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***FORM 15***

***BUILDING ACT 1993***

**BUILDING REGULATIONS 2018**

**Regulation 186**

**APPLICATION FOR TEMPORARY OCCUPANCY PERMIT**

**FOR A PLACE OF PUBLIC ENTERTAINMENT**

**BUILDING ACT 1993 PART 5 DIVISION 2**

**TO:**

**Municipal Building Surveyor**

**CITY OF YARRA**

**FROM:**

Name: (Agent/Owner):……………………………………………………………………………………………………………………………………….

Postal Address:…………………………………………………………………….. Postcode: …………………………………………………

Contact person:………………………………………………………………………………………………………………………………………………..

Telephone:……………………………………………………………… Facsimile:………………………………………………….  
Building Practitioners no: …………………………………………

*In accordance with Section 54 of the Building Act 1993, I hereby apply for a Temporary Occupancy Permit for the site at:-* **Property Details**

Name of Event:………………………………………………………………………………………………………………………………………………..  
Location of Event: Number:……………… ……………….Street/Road:……………………………………………………………………….

Suburb:……………………………………………. Melways Ref:……………………………………………………..

**DATES AND TIMES OF EVENT:**

Starting Date:…………………………………………………………….. Finishing Date:……………………………………………………………….  
Starting Time:…………………………………………………………….. Finishing Time: ………………………………………………………………

Attending population (on site at any time): ………………………… Spectators/Patrons: ……… Employees/ Participants: ………

**Place/s of Public Entertainment**

|  |  |  |
| --- | --- | --- |
| **Part of Building/Ground** | **Intended Use** | **BCA Class** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

**Note:**

1. At least 15 working days’ notice is required for the processing of the Division 2 Occupancy Permit.
2. All events on City of Yarra controlled land must first be approved by Council’s Events Permits Unit. Phone 9205 5205
3. Events on City of Yarra’s park, gardens or reserves must be approved by Open Space & Recreation Unit.
4. Events on Council roadways or footpaths must be approved by Construction Management Permits Unit Phone.

**Applicant’s declaration**

I am authorised to apply for this permit on behalf of the client …………………………………………………………………….. and I hereby undertake to comply with requirements of the Building Act 1993, Building Regulations 2018, the Building Code of Australia and any special conditions as required by an Authorised Person.

**Applicant’s signature:** …………………………………………………………….. **Date:** ……………………………………………………………….   
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Info Sheet

PLACES OF PUBLIC ENTERTAINMENT &

TEMPORARY OCCUPATION OF BUILDINGS

1. Application

This information sheet is to assist those proposing to carry out public entertainment or to temporarily occupy a building where there is not an occupancy permit appropriate to the use of the building or place.

2. Place of Public Entertainment

The Building Act & Building Regulations require an Occupancy Permit to be issued by a Building Surveyor prior to the use of a Place of Public Entertainment,

**This applies to the following:**

Buildings, places or a combination of both having an area greater than 500m2 where (R 206):-

(a) The building/place is enclosed or substantially enclosed.

Substantially enclosed means 2/3 or more of the perimeter of the site is enclosed (by fencing, post and railing, natural features, structures or the like); or

(b) Admission is gained by payment of money or the giving of other consideration (S 3) **unless**

(i) the place is used for the purposes of conducting an event or activity which is organised and controlled by a community-based organisation: and

(ii) the number of persons in the place at any one time during the event or activity does not exceed 5000.

3. Prescribed Temporary Structures

Are described in the Building Regulations as;

(a) tents, marquees or booths with a floor area greater than 100m2;

(b) seating stands for more than 20 persons;

(c) stages or platforms (including sky borders and stage wings) exceeding 150m2 in floor area;

(d) prefabricated buildings exceeding 100m2 other than ones placed directly on the ground surface.

Each Prescribed Temporary Structure or permanent structure in each section is to include:

* Copy of the Victorian Building Authority (VBA) Occupancy Permit (OP)
* Plan of the structure to scale detailing floor layout & any current or proposed fire safety system (fire safety systems including fire extinguishers, fire blankets, emergency lights, exit signs and exit widths

4. Siting of Prescribed Temporary Structures

The siting of temporary structures is subject to the approval of the Municipal Building Surveyor.

The erection of temporary structures must be carried out by registered Building Practitioners. (S 57). Generally, structures are not to be sited closer than 3m apart and egress is not to occur under guide ropes, where applicable. Any sharp objects, pegs, and tripping hazards are to be barricaded with Para webbing or similar.

