

IN THE MATTER of the Gambling Act 2003
AND of an application by
**SKYCITY CASINO
MANAGEMENT LIMITED**
for approval of temporary
floor plans for the Auckland
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: 1 August 2008

Date of Decision: 15 August 2008

Date of Notification
of Decision: 20 August 2008

**DECISION
ON AN APPLICATION BY SKYCITY CASINO MANAGEMENT LIMITED FOR
APPROVAL OF TEMPORARY FLOOR PLANS FOR THE AUCKLAND CASINO**

1. SKYCITY Casino Management Limited ("**SCML**") applied to the Commission for approval, under condition 11 of SCML's operator's licence, of temporary floor plans "October 2008".

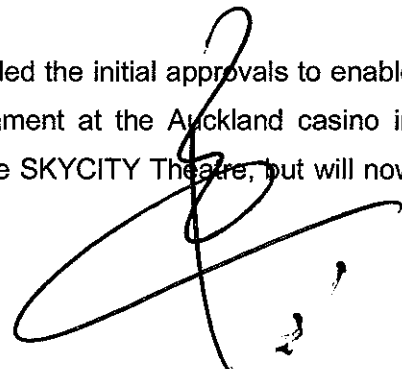
Licence condition

2. Condition 11 of SCML's operator's licence provides as follows:

11. The Licence Holder shall operate in accordance with approved floor layouts showing the position of gaming tables and gaming machines. The Licence Holder shall obtain the approval of the Commission for new floor plans prior to relocating or installing tables or machines in positions not specified in approved floor layouts. When applying, the Licence Holder must submit fresh plans showing the floor layout for the Gambling Area and details of the proposed CCTV layout for the consideration of the Commission. Any changes must comply with the Surveillance Standard.

Submissions by SCML

3. SCML stated that the Commission has previously provided the initial approvals to enable it to host an Asia Pacific Poker Tour ("**APPT**") tournament at the Auckland casino in October 2008. The tournament was to take place in the SKYCITY Theatre, but will now



be held within the Level 3 Gambling Area, and it seeks approval of temporary floor plans to enable it to amend its floor layout for the tournament.

4. SCML submitted that:

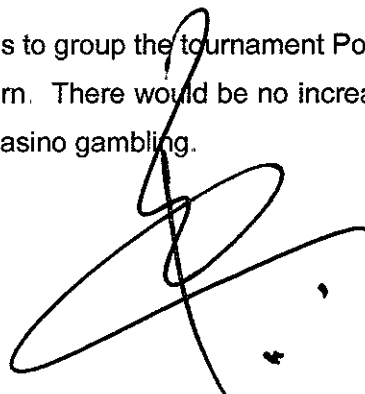
- (a) It would remove 10 existing tables from Level 3 and introduce 10 additional Poker tables;
- (b) The new configuration would not affect the overall number of gaming tables, and there would be no increase in opportunities for casino gaming;
- (c) The new floor plans are temporary, and once the tournament has concluded, it would revert back to the permanent floor plans, "June 2008";
- (d) Some CCTV modifications would be required, but it would advise the local inspectorate of any changes (which would all comply with the Surveillance Standard); and
- (e) approval of the temporary floor plans would not relieve it from complying with all other relevant regulatory requirements, including section 16 of the Gambling Act 2003 (the "Act").

Submissions by the Secretary

5. The Secretary submitted that he had no concerns with SCML's proposal, but had concerns about SCML's ability to host the tournament without breaching section 16 of the Act (although he noted that any concerns about future compliance should not hinder the approval process of this application).

Analysis

6. In decision GC09/08, the Commission provided the initial approvals to enable SCML to host an APPT Poker tournament at the SKYCITY Auckland casino in October 2008. When the Commission granted those approvals, SCML anticipated that it would host the tournament in the SKYCITY Theatre, but it now proposed hosting the tournament within its Level 3 Gambling Area, and sought approval of temporary floor plans "October 2008" to enable it to do so.
7. The proposal involves the reconfiguration of gaming tables to group the tournament Poker tables together, and raises no issues of regulatory concern. There would be no increase in overall table numbers, or increase in opportunities for casino gambling.



