



City of Kingston

Places of Public Entertainment (POPE)

Fact Sheet

2025

Place of Public Entertainment (POPE) FACT SHEET

What is a Place of Public Entertainment?

A Place of Public Entertainment (POPE) is defined as an area greater than 500m², which is enclosed or substantially enclosed by a fence, barrier, or other feature which is used for public entertainment.

A place can be enclosed by a variety of different means. Without limiting, this could be by obvious physical means such as gates or temporary barriers or it could include the use of natural features of the land or place, or by using security staff or the like to delineate or limit access to the area.

Are you considering having any event that will use an area greater than 500m²?

Pursuant to Section 49 of the Building Act 1993 a person must not conduct public entertainment (event) or occupy a POPE unless an Occupancy Permit (OP) has been issued by the Municipal Building Surveyor (MBS). This requirement binds both, the Crown, State and Federal Government and their agencies.

Is the event to be held within the City of Kingston's parks, gardens or reserves?

Any event held within the City of Kingston's parks, gardens or reserves must be approved by the Festivals and Events team contact - events@kingston.vic.gov.au.

Is the event to be held on any Council controlled roadways or footpaths?

Any event held on Council controlled roadways or footpaths must be approved by the Festivals and Events team contact - events@kingston.vic.gov.au.

Are you erecting any Prescribed Temporary Structures, Non-Prescribed Temporary Structures (including Scaffold Structures, Access Platforms, Gantries, Towers or the like)?

Additional Siting Approvals may be required for any Structures built or occupied prior to the issue of the POPE.

A Prescribed Temporary Structure is;

- A stage or platform exceeding 150m²
- A tent, marquee or booth with a floor area greater than 100m²
- A seating stand that accommodates more than 20 persons
- A prefabricated building ^{Note 1} with a floor area exceeding 100m²

which is used as an assembly building/place of public entertainment.

A Non-Prescribed Temporary Structure is:

- A stage or platform 150m² or less
- A tent, marquee or booth with a floor area 100m² or less
- A seating stand that accommodates 20 persons or less
- A prefabricated building ^{Note 1} with a floor 100m² or less.

which is used as an assembly building/place of public entertainment.

Note 1: Prefabricated buildings such as Construction sheds are not exempt from the building regulations if used outside of the context of being occupied for building works. Schedule 3 of the building regulations

Item 6 states:

“A building used only temporarily for the duration of **building work** for—

- (a) construction purposes; or
- (b) display purposes.”

Application for an Occupancy Permit must be made to the MBS at least 20 working days (1 month) prior to the commencement of the event.

For events of a major nature, advice and briefing sessions are available and additional time will be required to assess the entire application.

Please note:

- All permits must be obtained prior to occupying the event. Failure to comply with these requirements may result in penalties and fines being issued and include the cancellation of the event.
- Applications for Events in Laneways or directly adjacent to private property will require consideration of all surrounding premises, exits etc
- For more information on any of the issues covered in this fact sheet, please contact City of Kingston Building Department on 9581 4130.

Applications are required to be presented in the format detailed in the following section.

Places of Public Entertainment (POPE) Application Format:

1. Brief description of event and summary of application content.

2. Completed [application form](#) and completed paperwork checklist.

3. A schedule of all proposed Prescribed Temporary Structure(s), Non-Prescribed Temporary structures and existing buildings to be used during the event. The schedule must detail ^{Note 2:}

- Structure being used (name and identification number corresponding with site plan).
- Victorian Building Authority Occupancy Permit (VBAOP) number for the Prescribed Temporary Structure.
- Use of structure (cooking/refrigerated storage/grandstand, performance stage etc).
- Dimensions of the structure in metres (Length, Width and Area in m2).
- Proposed number of people the structure will hold – maximum occupation at any one time.

