

Department of Planning, Housing and Infrastructure

Our ref: SSD-55844212

Mr Brad James

Acting Planning Director

Independent Planning Commission

Suite 15.02, Level 15, 135 King Street

Sydney NSW 2000

Via email: [REDACTED]

4 July 2025

Subject: Trinit Lighthouse Build-to-Rent, North Ryde (SSD-55844212) – Request for Comment – Recommended Conditions of Consent

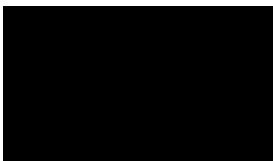
Dear Mr James

I refer to your letter dated 27 June 2025, seeking the Department of Planning Housing and Infrastructure's (the Department) advice on the workability, enforceability and any potential unintended consequences of the proposed conditions for the proposed Trinit Lighthouse Build-to-Rent, North Ryde Seniors Housing State significant development (SSD) application.

In response to the Independent Planning Commission's request, the Department advises that it is supportive of the proposed amendments to the draft conditions of consent, subject to consideration of the comments provided in **Attachment A**.

Please do not hesitate to contact Gabriel Wardenburg, Team Leader on [REDACTED] if you require any further information or clarification on these matters.

Yours sincerely,



Paulina Wythes

Director

Social and Diverse Housing Assessments

Trinit Lighthouse Build-to-Rent, North Ryde (SSD-55844212)

Proposed Changes to Conditions of Consent

Notes:

1. Not all conditions in the table below are not replicated in full, only necessary parts of the conditions to demonstrate changes.
2. As a result of new conditions, re-numbering of conditions will be required/undertaken.
3. Minor grammatical, typographical and condition cross-reference corrections to conditions are not included in the table below.

Condition No.	Commission's Intended Outcome	Revised Condition (Additions in bold and underlined , deletions in strike through)	Comments DPHI												
Schedule 1	The Applicant has suggested this change to bring it into line with Architectural Site Plan A-DA-0013 [B]. The Commission is proposing to implement this change from a '4-9 storey building' to a '3-9 storey building'. The Commission is seeking comment from the Department on the workability of this change.	Mixed use build-to-rent (BTR) development containing 510 residential units and commercial and retail uses comprising: <ul style="list-style-type: none">• demolition of existing structures• bulk earthworks and excavation• vegetation removal and protection• construction of 3 buildings as follows:<ul style="list-style-type: none">○ Building A – a 20 storey building containing BTR units, amenity spaces, and retail uses○ Building B – a 43-9 storey building containing BTR units, amenity spaces and retail uses	Agreed.												
A1(c)	The Commission is proposing to update the drawing number on page 3	A-DA-0751 (B) A-DA-0752 4	Agreed.												
A6	The Applicant in its submission to the Commission has requested a change to the staging on construction certificates. The Commission is of the view that this amendment is not necessary, noting that the material before the Commission has proposed a staged approach (including pg 50 of EIS). Can the Department provide comment as to whether changes to condition A6 should be incorporated or not? If so, should the subsequent changes to references to CC's proposed by the Applicant be incorporated?	No change proposed.	Agreed, no changes are necessary. <i>Note - The Department requested the Applicant provide detail on the staging of Construction Certificates to inform the timing of consent conditions. The Applicant seeks to include reference to the 'relevant' Construction Certificate throughout the consent. This is not the Department's preferred approach as the description of each stage provides greater clarity and certainty regarding timing.</i>												
A10	Council in its submission to the Commission has requested that the contribution amounts in this condition be updated to reflect the March 2025 quarterly CPI figure. The Commission is seeking comment from the Department on the workability and if there are any unintended consequences of imposing this condition as amended.	<table><tr><th>Column A – Contribution Type</th><th>Column B – Contribution Amount</th></tr><tr><td>Community & Cultural Facilities</td><td>\$3,022,469.16 \$3,011,171.58</td></tr><tr><td>Open Space & Recreation Facilities</td><td>\$5,832,831.76 \$5,811,009.58</td></tr><tr><td>Roads & Traffic Management Facilities</td><td>\$430,605.92 \$428,932.73</td></tr><tr><td>Plan Administration</td><td>\$139,270.43 \$138,756.33</td></tr><tr><td>The total contribution is</td><td>\$9,425,177.27 \$9,389,870.22</td></tr></table>	Column A – Contribution Type	Column B – Contribution Amount	Community & Cultural Facilities	\$3,022,469.16 \$3,011,171.58	Open Space & Recreation Facilities	\$5,832,831.76 \$5,811,009.58	Roads & Traffic Management Facilities	\$430,605.92 \$428,932.73	Plan Administration	\$139,270.43 \$138,756.33	The total contribution is	\$9,425,177.27 \$9,389,870.22	Agreed.
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B11	In response to a question on notice from the Commission, the Applicant has provided an Addendum to the Arboricultural Impact Assessment Report . The Commission seeks to impose this condition to ensure that the construction methods and mitigation measures set out in this Addendum are set out in the report submitted to the Certifier. The Commission seeks comment from the Department on the workability of this change.	Prior to the issue of any Construction Certificate, the Applicant must submit a Report to the Certifier demonstrating that the design of the Development has: (a) incorporated the mitigation and management measures contained within the document titled Biodiversity Development Assessment Report (BDAR) Version 2.2, prepared by Land Eco Consulting, dated 11 October 2024; (b) incorporate the mitigation and management measures outlined in Section 10.2 (Construction Design/Specification Requirements for Trees 28, 40, and 52), Section 12 (Tree Protection Recommendations) contained within the document titled Arboricultural Impact Assessment (Revision 9), prepared by Urban Arbor, dated 16 July 2024 and the document titled Addendum to Arboricultural Impact Assessment Report prepared by Urban Arbor, dated 17 June 2025 ; and	Agreed.												
B16(f)	The Applicant in its submission has requested this condition be updated to reflect AS2890.1-2004 as per its RtS Transport and Accessibility Impact Assessment . The Commission is seeking the Department's comment on this change.	(the swept path of the longest vehicle (including garbage trucks) entering and exiting the site, as well as manoeuvrability through the site, must be in accordance with AS2890.1-2004 and AS2890.2:2018; and	Agreed.												
New Condition B31	Council requested this condition in its submission to the Commission. The Commission is seeking to impose this condition (with edits to improve workability). Can the Department provide	PUBLIC DOMAIN WORKS To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve - Rennie Street and Rivett Road - following completion	Agreed. Locations confirmed.												

