

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 an expanded cashiering facility and additional cash-dispensing EFTPOS terminal)

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: 10 September 2007

Date of Decision: 19 October 2007

Date of Notification
of Decision: 29 October 2007

DECISION

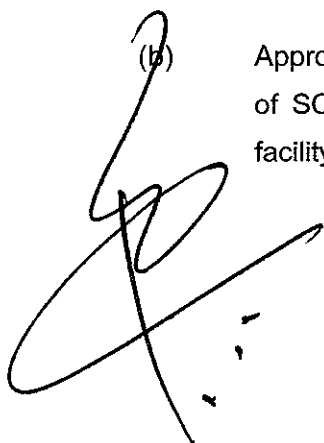
ON APPLICATIONS BY SKYCITY AUCKLAND LIMITED AND SKYCITY CASINO MANAGEMENT LIMITED FOR APPROVAL OF A NEW PERMANENT FLOOR PLAN (WITH AN EXPANDED CASHIERING FACILITY AND ADDITIONAL CASH-DISPENSING EFTPOS TERMINAL)

Applications

1. SKYCITY Auckland Limited ("**SCAL**") and SKYCITY Casino Management Limited ("**SCML**") applied to the Gambling Commission (the "**Commission**") for a range of approvals, as follows:

(a) Approval, under condition 6 of SCAL's venue licence, for design changes to the New City Bar;

(b) Approval, under conditions 6 and 13 of SCAL's venue licence and condition 22 of SCML's operator's licence, for design changes to the southern cashiering facility;



- (c) Approval, under condition 13 of SCML's operator's licence, to install one additional cash dispensing EFTPOS terminal in the southern cashiering facility; and
- (d) Approval, under condition 11 of SCML's operator's licence, of a new permanent floor plan, "L(Perm)Sept".

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

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 they want to:
 - (a) remove the stage from the New City Bar as live entertainment will no longer be offered from this area;
 - (b) redesign and expand the southern cashiering facility, and increase the number of cashier positions from two to three. The design will be identical to that of the western cashiering facility;
 - (c) install an additional cash dispensing EFTPOS terminal in the third cashier position; and
 - (d) to relocate a large number of tables and machines across both levels of the casino.
4. The Applicants submitted that:
 - (a) The redesigned southern cashiering facility will have no impact on:
 - (i) the integrity and fairness of games;
 - (ii) the effectiveness of security and surveillance;
 - (iii) harm prevention, harm minimisation and responsible gambling;

- (iv) potential access to the gambling area by minors;
 - (v) compliance by any person with the Act; and
 - (vi) 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 19 cash dispensing terminals. Approval to operate one further terminal from the southern cashiering facility will bring the total number to 20, under the Commission's approval level;
- (c) The repositioning of the gaming machines and gaming tables will have no bearing on game mix or rate of play, and they will continue to be visible to floor staff and CCTV cameras.

Submissions by the Secretary

5. The Secretary had no objection to the Applicants' proposals.

Analysis

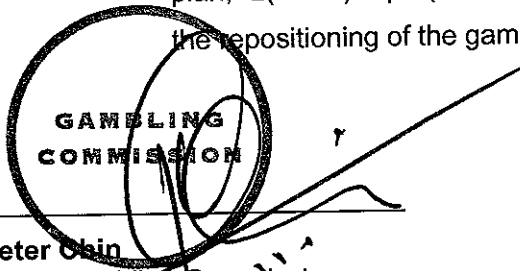
6. The removal of the stage from the New City Bar raises no issues of regulatory concern.
7. The Applicants have applied to expand the southern cashiering facility from two to three cashier positions, with the facility being identical in design to the western cashiering facility, which the Commission approved in decision GC16/07.
8. The Applicants have applied to install one additional cash dispensing EFTPOS terminal in the expanded southern cashiering facility. The Commission noted that the number of cash dispensing EFTPOS terminals would increase from 19 to 20, 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 will not increase opportunities for casino gambling, and raises no other issues of regulatory concern.

Decision

10. The Commission decided to:

- (a) approve, under condition 6 of SCAL's venue licence, the design changes to the New City Bar;

- (b) approve, under conditions 6 and 13 of SCAL's venue licence and condition 22 of SCML's operator's licence, the design changes to the southern cashiering facility. Construction of the facility is to be generally in accordance with the plans **attached** to this decision;
- (c) approve, under condition 13 of SCML's operator's licence, the installation of one additional cash dispensing EFTPOS terminal in the southern cashiering facility;
- (d) approve, under condition 11 of SCML's operator's licence, a new permanent floor plan, "L(Perm)Sept" (which incorporates the abovementioned design changes and the repositioning of the gambling product), **attached** to this decision.



Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

29 October 2007

