

<b>DEVELOPMENT NO.:</b>	24021051
<b>APPLICANT:</b>	City of Holdfast Bay Council
<b>ADDRESS:</b>	LOT 1001 ANZAC HWY GLENELG NORTH SA 5045
<b>NATURE OF DEVELOPMENT:</b>	Filling of the existing buffalo site and the construction of a retaining rock wall
<b>ZONING INFORMATION:</b>	<p><b>Zones:</b></p> <ul style="list-style-type: none"> <li>• Open Space</li> </ul> <p><b>Overlays:</b></p> <ul style="list-style-type: none"> <li>• Aircraft Noise Exposure</li> <li>• Airport Building Heights (Regulated)</li> <li>• Building Near Airfields</li> <li>• Coastal Areas</li> <li>• Hazards (Flooding)</li> <li>• Hazards (Flooding - General)</li> <li>• Local Heritage Place</li> <li>• Local Heritage Place</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Water Resources</li> </ul>
<b>LODGEMENT DATE:</b>	12 Jul 2024
<b>RELEVANT AUTHORITY:</b>	Assessment panel at City of Holdfast Bay
<b>PLANNING &amp; DESIGN CODE VERSION:</b>	P&D Code (in effect) Version 2024.12 04/07/2024
<b>CATEGORY OF DEVELOPMENT:</b>	Code Assessed - Performance Assessed
<b>NOTIFICATION:</b>	Yes
<b>RECOMMENDING OFFICER:</b>	Alexander Stamatopoulos Development Officer - Planning
<b>REFERRALS STATUTORY:</b>	Coast Protection Board Environment Protection Authority
<b>REFERRALS NON-STATUTORY:</b>	Nil

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<b>APPENDIX 1:</b>	<b>Relevant P&amp;D Code Policies</b>
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**DETAILED DESCRIPTION OF PROPOSAL:**

The proposed works at the former Buffalo replica ship site involve filling the existing void with 1000 cubic metres of fill to create a level, usable space that will be paved and made accessible to the public. The plans indicate that the area will be designed to seamlessly integrate with the surrounding parkland, enhancing the site's utility as a public space. In addition to the infill and paving, a new retaining wall is proposed to be constructed along the edge of the Patawalonga River. This retaining wall will serve both structural and aesthetic purposes, stabilising the riverbank and providing a boundary to the newly created space.

The proposed toe rock retaining wall will result in the demolition of an existing moat wall and a low-height blockwork retaining wall, which are to be replaced. The use of geotextile layers like Texcel 1200R non-woven geofabric, or equivalent materials, will be incorporated into the structure to ensure proper stability and support. The retaining wall is marked at different height datums, -1.20 AHD at the lowest part and 2.60 AHD at the highest. The drawings indicate careful attention to water levels and soil structure, with particular focus on maintaining the integrity of the adjacent structures while integrating the new wall.

The proposed landscaping works include a combination of paving, planting, and structural features to enhance the site. Specific areas will feature paving with a header course will be used. Mulched garden beds and irrigated turf areas will be installed, with specific plant species indicated in the plant schedule. The site includes existing trees and light poles that will be retained and protected, while new features such as concrete edging, rockwork, balustrades, and wave seats will be integrated. The layout also addresses transitions between new and existing paving to ensure a neat finish. Additionally, the plan highlights the importance of tree protection zones in accordance with AS4970 and confirms that all setouts will be verified by a certified surveyor on site. The planting mixes will consist of groupings of various native species, with specific setbacks from footpaths and kerbs to comply with council standards.

