DECISION UNDER DELEGATED AUTHORITY ON AN APPLICATION BY SKYCITY AUCKLAND LIMITED FOR APPROVAL OF CONSTRUCTION AND DESIGN CHANGES TO THE AUCKLAND CASINO

Date of Decision: 23 **March 2015**

1. On 19 March 2015, SKYCITY Auckland Limited ("**SCAL**") applied, pursuant to conditions 6 and 7 of its venue licence, for approval of construction and design changes to the Auckland casino.

2. Conditions 6 and 7 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

3. SCAL wants to remove the escalators on the western side of the Gambling Area which join the main gaming floor to level 3. These escalators are surplus to requirements because there are two other escalators that customers can use to access level 3 from the MGF. The space opened up by the removal of the escalators on level 2 will be used to house gaming machines, subject to additional approvals being obtained.

4. SCAL also wants to install flooring on level 3, in the void created by the escalators' removal, and to relocate the bar from its current position, so that it faces out to the new floor area. The extended floor area, together with the relocation of the bar and the removal of the wall which provides the backing to the bar in its current location, will create an expanded Baccarat Room.

5. SCAL also wants to make changes to the adjoining area currently housing the TAB facilities. The glass wall and door representing the southern boundary to this area and separating it from the corridor and theatre foyer is being relocated further south of its current position to increase the floor area and provide further opportunities for the placement of gaming product. The revised area will be the subject of an application to designate it as Gambling Area at a later date, and the TAB facilities will be relocated to another part of the casino venue.

6. SCAL submitted that:

(a) the proposed changes will have no bearing on any of the matters set out in condition 7;

(b) additional cameras will be installed where necessary to satisfy the requirements of the Surveillance Policy.

Decision

7. The Commission was satisfied that the proposal would not adversely impact upon any of the matters set out in condition 7. Accordingly the 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.

Blair Cairncross
Executive Director
Gambling Commission

23 March 2015

GAMBLING COMMISSION