

ITEM 1 NORTH BEACH STATE HERITAGE PRECINCT - PROPOSED EXPANSION OF HERITAGE PRECINCT

The NSW Heritage Council Listing Committee is currently considering an expansion of the curtilage of the North Beach State Heritage Precinct to include the newly upgraded North Beach Surf Life Saving Club (NBSLSC) Building. On 13 June 2023 Council was formally notified by Heritage NSW of an 'Intention to Consider Amending a Listing on the State Heritage Register' (Attachment 2).

The purpose of this report is to seek Council's position on the proposed curtilage expansion to finalise a Council submission to the public exhibition process.

RECOMMENDATION

The General Manager be delegated authority to finalise the draft submission (Attachment 3) to the NSW Heritage Council Listings Committee and Heritage NSW, advising that -

- a The expansion of the curtilage of the North Beach State Heritage Precinct is not supported as adequate protections are already in place and Council has demonstrated its commitment to the restoration and protection of the North Beach Surf Life Saving Club.
- b If the Committee resolves to proceed with the expansion of the curtilage, the list of site-specific exemptions outlined in this report are included as part of the listing to enable practical on-going management of the heritage assets within the precinct.

REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

ATTACHMENTS

- 1 Proposed State Heritage Curtilage Expansion Map
- 2 Heritage NSW Letter - Intention to Consider Amending a Listing on the State Heritage Register dated 13 June 2023
- 3 Draft Submission to Heritage NSW

BACKGROUND

The North Beach State Heritage Precinct was gazetted on the NSW State Heritage Register (SHR) in 2005. The precinct is Crown Land under the management of Wollongong City Council and contains a number of significant elements including the North Beach Kiosk and Pavilion buildings, as well as a section of the former Mount Pleasant Tramway alignment and cutting which now serves as the Blue Mile shared pathway.

In 2005, Council objected to the inclusion of the NBSLSC building within the state heritage curtilage of the North Beach Precinct state heritage listing due to concerns around the buildings condition and the presence of concrete cancer. At the time, the Blue Mile Masterplan had earmarked the building for replacement to the north of the current site. As a result, the building was not included within the Precinct.

The NBSLSC is listed as a local heritage item in the Wollongong Local Environmental Plan 2009, and was previously listed in the Wollongong Local Environmental Plan 1990. The building was constructed in 1936, two years prior to the construction of the Pavilion and Kiosk buildings. The three buildings have a clear architectural relationship and are unique in their combined servicing of the beach, housing independent functions that support each other in servicing Council's busiest beach location.

Since 2005, Council has decided not to pursue the demolition of the NBSLSC building, and in 2021 a development consent was issued for a significant upgrade of the building to meet the current needs of the Surf Club and to allow an upstairs commercial space. In 2022 a development consent was issued for a change of use of the new space to allow for a commercial restaurant and a function centre development application is currently under consideration for the internal fit out of the building.

The NBSLSC building retains its original significant use as a Surf Club facility and is closely associated with the Kiosk and Pavilion in terms of architectural style, age and is considered to form part of the

Precinct, however it was historically not included within the listed State Heritage curtilage. The heritage value of the NBSLSC Building is not disputed, however, as comprehensive protections are already in place through the Wollongong Local Environmental Plan (LEP) 2009 and Council has demonstrated its commitment to the management of the site as a listed local heritage item, the asset is not at risk and does not require State listing to ensure ongoing protection.

Heritage NSW provided the following statement of significance in their letter dated 13 June 2023 -

The North Beach Precinct, Wollongong is of State significance for demonstrating the recreational role played by surfing and beach culture during the twentieth century, particularly the interwar era, in coastal NSW in conjunction with important remnants of the industrial heritage of Wollongong. The North Beach Bathing Pavilion and Kiosk, Wollongong are good and relatively intact examples of the Interwar Functionalist style of architecture. The Bathing Pavilion and Kiosk have a strong aesthetic relationship to each other, as well as to the greatly altered North Wollongong Surf Life Saving Club (SLSC) clubhouse, also dating from the 1930s. The three buildings have research potential for demonstrating aspects of the management and social uses of beaches in New South Wales throughout the 20th century.

It is rare to find this conjunction of seaside architecture and industrial remnants and archaeology in such close proximity. Comparison with other beach architecture built in the 1930s in New South Wales indicates that this architectural style is rare in this genre, that separating the functions of pavilion / kiosk and Surf Life Saving Club into separate buildings is a rare arrangement of beach architecture and that intact Interwar seaside architecture is increasingly rare in New South Wales. North Wollongong SLSC clubhouse may be rare at state level as part of this group of three buildings.

