

Gambling Harm Remit information

Council proposing remit: Gisborne District Council

Contact Name: Joanna Noble

Remit:

That LGNZ works with central government to:

- **Amend the Gambling Act 2003 and Racing Industry Act 2020 to give councils a broader scope for their policies under these acts, including the ability to apply controls and restrictions on existing venues; and**
- **Develop additional gambling-harm reduction measures and strategies for provincial parts of New Zealand, where the effects of problem gambling continue to disproportionately affect those with low-socio-economic indicators and outcomes.**

Background information and research:

- *Nature of the issue;*

NZ Gambling Harm Needs Assessment

<https://www.health.govt.nz/system/files/documents/publications/gambling-harm-needs-assessment-2021.pdf>

Under the Racing Industry Act 2020 (replaces Racing Act 2003) councils must adopt a policy regarding TAB venues and the policies “*must specify whether or not new TAB venues may be established in the territorial authority district and, if so, where they may be located*” (s96(3)). Councils have no ability under the legislation to enforce policy on any other matter relating to TAB venues.

Under the Gambling Act 2003 councils must adopt a policy regarding class 4 venues and the policies (s101(3)):

- *“must specify whether or not class 4 venues may be established in the territorial authority district and, if so, where they may be located”*
- *“may specify any restrictions on the maximum number of gaming machines that may be operated at a class 4 venue”*
- *“may include a relocation policy”*

Councils have no ability under the legislation to enforce policy on any other matter relating to class 4 venues.

- *Background to its being raised;*

GDC resolved on 27 January to submit a remit to LGNZ to lobby Central Government for more control of gambling in the Local Government space. The local aim being to achieve a ‘pokie free Tairāwhiti’.

Under the current legislation existing venues are primarily insulated from any changes to councils’ policies under the Acts. This undermines communities right to decide regarding gambling venues. It has resulted in very little change to many councils’ policies over the last couple of review cycles as they have no more ‘levers to pull’ to address the problem in their communities.

There is also insufficient gambling harm support available to provincial parts of New Zealand, where the effects of problem gambling continue to disproportionately affect those with low-socio-economic indicators and outcomes.

- *How the issue relates to the LGNZ strategy and work programmes on critical issues;*

This issue related to 'Local democracy (Localism)' – communities should have more control over gambling venues in their communities and problem gamblers should receive appropriate support.

- *What work or action on the issue has been done, and the outcome;*

Hastings District Council have been leading a group of councils lobbying the Government to regulate online gambling and minimise problem gambling. Opotiki District Council has also approached the Minister of Internal Affairs on this matter.

There have been no significant changes to date. The current public consultation on reducing pokie harm is focused on how staff in pubs and clubs identify and deal with harmful gambling, potential changes to the machines and opportunities for more penalties. See [reducingpokiesharm - dia.govt.nz](https://www.dia.govt.nz/reducingpokiesharm)

- *Any existing relevant legislation, policy or practice;*

Gambling Act 2003

<https://www.legislation.govt.nz/act/public/2003/0051/latest/DLM207497.html?src=qs>

Racing Industry Act 2020

<https://www.legislation.govt.nz/act/public/2020/0028/latest/LMS291924.html?src=qs>

- *Outcome of any prior discussion at a Zone or Sector meeting;*

Unknown

- *Evidence of support from Zone/Sector meeting or five councils; and*

TBD

- *Suggested course of action envisaged.*

It is recommended that LGNZ work with central government to raise the issue and advocate for legislative change and additional gambling-harm reduction measures and strategies.

Convene a working group of local government subject matter experts to prepare a prototype legislative solution to put to the Government to guide advice to MPs.

The solution should enable councils to reduce the number of pokie machines in existing venues and take other steps needed to reduce community harm. For example, additional compliance, monitoring and enforcement powers may be required.