

# Project Application Refusal

## Section 75J of the Environmental Planning and Assessment Act 1979

Under delegation of the Minister for Planning and Infrastructure dated 14 September 2011, the Planning Assessment Commission of NSW determines to refuse to give approval to the project application referred to in schedule 1, pursuant to Section 75J(1) of the *Environmental Planning and Assessment Act 1979* for the reasons listed in Schedule 2.



Mr Garry Payne AM  
Member of the Commission



Dr John Roseth  
Member of the Commission

Sydney

20 April 2012

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### Schedule 1

|                            |                                                                                                                                       |
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| <b>Application No:</b>     | MP 10_0017                                                                                                                            |
| <b>Proponent:</b>          | H and J Standen Pty Ltd                                                                                                               |
| <b>Approval Authority:</b> | Minister for Planning and Infrastructure                                                                                              |
| <b>Land:</b>               | Crown Lease Licence L199963, Lot 3 SP72918, 72 Parthenia Street, Dolans Bay, Sutherland Shire Local Government Area                   |
| <b>Project:</b>            | Expansion of the existing Dolans Bay Marina by an additional 53 wet berths, associated works and relinquishment of 22 swing moorings. |

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### Schedule 2 Reasons for refusal

1. The marina expansion would result in an overdevelopment of the end section of Dolan Bay, which would be visually unacceptable and alienate a large section of what is now public open domain.
2. The marina expansion would cause unacceptable amenity impacts, including parking impacts and reduced public access to Dolan Bay. It would be inappropriate in its urban and natural context.
3. The proposal provides inadequate information on water quality and water ecology.
4. The development is inconsistent with the aims and objectives of *State Environmental Planning Policy 71 – Coastal Protection*, and is contrary to the objects of the EP&A Act, including the principles of Ecologically Sustainable Development.