Following the 2021 redevelopment of the building, which included a range of conservation works including interpretation of the original brickwork banding, reinstatement of original windows, exposure of internal brickwork and structural repairs, the Illawarra Branch of the National Trust nominated the building for inclusion within the North Beach State Heritage Precinct. This nomination triggered Heritage NSW to reassess the boundary of the State Heritage listing and the heritage significance of the NBSLSC building, which resulted in the proposed expansion to the curtilage to capture the building and its surrounds.

The National Trust has been highly supportive of the recent work undertaken by Council to restore the building and ensure its ongoing function as a SLSC. The National Trust has also supported Council's plans to protect the heritage assets in the precinct through the construction of the North Beach Seawall and are a valued stakeholder in terms of Council's Heritage work, with a number of representatives sitting on the Wollongong Heritage Reference Group.



Figure 1: Heritage NSW Proposed Curtilage Expansion

Existing Heritage Listings

The North Beach Area is already subject to a number of existing heritage listings and the NBSLSC building is recognised as a local heritage item on Schedule 5 of the Wollongong LEP 2009 (#61035) and sits within a landscape listing that captures Stuart Park (#6283). The North Beach Precinct and Belmore Basin Local Heritage Conservation Area (red dashed area) corresponds with the current North Beach State Heritage listing.

Table 1: Existing Wollongong LEP Heritage Listings

LEP Listing	Name	Significance
#61035	North Beach Surf Life Saving Club Building	Local
#6283	Group of Norfolk Island Pines and Canary Island Palms	Local
#61036	North Beach Kiosk and Residence	State
#5934	North Beach Pavilion	State
#6396	Tramway	State
Part 2	North Beach Precinct and Belmore Basin Heritage Conservation Area	Local



Figure 2 – Map of Existing LEP Heritage Listings

If the SHR Curtilage is expanded by Heritage NSW to include the NBSLSC Building, it would be appropriate for the Wollongong LEP 2009 to be amended through a planning proposal process (likely in line with other housekeeping amendments) to reflect the Heritage NSW update. The following LEP housekeeping amendments would need to be progressed in the future:

- 1 Update the North Beach and Belmore Basin Heritage Conservation Area to reflect the updated boundary of the North Beach State Heritage Precinct; and
- 2 Amend Schedule 5 of the Wollongong LEP 2009 to indicate that the North Beach Surf Life Saving Club Building (#61035) has State significance.

Potential Implications

Council staff have raised concerns regarding the practical implications for inclusion of the NBSLSC building within the SHR Precinct, in terms of potential complication of change of tenancies and the cost and procedural timeframes for seeking consent under the NSW Heritage Act 1977. These concerns are based on previous experience working with Heritage NSW on other State heritage listed sites managed by Council including Hill 60 and Gleniffer Brae.

Council is not alone in experiencing difficulties in management of State Heritage listed places, with many significant resourcing, timing and procedural issues identified by a range of stakeholders (including Council) in submissions to a legislative Review of the NSW Heritage Act 1977 undertaken in 2021. On 27 June 2023, the NSW Auditor General released a follow up report on the management of State Heritage Assets by the Department of Planning and Environment - Heritage NSW detailing significant issues with the governance of the NSW Heritage Act.

The Report can be accessed via the following link:

[audit.nsw.gov.au/sites/default/files/documents/FINAL REPORT - State heritage assets.pdf](https://audit.nsw.gov.au/sites/default/files/documents/FINAL%20REPORT%20-%20State%20heritage%20assets.pdf)

The Audit Report makes a range of recommendations for Heritage NSW and the NSW Heritage Council to improve the ongoing management of State Heritage Assets.

Opportunities

There are potential benefits to Council of including the NBSLSC building within the State Heritage precinct. These include funding opportunities under the Caring for State Heritage NSW funding stream. Council has recently applied for \$150,000 in funding to repoint the brickwork on the Kiosk building and is awaiting an outcome from this application.

There will also be an opportunity to include a range of new Site-Specific Exemptions on any amended listing, which could simplify the approval processes for Council's ongoing maintenance and operational works within the broader North Beach Precinct Area. These exemptions could assist with repairs, landscaping works, changes of use, events, signage and maintenance of the Seawall to be undertaken without a Section 60 approval under the NSW Heritage Act 1977. Council has a similar set of Site-Specific Exemptions operating at the adjacent Wollongong Harbour State Heritage Precinct, which successfully allows for simplified management of the site as part of Council's ongoing activities. The North Beach Precinct listing currently does not include any Site-Specific Exemptions.

