

IN THE MATTER of the Gambling Act 2003
AND of an application by
SKYCITY AUCKLAND to
modify cashiering facilities
at SKYCITY Casino
Auckland

BEFORE THE GAMBLING COMMISSION

Members: P Chin (Chief Gambling Commissioner)
K M Ford
M M Lythe
P Stanley
G Reeves

Date of Application: 15 March 2005

Date of Decision: 8 April 2005

Date of Notification of Decision: **22** April 2005

DECISION

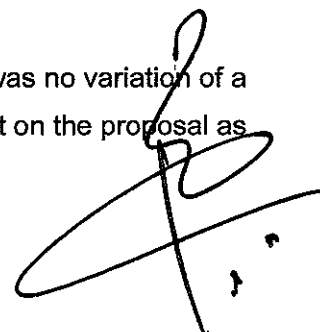
**AN APPLICATION BY SKYCITY AUCKLAND TO MODIFY CASHIERING FACILITY AT
SKYCITY CASINO AUCKLAND**

Application

1. SKYCITY Auckland Limited (the "**Applicant**") sought approval under conditions B1 and B5 of its venue licence to modify an existing cashiering facility on Level 3.
2. The existing cashiering facility does not meet the minimum requirements for principal cashiering facilities set out in condition B5 because it does not have separate accommodation for chip bank cashiers and general cashiers. The facility was approved by the Casino Control Authority (the "**Authority**") on this basis on 5 December 2003. The Applicant now seeks to modify the facility. Commission approval is necessary, as the modified facility will also not meet the minimum requirements specified in condition B5. Commission approval of the drawings and specifications for the facility is also required under condition B1.

Statutory criteria

3. The application was for approval under licence conditions. As there was no variation of a licence condition, the Commission was not required formally to consult on the proposal as provided in section 140 of the Gambling Act 2003 (the "**Act**").



4. The Commission is, however, free to determine its own procedure in terms of processing approval applications. In the circumstances, it considered it appropriate to seek the views of the Secretary, given his operational interest.

Licence conditions

5. Conditions B1 and B5 of the casino premises licence issued to SKYCITY Casino Auckland state:

B1 Approval of specifications for security and surveillance installations

The licence holder shall submit to the Commission for approval all drawings and specifications (except as provided in B2) relating to:

- (c) cashier cages, count rooms, security areas and access thereto;

B5 General specifications for cage/chip bank facilities

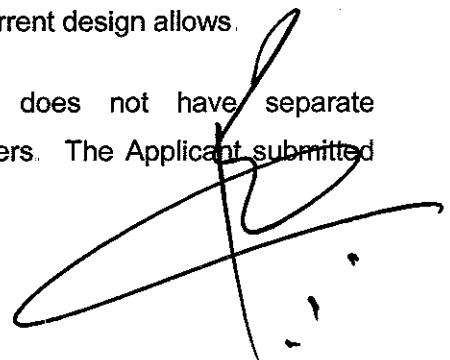
The licence holder shall maintain at least one principal cashiering facility on each level of the gaming floor which is clearly visible to patrons. Each such cashiering facility shall as a minimum requirement include the following:

- (a) accommodation for chip bank cashiers and general cashiers (which shall be physically segregated from each other unless the Commission approves otherwise);
- (b) storage facilities for cage inventory;
- (c) a separate locked compartment for storage of chips and plaques held in reserve and not used for active gaming in at least one facility;
- (d) manually triggered and automatic silent alarm systems connected directly to monitor rooms of the security and surveillance departments; and
- (e) interconnect door entry and exit system (man trap) which will not permit a person to pass through the second door until the first door is securely locked.

The licence holder shall also maintain additional cashiering facilities in other parts of the gaming floor to service dedicated areas or rooms but where those additional facilities do not meet the minimum requirements for the principal facilities they shall require the approval of the Commission. The approval of the Commission shall be revocable in the discretion of the Commission and shall be subject to such conditions as the Commission from time to time imposes.

Submissions by the Applicant

6. The modified facility will accommodate two cashiering stations (the current facility only has one). The facility will be altered to open to the west, rather than the north-facing side, in order to make it more visible to a wider group than the current design allows.
7. The proposed facility is non-complying because it does not have separate accommodation for chip bank cashiers and general cashiers. The Applicant submitted



that there was no need for a chip bank as the modified facility will service gaming machine players only.

8. The Applicant submitted that the facility will be subject to CCTV coverage in accordance with established industry practices and in accordance with the requirements of the Authority's surveillance policy.
9. The Applicant advised that it would be applying in due course for an extra cash dispensing EFTPOS terminal to be located in the cashiering facility.

Submissions by the Secretary

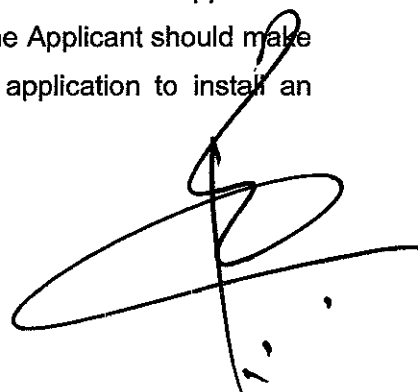
10. The Secretary advised that he was satisfied that the modifications to the facility were acceptable and met current regulatory requirements.

Analysis

11. The Commission noted that the modification of the facility was part of changes to the Level 3 facilities, discussed in decision GC05/05. Apart from reorienting the facility, the principal change is the addition of a new cashiering station, increasing cash access opportunities.
12. It is unfortunate that the Applicant had not applied concurrently for the new EFTPOS terminal to be located in the modified cashiering station, as the ability to use the additional cashiering station depends on approval being given for this.


Decision of the Commission

13. The Commission was satisfied that the proposal was consistent with the Act and resolved unanimously:
 - (a) pursuant to condition B5, to approve the cashiering facility for Level 3 shown in Drawing A1903 Rev C attached to the application;
 - (b) pursuant to condition B1(c), to approve the drawing and specification for the cashiering facility as shown in Drawing A1903 Rev C.
14. The Commission noted that its decision to approve the cashiering facility was limited to considerations arising on the application itself. Because it has not had an application before it relating to the use of an additional EFTPOS terminal, the Applicant should make no assumptions regarding the view that it might take on an application to install an additional EFTPOS terminal.

A large, stylized handwritten signature in black ink, located in the bottom right corner of the page. The signature is written over the text of paragraph 14.

Right of appeal

15. Pursuant to section 235 of the Act, a person affected by this decision may appeal that decision to the High Court. An appeal must be made within 15 working days of the date of notice of the Commission's decision or any longer period the High Court may allow.



Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

April 2005