



**NSLPP MEETING HELD ON 03/04/24  
SECTION 4.56 APPLICATION REPORT**

**Attachments:**

1. Site Plan
2. DA86/2022 Approved Elevations and Floor Plans
3. Development Consent No. 86/22/2
4. Council correspondence concerning Conditions C50, C51 and C52
5. Architectural Plans
6. Design Report

**ADDRESS:** 96-98 Ben Boyd Road, Neutral Bay

**APPLICATION No:** DA 86/2022/03

**PROPOSAL:** Modification of Court Approved residential flat building (DA86/22) to provide for an amended balcony design to the southern and western elevations of an approved residential flat building and satisfy the intent of Condition C51 Balconies – Design Amendments

**PLANS REF:**

Plan Nos.	Rev	Description	Prepared by	Dated
DA 1002	H	Site Plan	MHNDUNION	15/02/24
DA 2002	H	Ground Floor Plan	MHNDUNION	14/12/23
DA 2003	H	Level 1 Floor Plan	MHNDUNION	14/12/23
DA 2004	H	Level 2 Floor Plan	MHNDUNION	14/12/23
DA 2005	H	Level 3 Floor Plan	MHNDUNION	14/12/23
DA 2006	H	Level 4 Floor Plan	MHNDUNION	14/12/23
DA 2007	H	Level 5 Floor Plan	MHNDUNION	14/12/23
DA 3001	H	Elevation South	MHNDUNION	14/12/23
DA 3003	H	Elevation West	MHNDUNION	15/02/24
DA 9103	H	Site Coverage Diagram	MHNDUNION	15/02/24

**OWNER:** Aidop No 3 Pty Ltd

**APPLICANT:** The Trustee for Aidop No 3 Unit Trust

**AUTHOR:** Thomas Holman, Senior Assessment Officer

**DATE OF REPORT:** 7 March 2024

**DATE LODGED:** 12 February 2024

**RECOMMENDATION:** Approval

## EXECUTIVE SUMMARY

Development Application DA86/2022 for demolition of existing structures and construction of a residential flat building containing 21 apartments including basement parking and associated landscaping and civil works was approved by the Land and Environment Court on 30 November 2022.

The previous modification application (DA 86/22/2 – MOD 1) was determined by the North Sydney Local Planning Panel (NSLPP) on 4 October 2023. Amended conditions were endorsed by the Panel which included changes to Condition C51 by the Panel to require the design of the approved balconies to match the LEC Court approved design and layout of the balconies to the southern elevation. The effect of the condition was to require a break in the form of the balconies and ensure appropriate built form and articulation.

**The application is referred to the North Sydney Local Planning Panel for Determination as the terms of Condition C51 have not been satisfied in full and the applicant has submitted an alternative design which seeks to address the intent of the condition.**

**In accordance with the Ministerial Directions for Local Planning Panels an application for modification under the provisions of s4.56 of the Act which involves changes to a condition imposed by the Panel, must be determined by the Panel.**

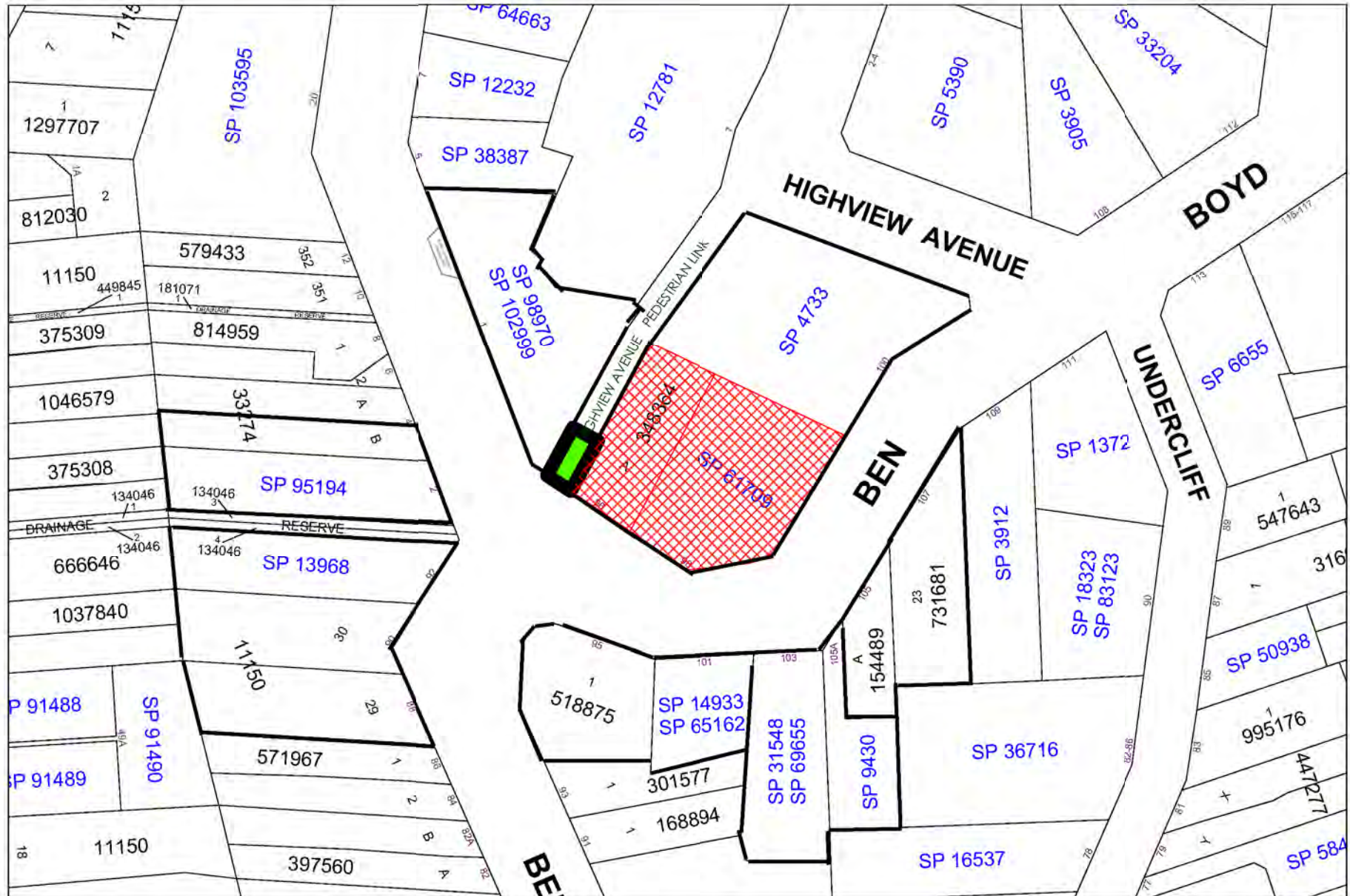
The proposal seeks to modify the terms of Condition C51 to provide for an amended balcony design that encompasses a physical break in the built form as well as provide additional building articulation. The proposed amended design differs from the LEC Court approved design and that currently required by Condition C51.

The proposed plans with amendments to the southern balconies and the Level 5 western balcony however satisfy the intent of Condition C51 Balconies – Design Amendments and would result in an improved design outcome over the previously proposed design under DA 86/22/2 – MOD 1.

The modifications do not result in any material adverse amenity impact to adjoining properties or the surrounding area and no submissions have been received following notification of the modification application.

Having regard to the provisions of section 4.56 & 4.15(1) of the Environmental Planning and Assessment Act 1979, the proposed development as modified is substantially the same development as originally consented to. The application is therefore recommended for **approval**.

**LOCATION MAP**



Property/Applicant    ● Submitters - Properties Notified

## DESCRIPTION OF PROPOSAL

The proposal seeks to modify DA 86/22/2 to remove the requirements for the updated balcony design and delete the below condition of consent (*in italics*). The reason for deletion of the condition of consent is subject to amended plans proposing alterations to the design and size of the balconies on the southern elevation and Level 5 on the western elevation which seek to satisfy the intentions of the below condition although not strictly reverting to the balcony design approved under DA 86/22 – LEC No. 2022/165233.

Condition C51 states:

### ***Balconies – Design Amendments***

**C51.** *The southern balcony that serves Units 102 & 103 on Level 1, Units 202 & 203 on Level 2, Units 302 & 303 on Level 3, Unit 402 on Level 4 and Unit 502 on Level 5 is to be amended so not to be a continuous balcony but encompass a break in form as per that approved under DA 86/22 – LEC No. 2022/165233. The balconies subject to design amendments are clouded in red on the approved plans in A7 of this modification application consent.*

*The Level 5 balcony on the western side of the building (Unit 501) is not approved and shall remain as per the balcony approved under determination for DA 86/22 – LEC No. 2022/165233. The respective balcony subject to design amendments is clouded in red on Level 5 Floor Plan, DA 2007 Rev F.*

*The floor plans (Levels 1-5) and elevations must be submitted to Council for the written approval of Council's Manager Development Services prior to the issue of any construction certificate.*

*(Reason: To ensure control in site density, maintenance in articulation in built form to the streetscape and minimise additional exceedance in site coverage)*

The previous modification application (DA 86/22/2) was granted consent by the North Sydney Local Planning Panel (NSLPP) on 4 October 2023 and the Council Officer's Report, Recommendation and amended conditions were endorsed subject to the above condition which was amended by the Panel.

The current modification application requires amendments to a condition of development consent recommended in the council assessment report, but which was amended by the panel. The ministerial Local Planning Panels direction for modification of consents requires that this application be deferred to the Panel for determination.

## DESCRIPTION OF LOCALITY

The subject site is located at No. 96-98 Ben Boyd Road, Neutral Bay and comprises two (2) lots, being Lot A DP 348364 and SP 61709. The site is located on the northern side of Ben Boyd Road between the intersections with Premier Street and Highview Lane/Ben Boyd Road.



The site is an irregular shape and has its southern and eastern boundaries adjoining the road reserve of Ben Boyd Road and the western boundary adjoining Highview Lane. The total site area is 1,699.3m<sup>2</sup> as stipulated in the Survey Plan prepared by LTS Lockley dated 03 November 2021.



**Figure 1 – Aerial photo of site (boundary in red) and surrounds**

The site has a moderate and consistent slope down from the northern boundary towards the south which affords views and outlooks towards Neutral Bay and beyond to Sydney Harbour and the CBD.

The site is zoned R4 High Density Residential, subject to a maximum height control of 12m, not within a conservation area but in the vicinity of a local heritage item (I0574 – 107 Ben Boyd Road).



**Figures 2, 3 & 4 – Land Zoning Map (left), Height of Building Map (middle) and Heritage Map (right) with subject site hatched in red**

The existing site comprises of a two storey dwelling (No.96) and a four storey residential flat building (No.98). Adjoining the site to the west is Highview Lane and to the west of the lane is a five-storey residential flat building. Adjoining the site to the north is a nine-storey residential flat building with at-grade parking beneath the building. Properties to the western side of Premier Street are in Zone R2 Low Density Residential. Land to the southern side of Ben Boyd Road is in Zone R3 Medium Density Residential. Land to the north is within Zone R4 High Density Residential.



**Figures 5, 6 & 7 – Photos of the site from the eastern side of Ben Boyd Road (left and middle), photo of site from southern side of Ben Boyd Road (right)**

## CHECKING OF PLANS

This application has been checked to ensure that the changes being sought are the only changes included in the submitted plans. The changes sought are only to southern elevation balconies on Levels 1 – 5 and the western elevation Level 5 balcony and are a design outcome in response to the requirements stipulated in Condition C51 of Development Consent No. 86/22/2.

## RELEVANT HISTORY

### Previous Applications

Date	Action
30/11/2022	Development Application DA86/2022 for demolition of existing structures and construction of a residential flat building containing 21 apartments including basement parking and associated landscaping and civil works was approved by the Land and Environment Court on 30 November 2022.
04/10/2023	<p>Modification Application No. 86/22/02 was granted consent by NSLPP on 4 October 2023. The scope of works under the modification application included alterations to basement levels including layout of parking and residential storage, modifications to the number and size of apartment layouts, amendments to landscaping, amendments to the design and size of the southern balconies and Level 5 western balcony and alterations to the roof plant and skylights.</p> <p>The Panel endorsed the Council Officer’s report, recommendation and conditions subject to amendments to the Condition C51 which states:</p> <p><b>Balconies – Design Amendments</b></p> <p><b>C51</b> The southern balcony that serves Units 102 &amp; 103 on Level 1, Units 202 &amp; 203 on Level 2, Units 302 &amp; 303 on Level 3, Unit 402 on Level 4 and Unit 502 on Level 5 is to be amended so not to be a continuous balcony but encompass a break in form as per that approved under DA 86/22 – LEC No. 2022/165233. The balconies subject to design amendments are</p>

	<p>clouded in red on the approved plans in A7 of this modification application consent.</p> <p>The Level 5 balcony on the western side of the building (Unit 501) is not approved and shall remain as per the balcony approved under determination for DA 86/22 – LEC No. 2022/165233. The respective balcony subject to design amendments is clouded in red on Level 5 Floor Plan, DA 2007 Rev F.</p> <p>The floor plans (Levels 1-5) and elevations must be submitted to Council for the written approval of Council’s Manager Development Services prior to the issue of any construction certificate.</p> <p>(Reason: To ensure control in site density, maintenance in articulation in built form to the streetscape and minimise additional exceedance in site coverage)</p> <p>On 1 November 2023, in response to the Panel determination the applicant submitted a ‘To Satisfy DA Consent Condition Application’ and lodged amended plans (Drawing No. 2002 – Ground Floor Plan, Rev G and Drawing No. 3101 – Section B, Rev G dated June 2023).</p> <p>The applicant provided amended plans to address design changes required by the Panel as outlined by Condition Nos. C50 Ground Level Parking Design Change, C51 Balconies – Design Amendments &amp; C52 Deep Soil Area. The plans were reviewed by Council Officers and satisfy the requirements of Conditions C50 and C52 only.</p> <p>The requirements of Condition C51 Balconies – Design Amendments were not satisfied at this time. The amendments to the southern balconies and western balcony on Level 5 were beyond the scope of Condition C51 Balconies – Design Amendments and therefore amendments that do not strictly comply with the requirements of Condition C51 would require lodgement of a Section 4.56 Modification Application.</p>
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**Current application**

<b>Date</b>	<b>Action</b>
12/02/2024	Modification Application No. 86/22/3 was lodged for a modification to address the requirements of Condition C51 and amend the form of the balconies to the southern elevation.
14/02/2024	Additional information was requested by Council following an initial review. An updated West Elevation was required noting alterations to the western Level 5 balcony and an updated Site Plan was required. A compliance diagram and notification plan were required.  The Applicant submitted the additional information on 16 February 2024.
07/03/2024	A site visit was completed by the Assessment Officer.
08/03/2024	The application was notified to adjoining properties and the Neutral Precinct between 23 February and 08 March 2024.

18/03/2024	The applicant provided revised modified wording to Condition C51 requesting compliance with Condition C51 prior to a construction certificate for Stage 2 – Construction of basement slab including in-ground services if the Panel did not support the balcony design amendments.
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## CONSIDERATION

Council is required to assess the s4.56 application under the EPA Act 1979 (As amended) having regard to the following matters:

### Section 4.56

- (a)** *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b)** *it has notified the application in accordance with—*
  - (i)** *the regulations, if the regulations so require, or*
  - (ii)** *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent,*  
*and*
- (c)** *it has notified, or made reasonable attempts to notify, each person who made a submission in respect of the relevant development application of the proposed modification by sending written notice to the last address known to the consent authority of the objector or other person, and*
- (d)** *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Comments are provided on the above matters in section 4.56 as follows:

- (a)** *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*

The application involves alterations to the approved balconies on the southern elevation and alterations to the Level 5 western balcony and there are no new elements to be constructed as part of modifications. Consequently, the proposal is considered to be “substantially the same”.

- (b)** *Whether the application has been notified and, if so, were there any submissions*

The proposal did not require any referral to another public authority. The proposal was notified to adjoining properties and the Neutral Precinct between 23 February to 08 March 2024 and following notification no submissions were received.

Pursuant to section 4.56 (1A) in the EPA ACT 1979 (as amended) Council must also consider the matters that need to be addressed under section 4.15 (Evaluation) and the reasons for the grant of consent that is sought to be modified.

***(1A) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.***

**Comment:** with regards to the reasons for the grant of the original consent in accordance with Subsection 4.56(1A), the Court's judgment has been considered.

The judgment sets out the statutory considerations being jurisdictional requirements to the granting of consent. The proposed modifications to the balconies do not give rise to any new, or would be inconsistent with any former, prerequisite to the granting of consent.

With respect to Section 4.56 (1A) in the EPA Act 1979 and the requirement to consider reasons for the grant of consent it is an opportune time to consider the reasons for the grant of consent for Modification Application No. 86/22/2 and the requirements stipulated in Condition C51 Balconies – Design Amendments.

### **Consideration of the Proposed Balconies**

The panel reasons for the grant of consent of Modification Application No. 86/22/2 are stipulated as follows (*in italics*):

*The Panel is of the view that excavation is to be minimised and deep soil optimised. The Panel also considers that the engineered deep soil areas are to be free of any continuous constructed slab.*

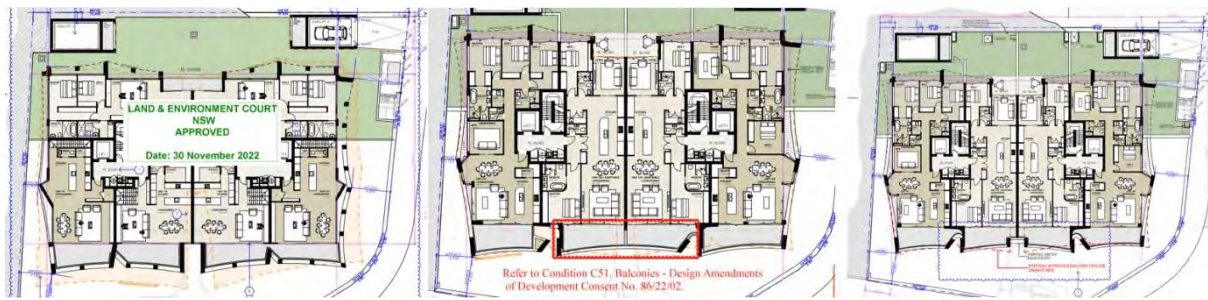
*The Panel is of the view that the street elevation would benefit from additional articulation to the balconies similar to the original approval.*

*The Panel agrees that the louvres can be replaced with concrete to allow floor to ceiling doors on the eastern elevation.*

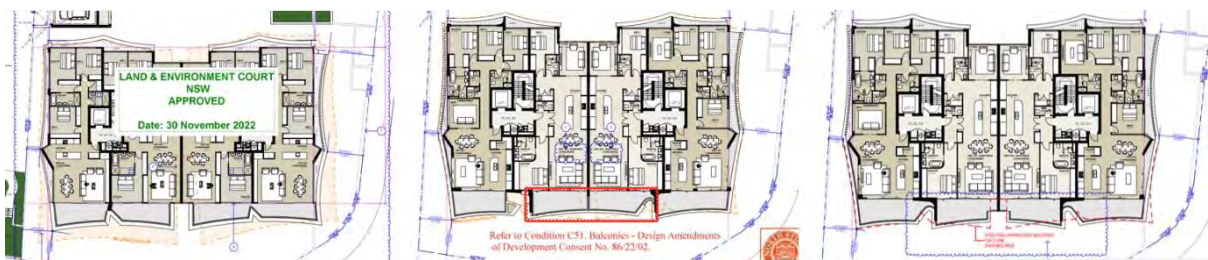
The proposed southern balcony that serves Units 102 & 103 on Level 1, Units 202 & 203 on Level 2, Units 302 & 303 on Level 3, Unit 402 on Level 4 and Unit 502 on Level 5 has a break in form providing additional articulation consistent with the second paragraph of the above Panel Reasons.

It is however noted that the amended balconies are not strictly designed as per that approved under DA 86/22 – LEC No. 2022/165233 therefore requiring determination by the Panel. The below figures provide a visual understanding between the plans approved by the LEC, those lodged subject to the previous modification and the current amended balconies. It is noted the current southern balconies especially the centrally sited balconies have an improved articulation and break in form compared to the previous modification.





**Figures 8, 9 & 10 – LEC Approved Level 1 Floor Plan, DA 2003 Rev C (left), Annotated Level 1 Floor Plan, DA 2003 Rev F approved by NSLPP (middle) and Amended Level 1 Floor Plan, DA 2003 Rev H (right)**



**Figures 11, 12 & 13 – LEC Approved Level 2 Floor Plan, DA 2004 Rev C (left), Annotated Level 2 Floor Plan, DA 2004 Rev F approved by NSLPP (middle) and Amended Level 2 Floor Plan, DA 2004 Rev H (right)**

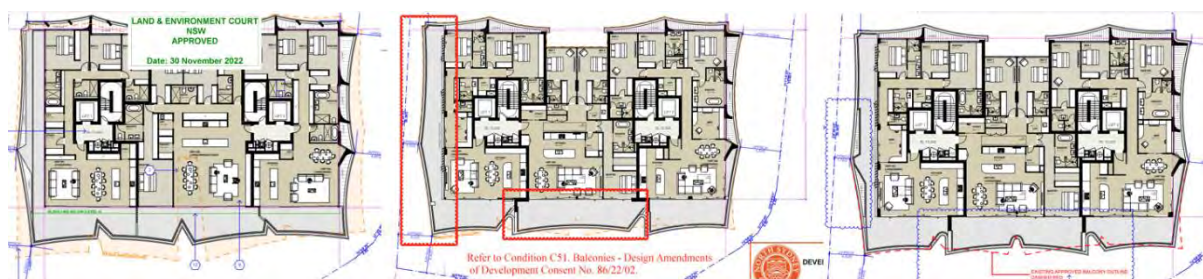


**Figures 14, 15 & 16 – LEC Approved Level 3 Floor Plan, DA 2005 Rev C (left), Annotated Level 3 Floor Plan, DA 2005 Rev F approved by NSLPP (middle) and Amended Level 3 Floor Plan, DA 2005 Rev H (right)**



**Figures 17, 18 & 19 – LEC Approved Level 4 Floor Plan, DA 2006 Rev C (left), Annotated Level 4 Floor Plan, DA 2006 Rev F approved by NSLPP (middle) and Amended Level 4 Floor Plan, DA 2006 Rev H (right)**





**Figures 20, 21 & 22 – LEC Approved Level 5 Floor Plan, DA 2007 Rev C (left), Annotated Level 5 Floor Plan, DA 2007 Rev F approved by NSLPP (middle) and Amended Level 5 Floor Plan, DA 2007 Rev H (right)**

In summary, the proposed plans with amendments to the southern balconies and the Level 5 western balcony although not being of a matching design compared to the balconies approved by the LEC are sufficient to satisfy the intent of Condition C51 Balconies – Design Amendments.

The modification application is also supported by a design report by MHNDUNION providing written and graphic supporting evidence for the proposed balconies (refer to Attachment 6).

#### **MATTERS FOR CONSIDERATION UNDER SECTION 4.15 (Evaluation)**

##### ***State Environmental Planning Policy (Housing) 2021***

##### ***Chapter 4 Design of Residential Apartment Development***

In accordance with Section 115 of the *Environmental Planning and Assessment Regulations 2021*, the subject modification application made under section 4.56(1) of the Act is to be accompanied by a design verification statement.

A design verification statement prepared by Brian Meyerson Principal Reg. No. 4907 of MHN Design Union dated 19 March 2024 has been provided to satisfy Section 115 of the EP&A Regulations 2021. The statement demonstrates the modified development has satisfactorily addressed the Design Quality Principles in Schedule 1, the objectives in the ADG, and verified that the modifications do not diminish or detract from the design quality of the original development or compromise the design intent of the original development.

The proposed modifications are evaluated in accordance with the Design Quality Principles in Schedule 1 of the Policy.

##### ***Principle 1: Context and neighbourhood character***

The proposed modifications would improve the built form and character of the approved development. The proposed modifications to the external balcony design responds appropriately to the site context having regard to the interface with neighbouring apartments to the north and west.

##### ***Principle 2: Built form and scale***

The proposed modifications generally retain the built form and scale of the approved development. There is no increase to the maximum building height.

***Principle 3: Density***

The proposed modifications subject to Condition C51 Balconies would not alter the density of the approved development. The modifications result in no change to the quantity of apartments and no change to the building envelope.

***Principle 4: Sustainability***

The proposed modifications would not detract from the sustainability outcomes of the development. The minor modifications improve solar access and natural cross ventilation compliance with the ADG.

***Principle 5: Landscape***

No changes to the approved landscape design.

***Principle 6: Amenity***

The proposed modifications would improve the level of residential amenity of the approved apartments by facilitating improvements to the internal layout and configuration of the apartments and refining the privacy and solar shading devices, solar access and natural cross ventilation.

***Principle 7: Safety***

The proposed modifications would not detract from the safety and security of the approved development.

***Principle 8: Housing diversity and social interaction***

Consistent with approved development.

***Principle 9: Aesthetics***

The proposed modifications would not detract from the aesthetics of the approved development subject to the original Landscape Plan being implemented.

**NORTH SYDNEY LOCAL ENVIRONMENT PLAN 2013**

**1. Permissibility**

The site is zoned R4 High Density Residential under the provisions of the North Sydney Local Environmental Plan 2013 (NSLEP 2013). Development for the purposes of a residential flat building is permissible with the consent of Council.

## 2. Objectives of the zone

The objectives of the R4 High Density Residential Zone are stated below:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage the development of sites for high density housing if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.*
- *To ensure that a reasonably high level of residential amenity is achieved and maintained.*

The proposed modifications would not detract from the attainment of the objectives of the zone.

## 3. Height of Building

The subject site has a maximum permitted building height of 12m pursuant to clause 4.3(2) in NSLEP 2013.

The approved development included a variation to the development standard with a maximum building height of 13.65m exceeding the height control by 1.65m which is equivalent to a variation of 13.75%.

The proposed modified development is considered substantially the same development, and the modified balconies would not vary the development standard. The proposed modification involves no change to the maximum height of the building.

### **NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013**



The Development Control Plan applies to the site, so an assessment has been carried out below. Due to the specific scope of works proposed to the size and design of the southern balconies and Level 5 western balcony, a less expansive consideration is required of the criteria within Section 1 – Residential Development of the NSDCP 2013, however attention to detail is provided where relevant.

#### **Environmental Criteria (Section 1.3)**

The proposed works being alterations to approved balconies maintains the amenity of surrounding properties having no additional bulk and scale which could affect neighbouring views, impact upon solar access or cause an unreasonable loss of visual privacy to the residents of adjoining properties. The southern balconies on each level are designed with solid walls to provide visual screening between each apartments respective balcony and there would be no change to the visual privacy of adjoining sites with no alterations sought to windows and doors of the building.

**Quality Built Form (Section 1.4)**

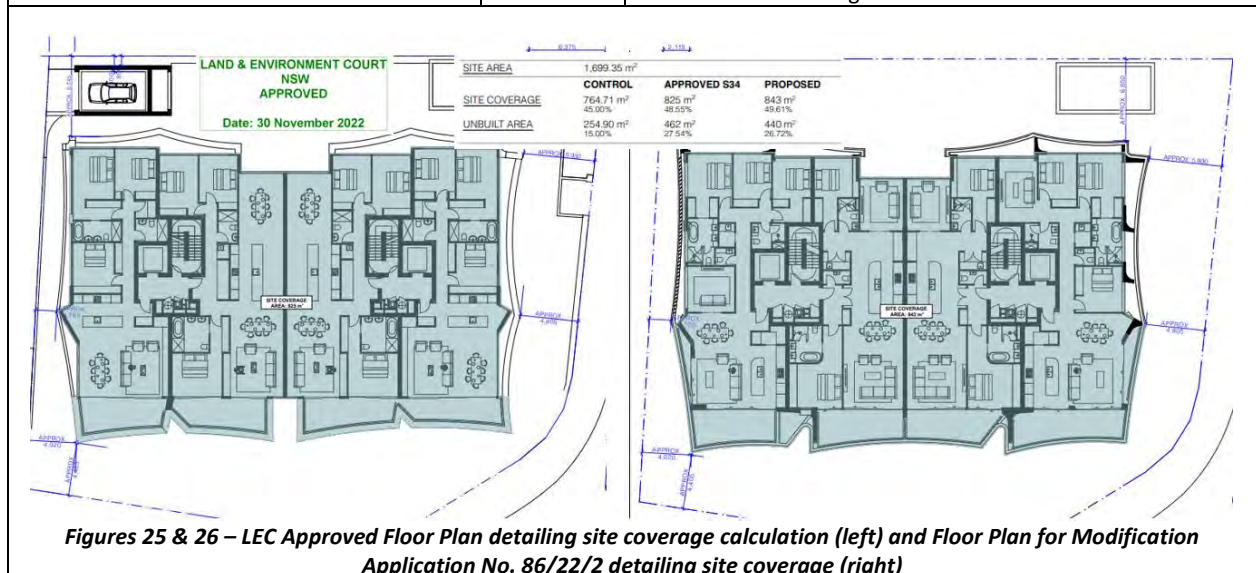
The works would retain the existing siting, setbacks and form, massing and scale of the dwelling and generally retain the existing built form character. No alterations are proposed to the roof form or the elevations of the dwelling, and no alterations are proposed to the boundary fencing and stone wall on the Ben Boyd boundary. Conditions of consent will remain concerning works which may affect the public domain including tree protection measures, sediment and stormwater control and conditions concerning the proposed finishes, materials and colours of the building. The most applicable subsection in Section 1.4 that applies is s1.4.13 'Balconies – Apartments' of NSDCP 2013. Consideration of the applicable objective and provisions of s1.4.13 is detailed in the below condensed DCP table.

<p><b>1.5.5 Balconies - Apartments</b></p> <p><b>P1</b> Apartments must be provided with at least one balcony with a minimum depth of 2m and a minimum area of 8m<sup>2</sup> (n.b. best practice standard for balcony size is 15% of the floor area<sup>3</sup> of the apartment).</p> <p><b>P3</b> Balconies must be incorporated within building envelope (as specified by setbacks and or building height plane) and should not be located on roofs, podiums or be cantilevered.</p> <p><b>P4</b> Balconies should be integrated into the overall architectural form and detail of the building.</p>	<p>Yes</p>	<p>The balconies on the south elevation of the residential flat building comply with the minimum depth of 2m and a minimum area of 8m<sup>2</sup> stipulated in Provision P1, s1.4.13 of NSDCP 2013.</p> <p>The balconies will remain sufficiently incorporated within the building envelope not located on the roof, podium or cantilevered satisfying P3, s1.4.13 of NSDCP 2013.</p> <p>The balconies are considered to remain sufficiently integrated into the overall architectural form and detail of the building. MHNDUNION within Dwg No. 3 provided perspective elevations confirming the balconies would be sufficiently integrated into the overall architectural form of the building similar to the originally consented therefore satisfying P4, s1.4.13 of NSDCP 2013.</p>  <p><i>Figure 23 – S34 Approved Perspective, Dwg No. 3</i></p>  <p><i>Figure 24 – S4.56 Proposed Perspective, Dwg No. 3</i></p>
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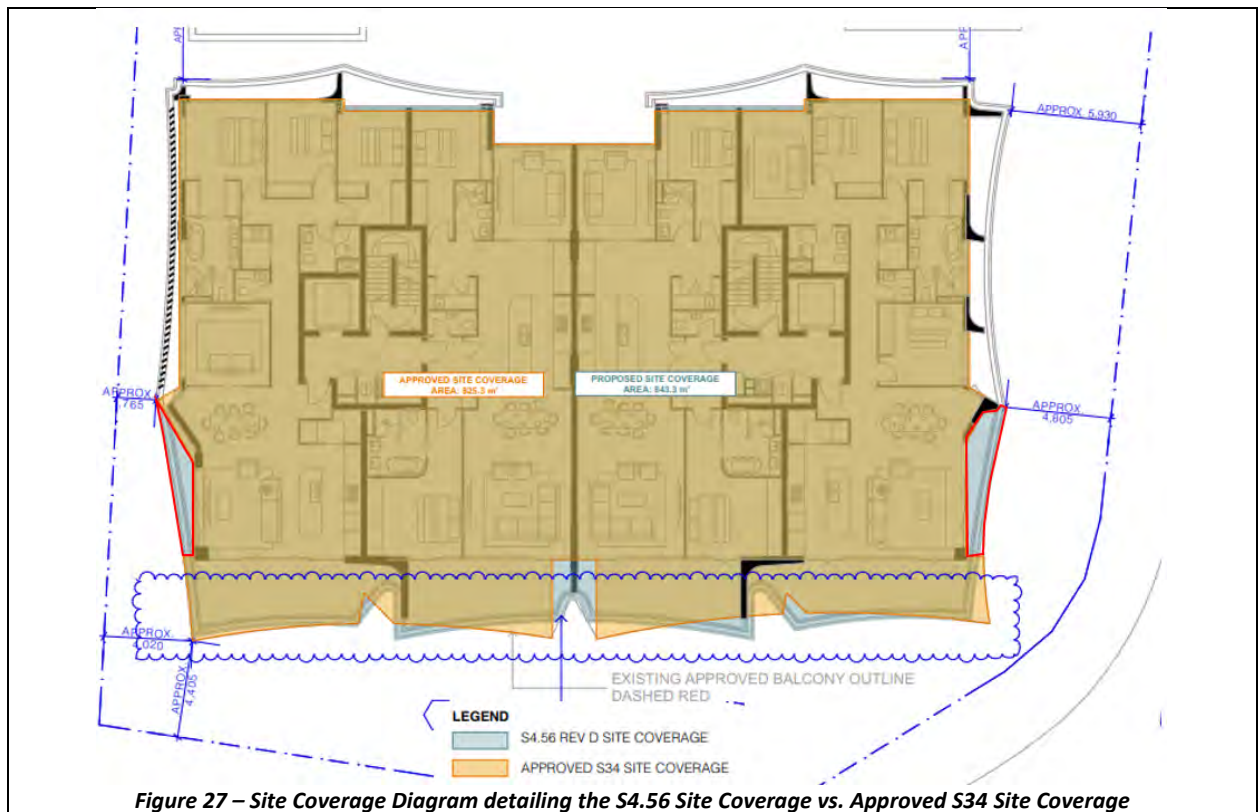
**Quality Urban Environment (Section 1.5)**

No alterations are proposed to vehicular access, car parking or landscaping. However, the balconies subject to alterations are defined as site coverage as per the definition in Provision P2, s1.5.5 of NSDCP 2013 therefore an assessment of site coverage is detailed in the below table.

<p><b>1.5.5 Site Coverage</b>  <b>1.5.6 Landscape Area (min) &amp; Un-built upon area (max)</b></p> <p><i>Site area = 225.9m<sup>2</sup></i></p> <table border="1"> <thead> <tr> <th colspan="2">Table B-1.6: Site Coverage requirements</th> </tr> <tr> <th>Residential Development Type</th> <th>Cover (max)</th> </tr> </thead> <tbody> <tr> <td>Residential Flat Building</td> <td>45%</td> </tr> </tbody> </table>	Table B-1.6: Site Coverage requirements		Residential Development Type	Cover (max)	Residential Flat Building	45%	<p>Acceptable subject to Merit Assessment</p>	<p>The development was approved with a site coverage of 825m<sup>2</sup> (48.55%). The modification application seeks an additional site coverage of 18m<sup>2</sup> increasing the site coverage exceedance to 49.61% which is 4.61% greater than the minimum 45% stipulated in Table B-1.6, s1.5.5 of NSDCP 2013.</p> <p>The proposed site coverage is as per that proposed under the Modification Application No. 86/22/2.</p> <p>The panel determination amended Condition C51 Balconies permitting the side balconies to the south western and south eastern elevations on Level 1 – 5 which accrues additional site coverage.</p> <p>Below is an extract from Dwg No. 2 of the MHN DUNION design statement for the reasoning and justification for the amendment (<i>in italics</i>).</p> <p><i>The design changes we have made to the South-facing balconies as a result of feedback from the NSLPP maintain a commitment to the building's aesthetic and structural integrity, and with a continued commitment to the original principles set forth in the original DA.</i></p> <p>No objections are raised concerning site coverage because the balconies on the southern elevation propose additional articulation compared to that previously submitted for Modification No. 86/22/2. Furthermore, the southern balconies have a similarity in massing with the originally consented balconies and it is noted additional site coverage is accrued because of the design change replacing louvres for shallow balconies on the south western &amp; south eastern corners of the building.</p>
Table B-1.6: Site Coverage requirements								
Residential Development Type	Cover (max)							
Residential Flat Building	45%							







### CHARACTER STATEMENTS – PART C

The subject site is located within the Forsyth Neighbourhood of the **Neutral Bay Planning Area**.

The proposed modifications would not detract from the character of the area having regard to the desire future character and desired built form identified in Sections 7.0 and 7.1 of the character statement of Part C in NSDCP 2013.

### NORTH SYDNEY LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The North Sydney Local Infrastructure Contributions Plan 2020 has been developed in accordance with s7.11 and s7.12 of the *Environmental Planning and Assessment Act 1979*.

A further contribution is not applicable because the development has already been subject to a contribution levy. A monetary contribution was calculated for the original consent and a condition of consent (C42 – Section 7.11 Contributions) required the payment of **\$128,783.92** levy based on the cost of development. The proposed modifications would not notably increase the cost of works and therefore the existing condition remains appropriate.

Consequently, no further contribution is required.



<b>ENVIRONMENTAL APPRAISAL</b>	<b>CONSIDERED</b>
1. Statutory Controls	Yes
2. Policy Controls	Yes
3. Design in relation to existing building and natural environment	Yes
4. Landscaping/Open Space Provision	N/A
5. Traffic generation and Carparking provision	N/A
6. Loading and Servicing facilities	N/A
7. Physical relationship to and impact upon adjoining development (Views, privacy, overshadowing, etc.)	Yes
8. Site Management Issues	N/A
9. All relevant S4.15 considerations of Environmental Planning and Assessment (Amendment) Act 1979	Yes
10. Section 89 LGA 93 including Clause 12 Consideration of Local Government (Approvals) Regulation 1993	Yes

### **PUBLIC INTEREST**

The proposal is considered to be in the public interest for the reasons stated throughout this report.

### **SUITABILITY OF THE SITE**

The proposal would be located in a R4 High Density Residential Zone where residential flat buildings are a permissible form of development. Consequently, the proposal is considered to be suitable for the site having regard to the merits of the proposal as described in the above report.

### **SUBMITTERS CONCERNS**

The subject application was notified to adjoining properties and the Neutral Precinct inviting comment between 23 February – 08 March 2024. There were no submissions raised following notification of the modification application.

### **CONCLUSION & REASONS**

The proposal seeks to modify DA 86/22 to provide for an amended balcony design that encompasses a physical break in the built form as well as provide additional building articulation. The proposed amended design differs from the LEC Court approved design and that currently required by Condition C51.

The proposed southern balcony that serves Units 102 & 103 on Level 1, Units 202 & 203 on Level 2, Units 302 & 303 on Level 3, Unit 402 on Level 4 and Unit 502 on Level 5 has been amended to encompass a break in form providing additional articulation which is an improved outcome.

The proposed plans with amendments to the southern balconies and the Level 5 western balcony although not being of a matching design compared to the balconies approved by the LEC are considered sufficient to satisfy the intent of Condition C51 Balconies – Design Amendments.

The modifications do not result in any material amenity impact to adjoining properties or the surrounding area and no submissions have been received following notification of the modification application.

Having regard to the provisions of section 4.56 & 4.15(1) of the Environmental Planning and Assessment Act 1979, the proposed development as modified is substantially the same development as originally consented to. The application is therefore recommended for **approval**.

## RECOMMENDATION

PURSUANT TO SECTION 4.55 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

**THAT** the North Sydney Planning Panel exercising the functions of Council approve the modification of development consent DA 86/2022 dated 30 November 2022 in respect of a proposal to amendments to the southern and western balconies at 96-98 Ben Boyd Road, Neutral Bay under the provisions of Section 4.56 of the Environmental Planning and Assessment Act only insofar as will provide for the following:

**A. Add Condition A8 as follows:**

**Development in accordance with Plans (s4.56 Amendments)**

A8. The development being carried out in accordance with plans identified in Condition A1 of the consent endorsed with Council’s approval stamp, except as modified by the modifications shown on:

Plan No.	Rev	Title	Drawn by	Received
DA 1002	H	Site Plan	MHNDUNION	16/02/2024
DA 2002	H	Ground Floor Plan	MHNDUNION	17/01/2024
DA 2003	H	Level 1 Floor Plan	MHNDUNION	17/01/2024
DA 2004	H	Level 2 Floor Plan	MHNDUNION	17/01/2024
DA 2005	H	Level 3 Floor Plan	MHNDUNION	17/01/2024
DA 2006	H	Level 4 Floor Plan	MHNDUNION	17/01/2024
DA 2007	H	Level 5 Floor Plan	MHNDUNION	17/01/2024
DA 3001	H	South Elevation	MHNDUNION	17/01/2024
DA 3003	H	West Elevation	MHNDUNION	16/02/2024
DA 9103	H	Site Coverage Diagram	MHNDUNION	16/02/2024

The Certifying Authority must ensure that the building plans and specifications, referenced on and accompanying the relevant Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Infrastructure)

**B. That Condition C51 of the consent be deleted**

**Thomas Holman**  
**SENIOR ASSESSMENT OFFICER**

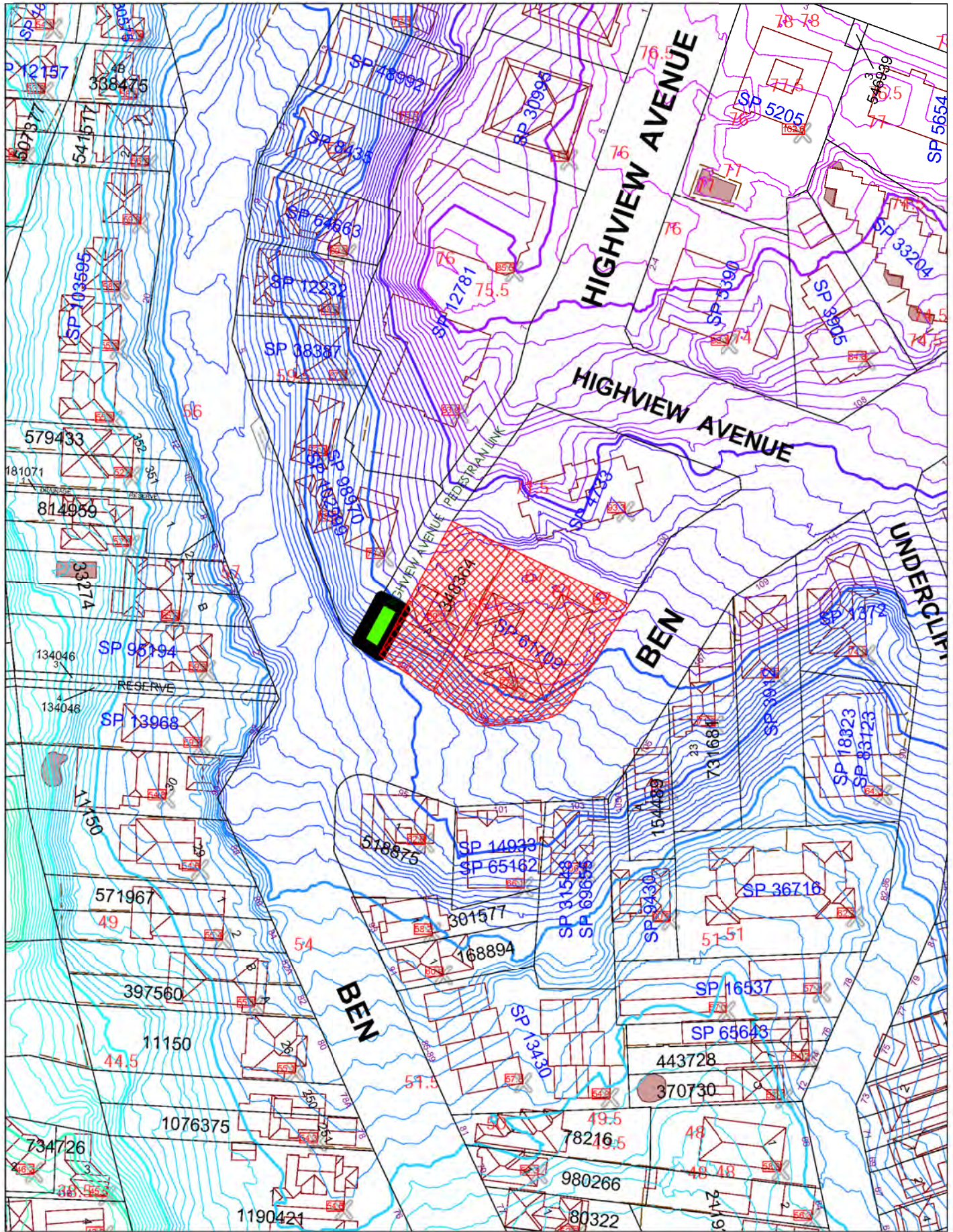
**David Hoy**  
**TEAM LEADER**

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**STEPHEN BEATTIE**  
**DEVELOPMENT SERVICES**

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**North Sydney Council**

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Further details can be obtained by calling (02) 9336 8100 or e-mail mapping@northsydney.nsw.gov.au.

Scale: 1:1200 approx.





96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089

OCTOBER 28<sup>TH</sup>, 2022

Table with columns: DWG NO., DRAWING NAME, REV. Lists drawing revisions from DA 0000 to DA 9301.

REV B - AMENDED DA SUBMISSION POST 34

- 1. BUILDING RAISED.
2. CENTRAL REBATE REMOVED. BUILDING ENVELOPE CONSOLIDATED INTO SINGLE BLOCK.
3. BASEMENT PLANS REDESIGNED, REDUCING BASEMENT FOOTPRINT AND EXCAVATION VOLUME.
... 18. HEIGHT PLANE DIAGRAM UPDATED.

REV C - AMENDED DA SUBMISSION POST 34

- 19. COMMUNAL OPEN SPACE CALCULATION AMENDED.

LAND & ENVIRONMENT COURT NSW APPROVED

Date: 30 November 2022

DEVELOPMENT APPLICATION

Table with columns: REV, DESCRIPTION, DATE, ALL CONSTRUCTION TO COMPLY WITH MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS, ARTIFICIAL LIGHTING, BASIC COMMENTS, NOTES, ARCHITECT: MHN DUNION, DRAWING TITLE: COVERPAGE, SCALE: 1:1@A3, DRAWN BY: BRUN MAYERSON, CHECKED: C, REVISION: C, DWG NUMBER: DA 0000.