Proposed Site-Specific Exemptions

The following proposed Site-Specific Exemptions have been prepared following internal consultation with various Council divisions, including Council's Infrastructure, Property and Recreation, which will be recommended for inclusion on any updated gazettal for the North Beach Precinct. It is anticipated that these proposed Exemptions will require further discussions between Council and Heritage NSW to finalise.

Recommended draft Site Specific Exemptions -

- 1 All works and activities in accordance with the current DAs approved by Wollongong Council in force at the date of gazettal, as approved under DA-2018/1321A, DA-2021/300 and DA-2023/402.
- 2 All works and activities approved before the date of gazettal through the SEPP Infrastructure process as detailed in documents comprising the Review of Environmental Factors (REF) for Stage 1 of the Wollongong Seawall (REF 02706) and Stage 2 (REF03725) and other REF's in force at the date of gazettal.
- 3 Change of use of buildings including the Pavilion, Kiosk and Surf Life Saving Club Building, including internal fit outs and internal alterations and new tenancy agreements providing there is no negative impact on the heritage significance of the place and commercial signage is not increased.
- 4 Works associated with the erection or installation of permanent or temporary signage, including information, wayfinding, regulatory and interpretive material and artworks, fencing and balustrades by Council provided these do not impact on heritage significance and/or where such erection is assessed as necessary to protect public safety.
- 5 Repairs and maintenance of the Tramway and Blue Mile Precinct, including footpaths and cycle ways, installation and replacement of park furniture including seating, bike parking, drinking fountains, bins, tables, lighting, CCTV, drinking fountains, bike racks, taps and other elements.
- 6 Repairs and maintenance, including the introduction of new fabric, to the modern additions of the Kiosk Building, including the eastern wing and outdoor seating area provided there is no negative impact on the heritage significance of the place and works are within the existing building footprints.
- 7 Repairs and maintenance, including the introduction of new fabric in a like for like manner where significant fabric is beyond repair to the North Beach Bathers' Pavilion, Kiosk and Surf Life Saving Club buildings such as repointing of brickwork and window repairs by suitably qualified tradespeople.
- 8 Upgrades to roofing, gutter and drainage systems of the North Beach Bathers' Pavilion, Kiosk and Surf Life Saving Club buildings where necessary, including installation of additional elements such as spreaders, downpipes and gutters, as long as the changes are minor in nature and designed to minimise visual impacts on the precinct and match the existing colour scheme.

- 9 Repair, maintenance and minor alterations to all new additions and new fabric elements of the North Beach Bathers' Pavilion including the steel frames restaurant structures and associated glass elements, the eastern Promenade, the new public amenity elements in the northern wing provided that the external appearance of the building is unaltered.
- 10 Repairs and maintenance and minor alterations, including the introduction of new fabric to the North Beach Surf Lifesaving Club Building.
- 11 Works and activities associated with the ongoing maintenance and upkeep of the precinct including but not limited to watering, irrigating, mowing weeding, noxious weed removal, rubbish removal, beach raking, street sweeping soil testing, soil conditioning, fertilizing, pest, vermin and disease control, reseeding, hydro-seeding, turfing, reinstatement of mulch, top dressing, staking and tying, erosion control matting, fencing, spraying, garden bed maintenance including installing or upgrading garden edging and drip irrigation and making good following storm damage and keeping the area neat and tidy.
- 12 Tree maintenance including dead wooding, removal of dead or dying vegetation, replanting, cultivating, pruning, hedging, clipping, staking and crown lifting as required.
- 13 Works and activities associated with the installation, upgrade and maintenance of services, public utilities and upgrades of services and public utilities, including air conditioning, communications, gas, electricity, water supplies, waste disposal, sewerage, irrigation and drainage where there is no negative impact on the heritage significance of the place.
- 14 Emergency works required to correct or repair damage caused by storms, severe weather events, detrimental weather patterns, storm surge or other similar events that result in an immediate hazard or risk to community safety or to Council or other assets within the precinct.
- 15 Geotechnical investigations including boreholes and test pits and geotechnical stabilisation works including rock bolting as identified as necessary.
- 16 Maintenance works to address beach erosion including regrading to address safety issues and beach nourishment.
- 17 Repairs, maintenance and upgrades necessary of retaining and sea walls, boat ramps and stairs and other coastal management infrastructure within the precinct.
- 18 The use of recreational areas within the precinct for community events, commercial and entertainment events, fairs, advertising, recreational and sports events, walking tours or exhibitions as well as for the creation of film advertisements or films, including the installation of associated temporary structures, signs, tents, marquees, stages and toilets provided there is no negative impact on the heritage significance of the place.
- 19 Works and activities related to the continued surf life-saving and life guard operations in the precinct, including the North Beach Surf Life Saving Club activities including the installation and use of temporary shade structures within the precinct and on the beach.

