

**IN THE MATTER** of the Gambling Act 2003

**AND** on an application by  
**CHRISTCHURCH CASINOS  
LIMITED** for various approvals  
relating to the refurbishment of  
Main Gaming Floor

**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: 22 July 2009

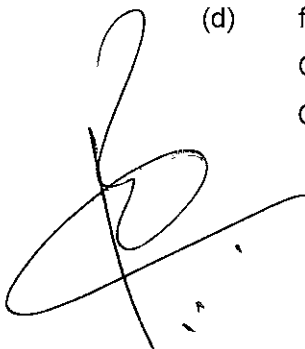
Date of Decision: 14 August 2009

Date of Notification  
of Decision: 18 August 2009

**DECISION ON AN APPLICATION BY CHRISTCHURCH CASINOS LIMITED  
FOR VARIOUS APPROVALS RELATING TO THE REFURBISHMENT OF  
MAIN GAMING FLOOR**

**Introduction**

1. Christchurch Casinos Limited ("CCL") applied for a series of approvals relating to the refurbishment of the Main Gaming Floor of the Christchurch casino. The approvals sought were as follows:
  - (a) for approval of construction and design changes to Level 3, under conditions 6 and 7 of CCL's venue licence;
  - (b) for approval to temporarily redesignate the Gambling Area, under condition 9 of CCL's venue licence;
  - (c) for approval of a temporary floor plan, under condition 11 of CCL's operator's licence (to operate up to 24 gaming tables within the temporary Gambling Area);
  - (d) for approval to create a temporary cashiering facility within the temporary Gambling Area, under condition 12 of CCL's venue licence and condition 23 of CCL's operator's licence; and



- (e) for approval, under condition 7 of CCL's operator's licence, of a temporary dispensation from the 15:1 ratio of gaming machines to gaming tables.

### Licence conditions

2. The relevant licence conditions are as follows:

#### Operator's Licence

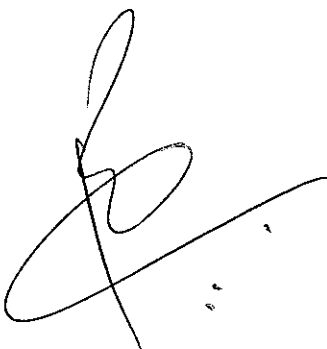
7. The ratio of gaming machines to gaming tables in the Gambling Area shall not exceed 15 to 1, except with the approval of the Commission.
11. The Licence Holder shall operate in accordance with approved floor layouts showing the position of gaming tables and gaming machines.
23. The approval of the Commission is required for the construction of any additional cashiering facilities in other parts of the Gambling Area to service dedicated areas or rooms. Any such additional facilities must comply with the surveillance equipment requirements set out in the Surveillance Standard and be fitted with manually triggered alarm systems connected to the surveillance department.

#### Venue Licence

6. Subject to the provisions of condition 7, the Licence Holder must obtain the approval of the Commission prior to:
- (a) construction or design changes to Levels 3 and 4 of the Casino Venue, including the Gambling Area but excluding the foyer, restaurant and bar areas on Level 3 outside the Gambling Area (unless construction or design changes to any of these excluded areas may impact on matters set out in condition 7 in which case prior approval must be sought);
  - (b) the construction or relocation outside the Gambling Area and within the Casino Venue of bank facilities available to the public excluding ATMs, EFTPOS and like devices;
  - (c) the addition or alteration of signage relating to the casino business on the exterior of the Casino Venue

The process by which the Licence Holder may obtain approval for construction or design changes to Levels 3 and 4 of the Casino Venue, (paragraph (a) above) is set out in condition 7. The Commission will determine any application for approval under 6(b) and (c)

7. The Licence Holder must notify the Executive Director of any proposed changes to the construction or design of Levels 3 and 4 of the Casino Venue, including the Gambling Area but excluding the foyer, restaurant and bar areas outside the Gambling Area. Notification must be accompanied by relevant drawings and an assessment of any impacts the alterations may have on:
- (a) the integrity and fairness of games;
  - (b) the effectiveness of security and surveillance;
  - (c) harm prevention, harm minimisation and responsible gambling;
  - (d) potential access to the Gambling Area by persons under 20 years of age; and



- (e) compliance by any person with the Act, including section 11 of the Act

The Executive Director may approve the proposed changes to the construction or design if he or she is satisfied that there are no adverse impacts in relation to the matters specified in (a)-(e) above. If the Executive Director is not satisfied, he or she will refer the proposal to the Commission for determination

9. The Gambling Area within the Casino Venue comprises the areas specified in plans approved by the Authority dated 30 May 2002
12. The approval of the Commission is required for the construction of any additional cashiering facilities in other parts of the Gambling Area to service dedicated areas or rooms. Any such additional facilities must comply with the surveillance equipment requirements set out in the Surveillance Standard and be fitted with manually triggered alarm systems connected to the surveillance department.

