

**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: 13 February 2019

1. On 15 January 2019, SKYCITY Auckland Limited ("**SCAL**") applied, pursuant to conditions 6 and 7 of its venue licence, for approval of construction and design changes to level 2 of the 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 submitted as follows:
 - (a) It wants to install five LED screens on level 2 of the casino, as follows:
 - (i) three screens along the mezzanine balcony;
 - (ii) one screen along the Baccarat Room bulkhead; and
 - (iii) one screen on the MGF replacing the existing projector screen.
 - (b) The existing footprint of the gaming areas remains unchanged.
 - (c) The changes will have no adverse effect on the matters set out in condition 7, nor will they impact the Licence Holder's obligation to ensure gambling activity is not visible from outside the casino venue.
4. In response, the DIA stated that, given the dominance of the screens, there is potential that the messaging on the screens could swamp any responsible gambling messages that are currently available on the floor. It asked that a portion of the screen time be devoted to responsible gambling messaging and how parties can contact problem gambling treatment services.
5. In reply, SCAL stated that it had no objections, in principle, to including host responsibility messaging on the screens in appropriate circumstances (for example it saw no value in adding such messages when non-gaming content is being played). SCAL also stated that signage and messaging are already comprehensively addressed by the Host Responsibility Programme for the Auckland casino.

Decision

6. The construction and design changes proposed 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.
7. The Commission was satisfied that the proposal would not adversely impact upon any of the matters set out in condition 7. In relation to condition 7(c) – harm prevention, harm minimisation and responsible gambling – the Commission was of the view that the introduction of the LED screens would not result in an adverse impact as signage and messaging are already addressed in the Host Responsibility Programme which SCAL must comply with. The Commission appreciates the Secretary raising the issue and also

appreciates SCAL's offer to including host responsibility messaging on the screens when appropriate.



Blair Cairncross
Executive Director
Gambling Commission

13 February 2019

