

IN THE MATTER of the Gambling Act 2003

AND on an application by
CHRISTCHURCH CASINOS LIMITED for approval to designate the Gambling Area and for approval of construction changes

BEFORE THE GAMBLING COMMISSION

Members: P Chin (Chief Gambling Commissioner)
M M Lythe
P J Stanley
G L Reeves
M J Richardson

Date of Application: 8 August 2008

Date of Decision: 19 September 2008

Date of Notification
of Decision: 23 September 2008

**DECISION ON AN APPLICATION BY CHRISTCHURCH CASINOS LIMITED
FOR APPROVAL TO DESIGNATE THE GAMBLING AREA AT THE CHRISTCHURCH
CASINO AND FOR APPROVAL OF CONSTRUCTION CHANGES**

Introduction

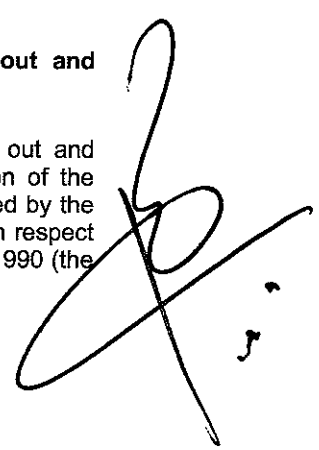
1. Christchurch Casinos Limited ("**CCL**") applied to the Commission, under condition 1 of its venue licence, for the following approvals:
 - (a) to re-designate the Gambling Area at the Christchurch casino; and
 - (b) to make construction changes to a back of house office area on Level 3.

Licence Condition

2. Condition 1 of CCL's venue licence (as amended by the Commission by decision GC06/04) provides as follows:

Casino premises to be designed, developed, constructed, fitted out and commissioned for operation in accordance with application

The casino premises shall be designed, developed, constructed, fitted out and commissioned for operation generally in accordance with the application of the licence holder or with such changes as may from time to time be approved by the Commission, provided however that nothing in this condition shall apply in respect of any matter specified in the second schedule to the Casino Control Act 1990 (the "Act").



Submissions by CCL

3. CCL stated that it wants to redefine the casino's Gambling Area to exclude the following back of house areas: the staff entry stairway; the level 3 kitchen areas; the level 4 canteen, kitchen and smokers' area; the level 4 corridor; office space and changing rooms on the Peterborough Street side of the casino; and the level 4 café and kitchen area.
4. CCL submitted, in summary, that:
 - (a) the areas which it wants to exclude from the Gambling Area are all back of house, so the proposal does not impact on the casino's gambling activities;
 - (b) it wants to exclude the specified areas to enable it to employ staff under the age of 20 in its kitchens, and allow them to access staff facilities at the casino; and
 - (c) it wished to reserve the right to restore to the Gambling Area the areas it now wishes to exclude, should its business needs change.
5. CCL stated that it wants to remove a wall and fill in a doorway in a back of house office area on Level 3. CCL submitted that these changes reflect a change in its operational needs.

Submissions by the Secretary

6. The Secretary submitted, in summary, that:
 - (a) he had no objection with the proposed redefinition of the casino's Gambling Area, provided that CCL has strict policies and monitoring in place to ensure that underage staff are aware of the prohibition on entering the Gambling Area. In reply, CCL accepted this and stated that kitchen staff do not currently enter the Gambling Area so no major change would be required, but it would ensure ongoing compliance;
 - (b) he had no regulatory concerns with the proposed construction changes.

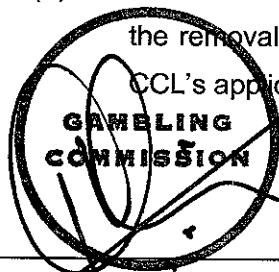
Analysis

7. CCL's proposal to redefine the casino's Gambling Area raised no issues of regulatory concern. The areas to be removed are all back of house and their exclusion will not affect the casino's gambling operations. CCL noted the Secretary's submission and confirmed that it would remain vigilant to ensure that its underage staff do not enter the casino's Gambling Area.

