

Triniti Lighthouse, North Ryde - Built-to-Rent

State Significant Development Assessment Report (SSD 55844212)

May 2025





Acknowledgement of Country

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Published: May 2025

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Preface

This assessment report provides a record of the Department of Planning, Housing and Infrastructure's (the Department) assessment and evaluation of the State significant development (SSD) application for the Trinita Lighthouse, North Ryde - Build-to-Rent (BTR) project located at 39 Delhi Road, North Ryde located in the City of Ryde Local Government Area (LGA). This application has been lodged by Stockland Development Pty Ltd. The report includes:

- an explanation of why the project is SSD and who the consent authority is
- an assessment of the project against government policy and statutory requirements, including mandatory considerations
- a demonstration of how matters raised by the community and other stakeholders have been considered
- an explanation of any changes made to the project during the assessment process
- an assessment of the likely environmental, social and economic impacts of the project
- an evaluation which weighs up the likely impacts and benefits of the project, having regard to the proposed mitigations, offsets, community views and expert advice; and provides a view on whether the impacts are on balance, acceptable
- an opinion on whether the project is approvable or not, along with the reasons, to assist the Independent Planning Commission in making an informed decision about whether development consent for the project can be granted and any conditions that should be imposed.

Executive Summary

This report details the Department of Planning, Housing and Infrastructure's (the Department) assessment of the State significant development application (SSD) for a build-to-rent (BTR) development at 39 Dehli Road, North Ryde (SSD-55844212). The project is known as 'Trinit Lighthouse'.

The applicant is Stockland Development Pty Ltd. The project is located on the same allotment, and immediately to the south, of an existing commercial development known as Trinit Business Park within the Macquarie Park Transport Oriented Development (TOD) precinct in the City of Ryde LGA.

The project has an estimated development cost (EDC) of \$311,547,488 and is expected to generate 400 construction jobs and 196 operational jobs. If approved, construction of the project is proposed to commence in 2026 and be completed by 2029.

The project is classified as SSD under section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it satisfies the criteria under section 27 of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP), being BTR housing with an EDC of more than \$50 million.

The proposed development is permissible with consent under the provisions of section 72 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP), effective on the date the application was made.

The Department exhibited the environmental impact statement (EIS) from Thursday 28 September 2023 until Thursday 26 October 2023. During the exhibition period, the Department received:

- advice from 12 government agencies
- a submission from City of Ryde Council (Council) objecting to the proposal
- 93 unique public submissions, of which 88 were objections, three supported the proposal and two provided comments.

The Independent Planning Commission (IPC) is the consent authority for the project under section 4.5(a) of the EP&A Act because it satisfies criteria under section 2.7(1) of the Planning Systems SEPP as Council objected to the proposal and 50 submissions objecting to the proposal were made during the EIS public exhibition period.

The Applicant lodged Response to Submissions (RtS) on 22 July 2024. The Applicant's RtS included a number of key refinements to the proposal to address the issues raised in submissions and agency advice, including:

- relocation of massing from the north-eastern corner of Building C to Building B to protect future planned public open space and increased setbacks to New Link Road and Rivett Road.
- minor increase in the number of BTR units from 508 units to 510 units and amendments to the apartment mix and layout.
- refinements to the public domain including the introduction of a secondary pedestrian through site link along the southern boundary linking Rivett Road and Rennie Street.

The Department exhibited the RtS from Thursday 1 August 2024 until Wednesday 14 August 2024.

In response, the Department received advice from 10 government agencies, a further objection from Council and 63 unique public submissions (61 objections, one in support and one comment).

Key issues raised during both exhibition periods focused on consistency with strategic planning for the precinct and development in the Macquarie Park Corridor, building height and built form, public domain and access, traffic and parking, view loss and visual privacy. The Department has considered these issues as part of its assessment in **Section 5**.

The Department has considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) of the EP&A Act, the issues raised in the submissions, the Applicant's responses and additional information. Overall, the Department's assessment concludes that the proposal is acceptable as:

- it would support State government priorities to deliver well-located housing as it will deliver 510 BTR units and active ground floor uses in a highly accessible location in the Macquarie Park corridor and will strengthen the role of the commercial core in the neighbourhood by providing rental housing and an additional 1,631m² of retail floor space.
- the proposed 8 to 20 storey building heights and forms would be compatible with the envisaged character of the area and provide an appropriate built-form relationship to the adjacent residential development and the existing Trinita Business Park
- it would not result in unreasonable overshadowing, view or privacy impacts on adjoining development, traffic, the public domain or planned public open space areas
- it would deliver public benefits by enhancing access and connectivity within the precinct through the introduction of public through-site links and recreational areas and generate up to 400 construction and 196 operational jobs

The Department has recommended conditions to appropriately address any residual issues.

Following its detailed assessment, the Department considers the proposal is in the public interest and recommends that the proposal be approved, subject to conditions.

Contents

Preface.....	i
Executive Summary	ii
1 Introduction.....	1
1.1 The proposal.....	1
1.2 Project location.....	1
1.3 Related projects and works	4
2 Project.....	6
2.1 Project overview.....	6
3 Policy and statutory context.....	10
3.1 Housing Supply	10
3.2 Permissibility and assessment pathway	12
3.3 Other approvals and authorisations.....	13
3.4 Planning Secretary’s environmental assessment requirements.....	13
3.5 Mandatory matters for consideration	14
4 Engagement.....	15
4.1 Exhibition of the EIS	15
4.2 Response to submissions and revision of development application	19
5 Assessment.....	21
5.1 Land use.....	21
5.2 Built Form.....	22
5.3 External Residential Amenity Impacts	29
5.4 Traffic & Car Parking.....	36
5.5 Other issues.....	39
6 Evaluation.....	49
Appendices.....	50
Appendix A – Summary of key revisions to the project.....	51

Appendix B – List of referenced documents.....	53
Appendix C – Statutory considerations.....	54
Appendix D – Recommended instrument of consent.....	89

1 Introduction

1.1 The proposal

1. Stockland Development Pty Ltd (the Applicant) proposes demolition of the existing hardstand concrete and fencing and construction of 510 build-to-rent (BTR) units and ground floor commercial tenancies across three buildings with a shared podium, ranging between 8-20 storeys, car parking, pedestrian link at 39 Dehli Road, North Ryde (the site). The project is known as 'Trinité Lighthouse'.
2. The project description in Section 2 and mitigation measures provided in the response to submissions (RtS) are the subject of this report and will form part of the development consent if the project is approved.
3. An overview of the proposed development is provided in Section 2.

1.2 Project location

4. The site is located at 39 Delhi Road, North Ryde in the City of Ryde local government area (LGA) (Figure 1).

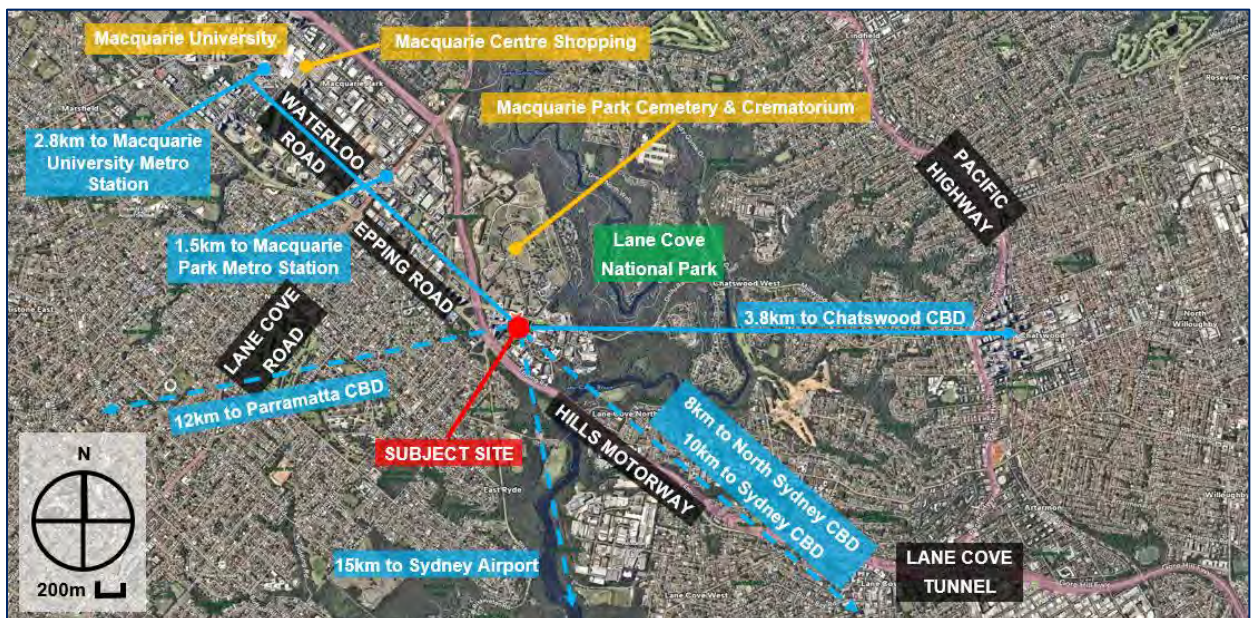


Figure 1 | Regional context map

5. The northern portion of the site contains an existing commercial development known as Trinité Business Park (see Figure 2) and the southern portion of the site is currently vacant.



Figure 2 | Local context map

6. Further project location details are described in Table 1.

Table 1 | Key aspects of the project site

Aspect	Description
Address	39 Delhi Road, North Ryde
Local Government Area (LGA)	City of Ryde
Legal description	Lot 21 in DP 1003588
Site area	<ul style="list-style-type: none"> 27,410m² total area including New Link Road and existing commercial development
Existing development	<ul style="list-style-type: none"> The northern portion of the site contains the existing Trinit Business Park which includes three commercial buildings and ancillary uses including a childcare centre and small-scale food and beverage outlets. The southern portion of the site is currently vacant and is otherwise comprised of asphalt hardstand, fencing, native vegetation and weeds.

Aspect	Description
Surrounding development	<ul style="list-style-type: none"> • North: Major arterial roadway (Delhi Road), separating the Trinita Business Park from the Macquarie Park Cemetery and Crematorium. • South: Commercial buildings • East: Commercial buildings • West: High density mixed-use buildings with ground floor food and beverage outlets and residential on remaining levels ranging from 11-22 storeys. • The remaining surrounding development is generally large lot commercial premises and mixed-use developments.
Surrounding roads	<ul style="list-style-type: none"> • Northern frontage of 125m to Delhi Road • Eastern frontage of 146m to Julius Avenue • South-eastern frontage of 90m to Rivett Road • Western frontage of 171m to Rennie Street • New Link Road transects the site east to west
Topography	The site has an approximate slope of 4.63m from the north adjacent to New Link Road to the south-west to 1 Rivett Road.
Vegetation	124 existing trees including Blue Gum High Forest Critically Endangered Ecological Community (Blue Gum High Forest CEEC)
Existing access	<ul style="list-style-type: none"> • Existing driveway from Delhi Road to Trinita Business Park. • Existing driveway from Rivett Road to southern portion.
Public transport	<ul style="list-style-type: none"> • North Ryde Metro Station <ul style="list-style-type: none"> – Approximately 290m walking distance to the west of the site – Services on M1 line travelling west to Tallawong and travelling east to Sydenham • Buses <ul style="list-style-type: none"> – Approximately 290m walking distance to the west of the site – 516 route servicing Chatswood to Top Ryde City – N91 route servicing City Town Hall to Macquarie Centre (night)

Aspect	Description
Flooding	The site is mapped as experiencing overland flow during both the 1% annual exceedance probability (AEP) and the probable maximum flood (PMF) events.
Soil and water	<ul style="list-style-type: none"> • Perched groundwater resulting from rainfall is located near the surface. • Acid Sulphate Soils are not mapped within the vicinity of the site.
Easements or covenants	<p>The site contains a range of easements on site including:</p> <ul style="list-style-type: none"> • right of carriageway • easements for electricity • right of footway • easements for signage • positive covenant • restriction on the use of land.

1.3 Related projects and works

7. The site is subject to prior Council approvals as outlined in Table 2.

Table 2 | Prior approvals

DA Reference	Description
Triniti Stage 1	<ul style="list-style-type: none"> • Description: Construction and operation of three commercial office buildings, basement carparking for 995 vehicles and a café. Refer to Figure 2 – Triniti Business Park • Approved: 3 May 2004 • Development has been constructed and is operational.
Triniti Stage 2	<ul style="list-style-type: none"> • Description: Construction and operation of two commercial/retail buildings. The approved development comprises three levels of basement carparking for 550 parking spaces, 30,098m² of retail and commercial

DA Reference	Description
	<p>floor space, including a gymnasium and café on the ground floor, with seven storeys of office space above, and an atrium linking the two buildings.</p> <ul style="list-style-type: none"> • Approved: 5 June 2008 • There is no evidence that the consent has been activated. The applicant proposes to surrender this consent to provide certainty.

8. The applicant also executed a Voluntary Planning Agreement (VPA) with Council on 14 April 2025 for the dedication of New Link Road and \$8.74 million in incentive contributions.

2 Project

2.1 Project overview

9. This SSD application seeks consent for the demolition of existing hardstand concrete and fencing, excavation and construction of a mixed-use development comprising BTR housing with a basement carpark and ground level retail and commercial uses.
10. The key aspects of the project are provided in detail in the Project Description chapter of the RtS and are outlined in Table 3 and shown in Figure 3 to Figure 6.

Table 3 | Key aspects of the project

Aspect	Description
Demolition and site preparation	<ul style="list-style-type: none">• Demolition of existing hardstand concrete and fencing on site• Excavation• Vegetation removal and protection
Building height	<ul style="list-style-type: none">• Building A – RL 122.550 (20 storeys)• Building B – RL 92.500 (4-9 storeys)• Building C – RL 120.650 (19 storeys)
Gross floor area (GFA)	<ul style="list-style-type: none">• GFA of 42,084m² including:<ul style="list-style-type: none">– Residential: 38,750m²– Residential amenity: 1,703m²– Retail: 1,631m²
Dwellings	<ul style="list-style-type: none">• A total of 510 BTR units including:<ul style="list-style-type: none">– 48 x studio units (9.4%)– 217 x one bedroom units (42.5%)– 219 x two bedroom units (43%)– 26 x three bedroom units (5%)
Non-residential uses	<ul style="list-style-type: none">• Supermarket and other non-food retail premises• Food and beverage premises• Gym

Aspect	Description
Landscaping	<ul style="list-style-type: none"> • Landscaped area: 2,770m² (26% of site area) • Deep soil: 1,700m² (16% of site area) • Tree canopy coverage: 2,706m² (25.5% of site area)
Car Parking	<ul style="list-style-type: none"> • Construction of 155 new car parking spaces: <ul style="list-style-type: none"> – 92 residential spaces – 42 visitor spaces – 16 retail spaces – 5 car share spaces • In addition, the proposal also seeks to use 164 existing car parking spaces within the Trinita Business Park development as residential spaces.
Bicycle and motorbike parking	<ul style="list-style-type: none"> • A total of 313 bicycle parking spaces including: <ul style="list-style-type: none"> – 256 residential spaces – 25 visitor spaces – 21 staff spaces – 11 retail visitor spaces • A total of 5 motorbike spaces including: <ul style="list-style-type: none"> – 4 residential spaces – 1 retail space
Access	<ul style="list-style-type: none"> • Pedestrian Access: <ul style="list-style-type: none"> – Primary access is provided at Rennie Street and New Link Road. – Secondary access is provided at Julius Avenue and Delhi Road. • Vehicular Access: <ul style="list-style-type: none"> – Residential: Rennie Street – Retail, loading and services uses: Rivett Road.
Communal Open Space	<ul style="list-style-type: none"> • Communal open space of 8,098m² including: <ul style="list-style-type: none"> – Communal open space for residents only: 2,841m² – Publicly accessible open space: 5,257m²

Aspect	Description
Timing and sequencing	<p>The proposal would be constructed in 4 stages:</p> <ul style="list-style-type: none"> • Stage 1: early works, site establishment and preparation and bulk excavation. • Stage 2: construction of the basement, ground floor and building A residential tower • Stage 3: construction of building B/C, communal open space, related retail areas and retail car parking. • Stage 4: dedication of New Link Road, subject to Council VPA.
Employment	<ul style="list-style-type: none"> • 400 construction jobs • 196 full-time operational jobs
Estimated Development Cost (EDC)	\$311,547,488



Figure 3 | Proposed north-eastern elevation as viewed from New Link Road. (Source: Applicant's RtS)

