



Report to the Sydney City East Planning Panel

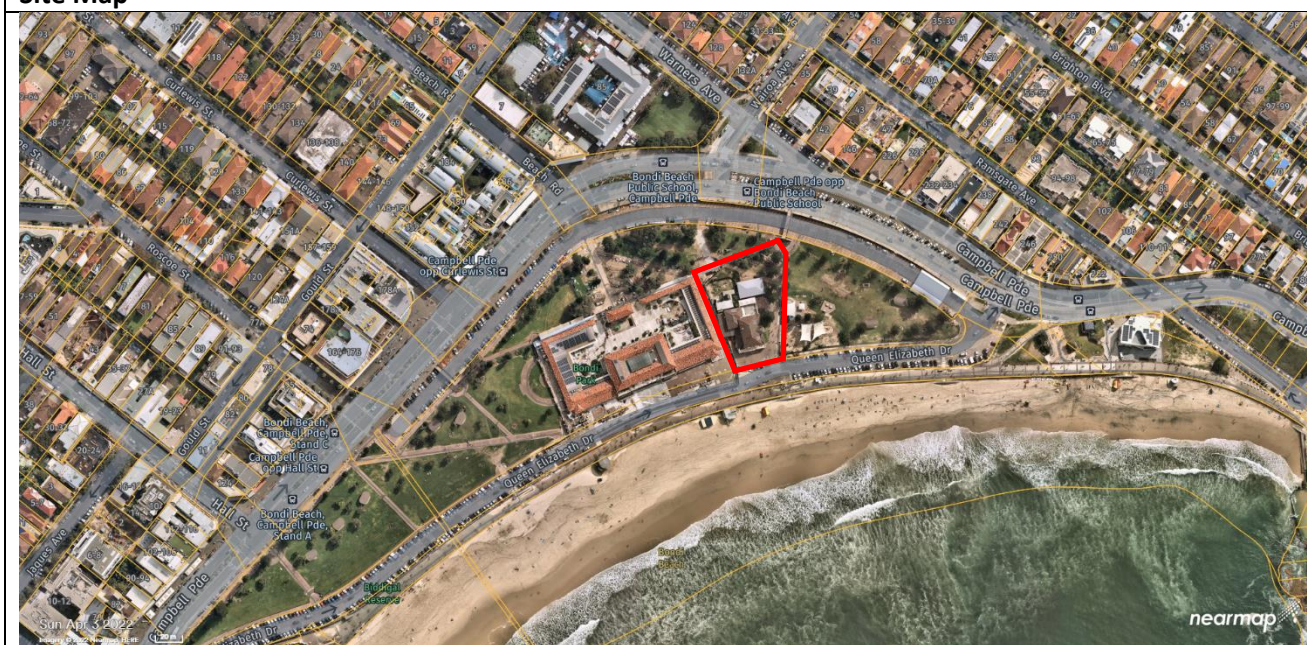
COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSEC-132
DA Number	DA-173/2021
LGA	Waverley Council
Proposed Development	Integrated Development: Alterations and additions, including conservation and upgrading works to the Bondi Surf Bathers Life Saving Club including the demolition of existing intrusive additions; new kiosk; multi-purpose auditorium; training room; surf museum; public hall; public courtyard; function space and functions.
Street Address	Bondi Surf Bather's Life Saving Club, Queen Elizabeth Drive, BONDI BEACH NSW 2026
Applicant/Owner	Applicant: Waverley Council Owner: Crown Lands
Date of DA lodgement	12 May 2021
Total number of Submissions Number of Unique Objections	Nil
Recommendation	Deferred Commencement
Regional Development Criteria (Schedule 6 of the SEPP (Planning Systems) 2021)	Council related development over \$5 million, and the proposal is classified as regionally significant development pursuant to Schedule 6 of SEPP (Planning Systems) 2021.
List of all relevant s4.15(1)(a) matters	• Environment Protection and Biodiversity Conservation Act 1999 • Heritage Act 1977 • National Parks and Wildlife Act 1974 • Crown Land Management Act 2016 • SEPP (Resilience and Hazards) 2021 • SEPP (Transport and Infrastructure) 2021 • SEPP (Planning Systems) 2021 • Waverley Local Environmental Plan (WLEP) 2012 • Draft Waverley Local Environmental Plan 2022 • Waverley Development Control Plan (WDCP) 2012
List all documents submitted with this report for the Panel's consideration	• Architectural Plans, including Demolition Plans, received 14.04.22. • Conservation Management Plan. Addendum to Conservation Management Plan. • Landscape Plan • Draft Plan of Management
Clause 4.6 requests	None
Summary of key submissions	None
Report prepared by	Melissa Rodrigues, GAT & Associates
Report date	28 April 2022

Summary of s4.15 matters Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	Yes
Legislative clauses requiring consent authority satisfaction Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? <i>e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP</i>	Yes
Clause 4.6 Exceptions to development standards If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Not applicable
Special Infrastructure Contributions Does the DA require Special Infrastructure Contributions conditions (S7.24)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	Not applicable
Conditions Have draft conditions been provided to the applicant for comment? <i>Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report</i>	Yes

Application number	DA-173/2021
Site address	Bondi Surf Bather's Life Saving Club, Queen Elizabeth Drive, BONDI BEACH NSW 2026
Proposal	Integrated Development: Alterations and additions, including conservation and upgrading works to the Bondi Surf Bathing Life Saving Club including the demolition of existing intrusive additions; new kiosk; multi-purpose auditorium; training room; surf museum; public hall; public courtyard; function space and functions.
Date of lodgement	12/05/2021
Owner	Crown Lands
Applicant	Waverley Council
Assessor	GAT & Associates
Submissions	None
Cost of works	Council related development over \$5 million
Issues	Heritage
Recommendation	Deferred commencement

Site Map



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations and additions, including conservation and upgrading works at the site known as the Bondi Surf Bathers Life Saving Club (BSBLSC), as a joint venture between Waverley Council and the BSBLSC. The proposed works include the demolition of existing intrusive additions; new kiosk, multi-purpose auditorium, training room, surf museum, public hall, public courtyard, function space and functions. The proposal is Integrated Development under the Heritage Act 1977.

The proposed development is compliant with the relevant planning controls. As part of the assessment of the proposal, issues were raised with respect to the site's heritage significance and its use as a community facility. These issues have been addressed through the submission of amended plans and by way of recommending a deferred commencement consent to resolve the outstanding items related to heritage.

The principal issues arising from the assessment of the application are as follows:

- Heritage, including the external detailing and Aboriginal archaeology; and
- Operational/land use conditions.

The assessment finds these issues acceptable, subject to the General Terms of Approval received by Heritage NSW and recommended conditions of consent.

The application was placed on notification twice, the first instance in response to the original submission of the DA, and a second time following receipt of amended plans and a revised description of the proposal to include "functions" as part of the proposed use. No submissions were received during either of these periods.

