



Building Code of Australia

Compliance Capability Statement


**Project Address: Shop 1, Manly Wharf, East Esplanade,
Manly NSW 2095**

Client: The Hugos Group

Report Number: 200081

Revision: 01

REPORT REVISION HISTORY

Revision	Date Issued	Revision Description	
R1	01/07/2020	Issued	
		Prepared by	Verified by
		Chris Hawkins <i>Building Regulations Consultant</i>	 Brendan Bennett <i>Managing Director</i>

This document may only be used for the purpose for which it was commissioned and in accordance with the Terms of Engagement. Unauthorised use of this document in any form whatsoever is prohibited. City Plan Services Pty Ltd undertakes no duty, nor accepts any responsibility, to any third party who may rely upon or use this document.

Copyright © City Plan Services P/L
 ABN 30 075 223 353

All Rights Reserved. No material may be reproduced without prior permission.

Disclaimer

This report is and shall remain the property of City Plan Services P/L and has been prepared with input from a number of other expert consultants (if relevant). To the best of our knowledge, the information contained herein is neither false nor misleading and the contents are based on information and facts that were correct at the time of writing. City Plan Services P/L accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

TABLE OF CONTENTS

1. Introduction	3
2. BCA Description.....	3
3. BCA Compliance capability	3
4. Plans Assessed.....	4
5. Conclusion.....	4

1. INTRODUCTION

We have reviewed the proposed building works identified on the plans referred to below, for compliance capability with the Building Code of Australia (BCA) 2019 and provide the following description and statements¹

2. BCA DESCRIPTION

2.1. Classification (A3.2)

The proposal is to extend the existing lower deck dining area at Hugo’s Manly. The building contains Class 9b Ferry terminal, Class 7a Carpark and Class 6 Retail/dining tenancies. The classification relevant to the proposal is Class 6 (Restaurant)

2.2. Type of Construction (C1.1)

Type A construction is applicable.

2.3. Effective Height (A1.1)

The building has an effective height of less than 12 m.

3. BCA COMPLIANCE CAPABILITY

It is our opinion that the proposed building works are capable of complying with the Building Code of Australia 2019. Detailed construction drawings are to be provided at Construction Certificate Application phase demonstrating compliance.

The following table identifies areas of non-compliance with the deemed-to-satisfy provisions of the BCA, which are intended to be addressed by performance justification or via design modifications at the construction certificate stage.

BCA Clause	Title	Assessment and Comment	Status
Part B	Structural Provisions	The development will be designed in accordance with Part B of the BCA. Engineer to confirm existing piles are structural adequate.	Capable of Complying
Part C	Fire resistance and construction type	The fire resistance of building elements is to be in accordance with BCA Specification C1.1 as relevant to Type A construction. Flooring to the proposal receives a concession under Spec C1.1(2.5)(f). For Type A construction supporting columns/piles will need to be non combustible.	Capable of Complying
Part D	Access and Egress	The existing restaurant will be serviced by existing suitable egress. The proposed works are external to the restaurant and open to the sky with the anticipated additional population not expected to impact on the existing egress arrangements.	Capable of complying

		New stair and handrail will be capable of complying with the BCA. Refer to Access Report.	
Part E	Services and Equipment	The building contains existing services and equipment which will need to comply with the requirements of the BCA. Adequate fire hydrant coverage will need to be demonstrated for the proposed new area.	Capable of Complying
Part F	Health and Amenity	The proposed development will achieve compliance for health & amenity. Existing sanitary facilities are suitable for the increase in patron population. (Calculation based on a population of 266 with estimated 16 staff)	Complies
Part J	Energy Efficiency	The development is to achieve compliance with relevant energy efficiency provisions.	Capable of Complying

4. PLANS ASSESSED

Assessed plans prepared by Squillace Architects

Plan Title	Drawing No	Revision	Date
General Arrangement Plan - Proposed	DA 100	P9	12.6.2020

5. CONCLUSION

The design as proposed is capable of complying with the Building Code of Australia and will be subject to construction documentation that will provide appropriate details to demonstrate compliance. This report has identified areas of non-compliance with the deemed-to-satisfy provisions and indicates the design intent to modify the design or demonstrate compliance with the Performance Requirements of the BCA. Whilst the performance-based solutions are to be design developed, it is my view that the solutions will not impact on the current design.

1 Exclusions and Limitations

1. This report has been prepared by City Plan for Hugos Group Pty Ltd and may only be used and relied on by Hugos Group Pty Ltd for the purpose agreed between City Plan and Hugos Group Pty Ltd, as set out in this report.
2. City Plan otherwise disclaims responsibility to any person other than Hugos Group Pty Ltd arising in connection with this report. City Plan also excludes implied warranties and conditions, to the extent legally permissible.
3. City Plan Services Pty Ltd undertakes no duty, nor accepts any responsibility, to any third party who may rely upon or use this document.

-
4. The services undertaken by City Plan in connection with preparing this report are limited to those specifically detailed within the report and subject to scope limitations as set out in the report but specifically exclude:
 - Structural design in any form or content.
 - The Disability Discrimination Act 1992.
 - Disability (Access to Premises – Building) Standards 2010.
 - The existing level of Building Code of Australia compliance unless specifically identified within this report.
 - The operational capabilities or compliance of any existing services installed within the building.
 - Assessment of any existing Performance Solutions, including Fire Safety, addressing compliance with the Performance Requirements of the BCA.
 5. This report is not a Part 4A compliance certificate under the Environmental Planning & Assessment Act 1979 or Regulation 2000.
 6. The opinions, conclusions and any recommendations within this report are based on conditions encountered and information reviewed at the date of preparation of the report. City Plan has no responsibility or obligation to update this report to account for events or changes occurring after the date that the report was prepared.
 7. The methodologies adopted within this report specifically relate to the subject building and must not be used for any other purpose.
 8. City Plan has prepared this report based on information provided by others, including but not limited to Architectural Plans and Annual Fire Safety Statements. City Plan has not independently verified or checked beyond the agreed scope of work the validity of the documentation prepared and provided by others. City Plan accepts no liability in connection with such unverified information, including errors and omissions in the report which were caused by errors or omissions within the information relied upon.
 9. The documentation relied upon has been reviewed only to the degree reasonable as pertaining to City Plan's scope, as defined within the contract and fee agreement. It is expressly not City Plan's responsibility to:
 - Familiarise ourselves with all information and documentation relating to the project, or the potential BCA, Access, or fire safety aspect derivatives thereof,
 - Conduct a "full BCA audit or compliance assessment" in any way defined, implied, or assumed, for matters outside of City Plans scope.
 - Prepare a holistic BCA, Access or Fire Safety strategy for the building or carry out a full assessment of all information and documentation relating to the project, or the potential BCA, Access, or Fire Safety aspect derivatives thereof.
 10. Where the report relied on a site inspection, the inspection was based on a visual, non-invasive check of representative samples of the building to which the report and scope applied, and to which safe and reasonable access was available/permitted on the date and time of the inspection. The inspection should not be considered as a testing, commissioning or maintenance procedure nor act as a guarantee or warranty of any kind.