PROPOSAL

A draft submission to the NSW Heritage Council Listings Committee is provided (Attachment 4), for the General Manager to finalise, indicating that Council acknowledges the heritage significance of the NBSLSC building but that expansion of the curtilage of the North Beach State Heritage Precinct is not supported. A list of Site-Specific Exemptions is also provided for inclusion in any amended gazettal for the North Beach State Heritage Precinct should the Listing Committee proceed with the proposed expansion of the precinct.

CONSULTATION AND COMMUNICATION

In May 2023, Council's Heritage Officer met with a Heritage NSW representative on site to inspect the new additions to the NBSLSC Building. On 6 June 2023, the Director Planning and Environment was invited to present to the NSW Heritage Council Listing Committee Meeting at the invitation of Heritage NSW staff. It was made clear that a formal Council position had not yet been sought due to time

constraints and additional consultation with Councillors and other key stakeholders need to be undertaken.

As an outcome of the Listing Committee meeting, Heritage NSW has now written to Council to provide the formal Notice of Intention to Consider Amending a Listing on the SHR. The public exhibition period for the proposal commenced on 14 June 2023 and will close on 31 July 2023.

Internal consultation has occurred with Property and Recreation, Infrastructure Strategy and Planning and Open Space and Environmental Services to prepare the draft Site Specific Exemptions. Feedback received is reflected in the suggested list of exemptions presented in this report.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal 1 'We value and protect our environment'. Our Wollongong 2032 - Community Strategic Plan.

It specifically delivers on core business activities, including promote and protect heritage, as detailed in the Land Use Planning service.

Further, this report directly responds to the Wollongong Heritage Strategy and Implementation Plan 2019-2022.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the adoption of the recommendations within this report. There may however be financial implications in terms of added costs to obtain approvals under the NSW Heritage Act 1977 for future works within the updated Heritage Precinct Curtilage. However, it is noted that the upgrade of the NBSLSC building has recently been completed and that the North Beach Seawall Project has already received State Heritage approval. No other significant projects relating to the NBSLSC building are currently planned.

There may be some potential financial benefits of including the NBSLSC building within the State Heritage precinct, including additional funding opportunities under the Caring for State Heritage NSW funding stream.

CONCLUSION

The North Beach Surf Life Saving Club building is an important element of the North Beach Precinct. The building is currently listed as a local heritage item on Schedule 5 of the Wollongong LEP 2009 and has just undergone a range of alterations and conservation works.

This report recommends that Council advise the NSW Heritage Council Listing Committee that expansion of the curtilage of the North Beach State Heritage Precinct is not supported as adequate protections are already in place and Council has demonstrated its commitment to the restoration and protection of the North Beach Surf Life Saving Club.

Should the Listing Committee resolve to proceed with the expansion of the curtilage, Council should request that the list of site-specific exemptions outlined in this report be included as part of the listing to enable practical on-going management of the heritage assets within the precinct.

Heritage Council of New South Wales



State Heritage Register - Proposed Amendment to SHR Curtilage

North Beach Precinct

North Wollongong

SHR No: 01737 Plan:2062

0 25 50 75 100 Meters







Scale:1:2,000 @ A4

Datum/Projection: GCS GDA 1994

Date: 6/04/2023



-  Proposed Amendment
-  Existing SHR Curtilage
-  LGAs
-  Suburbs



Department of Planning and Environment

Our ref: DOC23/494330

Mr Greg Doyle
General Manager
Wollongong City Council

By email: council@wollongong.nsw.gov.au

Attention: Ms Linda Davis, Mr Joel Thompson, Ms Carly Boag

Dear Mr Doyle

Notice of Intention to consider amending a listing on the State Heritage Register

Item: North Beach Precinct (curtilage extension)
Address: 1 Cliff Road / George Hanley Drive, North Wollongong

I am writing to advise that the Heritage Council of NSW resolved at its meeting on 6 June 2023, to give notice of its intention to consider extending the curtilage of State Heritage Register (SHR) item no. 01737 – **North Beach Precinct** in acknowledgement of its heritage significance to the people of NSW. This advice is in accordance with section 33(1)(a) of the *Heritage Act 1977 (NSW)*.

