

IN THE MATTER of the Gambling Act 2003

AND on an application by **SKYCITY CASINO MANAGEMENT LIMITED** for approval of a new floor plan, to remove redundant floor plans, and add new game mixes for the Hamilton casino

BEFORE THE GAMBLING COMMISSION

Members: P Chin (Chief Gambling Commissioner)
M M Lythe
P J Stanley
G L Reeves
M J Richardson

Date of Application: 25 August 2008

Date of Decision: 17 October 2008

Date of Notification
of Decision: 29 October 2008

**DECISION ON AN
APPLICATION BY SKYCITY CASINO MANAGEMENT LIMITED
FOR APPROVAL OF A NEW FLOOR PLAN, TO REMOVE REDUNDANT FLOOR PLANS,
AND ADD NEW GAME MIXES FOR THE HAMILTON CASINO**

Introduction

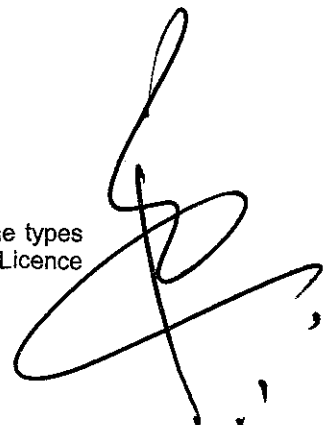
1. SKYCITY Casino Management Limited ("**SCML**") applied to the Commission for approval:
 - (a) of a new floor plan, "Nov 2008", under condition 11 of SCML's operator's licence for the Hamilton casino;
 - (b) to delete three redundant floor plans, A, D1 and D2; and
 - (c) of a new Annex A, under condition 9 of SCML's operator's licence for the Hamilton casino, to introduce two new game mixes, 6 and 7.

Licence conditions

2. The relevant licence conditions are as follows:

SCML operator's licence (Hamilton)

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.

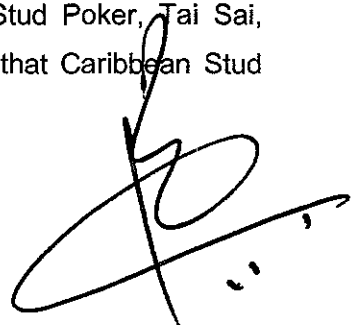
11. The Licence Holder shall operate in accordance with approved floor layouts showing the position of gaming tables and gaming machines.

Submissions by SCML

3. SCML stated that:
 - (a) it has four approved floor plans, A, D1, D2 and D3. It is presently reliant on plan D3 and it wishes to reposition three gaming tables from locations specified on this plan; and
 - (b) it no longer requires plans A, D1 and D2, so these can be discarded.
4. SCML submitted that:
 - (a) the proposed relocations have no bearing on game mix or rate of play; and
 - (b) the repositioned tables would continue to be visible to floor staff and CCTV cameras, allowing customers to be observed for any indications of problem gambling.
5. SCML stated that it wants two additional game mixes, 6 and 7, to introduce Casino War on a flip top table in place of a Black Jack game.
6. SCML submitted that game mixes 6 and 7 would not increase opportunities for casino gambling as:
 - (a) game mix 6 has 18 fewer player spaces than game mix 1, the regulatory benchmark for the Hamilton casino, while game mix 7 has 34 fewer player spaces than game mix 1; and
 - (b) they both offer fewer overall gambling opportunities than game mix 1.

Submissions by the Secretary

7. The Secretary submitted that he had no regulatory concerns regarding the revised floor plan, provided any necessary surveillance changes are implemented. He agreed that the new game mixes would not increase opportunities for casino gambling compared with game mix 1, but noted that the figures provided by SCML contained errors in relation to the number of player spaces available for Roulette, Caribbean Stud Poker, Tai Sai, Money Wheel and Poker, and in the number of rounds per hour that Caribbean Stud Poker generates.



8. In reply, SCML accepted that its figures were incorrect and provided amended figures in support of its submission that the new game mixes would not increase opportunities for casino gambling, as follows:

Game mix	1	6	7
Player spaces	803	788	772
Rounds per hour	1309	1304	1283
Wagering opportunities	27,211	26,688	25,769

9. The Secretary expressed his unease with the speed assigned to Casino War compared to other table games, as he did in a previous matter involving Casino War, decision GC04/08.

