

**Joint Regional Planning Panel – Planning Assessment Commission
Pre-Gateway Review**

The Joint Regional Planning Panel (JRPP) has considered the request for a review of the proposed instrument as detailed below.

The Pre-Gateway Review:

Date of Review:	13 March 2014
Dept. Ref. No:	PGR_2013_WAVER_002_00
LGA:	Waverley
LEP to be Amended:	Waverley LEP 2012
Address / Location:	105 Welling Street, Bondi
Proposed Instrument:	Waverley LEP 2012
Panel Chair:	John Roseth
Panel Members:	David Furlong, Julie Savet Ward, Stephen Bargwanna and Bill Gawne

Reason for review:	<input checked="" type="checkbox"/>	The council has notified the proponent that the request to prepare a planning proposal has not been supported
	<input type="checkbox"/>	The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal

In considering the request, the JRPP has reviewed all relevant information provided by the proponent as well as the views and position of Planning and Infrastructure and the relevant local government authority. Based on this review the JRPP recommends the following:

JRPP RECOMMENDATION:	<input checked="" type="checkbox"/>	The proposed instrument should be submitted for a Gateway determination, subject to the matters raised in the recommendation of the Panel
	<input type="checkbox"/>	The proposed instrument should not be submitted for a Gateway determination
Composition of Recommendation:	<input checked="" type="checkbox"/> Unanimous <input type="checkbox"/> Not unanimous	Comments:

JRPP Advice and Justification for Recommendation:

1. The Panel has considered the report of the staff of Planning and Infrastructure, the views of the elected council and the justification of the proposal by the proponent.
2. The Panel accepts the council's submission that the provision of open space generally, and tennis courts in particular, in Waverley is well below the average for the Sydney Region. However, the Panel is satisfied by the applicant's submission that the site is poorly located for tennis courts, partly because of lack of parking and partly because it is so close to three and four-storey apartment buildings. The Panel is also mindful that the land is in private ownership and that the owner is under no obligation to provide what is usually a public facility.

3. The Panel notes that the applicant has offered a Voluntary Planning Agreement to council to cover the cost of establishing compensatory recreational activities as identified in the council's Recreational Needs Study. The Panel notes that that offer still stands.
4. For the above reasons, the Panel resolves unanimously to recommend to the Minister that the planning proposal proceed to Gateway Determination.