The proposal will greatly improve the operation of the BSBLSC to its private members through improved internal planning and increased storage whilst also representing a significant public benefit to the greater community through the community and public uses sought by this application, most notably being the surf museum and public courtyard.

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. It is recommended for deferred commencement consent.

1.2. Site and Surrounding Locality

A site visit was carried out on 4 November 2021.

There is no lot or deposited plan associated with Bondi Surf Club within Bondi Park.

The site is located along Queen Elizabeth Drive, within Bondi Park. The application specifically relates to the Bondi Surf Bathing Life Saving Club (BSBLSC) which is located to the north-east of the Bondi Pavilion and adjacent to and mid-way along Bondi Beach.

Bondi Park is a Crown Reserve (No. 500048) managed by Waverley Council, with the site leased by BSBLSC from Crown Lands through Council as Trustee.

The site falls from Queen Elizabeth Drive towards Bondi Beach, with a level difference of approximately 1.63m.

The BSBLSC as existing is a part 1, part 2 storey masonry building with a series of hipped tiled roofs, the profile of which has been altered over time. Several wings have been added to the original building over time. The façade was originally designed to match the adjoining Bondi Pavilion with semicircular arches supported on round columns and a rendered and painted exterior.

Immediately to the north of the club is an informal Council works yard. The area is used as a base for beach and park maintenance and storage within demountable buildings and containers including mowers, tractors and sand rakes.

The site currently has vehicular access from Queen Elizabeth Drive, with various parking bays located between the BSBLSC and the beach.

The site is within a recreational zone (RE1 Public Recreation) that extends east-west along the extent of Bondi Beach. Beyond the RE1 zone is land zoned B4 Mixed Use to the west and R3 Medium Density Residential to the east.

Development in the vicinity of the site ranges from the Bondi Pavilion, open space/parks to six storey mixed use buildings along Campbell Parade. **Figures 1 to 6** are photos of the site and its context.



Figure 1: Club viewed from Queen Elizabeth Drive



Figure 2: Club viewed from the north-east within Bondi Park



Figure 3: The informal works yard/facilities to the rear



Figure 4: The existing building (left) as viewed from the rear, Bondi Pavilion is to the right



Figure 5: Second floor function space



Figure 6: Second floor function space

1.3. Relevant Development History

A search of Council's records revealed the following recent and relevant development history of the site:

Previous Applications

There have been numerous development applications and modification applications submitted to Council for the site. Those of most relevance to the current proposal are:

- **DA-630/2003/A:** modification to approved plans for Bondi Surf Bathers Life Saving Club (Approved).
- **DA-104/2012:** Integrated Development - Alterations and additions to Club Facilities including roof terrace and shade structure plus new internal lift (Withdrawn).
- **DA-567/2015:** Integrated Development for alterations and additions to Bondi Surf Bathers Life Saving Club House and construction of new Works Yard incorporating public amenities and storage (Withdrawn).

Background to DA submission

A Pre-lodgement meeting was held on 9 May 2019. The key concerns raised included the following:

- Heritage Impact Statement and Conservation Management Plan required as part of any DA submission.
- Any future DA to explicitly detail all uses and usual activities (existing and prospective) associated with the operations of the Club building. A Plan of Management (PoM) with a 'schedule of events' that identifies and details all usual and expected events/activities/functions in a calendar year is required for any DA for the concept to provide certainty and clarity to the surrounding community and operational matters of the Club.
- Council's Traffic Engineer has advised that consolidating vehicular access (including servicing and loading) to one point of the site could work provided that the location does not conflict with any proposal of the adjacent Bondi Pavilion to activate the rear proportion of the Pavilion.

1.4. Proposal

The application, as amended, seeks approval for alterations and additions, including conservation and upgrade works to BSBLSC including demolition of existing intrusive additions, new kiosk, multipurpose auditorium, training room, surf museum, public hall, public courtyard, function space and functions.

It is noted that the existing building will retain its existing two levels, with significant changes made to its internal planning as detailed below. The proposed new building located at the northern end of the public courtyard, will provide for three levels internally whilst matching the height of the front, existing building externally.

The DA seeks approval for the following:

- Demolition:

Demolition of intrusive additions including internal walls and doors and external walls/detailing and restoration of original walls, arches and roofs as detailed on the submitted demolition and architectural plans.

- Basement:

Access to the level is proposed by a ramp along the eastern side of the level opening up to Queen Elizabeth Drive.

The majority of the level will be used by the BSBLSC for storage purposes including: general storage of surf lifesaving equipment, inflatable rescue boat storage, flexible surf craft storage and all terrain vehicles storage. Heritage archives from the Surf Club's history and to store museum equipment as required.

A dedicated storage area/waste room is proposed in the north-western corner for use by the function operator. Access to the space is in proximity to the goods lift allowing for items to be transported easily.

A small area is also proposed in the north-eastern corner for waste storage/cleaner's room.

The level also provides for separate and goods and passenger lifts and two sets of stairs accessing the upper levels.

- Ground Floor:

Reconfiguration of the existing heritage hall to include male and female changerooms and a publicly accessible surf museum.

New accessible public courtyard separating the existing building from the new rear addition.

New public kiosk, youth room; administration offices; IRB workshop; caretaker's residence and toilets.

- First Floor (applies to new, rear building only):

Gymnasium (to be accessed by Club members only); flexible training/meeting room (accessible to Surf Club members and guests) and sanitary facilities.

- Second Floor:

Existing function room, kitchen, bar and sanitary facilities. The function room will be operated by an external Function Operator and subject to a lease agreement.

Link bridge connecting new and old building.

Second kitchen to be used in associated with multipurpose training/meeting room (accessible to Surf Club members and guests); sanitary facilities.

Outdoor terrace areas.

- Other:

Landscaping including removal of 11 trees.

The proposed hours of operation for the premises are as follows:

- Basement Storage: 4:00am – 10:00pm, 365 days a year.
- Surf Club Offices: 7:00am – 7:00pm Monday – Friday, 9:00am – 5:00pm Saturday – Sunday.
- Patrol Operations: 24 hours a day, Monday – Sunday.
- IRB Workshop: 4:00am – 10:00pm, Monday - Sunday

- Community Facility/Youth Room: 7:00am – 7:00pm Monday – Friday, 9:00am – 5:00pm Saturday – Sunday.
- Caretaker: 24 hours a day, Monday – Sunday.
- Kiosk: 6:00am – 4:00pm, Monday – Sunday.
- Merchandise: 7:00am – 7:00pm Monday – Friday, 9:00am – 5:00pm Saturday – Sunday.
- Amenities (Ground Floor – South): 4:00am – 10:00pm, Monday – Sunday.
- Surf Museum: 10:00am – 4:00pm, Monday – Saturday (Closed Sunday). Booked events for tour groups or activities undertaken prior to the museum opening will conclude by 9.45am to avoid conflicts.
- Gymnasium: 4:00am – 10:00pm, Monday – Sunday.
- Level 1 Flexible Training/Meeting Room: 7:00am – 10:00pm, Monday – Friday and 7:00am – 11:00pm, Saturday – Sunday.
- Level 2 Multipurpose Training and Meeting Rooms: 7:00am – 10:00pm, Monday – Friday and 7:00am – 11:00pm, Saturday – Sunday.
- Function Room, including kitchen: 8:00am – 12:00am (midnight), Monday – Sunday.

