

GAMBLING COMMISSION

CASINO VENUE LICENCE

Section 137, Gambling Act 2003

Name of holder of casino premises licence:	Dunedin Casinos Limited
Address of holder of casino premises licence:	Southern Cross Hotel, 118 High Street, Dunedin
Address and description of casino premises:	<p>The following parts of the Southern Cross Hotel, 118 High Street, Dunedin, being those floor areas shown on the plans contained in the First Schedule hereto:</p> <ul style="list-style-type: none">(a) that part of attached plan CCA1.2 containing 75m² that is shown adjacent to and to the left of the Grand Hotel building contained on the first floor of the Grand Hotel Building;(b) that part as is shown on the attached plan CCA1.3 being the second floor of the Grand Hotel building containing 740 m²;(c) that part of the third floor of the Grand Hotel building as is shown on attached plan CCA1.4 containing 563 m²;(d) that part of the fourth floor of the Grand Hotel building as is shown on attached plan CCA1.5 containing 283 m²; and(e) that part of attached plans CCA1.0, CCA1.1, CCA1.2, CCA1.3, CCA1.4 and CCA1.6 showing the stairway and service lift at the top end of the Grand Hotel and State Insurance buildings extending from the basement level to the third floor level.

This licence authorises the use of the premises to which it relates as a casino for a period of 15 years commencing with the date of renewal and shall then expire, unless –

- (a) The holder of the licence sooner surrenders the licence under section 147 of the Gambling Act 2003; or
- (b) The licence is sooner cancelled by the Gambling Commission under section 144 of the Gambling Act 2003; or
- (c) The licence is renewed under section 137 of the Gambling Act 2003.

SCHEDULE – CONDITIONS ATTACHED TO CASINO VENUE LICENCE

Preamble

- 1 The following conditions apply to the Casino Venue.
- 2 The Licence Holder must comply with these conditions. Failure to do so could result in the suspension or cancellation of this Licence.

Interpretation

- 3 Words and expressions in these conditions shall have the same meaning as defined in the Gambling Act 2003.
- 4 In these conditions:

Act means the Gambling Act 2003.

Authority means the Casino Control Authority.

Casino Agreement means the Management Agreement dated 9 August 1999, between the Licence Holder and Aspinall (NZ) Limited, as amended on 12 March 2004 by the Authority approving an Approval of Change of Associated Licensed Casino Operator from Aspinall (NZ) Limited to Dunedin Casinos Management Limited, or which may be varied or substituted with the approval of the Commission from time to time.

Casino Venue means the part of the property situated at 118 High Street, Dunedin, as more fully described in the Licence and the First Schedule.

Commission means the Gambling Commission.

Executive Director means the Executive Director of the Commission.

Gambling Area means that part of the Casino Venue specified in condition 9 where casino gambling is permitted by the Commission.

Inspectorate means the Casino Compliance Unit of the Department of Internal Affairs.

Licence Holder means Dunedin Casinos Limited.

Secretary means the Secretary for Internal Affairs.

Surveillance Standard means the Surveillance Policy describing the required standard, type, operation and installation of surveillance facilities, approved by the Authority with effect from 5 December 2003, as may be substituted or amended by the Commission from time to time.

Trust means the Trust set up under the Trust Deed dated 16 June 2000 between Polson Higgs Nominees Limited and Dunedin Casinos Limited, as may be varied with the approval of the Commission.

Design and Construction

- 5 The Licence Holder shall lodge and maintain with the Commission and the Secretary updated as built architectural floor plans of Level 1 of the Casino Venue showing walls, structures and dimensions. Updated as built architectural floor plans shall be

lodged with the Commission and the Secretary if the Licence Holder makes alterations to Level 1 of the Casino Venue requiring building consent from a territorial authority.

- 6 The Licence Holder must obtain the approval of the Commission prior to:
- (a) construction or design changes to Level 1 of the Casino Venue, including the Gambling Area;
 - (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 alteration of signage relating to the casino business on the exterior of the Casino Venue or on or around the building within which it is located.