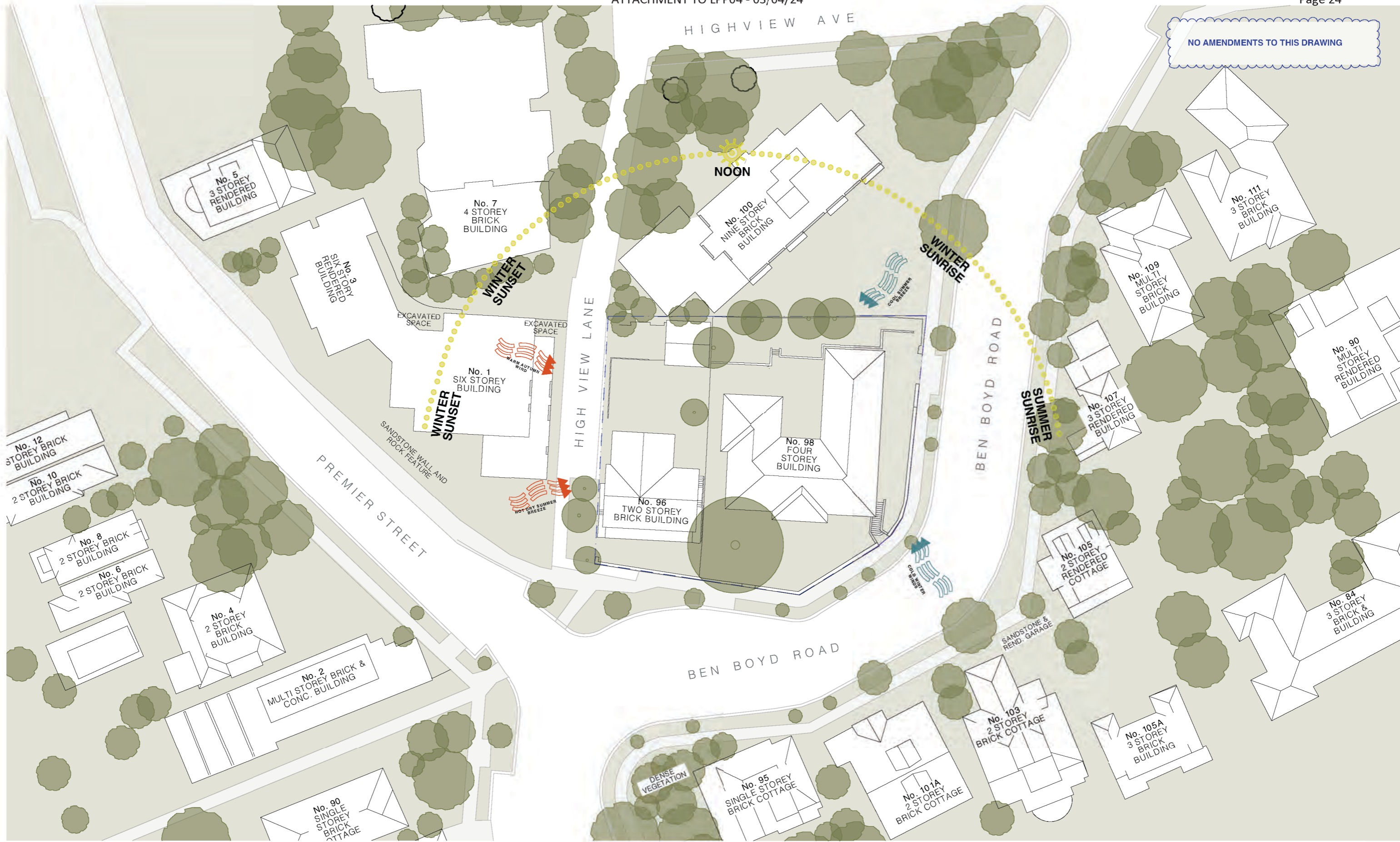
NO AMENDMENTS TO THIS DRAWING



**SITE**  
96-98 BEN BOYD RD

REV	DESCRIPTION	DATE	<p><b>ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES &amp; AUSTRALIAN STANDARDS</b></p> <p><b>CLAUSE 8.1 MATERIALS &amp; FORMS CONSTRUCTION</b> SPEC. C.11 FIRE RESISTING CONSTRUCTION SPEC. C.18 FIRE HAZARD PROPERTIES</p> <p><b>CLAUSE 9.2.2.3 SHIPS ON BOARD</b> CLAUSE 9.2.2.4 GENERAL BUILDING ACCESS REQUIREMENTS</p> <p><b>CLAUSE 10.2.2.1 SEPARATION OF EQUIPMENT</b> CLAUSE 10.2.2.2 ELECTRICAL SUPPLY SYSTEM CLAUSE 10.2.2.3 PROTECTION OF OPENINGS CLAUSE 10.2.2.4 OPENING IN FIRE RESISTANT DIVTS CLAUSE 10.2.2.5 OPENING FOR SERVICE INSTALLATION CLAUSE 10.2.2.6 DISCHARGE FROM EXITS CLAUSE 10.2.2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE 10.2.2.8 DOORS AND WINDOWS CLAUSE 10.2.2.9 LANDINGS CLAUSE 10.2.2.10 THRESHOLDS CLAUSE 10.2.2.11 BALUSTRADES</p> <p><b>CLAUSE 11.1 HANDRAILS</b> CLAUSE 11.2 OPERATION OF LATCH</p> <p><b>CLAUSE 12.3 GENERAL BUILDING ACCESS REQUIREMENTS</b> CLAUSE 12.4 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE 12.5 IDENTIFICATION OF ACCESSIBLE FEATURES CLAUSE 12.6 TACTILE INDICATORS CLAUSE 12.7 WATERPROOFING OF WET AREAS CLAUSE 12.8 DAMP PROOFING CLAUSE 12.9 CONSTRUCTION OF SANITARY COMPARTMENTS PART 28 LIGHTING AND VENTILATION CLAUSE 12.10 SOUND INSULATION OF FLOORS CLAUSE 12.11 SOUND INSULATION OF WALLS CLAUSE 12.12 SOUND INSULATION OF SERVICES CLAUSE 12.13 SOUND INSULATION OF PUMPS</p>	<p><b>ARTIFICIAL LIGHTING TO COMPLY WITH BCA PART CLAUSES 4 &amp; 4.5 AND BALUSTRADE HEIGHTS TO COMPLY WITH BCA CLAUSE 12.16</b> <b>DAMAGE CONTROL &amp; DOWNPOUR: TO COMPLY WITH AS/NZS 3000 S2 ENERGY EFFICIENCY: TO COMPLY WITH 2.2 OF BCA</b> <b>FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA</b> <b>FIRE TRENCH SYSTEMS: TO COMPLY WITH PART 4.7 OF BCA</b> <b>LABORATORY: TO COMPLY WITH AS/NZS</b> <b>MECHANICAL EQUIPMENT: TO COMPLY WITH PART 3.6 OF BCA</b> <b>MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 3.6 OF BCA</b> <b>MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1906 &amp; AS 602</b> <b>SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE &amp; SPEC E2.2 &amp; AS/NZS</b> <b>PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.18 &amp; AS/NZS 4-2000</b> <b>STAR CONSTRUCTION: TO COMPLY WITH PARTS OF BCA</b> <b>STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13</b> <b>WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3546</b></p>	<p><b>BASED COMMENTS:</b> ALL OTHER BASD COMMENTS AS REFERENCED HEREIN AND DETAILED IN THE DRAWING</p> <p><b>WORKS TO BE COMPLETED:</b> 4.2000-1.18, 4.2000-1.19, 4.2000-1.20, 4.2000-1.21, 4.2000-1.22, 4.2000-1.23, 4.2000-1.24, 4.2000-1.25, 4.2000-1.26, 4.2000-1.27, 4.2000-1.28, 4.2000-1.29, 4.2000-1.30, 4.2000-1.31, 4.2000-1.32, 4.2000-1.33, 4.2000-1.34, 4.2000-1.35, 4.2000-1.36, 4.2000-1.37, 4.2000-1.38, 4.2000-1.39, 4.2000-1.40, 4.2000-1.41, 4.2000-1.42, 4.2000-1.43, 4.2000-1.44, 4.2000-1.45, 4.2000-1.46, 4.2000-1.47, 4.2000-1.48, 4.2000-1.49, 4.2000-1.50, 4.2000-1.51, 4.2000-1.52, 4.2000-1.53, 4.2000-1.54, 4.2000-1.55, 4.2000-1.56, 4.2000-1.57, 4.2000-1.58, 4.2000-1.59, 4.2000-1.60, 4.2000-1.61, 4.2000-1.62, 4.2000-1.63, 4.2000-1.64, 4.2000-1.65, 4.2000-1.66, 4.2000-1.67, 4.2000-1.68, 4.2000-1.69, 4.2000-1.70, 4.2000-1.71, 4.2000-1.72, 4.2000-1.73, 4.2000-1.74, 4.2000-1.75, 4.2000-1.76, 4.2000-1.77, 4.2000-1.78, 4.2000-1.79, 4.2000-1.80, 4.2000-1.81, 4.2000-1.82, 4.2000-1.83, 4.2000-1.84, 4.2000-1.85, 4.2000-1.86, 4.2000-1.87, 4.2000-1.88, 4.2000-1.89, 4.2000-1.90, 4.2000-1.91, 4.2000-1.92, 4.2000-1.93, 4.2000-1.94, 4.2000-1.95, 4.2000-1.96, 4.2000-1.97, 4.2000-1.98, 4.2000-1.99, 4.2000-2.00</p>		
A	DEVELOPMENT APPLICATION	18/2/22		<p><b>NOTES:</b></p> <p><b>ARCHITECT:</b> <b>MHNDUNION</b> 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com MHN Design Union Pty Ltd. ABN 04 003 717 662 NSW Registration Number 4907</p>	<p><b>DRAWING TITLE:</b> <b>SITE CONTEXT</b> PROJECT ADDRESS: <b>LOT / SECTION / DP NO.:</b> <b>96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089</b> <b>LOT A DP348364 &amp; SP61709</b></p> <p><b>APPLICANT:</b> <b>AIDOP NO 3 PTY LTD</b> <b>SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009</b></p>	<p><b>SCALE:</b> 1:1000@A3 <b>ISSUE DATE:</b> 1/11/22 <b>PROJECT NUMBER:</b> 21-095</p>	<p><b>DRAWN BY:</b> <b>CHECKED:</b> <b>REVISION:</b> <b>DA 1000</b></p>
B	AMENDED DA SUBMISSION POST 34	28/10/22	<p><b>LAND &amp; ENVIRONMENT COURT NSW APPROVED</b> Date: 30 November 2022</p>				
C	AMENDED DA SUBMISSION POST 34	1/11/22					
<p>Document Set ID: 9158651 Version: 1, Version Date: 16/12/2022</p>			<p>RF: BMickel: bob.mhndu.com - BMickel Basic for Archid 2421-096 Ben Boyd Rd Neutral Bay - 534 (221014)</p>				





**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**

**Date: 30 November 2022**

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	18/3/22
B	AMENDED DA SUBMISSION POST 34	28/10/22
C	AMENDED DA SUBMISSION POST 34	11/11/22

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE 8.1 MATERIALS & FORMS CONSTRUCTIONS  
SPEC: C1.1 FIRE RESISTING CONSTRUCTION  
SPEC: C1.16 FIRE HAZARD PROPERTIES  
SPEC: C1.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
CLAUSE 12.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
CLAUSE 12.11 SEPARATION OF EQUIPMENT  
CLAUSE 12.12 ELECTRICITY SUPPLY SYSTEM  
CLAUSE 12.13 PROTECTION OF OPENINGS  
CLAUSE 12.14 OPENING FOR SERVICE INSTALLATIONS  
CLAUSE 12.15 DISCHARGE FROM EVTS  
CLAUSE 12.17 INSTALLATIONS IN DUCTS AND PATHS OF TRAVEL  
CLAUSE 12.18 GOINGS AND RETURNS  
CLAUSE 12.19 LANDINGS  
CLAUSE 12.19.1 THRESHOLDS  
CLAUSE 12.19.2 BALUSTRADES

CLAUSE D2.11 HANDRAILS  
CLAUSE D2.21 OPERATION OF LATCH  
CLAUSE D2.23 SIGNS ON DOORS  
CLAUSE D2.2 GENERAL BUILDING ACCESS REQUIREMENTS  
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE  
CLAUSE D3.6 IDENTIFICATION OF ACCESSIBLE FACILITIES/VISUALS  
CLAUSE D3.8 TACTILE INDICATORS  
CLAUSE D3.11 WATERPROOFING OF WET AREAS  
CLAUSE F1.11 DAMP PROOFING  
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS  
PART F4.1 CONTINUING VENTILATION  
CLAUSE F5.4 SOUND INSULATION OF FLOORS  
CLAUSE F5.5 SOUND INSULATION OF WALLS  
CLAUSE F5.6 SOUND INSULATION OF SERVICES  
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5.6.8  
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16  
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3609.5.2  
ENERGY EFFICIENCY: TO COMPLY WITH AS/NZS 3609.5.2  
FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA  
HOT WATER SYSTEMS: TO COMPLY WITH PART 4.1 OF BCA  
MASONRY: TO COMPLY WITH AS 1370  
MECHANICAL SERVICES: TO COMPLY WITH AS 1553.5 & 2005  
MECHANICAL AIR CONDITIONING: TO COMPLY WITH AS 1553.5 & 2005  
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1553.5 & 2005  
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 1553.5  
PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15.8  
AS 1553.5 & 2005  
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA  
STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D3.13  
STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D3.13  
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1553.5

NOTES:

1. ALL CONSTRUCTION TO COMPLY WITH THE BUILDING CODE OF AUSTRALIA (BCA) AND THE AUSTRALIAN STANDARDS (AS) AND NEW ZEALAND STANDARDS (NZS) AS REFERRED TO IN THIS DRAWING.

2. THE DESIGNER HAS ASSUMED THAT ALL SERVICES WILL BE PROVIDED BY THE LOCAL AUTHORITY AND THAT THE CLIENT WILL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL AUTHORITY.

3. THE DESIGNER HAS ASSUMED THAT ALL SERVICES WILL BE PROVIDED BY THE LOCAL AUTHORITY AND THAT THE CLIENT WILL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL AUTHORITY.

4. THE DESIGNER HAS ASSUMED THAT ALL SERVICES WILL BE PROVIDED BY THE LOCAL AUTHORITY AND THAT THE CLIENT WILL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL AUTHORITY.

ARCHITECT:  
**MHNDUNION**  
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MH Design Union Pty Ltd. AIN 04 009 717 682 NSW Registration Number 4907

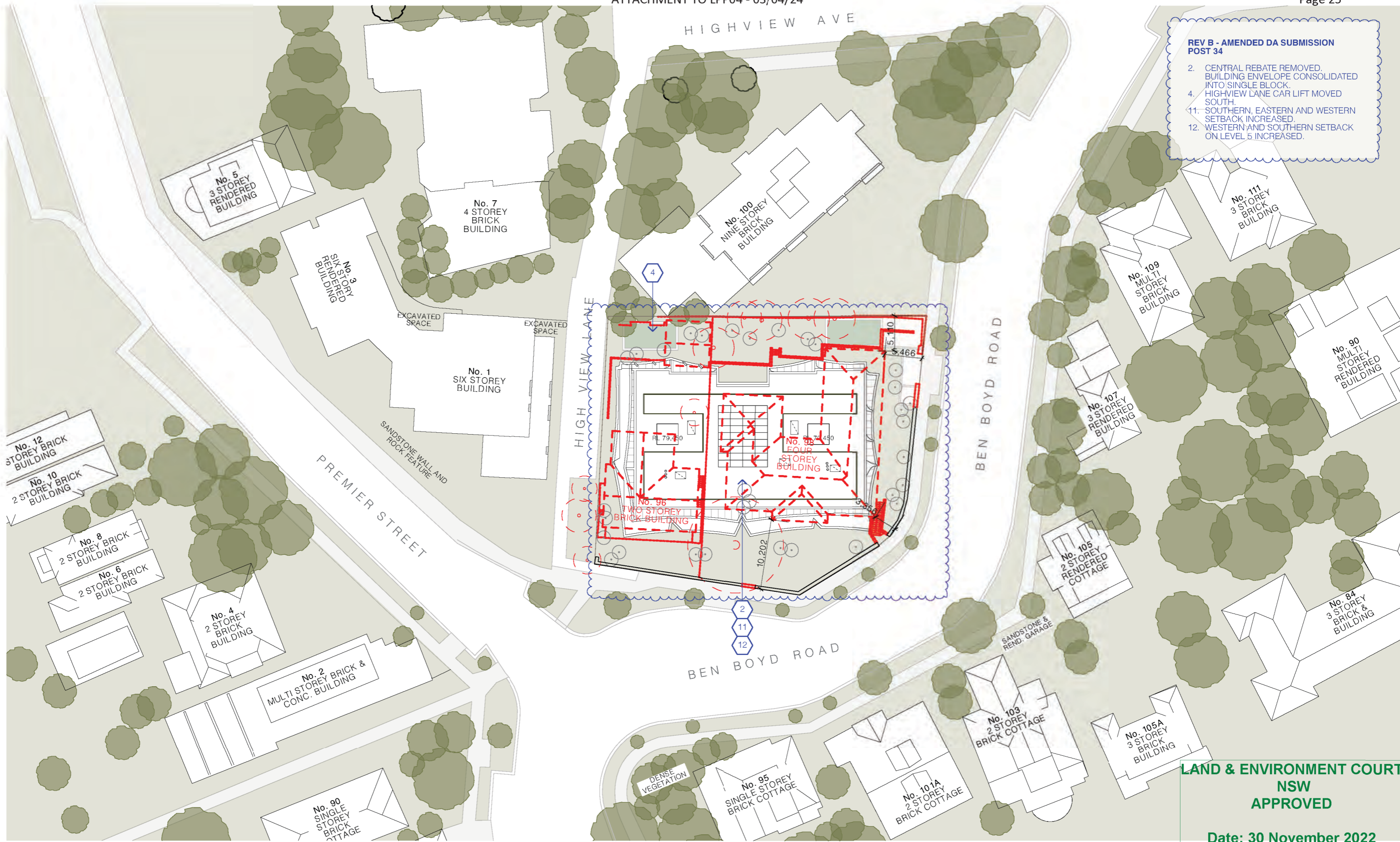
DRAWING TITLE:  
**SITE ANALYSIS**  
PROJECT ADDRESS:  
96-98 BEN BOYD RD,  
NEUTRAL BAY NSW 2089  
APPLICANT:  
AIDOP NO 3 PTY LTD  
SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

LOT / SECTION / DP NO.:  
LOT A DP348364 & SP61709

SCALE: 1:500@A3  
ISSUE DATE: 1/11/22  
PROJECT NUMBER: 21-095

DRAWN BY:  
CHECKED:  
REVISION: C  
DWG NUMBER: DA 1001





**REV B - AMENDED DA SUBMISSION POST 34**

2. CENTRAL REBATE REMOVED, BUILDING ENVELOPE CONSOLIDATED INTO SINGLE BLOCK.
4. HIGHVIEW LANE CAR LIFT MOVED SOUTH.
11. SOUTHERN, EASTERN AND WESTERN SETBACK INCREASED.
12. WESTERN AND SOUTHERN SETBACK ON LEVEL 5 INCREASED.

**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**

**Date: 30 November 2022**

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	18/3/22
B	AMENDED DA SUBMISSION POST 34	28/10/22
C	AMENDED DA SUBMISSION POST 34	11/1/22

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART CLAUSES 4 & 5 AND BALUSTRADE HEIGHTS TO COMPLY WITH BCA CLAUSE D2 16  
**ENERGY EFFICIENCY:** TO COMPLY WITH PART 7.2 OF BCA  
**FIRE SERVICES:** TO COMPLY WITH SECTION 9 OF BCA  
**WATER SERVICES:** TO COMPLY WITH PART 7.1 OF BCA  
**MECHANICAL AIR CONDITIONING:** TO COMPLY WITH PART 3.6 OF BCA  
**Mechanical Exhaust Ventilation:** TO COMPLY WITH AS 1908 & AS 1902  
**SMOKE ALARMS:** TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 1946  
**CONSTRUCTION:** TO COMPLY WITH PART 3.2 OF BCA  
**Penetrations:** TO COMPLY WITH BCA CLAUSE C3 18.6  
**Sound Insulation:** TO COMPLY WITH PART 5.4 OF BCA  
**Waterproofing of Wet Areas:** TO COMPLY WITH AS 3545

**ARCHITECT:**  
**MHNDUNION**  
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 www.mhndu.com  
 MHN Design Union Pty Ltd. AIN 04 009 717 682 NSW Registration Number 4907

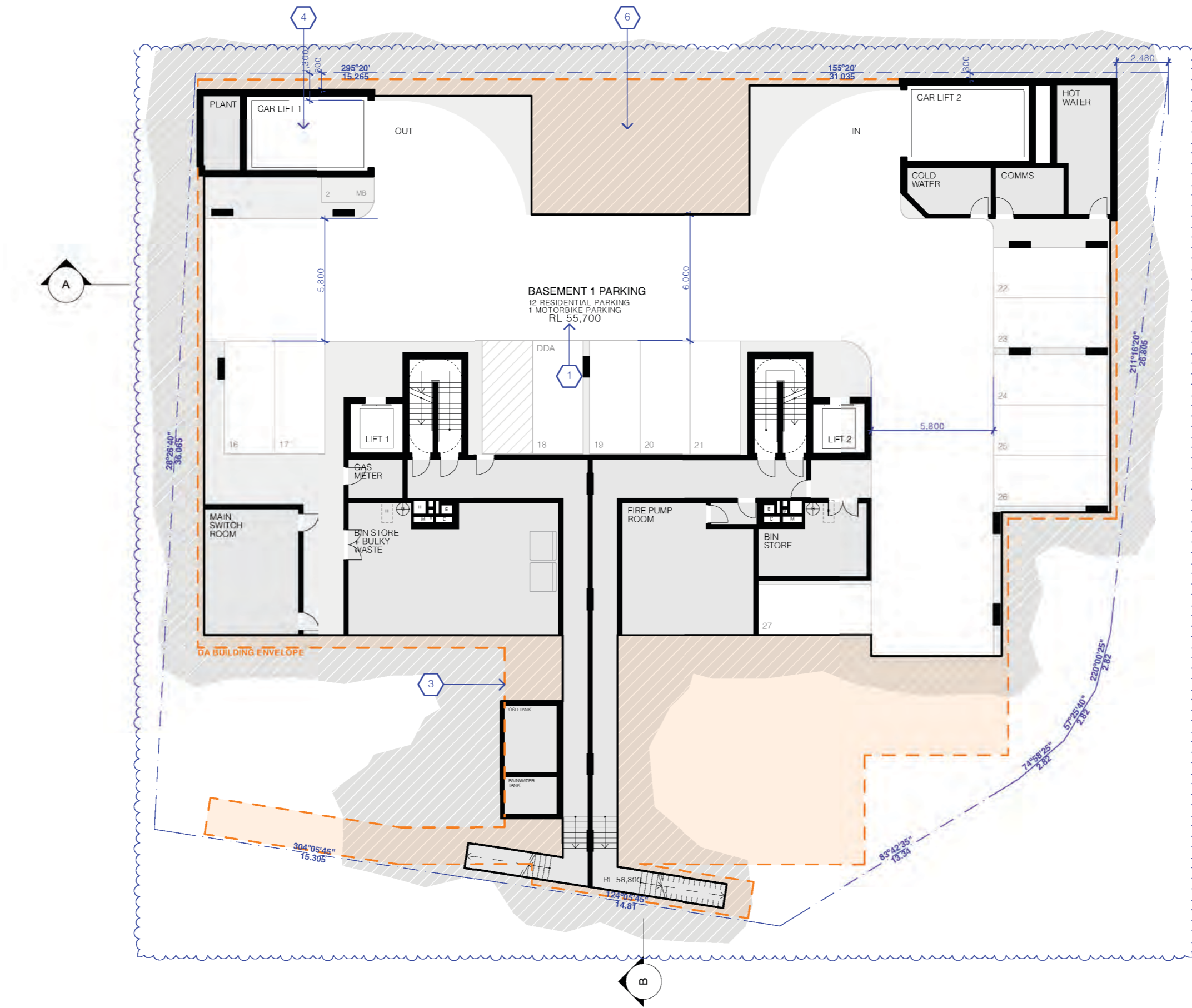
**DRAWING TITLE:**  
**SITE PLAN**  
**PROJECT ADDRESS:** 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089  
**APPLICANT:** AIDOP NO 3 PTY LTD, SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

<b>SCALE:</b> 1:500@A3	<b>DRAWN BY:</b>	<b>CHECKED:</b>
<b>ISSUE DATE:</b> 1/11/22	<b>REVISION:</b> C	<b>DWG NUMBER:</b> DA 1000
<b>PROJECT NUMBER:</b> 21-095	<b>REF:</b> BIMbaas: bch.mhndu.com - BIMbaas Basic for Aichard 2421-095 Ben Boyd Rd Neutral Bay - 534 (2/21/4)	









**REV B - AMENDED DA SUBMISSION POST 34**

1. BUILDING RAISED.
3. BASEMENT PLANS REDESIGNED, REDUCING BASEMENT FOOTPRINT AND EXCAVATION VOLUME.
4. HIGHVIEW LANE CAR LIFT MOVED SOUTH.
6. DEEP SOIL ZONE TO NORTHERN SETBACK REINSTATED.

**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**

**Date: 30 November 2022**

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	18/3/22
B	AMENDED DA SUBMISSION POST 34	28/10/22
C	AMENDED DA SUBMISSION POST 34	1/11/22

ALL CONSTRUCTION TO COMPLY WITH MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS  
 CLAUSE C 1.1 FIRE RESISTING CONSTRUCTION  
 SPEC. C 1.1.1 FIRE HAZARD PROPERTIES  
 CLAUSE C 2.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 CLAUSE C 3.1 SEPARATION OF EQUIPMENT  
 CLAUSE C 3.2 ELECTRICITY SUPPLY SYSTEM  
 CLAUSE C 3.3 PROTECTION OF OPENINGS  
 CLAUSE C 3.8 OPENING IN FIRE ISOLATED DUCTS  
 CLAUSE C 3.14 OPENING FOR SERVICE INSTALLATIONS  
 CLAUSE C 10.1 DISCHARGE FROM DUCTS  
 CLAUSE C 12.1 INSTALLATIONS IN DUCTS AND PATHS OF TRAVEL  
 CLAUSE D 2.14 LANDINGS  
 CLAUSE D 2.15 THRESHOLDS  
 CLAUSE D 2.16 BALUSTRADES

CLAUSE D 2.11 HANDRAILS  
 CLAUSE D 2.21 OPERATION OF LATCH  
 CLAUSE D 2.28 SHOWERS AND TOILETS  
 CLAUSE D 3.1 GENERAL BUILDING ACCESS REQUIREMENTS  
 CLAUSE D 3.2 PARTS OF BUILDING TO BE ACCESSIBLE  
 CLAUSE D 3.6 IDENTIFICATION OF ACCESSIBLE FACILITIES/VENTILATORS  
 CLAUSE D 3.8 TACTILE INDICATORS  
 CLAUSE D 3.11 WATERPROOFING OF WET AREAS  
 CLAUSE D 3.12 DAMP PROOFING  
 CLAUSE D 3.13 CONSTRUCTION OF SANITARY COMPARTMENTS  
 PART 16.1 CONTINUING VENTILATION  
 CLAUSE F 5.4 SOUND INSULATION OF FLOORS  
 CLAUSE F 5.5 SOUND INSULATION OF WALLS  
 CLAUSE F 5.6 SOUND INSULATION OF SERVICES  
 CLAUSE F 5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING TO COMPLY WITH BCA PART CLAUSES 4 & 5.6.180  
 BALUSTRADE HEIGHTS TO COMPLY WITH BCA CLAUSE D 2.16  
 DRAINAGE GUTTERS & DOWNPIPES TO COMPLY WITH AS/NZS 3600.5.2  
 SPEC. C 1.1.1.1 FIRE HAZARD PROPERTIES  
 CLAUSE C 1.1.1.2 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 CLAUSE C 1.1.1.3 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 CLAUSE C 1.1.1.4 SEPARATION OF EQUIPMENT  
 CLAUSE C 1.1.1.5 ELECTRICITY SUPPLY SYSTEM  
 CLAUSE C 1.1.1.6 PROTECTION OF OPENINGS  
 CLAUSE C 1.1.1.7 OPENING IN FIRE ISOLATED DUCTS  
 CLAUSE C 1.1.1.8 OPENING FOR SERVICE INSTALLATIONS  
 CLAUSE C 1.1.1.9 DISCHARGE FROM DUCTS  
 CLAUSE C 1.1.1.10 INSTALLATIONS IN DUCTS AND PATHS OF TRAVEL  
 CLAUSE C 1.1.1.11 LANDINGS  
 CLAUSE C 1.1.1.12 THRESHOLDS  
 CLAUSE C 1.1.1.13 BALUSTRADES

MECHANICAL AIR CONDITIONING TO COMPLY WITH PART 35 OF BCA  
 MECHANICAL EXHAUST VENTILATION TO COMPLY WITH AS 1969 & AS/NZS 1546.2  
 SMOKE ALARMS TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS/NZS 3600.5.2  
 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.13 & AS/NZS 3600.5.2  
 STAIR CONSTRUCTION TO COMPLY WITH BCA CLAUSE D 2.13  
 WATERPROOFING OF WET AREAS TO COMPLY WITH AS 3545

NOTES:  
 EX FFL EXISTING FLOOR LEVEL  
 RL REDUCED LEVEL  
 BOUNDARY BOUNDARY

EX TREE TO REMOVE  
 EX TREE TO RETAIN  
 PROPOSED LANDSCAPE

ARCHITECT:  
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 MH Design Union Pty Ltd. AIN 04 003 717 662 NSW Registration Number 4907

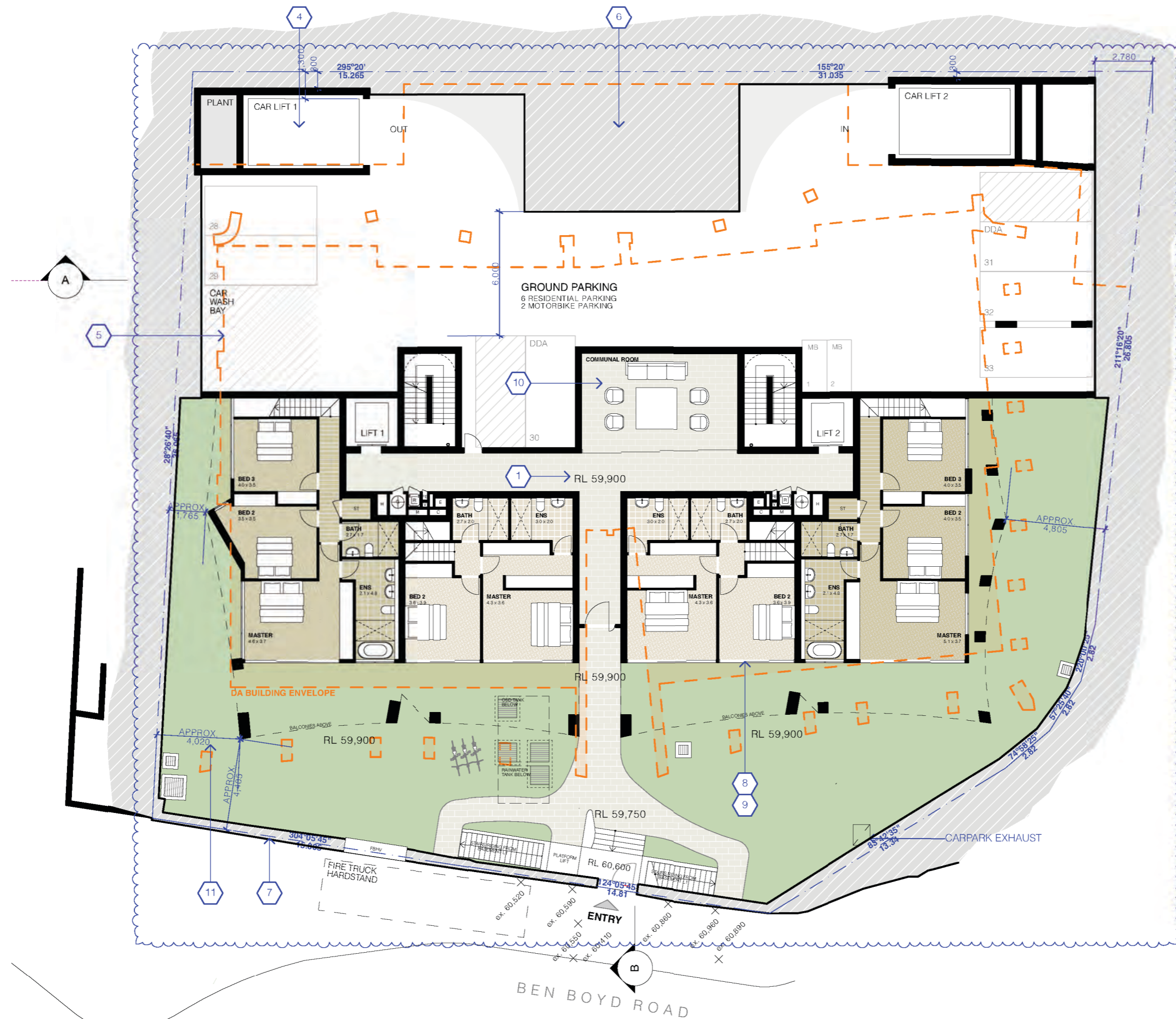
DRAWING TITLE:  
**BASEMENT 01 PLAN**  
 PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089  
 APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

LOT / SECTION / DP NO.:  
 LOT A DP348364 & SP61709

SCALE: 1:200@A3  
 ISSUE DATE: 1/11/22  
 PROJECT NUMBER: 21-095

DRAWN BY:  
 CHECKED:  
 REVISION: **C**  
 DWG NUMBER: **DA 2001**





**REV B - AMENDED DA SUBMISSION POST 34**

1. BUILDING RAISED.
4. HIGHVIEW LANE CAR LIFT MOVED SOUTH.
5. NORTHERN UNITS ON GROUND REPLACED WITH PARKING.
6. DEEP SOIL ZONE TO NORTHERN SETBACK REINSTATED.
7. EXTENT AND PROPOSED RECONSTRUCTION OF EXISTING ROCK WALL TO SUIT NEW HERITAGE METHODOLOGY.
8. SOUTH FACING APARTMENTS ON GROUND AND LEVEL 1 COMBINED INTO TWO STOREY UNITS.
9. INTERNAL APARTMENT LAYOUTS REDESIGNED.
10. COMMUNAL ROOM ADDED TO GROUND FLOOR.
11. SOUTHERN, EASTERN AND WESTERN SETBACK INCREASED.

**LAND & ENVIRONMENT COURT NSW APPROVED**

**Date: 30 November 2022**

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	18/3/22
B	AMENDED DA SUBMISSION POST 34	28/10/22
C	AMENDED DA SUBMISSION POST 34	11/11/22

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS  
 SPEC. C 11 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.9 FIRE HAZARD PROPERTIES  
 SPEC. C 11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 SPEC. C 12 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 SPEC. C 13 SEPARATION OF EQUIPMENT  
 SPEC. C 13.1 ELECTRICITY SUPPLY SYSTEM  
 SPEC. C 13.2 PROTECTION OF OPENINGS  
 SPEC. C 13.3 OPENING FOR SERVICE INSTALLATIONS  
 SPEC. C 13.4 DISCHARGE FROM DVTS  
 SPEC. C 13.5 INSTALLATIONS IN DVTS AND PATHS OF TRAVEL  
 SPEC. C 13.6 GOINGS AND RETURNS  
 SPEC. C 13.7 LANDINGS  
 SPEC. C 13.8 THRESHOLDS  
 SPEC. C 13.9 BALUSTRADES

CLAUSE D2 11 HANDRAILS  
 CLAUSE D2 21 OPERATION OF LATCH  
 CLAUSE D2 23 SHIMS ON DOORS  
 CLAUSE D2 24 GENERAL BUILDING ACCESS REQUIREMENTS  
 CLAUSE D2 25 PARTS OF BUILDING TO BE ACCESSIBLE  
 CLAUSE D2 26 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES  
 CLAUSE D2 27 TACTILE INDICATORS  
 CLAUSE D2 28 IDENTIFICATION OF WET AREAS  
 CLAUSE D2 29 DAMP PROOFING  
 CLAUSE D2 30 CONSTRUCTION OF SANITARY COMPARTMENTS  
 PART F6 LIGHTING AND VENTILATION  
 CLAUSE F5.4 SOUND INSULATION OF FLOORS  
 CLAUSE F5.5 SOUND INSULATION OF WALLS  
 CLAUSE F5.6 SOUND INSULATION OF SERVICES  
 CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5 AND BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2 16

WATER: TO COMPLY WITH BCA PART CLAUSES 4 & 5 AND 16  
 ENERGY EFFICIENCY: TO COMPLY WITH PART 3.6 OF BCA  
 FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA  
 NOT WATER SYSTEMS: TO COMPLY WITH PART 3.7 OF BCA  
 MASONRY: TO COMPLY WITH A 5.1.1.1  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 3.6 OF BCA  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH A 5.1.1.1.1  
 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 4 & SPEC E2.2 & A 5.1.1.1.1  
 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 13.8 & A 5.1.1.1.1  
 STAIR CONSTRUCTION: TO COMPLY WITH PARTS OF BCA  
 STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2 13  
 WATERPROOFING OF WET AREAS: TO COMPLY WITH A 5.1.1.1.1

NOTES:  
 EX EXISTING FLOOR LEVEL  
 RL OF FINISHED FLOOR LEVEL  
 REDUCED LEVEL BOUNDARY

EX TREE TO REMOVE  
 EX TREE TO RETAIN  
 PROPOSED LANDSCAPE

ARCHITECT:  
**MHNDUNION**  
 35 RICHARDS LANE  
 SURRY HILLS SYDNEY NSW 2010  
 T +61 2 9101 1111  
 F +61 2 9101 1100  
 www.mhndu.com  
 M/N Design Union Pty Ltd. AIN 04 009 717 602 NSW Registration Number 4907

DRAWING TITLE:  
**GROUND FLOOR PLAN**  
 PROJECT ADDRESS:  
 96-98 BEN BOYD RD,  
 NEUTRAL BAY NSW 2089  
 APPLICANT:  
 AIDOP NO 3 PTY LTD  
 SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

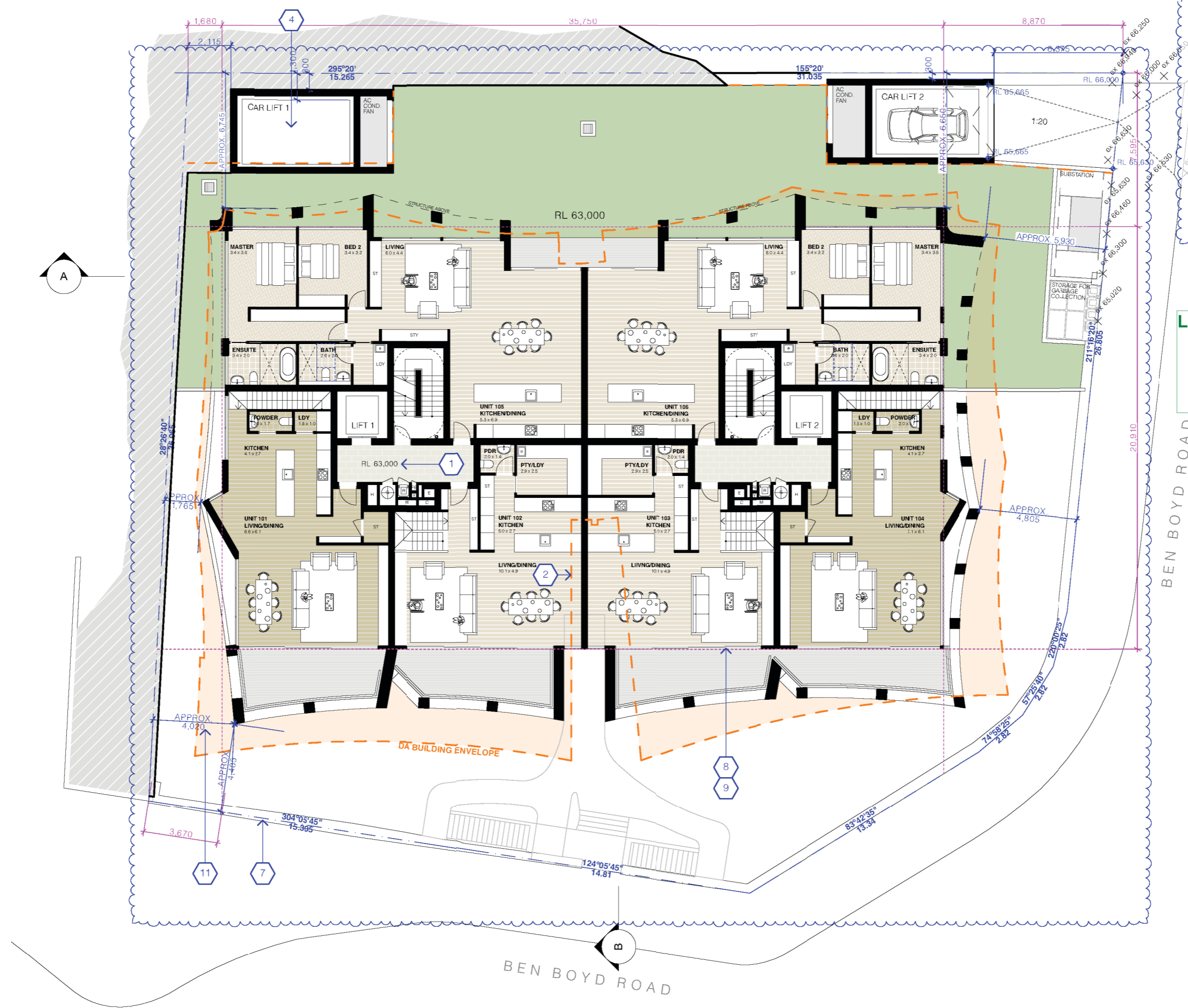
LOT / SECTION / DP NO.:  
 LOT A DP348364 & SP61709

SCALE:  
 1:200@A3

ISSUE DATE:  
 1/11/22

PROJECT NUMBER:  
**21-095**

DRAWN BY:  
 CHECKED:  
 REVISION:  
**C**  
 DWG NUMBER:  
**DA 2002**



- REV B - AMENDED DA SUBMISSION POST 34**
1. BUILDING RAISED.
  2. CENTRAL REBATE REMOVED.
  3. BUILDING ENVELOPE CONSOLIDATED INTO SINGLE BLOCK.
  4. HIGHVIEW LANE CAR LIFT MOVED SOUTH.
  5. EXTENT AND PROPOSED RECONSTRUCTION OF EXISTING ROCK WALL TO SUIT NEW HERITAGE METHODOLOGY.
  6. SOUTH FACING APARTMENTS ON GROUND AND LEVEL 1 COMBINED INTO TWO STOREY UNITS.
  7. INTERNAL APARTMENT LAYOUTS REDESIGNED.
  8. SOUTHERN, EASTERN AND WESTERN SETBACK INCREASED.

**LAND & ENVIRONMENT COURT NSW APPROVED**

**Date: 30 November 2022**

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	18/3/22
B	AMENDED DA SUBMISSION POST 34	28/10/22
C	AMENDED DA SUBMISSION POST 34	11/11/22

**ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS**

**CLAUSE 8.1.4 MATERIAL & FORMS CONSTRUCTIONS**  
 SPEC. C.11 FIRE RESISTING CONSTRUCTION  
 SPEC. C.11.1 FIRE HAZARD PROPERTIES  
 SPEC. C.11.2 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 SPEC. C.11.3 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 SPEC. C.11.4 SEPARATION OF EQUIPMENT  
 SPEC. C.11.5 ELECTRICITY SUPPLY SYSTEM  
 SPEC. C.11.6 PROTECTION OF OPENINGS  
 SPEC. C.11.7 OPENING FOR SERVICE INSTALLATIONS  
 SPEC. C.11.8 DISCHARGE FROM DVTS  
 SPEC. C.11.9 INSTALLATIONS IN DVTS AND PATHS OF TRAVEL  
 SPEC. C.11.10 LANDINGS  
 SPEC. C.11.11 THRESHOLDS  
 SPEC. C.11.12 BALUSTRADES

**CLAUSE 2.2.1 HANDRAILS**  
 SPEC. C.2.2.1 OPERATION OF LATCH  
 SPEC. C.2.2.2 SHOW SIGN DOORS  
 SPEC. C.2.2.3 PARTS OF BUILDING TO BE ACCESSIBLE  
 SPEC. C.2.2.4 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES  
 SPEC. C.2.2.5 TACTILE INDICATORS  
 SPEC. C.2.2.6 WATERPROOFING OF WET AREAS  
 SPEC. C.2.2.7 DAMP PROOFING  
 SPEC. C.2.2.8 CONSTRUCTION OF SANITARY COMPARTMENTS  
 SPEC. C.2.2.9 PARTIAL LIGHTING VENTILATION  
 SPEC. C.2.2.10 SOUND INSULATION OF FLOORS  
 SPEC. C.2.2.11 SOUND INSULATION OF WALLS  
 SPEC. C.2.2.12 SOUND INSULATION OF SERVICES  
 SPEC. C.2.2.13 SOUND INSULATION OF PUMPS

**ARTIFICIAL LIGHTING TO COMPLY WITH BCA PART CLAUSES 4 & 5.5.1.6.10 BALUSTRADE HEIGHTS TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES TO COMPLY WITH AS/NZS 3500.5.2 ENERGY EFFICIENCY TO COMPLY WITH D2 OF BCA**

**FIRE SERVICES TO COMPLY WITH SECTION D OF BCA**

**NOT WATER SYSTEMS TO COMPLY WITH PART 3 OF BCA**

**MECHANICAL AIR CONDITIONING TO COMPLY WITH PART 3.6 OF BCA**

**Mechanical Exhaust Ventilation to comply with AS 1969 & AS 1969.2**

**SMOKE ALARMS TO COMPLY WITH BCA PART CLAUSE 6 & SPEC. C2.2 & AS 3785**

**Penetrations through fire rated construction for mech electrical and plumbing to comply with BCA clause C3.13.8 & AS 1530.5.2005**

**STAR CONSTRUCTION TO COMPLY WITH PARTS OF BCA**

**STAR CONSTRUCTION TO COMPLY WITH BCA CLAUSE D2.13 WATERPROOFING OF WET AREAS TO COMPLY WITH AS 1530.5**

**NOTES:**

EX EXISTING FLOOR LEVEL

RL REDUCED LEVEL BOUNDARY

EX TREE TO REMOVE

EX TREE TO RETAIN

PROPOSED LANDSCAPE

**ARCHITECT:**

**MHNDUNION**

35 RICHARDS LANE  
 SURRY HILLS SYDNEY NSW 2010  
 T +61 2 9101 1111  
 F +61 2 9101 1100  
 www.mhndu.com

MN Design Union Pty Ltd. AIN 04 009 717 682 NSW Registration Number 4907

**DRAWING TITLE:**

**LEVEL 1 FLOOR PLAN**

**PROJECT ADDRESS:** 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089

**APPLICANT:** AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

**LOT / SECTION / DP NO.:** LOT A DP348364 & SP61709

**SCALE:** 1:200@A3

**ISSUE DATE:** 1/11/22

**PROJECT NUMBER:** 21-095

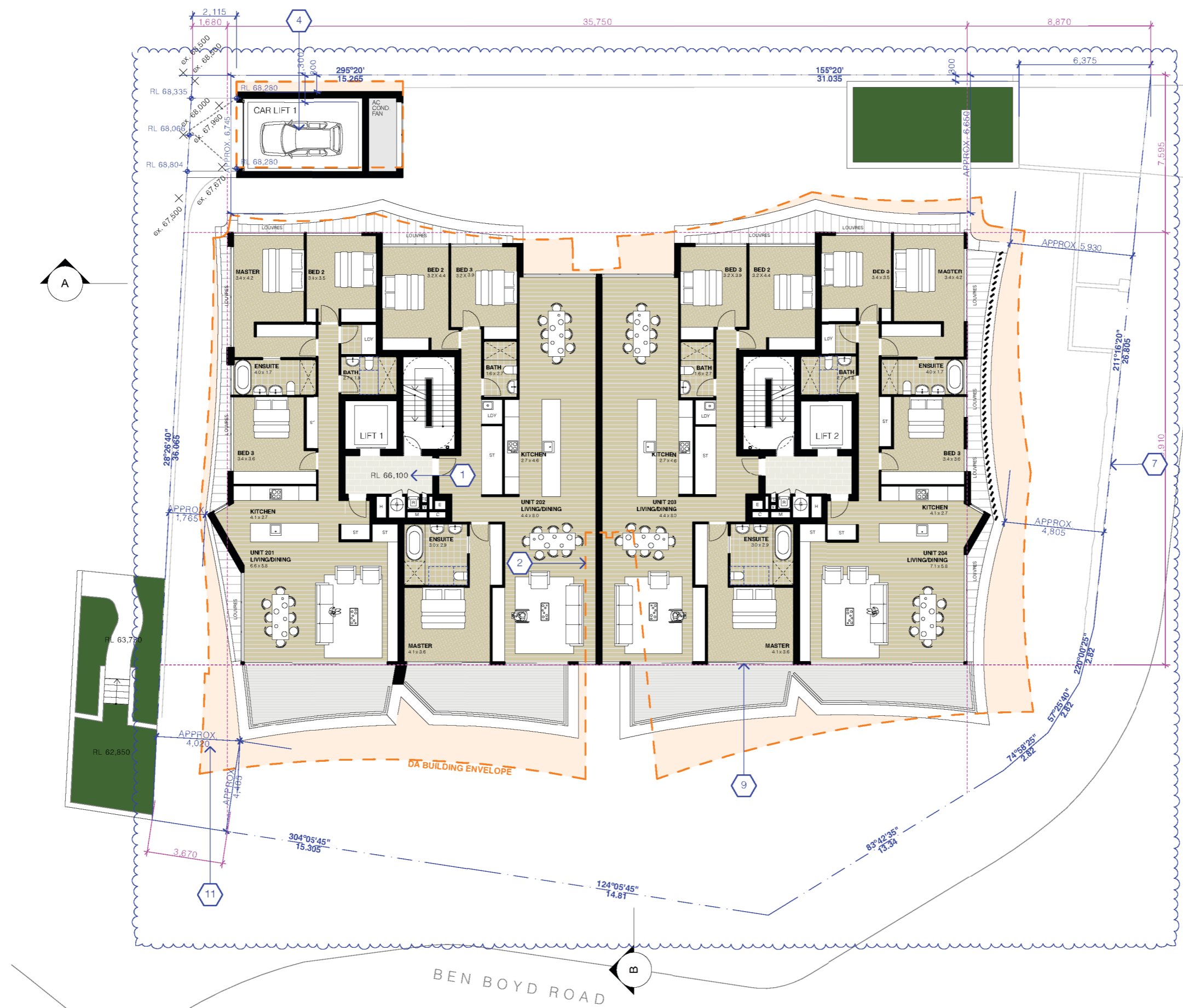
**DRAWN BY:**

**CHECKED:**

**REVISION:** C

**DWG NUMBER:** DA 2003





- REV B - AMENDED DA SUBMISSION POST 34**
- BUILDING RAISED.
  - CENTRAL REBATE REMOVED.
  - BUILDING ENVELOPE CONSOLIDATED INTO SINGLE BLOCK.
  - HIGHVIEW LANE CAR LIFT MOVED SOUTH.
  - EXTENT AND PROPOSED RECONSTRUCTION OF EXISTING ROCK WALL TO SUIT NEW HERITAGE METHODOLOGY.
  - INTERNAL APARTMENT LAYOUTS REDESIGNED.
  - SOUTHERN, EASTERN AND WESTERN SETBACK INCREASED.

