

IN THE MATTER of the Gambling Act 2003

AND on an application by **SKYCITY AUCKLAND LIMITED** and **SKYCITY CASINO MANAGEMENT LIMITED** for approval to construct cashiering facilities at the Auckland casino and to relocate EFTPOS terminals

BEFORE THE GAMBLING COMMISSION

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

Date of Application: 14 August 2013

Date of Decision: 13 September 2013

Date of Notification
of Decision:  September 2013

DECISION ON AN APPLICATION BY SKYCITY AUCKLAND LIMITED AND SKYCITY CASINO MANAGEMENT LIMITED FOR APPROVAL TO CONSTRUCT CASHIERING FACILITIES AT THE AUCKLAND CASINO AND TO RELOCATE EFTPOST TERMINALS

Introduction

1. SKYCITY Auckland Limited ("**SCAL**") and SKYCITY Casino Management Limited ("**SCML**") (together the "**Applicants**") applied to the Commission for approval to construct cashiering facilities on levels 1 and 3 of the Auckland casino, under conditions 6, 7 and 13 of SCAL's venue licence and condition 22 of SCML's operator's licence. The Applicants also sought Commission approval to relocate two cash-dispensing EFTPOS terminals on level 3, pursuant to condition 13 of SCML's operator's licence.

Licence conditions

2. The relevant licence conditions are as follows:

SCAL's venue licence

6. The Licence Holder must obtain the approval of the Commission prior to:
 - (a) construction or design changes to Levels 2, 3, 5 and 6 of the casino venue, including the Gambling Area but excluding the SKYCITY Theatre and foyer area, restaurant and bar areas outside the Gambling Area, hotel rooms 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 any building, road or structure within the block of land bounded by Hobson Street, Wellesley Street West, Federal Street and Victoria Street West, including the Casino Venue, Sky Tower, car park, bus terminal and walkways between the casino and the Sky Tower and the convention centre.

The process by which the Licence Holder may obtain approval for construction or design changes to Levels 2, 3, 5 and 6 of the casino venue, including the Gambling Area (paragraph (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 any building, road or structure within the casino block (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 2, 3, 5 and 6 of the casino venue, including the Gambling Area but excluding SKYCITY Theatre and foyer area, restaurant and bar areas outside the Gambling Area, hotel rooms 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.

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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's operator's licence (Auckland)

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.

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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.

Applicants' submissions

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

Level 3

- (a) They want to relocate the Baccarat Room on level 3 to the area currently housing the Nations Clubrooms. This will entail relocating the cashiering station for that facility. Commission approval 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.
- (b) The proposed facility will comprise two cashiering stations, the same as the existing facility. The relocated facility will comply with the Surveillance Standard and be fitted with the necessary alarm systems required under the licence conditions.
- (c) In association with the proposed relocation, any Commission approvals for EFTPOS facilities in the existing Baccarat Room would transfer to, and be recognised in, the new location; it seeks the Commission's confirmation of this.

Level 1

- (d) They also want to develop a new VIP gaming facility on level 1 to replace the Platinum VIP Room on level 3. The area in question has already been approved by the Commission as a Gambling Area.
- (e) The new area will be fitted out with a cashiering facility in accordance with condition 12 of the venue licence. The new facility requires approval in terms of conditions 13 and 22.
- (f) The new site will comprise two cashiering stations, and will comply with the Surveillance Standard and be fitted with the necessary alarm systems. A separate application has been made to the Commission for approval to install an EFTPOS terminal in the new location.

The Secretary's submissions

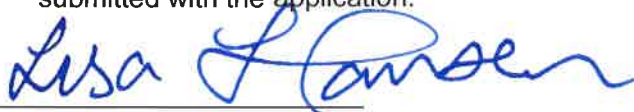
9. The Secretary submitted that the proposals raise no issues of regulatory concern and should they be approved, he will inspect the completed facilities to ensure compliance with licence conditions.

Analysis

10. The Applicants have an existing cashiering facility in the Baccarat Room on level 3. They want to relocate the Baccarat Room from its current location to the area known as the Nations Clubrooms, also on level 3, and to construct a cashiering facility in that area. SCML has provided a plan outlining the proposal, which the Secretary has no concerns with. The proposal did not raise any issues of regulatory concern.
11. The Applicants have also sought the Commission's confirmation that the existing approval for its cash-dispensing EFTPOS terminals in the current Baccarat Room can be transferred and recognised in the new room. Again, this did not raise any issues of regulatory concern for the Commission; there will be no increase in cash-dispensing EFTPOS terminals, rather the terminals will simply be relocated.
12. The Applicants also want to construct a cashiering facility in the new VIP Room on level 1. Again, the Applicants provided a plan of the proposal, which did not raise any issues of regulatory concern.

Decision

13. The Commission approved:
- (a) under conditions 6, 7 and 13 of SCAL's venue licence and condition 22 of SCML's operator's licence, the construction of a cashiering facility on level 3 of the Auckland casino, and the construction of a new cashiering facility on level 1; and
 - (b) the relocation of the two cash-dispensing terminals in the new facility on level 3, under condition 13 of SCML's operator's licence.
14. The new cashiering facilities must be constructed generally in accordance with the plans submitted with the application.



Lisa Hansen
Gambling Commissioner

for and on behalf of the
Gambling Commission
**GAMBLING
COMMISSION**

20 September 2013