

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

**AND** on an application by **SKYCITY HAMILTON LIMITED** for approval to install a temporary cashiering facility at the Hamilton casino

**BEFORE THE GAMBLING COMMISSION**

Members: L M Hansen (Chief Gambling Commissioner)  
D C Matahaere-Atariki  
S C L Pearson

Date of Application: 21 January 2022

Date of Decision: 10 February 2022

Date of Notification  
of Decision: 18 February 2022

**DECISION ON AN APPLICATION BY SKYCITY HAMILTON LIMITED FOR  
APPROVAL TO INSTALL A TEMPORARY CASHIERING FACILITY AT THE HAMILTON  
CASINO**

**Introduction**

1. SKYCITY Hamilton Limited ("**SHL**") applied to the Commission, under conditions 6, 7 and 12 of its venue licence, for approval to install a temporary cashiering facility at the Hamilton casino.

**Licence conditions**

2. The relevant licence conditions are as follows:

**SHL's venue licence**

6. The Licence Holder must obtain the approval of the Commission prior to:
  - (a) construction or design changes to Levels B1 and 1 of the Casino Venue, including the Gambling Area;
  - (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 or on or around the building within which it is located.

The process by which the Licence Holder may obtain approval for construction or design changes to Levels B1 and 1 of the Casino Venue (6(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 the exterior of the Casino Venue or on or around the building within which it is located (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 B1 and 1 of the Casino Venue. 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)-(c) above. If the Executive Director is not satisfied, he or she will refer the proposal to the Commission for determination.

11. The Licence Holder shall ensure that the cashier's cage is located immediately adjacent to the gaming floor and is clearly visible to patrons. Unless otherwise approved by the Commission, the cage area shall, as a minimum requirement, include the following:

- (a) accommodation for chip bank cashiers and general cashiers (which shall be physically separate 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;
- (d) manually triggered and automatic silent alarm systems connected directly to monitor rooms of the security and surveillance departments; and
- (e) an 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.

12. The approval of the Commission is required for the construction and relocation of cashiering facilities in other parts of the Gambling Area to service dedicated areas or rooms. 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.

**SHL's submissions**

3. SHL submitted, in summary, as follows:
- (a) The Commission has previously approved (decision GC16/21) the deployment of a temporary cashiering facility under conditions 11 and 12 of its venue licence while Hamilton was under COVID Alert Level 2 restrictions. That decision included an option to extend the approval, if required.
  - (b) The temporary cashiering facility was installed while Hamilton was in Alert Level 2 and the Casino was split into two separate zones and entrances. Following a change in Alert levels, the temporary cashiering facility was removed.
  - (c) New Zealand has now changed from the Alert Level system to the COVID Protection Framework ("CPF"), so it now seeks the Commission's re-approval of a temporary cashiering facility. If approved, the facility will be installed on occasions when, due to COVID-related operating restrictions, two zones are implemented at the Casino.
  - (d) Pursuant to condition 7 of its venue licence and condition 12 of its operator's licence, a separate application was submitted for the installation of any hoardings or changes to the gaming product floor plan that may also be required. This application was approved by the Executive Director by delegated approval, on 27 January 2022.
  - (e) Conditions 11 and 12 of its venue licence set out the Commission's requirements in relation to cage and chip bank facilities.
  - (f) As it noted previously in submissions to the Commission, the licence conditions were clearly not designed in anticipation of the deployment of hoardings, and it is not evident from the conditions whether a cashiering facility would need to be available in multiple zones.
  - (g) In the event that a two-zone arrangement is deployed, direct access to a cashiering facility may be limited. Zone 1, which is limited to EGMs, will have a Cash Redemption Terminal which may be used to redeem gaming machine tickets (TITO). In addition, gaming machine attendants, could, if necessary, be used to redeem cancelled credits from EGMs and proper signage would be deployed to give effect to these arrangements.

- (h) Nonetheless, it would be considered best practice to provide a separate facility to other zones to provide customers with cashiering facility options.
- (i) It seeks Commission approval to re-deploy a temporary cashiering facility at the Hamilton casino. The temporary facility will sit in the existing footprint of the Premier Rewards Desk and utilise the existing facilities and furniture. To assist with surveillance, a new felt will be installed on the counter and for security measures, lockable secure cash draws will be installed behind the desk area. The new facility will comply with the Surveillance Standard and be fitted with alarms in accordance with the licence condition.

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

- 6. The Secretary had no regulatory concerns with SHL's proposal.

### **Analysis**

- 7. By decision GC16/21, the Commission approved an application by SHL to install a temporary cashiering facility at the Hamilton Casino. The facility was installed at that time when Hamilton was at Alert Level 2 of the COVID Alert Level system, and the Casino was split into two zones. The approval allowed SHL to operate a cashiering facility within both zones. New Zealand has now replaced the Alert Level system with the CPF and as such, the earlier approval is no longer valid.
- 8. As the Commission noted in decision GC16/21, facilitating cash access at casinos is a matter that requires careful consideration as access to cash has been linked with gambling harm. However, during periods of COVID restrictions, the Commission has provided temporary approvals in order to help prevent the transmission of COVID-19 as doing so helps alleviate congestion. At present, the Omicron variant of the COVID-19 virus is becoming widespread in the community so the re-approval of a cashiering facility on a temporary basis is sensible. Helping to prevent the spread of the COVID-19 virus is a matter that the Commission considers to be highly relevant in the circumstances.
- 9. The Secretary had no concerns with SHL's proposal.

### **Decision**

- 10. The Commission approved SHL's application for approval to install a temporary cashiering facility at the Hamilton casino, under conditions 11 and 12 of SHL's venue licence. The temporary facility may be deployed when Hamilton is subject to COVID-related restrictions and the "two-zone" system is deployed at the Hamilton Casino.

**Right of appeal**

11. 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 that the High Court may allow.



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Lisa Hansen  
Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission

18 February 2022

