Bruny Island Ferry Roberts Point Terminal Upgrade
Development Application Report August 2020
# Table of Contents

1. **INTRODUCTION** .......................................................................................................................................................... 4
2. **BACKGROUND** .......................................................................................................................................................... 4
3. **STRATEGIC RATIONALE** ........................................................................................................................................... 4
4. **PROJECT OBJECTIVES** .............................................................................................................................................. 4
5. **SITE DESCRIPTION** .................................................................................................................................................... 5
   5.1 **LOCATION** ............................................................................................................................................................. 5
   5.2 **TITLES** ...................................................................................................................................................................... 5
   5.3 **EXISTING TERMINAL OPERATION AND ROAD ENVIRONMENT** ...................................................................................... 6
6. **PROPOSAL** .................................................................................................................................................................. 7
   6.1 **DESIGN** .................................................................................................................................................................... 7
   6.2 **PEDESTRIANS AND CYCLISTS** ......................................................................................................................................... 8
   6.3 **STORMWATER** ........................................................................................................................................................ 8
   6.4 **LAND ACQUISITION** ................................................................................................................................................ 8
   6.5 **TERRESTRIAL FLORA AND FAUNA** ..................................................................................................................................... 8
   6.6 **MARINE ENVIRONMENT** ........................................................................................................................................... 8
   6.7 **NATURAL HAZARDS** ................................................................................................................................................ 8
   6.8 **HISTORIC HERITAGE** ................................................................................................................................................ 9
   6.9 **ABORIGINAL HERITAGE** ............................................................................................................................................. 9
   6.10 **CONSTRUCTION** ..................................................................................................................................................... 9
7. **STAKEHOLDER ENGAGEMENT** .................................................................................................................................... 10
8. **SITE PHOTOGRAPHS** ............................................................................................................................................ 11
9. **PLANNING SCHEME** ................................................................................................................................................... 12
   9.1 **DETERMINING APPLICATIONS** .................................................................................................................................... 12
   9.2 **USE CATEGORIZATION** ............................................................................................................................................. 13
   9.3 **PART C ZONES** ........................................................................................................................................................ 13
   9.4 **PART D CODES** ....................................................................................................................................................... 19
   9.5 **PART F SPECIFIC AREA PLANS** ..................................................................................................................................... 24
10. **CONCLUSION** ............................................................................................................................................................ 24
1. **Introduction**

The following report has been prepared as an assessment of the proposed upgrades to the Roberts Point terminal of the Bruny Island Ferry under the provisions of *Kingborough Interim Planning Scheme 2015* (Planning Scheme). The purpose of the report is to address the application requirements of Clause 8.1 of the Planning Scheme and accompany an application for a planning permit to Kingborough Council as Planning Authority.

A separate report and application for a planning permit will be prepared in relation to similar upgrades to the Kettering ferry terminal.

2. **Background**

The Project involves the addition of a second roll on – roll off berth adjacent to the existing Bruny Island Ferry Terminals at Kettering and Roberts Point consisting of an upgraded access road to the berth and dual lane loading ramp as well as installation of signage, new ticketing control infrastructure to support planned operational upgrades in line with new vessels.

3. **Strategic Rationale**

This rationale for the Project is to implement additional loading and unloading ramps at both Kettering and Roberts Point ferry terminals, to ensure reliability of the ferry service, by providing suitable redundancy of the ramp infrastructure.

This ferry service provides the only access to Bruny Island and it is crucial the service is able to maintain its daily timetable. The additional ramps will also facilitate regular routine maintenance to be scheduled to the ramp infrastructure to preserve its operational performance.

Additional ramps provide a secondary benefit in delivering improved travel outcomes for users, these include:

- operating three ferries on a two-speed service, with the purpose built ferries operating on a 20 minute timetable utilising the new ramps, with the Bowen operating on a 30 minute timetable using the current ramp infrastructure,
- this level of service provides an uplift in the number of vehicles that can be carried per hour. At peak demand periods, this represents significant improvement in the performance, and will lead to shorter queues and waiting times,
- allows for the implementation of a pre-book system to offer users with an alternative to the current non-book system which will be retained. The pre-book system delivers the following benefits:
  - allow users to plan travel and minimise wait time;
  - provide greater certainty for landowners and residents to meet appointments or other time-base commitments;
  - enable tourist operators to schedule prompt delivery to the island to maximise the tourist experience; and
  - commercial operators on the island can operate with greater reliability to transport their produce.

4. **Project Objectives**

The key objectives of the project are to:

- Provide both Bruny Island residents and visitors faster and more efficient travel times;
- Increased vehicle carrying capacity through improved ferry loading and unloading infrastructure;
- Reduce the length of traffic queuing on Ferry Road and traffic impacts in peak times at Channel Highway at the Kettering end;
• Provide infrastructure to support flexibility for users through a proposed pre-booking ticket system;
• Reduce dependency on the single lane ramp loading/unloading through design and construction of a second dual lane ramp for dual vessel berthing, loading and unloading at each terminal;
• Improve real time information through signage for ferry queuing, operations and ferry timetables through active on-road information signage.

