

A “public building” is defined under the [Health \(Miscellaneous Provisions\) Act 1911](#) as:

- a building or place or part of a building or place where persons may assemble for
  - civic, theatrical, social, political or religious purposes
  - educational purposes
  - entertainment, recreational or sporting purposes
  - business purposes; and
- any building, structure, tent, gallery, enclosure, platform or other place or any part of a building, structure, tent, gallery, enclosure, platform or other place in or on which numbers of persons are usually or occasionally assembled.

Typical examples are pubs, nightclubs, small bars, theatres and cinemas, training centres and private schools. Public events are also classed as public buildings.

Environmental Health Officers are responsible for the approval and regular assessment of all public buildings under the [Health \(Public Buildings\) Regulations 1992](#). They are issued a capacity certificate determined by the floors area, exits and toilet numbers.

Some public buildings are subject to a building permit, and they are therefore assessed under the [National Construction Code](#) as well as the [Health \(Public Buildings\) Regulations 1992](#).

## APPLICATION PROCESS

If you are considering opening a premises that may be classed as a public building, please refer to the Shire’s [Small Business Portal](#) webpage first as this covers all planning, building and health information related to small businesses.

Health Services also has public building guidelines which can be downloaded below.

Application forms can also be downloaded below, but first speak to the Shire’s Environmental Health Officer to discuss your proposal.

## LICENSED PREMISES

Should you have queries regarding a liquor or gaming licence in a public building, please contact the [Department Local Government, Sporting and Cultural Industries - Racing, Gaming and Liquor](#).

## PUBLIC EVENTS

Some public events may require public building approval. If directed by the Environmental Health Officer or Events Coordinator, please download and complete the relevant forms below.

For more information on public events in the Shire of Nannup, please visit the Shire’s [Events](#) webpage.

## SMOKING RESTRICTIONS IN OUTDOOR EATING AREAS - FACTSHEET FOR BUSINESSES

Did you know that smoking is prohibited in an outdoor eating area (for example restaurants, cafes, delis, lunch-bars and other food outlets) in Western Australia unless the area is designated as a smoking zone? Smoking is also not permitted within five metres of a public entrance to an enclosed public place, or within ten metres of air conditioning intakes.

Food and beverage businesses in the Shire of Nannup are required to comply with the provisions of the [Tobacco Products Control Regulations 2006](#) and reduce community exposure to second-hand smoke.

## RESOURCES

[Public Building Form 1 - Application to construct, extend or alter a public building](#)

[Public Building Form 2 - Application for certificate of approval](#)

[Public Building Form 3 - Application for variation of certificate of approval](#)

[Public Building Form 5 - Certificate of electrical compliance](#)

[Guidelines for Concerts, Events and Organised Gatherings](#)