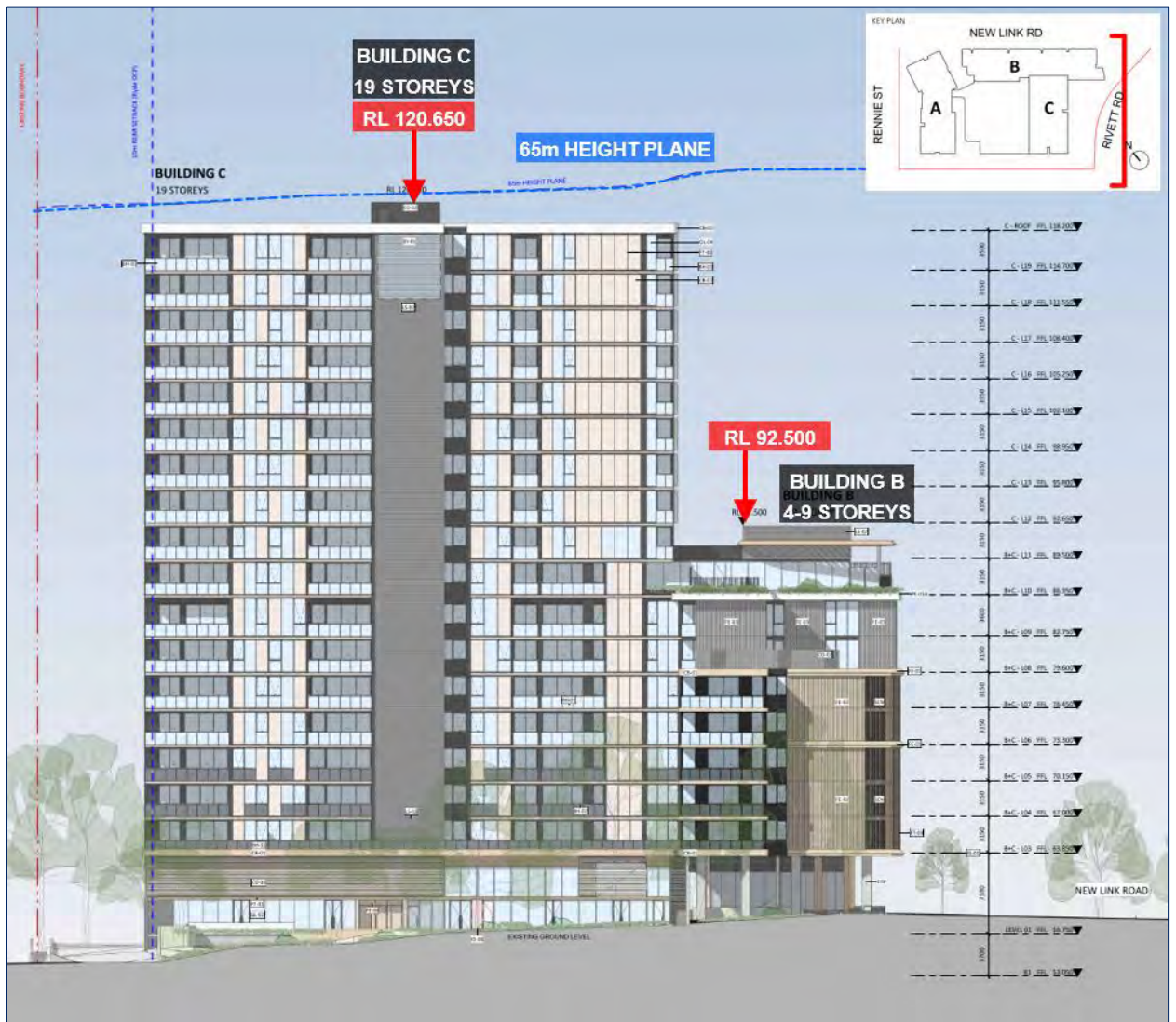


Figure 4 | Proposed south-eastern elevation as viewed from Rivett Road. (Source: Applicant’s RtS)

3 Policy and statutory context

3.1 Housing Supply

11. The NSW Government has an aspirational target of 377,000 well-located homes over the next 5 years. This policy is in support of the National Housing Accord that provides an aspirational national target of delivering 1.2 million new, well-located homes over 5 years.
12. In February 2021, BTR housing was introduced into the NSW planning system to recognise and support this emerging development type. This included introducing new provisions in the Housing SEPP to make BTR a permissible land use in the E2 commercial centre zone across NSW, including in Macquarie Park. These provisions were introduced to support the viability of BTR housing as an emerging diverse housing type in well located areas, where market residential development may not be permitted.
13. An SSD pathway for large scale BTR developments was also introduced. This application has been submitted pursuant to these initiatives that aim to support the delivery of well-located BTR housing.

3.1.1 Strategic Planning Context

14. Macquarie Park is an established employment centre and innovation precinct, centred around Macquarie University, Macquarie University Hospital, Macquarie University Incubator and a cluster of international corporations and small businesses.
15. Macquarie Park has been the subject of State-led master planning and rezoning to facilitate the evolution of Macquarie Park from a single-use business/technology park into a contemporary innovation precinct. The planning for the precinct seeks to maximise the capacity for employment and residential development, while continuing to support the precinct as an innovation precinct.
16. The Macquarie Park Transport Oriented Development (TOD) rezoning was finalised in November 2024 and provides capacity for 9,600 new homes, while retaining 100,000 jobs in this highly accessible location. This rezoning builds on the vision set out in the 2022 Macquarie Park Innovation Precinct Place Strategy (Place Strategy) and the Macquarie Park Innovation Precinct Master Plan (Master Plan) to guide renewal of the precinct.
17. The TOD rezoning envisages the precinct as a mixed-use area. In particular it introduces residential uses to mix with existing commercial floor space to enhance the attractiveness of the precinct, as well as capitalise on the precinct's high-growth potential accessible by

three metro stations. BTR remains permissible in the E2 zones within the precinct via the Housing SEPP.

18. The site is identified in Neighbourhood 7 under the Macquarie Park TOD precinct rezoning and Urban Design Framework, located to the east of North Ryde metro station. Neighbourhood 7 includes a mix of residential and commercial development. New residential development is proposed on two key sites to the south and east of a new open space, which would complement the proposed BTR development on this site, as well as the existing cluster of residential uses around North Ryde metro station (Figure 5).

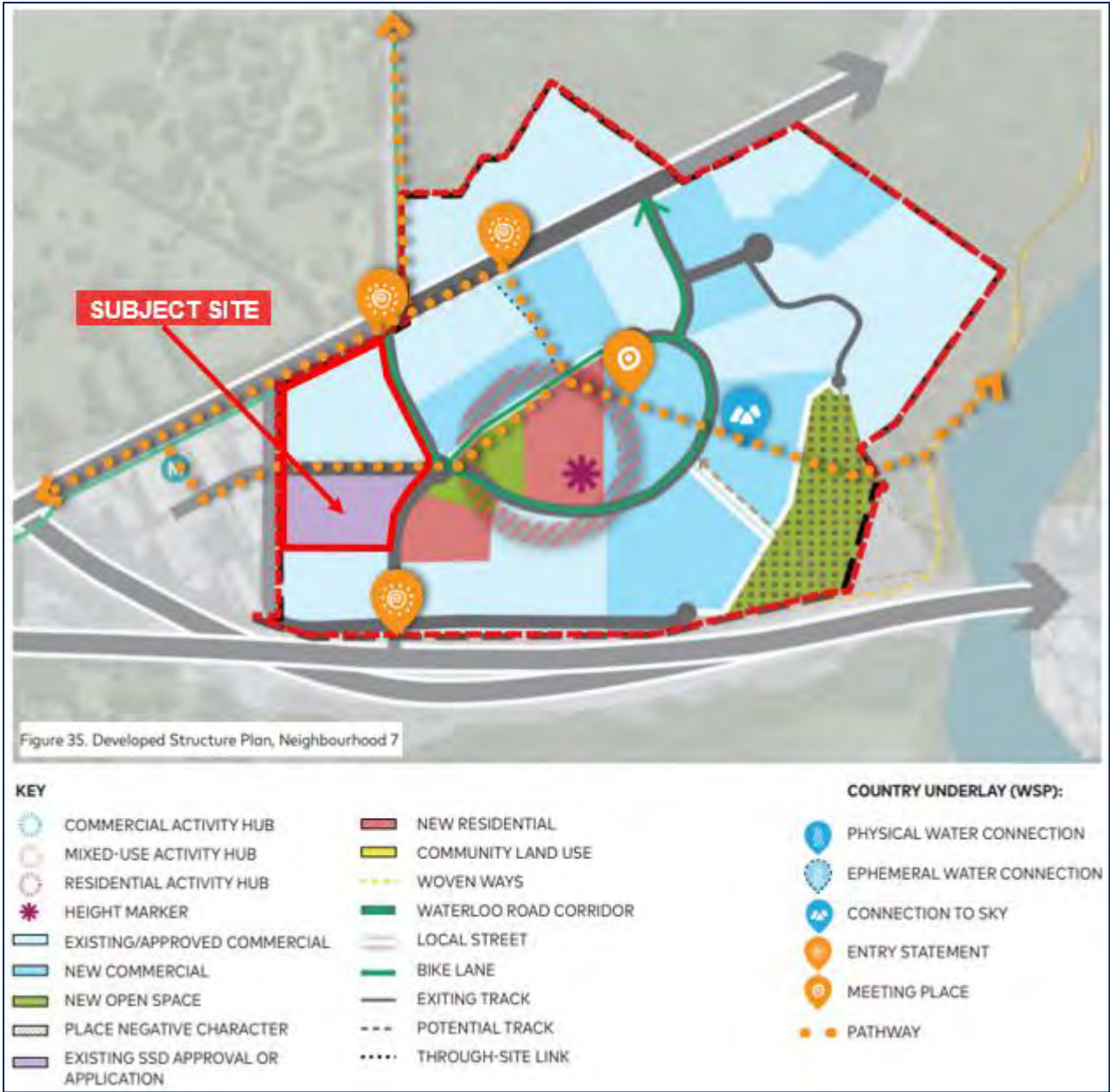


Figure 5 | Neighbourhood 7 under Macquarie Park TOD Rezoning Urban Design Framework (Source: DPHI)

19. The TOD rezoning acknowledges that the site is subject to a BTR proposal, however did not amend the zoning, height or density of the site.
20. Further, as this application was lodged prior to the commencement of the Macquarie Park TOD, the savings provisions provide that the RLEP as in force before the TOD continues to apply.
21. As described above the proposed BTR uses have been anticipated and co-ordinated with the strategic planning for Neighbourhood 7 and the proposal is consistent with and will contribute to the renewal of Macquarie Park in line with the TOD rezoning.
22. Further consideration of the proposal against the Place Strategy and Master Plan as required by the EP&A Regulation is provided in **Appendix C**.

3.2 Permissibility and assessment pathway

23. Details of the legal pathway under which consent is sought, and the permissibility of the project are provided in **Table 4** below.

Table 4 | Permissibility and assessment pathway

Consideration	Description
Assessment pathway	<p>State significant development</p> <p>The project is declared SSD under section 4.36 of the EP&A Act as it satisfies the criteria under section 2.6(1) and section 27 of Schedule 1 of the Planning Systems SEPP, being build-to-rent housing.</p> <p>The proposal is SSD under section 27 of Schedule 1 of the Planning Systems SEPP as:</p> <ul style="list-style-type: none"> • it proposes BTR housing with an estimated development cost (EDC) in the Greater Sydney Region of more than \$50 million • the tenanted component represents more than 60% of the estimated EDC • the development does not involve development that is prohibited under an EPI applying to the land
Consent authority	<p>Independent Planning Commission</p> <ul style="list-style-type: none"> • The Independent Planning Commission is the declared consent authority under section 4.5(a) of the EP&A Act and section 2.7(1) of the Planning Systems SEPP, as Council duly made a submission by way of objection

Consideration	Description
	and the proposal received over 50 submissions objecting to the proposal during public exhibition.
Permissibility	<p>Permissible with consent</p> <ul style="list-style-type: none"> • The site is zoned E2: Commercial Centre under the Ryde Local Environmental Plan 2014 (RLEP 2014). • The development is permissible under Section 72 of Housing SEPP as the proposal: <ul style="list-style-type: none"> – comprises development for the purposes of ‘shop top housing’ on land zoned E2 Commercial Centre – would result in at least 50 dwellings occupied or intended to be occupied by individuals under residential tenancy agreements – proposes all dwellings to be located on the same lot. • Commercial premises (including business, retail and office premises) are permissible with consent in the E2 zone.

3.3 Other approvals and authorisations

24. Under section 4.41 of the EP&A Act, a number of other authorisations required under other Acts are not required for SSD. This is because all relevant issues are considered during the assessment of the SSD application.
25. Under section 4.42 of the EP&A Act, certain approvals cannot be refused if they are necessary to carry out the SSD (e.g. Roads Act 1993). These authorisations must be substantially consistent with any SSD development consent for the project.
26. The Department has consulted with and considered the advice of the relevant government agencies responsible for these other authorisations in its assessment of the project (see Section 4 and Section 5). Suitable conditions have been included in the recommended conditions of consent (see Appendix D).

3.4 Planning Secretary’s environmental assessment requirements

27. The Department’s review determined that the EIS addresses each matter set out in the Planning Secretary’s environmental assessment requirements (SEARs) issued on 3 March 2023 and is sufficient to enable an adequate consideration and assessment of the project for determination purposes.

3.5 Mandatory matters for consideration

28. Mandatory matters for consideration include:

- matters of consideration required by the EP&A Act
- objects of the EP&A Act and ecologically sustainable development (ESD)
- biodiversity development assessment report
- matters of consideration required by the EP&A Regulation
- matters of consideration required by environmental planning instruments.

29. The Department's consideration of these matters is summarised in **Appendix C** and the Department is satisfied that the development meets these statutory requirements.

4 Engagement

4.1 Exhibition of the EIS

4.1.1 Public exhibition of the EIS

30. After accepting the development application (DA) and EIS, the Department:
- publicly exhibited the proposal from Thursday 28 September 2023 until Thursday 26 October 2023 (28 days) on the NSW Planning Portal
 - notified occupiers and landowners in the vicinity of the site about the public exhibition
 - notified and invited comment from relevant government agencies and Council.
31. The Department undertook a site visit to gain a better understanding of the site context and the issues raised in submissions.

4.1.2 Public exhibition of the response to submissions

32. On 22 July 2024, the Department accepted the Applicant's Response to Submissions (RtS) which made a number of key refinements to the proposal as described in **Appendix A**. The Department:
- publicly exhibited the RtS from Thursday 1 August 2024 until Wednesday 14 August 2024 on the NSW Planning Portal to provide the public an opportunity to consider changes to the built form which responded to objections and agency feedback on potential impacts.
 - notified occupiers and landowners in the vicinity of the site and previous submitters about the public exhibition.
 - re-notified and invited comment from relevant government agencies and Council.

4.1.3 Summary of advice received from government agencies

33. The Department received advice from 12 government agencies on the EIS and further advice from six government agencies on the RtS.
34. A summary of the agency advice is provided in **Table 7**. A link to the full copy of the advice is provided in **Appendix A**.

4.1.4 Summary of advice received from government agencies

Table 7 | Summary of agency advice

Agency	Advice summary
Ausgrid	Ausgrid advised that there are underground cables within the vicinity of the development and that existing easements should be maintained. Ausgrid encouraged the Applicant to continue to discuss their requirements directly with Ausgrid.
NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW Water Group)	NSW DCCEEW Water Group advised that a water access licence will be required unless an exemption applies. NSW DCCEEW water did not recommend any specific conditions.
NSW Department of Climate Change, Energy, the Environment Water - Biodiversity, (NSW DCCEEW Biodiversity Group)	NSW DCCEEW Biodiversity Group provided advice in relation to flooding and impacts to Blue Gum High Forest. NSW DCCEEW Biodiversity confirmed the RtS addressed the flood issues originally raised. NSW DCCEEW Biodiversity recommend that mitigation and management measures from the Biodiversity Development Assessment Report (BDAR) and Arboricultural Impact Assessment be included as conditions of consent a condition.
Environmental Protection Authority (EPA)	The EPA recommended conditions relating to construction dewatering, and an unexpected finds protocol.
Fire and Rescue NSW	Fire and Rescue NSW deemed the proposal has limited scope and application in regard to special hazards or special problems of firefighting.
Heritage NSW – Aboriginal Cultural Heritage (ACH)	Heritage NSW (ACH) confirmed that the proposal would not impact any Aboriginal Cultural Heritage but recommended the implementation of an unexpected finds protocol.
Heritage NSW – Heritage Council	Heritage NSW noted that there would be no impact on any nearby state heritage item or any known archaeological relics.

Agency	Advice summary
NSW State Emergency Service (NSW SES)	NSW SES recommended amendments to the Applicant's flood emergency response plan (FERP) in line with the <i>NSW Support for Emergency Management Planning</i> .
Sydney Metro	Sydney Metro clarified that concurrence is not required for this project and that it does not require the imposition of any conditions.
Sydney Water	Sydney Water recommended conditions relating to a Section 73 compliance certificate and building plan approval.
Transport for NSW (TfNSW)	TfNSW noted that the project is unlikely to have a significant impact on the classified road network.
Transport for NSW- Sydney Trains	Sydney Trains had no comment in relation to the project.

4.1.5 Summary of City of Ryde's submission

35. Council made submissions on the EIS and RtS, objecting to the proposal. Issues raised by Council are summarised below and a link to its submissions in full is provided in **Appendix B**.
36. Council's submissions objected to the project and recommended significant revisions to the proposal to align with the strategic vision for Macquarie Park, including a better balance of commercial and residential uses, improved design, and adequate infrastructure provision. Council's key issues raised in the EIS and RTS included:
 - **Strategic Planning Inconsistency:** The proposal does not align with Macquarie Park's role as an economic hub, reducing employment-generating land in favour of residential use. This will weaken the precinct's long-term ability to contribute to innovation and economic activity. The proposal risks setting a precedent for uncontrolled residential growth in commercially zoned areas.
 - **Non-Compliance with Clause 6.9 of RLEP 2014:** The development exceeds the permitted GFA and no executed Voluntary Planning Agreement (VPA) has been submitted (as required by the DCP).
 - **Urban Design & Built Form Issues:** The development proposes bulky tower forms, poor street frontage activation, and limited deep soil planting which compromises good placemaking and architectural integration.