The total proposed capacity of the premises is 964 persons with the following sub-limits as follows:

Table 1: Proposed sub-limits on patron capacity.

Level	Use	Maximum number of persons accommodated
Ground (South, existing building)	Surf Museum and Heritage Hall	200 persons
	Men's amenities	50 persons
	Women's amenities	50 persons
Ground (North, new building)	Youth Room	200 persons
	Kiosk, Caretaker, Merchandise	20 persons
	Patrol Operations, IRB Workshop and Offices	10 persons
Level 1	Gymnasium, flexible meeting/training space	34 persons
Level 2	Function room, amenities and kitchen	200 persons
	Surf Club multipurpose meeting/training rooms	200 persons

Liquor License:

As part of a standard referral to NSW Police, comments were received from the NSW Police Licensing Unit stating that no current liquor license applies to the Bondi Surf Club, with the previously issued limited liquor licence LIQL524000598 relevant to surf club activity recorded as "Cease to Trade" on the ONEGOV live website.

The referral goes on to state,

"Whilst Police do not oppose the re-development of the site consistent with what has taken place for a number of years, it would be requested that until a plan of management is developed that

adequately addresses anticipated function activity that meets the approval of Council and the Local Area Command, activity in respect to the sale, supply and / or consumption of liquor should not be permitted.

This would include restricting the use of the function room by any third party where the sale, supply and or consumption of liquor has been indicated. Activities involving the consumption of liquor can pose unacceptable risks to the community if not adequately risk assessed and appropriate controls and measures implemented to prevent such risks”.

In view of the above, conditions of consent have been included requiring the submission of a detailed Plan of Management being submitted with respect to the function use prior to its operation. Additional conditions have also been included restricting the sale, supply, and or consumption of liquor until such time that an active liquor license is obtained.

Deliveries:

Deliveries to the site will be made via the access road to the north and loading dock at the north west corner of the building. Materials and equipment will then be transported into the building on trolleys.

1.5. Background

The development application was lodged on 12 May 2021 and deferred on 6 October 2021 for the submission of amended plans and additional information to address the following:

1. Issues raised by Deferral Letter dated 6 October 2021:

Following a review of the submitted DA documents, concern was raised by Heritage NSW regarding the potential for Aboriginal artefacts to be found on the site and accordingly an Aboriginal Archaeological and Cultural Heritage Assessment was requested. Further concern was raised by Heritage NSW with regard to the impacts of the new access ramp to the existing landscaped setting and pathways around the site as well as general design concerns regarding the landscape design, material palette and roof pitch.

The submitted architectural plans and PoM were also found to be lacking in detail with further information requested to demonstrate the intended uses and operation of the site.

Engineering concerns were also raised by Council’s Traffic Engineer with additional information requested detailing the use and operation of the function room and clarification of how conflicts will be managed in the shared accessway between the Pavilion and the Surf Club given its use by the general public and by Surf Club related vehicles.

Additional information was also sought to address how the proposal fulfils the principles of ecologically sustainable development.

Landscaping details were requested having regards to whether an alternative access ramp location could be considered or alternatively whether landscaping could be used to screen the area. Additional details were also sought with respect to the potential removal of the Norfolk Island Pine and submission of a revised Landscape Plan to comply with DCP Section 3.2.2 which requires at least 50% indigenous or local native planting.

Accessibility issues were also raised including that a demonstrated accessible path of travel be demonstrated in addition to the provision of accessible areas and facilities.

Crime prevention measures were also raised with regards to the design and potential areas of concealment.

The applicant submitted amended plans and documentation however, this was deemed insufficient in addressing the concerns raised in the deferral letter. A second deferral letter was issued to the applicant on 9 February 2022 to further address the following:

2. Issues raised by Deferral Letter 9 February 2022

A second deferral letter was issued on 9 February 2022 primarily to address outstanding concerns raised by Council's Heritage Officer and to request amended floor plan and a Plan of Management which clearly outline the intended uses and operation of the site.

An amended set of plans and a revised Plan of Management were received on 16 February 2022 outlining the proposed uses as detailed in the proposal above.

During the assessment undertaken by Heritage NSW, concerns were raised regarding the basement access ramp and the Applicant was requested to delete this ramp from their plans as well as provide a full set of amended plans. A third revision of plans lodged on 14 April 2022 deleted the ramp from the plans only. However, concerns regarding the ramp were not reflected by the Heritage Council at the meeting held on 3 May 2022, enabling the basement ramp to remain as proposed in the original floor and section plans.

The assessment of this application therefore relies on the floor plans and supporting information lodged on 18 February 2022, the original section plan lodged on 12 May 2021 and the remaining amended full set of plans submitted on 14 April 2022.

2. ASSESSMENT

The following matters are to be considered in the assessment of this development application under section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act).

2.1. Planning Instruments and Development Control Plans

The following is an assessment against relevant legislation, environmental planning instruments, including State environmental planning policies (SEPPs), and development control plans.

2.1.1. Acts

The following Acts apply and have been considered acceptable in the assessment of this development application:

- Environment Protection and Biodiversity Conservation (EPBC) Act 1999
- Heritage Act 1977
- National Parks and Wildlife (NP&W) Act 1974
- Crown Land Management Act 2016

Environment Protection and Biodiversity Conservation (EPBC) Act 1999

The site is within the 'Bondi Beach' precinct which is identified as a site of national heritage significance on the National Heritage List. Actions (e.g. development) that have or are likely to have a significant impact on a matter of national environmental significance require approval from the Australian Government Minister for the Environment ("Environment Minister").

A significant impact is considered to be an impact which is important, notable, or of consequence, having regard to its context or intensity. Whether or not an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment which is impacted, and upon the intensity, duration, magnitude and geographic extent of the impacts.

To obtain approval a proposed action has to be referred to the Environment Minister. A decision is then made by the Environment Minister as to whether approval under the EPBC Act 1999 is required.

Referrals may be made by or on behalf of a person proposing to take an action, the Commonwealth or a Commonwealth agency, a State or territory government, or agency, provided that the relevant government or agency has administrative responsibilities relating to the action.

The application was referred to Heritage NSW who expressed their support of the proposal subject to conditions of consent being satisfied. These conditions have been included as part of this report and will act to resolve outstanding matters with respect to roof design, landscaping, lighting and Aboriginal Heritage.

