

## Building Practice Note GE-08: Small Live Music Venues

This Practice Note provides guidance on the building classification for small live music venues.

The content below provides guidance on:

- Classification of small live music venues

### Abbreviations & Definitions

The definitions and acronyms set out below are for guidance only. They are not intended to vary those set out in the Building Act 1993, the Building Regulations 2018 or the National Construction Code 2019.

- **Act** – Building Act 1993
- **Assembly building** – a building where people may assemble for the purpose of entertainment, recreation, sporting or educational purposes (as defined in the BCA)
- **BCA** – Building Code of Australia 2019 Volume One and Volume Two
- **Regulations** – Building Regulations 2018
- **Rise in storeys** – the greatest number of storeys calculated in accordance with C1.2 of Volume One of the BCA
- **Small live music venue** – building (or part of) having a rise in storey of no more than 2 and floor area not greater than 500m<sup>2</sup>, where live music entertainment is provided to the public (as defined in the BCA)

### Classification of small live music venues

Regulation 237 of the Regulations allows a Class 6 buildings providing live music entertainment to avoid having to be classified as a Class 9b assembly building. It varies the BCA to insert a definition for a small live music venue.

A small live music venue is defined as a Class 6 building. The building will need to satisfy the general criteria under Part A6.6 of the BCA, e.g. a building for the sale of good or supply of services such as a restaurant or café.

Section 40 of the Act and regulation 229 prohibits a person from using a building for a purpose other than what has been approved. The benefit of the small live music venue variation is to allow it to remain a Class 6 building and not need to comply with the requirements for a Class 9b building.



A small live music venue cannot be used to classify Class 9b building such as night clubs, bar area of a hotel or motel providing live entertainment or a dance floor as a Class 6 building. This is unless part of a Class 9b building can be classified as a Class 6. That part may provide live music entertainment without requiring change of use to a Class 9b.

For example, a restaurant area in a single storey hotel building, where live music entertainment is provided, may be solely a Class 6 part if it does not have a floor area greater than 500m<sup>2</sup>. Otherwise, if the restaurant area is greater than 500m<sup>2</sup> then it does not meet the definition of a small live music venue and would require multiple classifications being a Class 6 and 9b.

## Related Documentation

- Building Act 1993
- Building Regulations 2018

## Contact Us

If you have a technical enquiry, please email [technicalenquiry@vba.vic.gov.au](mailto:technicalenquiry@vba.vic.gov.au) or call 1300 815 127.

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## Version History

- Version 1.0, published 19 April 2022, supersedes Practice Note 68-2018 Small Live Music Venue Classifications issued June 2018.

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