- **Traffic & Parking Oversupply:** The development exceeds parking requirements permitted by the Housing SEPP and Council is of the view that surplus parking which exceeds the requirements of the consent authority should be counted towards GFA.

37. On 31 January 2025, Council provided recommended conditions.

4.1.6 Summary of public submissions

38. The Department received a total of 93 submissions, of which 88 objected to the proposal, three were in support and two provided comment. The Department received one late objection outside of the exhibition period.
39. The Department received a total of 63 submissions during public exhibition of the RtS. Of the 63 submissions, 61 objected to the proposal, one was in support, and one provided comment. The Department received one late objection outside of the exhibition period.
40. The key issues raised in the public objections are listed in **Table 5** and a link to all submissions in full is provided in **Appendix B**.
41. The Department's consideration of the public submissions is provided in **Appendix C**.

Table 5 | Key issues raised in public objections on the EIS and RtS

Issue	% of EIS Submissions	% of RtS Submissions
Parking and traffic	65%	63%
Height and floor space ratio	29%	60%
Local infrastructure capacity	20%	42%
View loss, visual impact and privacy	16%	33%
Overshadowing	35%	27%
Closure of New Link Road	36%	16%
Impact to child care facility	39%	17%
Noise	15%	11%

Issue	% of EIS Submissions	% of RtS Submissions
Decrease in property value	12%	6%
Reduction in greenspace/environmental impact	5.6%	39%
Wind	2%	9%
Flooding	2%	2%
Crime	1%	2%

42. The Department received three submissions that commented on the project. The submissions raised concerns regarding:
- housing affordability and rental contracts
 - height and privacy impacts
 - overshadowing
 - traffic and parking
 - infrastructure capacity.
43. The Department received four submissions in support of the project. The submissions highlighted the need for additional housing supply, that the existing site is an eyesore and that it would bring financial activity to the area.
44. The Department received one late submission outside of the exhibition period. The matters raised in the submission are consistent with those raised in Table 6 above.

4.2 Response to submissions and revision of development application

45. Following the public exhibition period of the EIS, the Department requested the Applicant to respond to the issues raised in submissions and the advice received from government agencies. The RtS responded to the issues raised during exhibition and described the following revisions to the project:
- relocation of building massing from Building C to Building B, creating an 8 storey linear building on New Link Road, with changes to apartment mix and layout

- public domain enhancements including an amended northern entry plaza and increased open space on the eastern boundary for improved park access
- increased setbacks on New Link Road and Rivett Road
- a secondary pedestrian link included along the southern boundary between Rivett Road and Rennie Street
- increased deep soil and tree canopy cover, retaining more trees
- improved façade materials to reflect local character and connect with Country
- introduction of signage zones throughout the development.

46. Following the public exhibition of the RtS, the Department requested the Applicant respond to the issues raised in further submissions and the comments received from government agencies. The Applicant provided a further RtS to the Department on 15 October 2024 (see **Appendix B**) which included details of further engagement undertaken with agencies, an update on the status of the Voluntary Planning Agreement (VPA) as well an updated Arborist Report, Ecologist Report, Waste Management Plan and traffic assessment.
47. The Department published the further RtS on the NSW Planning Portal and referred it to Council, NSW DCCEEW Biodiversity, NSW SES who provided final comments on the proposal.

5 Assessment

48. The Department has considered all documentation submitted by the Applicant, the issues raised in submissions and the advice provided by Government Agencies in its assessment of the proposal.
49. The Department considers the key assessment issues associated with the proposal are:
- land use
 - built form
 - residential amenity
 - traffic and car parking
50. The Department's consideration of other issues is described in Section 5.5 and the appendices of this report.

5.1 Land use

51. Council and the public raised concerns regarding the proposed BTR use in a commercial centre. Council considers that the proposed residential use at the proposed scale is incompatible with the planned use of the site as a commercial centre. Council also raised inconsistency with the Place Strategy and Master Plan which did not anticipate a BTR use. Council also provided evidence in their submission that Council is able to meet and exceed housing targets in the Ryde LGA.
52. The Department has carefully considered the issues raised by Council and the community particularly around the previous planning for Macquarie Park as an innovation and employment centre. The Department acknowledges that the site is zoned for commercial uses and that the Place Strategy and Master Plan identified the site as commercial centre.
53. However, as outlined in Section 3.1, BTR housing is permissible within the E2 commercial centre zone under the Housing SEPP. The recent Macquarie Park TOD rezoning, including the Urban Design Framework for the neighbourhood, also acknowledged that BTR is a permitted use on the site. The rezoning also identifies two sites to the east of the site for residential development fronting new open space to complement the proposed development on this site, as well as the existing cluster of residential uses around North Ryde Station (see Figure 5).
54. In this context, the Department is satisfied that the proposal is acceptable as:
- BTR housing is fully permissible land use in the E2 zone

- the proposal is consistent with the zone objectives as:
 - it would deliver professionally managed BTR housing in a well-located area supported by high levels of accessibility and amenity
 - it forms the final stage of the broader development of the broader site, and along with the existing Trinita business park, would continue to contribute to retail and community activity within the precinct
 - it also provides diverse and active street frontages through the provision of retail tenancies including a supermarket at ground level
- the proposal is consistent with the strategic vision for the neighbourhood Macquarie Park centre as set out in the recently finalised TOD precinct, which provides for a cluster of residential development, including BTR on this site, around the metro station extending to a new area of open space, with lower scale commercial uses at the fringe.

55. The Department recommends conditions requiring that the tenanted component of the buildings are managed for the purpose of Build to Rent in perpetuity, in accordance with Section 73 of the Housing SEPP.

5.2 Built Form

56. The Department considers the following aspects are key in determining the suitability of the built form for the proposal:

- building height
- floor space ratio
- built form and design.

5.2.1 Building Height and Scale

57. The maximum building height for the development is 65m which is based on mapped incentive building heights in the Macquarie Park Corridor provided under Clause 6.9 of RLEP 2014. This height control acts to incentivise the provision of recreation areas and access networks, as it applies to the site on the condition that the consent authority is satisfied that there will be provision for appropriately configured and located recreation areas and access networks.

58. The proposal seeks a maximum building height of 65m (RL 122.55) and does not breach this height as demonstrated in **Figure 6**:

- Building A: RL 122.55 (20 storeys)
- Building B: RL 92.50 (4-9 storeys)
- Building C: RL 120.65 (19 storeys)

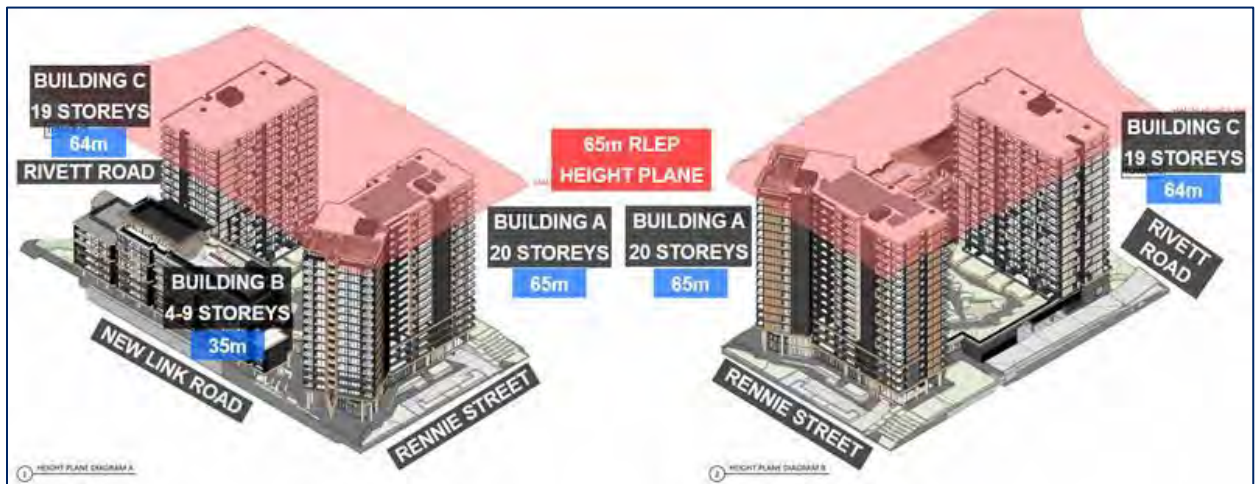


Figure 6 | Proposal with 65m building height plane shown in red. (Source: Applicant's RtS)

59. Public submissions raised concerns with the proposed building height.
60. The Department acknowledges the scale of the proposed buildings and the concerns raised by the public and considers the height of the proposal is appropriate for the site because the proposal:
 - meets the requirements to apply the building height control to the site through the provision of generous open space areas, a suitable access network supported by the dedication of New Link Road to Council and carefully considered communal open space areas (as considered in **Appendix C**)
 - complies with the building height of 65m
 - protects solar access to future planned public open space to the east of the site in accordance with the Place Strategy and Master Plan and the Macquarie Park TOD Rezoning (see **Section 5.5**).
 - maintains reasonable visual privacy and view sharing to surrounding properties as discussed in detail in **Section 5.3** below.
 - is consistent with existing development in the surrounding area to the north-west as the existing mixed-use buildings at 1 and 3 Network Place are generally at least four storeys taller than the proposed development.
61. Therefore, the Department considers the proposed building heights to be acceptable.

5.2.2 Floor Space Ratio

62. Council raised concerns about the FSR for the proposal on the site and the GFA calculations. Public submissions raised concerns regarding the proposed density.
63. The Department has considered the applicable FSR as well as the GFA calculations and FSR compliance below.

Applicable FSR

64. Clause 6.9 of the RLEP 2014 (similar to the height controls) provides incentive FSR provisions for the Macquarie Park Corridor with the objective to encourage development co-ordinated with an adequate access network and recreation areas. The incentive FSR for the site is 3:1.
65. The Housing SEPP provides that the maximum FSR for BTR is the maximum permissible FSR for other development on the land. This means that the proposal is eligible for a maximum FSR of 3:1, consistent with the incentive provisions.
66. Council raised concerns that the development does not provide additional commercial development in accordance with the objective of Clause 6.9 of the RLEP 2014. Council noted that the Department would need to be satisfied that the development is commercial in its use to benefit from the incentive provisions.
67. The Department has carefully considered the concerns raised by Council and the requirements of clause 6.9 in detail in **Appendix C**. In summary, the Department notes that BTR is a permissible land use in the E2 zone. Further, the Department is satisfied that the proposal satisfies the requirements of clause 6.9 by providing:
 - 5,257m² of publicly accessible recreational areas at the ground plane of the development with an interface to the supermarket and retail tenancies
 - a mix of retail laneways, plazas, pedestrian linkages and recreational areas of high design quality which are compatible with the proposed and surrounding land uses
 - enhanced connectivity through a range of easy to identify pedestrian entries through the proposed public domain complemented by the New Link Road dedication.
68. The Department is therefore satisfied that the site is eligible for the 3:1 incentive FSR.

GFA calculations

69. The site, comprising both the existing Trinita Business Park, and the development site, has an area of 27,410m². Maximum allowable GFA for the site is 82,230m², based on the maximum FSR of 3:1.

70. The proposal provides a maximum GFA of 72,235m² which complies with this requirement (see Table 6).

Table 6 | Proposed commercial and residential GFA on site

Use	Existing GFA (Trinita Business Park)	Proposed GFA	Total Site GFA
Commercial/Retail	30,151m ²	1,631m ²	31,782m ²
Residential	0m ²	40,453m ²	40,453m ²
Total	30,151m ²	42,084m ²	72,235m ²

71. Council raised concerns about the FSR and GFA calculations including:
- the proposed car parking spaces which exceed the Housing SEPP rate of 0.2 parking spaces per dwelling should be included in the GFA calculations
 - roof top terraces and balconies enclosed by balustrade greater than 1.4m above the floor fail should be included in the GFA calculations
72. Council also requested that a covenant to prevent 'double dipping' be imposed to prevent the Trinita Business Park (stage 1) development from potentially using any transferred floor space in the future.
73. The Department has carefully considered Council's concerns with the GFA calculations and is satisfied that:
- the existing consent (LDA2003/382) applying to Trinita Business Park approved the development of three commercial buildings with a GFA of 30,151m², which included 995 car parking spaces
 - the approved 995 car parking spaces are excluded from any further GFA calculations.
 - the proposed parking spaces (including spaces above the 0.2 spaces per dwelling rate) are not included in the GFA calculations as neither the non-discretionary development standard (NDDS) under the Housing SEPP or car parking requirements in the Ryde Development Control Plan 2014 constitute requirements of the consent authority for the purposes of calculating GFA
 - the application has correctly described and considered areas using wind barriers and that these areas are excluded from GFA as they are either not weatherproof or external to the building perimeter, or both.

74. The Department is therefore satisfied that the GFA has been calculated in accordance with the RLEP definition of GFA, and that it fully complies with the maximum FSR of 3:1 permitted on the site.
75. The Department recommends a condition requiring a covenant to prevent any double dipping on the existing Trinita Business Park site, should it be redeveloped in the future.

Density

76. Public submissions raised concerns about the increased density as a result of the proposal, arguing that the density would lead to residential amenity impacts, increased traffic and greater pressure on existing infrastructure and services.
77. The Department is satisfied the proposal has strategic merit and the bulk and scale of the buildings is compatible with the other developments in the locality, including the cluster of up to 25 storey residential flat buildings around the North Ryde Metro Station to the west of the development and the future desired character of Neighbourhood 7 in the Macquarie Park TOD precinct as demonstrated in Figure 7 below.

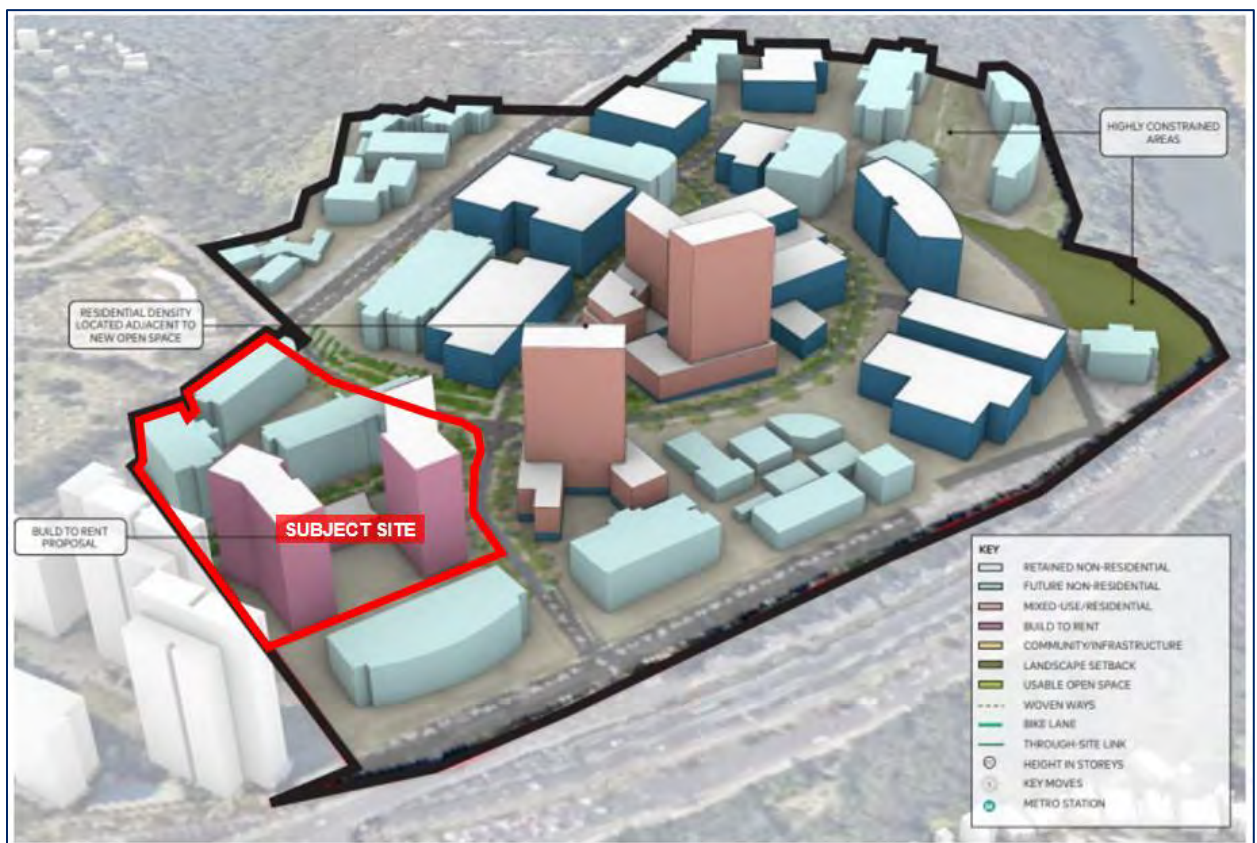


Figure 7 | Neighbourhood 7 - 3D Visualisation under Macquarie Park TOD Rezoning Urban Design Framework (Source: Applicant's RtS)

78. The proposal would not cause unreasonable traffic, visual, overshadowing, privacy or view loss impacts as discussed in Section 5.3, 5.4 and 5.5 of this report. The development has also been designed to ensure adequate internal amenity for residents through the provision of access to views, solar access and privacy as discussed in Sections 5.3 and Appendix C of this report.
79. The Applicant has executed a VPA with Council for the dedication of New Link Road and is also subject to contributions exceeding \$18 million to help meet the increased demand for infrastructure and services.
80. On this basis, the Department is satisfied that the proposed density is acceptable.