**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**

**Date: 30 November 2022**

BEN BOYD ROAD

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	18/3/22
B	AMENDED DA SUBMISSION POST 34	28/10/22
C	AMENDED DA SUBMISSION POST 34	11/11/22

ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS  
 SPEC. C 11 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.9 FIRE HAZARD PROPERTIES  
 SPEC. C 11.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 SPEC. C 11.2 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 SPEC. C 11.3 SEPARATION OF EQUIPMENT  
 SPEC. C 11.4 ELECTRICAL SUPPLY SYSTEM  
 SPEC. C 11.5 PROTECTION OF OPENINGS  
 SPEC. C 11.6 OPENING FOR SERVICE INSTALLATIONS  
 SPEC. C 11.7 DISCHARGE FROM DUTYS  
 SPEC. C 11.8 INSTALLATIONS IN DUTYS AND PATHS OF TRAVEL  
 SPEC. C 11.9 LANDINGS  
 SPEC. C 11.10 THRESHOLDS  
 SPEC. C 11.11 BALUSTRADES

CLAUSE D2 11 HANDRAILS  
 CLAUSE D2 21 OPERATION OF LATCH  
 CLAUSE D2 22 SHOWN ON DOORS  
 CLAUSE D2 23 GENERAL BUILDING ACCESS REQUIREMENTS  
 CLAUSE D2 24 PARTS OF BUILDING TO BE ACCESSIBLE  
 CLAUSE D2 25 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES  
 CLAUSE D2 26 TACTILE INDICATORS  
 CLAUSE D2 27 WATERPROOFING OF WET AREAS  
 CLAUSE D2 28 DAMP PROOFING  
 CLAUSE D2 29 CONSTRUCTION OF SANITARY COMPARTMENTS  
 CLAUSE D2 30 PARTIAL LIGHTING VENTILATION  
 CLAUSE D2 31 SOUND INSULATION OF FLOORS  
 CLAUSE D2 32 SOUND INSULATION OF WALLS  
 CLAUSE D2 33 SOUND INSULATION OF SERVICES  
 CLAUSE D2 34 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5.1.6.1.10 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2 16  
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 5.2  
 ENERGY EFFICIENCY: TO COMPLY WITH PART 3.6 OF BCA  
 FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA  
 HOT WATER SYSTEMS: TO COMPLY WITH PART 3.7 OF BCA  
 MASONRY: TO COMPLY WITH AS 1370  
 MECHANICAL/MECHANICAL: TO COMPLY WITH PART 3.8 OF BCA  
 MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 3.8 OF BCA  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS/NZS 1562  
 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 5 & SPEC E2.2 & AS/NZS 1562  
 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3 13.8 & AS 1530.4 2005  
 STAIR CONSTRUCTION: TO COMPLY WITH PARTS OF BCA  
 STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2 13  
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1530.4

**NOTES:**

EX FFL EXISTING FLOOR LEVEL  
 RL REDUCED LEVEL BOUNDARY

EX TREE TO REMOVE  
 EX TREE TO RETAIN  
 PROPOSED LANDSCAPE

ARCHITECT:  
**MHNDUNION**  
 35 RICHARDS LANE  
 SURRY HILLS SYDNEY NSW 2010  
 T +61 2 9101 1111  
 F +61 2 9101 1100  
 www.mhndu.com  
 M/N Design Union Pty Ltd. AIN 04 009 717 662 NSW Registration Number 4907

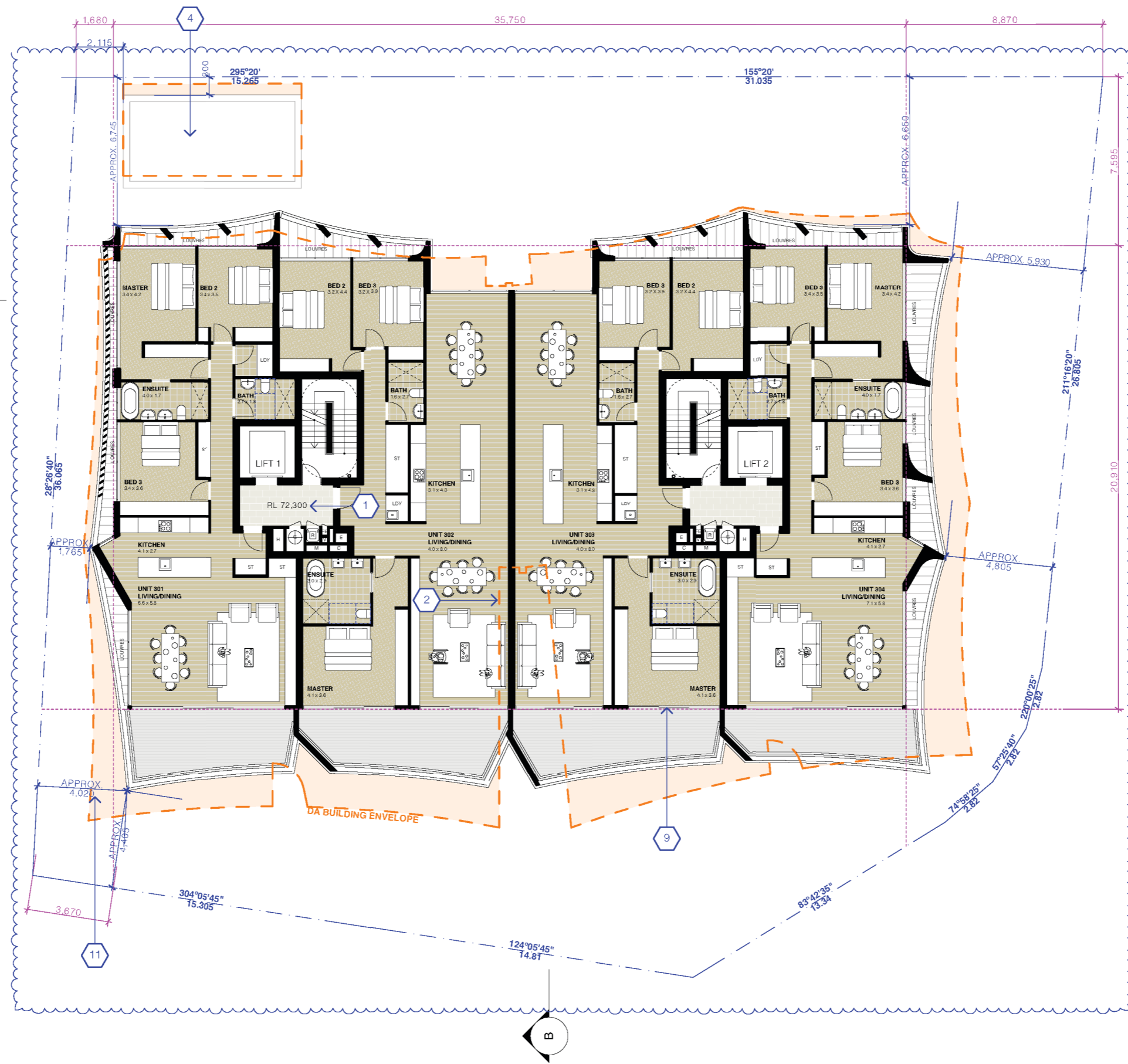
DRAWING TITLE:  
**LEVEL 2 FLOOR PLAN**  
 PROJECT ADDRESS:  
 96-98 BEN BOYD RD,  
 NEUTRAL BAY NSW 2089  
 APPLICANT:  
 AIDOP NO 3 PTY LTD  
 SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

LOT / SECTION / DP NO.:  
 LOT A DP348364 & SP61709

SCALE: 1:200@A3	DRAWN BY:	CHECKED:
ISSUE DATE: 1/11/22	REVISION: <b>C</b>	DWG NUMBER: <b>DA 2004</b>
PROJECT NUMBER: <b>21-095</b>	REF: BIMcloud: bch.mhndu.com - BIMcloud Basic for Archicad 24(21-095 Ben Boyd Rd Neutral Bay - 534 221914)	







**REV B - AMENDED DA SUBMISSION POST 34**

1. BUILDING RAISED.
2. CENTRAL REBATE REMOVED.
3. BUILDING ENVELOPE CONSOLIDATED INTO SINGLE BLOCK.
4. HIGHVIEW LANE CAR LIFT MOVED SOUTH.
9. INTERNAL APARTMENT LAYOUTS REDESIGNED.
11. SOUTHERN, EASTERN AND WESTERN SETBACK INCREASED.

**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**

**Date: 30 November 2022**

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	18/3/22
B	AMENDED DA SUBMISSION POST 34	28/10/22
C	AMENDED DA SUBMISSION POST 34	11/11/22

ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS  
 SPEC. C 11 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.1 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.2 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.3 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.4 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.5 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.6 FIRE RESISTING CONSTRUCTION  
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 SPEC. C 11.92 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.93 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.94 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.95 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.96 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.97 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.98 FIRE RESISTING CONSTRUCTION  
 SPEC. C 11.99 FIRE RESISTING CONSTRUCTION  
 SPEC. C 12.00 FIRE RESISTING CONSTRUCTION

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5.1680  
 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16  
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500.5.2  
 ENERGY EFFICIENCY: TO COMPLY WITH PART 7.1 OF BCA  
 FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA  
 HOT WATER SYSTEMS: TO COMPLY WITH PART 7.1 OF BCA  
 MASONRY: TO COMPLY WITH AS 1370  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 4.5 OF BCA  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS/NZS 1530.2  
 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 8 & SPEC. C2.2 & AS/NZS 3538  
 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH. ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.13.8 & AS/NZS 3538  
 STAIR CONSTRUCTION: TO COMPLY WITH PARTS OF BCA  
 STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13  
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1530.2

NOTES:  
 EX FFL EXISTING FLOOR LEVEL  
 RL REDUCED LEVEL BOUNDARY  
 EX TREE TO REMOVE  
 EX TREE TO RETAIN  
 PROPOSED LANDSCAPE

ARCHITECT:  
**MHNDUNION**  
 35 RICHARDS LANE  
 SURRY HILLS SYDNEY NSW 2010  
 T +61 2 9101 1111  
 F +61 2 9101 1100  
 www.mhndu.com  
 MHN Design Union Pty Ltd. AIN 04 009 717 662 NSW Registration Number 4907

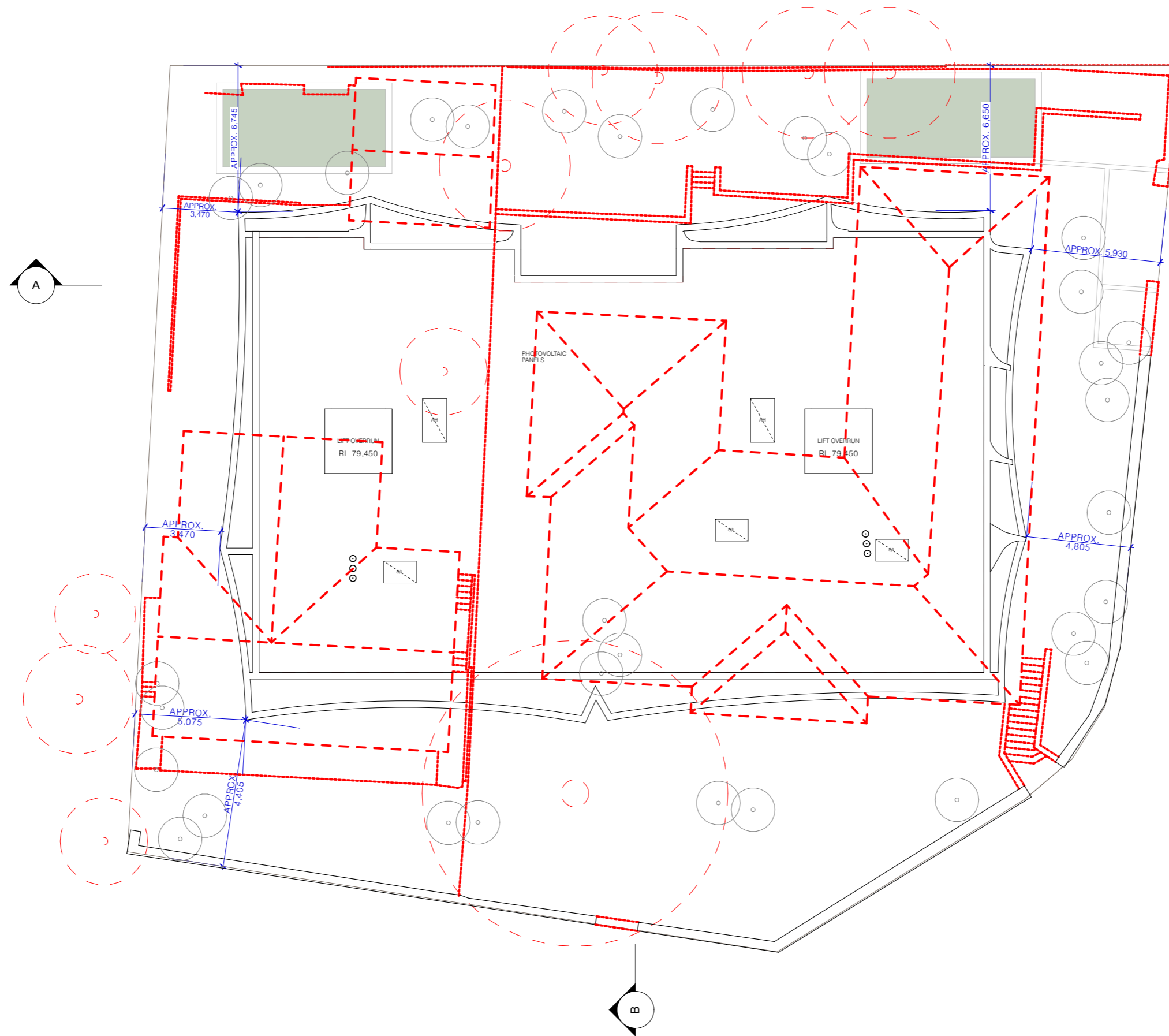
DRAWING TITLE:  
**LEVEL 4 FLOOR PLAN**  
 PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089  
 APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009  
 LOT / SECTION / DP NO.: LOT A DP348364 & SP61709

SCALE: 1:200@A3  
 ISSUE DATE: 1/11/22  
 PROJECT NUMBER: 21-095  
 DRAWN BY:  
 CHECKED:  
 REVISION: C  
 DWG NUMBER: DA 2006



**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**

**Date: 30 November 2022**



REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE 02.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.7 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA NOT WATER SYSTEMS TO COMPLY WITH PART 4 OF BCA MASONRY: TO COMPLY WITH AS3700 MECHANICAL/ELECTRICAL: TO COMPLY WITH AS/NZS 3000 MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART 4.5 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1969 & AS162 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 8 & SPEC E2.2 & AS2796 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE 13.5 & AS1500 4.2.005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE 02.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740	BASE COMMENTS	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:
A	DEVELOPMENT APPLICATION	18/3/22	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTION SPEC. C 11 FIRE RESISTING CONSTRUCTION SPEC. C 11.10 FIRE HAZARD PROPERTIES SPEC. C 11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C18 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C2.12 SEPARATION OF EQUIPMENT CLAUSE C2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C2.2 PROTECTION OF OPENINGS CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS CLAUSE D1.16 DISCHARGE FROM EXITS CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE D2.14 LANDINGS CLAUSE D2.15 THRESHOLDS CLAUSE D2.16 BALUSTRADES	CLAUSE 02.17 HANDRAILS CLAUSE 02.21 OPERATION OF LATCH CLAUSE 02.23 SIGNS ON DOORS CLAUSE 03.3 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE 03.3.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE 03.8 IDENT. OF ACCESSIBLE FACILITIES/FEATURES CLAUSE 03.9 TACTILE INDICATORS CLAUSE F1.3 WATERPROOFING OF WET AREAS CLAUSE F1.8 F1.10 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F4 LIGHTING AND VENTILATION CLAUSE F5.4 SOUND INSULATION OF FLOORS CLAUSE F5.5 SOUND INSULATION OF WALLS CLAUSE F5.8 SOUND INSULATION OF SERVICES CLAUSE F5.9 SOUND INSULATION OF SERVICES CLAUSE F5.7 SOUND INSULATION OF PUMPS	<p><b>BASE COMMENTS</b> ALL OTHER BASE COMMENTS AS PER BASE CERTIFICATE AND STAMPED PLANS</p> <p><b>WATER PROOFING</b> WATERPROOFING TO COMPLY WITH AS3740 TOILETS: 4.000 x 1.5. (See Ref) BATHS: 0.000 WET AREAS: 0.000 WATERPROOFING TO COMPLY WITH AS3740 WATERPROOFING TO COMPLY WITH AS3740 WATERPROOFING TO COMPLY WITH AS3740</p> <p><b>MECHANICAL/ELECTRICAL</b> MECHANICAL/ELECTRICAL TO COMPLY WITH AS/NZS 3000 MECHANICAL/ELECTRICAL TO COMPLY WITH AS/NZS 3000 MECHANICAL/ELECTRICAL TO COMPLY WITH AS/NZS 3000</p> <p><b>MECHANICAL EXHAUST VENTILATION</b> MECHANICAL EXHAUST VENTILATION TO COMPLY WITH AS1969 &amp; AS162</p> <p><b>SMOKE ALARMS</b> SMOKE ALARMS TO COMPLY WITH BCA PART CLAUSE 8 &amp; SPEC E2.2 &amp; AS2796</p> <p><b>PENETRATIONS</b> PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE 13.5 &amp; AS1500 4.2.005</p> <p><b>SOUND TRANSMISSION</b> SOUND TRANSMISSION TO COMPLY WITH PARTS OF BCA</p> <p><b>STAIR CONSTRUCTION</b> STAIR CONSTRUCTION TO COMPLY WITH BCA CLAUSE 02.13</p> <p><b>WATERPROOFING OF WET AREAS</b> WATERPROOFING OF WET AREAS TO COMPLY WITH AS3740</p>	<p><b>BASE COMMENTS</b> ALL OTHER BASE COMMENTS AS PER BASE CERTIFICATE AND STAMPED PLANS</p> <p><b>WATER PROOFING</b> WATERPROOFING TO COMPLY WITH AS3740 TOILETS: 4.000 x 1.5. (See Ref) BATHS: 0.000 WET AREAS: 0.000 WATERPROOFING TO COMPLY WITH AS3740 WATERPROOFING TO COMPLY WITH AS3740 WATERPROOFING TO COMPLY WITH AS3740</p> <p><b>MECHANICAL/ELECTRICAL</b> MECHANICAL/ELECTRICAL TO COMPLY WITH AS/NZS 3000 MECHANICAL/ELECTRICAL TO COMPLY WITH AS/NZS 3000 MECHANICAL/ELECTRICAL TO COMPLY WITH AS/NZS 3000</p> <p><b>MECHANICAL EXHAUST VENTILATION</b> MECHANICAL EXHAUST VENTILATION TO COMPLY WITH AS1969 &amp; AS162</p> <p><b>SMOKE ALARMS</b> SMOKE ALARMS TO COMPLY WITH BCA PART CLAUSE 8 &amp; SPEC E2.2 &amp; AS2796</p> <p><b>PENETRATIONS</b> PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE 13.5 &amp; AS1500 4.2.005</p> <p><b>SOUND TRANSMISSION</b> SOUND TRANSMISSION TO COMPLY WITH PARTS OF BCA</p> <p><b>STAIR CONSTRUCTION</b> STAIR CONSTRUCTION TO COMPLY WITH BCA CLAUSE 02.13</p> <p><b>WATERPROOFING OF WET AREAS</b> WATERPROOFING OF WET AREAS TO COMPLY WITH AS3740</p>	<p><b>NOTES:</b></p> <ul style="list-style-type: none"> <li>EX FFL EXISTING FLOOR LEVEL</li> <li>RL OF FINISHED FLOOR LEVEL</li> <li>REDUCED LEVEL</li> <li>BOUNDARY</li> <li>EX BUILDING TO BE DEMOLISHED</li> <li>LEP HEIGHT PLANE</li> <li>EX TREE TO REMOVE</li> <li>EX TREE TO RETAIN</li> <li>PROPOSED LANDSCAPE</li> </ul>	<p><b>ARCHITECT:</b> <b>MHNDUNION</b> 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com MHN Design Urban Pty Ltd. ABN 04 003 717 682 NSW Registration Number 4907</p>	<p><b>DRAWING TITLE:</b> <b>ROOF PLAN</b> PROJECT ADDRESS: 96-98 BEN BOYD RD. NEUTRAL BAY NSW 2089 APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009</p>	<p>SCALE: 1:200@A3 ISSUE DATE: 1/11/22 PROJECT NUMBER: 21-095</p>	<p>DRAWN BY: CHECKED: REVISION: <b>C</b> DWG NUMBER: <b>DA 2008</b></p>

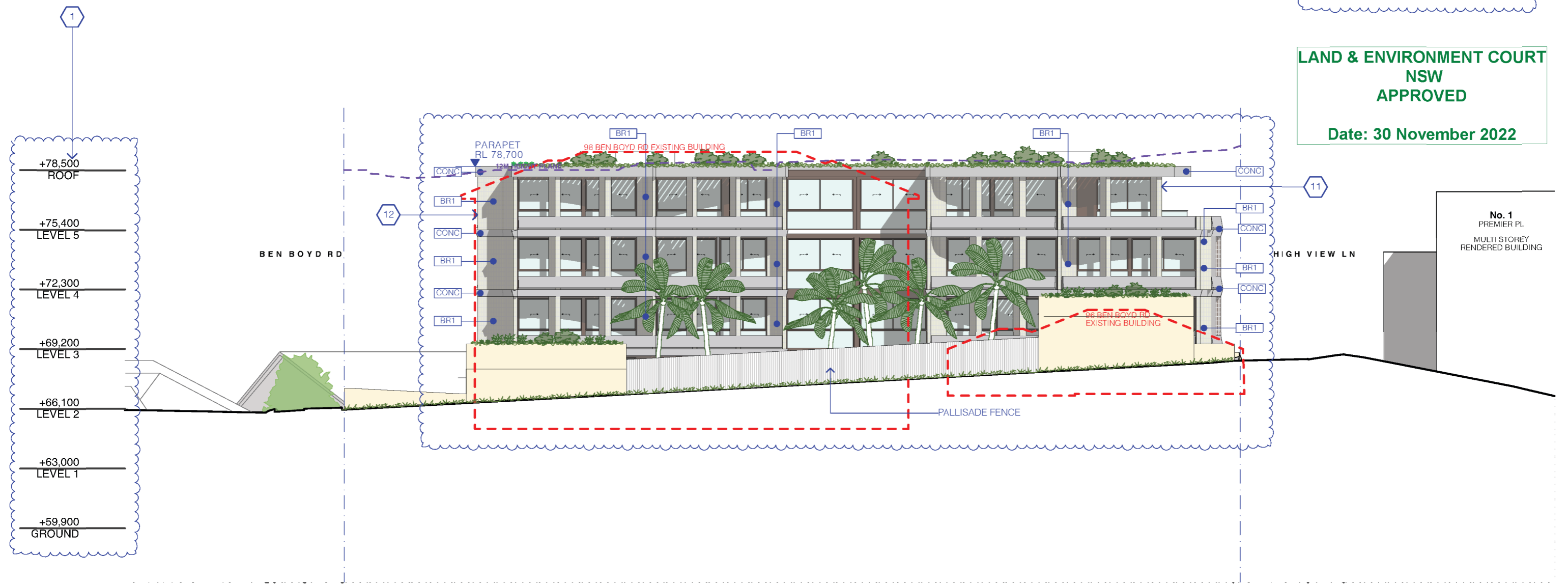


**REV B - AMENDED DA SUBMISSION POST 34**

1. BUILDING RAISED.
11. SOUTHERN, EASTERN AND WESTERN SETBACK INCREASED.
12. WESTERN AND SOUTHERN SETBACK ON LEVEL 5 INCREASED.

**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**

**Date: 30 November 2022**



REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5.1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600 5.2 ENERGY EFFICIENCY: TO COMPLY WITH 2.2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART J1 OF BCA	BASED COMMENTS: ALL OTHER BASIC COMMENTS AS PER BASIX CERTIFICATE AND STRAPPED PLANTS	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:
A	DEVELOPMENT APPLICATION	18/3/22	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS SPEC. C 11 FIRE RESISTING CONSTRUCTION SPEC. C 11.9 FIRE HAZARD PROPERTIES CLAUSE C 11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.12 SEPARATION OF EQUIPMENT CLAUSE C 2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C 2.2 PROTECTION OF OPENINGS CLAUSE C 3.8 OPENING IN FIRE ISOLATED DUCTS CLAUSE C 3.14 OPENING FOR SERVICE INSTALLATIONS CLAUSE C 3.16 DISCHARGE FROM DVTS CLAUSE D 2.1 INSTALLATIONS IN DVTS AND PATHS OF TRAVEL CLAUSE D 2.14 GOINGS AND COMINGS CLAUSE D 2.14 LANDINGS CLAUSE D 2.14 THRESHOLDS CLAUSE D 2.16 BALUSTRADES	CLAUSE D 2.11 HANDRAILS CLAUSE D 2.21 OPERATION OF LATCH CLAUSE D 2.23 SHOW IN DOORS CLAUSE D 2.3 IDENTIFICATION BUILDING ACCESS REQUIREMENTS CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D 3.6 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES CLAUSE D 3.8 TACTILE INDICATORS CLAUSE D 3.11 WATERPROOFING OF WET AREAS CLAUSE D 3.11.1 DAMP PROOFING CLAUSE D 3.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F6.10 CONTINGENT VENTILATION CLAUSE F 5.4 SOUND INSULATION OF FLOORS CLAUSE F 5.6 SOUND INSULATION OF WALLS CLAUSE F 5.8 SOUND INSULATION OF SERVICES CLAUSE F 5.9 SOUND INSULATION OF PUMPS	BASED COMMENTS: ALL OTHER BASIC COMMENTS AS PER BASIX CERTIFICATE AND STRAPPED PLANTS	<p><b>EX</b> EXISTING FFL</p> <p><b>RL</b> RL OF FINISHED FLOOR LEVEL</p> <p><b>BOUNDARY</b> BOUNDARY</p> <p><b>DEMOLISHED</b> EX BUILDING TO BE DEMOLISHED</p> <p><b>LEP HEIGHT PLANE</b> LEP HEIGHT PLANE</p>	<p><b>ARCHITECT:</b> <b>MHNDUNION</b> 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com</p>	<p><b>DRAWING TITLE:</b> <b>ELEVATION NORTH</b> PROJECT ADDRESS: <b>96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089</b> APPLICANT: <b>AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009</b></p>	<p>SCALE: 1:200@A3</p> <p>ISSUE DATE: 1/11/22</p> <p>PROJECT NUMBER: 21-095</p>	<p>DRAWN BY:</p> <p>CHECKED:</p> <p>REVISION: <b>C</b></p> <p>DWG NUMBER: <b>DA 3000</b></p>	

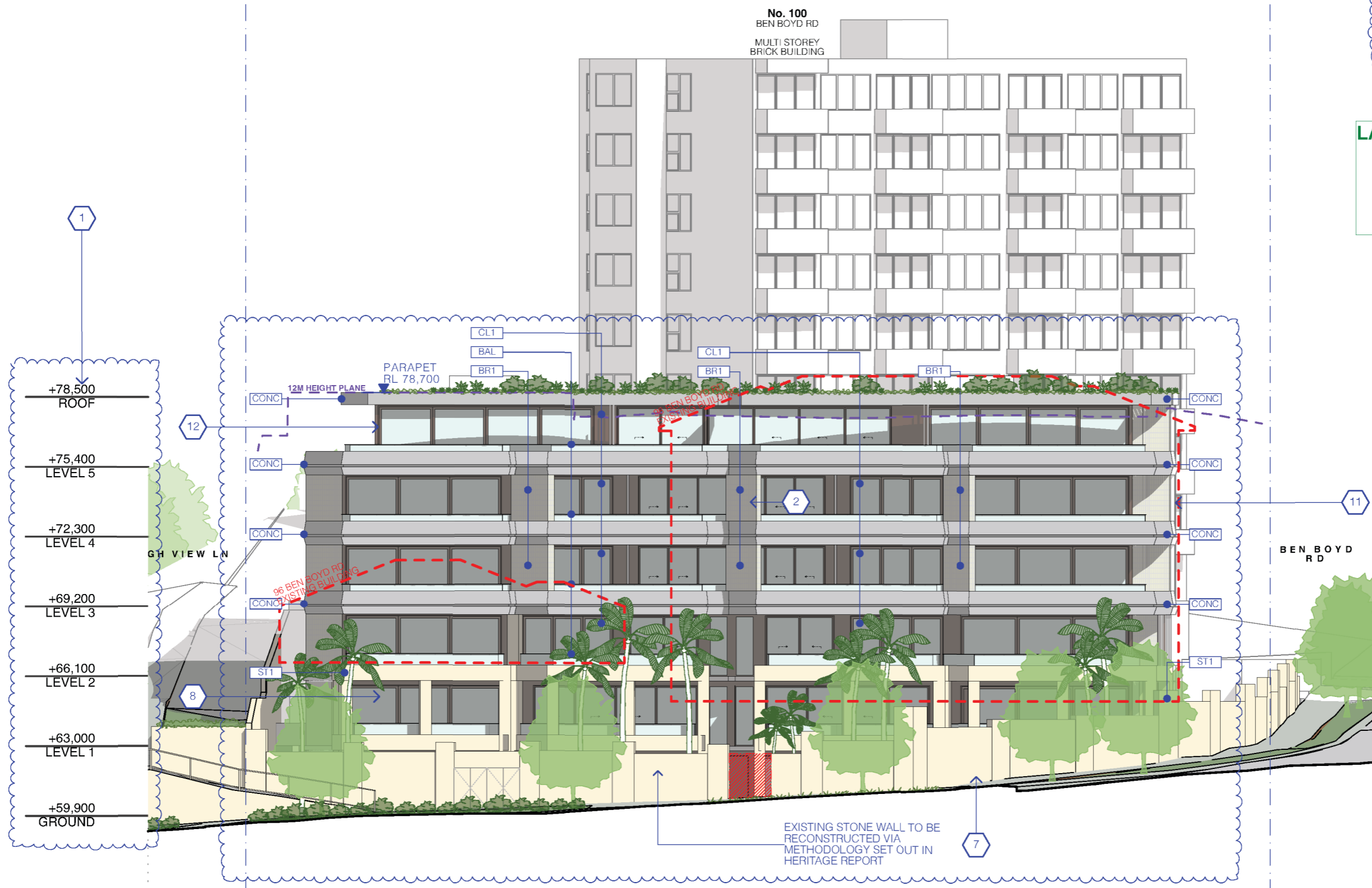


REV B - AMENDED DA SUBMISSION  
POST 34

- BUILDING RAISED.
- CENTRAL REBATE REMOVED.
- BUILDING ENVELOPE CONSOLIDATED INTO SINGLE BLOCK.
- EXTENT AND PROPOSED RECONSTRUCTION OF EXISTING ROCK WALL TO SUIT NEW HERITAGE METHODOLOGY.
- SOUTH FACING APARTMENTS ON GROUND AND LEVEL 1 COMBINED INTO TWO STOREY UNITS.
- SOUTHERN, EASTERN AND WESTERN SETBACK INCREASED.
- WESTERN AND SOUTHERN SETBACK ON LEVEL 5 INCREASED.

**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**

**Date: 30 November 2022**



REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	18/3/22
B	AMENDED DA SUBMISSION POST 34	28/10/22
C	AMENDED DA SUBMISSION POST 34	11/11/22

REVISION	DESCRIPTION
ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS	
CLAU 8 1.4 MATERIALS & FORMS CONSTRUCTIONS	
CLAU 8 1.1 FIRE RESISTING CONSTRUCTION	
SPEC. C 1.10. FIRE HAZARD PROPERTIES	
SPEC. C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE	
CLAU 8 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL	
CLAU 8 3.2 SEPARATION OF EQUIPMENT	
CLAU 8 3.3 ELECTRICITY SUPPLY SYSTEM	
CLAU 8 3.4 PROTECTION OF OPENINGS	
CLAU 8 3.5 OPENING IN FIRE ISOLATED DUTS	
CLAU 8 3.6 OPENING FOR SERVICE INSTALLATIONS	
CLAU 8 3.7 DISCHARGE FROM DUTS	
CLAU 8 3.8 INSTALLATIONS IN DUTS AND PATHS OF TRAVEL	
CLAU 8 3.9 GOINGS AND FIXERS	
CLAU 8 3.10 LANDINGS	
CLAU 8 3.11 THRESHOLDS	
CLAU 8 3.12 BALUSTRADES	

REVISION	DESCRIPTION
ARTIFICIAL LIGHTING TO COMPLY WITH BCA PART CLAUSES 4 & 6 AS 1680	
BALUSTRADE HEIGHTS TO COMPLY WITH BCA CLAU 8 3.12	
DRAINAGE GUTTERS & DOWNPIPES TO COMPLY WITH AS/NZS 3600 5.2	
ENERGY EFFICIENCY TO COMPLY WITH 2 OF BCA	
FIRE SERVICES TO COMPLY WITH SECTION 6 OF BCA	
HOT WATER SYSTEMS TO COMPLY WITH PART 4 OF BCA	
INTEGRITY TO COMPLY WITH AS 1530	
MECHANICAL/ELECTRICAL: BCA CLAU 8 3.6 & AS 1530 6.2005	
MECHANICAL AIRCONDITIONING TO COMPLY WITH 25 OF BCA	
MECHANICAL EXHAUST VENTILATION TO COMPLY WITH AS 1668 & AS/NZS 2	
SMOKE ALARMS TO COMPLY WITH BCA PART CLAU 8 3.6 & SPEC. C 2.2 & AS/NZS 6	
SMOKE PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH	
ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAU 8 3.15 & AS 1530 6.2005	
SOUND TRANSMISSION TO COMPLY WITH PARTS OF BCA	
STAIR CONSTRUCTION TO COMPLY WITH BCA CLAU 8 3.13	
STAR CONSTRUCTION TO COMPLY WITH BCA CLAU 8 3.13	
WATERPROOFING OF WET AREAS TO COMPLY WITH AS 1530	

REVISION	DESCRIPTION
BASED COMMENTS AS PER MARKS GENERATED AND STAMPED	
BASED COMMENTS AS PER MARKS GENERATED AND STAMPED	
BASED COMMENTS AS PER MARKS GENERATED AND STAMPED	
BASED COMMENTS AS PER MARKS GENERATED AND STAMPED	
BASED COMMENTS AS PER MARKS GENERATED AND STAMPED	

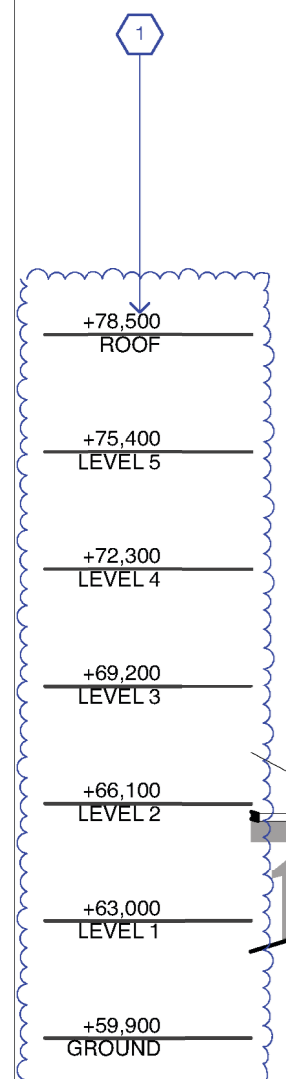
**ARCHITECT:**  
**MHNDUNION**  
35 RICHARDS LANE  
SURRY HILLS SYDNEY NSW 2010  
T +61 2 9101 1111  
F +61 2 9101 1100  
www.mhndu.com  
MHNDUNION Pty Ltd. AIN 04 008 717 602 NSW Registration Number 4907

**DRAWING TITLE:**  
ELEVATION SOUTH  
PROJECT ADDRESS: 96-98 BEN BOYD RD,  
NEUTRAL BAY NSW 2089  
APPLICANT:  
AIDOP NO 3 PTY LTD  
SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

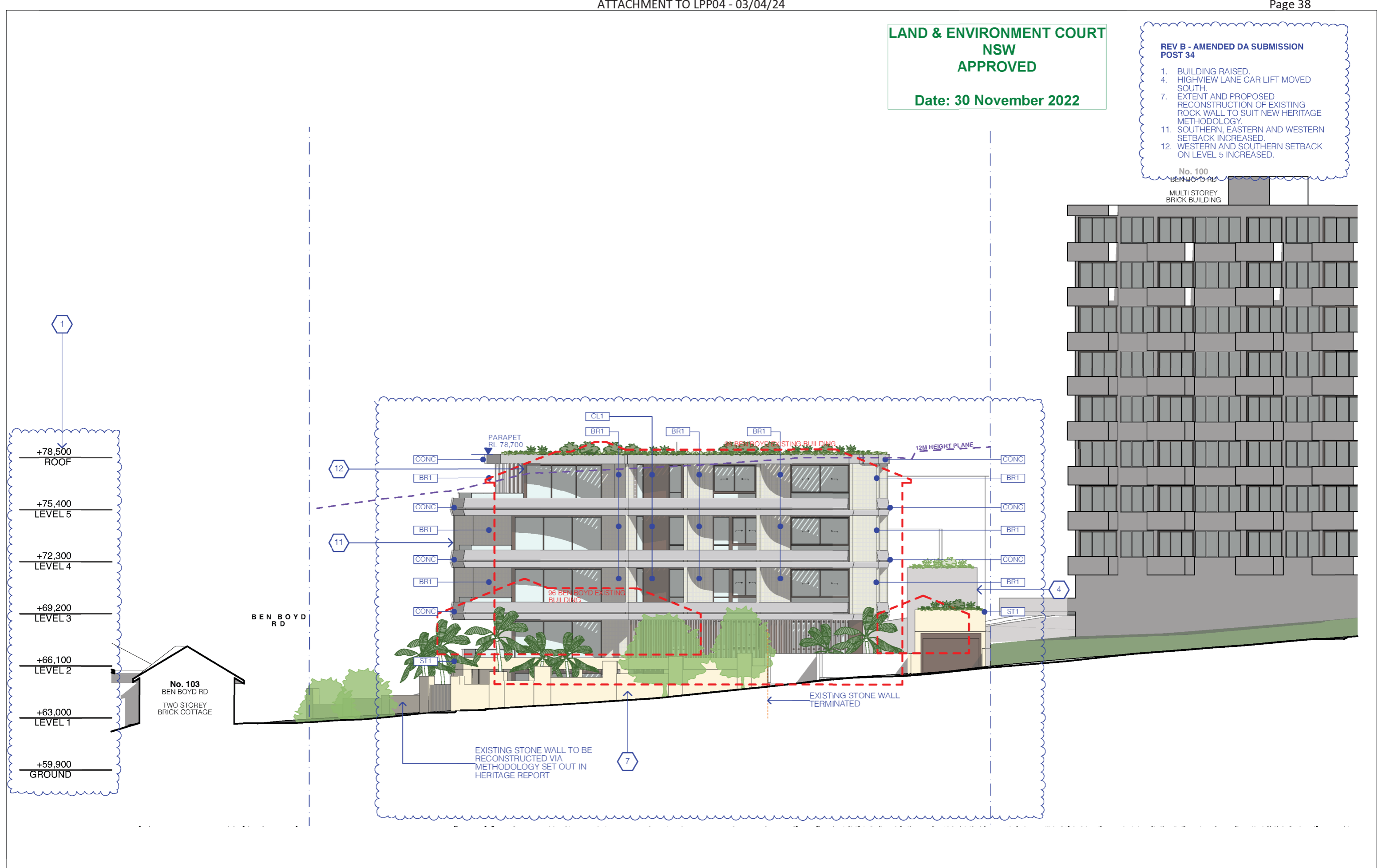
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ISSUE DATE:	REVISION:	DWG NUMBER:
1/11/22	C	DA 3001
PROJECT NUMBER:	21-095	
REF: BIMcloud: bob.mhndu.com - BIMcloud Basic for Archcad 2021-096 Ben Boyd Rd Neutral Bay - 534-2219161		

**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**  
**Date: 30 November 2022**

- REV B - AMENDED DA SUBMISSION  
POST 34**
- BUILDING RAISED.
  - HIGHVIEW LANE CAR LIFT MOVED SOUTH.
  - EXTENT AND PROPOSED RECONSTRUCTION OF EXISTING ROCK WALL TO SUIT NEW HERITAGE METHODOLOGY.
  - SOUTHERN, EASTERN AND WESTERN SETBACK INCREASED.
  - WESTERN AND SOUTHERN SETBACK ON LEVEL 5 INCREASED.



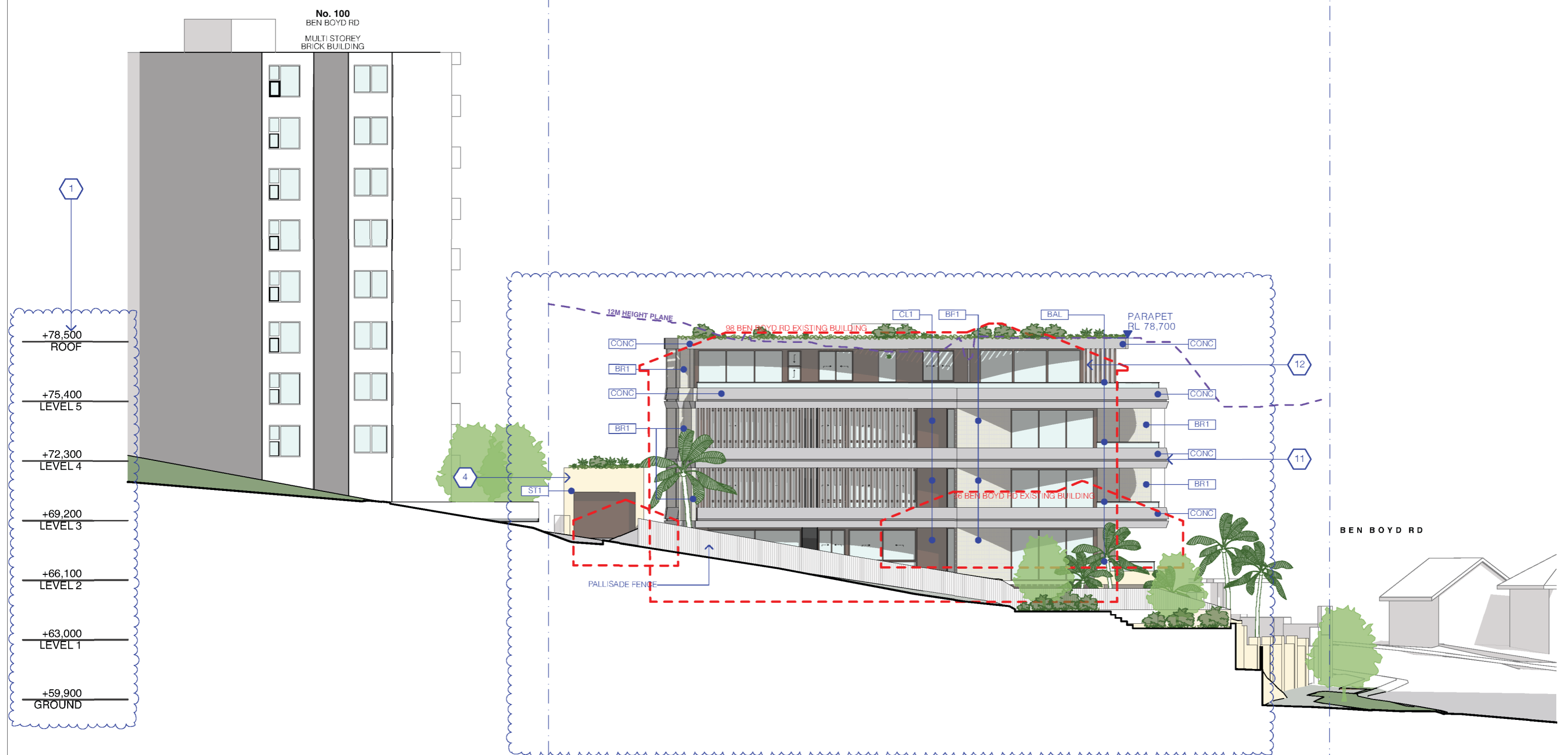
REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5.180 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600.5.2 ENERGY EFFICIENCY: TO COMPLY WITH PART 7.1 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART 7.1 OF BCA MASONRY: TO COMPLY WITH AS 3700 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 7.1 OF BCA MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 7.1 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS/NZS 2206.2 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 5 & SPEC C2.2 & AS/NZS 3600.5.2	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:
A	DEVELOPMENT APPLICATION	18/3/22	CLAUSE B 1.4 MATERIALS & FORMS CONSTRUCTIONS SPEC. C 11 FIRE RESISTING CONSTRUCTION SPEC. C 11.1 FIRE HAZARD PROPERTIES SPEC. C 11.2 PERFORMANCE OF EXTERNAL WALLS IN A FIRE SPEC. C 11.3 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL SPEC. C 11.4 SEPARATION OF EQUIPMENT SPEC. C 11.5 ELECTRICITY SUPPLY SYSTEM SPEC. C 11.6 PROTECTION OF OPENINGS SPEC. C 11.7 OPENING FOR SERVICE INSTALLATIONS SPEC. C 11.8 DISCHARGE FROM DVTS SPEC. C 11.9 INSTALLATIONS IN DVTS AND PATHS OF TRAVEL SPEC. C 11.10 GUTTERS AND DOWNPIPES SPEC. C 11.11 THERMOSTATS SPEC. C 11.12 BALUSTRADES	CLAUSE D2.11 HANDRAILS CLAUSE D2.21 OPERATION OF LATCH CLAUSE D2.22 SHOWN ON DOORS CLAUSE D2.23 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D2.24 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D2.25 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES CLAUSE D2.26 TACTILE INDICATORS CLAUSE D2.27 WATERPROOFING OF WET AREAS CLAUSE D2.28 DAMP PROOFING CLAUSE D2.29 CONSTRUCTION OF SANITARY COMPARTMENTS PART 7.1.10 CONTINGENT VENTILATION CLAUSE F5.4 SOUND INSULATION OF FLOORS CLAUSE F5.5 SOUND INSULATION OF WALLS CLAUSE F5.6 SOUND INSULATION OF SERVICES CLAUSE F5.7 SOUND INSULATION OF PUMPS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5.180 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600.5.2 ENERGY EFFICIENCY: TO COMPLY WITH PART 7.1 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART 7.1 OF BCA MASONRY: TO COMPLY WITH AS 3700 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 7.1 OF BCA MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 7.1 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS/NZS 2206.2 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 5 & SPEC C2.2 & AS/NZS 3600.5.2	<p><b>NOTES:</b></p> <ul style="list-style-type: none"> <li>EX EXISTING FLOOR LEVEL</li> <li>RL REDUCED LEVEL</li> <li>BOUNDARY</li> <li>EX BUILDING TO BE DEMOLISHED</li> <li>LEP HEIGHT PLANE</li> </ul>	<p><b>ARCHITECT:</b> <b>MHNDUNION</b> 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com MHN Design Union Pty Ltd. AIN 04 008 717 662 NSW Registration Number 4907</p>	<p><b>DRAWING TITLE:</b> <b>ELEVATION EAST</b> PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089 APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009</p>	<p>SCALE: 1:200@A3 ISSUE DATE: 1/11/22 PROJECT NUMBER: 21-095</p>	<p>DRAWN BY: [Blank] CHECKED: [Blank] REVISION: C DWG NUMBER: DA 3002</p>



**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**  
**Date: 30 November 2022**

**REV B - AMENDED DA SUBMISSION  
POST 34**

1. BUILDING RAISED.
4. HIGHVIEW LANE CAR LIFT MOVED SOUTH.
11. SOUTHERN, EASTERN AND WESTERN SETBACK INCREASED.
12. WESTERN AND SOUTHERN SETBACK ON LEVEL 5 INCREASED.