Note 2: We request that you submit the proposed schedule of structures in the format provided to you by the assessing officer. This is in the form of digital spreadsheet template named: **Structure Schedule - 2025 V1.0**

4. Current 'Up to Date' Copies of Digital, or Three (3) hard copies, of clearly labelled site plans, to scale, identifying the following:

- Locality plan showing the boundary of the proposed POPE area that is being activated.
- Location of **ALL** existing building(s), proposed Prescribed Temporary Structures, Non-Prescribed Temporary Structures which can include tents, truss structures, stages, scaffolds, marquee platforms, gantries, screens, inflatable structures or the like.
- Location of emergency exits (*widths in meters clearly displayed*) and emergency vehicle access.
- Location of accessible and non-accessible sanitary facilities, drinking taps and medical facilities (first aid).
- Location of ALL existing and proposed fire suppression equipment eg. Hydrants, Boosters, Portable Fire Extinguishers (PFE), Fire Hydrant Reels (FHR) etc.

5. Prescribed Temporary or permanent structures. Individual structures in each section MUST include:

- Copy of the Victorian Building Authority Occupancy Permit (VBAOP).
- Plan of the structure to scale detailing floor layout and any current or proposed fire safety system. (Fire safety systems include fire extinguishers, fire blankets, emergency lights, exit signs and exit widths etc)
- If existing building are to be used as part of the POPE Event the Building Permit, Fire Engineering Reports (FER) and performance solutions must be submitted to council for assessment.

6. Supporting non-prescribed temporary structures that are not required to be issued with a Victorian Building Authority Occupancy Permit ^{Note 3}, require documentation to be supplied to council to the satisfaction of the Municipal Building Surveyor including:

- An approved Certificate of Compliance - Proposed Building Work (aka. REG 126 (a) 'Design') in line with Section 238 1(a) of The Building Act.
- An approved Certificate of Compliance - Building Work (aka. REG 126 (b) 'Inspection') in line with Section 238 1(b) of The Building Act.
- Documentation detailing potential fire hazards, amenities and fire safety available.
- Locality on site plan of all Prescribed Temporary Structures.

Each supporting structure ^{Note 3}, or the like in each section is to include:

- An approved Certificate of Compliance - Proposed Building Work (aka. REG 126 (a) 'Design') in line with Section 238 1(a) of The Building Act.
- An approved Certificate of Compliance - Building Work (aka. REG 126 (b) 'Inspection') in line with Section 238 1(b) of The Building Act.
- Locality on site plan.

Note 3: *These structures include but are not limited to: those to support loudspeakers, video screens, camera platforms, display materials, score boards, lighting equipment, and the like.*

7. Sanitary and drinking facilities detailing the following:

- Site plan detailing location of facilities (facilities distributed as evenly as possible).
- Schedule detailing the number of facilities provided.
- Male/female/unisex and accessible toilets.
- Hand wash basins.
- Drinking Fountains/taps provided in the activated area

8. Details and locations of first aid facilities to be in accordance with NCC Vol 1 VIC Table F4D13 of the BCA.

9. Emergency management and evacuation plans and manuals, including the number of fire safety officers, their role and copies their current qualifications.

Siting Approval for Prescribed and Non-Prescribed Temporary Structures

If you are planning to erect a prescribed temporary structure for a function within the City of Kingston then you need to be aware of your responsibilities under the *Building Act 1993*, the *Building Regulations 2018* and relevant City of Kingston polices.

If the temporary structure includes any combination of the following structures, then you will need to apply to the **Municipal Building Surveyor** for a Siting Approval.

A temporary structure is a Prescribed Temporary Structure if it includes but is not limited to:

- A Stage or platform exceeding 150 m²;
- A Tent, marquee or booth with a floor area greater than 100 m²;
- A Seating stand that accommodates more than 20 persons; or
- A Prefabricated building exceeding 100 m². (see Note 1)

The purpose of the approval is to ensure that the proposed structure is suitably located, sound in construction and meets the minimum fire safety standards.

Where smaller **Non-Prescribed Temporary Structures** are proposed (including where not part of the POPE activated area), a siting permit is not required however compliance with Building Legislation, the City of Kingston's local laws, the Metropolitan Fire Rescue Victoria (FRV)/Country Fire Authority (CFA) and Fire Safety Guidelines is mandatory. Copies of the guidelines can be obtained by visiting <https://www.frv.vic.gov.au/fire-safety-guidelines> or by phoning 1300 653 356, or in person from Council offices at 1230 Nepean Highway Cheltenham.

If the proposed **Prescribed and Non-Prescribed Temporary Structures** will form part of an activated area used as a Place of Public Entertainment (POPE), checks must be made to ensure that the siting of these structures is covered in the POPE.