Conclusion

81. The Department acknowledges the concerns raised by the public and Council, however the Department concludes the proposal is acceptable as the:
- proposal satisfies the requirements of Clause 6.9 of the RLEP and provides recreation areas and improved access and complies with this maximum FSR for the site.
 - GFA calculations have been carefully considered against the RLEP definition and are considered accurate
 - bulk and scale of the proposal has been designed to respond to surrounding development and the future character of the area as envisaged under the Macquarie Park TOD and will not cause any unreasonable adverse impacts to the residential amenity of surrounding properties.

5.2.3 Built form and design

82. The proposed design has been informed by advice provided by the State Design Review Panel (SDRP) on two occasions ahead of lodgement of the application.
83. Council initially raised concerns regarding the bulk of the towers and the proposed four storey street wall height during the exhibition of the proposal. In response to the revised proposal, Council noted the reduced length of Building C was an improvement, but Building A remained overly bulky and suggested a lower six storey (instead of eight storey) street wall height for Building B would provide a more appropriate scale at the interface to New Link Road.
84. The proposed building massing is demonstrated in Figure 8 below.



Figure 8 | Revised building massing. (Source: Applicant's RtS)

85. The Department acknowledges the concerns raised by Council and finds the proposal has appropriately responded to comments made by the SDRP relating to solar access, materiality and the public domain and provides an acceptable built form and design because:

- the development generally satisfies the objectives of the Apartment Design Guide (ADG) (see **Appendix C**) and performs well in terms of solar access, building separation and communal open space.
- all buildings adopt irregular and angled shaped designs and varied setbacks to provide an appropriate interface to the surrounding streetscape and assist with reducing the perceived visual bulk from surrounding properties and the public domain.
- in terms of the frontage to New Link Road, the proposal provides a four to nine storey building. The design incorporates a suitable degree of articulation and variation in building height and reduces to four to six storeys at the respective ends of Building B.
- street wall heights are compatible with existing development within the Triniti Business Park while providing height transitions to lower scale existing buildings, reducing the perceived bulk from surrounding properties and reflecting the natural topography of the site.

- the proposal has refined the façade materiality to better reflect the character of the surrounding area by incorporating more solid spandrels on the tower facades, reducing reflectivity.

86. Therefore, the Department is satisfied that the proposed development provides a suitable built form and design that is compatible with existing development in the locality and the desired future character of the precinct.

5.3 External Residential Amenity Impacts

5.3.1 View Impacts

87. Public submissions from residents to the west of the site at the Ryde Gardens (1-3 Network Place) and Centrale (9-11 Delhi Road) developments (see **Figure 9**) raised concerns that the proposal would result in view loss impacts from apartments towards the Sydney CBD and surrounds to the east.
88. The Applicant prepared a Visual Impact Assessment (VIA) as part of the EIS and compared impacts resulting from design revisions in the RTS (see **Appendix B**). The VIA included an analysis of the view loss impacts of the proposal to residential buildings at neighbouring properties as shown in **Figure 9** and **Figure 10**.
89. The Applicant's VIA has considered view impacts using the four-step assessment in accordance with the principles established by *Tenacity Consulting Vs Warringah [2004]* NSWLEC 140. A link to the VIA is provided in **Appendix B** with the Applicant's key findings summarised in **Table 7**.

Table 7 | Summary of Applicant's assessment of view impacts to adjoining properties

Step 1 - Views	Step 2 - Location	Step 3 – Extent of Impacts
1 Network Place (Ryde Gardens) <ul style="list-style-type: none"> • Sydney CBD skyline views • Chatswood CBD views 	<ul style="list-style-type: none"> • Upper mid to top levels (RL 109 to RL 121) • Living rooms, winter gardens. 	<ul style="list-style-type: none"> • Moderate to severe due to the impact upon iconic views to the Sydney CBD skyline including the Sydney Centre Point Tower, Sydney Harbor Bridge and Opera House from the centre and northern portions of the building. • Some partial views of the Sydney CBD skyline are retained at the upper northern levels of the building from a standing position only.

Step 1 - Views	Step 2 - Location	Step 3 – Extent of Impacts
		<ul style="list-style-type: none"> Views to the Chatswood CBD will be retained at the northern side of the building.
3 Network Place (Ryde Gardens) <ul style="list-style-type: none"> Sydney CBD skyline views Chatswood CBD views 	<ul style="list-style-type: none"> Upper mid level (RL 109) Living rooms, winter gardens. 	<ul style="list-style-type: none"> Minor due to the impact upon the panoramic views of the Chatswood CBD. Iconic views of the Sydney CBD skyline, Sydney Centre Point Tower and part of the Sydney Harbour Bridge will be retained from seated and standing positions. The proposal would not impact views across the western side boundary that is likely to enjoy partially obscured views of Macquarie Park.
9-11 Delhi Road (Centrale) <ul style="list-style-type: none"> Sydney CBD skyline views Chatswood CBD views 	<ul style="list-style-type: none"> Upper mid and lower levels (RL 72 to 90) 	<ul style="list-style-type: none"> Minor to moderate as the proposal will obstruct iconic views across the south-eastern side boundary to the Sydney CBD skyline including the Sydney Centre Point Tower at the upper, middle floors at the south-eastern portion of this building. Views of the Sydney Harbour Bridge, North Sydney and Chatswood CBD's will not be impacted by the proposal.



Figure 9 | Buildings within the Ryde Gardens and Centrale developments adjacent to the site. (Source: Applicant's VIA).



Figure 10 | Location of individual buildings within the Ryde Gardens and Centrale developments adjacent to the site. (Source: Applicant's VIA)

90. The modelled visual impacts of the development are shown in Figure 11 to Figure 18 with any additional impacts compared to the original design shown in red with reduced impacts shown in blue.



Figure 11 | 1 Network Place – RL 121 upper top-level north, looking east across the site (existing).



Figure 12 | 1 Network Place - RL 121 upper top-level north (proposed).



Figure 13 | 1 Network Place - Viewpoint 3 – RL 109.0 upper mid-level (existing).



Figure 14 | 1 Network Place - Viewpoint 3 – RL 109.0 upper mid-level (proposed).



Figure 15 | 3 Network Place – RL 109 upper mid-level south, looking north-east across the site (existing).



Figure 16 | 3 Network Place - RL 109 upper mid-level south, looking north-east across the site (proposed).



Figure 17 | 11 Delhi Road – RL 89.78 upper mid-level south-east, looking south across the site (existing).



Figure 18 | 11 Delhi Road - RL 72.2 lower mid-level south-east, looking south across the site (proposed).

91. The Department has carefully considered the information presented in the Applicant's VIA and acknowledges residents' concerns regarding impacts to particular viewpoints. The overall conclusions presented in the applicants VIA for each building are accepted.
92. Public objections also raised concern that iconic views may be lost from 9 Delhi Road and 5 Network Place. The Department has considered potential impacts to these properties and consider the impacts to be negligible to minor as significant views would be largely already obstructed by existing development.
93. The fourth step of the Tenacity principles is to assess the reasonableness of the proposal that is causing the impact.
94. The Applicant's VIA emphasised that relevant strategic plans have supported significant residential development in the immediate surrounding area and that the development is reasonable in this context. The Applicant also considers that the proposed development has been skilfully designed to minimise view impacts and would result in reduced impacts when compared to an alternative proposal that maximises a compliant built form envelope.
95. The Department is satisfied that the proposal provides reasonable view sharing and is acceptable because:
 - the proposed building forms and heights are consistent with the future character envisaged under the Macquarie Park TOD
 - the proposal complies with the maximum building height and FSR development standards applicable to the site
 - the impacts of the development are generally minor or moderate with the exception of 1 Network Place where impacts are severe

- the revisions to the proposed massing and design through the application process have improved the view sharing by:
 - articulating the roof form elements of Building A to retain partial views to the Sydney CBD skyline from the upper levels to the north of 1 Network Place (which were originally obstructed).
 - transferring massing from the north-eastern corner of Building C to Building B which improved long distance views toward the Sydney and Chatswood CBD skyline from upper-mid levels at 1 Network Place and 11 Delhi Road.

96. Therefore, the Department's assessment concludes that the revised proposal promotes adequate view sharing and is reasonable and acceptable in the context of the site and the precinct.

5.3.2 Building Separation Distances & Visual Privacy

97. Objectives 2F and 3F-1 of the Apartment Design Guide (ADG) set out design criteria to ensure appropriate separation distances are provided between habitable and non-habitable rooms within the development and to surrounding development.
98. Public submissions were received from properties located to the north and north-west at the Ryde Gardens and Centrale developments, raising concerns with maintaining visual privacy.
99. The revised proposal provides building separation distances to surrounding buildings on adjoining properties to the north and north-west as follows:
- 42m between Building A and 11 Delhi Road at all levels.
 - 22m between Building A and 1 Network Place at the podium and 33m for all levels above podium.
 - 33m between Building A and 3 Network Place at all levels.
100. The Department finds that the proposed building separation distances maintain reasonable levels of visual privacy to surrounding properties as the setbacks are substantial and wholly consistent with the ADG.
101. The revised proposal provides the following building separation distances within the development as summarised in Table 8 below.

Table 8 | Proposed building separation distances within the development

ADG Guideline	Proposed	Consistent
<u>Building up to 12m (4 storeys)</u> <ul style="list-style-type: none"> • 12m between habitable rooms and balconies, • 6m between non-habitable rooms. 	<ul style="list-style-type: none"> • 5m provided between the habitable rooms and balconies of Building A and the communal open space at Level 3. • 15m-17m provided between Buildings A and B at Level 3. • 12m provided between Buildings A and B at Level 4. • 46m provided between Buildings A and C at Level 3. • 47.5m provided between Buildings A and C at Level 4. 	<ul style="list-style-type: none"> • Yes, except for a 5m setback provided between Building A and communal open space of Building B at Level 3 where the inconsistency is minor and is limited to a single level only.
<u>Building up to 25m (5-8 storeys)</u> <ul style="list-style-type: none"> • 18m between habitable rooms and balconies, • 9m between non-habitable rooms. 	<ul style="list-style-type: none"> • 12m provided between the habitable rooms and balconies of Buildings A and B at Level 5. • 18m provided between the habitable rooms and balconies of Buildings A and B at Levels 6 to 8. 	<ul style="list-style-type: none"> • Yes, except a 12m setback is provided between Buildings A and B at Level 5 where the inconsistency is minor and is limited to a single level only.
<u>Building over 25m (9+ storeys)</u> <ul style="list-style-type: none"> • 24m between habitable rooms and balconies • 12m between non-habitable rooms. 	<ul style="list-style-type: none"> • 18m provided between the habitable rooms and balconies of Buildings A and B at Level 9. • 16.7m provided between the habitable rooms and balconies of Building A and the communal open space area at the roof level (Level 10) of Building B. • 47.5m provided between Buildings A and C. 	<ul style="list-style-type: none"> • Yes, except for setbacks for level 9 and 10 where the inconsistency is minor and is limited to two levels only.

102. The proposal is generally consistent with the ADG minimum internal building separation distances for visual privacy, with building separation between units meeting or exceeding

the ADG criteria with some limited exceptions as described in Table 8. The Department considers these inconsistencies are acceptable and are suitably managed as:

- Where communal open space is setback at only 5m from apartments on level 3, appropriate landscaping treatment is provided which would discourage active use in direct proximity to apartments. The setback is also acceptable in the context of a large communal open space offering, which provides a 46m building to building separation.
- For levels five, nine and ten, screening is provided to apartments on the south-west of Building B which would prevent north-eastern apartments in Building A from looking into these apartments. The two buildings and internal apartment layouts are also orientated so they do not face each other directly which avoids direct sight lines between the primary outlook of apartments.

5.4 Traffic & Car Parking

5.4.1 Operational Traffic

103. Council and the public submissions raised concerns regarding operational traffic and the pedestrianisation of New Link Road. Council objects in particular to the lack of a suitable connection to the site from Rennie Street to Lucknow Road and then to Rivett Road to accommodate additional traffic generated by the site. Lucknow Road is privately owned and currently gated to prevent public access (see Figure 19).



Figure 19 | Overview of the local road network including Rennie Street and Lucknow Road

104. The Applicant's Transport Accessibility Impact Assessment estimates that the proposal would generate approximately 110 vehicle movements per hour during the weekday morning and afternoon peak periods.
105. The Department has carefully considered the Applicant's reports and concerns raised by Council and the public, and finds the proposal acceptable because:
- the proposed development would result in only a minor increase in traffic compared to existing conditions and results in a net reduction when compared to the commercial development previously approved on the same site (LDA2007/950).
 - a connection between Rennie Street and Lucknow Road is not required to enable suitable site access, which is provided by Rivett Road. Traffic modelling predicts that the surrounding intersections in the vicinity of the site would continue to operate at good levels of service during peak times.
 - the Applicant commits to implementing a Service Vehicle Management Plan (SVMP) which will set out the operating hours of the loading dock and the designated times for waste collection as well as a loading bay booking system to prevent queuing of HRV's during refuse servicing.
 - the Applicant has executed a VPA which commits to dedicating New Link Road to Council which will provide appropriate pedestrian and vehicle access and improved public amenity.
106. Therefore, the Department is satisfied that operational traffic impacts and the access arrangements of the proposal can be appropriately managed, subject to recommended conditions of consent.

5.4.2 Car Parking

107. Clause 74(2)(d)(i) of the Housing SEPP provides a non-discretionary development standard (NDDS) for car parking for BTR development at a rate of 0.2 spaces per dwelling for land within an accessible area (equivalent to 102 spaces). This NDDS prevents the consent authority from requiring more onerous standards or refusing an application if the development complies with the NDDS.
108. The proposal provides a total of 319 car parking spaces which includes (see Table 9):
- reallocation of 164 existing car parking spaces from within the Trinité Business Park for future BTR residents
 - construction of 155 new car parking spaces comprising:
 - 92 spaces for BTR residents (including 12 wide Ambulant spaces)

- 42 spaces for visitors (including 16 EV charging spaces)
- 16 spaces for retail (including 3 EV charging spaces and 2 accessible spaces)
- 5 car share spaces

Table 9 | Summary of parking requirements compared to proposed development

Land use	Housing SEPP	Ryde DCP	Proposed
Residential	102	393	256 (164 existing + 92 proposed)
Residential visitors	-	51	42
Retail	-	65	16
Car Share	-	-	5
Total	102	509	319

109. As the development proposes the use of 164 existing car parking spaces located within the Trinita Business Park basement, Condition 22 of the existing consent for LDA2003/382 is relevant which requires a maximum of 995 off-street car spaces.
110. During exhibition of the EIS, Council objected to the proposed car parking above the NDDS rate of 0.2 spaces per dwelling and are of the view that:
- a Clause 4.6 variation request is required to vary the car parking numbers above the rate of 0.2 spaces per dwelling
 - the development should consider decreasing the number of parking spaces given the proximity of the site to the North Ryde metro station
 - existing consent LDA2003/382 will need to be modified prior to occupation of the development.
111. The Department has considered Clause 74(2)(d)(i) of the Housing SEPP, the RDCP, and the concerns raised by Council and considers that the proposed quantum of car parking fairly and reasonably relates to the development. The Department finds that:
- the proposed car parking of 256 residential BTR spaces and 63 spaces for visitors, retail and car share, is inconsistent with the Housing SEPP NDDS, but significantly lower than the requirements of RDCP 2014 for standard residential developments within the Macquarie Park Corridor.

- the Applicant's Transport Accessibility Impact Assessment has adequately demonstrated that the amount of car parking is fair and reasonable considering the retail uses include a supermarket and that over half of the total proposed car parking spaces are already existing, previously approved, spaces.
- the reallocation of 164 existing car parking spaces within the Trinita Business Park Stage 1 development to be used by the proposed BTR development is an efficient and sustainable solution to parking at the site. Adequate parking will remain for the existing development, considering that since the time of the original approval an additional metro public transport option has been made available and the provisions of the Ryde DCP have further reduced applicable car parking requirements from 975 at the time of approval, to 377.

112. Therefore, the Department's assessment concludes that the proposed car parking is fair and reasonable to accommodate the development and recommends conditions which:

- clearly describe the car parking requirements of the development
- require the existing development consent LDA2003/382 to be modified.