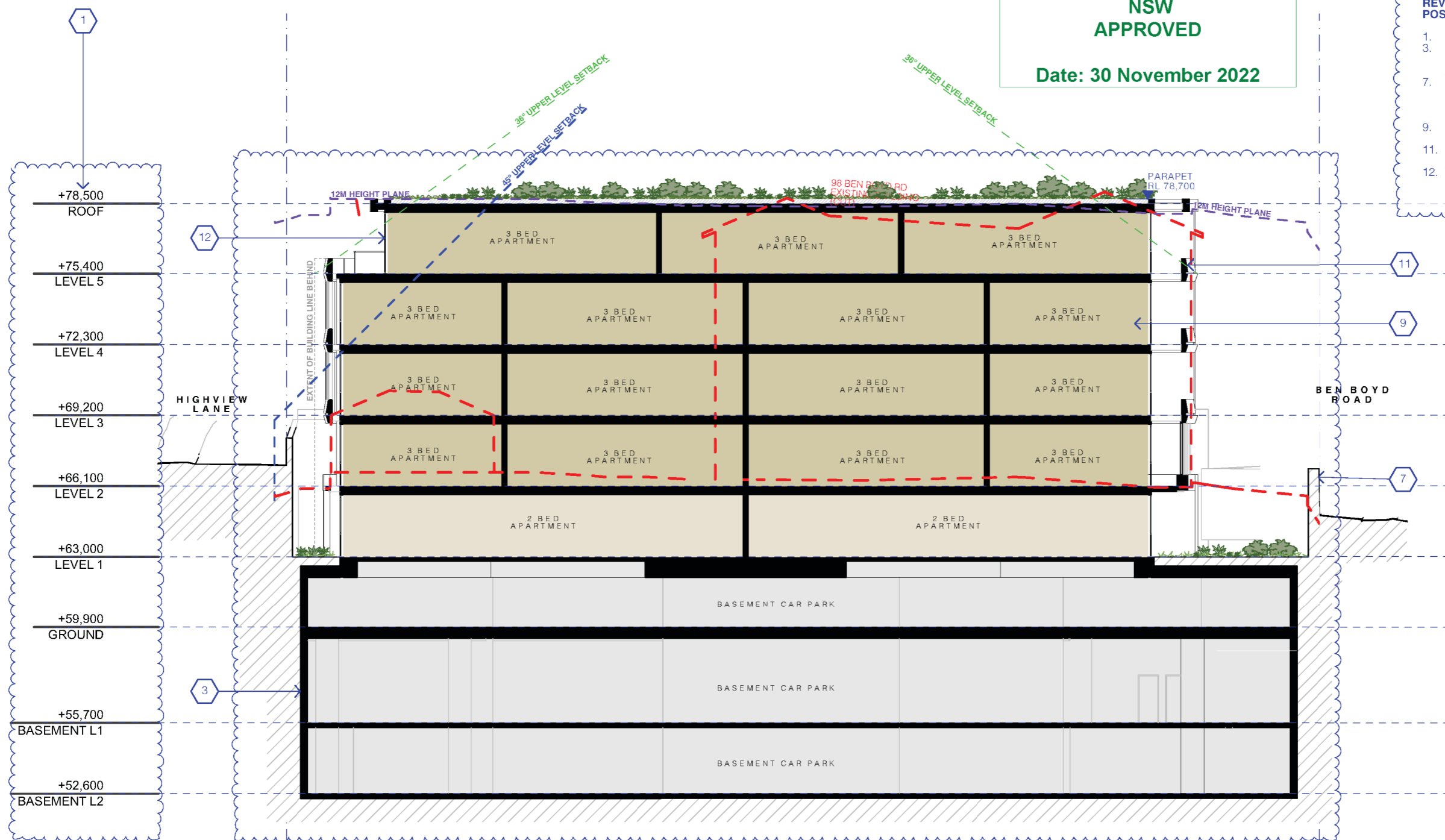
REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5 (M80 BALUSTRADE HEIGHTS; TO COMPLY WITH BCA CLAUSE D2 16) DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3000 S2 ENERGY EFFICIENCY: TO COMPLY WITH D2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART 3 OF BCA MASONRY: TO COMPLY WITH AS 3700 MECHANICAL/ELECTRICAL: TO COMPLY WITH AS 1547.1 MECHANICAL AIR CONDITIONING: TO COMPLY WITH AS 1547.2 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS/NZS 1547.2 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 5 & SPEC C2.2 & AS/NZS 3786 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS: TO COMPLY WITH BCA CLAUSE C3 13 & AS 1547.1 S2005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2 13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1547.2	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:
A	DEVELOPMENT APPLICATION	18/3/22	CLAUSE B 1.4 MATERIALS & FORMS CONSTRUCTIONS SPEC. C 1.1 FIRE RESISTING CONSTRUCTION SPEC. C 1.10 FIRE HAZARD PROPERTIES SPEC. C 1.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.12 SEPARATION OF EQUIPMENT CLAUSE C 2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C 2.2 PROTECTION OF OPENINGS CLAUSE C 2.3 OPENING FOR SERVICE INSTALLATIONS CLAUSE C 3.8 OPENING IN FIRE ISOLATED DOORS CLAUSE C 3.15 DISCHARGE FROM DVTS CLAUSE D 2.1 INSTALLATIONS IN DVTS AND PATHS OF TRAVEL CLAUSE D 2.16 DOORS AND PARTS CLAUSE D 2.14 LANDINGS CLAUSE D 2.15 THRESHOLDS CLAUSE D 2.16 BALUSTRADES	CLAUSE D 2 11 HANDRAILS CLAUSE D 2 21 OPERATION OF LATCH CLAUSE D 2 28 SHOWS ON DOORS CLAUSE D 3 2 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D 3 3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D 3 4 IDENT. OF ACCESSIBLE FACILITIES/FEATURES CLAUSE D 3 5 TACTILE INDICATORS CLAUSE D 3 6 WATERPROOFING OF WET AREAS CLAUSE F 1 SF 15 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART 76.100 MECHANICAL VENTILATION CLAUSE F 5 4 SOUND INSULATION OF FLOORS CLAUSE F 5 5 SOUND INSULATION OF WALLS CLAUSE F 5 6 SOUND INSULATION OF SERVICES CLAUSE F 5 7 SOUND INSULATION OF PUMPS	<p><b>EX</b> EXISTING FFL</p> <p><b>RL</b> RL OF FINISHED FLOOR LEVEL</p> <p><b>REDUCED LEVEL</b></p> <p><b>BOUNDARY</b></p> <p><b>EX BUILDING TO BE DEMOLISHED</b></p> <p><b>LEP HEIGHT PLANE</b></p>	<p><b>MHNDUNION</b></p> <p>35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com</p> <p>M/N Design Union Pty Ltd. ABN 94 003 717 662 NSW Registration Number 4907</p>	<p><b>ELEVATION WEST</b></p> <p>PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089</p> <p>APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009</p>	<p>1:200@A3</p> <p>ISSUE DATE: 1/11/22</p> <p>PROJECT NUMBER: 21-095</p>	<p>DRAWN BY:</p> <p>CHECKED:</p> <p>REVISION: C</p> <p>DWG NUMBER: DA 3003</p>	



**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**  
**Date: 30 November 2022**

**REV B - AMENDED DA SUBMISSION  
POST 34**

1. BUILDING RAISED.
3. BASEMENT PLANS REDESIGNED, REDUCING BASEMENT FOOTPRINT AND EXCAVATION VOLUME.
7. EXTENT AND PROPOSED RECONSTRUCTION OF EXISTING ROCK WALL TO SUIT NEW HERITAGE METHODOLOGY.
9. INTERNAL APARTMENT LAYOUTS REDESIGNED.
11. SOUTHERN, EASTERN AND WESTERN SETBACK INCREASED.
12. WESTERN AND SOUTHERN SETBACK ON LEVEL 5 INCREASED.



REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	18/3/22
B	AMENDED DA SUBMISSION POST 34	28/10/22
C	AMENDED DA SUBMISSION POST 34	1/11/22

ALL CONSTRUCTION TO COMPLY WITH MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS  
SPEC. C 1.1 FIRE RESISTING CONSTRUCTION  
SPEC. C 1.10 FIRE HAZARD PROPERTIES  
SPEC. C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
CLAUSE C 3.1 SEPARATION OF EQUIPMENT  
CLAUSE C 3.2 ELECTRICITY SUPPLY SYSTEM  
CLAUSE C 3.3 PROTECTION OF OPENINGS  
CLAUSE C 3.8 OPENING IN FIRE ISOLATED OUTS  
CLAUSE C 3.10 OPENING FOR SERVICE INSTALLATIONS  
CLAUSE C 3.16 DISCHARGE FROM DUTS  
CLAUSE C 7.1 INSTALLATIONS IN DUTS AND PATHS OF TRAVEL  
CLAUSE D 2.16 GOINGS AND RETURNS  
CLAUSE D 2.14 LANDINGS  
CLAUSE D 2.15 THRESHOLDS  
CLAUSE D 2.16 BALUSTRADES

CLAUSE D 2.11 HANDRAILS  
CLAUSE D 2.21 OPERATION OF LATCH  
CLAUSE D 2.23 SIGNS AND DOURS  
CLAUSE D 3.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
CLAUSE D 3.2 GENERAL BUILDING ACCESS REQUIREMENTS  
CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE  
CLAUSE D 3.6 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES  
CLAUSE D 3.8 TACTILE INDICATORS  
CLAUSE D 3.11 WATERPROOFING OF WET AREAS  
CLAUSE D 3.12 DAMP PROOFING  
CLAUSE D 3.13 CONSTRUCTION OF SANITARY COMPARTMENTS  
PART F6.1 CONTINUING VENTILATION  
CLAUSE F 5.4 SOUND INSULATION OF FLOORS  
CLAUSE F 5.5 SOUND INSULATION OF WALLS  
CLAUSE F 5.6 SOUND INSULATION OF SERVICES  
CLAUSE F 5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5.6.180  
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16  
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600 5.2  
ENERGY EFFICIENCY: TO COMPLY WITH PART 4.2 OF BCA  
FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA  
HOT WATER SYSTEMS: TO COMPLY WITH PART 4.1 OF BCA  
MASONRY: TO COMPLY WITH AS 1370  
MECHANICAL/HYDRAULIC: BCA CLAUSE C 3.1 & AS 1553 6.2.205  
MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 4.5 OF BCA  
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1966 & AS/NZS 1553  
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC. C 2.2 & AS/NZS 1553  
PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.13 & AS 1553 6.2.205  
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA  
STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13  
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1553.6

BASED COMMENTS  
ALL OTHER BASE COMMENTS AS PER BASIS CERTIFICATE AND STAMPED PLANS

WATER HEATING: Compliant with minimum W/ BCA CLAUSE 4 & 5.6.180  
BASED COMMENTS: See Basis Certificate and stamped plans  
COOKTOPS: Compliant with minimum W/ BCA CLAUSE 4 & 5.6.180  
MECHANICAL EXHAUST SYSTEMS: Compliant with minimum W/ BCA CLAUSE 4 & 5.6.180  
ACTUAL WALL SYSTEM: Compliant with minimum W/ BCA CLAUSE 4 & 5.6.180

MECHANICAL EXHAUST SYSTEMS: Compliant with minimum W/ BCA CLAUSE 4 & 5.6.180  
MECHANICAL EXHAUST SYSTEMS: Compliant with minimum W/ BCA CLAUSE 4 & 5.6.180  
MECHANICAL EXHAUST SYSTEMS: Compliant with minimum W/ BCA CLAUSE 4 & 5.6.180  
MECHANICAL EXHAUST SYSTEMS: Compliant with minimum W/ BCA CLAUSE 4 & 5.6.180

**NOTES:**

EX FFL EXISTING RL OF FINISHED FLOOR LEVEL

RL REDUCED LEVEL

BOUNDARY EX BUILDING TO BE DEMOLISHED

LEP HEIGHT PLANE

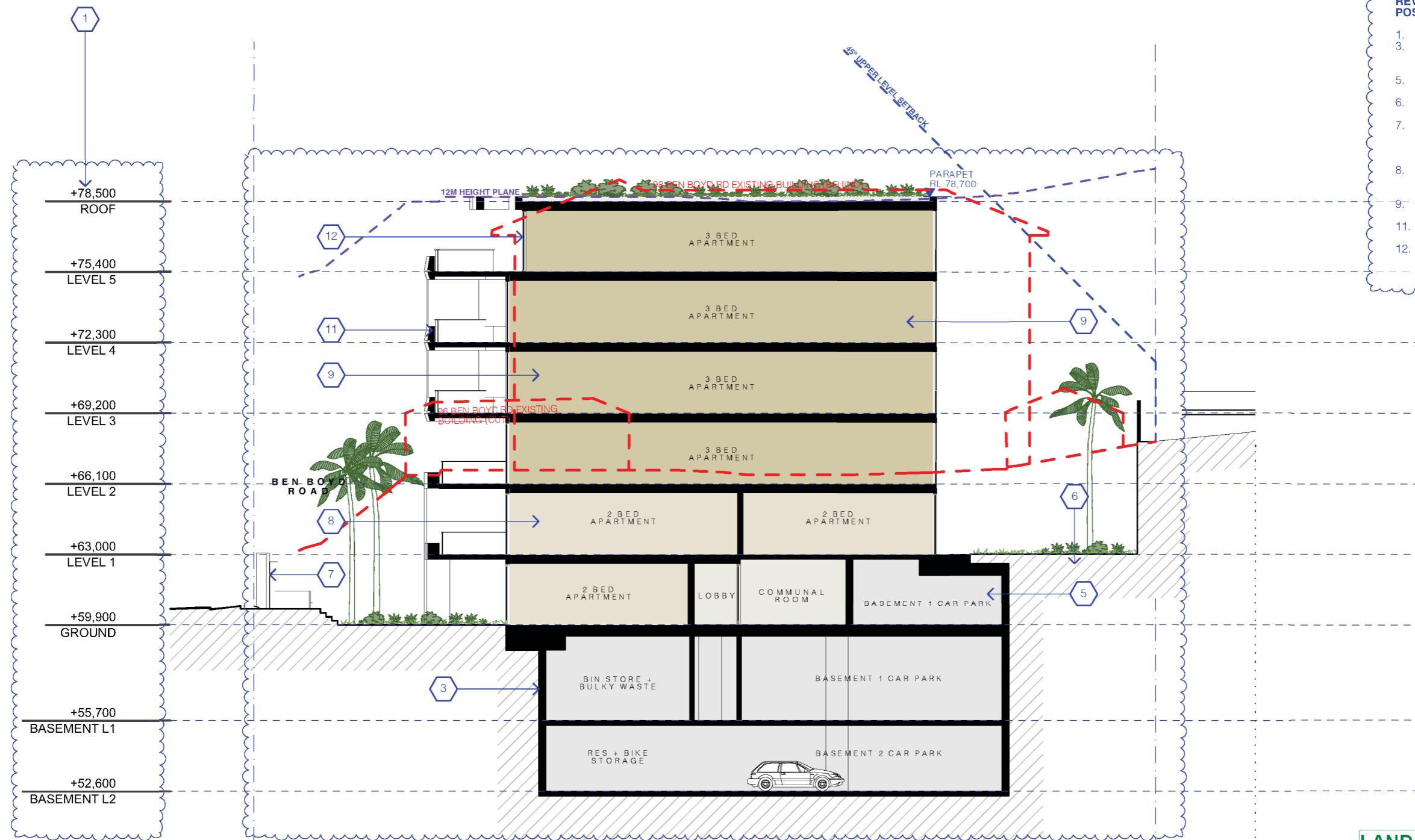
SIDE SETBACK

ARCHITECT:  
**MHNDUNION**  
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T +61 2 9101 1111  
F +61 2 9101 1100  
www.mhndu.com  
MH Design Union Pty Ltd. AIN 04 008 717 682 NSW Registration Number 4907

DRAWING TITLE:  
**SECTION A**  
PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089  
LOT / SECTION / DP NO.: LOT A DP348364 & SP61709  
APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

SCALE: 1:200@A3  
DRAWN BY:  
CHECKED:  
ISSUE DATE: 1/11/22  
REVISION: C  
PROJECT NUMBER: 21-095  
DWG NUMBER: DA 3100





- REV B - AMENDED DA SUBMISSION POST 34**
1. BUILDING RAISED.
  3. BASEMENT PLANS REDESIGNED, REDUCING BASEMENT FOOTPRINT AND EXCAVATION VOLUME.
  5. NORTHERN UNITS ON GROUND REPLACED WITH PARKING.
  6. DEEP SOIL ZONE TO NORTHERN SETBACK REINSTATED.
  7. EXTENT AND PROPOSED RECONSTRUCTION OF EXISTING ROCK WALL TO SUIT NEW HERITAGE METHODOLOGY.
  8. SOUTH FACING APARTMENTS ON GROUND AND LEVEL 1 COMBINED INTO TWO STOREY UNITS.
  9. INTERNAL APARTMENT LAYOUTS REDESIGNED.
  11. SOUTHERN, EASTERN AND WESTERN SETBACK INCREASED.
  12. WESTERN AND SOUTHERN SETBACK ON LEVEL 5 INCREASED.

**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**

**Date: 30 November 2022**

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	18/3/22
B	AMENDED DA SUBMISSION POST 34	28/10/22
C	AMENDED DA SUBMISSION POST 34	1/11/22

**ALL CONSTRUCTION TO COMPLY WITH MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS**

**CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTION**  
SPEC. C 1.1 FIRE RESISTING CONSTRUCTION  
SPEC. C 1.10 FIRE HAZARD PROPERTIES

**CLAUSE D 2.1 HANDRAILS**  
CLAUSE D 2.21 OPERATION OF LATCH  
CLAUSE D 2.23 SHOW WINDOWS  
CLAUSE D 2.24 GENERAL BUILDING ACCESS REQUIREMENTS  
CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE  
CLAUSE D 3.8 IDENT. OF ACCESSIBLE FEATURES  
CLAUSE D 3.9 TACTILE INDICATORS  
CLAUSE D 4.1 WATERPROOFING OF WET AREAS  
CLAUSE D 4.2 DAMP PROOFING  
CLAUSE D 5.3 CONSTRUCTION OF SANITARY COMPARTMENTS  
PART F6. CONTINUING VENTILATION  
CLAUSE F 5.4 SOUND INSULATION OF FLOORS  
CLAUSE F 5.5 SOUND INSULATION OF WALLS  
CLAUSE F 5.6 SOUND INSULATION OF SERVICES  
CLAUSE F 5.7 SOUND INSULATION OF PUMPS

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680  
**BALUSTRADE HEIGHTS & COMPONENTS:** TO COMPLY WITH AS/NZS 3000 S2  
**DRAINAGE GUTTERS & DOWNPIPES:** TO COMPLY WITH AS/NZS 3000 S2  
**ENERGY EFFICIENCY:** TO COMPLY WITH PART 12 OF BCA  
**FIRE SERVICES:** TO COMPLY WITH SECTION 5 OF BCA  
**HOT WATER SYSTEMS:** TO COMPLY WITH PART 12 OF BCA  
**LABOUR:** TO COMPLY WITH AS 3570  
**METHEANOLOGICAL:** BCA CLAUSE C3.16 & AS/NZS 6:2005  
**MASONRY:** TO COMPLY WITH PART 35 OF BCA  
**MECHANICAL AIRCONDITIONING:** TO COMPLY WITH PART 35 OF BCA  
**MECHANICAL EXHAUST VENTILATION:** TO COMPLY WITH AS 1969 & AS/NZS 2  
**SMOKE ALARMS:** TO COMPLY WITH BCA PART CLAUSE 6 & SPEC. C2.2 & AS/NZS 2  
**VENTILATION:** THROUGH FIRE RATED CONSTRUCTION FOR MECH PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.13 & AS/NZS 6:2005  
**SOUND TRANSMISSION:** TO COMPLY WITH PARTS OF BCA  
**STAR CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE D2.13  
**WATERPROOFING OF WET AREAS:** TO COMPLY WITH AS 3570

**ARCHITECT:**  
**MHNDUNION**  
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SURRY HILLS SYDNEY NSW 2010  
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www.mhndu.com  
M/N Design Union Pty Ltd. ABN 94 008 717 682 NSW Registration Number 4907

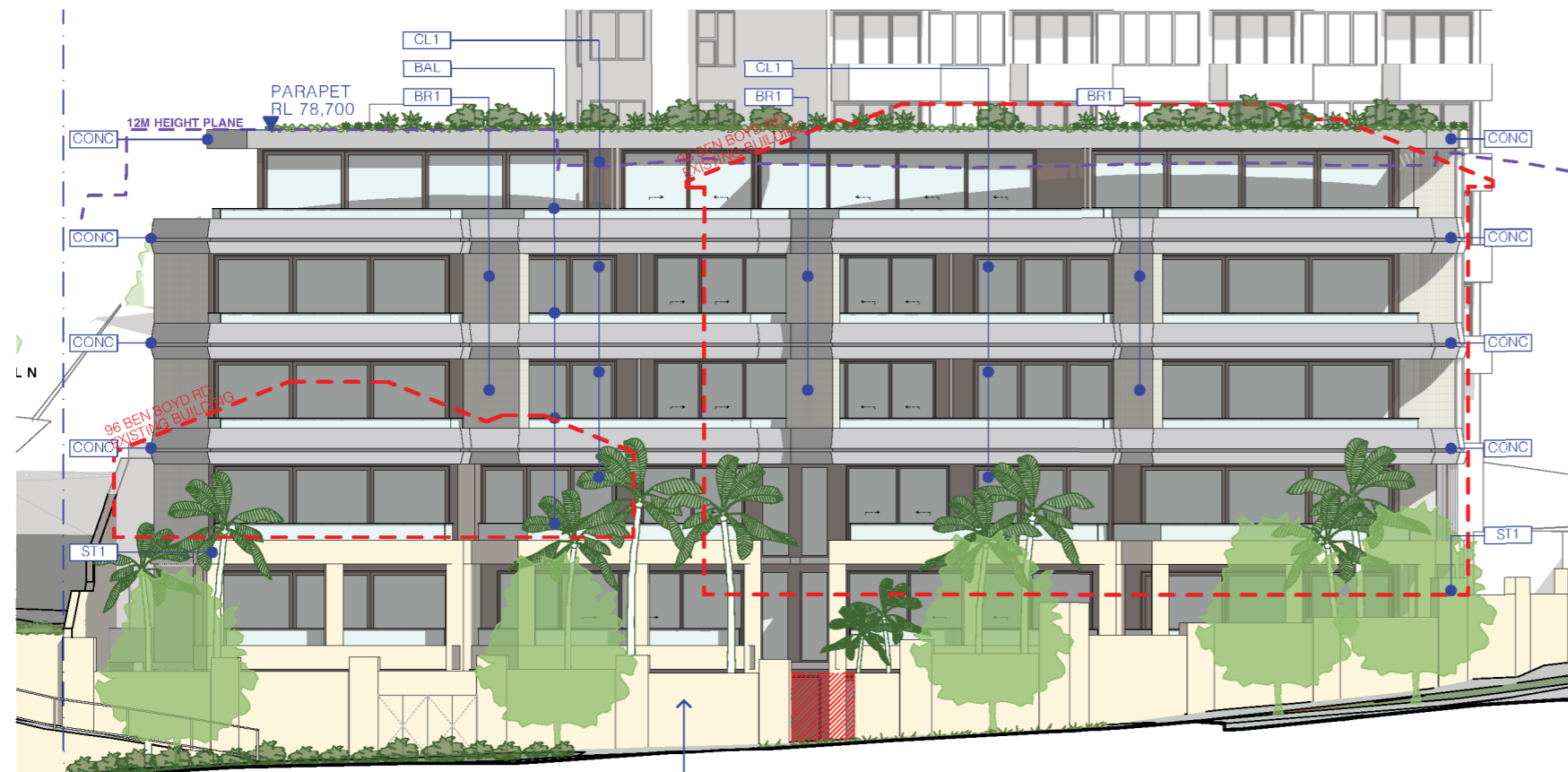
**DRAWING TITLE:**  
**SECTION B**  
PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089  
LOT / SECTION / DP NO.: LOT A DP348364 & SP61709  
APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

SCALE: 1:200@A3  
DRAWN BY:  
CHECKED:  
ISSUE DATE: 1/11/22  
REVISION: C  
PROJECT NUMBER: 21-095  
DWG NUMBER: DA 3101

NO AMENDMENTS TO THIS DRAWING

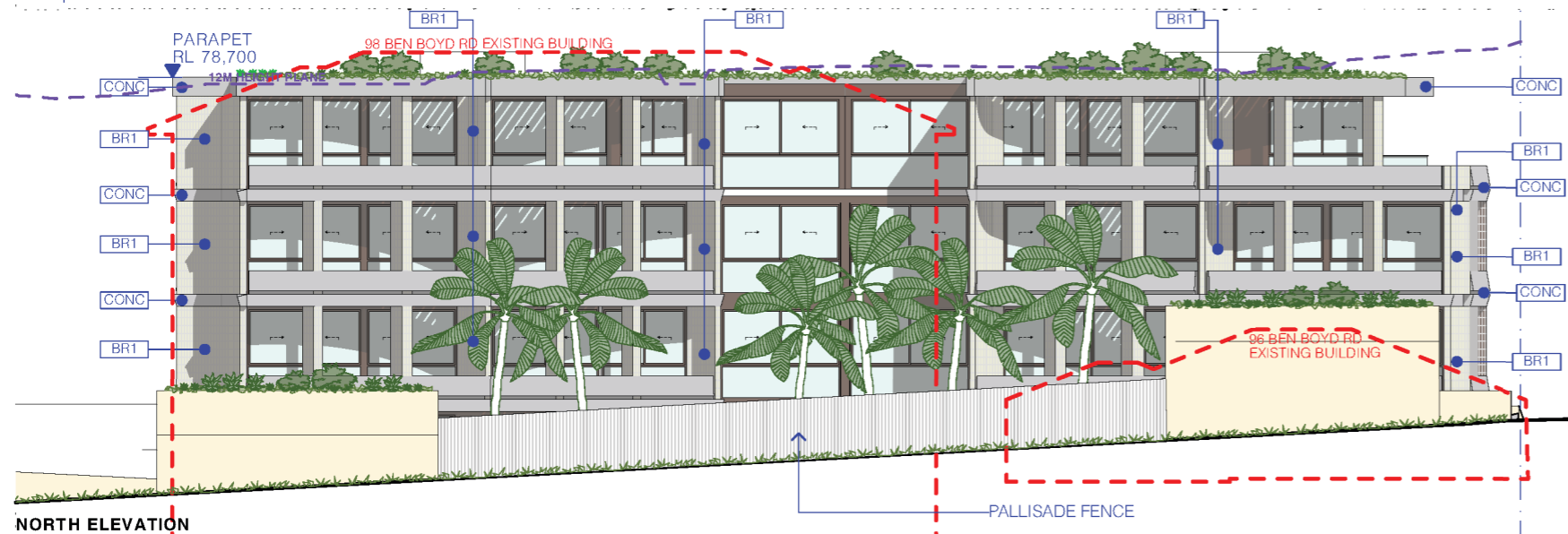
LAND & ENVIRONMENT COURT  
NSW  
APPROVED

Date: 30 November 2022



SOUTH ELEVATION

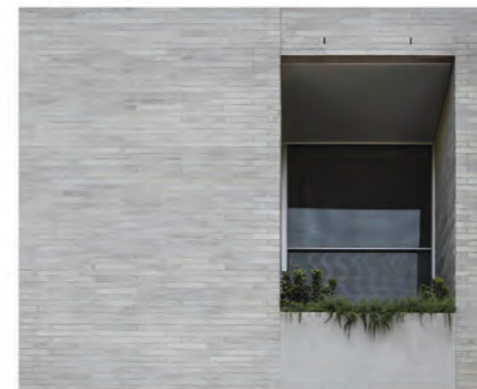
EXISTING STONE WALL TO BE RECONSTRUCTED VIA METHODOLOGY SET OUT IN HERITAGE REPORT



NORTH ELEVATION



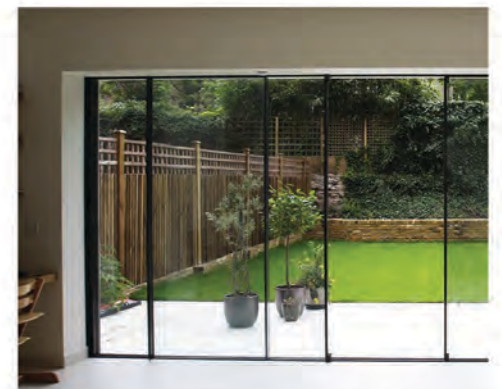
ST1 STONE BLOCKS, DRY PRESS JOINTS



BR1 STANDARD 76MM BRICK IN STACK BOND, GHOST GREY, FLUSH JOINTS



CL1 METAL CLADDING, DARK BRONZE



AL ALUMINIUM FRAMED DOORS & WINDOWS, COLOUR TO MATCH CL1



BAL GLASS BALUSTRADE, CAPTURED IN TOP RAIL, COLOUR TO MATCH C1

REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5.1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3609.5.2 ENERGY EFFICIENT GLAZING: TO COMPLY WITH J2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART 3.1 OF BCA BASINETS: TO COMPLY WITH AS3700 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 3.1 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS/NZS 2008.6.1.2 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 6 & SPEC E2.2 & AS2036 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH ELECTRICAL PENETRATIONS: TO COMPLY WITH BCA CLAUSE C3.13 & AS1530.4.2005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS1530.6	BASED COMMITMENTS (ALL OTHER BASED COMMITMENTS AS PER BASIS CERTIFICATE AND STAMPED PLANS)	NOTES:
A	DEVELOPMENT APPLICATION	18/3/22	CLAUSE B 1.4 MATERIALS & FORMS CONSTRUCTIONS SPEC. C 1.1 FIRE RESISTING CONSTRUCTION SPEC. C 1.16 FIRE HAZARD PROPERTIES SPEC. C 1.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE D2.23 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C2.13 SEPARATION OF EQUIPMENT CLAUSE C2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C2.2 PROTECTION OF OPENINGS CLAUSE C2.8 OPENING IN FIRE ISOLATED DUCTS CLAUSE C2.19 OPENING FOR SERVICE INSTALLATIONS CLAUSE D1.19 DISCHARGE FROM DUCTS CLAUSE D2.7 INSTALLATIONS IN DUCTS AND PATHS OF TRAVEL CLAUSE D2.14 LANDINGS CLAUSE D2.18 THERMOSTATS CLAUSE D2.18 BALUSTRADES	CLAUSE D2.17 HANDRAILS CLAUSE D2.21 OPERATION OF LATCH CLAUSE D2.28 SIGNS ON DOORS CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D3.8 TACTILE INDICATORS CLAUSE D3.6 IDENTIFICATION OF ACCESSIBLE FACILITIES CLAUSE F1.16 DAMP PROOFING CLAUSE F2.3 CONSTRUCTION OF SANITARY COMPARTMENTS PART 3.6 LIGHTING AND VENTILATION CLAUSE F5.4 SOUND INSULATION OF FLOORS CLAUSE F5.5 SOUND INSULATION OF WALLS CLAUSE F5.6 SOUND INSULATION OF SERVICES CLAUSE F5.7 SOUND INSULATION OF PUMPS	BASED COMMITMENTS (ALL OTHER BASED COMMITMENTS AS PER BASIS CERTIFICATE AND STAMPED PLANS) WATER HEATING: Central gas hot water system DRAINAGE: 100% PVC cast iron COOK TOPS: Gas cooktop MECHANICAL EXHAUST VENTILATION: Mechanical exhaust ventilation system FLOOR ISOLATION TO: 100% of floor area to be isolated ROOF ISOLATION TO: 100% of roof area to be isolated FIRE ISOLATION TO: 100% of fire rated construction to be fire rated MECHANICAL EXHAUST VENTILATION: Mechanical exhaust ventilation system FLOOR ISOLATION TO: 100% of floor area to be isolated ROOF ISOLATION TO: 100% of roof area to be isolated FIRE ISOLATION TO: 100% of fire rated construction to be fire rated	NOTES: 1. Refer to BASIS Certificate for detailed commitments. 2. All construction to comply with Australian Standards and BCA clauses. 3. Refer to drawings for detailed specifications.
B	AMENDED DA SUBMISSION POST 34	28/10/22				
C	AMENDED DA SUBMISSION POST 34	11/11/22				

ARCHITECT:  
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F +61 2 9101 1100  
www.mhndu.com

DRAWING TITLE:  
**EXTERNAL FINISHES 01**  
PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089  
APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

SCALE: 1:1, 1:200, 1:4, 26, 1:4, 38 @ A3  
ISSUE DATE: 1/11/22  
PROJECT NUMBER: 21-095

DRAWN BY:  
CHECKED:  
REVISION: C  
DWG NUMBER: DA 6000







# SEPP 65 - SOLAR & CROSS VENTILATION

**TOTAL UNITS** 21

**SOLAR ACCESS**

9AM - 3PM	PROPOSED	CONTROL
2+ HR	15 (71%)	14.7 (70%)
1+ HR	2 (10%)	-
0 HR	3 (14%)	3.15 (15%)

**8AM - 4PM**

PROPOSED	CONTROL
2+ HR	18 (86%)
1+ HR	1 (5%)
0 HR	3 (14%)

**CROSS VENTILATION**

PROPOSED	CONTROL
ACHIEVE	19 (90%)
NOT ACHIEVE	2 (10%)
CONTROL	12.6 (60%)
	-

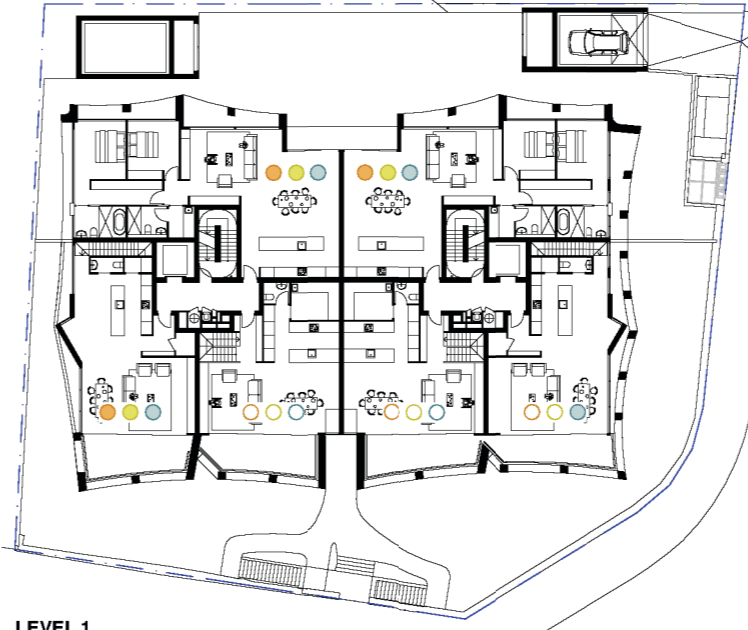
14

REV B - AMENDED DA SUBMISSION POST 34

14. SOLAR & CROSS VENTILATION CALCULATIONS AMENDED.



GROUND SOLAR & CROSS VENTILATION DIAGRAM



LEVEL 1 SOLAR & CROSS VENTILATION DIAGRAM



LEVEL 2 SOLAR & CROSS VENTILATION DIAGRAM

**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**

**Date: 30 November 2022**



LEVEL 3 SOLAR & CROSS VENTILATION DIAGRAM



LEVEL 4 SOLAR & CROSS VENTILATION DIAGRAM



LEVEL 5 SOLAR & CROSS VENTILATION DIAGRAM

REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY WITH MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5 & 1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2 16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600 5.2 ENERGY EFFICIENCY: TO COMPLY WITH PART 12 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART 12 OF BCA	BASIS COMMENTS: ALL OTHER BASIS COMMENTS AS PER BASIS CERTIFICATE AND STAMPED PLANS	WATER HEATING: Central gas hot water system	NOTES:		
A	DEVELOPMENT APPLICATION	18/3/22	CLAUSE B 1.4 MATERIALS & FORMS CONSTRUCTIONS SPEC. C 11 FIRE RESISTING CONSTRUCTION SPEC. C 11 FIRE HAZARD PROPERTIES SPEC. C 11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.7 SEPARATION OF EQUIPMENT CLAUSE C 2.8 ELECTRICITY SUPPLY SYSTEM CLAUSE C 2.9 PROTECTION OF OPENINGS CLAUSE C 3.8 OPENING IN FIRE ISOLATED DUCTS CLAUSE C 3.9 OPENING FOR SERVICE INSTALLATIONS CLAUSE D 1.6 DISCHARGE FROM DUCTS CLAUSE D 2.7 INSTALLATIONS IN DUCTS AND PATHS OF TRAVEL CLAUSE D 2.8 GOINGS AND RETURNS CLAUSE D 2.14 LANDINGS CLAUSE D 2.16 THRESHOLDS CLAUSE D 2.16 BALUSTRADES	CLAUSE D2 11 HANDRAILS CLAUSE D2 21 OPERATION OF LATCH CLAUSE D2 28 SHUTS ON DOORS CLAUSE D2 3.1 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D3 3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D3 8 IDENT. OF ACCESSIBLE FACILITIES/VENTILATORS CLAUSE D3 8 TACTILE INDICATORS CLAUSE D3 11 WATERPROOFING OF WET AREAS CLAUSE F1 8F 1.5 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART 16. UPTIGHT AIR FLOW CLAUSE 2.5 SOUND INSULATION OF FLOORS CLAUSE 2.5 SOUND INSULATION OF WALLS CLAUSE 2.5 SOUND INSULATION OF PARTS CLAUSE 2.5 SOUND INSULATION OF PUMPS	MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 16 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1968 & AS/NZS 1968.2 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 6 & SPEC D2 2 & AS 1592 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.1 & AS 1592.1 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2 13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1592.1	MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 16 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1968 & AS/NZS 1968.2 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 6 & SPEC D2 2 & AS 1592 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.1 & AS 1592.1 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2 13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1592.1	MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 16 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1968 & AS/NZS 1968.2 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 6 & SPEC D2 2 & AS 1592 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.1 & AS 1592.1 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2 13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1592.1	MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 16 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1968 & AS/NZS 1968.2 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 6 & SPEC D2 2 & AS 1592 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.1 & AS 1592.1 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2 13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1592.1	MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 16 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1968 & AS/NZS 1968.2 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 6 & SPEC D2 2 & AS 1592 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.1 & AS 1592.1 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2 13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1592.1
B	AMENDED DA SUBMISSION POST 34	28/10/22							
C	AMENDED DA SUBMISSION POST 34	11/11/22							

SCALE: 1:500@A3  
ISSUE DATE: 1/11/22  
PROJECT NUMBER: 21-095

DRAWN BY: [Signature]  
CHECKED: [Signature]  
REVISION: C  
DWG NUMBER: DA 9100

ARCHITECT: **MHNDUNION**  
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F +61 2 9101 1100  
www.mhndu.com

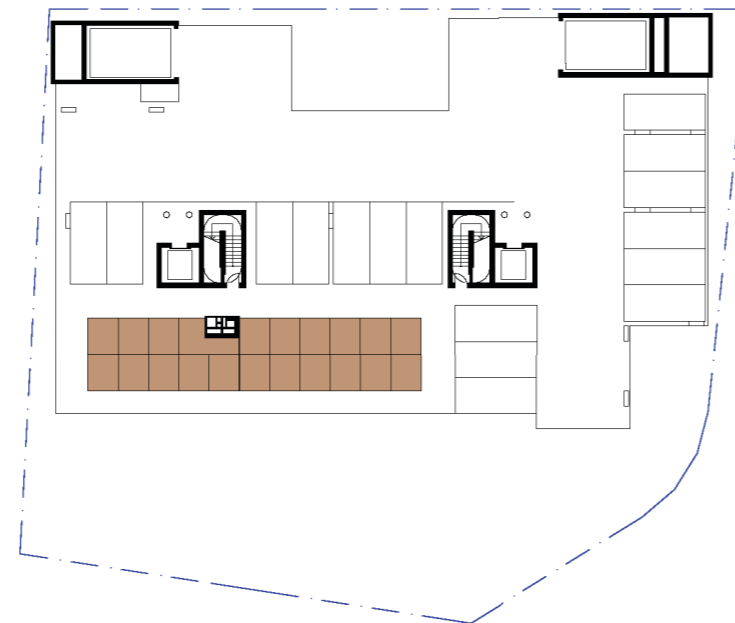
DRAWING TITLE: **SEPP 65 - SOLAR & CROSS VENTILATION**  
PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089  
LOT / SECTION / DP NO.: LOT A DP348364 & SP61709

APPLICANT: AIDOP NO 3 PTY LTD  
SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

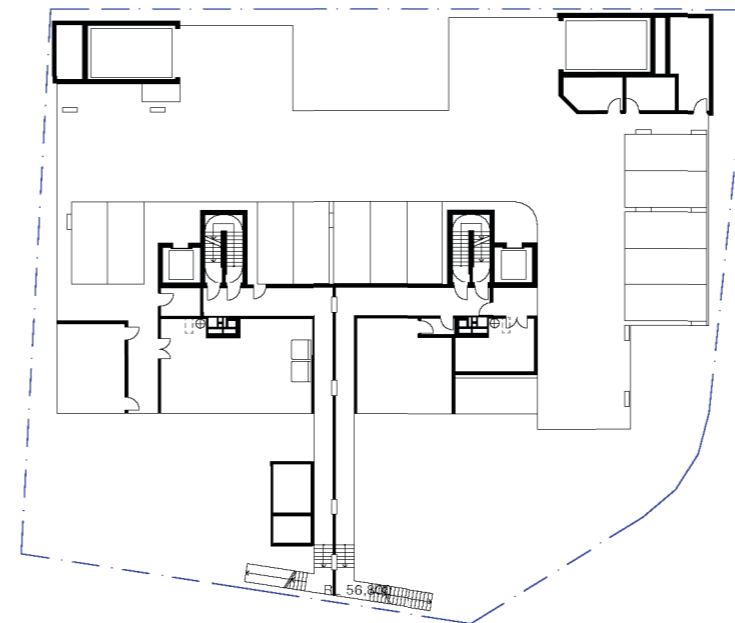
REG. BUILDER: bch mhndu.com - BMSK&L Basic for Aichd 2021-096 Ben Boyd Rd Neutral Bay - 534 (22114)

# SEPP 65 - STORAGE

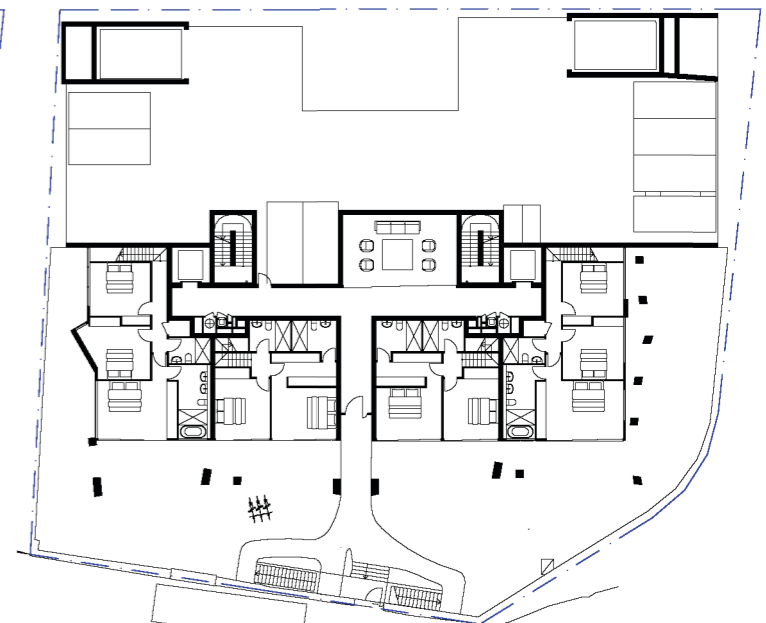
UNIT	TYPE	MINIMUM CONTROL (m³)	> 50% PROVIDED IN UNIT
101	3 BED	10	✓
102	2 BED	8	✓
103	2 BED	8	✓
104	3 BED	10	✓
105	2 BED	8	✓
106	2 BED	8	✓
201	3 BED	10	✓
202	3 BED	10	✓
203	3 BED	10	✓
204	3 BED	10	✓
301	3 BED	10	✓
302	3 BED	10	✓
303	3 BED	10	✓
304	3 BED	10	✓
401	3 BED	10	✓
402	3 BED	10	✓
403	3 BED	10	✓
404	3 BED	10	✓
501	3 BED	10	✓
502	3 BED	10	✓
503	3 BED	10	✓
504	3 BED	10	✓



BASEMENT L2 STORAGE



BASEMENT L1 STORAGE



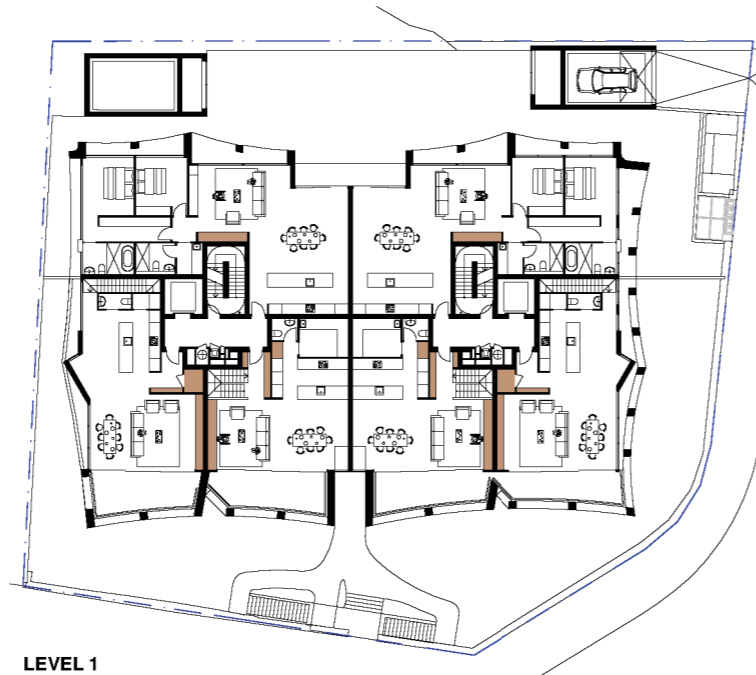
GROUND STORAGE

REV B - AMENDED DA SUBMISSION POST 34

13. LANDSCAPED AREA, SITE COVERAGE, STORAGE AREA CALCULATIONS AMENDED.

**LAND & ENVIRONMENT COURT NSW APPROVED**

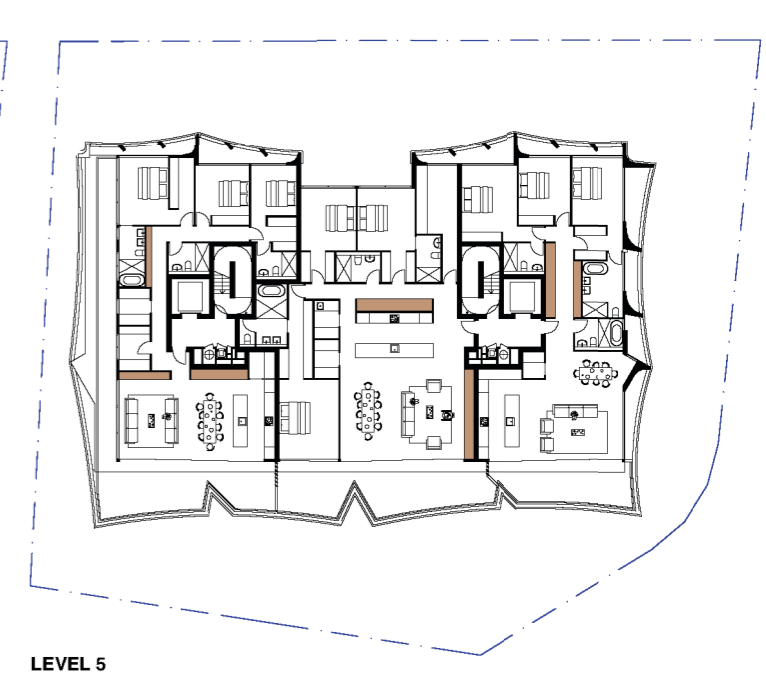
**Date: 30 November 2022**



LEVEL 2 STORAGE



LEVEL 2 - 4 STORAGE



LEVEL 5 STORAGE

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	18/0/22
B	AMENDED DA SUBMISSION POST 34	28/10/22
C	AMENDED DA SUBMISSION POST 34	1/11/22

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART CLAUSES 4 & 6.5.180 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600.5.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH D2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART 4.1 OF BCA

**MECHANICAL/HVAC:** BCA CLAUSE C3.18 & AS1553.4.2.2025 MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 4.6 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1989.6 & AS/NZS 2

**SMOKE ALARMS:** TO COMPLY WITH BCA PART CLAUSE & SPEC D2.2 & AS1553.4.2.2025

**PENETRATIONS:** THROUGH FIRE RATED CONSTRUCTION FOR MECH ELECTRIFICATION PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.18 & AS1553.4.2.2025

**SOUND TRANSMISSION:** TO COMPLY WITH PARTS OF BCA

**STAR CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE D2.13

**STAR CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE D2.13

**WATERPROOFING OF WET AREAS:** TO COMPLY WITH AS1349

**ARCHITECT:**  
**MHNDUNION**  
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www.mhndu.com  
M/N Design Union Pty Ltd. A/N 04 009 717 602 NSW Registration Number 4907

**DRAWING TITLE:**  
SEPP 65 - STORAGE  
**PROJECT ADDRESS:**  
96-98 BEN BOYD RD,  
NEUTRAL BAY NSW 2089  
**APPLICANT:**  
AIDOP NO 3 PTY LTD  
SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

**LOT / SECTION / DP NO.:**  
LOT A DP348364 & SP61709

**SCALE:** 1:500, 1:1@A3  
**ISSUE DATE:** 1/11/22  
**PROJECT NUMBER:** 21-095

**DRAWN BY:**  
**CHECKED:**  
**REVISION:** C  
**DWG NUMBER:** DA 9101





# SITE COVERAGE DIAGRAM

SITE AREA	1,699.35 m <sup>2</sup>	
SITE COVERAGE	CONTROL	PROPOSED
	764.71 m <sup>2</sup> 45.00%	825 m <sup>2</sup> 48.55%
UNBUILT AREA	254.90 m <sup>2</sup> 15.00%	462 m <sup>2</sup> 27.54%

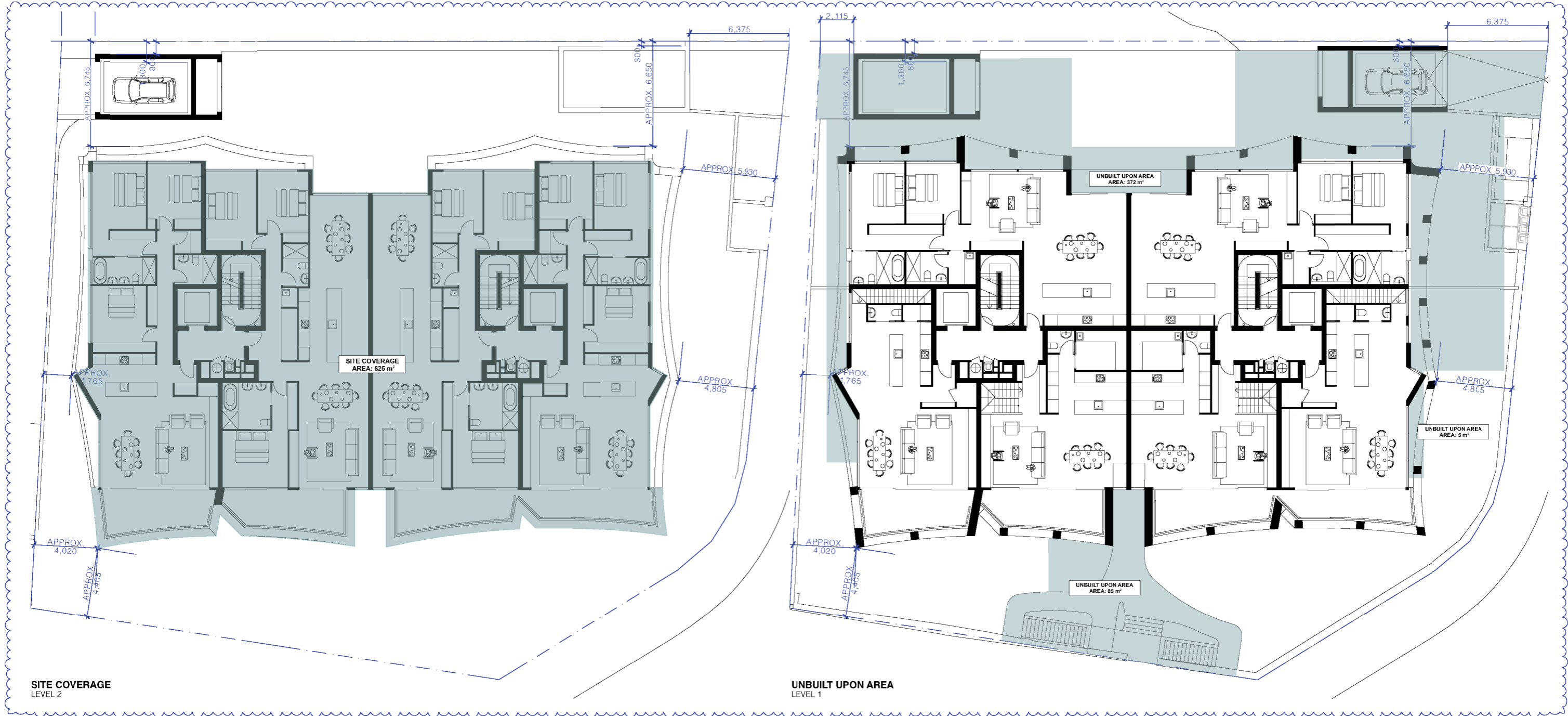
13

**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**

**Date: 30 November 2022**

**REV B - AMENDED DA SUBMISSION POST  
34**

13. LANDSCAPED AREA, SITE COVERAGE,  
STORAGE AREA CALCULATIONS  
AMENDED.



**SITE COVERAGE  
LEVEL 2**

**UNBUILT UPON AREA  
LEVEL 1**

<b>REV</b> A B C	<b>DESCRIPTION</b> DEVELOPMENT APPLICATION AMENDED DA SUBMISSION POST 34 AMENDED DA SUBMISSION POST 34	<b>DATE</b> 18/3/22 28/10/22 11/11/22	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS  CLAUSE B 1.4 MATERIALS & FORMS CONSTRUCTIONS CLAUSE C 1.1 FIRE RESISTING CONSTRUCTION SPEC. C 1.1 FIRE HAZARD PROPERTIES CLAUSE C 1.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.1 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.1 SEPARATION OF EQUIPMENT CLAUSE C 2.1 ELECTRICITY SUPPLY SYSTEM CLAUSE C 2.2 PROTECTION OF OPENINGS CLAUSE C 2.3 OPENING IN FIRE ISOLATED DVTS CLAUSE C 2.3 OPENING FOR SERVICE INSTALLATIONS CLAUSE C 1.10 DISCHARGE FROM DVTS CLAUSE C 2.7 INSTALLATIONS IN DVTS AND PATHS OF TRAVEL CLAUSE C 1.8 GOINGS AND FIXTURES CLAUSE C 2.4 LANDINGS CLAUSE C 2.15 TERRACES CLAUSE D 2.16 BALUSTRADES	CLAUSE D 2.11 HANDRAILS CLAUSE D 2.21 OPERATION OF LATCH CLAUSE D 2.23 SIGNS ON DOORS CLAUSE D 2.3 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D 3.1 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D 3.8 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES CLAUSE D 3.8 TACTILE INDICATORS CLAUSE F 1.1 WATERPROOFING OF WET AREAS CLAUSE F 1.1 DAMP PROOFING CLAUSE F 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART A1 LIGHTING AND VENTILATION CLAUSE F 5.4 SOUND INSULATION OF FLOORS CLAUSE F 5.5 SOUND INSULATION OF WALLS CLAUSE F 5.6 SOUND INSULATION OF SERVICES CLAUSE F 5.7 SOUND INSULATION OF PUMPS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5 AND 1600 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600.5.2 ENERGY EFFICIENCY: TO COMPLY WITH PART 4.2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA HOT WATER: SYSTEMS TO COMPLY WITH PART 4.1 OF BCA MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 4.6 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1966 & AS/NZS 4566.2 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS/NZS 3600.5.2 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 13 & AS 1530.5.2005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3545	BATHS AND SHOWER TRAYS: TO COMPLY WITH AS 1966 & AS/NZS 4566.2 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1966 & AS/NZS 4566.2 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS/NZS 3600.5.2 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 13 & AS 1530.5.2005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3545	NOTES:  ARCHITECT: <b>MHNDUNION</b> 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com M/N Design Union Pty Ltd. AIN 04 008 717 682 NSW Registration Number 4907	DRAWING TITLE: <b>SITE COVERAGE DIAGRAM</b> PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089 APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009	SCALE: 1:347.22, 1:250@A3 ISSUE DATE: 1/11/22 PROJECT NUMBER: 21-095 DRAWN BY: [Signature] CHECKED: [Signature] REVISION: C DWG NUMBER: DA 9103
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# WASTE MANAGEMENT PLAN