Heritage Act 1977

The Bondi Surf Bathers Life Saving Club is located within the catchment of the 'Bondi Beach Cultural Landscape'. The proposed works constitute Integrated Development under Clause 4.46 of the *EP&A Act*

1979 and require approval from the Heritage Council under Section 57 of the *Heritage Act 1977*. A separate Section 60 approval will also be required for the proposed works.

DA-173/2021 was referred to the Heritage Council of NSW with comments received from the Heritage Council Approvals Committee on their behalf on 11 March 2021. A deferral of approval was issued which outlined matters to be addressed. These matters included:

- Consultation with the Aboriginal community on the landscape design was encouraged;
- The use of innovative and independent structural roof supports was encouraged;
- The material palette of the tiled roof of both pavilions should match the Bondi Pavilion renovation;
- Deep soil planting (to support shade trees) should be optimised.

In an email dated 5 August 2021, it was further advised that Aboriginal Archaeological and Cultural Heritage Assessment (AACHA) was to be prepared to address the potential disturbance of Aboriginal objects and burials, including isolated objects.

The applicant provided a response and amended drawings on 16 February 2022, and further information on 13 April 2022 at the request of Heritage NSW.

Heritage NSW provided a response on 3 May 2022 offering support for the proposed works subject to the applicant satisfying General Terms of Approval (GTAs). The GTAs have been incorporated into the recommended conditions of consent.

National Parks and Wildlife (NP&W) Act 1974

The Conservation Management Plan accompanying the Development Application indicates that there is potential for Aboriginal objects and burials to be found in undisturbed sand and isolated objects in sand fill. As the proposed basement lift would require excavation to depths ranging from approximately 4m – 8m, such works could impact on potential undisturbed objects. The preparation of an Aboriginal Archaeological & Cultural Heritage Assessment (AACHA) is therefore warranted and was requested as part of a deferral letter dated 11 November 2021.

Under Section 90 of the *NP&W Act 1974*, an Aboriginal Heritage Impact Permit (AHIP) is required due to the proximity to and the potential impacts of the proposed works to Aboriginal archaeological items located on the site.

At the time of writing this report, no AACHA or AHIP has been submitted by the applicant. Conditions of consent (general terms of approval, or GTA) have been recommended by Heritage NSW with respect to unexpected historical archaeological relics requiring that if such items are discovered, works must cease in the affected area(s) immediately and Heritage NSW notified. Additional assessment and approval may be required pending a review by Heritage NSW.

The GTAs go on to state that the applicant is required to submit evidence as to how potential impacts to Aboriginal objects have been assessed in accordance with Heritage NSW guidelines, including the submission of a Section 60 application. Standard conditions of consent have been included in this regard.

Crown Land Management Act 2016

The subject site is classified as Crown Land with Waverley Council acting as trustee. DA-173/2021 was referred to the Department of Planning, Industry and Environment (DPI&E) on 13 May 2021 for comment.

No comment was received from the DPI&E Crown Lands relating to the proposed development of Crown Land.

Under the *Crown Lands Act 2016* a Plan of Management (POM) is required for the site.

A Plan of Management has been prepared by the applicant to provide a strategic framework to guide use, management and maintenance of the site.

An assessment of the proposed works against the submitted POM is included in Section 3 of this report.

2.1.2. State Environmental Planning Policies (SEPPs)

The following SEPPs apply from the 1 March 2022 and have been considered acceptable in the assessment of this development application:

- SEPP (Transport and Infrastructure) 2021
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021
- SEPP (Planning Systems) 2021
- SEPP (Coastal Management) 2018

A detailed discussion is provided for relevant SEPPs as follows:

SEPP (Transport and Infrastructure) 2021

Division 12 of the Infrastructure SEPP 2007 pertains to certain works permitted in parks and public reserves permitted without development consent. This clause is not applicable as development consent is being sought under Part 4 of the *EP&A Act 1979*.

SEPP (Biodiversity and Conservation) 2021

Chapter 2 of SEPP (Biodiversity and Conservation) 2021 replaces the former SEPP (Vegetation in Non Rural Areas) 2017 and provides for controls relating to the clearing of vegetation in non-rural areas.

Council's Tree Management Officer has reviewed the submitted Arboricultural Impact Assessment Report prepared by L&Co Consultancy Arboriculture Plant Pathology dated 22 April 2021 and Landscape Plan prepared by Jane Irwin Landscape Architecture dated 21 April 2021. A site inspection was carried out on 13 May 2021 and no concerns were raised regarding the proposed landscape strategy or the removal of 11 trees from the site.

NSW Heritage and Council's Biodiversity Officer have however provided for conditions of consent to ensure the landscape design will be developed with consultation with the Aboriginal community and that in accordance with DCP Section 3.2.2 (a) that "A minimum of 50% of the proposed trees, 50% of the shrubs and 50% of the grasses and groundcovers (not including turfed areas) are to be indigenous or local native plants listed in Annexure B2-1". To ensure both the recommendations of Heritage NSW and Council are satisfied with respect to landscaping, deferred condition of consent has been included requiring the submission of an amended landscape plan.

SEPP (Resilience and Hazards) 2021

Chapter 2 of SEPP (Resilience and Hazards) replaces former SEPP Coastal Management. Clause 2.11 of the new SEPP applies to the subject site as it is wholly located within a Coastal Use Area.

Clause 2.11 of the SEPP states that development consent must not be granted for development on land within the Coastal Use Area unless the consent authority has considered and is satisfied with the following matters for consideration outlined in Table 1 of this report.

Table 1: Clause 2.11 of SEPP (Resilience and Hazards) 2021 - Matters for Consideration Table

Matter for Consideration	Compliance	Comment
(a) ...the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—		
(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,	Yes	During the assessment undertaken by Heritage NSW, concerns were raised regarding the basement access ramp and the Applicant was requested to delete this ramp from their plans as well as provide a full set of amended plans. A third revision of plans lodged on 14 April 2022 deleted the ramp from the plans only. However, concerns regarding the ramp were not reflected by the Heritage Council at the meeting held on 3 May 2022, enabling the basement ramp to remain as proposed in the original floor and section plans.
(ii) overshadowing, wind funnelling and the loss of	Yes	The proposal is not expected to adversely impact views to the beach or create wind funnelling. Overshadowing to the public domain will be

Matter for Consideration	Compliance	Comment
views from public places to foreshores,		reduced by the proposed works given that intrusive additions will be demolished and the building design streamlined with the new northern building aligning with the existing southern building.
(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,	Yes	The proposal is acceptable in relation to maintaining the visual amenity and scenic qualities of the site.
(iv) Aboriginal cultural heritage, practices and places,	Condition of consent	Conditions of consent have been recommended by Heritage NSW with respect to unexpected historical archaeological relics requiring that if such items are discovered, works must cease in the affected area(s) immediately and Heritage NSW notified. Additional assessment and approval may be required pending a review by Heritage NSW.
(v) cultural and built environment heritage, and	Condition of consent	The application was referred to Heritage NSW who expressed their support of the proposal subject to deferred commencement conditions being satisfied. These conditions have been included as part of this report and will act to resolve outstanding matters with respect to roof design, landscaping, lighting and Aboriginal Heritage.
(b) ...the consent authority is satisfied that:		
(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and	Yes	The proposal satisfies Clause 2.11(b) of SEPP (Resilience and Hazards) 2021.

