



**CANTERBURY CITY COUNCIL**

*City of Cultural Diversity*

## Development Control Plan No. 18

# Amusement Centres

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# **1 INTRODUCTION**

## **1.1 Where does the code apply?**

This code applies to all proposals for the establishment of amusement centres.

## **1.2 What is the purpose of the code?**

The purpose of this code is to set objectives and standards for the establishment of amusement centres. These standards have been formulated so that:

- ❖ amusement centres are established in a location that does not adversely affect the amenity of the area or has an adverse impact on the community.

## **1.3 Can requirements be varied?**

This code sets out what Council is aiming to achieve with amusement centres. The standards set out the ways of achieving these aims.

There may, however, be other ways of achieving the desired results, or there may be circumstances where it is not relevant to comply with a particular provision. If this is the case then you must make a written submission with your proposal outlining the variation, providing reasons why the variation is necessary and setting out how the objectives of the particular provision are satisfied by the proposal.



## **2 DEFINITIONS**

For the purpose of this code:

### **“Amusement Machine”**

An “amusement machine” is a machine, appliance or game table, coin operated or not, mechanically or electronically powered that releases or makes available balls, discs or other items for projection in or on the machine by the use of springs, flippers, paddles or cues, or electronic appliances which are controlled or partly controlled by computer associated with electronic screen(s) operated by one or more players for amusement or recreation.

### **“Amusement Centre”**

An “Amusement Centre” is a premises that contains more than two (2) amusement machines; whether or not this is in conjunction with another use.

### **“Gross Floor Area”**

“Gross floor area” means all floor area within the building, while excluding external walls, stairs, amenities, lifts, plant rooms, space for the loading and unloading of goods, to a maximum of 35sqm for the entire development and carparking needed to meet any requirements of the Council and any internal access thereto.

### **“Public Floor Area”**

Any floor area available for use by the general public, excluding toilets, washrooms, storage area, area used for the preparation and serving of food, any carparking space, space used for the loading or unloading of goods, lift towers, cooling towers, machinery and plant rooms.



## **3 APPLICATION REQUIREMENTS**

### **3.1 Objective**

To illustrate through an application how the objectives and requirements of the code have been satisfied.

### **3.2 Standards**

#### **3.2.1 Development Application**

The following details are required to be submitted with a completed development application form:

- (a) The fee, as determined by Council. In the case of a building or a work, the fee is based on Council's estimate of cost of that building or work;
- (b) Locality sketch showing the distances to residences, schools, churches, hotels, clubs, wine bars and the like;
- (c) Accurate floor plan and layout showing:
  - (i) Number and type of amusement machines
  - (ii) Layout of amusement machines
  - (iii) Toilet facilities and access thereto
  - (iv) Supervisor's location
  - (v) Any partitioned areas and their proposed use
  - (vi) Seating arrangements
  - (vii) Any additional ancillary uses
  - (viii) Entrances and exits
- (d) Carparking layout;



- (e) A written statement indicating the method of supervision and control of the activities, and expected social and recreation benefits that will be achieved by establishment of the centre.

**Note: If inadequate information is submitted, determination of the application will be delayed and the application will be returned to the applicant for completion.**

### 3.2.2 Limited Development Approval

In the public interest, should the application be approved, approval shall be limited for a period of twelve (12) months after which Council will review effects of the use on the amenity of the area and the desirability of issuing a further limited approval and the length of time of any such approval.

### 3.2.3 Advertising

Before determining a development application, the views of the police, owners and occupiers of properties in the neighbourhood shall be sought and taken into consideration.

### 3.2.4 Place of Public Entertainment

A separate approval for an amusement centre is also required as a place of public entertainment under Section 68 of the Local Government Act 1993.

A place of public entertainment includes amusement by means of a ride or device or by any other means (such as pinball machines, video games, exhibitions, sporting events or contests).

Application for such approval may be made if development consent is obtained and must be obtained prior to the commencement of the use. Further information may be obtained from Council's Environmental Services Division.



## **4 DESIGN AND LOCATIONAL REQUIREMENTS**

### **4.1 Objectives**

- (a) To ensure that the location of amusement centres has no adverse effect on the neighbourhood or surrounding uses;
- (b) To ensure that any ancillary uses, to that of the amusement machines, access and carparking, is of a satisfactory standard;
- (c) To ensure that all activities within amusement centres are clearly visible from public areas outside the premises;
- (d) To provide adequate number of parking spaces in relation to the use.

