

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

Date of Decision: 12 July 2023

1. On 30 June 2023, 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 2023 001”; and SKYCITY Hamilton Limited (“**SHL**”) applied, pursuant to conditions 6 and 7 of its venue licence, for approval of construction and design changes to the MGF 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)-(c) above. If the Executive Director is not satisfied, he or she will refer the proposal to the Commission for determination.

Submissions

4. SHL submitted as follows:
- (a) It wants to make changes to both the public facing and back of house areas of The Vue Bar on the MGF.
 - (b) It wants to lower an internal wall to the same level as the bar and convert it into a bar leaner. It also wants to take this opportunity to update the flooring and soft furnishings in this area, as well as the tiling and shelving behind the bar.
 - (c) In addition to the work being carried out in the public facing areas, it wants to update the kitchen area behind The Vue Bar. The footprint remains the same, however an existing area between the bar wall and the current kitchen wall, which is not currently utilised, will be used to extend the kitchen by way of removing the internal kitchen wall.
 - (d) A hoarding will be erected around the affected area to lessen the impact on customers.
 - (e) The proposed changes will have no impact on the existing footprint of the gaming areas, nor will they have an adverse impact on the matters specified in condition 7.
5. SCML submitted as follows:
- (a) It is currently reliant on plan "HAM 2022 002".

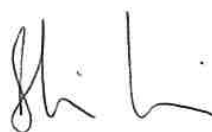
- (b) To accommodate the proposed works, it wants to remove gaming product will from The Venue Bar, and relocate some machines to the MGF. These changes are intended to be permanent.
- (c) The proposed changes are as follows:
- relocate 4 EGMs;
 - remove 6 ATG terminals.
- (d) To coincide with the construction and design changes, it wants to commence product placement changes on 18 July 2023.
- (e) At all times, the number of EGMs and gaming tables will comply with the requirements of its licence conditions.

Decision

6. The Commission was satisfied that the proposed floor plan raises no issues of regulatory concern. Accordingly, plan "HAM 2023 001" (**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. Once SCML is reliant on plan "HAM 2023 001", plan "HAM 2022 002" will cease to be valid.
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.



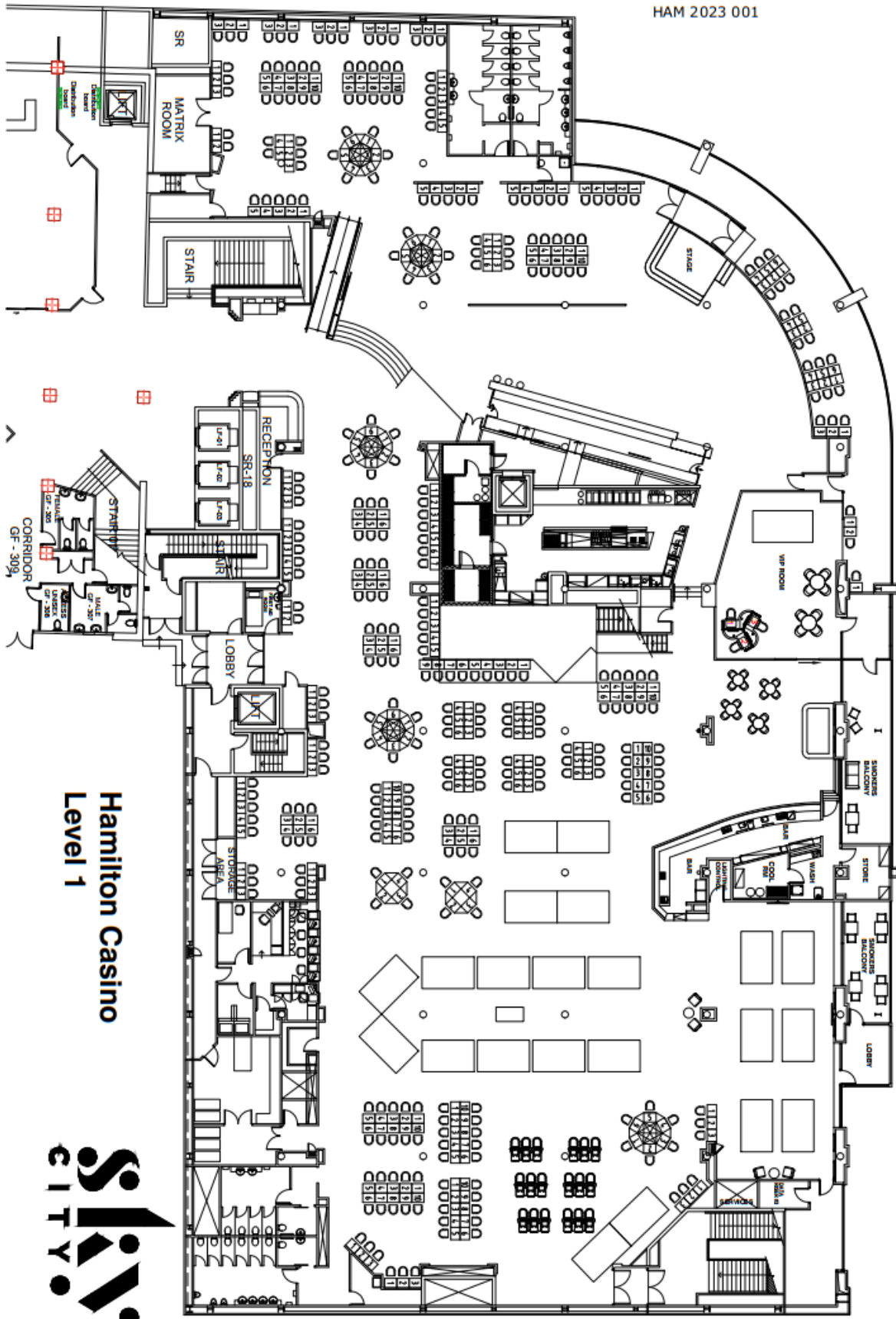
Susan Hughes KC
Chief Gambling Commissioner
Gambling Commission



Blair Cairncross
Executive Director
Gambling Commission

12 July 2023





Hamilton Casino
Level 1