Matter for Consideration	Compliance	Comment
(c) ...the consent authority has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.		
	Deferred commencement conditions	As stated above, deferred commencement conditions have been provided by Heritage NSW as part of their GTA, requiring elements of the design be amended prior to an operational consent being issued.

As detailed above, the proposal is considered to satisfy the provisions of Clause 2.11 of SEPP (Resilience and Hazards) 2021.

Chapter 4 of SEPP (Resilience and Hazards) replaces former SEPP 55 – Remediation of Land. Clause 4.6 of the new SEPP replaces former Clause 7 of SEPP 55 and provides for considerations with respect to contamination and remediation when determining development applications.

The site has a long history of use for recreational purposes. The historical uses of the site are not listed in Table 2 to the Planning Guidelines under former SEPP 55 as being activities likely to cause contamination. It is considered unlikely that the site has experienced any contamination, and Council's Environmental Health Officers has raised no concerns with respect to contamination.

In accordance with Clause 4.6 of SEPP (Resilience and Hazards) 2021, it is considered the that the site is suitable for the proposed uses.

SEPP (Planning Systems) 2021

The development is Council related development with a capital investment of more than \$5 million. It therefore is classified as regionally significant development under Schedule 6 of SEPP (Planning Systems) 2021. The application is referred to the Sydney Eastern City Planning Panel (SECPP) for determination.

2.1.3. Draft Waverley Local Environmental Plan 2022 (Draft Waverley LEP 2022)

The Draft Waverley Local Environmental Plan 2022 was exhibited from 12 November 2021 to 23 January 2022, however at the time of this assessment, there are no relevant matters for consideration.

2.1.4. Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The relevant matters to be considered under the Waverley LEP 2012 for the proposed development are outlined below:

Table 3: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is consistent with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table RE1 Public Recreation Zone	Yes	The proposed uses are permitted with consent in the RE1 Public Recreation Zone. <i>See further discussion below.</i>
2.7 Demolition requires development consent	Yes	The proposal seeks development consent for demolition works to remove intrusive additions.
Part 4 Principal development standards		
4.3 Height of building	N/A	There is no applicable height of building control for the site.
4.4 Floor space ratio	N/A	There is no applicable floor space ratio control for the site.
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Deferred Commencement Recommended Conditions	<i>See discussion below.</i>
Part 6 Additional local provisions		
6.1 Acid sulfate soils	Recommended Condition	The site is classified as containing Class 4 acid sulfate soils. The proposal seeks consent for excavation works greater than 2m below existing ground level. A condition is recommended to be imposed to require the submission of an Acid Sulfate Soils Management Plan prior to an operational consent being issued.
6.2 Earthworks	Yes	A Geotechnical Report has been provided by the applicant to address bulk excavation to depths of about 4.5m to accommodate the basement and localised deeper excavations for lift pits, services, shoring piles and foundations. Standard conditions are recommended to be imposed.

The following is a detailed discussion of the issues identified in the compliance table above in relation to the Waverley LEP 2012.

Land Uses

The primary use currently and proposed to be carried out on the site is best described as a community facility. As part of this development application, development consent is sought for the following uses in addition to the community facility use: kiosk, caretaker's residence, information and education facility and recreational facility (indoor).

These uses are permitted with consent in a RE1 Public Recreation zone.

The second floor of the existing southern building contains an existing function room which is owned by the Bondi Surf Bathers Life Saving Club and leased to a third party operator. A function room generally falls under the land use categorisation of a 'function centre' under WLEP 2012. A 'function centre' is a prohibited use in an RE1 Public Recreation zone.

It is considered that the function room forms an ancillary use to the community facility as it does not form the primary use of the site and is maintained under the ownership of the Bondi Surf Bathers Life Saving Club.

This arrangement is not dissimilar to the Bondi Pavilion, or the North Bondi Surf Life Saving Club which also provide for function rooms as ancillary features to the greater community facility use.

Notwithstanding the above, it is noted that the proposed use of the function room is not dissimilar to a restaurant, which is listed as a permitted land use in the zone.

Heritage (Clause 5.10)

The BSBLSC is situated within the 'Bondi Beach Cultural Landscape', which is a State item listed under the State Heritage Register (Item 94).

The site is also within the 'Bondi Beach Conservation Area – General', labelled C2 on the Heritage Map and 'Bondi Beach and Park Landscape Conservation Area', labelled C25 on the Heritage Map. Both conservation areas are listed as having local heritage significance and are listed under Schedule 5 of WLEP 2012.

A Heritage Impact Statement, Conservation Management Plan and addendum to the Conservation Management Plan was included with the development application. The application has been assessed by Heritage NSW and their GTA has been received as detailed in Section 2.1.1 of this report. The amended plans and documentation have also been reviewed by Council's Heritage Advisor who provided the following comments on the proposed works:

- *Clear indication of where the Heritage Impact Report and Conservation Management Plan eventually be stored is to be clearly nominated to preserve an archival standard photographic record of the building interior, exterior and setting.*
- *The previous absence of internal details showing room layouts has only been partially addressed in the amendments, relying substantially on descriptive text as to room usage.*
- *The proposed roof form whilst potentially suitable to the development, continues to lack any form of roof drainage to the broad eaves. This is to be addressed in drawings prior to any commencement of works, with downpipes cohesive to the proposed form and suited to the climatic extremes of the beachfront location.*

- *Limited further information has been provided as to the type and detailing of proposed lightweight cladding to the upper floor. This needs to be clarified as to type, appearance, finish, and colour.*
- *The glazed balustrade to the south (beach front elevation) is considered to have an unacceptable impact on the aesthetic qualities of the building and related Pavilion. The balustrade is recommended to be of solid masonry construction to at least half the height of the balustrade.*
- *The treatment of the existing ground floor front verandah remains problematic. The perspective image does not show the proposed outdoor showers but clarifies that these will be right in front of large windows (possibly obscure glazed) serving the male and female change areas.*
- *The replacement of original timber panelled doors with glass doors is considered incompatible with the applicant's assessed heritage significance. The timber doors should be retained for out of hours closure in conjunction with the glazed doors. This is a common detail where historic door forms are of significance.*
- *The indicated use of the central court appears to remain unresolved in terms of child safety vs public access and the extent of enclosure, the later removing the aesthetic value of an open central court. This is further exacerbated by reference to leasing of the proposed kiosk. The lease needs to clearly include use of the court by 'nippers' on Sundays – this likely to impact on the kiosk at a key operating time.*
- *The indicative layout appears to relate poorly to the adjacent Pavilion. The outdoor showers shown along the widened pathway remain unrelated to any specific access to either and are within a potential wind tunnel.*
- *Exhaust outlets and ventilation of the basement area are not indicated.*
- *The storage of club archives in the basement – an area of high humidity and potential flooding is not supported.*
- *The extent of arched colonnades has been previously commented on. The deferral of any resolution of the detailing and use of the colonnades is likely to have a poor outcome.*

