

IN THE MATTER of the Gambling Act 2003

AND on an application by **DUNEDIN CASINOS MANAGEMENT LIMITED** for approval to exceed, temporarily, the ratio of gaming machines to gaming tables at the Dunedin 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: 23 February 2021

Date of Decision: 5 March 2021

Date of Notification
of Decision: 10 March 2021

DECISION ON AN APPLICATION BY DUNEDIN CASINOS MANAGEMENT LIMITED FOR APPROVAL TO EXCEED, TEMPORARILY, THE RATIO OF GAMING MACHINES TO GAMING TABLES AT THE DUNEDIN CASINO

Introduction

1. Dunedin Casinos Management Limited (“**DCML**”) applied to the Commission, under condition 7 of DCML’s operator’s licence for the Dunedin casino, for approval to exceed, temporarily, the 15:1 ratio of gaming machines to gaming tables, at the Dunedin casino.
2. The relevant licence conditions are as follows:

DCML’s 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.

...

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

3. DCML submitted, in summary, as follows:
 - (a) Under condition 7 of its operator's licence, the ratio of gaming machines to gaming tables in the Gambling Area shall not exceed 15:1, except with the approval of the Gambling Commission.
 - (b) It is renovating the Grand Bar and Café at the Casino. There are no construction or design changes, so there is no need to seek Commission approval pursuant to conditions 6 or 7 of its venue licence.
 - (c) While the renovations are underway, it wants to continue to provide dining and beverage services. To facilitate a temporary bar and dining area, it seeks approval to remove up to four gaming tables from the gaming floor. The new layout is depicted on a temporary floor plan attached to its application.
 - (d) To enable the temporary closure of the four gaming tables, the ratio of gaming machines to gaming tables will increase from 1:15 to 1:22.5.
 - (e) The renovation work will take approximately 10 days and will take place at some stage in 2021. However, the exact timeframe is out of its control because the carpet and tiles to be used in the refurbishment are en route by boat from overseas and it is impossible to know when they will arrive. It wants to build some contingency around the approval and will notify the Commission as soon as it is able to provide a more exact timeline.
 - (f) The Commission has considered and approved similar applications in relation to the SKYCITY Auckland and Hamilton Casinos. The circumstances are very similar in this application.

The Secretary's submissions

4. The Secretary had no regulatory concerns with the proposal.

Analysis

5. DCML wants to refurbish part of the Casino and seeks Commission approval to exceed the 15:1 ratio of gaming machines to gaming tables for a period of time. This proposal raised no issues of regulatory concern. The ratio will be exceeded only for a very brief period of time.

6. DCML was unsure when the refurbishment will take place because materials for the refurbishment are presently en route to New Zealand by boat, with their arrival being delayed by COVID-19 supply issues. The start and end dates of the refurbishment do not raise any issues of regulatory concern, but the Commission directs DCML to notify the DIA Inspectorate and the Commission when the refurbishment will commence, and when it will conclude.
7. DCML provided a temporary floor plan, "March 2021", which will apply during the period of the refurbishment. The Commission approves temporary floor plan "March 2021", pursuant to condition 12 of DCML's operator's licence. The length of the approval is tied to the period of refurbishment.
8. Finally, DCML submitted that there will be no construction and design changes associated with the refurbishment, so the Commission was not required to consider any associated applications.

Decision of the Commission

9. The Commission approved:
 - (a) an application for approval to exceed the ratio of 15:1 gaming machines to gaming tables at the Dunedin Casino, under condition 7 of DCML's operator's licence. DCML is to notify the Commission and the DIA Inspectorate of the start and finish dates of the Casino refurbishment with the approval expiring upon completion;
 - (b) a new temporary floor plan, "March 2021", (**attached**), under condition 12 of DCML's operator's licence. The temporary floor plan will cease to be valid once the refurbishment is complete.

Lisa Hansen

Lisa Hansen
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

10 March 2021



March 2021

