



Certis (NSW) Pty Ltd

PO Box 1065

Milton BC QLD 4064

Ph: 02 8570 9100

Email: certisaccounts@certis.com.au

ABN: 14 128 682 557

NATIONAL CONSTRUCTION CODE REVIEW

Proposal: Max Brenner - Manly

Location: East Esplanade
Manly

Prepared for: Max Brenner Australia Pty Ltd
Danny Mashalani

Date: **15 Feb 2023**

Certis Ref. No: 8146

Prepared by: Richard Evans
Associate | Senior Building Surveyor

Phone: 0438 990 134

Revision History

Revision	Date	Description
3	15-Feb-2023	Final for client review

Prepared by	Name	Date
	Richard Evans	15-Feb-2023

Checked by	Name	Date
	Dewan Brown	15-Feb-2023

1. Introduction

1.1 Project description

The subject property is located at East Esplanade, Manly.

The proposal is for a fitout of the existing premises/tenancy.

There is no change of use proposed - Class 6 (Cafe)

1.2 Purpose of the report

This report has been prepared, on behalf of Max Brenner Australia Pty Ltd to establish compliance with the National Construction Code of Australia 2019 Vol 1 Amdt 1, the Environmental Planning and Assessment Act 1979, and the Environmental Planning and Assessment Regulation 2021. This report also highlights aspects of design that will be subject to performance-based design utilising the relevant performance requirements documented within the NCC.

1.3 National Construction Code of Australia

The relevant National Construction Code Building Code of Australia applicable to this project has been determined as being NCC 2019 Vol 1 Amdt 1.

1.4 National Construction Code of Australia Building Description

The following characteristics of the building have been determined in accordance with the NCC. These characteristics influence the NCC requirements applicable to the building.

Building Characteristics

NCC Clause	Clause summary	Description
A1.0	Effective Height	TBA
A1.0	Climate Zone	5
C1.1	Minimum type of construction	B
C1.2	Rise in storeys	0
A7	United buildings	No
A7	Large isolated building	No
G5	Bushfire prone area	Not Bushfire Prone - the construction is not being done in a bush fire prone area.

C2.2 - General Floors Areas (m²)

Note: Floor area measures to outside of external walls and include balcony areas

Level or Part	Use	Classification	Gross Floor Area (m ²)
Sop 11 - Manly Wharf	Cafe - Food Premises	6	117m ²
		Total:	117m ²

1.6 Exclusions

This report does not consider the following except where specifically mentioned.

- i. The *Disability Discrimination Act 1992*
- ii. Structural design (subject to certification by an independent registration).

2. National Construction Code Assessment

Part B1 - Structural provisions

Clause	Title and comments	Status
B1.0 - B1.5	<p>Structural provisions</p> <p>The base building structure is existing. No new load bearing internal walls or rearrangement of any load bearing building elements are proposed . Structural certification to changes on shop front elevations should be considered or install to manufacturers specifications</p>	Note

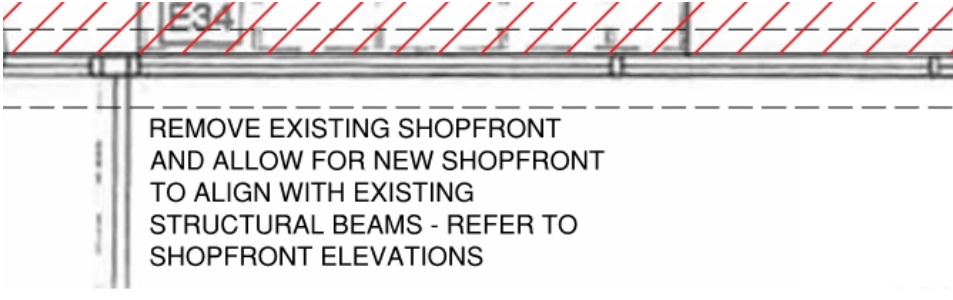
Part C1 - Fire resistance and stability

Clause	Title and comments	Status
C1.1	<p>Type of construction required</p> <p>The building is existing and fire resistance of existing building elements are assumed compliant as approved under a previous EPI</p> <p>Note - Building able to comply</p>	Note
C1.8	<p>Lightweight construction</p> <p>The tenancy is considered to be one compartment and the introduction of any lightweight fire resisting materials for purposes of fire separation or protection are not deemed required.</p> <p>Note - Building able to comply</p>	Note
C1.10	<p>Fire hazard properties</p> <p>All new floor and wall linings are required to comply with the Fire Hazard Properties requirements of Spec C1.10</p> <p>Noting that the building is sprinkler protected, all proposed linings, materials and assemblies must meet the FHP's stipulated in table 1 of NCC (BCA) Specification C1.10</p> <p>Action - reflect compliance in Construction Certificate Plans and Specifications and Certifying Authority to administer compliance at construction phase</p> <p>Note - Building/tenancy deemed able to comply</p>	Note