Amended plans were submitted by the applicant in response to heritage matters raised on 9 February 2022 as detailed in Section 1.5 of this report. The following items, in addition to the above items which remain unresolved, were raised:

- *The potential removal of the front ramp to the basement is seen as problematic given the amount of material regularly needing to move from the beach to the basement.*

It is noted that the removal of the front ramp to the basement level was originally suggested by Heritage NSW Officers however was ultimately removed from the GTA decided upon at the Heritage Council meeting on 3 May 2022. The ramp leading to the basement level will be retained by the application as acknowledged in the attached deferred commencement conditions requiring its reinstatement.

With respect to all other heritage items raised by Council's Heritage Officer, deferred commencement conditions have been recommended requiring these elements to be resolved prior to an operational consent being issued, excluding the following items raised as these issues are to be dealt with by the deferred GTA conditions issued by Heritage NSW:

- *Clear indication of where the Heritage Impact Report and Conservation Management Plan eventually be stored is to be clearly nominated to preserve an archival standard photographic record of the building interior, exterior and setting.*
- *The glazed balustrade to the south (beach front elevation) is considered to have an unacceptable impact on the aesthetic qualities of the building and related Pavilion. The balustrade is recommended to be of solid masonry construction to at least half the height of the balustrade.*

2.1.5. Waverley Development Control Plan 2012 (Waverley DCP 2012) – Amendment No.9

The relevant matters to be considered under the Waverley DCP 2012 for the proposed development are outlined below:

Table 4: Waverley DCP 2012 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste	Yes	The proposal was referred to Council's Waste Officer who noted that waste generation relating to the Bondi Surf Bathers Life Saving Club had been included as part of the Bondi Pavilion upgrade DA (DA-105/2019). Accordingly the relevant conditions from the Bondi Pavilion DA are recommended to be applied to this application.
2. Ecologically Sustainable Development	Yes	The proposal was referred to Council's Sustainable Development Officer who supported the development subject to conditions of consent requiring submission of a Section J Energy Efficiency Report and an Energy Assessment Report.
3. Landscaping and Biodiversity	Yes	The proposal was referred to Council's Biodiversity and Open Space Planning Departments who supported the development subject to conditions of consent to provide an amended Landscape Plan in accordance with DCP Section 3.2.2(a), to provide detailed engineering, landscape drawings and specifications and the preparation of an Operational and Maintenance Plan with respect to the retractable awning over the public courtyard.
5. Vegetation Preservation	Yes	The proposal was referred to Council's Tree Management and Open Space Planning departments who supported the development subject to conditions of consent including supporting the removal of 11 trees from the site. Relevant conditions of consent have been

Development Control	Compliance	Comment
		included with respect to the removal of the 11 trees and to protect those trees which are to be retained on site. The submitted Landscape Plan is subject to conditions as detailed above.
6. Stormwater	Yes	The proposal was referred to Council's Stormwater Engineer who supported the proposal subject to the submission of a Coastal Risk Assessment and standard conditions of consent.
7. Accessibility and Adaptability	Deferred Commencement Recommended Condition	The proposal was referred to Council's Community Development Officer who supported the development subject to a condition of consent requiring that as a minimum a unisex accessible toilet is included.
8. Transport	Yes	The proposal was referred to Council's Traffic and Development Manager who supported the development subject to conditions of consent.
9. Heritage	Deferred Commencement Recommended Conditions	Deferred commencement conditions have been included requiring the outstanding items raised by Council's Heritage Officer to be addressed prior to the issue of an Operational Consent. <i>See discussion above.</i>
10. Safety	Yes	The proposal does not contravene the objectives of this part of the DCP.
11. Public Art	Yes	The proposal was referred to Council's Curator and Visual Arts Co-ordinator who supported the application subject to standard conditions of consent.
14. Excavation	Yes	The proposal is considered to be in keeping with the objectives of Chapter B14 of the DCP subject to standard conditions of consent and the recommendations of the submitted Geotechnical Report requiring long term groundwater monitoring be undertaken using data loggers in at least two groundwater wells to compare the groundwater table level relative to the proposed basement floor level and any other deeper, localised excavation levels.
16. Public Domain	Yes	The application was referred to Council's Public Domain Team and Urban Design Officer who supported the application subject to standard conditions of consent.

Table 5: Waverley DCP 2012 – Part D1 Commercial and Retail Development Compliance Table

Development Control	Compliance	Comment
1.1 Other Policies, Strategies and Standards		
1.2 Design		
1.2.3 Lighting	Condition of consent	In response to the GTA received from Heritage NSW, it is noted that the submitted lighting proposal is supported in principle. A condition of consent has been included requiring submission of a detailed proposal be submitted to Heritage NSW as part of the Section 60 application.
1.2.3 General Amenity	Yes	<u>Service Vehicle Access</u> The BSBLSC proposes a servicing arrangement shared with the adjacent Bondi Pavilion. The proposed loading dock is to be shared with Bondi Pavilion and will be made available to service vehicles. The loading dock area will be highly secured with a boom gate and PIN-code system in place. A Loading Dock Management Plan has been prepared to manage the servicing requirements for effective traffic movement. All deliveries will be made via the new access road and loading dock at the North West Corner of the building. Materials and equipment will then be transported into the building on trolleys. Deliveries will be timed to prevent vehicle congestion. It is proposed that an access barrier will be located on Park Drive North, which vehicles will allow controlled access down the access road to the loading dock.
1.2.4 Noise	Yes	An Acoustic Report has been prepared with respect to the proposed uses on the site. No concern has been raised by Council's Environmental Health Officer, subject to recommended standard conditions. <i>See discussion below regarding Hours of Operation for further comments.</i>
1.3 Hours of operation		
	Merit Assessment	Operational hours for community facilities or RE1 Public Recreation zones are not addressed in WDCP 2012. An assessment has therefore been made against the adjacent provisions for the B4 Mixed Use Zone. <i>Refer to comments below.</i>

The following is a detailed discussion of the issues identified in the compliance tables above in relation to the Waverley DCP 2012.

