

26 June 2025  
Our Ref: 25238-L01-01

**Freecity Group Pty Ltd**

Level 1, 8 Khartoum Road  
Macquarie Park NSW 2113

**Attention:** **Simon Liang**  
Email: [simon@freecity.com](mailto:simon@freecity.com)

Dear Simon

## **MIXED-USE DEVELOPMENT – 155 WALKER STREET, NORTH SYDNEY FIRE ENGINEERING STATEMENT (FOR SSDA SUBMISSION)**

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### **INTRODUCTION**

The development relates to the proposed Mixed-Use Development located at 155 Walker Street, North Sydney NSW.

This document provides advice with regards to the proposed use of Performance Solutions to address identified fire safety related departures to the Deemed to Satisfy (DtS) provisions of the National Construction Code 2022 Volume One – Building Code of Australia Class 2 to 9 Buildings (NCC).

The purpose of this document is to assist in the design development process and to assist the Department of Planning, Housing and Infrastructure (DPHI) in the determination of the SSDA submission.

### **DESCRIPTION OF DEVELOPMENT**

The development will comprise

- Basement 11 – lift pits
- Basements 10 to 02 – car parking, ancillary
- Basement 01 – vehicle driveways, plant, ancillary
- Lower Ground (Lobby) – food & beverage, hotel lobby / café, waste rooms, loading dock, ancillary
- Ground Floor (Lobby) – residential lobby, hotel lobby, hotel restaurant, hotel all day dining, ancillary
- Levels 01 to 04 – hotel rooms
- Level 05 – hotel rooms, hotel amenity
- Level 06 – hotel room, gym / wellness centre
- Level 07 – plant
- Levels 08 to 32 – residential units
- Level 33 – resident amenities
- Levels 34 to 49 – residential units
- Levels 50 & 51 – plant
- Roof – plant

**Sydney** | Suite 18.02, Level 18  
227 Elizabeth Street  
Sydney NSW 2000  
PO Box 4788, Forest Lake QLD 4078

**Brisbane** | Unit 5, Level 1  
445 Upper Edward Street  
Spring Hill QLD 4000  
PO Box 4788, Forest Lake QLD 4078

## NCC ASSESSMENT DATA

With reference to the Building Code of Australia Compliance Assessment Report for DA Submission prepared by AE&D Pty Ltd (Ref: 14002, Revision 1, dated 20 May 2025), the relevant NCC Assessment Data for the subject development is summarised in Table 1.

**Table 1: Relevant NCC Assessment Data**

NCC Reference	NCC Assessment
Classification	Class 2 (Residential) Class 3 (Hotel) Class 6 (Restaurant & Bar) Class 7a (Carpark) Class 7b (Loading dock / Waste rooms / Storage) Class 9b (Gym)
Rise in Storeys	52
No. of Levels Contained	63
Minimum Type of Construction Required	Type A
Effective Height	Greater than 50 m (~164.85 m)
Maximum Fire Compartment Size	As applicable for Type A construction

## REFERENCED DRAWINGS

**Table 2: List of Referenced Architectural Drawings**

Drawing No.	Issue	Title	Date
A.DA0000	P15	Cover Sheet	20-06-2025
A.DA0002	P15	Site Plan	20-06-2025
A.DA0005	P15	Proposed Site Plan	20-06-2025
A.DA1000	P15	Basement 11	20-06-2025
A.DA1001	P15	Basement 10	20-06-2025
A.DA1002	P15	Basement 09	20-06-2025
A.DA1003	P15	Basement 08	20-06-2025
A.DA1004	P15	Basement 07	20-06-2025
A.DA1005	P15	Basement 06	20-06-2025
A.DA1006	P15	Basement 05	20-06-2025
A.DA1007	P15	Basement 04	20-06-2025
A.DA1008	P15	Basement 03	20-06-2025
A.DA1009	P15	Basement 02	20-06-2025
A.DA1010	P15	Basement 01	20-06-2025
A.DA1011	P15	Lower Ground (Lobby)	20-06-2025
A.DA1012	P15	Ground Floor (Lobby)	20-06-2025
A.DA1013	P15	Level 01 (Hotel)	20-06-2025
A.DA1014	P15	Level 02 (Hotel)	20-06-2025
A.DA1015	P15	Level 03 (Hotel)	20-06-2025

