

**IN THE MATTER** of the Gambling Act 2003

**AND** on an application by **SKYCITY AUCKLAND LIMITED** for approval of design changes to the Southern Cashiering Facility

**BEFORE THE GAMBLING COMMISSION**

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

Date of Application: 31 October 2006

Date of Decision: 16 November 2006

Date of Notification  
of Decision: | December 2006

**DECISION**

**ON AN APPLICATION BY SKYCITY AUCKLAND LIMITED FOR APPROVAL OF DESIGN CHANGES TO THE SOUTHERN CASHIERING FACILITY**

**Application**

1. SKYCITY Auckland Limited ("**SCAL**") applied to the Gambling Commission (the "**Commission**") for approval, under condition 6 of its venue licence, of design changes to the southern cashiering facility on Level 2.

**Licence conditions**

2. The relevant licence conditions are as follows:

**SCAL venue licence**

6. The Licence Holder must obtain the approval of the Commission prior to:
  - (a) construction or design changes to Levels 2 and 3, including the Gambling Area but excluding the SKYCITY Theatre and foyer area, restaurant and bar areas outside the Gambling Area, 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 the exterior of the Casino Venue.

The process by which the Licence Holder may obtain approval for construction or design changes to Levels 2 and 3, including the Gambling Area (paragraph (a) above) is set out in condition 7. The Commission will determine any application for approval under 6(b) and (c).

- 7. The Licence Holder must notify the Executive Director of any proposed changes to the construction or design of Levels 2 and 3, including the Gambling Area but excluding SKYCITY Theatre and foyer area, restaurant and bar areas outside the Gambling Area, 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 by the Applicant**

- 3. The Applicant wants to alter the southern cashiering facility to reduce its size and the number of cashier positions from five to two. The Applicant submitted:
  - (a) there is insufficient demand for five cashier positions at the southern end of the casino;
  - (b) the proposal will not increase opportunities for casino gambling; and
  - (c) the proposal complies with licence condition 7 of its venue licence.

### **Submissions by the Secretary**

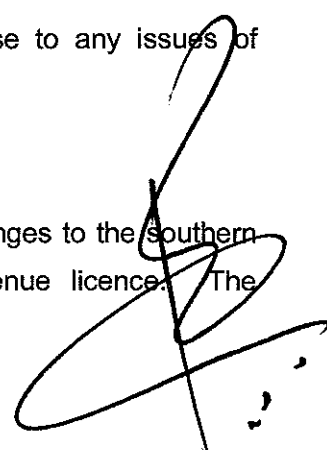
- 4. The Secretary had no objection to the proposal.

### **Analysis**

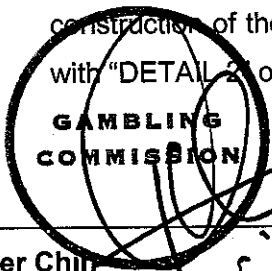
- 5. The Commission was satisfied that the proposal did not give rise to any issues of regulatory concern.

### **Decision**

- 6. The Commission decided to approve the application for design changes to the southern cashiering facility on Level 2 under condition 6 of SCAL's venue licence. The



construction of the amended southern cashing facility is to be generally in accordance with "DETAIL 2" of the plans attached to this decision.



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Peter Chirba  
Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission

| December 2006