8. The Secretary had no concerns with the application, but expressed a concern about whether SCML could host the tournament without breaching section 16 of the Act. Section 16 prevents the publication in New Zealand of overseas gambling advertisements.
9. As the Commission mentioned in decision GC09/08, there is no merit in speculating on possible breaches of the Act by SCML, but it reiterates that approval of this application does not relieve SCML from complying with all of the relevant regulatory requirements, including section 16 of the Act.
10. As floor plans "October 2008" are temporary, they will cease to have effect once the tournament has concluded.

Decision of Commission

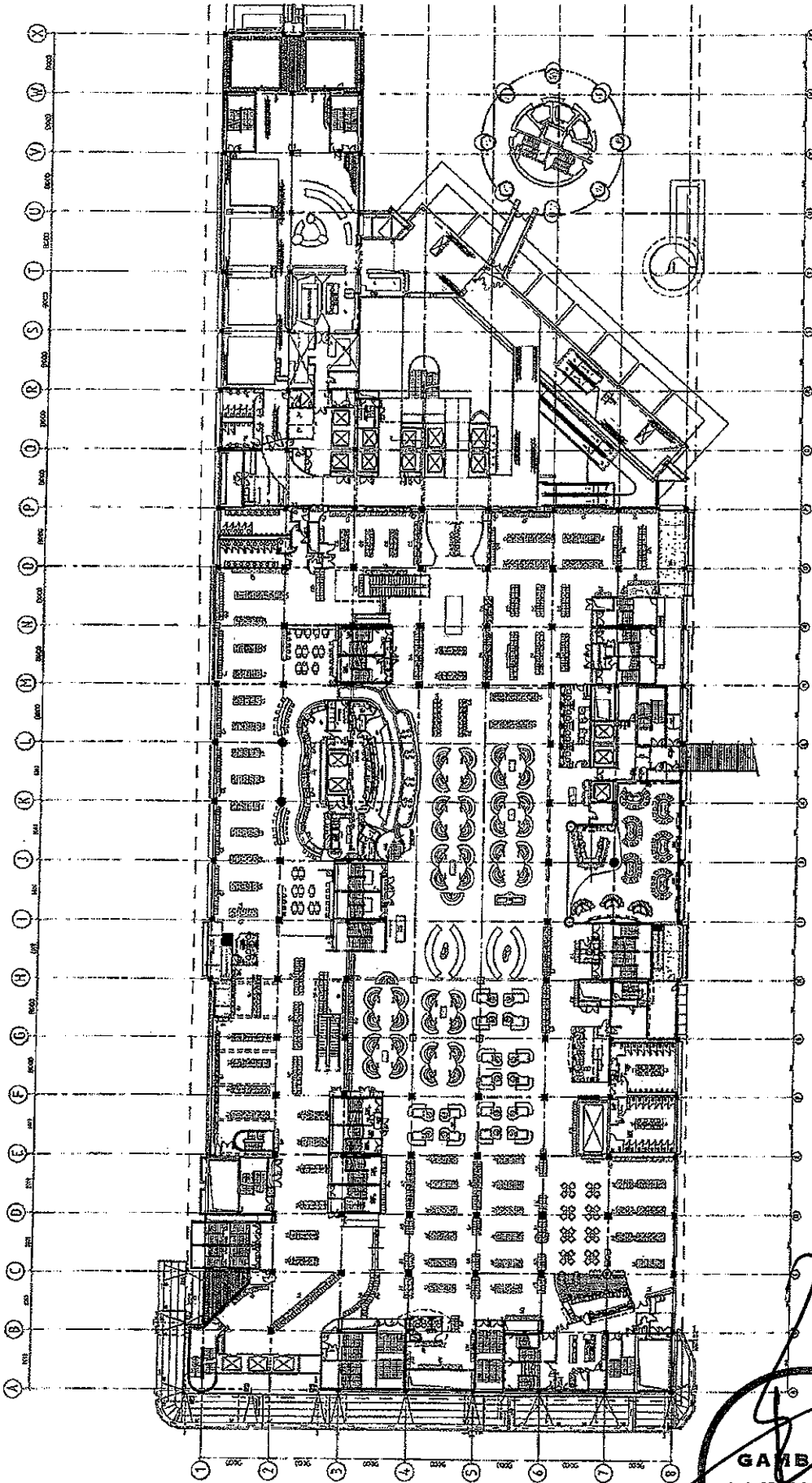
11. The Commission decided to approve, under condition 11 of SCML's operator's licence, temporary floor plans "October 2008" (**attached**) to enable SCML to host the APPT tournament in October 2008. These plans will cease to be valid once the tournament has concluded and SCML has reverted back to its permanent floor plans, "June 2008".



