

**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: 13 July 2022

1. On 6 July 2022, 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, “2022 L3 002”; and SKYCITY Auckland Limited (“**SCAL**”) applied, pursuant to conditions 6 and 7 of its venue licence, for approval of construction and design changes at the Auckland 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.

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. SCML submitted as follows:

- (a) It wants to re-purpose the gaming room on level 3 of the Casino and remove 8 gaming tables.
- (b) While there are no construction changes, it wants to alter the room so it can be used as a temporary back-of-house area for the sole use of staff. If approved, it will include the installation of computers and other furniture, and as such, constitutes a design change.
- (c) The area will be:
 - accessible to staff only via swipe card;
 - inaccessible to under 20-year-olds as access is for those staff members working on, or in relation to, the Casino floor;
 - inaccessible to customers;
 - under current surveillance/CCTV coverage.
- (d) The initiative would have no adverse impact on the matters set out in condition 7.
- (e) At this stage the area will remain within the casino's 'red line', however an application will be submitted to the Gambling Commission requesting an amendment to its licence conditions to be able to allocate this space as an alternative Gambling Area, as it has for the bar known as "Twentyone". Should the application be successful it will nominate the area as non-gambling, with the intention of installing 3 gaming tables in the room which would be used for staff demonstration/training purposes only.

Decision

5. The Commission was satisfied that the proposed floor plan raised no issues of regulatory concern. Accordingly, plan “2022 L3 002” (**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.

6. The Commission was satisfied that the proposed construction and design changes 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 July 2022



