

ITEM 15 LEASE OF AUSTINMER SURF LIFE SAVING CLUB

This report seeks Council approval to grant a 21-year lease to Austinmer Surf Life Saving Club (SLSC) to formalise the occupation of the main Surf Club and the northern Boatshed building located at Austinmer Beach under Sections 46 and 47 of the *Local Government Act 1993*.

The Austinmer Surf Lifesaving Club sits on Community Land and is managed under the Community Land Plan of Management (2022) (PoM), whilst the Northern Boatshed is situated on Crown Land and is managed under the Crown Reserves Plan of Management for 32 Crown Reserves (2024). The lease must be consistent with the adopted Plans of Management and comply with the *Local Government Act* and *Crown Land Management Act* provisions.

RECOMMENDATION

- 1 Council authorises a 21-year lease of premises known as Austinmer Surf Life Saving Club building and part Boatshed building located at part Lot 3 DP 1110343 and part Lot 7020 1071551, (Crown Reserve 89084) Lawrence Hargrave Drive to Austinmer Surf Life Saving Club Inc.
- 2 Council delegate the General Manager the authority to finalise and execute the Lease and any other documentation required to give effect to this resolution.
- 3 Authority be granted to affix the Common Seal of Council and/or delegation pursuant to Section 377 of the *Local Government Act 1993* to the Lease documentation.

REPORT AUTHORISATIONS

Report of: Mark Berriman, Manager Sport + Recreation
 Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Site Plan of Proposed Leased Areas
- 2 Submission, Director of Administration, Austinmer SLSC

ACRONYMS USED IN REPORT

Abbreviation	Meaning
ARI	Average Recurrence Interval
ALR Act	Aboriginal Land Rights Act 1983
CLM Act	Crown Land Management Act 2016
CZMP	Coastal Zone Management Plan
LGA	Local Government Area
PoM	Plan of Management
SLSC	Surf Life Saving Club
SRC	Surf Rescue Certificate

BACKGROUND

The Austinmer SLSC has occupied the existing surf club building since its construction by Club members in 1990, however no formal lease agreement has previously been in place for the main surf club building.

The SLSC has previously entered short term licences under Section 2.20 *Crown Land Management Act 2016* (CLM Act) for the use of the Boatshed amenities building. The Crown Reserves PoM for the site was adopted on 12 February 2024, which now permits Council to enter a longer-term lease for the boatshed amenities building. The proposed lease will now incorporate both the surf club building and the boatshed amenities building, providing a unified and formalised tenure arrangement for Austinmer SLSC.

The Austinmer SLSC is one of the earliest surf clubs in Australia established in 1909. The North Clubhouse building was built in 1930 and used as a surf club until its demolition in the mid 1970's. A boat shed was constructed in the early 1950's adjoining the earlier clubhouse with extensions being added in early 1990's. A new gym and patrol room were constructed around 2017. The site at the southern end of the beach has been used by the community as a site of recreation and as a kiosk prior to being granted to Austinmer SLSC for use as a clubhouse in the mid 1970's.

The Austinmer SLSC has provided 116 years of continuous Surf Life Saving volunteer service to the community and provides safe beach access to the community and visitors. The Club continues to provide a community service with over 3,300 patrol hours completed for the 2024/25 season.

The Austinmer SLSC currently has 656 members, including patrolling members and 305 junior members (Nippers). In 2024, Nipper's growth was the highest in the Illawarra Branch and demonstrated increased participation, graduating Surf Rescue Certificates, carnival entries and revenue.

The Austinmer SLSC will continue to conduct beach patrols during designated patrol seasons, in accordance with the Wollongong City Council and the Surf Life Saving Illawarra Service Agreement and remain a recognised member club under the relevant State or Territory Surf Life Saving body (Surf Life Saving NSW). This affiliation must be maintained throughout the term of the Lease.

In September 2025, Council successfully completed an external building refurbishment project at the Austinmer SLSC. Following this, Austinmer SLSC commenced the refurbishment and modifications to bathroom and shower amenities, funded through a successful grant application under the Office of Sport's Surf Club Facility Program. Council recently provided Owner's Consent to enable Austinmer SLSC to apply for additional grant funding to deliver Phase 2 of the upgrade works, which will include a function room, bar, and hybrid kitchen renovations.

