

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


**AND** of applications by **SKYCITY AUCKLAND LIMITED** and **SKYCITY CASINO MANAGEMENT LIMITED** for approval of a new permanent floor plan (with a new cashiering facility and cash-dispensing EFTPOS terminals) and to extend the dispensation to exceed the gaming machine to table game ratio

**BEFORE THE GAMBLING COMMISSION**

Members Present: K M Ford  
M M Lythe  
P J Stanley  
G L Reeves

Date of Application: 6 July 2007

Date of Decision: 17 August 2007

Date of Notification  
of Decision:  August 2007

**DECISION**

**ON APPLICATIONS BY SKYCITY AUCKLAND LIMITED AND SKYCITY CASINO MANAGEMENT LIMITED FOR APPROVAL OF A NEW PERMANENT FLOOR PLAN (WITH A NEW CASHIERING FACILITY AND CASH DISPENSING EFTPOS TERMINALS) AND TO EXTEND THE DISPENSATION TO EXCEED THE GAMING MACHINE TO TABLE GAME RATIO**

**Applications**

1. SKYCITY Auckland Limited ("**SCAL**") and SKYCITY Casino Management Limited ("**SCML**") applied to the Gambling Commission (the "**Commission**") for approvals, as follows:
  - (a) Approval, under conditions 6 and 13 of SCAL's venue licence and condition 22 of SCML's operator's licence, to install a new cashiering facility on the main gaming floor;
  - (b) Approval, under condition 13 of SCML's operator's licence, to install three cash dispensing EFTPOS terminals in the new cashiering facility;



- (c) Approval, under condition 11 of SCML's operator's licence, of a new permanent floor plan, "L(Perm)"; and
- (d) Approval, under condition 7 of SCML's operator's licence, to extend until March 2008 its dispensation to exceed the ratio of 15:1 gaming machines to gaming tables.

### 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.

13. The approval of the Commission is required for the construction and relocation of cashiering facilities additional to the principal facility in other parts of the Gambling Area or casino venue. Any such additional facilities must comply



with the surveillance equipment requirements set out in the Surveillance Standard and be fitted with manually triggered and automatic silent alarm systems connected to the surveillance department.

#### **SCML operator's licence**

- 7 The ratio of gaming machines to gaming tables in the Gambling Area shall not exceed 15 to 1, except with the approval of the Commission.
11. The Licence Holder shall operate in accordance with approved floor layouts showing the position of gaming tables and gaming machines. The Licence Holder shall obtain the approval of the Commission for new floor plans prior to relocating or installing tables or machines in positions not specified in approved floor layouts. When applying, the Licence Holder must submit fresh plans showing the floor layout for the Gambling Area and details of the proposed CCTV layout for the consideration of the Commission. Any change must comply with the Surveillance Standard.
- 13 The Licence Holder is prohibited from dispensing cash from EFTPOS and like devices in the Gambling Area unless approved by the Commission. The approval of the Commission shall be revocable at the discretion of the Commission and may be subject to such conditions as the Commission may from time to time impose.
- 22 The approval of the Commission is required for the construction and relocation of cashiering facilities additional to the principal facility in other parts of the Gambling Area or casino venue. Any such additional facilities must comply with the surveillance equipment requirements set out in the Surveillance Standard and be fitted with manually triggered and automatic silent alarm systems connected to the surveillance department.

#### **Submissions by the Applicants**

3. The Applicants stated that:

- (a) They want to install a new cashiering facility on Level 2, with three cash dispensing EFTPOS terminals. The installation of this facility will involve the relocation of some gambling product, with other minor changes to the positioning of gambling product also being identified. They sought approval for a new permanent floor plan, "L(Perm)", to reflect these changes;
- (b) The southern facility on the main gaming floor had five cashier positions until November 2006, when the number was reduced to two. This reduction was sought because of a perceived lack of demand for five positions, but since then there had been occasions when two positions was insufficient to cater for customer demand. With the planned deployment of gambling product in the area over the Hobson Street bus terminal, the Applicant considered that further cashiering facilities would be needed to provide an appropriate level of customer service.