5. Site Description

5.1 Location

This application relates to the existing Roberts Point terminal for the Bruny Island Ferry at Lennon Road, North Bruny.

A map of the project location is shown in Figure 1.

![Figure 1: Project Location](image)

5.2 Titles

The following land (Table 1) is affected by the proposed development. There are no associated titles for the existing terminal and adjacent waters. Titles for the three affected road casements accompany the application.

<p>| TABLE 1: LIST OF LAND PARCELS AFFECTED BY PROPOSED DEVELOPMENT |</p>
<table>
<thead>
<tr>
<th>Title Reference</th>
<th>Address</th>
<th>Owner</th>
<th>Extent of works</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Roberts Point Ferry Terminal, Lennon Road, North Bruny Island</td>
<td>Department State Growth</td>
<td>new berthing, mooring, loading and operational support infrastructure;</td>
</tr>
<tr>
<td>CT14522/1</td>
<td>Adjacent waters of D’Entrecasteaux Channel</td>
<td>Crown</td>
<td>new berthing, mooring, loading and operational support infrastructure;</td>
</tr>
<tr>
<td>CT14352/1</td>
<td>Lennon Road casement, Roberts Point, North Bruny Island</td>
<td>Crown</td>
<td>landside infrastructure including ticket scanning devices, ticket booth and bollards</td>
</tr>
<tr>
<td>CT175638/101</td>
<td>Acquired Road, Lennon Road, North Bruny Island</td>
<td>Department of State Growth</td>
<td>Minor alterations to traffic conditions</td>
</tr>
</tbody>
</table>

The proposal does not involve any work within the adjacent Lennonville property.

### 5.3 Existing Terminal Operation and Road Environment

The Roberts Point terminal is located on Bruny Island at the end of Lennon Main Road, which is part of the State road network managed by the Department of State Growth.

The marshalling area of the terminal is not manned and relies on traffic signs to inform drivers on the queuing arrangement. The traffic lanes within the marshalling area can accommodate some 65 standard length vehicles.

Situated between the loading ramp and the marshalling lanes is a building that includes a general store, café and toilet. This general store receives custom from local residents and creates the need for a dedicated by-pass lane to enable local traffic to access the store, without the need to enter the marshalling area.

About eighteen months ago the Department undertook road improvements at this terminal. These works included:

- increasing the marshalling area,
- widening the verge to provide an overflow area separate to the marshalling area,
- provision of a turning facility to enable vehicles to drop off passengers without the need to enter the marshalling area, and
- provision of formal parking spaces for 20 vehicles.

### 5.3.1 Traffic Data

The purpose of this infrastructure upgrade is not to generate more traffic movements. However, the demand for the ferry service has steadily grown in recent years and this incremental growth is expected to continue. Therefore, the construction of an additional ramp at each terminal, provides an opportunity to reconsider what is the most effective and efficient method to manage the current and future vehicle demands.

Vehicle demand is not constant throughout the day. At Kettering, vehicles tend to arrive in a cluster, spiking around 10.30 am. When a large influx of vehicles arrives over a short time period that exceeds the capacity of the ferries, it creates unwarranted vehicle queuing beyond the marshalling areas. This situation is intensified around long-weekends, Easter and the Christmas holidays when queuing becomes difficult to manage.
Currently, the ferry operator runs two ferries most days on a 30 minute schedule, the Mirambeena ferry and the newly launched Nirana ferry.

- Mirambeena has the capacity to carry 55 vehicles on two decks
- Nirana has the capacity to carry 26 vehicles on a single deck.

This means the two ferries can carry 81 (six metre length equivalents).

The Nirana is a modern purpose built single-deck fast ferry with faster loading and unloading times. A further purpose built ferry is due to operating in early 2021. The two new ferries can provide a higher frequency timetable with the capacity to depart each terminal every 20 minutes.

The ferry operator also has the Bowen ferry at their disposal. The Bowen can carry 26 vehicles and operate on a 30 minute timetable. The ferry operator is expected to replace the Mirambeena with the Bowen in the near future and will run the Bowen in conjunction with the two new ferries resulting in a vehicle capacity of 104 vehicles per hour.

5.3.2 Summary of potential capacity increase

Operating two ramps with a two-speed ferry service is expected to deliver an increase in the number of vehicles that can be carried per hour from 81 to 104.

The potential increase based on four ferries leaving the Kettering terminal each hour is commensurate with the traffic received at the Roberts Point end and is discussed in the accompanying Traffic Impact Assessment prepared by Hubble Traffic.

