

DEVELOPMENT CONTROL PLAN NO. 21

- AMUSEMENT CENTRES POLICY -

Adopted Date: 4 April, 1994

Effective Date: 2 May, 1995

1.0 PREAMBLE:

- 1.1 This Policy may be cited as Randwick City Development Control Plan - Amusement Centres for the purposes of any planning instrument applying to all or part of the City.
- 1.2 This Policy is intended to give potential applicants an indication of the considerations Council would make in assessing a development application for the establishment of amusement centres.

2.0 PRINCIPAL OBJECTIVES:

- 2.1 To define and clarify the various types of amusement machines and centres and to regulate and control such establishments.
- 2.2 To ensure that the location, design and activities with "amusement centres" have the minimum adverse effect on the neighbourhood or surrounding uses.
- 2.3 To ensure that amusement centres are restricted to entertainment activities not related to gambling of any type and the conduct of patrons is orderly.

3.0 APPLICATION REQUIREMENTS:

- 3.1 Development consent must be obtained prior to the establishment of amusement centres.
- 3.2 The following information will be required by Council with the submission of a development application:
- Locality sketch showing approximate distances to schools, Churches, hotels, wine bars and the like.
 - Accurate floor plan and layout showing:
 - number and type of amusement machines;
 - layout of amusement machines;
 - toilet facilities and access thereto;
 - any partitioned areas and their proposed use;
 - seating arrangements;
 - any additional ancillary uses;
 - entrances and exits.
 - Daily hours of operation, and;
 - Car parking layout (if applicable).

3.3 *Fees:*

Development application fee	:	As per Council's adopted fee scale
Advertising fee	:	\$150.00

4.0 **DEFINITIONS:**

4.1 *Amusement Machines*

- (i) A machine, appliance or game table, coin operated or not, mechanically or electronically powered that releases or makes available balls, disks or other items for projection in or on the machine by the use of springs, flippers, paddles or cues.
- (ii) Electronic appliances which are controlled or partly controlled by computer associated with visual display screen(s) operated by one or more players for amusement or recreation.
- (iii) Shooting galleries or similar devices.

4.2 *Amusement Centres*

An amusement centre is a premises that is used or intended for use principally for the playing of amusement machines (ie. containing five or more amusement machines or occupying more than 30% of the "floor area" of the premises). Premises may be used as amusement centres in conjunction with associated recreational facilities and other purposes.

5.0 **DESIGN, LOCATION AND OPERATIONAL REQUIREMENTS:**

Location

All proposals must be within the appropriate zoning permitted by the Local Planning Scheme (ie. business zones). Consideration will be given to the suitability of the location of the proposal in respect to:

- Proximity of schools, Churches, hotels, etc.
- Nature of abutting businesses or properties and possibility of any adverse effect upon them.
- Security of the neighbourhood.
- Whether the subject property is readily visible to the general public, or in an arcade or other area of restricted exposure.

Lighting

- 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.

Layout

- The building design and the proposed layout of amusement machines and facilities must be of an open nature without any visually isolated areas.

Noise

- No noise in excess of 5dB above background noise shall be permitted to emanate from the premises measured at the boundary of the property.

General

- The number of machines permitted shall not exceed the floor area in square metres occupied by machines divided by five (ie. one machine per 5m²).
- Applicants are encouraged to locate amusement centres at the ground floor level (at street entrance level).
- Public pedestrian access shall be restricted to the street frontage (subject to no infringement of Building Code of Australia requirements).
- The internal layout is to be of open design without separate rooms, partitions or divided-off areas available to the customers. The entire public floor area must be readily visible from the footpath.
- Access to male and female toilet facilities shall be provided.
- Where the amusement centre is to be used in conjunction with associated recreational facilities and/or refreshment rooms, the following additional requirements will apply:
 - The minimum area for seating (at tables) for consumption of food and beverages is to be 20% of the floor area of the premises.
 - Eating and drinking facilities shall be of the standard normally expected in a "refreshment room".

6.0 OTHER REQUIREMENTS:

6.1 *Public Notification*

The Council shall, before determining an application for development consent:

- (i) Give notice of the receipt of an application in a newspaper circulating within the locality.
- (ii) Affix a sign to the subject site indicating the nature of the proposed use of the land.
- (iii) By written notice, seek the views of the Police and owners of adjoining property; and,
- (iv) Allow a period of fourteen days from the date of the notice, during which any person may lodge with the Council written objection to the proposed development. Such objections are to state the grounds upon which they will be adversely affected.

6.2 *Car Parking*

Off-street car parking shall be provided on the following basis:

- Generally, one space for each five amusement machines.

Exception: For pool tables and the like, two spaces are required per table.

Note: The on-site car parking requirement is applicable to all amusement centre development applications. Where a change of use is involved, a credit for the existing commercial activity shall be made in determining the on-site car parking requirement.

6.3 *Hours of Operation*

The operational hours shall, dependent upon the amenity of the area, be regulated so that no interference occurs with schools or the neighbourhood and the establishment must close prior to the closing of hotels, wine bars or bistros in the neighbourhood.

6.4 *Structural Adequacy*

In existing buildings it is required that the applicant satisfies Council as to the capacity of the floor system to support the loads imposed by billiard tables, amusement machines and the like.

6.5 *Conduct of Patrons*

Premises shall be conducted in an orderly manner at all times and in particular the proprietor shall be responsible at all times to ensure that:

- (i) No person under the age of 12 years unaccompanied by an adult shall be permitted to enter or remain on the premises or in that portion of the premises in which the amusement devices are located.
- (ii) No intoxicating liquor or any drugs shall be brought onto the premises and no person under the influence of intoxicating liquor or drugs shall be permitted to remain upon the premises.
- (iii) No gambling shall be permitted and no monetary prize shall be offered as a reward for skill in playing any machine.

6.6 *Development Consent*

Development consent to establish an amusement centre may be conditioned to operate for a period not exceeding 12 months from the date of approval.

Before the 12 month consent period has expired, an application to renew a consent shall be made to Council (no later than one month prior to the expiration date). Failure to renew Council's consent, will render the approval void.

The annual review of an amusement centre will enable Council to strictly monitor the impact of an amusement centre in relation to adjoining landuses and the surrounding locality generally.