8. The proposed construction changes, which are also back of house, are minor and raise no issues of regulatory concern.
9. For the avoidance of doubt, once the Commission has designated the Gambling Area of a casino, it remains the Gambling Area until a subsequent decision of the Commission altering it. An applicant for re-designation of the Gambling Area of a casino cannot reserve the "right" to adopt an earlier designation unilaterally. The Commission notes that CCL has signalled that, if its business needs change, it may re-apply to alter the designated area back to what it currently is. Such a reservation is unnecessary as applications to change the designated area may be made at any time without having previously reserved the right to do so.

Decision

10. The Commission decided to approve, under condition 1 of CCL's venue licence:
- (a) the re-designation of the Gambling Area at the Christchurch casino. The Gambling Area shall comprise the area specified in the plans headed "Designated Gambling Area at Christchurch casino" and dated 22 September 2008 **attached** to this decision. Designation of the new Gambling Area will take effect five days after notification by CCL; and
- (b) the construction changes to the back of house office area on Level 3 (involving the removal of a wall and filling in of a door entrance, in the manner specified in CCL's application dated 8 August 2008).

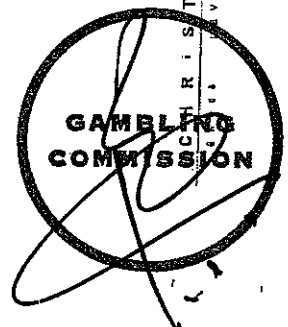
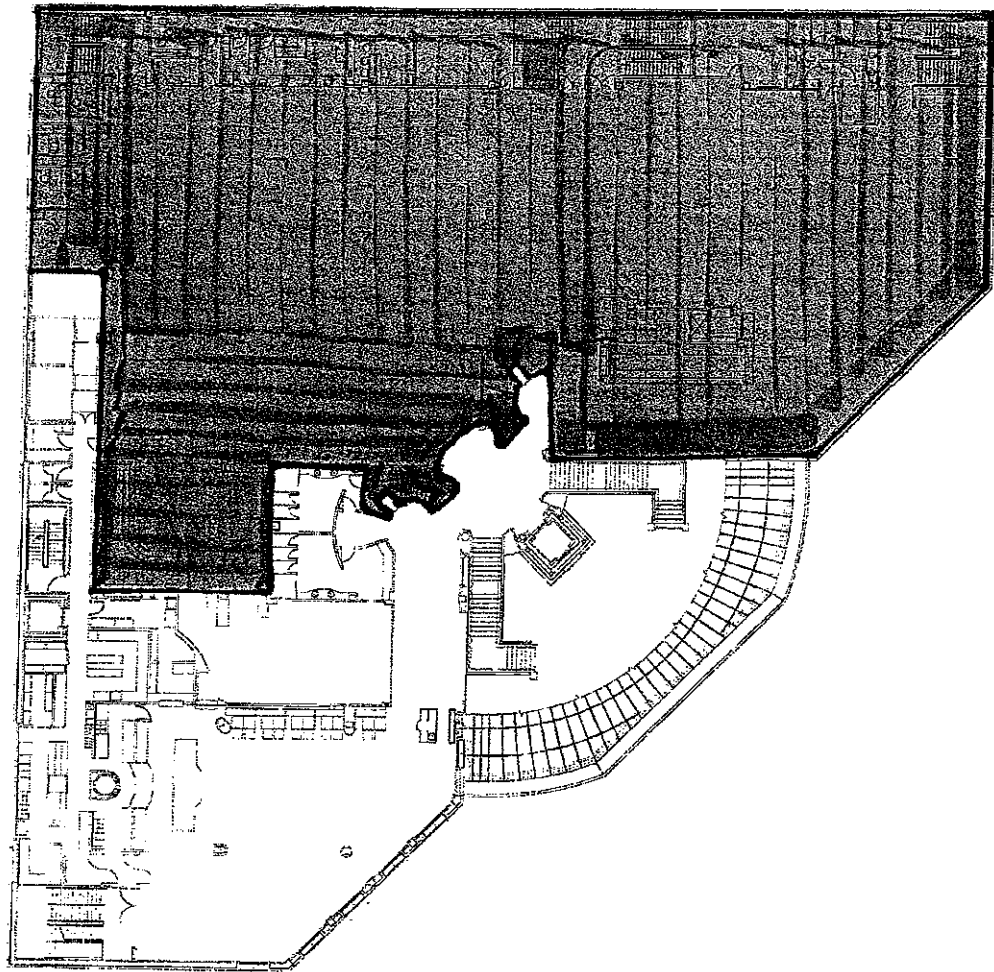