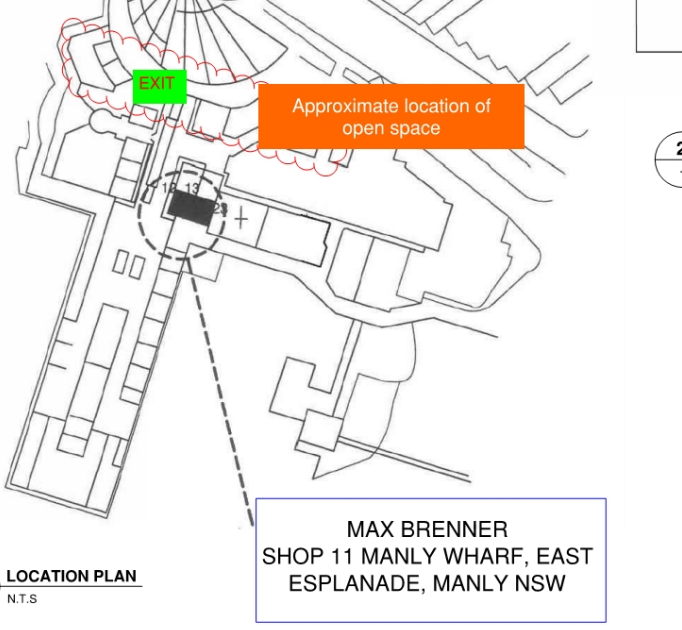
Part C2 - Compartmentation and separation

Clause	Title and comments	Status
C2.1	<p>Application of Part</p> <p>Compartmentation and Separation (fire)</p> <p>The fit out of the tenancy does not involve a change in gross floor area. Existing conditions are taken to be compliant with the base building construction requirements and prior approvals</p> <p>Note - Building/Tenancy deemed able to comply</p>	Note

Part C3 - Protection of openings

Clause	Title and comments	Status												
C3.1	<p>Application of Part</p> <p>Protection of openings</p> <p>The fit out of the tenancy does not involve a change or the installation of new openings that may require compliance. No new external walls are proposed. Glazed shop front areas are shown to be replaced on a like for like basis.</p> <p>Existing conditions are taken to be compliant with the base building construction requirements and prior approvals</p> <p>Note - Building/Tenancy deemed able to comply</p>  <table border="1" data-bbox="288 1115 1246 1283"> <tr> <td data-bbox="288 1115 671 1193">or manufacturing of any item. n intent only. work on site.</td> <td data-bbox="671 1115 746 1151"></td> <td data-bbox="746 1115 1177 1151"></td> <td data-bbox="1177 1115 1246 1151"></td> </tr> <tr> <td data-bbox="288 1193 671 1234"></td> <td data-bbox="671 1193 746 1234">B</td> <td data-bbox="746 1193 1177 1234">DA DOCUMENTATION</td> <td data-bbox="1177 1193 1246 1234">A&C</td> </tr> <tr> <td data-bbox="288 1234 671 1283">uments, drawings, design,</td> <td data-bbox="671 1234 746 1283">A</td> <td data-bbox="746 1234 1177 1283">DA DOCUMENTATION</td> <td data-bbox="1177 1234 1246 1283">A&C</td> </tr> </table>	or manufacturing of any item. n intent only. work on site.					B	DA DOCUMENTATION	A&C	uments, drawings, design,	A	DA DOCUMENTATION	A&C	Note
or manufacturing of any item. n intent only. work on site.														
	B	DA DOCUMENTATION	A&C											
uments, drawings, design,	A	DA DOCUMENTATION	A&C											
C3.12	<p>Openings in floors and ceilings for services</p> <p>Any new penetrations (openings) in floors or ceilings passing through a floor that is <i>required</i> to have an FRL with respect to <i>integrity</i> and <i>insulation</i>; or a ceiling <i>required</i> to have a <i>resistance to the incipient spread of fire</i>, the service must be protected in accordance with BCA C3.15 and Spec C3.15</p> <p>Action - Certifying authority to make a full assessment at construction stage of existing base building requirements in relation to any proposed penetrations for services.</p> <p>NOTE - Building/tenancy deemed able to comply</p>	Note												