Any members of the community, owners, managers, organisations or other interested parties are invited to make a written submission regarding the proposed listing and significance of **North Beach Precinct (curtilage extension)**. Submissions should be posted or emailed to the Heritage Council of NSW at the following address during the public submission period commencing on **15 June 2023** and closing at cob of **31 July 2023**:

Heritage Council of NSW
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2124
heritagemailbox@environment.nsw.gov.au

Please note that the Heritage Council is unable to accept submissions received after the above closing date.

The North Beach Precinct, Wollongong is of State significance for demonstrating the recreational role played by surfing and beach culture during the twentieth century, particularly the interwar era, in coastal NSW in conjunction with important remnants of the industrial heritage of Wollongong. The North Beach Bathing Pavilion and Kiosk, Wollongong are good and relatively intact examples of the Interwar Functionalist style of architecture. The Bathing Pavilion and Kiosk have a strong aesthetic relationship to each other, as well as to the greatly altered North Wollongong Surf Life Saving Club (SLSC) clubhouse, also dating from the 1930s. The three buildings have research potential for demonstrating aspects of the management and social uses of beaches in New South Wales throughout the 20th century.

North Wollongong SLSC clubhouse may also have state historic significance for feminist history, as several women members received bronze medals and Instructors' Certificates during World War 1, the only such medals and certificates awarded to women for many years.

North Beach Precinct has potential State social significance, given Wollongong's historic recreational and tourist reputation as 'Brighton of the South'. North Beach was an integral part of major events, having hosted state Surf Life-Saving-related championships titles in 1950, 1952, 1966 and 1990 - and National Titles Championships in 1952 and 1989. The clubhouse demonstrates long continuous use and associations of beach culture and recreation.

The tramway cutting is a significant reminder of the days when coal was transported from Mount Pleasant through North Beach to Wollongong Harbour, while the archaeological site of Puckey's Salt Works offers research potential concerning the history of salt manufacture in New South Wales.

It is rare to find this conjunction of seaside architecture and industrial remnants and archaeology in such close proximity. Comparison with other beach architecture built in the 1930s in New South Wales indicates that this architectural style is rare in this genre, that separating the functions of pavilion / kiosk and Surf Life Saving Club into separate buildings is a rare arrangement of beach architecture and that intact Interwar seaside architecture is increasingly rare in New South Wales. North Wollongong SLSC clubhouse may be rare at state level as part of this group of three buildings.

A copy of the draft curtilage map for this item is enclosed for your reference, as well as a summary of the effects of listing. Further details on the nominated item, the State Heritage Register, listing criteria, making a submission and the benefits of listing can be viewed on the Heritage NSW [website](https://www.heritage.nsw.gov.au/).

If you have any questions or require further information, please do not hesitate to contact Stuart Read, Senior Heritage Officer, Metro South, Heritage Programs at Heritage NSW on (02) 9873 8554 or by email: stuart.read@environment.nsw.gov.au.

Yours sincerely



Natalie Blake
A/Manager
Heritage Programs South
Heritage NSW
Department of Planning and Environment
As Delegate of the Heritage Council of NSW
13 June 2023

Encl.: draft curtilage map

Introduction to the State Heritage Register

What is the State Heritage Register?

The State Heritage Register is a list of places and items of particular importance to the people of New South Wales, protected under the *Heritage Act 1977* (NSW).

The register lists a diverse range of items, in both private and public ownership. To be listed, an item must be significant for the whole of NSW.

The State Heritage Register, in its current form, was established in 1999.

The State Heritage Register forms part of the online State Heritage Inventory, a publicly available electronic database of all statutorily protected heritage items in New South Wales.

What does it mean for a heritage item to be listed on the Register?

Listing on the State Heritage Register means that the heritage item:

- is of particular importance to the state and enriches our understanding of the history of NSW;
- is legally protected under the NSW Heritage Act;
- requires approval from the Heritage Council of NSW for certain kinds of works; and
- is eligible for financial incentives.

This is explained in further detail in [Heritage listing explained - What it means for you](#).

What is “state significance”?

State heritage significance, means a place, building, work, relic, moveable object or precinct (known as a heritage item), has significance to the people and state of NSW in relation to its historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic values.

The NSW Heritage Council has developed seven [criteria](#) by which heritage items are assessed for listing on the State Heritage Register. To be listed on the State Heritage Register an item must meet the threshold of at least two of these criteria.

What kinds of heritage items are listed on the State Heritage Register?

The register lists a diverse range of places, buildings and objects including public buildings, shops, factories, houses, religious buildings, schools, conservation precincts, monuments, jetties, bridges, gardens, archaeological sites and movable items such as church organs and ferries.