Temporary structures not required to be issued with a VBA Occupancy permit require documentation to be supplied to council to the satisfaction of the Municipal Building Surveyor including;

* Approved Form-Certificate of Compliance- Design and drawings from a registered engineer
* Documentation detailing fire hazard amenities and Fire safety

5. Temporary Occupation of Buildings

A person may, with the approval of a Building Surveyor, occupy on a temporary basis a building for which there is not or could not be issued an occupancy permit appropriate to the use of the building (S 64).

6. Compliance

The above scenarios require approval under the Building Act prior to the commencement of work and the use. *Please contact Yarra Building Services on telephone 9205 5585.*

Applicants must also contact the following Council Units to ascertain if additional approvals are required.

Council Planning office Ph 9205 5373 Construction Management Support Ph 9205 5585

Public Health Ph 9205 5019 Facilities and Events Ph 9205 5205

7. Process

(a) POPE Application is submitted together with the fees and required information:

**INFORMATION REQUIRED FOR A TEMPORARY OCCUPANCY PERMIT AND/OR A PLACE OF PUBLIC ENTERTAINMENT**

7.1 (i) Planning approval;

(ii) Copy of Title

7.2 (i) Site plan indicating the location of the site to a scale of not less than 1:500 or other approved scale

(ii) Layout plan (to a scale of not less than 1:100 or other approved scale) showing the dimensions & location of the marquees, tents, stages, platforms, seating stands, prefabricated buildings or booths.

(iii) Where an existing building (or part) is proposed to be used, the drawings must show compliant disabled persons access (dimensioned scale plans and elevations to be provided demonstrating compliance), fire hydrants, hose reels, fire extinguishers, exits, path of travel to exits, exit signs and emergency lighting.

7.3 Emergency Management and evacuation manual and plans showing the location of emergency assembly areas with direct access to the street. Number of fire safety officers & first aid/ambulance officers attending to be included.

7.4 (i) A copy of the Occupancy Permit, (including all associated documentation forming part of the approval), from the Victorian Building Authority for any proposed marquee, tents, booths, stages, platforms, prefabricated buildings or seating stands.

(ii) Method showing the fixings of the marquee, tents, seating stands stages, platforms, prefabricated buildings or booths.

7.5 Where building work has occurred/is occurring, the applicant is to provide a Certificate of Final Inspection or Occupancy Permit for these areas OR the subject areas are to be excluded from the application.

7.6 Details of ownership of the location (public or private).

7.7 For buildings, details of fire safety systems together with a maintenance statement from the specialist maintenance contractor for all of the Essential Safety Measures and a copy of the ‘Annual Essential Safety Measures Report.’

7.8 Designation of exits and paths of travel to exits (dimensioned and shown on the scaled drawings). *Removable fencing/barricading will not be accepted as exits. Oversized Exit signs to be provided to direct the public to exits.*

7.9 Location of safety barriers and hoardings to control access to unsafe areas, areas with specific hazards or the like.

7.10 Engagement of safety officers and their responsibilities. A minimum two (2x) designated safety officers are required for any event with additional prescribed safety offices provided at the rate of 1x safety officer per 500 patrons. Contact details including the name and mobile phone numbers and the relevant experience and qualifications of the appointed event “Designated Safety Officers” is to be provided.

7.11 Location and numbers of sanitary facilities including accessible toilets, first aid area, drinking fountains or drinking taps.

7.12 (i) Number of employees and patrons

(ii) Hours of use

(b) Upon approval, setting up of the site, building or both can take place in accordance with the endorsed approval documentation including drawings.

(c) Once setting up of the site, building or both has occurred, the applicant can request a final inspection. Councils Building Office generally carries out inspections between 9.00am to 3.30pm Monday to Fridays excluding public holidays.

(d) Upon a satisfactory final inspection, Councils building office will issue an Occupancy Permit or Temporary Occupancy Permit, which permits the subject area to be used & occupied in accordance with the approval documents and any conditions within.

8. Temporary Tiered Seating, Concourses & Embankments (Refer to BCA Vic H102.2)

9. Sanitary & Amenity Facilities (BCAVic H102.4)

Sanitary and amenity facilities in places of public entertainment must be provided as follows:

(a) In places other than buildings:

(i) One closet fixture for every 200 female patrons or part thereof.

(ii) One closet fixture or urinal for every 200 male patrons or part thereof, at least 30% of which must be in the form of closet fixtures.

(iii) One washbasin for every 200 patrons or part thereof.

(iv) For use by disabled persons, one unisex facility within the meaning of Part F2 of the BCA for every 100 closet fixtures or part thereof *required* under (i) and (ii).

(v) One drinking fountain or drinking tap for every washbasin *required* under (iii).

(vi) First aid facilities in accordance with Vic F2.101.

(b) In buildings, as *required* to comply with BCA Part F2.

10. Further Information

For further information please contact Yarra Building Services on telephone 9205 5585.

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