

**DECISION UNDER DELEGATED AUTHORITY ON AN APPLICATION
BY SKYCITY HAMILTON LIMITED FOR APPROVAL OF CONSTRUCTION AND DESIGN
CHANGES, AND BY SKYCITY CASINO MANAGEMENT LIMITED FOR APPROVAL
OF A NEW FLOOR PLAN, FOR THE HAMILTON CASINO**

Date of Decision: 20 January 2020

1. On 19 December 2019:
 - (a) SKYCITY Hamilton Limited ("**SHL**") applied, pursuant to conditions 6 and 7 of its venue licence, for approval of construction and design changes; and
 - (b) SKYCITY Casino Management Limited ("**SCML**") applied, pursuant to conditions 11 and 12 of its operator's licence for the Hamilton casino, for approval of a new floor plan, "2019 HAM 005".

2. Conditions 6 and 7 of SHL's venue licence for the Hamilton casino provide as follows:

6. The Licence Holder must obtain the approval of the Commission prior to:
 - (a) construction or design changes to Levels B1 and 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 or on or around the building within which it is located.

The process by which the Licence Holder may obtain approval for construction or design changes to Levels B1 and 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). The Executive Director may approve the addition or alteration of signage relating to the casino business on the exterior of the Casino Venue or on or around the building within which it is located (paragraph (c) above) if he/she is satisfied the proposed changes will have no potentially adverse effects. If he/she is not so satisfied, the proposed changes must be referred to the Commission for a decision on approval.

7. The Licence Holder must notify the Executive Director of any proposed changes to the construction or design of Levels B1 and 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.

3. Conditions 11 and 12 of SCML's operator's licence for the Hamilton casino provide as follows:

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. The Executive Director and a single Gambling Commissioner may approve the new floor plans if they are satisfied that the floor layout has no potentially adverse effects. If they are not so satisfied, the proposed floor plan must be referred to the Commission for a decision on approval.

Construction and design changes

4. SHL submitted as follows:

- (a) It wants to remove two internal walls from the MGF. The bar area that currently adjoins one wall will also be levelled out. By removing the two walls, the area currently known as the "The Diamond Lounge" will no longer exist and the area will subsequently form part of the MGF.
- (b) It also wants to update the soft furnishings, such as carpet and wallpaper, in this area.
- (c) The proposed changes will have no impact on the existing footprint of the gambling areas.
- (d) The changes will have no adverse effect on the matters set out in condition 7.
- (e) In December 2018, it applied to the Commission to remove the two walls in question, as part of its broader application to substitute 3 Black Jack tables for 60 EGMs. That application is yet to be determined, however irrespective of its outcome, it wants to proceed with this construction and design change, which will provide great flexibility in managing the deployment of its currently approved game mixes.
- (f) It understands that pending the outcome of its December 2018 application, it can continue to seek approval for revised floor plans and design changes to manage its existing suite of products, and this application is made on that basis.

Floor plan

5. SCML submitted as follows:

- (a) The Commission has previously approved plan "2019 HAM 004".
- (b) The purpose of the construction and design changes is to enable the reconfiguration of some of the gaming product on the MGF. It wants to commence product placement changes on 10 February 2020, to enable construction and design changes. It estimates works will be completed, and it will be reliant on plan "2019 HAM 005", within 9 weeks of the commencement date.
- (c) The proposed changes, to be carried out in stages, are as follows:

Stage 1

- Relocate 12 terminals.
- Relocate EGMs from the Diamond Lounge and MGF to the area vacated by the terminals.

Stage 2

- Relocate EGMs on the MGF.

Stage 3

- Relocate EGMs on the MGF.
- Relocate gaming tables.

6. At all times, the number of EGMs and gaming tables will comply with the requirements of its licence conditions. Similarly, the mix of games will comply with approved game mixes.

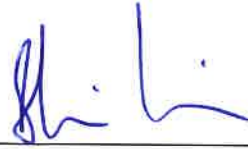
Decision

7. The Commission was satisfied that the proposed construction and design changes would not adversely impact upon any of the matters set out in condition 7. The construction and design changes proposed are approved by the Executive Director under delegated authority pursuant to conditions 6 and 7 of SCAL's venue licence. The construction and design changes are to be generally in accordance with the application.
8. The floor plan proposal raises no issues of regulatory concern for the Commission. Accordingly, plan "2019 HAM 005" (**attached**) is approved by the Chief Gambling Commissioner and the Executive Director under delegated authority, pursuant to conditions 11 and 12 of SCML's operator's licence, for the Hamilton casino.

