

IN THE MATTER of the Gambling Act 2003

AND on an application by **DUNEDIN CASINOS MANAGEMENT LIMITED** to vary licence condition 12 of its operator's licence

BEFORE THE GAMBLING COMMISSION

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

Date of Application: 10 June 2010

Date of Decision: 16 July 2010

Date of Notification
of Decision: 29 July 2010

**DECISION ON AN APPLICATION BY DUNEDIN CASINOS MANAGEMENT LIMITED
TO VARY LICENCE CONDITION 12 OF ITS OPERATOR'S LICENCE**

Introduction

1. Dunedin Casinos Management Limited ("**DCML**") applied, under section 139(1)(d) of the Gambling Act 2003 (the "**Act**"), to vary condition 12 of its operator's licence to allow the Executive Director and a single Commissioner to approve straightforward new floor plans. The proposed variation, in mark-up, is as follows:

Operator's licence

12. The Licence Holder shall obtain approval for new floor plans prior to relocating or installing tables or machines in positions not specified in approved floor layouts. When applying, the Licence Holder must submit fresh plans showing the floor layout for the Gambling Area and details of the proposed CCTV layout for consideration. Any change must comply with the Surveillance Standard. The Executive Director and a single Gambling Commissioner may approve the new floor plans if they are satisfied that the floor layout has no potentially adverse effects. If they are not so satisfied, the proposed floor plan must be referred to the Commission for a decision on approval.

Submissions by DCML

2. DCML submitted, in summary, as follows:
 - (a) It is presently required to seek approval of floor layout changes from the (full) Commission – a process which can take longer than desirable to complete. It wants to change this to allow the Executive Director and a single Gambling Commissioner to approve straightforward floor plan changes.

- (b) Auckland and Christchurch casinos already have this ability and the amendment will bring its licence condition into alignment with those casinos.

The Secretary's submissions

3. The Secretary supported the proposed amendment.

Analysis

4. DCML applied to vary condition 12 of its operator's licence to allow the Executive Director and a single Gambling Commissioner to approve straightforward floor plan changes. Equivalent conditions have operated successfully at both Auckland and Christchurch casinos and the Commission considered that such an arrangement would raise no issues of regulatory concern for the Dunedin casino.

Decision of the Commission

5. The Commission varied condition 12 of DCML's operator's licence, under section 139(1)(d) of the Act. Condition 12 now provides as follows:

12. The Licence Holder shall obtain approval for new floor plans prior to relocating or installing tables or machines in positions not specified in approved floor layouts. When applying, the Licence Holder must submit fresh plans showing the floor layout for the Gambling Area and details of the proposed CCTV layout for consideration. Any change must comply with the Surveillance Standard. The Executive Director and a single Gambling Commissioner may approve the new floor plans if they are satisfied that the floor layout has no potentially adverse effects. If they are not so satisfied, the proposed floor plan must be referred to the Commission for a decision on approval.

Right of Appeal

6. 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.


Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

29 July 2010