

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: 4 November 2005

Date of Decision: 16 December 2005

Date of Notification of Decision: 20 December 2005

DECISION

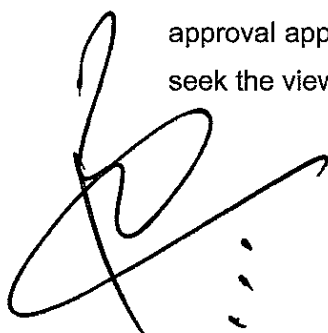
**ON AN APPLICATION BY SKYCITY HAMILTON LIMITED
FOR APPROVAL OF FLOOR LAYOUT PLANS**

Application

1. SKYCITY Hamilton Limited (the "**Applicant**") applied under condition 6.1 of its venue licence for approval of revised floor plans, labelled Plans A and B by the Commission. The Plans are identical to those approved by the Commission in decision GC26/05, except for the relocation and reconfiguration of six gaming machines. No change was proposed to the approved table game mix.

Statutory criteria

2. 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**").
3. 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

4. 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

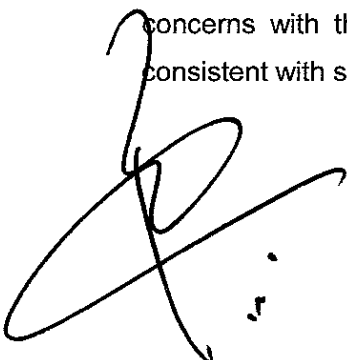
5. The Applicant submitted that the proposed reconfiguration would enlarge the main walkway in the casino and provide a more open environment. The Applicant submitted that sections 11 and 12 of the Act were not relevant as the proposal involved no change to table game types or player spaces. It was submitted that the proposed relocations would not require any changes to the CCTV layout.
6. The Applicant indicated that the relocation, if approved, would commence in February 2006 with work completed by the end of March 2006.

Submissions by the Secretary

7. The Secretary had no concerns with the proposal.

Analysis

8. In decision GC26/05 the Commission approved the table game mix specified in Plans A and B. The only change proposed in the application related to the gaming machine layout. Issues relating to sections 11 and 12 and the potential for an increase in opportunities for casino gambling do not arise.
9. The Commission noted the Applicant's submissions and that the Secretary had no concerns with the proposal. The Commission was satisfied that the application was consistent with section 139(2) of the Act.



Decision of Commission

10. The Commission decided unanimously that the proposal was consistent with the Act and pursuant to condition 6.1 of the Applicant's venue licence, approved the floor plan layouts shown in Plans A and B **attached** to this decision, subject to the following requirements:

(a) The Licence Holder may operate on the 23 tables shown in Plan A 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 B 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 A and B 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.

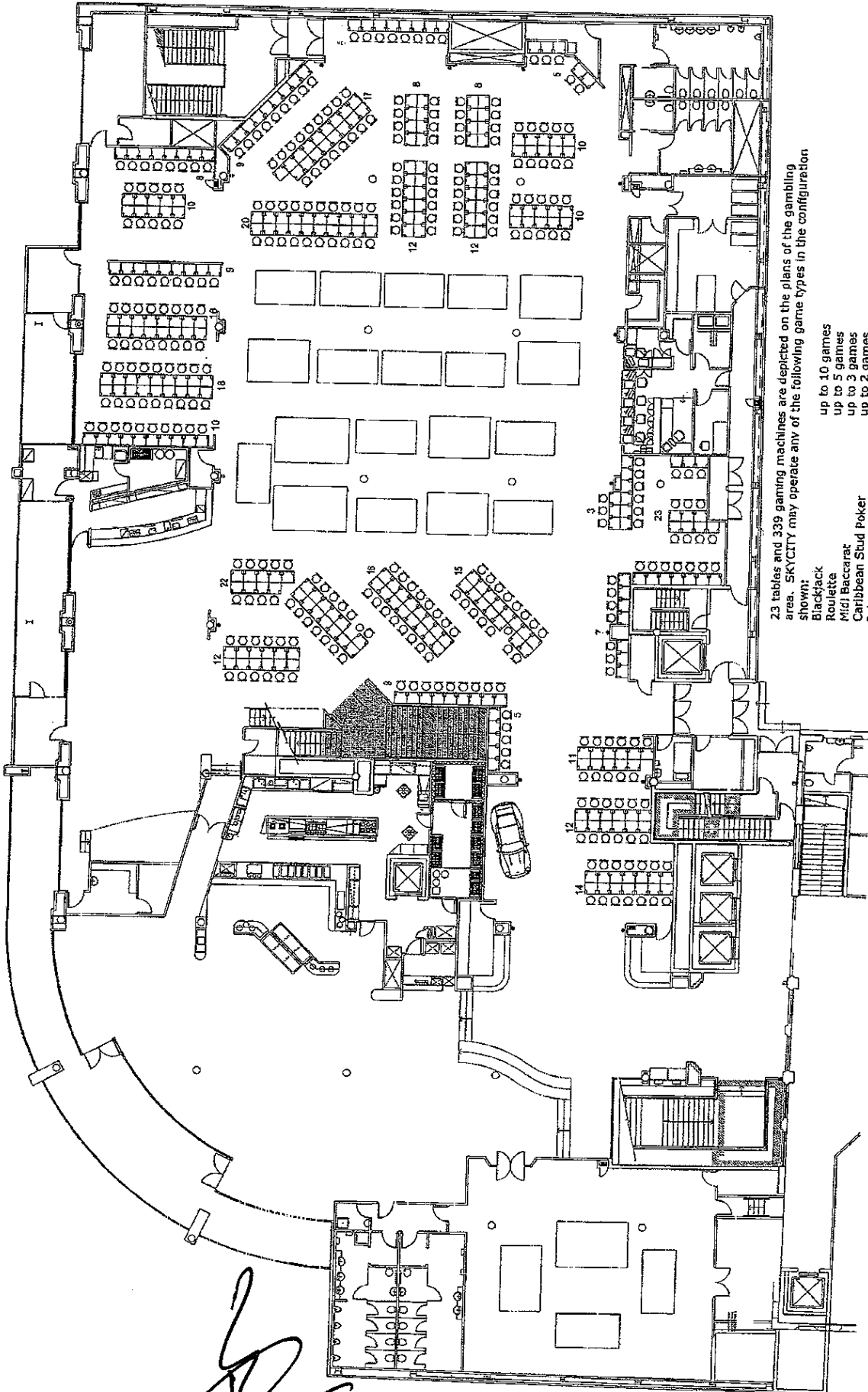


Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

20 December 2005

Plan B.



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23 tables and 339 gaming machines are depicted on the plans of the gaming 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 game
- Mini Baccarat up to 1 game

SKYCITY CASINO HAMILTON CASINO		SHEET TITLE: SKYCITY CASINO GAMING FLOOR Option 2b - Boxes	SHEET NO. 481	JOB NO. 11200 @ A1	REV. 1:200 @ A1, 1:200 @ A3
CONTRACTOR'S NAME DATE ISSUED DESCRIPTION REVISIONS		CONTRACTOR'S NAME AND ADDRESS OF THE LOCAL AUTHORITY DATE 21-10-03 DRAWN CHECKED DATE APPROVED BY			