Who decides whether a place is listed on the State Heritage Register?

Items are added to the State Heritage Register by the Minister for Environment and Heritage, on the recommendation of the Heritage Council, following an assessment of significance and consultation with owners and the broader community.

How can I access the State Heritage Register?

The State Heritage Register can be accessed via the Heritage NSW [website](#).

What does the listing process involve?

The process for listing a place or item on the NSW State Heritage Register is based upon the statutory requirements of the *Heritage Act 1977*. The process is outlined in the below steps:

Receipt and Preliminary Assessment. Heritage NSW checks all new nominations to ensure they meet the eligibility and information requirements of the Heritage Council of NSW. The State Heritage Register Committee reviews new nominations on a monthly basis to determine which should be progressed to a full assessment for listing on the State Heritage Register.

Public Notice of Intention to List and Submission Period. The statutory process set out in the *Heritage Act 1977* commences after a Notice of Intention to List report is presented to the Heritage Council. If the Heritage Council resolves to consider listing the item, major stakeholders are notified, the proposed listing is advertised and interested parties are invited to make written submissions regarding the proposed listing.

Heritage Council Recommendation. Following completion of the advertising period all submissions are included in a Recommendation to List Report. The report is considered by the Heritage Council to decide whether or not to recommend listing of the item to the Minister.

Ministerial Decision. The Heritage Council recommendation to list is referred to the Minister for Environment and Heritage for decision. All stakeholders are notified of the Heritage Council recommendation and Minister's decision. If the Minister decides to list the item, it is published in the NSW Government Gazette.

Further information about the State Heritage Register listing process can be found on the Heritage NSW [website](#).

Effects of listing on the State Heritage Register

Financial Assistance

Listing a property on the State Heritage Register makes the owner/manager eligible for funding through the NSW Heritage Grants program. Information on heritage funding including eligibility criteria is available on the Heritage NSW [website](#).

Sale of a Property

Listing on the State Heritage Register does not place any restriction on the sale of a property or item.

Alterations and Additions

Listing of a building or land on the State Heritage Register does not mean that work cannot be carried out. The listing simply seeks to ensure that any new use or work is compatible with and complements the item.

Listing on the State Heritage Register means that the Heritage Council becomes the joint consent authority with authorities such as the local council for works that may affect the item's heritage significance.

Activities listed in s.57(1) of the Heritage Act will require the approval of the Heritage Council in addition to any other approvals such as the local council. An application to change the use of or undertake work to a listed building or land should be submitted to your local council in the form of an *Integrated Development Application*. If the local council does not require a development application, a s.60 Application should be submitted directly to the Heritage Council.

Exemptions for Minor Works

The Minister can grant exemptions from the need to obtain the Heritage Council's approval for specified activities. *Standard Exemptions* apply to all State Heritage Register listed items. *Site specific exemptions* can be made for individual heritage items.

Information on the *Standard Exemptions* is available on the Heritage NSW [website](#).

Some sites are also covered by additional site specific exemptions that have been approved by the Minister on the recommendation of the Heritage Council. These site specific exemptions are developed through negotiations with the site owner/manager in order to facilitate day-to-day operational management.

Maintenance and Repair

Minimum standards of maintenance and repair for heritage items listed on the State Heritage Register are set out in the Heritage Regulation 2012. These have been formulated to ensure that these items are inspected regularly, secured and protected against the weather, fire and vandalism. They are based on prudent property management practices, aimed at avoiding expensive 'deferred maintenance'.

The *Minimum Standard of Maintenance and Repair* can be obtained from Heritage NSW or downloaded from the [website](#).

Support Information

Support information for heritage property owners can be found in [Heritage listing explained - What it means for you](#) and further information for owners of SHR listed properties is available on the Heritage NSW [website](#)



WOLLONGONG CITY COUNCIL

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Heritage Council of NSW
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2124
heritagemailbox@environment.nsw.gov.au

Our Ref: 24341982
Date: 31 July 2023

Dear Sir/Madam

RESPONSE TO STATE HERITAGE NOMINATION – NORTH WOLLONGONG SURF LIFE SAVING CLUBHOUSE

This letter is in response to Heritage NSW formal notification of Wollongong City Council dated 12 June 2023 in relation to the proposed expansion of the North Beach State Heritage Precinct curtilage to include the North Wollongong Surf Life Saving Club building.

Council's Heritage Staff met on site with Stuart Read on 27 April 2023 to undertake a site visit of the newly refurbished North Beach Surf Club Building and the broader North Beach precinct. Wollongong Council's Director of Planning & Environment, Ms Linda Davis, also presented to the NSW Heritage Council Listing Committee meeting on 6 June 2023.

