

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD-71481718 Shoptop housing development with affordable housing – 362-374 and 376-384 Oxford Street, Bondi Junction
Applicant	CASSA BLANKA PTY LTD
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director, Affordable Housing Assessments, under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**), granted consent to the development application subject to conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning, Housing and Infrastructure's assessment report is available [here](#).

Date of decision

27 June 2025

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the department's assessment report;
- the prescribed matters under the Environmental Planning and Assessment Regulation 2021;
- the objects of the Act;
- all information submitted to the department during the assessment of the development application and any additional information considered in the department's assessment report;
- the findings and recommendations in the department's assessment report; and
- the views of the community about the project (see **Attachment 1**).

The findings and recommendations set out in the department's assessment report were accepted and adopted as the reasons for making this decision. Additional reasons for making the decision are also recorded in the department's assessment report.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including direct investment of \$ 78 million and creating 300 construction and 20 operational jobs;
- the project is permissible with development consent, and would support the State government priorities to deliver well-located housing as it will deliver 118 residential apartments (including 23 affordable housing apartments) in a highly accessible location;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the conditions of consent. Engagement on the project is considered to be in line with *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The applicant engaged with the community during the preparation of the environmental impact statement (EIS) as a requirement of the Secretary's environmental assessment requirements. The EIS detailed the findings of the engagement and how it influenced the scope and design of the project.

Once the EIS was submitted to the department it was placed on exhibition from 26 March 2025 until 22 April 2025 (28 days). The Department received seven objections including six objections from public and an objection from Waverley Council (Council).

The Department staff also undertook site visit and extensively engaged with the Applicant throughout the process.

To address the issues raised in submissions, the applicant submitted the Response to Submissions on 23 June 2025.

The key issues raised by the community (including in submissions) and considered in the department's assessment report and by the decision maker include built form and design and residential amenity. Other issues are addressed in detail in the department's assessment report.

<i>Issue</i>	<i>Consideration</i>
Height and density	<i>Assessment</i> The proposal aligns with the objectives of the State Environmental Planning Policy 2021 (Housing SEPP) in providing infill affordable housing within highly accessible locations and complies with the design quality principles of the Housing SEPP in terms of compatibility with the character of the area. The Department is satisfied that the proposal aligns with the planning controls applicable to the site, exhibits design excellence and would positively contribute to the existing and desired future character of the area.
Excessive height due to inefficient distribution of the GFA	<i>Assessment</i> The Department considers that the additional gross floor area (GFA) due to the Housing SEPP incentive has been carefully distributed within the building envelope and has not resulted in excessive height. The height exceedance beyond the maximum permissible is due to the slope of the site and has been assessed as satisfactory.
The Estimated development cost (EDC) is less than \$75 million	<i>Assessment</i> The proposal seeks consent to construct the upper seven levels of the development, as well as fit out of the building from the basement to level 7. The Environmental Planning and Assessment Act 1979 does not prevent the lodgement of a development application, even when existing consents apply to the site. Further, more than one consent can be granted on a site, however if one consent would be inconsistent with an earlier consent, the consent authority would need to be satisfied that this inconsistency can be resolved. In this case, the Applicant proposes to modify the existing consents under section 4.17(1)(b) and (5) of the EP&A Act to remove any inconsistencies with previous consents. The Applicant has submitted an EDC report prepared by a Quantity Surveyor which demonstrates that the cost of works of this proposal exceeds \$75 million.
Overshadowing of Oxford Street Mall	<i>Assessment</i> The proposal would maintain sunlight to the Oxford Street Mall at 12 noon in mid winter in line with the Waverley Local Environmental Plan 2012 (WLEP 2012).
Infrastructure strain	<i>Assessment</i> The site can accommodate the additional height and floor space in line with the Housing SEPP incentives for affordable housing, as the site is located in a highly accessible area. Additionally, the development proposes satisfactory on-site communal open space to avoid strain on public open spaces. <i>Conditions</i> Payment of section 7.11 contributions in accordance with Waverley Council's Contributions Plan, to be utilised in the improvement of public infrastructure within the LGA, including delivery of open spaces.

Parking and traffic Traffic congestion Availability of street parking	<i>Assessment</i> The proposed traffic generation (51 vehicles in the AM peak and 43 vehicle movements in the PM peak hour) is unlikely to have a significant impact on the surrounding road network as it represents approximately 2 vehicles per hour more than the approved developments on the site. The proposed car parking is generally consistent with the car parking rates outlined in the Housing SEPP) and the Waverley Development Control Plan 2022 (WDCP). Additionally, the Construction Pedestrian and Traffic Management Plan (CPTMP) will include measures to minimise on-street construction worker parking. The Department is satisfied that the proposed development includes adequate on-site car parking and would not pose strain on the availability of on-street car parking in the locality. <i>Conditions</i> Implementation of the Construction Pedestrian and Traffic Management Plan (CPTMP). Provision of on-site car parking and bicycle parking spaces in accordance with the Australian Standards. Provision of a car parking, loading and servicing management plan.
Amenity impacts including privacy, overshadowing and noise	<i>Assessment</i> The Department is satisfied that the proposal, including the additional height and density, will not result in significant additional visual or acoustic privacy to neighbours. The height and FSR bonuses available under the Housing SEPP inevitably lead to increased shadow impacts compared to the approved development, however the proposal does not cause significant adverse overshadowing impacts on the properties to the south or south-west. In particular, the proposed development will not reduce the available solar access to affected properties by more than 20% in line with the Apartment Design Guide (ADG).
View loss	<i>Assessment</i> The proposal will not result in any significant impacts to views and outlook from neighbouring buildings compared to the approved DAs.
Crime and Safety	<i>Assessment</i> The Department is satisfied that the development has been designed to minimise the risk is unlikely to result in any unacceptable safety or security impacts, subject to implementation of the Crime Prevention through Environmental Design (CPTED) measures.