5.5 Other issues

113. The Department's consideration of other issues is summarised below.

Table 10 | Assessment of other issues

Issue	Findings and conclusions	Recommended conditions
Construction Impacts	<p>The Applicant seeks to undertake construction works during the following times:</p> <ul style="list-style-type: none"> • between 7am and 7pm Monday to Friday inclusive • between 7am and 5pm, Saturdays. <p>The Applicant has also proposed extended construction hours for internal works. However, the Department has not considered extended construction hours for work internal to the building as a more detailed construction program and noise assessment is proposed to be completed prior to construction.</p>	<p>Condition C3 requires the preparation of a Construction Noise and Vibration Management Plan.</p> <p>Conditions D3-D7 sets out the requirements for hours of construction work.</p> <p>Conditions D9-D13 establish construction noise limits and vibration criteria.</p>

Issue	Findings and conclusions	Recommended conditions
	<p>During construction the proposal is likely to generate noise and up to 60 construction vehicles per day accessing the site.</p> <p>Council and public submissions raised concerns regarding the impacts of traffic during construction and noise.</p> <p>Council has recommended a condition for hours of work to be limited to the following:</p> <ul style="list-style-type: none"> • between 7am and 7pm Monday to Friday inclusive (other than public holidays) • between 8am and 4pm, Saturdays. <p>The Department has carefully considered the concerns raised by Council and the public, and supports Council's recommended construction hours because:</p> <ul style="list-style-type: none"> • the application describes that noise generated during construction is expected to remain below the 'highly affected' level of 75dB (as defined in the Interim Construction Noise Guideline) at all times. • noisy works like piling and rock breaking would be undertaken during standard construction hours. • construction traffic movements are not predicted to result in any reduction in level of service at nearby intersections. • the Council recommended construction hours are consistent with recent development approvals within the broader North Ryde area. <p>Therefore, the Department is satisfied that construction impacts associated with the proposal can be appropriately managed, subject to conditions of consent.</p>	

Issue	Findings and conclusions	Recommended conditions
Bicycle parking	<p>Council required confirmation of the number and location of the proposed bicycle parking.</p> <p>Adequate bicycle parking spaces will be provided, as the proposed 313 spaces include 116 spaces within a dedicated bicycle storage area, 140 spaces within residential storage facilities, 25 residential visitor bicycles spaces off the retail parking area, 21 staff bicycle spaces inside the end of trip facilities and 11 retail visitor bicycle spaces in the public domain at either end of New Link Road.</p> <p>The Department is satisfied that adequate bicycle parking is proposed in compliance with the DCP.</p>	Nil
Overshadowing	<p>Public submissions raised concerns regarding overshadowing to adjacent residential properties to the north and north-west as well as to open space areas.</p> <p>The Department considers the resulting overshadowing acceptable because:</p> <ul style="list-style-type: none"> • no overshadowing occurs to the adjacent residential properties to the north and north-west at Ryde Gardens and Centrale due to the orientation of the site and siting of the proposal to the south of these residential properties • the application was revised to protect solar access to 50% of the planned future public open space in the Place Strategy and Master Plan. However, in the Macquarie Park TOD Rezoning (November 2024) it is noted that this planned open space has reduced in size and is now situated further north. The proposal will result in minimal overshadowing of the new proposed location of this open space at 3PM during the winter solstice. 	Nil

Issue	Findings and conclusions	Recommended conditions
	<p>Therefore, the Department is satisfied that the revised proposal maintains solar amenity for surrounding properties and public open space areas.</p>	
<p>Acoustic Privacy</p>	<p>Council and the public raised concerns regarding operational noise impacts.</p> <p>The RtS was accompanied by a revised Noise and Vibration Impact Assessment as well as a Mechanical Advice memo which included consideration of operational noise impacts including mechanical plant.</p> <p>The Department has considered the Applicant's reports and the concerns raised in the public submissions and finds acoustic privacy is maintained because:</p> <ul style="list-style-type: none"> the Noise and Vibration Impact Assessment recommends mitigation measures including glazed windows and doors to maintain acoustic amenity for residents of the site and surrounding developments the proposed mechanical plant is suitable to accommodate the scale of the development and is capable of complying with relevant noise criteria the use, fit out and hours of operation of the proposed retail tenancies including the supermarket and gym are to be excluded from this consent and will require the submission of local development applications to Council for first use Council has recommended conditions related to acoustic amenity and noise that are to be imposed on the consent. <p>The Department is satisfied that the development can comply with the relevant operational noise</p>	<p>Conditions B18, C3, E14-E15 sets out the requirements for mitigating and managing any operational noise impacts.</p>

Issue	Findings and conclusions	Recommended conditions
	criteria, subject to recommended conditions of consent.	
Wind	<p>The Applicant submitted a Pedestrian Wind Environmental Assessment Wind Tunnel Report.</p> <p>Council and the public raised concerns regarding wind impacts.</p> <p>The Department is satisfied that the revised proposal incorporates suitable wind mitigation measures and is capable of satisfying relevant wind comfort requirements, subject to conditions.</p>	<p>Condition B18 sets out the requirements for complying with the wind mitigation measures in the Applicant's wind report.</p>
Biodiversity & Tree Removal	<p>The Applicant submitted a Biodiversity Development Assessment Report (BDAR) that specifies 0.25ha of the Blue Gum High Forest Critically Endangered Ecological Community is impacted, and five ecosystem credits are required.</p> <p>Council, NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW)'s Biodiversity Group and the public raised concerns regarding biodiversity and tree removal on the site that have been resolved with the submission of additional information.</p> <p>The BDAR describes that:</p> <ul style="list-style-type: none"> • approximately 0.14 ha of Blue Gum High Forest Critically Endangered Ecological Community (Blue Gum High Forest CEEC) will be retained within the site post development. • the development would clear 0.25 ha of urban, edge-effected native vegetation. • a total of 5 Blue Gum High Forest CEEC credits must be retired to offset the residual biodiversity impacts of the proposal. <p>The Department is satisfied the proposal has been designed to avoid or minimise direct and indirect</p>	<p>The Department supports NSW DCCEEW Biodiversity recommended conditions and recommends conditions that require ecosystem credits to be retired prior to the commencement of construction.</p> <p>Conditions B11, B12-B13, C1, C17 and D20-D21 set out the requirements for managing landscaping, biodiversity impacts and tree removal.</p>

Issue	Findings and conclusions	Recommended conditions
	<p>impacts based on its location and minor reduction in trees proposed for removal.</p> <p>NSW DCCEEW Biodiversity recommended conditions of consent requiring mitigation measures as part of a Land Management Plan for the development.</p> <p>See discussion in Appendix C for further details on biodiversity.</p>	
Flooding	<p>All points of egress to the site are located above Probable Maximum Flood levels. However, the site is at risk of becoming surrounded by floodwater for up to five hours during a PMF event.</p> <p>Council, NSW DCCEEW Biodiversity and NSW SES advised that the flooding concerns originally raised in response to the EIS had been satisfactorily addressed with the submission of the RtS.</p> <p>The applicant proposes shelter in place in response to flooding. The Department considers this appropriate due to the short five-hour isolation period, lack of flood free evacuation route and the provision of emergency equipment and supplies.</p> <p>The Department recommends conditions in relation to flooding be imposed in the consent.</p>	<p>Conditions B26 and F2 sets out the requirements for managing flooding which includes the implementation of the Flood Emergency Response Plan.</p>
Stormwater	<p>Council raised concerns regarding stormwater management and drainage impacts that were addressed in the Applicant's RtS and resolved.</p> <p>Council recommended conditions of consent in relation to stormwater management.</p> <p>The Department considers that the Applicant has addressed Council's concerns with the revised proposal.</p>	<p>Conditions B8, B24, C1, C6, D22-D24, E10, E33-E34, E38 and F1 set out the requirements for managing stormwater.</p>

Issue	Findings and conclusions	Recommended conditions
Crime Prevention Through Environmental Design (CPTED)	<p>The Applicant submitted a CPTED assessment, which considered how the proposal meets the CPTED principles of territorial reinforcement, surveillance, access control and space/activity management.</p> <p>Public submissions raised concerns regarding safety and crime.</p> <p>The CPTED assessment undertook a review of the proposal and did not identify any major crime or safety concerns and have provided recommendations to be included in the design development.</p> <p>The Department is satisfied that the development will not result in unacceptable safety or security impacts.</p>	<p>Condition B17 sets out the requirements for CPTED.</p>
Sustainability	<p>Council raised concerns regarding insufficient detail provided on electric vehicle (EV) charging types (speed) and the claim to be fully electric by 100% renewable energy.</p> <p>The Department has considered the Applicant's documentation and concerns raised by Council and finds the sustainability initiatives of the proposal satisfactory because:</p> <ul style="list-style-type: none"> • EV charging infrastructure would be provided in accordance with the National Construction Code • the building is designed to be fully electric and the operator is committed to procuring 100% renewable electricity in operation for all common areas within their operational control. <p>The Department is satisfied that the development provides suitable sustainability initiatives and recommends conditions requiring compliance with Green Star initiatives in the ESD report.</p>	<p>Condition B16 sets out the requirements for EV charging infrastructure.</p> <ul style="list-style-type: none"> • Conditions B16 and E4 set out the requirements sustainability. • Condition B16 sets out the requirements for EV charging.

Issue	Findings and conclusions	Recommended conditions
Contributions & public benefit	<p>Council considers a Section 7.12 contributions levy of 4% appropriate and necessary to deliver infrastructure.</p> <p>Council is also concerned that they will not be able to rate each unit separately and will only be able to rate the property as one assessment which would be financially unsustainable for Council to meet the increased demand on infrastructure and services for the increase in population.</p> <p>The Department has considered the concerns raised by Council and notes:</p> <ul style="list-style-type: none"> • section 7.12 contributions do not apply to the development as the DA was lodged and EIS exhibited before the relevant plan commenced. • the applicant has executed a VPA with Council for the dedication of New Link Road. The VPA was executed on 14 April 2025 and provides for about \$8.74m in incentive contributions. • the development is subject to contributions under the City of Ryde Section 7.11 Development Contributions Plan 2020 which provides for \$9.39m contributions. • as the application was lodged prior to 1 October 2023, the Housing Productivity Contribution (HPC) does not apply to this development. <p>The Department has recommended conditions for the implementation of the VPA and to require the payment of contributions prior to the issue of a Construction Certificate for the development. Total contributions attributed to the development are substantial and will exceed \$18m.</p>	<ul style="list-style-type: none"> • Condition A9 sets out the requirements for the VPA. • Condition A10 set out the requirements for the contributions.
Social & economic impacts	<p>The Applicant submitted a Social Impact Assessment and Economic Assessment.</p>	<p>Nil</p>

Issue	Findings and conclusions	Recommended conditions
	<p>Council raised concerns regarding the loss of employment generating land use and economic impacts of the proposal.</p> <p>The Department has reviewed the concerns raised by Council and finds the proposal acceptable because the development will:</p> <ul style="list-style-type: none"> • increase housing diversity in the North Ryde Precinct • deliver social infrastructure and services for both on-site residents and the wider community • support approximately 400 construction jobs and 196 operational jobs (both retail and residential) during the operational phase of the development and revitalise a currently underutilised site within the Macquarie Park Precinct. <p>Therefore, the Department finds the proposal will not have any adverse social or economic impacts on the locality.</p>	
<p>Existing development consents</p>	<p>Council raised concerns regarding existing consents LDA2003/382 and LDA2007/950 issued for the site and recommended conditions relating to the following:</p> <ul style="list-style-type: none"> • LDA2003/382 to be modified with Council, primarily to revise the car parking numbers in Condition 22 • LDA2007/950 to be surrendered as it is unclear if this consent has been activated. <p>The Applicant has agreed to the above and the Department has recommended special conditions to address the impacts on these existing consents.</p>	<ul style="list-style-type: none"> • Condition A8 requires LDA2007/950 to be surrendered prior to the issue of a Construction Certificate. • Condition A11 requires LDA2003/382 to be modified under section 4.17 of the Act prior to the commencement of construction.

Issue	Findings and conclusions	Recommended conditions
Impacts to childcare centre	<p>Public submissions raised concerns regarding the closure of New Link Road and the safety of young children attending the existing childcare facility within the Triniti Business Park Development.</p> <p>The Department has considered the concerns raised in the submission and finds the application acceptable as New Link Road is to be dedicated to Council in the VPA and no works are proposed as part of the revised application.</p>	Nil

6 Evaluation

114. The Department's assessment has considered the relevant matters and objects of the EP&A Act, including the principles of ecologically sustainable development (**Appendix C**), advice from government agencies, local councils and public submissions (**Section 4**), and strategic government policies and plans (**Section 3** and **Appendix C**).
115. The Department's assessment concludes that the proposal is acceptable as:
- it would support State government priorities to deliver well-located housing as it will deliver 510 new BTR units and active ground floor uses in an accessible location in the Macquarie Park precinct.
 - it is permissible with consent and would provide a high-density housing development consistent with the objectives of the E2: Commercial Centre zone under RLEP 2014 and the envisaged character of the Macquarie Park Innovation Precinct Place Strategy, Macquarie Park Innovation Precinct Master Plan (September 2022).
 - the proposed 8 to 20 storey building heights and forms are compatible with the envisaged character of the area and would provide an appropriate built-form relationship to the adjacent residential development to the west and existing commercial Triniti Business Park to the north.
 - it would not result in unreasonable overshadowing, view or privacy impacts on adjoining development, the public domain or planned public open space areas.
 - it would provide a high level of internal and external amenity for future residents in line with the principles and design criteria of the Apartment Design Guide (ADG).
 - it would deliver public benefits by enhancing access and connectivity within the precinct through the introduction of public through-site links and recreational areas.
 - a Voluntary Planning Agreement (VPA) has been executed with Council for the dedication of New Link Road for future upgrades and public domain works.
116. The Department has recommended a range of conditions to manage any residual environmental impacts (**Appendix D**).
117. The Department considers the impacts of the development are acceptable and can be appropriately managed or mitigated through the implementation of recommended conditions of consent. Consequently, the Department considers the proposal is in the public interest and is approvable, subject to conditions.



Appendices

Appendix A – Summary of key revisions to the project

Since lodgement, some key aspects of the project have been revised in response to public submissions, agency advice and at the request of the Department via the RtS that was publicly re-exhibited.

A summary of the key revisions is provided in Table 11.

Table 11 | Key revisions

Aspect		Original project in EIS	Revised project
Built Form & Layout		 <p>SSDA Scheme</p>	 <p>Proposed Scheme</p>
Gross Floor Area		42,400m ²	42,084m ²
Site Coverage		7,446m ²	6,482m ²
Number of Units	Studio	43 (8%)	48 (9%)
	1 Bed	204 (40%)	217 (43%)
	2 Bed	237 (47%)	219 (43%)
	3 Bed	24 (5%)	26 (5%)
	Total	508	510
Solar Access to Planned Open Space (10am-2pm on 21 June)		21%	50%
Public Domain (% of total area)		2,750m ²	5,257m ²

Aspect	Original project in EIS	Revised project
Communal Open Space	5,412m ² (51%)	8,098m ² (76.3%)
Deep Soil	765m ² (7.2%)	1,700m ² (16%)
Tree Canopy Coverage	1,947m ² (18.34%)	2,706m ² (25.5%)
ADG Solar Access	369 units (73%)	355 units (70%)
ADG Cross Ventilation	128 units (60%)	158 units (60%)
Street Wall (New Link Road)	4 storey street wall	4-9 storey street wall

Appendix B – List of referenced documents

The following documents can be accessed at <https://www.planningportal.nsw.gov.au/major-projects/projects/triniti-lighthouse-build-rent-north-ryde>.

- Environmental Impact Statement
- Response to submission report
- Applicant's additional information
- Submissions (public and Council)
- Government agency advice.

Appendix C – Statutory considerations

Matters of consideration required by the EP&A Act

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is shown in Table 12 below.

Table 12 | Matters for consideration

Matter for consideration	Department's assessment
Environmental planning instruments, proposed instruments, development control plans & planning agreements	<ul style="list-style-type: none">• Section 5 - Assessment• Appendix C – Statutory Considerations
EP&A Regulation	<ul style="list-style-type: none">• Appendix C – Statutory Considerations
Likely impacts	<ul style="list-style-type: none">• Section 5 - Assessment• Appendix C – Statutory Considerations
Suitability of the site	<ul style="list-style-type: none">• Section 1 - Introduction• Section 2 – Project• Section 3 – Policy and Statutory Context• Section 5 - Assessment• Appendix C – Statutory Considerations
Public submissions	<ul style="list-style-type: none">• Section 4 - Engagement• Section 5 - Assessment• Appendix C – Statutory Considerations
Public interest	<ul style="list-style-type: none">• Section 4 - Engagement• Section 5 - Assessment• Section 6 - Evaluation• Appendix C – Statutory Considerations

Objects of the EP&A Act

In determining the application, the consent authority should consider whether the project is consistent with the relevant objects of the EP&A Act (s 1.3) including the principles of ESD. Consideration of those factors is described in Table 13 below.

As a result of its analysis, the Department is satisfied that the development is consistent with the objectives of the EP&A Act and the principles of ESD.

Table 13 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	<ul style="list-style-type: none">• The proposal promotes the social and economic welfare of the community by providing additional housing and jobs at a highly accessible site, contributing to the achievement of State, regional and local planning objectives.• Environmental impacts would be balanced by tree planting and landscaping works.• The proposed development does not have any impacts on the State's natural or other resources.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	<ul style="list-style-type: none">• The proposal includes ESD initiatives and sustainability measures, which aims to meet the ESD requirements via an equivalent outcome to a 5 Green Star rating level Australian Excellence for its design and construction and 7 Star NatHers.
(c) to promote the orderly and economic use and development of land,	<ul style="list-style-type: none">• The proposal represents the orderly and economic use of the land primarily as it will increase employment and housing opportunities near services and public transport.• The proposed land uses are permissible, and the form of the development has had regard to the planning controls that apply to the site, the character of the locality and the context of surrounding sites.
(d) to promote the delivery and maintenance of affordable housing,	<ul style="list-style-type: none">• The proposal will result in the delivery of 510 BTR units which contributes to housing supply.