Other Approvals

Any structures located in the City of Kingston's parks, gardens or reserves must firstly be approved by the City of Kingston. Please contact 1300 653 356 or visit our website: www.kingston.vic.gov.au for application forms, terms, conditions and information regarding the use of parklands. *(Note: Fees will apply)*

If any structures are to be placed on Council controlled roadways or footpaths, further approval from the City of Kingston will be required. Please contact 1300 653 356 for further information.

Your Legal Obligations:

All approvals must be obtained prior to the use and occupation of any **Prescribed and Non-Prescribed Temporary Structures** or occupation of the activated site.

IMPORTANT NOTE: Failure to comply with this requirement is a breach of the Building Act and Local Laws and may result in penalties and fines being issued and removal of the structure.

For more information on any of the issues covered in this Fact Sheet please contact: The Building Team on 9581 4130.

Please see the document *POPE - Supplemental Document - Appendix B - Common Inspection Items* for more information relating to common inspection criteria Council will assess when considering siting of Structures associated with POPE applications.

Structure Certification Supplementary Information Guide

Background & Document Purpose

- The City of Kingston regularly receive enquiries from structural engineers, event organisers, tradespeople and the like, as to the structural certification requirements for temporary structures that are installed at events within the City of Kingston.
- This document has been created to assist industry in understanding the minimum design and installation certification requirements that must be fulfilled to erect a temporary structure within a Place of Public Entertainment in the City of Kingston.
- The advice in this document is general in nature; the Municipal Building Surveyor reserves the right to consider the site-specific circumstances when determining what documentation is required for a particular structure within a POPE.

Why is design and installation certification required by the City of Kingston?

- Section 55 of the Building Act 1993 states that *“The Relevant Building Surveyor must not issue an Occupancy Permit under this Division unless the place to which the permit applies is suitable for occupation for the public entertainment or class of public entertainment for which the permit is sought”*. The Municipal Building Surveyor therefore has an obligation to make sure that the event site is safe to occupy, prior to issuing the Occupancy Permit.
- As part of the process to determine whether the event site is suitable to occupy, the Municipal Building Surveyor must take into consideration Section 4 of the Building Act 1993, which states amongst other things that *“The objectives of this Act are....to protect the safety and health of people who use buildings and places of public entertainment”*. Temporary structures at events are therefore a key consideration in determining whether a site is suitable to occupy. The certification process ensures that all temporary structures have structural engineering designs and/or installation sign offs by appropriately qualified engineers or building practitioners.

What is a Regulation 126 Certificate of Compliance?

A Regulation 126 Certificate of Compliance is a document that can be relied upon by the Municipal Building Surveyor for the purpose of ensuring that the design or erection of a temporary structure complies with certain provisions of the Building Act 1993, Building Regulations 2018, Building Code of Australia, including relevant referenced Australian Standards and documents.

- Regulation 126 Certificates of Compliance can be issued in two separate categories with respect to temporary structures, being:
 - **Proposed Building Work (a.k.a 126a certificate)** per Regulation 122 i.e. for the structural design.
 - **Building Work (a.k.a 126b certificate)** per Regulation 123 i.e. for certification that the installation/erection has been installed in accordance with the design and VBA Occupancy Permit conditions.

- Regulation 126 of the Building Regulations 2018 states that the certificate *'must be in a form approved by the Authority...'*. A common mistake identified by City of Kingston's building control group is that key wording/statements are modified from the approved format; **such certificates are invalid and will be rejected by City of Kingston**, as these certificates do not meet the requirements of Regulation 126. This can cause significant frustration and time delay for event organisers who may be very close to event opening time without the required documentation in hand to permit the event to proceed or structure to be occupied.
- The City of Kingston therefore emphasise the importance of strictly using the Regulation 126 approved certificate of compliance forms for both "Proposed Building Work" and "Building Work", which can be downloaded from the Victorian Building Website at the following link:
 - https://www.vba.vic.gov.au/building/building-resource-hub/building-forms#approved_gazetted

What Certification/Regulation 126 Certificates need to be provided?

- The City of Kingston assessment officer assigned to your event will work with you to confirm specifically what information and documentation needs to be provided for your event; however, please see below for the certification requirements that will apply in most circumstances for:
 - a. Prescribed temporary structures.
 - b. Non-Prescribed temporary structures (other than marquees).
 - c. Non-Prescribed temporary structures (marquees).