Drawing No.	Issue	Title	Date
A.DA1016	P15	Level 04 (Hotel)	20-06-2025
A.DA1017	P15	Level 05 (Hotel)	20-06-2025
A.DA1018	P15	Level 06 (Hotel)	20-06-2025
A.DA1019	P15	Level 07 (Plant Room)	20-06-2025
A.DA1020	P15	Level 08 (Typical Residential Floor 1)	20-06-2025
A.DA1021	P15	Level 09 (Typical Residential Floor 1)	20-06-2025
A.DA1022	P15	Level 10 (Typical Residential Floor 1)	20-06-2025
A.DA1023	P15	Level 11-14 (Typical Residential Floor 1)	20-06-2025
A.DA1024	P15	Level 15-32 (Typical Residential Floor 2)	20-06-2025
A.DA1025	P15	Level 33 (Mid Level Amenities)	20-06-2025
A.DA1026	P15	Level 34 (Typical Residential Floor 2 Lift Overrun)	20-06-2025
A.DA1027	P15	Level 35-39 (Typical Residential Floor 3)	20-06-2025
A.DA1028	P15	Level 40-45 (Typical Residential Floor 4)	20-06-2025
A.DA1029	P15	Level 46-47 (Typical Residential Floor 5)	20-06-2025
A.DA1030	P15	Level 48 (Typical Residential Floor 6 – L1)	20-06-2025
A.DA1031	P15	Level 49 (Typical Residential Floor 6 – L2)	20-06-2025
A.DA1032	P15	Level 50 (Lower Plant)	20-06-2025
A.DA1033	P15	Level 51 (Upper Plant)	20-06-2025
A.DA1034	P15	Roof	20-06-2025
A.DA2000	P15	North Elevation	20-06-2025
A.DA2001	P15	East Elevation	20-06-2025
A.DA2002	P15	South Elevation	20-06-2025
A.DA2003	P15	West Elevation	20-06-2025
A.DA2200	P15	Podium East Elevation	20-06-2025
A.DA2201	P15	Podium South Elevation	20-06-2025
A.DA2202	P15	Podium West Elevation	20-06-2025
A.DA2501	P15	Sections	20-06-2025

## ACHIEVING COMPLIANCE WITH THE NCC

Compliance with the NCC is achieved by satisfying the Performance Requirements. Clause A2G1(2) of the NCC states that the Performance Requirements can be satisfied by one of the following:

- (a) Performance Solution.*
- (b) Deemed-to-Satisfy Solution.*
- (c) A combination of (a) and (b).*

Clause A2G2(1) of the NCC states that a Performance Solution is achieved by demonstrating:

- (a) compliance with all relevant Performance Requirements; or*
- (b) the solution is at least equivalent to the Deemed-to-Satisfy Provisions.*

Clause A2G2(2) of the NCC states that a Performance Solution must be shown to comply with the relevant Performance Requirements through one or a combination of the following Assessment Methods:

- (a) Evidence of suitability in accordance with Part A5 that shows the use of a material, product, plumbing and drainage product, form of construction or design meets the relevant Performance Requirements.*
- (b) A Verification Method including the following -*
  - (i) the Verification Methods in the NCC.*
  - (ii) Other Verification Methods, accepted by the appropriate authority that show compliance with the relevant Performance Requirements.*
- (c) Expert judgment.*
- (d) Comparison with the Deemed-to-Satisfy Provisions.*

Clause A2G2(3) of the NCC states Where a Performance Requirement is satisfied entirely by a Performance Solution, in order to comply with (1) the following method must be used to determine the Performance Requirement or Performance Requirements:

- (a) Identify the relevant Performance Requirements from the Section or Part to which the Performance Solution applies.*
- (b) Identify Performance Requirements from other Sections or Parts that are relevant to any aspects of the Performance Solution proposed or that are affected by the application of the Performance Solution.*

Clause A2G2(4) of the NCC states Where a Performance Solution is proposed to be satisfied by a Performance Solution, the following steps must be undertaken:

- (a) Prepare a performance-based design brief in consultation with relevant stakeholders.*
- (b) Carry out analysis, using one or more of the Assessment Methods listed in (2), as proposed by the performance-based design brief.*
- (c) Evaluate results from (b) against the acceptance criteria in the performance-based design brief.*
- (d) Prepare a final report that includes-*
  - (i) All Performance Requirements and/or Deemed-to-Satisfy Provisions identified through A2G2(3) or A2.4(3) as applicable; and*
  - (ii) Identification of all Assessment Methods used; and*
  - (iii) Details of step (a) to (c); and*
  - (iv) Confirmation that the Performance Requirement has been met; and*
  - (v) Details of conditions or limitations, if any exist regarding the Performance Solution.*

## IDENTIFIED DEPARTURES TO DTS PROVISIONS OF NCC

With reference to the Building Code of Australia Compliance Assessment Report for DA Submission prepared by AE&D Pty Ltd (Ref: 14002, Revision 1, dated 20 May 2025), it is likely that Performance Solutions are proposed to be developed to address departures to the following DTS provisions of the NCC:

1. *Fire-resisting construction (reduced FRL to building elements) – NCC Specification 5*
2. *Fire-resisting construction (reduced FRL to wet areas in residential units) – NCC Specification 5*
3. *Fire-resisting construction (fire seal to perimeter slab edges) – NCC Specification 5*
4. *Fire-resisting construction (fire seal between bounding & external walls) – NCC Specification 5*
5. *Enclosure of shafts (omission of fire rating to base of garbage chute shafts) – NCC Specification 5 (S5C8)*
6. *Ancillary elements (planter boxes) – NCC Clause C2D14*
7. *Separation of classifications in the same storey (reduced FRL to building elements) – NCC Clause C3D9*
8. *Separation of classifications in different storeys (reduced FRL to building elements) – NCC Clause C3D10*
9. *Public corridors in Class 2 and 3 buildings (corridors > 40 m) – NCC Clause C3D15*
10. *Protection of openings in external walls (exposure to boundaries) – NCC Clause C4D3*
11. *Separation between adjacent fire compartments (exposure between compartments) – NCC Clause C4D4*
12. *Exit travel distances (basement levels) – NCC Clause D2D5*
13. *Exit travel distances (hotel levels) – NCC Clause D2D5*
14. *Exit travel distances (residential levels) – NCC Clause D2D5*
15. *Width of exits and paths of travel to exits (reduced path of travel in ancillary areas) – NCC Clause D2D6*
16. *Travel via fire-isolated exits (discharge into confines of building) – NSW NCC Clause D2D12*
17. *Discharge from exits (alternative exits discharge adjacent to each other) – NCC Clause D2D15*
18. *Fire hose reels (omission of coverage from small fire rated rooms) – NCC Clause E1D3*
19. *Fire control centre (access into fire control room) – NCC Specification 19*
20. *Smoke hazard management (omission of zone pressurisation) – NCC Clause E2D6*
21. *Atrium construction (variation to atrium provisions) – NCC Part G3*

*Note: At this stage of the design, the identified departures to the DTS provisions of the NCC are not exhaustive, and additional departures resulting in the development of additional Performance Solutions may arise throughout the detailed design process leading up to when a Construction Certificate is issued. This is routine practice for development of this scale and nature, and the level of detail that this statement has been prepared to is appropriate to this stage of the project lifecycle.*

## REQUIRED FIRE SAFETY SYSTEMS

The following fire safety systems will be required to be installed throughout the subject development:

- Fire hydrants – NCC Clause E1D2, AS 2419.1-2021
- Fire hose reels – NCC Clause E1D3, AS 2441-2005
- Fire sprinklers – NCC Specification 17, AS 2118.1-2017, AS 2118.6-2012
- Portable fire extinguishers – NCC Clause E1D14, AS 2444-2001
- Automatic smoke detection and alarm system – NCC Specification 20, AS 1670.1-2018
- Stair pressurization systems – NCC Clause E2D4, AS 1668.1-2015
- Emergency lighting and exit signs – NCC Clauses E4D2, E4D4, E4D5 & E4D8, AS/NZS 2293.1-2018
- Emergency lifts – NCC Clause E3D5
- Emergency warning and intercom systems – NCC Clause E4D9, AS 1670.1-2018

*Note: The above list may change or vary during the detailed design process and / or as a result of the future Fire Engineering Assessment and liaison with Fire & Rescue NSW (FRNSW). FRNSW is welcome to provide input during the Public Exhibition of this SSDA. Any feedback Agency stakeholders will be addressed as part of the Response to Submissions package for this project.*

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## CONCLUSION

Innova Services Australia Pty Ltd has reviewed the proposed design and the identified departures to the DTS provisions of the NCC and advise that Performance Solutions can be developed that will be capable of demonstrating compliance with the relevant Performance Requirements of the NCC. The appropriate stage for this to occur would be post-approval design development before a Construction Certificate is issued.

The Fire Engineering process will require liaison with relevant stakeholders during the detailed design process, including Fire & Rescue NSW (FRNSW). This process may result in changes to the design to ensure an acceptable outcome for all relevant stakeholders. FRNSW is requested to consider this statement with appropriate regard for matters that can be readily resolved before a Construction Certificate is issued rather than before this SSDA is determined. This will ensure adequate design coordination without prejudicing assessment timeframes for this project.

Should you require any additional information with regards to the above please do not hesitate to contact the undersigned.

Yours Faithfully

**Innova Services Australia Pty Ltd**

A handwritten signature in black ink, appearing to read "Jason Powell".

Jason Powell

**Director**

Certifier – Fire Safety (BDC0801)  
MIEAust, CPEng, NER