4. The Applicants submitted that:
- (a) The new cashiering facility will have no impact on the integrity and fairness of games; the effectiveness of security and surveillance; on harm prevention, harm minimisation and responsible gambling; on potential access to the gambling area by minors; on compliance by any person with the Act, and will not increase opportunities for casino gambling.
  - (b) The Commission has previously granted approval for it to operate 22 cash dispensing EFTPOS terminals within the gambling area. It currently operates 16 cash dispensing terminals. Approval to operate three further terminals from the new location will bring the total number to 19, under the Commission's approval level;
  - (c) The repositioning of gaming machines will have no bearing on game mix or rate of play, and they will continue to be visible to floor staff and CCTV cameras.
5. The Applicants stated that the Commission approved a temporary dispensation to the 15:1 ratio of gaming machines to tables in decision GC32/06. That dispensation was sought to enable it to alter the numbers of tables and gaming machines while the casino was being refurbished. The dispensation was sought until December 2007, when it was anticipated that the refurbishment would be complete. The Applicants stated that it is unlikely that the refurbishment will be complete before March 2008, and they seek to extend the dispensation until this time.

#### **Submissions by the Secretary**

6. The Secretary has no objection to the Applicants' proposals, provided that:
- (a) the new cashiering facility is established in accordance with the Surveillance Policy; and
  - (b) the Applicants continue to advise both the Commission and the local Department of Internal Affairs Inspectorate when the dispensation in the ratio is being relied upon.

#### **Analysis**

##### *Cashiering Facility, EFTPOS terminals and floor plan*

7. In regulating cash access, the Commission seeks to strike a balance which enables the operator to meet the customer service expectations of its patrons, while discharging its



obligations under the Act to promote responsible gambling, and to protect potentially at risk gambling patrons. The Commission has adopted this approach in previous decisions.

8. In this application, the Commission noted that the Applicants applied to introduce three cash-dispensing EFTPOS terminals at a new cashiering facility in an area of the main gaming floor not currently serviced by a cashiering facility. The Commission noted that the number of cash-dispensing EFTPOS terminals would increase from 16 to 19, but did not consider that this would increase the risk of harm given that the number of terminals is less than the 22 it has approved previously.
9. The relocation of the gambling product did not raise any issues of regulatory concern, and will not increase opportunities for casino gambling.

*Dispensation to gaming machine table game ratio*

10. The Commission had previously approved a dispensation to the gaming machine to table game ratio to allow the Applicants to refurbish the Auckland casino. That dispensation ends in December 2007, but the refurbishment will not be complete until March 2008. The Commission was satisfied that extending the dispensation for a further three months raised no issues of regulatory concern.

**Decision**

11. The Commission decided to:
  - (a) approve, under conditions 6 and 13 of SCAL's venue licence and condition 22 of SCML's operator's licence, the installation of a new cashiering facility on the main gaming floor. Construction of the new cashiering facility is to be generally in accordance with the plans **attached** to this decision;
  - (b) approve, under condition 13 of SCML's operator's licence, the installation of three cash dispensing EFTPOS terminals in the new cashiering facility;
  - (c) approve, under condition 11 of SCML's operator's licence, a new permanent floor plan, "L(Perm)" (which incorporates the new cashiering facility and repositioning of gambling product), **attached** to this decision; and
  - (d) approve, under condition 7 of the SCML's operator's licence, a temporary dispensation of the 15:1 ratio of gaming machines to table games from January 2008-March 2008 inclusive, on condition that:
    - (i) the ratio will at no time exceed 17:1;



- (ii) the Applicants will notify the DIA Inspectorate and the Commission on each occasion that they exceed the 15:1 ratio; and
- (iii) the Applicants will notify the DIA Inspectorate and the Commission of the new ratio and the period it will apply.