#### **4.1.1 Standards**

- (a) All amusement centres must be located within a General Business zone. Consideration will be given to the suitability of the location of the proposal in respect to:
  - (i) Proximity of schools, churches, hotels, etc.
  - (ii) The nature of adjoining businesses or properties and the likelihood of any adverse effect upon them.
  - (iii) Security of the neighbourhood.

Amusement centres shall be located only in major shopping centres. These centres are:

- ❖ Roselands
- ❖ Campsie
- ❖ Canterbury
- ❖ Belmore
- ❖ Lakemba
- ❖ Earlwood
- ❖ Punchbowl



❖ Hurlstone Park

- (b) Activity areas and ancillary facilities shall be illuminated to an intensity that permits the entire area to be visible from any point including the street frontage.
- (c) The building design and the proposed layout of amusement machines and facilities must be of an open nature without any visible restrictive areas.
- (d) Noise levels on the premises are not to exceed 5dBA above the background noise measured on the boundary of the premises.
- (e) Adequate male and female toilets are to be provided for patrons of the centre; these facilities are to be easily and conveniently accessible which will generally mean that they are to have direct access off the activity area of the centre.

The following rates apply:

- (i) As required by the Building Code of Australia where the requirement is based on the floor area and the number of persons to be accommodated on the premises.

Or

- (ii) **Male** – 1 W.C., 1 urinal, 1 wash basin per 75m<sup>2</sup> of public floor area or part thereof;

**Female** – 1 W.C., 1 wash basin per 75m<sup>2</sup> of public floor area or part thereof;

whichever is the greater.

Advice on Item (i) above may be obtained by contacting Council's Environmental Services Division

- (f) Adequate area shall be provided within the centre to ensure that customers do not overflow onto the public footpath and the centre is to be designed in such a manner to encourage containment of all activities within the centre. One machine for every four (4) square metres of public floor area would be the maximum Council would permit.



- (g) The internal layout of the centre is to be of an open design without separate rooms, partitions or divided off areas for customers. The entire activity area must be readily visible to the general public from the footpath.
- (h) Adequate and suitable seating is to be provided within the centre for patrons.
  - (i) Off-street parking shall be provided on the following basis:
    - ❖ One carspace for every 22.7m<sup>2</sup> of gross floor area.

The off-street parking requirement is applicable to all amusement centre applications. Where a change of use is involved a credit for the existing commercial activity shall be made in determining the parking requirement.



## **5 OPERATIONAL REQUIREMENTS**

### **5.1 Objectives**

- (a) To ensure no conflict is created between the amusement centre and other activities in the neighbourhood.
- (b) To ensure amusement centres are restricted to entertainment activities not related to gambling of any type.

#### **5.1.1 Standards**

- (a) The operational hours shall be regulated so that no interference occurs with schools or the neighbourhood in general particularly adjoining businesses and any dwellings. Generally the opening time will be restricted to not before 10.00 a.m. with the closing time to be assessed on the individual merits of the location, having regard to the closing times of surrounding hotels, clubs and wine bars in the area.
- (b) Under no circumstances can an amusement appliance be operated for profit or reward to the player by means of money or coins.
- (c) No intoxicating liquor or any drugs are to be brought onto the premises and no person under the influence of intoxicating liquor or drugs is permitted to remain upon the premises.
- (d) No person who is in effective control of an amusement centre shall permit to enter or remain thereon:
  - 1. Any person under the age of 12 years, unless accompanied by an adult; or
  - 2. Persons under the age of 15 years except:
    - (i) At an hour or on a day when primary or secondary schools are not open; or
    - (ii) Where the person submits satisfactory evidence that he/she is either not enrolled as a student at a primary or secondary school or if so enrolled, is absent from school with approval of the authorities.



- (e) A sign shall be clearly displayed on the shopfront window of the premises stating the abovementioned age entry requirements.
- (f) The proprietor or his nominee who shall not be less than 18 years old shall be on the premises at all times and the name of the person on duty shall be displayed at all times.

