

**IN THE MATTER** of the Gambling Act 2003

**AND** on an application by **SKYCITY CASINOS MANAGEMENT LIMITED** for approval of a new game mix Annex for the Wharf casino

**BEFORE THE GAMBLING COMMISSION**

Members: G L Reeves (Chief Gambling Commissioner)  
R D Bell  
D C Matahaere-Atariki  
W N Harvey

Date of Application: 15 April 2016

Date of Decision: 3 June 2016

Date of Notification  
of Decision: 24 June 2016

**DECISION ON AN APPLICATION BY SKYCITY CASINOS MANAGEMENT LIMITED  
FOR APPROVAL OF A NEW GAME MIX ANNEX FOR THE WHARF CASINO**

**Introduction**

1. SKYCITY Casinos Management Limited ("SCML") has applied to the Commission, under condition 9 of SCML's operator's licence for the Wharf casino, for approval to vary game mix L of the approved game mixes for the Wharf casino.

**Licence condition**

2. The relevant licence condition is as follows:

**SCML operator's licence – Wharf casino**

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.

**SCML's submissions**

3. SCML submitted, in summary, as follows:
  - (a) It has an approved game mix Annex for the Wharf casino which contains 13 game mixes, A-M. It seeks approval to amend game mix L by adding an Ultimate Texas Hold'em table to the existing 3 Card Poker and deploying both using a flip-top table.



- (b) The player spaces for Ultimate Texas Hold'em are the same as for 3 Card Poker and the game is played at a slower rate. The opportunity and player space numbers are unaffected by adding the new game.
- (c) Proposed game mix L, together with game mix A, are as follows:

	Game mix A	Game mix L
Black Jack (no shuffler)	Up to 3 games	-
Black Jack (automatic shuffler)	-	Up to 2 games
Roulette	Up to 1 game	Up to 2 games
Black Jack/Mini Baccarat	Up to 2 games	-
Poker/Midi Baccarat	-	Up to 1 game
3 Card Poker/Ultimate Texas Hold'em	-	Up to 1 game

- (a) Proposed game mix L has fewer player spaces and opportunities than game mix A, the regulatory benchmark, as follows:

Game mix	Player spaces	Overall opportunities
A	126	4,226
L	109	2,994

#### The Secretary's submissions

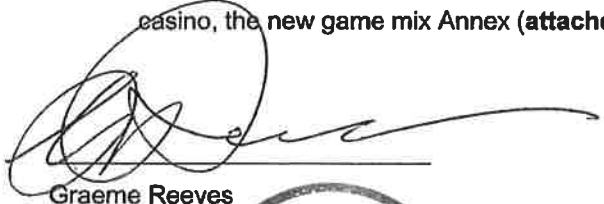
4. The Secretary submitted that game mix L as proposed will not increase opportunities for casino gambling, and he has no other regulatory concerns with the proposal.

#### Analysis

5. SCML presently has 13 approved game mixes, and has sought Commission approval to amend one of these game mixes, game mix L. The Commission's approach with applications of this nature is to compare the proposed game mixes with the approved game mix which provides the most opportunities for casino gambling and form a view, in the round, on whether the proposal will increase opportunities for casino gambling.
6. Game mix A is the approved game mix that provides the most opportunities for casino gambling at the Wharf casino. The Commission compared game mix L with game mix A and was satisfied that, in the round, it would not increase opportunities for casino gambling. The Commission made this assessment on a common sense basis, in the round, rather than by calculating opportunities based upon tables of data or upon a formula.

**Decision of the Commission**

7. The Commission approved, under condition 9 of SCML's operator's licence for the Wharf casino, the new game mix Annex (**attached**).



Graeme Reeves  
Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission

24 June 2016



**ANNEX A**

Pursuant to condition 9, the following game mixes may be operated by the Licence Holder on casino gaming tables, subject to the conditions and requirements noted:

- A. Black Jack (manual) – up to 3 games  
Roulette – up to 1 game  
Black Jack/Mini Baccarat – up to 2 games
- B. Black Jack (manual) – up to 3 games  
Roulette – up to 1 game  
Black Jack/Mini Baccarat – up to 1 game  
Poker/Midi Baccarat – up to 1 game
- C. Poker – up to 4 games  
Poker/Black Jack – up to 1 game  
Poker/Midi Baccarat – up to 1 game
- D. Black Jack – up to 2 games  
Black Jack/Mini Baccarat – up to 1 game  
Roulette – up to 1 game  
Caribbean Stud Poker – up to 1 game  
Poker – up to 1 game
- E. Black Jack – up to 2 games  
Roulette – up to 2 games  
Caribbean Stud Poker – up to 1 game  
Poker – up to 1 game
- F. Black Jack – up to 3 games  
Roulette – up to 2 games  
Caribbean Stud Poker – up to 1 game
- G. Black Jack – up to 2 games  
Black Jack/Mini Baccarat – up to 1 game  
Roulette – up to 2 games  
Caribbean Stud Poker – up to 1 game
- H. Black Jack (manual) – up to 1 game  
Black Jack – up to 2 games  
Roulette – up to 1 game  
Black Jack/Mini Baccarat – up to 1 game  
Poker/Midi Baccarat – up to 1 game
- I. Black Jack – up to 3 games  
Roulette – up to 2 games  
Lunar Poker – up to 1 game
- J. Black Jack – up to 2 games  
Black Jack/Mini Baccarat – up to 1 game  
Roulette – up to 2 games  
Lunar Poker – up to 1 game
- K. Black Jack – up to 3 games  
Roulette – up to 2 games  
Poker/Midi Baccarat – up to 1 game



- L.     Black Jack – up to 2 games  
       Roulette – up to 2 games  
       Poker/Midi Baccarat – up to 1 game  
       3 Card Poker/Ultimate Texas Hold'em – up to 1 game
- M.     Black Jack – up to 3 games  
       Roulette – up to 2 games  
       3 Card Poker – up to 1 game

#### Notes

- (a)    The Licence Holder is permitted to change between game mixes A, B, C, D, E, F, G, H, I, J, K, L and M subject to providing the Inspectorate with a minimum of five 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.
- (b)    The Licence Holder must comply with the notification and other requirements specified in the Casino's Minimum Operating Standards for Flip Top Tables when flipping tables.
- (c)    The number of player spaces at the Midi Baccarat table may not exceed 18, with no more than two players per player wagering area (even if game rules provide for more spaces).
- (d)    The Licence Holder is permitted to operate an automatic shuffler on the Caribbean Stud Poker table, Lunar Poker table and any Black Jack table, unless otherwise expressed above.
- (e)    Where the Licence Holder has the option between two game types in any one mix, eg Black Jack/Mini Baccarat, the player spaces and opportunities have been calculated on the game with the highest rate of play and player spaces available.

