

25 May 2026
Our Ref: 25306-SSDA-L01-01

Conquest Pty Ltd
Level 1, 15 George Street
Burwood NSW 2134

Attention: Joseph Kazzi

Dear Joseph

19A EVANS AVENUE, EASTLAKES NSW 2018 PROVISION FOR FIRE ENGINEERING (FOR SSDA)

INTRODUCTION

We refer to the proposed construction of a new Mixed-Use Development to be located at 19A Evans Avenue, Eastlakes NSW 2018, and provide the following advice with regards to the proposed use of Performance Solutions to address identified variations to the Deemed to Satisfy (DtS) provisions of the National Construction Code Volume 1 Building Code of Australia 2022 (NCC). The purpose of this document is to assist in the design development process, and to assist the Consent Authority in the determination of the modification to State Significant Development Application.

Note: It is assumed that NCC 2022, will be the applicable version of the NCC in which the proposed development is subject to compliance.

We confirm that we have reviewed the referenced architectural documentation as applicable to Fire Engineering for the proposed development. It is concluded that, with the implementation of design amendments during the detail design phase, the identified compliance issues (refer to SSDA BCA Support Letter – AllCert Pty Ltd dated 25 May 2026) are capable of resolution through the design development normally undertaken between SSDA and Construction Certificate (CC) stage, and Subsequent Performance Solutions can be developed to the DtS provisions of the NCC to ensure the proposed development can achieve compliance with the relevant Performance Requirements of the NCC.

REFERENCED DOCUMENTATION

The content of this Statement is based on the following Documentation:

- Architectural Drawings (DA000 to DA316) — DKO Architecture (NSW) Pty Ltd, comprising Cover, Site Series, Floor Plans, Elevations, Sections and Perspectives
- BCA Assessment Report — AllCert Pty Ltd (DRAFT BCA Report + Mark-ups)
- SSDA BCA Support Letter – AllCert Pty Ltd dated 25 May 2026

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227 Elizabeth Street
Sydney NSW 2000
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DEVELOPMENT OVERVIEW

The Development comprises a mixed-use building over four levels of basement carparking, two podium levels accommodating commercial and assembly uses, and residential accommodation extending up to Level 18 across four buildings (Buildings A, B, C and D).

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 5 (office) Class 6 (retail) Class 7a (car parking) Class 7b (storage) Class 9b (entertainment / gym)
Rise in Storeys	19
No. of Levels Contained	23
Minimum Type of Construction Required	Type A
Effective Height	>50m

ACHIEVING COMPLIANCE WITH THE NCC

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

1. *Performance Solution; or*
2. *Deemed-to-Satisfy Solution; or*
3. *a combination of (1) and (2).*

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; or*
 - (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 A2G4(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.*

CONCLUSION

We confirm that we have reviewed the above-referenced architectural documentation as applicable to Fire Engineering for the proposed development. It is concluded that, with the implementation of design amendments during the detail design phase, the identified compliance issues (refer to SSDA BCA Support Letter – AllCert Pty Ltd dated 25 May 2026) are capable of resolution through the design development normally undertaken between SSDA and Construction Certificate (CC) stage, and Subsequent Performance Solutions can be developed to the DTS provisions of the NCC to ensure the proposed development can achieve compliance with the relevant Performance Requirements of the NCC.

It is therefore concluded that the proposal is capable of achieving compliance with the relevant Performance Requirements of the NCC.

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



Ben Hamilton

Director

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BEng (Civil), MFireSafetyEng