



Notification of referral decision – not controlled action

Shop top housing with infill affordable housing, Bondi Junction, NSW (EPBC 2025/10256)

This decision is made under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Proposed action

person proposing to take the action	Westgate BJ Pty Ltd ACN: 601 663 343
proposed action	To increase the height of a shop top housing development to allow for additional infill affordable housing, Bondi Junction, NSW (see EPBC Act referral 2025/10256).

Referral decision: not a controlled action

status of proposed action	The proposed action is not a controlled action.
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Person authorised to make decision

name and position	Jennifer Pearson Acting Branch Head Environment Assessments (NSW, ACT)
signature	
date of decision	19 September 2025



Mr Michael Prag
Project Manager
Westgate BJ Pty Ltd

michael@stargateproperty.com.au

cc: acornish@urbis.com.au and alee@urbis.com.au

Decision on referral for Shop top housing with infill affordable housing, Bondi Junction, NSW

Dear Mr Prag

Thank you for referring a proposed action under section 68 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This is to advise you of my decision about the proposed action to increase the height of a shop top housing development to allow for additional infill affordable housing in Bondi Junction, NSW.

As a delegate of the Minister for the Environment and Water, I have decided to accept the referral under section 74A of the EPBC Act. I have also decided that the proposed action is not a controlled action. This means that the proposed action does not require further assessment and approval under the EPBC Act before it can proceed. A copy of the document recording this decision is attached. This document will be published on the department's website.

Please note that this decision relates only to the specific matters protected under Chapter 2 of the EPBC Act. This decision does not affect any requirement for separate State or local government environment assessment and approvals of the proposed action. I have written to the NSW Department of Planning, Housing and Infrastructure to advise them of my decision.

The department has an active audit program for proposals that have been referred under the EPBC Act. The audit program aims to ensure that proposals are implemented as planned. The proposed action may be selected for audit by the department at any time and all related records and documents may be subject to scrutiny. Please refer to the department's [Compliance and enforcement](#) page for further information on the compliance monitoring and auditing program.

If you have any questions about the referral process or this decision, please contact the project manager, Phoebe Raff, by email to Phoebe.Raff@dcceew.gov.au, and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Jennifer Pearson
Acting Branch Head
Environment Assessments (NSW, ACT)

19 September 2025