Part D1 - Provision for escape

Clause	Title and comments	Status
D1.2	<p>Number of exits required</p> <p>1 exit door is required</p> <p>NOTE - Building/tenancy deemed able to comply</p>	Note
D1.4	<p>Exit travel distances</p> <p>Building / tenancy conditions are existing. No consideration is given in this assessment for existing base building compliance and number of exits provided to the building or the point of choice to alternate exits.</p> <p>Existing conditions are considered to have been deemed compliant under a previous Construction Certificate application / EPI. The door to the tenancy does not open directly to open space and is therefore not considered an exit for the purposes of D1.4</p> <p>NOTE - Building/tenancy deemed able to comply</p>  <p>LOCATION PLAN N.T.S.</p> <p>MAX BRENNER SHOP 11 MANLY WHARF, EAST ESPLANADE, MANLY NSW</p>	Note

Clause	Title and comments	Status
--------	--------------------	--------

D1.13 Number of persons accommodated Note

Occupant numbers in each space is determined as follows:

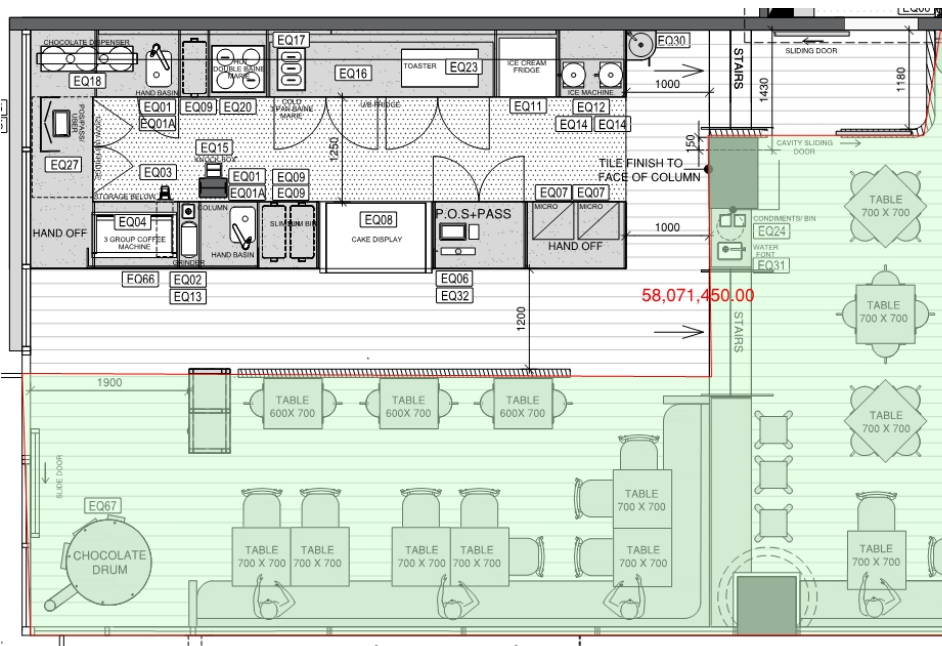
Table D1.7 | Population

Level/ Space	Occupant Ratio	Calculated population
Cafe	1 per 1m ²	58

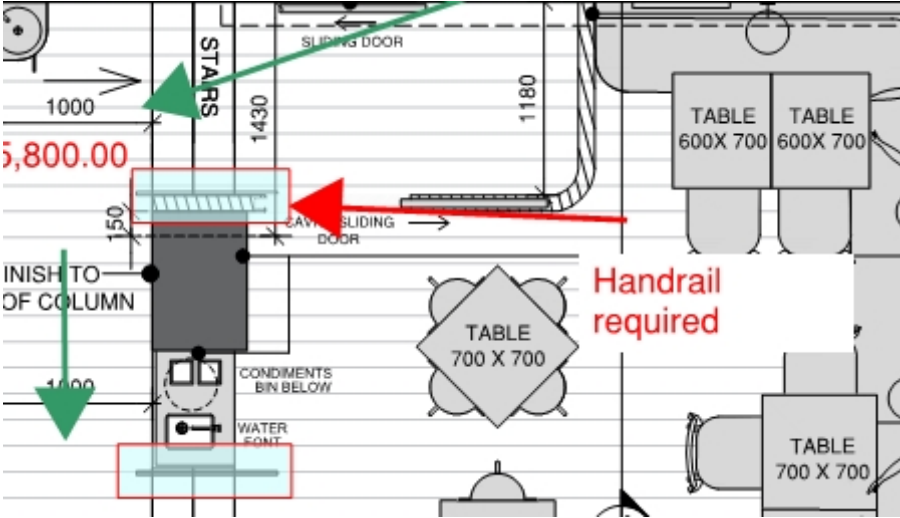
Note - customer or trading floor area (seating) is calculated at 58 sq.m
 The maximum amount of persons permitted to occupy this area would therefore be 58 however internal seating is shown for 53 occupants - complies

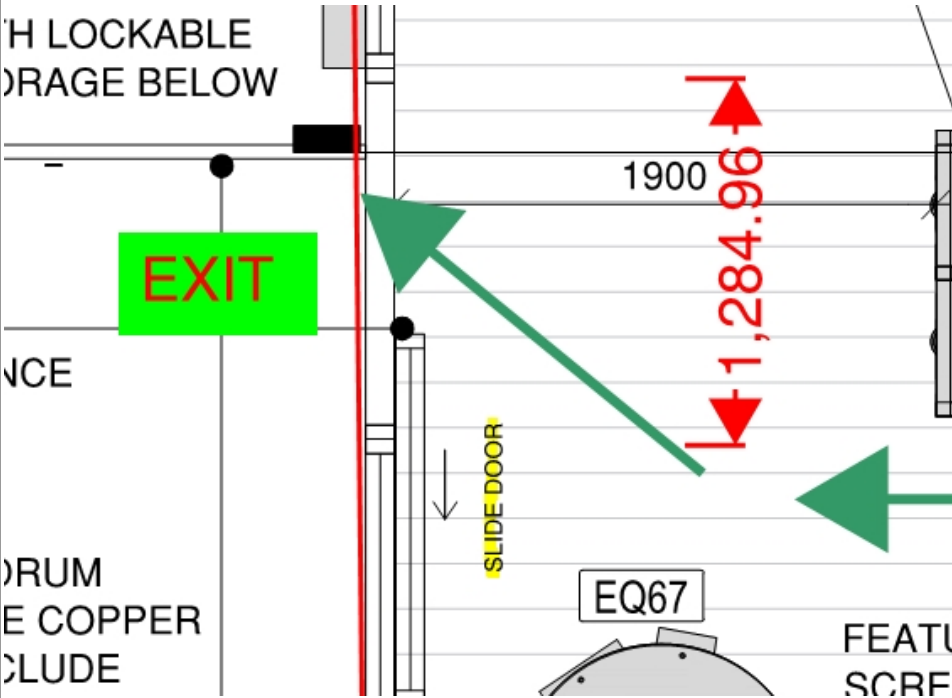
The anticipated staff numbers are known to be around 5 pax and the balance of the floor area would accommodate these persons per the provisions of this clause.

