

IN THE MATTER of the Gambling Act 2003

AND on an application by
CHRISTCHURCH CASINOS LIMITED for approval to install two temporary cashiering facilities at the Christchurch casino

BEFORE THE GAMBLING COMMISSION

Members: L M Hansen (Chief Gambling Commissioner)
D C Matahaere-Atariki
W N Harvey
S C L Pearson

Date of Application: 2 September 2021

Date of Decision: 3 September 2021

Date of Notification
of Decision: 6 September 2021

DECISION ON AN APPLICATION BY CHRISTCHURCH CASINOS LIMITED FOR APPROVAL TO INSTALL TWO TEMPORARY CASHIERING FACILITIES AT THE CHRISTCHURCH CASINO

Introduction

1. Christchurch Casinos Limited ("**CCL**") applied to the Commission, under conditions 6, 7 and 12 of CCL's venue licence, and condition 23 of CCL's operator's licence, for approval to install two temporary cashiering facilities at the Christchurch casino.

Licence conditions

2. The relevant are licence conditions as follows:

CCL's venue licence

6. Subject to the provisions of condition 7, the Licence Holder must obtain the approval of the Commission prior to:
 - (a) Any construction or design changes whatsoever in the Gambling Area (Schedule 1) and Additional Gambling Areas (Schedules 2, 3 or 4) and for any construction or design changes elsewhere in the Casino Venue which may impact on the matters set out in condition 7;
 - (b) the construction or relocation outside the Gambling Area and Additional Gambling Areas and within the Casino Venue of bank facilities available to the public excluding ATMs, EFTPOS and like devices; and
 - (c) the addition or alteration of signage relating to the casino business on the exterior of the Casino Venue or on or around the building within which it is located.

The process by which the Licence Holder may obtain approval for construction or design changes to Levels 3 and 4 and the rooftop area of the Casino Venue, (paragraph (a) above) is set out in condition 7. The Commission will determine any application for approval under 6(b). The Executive Director may approve the addition or alteration of signage relating to the casino business on the exterior of the Casino Venue or on or around the building within which it is located (paragraph (c) above) if he/she is satisfied the proposed changes will have no potentially adverse effects. If he/she is not so satisfied, the proposed changes must be referred to the Commission for a decision on approval.

7. The Licence Holder must notify the Executive Director of any proposed changes to the construction or design for which approval is required under condition 6. 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.

12. The approval of the Commission is required for the construction of any additional cashiering facilities in the Gambling Area (Schedule 1) and Additional Gambling Areas (Schedules 2, 3 or 4). 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.

CCL's operator's licence

23. The approval of the Commission is required for the construction of any additional cashiering facilities in the Gambling Area (Schedule 1) and Additional Gambling Areas (Schedules 2, 3 or 4). 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.

CCL's submissions

3. CCL submitted, in summary, as follows:
- (a) It seeks approval to install two temporary cash desks. Although it has no certainty over what the Health Orders associated with Covid-19 Delta Alert Level 2 might be, it believes that they will include a requirement to segment the Casino in order to minimise the movement of people and the potential for the spread of germs.
 - (b) It wants to create up to five defined casino areas, each with their own cashiering facilities. To enable each area to be self-sufficient, an additional temporary cash

desk will be required on Level 1 near the Valley Bar, and another on Level 2 in an area that previously was a cash desk. It believes it will require the ability to establish these temporary cash desks for any period the Casino is able to operate under Alert Level 2.

- (c) The proposed locations in the current application are identical to those previously approved by the Commission, under Alert Level 2 in 2020 (see decisions GC07/20 and GC15/20).
- (d) In addition to servicing its customers, its goal is to eliminate, or minimise, the movement of guests between zones at the casino, and thereby limit the potential spread of the COVID-19 virus. When the final Health Order requirements are known, it will submit floor plans to identify where the anticipated hoardings will be placed to create the segmentation.
- (e) In view of their temporary nature, the cashiering facilities are likely to be relatively basic; just a high desk for a staff member to stand behind, with a counter top, computer and lockable drawers. However, the requirements of condition 12 of its venue licence and condition 23 of its operator's licence will be met.
- (f) No other construction will be required. Their placement on the floor will have no adverse impact on the matters set out in condition 7(a)-(e) of its venue licence.

The Secretary's submissions

- 6. The Secretary had no regulatory concerns with CCL's proposal.

Analysis

- 7. CCL applied to the Commission to install two temporary cashiering desks at the Christchurch casino. CCL sought the approval following the re-emergence of the COVID-19 virus in the community, and New Zealand's subsequent Level 4 lockdown. The purpose of the application is to allow CCL to prepare to reopen the Christchurch casino in a manner that complies with the Ministry of Health's Health Orders for COVID-19, and thereby reduce the risk of COVID spreading amongst casino patrons.
- 8. Approving the additional cashiering facilities raised no issues of regulatory concern for the Commission. As it has noted in previous approvals, facilitating cash access at casinos is a matter that requires careful consideration but in the circumstances that currently exist with the Delta variant of COVID-19 in New Zealand, the Commission was comfortable approving the facilities on a temporary basis, particularly as CCL's proposal was partly aimed at preventing the spread of the COVID-19 virus, a matter the Commission considered to be highly relevant in the circumstances.

9. The Commission also notes that the application raised no issues of regulatory concern for the Secretary and that approved a similar application as New Zealand emerged from lockdown in 2020.
10. The facilities are to be installed in the locations identified by CCL and any construction work undertaken to complete the installation is to be generally in accordance with the application.
11. CCL may operate the temporary cashiering facilities while Christchurch is under Alert Level 2. If CCL wants to extend the approval beyond this time, it must seek approval to do so with sufficient time to allow the Commission to re-consult with the Secretary and reach a view on any extension before the initial approval expires.

Decision

12. The Commission approved, under conditions 6, 7 and 12 of CCL's venue licence, and condition 23 of CCL's operator's licence, CCL's application for approval of two temporary cashiering facilities on levels 1 and 2 at the Christchurch casino. The approval is valid while Christchurch is under COVID Alert Level 2. If CCL wants to extend the approval beyond this time, it must seek approval to do in the manner outlined above in paragraph 12.

Right of appeal

13. Pursuant to section 235 of the Act, a person affected by this decision may appeal that decision to the High Court. An appeal must be made within 15 working days of the date of notice of the Commission's decision, or any longer period that the High Court may allow.



Lisa Hansen
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

6 September 2021

