

[REDACTED]
[REDACTED]
[REDACTED]
16th June 2021
[REDACTED]

Teresa Gizzi
Regional Assessments
Planning and Assessment
Department of Planning, Industry and Environment
12 Darcy Street,
Parramatta NSW 2150

Dear Miss Gizzi

Submission in relation to
63-77 West Parade, West Ryde (Lot 1 DP 1272136)
Modification to Building Height for Lift Overruns (MP09_0029 MOD 4)

I received your letter dated 1st June giving notice of the request from the Billbergia Group to modify the above Concept Plan. I have tried unsuccessfully to lodge my submission online without success and so I am sending my submission by email.

I have reviewed the documentation on your website and I object to this proposal for modification because the proposal is inaccurate:

- The details in the application from Billbergia is to modify the height of Buildings A & B. (see page 2 of this letter)
- Their proposal is supported by a report from Urbis which also requests a modification to Buildings A & B (see page 3 of this letter)

However, the notification from the Department of Planning Industry and Environment states that

- the modification request refers to Buildings B & C (see page 4 of this letter)

Because of the inaccuracy in this proposal from Billbergia, the application is invalid and cannot be considered.

I declare that I have not made any political donations in the previous two years.

Yours sincerely,

[REDACTED]

[REDACTED]

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: ____/____/____

Modification No. _____

1. Before you lodge

This form is required under section 75W of the *Environmental Planning and Assessment Act 1979* (the Act) in order to request the Minister to modify the Minister's approval to carry out a project or concept plan to which Part 3A of the Act applies.

Before making this request, it is recommended that you first consult with the Department of Planning (the Department) concerning your modification. The Director-General may issue environmental assessment requirements that must be complied with before your request will be considered by the Minister. If the changes proposed by the modification will result in a project that is consistent with the existing approval, the Minister's approval for a modification is not required.

Disclosure Statement

Persons making a request to modify a project or concept plan are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

Lodgement

All modification requests must be lodged with the Director-General of the Department of Planning, by courier or mail. An electronic copy should also be e-mailed to the assessment contact officer assigned to the project.

NSW Department of Planning
Ground floor, 23-33 Bridge Street, SYDNEY NSW 2000
GPO Box 39 SYDNEY NSW 2001
Phone 1300 305 695

2. Details of the proponent

Company/organisation/agency

Billbergia Group

ABN

MAP: A map of the site and locality should also be submitted with this request.

4. Details of the original major project or concept plan

Briefly describe what the original approval allows

Construction of 3 residential flat buildings in height from 6 to 11 storeys containing 150 dwellings involving a minxture of market rate and social housing dwellings, with 3 levels of basement car park.

What was the original project application no.?

MP09_0029

What was the date of the approval?

18/06/2010

What was the original application fee?

Note: Clause 245K of the *Environmental Planning and Assessment Regulation 2000* provides information on calculating the maximum fee for a request for modification.

5. Describe the modification you propose to make to the approval

Describe the proposed modification

This application seeks to modify the proposed height of buildings B and C in approved Concept Plan MP09_0029 to accommodate the lift overrun in each building. The approved Concept Plan MP09_002 the following maximum building heights:

- Building A: 67.05 (increase of 0.55m)
- Building B: 61.75 (increase of 1.75)
- Building C: 50 (remains unchanged)

Your modification request may need to be accompanied by an Environmental Assessment, including plans. An electronic and hard copy of this document will be required.

ESTIMATED CAPITAL INVESTMENT VALUE

Please indicate the estimated capital investment value (CIV) of the modification to the project approval or concept plan (excluding GST).



**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

Minister for Planning
Department of Planning Industry and Environment
Locked Bay 5022
Parramatta NSW 2150

21 April 2021

Dear Minister,

SECTION 75W – MODIFICATION TO THE HEIGHT OF BUILDINGS | CONCENPT PLAN MP09_0029 | 63-77 WEST PARADE, WEST RYDE

This Statement of Modification has been prepared by Urbis Pty Ltd on behalf of Billbergia Group to modify the approved Part 3A Concept Plan MP09_0029, for the construction of three residential towers at 63-77 West Parade West Ryde, under the transitional arrangements within Schedule 2, Clause 3BA (5) of the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017).

This application seeks to modify the height for Buildings A and B. In effect, this application seeks consent to increase the overall building height of Building A and B to accommodate the lift overruns. The proposed works illustrated in the attached Plans, have been sympathetically designed to avoid adding to the bulk and scale of the proposed buildings, when viewed from street level.

This Statement of Modification report includes:

- Identification of site and locality

3. PROPOSED MODIFICATION

This Section 75W application seeks to modify the proposed height of Buildings A and B in approved Concept Plan MP09_0029 to accommodate the lift overrun in each building.

