

**IN THE MATTER** of the Gambling Act 2003  
**AND** on an application by  
**CHRISTCHURCH CASINOS LIMITED** for approval of  
construction and design changes

**BEFORE THE GAMBLING COMMISSION**

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

Date of Application: 6 August 2010

Date of Decision: 17 September 2010

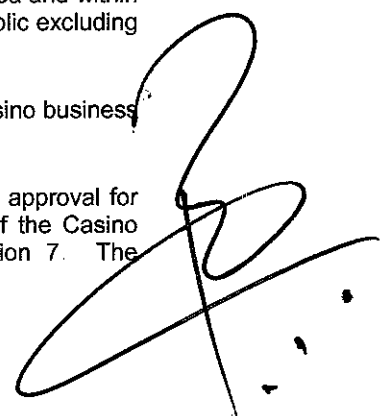
Date of Notification  
of Decision: **H** October 2010

**DECISION ON AN APPLICATION BY CHRISTCHURCH CASINOS LIMITED  
FOR APPROVAL OF CONSTRUCTION AND DESIGN CHANGES**

**Introduction**

1. Christchurch Casinos Limited ("CCL") applied initially to the Acting Executive Director for approval of construction and design changes to the Grand Café and Velvet Room under conditions 6 and 7 of its casino venue licence.
2. Licence conditions 6 and 7 provide:
  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 (Schedule 1) and alternate Gambling Area (schedule 2) but excluding the foyer 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 alternation 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).

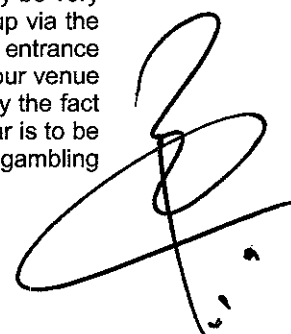
7. The Licence Holder must notify the Executive Director of any proposed changes to the construction or design of Levels 3 and 4 of the Casino Venue, including the Gambling Area (schedule 1) and alternate Gambling Area (schedule 2) but excluding the foyer and bar areas outside the Gambling Area. Notification 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.

### Application by CCL

3. CCL applied to:
- (a) Replace the existing solid wall between the Grand Café and Velvet Room with a set of concertina doors, which will allow the Velvet Room to be opened up and included as part of the Grand Café or to be closed for individual or private functions.
  - (b) Open up the end wall of the Velvet Room closest to the Grand Café entrance by a single doorway to allow direct access to the room just off from the main foyer.
  - (c) Straighten the wall closest to the Diamond Bar, which is currently curved and replace the existing curtains that separate the Diamond Bar from the Velvet Room with another set of concertina doors.
4. CCL submitted that the only matter listed under condition 7 that was potentially affected was (d), potential access to the gambling area by persons under 20 of age:

Potential access to the gambling area by persons under 20 years of age may be very slightly impacted to the extent that access to the gambling area is opened up via the Grand Café. However the primary control point for this risk is at our main entrance where Security staff are stationed 24/7. This control will always remain as our venue is considered R20. Any perceived slight increase in this risk is also offset by the fact that the curtain arrangement between the Velvet Room and the Diamond Bar is to be replaced with a solid set of doors which will also help delineate the "normal" gambling area.

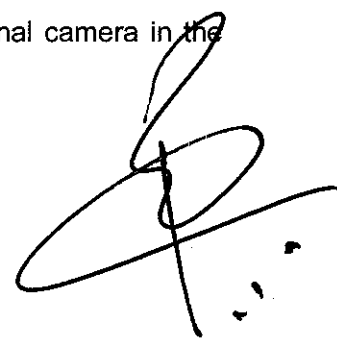


5. The following factors led the Acting Executive Director not to be satisfied, on the basis of the initial information provided, that there would be no adverse impact on potential access by persons under 20:
- (a) CCL acknowledged there might be a potential impact.
  - (b) The Executive Director was aware from a recent CCL application to make the Grand Café part of the alternative gambling area that the Grand Café sometimes hosted persons under 20.
  - (c) The proposed changes would involve removing a solid wall between the Grand Café and Velvet Room, which could potentially increase the ability of persons under 20 to gain access to the Gambling Area via the Velvet Room.
  - (d) The initial application did not contain any information regarding control of access at the point of entry to the Diamond Bar.

The Acting Executive Director therefore referred the application to the Gambling Commission.

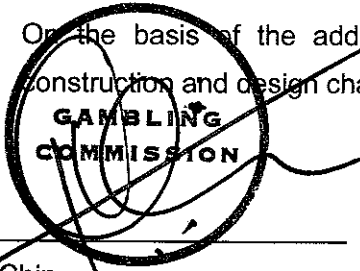
#### **Further information**

6. The Acting Executive Director sought further information from CCL and the response of the local gambling Inspectorate.
7. CCL responded that it historically had approximately 15-20 persons under 20 a year attending the Grand Café. CCL had strict instructions in place to ensure that guests were aware of the gaming areas, where they could go to the toilet, to have a cigarette for example from the booking through to meeting security at the main entrance on arrival. In cases where the Casino was aware in advance that under aged persons would be attending the Grand Café (which is not always part of the gambling area), it sent a letter to those persons to complete, verifying that they were aware of the limitations of their access while on site. CCL provided the Commission with a copy of the letter.
8. The local gambling inspector responded that, in his experience, that CCL and its security/surveillance did a good job at the front door so that any risk would arise from invited guests under 20. The inspector's view was that there was no great risk from one of the small number of admitted underage guests gaining access to the gaming floor while a guest in the Grand Café. The inspector also noted that the additional camera in the Grand Café would assist in monitoring these persons.

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**Decision**

9. On the basis of the additional information received, the Commission approved the construction and design changes to the Velvet Room and Grand Café.



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Peter Chin  
Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission

*A* October 2010