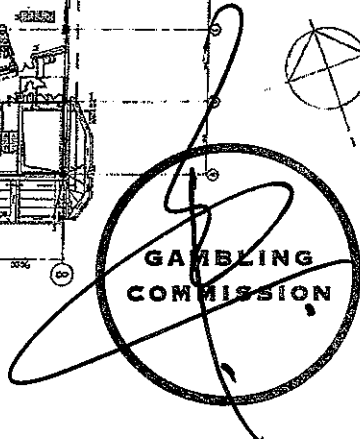
Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

20 August 2008



LEGEND
 CONCRETE
 GROUND FLOOR
 WALLS
 PARTITION WALLS
 GLASS WALLS
 GLASS PARTITION WALLS
 GLASS CURTAIN WALLS
 GLASS BALCONY RAILINGS
 GLASS STAIRCASES
 GLASS ELEVATORS
 GLASS ENTRANCE
 GLASS RECEPTION
 GLASS LOBBY
 GLASS CORRIDOR
 GLASS STAIRCASES
 GLASS ELEVATORS
 GLASS ENTRANCE
 GLASS RECEPTION
 GLASS LOBBY
 GLASS CORRIDOR



NO.	DATE	DESCRIPTION	BY	CHKD.
1	10/20/08	ISSUED FOR PERMITTING	MM	MM
2	10/20/08	ISSUED FOR PERMITTING	MM	MM
3	10/20/08	ISSUED FOR PERMITTING	MM	MM
4	10/20/08	ISSUED FOR PERMITTING	MM	MM
5	10/20/08	ISSUED FOR PERMITTING	MM	MM
6	10/20/08	ISSUED FOR PERMITTING	MM	MM
7	10/20/08	ISSUED FOR PERMITTING	MM	MM
8	10/20/08	ISSUED FOR PERMITTING	MM	MM
9	10/20/08	ISSUED FOR PERMITTING	MM	MM
10	10/20/08	ISSUED FOR PERMITTING	MM	MM

SKYCITY
 Level 2 Gaming Layout
 SKYCITY
 Post Return Proposed Layout

PERMITTING INFORMATION
 Project Name: SKYCITY Level 2 Gaming Layout
 Project No: 08-001
 Issue No: 10/20/08
 Issue Date: 10/20/08
 Issue By: MM
 Issue Chk: MM
 Issue Desc: ISSUED FOR PERMITTING
 Issue Ref: SKYCITY Level 2 Gaming Layout Post Return Proposed Layout

SKYCITY
 PROFESSIONAL ARCHITECTS

Sky City Entertainment Group
 Gaming Layouts

SKYCITY 08-001-001
 10/20/08
 10/20/08
 10/20/08
 10/20/08

Moller Architects
 10/20/08
 10/20/08
 10/20/08
 10/20/08

