

# Place of Assembly

The purpose of this fact sheet is to provide guidance with relation to Place of Assembly permits, including when a permit is required, how to apply and considerations that may need to be made.

A Place of Assembly is defined within the Macedon Ranges Planning Scheme as:

*“Land where people congregate for religious or cultural activities, entertainment or meetings”*

Common uses/activities which are included within this definition are:

- Conference centres
- Concerts/music festivals
- Advertised events or activities where people visit to see and/or learn about something
- Wedding ceremonies and reception venues/events
- Tourist attractions or facilities for tourists
- Galleries and exhibitions
- Amusement parlour or venue
- Festivals and events

\* This is not a comprehensive list and is intended as an example only.

Activities such as those listed above, commonly fall within the land use definition of ‘Place of Assembly’ for planning purposes. A place of assembly does not include a person using their own land for private/non-commercial social activities associated with using their land for a dwelling, such as hosting a barbecue or party.

This fact sheet does not relate to:

- A Place of Worship which is defined as *“Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple”*, which is defined separately in the Macedon Ranges Planning Scheme.
- Carnivals and Circuses which are regulated via *A ‘Good Neighbour’ Code of Practice for a Circus or Carnival*.

For more information regarding these two uses please contact the Planning Department.

**Important note:** Different versions of Places of Assembly are regulated differently. In some instances, it may be possible to conduct an event or festival on public land without a Place of Assembly permit, this is subject to completing **Council's Event Notification Process**.

The process involves submitting a **Proposed Event Notification Form** ([www.mrsc.vic.gov.au/event-planning](http://www.mrsc.vic.gov.au/event-planning)) at least eight weeks prior to your event. Once the form is received and assessed, event organisers will be provided with advice on actions that may need attention, permits that may be required, assistance that may be available and promotional opportunities.

Further information to assist organisers plan and manage events in the Macedon Ranges can be found in the **Events & Festivals Planning Guide** ([www.mrsc.vic.gov.au/event-planning](http://www.mrsc.vic.gov.au/event-planning)). It offers information on the roles and responsibilities of organisers and provides guidance to assist with delivering events that are sustainable, successful and compliant with state legislation and Council policies.

For further advice on the Event Notification Process please contact Council's Events & Festivals Officer on 54219 521.

For further advice on Place of Assembly please contact Council's Planning Department on 5422 0333.

It is important you discuss your proposal and plans before promoting your activity or confirming arrangements.

## Planning information

A Planning Permit is required in all instances for a Place of Assembly located in:

- General Residential Zones
- Neighbourhood Residential Zones
- Commercial Zones
- Industrial Zones (1 and 3)
- Low Density Residential Zones
- Rural Living Zones
- Farming Zones
- Township Zones
- Urban Growth Zones

Places of Assembly are prohibited in:

- Industrial Zones (2)
- Rural Conservation Zones

Note: Exemptions in prohibited zones may apply in some instances or where existing use rights can be demonstrated.

Many parts of the shire also have planning overlay controls. More common are the Bushfire Management Overlay and Environmental Significance Overlay. These controls exist over large areas of the shire and reflect areas which are at greater risks of bush fire or are located within proclaimed water catchment areas. These controls may also affect how a proposal to use the land for a Place of Assembly is considered.

For further information on the zones and overlays mentioned above, please visit

<http://planning-schemes.delwp.vic.gov.au/>

Places of Assembly can have significant effects on the amenity of surrounding properties and the environment in terms of noise, odour, traffic, dust, waste, lighting etc. It is important for you to consult with Council well in advance of any substantial planning or promotion of an event/activity. This will allow enough time in the planning permit process, to consult with people who may be affected by the proposal. If you are unsure or would like to talk to a planner, you can contact 5422 0333.

To apply for a permit, you must complete a planning permit application form, available from Council's website, [www.mrsc.vic.gov.au](http://www.mrsc.vic.gov.au) or pick up a copy from any of Council's customer service centres.

## Preparing your application

While all applications for a Place of Assembly are assessed on their individual merits, when thinking about using your land, choosing a location or planning an event, you should give consideration to the zoning provisions of the land, the characteristics of the site and the locality of the area. The following general requirements are suggested for your consideration. Ultimately once you have firmed up your idea and a site, it is preferable that you discuss your proposal with Council's planning department before preparing an application.

It is important that Places of Assembly are located in areas with good access. They should be via a sealed road rather than a gravel road. If located on a gravel road, preferable sites are those located at the front end of an access road rather than located internally or at the end of a road requiring the passing of many dwellings or properties. Access points onto a site should be located away from existing dwellings or properties.

### Other considerations:

- Avoid sites which are located in either severe or extreme fire risk locations.
- Avoid sites and locations where adequate separation between differing uses and or water ways cannot be achieved. For example buildings must be located at least 30m from a waterway and any waste water treatment facility must be located at least 100m of a waterway.
- Avoid sites where the grade of the land will make it difficult to hold an event without extensive works having to be made.
- Avoid sites where from an access perspective it is not possible to gain clear unobstructed views of oncoming traffic. For example, aim for sites where it is possible to achieve at least 100m clear site distance view both ways from the entry/exist points onto the land.

### Other important information

The use of a site for a Place of Assembly should not adversely impact on:

- the surrounding and nearby land uses
- the amenity of residents or the character of the area
- the existing natural environment
- existing local infrastructure.