**SUBJECT LAND & LOCALITY:****Site Description:**

**Location reference:** LOT 1001 ANZAC HWY GLENELG NORTH SA 5045

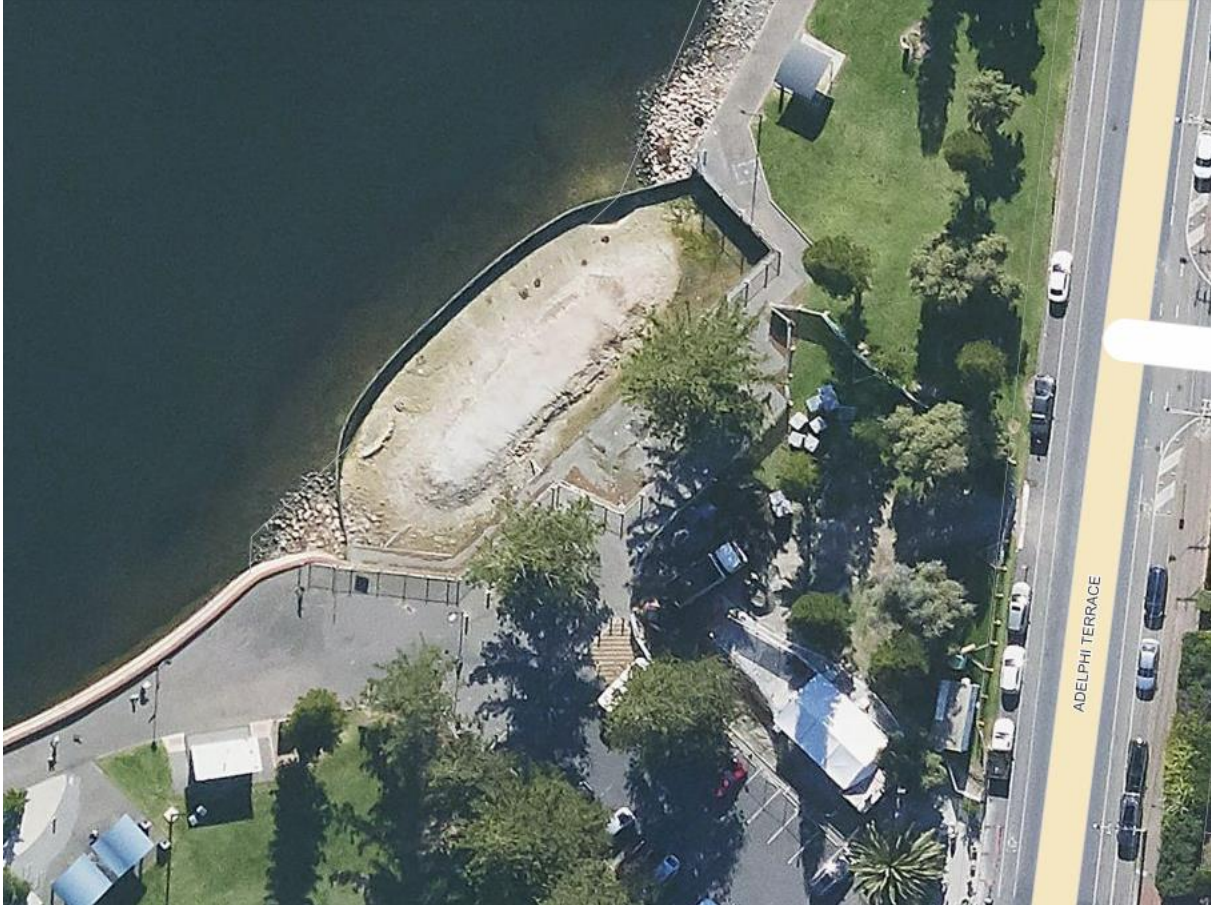
**Title ref.:** CT 5935/965 **Plan Parcel:** D49600 AL1001 **Council:** CITY OF HOLDFAST BAY

The subject site is a waterfront parcel that was previously occupied by the Buffalo replica ship, a significant local landmark. The site is located adjacent to Wigley Reserve and is bordered by a pedestrian pathway that follows the water's edge. The area is an empty void as detailed in the images below.



**Above:** Image of the former Buffalo site  
**Below:** Image of the area to be filled





**Above:** Aerial image of the subject land

The locality is characterised by a diverse mix of land uses, contributing to a vibrant and dynamic urban environment. To the west, the area comprises a marina, which serves as a focal point for recreational boating and tourism-related activities along with apartments and ground-level commercial tenancies. The marina, along with the adjacent waterfront infrastructure, underscores the locality's connection to water-based recreation and leisure.

