the additional criteria set out in that policy.