

Our ref: Novus Build-to-Rent, Victoria Avenue, Chatswood (SSD-63324208)

Mr Jason Goldsworthy
Co-Founder & Head of Development
Novus Management Pty Ltd
Level 38 - Gateway Plaza 1 Macquarie Place
Sydney NSW 2000

25 September 2025

Subject: Request for Additional Information

Dear Mr Goldsworthy

I refer to your Response to Submissions and Amendment Report for the Novus on Victoria, Chatswood - Build-to-Rent (SSD-63324208). After careful consideration, the Department is requesting that you provide additional information before finalising its assessment.

You are requested to submit additional information that effectively addresses the issues identified in **Attachment 1**.

You are requested to provide the information, or notification that the information will not be provided, to the Department by Friday 10 October 2025. If you cannot meet this deadline or do not intend to provide the additional information, please advise the department via the NSW planning portal.

If you have any questions, please contact Brendon Roberts on 9274 6422 or via email at brendon.roberts@planning.nsw.gov.au.

Yours sincerely,



Paulina Wythes

Director

Social and Diverse Housing Assessments

as delegate for the Planning Secretary

Attachment A – Additional information Requested

Clause 4.6 variation request

1. The proposal appears to provide building elements, such as balustrades and awnings to the communal podium area and the tower's façade articulation, extending into the area mapped in the *Willoughby Local Environmental Plan 2012* (WLEP) with a 7m maximum height limit. Please provide further justification on the compliance of these building elements within the height control and, if required, submit a revised Clause 4.6 variation request.
2. Under section 4.15(2) of the *Environmental Planning and Assessment Act 1979*, a provision of an environmental planning instrument that allows flexibility in the application of a development standard (such as clause 4.6 of an LEP) **may** be applied to a non-discretionary development standard. The Department has recently been informed by the Independent Planning Commission (IPC) that it is seeking a clause 4.6 variation request for proposals that do not meet a non-discretionary development standard. Given this recent advice from the IPC and for the abundance of caution to not delay determination of the project with the IPC, the Department anticipates that the IPC will request a clause 4.6 variation request in support of the proposal's non-compliance with the car parking non-discretionary development standard under s74(2)(d) of the Housing SEPP.

Active frontage to Post Office Lane

3. The WLEP 2012 maps Post Office Lane as an 'active street frontage', where Section 6.7 of the WLEP promotes uses that attract pedestrian traffic. The Department requests that the arrangement of the ground floor be reconsidered / refined to increase the amount of active frontage on Post Office Lane, such as relocating the bin store near the western boundary and providing space for a small retail tenancy (café or kiosk similar in size to that provided on the corner of Post Office Lane / Victor Road).

Lot consolidation

4. The Department notes that the site comprises multiple lots. Please confirm your intended approach to address Section 72(3)(b) of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP).

Privacy

5. In our earlier key issues letter, the Department sought further information on privacy impacts to the future development to the south. While additional information has been provided on privacy impacts to the Sebel Sydney building (37 Victor Street), the Department requests further analysis

of privacy impacts to the anticipated future development directly south of Post Office Lane (45 Victor Street), including proposals to mitigate potential privacy impacts to offset the reduction to the recommended setback in the Apartment Design Guide (ADG).

Natural cross ventilation

6. The Department notes the cross-ventilation strategy proposed to naturally ventilate apartments on the lower floors is via vertical shafts in the façade. The Department requests further information with respect to this strategy, including evidence that this strategy achieves natural cross ventilation from a suitably qualified person.

Surface and groundwater impact assessment

7. The RtS was referred to the Department of Climate Change, Energy, the Environment and Water (DCCEE), who provided a further submission requiring quantification of the groundwater take (**Attachment A1**). The Department notes the initial response to this issue (that the Geotechnical Assessment identifies that at the preliminary (desktop) stage, groundwater inflows are anticipated to be less than 3 ML/year). However, the Department requests further consideration and a more detailed response to the question raised by DCCEE, such as through a statement or letter by a suitably qualified person confirming the maximum annual volume of water take due to potential aquifer interference activity to fully address DCCEE's issue.

Plan of Management

8. The Department notes the Applicant's position in response to concerns raised in public submissions, that a Plan of Management is not a Secretary's Environmental Assessment Requirement (SEAR). However, to address concerns raised, the Department requests further consideration and commitments provided on the management of:
 - a. use of outdoor communal areas, such as in relation to operating hours, acoustic levels and use of amplified music
 - b. resident move in / move out (furniture removalist movement)
 - c. general deliveries and associated vehicular movement (parcels, food)
 - d. rideshare pick-up / drop-off (such as by Uber).

Council review of the RtS

9. The RtS was referred to Council, who provided a further submission provided at **Attachment A2**. Please review Council's submission and indicate whether you wish to provide a further response to the issues reiterated or raised by Council.

Council review of the RtS

10. The Department received a public submission on the RtS (via email extracted below in **Attachment A3**). Please review this submission and indicate whether you wish to provide a further response to the issues raised.

Attachment A3 – Public submission on RTS

Thank you very much for calling me back earlier. Pertaining to our phone conversation, my feedback is for the captioned project which has now gone into the assessment phase following the developer's response to the submissions.

I have been going through the documents and in particular with the new document on 'View Impact Assessment'. The address and names of 'Metro Spire' and 'Metro Grand' have been mixed up and to me, misleading. Specifically I'm referring to page 39 and 45. The address for Metro Spire is 1 Post Office Lane and the address for Metro Grand is 438 Victoria Avenue. I have noted address mix ups even in the documents that were presented in the exhibition stage but I had not raised it as it was still in the early stages. Given that the project has further progressed, my belief is that submissions that are of a professional and serious nature to be submitted for government considerations such as this should not contain mistakes or mix ups like this. It might be a simple mistake but to me also shows a lack of understanding of the area and neighbouring properties that will be affected by this proposed development.

I have been a resident in Chatswood for the last 11 years and my 2 young children have grown up in this area. Whilst I do acknowledge the issues at hand with housing at the moment, I also do want to appeal on behalf of many of my neighbours and friends who live in the same area for you to consider the impact on liveability for so many of us and our families. Chatswood has its share of high rise residential buildings but what is beautiful about our walking streets is its openness and community feel. I get that Chatswood with its transport networks is an ideal position for more dwellings but this particular site in the middle of a pedestrian only street would encroach into what is now an open space for the public and residents of Chatswood. Just because it doesn't violate height limits does not mean that the developer should build it that high and it would be a shame to have our open space closed off with tall buildings set to tower over Victoria Avenue. You would have also seen the multiple submissions that speak about traffic in the Chatswood CBD and residents will tell you that over the years we have seen an increase in traffic with more and more developments coming up. Again, whilst development is inevitable, I would appeal to you to consider if a high rise as proposed is suitable right in the middle of the CBD where the road is a dead end and already experiences high traffic with entrances to Mandarin Centre, the Sebel and pick up points. If more consultation is done with the general Chatswood public I believe you will see that traffic is a pain point for many who live or visit the area on weekends and even on rainy days.

I sincerely hope that you will consider the points that I've raised above. Thank you for taking the time to read this.