

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

**AND** on an application by **SKYCITY CASINO MANAGEMENT LIMITED** and **SKYCITY AUCKLAND LIMITED** for approval of construction and design changes, and to install cash-dispensing EFTPOS terminals

**BEFORE THE GAMBLING COMMISSION**

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

Date of Application: 11 February 2011

Date of Decision: 18 March 2011

Date of Notification  
of Decision: 23<sup>rd</sup> March 2011

**DECISION ON AN APPLICATION BY SKYCITY CASINO MANAGEMENT LIMITED AND SKYCITY AUCKLAND LIMITED FOR APPROVAL OF CONSTRUCTION AND DESIGN CHANGES, AND TO INSTALL CASH-DISPENSING EFTPOS TERMINALS**

**Introduction**

1. SKYCITY Casino Management Limited (“**SCML**”) and SKYCITY Auckland Limited (“**SCAL**”) (together referred to as the “**Applicants**”) applied to the Commission for approval:
  - (a) of design changes to construct a new cashiering facility in the Diamond Room, under conditions 6, 7 and 13 of SCAL’s venue licence, and condition 22 of SCML’s operator’s licence;
  - (b) to install three cash-dispensing EFTPOS terminals in the new cashiering facility, under condition 13 of SCML’s operator’s licence.
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 to serve 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 security/surveillance department.

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

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 to service dedicated areas or rooms. Any such additional facilities must comply with the Surveillance Standard and be fitted with manually triggered and automatic silent alarm systems connected to the security/surveillance department.

#### **Submissions by SCML**

3. The Applicants submitted, in summary, as follows:

- (a) In decision GC33/10, the Commission approved construction and design changes to Levels 2 and 3 of the Auckland casino. In that application, SCAL indicated that it intended constructing a cashiering facility in the extended Gambling Area to be known as the Diamond Bar.
- (b) The facility will be the third cashiering location on Level 2 and is designed to service the needs of guests in the new Diamond Room
- (c) The approval of the Commission is required for the construction of such a facility in accordance with condition 13 of SCAL's venue licence and condition 21 of SCML's operator's licence.
- (d) The facility will comply with the Surveillance Standard and be fitted with manually triggered and automatic alarm systems connected to the Surveillance Department.
- (e) SCML is prohibited from dispensing cash from the EFTPOS devices in the Gambling Area unless approved by the Commission. The Commission has previously approved 22 cash-dispensing EFTPOS terminals in the Gambling Area, although it operates only 14 such terminals at present.
- (f) They propose to operate three cash-dispensing EFTPOS terminals in the new facility, raising the overall number to 17 – well within the approved number of 22.

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

- 4. The Secretary submitted that the proposal raises no issues of regulatory concern.

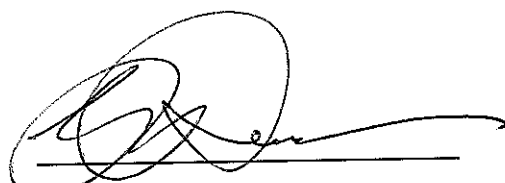
#### **Analysis**

- 5. As part of SKYCITY's ongoing refurbishment of the Auckland casino, the Applicants want to construct a cashiering station with three cash-dispensing EFTPOS terminals in the Diamond Room. The construction and design changes do not raise any issues of regulatory concern for the Commission and the facility will not adversely affect any of the matters set out in condition 7.
- 6. The installation of three cash-dispensing EFTPOS terminals also raises no issues of regulatory concern. As the Applicants submitted, the Commission has previously approved SKYCITY operating up to 22 cash-dispensing EFTPOS terminals in the casino's Gambling Areas. The introduction of three additional terminals will result in a total of 17 terminals.



### Decision of the Commission

7. The Commission approved:
- (a) the construction design changes, under conditions 6, 7 and 13 of SCAL's venue licence and condition 22 of SCML's operator's licence, to allow the Applicants to construct a cashiering facility in the Diamond Room on Level 2;
  - (b) the introduction of three cash-dispensing EFTPOS terminals in the new cashiering facility, under condition 13 of SCML's operator's licence.
- 8 The construction and design changes are to be generally in accordance with the application. The Applicants are to seek the Commission's approval for any variations



Graeme Reeves  
Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission

23<sup>rd</sup> March 2011

