

SITING OF PRESCRIBED TEMPORARY STRUCTURES

Building Act 1993

Building Regulations 2018

Legislative Provisions

Building Act 1993

- S3 "prescribed temporary structure" includes a temporary structure in a prescribed class of temporary structures; "temporary structure" includes –
- (a) A booth, tent, marquee or other temporary enclosure, whether or not a part of the booth, tent, marquee or enclosure is permanent; or
 - (b) A seating structure whether enclosed or not, including a mobile seating structure.

S57 Prescribed temporary structures – Special Provisions.

- (1) An occupancy permit for a prescribed temporary structure may be issued on condition that –
 - (a) The siting of the temporary structure in any municipal district is subject to the approval of the municipal building surveyor of that district; and
 - (b) The erection of the temporary structure is carried out by registered building practitioners.
- (2) More than one occupancy permit can be issued for a prescribed temporary structure but each occupancy permit must not be issued for a period longer than 5 years.

Building Regulations 2018

Reg. 207 Prescribed temporary structures

For the purposes of the definition of "prescribed temporary structure" in section 3 of the Act, the following are prescribed classes of temporary structures, if those structures do not form part of any other building other than a temporary structure or temporary building—

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

Reg. 210 Conditions of Use

Without limiting the conditions that are required under these Regulations or which can be included on an occupancy permit, an occupancy permit for a place of public entertainment may be issued subject to conditions relating to—

- (a) the engagement of safety officers to be in attendance at the place of public entertainment to provide for the safety of the public;
- (b) the safety training qualifications to be held by any person engaged as a safety officer as required by the chief officer or the Authority;
- (c) the responsibilities of the safety officer which include— (i) the operation of fire safety elements, equipment and systems;
 - (ii) the establishment and operation of evacuation procedures;

- (iii) the safety of barriers and exits;
- (iv) the control of the use of naked flame in theatrical productions;
- (d) the exclusion of the public from unsafe areas;
- (e) the keeping, testing and storage of flammable material or explosive items and equipment in a safe manner, to the extent that this is not required by any other Act or regulations;
- (f) the ignition of fireworks and the discharge of pistols or other shooting devices in a safe and responsible manner, to the extent that this is not required by any other Act or regulations;
- (g) the location and designation of passageways and exits;
- (h) the availability of public toilet facilities and the condition of those facilities.

Reg. 212 Structural design of structures

Prescribed temporary structures must be designed in accordance with engineering principles to provide for their structural safety and the safety of the public and other persons using them.

Assessment Criteria

Approval for the siting of a prescribed temporary structure will generally only be granted when:

- (a) Installation and removal of the structure are to be undertaken by a registered erector of temporary structures.
- (b) The proposal complies with all conditions of the Occupancy Permits for the proposed structures.
- (c) The required number of toilet facilities have been provided for the event.
- (d) The proposed parking and traffic management are considered adequate for the number of vehicles expected at the event.
- (e) The location and use of the temporary structures complies with all requirements of the Monash Planning Scheme.
- (f) Proposed work will not adversely affect any existing structures or assets in easements.

Assessment Procedure

(1) Application to a made to the Municipal Building Surveyor preferably with a fourteen (14) day lead time. The application must include the following:

- A completed application form including details of person(s) registered as Erectors of Temporary Structures by the Victorian Building Authority
- A full site plan for the property. This must show details of:
 - all existing buildings,
 - The proposed temporary structures,
 - The required toilet facilities
 - Car parking and traffic management for the event.
 - Structural details of the proposed temporary structures.
- A current Occupancy Permit issued by the Victorian Building Authority for all proposed temporary structures.
- Copy of title, plan of subdivision and any covenants or agreements listed on the title.
- Payment of the application fee.

(2) The site plan, title and application form will be referred to Monash Town Planning and Monash Engineering.

(3) Responses from Planning and Engineering to be provided to the Municipal Building Surveyor detailing any problems regarding the siting of the temporary structures and provision of parking and traffic management for the event.

(4) Building Unit to check the application with regard to the assessment criteria and issue consent or refusal as appropriate.