- 4 x 660L GARBAGE WASTE BIN
- 4 x 240L RECYCLING WASTE BIN
- PATH FROM DWELLING TO BIN STORAGE
- PATH FROM BIN STORAGE TO BIN COLLECTION POINT

**REV B - AMENDED DA SUBMISSION POST 34**  
16. WASTE MANAGEMENT PLAN UPDATED.

**LAND & ENVIRONMENT COURT  
NSW  
APPROVED**  
  
**Date: 30 November 2022**



**BASEMENT L2**  
WASTE MANAGEMENT PLAN

**BASEMENT L1**  
WASTE MANAGEMENT PLAN

**GROUND FLOOR**  
WASTE MANAGEMENT PLAN

**LEVEL 1**  
WASTE MANAGEMENT PLAN

**LEVEL 2 - 4**  
WASTE MANAGEMENT PLAN

**LEVEL 5**  
WASTE MANAGEMENT PLAN

<b>REV</b>	<b>DESCRIPTION</b>	<b>DATE</b>	ALL CONSTRUCTION TO COMPLY WITH MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS CLAUSE B 1.4 MATERIALS & FORMS CONSTRUCTIONS CLAUSE B 1.5 FIRE RESISTING CONSTRUCTION SPEC. C 1.10 FIRE HAZARD PROPERTIES SPEC. C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.7 SEPARATION OF EQUIPMENT CLAUSE C 2.8 ELECTRICITY SUPPLY SYSTEM CLAUSE C 2.9 PROTECTION OF OPENINGS CLAUSE C 3.1 OPENING FOR SERVICE INSTALLATIONS CLAUSE C 3.2 DISCHARGE FROM DVTS CLAUSE C 3.3 INSTALLATIONS IN DVTS AND PATHS OF TRAVEL CLAUSE C 3.4 GOINGS AND RETURNS CLAUSE C 3.5 THRESHOLDS CLAUSE C 3.6 BALUSTRADES CLAUSE D 2.11 HANDRAILS CLAUSE D 2.21 OPERATION OF LATCH CLAUSE D 2.22 SHOPS ON DOORS CLAUSE D 2.3 IDENTIFICATION BUILDING ACCESS REQUIREMENTS CLAUSE D 3.1 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D 3.2 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES CLAUSE D 3.3 TACTILE INDICATORS CLAUSE D 3.4 WATERPROOFING OF WET AREAS CLAUSE F 1.1 DAMP PROOFING CLAUSE F 2.3 CONSTRUCTION OF SANITARY COMPARTMENTS PART F4.10 MECHANICAL VENTILATION CLAUSE F 5.4 SOUND INSULATION OF FLOORS CLAUSE F 5.5 SOUND INSULATION OF WALLS CLAUSE F 5.6 SOUND INSULATION OF SERVICES CLAUSE F 5.7 SOUND INSULATION OF PUMPS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5.6.680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600.5.2 ENERGY EFFICIENCY: TO COMPLY WITH 2.2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART 3.1 OF BCA MECHANICAL VENTILATION: TO COMPLY WITH PART 3.6 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS/NZS 4:2005 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC. C2.2 & AS/NZS 4:2005 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.13 & AS/NZS 4:2005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13 STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740	<b>BAOY COMMENTS</b> ALL OTHER BAOY COMMENTS AS PER BAOY CERTIFICATE AND STAMPED PLANS WATER HEATING: Central gas hot water system BATTERY OPERATED LIGHTS: LED COOK TOPS: Gas cooktop, double oven MECHANICAL EXHAUST SYSTEM: Gas powered, ducted to roof AIR CONDITIONING SYSTEM: Split system, ducted to roof MECHANICAL VENTILATION: Ducted to outside MECHANICAL EXHAUST VENTILATION: Ducted to outside PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL: As per drawings SOUND TRANSMISSION: As per drawings STAIR CONSTRUCTION: As per drawings WATERPROOFING OF WET AREAS: As per drawings	<b>NOTES:</b> 1. Refer to drawings for details of construction. 2. Refer to drawings for details of construction. 3. Refer to drawings for details of construction. 4. Refer to drawings for details of construction. 5. Refer to drawings for details of construction. 6. Refer to drawings for details of construction. 7. Refer to drawings for details of construction. 8. Refer to drawings for details of construction. 9. Refer to drawings for details of construction. 10. Refer to drawings for details of construction.		
<b>ARCHITECT:</b> <b>MHNDUNION</b> 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com M/N Design Union Pty Ltd. AIN 04 009 717 602 NSW Registration Number 4907			<b>DRAWING TITLE:</b> WASTE MANAGEMENT PLAN <b>PROJECT ADDRESS:</b> LOT / SECTION / DP NO.: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089 LOT A DP348364 & SP61709 <b>APPLICANT:</b> AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009		<b>SCALE:</b> 1:500@A3 <b>ISSUE DATE:</b> 1/11/22 <b>PROJECT NUMBER:</b> 21-095 REF: BIMickad: bch mhndu.com - BIMickad Basic for Aichdard 2421-096 Ben Boyd Rd Neutral Bay - 534 (22/11/24)		<b>DRAWN BY:</b> <b>CHECKED:</b> <b>REVISION:</b> C <b>DWG NUMBER:</b> DA 9300	





REV B - AMENDED DA SUBMISSION  
POST 34  
17. ADAPTABLE UNIT LAYOUTS UPDATED.

LAND & ENVIRONMENT COURT  
NSW  
APPROVED  
Date: 30 November 2022

BEN BOYD ROAD

<b>REV</b> A B C	<b>DESCRIPTION</b> DEVELOPMENT APPLICATION AMENDED DA SUBMISSION POST 34 AMENDED DA SUBMISSION POST 34	<b>DATE</b> 18/3/22 28/10/22 11/11/22	ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS SPEC. C 1.1 FIRE RESISTING CONSTRUCTION SPEC. C 1.10 FIRE HAZARD PROPERTIES SPEC. C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.12 SEPARATION OF EQUIPMENT CLAUSE C 2.3 ELECTRICITY SUPPLY SYSTEM CLAUSE C 2.3.2 PROTECTION OF OPENINGS CLAUSE C 2.8 OPENING IN FIRE ISOLATED DOORS CLAUSE C 2.14 OPENING FOR SERVICE INSTALLATIONS CLAUSE C 11.10 DISCHARGE FROM DVTS CLAUSE C 2.7 INSTALLATIONS IN DVTS AND PATHS OF TRAVEL CLAUSE C 2.14 LANDINGS CLAUSE C 2.15 THRESHOLDS CLAUSE D 2.16 BALUSTRADES	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & 5.1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600.5.2 ENERGY EFFICIENCY: TO COMPLY WITH D2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART 3.1 OF BCA MASONRY: TO COMPLY WITH AS 1370 MECHANICAL/MECHANICAL: TO COMPLY WITH PART 3.6 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS/NZS 4 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 8 & SPEC C2.2 & AS 1539 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.13 & AS 1539.5.2005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1539.6	<b>NOTES:</b> ARCHITECT: <b>MHNDUNION</b> 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com MHN Design Union Pty Ltd. AIN 04 009 717 662 NSW Registration Number 4907	<b>DRAWING TITLE:</b> ADAPTABLE UNIT - LEVEL 3 & 4 <b>PROJECT ADDRESS:</b> 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089 <b>APPLICANT:</b> AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009	<b>SCALE:</b> 1:200@A3 <b>ISSUE DATE:</b> 1/11/22 <b>PROJECT NUMBER:</b> 21-095	<b>DRAWN BY:</b> <b>CHECKED:</b> REVISION: <b>C</b> DWG NUMBER: <b>DA 9301</b>
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LAND & ENVIRONMENT COURT  
NSW  
APPROVED  
Date: 30 November 2022

# Concepts | Landscape Plan

## LEGEND

- 01 Existing public domain retained / made good as required
- 02 Retention and re-use of existing sandstone wall on site boundary
- 03 Existing ramp and balustrade to be refurbished
- 04 Salvaged sandstone block wall to be reinstated as raised viewing platform with turf and planting and bench seating oriented to city views to improve public amenity
- 05 Entry courtyard with stair and platform lift access to street
- 06 Exposed sandstone bedrock
- 06 Large native evergreen tree in deep soil
- 07 Medium native evergreen trees to deep soil adjacent Ben Boyd Road to soften built form from public domain and to provide shade canopy coverage
- 08 Private courtyards recessed into lush sandstone gully planting
- 09 Palm planting to complement canopy tree planting and provide additional screening and green outlook to upper floor apartments





# Concepts | Entry Forecourt

## LEGEND

- 01 Existing public domain retained / made good as required
- 02 Retention and re-use of existing sandstone wall on site boundary
- 03 Secure gated entrance from Ben Boyd Road
- 04 Platform lift
- 05 Carved sandstone 'shard' and stair
- 06 Medium native evergreen trees to deep soil adjacent Ben Boyd Road to soften built form from public domain and to provide shade canopy coverage
- 07 Private courtyards
- 08 Garden beds typically 1000mm depth (1500mm depth for trees) over structural slab / bedrock provide separation between private courtyards and communal spaces, punctuated with large bush rock accents
- 09 Generous private courtyards provide solar access to ground floor units, recessed into lush sandstone gully planting
- 10 Palm planting to complement canopy tree planting and provide additional screening and green outlook to upper floor apartments



Ben Boyd Road





# Concepts | Entry Forecourt

**LAND & ENVIRONMENT COURT  
NSW  
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Date: 30 November 2022

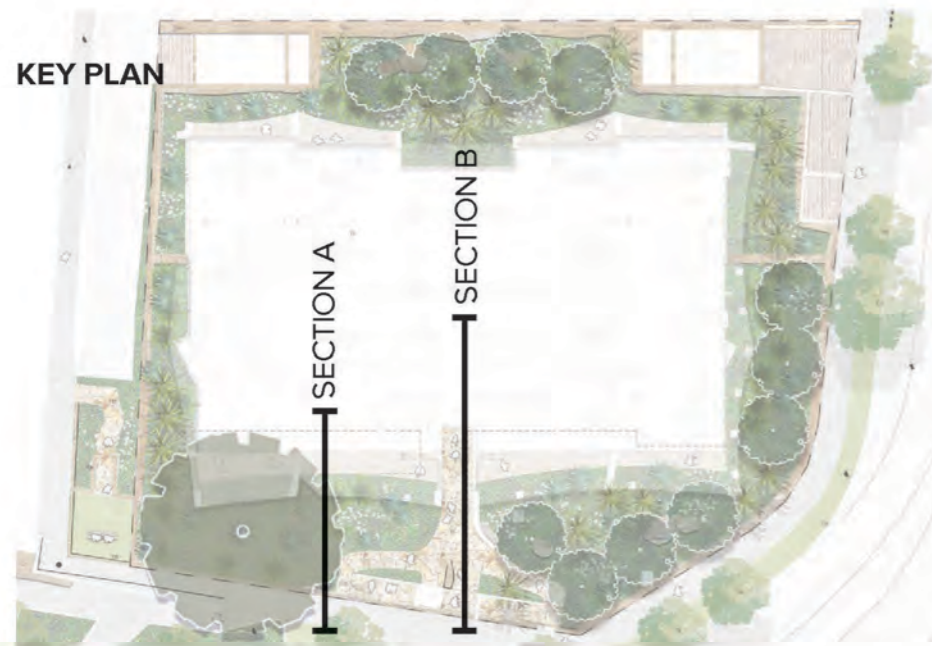
SECTION A



SECTION B



KEY PLAN



**LEGEND**

01 Existing public domain retained / made good as required

02 Retention and re-use of existing sandstone wall on site boundary

03 Fire egress from basement

04 Stair integrated into salvaged sandstone 'shard'

05 Stone paving to entrance forecourt

06 Garden beds typically 1000mm depth over structural slab / bedrock with lush sandstone gully planting provide separation between private courtyards and communal spaces. Mounding to 1500mm depth for trees.

07 Palm planting to complement canopy tree planting and provide additional screening and green outlook to upper floor apartments

08 Medium native evergreen trees to deep soil adjacent Ben Boyd Road to soften built form from public domain and to provide shade canopy coverage



# Concepts | Private Courtyards

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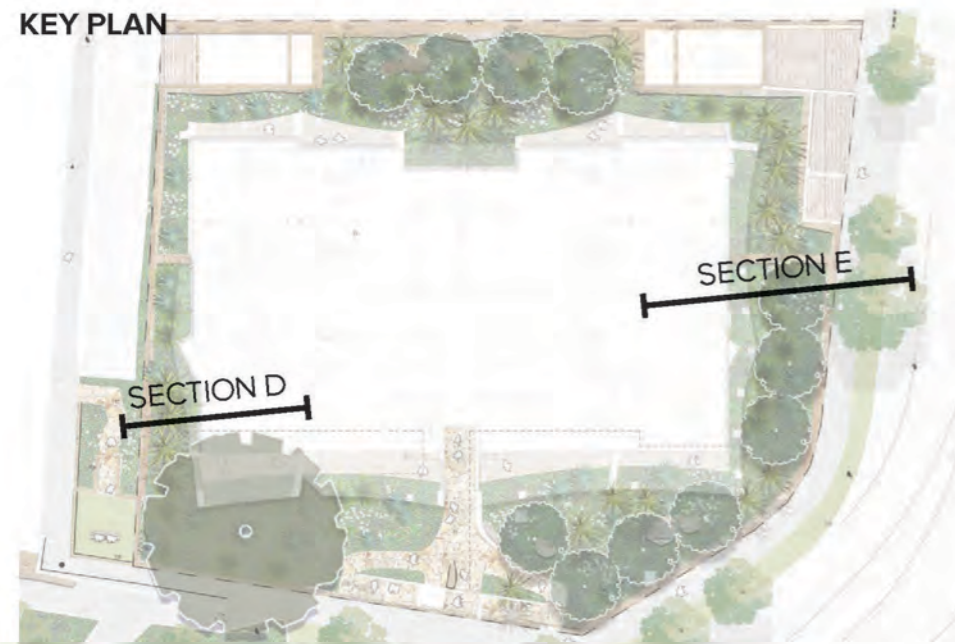
SECTION D



SECTION E



KEY PLAN



### LEGEND

- 01 Retention and re-use of existing sandstone wall on site boundary
- 02 Exposed sandstone bedrock with quarried finish, rock planting to colonise face
- 03 Garden beds typically 1000mm depth over structural slab / bedrock with lush sandstone gully planting. Mounding to 1500mm depth for trees.
- 04 Palm planting to complement canopy tree planting and provide additional screening and green outlook to upper floor apartments

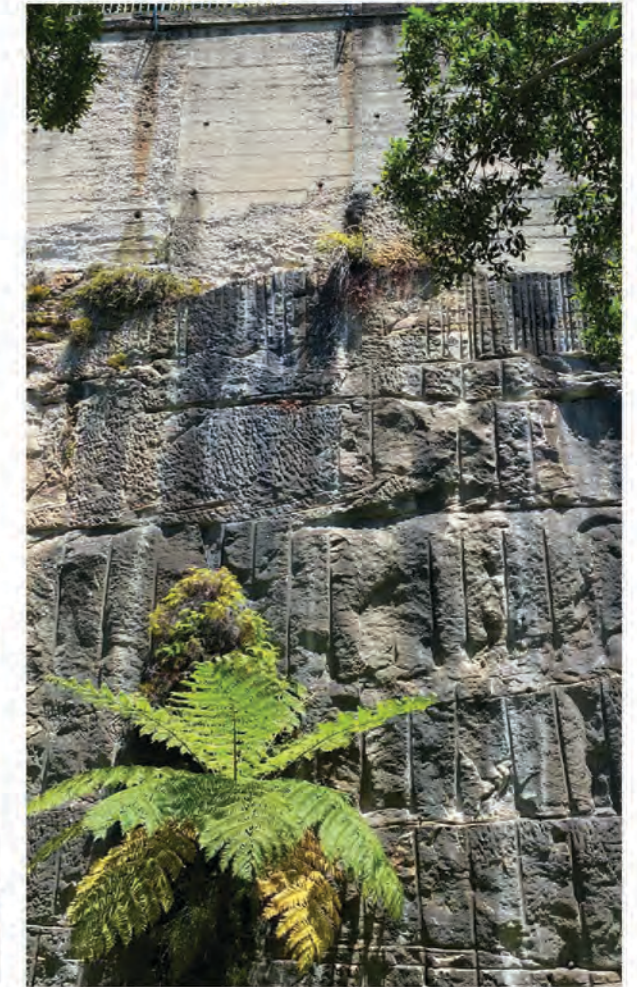




# Concepts | Private Courtyards

LAND & ENVIRONMENT COURT  
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Date: 30 November 2022

SECTION F



KEY PLAN



**LEGEND**

- 01 Medium native evergreen trees to soften built form from external viewpoints and to provide shade canopy coverage
- 02 Exposed sandstone bedrock with quarried finish, rock planting to colonise face
- 03 Garden beds typically 1000mm depth over structural slab / bedrock with lush sandstone gully planting. Mounding to 1500mm depth for trees.
- 04 Rear stone paved courtyards provide private outdoor amenity to ground floor units set amongst a unique 'Sandstone Gully' ecotone showcasing locally endemic species against the backdrop of the quarried sandstone wall



# Concepts | Sandstone Edge Conditions

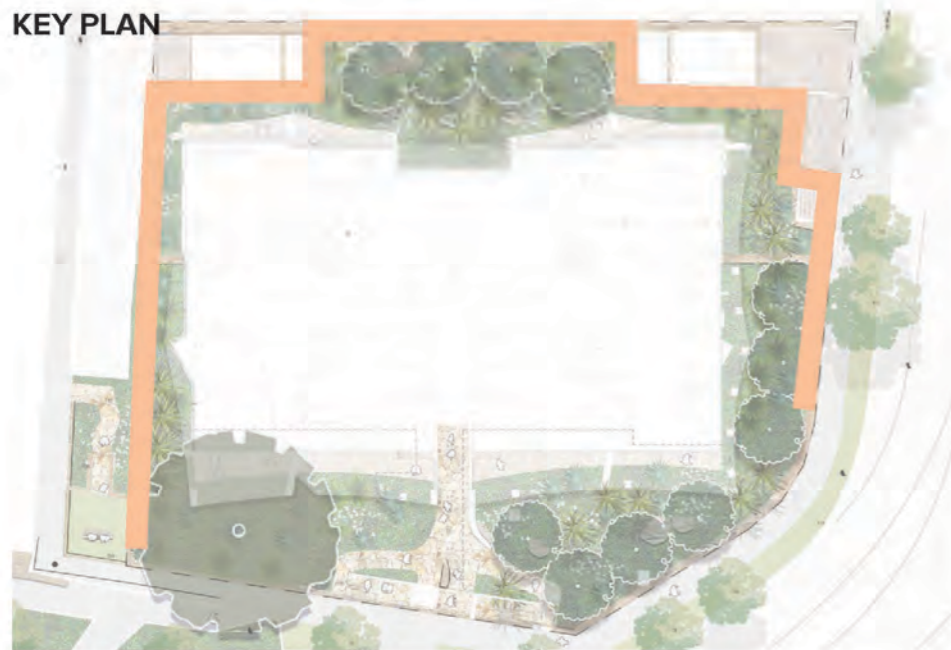
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## EXCAVATED ROCK FACE

The exposed sandstone of the proposed site excavation provides an opportunity to express the 'bones' of the site and create a unique micro-climatic experience for residents and visitors.

The final appearance of the sandstone faces will be dependent on geotechnical investigations, however if the sandstone is of acceptable standard then several typologies are possible. These are illustrated on this page.

## KEY PLAN



## TYPE A - NATURAL

Quarried and worked face requiring specialist stonemasonry tooling and finishing, to replicate more naturalistic undulating forms in the rock. Potentially seeded with pioneering plants.



## TYPE B - TERRACED

Quarried face with stepped or terraced layers, which could be used to integrate planting to scramble down the face of the rock.



## TYPE C - VERTICAL QUARRIED

Quarried face with straight vertical cut, ideal for more space constrained edges where solar access and setback is to be prioritised.





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# Concepts | Rooftop Planting

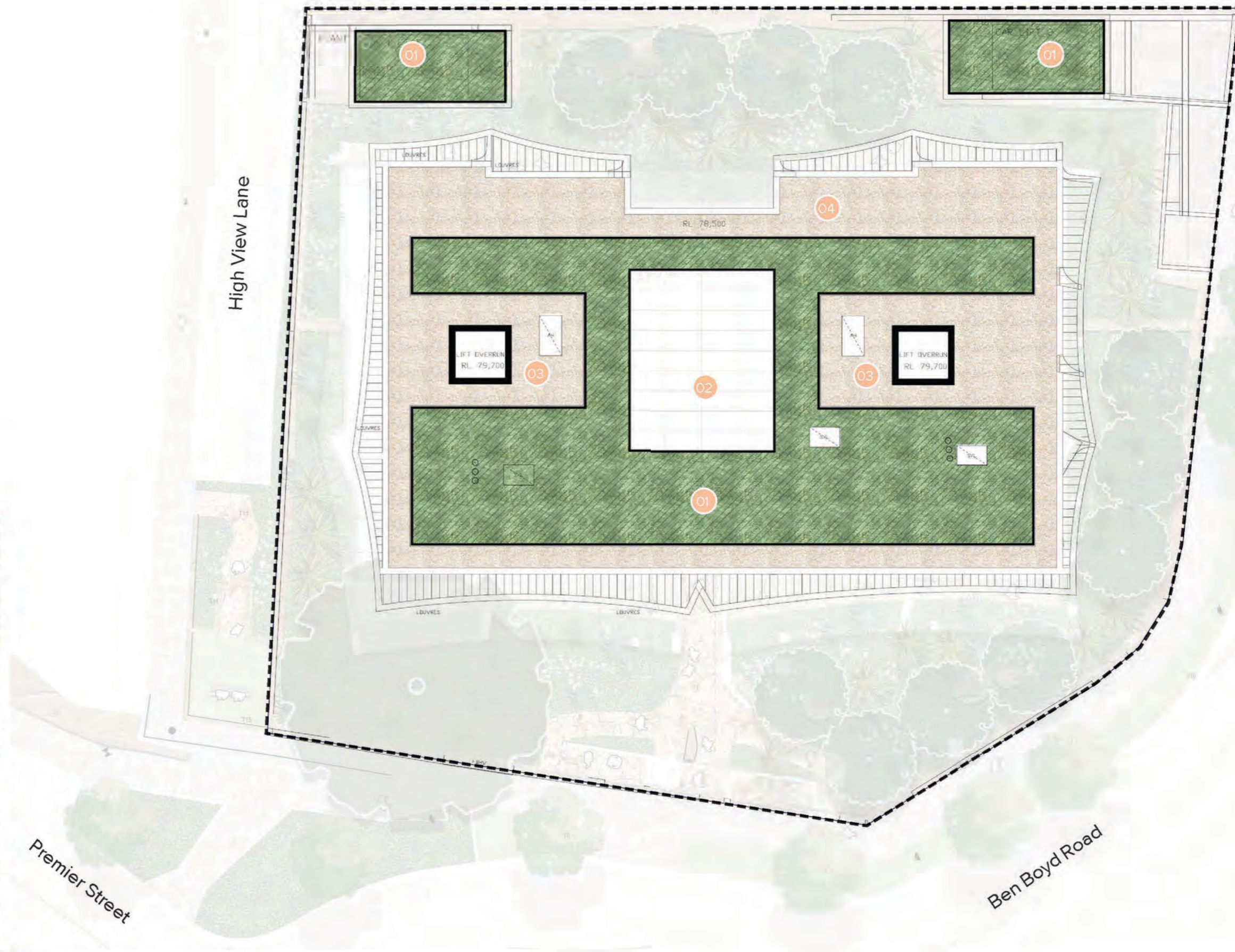
## LEGEND

01 Extensive irrigated rooftop garden to car elevator roofs - maintenance access only. 150mm soil depth extensive roof garden 'Junglefy Green Roof' or similar

02 Extensive irrigated rooftop garden to building rooftop - maintenance access only

03 Roof hatch for maintenance access

04 Stabilised pebble ballast maintenance access path around perimeter of rooftop, with integrated anchor points

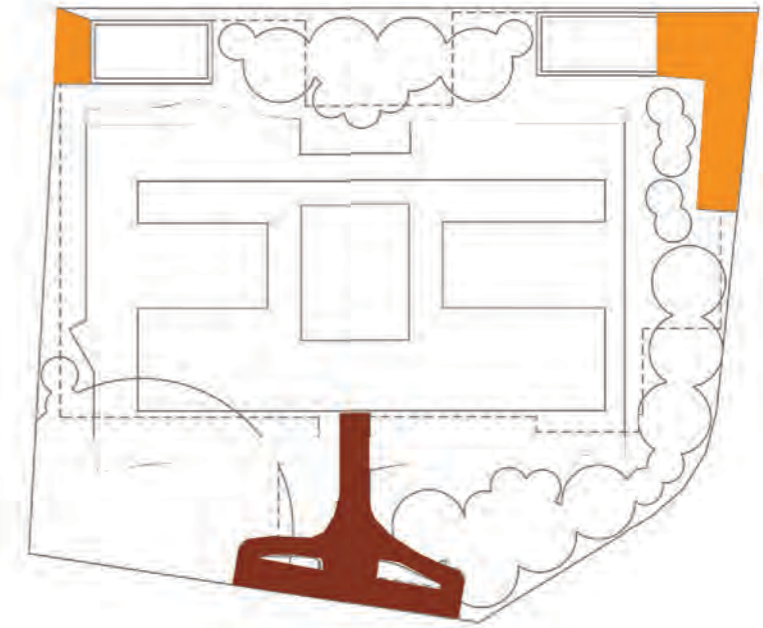
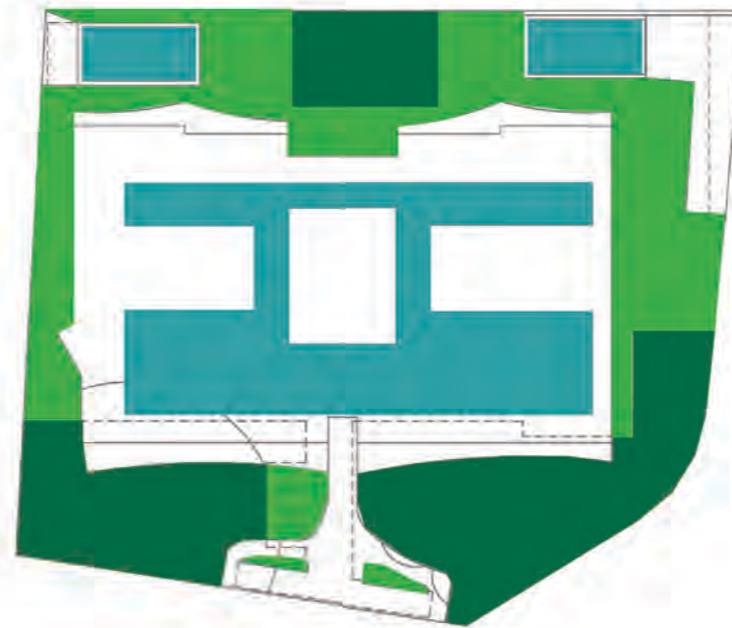




# Landscape Areas


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## TREE LAYER

-  Canopy Trees
-  Palms

 Deep Soil Zone (excludes basement, building footprint, and landscape hard pavements)\*


\*In most areas there are dense rock formations present within the proposed deep soil zone. We propose excavating down as required to build up to 1500mm depth of engineered deep soil to support canopy trees, palms, and layered understorey vegetation, in alignment with industry best practice.

## SOFT LANDSCAPE LAYER

-  Soft Landscape on Deep Soil/Engineered Deep Soil\*  
1000-1500mm soil depth  
369m<sup>2</sup> (22%)
-  Soft Landscape on Podium + Engineered deep soil\*  
1000-1500mm soil depth  
336m<sup>2</sup> (20%)

Total Soft Landscape Area at ground level: 705m<sup>2</sup>  
(41% of total site area)

Additionally:

-  Planting on Rooftop  
150mm soil depth extensive roof garden  
'Junglify Green Roof' or similar  
350m<sup>2</sup> (20%)

## OPEN SPACE PROGRAM

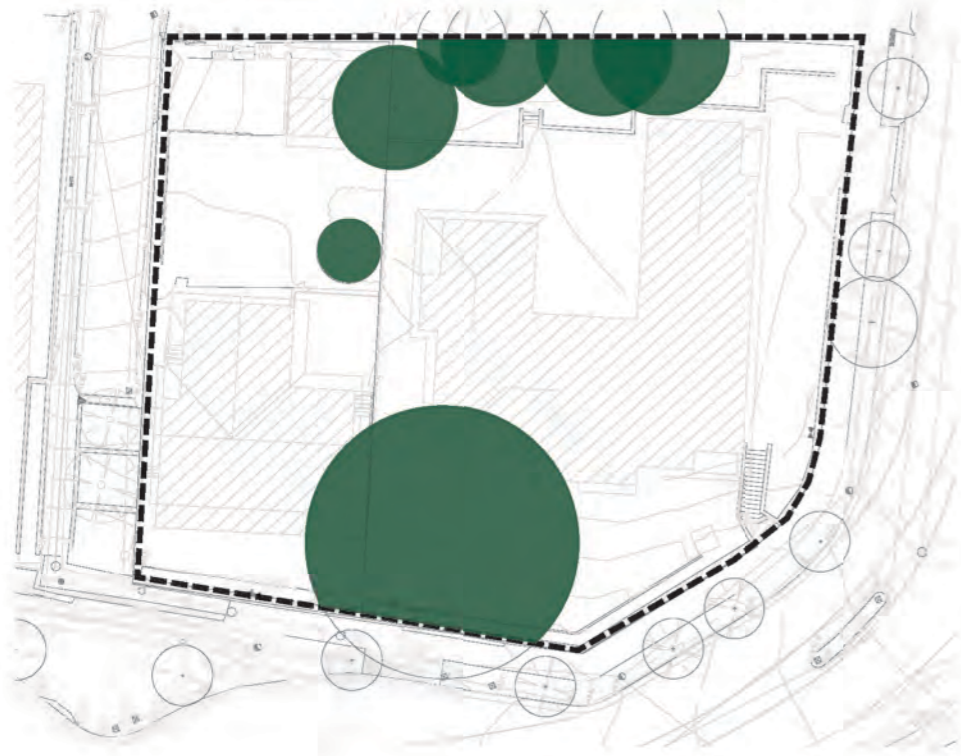
-  Paved Communal Open Space (accessible)  
70m<sup>2</sup>
-  Paved Private Open Space  
78m<sup>2</sup>
-  Paved Driveways / Utility Spaces  
62m<sup>2</sup>

Total Hard Paved Landscape Area at ground level: 210m<sup>2</sup>  
(12% of total site area)



# Canopy Cover

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## EXISTING CANOPY COVER

-  Site Area - 1700m<sup>2</sup>
-  Existing Tree Canopy Area - 370m<sup>2</sup>  
(22% of site area)

## PROPOSED CANOPY COVER

-  Site Area - 1700m<sup>2</sup>
-  Proposed Tree Canopy Area - 463m<sup>2</sup>  
(27% of site area)

**NOTE:**  
Assumes at maturity -  
Large tree 20m diameter equal to *Angophora costata*,  
Medium tree 5m diameter equal to *Cupaniopsis anacardioides*  
Palm tree 2.5m diameter equal to *Livistona australis*



# Design Strategies | Material Look and Feel

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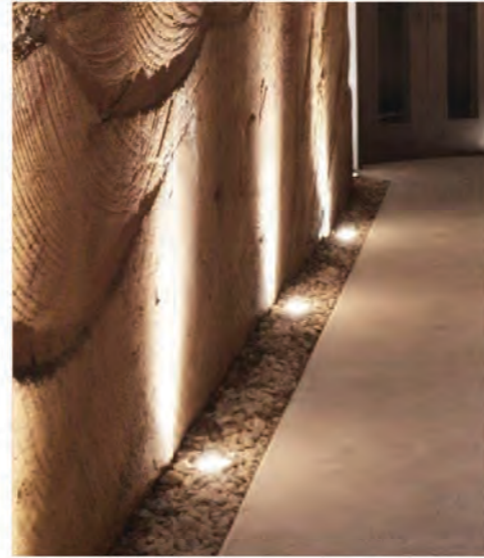
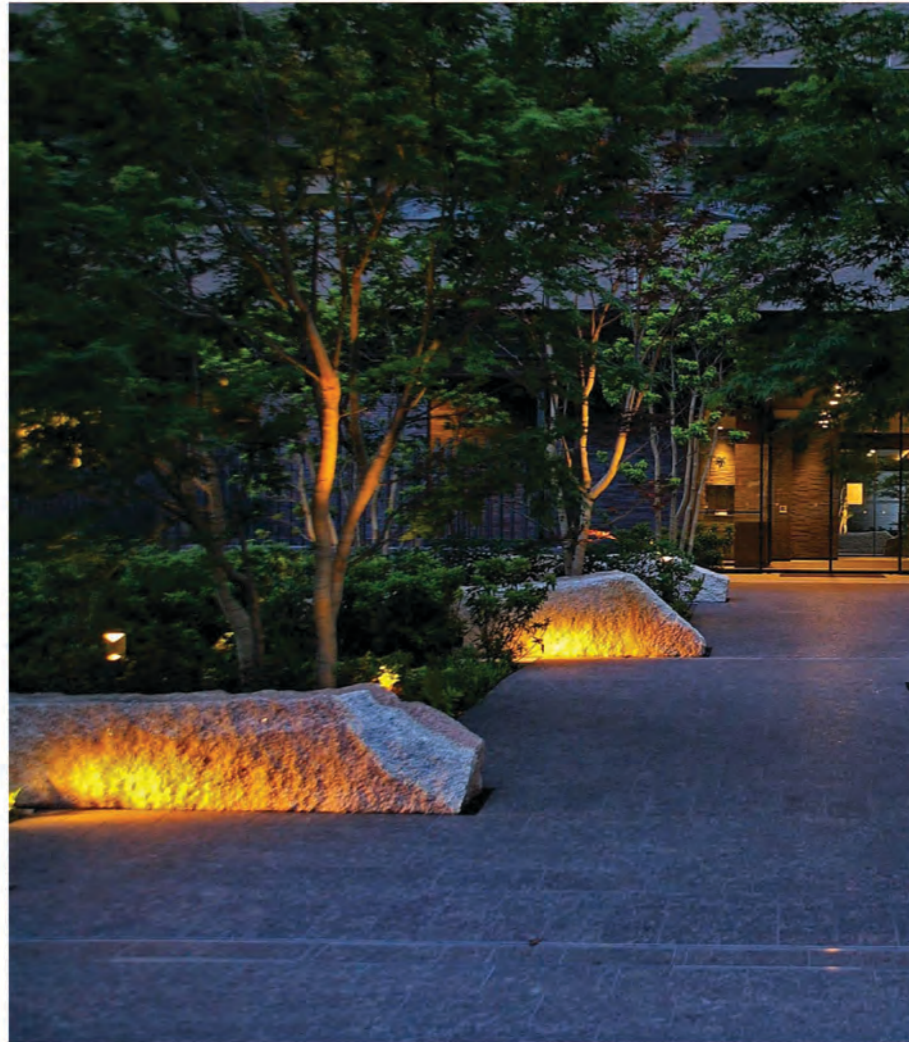




# Design Strategies | Indicative Lighting Strategy

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# Design Strategies | Planting Look and Feel





# Design Strategies | Planting Palette

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ESCARPMENT - ROOFTOPS



*Dichondra argentea 'Silver Falls'*



*Myoporum parvifolium 'Yareena'*



*Echeveria imbricata*



*Westringia fruticosa 'Low Horizon'*



*Carpobrotus glaucescens*



*Westringia 'Grey Box'*



*Casuarina glauca 'Shagpile'*



*Grevillea 'Royal Rambler'*



*Actinotus helianthi*



*Dianella caerulea*

SANDSTONE GULLY FOREST - GROUND



*Cyathea australis*



*Blechnum Cartilagineum*



*Doryanthes excelsa*



*Todea barbara*



*Platycerium bifurcatum*



*Asplenium australasicum*



*Hibbertia scandens*



*Howea forsteriana*



*Thelychiton speciosus*



*Senecio 'Chalk Sticks'*



*Livistona australis*



# Design Strategies | Planting Schedule

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## 21-805 96-98 BEN BOYD ROAD PLANT SCHEDULE

CODE	BOTANIC NAME	COMMON NAME	MATURE SIZE (h x w) (m)	PROPOSED POT SIZE	DENSITY
------	--------------	-------------	----------------------------	-------------------	---------

### SANDSTONE GULLY - GROUND LEVEL

TREES					
Ac	<i>Angophora costata</i>	Smooth Barked Apple	25 x 10	Min 1m trunk	As Shown
TI	<i>Tristanopsis laurina</i>	Water Gum	10 x 6	Min 2m trunk	As Shown
La (6m)	<i>Livistona australis</i>	Cabbage Tree Palm	20 x 6	Min 6m trunk	As Shown

FERNS					
Aa	<i>Asplenium australasicum</i>	Bird's Nest Fern	1.3 x 0.8	45LT	As Shown
Bc	<i>Blechnum Cartilagineum</i>	Gristle Fern	1 x 1	45LT	As Shown
Ca	<i>Cyathea australis</i>	Rough Tree Fern	6 x 5	Min 2m trunk	As Shown
Da	<i>Dicksonia antarctica</i>	Soft Tree Fern	8 x 4	Min 2m trunk	As Shown
Pb	<i>Platynerium bifurcatum</i>	Elkhorn Fern	2 x 2	45LT	As Shown
Tb	<i>Todea barbara</i>	King Fern	1 x 2	45LT	As Shown

UNDERSTOREY PLANTS					
Aam	<i>Adiantum aethiopicum</i>	Maidenhair Fern	0.2 x 0.3	140mm	8/sqm
Cc	<i>Commelina cyanea</i>	Scurvy Weed	0.2 x 0.3	140mm	8/sqm
CGJ	<i>Callistemon 'Green John'</i>	Green John	1 x 1	25L	As Shown
Dc	<i>Dianella caerulea</i>	Flax Lily	0.6 x 0.6	140mm	8/sqm
Di	<i>Dianella revoluta</i>	Blue Flax Lily	0.6 x 0.6	140mm	8/sqm
Do	<i>Doodia aspera</i>	Rasp Fern	0.5 x 0.5	140mm	8/sqm
Dr	<i>Dichondra repens</i>	Kidney Weed	0.3 x 5	140mm	8/sqm
Hs	<i>Hibbertia scandens</i>	Guinea Flower	0.5 x 3	140mm	8/sqm
LT	<i>Lomandra longifolia 'Tanika'</i>	Tanika	0.5 x 0.6	140mm	8/sqm
Vhe	<i>Viola hederacea</i>	Ivy Leaf Violet	0.1 x 1	140mm	8/sqm

### SANDSTONE ESCARPMENT - ROOFTOPS

SHRUBS & ACCENTS					
Ah	<i>Actinotus helianthi</i>	Flannel Flower	0.5 x 0.5	140mm	8/sqm
CAR	<i>Carpobrotus 'Aussie Rambler'</i>	Aussie Rambler	0.25 x 0.5	140mm	8/sqm
CGW	<i>Casuarina glauca 'Shagpile'</i>	Shagpile	0.25 x 1.5	140mm	8/sqm
Da	<i>Dichondra argentea</i>	Silver Falls	0.2 x 2	140mm	8/sqm
Dc	<i>Dianella caerulea</i>	Flax Lily	0.6 x 0.6	140mm	8/sqm
Ee	<i>Echeveria elegans</i>	Hens and Chickens	0.2 x 0.3	140mm	8/sqm
GRR	<i>Grevillea 'Royal Rambler'</i>	Royal Rambler	0.2 x 0.5	140mm	8/sqm
MY	<i>Myoporum parvifolium 'Yareena'</i>	Creeping Boobialla	0.3 x 3	140mm	8/sqm
WGB	<i>Westringia fruticosa 'Grey Box'</i>	Grey Box Coastal Rosemary	0.5 x 0.5	140mm	8/sqm
WLH	<i>Westringia fruticosa 'Low Horizon'</i>	Low Horizon	0.5 x 1	140mm	8/sqm



# LANDSCAPE PLAN | GROUND

# SK1

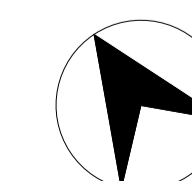
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NSW  
APPROVED  
Date: 30 November 2022



EMBELLISHMENT PLANTING  
TO COUNCIL SELECTION.  
ALLOW 8 PLANTS PER M2

# ARCADIA

## 96-98 BEN BOYD ROAD, NEUTRAL BAY DEVELOPMENT APPLICATION



PREPARED BY Arcadia Landscape Architecture  
CLIENT Aidop No.3 Pty Ltd  
ARCHITECT MHNDU

DATE 28.10.2022  
SCALE 1:100 @ A1  
ISSUE D

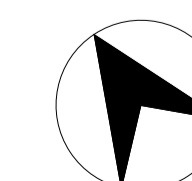
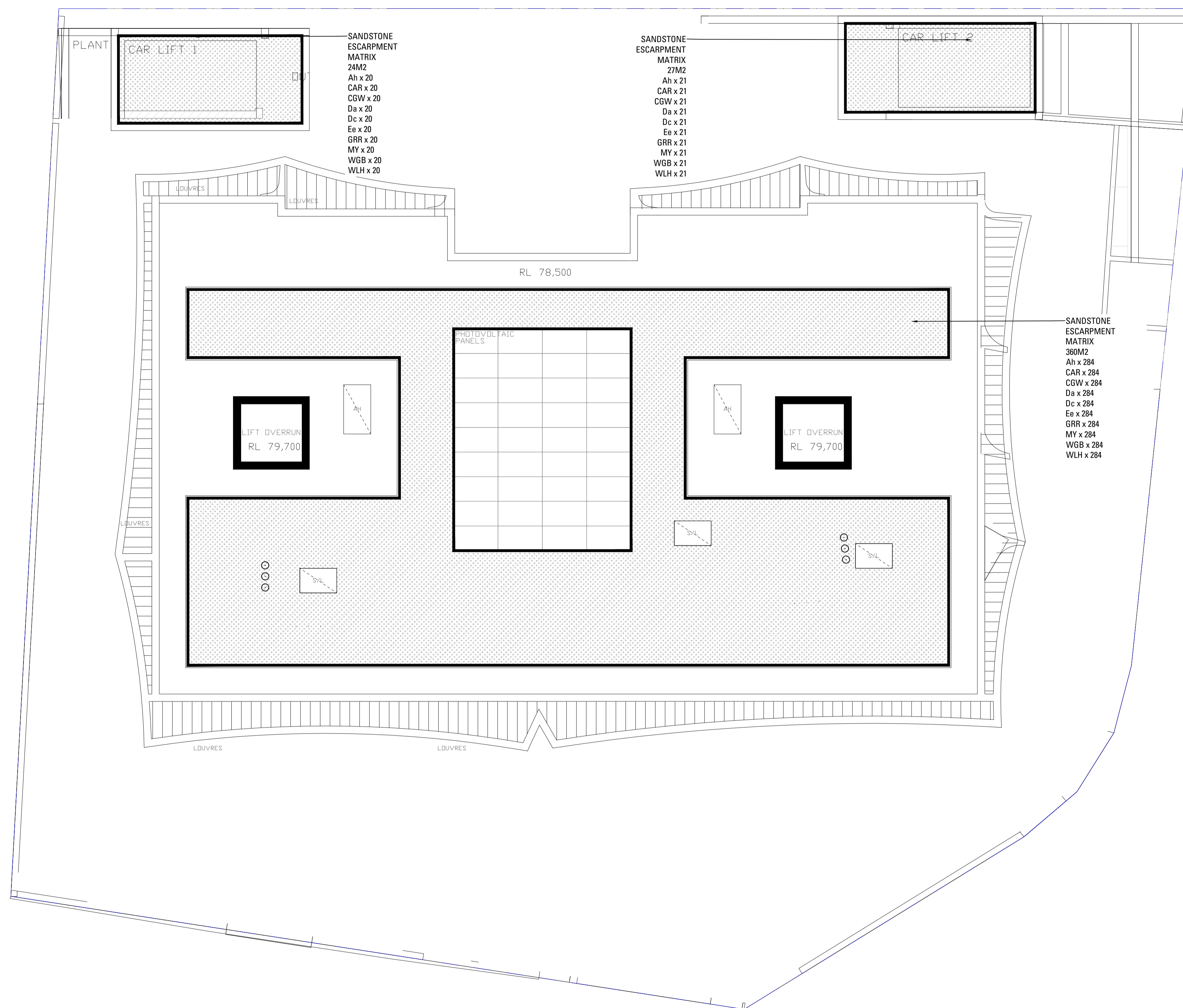
Copyright remains the property of Arcadia Landscape Architecture Pty Ltd. Use only figured dimensions. Any other required dimensions are to be referred to and supplied by the landscape architect. All discrepancies to be referred to the project manager and Arcadia Landscape Architecture Pty Ltd prior to construction. Ensure compliance with the Building Code of Australia and all relevant Australian Standards and Authorities