Analysis

10. SCML wants to relocate three gaming tables at the Hamilton casino. These changes are minor and raised no issues of regulatory concern. The removal of the three redundant floor plans (A, D1 and D2) is also unproblematic.
11. SCML presently has five approved game mixes and seeks approval for two new game mixes to enable it to introduce Casino War on a flip top table. SCML's submission that the new game mixes would not increase opportunities was initially based upon incorrect figures, but once amended figures were provided, SCML maintained that its submission remained valid.
12. The Commission's approach when determining whether a proposed game mix may result in an increase in opportunities for casino gambling is to compare what is proposed against the approved game mix that represents the greatest level of opportunities for casino gambling. Game mix 1 presently provides the greatest level of opportunities to gamble. The Commission compared game mixes 6 and 7 with game mix 1 and considered, in the round, that approving game mixes 6 and 7 would not increase opportunities for casino gambling.
13. The Secretary raised a concern in relation to the rate of play assigned to Casino War, having previously expressed a similar concern in decision GC04/08. Following that decision, the Commission engaged with the Secretary and casino operators (through SCML) to have them revisit the game speeds assigned to each table game in an effort to improve upon the accuracy of the information presently available. This process has commenced and the Commission hopes it will be completed in the near future. In the interim, the Commission has utilised the best information presently available to it regarding the speed of play of Casino War.

14. The Commission also had regard to the fact that the submitted maximum number of available player spaces for each plan involves some assumptions in respect of those games for which the maximum permitted number of players is not fixed by applicable game rules. The Commission's decision involves a comparison in the round and should not be taken as fixing the number of player spaces for any of the game mixes at those submitted.

Decision

15. The Commission decided to approve:
- (a) Annex A (**attached**), under condition 9 of SCML's operator's licence for the Hamilton casino;
 - (b) floor plan "Nov 2008" (**attached**), under condition 11 of SCML's operator's licence for the Hamilton casino; and
 - (c) the deletion of floor plans A, D1 and D2.


Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

29 October 2008

ANNEX A

Pursuant to condition 9 the following game mixes may be operated by the Licence Holder on casino gaming tables in accordance with approved floor plans subject to the following conditions and requirements:

1.
 - Black Jack/Pontoon – up to 11 games
 - Roulette – up to 5 games
 - Midi Baccarat – up to 3 games
 - Mini Baccarat – up to 1 game
 - Caribbean Stud Poker – up to 2 games
 - Tai Sai (single sided) – up to 1 game
2.
 - Black Jack/Pontoon – up to 10 games
 - Roulette – up to 4 games
 - Midi Baccarat – up to 3 games
 - Mini Baccarat – up to 1 game
 - Caribbean Stud Poker – up to 1 game
 - Money Wheel (single sided) – up to 1 game
 - Poker – up to 2 games
 - Rapid Roulette (12 players) – up to 1 game
3.
 - Black Jack/Pontoon – up to 11 games
 - Roulette – up to 4 games
 - Midi Baccarat – up to 3 games
 - Caribbean Stud Poker – up to 1 game
 - Money Wheel (single sided) – up to 1 game
 - Poker – up to 2 games
 - Rapid Roulette (12 players) – up to 1 game
4.
 - Black Jack/Pontoon – up to 11 games
 - Roulette – up to 4 games
 - Midi Baccarat – up to 2 games
 - Caribbean Stud Poker – up to 1 game
 - Money Wheel (single sided) – up to 1 game
 - Poker – up to 3 games
 - Rapid Roulette (12 players) – up to 1 game
5.
 - Black Jack/Pontoon – up to 12 games
 - Roulette – up to 4 games
 - Midi Baccarat – up to 2 games
 - Caribbean Stud Poker – up to 1 game
 - Money Wheel (single sided) – up to 1 game
 - Poker – up to 2 games
 - Rapid Roulette (12 players) – up to 1 game
6.
 - Black Jack/Pontoon – up to 10 games
 - Roulette – up to 4 games
 - Midi Baccarat – up to 3 games
 - Caribbean Stud Poker – up to 1 game
 - Money Wheel (single sided) – up to 1 game
 - Poker – up to 2 games
 - Rapid Roulette – up to 1 game
 - Casino War – up to 1 game



7.
 - Black Jack/Pontoon – up to 10 games
 - Roulette – up to 4 games
 - Midi Baccarat – up to 2 games
 - Caribbean Stud Poker – up to 1 game
 - Money Wheel (single sided) – up to 1 game
 - Poker – up to 3 games
 - Rapid Roulette – up to 1 game
 - Casino War – up to 1 game

Notes

1. The Licence Holder is permitted to change between game mixes 3, 4, 6 and 7 subject only to any requirements specified by way of minimum operating standards. The Licence Holder is permitted to change between other approved table game mixes subject to providing the Inspectorate with a minimum of five working days notice in writing of its intention to do so.
2. The Licence Holder is permitted to operate automatic shufflers on the Caribbean Stud Poker and Poker tables specified and on no more than 50% of Black Jack games specified in game mixes 1, 2, 3, 4, 5, 6 and 7.