NOTE - Building/tenancy is deemed able to comply



Part D2 - Construction of exits

Clause	Title and comments	Status																		
D2.13	<p>Goings and risers</p> <p>Internal circulation stairs shown on plans are unable to be verified.</p> <p>For construction certificate purposes, update plans to verify compliance.</p> <p>Table D2.13 Stair Dimensions</p> <table border="1" data-bbox="288 584 1244 873"> <thead> <tr> <th>Location</th> <th>Riser</th> <th>Going</th> <th>2R+G</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Public</td> <td>Max: 190mm</td> <td>Max: 355mm</td> <td>Max: 700mm</td> </tr> <tr> <td>Min: 115mm</td> <td>Min: 250mm</td> <td>Min: 550mm</td> </tr> <tr> <td rowspan="2">Private</td> <td>Max: 190mm</td> <td>Max: 355mm</td> <td>Max: 700mm</td> </tr> <tr> <td>Min: 115mm</td> <td>Min: 240mm</td> <td>Min: 550mm</td> </tr> </tbody> </table> <p>Note: A private stair is a stair within a sole occupancy unit, or in other buildings, a stair to which the public would not generally have access.</p> <p>NOTE - Proposal deemed able to comply</p>	Location	Riser	Going	2R+G	Public	Max: 190mm	Max: 355mm	Max: 700mm	Min: 115mm	Min: 250mm	Min: 550mm	Private	Max: 190mm	Max: 355mm	Max: 700mm	Min: 115mm	Min: 240mm	Min: 550mm	Note
Location	Riser	Going	2R+G																	
Public	Max: 190mm	Max: 355mm	Max: 700mm																	
	Min: 115mm	Min: 250mm	Min: 550mm																	
Private	Max: 190mm	Max: 355mm	Max: 700mm																	
	Min: 115mm	Min: 240mm	Min: 550mm																	
D2.17	<p>Handrails</p> <p>At least one handrail is is required to each internal circulation stair.</p> <p>Construction plans are to be updated to show compliant handrails</p>  <p>NOTE - Proposal is deemed able to comply</p>	Note																		

Clause	Title and comments	Status
D2.19	<p>Doorways and doors</p> <p>A sliding, power operated door is noted to the plans and must comply with D2.21</p> 	Note
D2.21	<p>Operation of latch</p> <p>If the sliding doors are to be power operated they are required to comply with this clause:</p> <ul style="list-style-type: none"> (iii) where the latch operation device referred to in (ii) is not located on the door leaf itself— <ul style="list-style-type: none"> (A) manual controls to power-operated doors must be at least 25 mm wide, proud of the surrounding surface and located— <ul style="list-style-type: none"> (aa) not less than 500 mm from an internal corner; and (bb) for a hinged door, between 1 m and 2 m from the door leaf in any position; and (cc) for a sliding door, within 2 m of the doorway and clear of a surface mounted door in the open position. <p>ACTION - Update construction documentation to demonstrate latching arrangements and compliance with this clause</p> <p>NOTE - Proposal deemed able to comply</p>	Note

Part D3 - Access for people with a disability

Clause	Title and comments	Status
D3.1	<p data-bbox="292 315 742 349">General building access requirements</p> <p data-bbox="292 389 1054 423">The tenancy is required to be accessible per part D.3 of the BCA.</p> <p data-bbox="292 463 1246 600">The plans show that changes in floor levels are existing and the internal circulation stairs are to remain in situ. The tenancy is under 200 sq.m in floor area and therefore existing conditions are considered to have been dealt with in a previous approval.</p> <p data-bbox="292 640 1206 707">General construction requirements per the Access to Premises Standards are required (see below)</p> <p data-bbox="292 748 770 781">NOTE - Proposal deemed able to comply</p> <p data-bbox="292 855 1206 1099">Premises Standard 2010 - Access to premises: Compliance with the Disability (Access to Premises - Building) Standards 2010 is required. Please note that these standards may affect some existing building work as well as new work. A brief summary of these changes is summarised below but for detail of the requirement, please refer to NCC Part D3, AS1428.1:2009 and the Disability (Access to Premises - Buildings) Standards 2010. If further clarification is required, please contact us.</p> <ul data-bbox="339 1142 1246 1720" style="list-style-type: none"> • Maximum 3mm thresholds allowed on accessible travel paths (or 5mm if threshold has bevelled edges). • Doors are to be a minimum of 850mm clear of obstructions. This typically requires a 920mm door to allow for the width of the door and door stop. • Increased door circulation spaces - this may increase the required width of corridors. • Restrictions on carpet pile heights and backings. • Switches and controls (including light switches) to be located at a height between 900mm-1100mm. • Requirements for 30% luminance contrast between door leaves, walls, architraves etc. Area of luminance contrast (for example architraves) should be minimum 50mm. • Requirements for door control / handles. • Requirements for door closers (e.g. maximum 20N force required to open). 	Note