### Submissions by CCL

3. CCL stated that:

- (a) It wants to undertake a largely cosmetic refurbishment of the Main Gaming Floor on Level 3.
- (b) It originally planned the refurbishment in three stages over a 12 week period, but now plans to conduct the entire refurbishment over four weeks, by completely closing the Main Gaming Floor.
- (c) In order to mitigate the impact of the closure, it wants to relocate 24 gaming tables from the Main Gaming Floor to the Grand Café and Velvet Room. These areas are not currently designated for gambling, and it seeks approval to temporarily designate them as Gambling Area for the period of the refurbishment, from 22 September 2009 to 28 October 2009. Accordingly, it seeks Commission approval of a temporary floor plan providing for the deployment of the 24 gaming tables in the temporary Gambling Area.
- (d) It also seeks Commission approval for a dispensation to the 15:1 ratio of gaming machines to gaming tables during the refurbishment, and to establish a temporary cashiering facility within the Grand Café's "Dispense Bar".

4. CCL submitted that:

- (a) The proposed amendments are to facilitate the refurbishment of the Main Gaming Floor and are temporary in nature. Once the refurbishment is complete it will revert back to the current approved floor plans, shown in decision GC11/09.

- (b) Four gaming tables and 42 gaming machines will be removed from Level 3, but the refurbishment will not impact upon Level 4.
- (c) It is unlikely that it will breach the 15:1 ratio of gaming machines to gaming tables, but it is possible that it may do so during their removal and reinstallation.
- (d) It will comply with conditions 12 of the venue licence and 23 of the operator's licence in respect of surveillance and manually triggered alarms for the temporary cashiering facility.
- (e) The refurbishment would not impact negatively on the matters set out in condition 7 of its venue licence.

### **The Secretary's submissions**

5. The Secretary submitted, in summary, that he has no concerns with CCL's proposal and noted that:

- (a) he has no concerns with the temporary designation of the Grand Café and Velvet Room as Gambling Area;
- (b) there are not likely to be any issues with respect to access by persons under the age of 20 years as CCL has a policy of restricting access into the casino venue as a whole;
- (c) CCL has confirmed that wooden shutters on the Grand Café windows will be closed to ensure that gambling activity is not visible from the street;
- (d) security arrangements for the movement of chips and cash to and from the proposed temporary Gambling Area will be satisfactorily preserved;
- (e) there may be some congestion issues with 24 gaming tables in the temporary Gambling Area, but this can be managed by CCL;
- (f) he has no concerns with the proposed cashiering facility, or the proposed dispensation to the 15:1 ratio of gaming machines to gaming tables.

### **Analysis**

6. As part of its ongoing upgrade of the Christchurch casino, CCL wants to refurbish the Main Gaming Floor, and sought a number of approvals to allow it to do this.

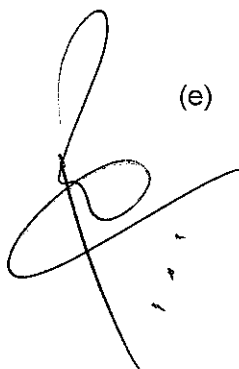
None of the approvals were objectionable to the Secretary, or raised any issues of regulatory concern for the Commission. The construction and design changes are

superficial only, and do not impact negatively on any of the matters outlined in condition 7 of CCL's operator's licence; the redesignation of the casino's Gambling Area is temporary and is required only during the course of the refurbishment of the Main Gaming Floor; the proposed new floor plan is temporary only, and provides for the deployment of 24 gaming tables, rather than the 28 currently deployed. A number of gaming machines will also be removed, so there will be no breach of section 11 of the Gambling Act 2003; the creation of a new cashiering facility is also temporary, and the Commission noted that CCL will comply with relevant cashiering licence conditions; and CCL sought dispensation from the 15:1 ratio of gaming machines to gaming tables to cover any potential breach that may arise when they are being removed or reinstalled.