Peter Chin
Chief Gambling Commissioner

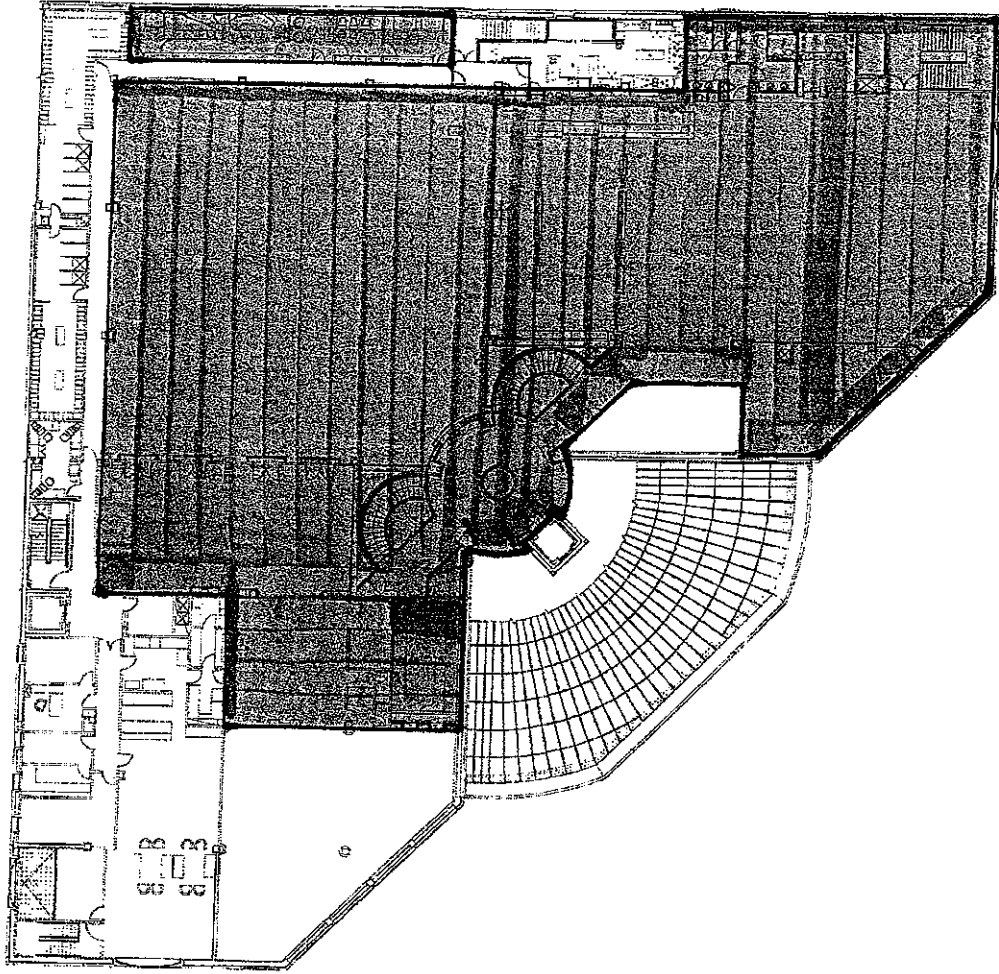
for and on behalf of the
Gambling Commission

23 September 2008

**Designated Gambling Area at Christchurch casino
22 September 2008**



CHRISTCHURCH CASINO
VBL 07 EXISTING



**GAMBLING
COMMISSION**

RIS CHURCH CASINO
LEVEL 04 PROPOSED

WARREN and Mahoney