The process by which the Licence Holder may obtain approval for construction or design changes to Level 1 of the Casino Venue, (paragraph (a) above) is set out in condition 7. The Commission will determine any application for approval under 6(b). The Executive Director may approve the addition or alteration of signage relating to the casino business on the exterior of the Casino Venue or on or around the building within which it is located (paragraph (c) above) if he/she is satisfied the proposed changes will have no potentially adverse effects. If he/she is not so satisfied the proposed changes must be referred to the Commission for a decision on approval.

- 7 The Licence Holder must notify the Executive Director of any proposed changes to the construction or design of Level 1 of the Casino Venue. 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.

- 8 The Licence Holder shall ensure that:
- (a) gambling activity is not visible from outside the Casino Venue; and
 - (b) there is provision for generation of emergency power to maintain in situations of an interruption to mains power:
 - (i) minimum services to the Gambling Area; and

- (ii) lighting in highly sensitive areas such as count rooms, surveillance suite, cashiering locations and gambling equipment storerooms.

Gambling Area

- 9 The Gambling Area within the Casino Venue comprises the area specified in a plan approved by the Authority on 4 June 2002.

General Specifications for the count room facility

- 10 The Licence Holder shall ensure that the count room is located in a secure area and shall, as a minimum requirement, provide the following:

- (a) effective electronic surveillance in accordance with the Surveillance Standard;
- (b) an alarm device connected to the entrance of the count room which signals to the security/surveillance department whenever the door is opened;
- (c) a telephone link;
- (d) a count table constructed of transparent material with clear visibility through to the floor;
- (e) an area within, or with access from, the count room to house an enclosed cabinet or trolley(s) with a single lock system for the storage of drop boxes; and
- (f) a coin storage area with a single lock system with access from the count room while still inside the secure area.

General specifications for cage/chip bank facilities

- 11 The Licence Holder shall ensure that the cashier's cage is located immediately adjacent to the gaming floor and is clearly visible to patrons. Unless otherwise approved by the Commission, the cage area shall, as a minimum requirement, include the following

- (a) accommodation for chip bank cashiers and general cashiers;
- (b) storage facilities for cage inventory;
- (c) a separate locked compartment for storage of chips and plaques held in reserve and not used for active gaming;
- (d) manually triggered and automatic silent alarm systems connected directly to the surveillance department; and
- (e) an interconnect door entry and exit system (man trap) which will not permit a person to pass through the second door until the first door is securely locked.

- 12 The approval of the Commission is required for the construction of any additional cashiering facilities in the Gambling Area to service dedicated areas or rooms. Any such additional facilities must comply with the surveillance equipment requirements set out in the Surveillance Standard and be fitted with manually triggered and automatic silent alarm systems connected to the surveillance department.

General specifications for Inspectors/Police facilities

- 13 The Licence Holder shall provide facilities within the Casino Venue for the use of Gambling Inspectors and the Police as directed by the Commission. Before issuing any such direction, the Commission shall consult with the Licence Holder and the Department of Internal Affairs and/or the New Zealand Police (as applicable) and invite submissions from each party in relation to any proposal.

Independent Charitable Trust

- 14 The Licence Holder:
- (a) shall establish and support financially an independent charitable trust, the purposes and objectives of which shall include the funding of the treatment of gambling disorders by persons and organisations in the community, and related activities. The Licence Holder shall pay to the trust, in each respect of each full year of the operation of the Casino, no less than \$52,000 a year. The deed of trust shall be in a form approved by the Authority or the Commission;
 - (b) may establish, and in any event shall fund, a charitable trust or trusts approved by the Authority or the Commission to be applied for the purposes of community and sport funding in Dunedin and the Otago region. The Licence Holder shall pay to the trust or trusts, in respect of each full year of the operation of the Casino, a sum equivalent to 1% of the turnover of the gaming machines in the Casino after deducting goods and services tax, to a maximum of \$110,000 a year. Where the Licence Holder establishes the trust or trusts, the deed or deeds of trust shall be approved by the Authority or the Commission;
 - (c) the conditions 14(a) and (b) above may be reviewed in the event of duplicity of charitable funding or the funding of the treatment of gambling disorders arising from legislative changes under the current or any future gaming law review.
- 15 The Licence Holder is required to ask the Trust to provide it with the information set out in condition 16(b)-(f) below.
- 16 The Licence Holder must maintain a dedicated web presence that makes information about the Trust publicly available. At a minimum, the web presence must contain the following information:
- (a) the Trust deed;
 - (b) details of the Trustees and a brief summary of their background;
 - (c) information about how to apply for funding from the Trust, including contact details;
 - (d) the process that the Trust follows when dealing with complaints about the distribution of funding;
 - (e) grant application criteria;
 - (f) distribution information in respect of each financial year, commencing from the year ending on 31 March 2022, namely:
 - (i) the amount received by the Trust;