Object	Consideration
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	<ul style="list-style-type: none"> The proposal will not adversely affect the protection of the environment.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	<ul style="list-style-type: none"> The proposal would not have an adverse impact on any built heritage items or conservation areas.
(g) to promote good design and amenity of the built environment,	<ul style="list-style-type: none"> The proposal demonstrates a good design approach to the relevant planning controls and local character. The building has been designed to minimise amenity impacts to neighbours and the surrounding environment and to provide good levels of internal amenity. Other amenity impacts would be managed by either the form of the development or by the recommended conditions of consent for mitigation measures during the construction and operational phase of the development.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	<ul style="list-style-type: none"> The proposal demonstrates that construction work will be undertaken in accordance with national construction standards, relevant regulation and the site-specific construction management plan. Any impacts during this phase will be monitored and managed in keeping with the conditions of consent set out to mitigate any impacts. Ongoing management and maintenance of the development shall be managed by the building management.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	<ul style="list-style-type: none"> The Department publicly exhibited the proposal as outlined in Section 4. This included consultation with Council and other Government agencies, and consideration of their responses.

Object	Consideration
<p>(j) to provide increased opportunity for community participation in environmental planning and assessment.</p>	<ul style="list-style-type: none"> • The Department publicly exhibited the application and the RtS, which included notifying adjoining landowners and displaying the application on the Department's website. • The Department placed the Applicant's RtS and additional information on its website, in addition to providing a copy to Council and other relevant Government agencies. • The engagement activities carried out by the Department are detailed in Section 4.

Ecologically Sustainable Development

The EP&A Act adopts the definition of ecologically sustainable development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The proposal includes ESD initiatives and sustainability measures, which aims to meet the ESD requirements via an equivalent outcome to a Green Star 5-star rating for a level Australian Excellence for its design and construction and 7 Star NatHers. The proposal also exceeds the minimum requirements under BASIX. A copy of the Applicant's ESD report can be viewed at **Appendix B**.

The Department has considered the proposal in relation to the ESD principles. The Precautionary and Inter-Generational Equity Principles have been applied in the decision-making process by a thorough assessment of the environmental impacts of the proposal. Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives will encourage ESD, in accordance with the objects of the EP&A Act.

EP&A Regulation

The EP&A Regulation requires the applicant to have regard to the *State Significant Development Guidelines* when preparing their application. In addition, the SEARs require the applicant to have regard to the following:

- *Social Impact Assessment Guideline for State Significant Projects*
- *Undertaking Engagement Guidelines for State Significant Projects*

Clause 35 of the EP&A Regulation 2021 requires the Applicant to submit an assessment of consistency of the development in relation to the Macquarie Park Innovation Precinct Place Strategy (Place Strategy) and Macquarie Park Innovation Precinct Master Plan (Master Plan) (30 September 2022) as the site is located on land identified within the Macquarie Park Corridor under the provisions of RLEP 2014.

Macquarie Park is an accelerated precinct under the Transport Oriented Development (TOD) Program and the site lies within the Macquarie Park State-Led Stage 2 Rezoning proposal. The Stage 2 proposal was available for public feedback between 9 July and 23 August 2024 and the Macquarie Park TOD Rezoning was finalised in November 2024.

However, consideration of this application is to be given to its consistency with the Place Strategy and Master Plan (30 September 2022) that was available at the time of lodgement. The Applicant submitted a statement of consistency with the EIS and RtS which was reviewed by the Department's Planning, Land Use Strategy, Housing and Infrastructure (PLUSHI) team.

The Department's comments of the application's consistency with the Place Strategy (30 September 2022) is summarised in **Table 14** below.

Table 14 | Place Strategy (30 September 2022) comments on consistency

Issue	Requirements	Comments
Structure Plan & Land Use	<ul style="list-style-type: none"> • Key neighbourhood stats: <ul style="list-style-type: none"> – 18-hour economy – 1,500–2,000 new homes 	<ul style="list-style-type: none"> • The site is located within neighbourhood North Ryde Riverside – Narrami Badu-Gumada (Connecting Water Spirit). • The Structure Plan identifies this neighbourhood will be a place for new housing and a new activity hub within the existing commercial core, supported by new pathways and open space areas. • The site is identified as a commercial core and the development proposes a mixed-use development, primarily for the purposes of BTR which is a residential land use. However, the site has an existing commercial development (Trinita Business Park) comprising 30,151m² of existing commercial GFA. • The proposed BTR use and ground floor retail including a supermarket contribute to additional commercial GFA and additional jobs (196 operational jobs). • The ground floor uses support an 18-hour economy. • The development provides for an additional 510 new homes, which is approximately 25% of the new homes target for this neighbourhood.
Greenery	<ul style="list-style-type: none"> • Ensure no net loss of canopy across the precinct. • Aim for the following canopy targets: <ul style="list-style-type: none"> – Residential zoned land including streets 40%. 	<ul style="list-style-type: none"> • The revised proposal provides for the retention of some existing canopy along boundaries. • The southern portion of the site has an existing canopy coverage of 22.39%. • The revised building and landscape design along Rivett Road provides the opportunity

Issue	Requirements	Comments
	<ul style="list-style-type: none"> – Business zoned land including streets 35%. – Open space including streets 45% 	<p>to introduce more new trees to the site and retain more of the existing BGHF trees.</p> <ul style="list-style-type: none"> • The development proposes a Tree Canopy coverage of 25.5% inclusive of trees planted at the ground floor plane, podium and level 10 therefore, there is no net canopy loss. • BGHF trees, shrubs and groundcover species have been introduced in the design on all levels of the buildings.
Overshadowing of Public Open Space	<ul style="list-style-type: none"> • Protect solar access to public open space, with winter solstice protection from 10am to 2pm. 	<ul style="list-style-type: none"> • The revised proposal provides solar access to 50% or more of the planned public open space on the opposite side of Rivett Road between 10AM and 2PM during the winter solstice. • Greater than 50% overshadowing occurs to the planned public open space from 3PM during the winter solstice. • The Department notes the Macquarie Park TOD Rezoning (November 2024) reduced the size and relocated the planned public open and it is now situated further north-east. The proposal will likely only result in some overshadowing of the new location of this open space at 3PM during the winter solstice.
Taller Building Design	<ul style="list-style-type: none"> • Provide variation in built form and heights to ensure appropriate interface with adjacent development sites. • Maximise direct solar access to adjoining properties. 	<ul style="list-style-type: none"> • The revised built form ensures variation within the tower forms and does not create any unreasonable overshadowing of the adjoining site where a future park is identified in the Place Strategy (30 September 2022) on the opposite side of Rivett Road.
Net Zero Emissions	<ul style="list-style-type: none"> • Contribute to the goal of net zero emissions by 2050. 	<ul style="list-style-type: none"> • The proposed development targets 100% renewable energy for the base building

Issue	Requirements	Comments
		operations, 5 Star Greenstar, and 7 Star NatHers.
Water Sensitive Urban Design Opportunities	<ul style="list-style-type: none"> Identify potential water sensitive urban design opportunities in new open space and creek restoration works for optimised urban stormwater management. 	<ul style="list-style-type: none"> The proposal identifies how stormwater runoff is to be appropriately treated and reused. Treatment measures include rainwater tanks, storm filter cartridges, ocean guard pit inserts and bioretention raingardens.
Regeneration of Plants & Waterways	<ul style="list-style-type: none"> The unique set of natural spaces could open opportunities for regeneration of plants and waterways. 	<ul style="list-style-type: none"> Significant vegetation on the site is retained, protected and enhanced under the proposed design. The landscape plan has sought to include endemic planting species where possible.
Through-Site Links	<ul style="list-style-type: none"> A new residential quarter with open space and access to the national park could include cultural and social uses at ground level near adjoining work spaces and employment areas. Inside the commercial core, there is the opportunity to explore residential uses within the identified activity hub 	<ul style="list-style-type: none"> The project aligns with this key neighbourhood move, locating BTR uses adjacent the existing residential precinct located around the new Metro station. The proposed BTR uses will connect the proposed activity hub with the residential precinct at the Metro Station and activate New Link Road.

The Department's consideration of the application's consistency with the Master Plan is summarised in Table 15 below.

Table 15 | Master Plan (30 September 2022) assessment of consistency

Issue	Requirements	Comments
Objective 2	Deliver a well-connected network of new and improved green infrastructure for the growing Macquarie Park community	<ul style="list-style-type: none"> The revised proposal has increased the number of trees retained and deep soil provided on site. The site is left better than it was found in regard to greenery and endemic planting.

Issue	Requirements	Comments
Objective 3	Support the continued development of a business ecosystem	<ul style="list-style-type: none"> • New Link Road currently comprises a two-way road that is internal to the site and is currently managed and owned by Stockland. • The project seeks to dedicate New Link Road in a VPA offer to Council who will deliver future works to the road to contribute to walkability and permeability.

The Applicant also submitted a statement of consistency in relation to the Stage 2 proposal that was on exhibition in July 2024, as well as the final Macquarie Park TOD Rezoning (November 2024) that can be viewed in **Appendix B**.

The project generally aligns with the changes in the final Macquarie Park TOD Rezoning (November 2024).

Environmental Planning Instruments (EPIs)

SEPP (Planning Systems) 2021 (Planning Systems SEPP)

Refer to Section 3 and Section 5.

SEPP (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)

The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process. An assessment of the development against the relevant considerations of the Transport and Infrastructure SEPP is provided in **Table 16**.

Table 16 | Transport and Infrastructure SEPP compliance table

Transport and Infrastructure SEPP standard	Consideration
Division 5 Electricity transmission or distribution	
Subdivision 2 Development likely to affect an electricity transmission or distribution network	
2.48 Determination of development applications – other development	<ul style="list-style-type: none"> • The application was referred to Ausgrid pursuant to clause 2.48 of the SEPP.

Transport and Infrastructure SEPP standard	Consideration
	<ul style="list-style-type: none"> • Ausgrid noted that underground cables are located in the vicinity of the development as well Ausgrid Easements. • Ausgrid recommended that the applicant locate and record the depth of all known underground services prior to any excavation in the area. • The Department recommends standard conditions relating to construction be applied and special Conditions B23 and D32 to maintain existing Ausgrid easements, leases/and/or rights of way.

Division 12A Pipelines and pipeline corridors

Subdivision 2 Development adjacent to pipeline corridors

2.77 Determination of development applications	<ul style="list-style-type: none"> • The application was referred to the Department's Hazards team who confirmed that the proposal is not located to high-pressure dangerous goods or gas pipelines.
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Division 17 Roads and Traffic

Subdivision 2 Development in or adjacent to road corridors or road reserves

2.118 Development on proposed classified road	<ul style="list-style-type: none"> • The site is not on a classified road.
2.119 Development with frontage to classified road	<ul style="list-style-type: none"> • The site has a frontage to Delhi Road which is a classified road. • The Department referred the RtS to TfNSW who raised no objection to the proposal, stating that the proposal is unlikely to have a significant impact on the classified road network.
2.120 Impact of road noise or vibration on non-road development	<ul style="list-style-type: none"> • The development has a frontage to Delhi Road which is a classified road. The site is also in close proximity to Epping Road and the M2 Motorway. • In accordance with the SEPP, a Noise and Vibration Impact Assessment was submitted with the EIS, which demonstrated the proposed design is capable of compliance with the

Transport and Infrastructure SEPP standard	Consideration
	<p>provisions of the <i>Development Near Rail Corridors and Busy Roads - Interim Guideline</i> and acoustic requirements.</p> <ul style="list-style-type: none"> The Department has considered construction and operational noise at Section 5.5 and concludes noise impacts can be managed and/or mitigated. The Department recommends conditions to manage the impacts.
2.122 Traffic-generating development	<ul style="list-style-type: none"> The development constitutes traffic generating development in accordance with clause 2.122 of the SEPP as it as it involves more than 75 dwellings. The Department consulted with TfNSW and Council as the relevant roads authority for the classified road network.
Division 15 Railways Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors – notification and other requirements	
2.98 Development adjacent to rail corridors	<ul style="list-style-type: none"> The development is not adjacent to a rail corridor.
2.99 Excavation in, above, below or adjacent to rail corridors	<ul style="list-style-type: none"> As the proposal is SSD, concurrence is not required from Sydney Metro. The Department referred the RtS to Sydney Metro who had no comments and did not require the imposition of any conditions in relation to the development.

The Department considers the proposed development to be consistent with the SEPP given the consultation and consideration of transport, traffic and parking issues in **Section 5.5** and has recommended relevant conditions of consent in **Appendix D**.

SEPP (Resilience and Hazards) 2021

The application was accompanied by a combined Preliminary (PSI) and Detailed Site Investigation (DSI), prepared by JBS&G, relating to the southern portion of 39 Delhi Road, North Ryde. The statement confirms:

- all concentrations of contaminants of potential concern in soil were reported below adopted assessment criteria at all sample locations or at levels which are considered not requiring remediation/management

- concentrations of principally cadmium, chromium, copper, nickel and zinc in groundwater above the freshwater ecological assessment criteria for 95% species protection were identified. However, these elevated concentrations were generally consistent between locations, with levels typically observed in urban settings particularly shale landscapes and in lieu of detections of elevated impact in assessment area soils, and therefore do not require remediation and/or management
- the assessment area is suitable for its proposed mixed high density residential and commercial land use.

With regards to the findings, the PSI/DSI noted that as a basement excavation is proposed, it is understood that construction dewatering of groundwater seepage into the basement excavation is likely to be required.

The PSI/DSI recommends that in addition to the pH and suspended sediment conditions within groundwater, given the presence of elevated heavy metals concentrations exceeding the 95% freshwater species protection criteria, consideration should be given to the development of a Construction Dewatering Management Plan (CDMP) to ensure the appropriate management of excess groundwater seepage as may require off-site discharge during construction works. The findings and recommendations of JBS&G (2023) should be considered with regards to subsequent basement seepage water management.

The EIS and RtS was referred to EPA for comment who recommended conditions relating to the requirement for a CDMP to be submitted to the satisfaction of the Department and unexpected finds protocols.

The Department considers the site can be made suitable for the proposed development and recommends **Condition C7** for a CDMP to be prepared and standard **Conditions C1 and C17** for unexpected finds protocol, to ensure the proposal addresses the requirements of SEPP (Resilience and Hazards) 2021.

SEPP (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)

Chapter 2 of the Biodiversity and Conservation SEPP aims to protect the biodiversity value of trees and other vegetation in non-rural areas. The development was accompanied by a Biodiversity Development Assessment Report and was provided to NSW DCCEEW Biodiversity for comment. The BDAR has been considered in **Appendix C** above.

SEPP (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)

The Sustainable Buildings SEPP encourages the design and construction of more sustainable buildings across to help meet climate change targets.

A BASIX certificate was submitted with the revised application demonstrating the proposal achieves compliance with the relevant standards under the SEPP. The Department recommends **Conditions B22, E12 and F13** requiring compliance with the BASIX certificate.

SEPP (Housing) 2021 (Housing SEPP)

A summary of the Department's consideration of the relevant standards contained in the State Environmental Planning Policy (Housing) 2021 are provided in **Table 17** below.

Table 17 | Housing SEPP compliance table

Housing SEPP standard	Consideration
Chapter 3, Part 4 – Build-to-rent housing	
72. Development for the purposes of build-to-rent housing permitted with consent	<ul style="list-style-type: none"> • The Housing SEPP enables certain residential accommodation to be used as BTR housing. • The proposal comprises residential development for the purposes of shop top BTR housing on land zoned E2: Commercial Centre in RLEP 2014. • The proposal will result in at least 50 dwellings occupied or intended to be occupied by individuals under residential tenancy agreements, and all buildings containing dwellings that will be located on the same lot. • The proposal demonstrates that a total of 510 resident dwellings can be provided and occupied by individuals under residential tenancy agreements.
73. Conditions of build-to-rent housing to apply for at least 15 years	<ul style="list-style-type: none"> • The Housing SEPP requires the tenanted component of the building to not be subdivided into separate lots and for the tenanted component of the building will be owned, controlled and operated by a managing agent who provides on-site management. • The applicant has stated that the tenanted component of the building will not be subdivided, and the building will be owned and controlled by the Applicant. • The Department is satisfied the proposal is consistent with the conditions of build-to-rent and Condition F14 is recommended to enforce the requirements of ongoing BTR operations.
74 (2)(a) Non-discretionary (development standard - building height)	<ul style="list-style-type: none"> • The development has a maximum building height of RL 122.550 which complies with the 65m height limit under clause 6.9 of RLEP 2014. • The Department is satisfied the proposal is consistent with the building height requirements.