Council owns and maintains a number of State Heritage listed sites, including Hill 60 Reserve and Gleniffer Brae. Generally, Council has significant concerns relating to the administration of State Heritage assets and assessment of Section 60 Applications under the NSW Heritage Act 1977. These concerns are detailed in Wollongong Council's submission to the NSW Heritage Act Review 2021, attached to this letter for your information. In our experience, the formalisation of site-specific exemptions to allow Council to continue managing our heritage places as per 'business as usual' to ensure their ongoing conservation, has also been a complicated and adversarial process, taking over three years to finalise in relation to Gleniffer Brae.

Whilst the recognition of our significant places on the State Heritage Register is positive, it is essential that Heritage NSW works with Council to ensure any updated listing allows for proactive management of the North Beach Precinct, without significant additional costs to the community and delays in undertaking sometimes, urgent maintenance work.

Background to North Beach Precinct SHR Listing

In 2005, Council had originally objected to the inclusion of the NBSLSC building within the curtilage due to concerns around its condition and presence of concrete cancer. At the time the Blue Mile Masterplan had earmarked the building for replacement to the north of the current site. As a result, the building was not included within the Precinct.

Council has not been pursuing the proposed demolition of the NBSLSC building for a number of years, and in 2021 a development consent was issued for the upgrade of the building to meet the current needs of the Surf Club and include an upstairs commercial space. In 2022 a consent was issued for change of use of the new space to allow for a commercial tenant and a development application is currently under consideration for internal fit out.

Additionally, Stage 1 of the North Beach Seawall is under construction to the east of the building outside of the SHR area, which will have an impact on the setting of the heritage item. Council has also obtained a conditional Section 60 approval under the NSW Heritage Act 1977 to construct Stage 2 of the Seawall, which is within the SHR precinct. There are learnings from this assessment process, that Heritage NSW should consider in the progression of this listing that proposed to include Stage 1 of the Seawall.

Nomination of the North Beach Surf Life Saving Club Building

Following the 2021 redevelopment of the building, which included a range of conservation works including interpretation of the original brickwork banding, reinstatement of original windows, exposure of internal brickwork and structural repairs, the Illawarra Branch of the National Trust nominated the building for inclusion within the North Beach State Heritage Precinct. The National Trust has been highly supportive of the project including the construction of the North Beach Seawall and are a valued stakeholder in terms of Council's Heritage work, with a number of representatives sitting on the Wollongong Heritage Reference Group.

It is acknowledged by Council that NBSLSC building retains its original significant use as a Surf Club facility and is closely associated with the Kiosk and Pavilion in terms of architectural style, age and is considered to form part of the Precinct. The heritage value of the NBSLSC Building is not disputed, however comprehensive protections are already in place through the Wollongong Local Environmental Plan (LEP) 2009 and Council has demonstrated its commitment to the management of the site as a listed local heritage item. Therefore, the asset is not at risk and does not require State listing to ensure ongoing protection.

Site Specific Exemptions

It is noted that there are no site specific exemptions gazetted relating to the North Beach precinct, which is different to the adjacent Wollongong Harbour Precinct, which has a detailed range of exemptions included on the listing. Any change to the State Heritage Precinct curtilage to include the NBSLCB should include an opportunity for Council to include site-specific exemptions for the ongoing management and maintenance of the Kiosk, Pavilion and the NBSLC buildings, as well as the Tramway shared pathway and the North Beach Seawall.

The following site-specific conditions have been drafted based on the existing Exemptions in force for the adjacent Wollongong Harbour SHR Precinct, which in Council's experience have been successful in allowing the ongoing management of the Precinct, and in consultation with a range of Council divisions including Property, infrastructure and Community and Development.