9. Once SCML is reliant on plan "2019 HAM 005", plan "2019 HAM 004" will cease to be valid.



Graeme Reeves
Chief Gambling Commissioner
Gambling Commission



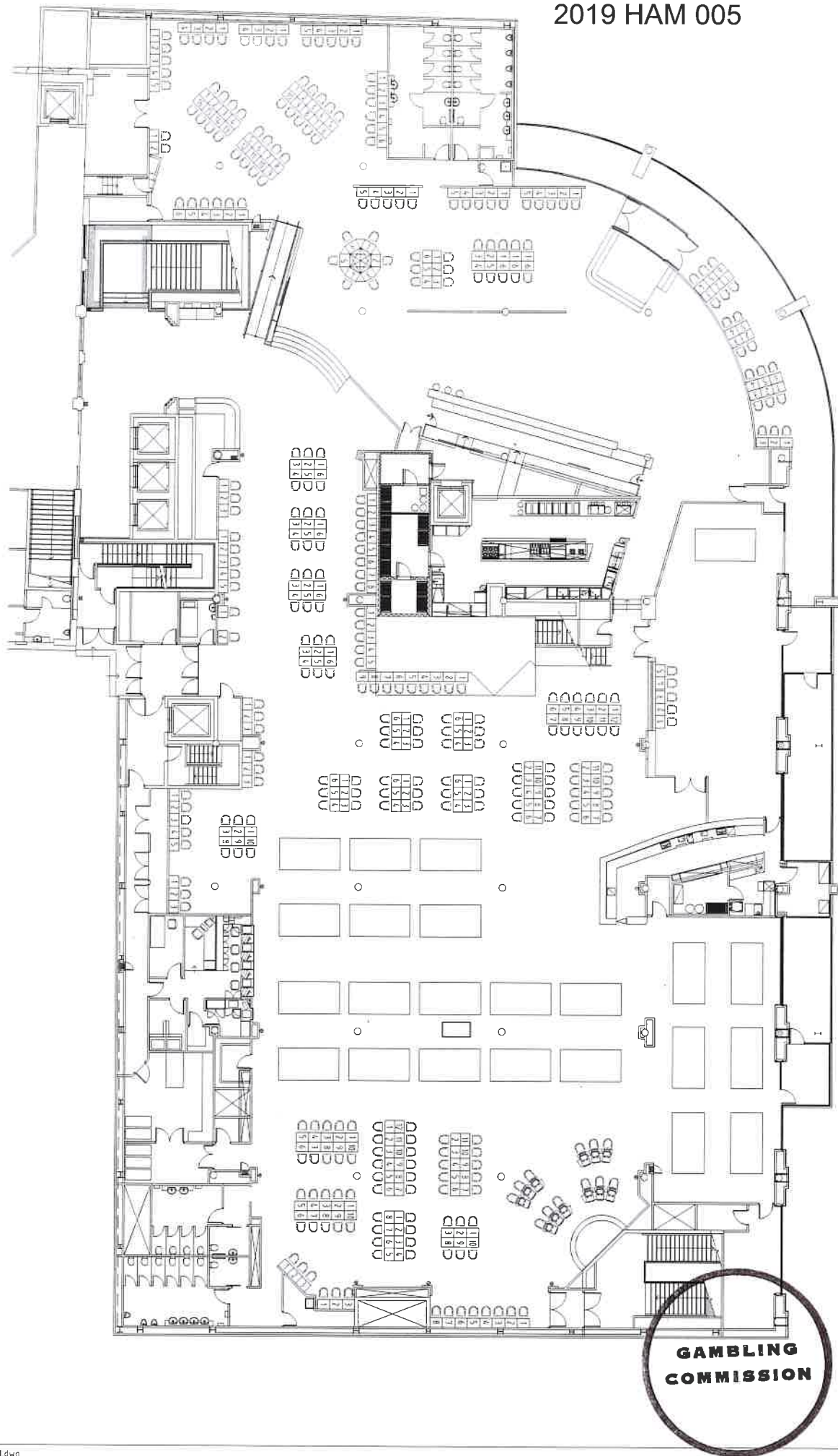
Blair Cairncross
Executive Director
Gambling Commission



January 2020



2019 HAM 005



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