PROPOSAL

It is proposed the granting of a Lease agreement with Austinmer SLSC for a 21-year term for the Surf Club and Northern Boatshed buildings located on Council owned Community Land and Crown Community Land with the following key proposal terms and conditions:

Lessor:	Wollongong City Council
Lessee:	Austinmer Surf Life Saving Club Inc
Area to be Licensed:	Part Lot 3 in DP 1110343, being premises known as Building Austinmer Surf Life Saving Club, and part Lot 7020 DP Crown 1071551, being the Surf Life Saving Club Boatshed and Amenities, Lawrence Hargrave Drive, Austinmer NSW 2515
Permitted Use:	Surf Life Saving Club and associated activities including fundraising and any commercial operations that are the subject of a written agreement as contemplated by lease agreement.
Excluded area:	Northern Boatshed building – observation room and Council amenities room are excluded from the leased area and must allow for full and free access for Licensor's agents and employees to provide ocean lifeguard services throughout the patrol season.
Land Classification:	RE1 Public Recreation
Lease Term:	Twenty-one (21) years
Commencement Date:	TBA
Commencement Rent:	\$850.00 per annum including GST payable annually in advance and varied annually according to Council's Community & Sporting Group annual rental.

The Boatshed is located within Crown Reserve R89084 (part Lot 7020 DP 1071551) and is subject to a registered Native Title claim. Pursuant to the CLM Act, the advice of Council’s Native Title Manager was sought, which confirmed that the licence could be validly granted pursuant to the *Native Title Act 1993* (Commonwealth).

The Reserve is also the subject of a land claim made under the provisions of the *Aboriginal Land Rights Act 1983* (ALR Act). If the claim is successful, ownership of the land will be transferred away from the Crown, and Council will no longer be required to manage the Reserve as Crown Land Manager. To address this possibility, and in line with best practice, the licence includes a clause providing for its automatic termination should the land claim be successful.

CONSULTATION AND COMMUNICATION

- Austinmer Surf Life Saving Club Inc
- Surf Life Saving Illawarra

Relevant internal divisions of Council were consulted and provided with the opportunity to comment in relation to the proposed granting of the lease including:

- Infrastructure Strategy and Planning
- Sport & Recreation
- Commercial Operations and Property
- City Strategy (Environmental, Heritage and Community Land Planning)
- Legal Services

No objections were received in relation to the proposal to grant a lease to the Austinmer SLSC for a twenty-one (21) year term.

Pursuant to Section 47 of the *Local Government Act 1993*, Council advertised the proposed granting of the Lease for a 21-year term to Austinmer SLSC for 28 days. The statutory advertising period closed on Tuesday 1 July 2025, with one submission received from the Director of Administration, Austinmer SLSC (Attachment 2). As no objections were received during the public notification period and the lease term does not exceed 21 years, Council may grant the lease under delegation to the General Manager.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong Our Future 2035 Goal 4 ‘We have a healthy, respectful, and inclusive community’. It specifically delivers on the following:

Community Strategic Plan 2035		Delivery Program 2025-2029
	Strategy	Service
4.2	Provide a variety of quality and accessible public spaces and opportunities for sport, play, leisure, recreation, learning and cultural activities in the community.	Parks and Sport fields
4.3	Provide safe, well - maintained and accessible beaches and aquatic facilities, and promote water and beach recreation safety to residents and visitors.	

The report also contributes to Council’s Beach and Foreshore Access Strategy 2019-2028. The Strategy aligns with Council’s objective to increase the health and wellbeing of our community. Council explores opportunities and collaboration with surf clubs to improve beach access including beach matting and provide disability awareness training.

The Lease does permit the SLSC to sublease part of the premises for a commercial operation, but any sublease is subject to Council’s consent, and any proposed activity would have to follow Council’s usual development application and consent process.

SUSTAINABILITY IMPLICATIONS

Council and future sport and recreation facilities support long-term sustainability. Council's overall vision is to provide a diverse range of sustainable, functional infrastructure that supports active, safe and inclusive participation in sport and recreation across the Wollongong Local Government Area.

RISK MANAGEMENT

Under Council's Community Land PoM, the Surf Club occupies land that is categorised as an Area of Cultural Significance. The PoM permits continuation of existing uses and developments maintenance, additions, and alternations subject to no harm to heritage items. The Austinmer Beach Reserve includes Heritage item 6511; The Austinmer War Memorial and 6151; The Norfolk Island Pines.