Recommended Site Specific Exemptions -

- 1 All works and activities in accordance with the current DAs approved by Wollongong Council in force at the date of gazettal, as approved under DA-2018/1321A, DA-2021/300 and DA-2023/402.
- 2 All works and activities approved before the date of gazettal through the SEPP Infrastructure process as detailed in documents comprising the Review of Environmental Factors for Stage 1 of the Wollongong Seawall (REF 02706) and Stage 2 (REF03725) and any other REF's in force at the date of gazettal.
- 3 Change of use of buildings including the Pavilion, Kiosk and Surf Life Saving Club Building, including internal fit outs and internal alterations and new tenancy agreements providing there is no negative impact on the heritage significance of the place and commercial signage is not increased.
- 4 Works associated with the erection or installation of permanent or temporary signage, including information, wayfinding, regulatory and interpretive material and artworks, fencing and balustrades by Council provided these do not impact on heritage significance and/or where such erection is assessed as necessary to protect public safety.
- 5 Repairs and maintenance of the Tramway and Blue Mile Precinct, including footpaths and cycle ways, installation and replacement of park furniture including seating, bike parking, drinking fountains, bins, tables, lighting, CCTV, drinking fountains, bike racks, taps and other elements.
- 6 Repairs and maintenance, including the introduction of new fabric, to the modern additions of the Kiosk Building, including the eastern wing and outdoor seating area provided there is no negative impact on the heritage significance of the place and works are within the existing building footprints.
- 7 Repairs and maintenance, including the introduction of new fabric in a like for like manner where significant fabric is beyond repair to the North Beach Bathers Pavilion, Kiosk and Surf Life Saving Club buildings such as repointing of brickwork and window repairs by suitably qualified tradespeople.
- 8 Upgrades to roofing, gutter and drainage systems of the North Beach Pavilion, Kiosk and Surf Life Saving Club buildings where necessary, including installation of additional elements such as spreaders, downpipes and gutters, as long as the changes are minor in nature and designed to minimise visual impacts on the precinct and match the existing colour scheme.

- 9 Repair, maintenance and minor alterations to all new additions and new fabric elements of the North Beach Bathers Pavilion including the steel frames restaurant structures and associated glass elements, the eastern Promenade, the new public amenity elements in the northern wing provided that the external appearance of the building is unaltered.
- 10 Repairs and maintenance and minor alterations, including the introduction of new fabric to the North Beach Surf Lifesaving Club Building.
- 11 Works and activities associated with the ongoing maintenance and upkeep of the precinct including but not limited to watering, irrigating, mowing weeding, noxious weed removal, rubbish removal, beach raking, street sweeping soil testing, soil conditioning, fertilizing, pest, vermin and disease control, reseeding, hydro-seeding, turfing, reinstatement of mulch, top dressing, staking and tying, erosion control matting, fencing, spraying, garden bed maintenance including installing or upgrading garden edging and drip irrigation and making good following storm damage and keeping the area neat and tidy.
- 12 Tree maintenance including dead wooding, removal of dead or dying vegetation, replanting, cultivating, pruning, hedging, clipping, staking and crown lifting as required.
- 13 Works and activities associated with the installation, upgrade and maintenance of services, public utilities and upgrades of services and public utilities, including air conditioning, communications, gas, electricity, water supplies, waste disposal, sewerage, irrigation and drainage where there is no negative impact on the heritage significance of the place
- 14 Emergency works required to correct or repair damage caused by storms, severe weather events, detrimental weather patterns, storm surge or other similar events that result in an immediate hazard or risk to community safety or to Council or other assets within the precinct
- 15 Geotechnical investigations including boreholes and test pits and geotechnical stabilisation works including rock bolting as identified as necessary.
- 16 Maintenance works to address beach erosion including regrading to address safety issues and beach nourishment.
- 17 Repairs, maintenance and upgrades necessary of retaining and sea walls, boat ramps and other coastal management infrastructure within the precinct.
- 18 The use of recreational areas within the precinct for community events, commercial and entertainment events, fairs, advertising, recreational and sports events, walking tours or exhibitions as well as for the creation of film advertisements or films, including the installation of associated temporary structures, signs, tents, marquees, stages and toilets provided there is no negative impact on the heritage significance of the place.
- 19 Works and activities related to the continued surf life saving and life guarding operations in the precinct, including the North Beach Surf Life Saving Club activities including the installation and use of temporary shade structures within the precinct and on the beach.

Additional consultation with Council in relation to proposed site-specific exemptions is required prior to any finalisation of the proposal.

RECOMMENDATIONS

The expansion of the curtilage of the North Beach State Heritage Precinct is not necessary to ensure its ongoing protection and is not supported for the following reasons:

- a. adequate protections are already in place through the Wollongong Local Environmental Plan (LEP) 2009
- b. Council has demonstrated its commitment to the restoration and protection of the North Beach Surf Life Saving Club
- c. Listing is likely to bring unwarranted complexity to future planning and tenancy activities associated with the North Beach Surf Life Saving Club.

Should the Listing Committee resolve to proceed with the expansion of the curtilage, we request Heritage NSW to work with Council to finalise the list of site-specific exemptions outlined in this submission to be included as part of the listing to enable practical on-going management of the heritage assets within the precinct.

Please contact Linda Davis, Director Planning & Environment on 4227 7111, should you require further information.

Yours faithfully

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