

IN THE MATTER of the Gambling Act 2003
AND of an application by
QUEENSTOWN CASINOS 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 QUEENSTOWN CASINOS LIMITED
FOR APPROVAL OF FLOOR LAYOUT PLANS**

Application

1. Queenstown Casinos Limited (the "**Applicant**") applied under condition 2.1 of its venue licence for approval of an additional floor plan, Plan B. Plan B is identical to the currently approved floor plan, Plan A, except for the game mix. Plan B substitutes one Black Jack game for one Poker game.
2. The Applicant proposed that it should be able to alternate between Plans A and B provided the Commission and 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 2.1 of the Applicant's venue licence provides as follows:

Approval of specifications for security and surveillance installations

Subject to paragraph 2.2, 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 sought approval for Plan B in order to provide it with flexibility. The Applicant submitted that approval of Plan B did not increase opportunities for casino gambling and complied with sections 11 and 12 of the Act.
7. The Applicant submitted that the game mix provided in Plan B equates to 246 player spaces at table games. The Applicant submitted that this represented a reduction on the 250 player spaces available on 19 September 2003, when the prohibition on increases in opportunities for casino gambling took effect, and a reduction on the 256 player spaces presently permitted under Plan A.
8. The Applicant stated that it had not undertaken a detailed assessment of the speed at which the different games are played. 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, and, that in general terms Poker is considered to be a slower game than Black Jack.
9. The Applicant advised that the Poker table in Plan B will be installed within the existing approved table configuration, and will be recorded by two fixed cameras. It confirmed that any necessary adjustments to the CCTV layout will be undertaken, with notification to the Department of Internal Affairs ("DIA").
10. The Applicant submitted that CCTV coverage would as a 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, Roulette and Poker games by a minimum of two fixed cameras.
11. Prior to installing Poker, the Applicant undertook to apply for an amendment to its Minimum Operating Standards to provide for suitable levels of pit supervision. It will ensure that DIA approved staff training is completed.
12. Implementation of Plan B will depend upon the timing of equipment supply, regulatory approvals and completion of training.

Submissions by the Secretary

13. The Secretary supported the Applicant's proposal for two fixed cameras for monitoring Poker tables with 11 player spaces. This is in accordance with the Casino Control Authority's surveillance policy.
14. The Secretary submitted that the Applicant should notify the Commission and the Inspectorate at least 5 working days prior to alternating between Plans A and B, unless a shorter timeframe can be agreed with the Inspectorate on a case-by-case basis.

Analysis

15. Plan A was approved by decision GC01/05. The Commission noted that Plan B represented 10 fewer player spaces at table games than were presently permitted by Plan A, and four fewer than the number of player spaces that notionally existed as at 19 September 2003. The Commission accepted that the table game mix in Plan B would decrease the number of player spaces and would not increase opportunities for casino gambling.
16. The Commission noted that the Secretary was satisfied in relation to security and surveillance matters.

Decision of Commission

17. The Commission decided unanimously that the application was consistent with the Act and pursuant to condition 2.1 of the Applicant's venue licence, approved Plan B (attached to this decision), subject to the following requirements:

- (a) The Licence Holder may operate on the 12 tables shown in Plan B the following games:

Black Jack – up to 4 games;

Midi Baccarat – up to 3 games;

Roulette – up to 3 games;

Caribbean Stud Poker – up to 1 game;

Poker – up to 1 game.

- (b) The foregoing list refers to manual versions of the games specified and does 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.
- (c) 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.

