

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** IPC Response - Albert Development Description  
**Date:** Monday, 16 June 2025 12:58:53 PM  
**Attachments:** [image897557.png](#)  
[image517108.png](#)

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Hi Kendall,

In last weeks' Applicant Meeting for Novus on Albert (SSD-59805958), the Panel asked Novus to confirm if the development description contained in the proposed conditions of consent accurately reflects the current proposal which is being put forward for development consent. We agreed that we would take this on notice and provide a response to the Panel after the meeting.

We have now reviewed the development description in further detail and have discussed this with the DPHI Assessment Team. Following this review and engagement with DPHI, we note the following points regarding the current drafting of the development description:

- The current drafting erroneously uses the term “mixed use” rather than “shop top housing” to describe the development, noting that shop top housing is the permissible use for which development consent is being sought.
- In this regard:
  - Chapter 3, Part 4 of the Housing SEPP specifically makes “shop top housing” for BTR development a permissible use on land zoned E2 Commercial Centre, and makes no reference to “mixed use” development.
  - The EIS and RTS reports describe the proposal as a “shop top housing” development and seek development consent on this basis, noting the permissibility of the use under the Housing SEPP.
  - The DPHI Assessment Report also refers to the proposal as a “shop top housing” development, noting the permissibility of the use under the Housing SEPP, and recommends development consent be granted on this basis.
  - The LEP definition of “shop top housing” is the most applicable definition for this site given the nature of the proposal.

In our view, and based on advice from Ethos Urban and discussions with DPHI, it is important that the development description in the development consent matches the terminology of the Housing SEPP, EIS, and Assessment Report.

We also propose two other minor amendments to clarify that:

- There are other ancillary uses located on the ground floor which support the residential and retail uses; and
- The coworking facilities are included within the residential amenity offering, rather than being a standalone commercial use.

On this basis, we propose that the development description be implemented in the final

development consent be **amended** as follows:

Construction of a new ~~mixed-use shop top housing~~ development comprising:

- 198 build-to-rent units
- ground level retail uses, ~~and~~ residential area lobbies, ~~and other ancillary uses~~
- residential amenities, ~~including~~ co-working facilities and rooftop communal spaces
- demolition, bulk earthworks, landscaping, tree removal, and associated works

We confirm that both Novus and DPHI are **aligned** in this approach.

Should you or the Panel have any questions regarding the above, please feel free to contact me.

Kind regards,  
Charlie

**Charles Maxwell**  
*Development Manager*

# NOVUS