# LANDSCAPE PLAN | ROOFTOPS

LAND & ENVIRONMENT COURT  
NSW  
APPROVED  
Date: 30 November 2022

# SK2

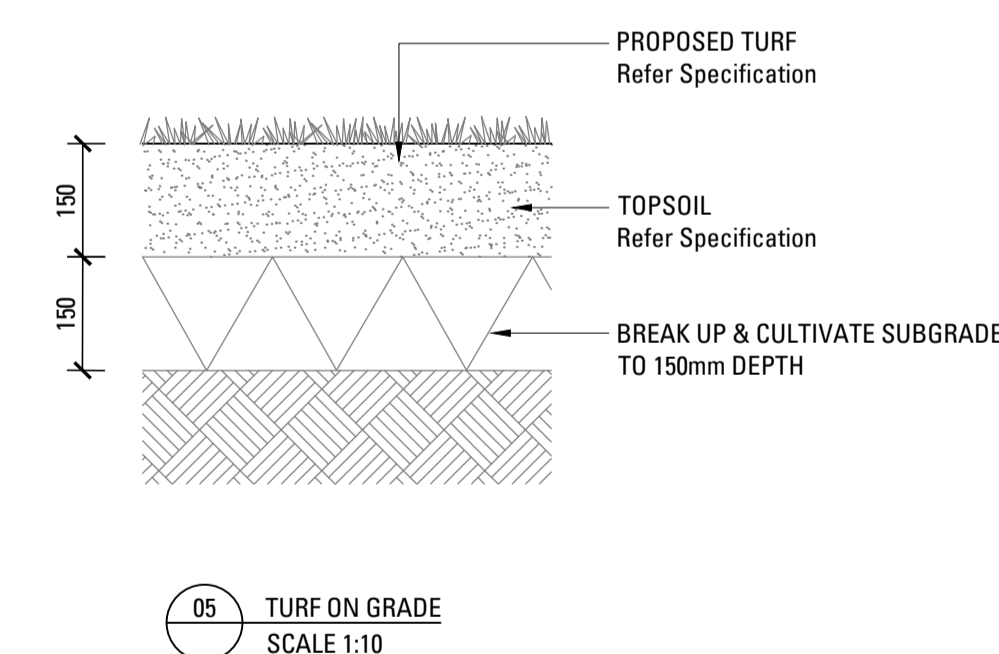
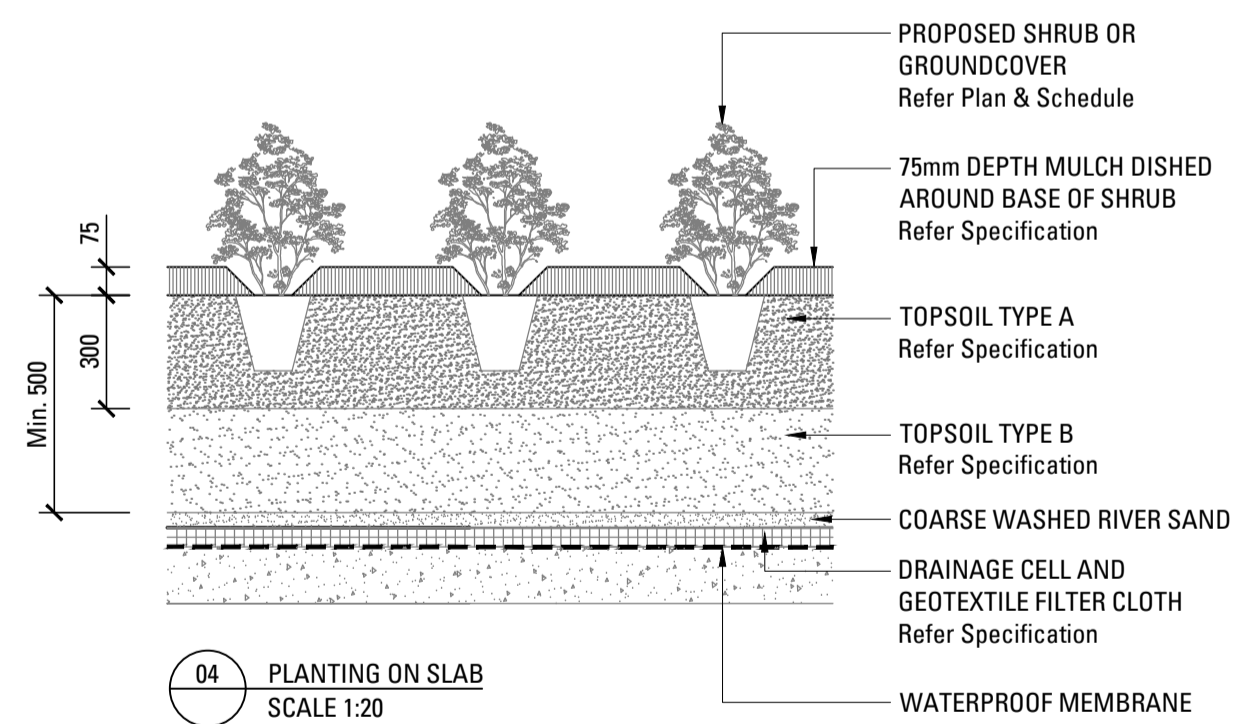
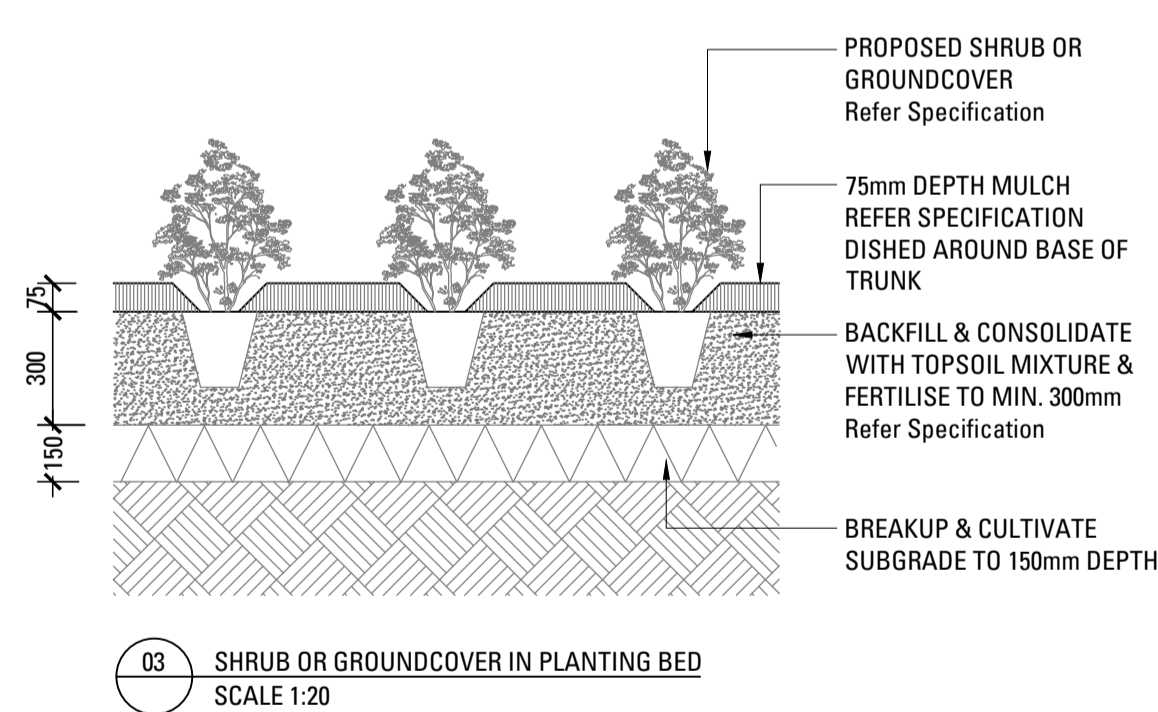
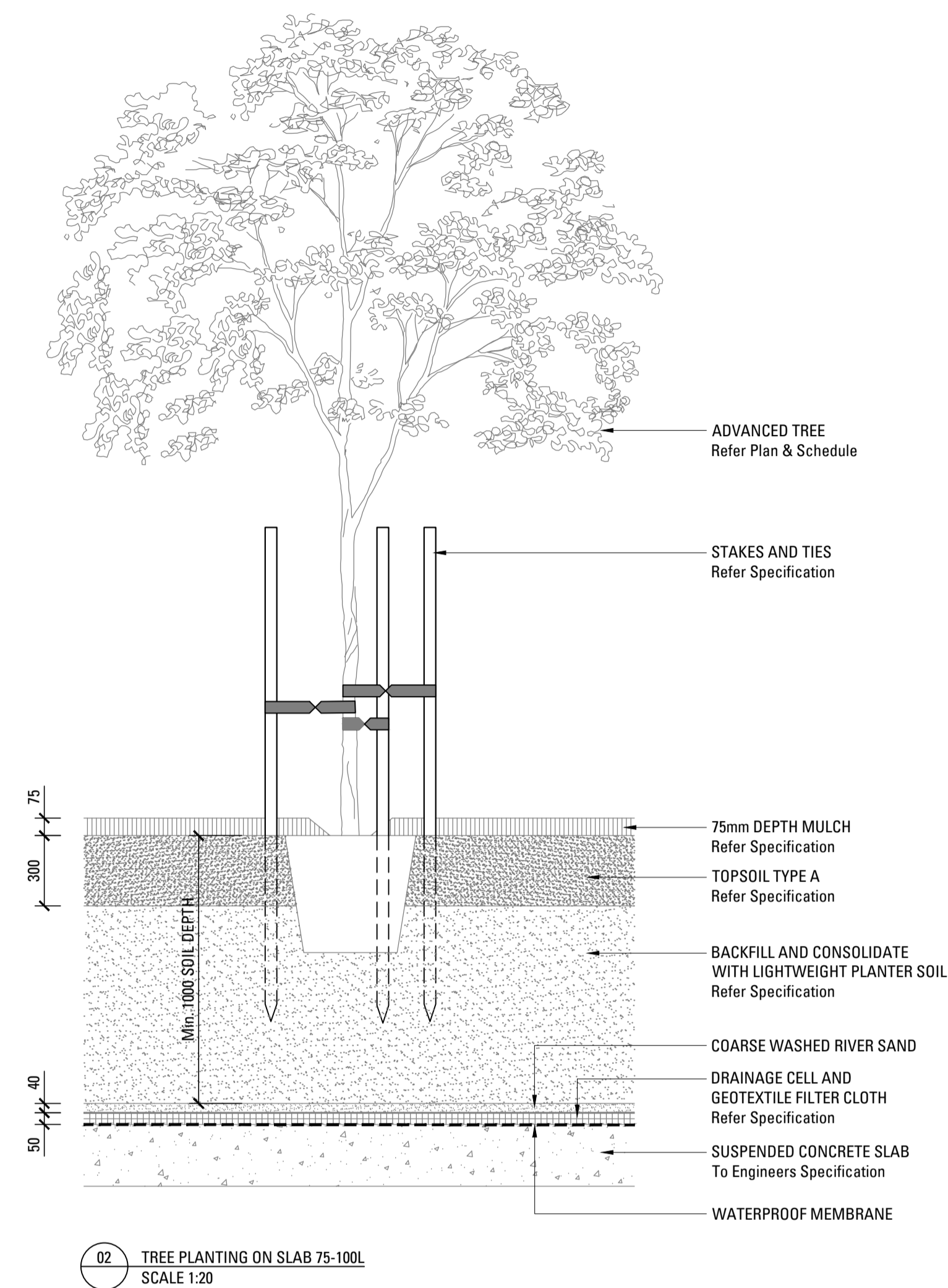
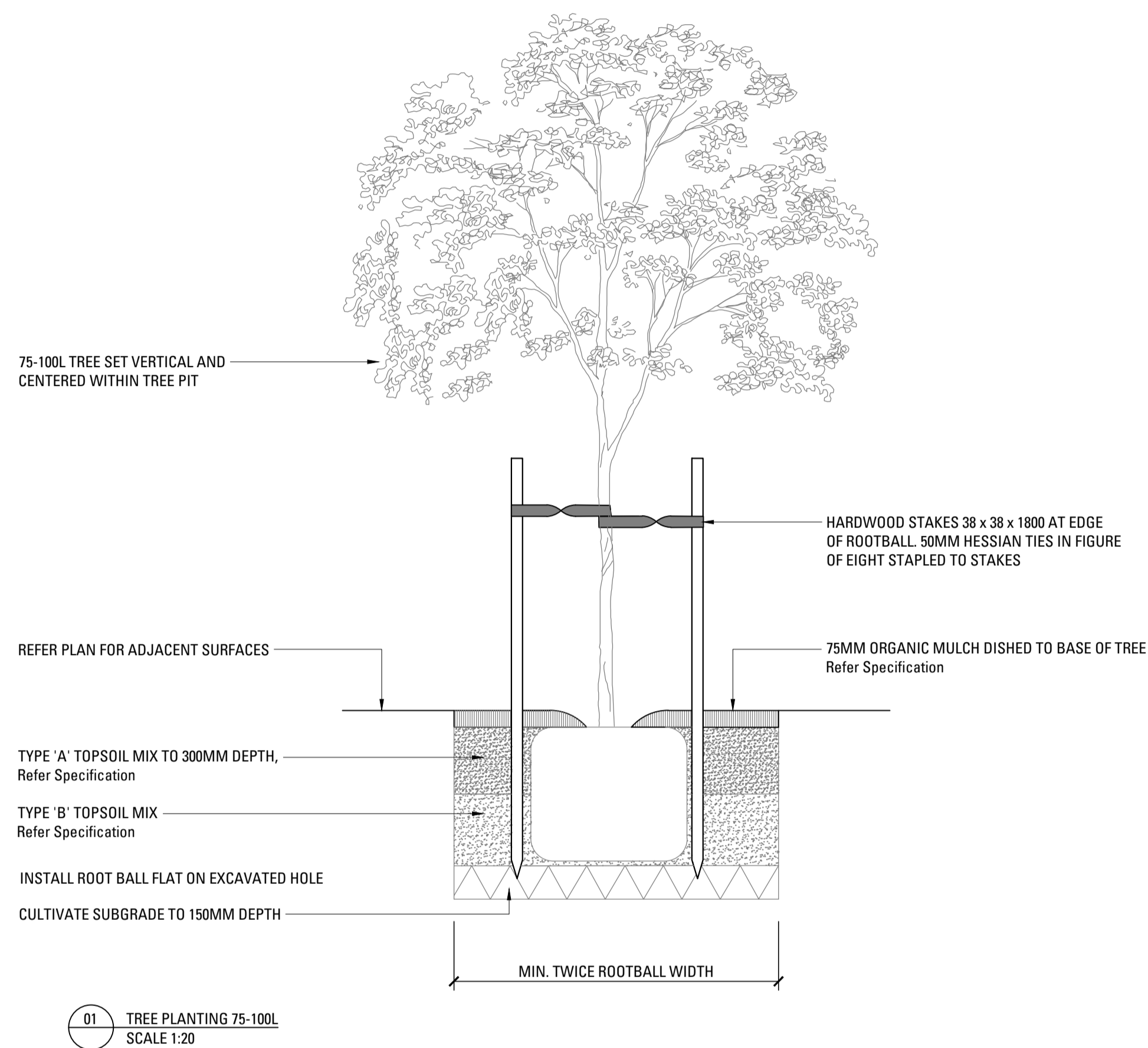




# LANDSCAPE DETAILS

LAND & ENVIRONMENT COURT  
NSW  
APPROVED  
Date: 30 November 2022

# SK3







Aidop No 3 Pty Ltd  
Suite 5.06, Level 5, 55 Miller Street  
PYRMONT NSW 2009

D86/22  
TH2 (CIS)

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AS AMENDED  
SECTION 4.56 APPLICATION 86/22/2 - APPROVAL**

**Development Consent Number:** DA 86/22/2

**Land to which this applies:** 96-98 Ben Boyd Road, Neutral Bay  
Lot No.: A, DP: 348364

**Applicant:** Aidop No 3 Pty Ltd

**Proposal:** Section 4.56 modification relating to development consent DA 86/2022 for consolidation of 2 lots, demolition of existing structures, excavation and construction of a six-storey residential flat building containing 21 apartments over two levels of basement parking and parking at grade, landscaping and associated works at 96-98 Ben Boyd Road, Neutral Bay.

The 4.56 application was considered by the **North Sydney Local Planning Panel (NSLPP)** on 4 October 2023.

Pursuant to Section 4.56 of *the Act* notice is hereby given of the determination by the consent authority of your request for a modification to Development Consent No. **86/22** and registered in Council's records as Application No. **86/22/2** relating to the land described as **96-98 Ben Boyd Road, Neutral Bay**.

Your request for the modification of the Development Consent as set out in Notice of Determination dated 30 November 2022, has been determined in the following manner: -

**A. Impose Condition A7, C50, C51 and C52 as follows:**

**Development in accordance with Plans (s4.56 Amendments)**

- A7.** The development being carried out in accordance with plans identified in Condition A1 of the consent endorsed with Council's approval stamp, except as modified by the modifications shown on:



**RE: 96-98 BEN BOYD ROAD, NEUTRAL BAY  
DEVELOPMENT CONSENT NO. 86/22/02**

Plan No.	Rev	Title	Drawn by	Received
DA 0000	F	Cover Page	MHNDUNION	12/09/2023
DA 0001	F	Project Summary	MHNDUNION	12/09/2023
DA 1000	F	Site Context	MHNDUNION	12/09/2023
DA 1001	F	Site Analysis	MHNDUNION	12/09/2023
DA 1002	F	Site Plan	MHNDUNION	12/09/2023
DA 1003	F	Demolition Plan	MHNDUNION	12/09/2023
DA 2000	F	Basement 02 Plan	MHNDUNION	12/09/2023
DA 2001	F	Basement 01 Plan	MHNDUNION	12/09/2023
DA 2002	F	Ground Floor Plan	MHNDUNION	12/09/2023
DA 2003	F	Level 1 Floor Plan	MHNDUNION	12/09/2023
DA 2004	F	Level 2 Floor Plan	MHNDUNION	12/09/2023
DA 2005	F	Level 3 Floor Plan	MHNDUNION	12/09/2023
DA 2006	F	Level 4 Floor Plan	MHNDUNION	12/09/2023
DA 2007	F	Level 5 Floor Plan	MHNDUNION	12/09/2023
DA 2008	F	Roof Plan	MHNDUNION	12/09/2023
DA 3000	F	North Elevation	MHNDUNION	12/09/2023
DA 3001	F	South Elevation	MHNDUNION	12/09/2023
DA 3002	F	East Elevation	MHNDUNION	12/09/2023
DA 3003	F	West Elevation	MHNDUNION	12/09/2023
DA 3100	F	Section A	MHNDUNION	12/09/2023
DA 3101	F	Section B	MHNDUNION	12/09/2023
DA 6000	F	External Finishes 01	MHNDUNION	12/09/2023
DA 6001	F	External Finishes 02	MHNDUNION	12/09/2023
DA 9100	F	SEPP 65 – Solar & Cross Ventilation	MHNDUNION	12/09/2023
DA 9101	F	SEPP 65 - Storage	MHNDUNION	12/09/2023
DA 9102	F	Landscape Calculation	MHNDUNION	12/09/2023
DA 9103	F	Site Coverage Diagram	MHNDUNION	12/09/2023
DA 9104	F	Height Plane Diagram	MHNDUNION	12/09/2023
DA 9300	F	Waste Management Plan	MHNDUNION	12/09/2023
DA 9301	F	Adaptable Unit Layout	MHNDUNION	12/09/2023
<b>Landscape plans</b>				
Page 21	G	Concepts Landscape Plan	Arcadia Landscape Architecture	13/04/2023
Page 22	G	Concepts Entry Forecourt	Arcadia Landscape Architecture	13/04/2023
Page 23	G	Concepts Entry Forecourt	Arcadia Landscape Architecture	13/04/2023
Page 24	G	Concepts Private Courtyard	Arcadia Landscape Architecture	13/04/2023
Page 25	G	Concepts Private Courtyard	Arcadia Landscape Architecture	13/04/2023
Page 26	G	Concepts Sandstone Edge Conditions	Arcadia Landscape Architecture	13/04/2023
Page 27	G	Concepts Rooftop Planting	Arcadia Landscape Architecture	13/04/2023
Page 28	G	Landscape Areas	Arcadia Landscape Architecture	13/04/2023
Page 29	G	Canopy Cover	Arcadia Landscape Architecture	13/04/2023
Page 30	G	Design Strategies Material Look and Feel	Arcadia Landscape Architecture	13/04/2023



Page 31	G	Design Strategies Indicative Lighting Strategy	Arcadia Landscape Architecture	13/04/2023
Page 32	G	Design Strategies Planting Look and Feel	Arcadia Landscape Architecture	13/04/2023
Page 33	G	Design Strategies Planting Palette	Arcadia Landscape Architecture	13/04/2023
Page 34	G	Design Strategies Planting Schedule	Arcadia Landscape Architecture	13/04/2023
SK1	G	Landscape Plan Ground	Arcadia Landscape Architecture	13/04/2023
SK2	G	Landscape Plan Rooftops	Arcadia Landscape Architecture	13/04/2023
SK3	G	Landscape Details	Arcadia Landscape Architecture	13/04/2023

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Infrastructure)

### Ground Level Parking Design Change

- C50.** The communal room is to be enlarged to the west by approximately 1.2m, the DDA car parking space is to be relocated to the west to accommodate for the enlarged communal room and the car parking space adjacent to the visitor car parking for use as a storage cage will be redesigned as both a space for motorbike parking and storage cage.

The Ground Floor Plan must be submitted to Council for the written approval of Council's Assessment Team Leader prior to the issue of any construction certificate.

(Reason: To ensure appropriate provision of internal common space and appropriate provision of parking and storage)

### Balconies – Design Amendments

- C51.** The southern balcony that serves Units 102 & 103 on Level 1, Units 202 & 203 on Level 2, Units 302 & 303 on Level 3, Unit 402 on Level 4 and Unit 502 on Level 5 is to be amended so not to be a continuous balcony but encompass a break in form as per that approved under DA 86/22 – LEC No. 2022/165233. The balconies subject to design amendments are clouded in red on the approved plans in A7 of this modification application consent.

The Level 5 balcony on the western side of the building (Unit 501) is not approved and shall remain as per the balcony approved under determination for DA 86/22 – LEC No. 2022/165233. The respective balcony subject to design amendments is clouded in red on Level 5 Floor Plan, DA 2007 Rev F.

The floor plans (Levels 1-5) and elevations must be submitted to Council for the written approval of Council's Manager Development Services prior to the issue of any construction certificate.

(Reason: To ensure control in site density, maintenance in articulation in built form to the streetscape and minimise additional exceedance in site coverage)



**Deep Soil Area**

- C52.** The rectangular deep soil area to the northern boundary of the site shall remain unexcavated or be reinstated with no continuous slab at the base as per that in Section B, DA 3101 Rev approved under DA 86/22 – LEC No. 2022/165233.

An amended Section must be submitted to Council for the written approval of Council's Manager Development Services prior to the issue of any construction certificate.

(Reason: To minimise excavation and site disturbance and to enhance natural drainage)

**B. Modify Conditions A5, C13, C31, C44, C49 and G21 as follows:****Works to Stone Wall**

- A5.** All works to the stone wall at the Ben Boyd boundary of the site are to follow the methodology provided in the Stone Wall Reconstruction Methodology, John Outram Heritage Design, dated 21 November 2022. The works are to be guided by a suitably qualified heritage consultant and undertaken by a stonemason experienced in heritage work. Any variation to the works methodology will be notified in writing to the manager of development services and will require sign off by the manager of development services within Council.

FBHV Cabinet - The proposed new fire services cabinet to be located within the sandstone wall is to be painted in a visually submissive colour that is sympathetic to the sandstone wall.

(Reason: To ensure the appropriate conservation of the stone wall)

**Bicycle Storage and Parking**

- C13.** The bicycle storage area must accommodate a minimum of ~~21~~ **20** bicycles, and a visitor parking bicycle rail shall be provided for ~~3~~ **2** visitor bicycles. The bicycle storage lockers and bicycle rail shall be designed in accordance with the applicable Australian Standards. Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of the relevant Construction Certificate. The Certifying Authority must ensure that the building plans and specifications, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To promote and provide facilities for alternative forms of transport)



**Location of Plant**

**C31.** Except where shown on the approved plans identified in condition A7, All plant and equipment (including but not limited to air conditioning equipment) is to be located within the basement of the building or adjoining the car park lift shaft and is not to be located on balconies or the roof. Fireplace flues to roof areas are permitted (in accordance with Condition C10). Plans and specifications complying with this condition must be submitted to the Certifying Authority for Approval prior to the issue of the relevant Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: Minimise impact on surrounding properties, improved visual appearance and amenity for locality)

**BASIX Certificate**

**C44.** Under clause 75 of the *Environmental Planning and Assessment Regulation 2021*, it is a condition of this development consent that all the commitments listed in BASIX Certificate No. ~~1273153M\_03, dated 21 November 2022~~ **1273153M\_04 dated 4 April 2023**, for the development are fulfilled. Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of the relevant Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the proposed development will meet the Government's requirements for sustainability and statutory requirements)

**Pedestrian Sight Distance at Vehicular Exit Driveway**

**C49.** A pedestrian sight triangle of 2.0 metres by 2.5 metres is to be provided on both sides of the vehicular egress driveway in accordance with AS2890.1:2004. Any variation to this sight distance requirement would need to be assessed by an appropriately qualified traffic engineer and supplemented with additional traffic control devices such as convex mirrors at the egress (within the site) to assist with sight lines, with the variation to not result in any detrimental impact in terms of pedestrian safety. Details demonstrating compliance with the requirements of this condition are to be submitted to the Certifying Authority prior to the issue of a Construction Certificate.

(Reason: To ensure pedestrian safety at the site exit driveway)

**Allocation of Spaces**

**G21.** Car parking spaces must be provided and maintained at all times on the subject site. The spaces shall be allocated to uses within the building in accordance the following table:

<b>Residential</b>	<b>Parking Spaces</b>
Residential (including 4 accessible spaces)	27
Visitor (excluding carwash bay)	3
<b>Total</b>	<b>30 spaces</b>



The car parking spaces are to be identified on-site by line-marking and numbering upon the completion of the works and prior to issue of Occupation Certificate. Car parking spaces provided must only be used in conjunction with the approved uses contained within the development.

In the case of Strata subdivision any car parking for strata lots for residential purposes must be individually allocated to its corresponding residential strata lot as part of each lots' unit entitlement.

Visitor parking facilities must be designated as common property on the strata plan. Visitor parking facilities must not at any time be allocated, sold, licensed or leased for the exclusive use of any occupier or owner and must be retained as common property by the Owners Corporation for use by building visitors.

(Reason: To ensure that adequate parking facilities to service the development are provided on site)

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<b>Reasons for approval:</b>	<p>The Panel is of the view that excavation is to be minimised and deep soil optimised. The Panel also considers that the engineered deep soil areas are to be free of any continuous constructed slab.</p> <p>The Panel is of the view that the street elevation would benefit from additional articulation to the balconies similar to the original approval.</p> <p>The Panel agrees that the louvres can be replaced with concrete to allow floor to ceiling doors on the eastern elevation.</p>
<b>How community views were taken into account:</b>	<p>The application has been notified in accordance with Council's Community Consultation Plan with adjoining properties and the Neutral Bay Precinct notified between 12 May to 26 May 2023. In response to the notification Council received no submissions to the proposal.</p>

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The conditions attached to the original consent for Development Application No. 86/22 by endorsed date of 30 November 2022 still apply.

#### **ADVISINGS**

- (a) Council is always prepared to discuss its decisions and in this regard, please do not hesitate to contact **Thomas Holman**. However, if you wish to pursue your rights of appeal in the Land and Environmental Court pursuant to Section 8.7 of the *Environmental Planning and Assessment Act 1979* (as amended), you are advised that Council generally seeks resolution of such appeals through a Section 34 Conference, instead of a full Court hearing, subject to any further advice to the contrary from Council's Solicitors and senior staff. Such an approach is less adversarial, it achieves a quicker decision than would be the case through a Court hearing and it can give rise to considerable cost and time savings for all parties involved.

**RE: 96-98 BEN BOYD ROAD, NEUTRAL BAY  
DEVELOPMENT CONSENT NO. 86/22/02**

Page 7 of 8

- (b) Pursuant to Section 8.2, an applicant is able to request Council to review its determination. An application for a review under Section 8.2 of *the Act* must be made no later than 28 days after the date on which the application for the modification of the development consent was determined.
- (c) Prior to commencing any building, subdivision or associated constructions works, the following provisions of the *Environmental Planning and Assessment Act 1979 (the 'Act')* are to be complied with:
- (i) A Construction Certificate is to be obtained in accordance with Section 6.3 of the Act.
  - (ii) A Principal Certifier is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of *the Act*.
  - (iii) Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.6(2)(a) of *the Act*.
- (d) You are advised that changes to the external configuration of the building, changes to the site layout, density and unit configuration internal changes to the proposed building or any changes to the proposed operation of a use **MAY** require the submission of a further modification under Section 4.55 of the *Environmental Planning & Assessment Act, 1979* (as amended).

Council staff would be pleased to assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of the *Environmental Planning & Assessment Act*.

**Endorsed for and on behalf of North Sydney Council**

13 October 2023

\_\_\_\_\_  
DATE

✓

\_\_\_\_\_  
Signature on behalf of consent authority  
ISOBELLA LUCIC  
**TEAM LEADER (ASSESSMENTS)**







# NORTH SYDNEY COUNCIL

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21 November 2023

Aidop No 3 Pty Ltd  
 Suite 5.06, Level 5, 55 Miller Street  
 PYRMONT NSW 2009

D86/22/2  
 TH2 (CIS)

Dear Sir/Madam

**RE:                                   CONDITION C50 – GROUND LEVEL PARKING DESIGN CHANGE  
   CONDITION C51 – BALCONIES DESIGN AMENDMENTS  
   CONDITION C52 – DEEP SOIL AREA**

**APPLICATION NO:           DA 86/22/02**

**PROPERTY:                   96-98 BEN BOYD ROAD, NEUTRAL BAY**

I refer to the abovementioned modification application approved by the North Sydney Local Planning Panel (NSLPP) on 04 October 2023 and the amended plans submitted on 01 November 2023 seeking to satisfy the requirements of **Condition C50 (Ground Level Parking Design Change), Condition C51 (Balconies Design Amendments) and Condition C52 (Deep Soil Area)**.

The amended plans (Drawing No. 2002 – Ground Floor Plan, Rev G and Drawing No. 3101 – Section B, Rev G dated June 2023) received by Council on 01 November 2023 have been reviewed by Council Officers and are considered to generally satisfy the following requirements of Conditions C50 & C52.

### Ground Level Parking Design Change

**C50.** The communal room is to be enlarged to the west by approximately 1.2m, the DDA car parking space is to be relocated to the west to accommodate for the enlarged communal room and the car parking space adjacent to the visitor car parking for use as a storage cage will be redesigned as both a space for motorbike parking and storage cage.

The Ground Floor Plan must be submitted to Council for the written approval of Councils Assessment Team Leader prior to the issue of any construction certificate.

(Reason: To ensure appropriate provision of internal common space and appropriate provision of parking and storage)

### Deep Soil Area

**C52.** The rectangular deep soil area to the northern boundary of the site shall remain unexcavated or be reinstated with no continuous slab at the base as per that in Section B, DA 3101 Rev approved under DA 86/22 – LEC No. 2022/165233.

An amended Section must be submitted to Council for the written approval of



Council's Manager Development Services prior to the issue of any construction certificate.

(Reason: To minimise excavation and site disturbance and to enhance natural drainage)

A copy of this correspondence, in addition to copies of all documents relating to the above conditions must be provided to the Certifying Authority for their approval prior to the issue of any Occupation Certificate.

However, Condition C51 Balconies – Design Amendments is **not** satisfied and amended plans have not been submitted which comply with the wording or design intent of the condition. Condition C51 as required by the Planning Panel states:

***Balconies – Design Amendments***

**C51.** *The southern balcony that serves Units 102 & 103 on Level 1, Units 202 & 203 on Level 2, Units 302 & 303 on Level 3, Unit 402 on Level 4 and Unit 502 on Level 5 is **to be amended so not to be a continuous balcony but encompass a break in form as per that approved under DA 86/22 – LEC No. 2022/165233.** The balconies subject to design amendments are clouded in red on the approved plans in A7 of this modification application consent.*

***The Level 5 balcony on the western side of the building (Unit 501) is not approved and shall remain as per the balcony approved under determination for DA 86/22 – LEC No. 2022/165233. The respective balcony subject to design amendments is clouded in red on Level 5 Floor Plan, DA 2007 Rev F.***

*The floor plans (Levels 1-5) and elevations must be submitted to Council for the written approval of Council's Manager Development Services prior to the issue of any construction certificate.*

(Reason: *To ensure control in site density, maintenance in articulation in built form to the streetscape and minimise additional exceedance in site coverage*)

The amended plans provided do not satisfy the design requirements of the condition and do not reflect the plans approved by the NSW Land & Environment Court. Furthermore, additional changes to the southern balconies to Units 101, 104, 201, 204, 301, 304, 401, 403, 501 & 503 are proposed not required by Condition C51. Noting the advice provided to you, it is recommended that you provide the amendments required by this condition or seek a Modification of the consent under S.4.56 of the EP & A Act 1979.

Should you wish to discuss this information, please do not hesitate to contact Council's Assessment Officer, Thomas Holman, during business hours on **9936 8357**.

Y

  
STEPHEN BEATTIE  
MANAGER DEVELOPMENT SERVICES

**96-98 BEN BOYD RD,  
NEUTRAL BAY  
NSW 2089**

DECEMBER, 2023

**REV H: DESIGN AMENDMENTS TO ADDRESS CONDITIONS C51 SET OUT IN S 4.56 86/22/2**

- SOUTHERN FACADE BALCONIES - DESIGN AMENDMENTS:**  
IN LINE WITH THE UPDATED APARTMENT LAYOUTS APPROVED UNDER S4.56 (86/22/2), BALCONY GEOMETRY HAS BEEN RECONFIGURED. THE PROPOSED FACADE TREATMENT, AIMED AT ADDRESSING NSLPP CONCERNS (SPECIFICALLY CONDITION C51), NOW INCLUDES REVISED ARTICULATION, AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THIS INVOLVES A CENTRAL INDENTATION, WITH ADJACENT BALCONIES MIRRORED TO ENSURE A SYMMETRICAL DESIGN ALONG THE SOUTHERN BOUNDARY FACING BEN BOYD ROAD. ADDITIONALLY, THE WINDOWS AND SURROUNDING FEATURES HAVE BEEN UPDATED IN HARMONY WITH THESE BALCONY ALTERATIONS.
- LEVEL 5 WESTERN BALCONY- DESIGN AMENDMENTS:**  
BALCONY GEOMETRY RECONFIGURED TO BE AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THE BALUSTRADE ALONG THE WESTERN EDGE HAS BEEN ADJUSTED TO FOLLOW THE AMENDED OUTLINE.

DWG NO.	DRAWING NAME	REVISION
DA 0000	COVERPAGE	H
DA 2002	GROUND FLOOR PLAN	H
DA 2003	LEVEL 1 FLOOR PLAN	H
DA 2004	LEVEL 2 FLOOR PLAN	H
DA 2005	LEVEL 3 FLOOR PLAN	H
DA 2006	LEVEL 4 FLOOR PLAN	H
DA 2007	LEVEL 5 FLOOR PLAN	H
DA 3001	ELEVATION SOUTH	H

**SECTION 4.56 APPLICATION**

<b>REV</b> H	<b>DESCRIPTION</b> S.456_BALCONY AMENDMENTS	<b>DATE</b> 14/12/2023	<b>ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES &amp; AUSTRALIAN STANDARDS</b>  CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS SPEC C 1.1 FIRE RESISTING CONSTRUCTION SPEC C 1.10 FIRE HAZARD PROPERTIES SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 1.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 1.12 SEPARATION OF EQUIPMENT CLAUSE C 1.3 ELECTRICITY SUPPLY SYSTEM CLAUSE C 1.2 PROTECTION OF OPENINGS CLAUSE C 1.9 OPENING IN FIRE ISOLATED EXITS CLAUSE C 1.15 OPENING FOR SERVICE INSTALLATIONS CLAUSE C 1.16 DISCHARGE FROM EXITS CLAUSE C 1.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE C 1.13 GOINGS AND RISERS CLAUSE D 2.14 LANDINGS CLAUSE D 2.15 THRESHOLDS CLAUSE D 2.16 BALUSTRADES  CLAUSE D 2.17 HANDRAILS CLAUSE D 2.21 OPERATION OF LATCH CLAUSE D 2.23 SIGNS ON DOORS CLAUSE D 3 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D 3.8 IDENT. OF ACCESSIBLE FACILITY FEATURES CLAUSE D 3.9 TACTILE INDICATORS CLAUSE D 3.1 WATERPROOFING OF WET AREAS CLAUSE F 1.8 F 1.10 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F 4 LIGHTING AND VENTILATION CLAUSE F 4 SOUND INSULATION OF FLOORS CLAUSE F 5 SOUND INSULATION OF WALLS CLAUSE F 6 SOUND INSULATION OF SERVICES CLAUSE F 5.7 SOUND INSULATION OF PUMPS	<b>ARTIFICIAL LIGHTING:</b> TO COMPLY WITH BCA PART CLAUSES F 4 & AS 1590 <b>BALUSTRADE HEIGHTS:</b> TO COMPLY WITH BCA CLAUSE D 2.16 <b>DRAINAGE GUTTERS &amp; DOWNPIPES:</b> TO COMPLY WITH AS/NZS 3500 3.2 <b>ENERGY EFFICIENT LIGHTING:</b> TO COMPLY WITH J2 OF BCA <b>FIRE SERVICES:</b> TO COMPLY WITH SECTION E OF BCA <b>NOT WATER SYSTEMS:</b> TO COMPLY WITH PART J1 OF BCA <b>MASONRY:</b> TO COMPLY WITH AS 3700 <b>MECHANICO-HYDRAULIC:</b> BCA CLAUSE C 1.8 & AS 1533 4-2005 <b>MECHANICAL AIR CONDITIONING:</b> TO COMPLY WITH PART J5 OF BCA <b>MECHANICAL EXHAUST VENTILATION:</b> TO COMPLY WITH AS 1969 & AS 1533 <b>SMOKE ALARMS:</b> TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 3786 <b>PENETRATIONS:</b> THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 1.5 & AS 1530 4-2005 <b>SOUND TRANSMISSION:</b> TO COMPLY WITH PARTS OF BCA <b>STAR CONSTRUCTION:</b> TO COMPLY WITH BCA CLAUSE D 2.13 <b>WATERPROOFING OF WET AREAS:</b> TO COMPLY WITH AS 3740	<b>BASE COMMENTS</b> ALL OTHER BASE COMMENTS AS PER BASEX CERTIFICATE AND STAMPED PLANS  <b>WATER OPIONS</b> 4.56M x 1.5m (incl. trap) 5.0M x 1.0M 6.0M x 1.0M 8.0M x 1.0M 10.0M x 1.0M 12.0M x 1.0M 14.0M x 1.0M 16.0M x 1.0M 18.0M x 1.0M 20.0M x 1.0M 22.0M x 1.0M 24.0M x 1.0M 26.0M x 1.0M 28.0M x 1.0M 30.0M x 1.0M 32.0M x 1.0M 34.0M x 1.0M 36.0M x 1.0M 38.0M x 1.0M 40.0M x 1.0M 42.0M x 1.0M 44.0M x 1.0M 46.0M x 1.0M 48.0M x 1.0M 50.0M x 1.0M 52.0M x 1.0M 54.0M x 1.0M 56.0M x 1.0M 58.0M x 1.0M 60.0M x 1.0M 62.0M x 1.0M 64.0M x 1.0M 66.0M x 1.0M 68.0M x 1.0M 70.0M x 1.0M 72.0M x 1.0M 74.0M x 1.0M 76.0M x 1.0M 78.0M x 1.0M 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796.0M x 1.0M 798.0M x 1.0M 800.0M x 1.0M 802.0M x 1.0M 804.0M x 1.0M 806.0M x 1.0M 808.0M x 1.0M 810.0M x 1.0M 812.0M x 1.0M 814.0M x 1.0M 816.0M x 1.0M 818.0M x 1.0M 820.0M x 1.0M 822.0M x 1.0M 824.0M x 1.0M 826.0M x 1.0M 828.0M x 1.0M 830.0M x 1.0M 832.0M x 1.0M 834.0M x 1.0M 836.0M x 1.0M 838.0M x 1.0M 840.0M x 1.0M 842.0M x 1.0M 844.0M x 1.0M 846.0M x 1.0M 848.0M x 1.0M 850.0M x 1.0M 852.0M x 1.0M 854.0M x 1.0M 856.0M x 1.0M 858.0M x 1.0M 860.0M x 1.0M 862.0M x 1.0M 864.0M x 1.0M 866.0M x 1.0M 868.0M x 1.0M 870.0M x 1.0M 872.0M x 1.0M 874.0M x 1.0M 876.0M x 1.0M 878.0M x 1.0M 880.0M x 1.0M 882.0M x 1.0M 884.0M x 1.0M 886.0M x 1.0M 888.0M x 1.0M 890.0M x 1.0M 892.0M x 1.0M 894.0M x 1.0M 896.0M x 1.0M 898.0M x 1.0M 900.0M x 1.0M 902.0M x 1.0M 904.0M x 1.0M 906.0M x 1.0M 908.0M x 1.0M 910.0M x 1.0M 912.0M x 1.0M 914.0M x 1.0M 916.0M x 1.0M 918.0M x 1.0M 920.0M x 1.0M 922.0M x 1.0M 924.0M x 1.0M 926.0M x 1.0M 928.0M x 1.0M 930.0M x 1.0M 932.0M x 1.0M 934.0M x 1.0M 936.0M x 1.0M 938.0M x 1.0M 940.0M x 1.0M 942.0M x 1.0M 944.0M x 1.0M 946.0M x 1.0M 948.0M x 1.0M 950.0M x 1.0M 952.0M x 1.0M 954.0M x 1.0M 956.0M x 1.0M 958.0M x 1.0M 960.0M x 1.0M 962.0M x 1.0M 964.0M x 1.0M 966.0M x 1.0M 968.0M x 1.0M 970.0M x 1.0M 972.0M x 1.0M 974.0M x 1.0M 976.0M x 1.0M 978.0M x 1.0M 980.0M x 1.0M 982.0M x 1.0M 984.0M x 1.0M 986.0M x 1.0M 988.0M x 1.0M 990.0M x 1.0M 992.0M x 1.0M 994.0M x 1.0M 996.0M x 1.0M 998.0M x 1.0M 1000.0M x 1.0M	<b>NOTES:</b>  ARCHITECT: <b>MHNDUNION</b> 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com MHN Design Urban Pty Ltd. ABN 04 003 717 682 NSW Registration Number 4907	<b>DRAWING TITLE:</b> COVERPAGE <b>PROJECT ADDRESS:</b> LOT / SECTION / DP NO.: 96-98 BEN BOYD RD, LOT A DP348364 & SP61709 NEUTRAL BAY NSW 2089 <b>APPLICANT:</b> AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009	<b>SCALE:</b> 1:1@A3 <b>ISSUE DATE:</b> 14/12/2023 <b>PROJECT NUMBER:</b> 21-095 REF: \\volumes\BMA\Projects\21-095 Ben Boyd Rd Neutral Bay\WORKING\2 - Design\DA\Drawings\Architect\	<b>DRAWN BY:</b> DH <b>CHECKED:</b> MW <b>REVISION:</b> H <b>DWG NUMBER:</b> DA 0000
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**REV H: DESIGN AMENDMENTS TO ADDRESS CONDITIONS C51 SET OUT IN S 4.56 86/22/2**

- SOUTHERN FACADE BALCONIES - DESIGN AMENDMENTS:** IN LINE WITH THE UPDATED APARTMENT LAYOUTS APPROVED UNDER S4.56 (86/22/2), BALCONY GEOMETRY HAS BEEN RECONFIGURED. THE PROPOSED FACADE TREATMENT, AIMED AT ADDRESSING NSLPP CONCERNS (SPECIFICALLY CONDITION C51), NOW INCLUDES REVISED ARTICULATION, AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THIS INVOLVES A CENTRAL INDENTATION, WITH ADJACENT BALCONIES MIRRORED TO ENSURE A SYMMETRICAL DESIGN ALONG THE SOUTHERN BOUNDARY FACING BEN BOYD ROAD. ADDITIONALLY, THE WINDOWS AND SURROUNDING FEATURES HAVE BEEN UPDATED IN HARMONY WITH THESE BALCONY ALTERATIONS.

REV	DESCRIPTION	DATE
H	S.456_BALCONY AMENDMENTS	14/12/2023

ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIALS & FORMS CONSTRUCTION  
 CLAUSE C 1.1 FIRE RESISTING CONSTRUCTION  
 SPEC. C 1.10 FIRE HAZARD PROPERTIES  
 SPEC. C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 CLAUSE C 2.7 PROTECTION OF OPENINGS  
 CLAUSE C 2.8 SEPARATION OF EQUIPMENT  
 CLAUSE C 2.9 ELECTRICITY SUPPLY SYSTEM  
 CLAUSE C 3.2 PROTECTION OF OPENINGS  
 CLAUSE C 3.3 OPENING IN FIRE ISOLATED EXITS  
 CLAUSE C 3.4 OPENING FOR SERVICE INSTALLATIONS  
 CLAUSE C 3.5 OPENING FROM EXITS  
 CLAUSE C 3.6 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL  
 CLAUSE C 3.7 GOINGS AND COMINGS  
 CLAUSE C 3.8 LANDINGS  
 CLAUSE C 3.9 THRESHOLDS  
 CLAUSE C 4.2 BALUSTRADES

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4.1 & 4.160  
 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16  
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 S2  
 ENERGY EFFICIENCY: TO COMPLY WITH CLAUSE 3.10 OF BCA  
 FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA  
 HOT WATER SYSTEMS: TO COMPLY WITH PART 3 OF BCA  
 NOTIFICATION: TO COMPLY WITH AS 1300  
 MECHANICAL/ELECTRICAL: TO COMPLY WITH AS 1538 & 2005  
 MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 3.6 OF BCA  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS/NZS 4462  
 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS/NZS 3786  
 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.13 & AS 1538 & 2005  
 STAIR CONSTRUCTION: TO COMPLY WITH PARTS OF BCA  
 STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13  
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 1538

**NOTES:**

- EX EXISTING FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- BOUNDARY
- EX TREE TO REMOVE
- EX TREE TO RETAIN
- PROPOSED LANDSCAPE

**ARCHITECT:**  
**MHNDUNION**  
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 M/N Design Union Pty Ltd. AIN 04 008 717 602 NSW Registration Number 4907

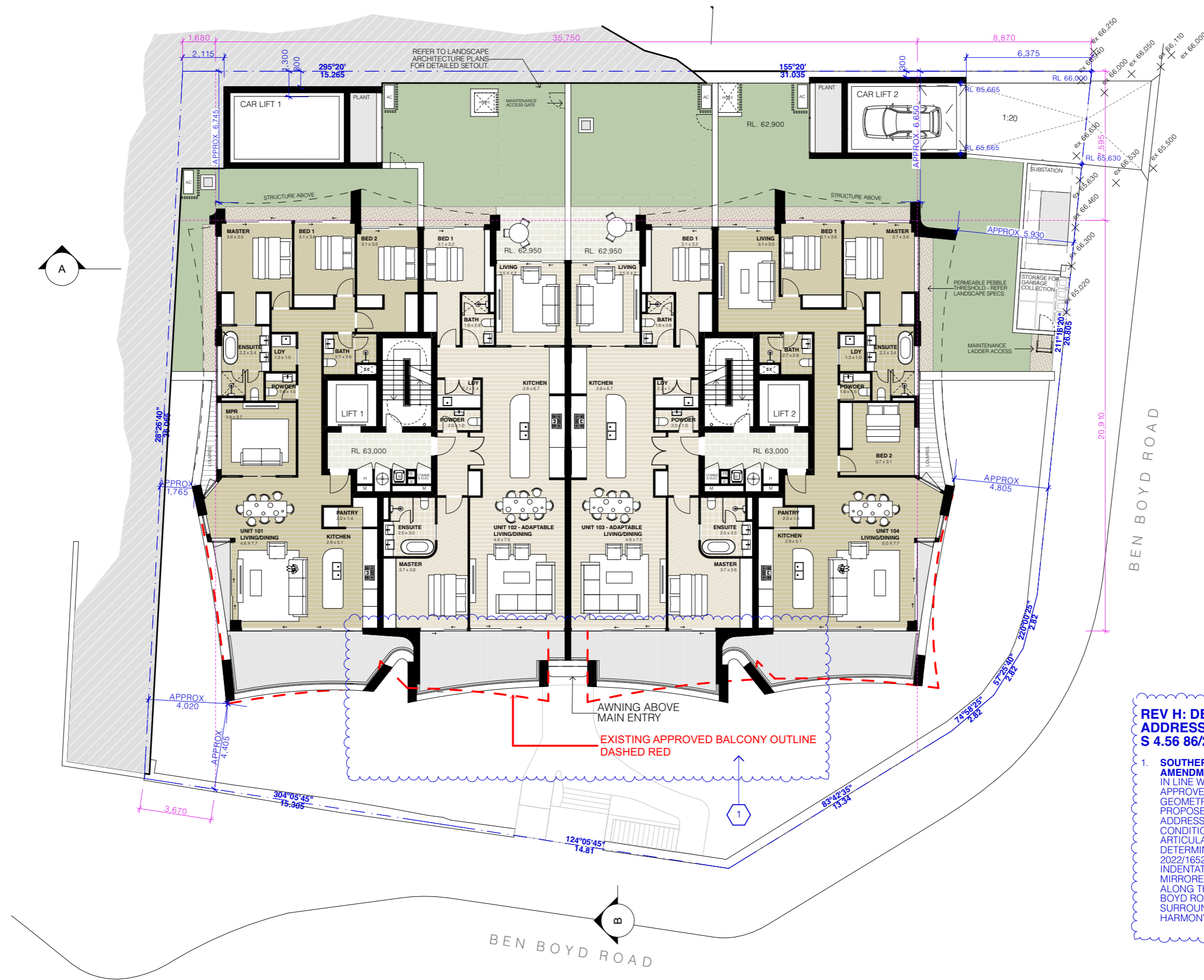
**DRAWING TITLE:**  
**GROUND FLOOR PLAN**  
 PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089  
 APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

LOT / SECTION / DP NO.:  
 LOT A DP348364 & SP61709

SCALE: 1:200@A3  
 ISSUE DATE: 14/12/2023  
 PROJECT NUMBER: 21-095

DRAWN BY: DH  
 CHECKED: MW  
 REVISION: H  
 DWG NUMBER: DA 2002

REF: /Alumina/BMA Project/21-095 Ben Boyd Rd Neutral Bay/WORKING/22 - Design DA/Original/2023  
 Post Panel Meeting/21-095 Ben Boyd Rd Neutral Bay - S456\_79.jpg



**REV H: DESIGN AMENDMENTS TO ADDRESS CONDITIONS C51 SET OUT IN S 4.56 86/22/2**

- SOUTHERN FACADE BALCONIES - DESIGN AMENDMENTS:**  
 IN LINE WITH THE UPDATED APARTMENT LAYOUTS APPROVED UNDER S4.56 (86/22/2), BALCONY GEOMETRY HAS BEEN RECONFIGURED. THE PROPOSED FACADE TREATMENT, AIMED AT ADDRESSING NSLPP CONCERNS (SPECIFICALLY CONDITION C51), NOW INCLUDES REVISED ARTICULATION, AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THIS INVOLVES A CENTRAL INDENTATION, WITH ADJACENT BALCONIES MIRRORRED TO ENSURE A SYMMETRICAL DESIGN ALONG THE SOUTHERN BOUNDARY FACING BEN BOYD ROAD. ADDITIONALLY, THE WINDOWS AND SURROUNDING FEATURES HAVE BEEN UPDATED IN HARMONY WITH THESE BALCONY ALTERATIONS.

