

Original signed by: George Youhanna **Dated:.....07/06/2021**

Stannards Marine Pty Ltd
C/- Hamptons Property Services
PO Box 954
EDGECLIFF NSW 2027

D11/21
GJY (CIS)

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AS AMENDED
NOTICE OF DETERMINATION – Refusal

*Issued under Section 4.18 of the Environmental Planning and Assessment Act 1979 (“the Act”).
Clause 100 of the Environmental Planning and Assessment Regulation 2000 (“the Regulation”)*

Development Application Number: **11/21**

Land to which this applies: 6 John Street, McMahons Point
Lot No.: A, DP: 420377

Applicant: Stannards Marine Pty Ltd
C/- Hamptons Property Services

Proposal: Use of relocatable shed for repair and maintenance
purposes at existing boat repair facility.

Determination of Development Application: The development application was considered by the
North Sydney Local Planning Panel (NSLPP) on 2 June
2021. Subject to the provisions of Section 4.17 of the
Environmental Planning and Assessment Act 1979, the
subject application has been refused for the reasons stated
below.

Date of Determination: 2 June 2021

Reason for refusal:

1. The submitted DA fails to provide adequate information to assess the environmental impacts of the proposed use in relation to noise, fumes and potential escape of other pollutants into the environment.
2. The submitted DA indicates that the proposal is not integrated development, however, the environmental impacts of the proposed use in relation to noise, fumes and potential escape of other pollutants into the environment are likely to require approval by the Environmental Protection Authority under the Protection of the Environment Operations Act, 1979 and as such, the application is considered to be integrated development pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1997.

3. Given the size and nature of the structure and its use, and that it is bolted into the concrete platform on the site, it is considered inappropriate to approve the movement of the structure without a detailed assessment of the impacts of each specific location. The submitted DA does not provide such an assessment.

How community views were taken into account:

The submissions received by Council were addressed in the NSLPP report (see Council's website: [North Sydney Council - 2 June 2021 \(nsw.gov.au\)](http://www.northsydney.nsw.gov.au))

Review of determination and right of appeal:

Within 6 months after the date of notification of the decision, a review of this determination can be requested under Division 8.2 of the Act or an appeal to the Land and Environment Court made pursuant to the provisions of Section 8.7 of the Act. A review of determination should be lodged as soon as possible, and preferably no later two months after the date of notification of the decision to enable the review to be completed within the six-month period.

Endorsed for and on behalf of North Sydney Council

DATE

Signature on behalf of consent authority
GEORGE YOUHANNA
EXECUTIVE PLANNER