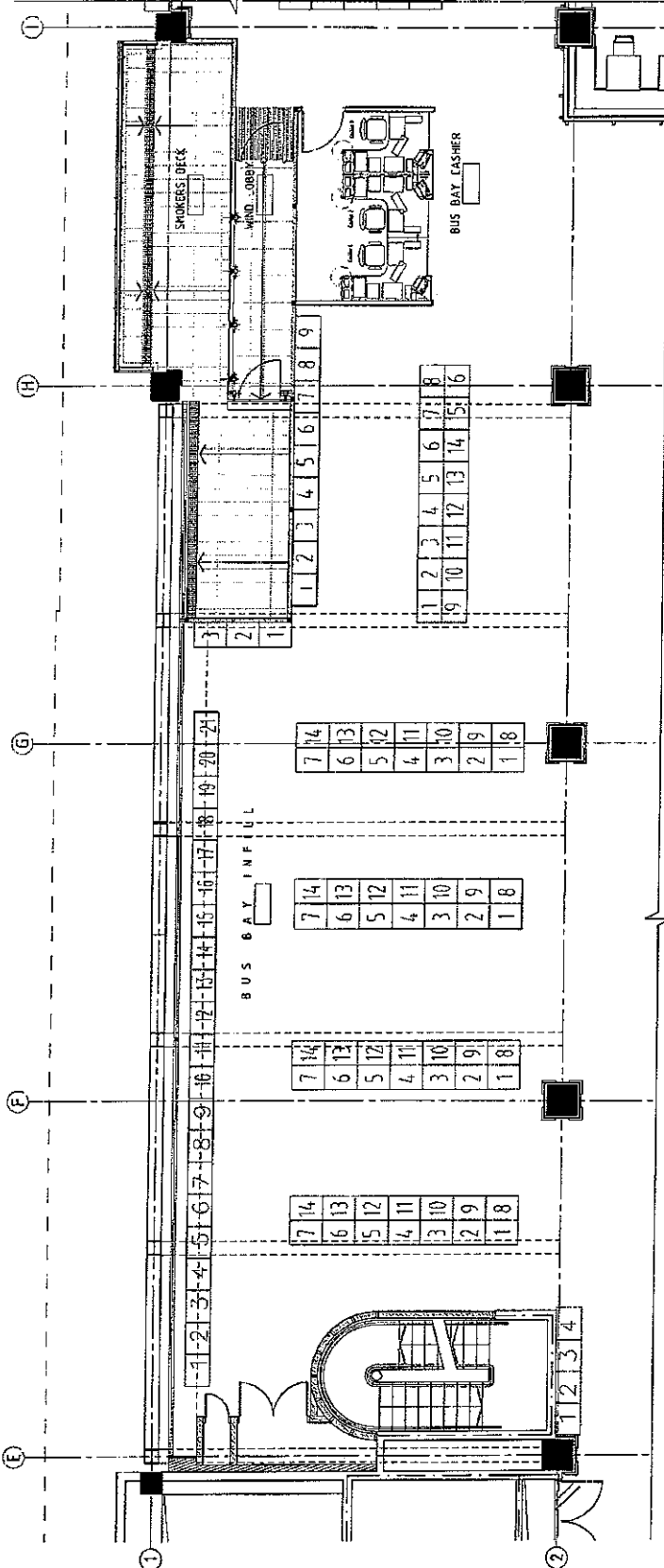


**Graeme Reeves**  
Acting Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission

30<sup>th</sup> August 2007





1 LEVEL 2 - PROPOSED GAMING MACHINES LAYOUT  
 A 150 @ A1 150 @ A3



**Moller Architects**  
 544-44-837068  
 544-44-837068  
 1000 Lakeside Drive  
 Suite 100  
 Portland, OR 97201  
 www.mollerarchitects.com

CLIENT AND PROJECT  
 SKY CITY CASINO  
 LEVEL 2 BUS BAY INFILL

PROPOSED ADDITIONS & ALTERATIONS  
 DRAWING INFORMATION  
 Date: 02/11/10  
 Drawn: JZ  
 Checked: JZ  
 Project No.: 02/11/10  
 Revision: 1  
 Scale: 1/8" = 1'-0"  
 Notes:  
 1. See all drawings for notes and specifications.  
 2. No drawing shall be used in conjunction with any other drawing without the written consent of the architect.  
 3. All dimensions are in feet and inches unless otherwise noted.  
 4. All dimensions are to the centerline of the element unless otherwise noted.  
 5. All dimensions are to the face of the element unless otherwise noted.  
 6. All dimensions are to the centerline of the element unless otherwise noted.  
 7. All dimensions are to the face of the element unless otherwise noted.  
 8. All dimensions are to the centerline of the element unless otherwise noted.  
 9. All dimensions are to the face of the element unless otherwise noted.  
 10. All dimensions are to the centerline of the element unless otherwise noted.

