

IN THE MATTER of the Gambling Act 2003
AND of an application by
SKYCITY HAMILTON LIMITED for approval of
floor layout plans

BEFORE THE GAMBLING COMMISSION

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

Date of Application: 30 September 2005

Date of Decision: 11 November 2005

Date of Notification of Decision: 29 November 2005

DECISION

**ON AN APPLICATION BY SKYCITY HAMILTON LIMITED
FOR APPROVAL OF FLOOR LAYOUT PLANS**

Application

1. SKYCITY Hamilton Limited (the "**Applicant**") applied under condition 6.1 of its venue licence for approval of revised floor plans, Plans C and D, with different game mixes. Plan C is identical to currently approved floor plans except for the relocation of 4 gaming machines. Plan D is identical to Plan C except for the table game mix. Plan D substitutes one Black Jack and one single-sided Tai Sai game for two Poker tables.
2. The Applicant proposed that it should be able to alternate between Plans C and D, provided the Commission and the Inspectorate were notified in advance.

Statutory criteria

3. The application was for an approval under an existing licence condition. As there is no variation of a licence condition, the Commission was not required to consult on the proposal as provided in section 140 of the Gambling Act 2003 (the "**Act**").
4. The Commission is, however, free to determine its own procedure in terms of processing approval applications. In the circumstances, the Commission considered it appropriate to seek the views of the Secretary, given his operational interest.

Licence conditions

5. Licence condition 6.1 of the Applicant's venue licence provides as follows:

Approval of specifications for security and surveillance installations

Subject to paragraph 6.2, the Licence Holder shall submit to the Commission for approval all drawings and specifications relating to:

- (a) gaming area floor layouts showing gaming tables, gaming machines and closed circuit television cameras;
- (b) any viewing panels;
- (c) cashier cages, count rooms, security areas, and access thereto;
- (d) areas for Government inspectors and surveillance staff;
- (e) electrical installations, telephone installations, auxiliary power; and
- (f) the master key system or access control system.

Submissions by the Applicant

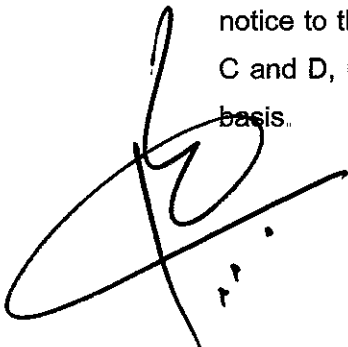
6. The Applicant submitted that the relocation of the four electronic gaming machines in Plans C and D would allow it to reconfigure two large banks of machines into four smaller banks, creating a "more open aesthetic environment with a potentially better pedestrian flow." It submitted that the change would not require any change to CCTV layout.
7. The Applicant sought approval for Plans C and D in order to provide it with flexibility.
8. The Applicant noted that the table game mix specified in Plan C was approved in decision GC21/05. It submitted that approval of Plan D would not increase opportunities for casino gambling and complied with sections 11 and 12 of the Act. In this regard, the Applicant submitted that Plan D equated to 453 player spaces at tables, a reduction on the 467 player spaces available on 19 September 2003, when the prohibition on increases in opportunities for casino gambling took effect, and on the 464 player spaces presently permitted.
9. The Applicant stated that it had not undertaken any assessment on speed. Based on discussions with representatives from Christchurch casino, where Poker has operated for some time, the Applicant submitted that the average number of Poker rounds per hour would be significantly less than Black Jack or the number of results generated from a game of Tai Sai. It was submitted that, in general terms, Poker is considered a slower game than either Black Jack or Tai Sai.
10. The Applicant stated that the Poker tables will be installed within the existing approved table configuration, with the tables being recorded by two fixed cameras. Any necessary adjustments to the CCTV layout will be undertaken, with notification to the Department of

Internal Affairs ("DIA"). The Applicant noted that CCTV coverage will as minimum provide for:

- (a) pan-tilt-zoom camera coverage of all tables;
 - (b) pan-tilt-zoom camera coverage to enable activity at gaming machines to be monitored;
 - (c) pan-tilt-zoom camera coverage to enable drop routes to be monitored;
 - (d) monitoring of all table games by a minimum of one fixed camera;
 - (e) monitoring of Midi Baccarat and Poker games by a minimum of two fixed cameras.
11. The Applicant noted that, prior to installing Poker, it will apply to amend its Minimum Operating Standards to provide for suitable levels of pit supervision and will ensure that DIA approved staff training is undertaken.
12. The Applicant indicated that it wished to commence proposed changes in the week of 5 December 2005, and complete the relocation of the four gaming machines by Christmas. If the relocation work cannot be commenced in the week beginning 5 December, then the Applicant submitted that it would defer the relocation until mid-February 2006.
13. The Applicant indicated that implementation of Plan D would largely depend upon the timing of equipment supply, regulatory approvals and completion of training.

Submissions by the Secretary

14. The Secretary had no concerns with the proposal to relocate the four electronic gaming machines.
15. The Secretary supported the Applicant's proposal for two fixed cameras for monitoring a Poker table with 11 player spaces, which is in accordance with the Casino Control Authority's surveillance policy.
16. The Secretary submitted that the Applicant should provide a minimum of 5 working days notice to the Commission and the Inspectorate when it wished to change between Plans C and D, unless a shorter timeframe is agreed with the Inspectorate on a case-by-case basis.



Analysis

17. The Commission accepted that the table game mix specified in Plan D would decrease the number of player spaces presently available and would not increase opportunities for casino gambling.
18. The Commission noted that the Secretary was satisfied in relation to security and surveillance arrangements.

Decision of Commission

19. The Commission decided unanimously that the application was consistent with the Act and pursuant to condition 6.1 of the Applicant's venue licence, approved Plans C and D (both **attached** to this decision), subject to the following requirements:

- (a) The Licence Holder may operate on the 23 tables shown in Plan C the following games:

Black Jack – up to 11 games;

Roulette – up to 5 games;

Midi Baccarat – up to 3 games;

Caribbean Stud Poker – up to 2 games;

Tai Sai – up to 1 game;

Mini Baccarat – up to 1 game.

- (b) The Licence Holder may operate on the 23 tables shown in Plan D the following games:

Black Jack – up to 10 games;

Roulette – up to 5 games;

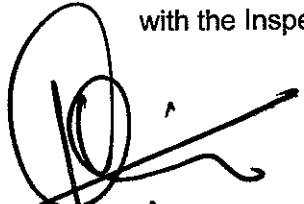
Midi Baccarat – up to 3 games;

Caribbean Stud Poker – up to 2 games;

Poker – up to 2 games;

Mini Baccarat – up to 1 game.

