

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

Date of Decision: 4 May 2020

1. On 29 April 2020 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 temporary floor plan, “2020 HAM 001 Temp II”, and SKYCITY Hamilton Limited (“**SHL**”) applied, pursuant to conditions 6 and 7 of its venue licence, for approval of construction and design changes at the Hamilton casino.

2. 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.

3. 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.

Floor plan

4. SCML and SHL submitted as follows:

- (a) At the end of March, the Commission approved plan 2020 HAM 001 Temp, in preparation for COVID-19 social distancing restrictions. This plan was not implemented and the Hamilton casino was subsequently closed due to COVID-19. It now wants to make minor amendments to plan 2020 HAM 001 Temp.
- (b) Where EGMs are separated, the base remains but the machine itself has been removed. A patron would not be able to move between the machines. Every second EGM remains switched off.
- (c) The total number of machines on the gaming floor under plan "2020 HAM 001 Temp II" will be 321. The 15:1 ratio of EGMs to gaming tables is not affected by the proposed changes.
- (d) It wants to transition to floor plan 2020 HAM 001 Temp II, if approved, as soon as possible. At all times, the number of EGMs and gaming tables will comply with the requirements of its licence conditions.

Construction and design changes

- (e) On 23 March 2020, the Commission approved, under delegated approval 1059, an application to create five distinct areas divided by temporary hoardings on the MGF in order to manage social distancing.
- (f) These zones were not put in place and it now wants to amend them further in readiness for the reopening of the Hamilton casino.

- (g) The installation of the hoardings will have no adverse effect on the matters set out in condition 7.

Decision

8. The floor plan proposal raises no issues of regulatory concern for the Commission. Accordingly, plan "2020 HAM 001 Temp II" (**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 "2020 HAM 001 Temp II", plan "2020 HAM 001 Temp" will cease to be valid.
10. 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 SHL's venue licence. The construction and design changes are to be generally in accordance with the application.



Lisa Hansen
Chief Gambling Commissioner
Gambling Commission



Blair Cairncross
Executive Director
Gambling Commission

4 May 2020