REV	DESCRIPTION	DATE
H	S.456_BALCONY AMENDMENTS	14/12/2023

REVISIONS	REVISIONS	REVISIONS
ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS	CLAUSE C 11 FIRE RESISTING CONSTRUCTION
SPEC C 11.10 FIRE HAZARD PROPERTIES	CLAUSE C 11.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE	CLAUSE C 11.2 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C 11.3 SEPARATION OF EQUIPMENT	CLAUSE C 11.4 ELECTRICAL SUPPLY SYSTEM	CLAUSE C 11.5 PROTECTION OF SERVICES
CLAUSE C 11.6 OPENING FOR SERVICE INSTALLATIONS	CLAUSE C 11.7 DISCHARGE FROM EXITS	CLAUSE C 11.8 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE C 11.9 GONGS AND RISERS	CLAUSE C 11.10 LANDINGS	CLAUSE C 11.11 THRESHOLDS
CLAUSE C 11.12 BALUSTRADES	CLAUSE C 11.13 HANDRAILS	CLAUSE C 11.14 OPERATION OF LATCH
CLAUSE C 11.15 SIGNS ON DOORS	CLAUSE C 11.16 GENERAL BUILDING ACCESS REQUIREMENTS	CLAUSE C 11.17 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE C 11.18 IDENTIFICATION OF ACCESSIBLE FACILITY FEATURES	CLAUSE C 11.19 TACTILE INDICATORS	CLAUSE C 11.20 WATERPROOFING OF WET AREAS
CLAUSE C 11.21 DAMP PROOFING	CLAUSE C 11.22 CONSTRUCTION OF SANITARY COMPARTMENTS	CLAUSE C 11.23 MECHANICAL EXHAUST VENTILATION
CLAUSE C 11.24 MECHANICAL EXHAUST VENTILATION	CLAUSE C 11.25 SOUND INSULATION OF FLOORS	CLAUSE C 11.26 SOUND INSULATION OF WALLS
CLAUSE C 11.27 SOUND INSULATION OF SERVICES	CLAUSE C 11.28 SOUND INSULATION OF PUMPS	

ARTIFICIAL LIGHTING	ARTIFICIAL LIGHTING	ARTIFICIAL LIGHTING
TO COMPLY WITH BCA PART CLAUSES 4 & A51880	BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16	DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500.3.2
ENERGY EFFICIENT LIGHTING: TO COMPLY WITH A2 OF BCA	FIRE SERVICES: TO COMPLY WITH SECTION 5 OF BCA	NOT WATER SYSTEMS: TO COMPLY WITH PART 7 OF BCA
MASONRY: TO COMPLY WITH AS1370	MICHELECHROMATIC: TO COMPLY WITH A51530.2-2005	MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 45 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1999 & AS162	SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 4 & SPEC E2.2 & AS1206	PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530.2-2005
STAR CONSTRUCTION: TO COMPLY WITH PARTS OF BCA	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13	WATERPROOFING OF WET AREAS: TO COMPLY WITH AS1370

BASE COMMENTS	BASE COMMENTS	BASE COMMENTS
ALL OTHER BASIS COMMENTS AS PER BASIS CERTIFICATE AND STAMPED	WATER HEATING: Central gas hot water system	WATER HEATING: Central gas hot water system
WATER HEATING: Central gas hot water system	WATER HEATING: Central gas hot water system	WATER HEATING: Central gas hot water system
WATER HEATING: Central gas hot water system	WATER HEATING: Central gas hot water system	WATER HEATING: Central gas hot water system

**NOTES:**  
 EX EXISTING FLOOR LEVEL  
 RL REDUCED LEVEL BOUNDARY  
 EX TREE TO REMOVE  
 EX TREE TO RETAIN  
 PROPOSED LANDSCAPE

**ARCHITECT:**  
**MHNDUNION**  
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 SURRY HILLS SYDNEY NSW 2010  
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 F +61 2 9101 1100  
 www.mhndu.com  
 M/N Design Union Pty Ltd, ABN 94 003 717 682 NSW Registration Number 4907

**DRAWING TITLE:**  
**LEVEL 1 FLOOR PLAN**  
 PROJECT ADDRESS: **96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089**  
 APPLICANT: **AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009**

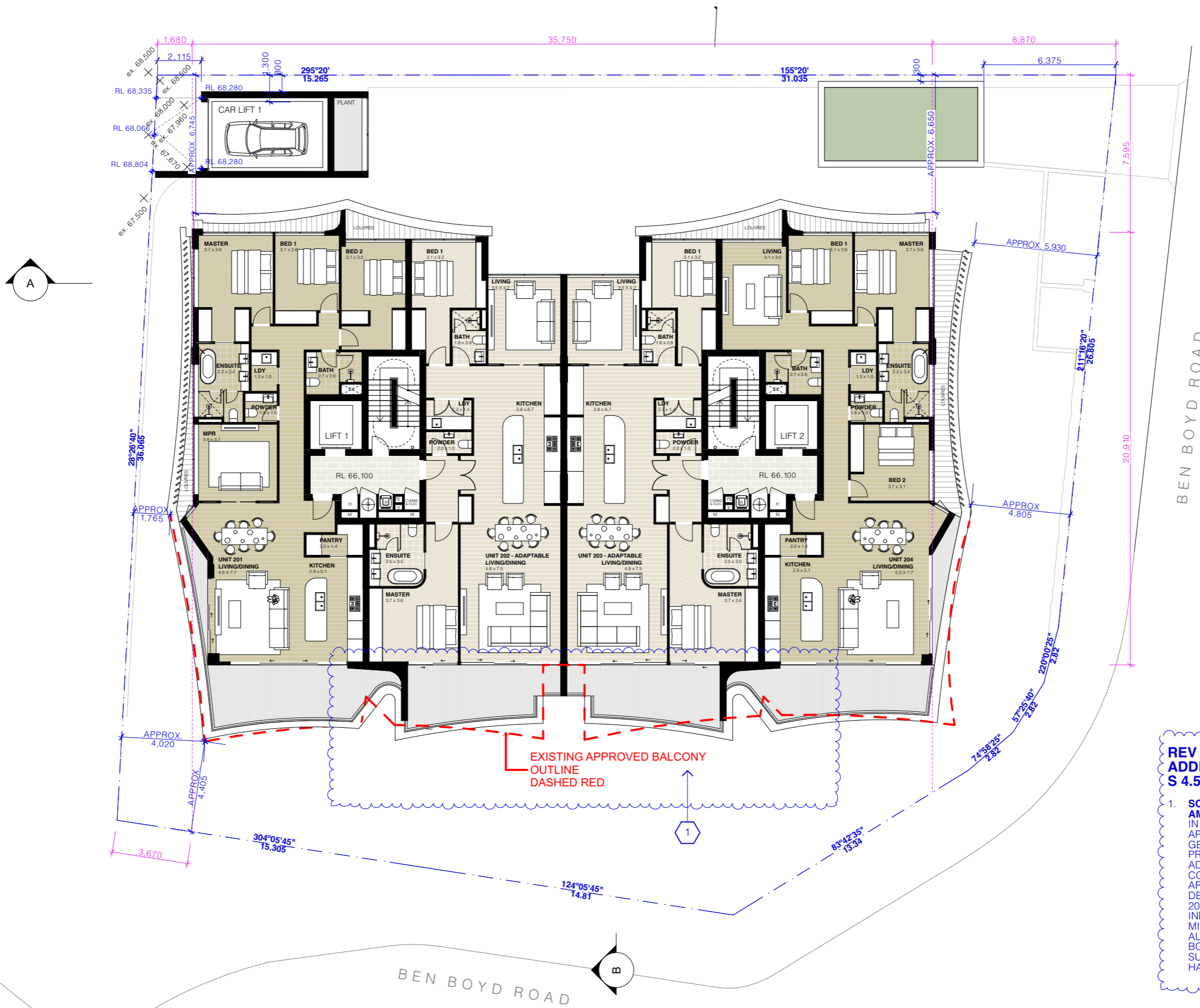
**SCALE:** 1:200@A3  
**ISSUE DATE:** 14/12/2023  
**PROJECT NUMBER:** 21-095

**DRAWN BY:** DH  
**CHECKED BY:** MW  
**REVISION:** H  
**DWG NUMBER:** DA 2003

**LOT / SECTION / DP NO.:** LOT A DP348364 & SP61709

REF: \\volume\BMA\Projects\21-095 Ben Boyd Rd Neutral Bay\WORKING\2 - Design\DA\DA\Rev\Arch\Ref Post Panel Meeting\21-095 Ben Boyd Rd Neutral Bay - S456\_hg1





**REV H: DESIGN AMENDMENTS TO ADDRESS CONDITIONS C51 SET OUT IN S 4.56 86/22/2**

- SOUTHERN FACADE BALCONIES - DESIGN AMENDMENTS:**  
 IN LINE WITH THE UPDATED APARTMENT LAYOUTS APPROVED UNDER S4.56 (86/22/2), BALCONY GEOMETRY HAS BEEN RECONFIGURED. THE PROPOSED FACADE TREATMENT, AIMED AT ADDRESSING NSLPP CONCERNS (SPECIFICALLY CONDITION C51), NOW INCLUDES REVISED ARTICULATION, AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THIS INVOLVES A CENTRAL INDENTATION, WITH ADJACENT BALCONIES MIRRORED TO ENSURE A SYMMETRICAL DESIGN ALONG THE SOUTHERN BOUNDARY FACING BEN BOYD ROAD. ADDITIONALLY, THE WINDOWS AND SURROUNDING FEATURES HAVE BEEN UPDATED IN HARMONY WITH THESE BALCONY ALTERATIONS.

REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 2600 3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA NOT WATER SYSTEMS TO COMPLY WITH PART 4 OF BCA MASONRY: TO COMPLY WITH AS3700 MECHANICAL/ELECTRICAL: TO COMPLY WITH AS/NZS 3000 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1959 & AS1922 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 4 & SPEC E2.2 & AS2796 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH ELECTRICAL/PLUMBING PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4.2005 STAR TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740	BASE COMMENTS	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED BY:
H	S.456_BALCONY AMENDMENTS	14/12/2023	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS CLAUSE C 1.1 FIRE RESISTING CONSTRUCTION SPEC C 1.10 FIRE HAZARD PROPERTIES CLAUSE D 2.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE D 2.8 SIGNS ON DOORS CLAUSE D 3.1 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE D 3.2 SEPARATION OF EQUIPMENT CLAUSE D 3.3 ELECTRICITY SUPPLY SYSTEM CLAUSE D 3.4 PROTECTION OF OPENINGS CLAUSE D 3.5 OPENING FOR SERVICE INSTALLATIONS CLAUSE D 3.6 DISCHARGE FROM EXITS CLAUSE D 3.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE D 3.8 GOINGS AND RISERS CLAUSE D 3.9 LANDINGS CLAUSE D 3.10 THRESHOLDS CLAUSE D 3.11 BALUSTRADES CLAUSE D 2.17 HANDRAILS CLAUSE D 2.18 OPERATION OF LATCH CLAUSE D 2.19 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D 3.1 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D 3.2 IDENT. OF ACCESSIBLE FACILITY FEATURES CLAUSE D 3.3 TACTILE INDICATORS CLAUSE D 3.4 WATERPROOFING OF WET AREAS CLAUSE F 1.8.1 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART 4.1 LIGHTING AND VENTILATION CLAUSE F 4.4 SOUND INSULATION OF FLOORS CLAUSE F 5.1 SOUND INSULATION OF WALLS CLAUSE F 5.2 SOUND INSULATION OF SERVICES CLAUSE F 5.3 SOUND INSULATION OF PUMPS	ALL OTHER BASE COMMENTS AS PER BASE CERTIFICATE AND STAMPED PLANS WATER SUPPLY: 4.50m x 1.5m (see Ref) WASTE: 4.50m x 1.5m (see Ref) ELECTRICAL: 4.50m x 1.5m (see Ref) MECHANICAL: 4.50m x 1.5m (see Ref) PLUMBING: 4.50m x 1.5m (see Ref) LANDSCAPE AREA TO BE IRRIGATED: 400 sqm SINGLE PHASE 240V/415V SUPPLY 3.0 x 1.5 (SEE REF) MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1959 & AS1922 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH ELECTRICAL/PLUMBING PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4.2005 STAR TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740	EX EXISTING FLOOR LEVEL RL REDUCED LEVEL BOUNDARY EX TREE TO REMOVE EX TREE TO RETAIN PROPOSED LANDSCAPE	<b>MHNDUNION</b> 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com M/N Design Union Pty Ltd. AEN 04 003 717 682 NSW Registration Number 4907	<b>LEVEL 2 FLOOR PLAN</b> PROJECT ADDRESS: 96-98 BEN BOYD RD. NEUTRAL BAY NSW 2089 APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009	LOT / SECTION / DP NO.: LOT A DP348364 & SP61709 PROJECT NUMBER: 21-095	SCALE: 1:200@A3 ISSUE DATE: 14/12/2023 DRAWN BY: DH CHECKED BY: MW REVISION: H DWG NUMBER: DA 2004		







**REV H: DESIGN AMENDMENTS TO ADDRESS CONDITIONS C51 SET OUT IN S 4.56 86/22/2**

1. **SOUTHERN FACADE BALCONIES - DESIGN AMENDMENTS:**  
 IN LINE WITH THE UPDATED APARTMENT LAYOUTS APPROVED UNDER S4.56 (86/22/2), BALCONY GEOMETRY HAS BEEN RECONFIGURED. THE PROPOSED FACADE TREATMENT, AIMED AT ADDRESSING NSLPP CONCERNS (SPECIFICALLY CONDITION C51), NOW INCLUDES REVISED ARTICULATION, A KIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THIS INVOLVES A CENTRAL INDENTATION, WITH ADJACENT BALCONIES MIRRORED TO ENSURE A SYMMETRICAL DESIGN ALONG THE SOUTHERN BOUNDARY FACING BEN BOYD ROAD. ADDITIONALLY, THE WINDOWS AND SURROUNDING FEATURES HAVE BEEN UPDATED IN HARMONY WITH THESE BALCONY ALTERATIONS.

REV	DESCRIPTION	DATE
H	S.456_BALCONY AMENDMENTS	14/12/2023

**ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS  
 CLAUSE C 1.1 FIRE RESISTING CONSTRUCTION  
 SPEC. C 1.10 FIRE HAZARD PROPERTIES  
 CLAUSE C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 CLAUSE C 1.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 CLAUSE C 2.1 SEPARATION OF EQUIPMENT  
 CLAUSE C 2.2 PROTECTION OF OPENINGS  
 CLAUSE C 2.3 ELECTRICITY SUPPLY SYSTEM  
 CLAUSE C 2.4 PROTECTION OF OPENINGS  
 CLAUSE C 3.1 OPENING FOR SERVICE INSTALLATIONS  
 CLAUSE C 3.16 DISCHARGE FROM EXITS  
 CLAUSE C 2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL  
 CLAUSE C 2.16 GOINGS AND RISERS  
 CLAUSE C 2.14 LANDINGS  
 CLAUSE C 2.15 THRESHOLDS  
 CLAUSE C 2.16 BALUSTRADES

CLAUSE D 2.17 HANDRAILS  
 CLAUSE D 2.21 OPERATION OF LATCH  
 CLAUSE D 2.23 SIGNS ON DOORS  
 CLAUSE D 3.2 GENERAL BUILDING ACCESS REQUIREMENTS  
 CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE  
 CLAUSE D 3.4 IDENTIFICATION OF ACCESSIBLE FACILITY FEATURES  
 CLAUSE D 3.5 TACTILE INDICATORS  
 CLAUSE F 1.3 WATERPROOFING OF WET AREAS  
 CLAUSE F 1.8 F1.10 DAMP PROOFING  
 CLAUSE F 5.5 CONSTRUCTION OF SANITARY COMPARTMENTS  
 PART F 4.1 LIGHTING AND VENTILATION  
 CLAUSE F 5.4 SOUND INSULATION OF FLOORS  
 CLAUSE F 5.5 SOUND INSULATION OF WALLS  
 CLAUSE F 5.6 SOUND INSULATION OF SERVICES  
 CLAUSE F 5.7 SOUND INSULATION OF PUMPS

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART CLAUSES 4 & AS 1580  
**BALUSTRADE HEIGHTS:** TO COMPLY WITH BCA CLAUSE D2.16  
**DRAINAGE GUTTERS & DOWNPIPES:** TO COMPLY WITH AS/NZS 3500 3.2  
**ENERGY EFFICIENT LIGHTING:** TO COMPLY WITH 2.2 OF BCA  
**FIRE SERVICES:** TO COMPLY WITH SECTION E OF BCA  
**NOT WATER SYSTEMS:** TO COMPLY WITH PART 3.1 OF BCA  
**MASONRY:** TO COMPLY WITH AS 3700  
**MECHANICAL/ELECTRICAL:** TO COMPLY WITH PART 3.1 OF BCA  
**MECHANICAL EXHAUST VENTILATION:** TO COMPLY WITH AS 1959 & AS 1522  
**SMOKE ALARMS:** TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 3785  
**SMOKE EXHAUST:** TO COMPLY WITH AS 1959 & AS 1522  
**VENTILATION:** TO COMPLY WITH AS 1552 & AS 1553  
**WATERPROOFING:** TO COMPLY WITH AS 1959 & AS 1522  
**WATERPROOFING OF WET AREAS:** TO COMPLY WITH AS 1959 & AS 1522

**NOTES:**

EX EXISTING  
 FFL FINISHED FLOOR LEVEL  
 RL REDUCED LEVEL  
 BOUNDARY

EX TREE TO REMOVE  
 EX TREE TO RETAIN  
 PROPOSED LANDSCAPE

**ARCHITECT:**  
**MHNDUNION**  
 35 RICHARDS LANE  
 SURRY HILLS SYDNEY NSW 2010  
 T +61 2 9101 1111  
 F +61 2 9101 1100  
 www.mhndu.com

**DRAWING TITLE:**  
**LEVEL 4 FLOOR PLAN**

PROJECT ADDRESS: **96-98 BEN BOYD RD. NEUTRAL BAY NSW 2089**

APPLICANT: **AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009**

LOT / SECTION / DP NO.: **LOT A DP348364 & SP61709**

SCALE: **1:200@A3**

DRAWN BY: **DH**

CHECKED: **MW**

ISSUE DATE: **14/12/2023**

PROJECT NUMBER: **21-095**

REVISION: **H**

DWG NUMBER: **DA 2006**

REF: Volume 1/DA Projects/21-095 Ben Boyd Rd Neutral Bay/WORKING/2 - Design/DA/Digital/Architect/Post Panel Meeting/21-095 Ben Boyd Rd Neutral Bay - S456\_hjpt



**REV H: DESIGN AMENDMENTS TO ADDRESS CONDITIONS C51 SET OUT IN S 4.56 86/22/2**

- SOUTHERN FACADE BALCONIES - DESIGN AMENDMENTS:**  
IN LINE WITH THE UPDATED APARTMENT LAYOUTS APPROVED UNDER S4.56 (86/22/2), BALCONY GEOMETRY HAS BEEN RECONFIGURED. THE PROPOSED FACADE TREATMENT, AIMED AT ADDRESSING NSLPP CONCERNS (SPECIFICALLY CONDITION C51), NOW INCLUDES REVISED ARTICULATION, AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THIS INVOLVES A CENTRAL INDENTATION, WITH ADJACENT BALCONIES MIRRORRED TO ENSURE A SYMMETRICAL DESIGN ALONG THE SOUTHERN BOUNDARY FACING BEN BOYD ROAD. ADDITIONALLY, THE WINDOWS AND SURROUNDING FEATURES HAVE BEEN UPDATED IN HARMONY WITH THESE BALCONY ALTERATIONS.
- LEVEL 5 WESTERN BALCONY- DESIGN AMENDMENTS:**  
BALCONY GEOMETRY RECONFIGURED TO BE AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THE BALUSTRADE ALONG THE WESTERN EDGE HAS BEEN ADJUSTED TO FOLLOW THE AMENDED OUTLINE.

REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500.3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH J2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA NOT WATER SYSTEMS TO COMPLY WITH PART J2 OF BCA MASONRY: TO COMPLY WITH AS1707 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1959 & AS1622 MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART J5 OF BCA SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS1680	BASE COMMENTS: ALL OTHER BASE COMMENTS AS PER BASE CERTIFICATE AND STAMPED WATER OPIONS: 4.00m x 1.5m (see Note) LIFT: 5.00m x 2.00m x 2.00m (see Note) ELECTRICAL: 5.00m x 2.00m x 2.00m (see Note) MECHANICAL: 5.00m x 2.00m x 2.00m (see Note) MECHANICAL EXHAUST VENTILATION: 5.00m x 2.00m x 2.00m (see Note) MECHANICAL AIR CONDITIONING: 5.00m x 2.00m x 2.00m (see Note) SMOKE ALARMS: 5.00m x 2.00m x 2.00m (see Note)	NOTES: EX EXISTING RL OF FINISHED FLOOR LEVEL RFL REDUCED LEVEL BOUNDARY EX TREE TO REMOVE EX TREE TO RETAIN PROPOSED LANDSCAPE	ARCHITECT: MHN DUNION 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com MHN Design Urban Pty Ltd, ABN 04 003 717 682 NSW Registration Number 4907	DRAWING TITLE: LEVEL 5 FLOOR PLAN PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089 APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009	SCALE: 1:200@A3 ISSUE DATE: 14/12/2023 PROJECT NUMBER: 21-095	DRAWN BY: DH	CHECKED: MW REVISION: H DWG NUMBER: DA 2007	
H	S.456_BALCONY AMENDMENTS	14/12/2023	<p>CLAUSE B 1.4 MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE C 1.1 FIRE RESISTING CONSTRUCTION</p> <p>SPEC C 1.10 FIRE HAZARD PROPERTIES</p> <p>CLAUSE D 2.3 SIGNS ON DOORS</p> <p>CLAUSE D 3.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE D 3.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL</p> <p>CLAUSE D 12 SEPARATION OF EQUIPMENT</p> <p>CLAUSE D 13 ELECTRICITY SUPPLY SYSTEM</p> <p>CLAUSE D 13.2 PROTECTION OF OPENINGS</p> <p>CLAUSE D 13.3 WATERPROOFING OF WET AREAS</p> <p>CLAUSE D 13.4 OPENING FOR SERVICE INSTALLATIONS</p> <p>CLAUSE D 13.5 OPENING IN FIRE ISOLATED EXITS</p> <p>CLAUSE D 13.6 DISCHARGE FROM EXITS</p> <p>CLAUSE D 13.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL</p> <p>CLAUSE D 13.8 GOINGS AND RISERS</p> <p>CLAUSE D 14 LANDINGS</p> <p>CLAUSE D 15 THRESHOLDS</p> <p>CLAUSE D 16 BALUSTRADES</p>	<p>CLAUSE D 2.17 HANDRAILS</p> <p>CLAUSE D 2.21 OPERATION OF LATCH</p> <p>CLAUSE D 2.23 SIGNS ON DOORS</p> <p>CLAUSE D 3.2 GENERAL BUILDING ACCESS REQUIREMENTS</p> <p>CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE</p> <p>CLAUSE D 3.8 IDENT. OF ACCESSIBLE FACILITIES/FEATURES</p> <p>CLAUSE D 3.9 TACTILE INDICATORS</p> <p>CLAUSE D 13.1 WATERPROOFING OF WET AREAS</p> <p>CLAUSE D 13.1.1 DAMP PROOFING</p> <p>CLAUSE D 13.2 CONSTRUCTION OF SANITARY COMPARTMENTS</p> <p>PART F4 LIGHTING AND VENTILATION</p> <p>CLAUSE F 4.4 SOUND INSULATION OF FLOORS</p> <p>CLAUSE F 5.4 SOUND INSULATION OF WALLS</p> <p>CLAUSE F 5.8 SOUND INSULATION OF SERVICES</p> <p>CLAUSE F 5.9 SOUND INSULATION OF SERVICES</p> <p>CLAUSE F 5.7 SOUND INSULATION OF PUMPS</p>	<p>MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1959 &amp; AS1622</p> <p>MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART J5 OF BCA</p> <p>SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE &amp; SPEC E2.2 &amp; AS1680</p> <p>PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH ELEC/HYDRALIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 &amp; AS1530.4.2005</p> <p>STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13</p> <p>WATERPROOFING OF WET AREAS: TO COMPLY WITH AS1707</p>	<p>WATER SERVICES: Detailed per water system</p> <p>MECHANICAL EXHAUST VENTILATION: See notes above</p> <p>MECHANICAL AIR CONDITIONING: See notes above</p> <p>MECHANICAL EXHAUST VENTILATION: See notes above</p> <p>MECHANICAL AIR CONDITIONING: See notes above</p> <p>SMOKE ALARMS: See notes above</p>	<p>EXISTING RL OF FINISHED FLOOR LEVEL</p> <p>REDUCED LEVEL BOUNDARY</p> <p>EX TREE TO REMOVE</p> <p>EX TREE TO RETAIN</p> <p>PROPOSED LANDSCAPE</p>	<p>ARCHITECT: MHN DUNION</p> <p>35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010</p> <p>T +61 2 9101 1111</p> <p>F +61 2 9101 1100</p> <p>www.mhndu.com</p> <p>MHN Design Urban Pty Ltd, ABN 04 003 717 682 NSW Registration Number 4907</p>	<p>DRAWING TITLE: LEVEL 5 FLOOR PLAN</p> <p>PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089</p> <p>APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009</p>	<p>SCALE: 1:200@A3</p> <p>ISSUE DATE: 14/12/2023</p> <p>PROJECT NUMBER: 21-095</p>	<p>DRAWN BY: DH</p>	<p>CHECKED: MW</p> <p>REVISION: H</p> <p>DWG NUMBER: DA 2007</p>





96-98 BEN BOYD RD,  
NEUTRAL BAY  
NSW 2089

DECEMBER, 2023

REV H: DESIGN AMENDMENTS TO ADDRESS CONDITIONS C51 SET OUT IN S 4.56 86/22/2

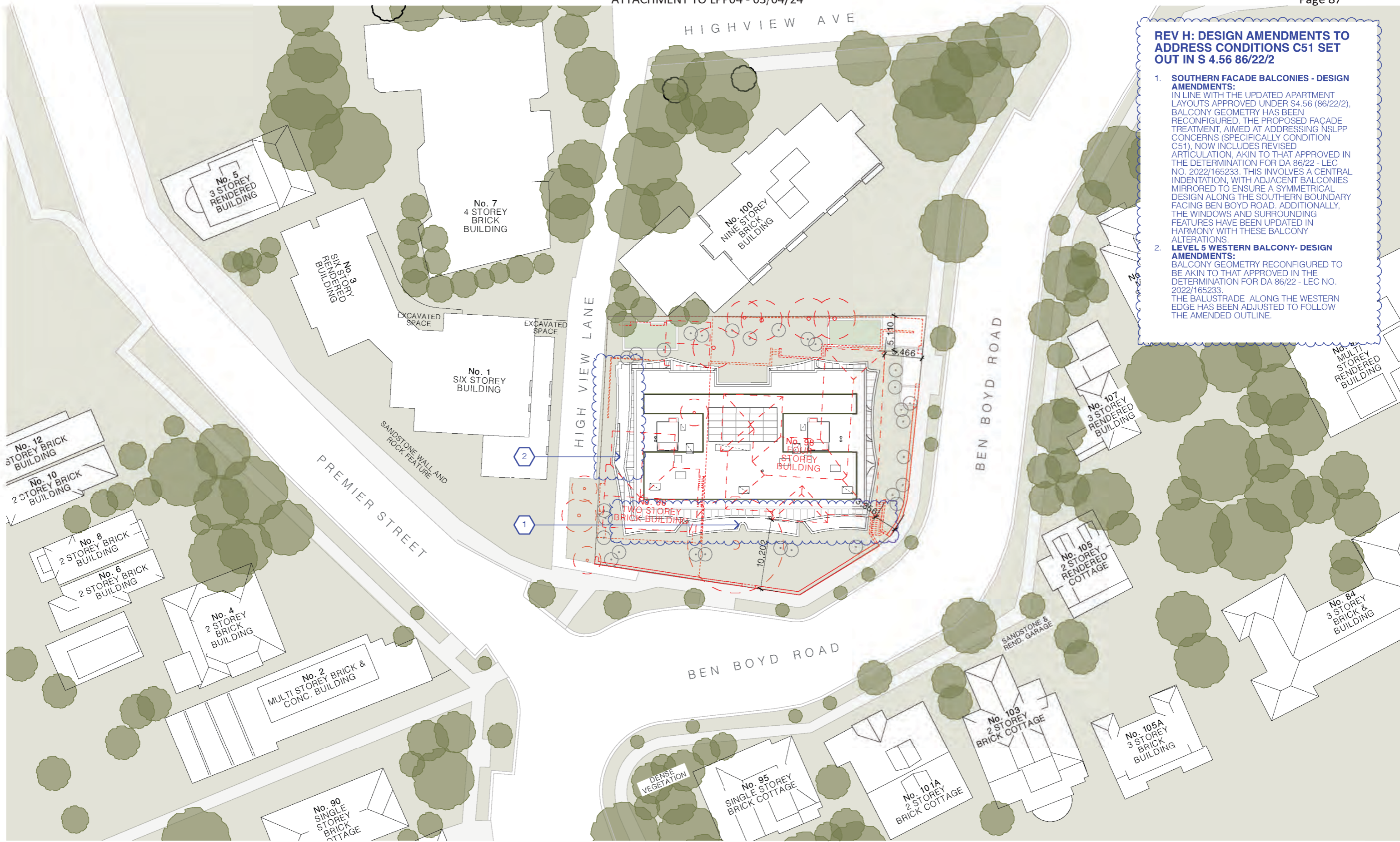
- SOUTHERN FACADE BALCONIES - DESIGN AMENDMENTS:**  
IN LINE WITH THE UPDATED APARTMENT LAYOUTS APPROVED UNDER S4.56 (86/22/2), BALCONY GEOMETRY HAS BEEN RECONFIGURED. THE PROPOSED FACADE TREATMENT, AIMED AT ADDRESSING NSLPP CONCERNS (SPECIFICALLY CONDITION C51), NOW INCLUDES REVISED ARTICULATION, AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THIS INVOLVES A CENTRAL INDENTATION, WITH ADJACENT BALCONIES MIRRORED TO ENSURE A SYMMETRICAL DESIGN ALONG THE SOUTHERN BOUNDARY FACING BEN BOYD ROAD. ADDITIONALLY, THE WINDOWS AND SURROUNDING FEATURES HAVE BEEN UPDATED IN HARMONY WITH THESE BALCONY ALTERATIONS.
- LEVEL 5 WESTERN BALCONY- DESIGN AMENDMENTS:**  
BALCONY GEOMETRY RECONFIGURED TO BE AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THE BALUSTRADE ALONG THE WESTERN EDGE HAS BEEN ADJUSTED TO FOLLOW THE AMENDED OUTLINE.

DWG NO.	DRAWING NAME	REVISION
DA 0000	COVERPAGE	H
DA 1002	SITE PLAN	H
DA 2002	GROUND FLOOR PLAN	H
DA 2003	LEVEL 1 FLOOR PLAN	H
DA 2004	LEVEL 2 FLOOR PLAN	H
DA 2005	LEVEL 3 FLOOR PLAN	H
DA 2006	LEVEL 4 FLOOR PLAN	H
DA 2007	LEVEL 5 FLOOR PLAN	H
DA 3001	ELEVATION SOUTH	H
DA 3003	ELEVATION WEST	H
DA 3101	SECTION B	H
DA 9102	LANDSCAPE CALCULATION	H
DA 9103	SITE COVERAGE DIAGRAM	H
DA 9302	NOTIFICATION PLAN - 01	H
DA 9303	NOTIFICATION PLAN - 02	H

SECTION 4.56 APPLICATION

<b>REV</b> H <b>DESCRIPTION</b> S.456_BALCONY AMENDMENTS <b>DATE</b> 14/12/2023	<b>ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES &amp; AUSTRALIAN STANDARDS</b> CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS SPEC. C1.1 FIRE RESISTING CONSTRUCTION SPEC. C1.10 FIRE HAZARD PROPERTIES SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C2.12 SEPARATION OF EQUIPMENT CLAUSE C2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C2.14 PROTECTION OF OPENINGS CLAUSE C2.15 OPENING FOR SERVICE INSTALLATIONS CLAUSE C2.16 DISCHARGE FROM EXITS CLAUSE C2.17 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE C2.18 GOINGS AND RISERS CLAUSE C2.19 LANDINGS CLAUSE C2.20 THRESHOLDS CLAUSE C2.21 BALUSTRADES CLAUSE D2.17 HANDRAILS CLAUSE D2.21 OPERATION OF LATCH CLAUSE D2.23 SIGNS ON DOORS CLAUSE D3.3 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D3.8 IDENT. OF ACCESSIBLE FACILITY FEATURES CLAUSE D3.9 WATERPROOFING OF WET AREAS CLAUSE F1.9F.15 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F4.1 CONTINGENT VENTILATION CLAUSE F5.4 SOUND INSULATION OF FLOORS CLAUSE F5.5 SOUND INSULATION OF WALLS CLAUSE F5.6 SOUND INSULATION OF SERVICES CLAUSE F5.7 SOUND INSULATION OF PUMPS	<b>ARTIFICIAL LIGHTING:</b> TO COMPLY WITH BCA PART CLAUSES F4 & AS1680 <b>BALUSTRADE HEIGHTS:</b> TO COMPLY WITH BCA CLAUSE D2.21 <b>DRAINAGE GUTTERS &amp; DOWNPIPES:</b> TO COMPLY WITH AS/NZS 3500 3.2 <b>ENERGY EFFICIENT LIGHTING:</b> TO COMPLY WITH J2 OF BCA <b>FIRE SERVICES:</b> TO COMPLY WITH SECTION E OF BCA <b>NOTIFIER SYSTEMS:</b> TO COMPLY WITH PART J1 OF BCA <b>MASONRY:</b> TO COMPLY WITH AS3700 <b>MICHELECHROMALUC:</b> TO COMPLY WITH BCA CLAUSE C2.16 & AS1530.4-2005 <b>MECHANICAL AIRCONDITIONING:</b> TO COMPLY WITH PART J5 OF BCA <b>MECHANICAL EXHAUST VENTILATION:</b> TO COMPLY WITH AS1966 & AS192 <b>SMOKE ALARMS:</b> TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS192 <b>PENETRATIONS:</b> THROUGH FIRE RATED CONSTRUCTION FOR MECH ELEC/HYDRALUC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1930.4-2005 <b>SOUND TRANSMISSION:</b> TO COMPLY WITH PARTS OF BCA <b>STAR CONSTRUCTION:</b> TO COMPLY WITH BCA CLAUSE D2.13 <b>WATERPROOFING OF WET AREAS:</b> TO COMPLY WITH AS3740	<b>BASE COMMENTS</b> ALL OTHER BASE COMMENTS AS PER BASIX CERTIFICATE AND STAMPED <b>WATER OPIONS</b> 4.536 - 1.5, (see Reg) 5.536 6.536 7.536 8.536 9.536 10.536 11.536 12.536 13.536 14.536 15.536 16.536 17.536 18.536 19.536 20.536 21.536 22.536 23.536 24.536 25.536 26.536 27.536 28.536 29.536 30.536 31.536 32.536 33.536 34.536 35.536 36.536 37.536 38.536 39.536 40.536 41.536 42.536 43.536 44.536 45.536 46.536 47.536 48.536 49.536 50.536 51.536 52.536 53.536 54.536 55.536 56.536 57.536 58.536 59.536 60.536 61.536 62.536 63.536 64.536 65.536 66.536 67.536 68.536 69.536 70.536 71.536 72.536 73.536 74.536 75.536 76.536 77.536 78.536 79.536 80.536 81.536 82.536 83.536 84.536 85.536 86.536 87.536 88.536 89.536 90.536 91.536 92.536 93.536 94.536 95.536 96.536 97.536 98.536 99.536 100.536	<b>NOTES:</b>	<b>ARCHITECT:</b> <b>MHNDUNION</b> 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com MHN Design Urban Pty Ltd, ABN 04 003 717 682 NSW Registration Number 4907	<b>DRAWING TITLE:</b> <b>COVERPAGE</b> <b>PROJECT ADDRESS:</b> LOT / SECTION / DP NO.: 96-98 BEN BOYD RD, LOT A DP348364 & SP61709 <b>APPLICANT:</b> AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009	<b>SCALE:</b> 1:1@A3 <b>ISSUE DATE:</b> 14/12/2023 <b>PROJECT NUMBER:</b> 21-095 <b>DRAWN BY:</b> DH <b>CHECKED:</b> MW <b>REVISION:</b> H <b>DWG NUMBER:</b> DA 0000
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**REV H: DESIGN AMENDMENTS TO ADDRESS CONDITIONS C51 SET OUT IN S 4.56 86/22/2**

- SOUTHERN FACADE BALCONIES - DESIGN AMENDMENTS:**  
 IN LINE WITH THE UPDATED APARTMENT LAYOUTS APPROVED UNDER S4.56 (86/22/2), BALCONY GEOMETRY HAS BEEN RECONFIGURED. THE PROPOSED FACADE TREATMENT, AIMED AT ADDRESSING NSLPP CONCERNS (SPECIFICALLY CONDITION C51), NOW INCLUDES REVISED ARTICULATION, AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THIS INVOLVES A CENTRAL INDENTATION, WITH ADJACENT BALCONIES MIRRORED TO ENSURE A SYMMETRICAL DESIGN ALONG THE SOUTHERN BOUNDARY FACING BEN BOYD ROAD. ADDITIONALLY, THE WINDOWS AND SURROUNDING FEATURES HAVE BEEN UPDATED IN HARMONY WITH THESE BALCONY ALTERATIONS.
- LEVEL 5 WESTERN BALCONY- DESIGN AMENDMENTS:**  
 BALCONY GEOMETRY RECONFIGURED TO BE AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233. THE BALUSTRADE ALONG THE WESTERN EDGE HAS BEEN ADJUSTED TO FOLLOW THE AMENDED OUTLINE.

<b>REV</b> H	<b>DESCRIPTION</b> S.456_BALCONY AMENDMENTS	<b>DATE</b> 15/2/2024	<p>ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES &amp; AUSTRALIAN STANDARDS</p> <p>CLAUSE B 1.4 MATERIAL &amp; FORMS CONSTRUCTION          CLAUSE B 21 FIRE RESISTANT CONSTRUCTION          SPEC. C 1.10 FIRE HAZARD PROPERTIES          SPEC. C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE          CLAUSE C 2.1 VERTICAL SEPARATION OF DRINKING IN EXTERNAL WALL          CLAUSE C 2.1.2 SEPARATION OF EQUIPMENT          CLAUSE C 2.1.3 PROTECTION OF OPENINGS          CLAUSE C 2.1.4 PROTECTION OF OPENINGS          CLAUSE C 2.1.5 PROTECTION OF OPENINGS          CLAUSE C 2.1.6 PROTECTION OF OPENINGS          CLAUSE C 2.1.7 PROTECTION OF OPENINGS          CLAUSE C 2.1.8 PROTECTION OF OPENINGS          CLAUSE C 2.1.9 PROTECTION OF OPENINGS          CLAUSE C 2.1.10 PROTECTION OF OPENINGS          CLAUSE C 2.1.11 PROTECTION OF OPENINGS          CLAUSE C 2.1.12 PROTECTION OF OPENINGS          CLAUSE C 2.1.13 PROTECTION OF OPENINGS          CLAUSE C 2.1.14 PROTECTION OF OPENINGS          CLAUSE C 2.1.15 PROTECTION OF OPENINGS          CLAUSE C 2.1.16 PROTECTION OF OPENINGS          CLAUSE C 2.1.17 PROTECTION OF OPENINGS          CLAUSE C 2.1.18 PROTECTION OF OPENINGS          CLAUSE C 2.1.19 PROTECTION OF OPENINGS          CLAUSE C 2.1.20 PROTECTION OF OPENINGS          CLAUSE C 2.1.21 PROTECTION OF OPENINGS          CLAUSE C 2.1.22 PROTECTION OF OPENINGS          CLAUSE C 2.1.23 PROTECTION OF OPENINGS          CLAUSE C 2.1.24 PROTECTION OF OPENINGS          CLAUSE C 2.1.25 PROTECTION OF OPENINGS          CLAUSE C 2.1.26 PROTECTION OF OPENINGS          CLAUSE C 2.1.27 PROTECTION OF OPENINGS          CLAUSE C 2.1.28 PROTECTION OF OPENINGS          CLAUSE C 2.1.29 PROTECTION OF OPENINGS          CLAUSE C 2.1.30 PROTECTION OF OPENINGS          CLAUSE C 2.1.31 PROTECTION OF OPENINGS          CLAUSE C 2.1.32 PROTECTION OF OPENINGS          CLAUSE C 2.1.33 PROTECTION OF OPENINGS          CLAUSE C 2.1.34 PROTECTION OF OPENINGS          CLAUSE C 2.1.35 PROTECTION OF OPENINGS          CLAUSE C 2.1.36 PROTECTION OF OPENINGS          CLAUSE C 2.1.37 PROTECTION OF OPENINGS          CLAUSE C 2.1.38 PROTECTION OF OPENINGS          CLAUSE C 2.1.39 PROTECTION OF OPENINGS          CLAUSE C 2.1.40 PROTECTION OF OPENINGS          CLAUSE C 2.1.41 PROTECTION OF OPENINGS          CLAUSE C 2.1.42 PROTECTION OF OPENINGS          CLAUSE C 2.1.43 PROTECTION OF OPENINGS          CLAUSE C 2.1.44 PROTECTION OF OPENINGS          CLAUSE C 2.1.45 PROTECTION OF OPENINGS          CLAUSE C 2.1.46 PROTECTION OF OPENINGS          CLAUSE C 2.1.47 PROTECTION OF OPENINGS          CLAUSE C 2.1.48 PROTECTION OF OPENINGS          CLAUSE C 2.1.49 PROTECTION OF OPENINGS          CLAUSE C 2.1.50 PROTECTION OF OPENINGS          CLAUSE C 2.1.51 PROTECTION OF OPENINGS          CLAUSE C 2.1.52 PROTECTION OF OPENINGS          CLAUSE C 2.1.53 PROTECTION OF OPENINGS          CLAUSE C 2.1.54 PROTECTION OF OPENINGS          CLAUSE C 2.1.55 PROTECTION OF OPENINGS          CLAUSE C 2.1.56 PROTECTION OF OPENINGS          CLAUSE C 2.1.57 PROTECTION OF OPENINGS          CLAUSE C 2.1.58 PROTECTION OF OPENINGS          CLAUSE C 2.1.59 PROTECTION OF OPENINGS          CLAUSE C 2.1.60 PROTECTION OF OPENINGS          CLAUSE C 2.1.61 PROTECTION OF OPENINGS          CLAUSE C 2.1.62 PROTECTION OF OPENINGS          CLAUSE C 2.1.63 PROTECTION OF OPENINGS          CLAUSE C 2.1.64 PROTECTION OF OPENINGS          CLAUSE C 2.1.65 PROTECTION OF OPENINGS          CLAUSE C 2.1.66 PROTECTION OF OPENINGS          CLAUSE C 2.1.67 PROTECTION OF OPENINGS          CLAUSE C 2.1.68 PROTECTION OF OPENINGS          CLAUSE C 2.1.69 PROTECTION OF OPENINGS          CLAUSE C 2.1.70 PROTECTION OF OPENINGS          CLAUSE C 2.1.71 PROTECTION OF OPENINGS          CLAUSE C 2.1.72 PROTECTION OF OPENINGS          CLAUSE C 2.1.73 PROTECTION OF OPENINGS          CLAUSE C 2.1.74 PROTECTION OF OPENINGS          CLAUSE C 2.1.75 PROTECTION OF OPENINGS          CLAUSE C 2.1.76 PROTECTION OF OPENINGS          CLAUSE C 2.1.77 PROTECTION OF OPENINGS          CLAUSE C 2.1.78 PROTECTION OF OPENINGS          CLAUSE C 2.1.79 PROTECTION OF OPENINGS          CLAUSE C 2.1.80 PROTECTION OF OPENINGS          CLAUSE C 2.1.81 PROTECTION OF OPENINGS          CLAUSE C 2.1.82 PROTECTION OF OPENINGS          CLAUSE C 2.1.83 PROTECTION OF OPENINGS          CLAUSE C 2.1.84 PROTECTION OF OPENINGS          CLAUSE C 2.1.85 PROTECTION OF OPENINGS          CLAUSE C 2.1.86 PROTECTION OF OPENINGS          CLAUSE C 2.1.87 PROTECTION OF OPENINGS          CLAUSE C 2.1.88 PROTECTION OF OPENINGS          CLAUSE C 2.1.89 PROTECTION OF OPENINGS          CLAUSE C 2.1.90 PROTECTION OF OPENINGS          CLAUSE C 2.1.91 PROTECTION OF OPENINGS          CLAUSE C 2.1.92 PROTECTION OF OPENINGS          CLAUSE C 2.1.93 PROTECTION OF OPENINGS          CLAUSE C 2.1.94 PROTECTION OF OPENINGS          CLAUSE C 2.1.95 PROTECTION OF OPENINGS          CLAUSE C 2.1.96 PROTECTION OF OPENINGS          CLAUSE C 2.1.97 PROTECTION OF OPENINGS          CLAUSE C 2.1.98 PROTECTION OF OPENINGS          CLAUSE C 2.1.99 PROTECTION OF OPENINGS          CLAUSE C 2.1.100 PROTECTION OF OPENINGS</p>	<p>ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4 CLAUSES 4.4 &amp; 4.5 AND BALUSTRADE HEIGHTS TO COMPLY WITH BCA CLAUSE D2.16          DRAINAGE GUTTERS &amp; DOWNPIPES: TO COMPLY WITH AS/NZS 3000.5.2          ENERGY EFFICIENCY: TO COMPLY WITH AS/NZS 3000.5.2          FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA          HOT WATER SYSTEMS: TO COMPLY WITH PART 4.1 OF BCA          MASONRY: TO COMPLY WITH AS/NZS 3000.5.2          MECHANICAL: TO COMPLY WITH AS/NZS 3000.5.2          MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 4.6 OF BCA          MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 3000.5.2          SMOKE ALARMS: TO COMPLY WITH BCA PART 4 CLAUSE 4.5 AND 4.6          PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.16.4          SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA          STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13          WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3545</p>	<p>BASED ON THE BASIS OF THE INFORMATION PROVIDED AND THE ASSUMPTIONS MADE BY THE ARCHITECT. THE ARCHITECT ACCEPTS NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED OR THE ASSUMPTIONS MADE BY THE ARCHITECT.</p> <p>NOTES:          EX FFL EXISTING FLOOR LEVEL          RL REDUCED LEVEL          BOUNDARY EX BUILDING TO BE DEMOLISHED          EX TREE TO REMOVE          EX TREE TO RETAIN          PROPOSED LANDSCAPE</p>	<p><b>ARCHITECT:</b>  <b>MHNDUNION</b>          35 RICHARDS LANE          SURRY HILLS SYDNEY NSW 2010          T +61 2 9101 1111          F +61 2 9101 1100          www.mhndu.com          MH Design Union Pty Ltd. AIN 04 009 717 682 NSW Registration Number 4907</p>	<p><b>DRAWING TITLE:</b>          SITE PLAN  <b>PROJECT ADDRESS:</b>          96-98 BEN BOYD RD.          NEUTRAL BAY NSW 2089  <b>APPLICANT:</b>          AIDOP NO 3 PTY LTD          SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009</p>	<p><b>SCALE:</b>          1:500@A3  <b>ISSUE DATE:</b>          15/2/2024  <b>PROJECT NUMBER:</b>          21-095</p>	<p><b>DRAWN BY:</b>          DH  <b>CHECKED BY:</b>          MW  <b>REVISION:</b>          H  <b>DWG NUMBER:</b>          DA 1002</p>
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**REV H: DESIGN AMENDMENTS TO ADDRESS CONDITIONS C51 SET OUT IN S 4.56 86/22/2**

2. **LEVEL 5 WESTERN BALCONY- DESIGN AMENDMENTS:**  
BALCONY GEOMETRY RECONFIGURED TO BE AKIN TO THAT APPROVED IN THE DETERMINATION FOR DA 86/22 - LEC NO. 2022/165233.  
THE BALUSTRADE ALONG THE WESTERN EDGE HAS BEEN ADJUSTED TO FOLLOW THE AMENDED OUTLINE.



