

## Building Assessment Referral Response

<b>Application Number:</b>	DA2022/0662
<b>Date:</b>	20/05/2022
<b>To:</b>	Lashta Haidari
<b>Land to be developed (Address):</b>	Lot 1 SP 67337 , 1 / 63 - 67 The Corso MANLY NSW 2095

### Reasons for referral

This application seeks consent for Class 2-9 Buildings (i.e. all buildings except a dwelling, garage, shed, gazebo or swimming pool/spa) which include:

- Alterations and Additions; or
- Change of Use

And as such, Councils Building Assessment officers are required to consider the likely impacts.

### Officer comments

The BCA and Access Capability Statement prepared by Design Confidence dated 27 January 2022 nominates the proposed use of the building for the purposes of the BCA as a Class 6 Retail (general bar).

The Statement of Environmental Effects prepared by GYDE indicates the proposed building to be used as a pub and as a live entertainment venue offering food drink and entertainment including music and comedy.

Having regard to the proposed use, clarification is sought as to why the Classification of the proposed building use is not a Class 9b Assembly Building.

An Assembly building means a building where people may assemble for—

(a) civic, theatrical, social, political or religious purposes including a library, theatre, public hall or place of worship; or

(b) educational purposes in a school, early childhood centre, preschool, or the like; or

(c) entertainment, recreational or sporting purposes including—

(i) a discotheque, nightclub or **a bar area of a hotel or motel providing live entertainment** or containing a dance floor; or

(ii).....

(iii) .....

The applicant is required to provide further information in order to justify its use as and Class 6 building.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

### Recommended Building Assessment Conditions

Nil.