

**IN THE MATTER** of the Gambling Act 2003  
**AND** on an application by **SKYCITY CASINO MANAGEMENT LIMITED**  
for approval to exceed the ratio of gaming machines to gaming tables at the Auckland casino

**BEFORE THE GAMBLING COMMISSION**

Members: G L Reeves (Chief Gambling Commissioner)  
P J Stanley  
L M Hansen

Date of Application: 4 March 2011

Date of Decision: 15 April 2011

Date of Notification  
of Decision:  April 2011

**DECISION ON AN APPLICATION BY SKYCITY CASINO MANAGEMENT LIMITED  
FOR APPROVAL TO EXCEED THE RATIO OF GAMING MACHINES TO  
GAMING TABLES AT THE AUCKLAND CASINO**

**Introduction**

1. SKYCITY Casino Management Limited ("**SCML**") applied to the Commission, under condition 7 of its operator's licence for the Auckland casino, to exceed the ratio of gaming machines to gaming tables at the Auckland casino from July to September 2011.
2. The relevant licence condition is as follows:

**SCML's operator's licence (Auckland)**

7. The ratio of gaming machines to gaming tables in the Gambling Area, excluding the tables permitted by condition 6A, shall not exceed 15 to 1, except with the approval of the Commission.

**Submissions by SCML**

3. SCML submitted, in summary, as follows:
  - (a) In decision GC33/10 the Commission approved it exceeding the 15:1 ratio of gaming machines to gaming tables at the Auckland casino from January to July 2011, provided that the ratio did not exceed 16.8:1.
  - (b) In its application leading to that decision, it indicated that between January and July 2011 it would have difficulty finding enough space to locate all of its tables and machines while its building works were undertaken. However, as the



timelines around some of the particular projects changed, it managed to keep most of its tables on the floor and there was little need to rely on the dispensation.

- (c) Work on the public areas of the new Fortuna Restaurant is scheduled to commence on 1 July, necessitating significant changes to the location of tables and machines on that level. While that work is underway, and pending the handover of level 5 (north side) area in September, it will be unable to relocate all of its tables to other parts of the Gambling Area.
- (d) For this reason it seeks an extension, through to September 2011, to the Commission's approval granted in decision GC33/10.
- (e) It will endeavour to restore the floor to its full complement of tables as soon as practical.
- (f) With less product on the floor over the period in question, it is satisfied that there will be no negative impacts from a regulatory perspective.

#### **The Secretary's submissions**

- 4. The Secretary had no regulatory concerns with the proposal.

#### **Analysis**

- 5. In decision GC33/10, the Commission permitted SCML to exceed the 15:1 ratio of gaming machines to gaming tables provided that the ratio did not exceed 16.8:1. The approval was granted from January 2011 to July 2011. An extension to this period does not raise any issues of regulatory concern for the Commission – it is for a small and defined period of time and is to allow SCML to undertake building works at the casino. The Commission therefore approved the application, noting that the ratio is not to exceed 16.8:1.

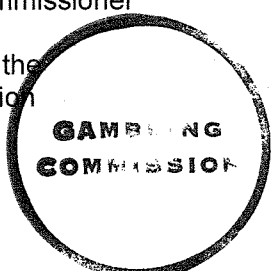
#### **Decision of the Commission**

- 6. The Commission approved, under condition 7 of its operator's licence, SCML's application to exceed the 15:1 ratio of gaming machines to gaming tables at the Auckland casino up to 30 September 2011. The ratio may not exceed 16.8:1.

  
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Graeme Reeves  
Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission

28<sup>th</sup> April 2011

  
GAMBLING  
COMMISSION