# HOW TO DETERMINE IF AN OCCUPANCY PERMIT OR SITING APPROVAL IS REQUIRED

Is the building or place / venue used or intended to be used for the purpose of Public Entertainment?
**Note:** Public Entertainment is defined as an "Entertainment or meeting to which admission may ordinarily be gained by members of the Public".

↓YES

↓NO → Occupancy Permit / Siting Approval not required.

Does the building or place / venue have an area greater than 500m²?

↓NO → Occupancy Permit not required.

↓YES

Is the building or place / venue "enclosed or substantially enclosed"?
**Note:** Enclosed or substantially enclosed" is considered to be a controlled space (by fencing, structures, or natural features) that a reasonable person would see as being an exclusive area.

↓NO

NO ← Is admission to the building or place / venue gained by payment of money or giving of other consideration?

↓YES

↓YES (to right)

Is the event organised and controlled by a Community Based Organisation?
For the purpose of definition a "*community-based organisation*" means a body, whether or not a corporate body that:
- is not established primarily for the purpose of profit or gain; and
- does not distribute any part of any profit or gain made in the conduct of its activities to any members of the organisation; and
- operates in a community wholly for:
  - a philanthropic or benevolent purpose, including the promotion of art, culture, science, religion, education or charity; or
  - any sporting or recreational purpose, including the benefiting of any sporting or recreational club or association.

↓YES

Does the number of persons attending the community based organisation event exceed 5000 at any one time?

↓YES

↓NO

Is the building or place / venue contained within a "Prescribed Place of Public Entertainment"? ie "Skilled Stadium" (Kardinia Park Geelong) or "Melbourne Cricket Ground".

NO ←

↓YES

Application for Permit for a Prescribed Place of Public Entertainment to be made to the Victorian Building Authority.

NO ← Application for Occupancy Permit for a Place of Public Entertainment to be made to the Municipal Building Surveyor.
**Note:** Private Building Surveyors may only issue a Permit for a Place of Public Entertainment where a related Building Permit is required for building work.

↓ALSO

ALSO →

Does the proposal include any "Prescribed Temporary Structures"? ie:
- tents, marquees or booths with a floor area greater than 100 m²;
- seating stands for more than 20 persons;
- stages or platforms (including sky borders & sky wings) exceeding 150 m2 floor area;
- pre-fabricated buildings exceeding 100 m².

↓NO → Siting Approval not required.

↓YES

Occupancy Permits for "Prescribed Temporary Structures" must obtained from the Victorian Building Authority.
**Note:**
- Siting of any prescribed temporary structures must be approved by the Municipal Building Surveyor.
- Erection of Prescribed Temporary Structures must be carried out by the Relevant Registered Building Practitioners.
- Certificate of Compliance-Inspection must be issued by Relevant Building Practitioners when structures erected.
- Certificate of Compliance-Inspection Siting Approval & Occupancy Certificate to be displayed on the structure.