Prescribed Temporary Structures

Design certification documents required

1. VBA Occupancy Permit and all endorsed drawings and documentation.

Installation/Inspection certification documents required

2. One of the following:
 - a. Regulation 126 Certificate of Compliance (Building Work) issued by a BLA registered engineer, endorsed in the category of civil engineering; **OR**
 - b. Regulation 126 Certificate of Compliance (Building Work) issued by a V1 or V2 (as applicable) erector or supervisor of prescribed temporary structures; **OR**
 - c. Regulation 126 Certificate of Compliance (Building Work) issued by a VBA registered building surveyor (unlimited) or building inspector (unlimited).

Non-Prescribed Temporary Structures (other than marquees)

Design certification documents required

1. One of the following:
 - a. Regulation 126 Certificate of Compliance (Proposed Building Work) issued by a BLA registered engineer, with building industry endorsement in the category of civil engineering plus all endorsed drawings and documentation; **OR**
 - b. VBA Occupancy Permit and all endorsed documentation (where a VBA OP exists for the structure if the structure were to be erected over the size thresholds in Regulation 207 Note 4).

Note 4: For example, a stage may be proposed at 50m² such that it is considered 'non-prescribed'. The same stage may have already been through the VBA Occupancy Permit process so that it can be erected over the Regulation 207 threshold of 150m².

Installation/Inspection certification documents required

1. Provide the following:
 - a. Inspection report certifying the installation **Note 5**, issued by a BLA registered engineer with building industry endorsement in the category of civil engineering; **OR**
 - b. Inspection report certifying the installation **Note 5**, issued by a VBA registered building surveyor (unlimited) or building inspector (unlimited) **OR**
 - c. If the temporary structure falls within a V1 or V2 practitioner's scope of registration, we will accept an installation certification report **Note 5** from a V1 or V2 (as applicable) erector of prescribed temporary structures; **AND**
 - d. If the structure is an amusement ride, a Formal Setup Inspection Report per AS3533.3 prepared by an Engineers Australia 'Registered Engineer' endorsed in the category of Amusement Rides and Devices.

Note 5: Regulation 126 Certificates of Compliance (Building Work) are not applicable to non-prescribed temporary structures, however the City of Kingston's Municipal Building Surveyor will accept a properly completed Regulation 126 Certificate of Compliance (Building Work) as a form of installation/inspection report if this is the preferred certification report format to be used by the engineer or V1/V2 practitioner. It is however acceptable for an engineer or V1/V2 practitioner to use another form of installation/inspection certification report for non-prescribed temporary structures.

Non-Prescribed Temporary Structures (Marquees)

Design certification documents required

1. One of the following:
 - a. Regulation 126 Certificate of Compliance (Proposed Building Work) issued by a BLA registered engineer, endorsed in the category of civil engineering + all endorsed drawings and documentation; **OR**
 - b. VBA Occupancy Permit and all endorsed documentation (where a VBA OP exists for the structure if the structure were to be erected over the thresholds in Regulation 207 **Note 6**); **OR**
 - c. If the marquee is ≤36m², provide written confirmation that the installation will be undertaken in accordance with the HRIA Marquee Weighting Guide produced by the Hire and Rental Industry Association Ltd (September 2016); **OR**
 - d. Confirm the marquee will be inspected by a BLA registered engineer, endorsed in the category of civil engineering and an Inspection report certifying the installation **Note 6** will be provided.

Note 6: For example, a marquee may be proposed at 50m² such that it is considered 'non-prescribed'. The same marquee may have already been through the VBA Occupancy Permit process so that it can be erected over the Regulation 207 threshold of 100m².

Installation/Inspection certification documents required

2. One of the following:

- a. Inspection report certifying the installation **Note 7**, issued by a BLA registered engineer with building industry endorsement in the category of civil engineering; **OR**
- b. Inspection report certifying the installation **Note 7**, issued by a VBA registered building surveyor (unlimited) or building inspector (unlimited); **OR**
- c. If the marquee is $\leq 36m^2$, provide written confirmation that the installation has been undertaken in accordance with the HRIA Marquee Weighting Guide produced by the Hire and Rental Industry Association Ltd (September 2016), and the City of Kingston will also conduct an inspection to ensure compliance prior to occupation being permitted; **OR**
- d. As an alternative to the above, if the temporary structure falls within the V1 or V2 practitioner's scope of registration, we will accept an installation certification report **Note 7** from a V1 or V2 (as applicable) erector of prescribed temporary structures.

