

## ATTACHMENT 10 – draft reasons for refusal

- 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 is inconsistent with State Environmental Planning Policy No. 65 – Design Quality of Residential Development and the NSW Apartment Design Guide.
- 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 is inconsistent with Wollongong Local Environmental Plan 2009 with respect to clause 4.6 and 8.6 and the development standard departure is not supported.
- 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 is inconsistent with Wollongong Local Environmental Plan 2009 with respect to clause 7.18.
- 4 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 is inconsistent with Wollongong Development Control Plan 2009 with respect to provision of a public pedestrian link.
- 5 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 the building setbacks are acceptable with regard to neighbourhood development context and potential overshadowing impacts on neighbouring land.
- 6 Pursuant to the provisions of Section 4.15 (1)(d) of the Environmental Planning and Assessment Act 1979, it is considered that having regard for public submissions, the development is unsuitable with respect to off-site and streetscape impacts.
- 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.