REV	DESCRIPTION	DATE
H	S.456_BALCONY AMENDMENTS	15/2/2024

**ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS  
 SPEC. C 1.1 FIRE RESISTING CONSTRUCTION  
 SPEC. C 1.10 FIRE HAZARD PROPERTIES  
 SPEC. C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 CLAUSE C 2.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 CLAUSE C 2.12 SEPARATION OF EQUIPMENT  
 CLAUSE C 2.13 PROTECTION OF OPENINGS  
 CLAUSE C 2.14 ELECTRICAL SUPPLY SYSTEM  
 CLAUSE C 2.15 PROTECTION OF OPENINGS  
 CLAUSE C 2.16 OPENING IN FIRE ISOLATED EXITS  
 CLAUSE C 2.17 OPENING FOR SERVICE INSTALLATIONS  
 CLAUSE C 2.18 DISCHARGE FROM EXITS  
 CLAUSE C 2.19 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL  
 CLAUSE C 2.20 DRAINAGE AND RIVERS  
 CLAUSE D 2.1 LANDINGS  
 CLAUSE D 2.15 TERRACES  
 CLAUSE D 2.16 BALUSTRADES

CLAUSE D 2.11 HANDRAILS  
 CLAUSE D 2.21 OPERATION OF LATCH  
 CLAUSE D 2.22 SIGNS OR DOORS  
 CLAUSE D 2.3 GENERAL BUILDING ACCESS REQUIREMENTS  
 CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE  
 CLAUSE D 3.4 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES  
 CLAUSE D 3.5 TACTILE INDICATORS  
 CLAUSE D 3.6 WATERPROOFING OF WET AREAS  
 CLAUSE F 1.10 DAMP PROOFING  
 CLAUSE F 1.11 CONSTRUCTION OF SANITARY COMPARTMENTS  
 CLAUSE F 1.12 LIGHTING AND VENTILATION  
 CLAUSE F 5.4 SOUND INSULATION OF FLOORS  
 CLAUSE F 5.5 SOUND INSULATION OF WALLS  
 CLAUSE F 5.6 SOUND INSULATION OF SERVICES  
 CLAUSE F 5.7 SOUND INSULATION OF PUMPS

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART CLAUSES 4.6 & AS 1680  
**BALUSTRADE HEIGHTS:** TO COMPLY WITH BCA CLAUSE D2.16  
**DRAINAGE GUTTERS & DOWNPIPES:** TO COMPLY WITH AS/NZS 3609.5.2  
**ENERGY EFFICIENCY:** TO COMPLY WITH CLAUSE 4.2 OF BCA  
**FIRE SERVICES:** TO COMPLY WITH SECTION E OF BCA  
**HOT WATER SYSTEMS:** TO COMPLY WITH PART J1 OF BCA  
**MASONRY:** TO COMPLY WITH AS 1570  
**METHELENOXIDE:** TO COMPLY WITH CLAUSE C 15.4 AS 1533.4-2005  
**MECHANICAL AIR CONDITIONING:** TO COMPLY WITH PART J6 OF BCA  
**MECHANICAL EXHAUST VENTILATION:** TO COMPLY WITH AS 1966 & AS 612  
**SMOKE ALARMS:** TO COMPLY WITH BCA PART CLAUSE & SPEC. E2.2 & AS 1570  
**PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS:** TO COMPLY WITH BCA CLAUSE C 15.6 AS 1533.4-2005  
**SOUND TRANSMISSION:** TO COMPLY WITH PARTS OF BCA  
**STAR CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE D2.13  
**WATERPROOFING OF WET AREAS:** TO COMPLY WITH AS 1570

**ARCHITECT:**  
**MHNDUNION**  
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 MHN Design Union Pty Ltd. AIN 04 003 717 662 NSW Registration Number 4907

**DRAWING TITLE:**  
**ELEVATION WEST**  
**PROJECT ADDRESS:** 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089  
**APPLICANT:** AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

**LOT / SECTION / DP NO.:** LOT A DP348364 & SP61709

**SCALE:** 1:200@A3  
**ISSUE DATE:** 15/2/2024  
**PROJECT NUMBER:** 21-095

**DRAWN BY:** DH  
**CHECKED:** MW  
**REVISION:** H  
**DWG NUMBER:** DA 3003

**NOTES:**  
 FFL RL OF FINISHED FLOOR LEVEL  
 RL REDUCED LEVEL  
 BOUNDARY  
 EX BUILDING TO BE DEMOLISHED  
 LEP HEIGHT PLANE

REF: BIMcloud Job-09 - BIMcloud Back for ArchiCAD 2021-096 Ben Boyd Rd Neutral Bay - 5450\_H



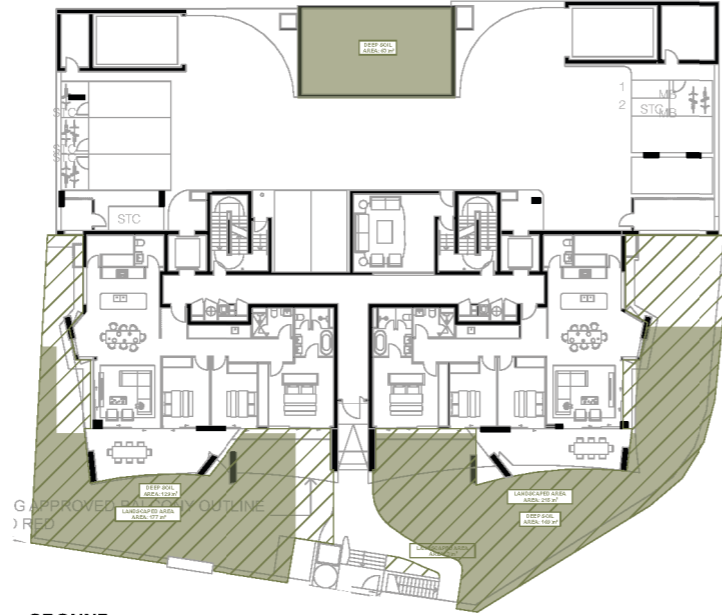
# LANDSCAPE CALCULATION

NO AMENDMENTS TO THIS DRAWING

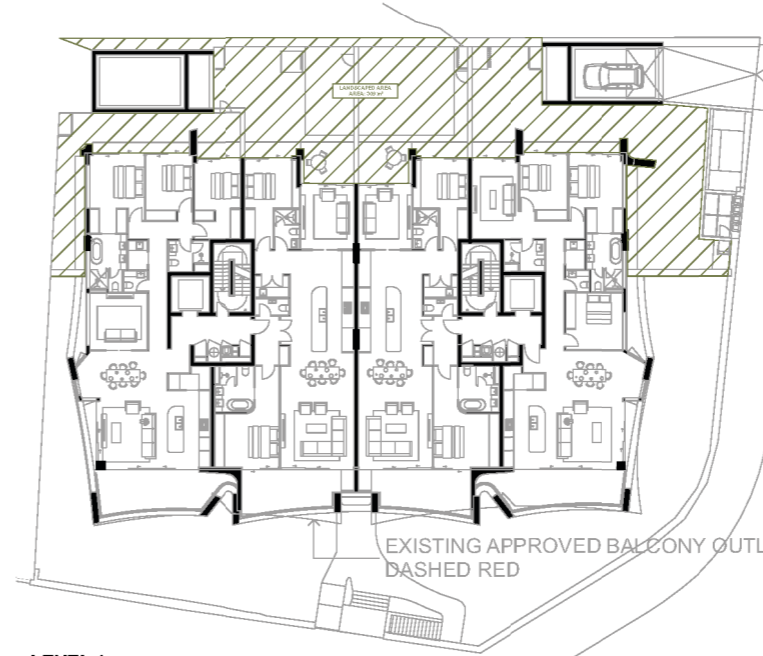
<b>SITE AREA</b>	1,699.35 m <sup>2</sup>		
	<b>CONTROL</b>	<b>APPROVED S34</b>	<b>PROPOSED</b>
<b>DEEP SOIL</b>	118.95 m <sup>2</sup> 7.00%	369 m <sup>2</sup> 21.7%	361 m <sup>2</sup> 21.2%
<b>LANDSCAPED AREA</b>	-	704 m <sup>2</sup> 41.4%	704 m <sup>2</sup> 41.4%
<b>ADDITIONAL LANDSCAPED AREA NOT INCLUDED IN LANDSCAPED AREA</b>	-		
<b>- ROOF</b>	-	415 m <sup>2</sup> 24.4%	415 m <sup>2</sup> 24.4%

NOTE: LANDSCAPING INCLUDES ENGINEERED DEEP SOIL OVER THE BASEMENT. THIS IS IN LIEU OF PLANTING ON TOP OF DENSE ROCK FORMATION.

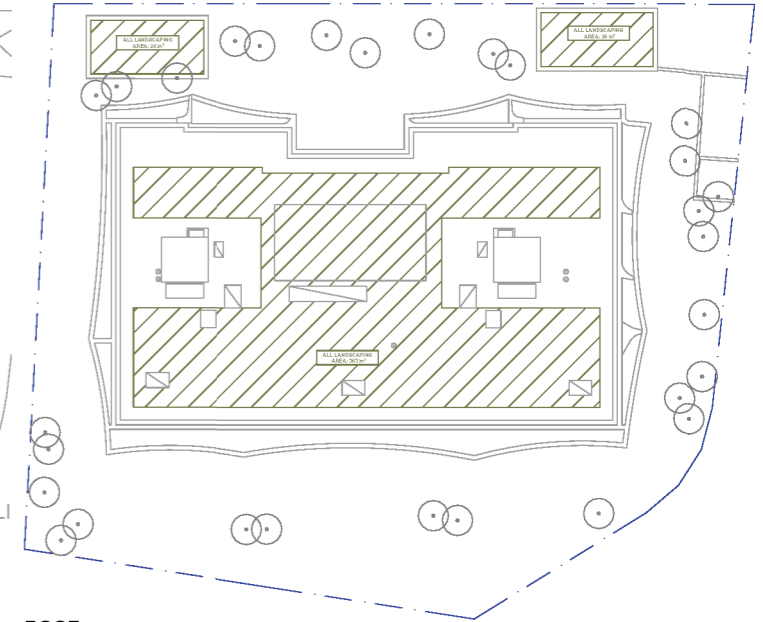
- LANDSCAPED AREA
- DEEP SOIL



GROUND LANDSCAPE DIAGRAM



LEVEL 1 LANDSCAPE DIAGRAM



ROOF LANDSCAPE DIAGRAM

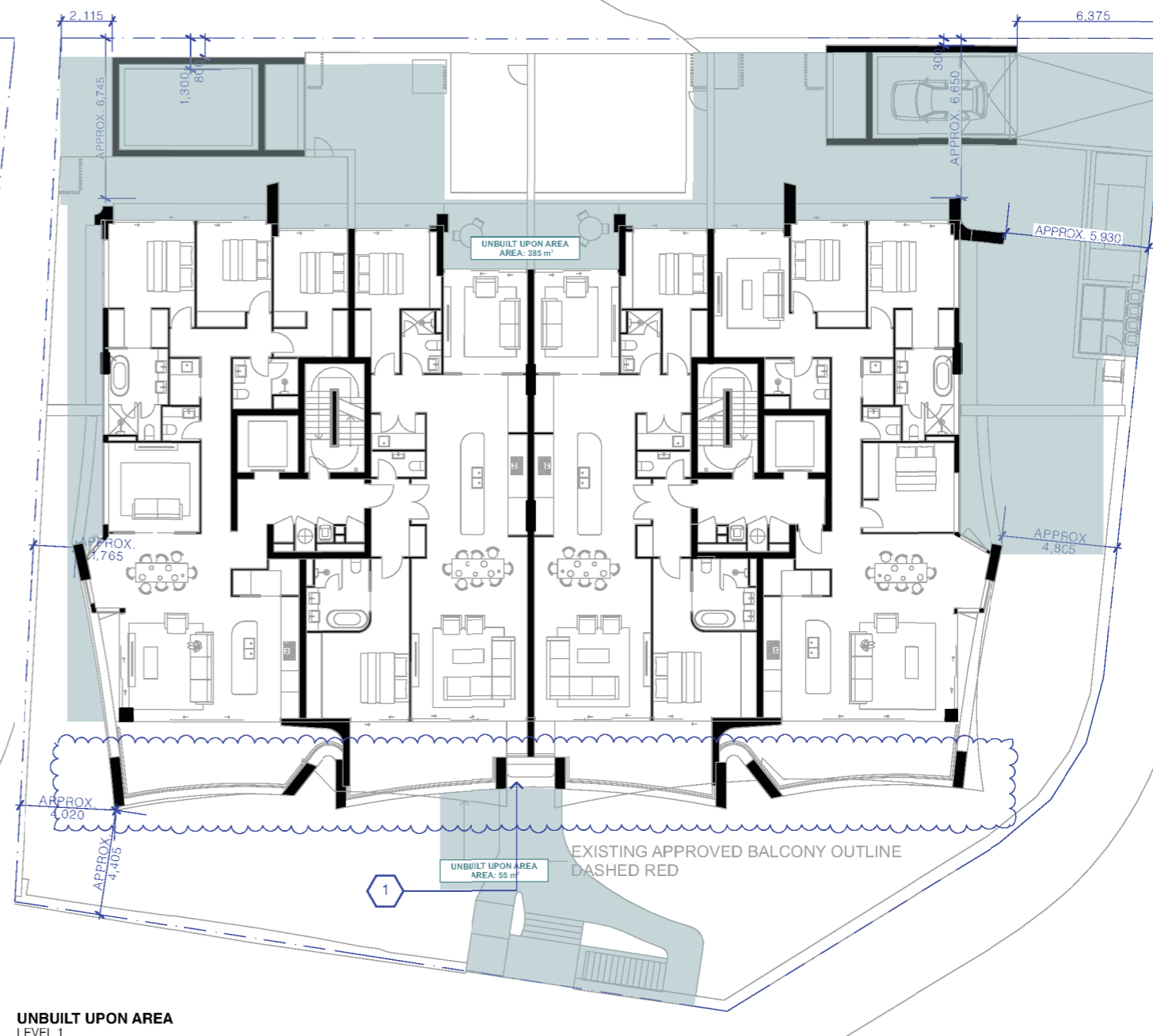
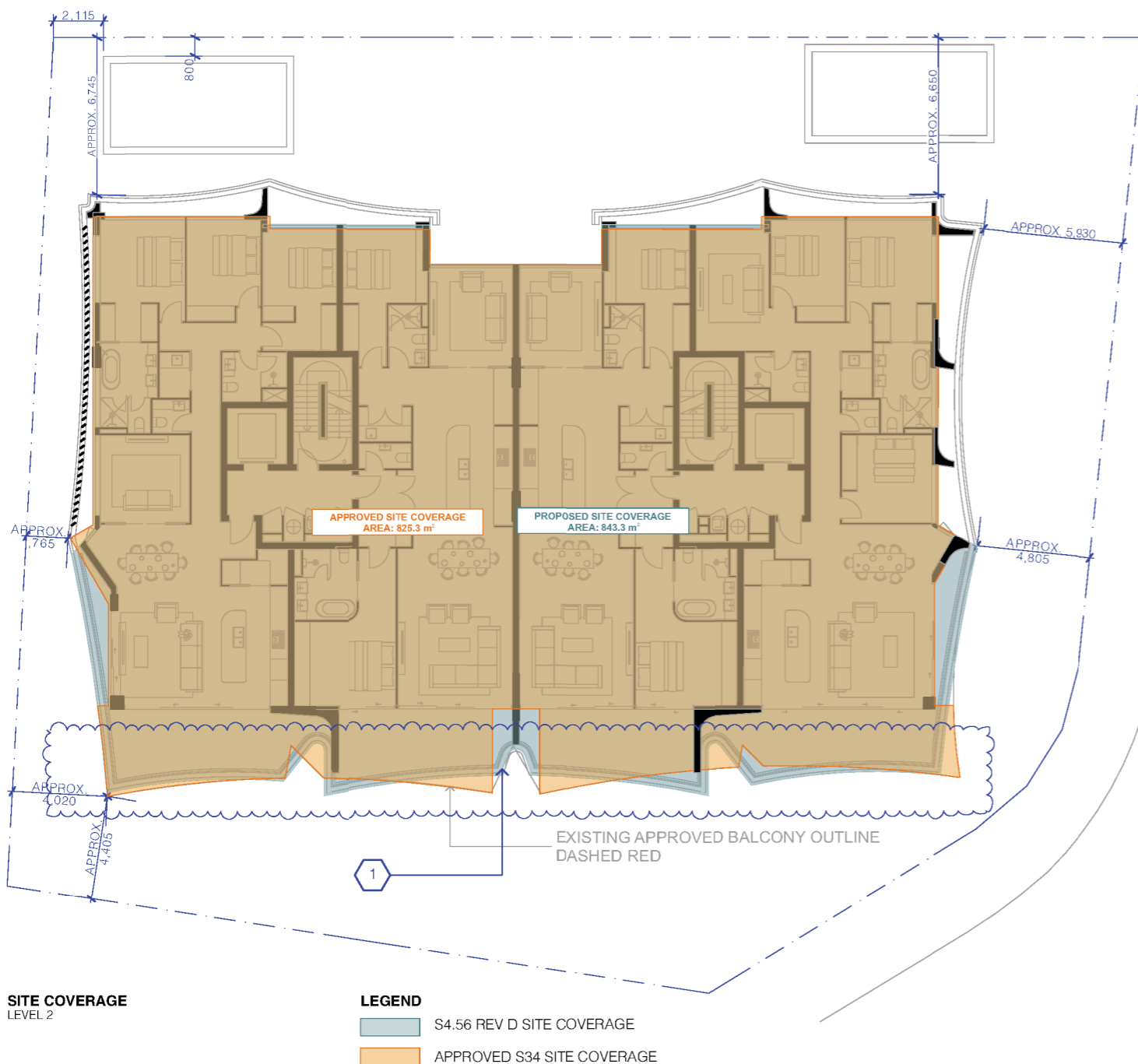
<table border="1"> <tr> <th>REV</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td>H</td> <td>S.456_BALCONY AMENDMENTS</td> <td>15/2/2024</td> </tr> </table>	REV	DESCRIPTION	DATE	H	S.456_BALCONY AMENDMENTS	15/2/2024	<p>ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES &amp; AUSTRALIAN STANDARDS</p> <p>CLAUSE B 1.4 MATERIAL &amp; FORMS CONSTRUCTIONS SPEC. C 1.1 FIRE RESISTING CONSTRUCTION SPEC. C 1.10 FIRE HAZARD PROPERTIES SPEC. C 1.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.12 SEPARATION OF EQUIPMENT CLAUSE C 2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C 2.2 PROTECTION OF OPENINGS CLAUSE C 3.8 OPENING IN FIRE ISOLATED EXITS CLAUSE C 3.16 OPENING FOR SERVICE INSTALLATIONS CLAUSE D 1.6 DISCHARGE FROM EXITS CLAUSE D 2.1 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE D 2.16 GOINGS AND COMINGS CLAUSE D 2.14 LANDINGS CLAUSE D 2.15 THRESHOLDS CLAUSE D 2.16 BALUSTRADES</p> <p>CLAUSE D 2.11 HANDRAILS CLAUSE D 2.21 OPERATION OF LATCH CLAUSE D 2.23 SIGNS ON EXITS CLAUSE D 3.3 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D 3.8 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D 3.9 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES CLAUSE D 3.8 TACTILE INDICATORS CLAUSE D 3.1 WATERPROOFING OF WET AREAS CLAUSE F 1.8 PART 1.8 DAMP PROOFING CLAUSE F 2.3 CONSTRUCTION OF SANITARY COMPARTMENTS PART 4 LIGHTING AND VENTILATION CLAUSE F 5.4 SOUND INSULATION OF FLOORS CLAUSE F 5.5 SOUND INSULATION OF WALLS CLAUSE F 5.6 SOUND INSULATION OF SERVICES CLAUSE F 5.7 SOUND INSULATION OF PUMPS</p>	<p>ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 &amp; AS 1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS &amp; COMPRESSES: TO COMPLY WITH AS/NZS 3600 S2 ENERGY EFFICIENCY: TO COMPLY WITH 2.2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART 4.1 OF BCA MASONRY: TO COMPLY WITH AS 3700 MECHANICAL: TO COMPLY WITH BCA CLAUSE C 3.1 &amp; AS 1555.4-2005 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 &amp; AS/NZS 1555.4-2005 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE &amp; SPEC. E2.2 &amp; AS 1555.4-2005 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.15 &amp; AS 1555.4-2005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STRUCTURE CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3700</p>	<p>BASED COMMENTS ALL OTHER BASIC COMMENTS AS PER AS/NZS CERTIFICATE AND STAMPED PLANS</p> <p>WATER HEATING: Central gas hot water system BATTERY SPEC. BATTERY: 100kWh COOK TOPS: Gas cooktop, double oven MECHANICAL: Mechanical Ventilation (MVR) system ACTIVATION SYSTEM: 24/7 security system</p> <p>WATER: 4.50L x 1.8m (4.5m) WALLS: 150mm FLOORING: 60mm ROOFING: 150mm CONCRETE: 150mm MECHANICAL: 150mm ELECTRICAL: 150mm WATERPROOFING: 150mm DRAINAGE: 150mm SMOKE ALARMS: 150mm</p> <p>MECHANICAL: 150mm ELECTRICAL: 150mm WATERPROOFING: 150mm DRAINAGE: 150mm SMOKE ALARMS: 150mm</p>	<p>NOTES:</p>	<p>ARCHITECT: <b>MHNDUNION</b> 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com MHN Design Union Pty Ltd. AIN 04 008 717 682 NSW Registration Number 4907</p>	<p>DRAWING TITLE: <b>LANDSCAPE CALCULATION</b> PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089 LOT / SECTION / DP NO.: LOT A DP348364 &amp; SP61709 APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009</p>	<p>SCALE: 1:500@A3 ISSUE DATE: 15/2/2024 PROJECT NUMBER: 21-095</p> <p>DRAWN BY: DH CHECKED: MW REVISION: H DWG NUMBER: DA 9102</p>
REV	DESCRIPTION	DATE											
H	S.456_BALCONY AMENDMENTS	15/2/2024											

# SITE COVERAGE DIAGRAM

SITE AREA	1,699.35 m <sup>2</sup>		
	CONTROL	APPROVED S34	PROPOSED
SITE COVERAGE	754.71 m <sup>2</sup> 45.00%	825 m <sup>2</sup> 48.55%	843 m <sup>2</sup> 49.61%
UNBUILT AREA	254.90 m <sup>2</sup> 15.00%	462 m <sup>2</sup> 27.54%	440 m <sup>2</sup> 26.72%

**REV H: DESIGN AMENDMENTS TO ADDRESS CONDITIONS C51 SET OUT IN S 4.56 86/22/2**

1. **SOUTHERN FACADE BALCONIES - DESIGN AMENDMENTS:** IN LINE WITH THE UPDATED APARTMENT LAYOUTS APPROVED UNDER S4.56 (86/22/2), BALCONY GEOMETRY HAS BEEN RECONFIGURED. THE PROPOSED FACADE TREATMENT, AIMED AT ADDRESSING NSLPP CONCERNS (SPECIFICALLY CONDITION C51), NOW INCLUDES REVISED ARTICULATION, akin to that approved in the determination for DA 86/22 - LEC NO. 2022/165233. THIS INVOLVES A CENTRAL INDENTATION, WITH ADJACENT BALCONIES MIRRORED TO ENSURE A SYMMETRICAL DESIGN ALONG THE SOUTHERN BOUNDARY FACING BEN BOYD ROAD. ADDITIONALLY, THE WINDOWS AND SURROUNDING FEATURES HAVE BEEN UPDATED IN HARMONY WITH THESE BALCONY ALTERATIONS.



REV	DESCRIPTION	DATE
H	S.456_BALCONY AMENDMENTS	15/2/2024

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS  
 SPEC. C 1.1 FIRE RESISTING CONSTRUCTION  
 SPEC. C 1.10 FIRE HAZARD PROPERTIES  
 SPEC. C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 CLAUSE C2.12 SEPARATION OF EQUIPMENT  
 CLAUSE C2.13 ELECTRICITY SUPPLY SYSTEM  
 CLAUSE C2.14 PROTECTION OF OPENINGS  
 CLAUSE C2.15 OPENING IN FIRE ISOLATED EXITS  
 CLAUSE C2.16 OPENING FOR SERVICE INSTALLATIONS  
 CLAUSE C2.17 DISCHARGE FROM EXITS  
 CLAUSE C2.17 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL  
 CLAUSE C2.18 GOINGS AND RIVERS  
 CLAUSE C2.14 LANDINGS  
 CLAUSE C2.15 THRESHOLDS  
 CLAUSE C2.16 BALUSTRADES

CLAUSE D2.11 HANDRAILS  
 CLAUSE D2.21 OPERATION OF LATCH  
 CLAUSE D2.23 SIGNS ON DOORS  
 CLAUSE D3.3 GENERAL BUILDING ACCESS REQUIREMENTS  
 CLAUSE D3.3.3 PARTS OF BUILDING TO BE ACCESSIBLE  
 CLAUSE D3.4 IDENTIFICATION OF ACCESSIBLE FACILITY FEATURES  
 CLAUSE D3.8 TACTILE INDICATORS  
 CLAUSE D3.11 WATERPROOFING OF WET AREAS  
 CLAUSE F1.9F.12 DAMP PROOFING  
 CLAUSE F2.3 CONSTRUCTION OF SANITARY COMPARTMENTS  
 PART F4 LIGHTING AND VENTILATION  
 CLAUSE F5.4 SOUND INSULATION OF FLOORS  
 CLAUSE F5.5 SOUND INSULATION OF WALLS  
 CLAUSE F5.6 SOUND INSULATION OF SERVICES  
 CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680  
 BALUSTRADE HEIGHTS TO COMPLY WITH BCA CLAUSE D2.16  
 DRAINAGE GUTTERS & DOWNPIPES TO COMPLY WITH AS/NZS 3600 S2  
 ENERGY EFFICIENCY TO COMPLY WITH 2.2 OF BCA  
 FIRE SERVICES TO COMPLY WITH SECTION E OF BCA  
 HOT WATER SYSTEMS TO COMPLY WITH PART 21 OF BCA  
 MASONRY TO COMPLY WITH AS 3700  
 MECHANICAL/REFRIGERATION: BCA CLAUSE C3.16 AS 1555.4-2005  
 MECHANICAL AIR CONDITIONING TO COMPLY WITH PART 26 OF BCA  
 MECHANICAL EXHAUST VENTILATION TO COMPLY WITH AS 1969 & AS/NZS 2  
 SMOKE ALARMS TO COMPLY WITH BCA PART CLAUSE & SPEC. E2.2 & AS 2296  
 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS 1555.4-2005  
 SOUND TRANSMISSION TO COMPLY WITH PARTS OF BCA  
 STAR CONSTRUCTION TO COMPLY WITH BCA CLAUSE D2.13  
 WATERPROOFING OF WET AREAS TO COMPLY WITH AS 3740

BASED ON COMMENTS AS PER BASCO CERTIFICATE AND STAMPED PLANS

WATER HEATING: Central gas hot water system  
 BATTERY OPERATED LIGHTS: LED  
 COOK TOPS: Gas on-site, electric on-site  
 MECHANICAL EXHAUST SYSTEM: Gas powered by the site, VAV control  
 AUTOMATED SYSTEM: Gas powered by the site

WATER SUPPLY: 4.500 m<sup>3</sup> (1.8, 1.8, 1.8)  
 ELECTRICITY: 6.000 kW  
 MECHANICAL: 6.000 kW  
 CONSUMERS OF GAS SERVICE: 6.000 kW  
 WASTEWATER/BLACK WATER: 6.000 kW  
 RAINWATER HARVESTING: 6.000 kW

MECHANICAL EQUIPMENT OFFSETS: Connected to building by substation (not shown in P&ID)  
 F22 ISOLATION TO: Connected to building by substation (not shown in P&ID)  
 F22 ISOLATION TO: Connected to building by substation (not shown in P&ID)  
 F22 ISOLATION TO: Connected to building by substation (not shown in P&ID)

MECHANICAL: 4.500 m<sup>3</sup> (1.8, 1.8, 1.8)  
 ELECTRICITY: 6.000 kW  
 MECHANICAL: 6.000 kW  
 CONSUMERS OF GAS SERVICE: 6.000 kW  
 WASTEWATER/BLACK WATER: 6.000 kW  
 RAINWATER HARVESTING: 6.000 kW

MECHANICAL EQUIPMENT OFFSETS: Connected to building by substation (not shown in P&ID)  
 F22 ISOLATION TO: Connected to building by substation (not shown in P&ID)  
 F22 ISOLATION TO: Connected to building by substation (not shown in P&ID)

ARCHITECT:

**MHNDUNION**

35 RICHARDS LANE  
 SURRY HILLS SYDNEY NSW 2010  
 T +61 2 9101 1111  
 F +61 2 9101 1100  
 www.mhndu.com

MH Design Pty Ltd. AIN 04 009 717 602 NSW Registration Number 4907

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DRAWING TITLE:

**SITE COVERAGE DIAGRAM**

PROJECT ADDRESS: 96-98 BEN BOYD RD, NEUTRAL BAY NSW 2089

LOT / SECTION / DP NO.: LOT A DP348364 & SP61709

APPLICANT: AIDOP NO 3 PTY LTD SUITE 506, LEVEL 5, 55 MILLER ST, PYRMONT NSW 2009

SCALE: 1:250@A3

DRAWN BY: DH

CHECKED: MW

ISSUE DATE: 15/2/2024

REVISION: H

PROJECT NUMBER: 21-095

DWG NUMBER: DA 9103



**S4.56 (H) DESIGN REPORT**  
96-98 BEN BOYD RD NEUTRAL BAY  
**MHNDUNION**



This brief report is presented to complement the recent S456 H submission and to illuminate the design evolution from the S34 approval as it relates specifically to the geometry and form of the South-facing balconies. As set out in our very first design report issued with the original DA, our ambition was to enhance the existing quality of the site by producing a high-quality architectural design which maximises residential amenity on a South-facing site and reduces bulk and scale through a refined massing and articulated approach.

We believe we have achieved this by creating an articulated sandstone base with apartments above, expressed through a minimal palette of concrete and off-white brickwork. Large curved scalloped balconies create a strong architectural language, while angles and refined precast walls achieve visual privacy. The building is further articulated to the southern facade with a series of indentations which reduce the overall bulk, mass, and scale with consideration to surrounding context, while maintaining views and outlook.

The design changes we have made to the South-facing balconies as a result of feedback from the NSLPP maintain a commitment to the building's aesthetic and structural integrity, and with a continued commitment to the original principles set forth in the original DA. The changes proposed in this revision are minor in nature, retaining the integrity of the massing and proportions approved post-S34, whilst enhancing spatial distribution along the façade. This design response is also complementary to the updated apartment layouts on levels 4 and 5, in accord with the S4.56 approval. This results in a more harmonious and visually appealing connection between the living spaces and their respective balconies, elevating the residential experience and magnifying the harbour views.

We also believe the revised approach presents a more streamlined, symmetrical aesthetic more in keeping with the pre-S34 design, with refinements such as the reintroduction of curved white brick walls to the balconies and curved indentations which were lost during the S34 process.

Enclosed are the comparative plans and images which narrate the design's progression. Each modification has been thoughtfully considered to enhance the spaces' functionality and comfort, whilst meticulously preserving the design intent and proportions of the original proposal.

We are confident that the design not only retains the design intent of the original S34 approval but also addresses the feedback provided by the NSLPP during the previous panel meeting. We believe that the revised design of the South-facing balconies upholds the Council's planning principles and will make a significant contribution to the architectural landscape of the area.

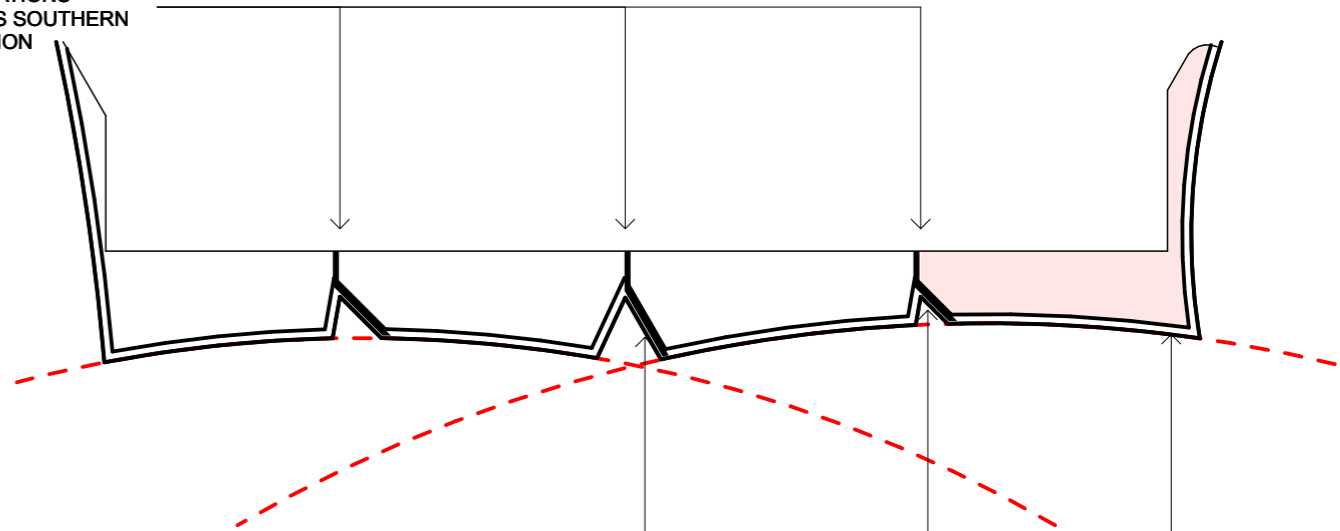


**S34 APPROVED PERSPECTIVE**



**S34 APPROVED BALCONY DIAGRAM**

THREE INDENTATIONS ACROSS SOUTHERN ELEVATION



S34 APPROVAL INCLUDED ANGULAR BLADES WHICH CREATE PRIVACY BETWEEN UNITS BUT ALSO BLOCK VIEWS TO HARBOUR

S34 APPROVAL INCLUDED ANGULAR REBATES WHICH IN OUR OPINION ARE LESS AESTHETICALLY COMPATIBLE WITH THE REST OF THE FACADE.

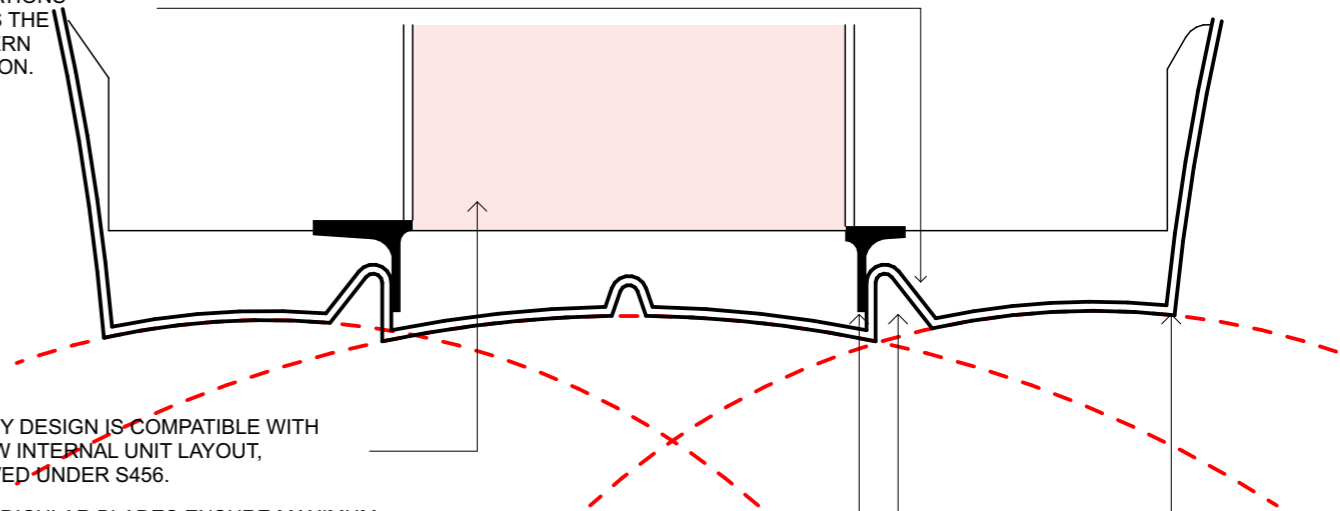
THE DESIGN OF THE SOUTH-FACING BALCONIES, OUTLINED BY TWO MAIN ARCS (INDICATED AS DASHED LINES), RESULTED IN BALCONIES OF VARYING DEPTHS. BY MODIFYING THE BALCONY GEOMETRY TO THE PROPOSED SCHEME, AN ENHANCED AMENITY WAS ACHIEVED.

**S456 H PROPOSED PERSPECTIVE**



**S456 PROPOSED BALCONY DIAGRAM**

THE REVISED SCHEME MAINTAINS THREE INDENTATIONS ACROSS THE SOUTHERN ELEVATION.



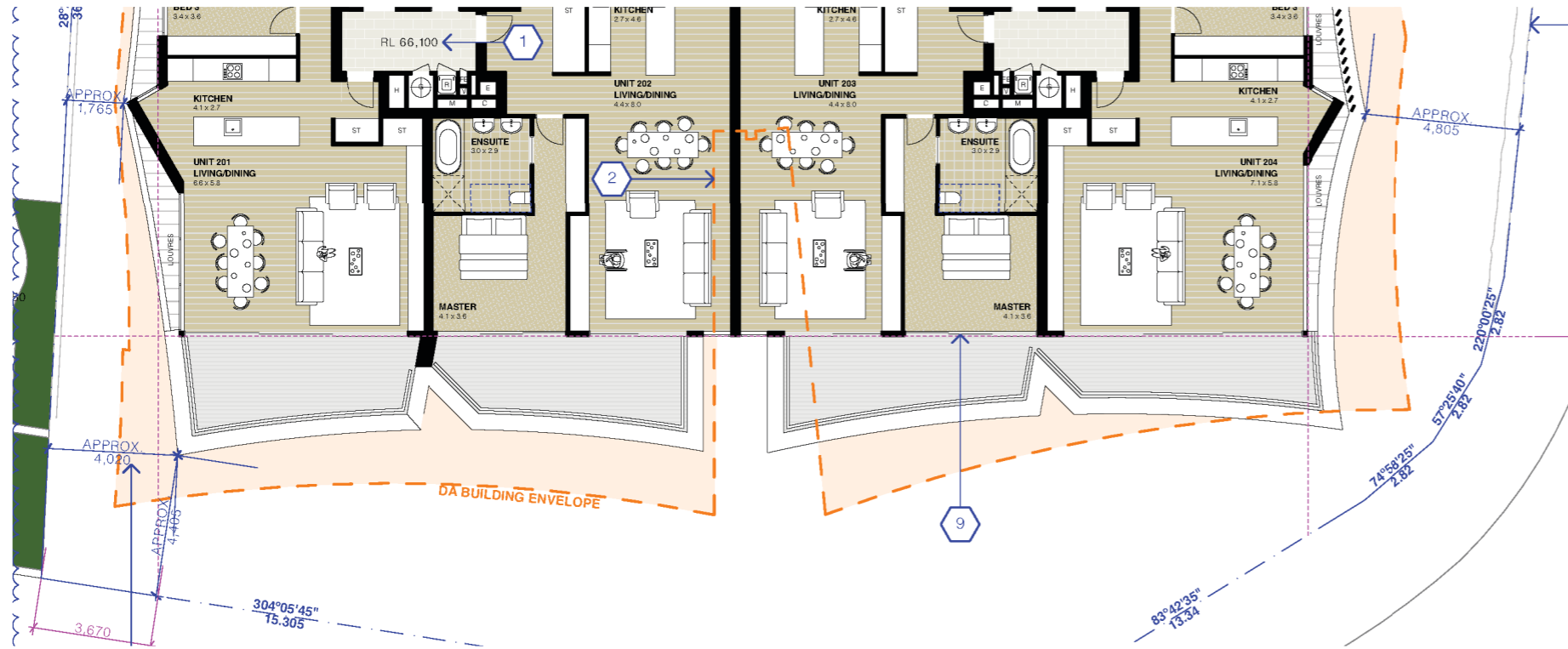
BALCONY DESIGN IS COMPATIBLE WITH THE NEW INTERNAL UNIT LAYOUT, APPROVED UNDER S456.

PERPENDICULAR BLADES ENSURE MAXIMUM VIEWS TOWARDS THE HARBOUR WHILST RETAINING PRIVACY BETWEEN UNITS

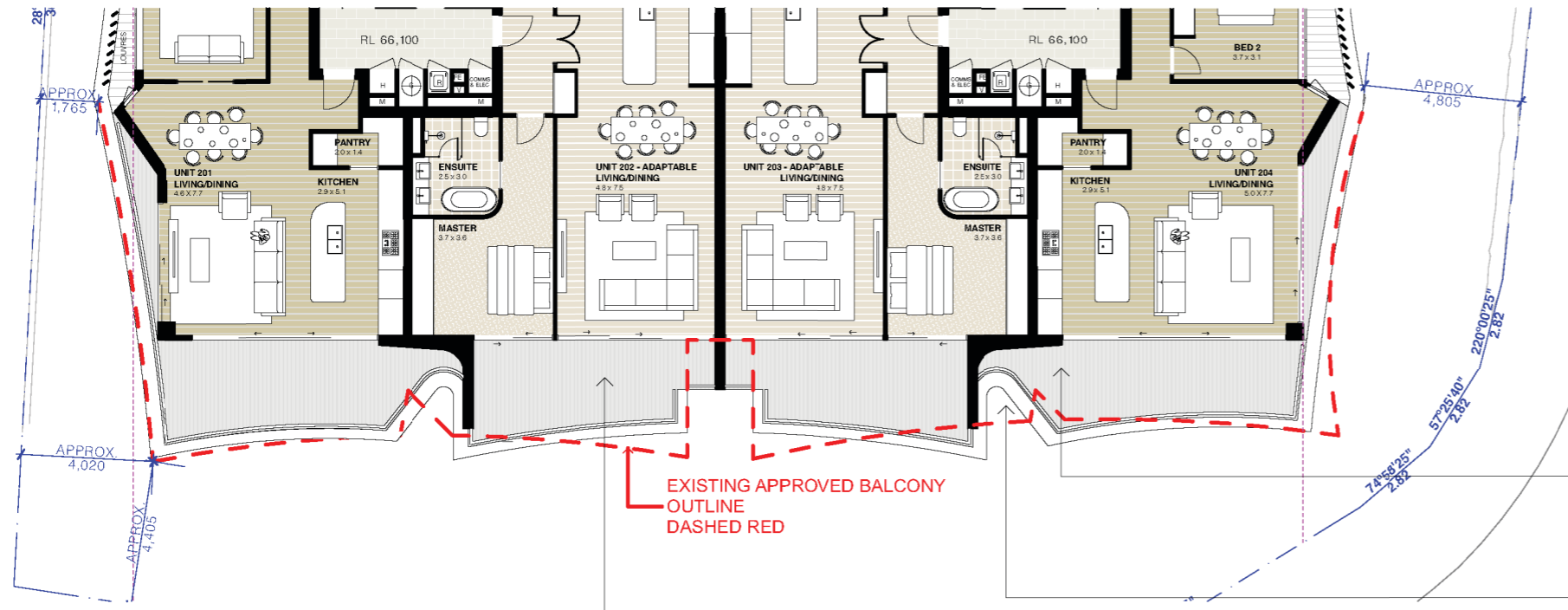
CURVED REBATES IN THE PROPOSED SCHEME ARE MORE COMPATIBLE WITH THE REST OF THE FACADE.

THE PROPOSED BALCONIES ARE DESIGNED AROUND THREE MAIN ARCS, RESULTING IN BALCONIES WITH MORE UNIFORM DEPTHS, CREATING IMPROVED AMENITY TO THESE APARTMENTS.

**S34 APPROVED PLAN**



**S456 H PROPOSED PLAN**



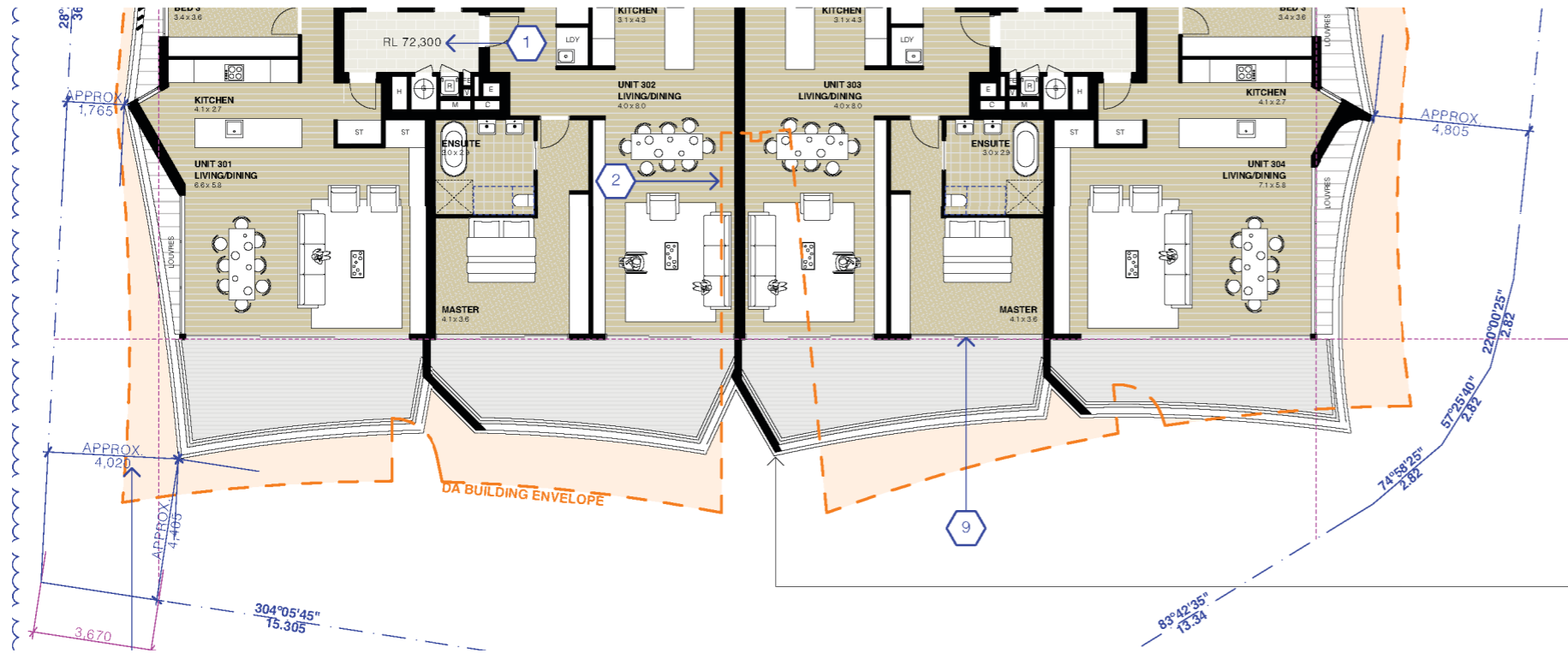
BALCONY SIZES MORE UNIFORM IN AREA AND DEPTH ALLOWING EQUITABLE EXTERNAL PRIVATE SPACE TO ALL UNITS. OUTCOME IS SYMMETRICAL WHICH MATCHES DESIGN INTENT OF S34 APPROVAL

INDENTATIONS RETAINED IN SAME LOCATIONS.

BALCONY EXTENDED IN FRONT OF LIVING AREA TO IMPROVE BALCONY AMENITY WHILST RETAINING FACADE ARTICULATION

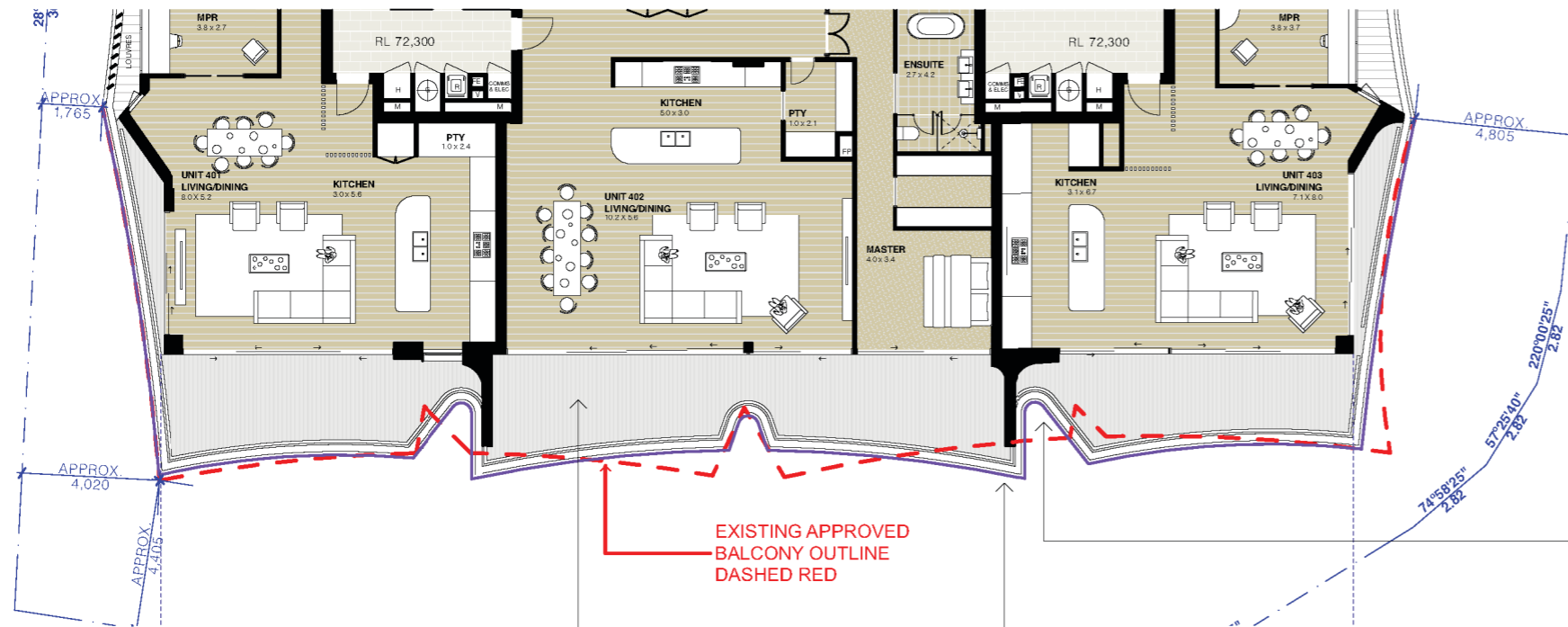


**S34 APPROVED PLAN**



S34 PLANS INCLUDED ANGULAR BLADES WHICH PROVIDE PRIVACY BETWEEN UNITS HOWEVER BLOCK VIEWS OF HARBOUR AND REDUCE DAYLIGHT

**S456 H PROPOSED PLAN**



EXISTING APPROVED BALCONY OUTLINE DASHED RED

INDENTATIONS RETAINED IN SAME LOCATIONS.

PERPENDICULAR BLADES ENSURE MAXIMUM VIEWS TOWARDS THE HARBOUR AND DAYLIGHT WHILST MAINTAINING PRIVACY BETWEEN APARTMENTS.

BALCONY DESIGN IS COMPATIBLE WITH THE NEW INTERNAL UNIT LAYOUT, APPROVED UNDER S4.56