Note 7: Regulation 126 Certificates of Compliance (Building Work) are not applicable to non-prescribed temporary structures, however the City of Kingston's Municipal Building Surveyor will accept a properly completed Regulation 126 Certificate of Compliance (Building Work) as a form of installation/inspection report if this is the preferred certification report format to be used by the engineer or V1/V2 practitioner. It is however acceptable for an engineer or V1/V2 practitioner to use another form of installation/inspection certification report for non-prescribed temporary structures.

Exceptions – Shipping Containers/Portable Buildings/Others

Design and Installation Certification

- Engineering certification including Regulation 126 Certificates of Compliance are not required for **shipping containers** unless any one of the following applies:
 - They have significant modifications and structural alterations, such as large openings created for serveries, or pedestrian doorways.
 - They are stacked on top of each other or on top of another building.
 - They are more than 300mm off the ground.
 - In the opinion of the assessing officer, the container looks unstable or unsuitably restrained.
- Engineering certification including Regulation 126 Certificates of Compliance are generally not required for:
 - Other prefabricated portable buildings securely mounted **less than** 300mm above ground level (e.g. purpose-built site sheds, portable toilets etc.).
 - Registered vehicles e.g. cool rooms on wheels, food trucks (*note – trailer screens and trailer stages are not exempt*).
 - Mobile light towers and variable message signs (VMS).
 - Internal non-loadbearing temporary walls, which are not subject to wind loads, and which are suitably constructed to a height not exceeding 2.7m.

Inflatable Structures

Design and Installation Certification and Applicable Standards:

- Design Certification:
 - Certificate of Compliance - Proposed Building Work (aka. REG 126 (a) 'Design') in line with Section 238 1(a) of The Building Act to be issued by a Registered Building Practitioner in the category of Civil Engineer

- Inspection Certification:
 - Certificate of Compliance - Building Work (aka. REG 126 (b) 'Inspection') in line with Section 238 1(b) of The Building Act in the category of V1/V2 Erector of Temporary Structures or Civil Engineer.

- AS1170.0-2002, AS1170.1-2002, AS1170.2-2021, AS3533.4.1-2018, AS3600:2018 (Sup1:2022 & Amendment 1:2024) plus any other relevant material standards.

IMPORTANT NOTE: AS3533.4.1 requires maintenance and daily check of the inflatable structure, its equipment, its hold down and wind conditions to ensure that its design capacity will not be exceed.

Please see the document '**POPE - Supplemental Document - Appendix B - Common Inspection Items**' for more information relating to common inspection criteria Council will assess when considering siting of Structures associated with POPE applications.