8. This application has, however, highlighted an error in CCL's licence conditions. Condition 9 of CCL's venue licence presently provides that the Gambling Area within the casino comprises the areas specified in plans approved by the Casino Control Authority dated 30 May 2002. That approval has been superseded by decision GC17/08, in which the Commission approved an application by CCL to redesignate the casino's Gambling Area, and provides that CCL's Gambling Area comprises the area specified in plans dated 22 September 2008. Condition 9 of CCL's venue licence has not been amended to reflect this decision, and should be. The Commission will correct this error by proposing, on its own initiative, to amend condition 9 of CCL's venue licence, under section 139(1)(e) of the Gambling Act 2003.

#### **Decision of the Commission**

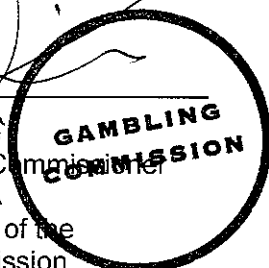
9. The Commission decided to approve:
- (a) the construction and design changes to Level 3, under conditions 6 and 7 of CCL's venue licence;
  - (b) the temporary redesignation of the Gambling Area, under condition 9 of CCL's venue licence. The temporary Gambling Area is defined on the **attached** plan;
  - (c) a temporary floor plan (**attached**), under condition 11 of CCL's operator's licence;
  - (d) a temporary cashiering facility at the "Dispense Bar" (within the temporary Gambling Area), under condition 12 of CCL's venue licence and condition 23 of CCL's operator's licence; and
  - (e) a temporary dispensation from the 15:1 ratio of gaming machines to gaming tables, under condition 7 of CCL's operator's licence.



10. CCL may utilise the temporary approvals from 22 September 2009 to 28 October 2009, at which point they will cease to be valid. If it appears to CCL that the refurbishment will not be completed by 28 October 2009, it must notify the Executive Director of the Gambling Commission, who may extend the temporary approvals, or refer the matter to the Commission for determination.