- (ii) the amount available for distribution;
 - (iii) details of all distributions, including details of the recipients, their location, and the amount distributed to each;
 - (iv) details of all unsuccessful applications and the sums sought by each:
- (g) if the Trust has failed to provide any of the information requested under condition 15, a statement identifying what has not been provided.

Community Liaison Group

- 17 The Licence Holder shall convene, at least every three months, a meeting of a community liaison group comprising the Licence Holder, representatives of interested problem gambling treatment providers, and the Department of Internal Affairs. The Group may invite relevant community representatives (Council, government, inter-faith, business) to participate in the work of the Group, as it considers appropriate, depending on the matters under consideration. The function of the Group is, where requested, to represent community views in the course of consultation and liaison activities undertaken by the Licence Holder, the Commission, the Secretary, and other entities, as the case may be, relating to gambling at the casino. The Group may participate in such consultation and liaison activities to the extent it considers necessary to represent community views and may undertake its own consultations and enquiries for that purpose.

Notification Requirements

- 18 The Licence Holder shall notify the Commission and the Secretary in writing as soon as possible of any change in the state of affairs of the Licence Holder which has a significant bearing on the holding of the Casino Venue licence, including any person ceasing to be an associated person of the Licence Holder.
- 19 The Licence Holder, immediately on becoming aware of such an occurrence, shall notify the Commission and Secretary in writing if the Licence Holder or an associated person of the Licence Holder is involved in any:
- (a) conviction for an offence involving dishonesty;
 - (b) censure or disciplinary action by a professional body for ethical misconduct;
 - (c) censure in any way in relation to a casino in another jurisdiction;
 - (d) current investigation (other than routine or periodical inspections) by any governmental or statutory body; and
 - (e) bankruptcy, receivership or liquidation.

Casino Agreement

- 20 The Licence Holder shall not permit any person to operate the Casino otherwise than in accordance with the terms of the Casino Agreement.

Audit

- 21 The Commission may at any time request access to the Licence Holder's internal audit information or institute an audit of the Licence Holder's Casino business.

- 22 The Licence Holder shall submit for the approval of the Commission the name of the person or body of persons appointed from time to time by the Licence Holder as Auditor to audit the Casino business. The approval of the Commission shall be revocable in the discretion of the Commission and shall be subject to such conditions as the Commission from time to time imposes.

Bank Accounts

- 23 The Licence Holder, its parent company, or any subsidiaries of the Licence Holder or parent company, shall not open any bank account overseas to facilitate, or in connection with, the operation of the Casino without the approval of the Commission.

Provision of information

- 24 The Licence Holder shall, within such period as the Commission may require, provide to the Commission, or to any person authorised by the Commission to receive the same, such reports or other information as may be specified by the Commission relating to:

- (a) the operations of the Licence Holder or any entity or person associated with the Licence Holder;
- (b) the operation of the Casino; or
- (c) any associated person of the Licence Holder, being information in the possession of the Licence Holder, as may be specified by the Commission in writing from time to time, within such period as the Commission may require.

- 25 The Licence Holder shall allow the Commission or staff of the Commission Secretariat, or any other person authorised by the Commission, to enter and remain in any part of the Casino Venue at any time for the purpose of his or her official duties under the Act.

Address for service

- 26 The Licence Holder shall file with the Commission an address in New Zealand for the service of notices upon it.
- 27 The Licence Holder may, by notice given to the Commission, change its address for the service of notices.