The Wollongong Coastal Zone Study (2010) mapped the Erosion and Inundation Hazard extents considering the storm demand and wave overtopping for a 100-years ARI event for 2010, 2050 and 2100 planning horizons. It also mapped the Coastal Geotechnical Risk extent for 2100.

According to the existing study/plan the erosion hazard is not predicted to manifest in the short term (ie prior to 2050). The inundation hazard may occur sooner (and has impacted this precinct recently), however, such an event has less impact than erosion. Consideration of potential coastal inundation impacts should be undertaken during any upgrade works, within maintenance requirements and during the use of the buildings.

Council is currently updating its Coastal Hazard Studies, and these will also inform a new Coastal Management Program to replace the CZMP 2010. This new hazard extents should be considered in any redevelopments in the future as necessary.

FINANCIAL IMPLICATIONS

Council will retain responsibility for structural maintenance and building insurance for both the Surf Club and Boatshed buildings, ensuring asset integrity and risk management. The SLSC is responsible for obtaining \$20M public liability insurance.

Austinmer SLSC will be responsible for day-to-day upkeep and renewal of the buildings in accordance with the Building Maintain and Replace Responsibility Schedule, ensuring consistent care and reducing reactive maintenance. Council, as landowner, reserves the right to seek variations to the lease agreement to reflect future works or changes required to ongoing maintenance obligations, ensuring adaptability to future infrastructure needs or service delivery requirements.

Austinmer SLSC will be responsible for 100 percent outgoings related to the main SLSC building. For the Boatshed building, which is a shared facility with Council Lifeguards, the Club will contribute 25 percent of all rates and taxes (if applicable), along with shared outgoings such as electricity, water, gas, cleaning, and rubbish removal.

Council will continue to receive an income in the amount of \$850.00 per annum (GST inclusive) in accordance with Council's Revenue Policy Fees and Charges 2025/26 for Community and sporting group annual fee. The Lease fee is to be reviewed on each anniversary in accordance with Council's Policy.

The Austinmer SLSC will pay \$218.00 (GST inclusive) towards the Lease preparation fee in accordance with Council's Revenue Policy Fees and Charges 2025/26.

CONCLUSION

The granting of the Lease will secure a long-term agreement with Council and the Austinmer SLSC for the existing occupation of the Surf Club and Boatshed buildings. It outlines the ongoing maintenance responsibilities and outgoings of both parties. It also clearly identifies that any potential future commercial income Austinmer SLSC may generate, Council expects, in good faith, that the additional rental income to fund its obligations under the Lease.



Submission to WWC LIC-2022/559

Council is proposing to grant a new Lease to Austinmer Surf Life Saving Club Inc for the occupation of the Surf Life Saving Club building and part boatshed building located at part Lot 3 DP 1110343 and part Lot 7020 1071551, (Crown Reserve 89084) Lawrence Hargrave Drive, Austinmer NSW 2515.

The proposed Lease term is Twenty-One (21) years.

Pursuant to Chapter 6 Part 2 of the *Local Government Act 1993*, Council is required to advertise the proposed granting of the Lease as it is located on Community land and Crown Land.

Any submissions should be clearly outlined and based on the effect of granting the lease will have on the existing or future use of the Community Land.

SUBMISSION FROM AUSTINMER SLSC Inc:

Austinmer Surf Lifesaving Club request the continued use by Austinmer Surf Lifesaving Club Inc on Lot 3 DP 1110343 and part Lot 7020 1071551, (Crown Reserve 89084) Lawrence Hargrave Drive, Austinmer.

History and Tradition The site at the northern end of the beach was used as a surf club building from 1930 until its demolition in the mid 1970's. A boat shed was constructed in the early 1950's adjoining the earlier clubhouse with extensions being added in early 1990's. A new gym and patrol room was constructed around 2017. The site at the southern end of the beach has been used by the community as a site of recreation and as kiosk prior to being granted to Austinmer SLSC for use as a clubhouse in the mid 1970's. Austinmer Surf Life Saving Club is one of the earliest Surf Clubs in Australia formed in 1909 two years after the establishment of Surf Life Saving on Bondi Beach in 1907.

Austinmer has a proud history of competing at a national level across all surf sports including multiple State and National championships in rowing.

Demonstrated commitment of appropriate use of the site. Austinmer SLSC 1909 to 2025 - 116 years of continuous SLS volunteer service to protect life and provide safe beach access to Austinmer community and visitors. Since 1993 the club has actively promoted surf awareness and surf lifesaving skills to Nippers (from the mid 1960's to the early 1970's an earlier version of the Nippers existed called the Sandcrabs).