Housing SEPP standard	Consideration
74 (2)(b) Non-discretionary development standard - FSR	<ul style="list-style-type: none"> The site has a maximum FSR of 3:1 under the provisions of clause 6.9 of RLEP 2014. The development results in a total FSR of 2.64:1. The Department is satisfied the proposal is consistent with the FSR requirements.
74 (2)(d) Non-discretionary development standard - parking	<ul style="list-style-type: none"> The site is located within an accessible area and therefore is subject to the NDDS car parking provision of 0.2 spaces for each dwelling, equating to a total of 102 spaces. The proposed development provides a total of 155 new parking spaces, whereby 92 new spaces are proposed for the BTR use that is supported by the Department as discussed in Section 5.44.
75. Design requirements	<ul style="list-style-type: none"> The development does not seek to utilise the flexible design criteria under this clause. More detail on this is provided in the ADG assessment below.
76. Active uses on ground floor of build-to-rent housing in business zones.	<ul style="list-style-type: none"> The Housing SEPP requires developments within business zones to have an active street frontage. The site is zoned 'E2 Commercial Centre' and the proposal will provide the following active uses at the ground floor level: <ul style="list-style-type: none"> a supermarket in the through site link. a retail use on the corner of Rennie Street and New Link Road. five additional retail tenancies fronting New Link Road. four additional retail tenancies in the through site link. a main concierge BTR lobby accessible from the Rennie Street frontage and through site link. additional BTR lobby accessible from the Rivett Road frontage. A BTR lobby accessible from Albert Avenue with frontages to both Albert Avenue and Albert Lane.
77. Contributions on Affordable Housing	<ul style="list-style-type: none"> The site is not required to deliver affordable housing and no affordable housing is proposed.
78. Subdivision	<ul style="list-style-type: none"> The proposal does not involve the subdivision of a residential flat building.

Chapter 6 – Low and Mid Rise Housing

Chapter 6 of the Housing SEPP, Low and mid-rise housing, was introduced on February 28, 2025. This chapter applies to residentially zoned land within 800 metres walking distance of 171 centres and stations, mandating the permissibility of certain developments and introducing new development standards. The site

is located within 800 metres walking distance of North Ryde Metro Station, which is listed in Schedule 11. However, the site is zoned E2: Commercial Centre and is located within an Accelerated TOD Precinct. Therefore, the provisions of Chapter 6 are not applicable to the development.

Schedule 9 Design Principles

Prior to lodgement of the application, the Applicant met with the State Design Review Panel (SDRP) on two occasions, on 15 February 2023 and 5 May 2023 respectively. During the assessment of the application, the development was reviewed by GANSW and the project was subsequently revised in the RtS. The Applicant has provided detailed analysis of their response to the comments raised by the SDRP in their EIS and Design Report.

The Department's comments on the Applicant's design response to the nine design quality principles are set out below.

1. Context and neighbourhood character	<ul style="list-style-type: none"> The Department finds the proposal responds appropriately to the desirable elements of Macquarie Park's existing and future planned context as discussed in Section 5 and Appendix C and is therefore consistent with Principle 1.
2. Built form and scale	<ul style="list-style-type: none"> The Department considers the height, bulk and scale of the proposed development is appropriate to the existing and desired future character of the Macquarie Park corridor as discussed in Section 5 and Appendix C.
3. Density	<ul style="list-style-type: none"> The Department has assessed the density having regard to the built form and potential impact of the floor space such as traffic generation, amenity impacts and demand on existing/future infrastructure in Section 5. The Department is satisfied the proposal has strategic merit would not have adverse built form, traffic or amenity impacts (Section 5 and Appendix C). The proposal would revitalise the site and surrounds and includes significant public domain improvements resulting in substantial public benefits.
4. Sustainability	<ul style="list-style-type: none"> The Applicant submitted a ESD Report demonstrating a commitment to ESD principles and that minimum Green Star and NABERS ratings are achieved or exceeded.
5. Landscape	<ul style="list-style-type: none"> The Department is satisfied the proposed landscaping incorporates variable soil depths, diversity of plant species and improved ecology.

Housing SEPP standard	Consideration
6. Amenity	<ul style="list-style-type: none"> The Department is satisfied the proposed development generally complies with the requirements of the Housing SEPP and the ADG and has demonstrated that residential units are capable of achieving satisfactory residential amenity with regards to solar access, natural ventilation and privacy.
7. Safety	<ul style="list-style-type: none"> The Applicant has submitted a CPTED report and the Department is satisfied that the proposal provides an appropriate framework to ensure the site and public domain is safe.
8. Housing diversity and social interaction	<ul style="list-style-type: none"> The Department is satisfied that the development will increase housing supply in the locality and will provide a mix of apartment types.
9. Aesthetics	<ul style="list-style-type: none"> The proposal has been subject to review by the SDRP on two occasions and the materials have been revised with the RtS. The Department is satisfied that the development demonstrates design excellence.

Apartment Design Guide

The ADG sets out a number of guidelines for residential flat development to ensure apartments are provided with an appropriate level of residential amenity. The Housing SEPP advises consent authorities to be flexible when they apply the ADG's criteria to applications to build a BTR development. The Housing SEPP specifies criteria and the approach it recommends for consent authorities.

BTR developers tend to focus on shared facilities and services and more communal space for each apartment. The Housing SEPP recognises that design flexibility can be beneficial for tenants, while also allowing developers to build a more attractive product for the market.

The Applicant has not specifically sought to apply the ADG flexibly and the application generally complies with the design criteria. An assessment against the provisions within the ADG is provided in Table 18.

Table 18 | ADG compliance table

ADG Principle	Complies	Department's Comments
3A Site Analysis	Yes	<ul style="list-style-type: none"> The applicant has prepared detailed site analysis that demonstrates design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.

ADG Principle	Complies	Department's Comments
3B Orientation	Yes	<ul style="list-style-type: none"> The building type and layout respond to the streetscape and site while optimising solar access within the development and minimise overshadowing to open space and neighbouring properties during the winter solstice.
3C Public Domain Interface	Yes	<ul style="list-style-type: none"> The transition between private and public domain would not compromise safety and security and would enhance the public domain.
3D Communal and Public Open Space <ul style="list-style-type: none"> Communal open space has a minimum area equal to 25% of the site area. <ul style="list-style-type: none"> Site Area: 10,614m² (excl. Trinita Business Park) Required: 2,654m² 	Yes	<ul style="list-style-type: none"> The development provides for a total of 2,841m² (26.7%) of external communal open space across the level 3 podium and the rooftops at levels 10 and 20 of the development that exceeds compliance. The communal open space areas meet the minimum dimensions and are considered to provide equitable access from common circulation areas, entries and lobbies.
<ul style="list-style-type: none"> Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of two hours between 9am and 3pm on 21 June (mid-winter). 	Yes	<ul style="list-style-type: none"> Compliant solar access is provided to the communal open space areas within the development 50% of the principal usable part of the communal open spaces (2,841m²) can achieve a minimum of 2 hours of direct sunlight between 10am to 12pm at mid-winter. The communal open space (which includes both principal usable area as well as landscape) achieves the following solar access: <ul style="list-style-type: none"> 50% (1,409m) area receives direct sunlight at 10am 59% (1,668m²) area receives direct sunlight at 11am 47% (1,344m²) area receives direct sunlight at 12pm The Department considers the level of solar access received by the communal areas to be satisfactory and the spaces are of high quality and amenity.
3E Deep Soil Zones	Yes	<ul style="list-style-type: none"> The site has an area of 10,614m² (excluding Trinita Business Park) and requires a minimum deep soil area of

ADG Principle	Complies	Department's Comments
<ul style="list-style-type: none"> Deep soil zones are to meet the following minimum requirements: <u>Site area >1,500m²</u> Minimum dimensions of 6m and 7% of site area. 		<p>742.98m² (7%). The development provides a total of 1,700m² (16%) of deep soil landscaping that is compliant.</p> <ul style="list-style-type: none"> An additional 267m² (2.5%) of non ADG compliant deep soil is also provided for total deep soil provision of 1,967m² (18.5%).
<p>3F Visual Privacy</p> <ul style="list-style-type: none"> Separation distance between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distance from buildings to the side and rear boundaries are as follows: <p><u>Building up to 12m (4 storeys)</u></p> <ul style="list-style-type: none"> 6m between habitable rooms and balconies, 3m between non-habitable rooms. <p><u>Building up to 25m (5-8 storeys)</u></p> <ul style="list-style-type: none"> 9m between habitable rooms and balconies, 4.5m between non-habitable rooms. <p><u>Building over 25m (9+ storeys)</u></p> <ul style="list-style-type: none"> 12m between habitable rooms and balconies, 6m between non-habitable rooms. Increased separation of 3m where adjoins a lower density zone 	Yes	<ul style="list-style-type: none"> The development has a maximum height of 20 storeys and adequate building separation is provided to maintain visual privacy within the development and/or to surrounding properties. A detailed assessment on building separation distances and visual privacy is provided in Section 5.3.2 of this report.
3G Pedestrian Access and Entries	Yes	<ul style="list-style-type: none"> Pedestrian access and entries to the development are accessible and easy to identify.

ADG Principle	Complies	Department's Comments
3H Vehicle Access	Yes	<ul style="list-style-type: none"> The vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.
<ul style="list-style-type: none"> 3J Bicycle and Car Parking For development in the following locations: <ul style="list-style-type: none"> on sites that are within 800m of a railway station or light rail stop in the Sydney Metropolitan Area, or on land zoned, and sites within 400m of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre. The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever less. The car parking need for a development must be provided off-street. 	Yes	<ul style="list-style-type: none"> The site is located in an accessible area and is required to provide car parking in accordance with the provisions of the Housing SEPP. See Section 5 for consideration of parking.
4A Solar and Daylight Access	Yes	<ul style="list-style-type: none"> The buildings within the development achieve the following in relation to the guidelines for solar access: <ul style="list-style-type: none"> Building A: 155/222 (70%) of units receive at least 2 hours mid-winter. Buildings B & C: 200/288 (69.4%) of units receive at least 2 hours mid-winter. When considered as a single development, 355/510 (70%) of units achieve solar access.

ADG Principle	Complies	Department's Comments
		<ul style="list-style-type: none"> The Department finds the proposed solar access acceptable as the development achieves a high level of solar amenity to units and to communal open space areas within the building.
<ul style="list-style-type: none"> A maximum of 15% receive no direct sunlight between 9am-3pm mid-winter. 	Yes	<ul style="list-style-type: none"> The buildings within the development achieve the following in relation to receiving no sun: <ul style="list-style-type: none"> Building A: All units receive sun. Buildings B & C: 55/510 (11%) of units receive no sun. The Department finds the proposed solar access acceptable as the development has been oriented to maximise district and iconic views and ensures that daylight access is satisfactory and incorporates shading in the warmer months.
<p>4B Natural Ventilation</p> <ul style="list-style-type: none"> At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be naturally ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed. 	Merit Assessment	<ul style="list-style-type: none"> The buildings within the development achieve the following in relation to achieving natural cross ventilation: <ul style="list-style-type: none"> Building A: 51 (59%) Buildings B & C: 70 (39%) of units above level 9 When considered as a single development, 121 (46%) of units achieve natural cross ventilation. To address the shortfall of naturally cross ventilated units, the Applicant has proposed an engineered performance solution to enhance cross ventilation with operable louvres and acoustically treated high level ductwork systems within the units. With the inclusion of the performance solution, the buildings within the development achieve the following cross ventilation: <ul style="list-style-type: none"> Building A: 65 (76%) Buildings B & C: 93 (52%) of units above level 9 When considered as a single development, 158 (60%) of units will be cross ventilated.

ADG Principle	Complies	Department's Comments
		<ul style="list-style-type: none"> The Department finds the proposed performance solution for cross ventilation acceptable as the development has been oriented to maximise district and iconic views to units. All habitable rooms are provided with at least one window for natural ventilation. The proposal uses a combination of sliding windows and doors to achieve appropriate cross ventilation within the building.
<ul style="list-style-type: none"> Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line. 	Yes	<ul style="list-style-type: none"> Cross through apartments are proposed with a maximum depth of 16m. The development comprises a mix of units that are dual aspect and corner units with limited depth.
4C Ceiling Heights <ul style="list-style-type: none"> Measured from finished floor level to finished ceiling level, minimum ceiling heights are: Habitable rooms 2.7m. Non-habitable rooms 2.4m. 	Yes	<ul style="list-style-type: none"> Reflected ceiling plans have been submitted which demonstrate the ceiling heights within all units comply with the minimum requirements.
4D-1 Apartment Size and Layout <ul style="list-style-type: none"> Apartments are required to have the following minimum internal areas: Studio 35m². One bedroom 50m². Two bedroom 	Yes	<ul style="list-style-type: none"> All units have internal areas that meet or are in excess of the minimum ADG requirements. The proposed sizes and layouts of each unit is acceptable. Units achieve compliance in functional dimensions for living rooms. Units meet the requirements in terms of bedroom dimensions and area. All kitchens are separate to the circulation spaces. The proposal is consistent with the objectives of this part of the ADG.

ADG Principle	Complies	Department's Comments
<p>70m².</p> <ul style="list-style-type: none"> Three bedroom <p>90m².</p> <ul style="list-style-type: none"> The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each. 		
<ul style="list-style-type: none"> Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms. 	Yes	<ul style="list-style-type: none"> The Applicant states the proposal achieves compliance with the minimum glazed area to each habitable room.
<ul style="list-style-type: none"> Habitable room depths are limited to a maximum of 2.5 x the ceiling height. 	Yes	<ul style="list-style-type: none"> Room depths are generally up to 8m. Unit layouts and facades have been considered together to provide good distribution of natural light
<ul style="list-style-type: none"> In open plan layout (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window 	Yes	<ul style="list-style-type: none"> See above.
<ul style="list-style-type: none"> Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space). 	Yes	<ul style="list-style-type: none"> Master bedrooms have a minimum area of 10m² and other bedrooms 9m².

ADG Principle	Complies	Department's Comments
<ul style="list-style-type: none"> Bedrooms have a minimum dimension of 3m (excluding wardrobe space). 	Yes	<ul style="list-style-type: none"> Bedrooms have a minimum dimension of 3m.
<ul style="list-style-type: none"> Living rooms or combined living/dining rooms have a minimum width of: One bedroom apartments 3.6m. Two or three bedroom apartments 4m. 	Yes	<ul style="list-style-type: none"> 100% of units achieve compliance in functional dimensions for living rooms.
<ul style="list-style-type: none"> The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts. 	Yes	<ul style="list-style-type: none"> Cross-through apartments are appropriately sited in the building and meet the minimum dimensions.
4E Private Open Space and Balconies <ul style="list-style-type: none"> All apartments are required to have primary balconies as follows: Studio apartments 4m². One bedroom apartments 8m² with a minimum depth of 2m. Two bedroom apartments 10m² with a minimum depth of 2m. Three+ bedroom apartments 12m² with a minimum depth of 2.4m. 	Flexibility	<ul style="list-style-type: none"> Private open space including balconies have been designed to meet the minimum dimension and area requirements for all 1, 2, and 3 bedroom units that are compliant. However, the Applicant seeks to apply flexibility to the provision of private open space for studio units within Building A. As a result, 15 studio units (3%) within the development are not provided with balconies. The studios do not have a balcony to facilitate an improved internal space rather than compromised internal space with a Juliette balcony. The reduced private open space is offset by the quantum of and quality of external and internal communal open space throughout the building

ADG Principle	Complies	Department's Comments
<ul style="list-style-type: none"> For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m. 		<ul style="list-style-type: none"> The Department finds the proposed scheme for balancing private open space and offsetting this with high amenity communal open space areas is acceptable.
4F Common Circulation and Spaces <ul style="list-style-type: none"> The maximum number of apartments off a circulation core on a single level is eight 	Merit Assessment	<ul style="list-style-type: none"> The angled form of the towers in response to the site as well as breaks in the facade have been designed to allow natural daylight into the lift lobbies and corridors. <ul style="list-style-type: none"> Building A1 – 6 apartments per core serviced by 2 lifts Building A2 – 7 apartments per core serviced by 2 lifts Building B – 19 apartments per core serviced by 2 lifts Building C – 11 apartments per core serviced by 2 lifts The Applicant submitted a Vertical Transport study which concludes that the relevant performance targets can be met and recommends two lifts be provided per residential block. The Department considers the building layout and resulting units per core acceptable.
<ul style="list-style-type: none"> For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40 	Merit Assessment	<ul style="list-style-type: none"> Eight lifts are provided to service the building, with a ratio of approximately one lift per 63.75 (64) units. The Applicant has submitted a Vertical Transport strategy with all lifts forecast to operate within the required standards for wait times and level of service.
4G Storage <ul style="list-style-type: none"> In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: Studio apartments 4m³. 	Yes	<ul style="list-style-type: none"> The development provides separate storage within each apartment and a storage cage allocated at the basement level for bulky items. Variations to the ADG storage requirements are proposed to provide a wider range of units to suit a broad range of tenants. All units are provided with the minimum storage in accordance with the design criteria requirements, the proposed variation is to the requirement to provide a

ADG Principle	Complies	Department's Comments
<ul style="list-style-type: none"> One bedroom apartments 6m³. Two bedroom apartments 8m³. Three+ bedroom apartments 10m³. At least 50% of the required storage is to be located within the apartment. 		<ul style="list-style-type: none"> minimum of 50% of the required storage within apartments. Where units do not accommodate the required storage internally or only accommodate part of the required storage, additional storage is provided at the basement level or level 1 to meet or exceed the minimum storage requirements. A total of 314 storage cages are provided across the development. Storage cages have been standardised into 3 sizes, large cages that can accommodate bicycles, medium cages and small cages.
4H Acoustic Privacy	Yes	<ul style="list-style-type: none"> The development minimises the transfer of noise through the siting of buildings and building layout and noise impacts are to be mitigated through layout and acoustic treatments. An assessment on acoustic privacy is provided in Section 5.5 of this report.
4J Noise and Pollution	Yes	<ul style="list-style-type: none"> A detailed assessment on noise is provided in Section 5 of this report.
4K Apartment Mix	Yes	<ul style="list-style-type: none"> The development proposes a total of 510 units in the following mix: <ul style="list-style-type: none"> Studio: 48 units (9%) 1 bed: 217 units (43%) 2 bed: 219 units (43%) 3 bed: 26 units (5%) Therefore, there are a range of apartment types and sizes to cater for different household types now and into the future.
4L Ground Floor Apartments	N/A	<ul style="list-style-type: none"> No units are proposed on the ground floor level.
4M Facades	Yes	<ul style="list-style-type: none"> Building facades provide visual interest along the street.
4N Roof Design	Yes	<ul style="list-style-type: none"> The treatments to the roof are integrated into the building design.