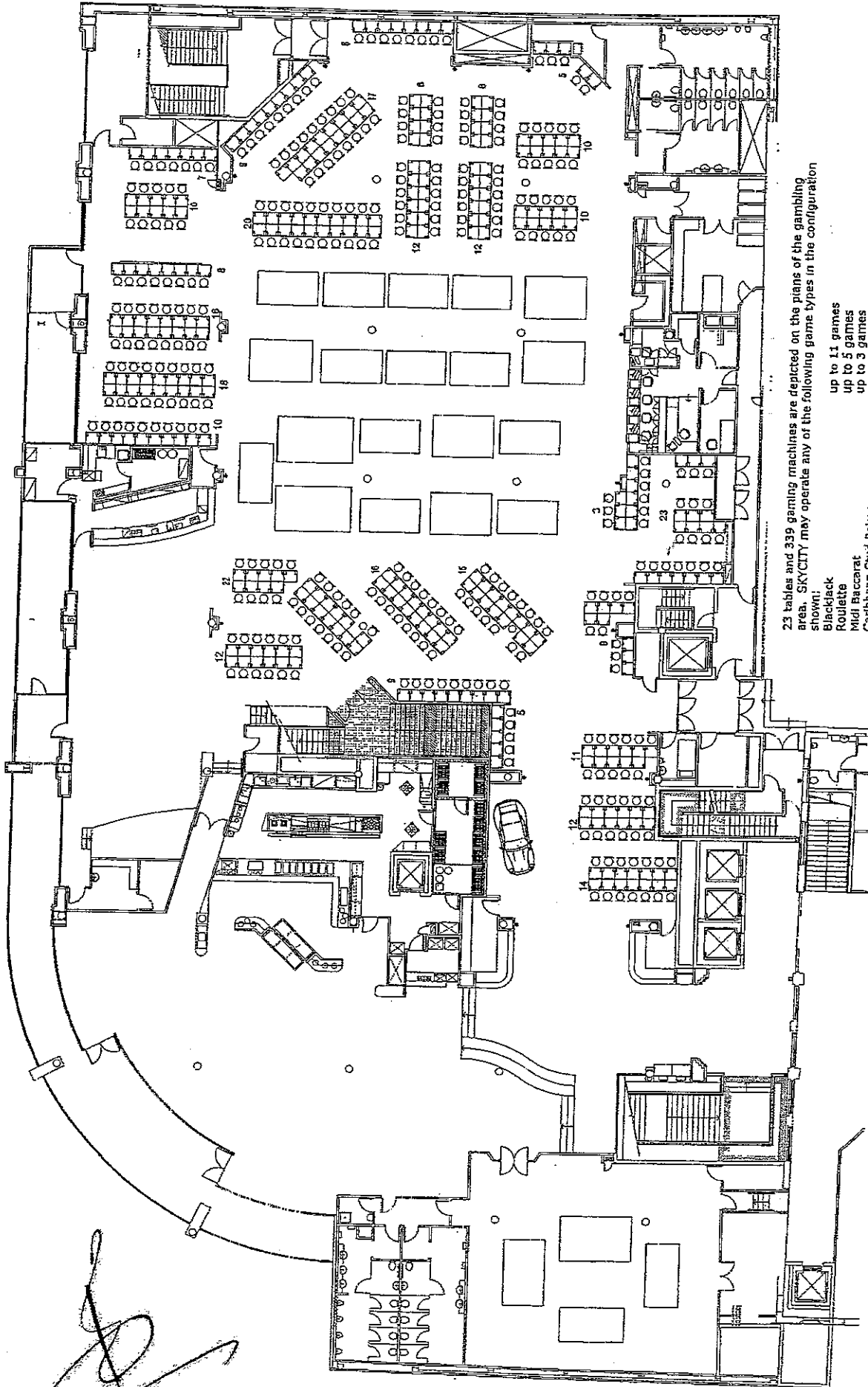
- (c) The foregoing lists refer to manual versions of the games specified and do not extend to or permit the introduction of any electronic versions or new electronic aids or enhancements. If electronic versions, aids or enhancements are sought to be introduced, an application is required by the Licence Holder for approval of a revised floor layout.
- (d) The Licence Holder is permitted to change between Plans C and D subject to providing the Commission and the Inspectorate with a minimum of 5 working days notice in writing of its intention to do so, unless a shorter notice period is agreed with the Inspectorate on a case-by-case basis.



Peter Chiu
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

29 November 2005



23 tables and 339 gaming machines are depicted on the plans of the gambling area. SKYCITY may operate any of the following game types in the configuration shown:

- Blackjack
- Roulette
- Mini Baccarat
- Caribbean Stud Poker
- Tai Sai
- Mini Baccarat

up to 11 games
 up to 5 games
 up to 3 games
 up to 2 games
 up to 1 game
 up to 1 game