Depending on your proposed activities, you may also need to consider:

- Parking and onsite traffic management
- Traffic management works outside the site in order to provide for safe access and egress
- Accessibility within your site
- Waste management and the relevant permits

- Liquor licencing
- The preparation and service of food & beverages and the relevant permits
- Permits for the construction of temporary and/or new structures
- Opening hours
- Noise (in some cases an acoustic report may be required)
- Event and risk management
- The need for a Place of Public Entertainment (POPE) approval pursuant to the Building Act

## Planning permit application checklist

Once you have chosen a site and have spoken to a planning officer about the idea, you will be ready to prepare an application.

### **For all planning applications the following **MUST** be provided:**

- ☛ An Application form completed and signed.
- ☛ The prescribed application fee.
- ☛ A full current copy of Title for the land showing the plan of subdivision and current ownership details (a recent Title search carried out within the last 3 months – can be obtained from <https://www.landata.online/>)
- ☛ A full copy of instrument and transfer if a registered restrictive covenant, restriction, and/or Section 173 agreement applies to the land.

In addition to the information required above for all planning applications, the following may be required depending on your proposal. To determine what information would be required for your unique proposal, arrange a free pre-application meeting with a Council Planner.

- ☛ Three (3) copies of an existing conditions plan drawn to a scale of 1:100 or 1:200 and fully dimensioned. The plans must show your subject site in its current condition:
  - Existing uses on adjoining properties.
  - The built form, scale and character of the existing site and surrounding development.
  - Nearest residential properties.
  - Location of habitable room windows facing the subject site.

- ☛ Three (3) copies of proposed plans drawn to a scale of 1:100 or 1:200 and fully dimensioned. The plans must show:
  - The Title boundaries and dimensions of the site.
  - Adjoining roads.
  - The location of all buildings and uses proposed on the site, internal details of the buildings, the proposed use of the components of the building, and the total floor area to be occupied by the proposed use/s or activities.
  - If new buildings and works are proposed, levels of the site and the difference in levels between the site and surrounding properties.
  - All driveway, car parking and loading areas.
  - Existing and/or proposed vehicle crossovers, including the distance of the proposed crossover to the canopy and trunk of any street tree located on the street frontage.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Details of any signage proposed, including the location, area and whether the sign/s are proposed to be illuminated.
- ☛ For licensed premises, provide a red-line plan to indicate where the service of alcohol will occur on the site, the location of bottle storage and removal arrangements, including hours of pick up. Also nominate the licence type proposed. The red-line plan must not include any areas of the footpath in the red line.
- ☛ A written description of how the proposal will operate on the land including:
  - Proposed days and hours of operation.
  - Maximum number of patrons.
  - Maximum numbers of staff.
  - Details of any music to be played on the site and indicate if it is to be background music.
  - Security arrangements for the venue.
- ☛ A Venue and Patron Management Plan that specifies the following:
  - Hours of operation of all parts of the premises.
  - Patron capacity.
  - Patron security.
  - Pass out process.
  - Identify all queuing areas provided on private property.
  - Complaint handling processes.
  - Staff training for patron management.
  - Management of outdoor areas.
  - Noise attenuation measures.
  - Outdoor smoking areas.

- Music provision.
- Lighting outside the premises.
- Waste and recycling storage and disposal (including hours of collection).

ⓘ If live music is proposed, a written response to Clause 52.43-4 (Live Music and Entertainment Noise) which is:

- A site analysis, including plans detailing:
  - The existing and proposed layout of the use, buildings or works, including all external windows and doors.
  - The location of any doors, windows and open space areas of existing properties in close proximity to the site.
  - The location of any noise sensitive residential uses within 50 metres of the site.
  - The days and hours of operation of that venue,
  - The times during which live music will be performed.
  - Details of existing and proposed acoustic attenuation measures.

ⓘ If the proposal requires a reduction of car parking spaces pursuant to the requirements of Clause 52.06 of the Macedon Ranges Planning Scheme, a justification is required. Clause 52.06 sets out application requirements for an application to reduce the car parking requirement.

ⓘ For licence premises applications—Clause 52.27 (Licenced Premises) of the Macedon Ranges Planning Scheme requires consideration of ‘the cumulative impact of any existing licenced premises and the proposed licenced premises on the amenity of the surrounding area’. The following information is required to enable Council to assess the cumulative impact of the proposal:

- Location of existing licence premises within close proximity to the subject site.
- The type of licenced premises within close proximity to the subject site.
- Are meals proposed to be served or is food available?
- Will the proposal include background, live or recorded music?

ⓘ An acoustic report prepared by a suitably qualified person if located close to existing dwellings.

ⓘ A Land Capability Assessment (for all un-sewered sites) prepared by an appropriately qualified professional, which demonstrates that the land is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

ⓘ A Land Management Plan detailing how the site is to be maintained or improved in response to the proposal. This is particularly required for sites within special interest or environmental areas.

- ☞ If located within a Bushfire Management Overlay, any buildings and works associated with a Place of Assembly may require a Bushfire Management Statement.

Once all information is received, your application will undergo an assessment and referral process. Council will refer the application to various teams and authorities for their comments as required by the planning scheme.

Your application will most likely also require you to formally notify affected and surrounding landowners/occupiers of the proposal. Once on notification, further consideration of the proposal is suspended for at least 14 days to provide opportunity for feedback.

## More information

We strongly recommend a pre-application meeting with a town planner to discuss your plans before you submit your application. Bookings are essential.

For more information about the planning application process, visit [www.mrsc.vic.gov.au](http://www.mrsc.vic.gov.au), contact 5422 0333 or email [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)