

**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: 13 September 2021

1. On 9 September 2021, 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, “HAM 2020 005 Temp Plan”; and SKYCITY Hamilton Limited (“**SHL**”) applied, pursuant to conditions 6 and 7 of its venue licence, for approval of construction and design changes to install hoardings 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.

Submissions

4. SCML submitted as follows:

- (a) It is currently reliant on plan "HAM 2020 005".
- (b) Plan "HAM 2021 001" was approved by the Commission in delegated approval 1202, however it has not yet had the opportunity to transition to that plan.
- (c) Due to social distancing restrictions and the updated Ministry of Health Guidelines, it will need to temporarily adjust the positioning of some of its gambling products to accommodate the installation of new zone hoardings, as follows:
 - install 12 EGMs on two banks;
 - move a machine bank 550mm closer to eastern wall to allow more space for the main walkway;
 - remove 32 EGMs and bases for the main walkway.
- (d) While plan "HAM 2020 005 Temp Plan" reflects the positioning of its gambling products, there will also be additional social distancing measures in place, such as the deactivation of some EGMs. Similarly, not all gaming tables will be open.
- (e) At all times, the number of EGMs and gaming tables will comply with the requirements of its licence conditions.

5. SCAL submitted as follows:

- (a) In order to enhance social distancing measures on the MGF during COVID restrictions, the creation of distinct areas divided by temporary hoardings have previously been approved. It currently has two separate zones operating which

were approved prior to the updated MOH Guidelines being issued. It now wants to amend the positioning of its hoardings in order to create 6 separate zones.

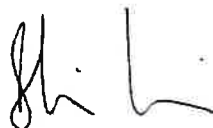
- (b) Customers will be able to move between the zones, therefore the temporary cashiering facility currently being used will no longer be required.
- (c) The installation of the new hoardings will have no adverse effect on the matters set out in condition 7 of its venue licence.
- (d) To the extent that any cameras need to be adjusted to ensure coverage is not adversely impacted by the hoardings, those adjustments will be undertaken.
- (e) Should the hoardings be approved, it intends to make the changes on 14 September 2021. They have been reviewed and approved by SKYCITY's Group GM Health and Safety as compliant with MOH requirements.

Decision

- 6. The Commission was satisfied that the proposed floor plan raises no issues of regulatory concern. Accordingly, plan "HAM 2020 005 Temp Plan" (**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.
- 7. Floor plan "HAM 2020 005 Temp Plan" will cease to be valid once Hamilton leaves COVID Alert Level 2 and enters Alert Level 1.
- 8. The Commission was satisfied that the proposed construction and design changes in relation to the installation of 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.



Lisa Hansen
Chief Gambling Commissioner
Gambling Commission



Blair Cairncross
Executive Director
Gambling Commission

13 September 2021



2020 HAM 005 - TEMP PLAN