Place of Public Entertainment (POPE) & Temporary Siting Approval – Checklist

Ref	Document Check List	Notes/ Complete
1	Description of event and cover letter	
2	Completed POPE Application Form	
3	Schedule of proposed buildings and structures to be used during the event	
4	<p>Current digital plans or three (3) hard copies of detailed and scaled site plans Plans must show extent of grounds, building(s) and structures to be used, emergency exit signs and exit widths, location and type of fire extinguisher/fire blanket and sanitary facilities can be shown on the site plan.</p> <p>Site Plan MUST show ALL structures that are being used in connection with the activated POPE Area</p>	
Permanent buildings and/or Prescribed Temporary Structures		
5	<p>Current digital plans or three (3) hard copies of detailed and scaled building and structure floor plans – Permanent buildings and Prescribed Temporary Structures Plans must show the layout of the building(s) and structure(s) to be used as part of the activation. Emergency Lighting, Emergency exit signs and exit widths, location and type of fire extinguisher/fire blanket and sanitary facilities can be shown on the floor plan.</p>	
6	<p>Victorian Building Authority Occupancy Permit (VBAOP) - Prescribed Temporary Structures Check expiry date and whether permit covers type of structure to be used. Plan of structure and details. Please refer to especially to fire separation and access and egress conditions on the VBAOP.</p>	
	<p>Building Occupancy Permit – Permanent Building Check whether the building occupancy permit allows the type of building to be used in connection with a place of public entertainment. Provide a floor plan of the proposed layout. Provide any fire engineering reports, essential safety measures documentation and performance solutions associated with the building and Occupancy Permit. Please note that not all buildings can be used in connection with a POPE. Any additional Fire loads imposed on the building will have to be assessed by a Registered fire engineer if outside of the scope of the occupancy permit conditions and fire engineering report.</p>	
8	<p>Copy of Certificate of Compliance - Proposed Building Work (aka. REG 126 (a) 'Design') Check expiry date, drawings and if correct National Construction Code and Australian Standards are quoted.</p>	
Non - Prescribed Structure or the like		
9	<p>Victorian Building Authority Occupancy Permit (VBAOP) – If Applicable Check expiry date and whether permit covers type of structure to be used. Plan of structure and details. Please refer to especially to fire separation and access and egress conditions on the VBAOP.</p>	
10	<p>Copy of Certificate of Compliance - Proposed Building Work (aka. REG 126 (a) 'Design') Check expiry date, drawings and if correct National Construction Code and Australian Standards are quoted.</p>	
11	<p>Sanitary Facilities (Refer to NCC 2022 VOLUME 1 VIC I5D5) Please use calculators attached to the Structures Schedule Template for a generic guide.</p>	
12	<p>First Aid Facilities (Refer to NCC 2022 VOLUME 1 VIC F4D13) See NCC VOL 1 VIC F4D13 for details. If an alternative First Aid Management Plan is being developed, please inform the assessing officer for their consideration and assessment. Please use calculators attached to the Structures Schedule Template for a generic guide</p>	
13	<p>Emergency management and evacuation manual When the Emergency Management Plan is available, please submit it ASAP to the assessing officer for their consideration and assessment.</p>	
14	<p>Additional Siting Permit required. <i>Additional Siting Permits may be required for any Prescribed Temporary Structures (marquee greater than 100m2, stage greater than 150m2 or seating stand with more than 20 persons, prefabricated buildings with a floor area exceeding 100m2) that form part of an event.</i></p>	
15	<p>Is event in City of Kingston's parks, gardens or reserves? Any event held within the City of Kingston's parks, gardens or reserves must be approved by the Communication and Events Team, please contact 1300 653 356.</p>	
16	<p>Is event held on Council controlled roadways or footpath? Any event held within the City of Kingston's parks, gardens or reserves must be approved by the Communication and Events Team, please contact 1300 653 356.</p>	

Frequently Asked Questions Regarding Certification Requirements

1. Certification issued by V1/V2 Erectors of Prescribed Temporary Structures

Why does the Municipal Building Surveyor accept certification/Regulation 126 Certificates of Compliance (Building Work) from a V1/V2 erector of prescribed temporary structures for only *some* non-prescribed temporary structure installations, but not all non-prescribed temporary structure installations?

Answer

The practitioner category ‘Prescribed Temporary Structures’ allows the practitioner to undertake work relating to temporary scaffolding stages and towers, seating platforms, tents and marquees. Structures that fall outside of this scope of registration cannot be certified by a V1/V2 practitioner. For example, a V1/V2 practitioner could not certify the installation of a stacked shipping container installation with an attached facade. Further details of V1/V2 Practitioner areas of permitted work can be found at the VBA Website: [What is erection or supervision of temporary structures work?](#)

2. R126 (Proposed Building Work) Site Specific Details

Do Regulation 126 Certificates of Compliance (Proposed Building Work) need to be issued specific to each site or event, and specific to the Municipal Building Surveyor?

Answer

The City of Kingston’s Municipal Building Surveyor will accept Regulation 126 Certificates of Compliance that are addressed to “The Municipal Building Surveyor” and “Statewide”. An example Regulation 126 Certificate of Compliance (Proposed Building Work) is included on the City of Kingston website.

3. R126 (Building Work/Inspection) Site Specific Details

Do Regulation 126 Certificates of Compliance (Building Work/Inspection) need to be issued specific to each site or event, and specific to the Municipal Building Surveyor?

