

IN THE MATTER of the Gambling Act 2003
AND on an application by **SKYCITY CASINO MANAGEMENT LIMITED** and **SKYCITY HAMILTON LIMITED** for approval of a new floor plan, and construction and design changes for the Hamilton 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: 23 December 2008

Date of Decision: 13 February 2009

Date of Notification
of Decision: 17 February 2009

**BY SKYCITY CASINO MANAGEMENT LIMITED
AND SKYCITY HAMILTON LIMITED FOR APPROVAL OF A NEW FLOOR PLAN, AND
CONSTRUCTION AND DESIGN CHANGES FOR THE HAMILTON CASINO**

Introduction

1. SKYCITY Casino Management Limited ("**SCML**") and SKYCITY Hamilton Limited ("**SHL**") (together referred to as the "**Applicants**") applied to the Commission for approval of:
 - (a) a new floor plan, "March 2009", under conditions 11 and 12 of SCML's operator's licence for the Hamilton casino; and
 - (b) construction and design changes at the Hamilton casino, under conditions 6 and 7 of SHL's venue licence.

Licence conditions

2. The relevant licence conditions are as follows:

SCML operator's licence (Hamilton)

11. The Licence Holder shall operate in accordance with approved floor layouts showing the position of gaming tables and gaming machines.
12. 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.

SHL's venue licence

6. The Licence Holder must obtain the approval of the Commission prior to:
- (a) construction or design changes to Level 1 of the Casino Venue, including the Gambling Area;
 - (b) the construction or relocation outside the Gambling Area and within the Casino Venue of bank facilities available to the public excluding ATMs, EFTPOS and like devices;
 - (c) the addition or alteration of signage relating to the casino business on the exterior of the Casino Venue.

The process by which the Licence Holder may obtain approval for construction or design changes to Level 1 of the Casino Venue (6(a) above) is set out in condition 7. The Commission will determine any application for approval under 6(b) and (c).

7. The Licence Holder must notify the Executive Director of any proposed changes to the construction or design of Level 1 of the Casino Venue. Notification must be accompanied by relevant drawings and an assessment of any impacts the alterations may have on:
- (a) the integrity and fairness of games;
 - (b) the effectiveness of security and surveillance;
 - (c) harm prevention, harm minimisation and responsible gambling;
 - (d) potential access to the Gambling Area by persons under 20 years of age; and
 - (e) compliance by any person with the Act, including section 11.

The Executive Director may approve the proposed changes to the construction or design if he or she is satisfied that there are no adverse impacts in relation to the matters specified in (a)-(e) above. If the Executive Director is not satisfied, he or she will refer the proposal to the Commission for determination.

Submissions by the Applicants

3. The Applicants stated that:
- (a) They recently obtained approval for plan "Dec 2008" but have since identified further changes they wish to make to the floor layout. They seek approval of a new floor plan, "March 2009", which depicts these changes.
 - (b) There is no dedicated coat check facility at the casino – they presently store coats at the Action Station just inside the main entrance of the casino, but these items are on display and create an untidy first impression.

- (c) They want to construct a coat check facility at the Action Station. This will necessitate relocating four gaming machines, which are currently in front of the Action Station.
 - (d) They want to relocate two other gaming machines, moving them from one end of a bank of machines, to the other end.
4. The Applicants submitted that:
- (a) The design change for the coat check facility has no impact on any of the matters set out in condition 7 of SHL's venue licence, and would have a neutral impact in relation to harm prevention and minimisation.
 - (b) They will make any necessary adjustments to the CCTV layout to accommodate the new floor plan configuration, and ensure that it satisfies the requirements of the Surveillance Standard.
 - (c) Once they are reliant on the new floor plan, approved plans Nov 2008 and Dec 2008 can be deleted.

The Secretary's submissions

5. The Secretary submitted that he had no regulatory concerns with the Applicants' proposals.

Analysis

6. The Applicants want to relocate four gaming machines at the Hamilton casino to accommodate the construction of a coat check facility at the Action Station, and relocate two further gaming machines from one end of a bank of machines to the other end. These changes are depicted on plan March 2009. Neither matter raises any issue of regulatory concern for the Commission, and are approved. Approved plans Nov 2008 and Dec 2008 will cease to be valid once the Applicants are reliant on plan March 2009.

Decision

7. The Commission decided to:
- (a) approve floor plan "March 2009" (**attached**), under conditions 11 and 12 of SCML's operator's licence for the Hamilton casino;
 - (b) approve the proposed construction and design changes for the coat check facility, under conditions 6 and 7 of SHL's venue licence.