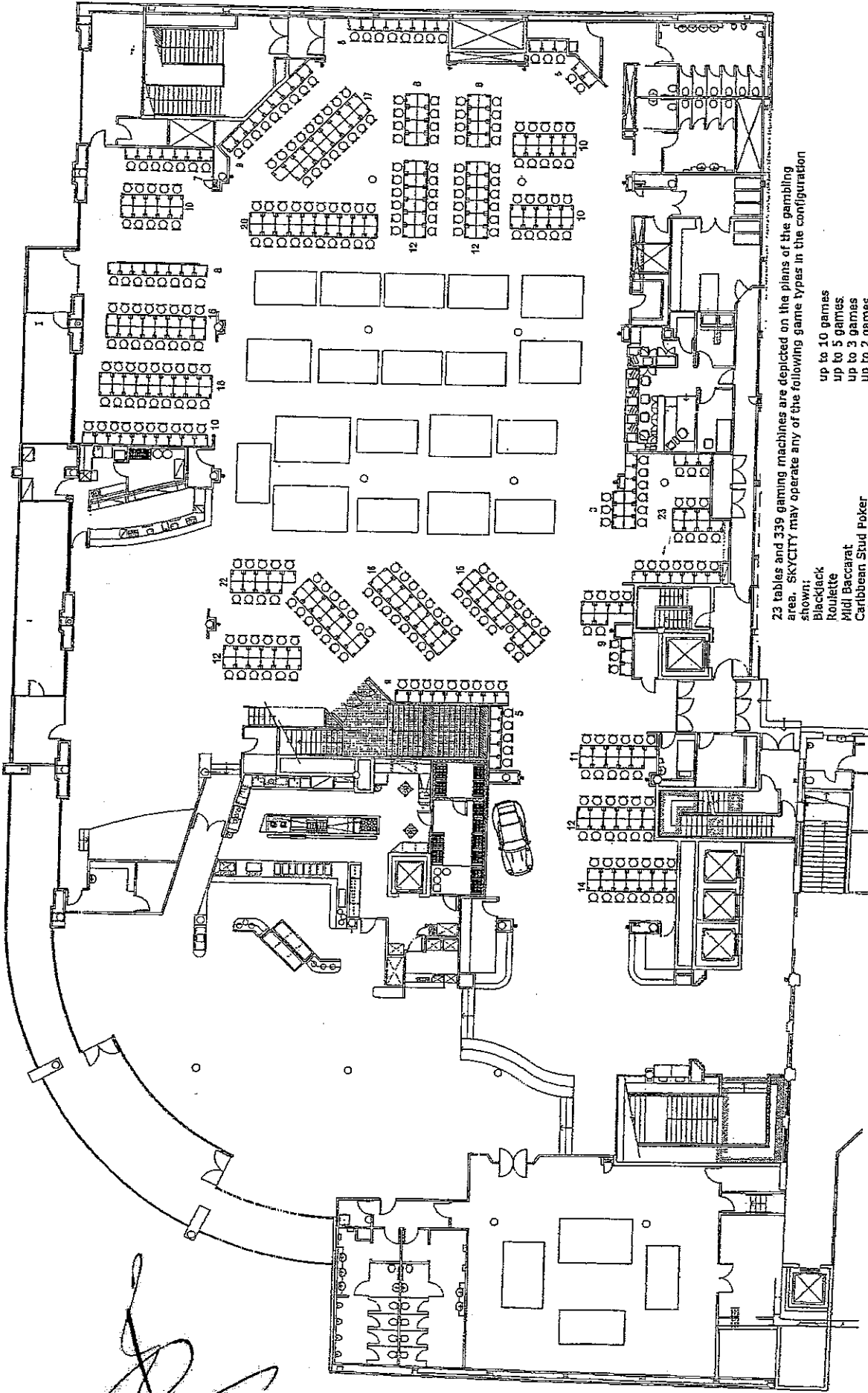
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PROJECT	SKYCITY CASINO GAMING FLOOR BOXES No3 - Option 2		
SCALE	1:1000	DATE	1/1/2000

SKYCITY CASINO
GAMING FLOOR
BOXES No3 - Option 2

REV	DESCRIPTION	DATE	APPROVED BY	DATE	APPROVED BY

A. CONTINUOUSLY		DATE	1/1/2000	BY	AS
COMING TO THE ATTENTION OF THE CLIENT BEFORE COMMENCEMENT OF WORK		DATE	1/1/2000	BY	AS

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23 tables and 339 gaming machines are depicted on the plans of the gambling area. SKYCITY may operate any of the following game types in the configuration shown:

- Blackjack up to 10 games
- Roulette up to 5 games
- Mini Baccarat up to 3 games
- Caribbean Stud Poker up to 2 games
- Poker up to 2 games
- Mini Baccarat up to 1 game

Scale: 1:100 @ A1, 1:200 @ A2
 SHEET TITLE: SKYCITY CASINO GAMING FLOOR BOXES NO3 - Option 2
 SHEET No: 01/14
 DATE: 11/11/11

SKYCITY
HAMILTON CASINO

REV	DESCRIPTION	DATE	APPROV	DISCIPLINE	DATE	APPROV	DISCIPLINE

CONSULTANT: [Name] PROJECT NO: [Number]
 DATE: [Date]
 SCALE: [Scale]
 SHEET NO: [Number]