Immediately adjacent to the marina is Wigley Reserve, which provides recreational opportunities for the community. The reserve is well-maintained, with visible pathways and includes amenities such as playgrounds, which further enhance its role as a community hub. This open space offers a buffer between the marina and the more densely developed areas to the east and south. To the south and southeast are mix of residential flats and commercial buildings.

The eastern portion of the locality is predominantly residential, with a mix of housing types arranged in a suburban grid pattern. The proximity of these residences to both the park and marina suggests a high level of amenity for the inhabitants, who benefit from easy access to recreational spaces and potentially scenic waterfront views. The residential area is well-served by a network of roads, which facilitates connectivity within the neighbourhood and to adjacent areas. The Watermark Hotel which is a landmark of the area is located on the corner of Anzac Highway and Adelphi Terrace.



**Below:** Aerial image of the locality

Overall, the locality is a well-integrated, mixed-use area that balances residential living with recreational and commercial land uses. The presence of significant public spaces, such as Wigley Reserve and the marina, enhances the quality of life for residents while also supporting a variety of activities that attract visitors.



**Above:** Aerial showing the Zone of the locality

**OS:** Open Space Zone

**WN:** Waterfront Neighbourhood Zone

**UN:** Urban Neighbourhood Zone

**EN:** Established Neighbourhood Zone

**CONSENT TYPE REQUIRED:**

Planning Consent

**CATEGORY OF DEVELOPMENT:**

- **PER ELEMENT:**  
 Other - Commercial/Industrial - Filling of site and construction of retaining rock wall: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**  
 Code Assessed - Performance Assessed
- **REASON**  
 P&D Code

## PUBLIC NOTIFICATION

- **REASON**

Filling of a site is not listed in Column A of Table 5 as an exempt form of development for public notification

- **LIST OF REPRESENTATIONS**

Summary of Representors			
Address of Representor	Position	Wish to be heard	Comments
Kay Halliday	<i>I support the development with some concerns</i>	No	<ul style="list-style-type: none"> <li>- Include wetland plants along the edge of the wall, similar to those at River Torrens.</li> <li>- Wetland plants will help break up stone and hard surfaces.</li> <li>- Plants will serve as a natural water filter and provide a safe habitat for birds and aquatic life.</li> <li>- Consider incorporating a wading pool space for children, complementing the play area.</li> <li>- Alternatively, a mini basketball or soccer court could be included, as seen behind Glenelg Oval.</li> </ul>

- **SUMMARY**

The applicant responded to Kay Halliday's concerns. The response explained that due to frequent boat movements, tidal changes, and rainfall at Patawalonga Lake, soft banks for wetland habitats are not feasible without risking erosion. A rock revetment wall is necessary for stability. The project includes new garden beds with native plants and will create paths and plazas for walking and cycling. Suggestions for a mini basketball half-court and mini soccer field are outside the current project scope, as they could interfere with existing events and activities in the area.

## AGENCY REFERRALS

- **Coast Protection Board** - No objections subject to conditions. See attachment 4.
- **Environment Protection Authority** – The application was referred to the Environment Protection Authority (EPA) for assessment due to the potential environmental considerations associated with the proposed development. As of the time of writing, the Council has not yet received a response from the EPA. It is important to note that the EPA's response will primarily address environmental aspects and will not directly impact the planning merits of this application which can be considered subject to the EPA's support.

## INTERNAL REFERRALS

Nil

## PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

### Question of Seriously at Variance

The application is not seriously at variance with the provisions of the Planning and Design Code as the Desired Outcomes and Performance Outcomes of the Open Space Zone anticipates the creation of public open spaces as an appropriate form of development.

The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

## Land Use

The proposed development at the former HMS Buffalo site aligns with the Desired Outcomes (DO 1) and Performance Outcomes (PO 1.1) of the Open Space Zone in the following ways:

### DO 1

*Areas of natural and landscaped open space provide for biodiversity, tree canopy cover, urban cooling and visual relief to the built environment for the health and enjoyment of the community.*

The proposed development aims to enhance the existing site by filling the void and creating a level, paved area that will be open to the public. The improved accessibility and usability of the site will contribute to the health and enjoyment of the community, as it creates a more inviting environment for both passive and active recreation. Additionally, the introduction of a retaining wall along the Patawalonga River will help stabilise the bank, contributing to the long-term sustainability and biodiversity of the area by preventing erosion.

