

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-87486461 Shop Top Housing - 20-22 Atchison Street
Applicant	Setia Sydney Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Executive Director, Housing and Key Sites 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

22 June 2026

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 \$177,640,178 of capital investment, 93 operational jobs, 145 construction jobs and a monetary contribution for the development of affordable housing in the North Sydney local government area;
- the project is permissible with development consent, and is consistent with NSW Government policies including the:
 - National Housing Accord
 - Greater Sydney Region Plan: A Metropolis of Three Cities
 - Our Greater Sydney Plan: North District Plan
 - North Sydney Local Strategic Planning Statement
- 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; and
- 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.
- 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.

The Department exhibited the SSD application on two occasions from:

- 2 December 2025 to 15 December 2025, and
- 14 May 2026 to 28 May 2026.

The Department received a total of 21 submissions from the public including 16 in objection, three providing comments and two in support. North Sydney Council provided comment on the application.

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, overshadowing, traffic and residential amenity. Other issues are addressed in detail in the Department's assessment report.

<i>Issue</i>	<i>Consideration</i>
Traffic impacts • The proposal will exacerbate traffic impacts along Christie Street and Chandos Street.	Assessment • The development will only result in a net increase of 37 trips during weekday peak hours, which is unlikely to impact traffic queuing on Christie Street and Chandos Street significantly. • The site is located in close proximity to St Leonards railway station and Crows Nest metro station, providing frequent and rapid public transport services. Conditions • A Car Parking, Loading and Servicing Management Plan must be prepared and implemented as part of the development.
Building separation • The setback to the existing residential building to the west is not adequate.	Assessment • The building separation results in an acceptable level of privacy as no windows are incorporated on the western facade • The facade expression and articulation reduce the perceived bulk and scale of the building Conditions • No recommended conditions required.
Built form • The built form is not compatible with the surrounding context	Assessment • The proposal complies with the maximum building height control. • The built form and massing that respond appropriately to the established and emerging character of the area. Conditions • No recommended conditions required.
Overshadowing • The proposal will overshadow properties to the south, reducing solar access.	Assessment • The Department's assessment of solar access studies concludes that solar access to Mitchell Street Plaza would be slightly reduced at 1 pm and 2 pm, and the proposal does not result in any unacceptable overshadowing impacts on surrounding developments. • The proposal is of an appropriate bulk and scale that is consistent with the future high-density character for the site and the wider Crows Nest TOD Precinct and will be largely as anticipated as part of the State-led rezoning of the precinct. Conditions • No recommended conditions required.
Car parking • The proposal provides an inadequate number of parking spaces	Assessment • The proposed number of parking spaces is consistent with the maximum parking rates specified in the Precinct Design Guide. • The site is within walking distance from various modes of public transit, including St Leonards Railway Station, Crows Nest Metro Station and bus services with a large variety of routes.

	<i>Conditions</i> • Prior to construction, a report must be prepared and submitted to the Certifier demonstrating that 87 car parking spaces, 198 bicycle spaces, and nine motorbike spaces will be provided in accordance with the architectural plans provided.
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