6. Proposal

The proposal includes:

- Construction of a new roll on- roll off ferry berth and associated access ramp and rock armouring
- New berthing dolphins adjacent to the east of the new berth
- Emergency access jetty and access gangway
- New pedestrian shelter
- New ticket booth (relocated from Kettering terminal)
- Minor changes to existing traffic conditions including bollards and standby lane extension
- Adjustments to the line marking of the existing vehicle turning area
- Revised signage
- Upgraded terminal lighting

6.1 Design

The design has been developed in accordance with the guidelines and standards listed below:

- Department of State Growth Specifications
- Austroads Guidelines
- Australian Standards
6.2 Pedestrians and Cyclists
The proposal includes designated pedestrian access paths through trafficable areas including from the kiosk to the terminal. A new pedestrian shelter is also proposed adjacent to the east of the new berths.

6.3 Stormwater
The existing and proposed stormwater management arrangement is shown on the site services plan SK32.

6.4 Land Acquisition
No land acquisition is required to facilitate the proposal.

6.5 Terrestrial Flora and Fauna
A detailed Natural Values Assessment and Natural Values Determination have been prepared by North Barker and accompany the application.

The impacted area around the Roberts Point terminal is an extra-urban environment (TASVEG – FUM). There is no tree canopy present and the area is entirely dominated by introduced species and planted natives.

There are no native vegetation communities of any conservation significance, threatened flora or fauna within the site. Accordingly, no specific mitigation is required.

6.6 Marine Environment
A detailed marine environmental assessment has been prepared by Marine Solutions and accompanies the application.

The sites of the proposed developments showed a gentle slope leading away from shore and depths ranging from 0 - 16 m. Subtidal habitats at both sites were similar, with bare fine sands and silts comprising the dominant habitat. Seagrass beds and some macroalgae existed in the shallower regions at both sites, and both sites contained dense shellfish beds (particularly near and underneath existing jetty structures) and a large amount of human-induced debris. Intertidal areas were characterised by metamorphosed pebbles and bedrock with a range of invertebrate species such as sea snails. No threatened or protected species were recorded during underwater or intertidal surveys.

Some introduced marine species were observed during habitat assessments and assessments of the existing wharf structures.

Heavy metals analysis of sediments revealed that levels of tested contaminants were below threshold values proposed by ANZECC/ARMCANZ (2013), and dinocyst samples presented no quarantine risk.

Subject to the following recommended mitigations, Marine Solutions advise that the risks posed by the proposal to the immediate and surrounding ecological communities is considered low:

- Avoid unnecessary disturbance of the benthos and sediments by using floating construction barges or undertake construction from the jetty trestle itself;
- Conduct a visual survey for any marine mammals in the area prior to and during construction work. If the mammal enters a zone within 300 m of the construction works, works involving underwater acoustic impacts should cease, resuming only when the mammal has been observed to move outside the 300 m zone, or after a period 30 minutes from last sighting. A ‘soft’ start procedure should be used;
- Use certified quarry rock for land reclamation that is free of contaminants and fine dusts. Use marine silk screens during reclamation activities;
- Adopt a thorough cleaning protocol for all construction equipment prior- and post-use on site. If possible, in-water equipment should be sourced from within the vicinity of D’Entrecasteaux Channel and greater region.

6.7 Natural Hazards
The site is affected by the following planning scheme overlay areas:

- Biodiversity Protection Area
6.8 Historic Heritage
The proposal does not involve any registered historic heritage sites. The 1838 house at Lennonville is listed as a Heritage Place under the Historic Heritage Code of the Planning Scheme and forms part of the adjacent title (CT175638/1) to the east of the proposed works. The provisions of the Historic Heritage Code however do not apply to adjacent places and the separation of over 1.8km from the ferry terminal to this house will ensure no detrimental impact to the significance of the place.

6.9 Aboriginal Heritage
A Dial Before You Dig request has not identified any registered Aboriginal relics or apparent risk of impacting Aboriginal relics. As part of the Construction Management Plan, the construction contractor will be required to implement an Unanticipated Discovery Plan (UDP) should any unanticipated finds be encountered during construction.

6.10 Construction
Construction of the project is planned to commence in spring 2020 and be completed by March 2021.

   6.10.1 Construction Traffic Management
The construction of the two additional ramps and landside alterations can be undertaken without major disruption to the ferry service.

Construction for the project is intended to be undertaken during normal construction hours. The need to ensure minimal disruption to ferry users may necessitate rare overnight or Sunday works. All practical steps will be undertaken to minimise impacts of noise and disturbance to the surrounding area. Where possible, State Growth undertakes stakeholder engagement prior to road works through provision of advance warnings and the like, particularly for works outside of normal hours, where local residents and regular road users are advised in advance of such works.