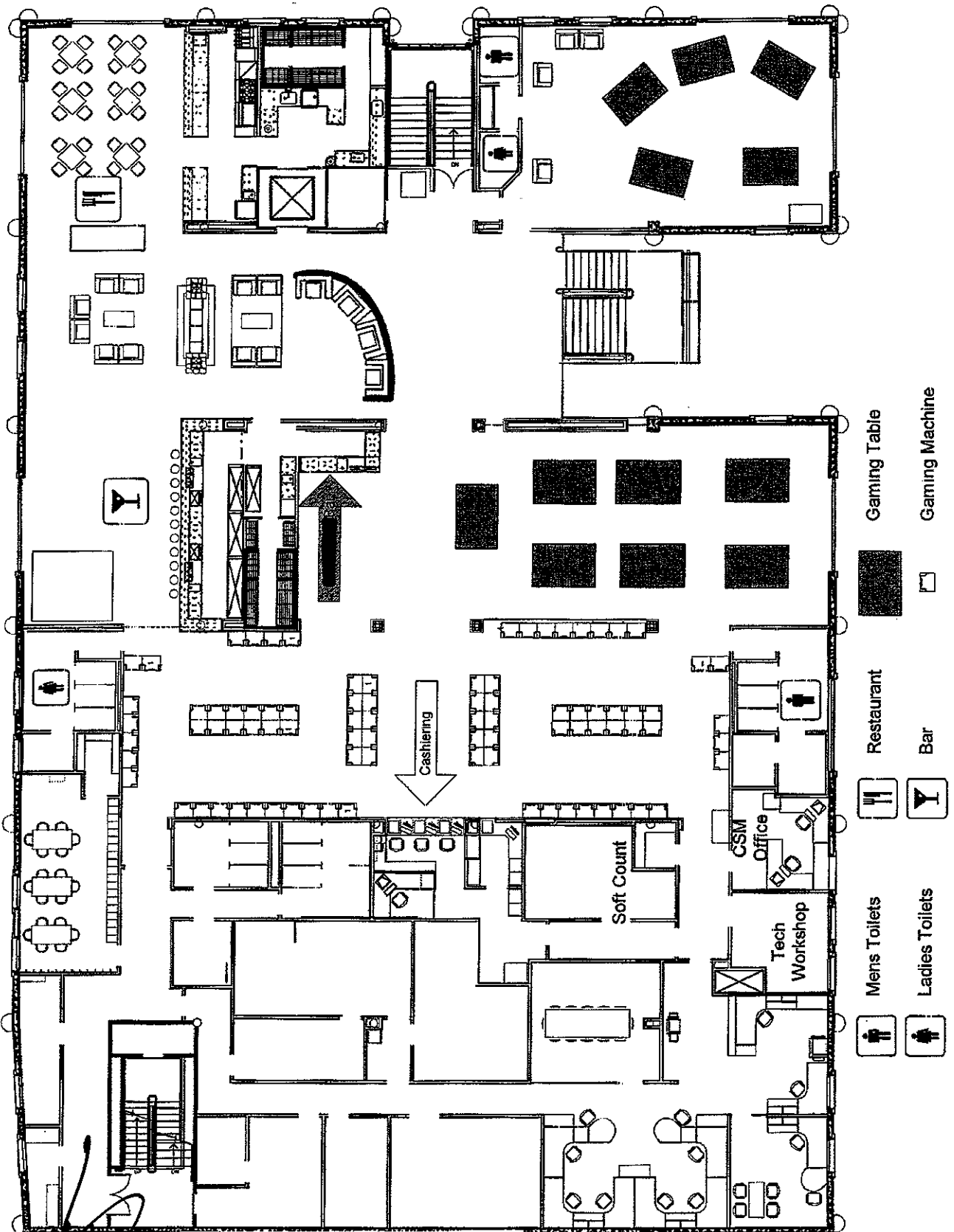


Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

29 November 2005

SKYCITY Queenstown Casino – Gambling Area Floor Layout



Refer explanatory notes attached

Explanatory Notes

- 1 86 gaming machines are represented on Plan 'B'.
2. The licence holder may operate on the 12 tables shown in Plan 'B', manual versions of the following games:

Black Jack	up to four games
Midi Baccarat	up to three games
Roulette	up to three games
Caribbean Stud Poker	up to one game
Poker	up to one game

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