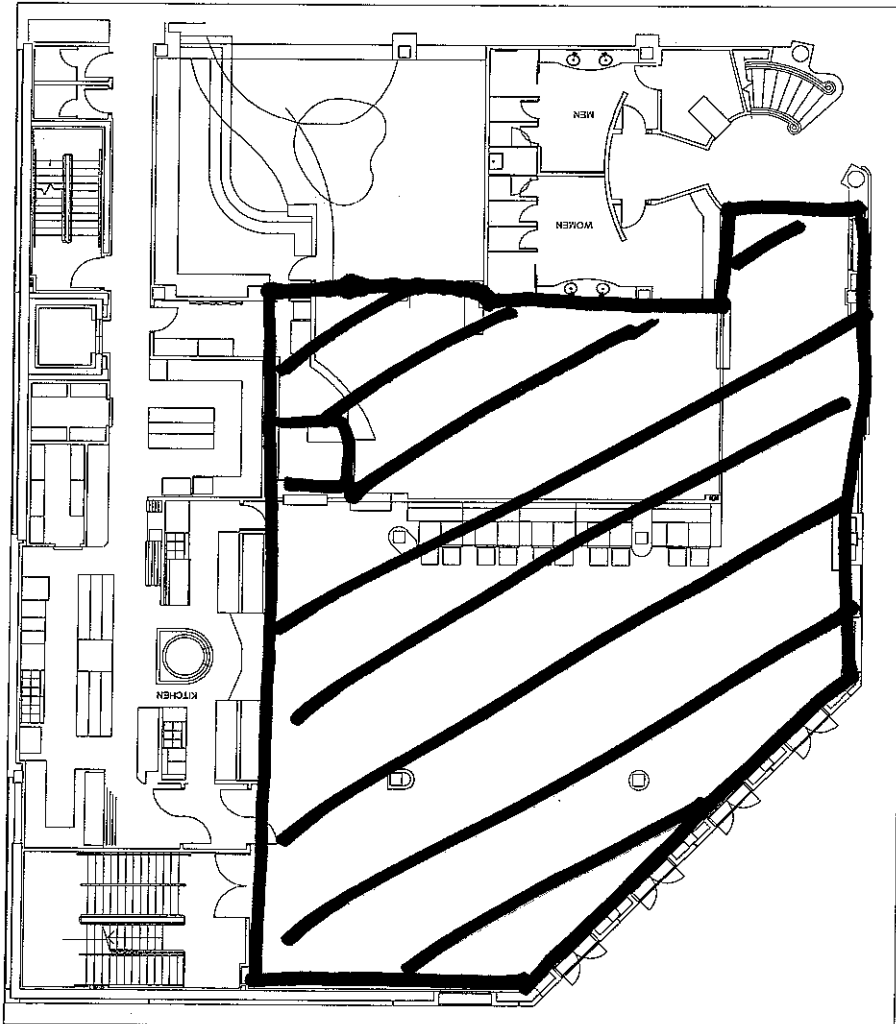
  
Peter Chin  
Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission



18 August 2009

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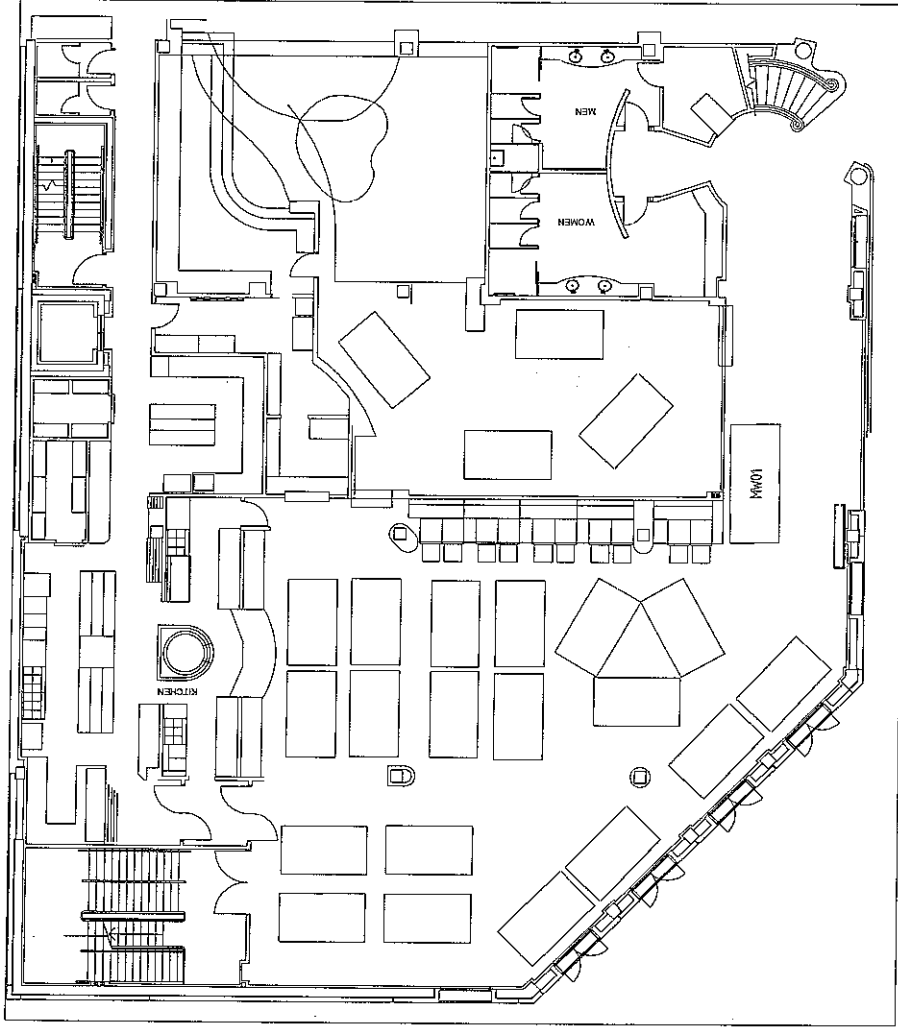


Christchurch Casinos Limited  
David Cameron

**LEVEL 3 - Temporary Gaming Area floor plan**  
24 TABLES

DATE: AUGUST 2009

SCALE 1:250



Christchurch Casinos Limited  
David Cameron

**LEVEL 3 - Temporary floor plan**  
**24 TABLES**

DATE: AUGUST 2009

SCALE 1:250