

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

Date of Decision: **10** December 2020

1. On 9 December 2020, SKYCITY Casino Management Limited (“**SCML**”) applied, pursuant to condition 11 of its operator’s licence for the Auckland casino, for approval of a temporary new floor plan, “2020 L2 007A”; and SKYCITY Auckland Limited, pursuant to conditions 6 and 7 of its venue licence, applied for approval of construction and design changes.

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.

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. In anticipation of the Christmas holiday period and various agencies being closed, and in the event that COVID restrictions are once again implemented in Auckland, it has prepared a temporary floor plan, "2020 L2 007A" and an associated hoarding plan for approval. It hopes the plans will not be required.
5. It wants to adjust the placement of gambling products and the previously approved hoardings to facilitate social distancing. Previously approved COVID related plans are now redundant due to various gaming product moves and the completion of the construction of Flare and Food Republic.

Floor plan

6. The proposed new floor plan "2020 L2 007A" includes the following changes:
 - Remove 35 EGMs
 - Remove four gaming tables
 - Reposition one gaming table
 - Remove 17 FATGs
7. If approved, it intends to transition to new floor plan "2020 L2 007A", should the need arise.

Zone Hoardings

8. In order to enhance social distancing measures during COVID restrictions on the MGF, the creation of distinct areas divided by temporary hoardings were approved under delegated approval 1051 dated 19 March 2020.
9. In the event that COVID restrictions are once again implemented, it wants to make further adjustments to the placement of gambling products and the previously approved hoardings to facilitate social distancing.
10. To the extent that any cameras need to be adjusted to ensure coverage is not adversely impacted by the hoardings, those adjustments will be undertaken.
11. The installation of the hoardings will have no adverse effect on the matters set out in condition 7 of its venue licence.

Decision

12. The Commission was satisfied that the proposed floor plan raises no issues of regulatory concern for the Commission. Accordingly, plan "2020 L2 007A" (**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.
13. Once any future COVID restrictions are lifted, plan "2020 L2 007A" will cease to be valid.
14. The Commission was satisfied that the proposed construction and design changes in relation to the hoardings would not adversely impact any of the matters set out in condition 7. The construction and design changes 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

Blair Cairncross

Lisa Hansen
Chief Gambling Commissioner
Gambling Commission

Blair Cairncross
Executive Director
Gambling Commission

10 December 2020