Condition No.	Commission's Intended Outcome	Revised Condition (Additions in bold and underlined , deletions in strikethrough)	Comments DPHI
	comments on the workability of this condition, including whether this is the correct location with the consent?	of the works. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for External Works. The Applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or bank guarantee of \$430,000 shall be lodged with the Council prior to the issue of any Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.	
C16	The Applicant's Addendum to Arboricultural Impact Assessment Report prepared by Urban Arbor provide three key construction mitigation measures on page 4. The Commission is seeking to impose this condition to give additional certainty that tree directly outside the site are protected in accordance with the commitments set in the above report.	Prior to the commencement of works, the Applicant must: (a) undertake Consultation with the relevant owner and provider of services that will be affected by the Development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation Report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths) and submit a copy of the dilapidation Report to the Certifier, Planning Secretary and Council; and (c) ensure all street trees directly outside the site not approved for removal are retained and protected in accordance with the applicable Australian Standards and in the manner outlined in 0B44.	Agreed.
D17	For the reasons set out above, the Commission seeks to impose these specific tree protection measures to minimise root loss and ensure significant roots are retained in the tree protection zones. The Commission seeks comment from the Department on the workability of this condition.	While site or building work is being carried out, the Applicant must maintain all tree protection measures required under this consent, in accordance with relevant requirements of applicable Australian Standards and any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones. <u>Tree protection measures must also include:</u> (a) <u>any excavations within a tree protection zone must be carried out manually under the supervision of an arborist;</u> (b) <u>the location of all footings must be flexible to avoid significant roots greater than 40mm in diameter; and</u> (c) <u>footings should be located a minimum of 200mm from any root to be retained that is greater than 40mm in diameter to allow for future growth.</u>	Agreed.
New Condition E8	Council in its submission requested the Commission impose this condition. The Commission considers it appropriate and is seeking comment from the Department on its workability?	<u>Prior to the issue of OC1 or OC2, a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that all temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve must be prepared to the satisfaction of Council.</u>	Agreed.
E14	The Applicant in its submission to the Commission has requested this change. The Commission has reviewed Architectural Elevation 02 - A-DA-0206 [B] and Architectural Elevation 06 - A-DA-0210 [B] and seeks to impose this change. The Commission is seeking comment from the Department on the workability of this condition.	Prior to the issue of OC1 or OC2, the Applicant must, for each stage, submit to the Certifier a Report from a Registered Surveyor demonstrating compliance that the Development does not exceed the approved gross floor area (42,084m ²) and building heights (Building A – RL 122.550, Building B – RL <u>92.500</u> 90.325 and Building C – RL 120.650).	Agreed.
	In response to a query from the Commission the Applicant provided a External Lighting Concept Report . This condition is proposed to be amended to ensure the development is carried out consistent with this report. The Commission is seeking comment from the Department on the workability of this condition.	Prior to the issue of OC1 or OC2, the Applicant must, for each stage, the Applicant must submit to the Certifier a Report demonstrating that installed lighting associated with the Development: (a) achieves the objective of minimising light spillage: (i) beyond the property boundary; and (ii) to any adjoining or adjacent Sensitive Receivers; (b) complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); (c) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network; and (d) <u>is consistent with the External Lighting Concept Report prepared by Stantec, dated 17 June 2024.</u>	Agreed.