

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

Date of Decision: **5** May 2020

1. On 1 May 2020 SKYCITY Casino Management Limited (“**SCML**”) applied, pursuant to condition 11 of its operator’s licence for the Auckland casino, for approval of a new floor plan, “2020 L2 001”; and SKYCITY Auckland Limited (“**SCAL**”) applied, pursuant to conditions 6 and 7 of its venue licence, for approval of construction and design changes to level 2 of the casino.
2. Condition 11 of SCML’s operator’s licence for the Auckland casino 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 approval 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 consideration. Any change 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 SCAL’s venue licence for the Auckland casino provide as follows:
 6. The Licence Holder must obtain the approval of the Commission prior to:
 - (a) construction or design changes to Levels 1, 2, 3, 5 and 6 of the casino venue, including the Gambling Area but excluding the SKYCITY Theatre and foyer area, restaurant and bar areas outside the Gambling Area, hotel rooms and the back of house areas used by staff (unless construction or design changes to any of these excluded areas may impact on matters set out in condition 7 in which case prior approval must be sought);
 - (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 any building, road or structure within the block of land bounded by Hobson Street, Wellesley Street West, Federal Street and Victoria Street West, including the Casino Venue, Sky Tower, car park, bus terminal and walkways between the casino and the Sky Tower and the convention centre.

The process by which the Licence Holder may obtain approval for construction or design changes to Levels 1, 2, 3, 5 and 6 of the casino venue, including the Gambling Area (paragraph (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 any building, road or structure within the casino block (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 1, 2, 3, 5 and 6 of the casino venue, including the Gambling Area but excluding SKYCITY Theatre and foyer area, restaurant and bar areas outside the Gambling Area, hotel rooms and the back of house areas used by staff. 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

4. SKYCITY submitted that in anticipation of moving to "Level 2" in mid-May, it is making preparations to reopen the Auckland casino under Level 2 restrictions. To further facilitate COVID-19 social distancing, it wants to make further adjustments to the placement of gaming product and the previously approved hoardings.

Floor plan

5. SCML submitted as follows:
- (a) It is currently reliant plan "2019 L2 008". In preparation for social distancing restrictions, it wants to implement new plan "2020 L2 001".
 - (b) Every second EGM remains switched off. Plan 2020 L2 001 has been reviewed by its Host Responsibility department and no concerns have been identified.
 - (c) If approved, the gaming machine and gaming table breakdown will be as follows:

Level 2

EGM units – 1,244 (down from 1,381)
 FATG units – 93
 SATG units – 87

Total

EGM units – 1,608

FATG units – 116

SATG units – 120

Total tables deployed will be 126

- (d) The 15:1 ratio of EGMs to gaming tables is not affected by the proposed changes.
- (e) It wants to transition to floor plan 2020 L2 001, 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

6. SCAL submitted as follows:

- (a) On 19 March 2020, the Commission approved, under delegated approval 1059, an application to create distinct areas divided by temporary hoardings to manage social distancing.
- (b) It now wants to amend them further in readiness for the reopening of the Auckland casino.
- (c) The installation of the hoardings will have no adverse effect on the matters set out in condition 7 of its venue licence. To the extent that any cameras need to be adjusted to ensure coverage is not adversely impacted by the hoards, those adjustments will be undertaken.

Decision

- 7. The floor plan proposal raises no issues of regulatory concern for the Commission. Accordingly, plan "2020 L2 001" (**attached**) is approved by the Chief Gambling Commissioner and the Executive Director under delegated authority, pursuant to condition 11 of SCML's operator's licence, for the Auckland casino.
- 8. Once SCML is reliant on plan "2020 L2 001", plan "2019 L2 008" will cease to be valid.
- 9. 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.

Lisa Hansen

Lisa Hansen
Chief Gambling Commissioner
Gambling Commission

Blair Cairncross

Blair Cairncross
Executive Director
Gambling Commission

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May 2020