LOCATION:  
 PROPOSED  
 LEVEL 2 GAMING LAYOUT

NO.	DATE	BY	CHKD.	APP.	REV.
1	02/11/10	JZ	JZ		
2					
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**NOTICE TO CONTRACTOR - GENERAL NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE CODES AND REGULATIONS.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.

3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.

4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND STRUCTURES AT ALL TIMES.

5. ALL DEMOLITION WORK SHALL BE COMPLETED PRIOR TO THE START OF NEW CONSTRUCTION.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING STRUCTURES AND UTILITIES TO REMAIN.

7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

8. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.

9. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.

11. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND NOTES.

12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL JURISDICTION.

13. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.

14. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND STRUCTURES AT ALL TIMES.

15. ALL DEMOLITION WORK SHALL BE COMPLETED PRIOR TO THE START OF NEW CONSTRUCTION.

16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING STRUCTURES AND UTILITIES TO REMAIN.

17. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

18. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.

19. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.

20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.



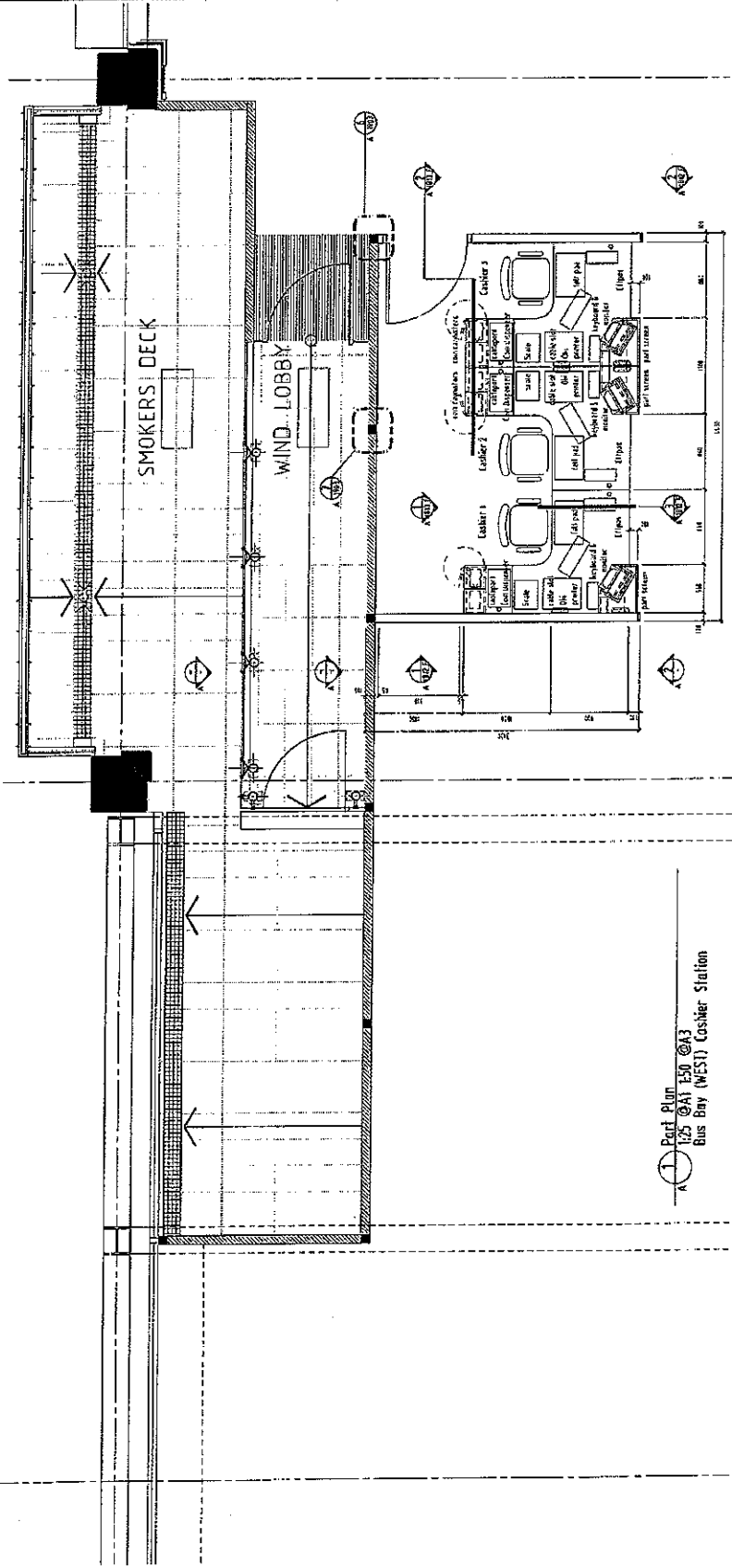
**SKY CITY CASINO  
LEVEL 2 BUS BAY INFILL**

