

IN THE MATTER of the Gambling Act 2003

AND on an application by **DUNEDIN CASINOS MANAGEMENT LIMITED** for approval of a new floor plan and new game mixes

BEFORE THE GAMBLING COMMISSION

Members: G L Reeves (Chief Gambling Commissioner)
L M Hansen
R D Bell
D C Matahaere-Atariki
W N Harvey

Date of Application: 10 September 2018

Date of Decision: 2 November 2018

Date of Notification of Decision: 2 November 2018

DECISION ON AN APPLICATION BY DUNEDIN CASINOS MANAGEMENT LIMITED FOR APPROVAL OF A NEW FLOOR PLAN AND NEW GAME MIXES

Introduction

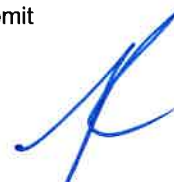
1. Dunedin Casinos Management Limited (“**DCML**”) applied:
 - (a) for approval of a new floor plan, “AUG18”, under conditions 11 and 12 of its operator’s licence; and
 - (b) for approval to revise its game mix Annex, under condition 9 of its operator’s licence.

Licence conditions

2. The relevant licence conditions are as follows:

DCML’s operator’s licence

9. The Licence Holder may operate on casino gaming tables the game types and game mixes specified in Annex A attached to this Licence. The Licence Holder shall obtain the prior approval of the Commission for any change to the game types and/or game mixes specified.
11. The Licence Holder shall operate in accordance with approved floor layouts showing the position of gaming tables and gaming machines.
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.

DCML's submissions

3. DCML submitted that:

New floor plan

- (a) It seeks approval of a new floor plan for the table games area of the Dunedin casino. If approved, all previous floor plans will cease to be valid.
- (a) Plan "AUG18" has three significant changes, as follows:
 - (i) the Tai Sai table has been removed;
 - (ii) a Black Jack/Casino War table has been added, with additional minor table movements being made; and
 - (iii) the mix of games capable of deployment on "Flip Top" tables is amended. (Currently the tables are Black Jack/3 Card Poker, Midi Baccarat, Poker and Black Jack/Poker but the proposed plan provides for Casino War/Black Jack, Black Jack/Poker and Midi Baccarat/Poker).
- (b) All necessary adjustments to the CCTV layout will be made to recognise the new floor configuration and to ensure it complies with the Surveillance Standard. It will notify the Secretary of all changes in accordance with the requirements of its minimum operating standards.

Game mixes

- (c) It currently has 13 approved game mixes, A-M. With Tai Sai removed from the floor plan, it wants to remove game mixes B-M and to introduce eight new game mixes, B-I.
- (d) It is satisfied that the new game mixes will offer fewer opportunities for casino gambling than its benchmark game mix, game mix A, as follows:

Game mix	Player spaces	Overall opportunities
A	244	29337
B	225	27490
C	208	23165
D	225	27322
E	208	22997
F	197	20709
G	214	25034
H	197	20541
I	214	24866

Submissions by the Secretary

4. The Secretary submitted that he has no regulatory concerns with DCML's proposal.

Analysis

5. DCML sought Commission approval of a new floor plan to facilitate the removal of a Tai Sai table, and a number of minor positional movements.
6. Proposed floor plan "AUG18" raised no issues of regulatory concern for the Commission.
7. DCML sought Commission approval to delete its operational game mixes, B-M, and to replace them with new game mixes B-I.
8. The Commission's usual approach for approving new game mixes is to compare the proposed game mixes with the approved game mix which provides the most opportunities for casino gambling and form a view, in the round, on whether they will increase opportunities for casino gambling. The Commission makes the assessment on a common sense basis rather than by calculating opportunities based upon a formula, or tables of data.
9. Game mix A is the approved game mix that provides the most opportunities at Dunedin casino. The Commission compared game mixes B-I with game mix A and was satisfied, in the round, that none of them would increase opportunities for casino gambling. Game mixes B-I raised no other issues of regulatory concern.

Decision

10. The Commission:
- (a) approved the proposed new floor plan "AUG18" (**attached**), under conditions 11 and 12 of DCML's operator's licence. Once DCML is reliant upon "AUG18", plan "JUL 18" will cease to be valid.

- (b) approved the new game mix Annex (**attached**) which includes game mixes B-I, under condition 9 of DCML's operator's licence.

Right of appeal

11. 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.