### PO 1.1

*Development is associated with or ancillary to the provision of unstructured outdoor passive and active recreation facilities.*

The development is directly associated with enhancing unstructured outdoor passive and active recreation facilities. By transforming a previously underutilised site into a paved, open space accessible to the public, the development encourages unstructured recreational activities to occur on the site. The retaining wall and associated landscaping work will improve the overall aesthetic and functionality of the area, making it more attractive and usable for a range of outdoor activities. This ancillary development is in line with the provision of recreational facilities, as it enhances the overall quality and accessibility of open space for the community, thereby meeting the intent of PO 1.1.

In summary, the proposed development satisfies the Desired Outcomes and Performance Outcomes of the Open Space Zone by improving the functionality, aesthetics, and accessibility of the open space, while also contributing to the community's health and enjoyment through the provision of enhanced recreational opportunities.



## Coastal Areas Overlay

The Coast Protection Board (CPB) reviewed the development application as part of a statutory referral. The CPB assessed the application against its coastal policies, which include minimizing the impacts of development on the coast, protecting coastal biodiversity, and ensuring new developments are safe from coastal hazards such as flooding and erosion.

The CPB noted that the site is located next to a managed water body regulated by a lock system, reducing the risk of coastal flooding and erosion. While the proposed revetment crest level is slightly below the Board's recommended levels, the CPB acknowledged the low risk of significant flooding or erosion due to the managed nature of the waterway.

The CPB emphasised the importance of protecting the coastal environment during construction, requiring all machinery to be free of sediment before arriving on-site, monitoring turbidity and sedimentation, and ensuring that imported fill is free of weeds and pathogens. The CPB also highlighted the need for careful management of any dredging activities to prevent harm to marine ecosystems.

Ultimately, the CPB raised no objections to the proposed development but recommended that certain conditions be applied to the approval to mitigate potential environmental impacts. The CPB also included a disclaimer regarding the inherent risks associated with coastal development, noting that future risks such as sea level rise cannot be predicted with certainty. The Council considers the policies of the Coastal Areas Overlay as satisfied.

## Local Heritage Place Overlay

Two heritage places are located on the subject site as shown in the table below followed by an elaborated discussion of each listing.

### Local Heritage Places

#### Holdfast Bay

Property Address	Description and/or Extent of Listed Place	Section 67(1) Criteria	Heritage NR
Patawalonga Frontage GLENELG NORTH	Patawalonga Reserve; the Reserve, including the area occupied by the water body between Adelphi Terrace and the Patawalonga frontage	a c f	4596
Wigley Reserve GLENELG NORTH	Wigley Reserve; the early elements which remain	a b c e	4600

#### Wigley Reserve

The early elements of Wigley Reserve, indicate that it was originally Crown Land and not included in the first subdivision of Glenelg township. The area, which included sandhills between the beach and nearby subdivisions, posed challenges due to drifting sand and the destruction of native vegetation. Work on leveling sandhills and constructing sea walls began as early as 1856. A public meeting in 1875 led to the government transferring the land to the Glenelg Corporation, which continued to develop the area by planting couch grass and leveling sand dunes.

Wigley Reserve, like Colley Reserve, became an important public recreational space and was later lined with Norfolk Island Pines. The reserve has remained fully grassed, with these trees defining its boundaries. It extends along the

Patawalonga Banks and has played an important role in providing open space for the Glenelg community. The reserve has been a venue for various celebrations and community events, contributing to its heritage significance.

### **Patawalonga Reserve**

Patawalonga Reserve has undergone significant changes since the early settlement of Glenelg. Originally known as Salt Creek, the banks of the Patawalonga were natural, with sand dunes and scrub, but these features have been replaced by more formal, hard-edged elements as settlement expanded. In the 19th century, the Patawalonga was a barrier between Glenelg's northern areas and the seafront, necessitating the construction of footbridges and a timber bridge in 1857. Over time, the area faced challenges with flooding, particularly from the Sturt River, leading to infrastructure developments such as the construction of a lock and new bridges.