Clause	Title and comments	Status
D3.12	<p data-bbox="290 235 587 264">Glazing on an accessway</p> <p data-bbox="290 309 1214 376">Required for any access way where there are no compliant manifestations on the glazing:</p> <hr data-bbox="320 421 1209 423"/> <p data-bbox="320 439 676 468">D3.12 Glazing on an accessway</p> <p data-bbox="1129 443 1182 468">Guide</p> <p data-bbox="320 510 1187 611">On an <i>accessway</i>, where there is no chair rail, handrail or transom, all frameless or fully glazed doors, sidelights and any glazing capable of being mistaken for a doorway or opening, must be clearly marked in accordance with AS 1428.1.</p> <p data-bbox="320 645 432 674"><i>Tas D3.13</i></p> <p data-bbox="290 770 1091 799">Note - Proposal deemed able to comply. Update construction plans</p>	Note

Part E1 - Fire fighting equipment

Clause	Title and comments	Status
E1.3	<p>Fire hydrants</p> <p>Per AFSS (supplied) dated 19/10/22 and FER No. S16124 Rev FER 2 (MCD Engineering)</p> <p>No additional fire design required for this measure</p> <p>Maintain hydrant coverage to premises</p>	Note
E1.4	<p>Fire hose reels</p> <p>Per AFSS (supplied) dated 19/10/22 and FER No. S16124 Rev FER 2 (MCD Engineering)</p> <p>No additional fire design required for this measure</p> <p>Maintain hose reel coverage to premises</p>	Note
E1.5	<p>Sprinklers</p> <p>Per AFSS (supplied) dated 19/10/22 and FER No. S16124 Rev FER 2 (MCD Engineering)</p> <p>No additional fire design required for this measure</p> <p>Maintain sprinkler coverage to premises - noting that no additional internal walls are proposed</p>	Note
E1.6	<p>Portable fire extinguishers</p> <p>Install new Portable Fire Extinguishers to suit works and per requirements of AS 2444</p>	Note

Part E2 - Smoke hazard management

Clause	Title and comments	Status
E2.2	<p>General requirements</p> <p>Per AFSS (supplied) dated 19/10/22 and FER No. S16124 Rev FER 2 (MCD Engineering)</p> <p>No additional fire design required for this measure</p> <p>Maintain existing mechanical installations (fire) per BCA E2.2, Spec E2.2a and Spec E2.2 b and AS1668.1 - 2015</p> <p>Maintain existing Automatic Detection and Alarm Systems per Spec E2.2 and AS 1670.1 - 2018 and AS1668.1 - 2018</p> <p>Note - any modifications will require a mechanical design and a review from the Fire Engineer to ensure consistency with the design</p>	Note

Part E4 - Visibility in an emergency, exit signs and warning systems

Clause	Title and comments	Status
E4.2-E4.8	<p>Emergency lighting requirements</p> <p>Per AFSS (supplied) dated 19/10/22 and FER No. S16124 Rev FER 2 (MCD Engineering)</p> <p>No additional fire design required for this measure</p> <p>Maintain exit signs.</p> <p>Emergency lighting is not required in tenancies with a floor area less than 300 square metres.</p>	Note