Graeme Reeves
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

2 November 2018



GAMBLING
COMMISSION

Aug 18



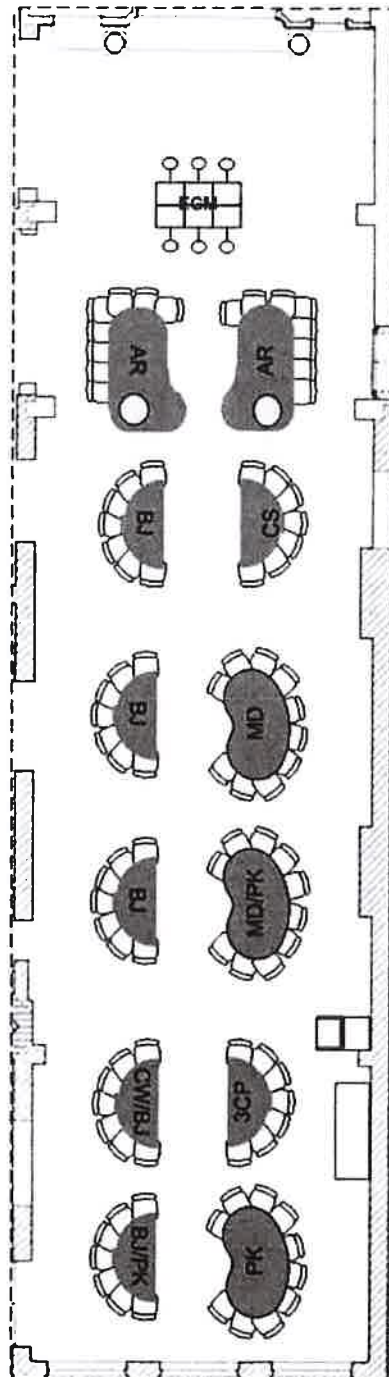
TABLE GAMES FLOOR PLAN

These 12 positions represent Table Game positions at Dunedin Casino.

The Licence Holder may only play on individual tables the games specified in the locations shown

The game mixes which may be operated by the Licence Holder are specified in Annex A.

- AR – American Roulette
- BJ – Blackjack
- CS – Caribbean Stud Poker
- MD – Midi Baccarat
- PK – Poker
- 3CP – Three Card Poker
- CW – Casino War



Dunedin Casino
Table Games
Floor Plan
August 2018
12 Tables
(Includes 6 x Electronic Gaming Machines
Vegas Star)



ANNEX A

Pursuant to condition 9 the following game mixes may be operated by the Licence Holder on casino gaming tables subject to the following conditions and requirements:

- A. Roulette – 3 games
Black Jack – 6 games
Midi Baccarat – 1 game
Mini Baccarat – 1 game
Caribbean Stud Poker – 1 game

- B. Roulette – 2 games
Black Jack – 5 games
Midi Baccarat – 2 games
Caribbean Stud Poker – 1 game
3 Card Poker – 1 game
Poker (up to 10 player spaces) – 1 game

- C. Roulette – 2 games
Black Jack – 5 games
Midi Baccarat – 1 game
Caribbean Stud Poker – 1 game
3 Card Poker – 1 game
Poker (up to 10 player spaces) – 2 games

- D. Roulette – 2 games
Black Jack – 4 games
Midi Baccarat – 2 games
Caribbean Stud Poker – 1 game
3 Card Poker – 1 game
Casino War – 1 game
Poker (up to 10 player spaces) – 1 game

- E. Roulette – 2 games
Black Jack – 4 games
Midi Baccarat – 1 game
Caribbean Stud Poker – 1 game
3 Card Poker – 1 game
Casino War – 1 game
Poker (up to 10 player spaces) – 2 games

- F. Roulette – 2 games
Black Jack – 4 games
Midi Baccarat – 1 game
Caribbean Stud Poker – 1 game
3 Card Poker – 1 game
Poker (up to 10 player spaces) – 3 games

- G. Roulette – 2 games
Black Jack – 4 games
Midi Baccarat – 2 games
Caribbean Stud Poker – 1 game
3 Card Poker – 1 game
Poker (up to 10 player spaces) – 2 games



- H. Roulette – 2 games
 Black Jack – 3 games
 Midi Baccarat – 1 game
 Caribbean Stud Poker – 1 game
 3 Card Poker – 1 game
 Casino War – 1 game
 Poker (up to 10 player spaces) – 3 games
- I. Roulette – 2 games
 Black Jack – 3 games
 Midi Baccarat – 2 games
 Caribbean Stud Poker – 1 game
 3 Card Poker – 1 game
 Casino War – 1 game
 Poker (up to 10 player spaces) – 2 games

Notes

- (a) The Licence Holder must comply with the notification, and other requirements specified in MOS C 1.12 when changing the game mix by “flipping” tables. Otherwise the Licence Holder is permitted to change between the above table game mixes, subject to providing the Inspectorate with a minimum of five working days’ notice in writing of its intention to do so.
- (b) For the avoidance of doubt, the Promotional Wheel may be used only for promotional purposes in accordance with the Act, and must not be used to conduct casino gambling.
- (c) The Licence Holder is permitted to operate automatic shufflers on:
- no more than 50% of open Black Jack games specified in game mix A;
 - all Black Jack games in game mixes B-I;
 - on the Caribbean Stud Poker table specified in game mixes A-I;
 - on the 3 Card Poker table specified in game mixes B-I;
 - on the Casino War table specified in game mixes D, E, H and I.
- (d) The Licence Holder is permitted to change between the above table game mixes, subject to providing the Inspectorate with weekly advice of the table game mix to be used for the forthcoming week, and five working days’ notice of any change from one approved game mix to another.