Current membership. The Austinmer SLSC currently has a vibrant community of 656 members, 94 hold awards for SLS, 305 of them are nippers who are supported by parents who are either associate members or active lifesavers. Many local residents are previous members of the club and continue their Associate Membership. The club has 26 Life Members (14 deceased) and 29 Long Service Members, 6 of whom continue to contribute and add value to the club and the community.

In 2024, Nippers' growth was the highest in the Illawarra Branch and demonstrated increased participation, graduating SRCs, carnival entries and revenue.

In the 2023/24 season Austinmer SLSC received three **Awards of Excellence at Illawarra Branch** level for: Trainer of the Year, Patrolling Club of the Year Club of the Year and Club of the year Illawarra.

The club continues to provide a **Community Service** with over 3300 patrol hours for the 2024/25 season. This does not include the extensive hours of training, facilitation of meetings for SLSNSW

requirements or the hours of voluntary administration of the club. The club has current, audited financial records that are available on request that demonstrates sound financial viability.

Looking to future sustainability, the club has secured a \$380,000 NSW Surf Club Facilities Grant to improve accessibility and overcome building maintenance issues by refurbishing existing bathrooms, upgrading facilities, increasing efficiency of storage spaces and consolidating the first aid room and old patrol room.

In September last year a significant outreach event, the Gala fundraiser, was held at and in conjunction with Headlands Hotel. This proved to be a financial success and also a great opportunity to highlight existing sources of sponsorship and partnerships within the community while showcasing our contribution to surf safety at Austinmer beach .

Ian Foreman, the Clubs Historian/Archivist, has summarised the construction of the various surf club buildings at Austinmer Beach.

The southern building is on Community Land and is not at this stage subject to any form of lease/licence agreement, however the northern building is on Crown Land and is subject to a current Licence Agreement by way of a Short-term Licence under s2.20 of the Crown Land Management Act 2016 with Wollongong City Council.

The main clubhouse at the southern end of the beach was constructed by Club members circa 1990 and opened by Life Member Frank Henry 3rd of October 1992.

There has been no major refurbishment works to the southern building except for exterior and partial interior painting by Council and refurbishment of the kitchen area adjoining the Function Room. The kitchen area works were funded by the Club using State Government grant funding. The carpet to the Function Room was also replaced in 2022 at a cost of \$10,000 to the Club.

Existing and future use:

The clubhouse is the only public non-denominational hall in Austinmer, with capacity for 120 people in an indoor setting. The clubhouse is a vibrant and well utilised asset that the club manages and promotes for activities that align with the Surf Lifesaving ethos and constitution.

Community use includes: Austinmer Public School various activities such as chess and presentation days, other sports club meetings.

Commercial use includes: Private drama classes, yoga, tai chi, fitness groups, as well as occasional music events. The function room is hired for commemorative wakes, memorial services, weddings, birthdays and other family celebrations including naming days. The consistent weekday activities provide reliable income. The stochastic events are more unpredictable. With the improved facilities we aim to have more consistent use of the function room and therefore a more predictable and increased revenue stream from these individual occasions.

Operational use: Training for all awards for surf lifesaving including: Surf Rescue Certificate, Bronze Medallion, Advanced Resuscitation and Inflatable Rescue Boat techniques occurs in the function room. Social events and award presentations for the club also occur regularly.

Austinmer SLSC hosts an annual ANZAC service with over 1000 people in attendance. There are 4 active service men and women associated with the club and we have a long and ongoing relationship with Thirroul Austinmer RSL.

This demonstrates the ongoing connection, care and contribution that Austinmer Surf Lifesaving Club has to the community and the positive impact a 21-year lease will continue to provide to Wollongong City Council, residents and visitors to the LGA.

Currently there is no restaurant within either of the Club buildings.

There are no sub-leases associated with either building.

Future financial viability may be dependent on sub-leases associated with the southern clubhouse building. We would appreciate Wollongong City Council considering this as an option for future occupation rights.

Please get in contact if you require additional material to support our submission.

Yours in surf Lifesaving

Nigel Walsh | Director of Administration



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Please forward any submissions to the General Manager via email to council@wollongong.nsw.gov.au or in writing by **Tuesday 1 July 2025**.