Hours of Operation

The proposed hours of operation sought by the proposal are detailed under Part 1.4 of this report. While the majority of the proposed uses are consistent with the general base trading hours prescribed to the B4 Mixed Use zone (Monday to Saturday 7:00am – 11:00pm and Sunday 7:00am – 10:00pm), the following components seek a variation:

- Basement Storage: 4:00am – 10:00pm, 365 days a year.
- Patrol Operations: 24 hours a day, Monday – Sunday.
- IRB Workshop: 4:00am – 10:00pm, Monday – Sunday.
- Kiosk: 6:00am – 4:00pm, Monday – Sunday.
- Merchandise: 7:00am – 7:00pm Monday – Friday, 9:00am – 5:00pm Saturday – Sunday.
- Gymnasium: 4:00am – 10:00pm, Monday – Sunday.
- Level 1 Flexible Training/Meeting Room: 7:00am – 11:00pm, Saturday – Sunday.
- Level 2 Multipurpose Training and Meeting Rooms: 7:00am – 11:00pm, Saturday – Sunday.
- Function Room, including kitchen: 8:00am – 12:00am (midnight), Monday – Sunday.

The applicant has submitted an Acoustic Report and supplementary letter prepared by Acoustic Studio that supports the additional hours described above. The proposed hours are therefore subject to conditions of consent requiring the POM to be updated to include information ensuring that staff and visitors are made aware of the need to manage, and avoid, noisy behaviour during noise sensitive hours (midnight – 7:00am), particularly while entering/exiting the building.

Aside from hours of operation and acoustic considerations, specific conditions of consent have also been included imposing restrictions on the proposed use of the function room to ensure potential disturbances are minimised. Such conditions including limiting functions to a maximum of 52 events per year and to ensure that prior written approval is received from the commander (or delegate) of the eastern suburbs lac with respect to prohibited functions including 18th and 21st celebrations and ‘bucks’ and ‘hens’ nights, and any function in which dancing, dance party, rave, dj performance or other entertainment act is the primary activity. These conditions align with the provisions adopted by Council on previous Surf Club function spaces (including North Bondi and Tamarama Surf Life Saving Clubs).

2.2. Other Impacts of the Development

The proposal is considered to have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed and as such is recommended for deferred commencement consent.

2.3. Suitability of the Site for the Development

The site has a long history of community use, and the proposed works seek to upgrade and maintain the existing facilities. The site is considered to be suitable for the proposed development. The proposed uses, as detailed in this report, are considered to be suitable within the context of the site.

2.4. Any Submissions

The original plans lodged with the application were advertised and notified, commencing on 19 May 2021, with notice in the local newspaper on 26 May 2021 (Wentworth Courier) for a period of >28 days (closing date 23 June). Three site notices were also erected in prominent locations in and around the site, in accordance with the *Waverley Community Development Participation and Consultation Plan*.

Following receipt of amended plans and additional information, the application was re-notified on 18 January 2022 and 3 site notices erected in and around the site, for 28 days for the following reasons:

- The description of the development was changed to include a function centre and functions.

No submissions were received during either notification period.

2.5. Public Interest

The proposal is considered to have no detrimental effect on the public interest, subject to appropriate conditions being imposed and as such is recommended for deferred commencement consent.

3. REFERRALS

The following internal and external referral comments were sought:

3.1. Heritage NSW

The application was referred to Heritage NSW on 11 March 2021.

As part of their original assessment, the Heritage Council expressed their support for the proposal commenting that the proposed building better relates to the Bondi Landscape as a whole and delivers the functionality required by the Surf Club whilst respecting the heritage of the original building and its iconic location.

It was also encouraged that:

- the landscape design be further developed in conjunction with the Aboriginal community,
- the use of innovative and independent structural roof supports be considered, that the material palette should match Bondi Pavilion
- the roof pitch should be a minimum of 15 degrees
- the site plan should optimise deep soil plantings

An email dated 5 August 2021 and accompanying the above letter further stated that the preparation of an AACHA was recommended to consider the potential of Aboriginal objects on the land. In addition, an assessment of the impacts of the new access ramp to the eastern side of the BSBLSC building should be submitted having regards to the landscape setting and pathways around the site with analysis provided to support the current location.

The above items were included as part of a deferral letter to the applicant however were not satisfactorily resolved. Ongoing email communication between the applicant and Heritage NSW was

then undertaken resulting in the aforementioned access ramp being deleted. This design change was ultimately overturned by the Heritage Council who reinstated the access ramp into the design.

While the application was supported in principle, a number of design issues however remain unresolved including:

- The character and design of the roof;
- Landscaping around the first floor perimeter and around the ground floor courtyard arch length were not supported;
- Roof cover to the courtyard along the northern façade of BSBLSC is to be redesigned to allow for improved views and appreciation of the original stair tower;
- The design of the glazed balustrade to the upper level (beach front southern elevation) is to be amended to be sympathetic with the solid masonry character of the BSBLSC and the pavilion building;
- Detailed lighting strategy to be submitted; and
- Detailed drawings of the proposed works affecting the 1930s BSBLSC building are to be submitted.

As part of their GTA, the Heritage Council considered that the above details could form deferred commencement conditions and have been included accordingly as part of this assessment.

3.2. NSW Police

The application was referred to NSW Police on two occasions to provide comment on the DA as originally submitted and with respect to the amended description to include functions.

As part of the original referral, it was recommended (by the Crime Prevention Unit) that the use of alcoves be minimised to improve natural surveillance and minimise the opportunity for crime or loitering; to ensure that CCTV and adequate lighting was installed around the perimeter of the building, entry/exit points and alcoves; to consider the likelihood of the nearby homeless community utilising alcoves and other sheltered areas and to employ control measures to clearly delineate privately and publicly accessible spaces. Suitable conditions of consent, including an updated Plan of Management, have been included to address these points.

As part of a second referral, additional comments from the NSW Police (Licensing Unit) stating that no current liquor license applies to the Bondi Surf Club, with the previously issued limited liquor licence LIQL524000598 relevant to surf club activity recorded as “Cease to Trade” on the ONEGOV live website.

The referral goes on to state, “Police are not in a position to provide commentary in respect to the proposed function activity at the development without first understanding the regulatory nature of any liquor licences authorised for the premises. Such authorisations will affect any future leasing agreements and restrict third party operations. Whilst Police do not oppose the re-development of the site consistent with what has taken place for a number of years, it would be requested that until a plan of management is developed that adequately addresses anticipated function activity that meets the approval of Council and the Local Area Command, activity in respect to the sale, supply and / or consumption of liquor should not be permitted.

This would include restricting the use of the function room by any third party where the sale, supply and or consumption of liquor has been indicated. Activities involving the consumption of liquor can pose unacceptable risks to the community if not adequately risk assessed and appropriate controls and measures implemented to prevent such risks”.

In view of the above, conditions of consent have been included requiring the submission of a detailed Plan of Management being submitted with respect to the function use prior to its operation. Additional conditions have also been included restricting the sale, supply, and or consumption of liquor until such time that an active liquor license is obtained.

