

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

Date of Decision: 12 June 2019

1. On 31 May 2019 SKYCITY Auckland Limited (“SCAL”) applied, pursuant to conditions 6 and 7 of its venue licence, for approval of construction and design changes to levels 2 and 3 of the casino.
2. Conditions 6 and 7 SCAL’s venue licence 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) The New Zealand International Convention Centre Act 2013 gives effect to the agreement between the Crown and SKYCITY that provides for the construction and future operation of an international convention centre and changes to the regulatory regime applying to SKYCITY Casino at Auckland.
- (b) The design of the convention centre includes an airbridge connecting the convention centre to the casino venue.
- (c) The construction of the airbridge will require consequential construction changes to levels 2 and 3 of the casino venue and the preparatory work for that construction will involve the deployment of hoardings on levels 2 and 3. This will not have any impact on the matters set out in condition 7 of SCAL's venue licence.
- (d) Attached to its application are copies of plans showing the proposed placement of the hoardings and beams to accommodate the airbridge. While this facility forms part of the approved convention centre design, to the extent the development also requires approval pursuant to condition 6 of SCAL's casino venue licence, it hereby seeks that approval.
- (e) The deployment of the hoardings may necessitate a repositioning of some gaming machines further back than their current locations. The actual configuration of those machines won't change but their positioning on the floor may be shifted by up to one metre. It does not see any need to seek approval for amended floor plans in this instance, given the minor nature of the change and the continuation of the existing configuration.

Decision

4. The Commission was satisfied that the proposed construction and design changes would not adversely impact upon any of the matters set out in condition 7. 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.



Blair Cairncross
Executive Director
Gambling Commission

12 June 2019

