

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: 19 October 2015

Date of Decision: 13 November 2015

Date of Notification of Decision: 11th December 2015

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, under condition 9 of DCML's operator's licence, for approval of four new game mixes J-M, and, under conditions 11 and 12 of DCML's operator's licence, for approval of a new floor plan for its table games, "TG Floor Plan Oct 15".

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:

- (a) It wants to replace a Black Jack table with a "flip-top" table which can deploy both Black Jack and Poker. This will require it to reposition three gaming tables, and it seeks approval of a new plan, "TG Floor Plan Oct 15", to allow it to do this.
- (b) All necessary adjustments will be made to the CCTV layout to ensure that the new configuration complies with the Surveillance Standard. It will notify the Secretary of all such changes in accordance with Minimum Operating Standards.
- (c) It currently has nine approved game mixes, A-I.
- (d) To enable the use of the Black Jack/Poker flip-top table, it seeks approval of four new game mixes; J, K, L and M.
- (e) The new game mixes will allow it to increase the number of Poker tables. The new game mixes will offer fewer opportunities to gamble than its benchmark game mix, game mix A, as follows:

Game Mix	Player spaces	Overall opportunities
A	244	29,337
J	208	22,866
K	194	20,346
L	191	18,541
M	177	16,021

Submissions by the Secretary

4. The Secretary submitted that he has no regulatory concerns with the proposed new floor plan, subject to the casino having a satisfactory CCTV layout in compliance with the Surveillance Standard. The proposed new game mixes will not increase opportunities for casino gambling and raises no other issues of regulatory concern.

Analysis

5. DCML sought Commission approval to introduce four new game mixes, J-M. Game mixes J-M, together with game mix A are as follows:

	Game mix A	Game mix J	Game mix K	Game mix L	Game mix M
Roulette	3	2	2	2	2
Black Jack	6	3	2	3	2
Midi Baccarat	1	2	2	1	1
Mini Baccarat	1	-	-	-	-
Caribbean Stud Poker	1	1	1	1	1
Poker (up to 10 player spaces)	-	3	3	4	4
Tai Sai (single sided)	-	1	1	1	1
3 Card Poker	-	-	1	-	1

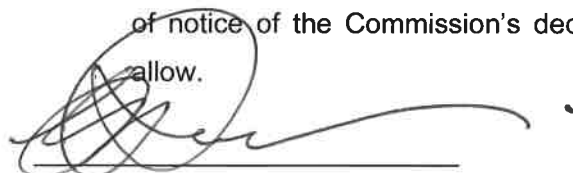
6. The Commission's usual approach with applications of this nature is to compare the proposal with the approved game mix which provides the most opportunities for casino gambling and form a view, in the round, on whether that proposal will increase opportunities for casino gambling.
7. Game mix A is the approved game mix that provides most opportunities for casino gambling at the Dunedin casino. The Commission compared game mixes J-M with game mix A and was satisfied that, in the round, none of them would increase opportunities for casino gambling.
8. Proposed floor plan "TG Floor Plan Oct 15" raised no issues of regulatory for the Commission.

Decision

9. The Commission approved, under condition 9 of DCML's operator's licence, a new game mix Annex (**attached**) which includes game mixes J-M. The Commission also approved, under conditions 11 and 12 of DCML's operator's licence, the proposed new floor plan, "TG Floor plan Oct 15" (**attached**). Once DCML is reliant upon "TG Floor Plan Oct 15", plan "OCT 14" will cease to be valid.

Right of appeal

10. 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

11th December 2015



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
 Poker (up to 10 player spaces) – 1 game
 Tai Sai (Single sided) – 1 game

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

- D. Roulette – 2 games
 Black Jack – 4 games
 Midi Baccarat – 2 games
 Caribbean Stud Poker – 1 game
 Poker (up to 10 player spaces) – 2 games
 Tai Sai (Single sided) – 1 game

- E. Roulette – 2 games
 Black Jack – 4 games
 Midi Baccarat – 1 game
 Caribbean Stud Poker – 1 game
 Poker (up to 10 player spaces) – 3 games
 Tai Sai (Single sided) – 1 game

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

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



- H. Roulette – 2 games
 Black Jack – 3 games
 Midi Baccarat – 2 games
 Caribbean Stud Poker – 1 game
 Poker (up to 10 player spaces) – 2 games
 Tai Sai (Single sided) – 1 game
 3 Card Poker – 1 game
- I. Roulette – 2 games
 Black Jack – 3 games
 Midi Baccarat – 1 game
 Caribbean Stud Poker – 1 game
 Poker (up to 10 player spaces) – 3 games
 Tai Sai (Single sided) – 1 game
 3 Card Poker – 1 game
- J. Roulette – 2 games
 Black Jack – 3 games
 Midi Baccarat – 2 games
 Caribbean Stud Poker – 1 game
 Poker (up to 10 player spaces) – 3 games
 Tai Sai (Single sided) – 1 game
- K. Roulette – 2 games
 Black Jack – 2 games
 Midi Baccarat – 2 games
 Caribbean Stud Poker – 1 game
 Poker (up to 10 player spaces) – 3 games
 Tai Sai (Single sided) – 1 game
 3 Card Poker – 1 game
- L. Roulette – 2 games
 Black Jack – 3 games
 Midi Baccarat – 1 game
 Caribbean Stud Poker – 1 game
 Poker (up to 10 player spaces) – 4 games
 Tai Sai (Single sided) – 1 game
- M. Roulette – 2 games
 Black Jack – 2 games
 Midi Baccarat – 1 game
 Caribbean Stud Poker – 1 game
 Poker (up to 10 player spaces) – 4 games
 Tai Sai (Single sided) – 1 game
 3 Card Poker – 1 game

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-M;
 - on the Caribbean Stud Poker table specified in game mixes A-M; and
 - on the 3 Card Poker table specified in game mixes F-I, K and M.
- (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.



APPENDIX B - "TG Floor Plan OCT15"

TABLE GAME LEGEND

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
- TC Three Card Poker
- PK Poker
- ER Electronic Roulette