**PROPOSED ADDITIONS & ALTERATIONS**

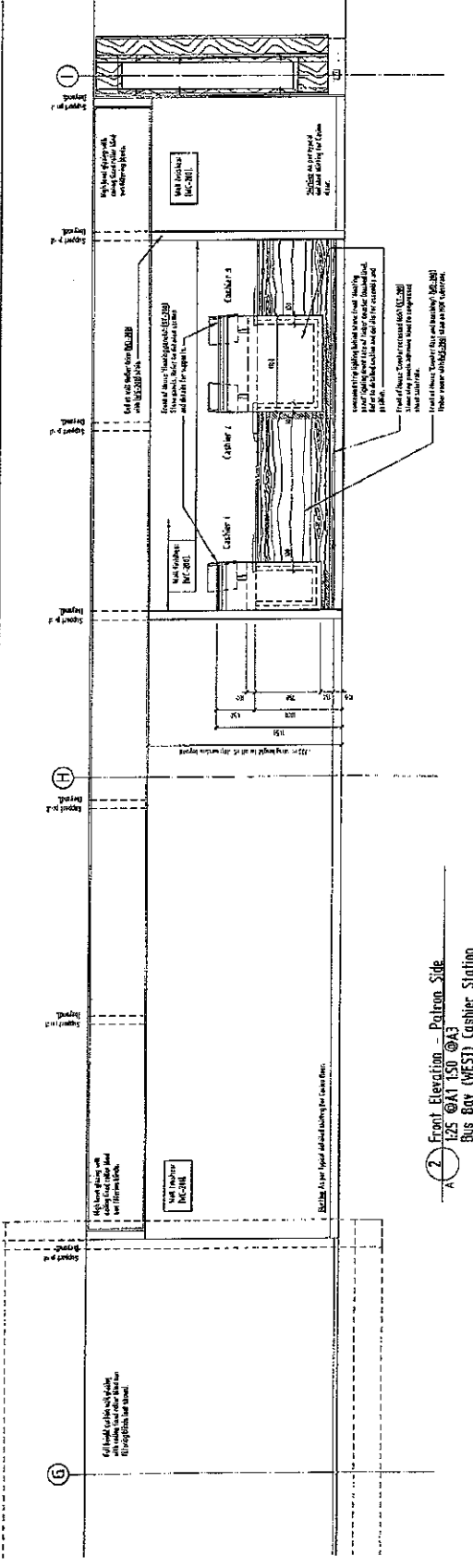
DATE: 08/11/2011  
 DRAWING NO: 201-1100  
 PROJECT NO: 201-1100  
 CLIENT: SKY CITY CASINO  
 ARCHITECT: MOLLER ARCHITECTS  
 PROJECT LOCATION: SKY CITY CASINO, PHILADELPHIA, PA

**LOCATION:  
PROPOSED BUS BAY  
CASHIER CAGE INTERNAL  
ELEV. / PLAN (Sheet 1)**

NO.	REVISION	DATE
1	ISSUE FOR PERMIT	08/11/2011
2	ISSUE FOR PERMIT	08/11/2011



**Part Plan  
125 @A1 E51 @A3  
BUS BAY (WEST) Cashier Station**



**2 Front Elevation - Patron Side  
125 @A1 E51 @A3  
BUS BAY (WEST) Cashier Station**

*Handwritten signature or initials.*

<b>PROJECT:</b>	SKY CITY CASINO, LEVEL 2 BUS BAY INFILL
<b>DATE:</b>	12/15/2010
<b>DESIGNER:</b>	MOELLER ARCHITECTS
<b>CLIENT:</b>	SKY CITY CASINO
<b>LOCATION:</b>	125 EAST 1500 SOUTH, SALT LAKE CITY, UT
<b>SCALE:</b>	AS SHOWN
<b>PROJECT NO.:</b>	10-001
<b>DATE:</b>	12/15/2010
<b>BY:</b>	MOELLER ARCHITECTS
<b>CHECKED BY:</b>	MOELLER ARCHITECTS
<b>APPROVED BY:</b>	MOELLER ARCHITECTS
<b>REVISIONS:</b>	

