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Scion

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MIXED-USE DEVELOPMENT – 27-33 MIDDLETON AVENUE, CASTLE HILL FIRE ENGINEERING STATEMENT (FOR SSDA SUBMISSION)

INTRODUCTION

This Fire Engineering Statement prepared by Innova Services Australia Pty Ltd on behalf of Scion is submitted to the Department of Planning, Housing and Infrastructure (DPHI) in support of a Concurrent Rezoning Proposal and State Significant Development Application for a mixed use development at Nos. 27 – 33 Middleton Avenue, Castle Hill, comprising a part 11 and part 14 storey residential flat building and cafe.

The Concurrent Rezoning and State Significant Development Application (SSDA) seeks approval for:

- Site preparation works, including demolition of all existing improvements, vegetation removal and bulk excavation.
- Construction of a part 11 and part 14 storey mixed use development comprising 109 residential apartments, communal open space, landscaping and public domain improvements, inter-allotment drainage, 3 levels of basement car parking, rooftop plant and a 143.13m² café at ground level.

This report should be read in conjunction with the Environmental Impact Statement prepared by Mecone, the Architectural Drawings prepared by BHK Architects, and other technical documents that form part of the State Significant Development Application.

DESCRIPTION OF DEVELOPMENT

The site is located at Nos. 27 – 33 Middleton Avenue, Castle Hill, and is legally identified as Lots 209, 210, 211 & 212 DP 249973 (see **Figure 1**). The site is within The Hills Shire local government area (LGA), and is approximately 500 metres walking distance of the entrance to Hills Showground Station.

The site is occupied by four (4) existing dwellings, of brick with tile construction, and is within an existing low density urban setting characterised by large residential lots supporting single and double storey detached houses, undergoing transition to a high density residential neighbourhood, as part of the emerging Showground Station Priority Precinct.

The site has a 91.44 metre frontage to Middleton Avenue, a depth of 41.455 metres, and an area of 3,791m².



FIGURE 1

NCC ASSESSMENT DATA

With reference to the BCA Assessment prepared by EBS Consultants (Ref: 19646-BCA-1, dated 7 May 2026), 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 units) Class 6 (retail) Class 7a (car parking) Class 7b (loading dock and waste storeroom)
Rise in Storeys	14
No. of Levels Contained	17
Minimum Type of Construction Required	Type A
Effective Height	Greater than 25 m (~43.15 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
DA-002	B16	Site Analysis	06-05-2026
DA-003	B16	Site Analysis (Future Development)	06-05-2026
DA-004	B16	Survey & Demolition Plan	06-05-2026
DA-005	B16	Site Plan	06-05-2026
DA-100	B16	Basement 3	06-05-2026
DA-101	B16	Basement 2	06-05-2026
DA-102	B16	Basement 1	06-05-2026
DA-103	B16	Ground Floor	06-05-2026
DA-104	B16	Level 1	06-05-2026
DA-105	B16	Level 2	06-05-2026
DA-106	B16	Level 3	06-05-2026
DA-107	B16	Level 4	06-05-2026
DA-108	B16	Level 5-7	06-05-2026
DA-109	B16	Level 8-10	06-05-2026
DA-110	B16	Level 11 (COS)	06-05-2026
DA-111	B16	Level 12-13	06-05-2026
DA-112	B16	Rooftop	06-05-2026
DA-200	B16	Elevations	06-05-2026
DA-300	B16	Longitudinal Section A	06-05-2026
DA-301	B16	Longitudinal Section B	06-05-2026
DA-302	B16	Cross Section C	06-05-2026
DA-303	B16	Cross Section D & E	06-05-2026
DA-600	B16	3D View 1	06-05-2026
DA-601	B16	3D View 2	06-05-2026
DA-602	B16	3D View 3	06-05-2026
DA-602	B16	3D View 4	06-05-2026

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 BCA Assessment prepared by EBS Consultants (Ref: 19646-BCA-1, dated 7 May 2026), it is noted that Performance Solutions are proposed to be developed to address departures to the following DTS provisions of the NCC:

1. Fire-resisting construction – NCC Clause C2D2, NCC Specification 5

To reduce the fire resistance level (FRL) of the structural building elements associated with the Class 7b portions of the development (loading dock and waste storeroom) from 4-hours to 2-hours.

2. Fire-resisting construction – NCC Clause C2D2, NCC Specification 5

To reduce the fire resistance level (FRL) of the structural building elements associated with the Class 6 portions of the development (retail tenancy) from 3-hours to 2-hours.

3. Enclosure of shafts – NCC Specification 5 (S5C8)

To permit the garbage rooms within basement 1 to form the base of the garbage chute shafts that penetrate through the residential levels of the development.

4. Exit travel distances – NCC Clause D2D5

To permit an exit travel distance from the basement levels to reach a point of choice from which travel in different directions to 2 exits is available of greater than 20 m.

5. Exit travel distances – NCC Clause D2D5

To permit an exit travel distance from the waste room on ground floor to reach a single exit of greater than 20 m.

6. Exit travel distances – NCC Clause D2D5

To permit an exit travel distance from the residential levels, including the roof top terrace, to reach a point of choice from which travel in different directions to 2 exits is available of greater than 6 m.

7. Travel fire fire-isolated exits – NCC Clause D2D12

To permit the path of travel from fire-isolated exits necessitate passing within 6 m of unprotected openings within the external walls of the building when measured at right angles to the path of travel.

8. Fire hydrants – NCC Clause E1D2

To permit the fire brigade booster assembly to be located more than 20 m from the main pedestrian entrance into the building.

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 through 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 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.

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



Jason Powell

Director

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