

Attachment 8 DA-2018/225 Draft reasons for Refusal

98-104 Gipps Street Wollongong

1. Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development fails to demonstrate the site is suitable for the proposed land use as required by State Environmental Planning Policy No. 55 – Remediation of Land.
2. Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development fails to have regard to the provisions of State Environmental Planning Policy No. 64 – Advertising and Signage.
3. Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development does not have regard to Wollongong Local Environmental Plan 2009 with respect to clause 7.18 design excellence in Wollongong City Centre.
4. Pursuant to the provisions of Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development does not have regard to the provisions of Wollongong City Council's Development Control Plan 2009 with respect to tree removal, landscaping, works in the public domain, riparian land management, car parking, flooding, stormwater disposal, safety and security.
5. Pursuant to the provisions of Section 4.15 (1)(a)(iv) of the Environmental Planning and Assessment Act 1979, the concurrence of the Natural Resources Access Regulator has not been obtained.
6. Pursuant to the provisions of Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development fails to demonstrate that environmental, stormwater, flooding, and traffic engineering aspects of the proposed Stafford Street bridge are acceptable.
7. Pursuant to the provisions of Section 4.15 (1)(e) of the Environmental Planning and Assessment Act 1979 it is considered that in the circumstances of the case, approval of the development would set an undesirable precedent for similar inappropriate development and is therefore not in the public interest.