3.3. Biodiversity

The application was referred to Council’s Urban Ecology Co-Ordinator who acknowledged that the site is located within a coastal biodiversity corridor and as such requires a minimum of 50% of the proposed trees, shrubs, grasses and groundcovers (not including turfed areas) are to be indigenous or local native plants as prescribed by Annexure B2-1 of the DCP.

The current landscape plan fails to comply with the above. Acknowledging that comments have been received from Heritage NSW stating that the development of the Landscape Plan should be prepared in conjunction with the Aboriginal community, a deferred commencement condition requiring the submission of a revised Landscape Plan to satisfy the requirements of both departments.

3.4. Community Development

Council’s Community Development Officer has reviewed the proposal and on 26 May 2021 requested that additional details be submitted to address access in and around the facility, travel to the facility, parking, accessible toilets, CPTED and the landscape plans.

Amended plans were submitted on 16 February 2022 which have been noted by the Community Development Officer. A second referral acknowledges that the provision of an accessible toilet facility still needs to be resolved by the plans. A deferred commencement condition of consent is recommended to be imposed to address this matter.

3.5. Environmental Health

The proposal has been reviewed by Council’s Environmental Health on three separate occasions following the submission of the original DA and subsequent amendments to the plans. The proposal has been supported, subject to standard recommended conditions of consent.

3.6. Fire Safety Officer

An assessment of the proposal has been carried out by Council’s Fire Safety Officer which raised a number of non-compliances with the BCA including, but not limited to:

- Fire resistance levels of existing building elements together with protection of openings internally and externally (i.e. Section C of BCA);
- Access and egress issues pertaining to escape and construction of exits (i.e. Section D of BCA);
- Inadequate fire services and equipment (i.e. Section E of BCA); and
- Inadequate sanitary and other facilities (i.e. Section F of BCA).

In view of the issues raised above and the extent of building work sought by the current application, the Officer has recommended that the existing building be upgraded to comply with Sections C, D, E and parts of F of the Building Code of Australia. Suitable conditions of consent have been included in this regard.

3.7. Open Space Planning

Council's Open Space Planning Officer has commended the architects on their design, acknowledging that the separation of the Pavilion and Surf Club improves access for the community and breaks down the mass and scale of the building.

Conditions of consent have been included to resolve the challenges of the site and to minimise the impact of the building on the park and wider community's enjoyment of these spaces. These conditions include the submission of detailed landscape drawings and engineering specification and the preparation of an Operational and Maintenance Plan with respect to the retractable awning over the public courtyard.

3.8. Public Art

As part of their review, Council's Curator and Visual Arts Co-Ordinator has provided a condition of consent requiring 1% of the projected overall budget of the development to be directed towards infrastructural costs related to the development and the building of the museum space.

3.9. Public Domain

No objections have been raised by Council's Public Domain Officer who has provided standard conditions of consent.

3.10. Stormwater, Design and Flooding

The proposal was referred to Council's Stormwater Engineer who supported the proposal subject to the submission of a Coastal Risk Assessment and standard conditions of consent.

3.11. Sustainable Development

The proposal was referred to Council's Sustainable Development Officer who supported the development subject to conditions of consent requiring submission of a Section J Energy Efficiency Report and an Energy Assessment Report.

3.12. Traffic and Development

The proposal was referred to Council's Traffic and Development Manager who advised that the proposed development does not alter the existing parking provision. Staff and visitors to the site are able to utilise existing parking facilities and on street parking in the surrounding area.

It is proposed the new Bondi Surf Club building will share a loading dock with the adjacent Bondi Pavilion site. The proposed loading dock is located to the north-west of the subject site.

The Bondi Surf Club will be using the same servicing arrangement as the one proposed by the Bondi Pavilion project. Service vehicles will access the loading dock from Queen Elizabeth Drive via a new access way.

In terms of basement access, a swept path analysis has been provided demonstrating an all-terrain vehicle with a surf boat trailer access the proposed basement and found to be acceptable.

Overall the proposal is supported, subject to recommended standard conditions of consent.

3.13. Tree Management

The proposal was referred to Council's Tree Management and Open Space Planning departments who supported the development subject to conditions of consent including supporting the removal of 11 trees from the site. Relevant conditions of consent have been included with respect to the removal of the 11 trees and to protect those trees which are to be retained on site.

3.14. Urban Design

The application was referred to Council's Public Domain Team and Urban Design Officer who supported the application subject to standard conditions of consent.

The proposed development is considered to improve the relationship between the Surf Club, Bondi Pavilion and Bondi Park and also the improving the public domain that surround the building. The removal of the intrusive elements that have been added to the original fabric is therefore supported, as well as the proposed additions that are in keeping with the language of the original building and that remain secondary when considered as a whole.

3.15. Waste and Recycling

The proposal was referred to Council's Waste Officer who noted that waste generation relating to the Bondi Surf Bathers Life Saving Club had been included as part of the Bondi Pavilion upgrade DA (DA-105/2019).

Accordingly the relevant conditions from the Bondi Pavilion DA have been transferred to this application.

4. CONCLUSION

The application proposes restoration and upgrade works to the Bondi Surf Bathers Life Saving Club which forms part of the heritage listed Bondi Beach Cultural Landscape. The works are to the existing building and extend to the north to comprise of a public courtyard and new building. The works involve some minor demolition and excavation as well as landscaping and ancillary services and infrastructure works. The proposal is Integrated Development under the *Heritage Act 1977*.

The development complies with the relevant planning controls. The main issues for consideration are in regard to the site's heritage significance and use as a community facility. Issues raised have been addressed through amended plans and via recommended conditions of consent. It is acknowledged that the application has been supported by Heritage NSW in principle with both the GTA and this report recommending deferred commencement conditions to resolve outstanding matters relating to heritage and design.

No submissions were received during either of the two notification periods which is reflective of the extensive consultation work completed by the application prior to the submission of this DA.

Overall, it is considered that the proposed works will improve the Bondi Surf Bathers Life Saving Club through considerable restoration and upgrading works. The DA will help facilitate the continued use of the building for community facilities and will benefit the public via significant improvements to the highly regarded facility.

Notwithstanding the above, there are noteworthy items of consideration such as heritage and landscape design which warrant a deferred commencement consent being issued.

5. RECOMMENDATION TO SYDNEY EASTERN CITY PLANNING PANEL

That the Development Application be issued as a **DEFERRED COMMENCEMENT CONSENT** by the Sydney Eastern City Planning Panel subject to the Conditions in Appendix A:

Assessment and Report prepared by:

Application reviewed and agreed on behalf of the Development and Building Unit (M Reid, B Magistrale, B Matlawski, J Elijah, A Rossi) by:



Melissa Rodrigues
Consultant Planners
(GAT & Associates)
Date: 12 May 2022



Angela Rossi
Manager, Development Assessment (Central)
Waverley Council
Date: 12 May 2022