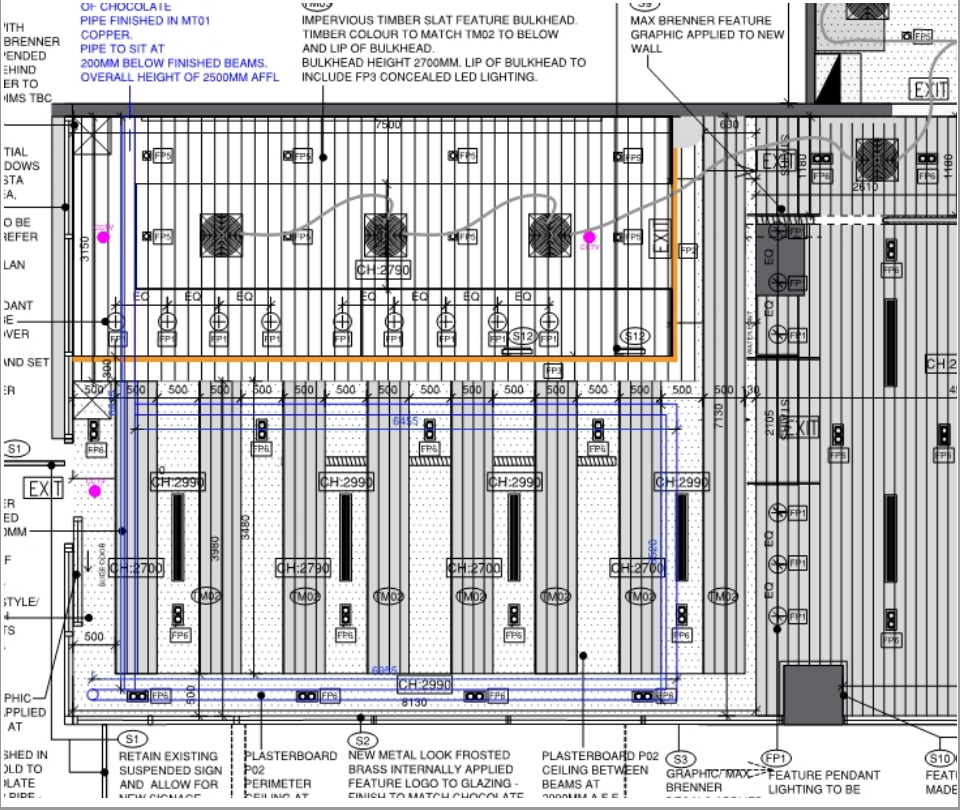
Part F1 - Damp and weatherproofing

Clause	Title and comments	Status
F1.1	<p>Stormwater drainage</p> <p>Stormwater drainage - there is no additional building footprint proposed and no proposed change to the stormwater drainage system.</p> <p>Existing measures are assumed approved and compliant</p>	Note
F1.13	<p>Glazed assemblies</p> <p>The new windows are required to comply with the provisions of this clause.</p> <p>Design and specifications are to be updated to demonstrate compliance and the Certifying Authority is to ensure compliance at construction stage.</p> <p>NOTE - Proposal deemed able to comply</p> <p>F1.13 Glazed assemblies</p> <p>(a) Subject to (b) and (c), the following glazed assemblies in an e comply with AS 2047 requirements for resistance to water pe</p> <p>(i) Windows.</p> <p>(ii) Sliding and swinging glazed doors with a frame, includin fold doors with a frame.</p> <p>(iii) Adjustable louvres.</p> <p>(iv) Shopfronts.</p> <p>(v) Window walls with one piece framing.</p>	Note

Part F2 - Sanitary and other facilities

Clause	Title and comments	Status
F2.3	<p data-bbox="288 315 679 349">Facilities in Class 3 to 9 buildings</p> <p data-bbox="288 389 959 423">There are no sanitary facilities proposed to the tenancy.</p> <p data-bbox="288 463 1230 564">The base building sanitary facilities are common to all the tenancies within the building and compliance is assumed to have been achieved under the base building approval.</p> <p data-bbox="288 604 1023 638">The certifying authority is to satisfy themselves to this matter</p> <p data-bbox="288 678 775 712">NOTE - premises deemed able to comply</p>	Note

Part F4 - Light and ventilation

Clause	Title and comments	Status
F4.5	<p>Ventilation of rooms</p> <p>A mechanical/ventilation plan has not been considered as part of this assessment</p> <p>The certifying authority is to ensure compliance at construction phase.</p> <p>NOTE - proposal deemed able to comply</p> 	Note
F4.12	<p>Kitchen local exhaust ventilation</p> <p>No consideration has been given to a mechanical design for the food preparation area.</p> <p>The certifying authority is to ensure compliance at construction stage</p> <p>NOTE - proposal deemed able to comply</p>	Note

Part J - Energy Efficiency

Clause	Title and comments	Status
J1-J3	<p>Energy Efficiency</p> <p>The tenancy is considered a condition space and therefore subject to Section J compliance.</p> <p>The architect is to satisfy themselves that the re-arrangement of the windows does not deviate from the current compliance levels.</p> <p>It is recommended that an assessment against part J of the NCC is undertaken to ensure compliance</p> <p>NOTE - proposal deemed able to comply</p>	Note