The approved Concept Plan MP09_0029 has the following maximum building heights:

- Building A: RL 66.5
- Building B: RL 60
- Building C: RL 50

The proposal seeks to modify the approved development consent for the following building heights:

- Building A: RL 67.05 (increase of 0.55m)
- Building B: RL 61.75 (increase of 1.75m)
- Building C: RL 50 (remains unchanged)

The modified architectural plans have been prepared by PTW Architects at **Appendix A**.

The Lift Headroom Requirements letter that accompanies the modified architectural plans is attached at **Appendix B**. The purpose of the lift overrun is to accommodate the mechanical and personnel safety clearances necessary for the operation of the lift. The increased headroom height, identified in design development of the subsequent approved LDA2020/0113, will result in an encroachment of the approved heights of Buildings A and B. The updated lift designs have been designed in accordance with the relevant requirements of the BCA, lift standards (AS 1735.1/EN 81-20) and OHS Act (WorkCover).

The proposed modifications to the approved building envelope plans are illustrated in the figures below.



1 June 2021

Our Ref: MP 09_0029 MOD 4

Dear Sir / Madam

**Notice of Modification Application
Modification to Building Height for Lift Overruns (MP 09_0029 MOD 4)**

Please be advised that Billbergia Group has submitted a request to modify the Concept Approval for 63-77 West Parade, West Ryde (MP 09_0029 MOD 4). The site is located in the Ryde local government area. You are being notified of the project modification as you have been identified as a neighbouring landowner/occupier.

The modification seeks to modify the proposed heights of buildings B and C in the approved concept plan (MP 09_0029) to accommodate lift overrun in each building to the following maximum building heights:

- Building A: RL 50 (remains unchanged);
- Building B: RL 61.75 (increase of 1.75m); and
- Building C: RL 67.05 (increase of 0.55m)

The Modification Request, including the Statement of Environmental Effects (SEE) will be on public exhibition from **Thursday 3 June 2021** until **Wednesday 16 June 2021**.

A copy of the Modification Request and accompanying documents are available on the Department's website at: http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10681.

If you wish to make a submission on the proposed modification, please read the information overleaf. Submissions should reach the Department by the close of business **Wednesday 16 June 2021**.

If you have any questions, please contact Tahila Sexton on (02) 9860 1560 or email tahila.sexton@dpie.nsw.gov.au.

Yours sincerely

Teresa Gizzi
Team Leader
Regional Assessments
Planning and Assessment



NOTIFICATION OF MODIFICATION REQUEST

Modification to Building Height for Lift Overruns

Application No MP 09_0029 MOD 4
Location 63-77 West Parade, West Ryde (Lot 1 DP 1272136)
Applicant Billbergia Group
Council Area Ryde
Consent Authority Minister for Planning and Public Spaces

Description of the concept plan

Concept plan (MP 09_0029) for construction of 3 residential flat buildings ranging in height from 6 to 11 storeys, containing 150 dwellings, with 3 levels of basement car park.

Description of proposed modification

The modification under Section 75W of the *Environmental Planning and Assessment Act 1979* seeks to modify the proposed heights of buildings B and C in the approved concept plan (MP09_0029) to accommodate the lift overrun in each building to the following maximum building heights:

- Building A: RL 50 (remains unchanged);
- Building B: RL 61.75 (increase of 1.75m); and
- Building C: RL 67.05 (increase of 0.55m)

Notification Details

The Modification Request and accompanying documents will be notification from **Thursday 3 June 2021** until **Wednesday 16 June 2021**.

You may view the Modification Application and accompanying documents electronically on the Department's website (www.majorprojects.planning.nsw.gov.au/page/on-exhibition).

Have your say

Anyone can make a written submission about the Modification Request during the notification period from **Thursday 3 June 2021** until **Wednesday 16 June 2021**.

Your submission must reach the Department by **Wednesday 16 June 2021**. Before making your submission, please read our Privacy Statement at www.planning.nsw.gov.au/privacy or telephone the number below for a copy. The Department will publish your submission on its website in accordance with our Privacy Statement.

To make a submission, use the online form if possible. This is available at www.majorprojects.planning.nsw.gov.au/page/on-exhibition/

If you cannot lodge online, you can write to the address below. If you want the Department to delete your personal information before publication, please make this clear at the top of your letter.

You need to include:

- Your name and address, at the top of the letter only;
- The name of the application and the application number;
- A statement on whether you support or object to the proposal;
- The reasons why you support or object to the proposal; and
- A declaration of any reportable political donations made in the previous two years.

To find out what is reportable, and for a disclosure form, go to www.planning.nsw.gov.au/DonationsandGiftDisclosure or telephone the number below for a copy. Note the disclosure requirements apply however a submission is made.

For more information: 1300 305 695

Planning and Assessment, Department of Planning, Industry and Environment,
Locked Bag 5022, PARRAMATTA NSW 2124.
[Your submission should be marked, Attention: Director – Regional Assessments]