ADG Principle	Complies	Department's Comments
4O Landscape Design <ul style="list-style-type: none"> Recommended planting in deep soil zones: SA: between 850m²-1500m² = 1 large tree or 2 medium trees per 90m² of deep soil zone 	Yes	<ul style="list-style-type: none"> A total of 1,700m² (16%) of deep soil is provided, excluding the Trinita Business Park development. A detailed and thorough landscaping design is proposed that contributes to the streetscape and amenity and contains a variety of large and medium trees.
4P Planting on Structures <ul style="list-style-type: none"> Minimum soil standards for plant types and sizes. 	Yes	<ul style="list-style-type: none"> The development proposes planting at the podium and rooftops on levels 10 and 20 that are considered to be appropriately selected and contribute to the quality and amenity of the development. Suitable soil depths are provided for the small, medium and large trees proposed upon the structures.
4Q Universal Design	Yes	<ul style="list-style-type: none"> A variety of apartments with adaptable designs and features are provided to promote flexible housing for all community members. 20 accessible units will be provided including 10 units to cater for residents in wheelchairs and 10 units to cater for residents with ambulant disabilities that is satisfactory. 102 units (20%) are indicated to achieve LHA Silver Level Universal design features that is compliant.
4R Adaptive Reuse	N/A	<ul style="list-style-type: none"> The application involves demolition of the existing structures and construction of a new BTR development.
4S Mixed Use	Yes	<ul style="list-style-type: none"> The development proposes a ground floor retail level for the use of a supermarket and retail stores. The incorporation of a supermarket and retail at the ground floor level would activate the Rennie Street and New Link Road frontages as well as the through site link and would enhance amenity for the residents. Separate entrances and lobbies are provided for residents and tenants of the retail space to provide safety for residents across the site.

ADG Principle	Complies	Department's Comments
		<ul style="list-style-type: none"> The Department recommends a condition be imposed for the Applicant to seek the fit-out and operation of the supermarket and retail spaces under a separate development application to Council.
4T Awnings and Signage	Yes	<ul style="list-style-type: none"> The entry doorways are recessed in the articulated arched facades, providing weather protection. The Applicant has submitted a signage strategy for the development with the RtS. However, detailed signage plans have not been provided. The Department recommends a condition be imposed for the Applicant to seek consent for any signage under a separate development application to Council.
4U Energy Efficiency	Yes	<ul style="list-style-type: none"> The development incorporates passive environmental design and solar design to optimise heat storage in winter and reduce heat transfer in summer.
4V Water Management and Conservation	Yes	<ul style="list-style-type: none"> The development incorporates water sensitive urban design.
4W Waste Management	Yes	<ul style="list-style-type: none"> Adequate bin storage is provided and designed to minimise impacts on the streetscape.
4X Building Maintenance	Yes	<ul style="list-style-type: none"> The materials are considered to be appropriately selected to minimise long term maintenance obligations.

Ryde Local Environmental Plan 2014 (RLEP 2014)

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of RLEP 2014 and those matters raised by Council in its assessment of the development application.

On 27 November 2024, amendments to RLEP 2014 came into effect in relation to the Macquarie Park corridor. Clause 1.8A applies to this development which sets out savings provisions relating to existing development applications. Therefore, this application is to be determined as if the amendments had not commenced.

The Department concludes that the development is consistent with the relevant provisions of RLEP 2014. Consideration of the relevant clauses of is provided in **Table 19**.

Table 19 | RLEP 2014 Compliance Table

LEP Clause/Requirement	Complies	Assessment/Comment
PART 1 - PRELIMINARY		
1.2 Aims of the Plan	Yes	<ul style="list-style-type: none"> The proposal is consistent with the aims of the plan.
PART 2 – PERMITTED OR PROHIBITED DEVELOPMENT		
Zoning	Yes	<ul style="list-style-type: none"> The site is zoned E2: Commercial Centre and development for the purpose of commercial premises is permitted with development consent. The application proposes BTR which is permissible in the E2 zone under the relevant provisions of the Housing SEPP.
2.6 Subdivision – consent requirements	N/A	<ul style="list-style-type: none"> No subdivision is proposed.
2.7 Demolition	Yes	<ul style="list-style-type: none"> The proposal seeks demolition works of existing walls and fences that is permitted with development consent.
PART 4 – PRINCIPAL DEVELOPMENT STANDARDS		
4.3 Height of Buildings <ul style="list-style-type: none"> Base: 37m Cl. 6.9 Incentive: 65m 	Yes	<ul style="list-style-type: none"> The site is subject to incentive provisions under Clause 6.9 of RLEP 2014. The proposed development has a maximum height of 65m (RL 122.550) and does not exceed this control at any point. Further discussion on the building height and incentive provisions can be found in Section 5 of this report.
4.4 Floor Space Ratio <ul style="list-style-type: none"> Base: 2:1 Cl. 6.9 Incentive: 3:1 	Yes	<ul style="list-style-type: none"> The site is subject to incentive provisions under Clause 6.9 of RLEP 2014. The proposed development results in a maximum FSR of 2.64:1 (including the existing Trinita Business Park development but excluding existing parking) and does not exceed this control. Further discussion on the FSR and incentive provisions can be found in Section 5 of this report.

LEP Clause/Requirement	Complies	Assessment/Comment
4.5 Calculation of floor space ratio and site area	Yes	<ul style="list-style-type: none"> Clause 4.5(6) specifies the site area for a proposed development must not include a lot on which the development is being carried out unless the proposed development includes significant development on that additional lot. <ul style="list-style-type: none"> The site is one lot only with its northern portion developed as Trinita Business Park and its southern portion currently vacant. For the purposes of calculating requirements of the ADG, the southern portion of the site is used in isolation. Clause 4.5(8) specifies the GFA of any existing or proposed buildings of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a FSR, whether or not the proposed development relates to all of the buildings. <ul style="list-style-type: none"> The proposal has included the existing GFA of the Trinita Business Park development existing on the northern portion of the site and is therefore satisfactory. Clause 4.5(9) specifies when development consent is granted to development on a site comprised of two or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot. <ul style="list-style-type: none"> See discussion in Section 5.2.2.
4.6 Exceptions to Development Standards	N/A	The application does not propose to vary any development standard.
PART 5 – MISCELLANEOUS PROVISIONS		
5.4 Controls relating to miscellaneous permissible uses	Yes	<ul style="list-style-type: none"> The proposal includes the provision of a neighbourhood supermarket at the ground floor level of the development. The GFA of the supermarket is approximately 446m² that does not exceed 1,000m² and is therefore compliant.

LEP Clause/Requirement	Complies	Assessment/Comment
		<ul style="list-style-type: none"> The Department recommends Condition A5 for a separate DA to Council be submitted for the fit-out and ongoing operation of the supermarket.
5.10 Heritage Conservation	Yes	<ul style="list-style-type: none"> The site is in close proximity to the following heritage items of local significance: <ul style="list-style-type: none"> Northern Suburbs Cemetery' (I44) at 12 Delhi Road adjacent to the north, also referred to as Macquarie Park Cemetery and Crematorium. 'Cottage' (I320) at 2 Richardson Place approximately 485m to the east. The Applicant's Heritage Impact Statement concludes the following: <ul style="list-style-type: none"> the heritage items are separated both physically and visually by the existing arterial road network including the four-lane carriageway of Delhi Road, as well as large-scale commercial and residential development that is located between the subject site and heritage items. the proposed development will be limited to the subject site's legal allotment boundary and will in no way physically encroach on the allotments or established curtilage of the heritage items in the vicinity. As such, there are no identified physical impacts associated with the proposal on the vicinity heritage items. views between the heritage items and the subject site are currently obscured by Delhi Road and by the existing large-scale commercial and residential development that is located in the immediate vicinity. the significant views towards the heritage items are located beyond the northern alignment of Delhi Road facing away from the subject site and therefore these significant views will not be altered by the proposal. The RtS was referred to Heritage NSW who made no comments on the items of European heritage in the vicinity as they are of local significance.

LEP Clause/Requirement	Complies	Assessment/Comment
		<ul style="list-style-type: none"> With regards to archaeological significance, the Applicant's Heritage Impact Statement concluded that the site contains no known historical relics and has low potential for retaining unknown historical relics. The RtS was referred to Heritage NSW who made no comments on the project as there is no impact to Aboriginal cultural heritage. The Department considers that the proposal will have no adverse impacts to items of European or Aboriginal Heritage and recommends Conditions C1 and C17 for an unexpected finds protocol.
5.21 Flood Planning	Yes	See discussion in Section 5.5 of this report.
PART 6 – LOCAL PROVISIONS		
6.1 Acid Sulphate Soils	N/A	<ul style="list-style-type: none"> The site has no known occurrence of acid sulphate soils.
6.2 Earthworks	Yes	<ul style="list-style-type: none"> The proposal includes excavation to construct one basement level to accommodate car parking, storage and services. It is anticipated that basement excavation may extend to depths of approximately 6m. The Applicant's Geotechnical Report and Groundwater Impact Assessment submitted with the EIS includes recommendations to manage excavation and groundwater. The Department recommends standard conditions be imposed for excavation works.
6.9 Development in Macquarie Park Corridor	Yes	<ul style="list-style-type: none"> The site is subject to incentive building height and FSR provisions under Clause 6.9 of RLEP 2014 and is discussed in detail below this table
6.13 Design Excellence	N/A	<ul style="list-style-type: none"> Under the provisions of RLEP 2014, Clause 6.13 did not apply to the development at the time of lodgement as the site is not land that is mapped on the Design Excellence Map.

LEP Clause/Requirement	Complies	Assessment/Comment
		<ul style="list-style-type: none"> On 27 November 2024, clause 6.13 of RLEP 2014 was amended to apply to development within the Macquarie Park Precinct on the Macquarie Park Corridor Map and the site was identified to be within the TOD accelerated precinct. Despite not being applicable to the proposal, the Department considers that the development exhibits design excellence on the following basis: <ul style="list-style-type: none"> The proposal is generally consistent with the Macquarie Park Design Guide and achieves a high standard of architectural, urban and landscape design. The external appearance of the development enhances the quality of the public domain and improves pedestrian access. The bulk, massing and modulation of the buildings have been well considered and is highly responsive to the surrounding context and desired future character of the precinct. The street frontage heights have been designed to address and respond to the specific context of surrounding development while providing a comfortable human scale for pedestrians. The proposal provides a highly activated ground floor, which enables passive surveillance and connections between the public and private domains. The proposal provides a highly resolved landscape design throughout the building and within the public domain.

RLEP 2014 – Clause 6.9 Development in the Macquarie Park Corridor

The site is subject to incentive building height and FSR provisions under Clause 6.9 (now repealed) of RLEP 2014 which reads as follows:

- (1) *The objective of this clause is to encourage additional commercial development in Macquarie Park Corridor co-ordinated with an adequate access network and recreation areas.*
- (2) *This clause applies to land in Macquarie Park Corridor, identified as “Precinct 01— Macquarie Park” on the Macquarie Park Corridor Precinct Map.*

- (3) *The consent authority may approve development with a height and floor space ratio that does not exceed the increased building height and floor space ratio identified on the Macquarie Park Corridor Precinct Incentive Height of Buildings Map and the Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map, but only if the consent authority is satisfied that—*
- (a) *there will be adequate provision for recreation areas and an access network, and*
 - (b) *the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and*
 - (c) *the configuration and location of the access network will allow a suitable level of connectivity within the precinct.*

The proposed development has a maximum building height of 65m (RL 122.550) and FSR of 2.64:1 (including the existing Triniti Business Park development) and does not exceed these controls.

Council and the public raised objection to the ability for the development to access the incentive height and FSR provisions. Council stated that the application requires reconsideration of its land use mix to provide more employment generating land to benefit from Clause 6.9.

Council also raised objections regarding the design of the through site links, landscaping and lack of an active street frontage to Rivett Road.

Public submissions also raised concerns regarding insufficient recreation area, pedestrian linkages and contribution to the access network within the precinct, a reduction of green space and poor utility of public spaces.

In the first instance, the Department considers that the proposal meets the objective and requirements of Clause 6.9 and is able to access the incentive provisions for building height and FSR permitted under this clause on the following basis:

- the development is for the purposes of BTR however, the existing commercial development (Triniti Business Park) provides 30,151m² commercial GFA on the site and additional commercial uses are proposed at the ground floor level of the building including a supermarket and retail spaces, equating to a total 31,782m² of commercial GFA on the site. Therefore, part of the objective of this clause, which is to encourage additional commercial development, is satisfied by the provision of additional commercial development in the precinct.
- the development proposes rental housing and additional retail spaces alongside an existing commercial development (Triniti Business Park) which promotes an active ground plane and improves connectivity within the precinct to connect to future planned open space to the north-east, contributing to satisfying the remainder of the objective of this clause which is to co-ordinate development with an adequate access network and recreation areas.

- the proposal seeks to dedicate New Link Road through a VPA to Council to deliver future public domain upgrades. This satisfies the requirements of Clause 6.9(3) which will allow the configuration of the access network and location of any additional recreation areas in the public domain, to be delivered and managed by what is deemed appropriate for the precinct by Council.
- the proposal is generally consistent with the Macquarie Park Innovation Precinct Place Strategy and the Macquarie Park Innovation Precinct Master Plan (30 September 2022) and the Applicant has also given consideration to the Macquarie Park TOD Rezoning (November 2024) to align the proposal with the current strategic vision for pedestrian access and movement within the precinct by providing an east-west pedestrian link along the southern boundary to better connect Rennie Street to Rivett Road and improve connectivity to the updated planned open space to the north-east. This also contributes to the satisfaction of Clause 6.9(3) because a suitable level of connectivity within the precinct is enabled through consideration of the most recent strategic planning vision for the precinct.

The Department considers that the proposal addresses Council's concern relating to employment generating land uses to access the incentive provisions as the operation of the BTR and additional commercial development will provide 196 new full-time operational jobs, in addition to the jobs already provided by the existing commercial development (Trinita Business Park). Therefore, the proposal generates employment and the existing commercial development is supported by new rental housing within the precinct.

Furthermore, the Department considers that the recreation and access network provided by the development is of a high design quality and provides high public amenity because the revised design of the proposal enhances the existing access network of the currently vacant portion of the site. This is because the revised proposal:

- provides 5,257m² of publicly accessible open space on level one that equates to 49.5% of the total area south of New Link Road that will contribute to the broader amenity of the precinct.
- maintains solar access to the future public open space areas within the precinct in line with the Place Strategy and Master Plan as well as the updated public open space area in the Macquarie Park TOD Rezoning.
- has refined the public domain by opening up the northern entry stairs in the plaza to promote opportunities for pedestrians to rest and dwell in place.
- has revised planting zones at the northern entrance including a reduction in height of the planter boxes to maximise the permeability, accessibility and visual connection between the New Link Road sidewalk and into the plaza.

- has increased the width of the retail laneway at the north-eastern corner of Building A from 11m to 13.5m which will provide more open space and also encourage increased pedestrian activity through the proposed through-site link and retail spaces.
- has increased open space at the eastern boundary to improve the interface and access to the planned future public open space as identified in the Place Strategy and Master Plan (30 September 2022) as well as the updated public open space area in the Macquarie Park TOD Rezoning (November 2024).
- has implemented increased setbacks to New Link Road and Rivett Road to provide increased deep soil, increased tree retention and additional soft landscaping along the northern and eastern boundaries at the interface with the future planned public open space areas to ensure a green and active frontage.
- has provided a secondary pedestrian through site link along the southern boundary, therefore linking Rivett Road and Rennie Street and addressing the new through site link introduced in the Macquarie Park TOD Rezoning (November 2024).
- dedicates New Link Road to Council through a VPA, whereby Council will be responsible for the future delivery and public domain of New Link Road (which aligns with Council's preference).

Therefore, the Department's assessment concludes that the proposal has adequately satisfied the requirements of Clause 6.9 in RLEP 2014 and the development can apply the relevant incentive provisions. The Department recommends a condition for the implementation of the VPA with Council for the dedication of New Link Road.

Other Considerations

Ryde Development Control Plan 2014 (RDCP 2014)

In accordance with clause 2.10 of the Planning Systems SEPP, DCPs do not apply to SSD.

Appendix D – Recommended instrument of consent

<https://www.planningportal.nsw.gov.au/major-projects/projects/triniti-lighthouse-build-rent-north-ryde>