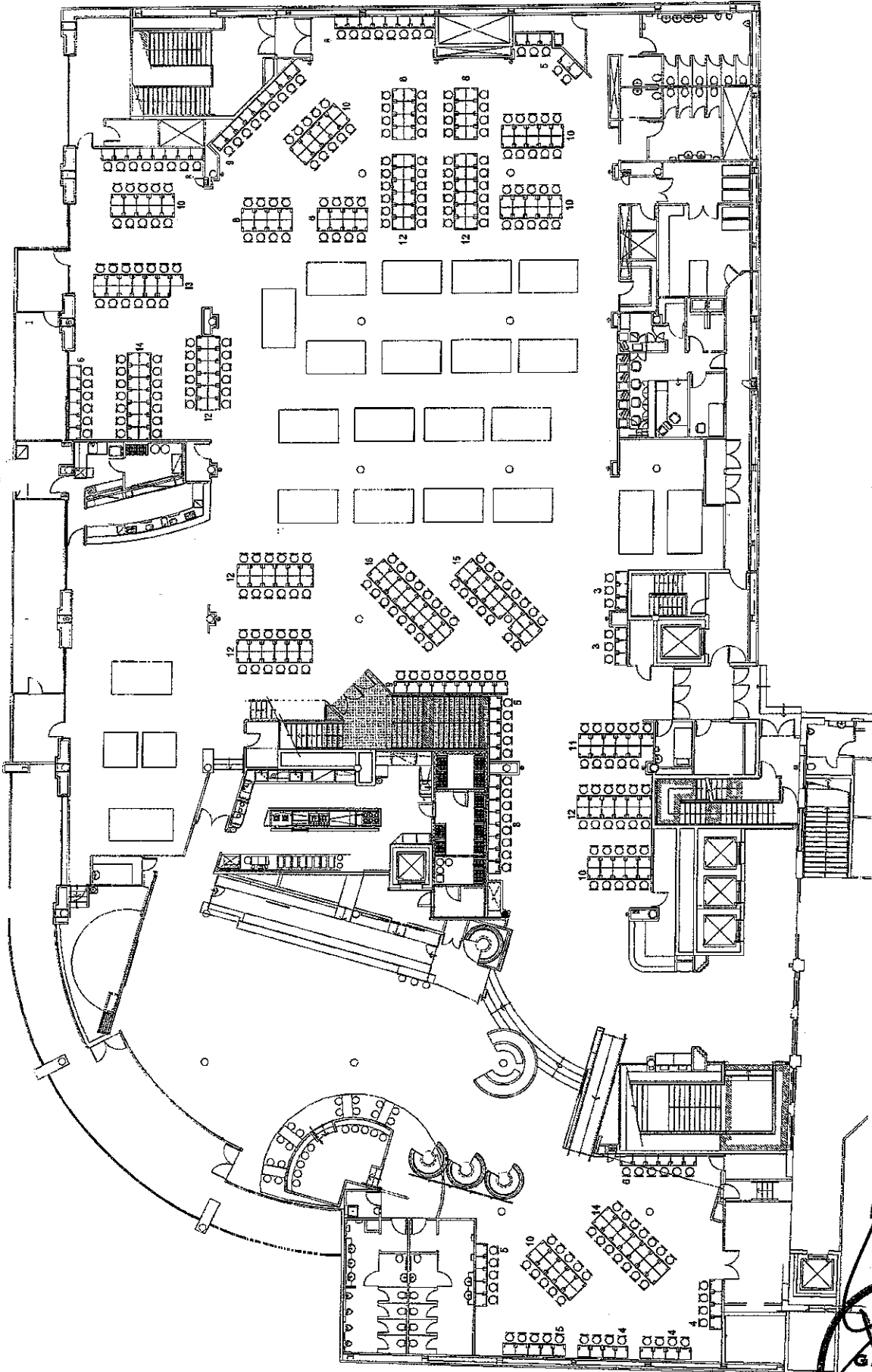
8. Once the Applicants are fully reliant on floor plan March 2009, plans Nov 2008 and Dec 2008 will cease to be valid.

**GAMBLING
COMMISSION**

Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

17 February 2009



SHEET TITLE: SKYCITY CASINO GAMING FLOOR 03-12-08 Boxes Layout		SHEET No. 409 A4 REV
PROJECT No. 1100 @ A1, 1,200 @ A3 SET		Scale 0 10 20 30 40 Feet

**SKYCITY
 HAMILTON CASINO**

NO.	DATE	DESCRIPTION	BY	CHKD.	DATE	APP'D.	SCALE	PROJECT
1	12-12-07	REVISED						
2	03-12-08	REVISED						

CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON THE JOB BEFORE COMMENCING WORK.