Answer

Yes – all Regulation 126 Certificates of Compliance (Building Work / Inspection) must include the site specific address to which the certificate relates, and must be addressed to the City of Kingston’s Municipal Building Surveyor. An example Regulation 126 Certificate of Compliance (Building Work / Inspection) is included on the City of Kingston website.

4. Reg 126 Certificates (Building Work) for Non-Prescribed Temp Structures

If Regulation 123(f) only allows Regulation 126 Certificates of Compliance (Building Work) to be issued for the installation of prescribed temporary structures, why does the City of Kingston still accept Regulation 126 Certificates of Compliance (Building Work) for non-prescribed temporary structures?

Answer

Regulation 126 Certificate of Compliance (Building Work) are not applicable to non-prescribed structures. However, for avoidance of confusion amongst industry and to streamline the installation certification process, the City of Kingston's Municipal Building Surveyor is prepared to treat a correctly completed Regulation 126 Certificate of Compliance (Building Work) as a form of inspection report. This avoids confusion by eliminating a separate style/format report being needed for non-prescribed temporary structures, whilst also ensuring that the installation of these non-prescribed temporary structures is correctly reviewed and certified. If a V1/V2 practitioner chooses to adopt a different report format for the inspection/installation certification of non-prescribed structures, then this will also be accepted. The format of the report is at the discretion of the engineer however it is generally expected that the report will include the engineer's name and BLA registration number, contact details, date and time of inspection, address of inspection, structure numbers inspected and approved.

5. Reg 126 Certificate submission timing

When do Regulation 126 Certificates of Compliance and/or installation certification reports need to be provided?

Answer

All Regulation 126 Certificates of Compliance (Proposed Building Work) are to be provided at the initial application stage. Installation certification reports including Regulation 126 Certificates of Compliance (Building Work) must be provided prior to commencement of the event and prior to occupation of the structure. Event organisers should consider this in their event program to ensure sufficient time is available for the engineer or V1/V2 practitioners (as applicable) to produce the certificates prior to the event commencing.

6. Correct BCA and Australian Standard References

Where there is not a relevant VBA Occupancy Permit, will the City of Kingston accept a Regulation 126 Certificate of Compliance (Proposed Building Work) that does not reference the most current version of the BCA (2022) and Australian Standards?

Answer

The Building Code of Australia Volume 1 2022 was adopted in Victoria on 1st May 2023. The City of Kingston's Municipal Building Surveyor allowed a transition period up to 30 September 2023 which allowed the earlier version of the BCA (BCA 2019) to be adopted. From 1st October 2023, all Regulation 126 Certificates of Compliance must reference BCA Volume 1 2022 and relevant versions of adopted Australian Standards.

7. Amusement rides and devices

What certification documents are required for amusement rides?

Answer

Amusement Rides are often erected within Places of Public Entertainment. Amusement Rides do not typically fall into the remit or expertise of a building surveyor to review, however as a matter of precaution arising out of historical incidents, the City of Kingston's Municipal Building Surveyor requires a Formal Setup Inspection Report per AS 3533.3-2003/R2013 prepared by an Engineer's Australia registered engineer, endorsed in the category of Amusement Rides, or alternatively prepared by an engineer registered by the Victorian Business Licencing Authority, with relevant experience and insurance (professional indemnity and public liability) covering certification of amusement rides and devices. We strongly recommend you check this documentation can be provided by your supplier prior to engagement.

8. Events in existing buildings

Do I need a Regulation 126 Certificate of Compliance for an event I am having in an existing building for which the City of Kingston's Municipal Building Surveyor is issuing an Occupancy Permit for a Place of Public Entertainment?

Answer

The City of Kingston's building control group will work with you to determine what Regulation 126 Certificates of Compliances will be required for an event being held in an existing building. Typically, a Regulation 126 Certificate of Compliance would need to be obtained from a registered and endorsed civil engineer where any additional loads are placed on the existing building (e.g. on floors, roofs or ceilings), or for any temporary structures erected within the building. Sometimes, an opinion from an engineer may also be required as to whether the existing building floor loading capacities are adequate to support the proposed number of people, structures and activities occurring within the building. This is particularly relevant in older buildings or buildings which may not have been designed for public entertainment use, or for the number of people proposed at the event.

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