**SKY CITY ENTERTAINMENT GROUP**

**MOELLER ARCHITECTS**

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SALT LAKE CITY, UT 84119  
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FAX: 313.222.2222  
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**CLIENT AND PROJECT:**  
SKY CITY CASINO  
LEVEL 2 BUS BAY INFILL

**PROPOSED ADDITIONS & ALTERATIONS**

**EXAMINER INFORMATION:**  
 EXAMINER: MOELLER ARCHITECTS  
 EXAMINER NO.: 10-001  
 EXAMINER DATE: 12/15/2010  
 EXAMINER TYPE: Architectural  
 EXAMINER SIGNATURE: [Signature]

**DATE:** 12/15/2010

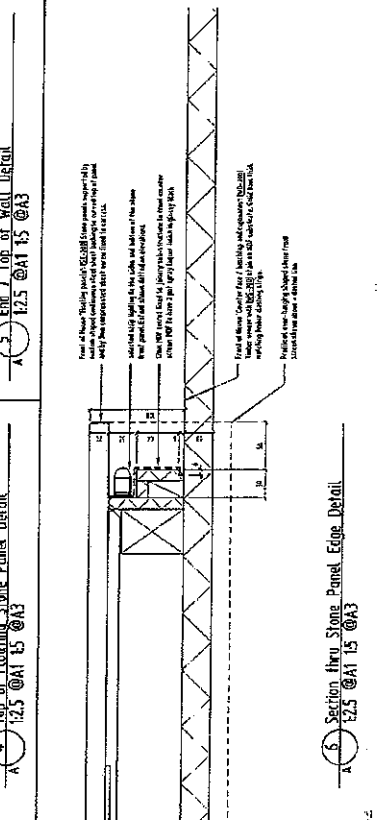
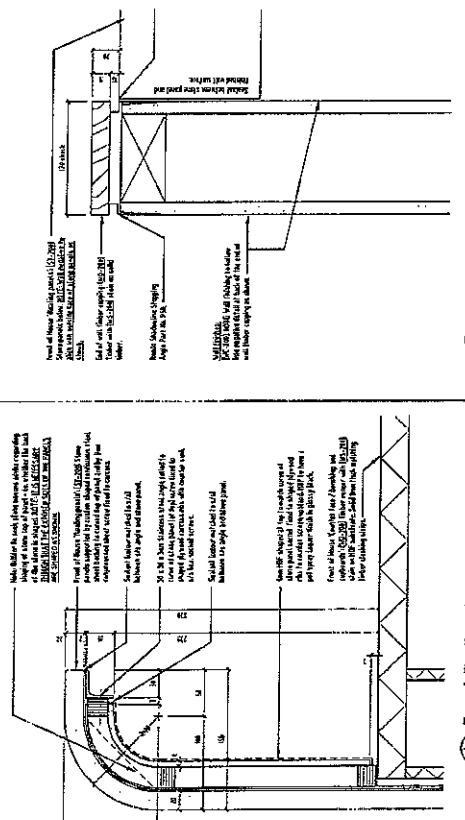
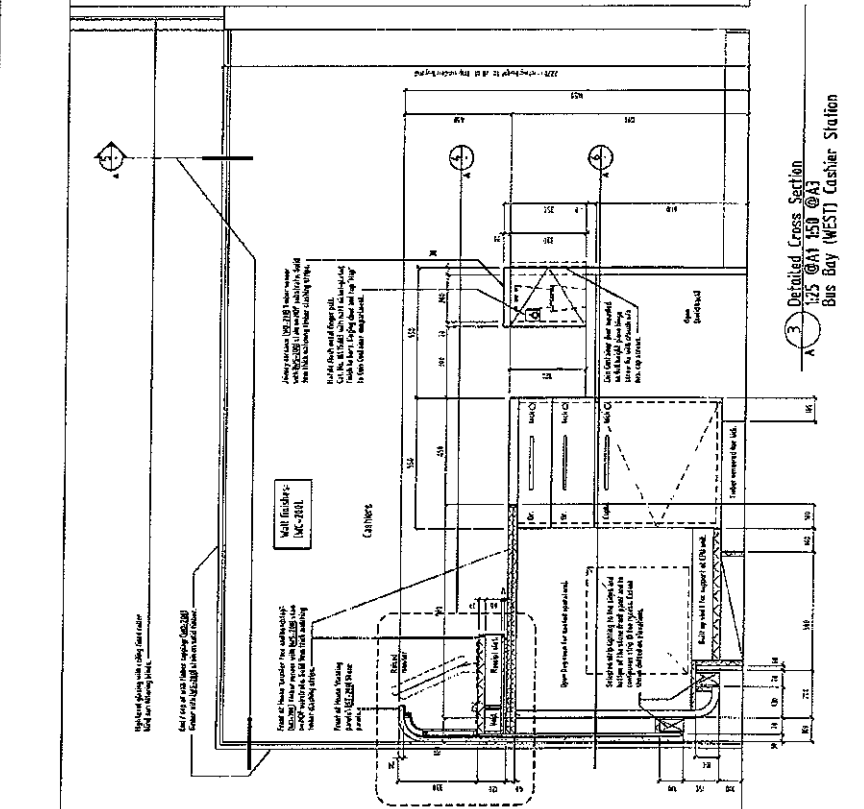
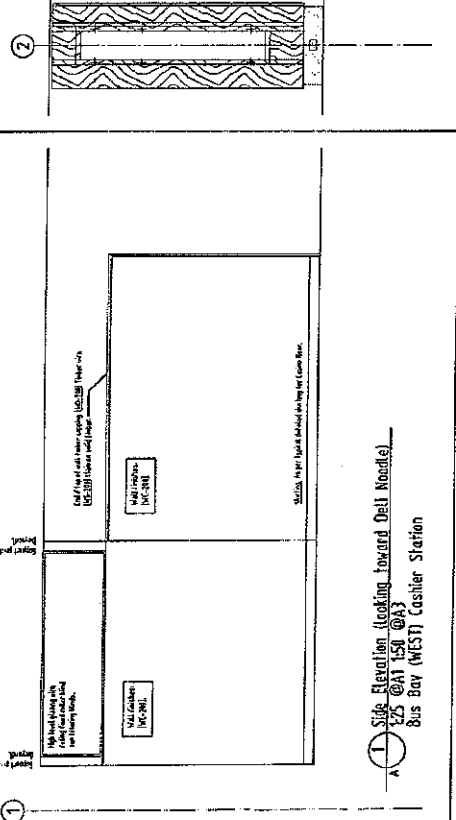
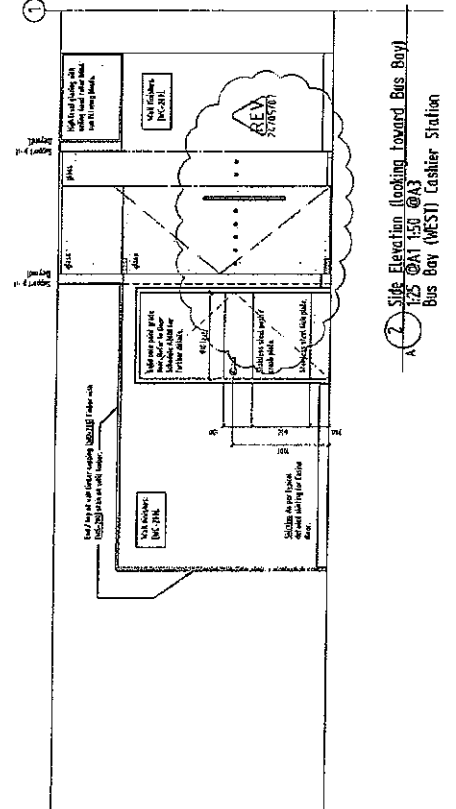
**LOCATION:** 125 EAST 1500 SOUTH, SALT LAKE CITY, UT

**SCALE:** AS SHOWN

**REVISIONS:**

NO.	DATE	BY	DESCRIPTION
1			
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**JOB NO.:** 10-001  
**DRAWING NO.:** A-5132 E | A-1812 | 01



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