By the mid-20th century, the Patawalonga Boat Haven Project aimed to improve water quality and provide safe marina space for small boats. However, environmental concerns have persisted, particularly regarding water quality due to upstream runoff. Despite losing much of its original natural character, Patawalonga Reserve remains an important recreational space, particularly for water sports.

The proposed development is designed to respect and enhance the heritage and cultural values of the two Local Heritage Places. By focusing on the adaptive reuse of the site, the development aligns with the Desired Outcome (DO 1), which emphasizes the importance of maintaining heritage values through conservation and thoughtful development.

#### *DO 1*

*Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.*

The proposed works, including the filling of the existing void and the construction of a retaining wall, have been planned to integrate seamlessly with the surrounding context. The retaining wall, with its base at -1.20m AHD and its top at 2.60m AHD, will be positioned adjacent to the Patawalonga water frontage. Given that a portion of the wall is below water level, and the visible section is relatively low in height, the structure will not be visually prominent. Its integration into the natural environment and the surrounding landscape ensures that it will not detract from the visual aesthetics of the water's edge, blending seamlessly with the coastal surroundings.

The design ensures that the form and character of the new paved area complement the existing heritage elements of both reserves. The retention of open space and the enhancement of public accessibility reflect a commitment to preserving the cultural significance of the site while allowing for its continued use and enjoyment by the community.

#### *PO 1.1*

*The form of new buildings and structures maintains the heritage values of the Local Heritage Place.*

In alignment with Performance Outcome (PO 1.1), the proposal has been designed to be sensitive to the heritage values of the area. The retaining wall and paving are intended to stabilize the site and improve its usability without overshadowing or detracting from the historic character of the reserves. This approach ensures that the heritage values of Patawalonga Reserve and Wigley Reserve are not only maintained but also enhanced, allowing these culturally significant spaces to continue to serve the community in a way that honours their historical importance.

Overall, the proposed development demonstrates a careful balance between modernisation and conservation, ensuring that the heritage and cultural values of the Local Heritage Places are preserved and respected while adapting the site for contemporary use.

## **CONCLUSION**

The proposed development is highly suitable for the location due to its thoughtful integration with the surrounding environment, heritage considerations, and alignment with relevant planning policies. The development involves filling the existing void and constructing a retaining wall to create a functional, publicly accessible space that enhances the area's amenity. Supported by the Coast Protection Board, the design effectively addresses coastal risks, including erosion and flooding, while ensuring the long-term stability and usability of the site. The project aligns with the Desired Outcomes and Performance Outcomes of the Open Space Zone by improving recreational opportunities and preserving the area's natural and visual appeal.

## **RECOMMENDATION**

Planning consent

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 24021051, by City of Holdfast Bay Council is granted Consent subject to the following conditions:

## **CONDITIONS**

### **Planning Consent**

#### **Condition 1**

The development granted approval shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.

#### **Conditions imposed by Coast Protection Board under Section 122 of the Act**

#### **Condition 2**

All machinery should be washed down and free of sediment and contamination prior to arriving on-site

#### **Condition 3**

Turbidity and sedimentation from construction activities must be monitored at all times and remedial actions undertaken immediately should environmental harm become apparent.

#### **Condition 4**

Imported substrate material or engineered fill shall be free of weeds and pathogens to ensure that noxious weed or contamination sources are not introduced into the coastal environment.

## ADVISORY NOTES

**Planning Consent**

Advisory Notes imposed by Coast Protection Board under Section 122 of the Act

## Advisory Note 1

The applicant is reminded of their general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not cause environmental harm.

## Advisory Note 2

Dredging can cause temporary turbidity increases in the water column. This can affect marine ecosystems and needs to be managed to keep elevated turbidity below levels that can cause harm. The applicant has an obligation to ensure that dredging activity meets EPA requirements.

**OFFICER MAKING RECOMMENDATION**

**Name:** Alexander Stamatopoulos

**Title:** Development Officer - Planning

**Date:** 06/09/2024