

Department of Planning, Housing and Infrastructure

Our ref: SSD-55844212

Mr Stephen Barry
Planning Director
Independent Planning Commission
Suite 15.02, Level 15, 135 King Street
Sydney NSW 2000

Via email: [REDACTED]

8 July 2025

Subject: Trinit Lighthouse Build-to-Rent, North Ryde (SSD-55844212) – Response to Request for Further Information

Dear Mr Barry

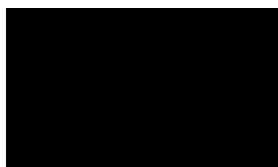
I refer to your letter dated 1 July 2025, seeking the Department of Planning Housing and Infrastructure's (the Department) response to the NSW Independent Planning Commission's (Commission) request for information to assist in its consideration of the Trinit Lighthouse Build-to-Rent, North Ryde Seniors Housing State significant development (SSD) application.

In response to the Commission's request, clarification on the matters raised in the correspondence is provided as follows:

- The Department is of the view that a clause 4.6 variation request is not required as a result of non-compliance with clause 74(2)(d)(i) of the Housing SEPP 2021, as the car parking rate is a non-discretionary development standard (NDDS), which is distinct from the operation of other development standards.
- The terms of the Housing SEPP are that the objective of the NDDS is to prevent the consent authority from requiring more onerous standards or refusing an application if the development complies with the NDDS.
- If an NDDS in relation to car parking is not complied with, the Department considers that the consent authority should apply the applicable development standards in relation to car parking that would otherwise apply, subject to any clause 4.6 variation request granted in relation to those development standards. Noting this, the Department's position is that the better interpretation of s 4.15(3)(b) of the *Environmental Planning and Assessment Act 1979* is that the NDDS is not required to be varied under clause 4.6 in order to grant consent.

We trust the additional information assists the Commission in reaching a determination on the SSD application. 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 Assessment