Type B Construction

Building element	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
EXTERNAL WALL (including any column and other building element incorporated within it) or other external building element, where the distance from any <i>fire-source feature</i> to which it is exposed is—				
<i>For loadbearing parts—</i>				
less than 1.5 m	90/ 90/ 90	120/120/120	180/180/180	240/240/240
1.5 to less than 3 m	90/ 60/ 30	120/ 90/ 60	180/120/90	240/180/120
3 to less than 9 m	90/ 30/ 30	120/ 30/ 30	180/ 90/ 60	240/ 90/60
9 to less than 18m	90/30/-	120/30/-	180/60/-	240/60/-
18 m or more	-/-/-	-/-/-	-/-/-	-/-/-
<i>For non-loadbearing parts—</i>				
less than 1.5 m	-/ 90/ 90	-/120/120	-/180/180	-/240/240
1.5 to less than 3 m	-/ 60/ 30	-/ 90/ 60	-/120/90	-/180/120
3 m or more	-/-/-	-/-/-	-/-/-	-/-/-
EXTERNAL COLUMN not incorporated in an <i>external wall</i> , where the distance from any <i>fire-source feature</i> to which it is exposed is—				
<i>Loadbearing</i>				
less than 18m	90/-/-	120/-/-	180/-/-	240/-/-
18 m or more	-/-/-	-/-/-	-/-/-	-/-/-
<i>For non-loadbearing columns</i>	-/-/-	-/-/-	-/-/-	-/-/-

COMMON WALLS and FIRE WALLS—	90/ 90/ 90	120/120/120	180/180/180	240/240/240
INTERNAL WALLS—				
<i>Fire-resisting lift and stair shafts—</i>				
<i>Loadbearing</i>	90/ 90/ 90	120/120/120	180/120/120	240/120/120
<i>Non-loadbearing</i>	-/ 90/ 90	-/120/120	-/120/120	-/120/120
Bounding <i>public corridors, public lobbies and the like—</i>				
<i>Loadbearing</i>	60/60/60	120/-/-	180/-/-	240/-/-
<i>Non-loadbearing</i>	-/ 60/ 60	-/-/-	-/-/-	-/-/-
Between or bounding <i>sole-occupancy units—</i>				
<i>Loadbearing</i>	60/60/60	120/-/-	180/-/-	240/-/-
<i>Non-loadbearing</i>	-/ 60/ 60	-/-/-	-/-/-	-/-/-
OTHER LOADBEARING INTERNAL WALLS				
and COLUMNS—	60/-/-	120/-/-	180/-/-	240/-/-
ROOFS	-/-/-	-/-/-	-/-/-	-/-/-

Appendix A - Drawings reviewed for this assessment

Type	Name	Plan No.	Revision
Architectural	COVER PAGE	A000	C
Architectural	GENERAL NOTES	A001	A
Architectural	LEASE AND LOCATION PLAN	A002	A
Architectural	PRECINCT PHOTOS	A003	A
Architectural	DEMOLITION PLAN	A100	B
Architectural	PROPOSED FLOOR PLAN	A101	C
Architectural	EQUIPMENT PLAN	A102	A
Architectural	EQUIPMENT PLAN	A103	C
Architectural	SHOPFRONT 01	A104	A
Architectural	SHOPFRONT 02	A105	A
Architectural	INTERNAL ELEVATIONS 01 & 02	A106	C
Architectural	INTERNAL ELEVATION 03	A107	A
Architectural	REFLECTIVE CEILING PLAN	A108	A
Architectural	SHOPFRONT 01	A200	B
Architectural	SHOPFRONT 02	A201	B
Architectural	INTERNAL ELEVATION 01 & 02	A202	A
Architectural	INTERNAL ELEVATION 03	A203	A
Architectural	COUNTER SETOUT PLAN	A301	A
Architectural	COUNTER ELEVATIONS 01	A302	A
Architectural	COUNTER ELEVATIONS 01	A303	A
Architectural	COUNTER SECTIONS 01	A304	A
Architectural	COUNTER SECTIONS 02	A305	A
Architectural	MERCHANDISE DISPLAY UNIT/STORAGE	A306	A
Architectural	BANQUETTE SEATING 01	A307	A
Architectural	BANQUETTE SEATING 02	A308	A
Architectural	FEATURE SCREEN	A309	A
Architectural	FEATURE WALL SECTION & SKIRTING	A310	A
Architectural	HIGH BENCH SEATING	A311	A
Architectural	CONDUMENTS & WATER FONT UNIT	A312	A
Architectural	MENU BOARD DETAIL (S7)	A313	A
Architectural	WAYFINDING SIGNAGE (S12(SIGN	A314	A
Architectural	COLUMN DETAIL	A315	A
Architectural	LOW HEIGHT WALL DETAIL	A316	A
Architectural	MAX BRENNER SHOP FRONT SIGNAGE (S4) SIGN	A317	A