

Attachment 6 Recommended Reasons for Refusal

1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, the proposed development fails to satisfactorily demonstrate matters required in State Environmental Planning Policy (Sustainable Buildings) 2022 clause 3.2.
2. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, the proposed development fails to satisfactorily demonstrate matters required in State Environmental Planning Policy (Housing) 2021 clauses 85, 95 and 98-104.
3. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, the proposed development fails to satisfactorily demonstrate matters detailed in Wollongong Local Environmental Plan 2009 clause 5.21.
4. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, the proposed neighbourhood shop exceeds the maximum size permitted in Wollongong Local Environmental Plan 2009 clause 5.4.
5. Pursuant to Section 4.15(1)(a)(iv) of the Environmental Planning & Assessment Act 1979, the revised development and clause 4.6 statement has not been publicly exhibited.
6. In accordance with Section 4.15(1)(b) of the Environmental Planning & Assessment Act 1979, the application fails to demonstrate appropriate site layout with regard to existing Sydney Water infrastructure and is not supported by Sydney Water.
7. In accordance with Section 4.15(1)(b) of the Environmental Planning & Assessment Act 1979, the application would result in unacceptable amenity and privacy impacts on neighbouring properties as a result of the proposed floor level and building height.
8. In accordance with Section 4.15(1)(b) of the Environmental Planning & Assessment Act 1979, the application would result in unacceptable streetscape impacts resulting from the proposed architectural design.
9. In accordance with Section 4.15(1)(b) of the Environmental Planning & Assessment Act 1979, the application fails to specify how contamination will be remediated on site. Details of proposed methodology, quantities, location of containment cells and Long Term Environmental Plan have not been provided.
10. In accordance with Section 4.15(1)(b) of the Environmental Planning & Assessment Act 1979, the application would result in adverse vegetation outcomes resulting from the proposed extensive tree removal.
11. In accordance with Section 4.15(1)(c) of the Environmental Planning & Assessment Act 1979, the suitability of the site for the development has not been adequately demonstrated.
12. In accordance with Section 4.15(1)(d) of the Environmental Planning & Assessment Act 1979, public submissions have been considered and matters raised relate to matters of legislative non-compliance or adverse environmental outcomes
13. Pursuant to the provisions of Section 4.15 (1)(e) of the Environmental Planning and Assessment Act, 1979, it is considered in the circumstances of the case and the above reasons for refusal, approval of the development would not be in the public interest.