6.10.2 Construction Environmental Management Plan
State Growth requires all contractors to submit a Construction Environmental Management Plan (CEMP) that demonstrates compliance with best practice guidelines and relevant legislation and regulation. The CEMP must be compliant with the Department’s G10 Environmental Specification. CEMPs are reviewed and approved by the Department’s Environmental Officers who are certified Environmental Management System (EMS) Auditors, prior to site award to ensure the contractor has effectively identified and attributed construction related environmental risks, and has the systems and processes in place to effectively mitigate risk and respond to and report environmental incidents and emergency scenarios. All construction contractors must have ISO 14001 certification.

6.10.3 Recommended mitigation measures from Coastal Vulnerability Assessment
A detailed Coastal Vulnerability Assessment has been prepared by Burbury and accompanies the application. The assessment includes the following recommendations for the engineering design and construction to manage and minimise the potential for impact:

   • Installation of silt curtain (marine) and silt fencing (land) on the shoreline prior to commencing construction and site earthworks to control sediment discharge into the adjacent bays during earthworks and protection of the construction area;
   • Locate toe armour rock on stable and sound material (to engineer’s recommendation) for formation of coastal rock armour structures;
   • Place toe or armour rock immediately in front of the shoreline as well as remediated areas impacted through excavation to ensure exposed faces are well protected from wave action and sized and graded to reduce wave energy on the new shoreline;
   • Prefabrication of elements off site and delivery to site to minimise site construction times and potential impacts of construction works within the waterways;
   • Utilise appropriate materials for marine exposure such as:
       ○ Concrete – high strength, 70 mm cover and corrosion inhibitors;
       ○ Steel – protective coatings;
Aluminium – marine grade and management of dissimilar metals; and
- Suitably graded and selected rock

- Control stormwater discharge during construction and access to proposed new works for ongoing maintenance and future works (i.e. sediment and debris collection, sea level rise allowances, etc.).

### 7. Stakeholder Engagement

State Growth has publicly advertised the Project for 14 days between 3 and 14 August 2020

Following that display a stakeholder feedback report is intended to be complete by the end of August 2020.

It is intended that further stakeholder engagement activities will be undertaken as part of the Project including with the Bruny Island Reference and Kettering Community Groups, nearby residents on Ferry Road, Kingborough Council, water police, MAST, school bus operator, Bruny Island residents and wider community ferry users.
8. Site Photographs

Photo 1 – aerial view of the existing Roberts Point ferry terminal looking south (Source: Burbury Consulting)

Photo 2 – aerial view of the existing Roberts Point ferry terminal looking west (Source: Burbury Consulting)
9. **Planning Scheme**
The proposal is to be assessed under the provision of the Kingborough Interim Planning Scheme 2015 (Planning Scheme) by Kingborough Council as Planning Authority.

9.1 **Determining Applications**
All ‘Use’ and ‘Development’ requires a planning permit unless otherwise exempt.

‘Development’ is defined under the *Land Use Planning and Approvals Act 1993* and includes both buildings and works.

In accordance with Clause 6.2.3 of the Scheme, minor upgrades by the State Government of roads, including minor widening of existing carriageways, are exempt from requiring a permit under the Planning Scheme, unless it involves:

- a place or precinct listed in a heritage code that is part of this planning scheme; or
- the removal of any threatened vegetation.

The proposed works do not constitute minor upgrades for the purposes of Clause 6.2.3, therefore this application has been lodged for the Planning Authority’s consideration.

Under Clause 8.10.1 of the Planning Scheme the Planning Authority must, in addition to the matters required by ss51(2) of the Act, take into consideration:

- all applicable standards and requirements in this planning scheme; and
- any representations received pursuant to and in conformity with ss57(5) of the Act, but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

A standard is applicable if the site is within the relevant zone and the standard deals with a matter that could affect or be affected by the proposed development; cl.7.5.2.

A standard is defined to meet the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or corresponding performance criterion.

Compliance with a standard is achieved by complying with either the acceptable solution or corresponding performance criterion; cl.7.5.3.

The objective of the standard may be considered to help determine whether the proposed use or development complies with the performance criterion of that standard; cl.7.5.4.

The proposed roll on and roll off facilities fall within the Port and Shipping Use Class and are prohibited in the Utilities Zone. The proposal therefore requires discretion under 9.1 of the Planning Scheme for an extension to the existing non-conforming use. The proposal also requires exercise of discretion in relation to use (Port and Shipping) and development in the Environmental Management Zone.

In determining the proposed discretionary use Council must in addition to 8.10.1, have regard to the following matters listed under 8.10.2:

- the purpose of the applicable zone;
- any relevant local area objective or desired future character statement for the applicable zone;
- the purpose of any applicable code; and
- the purpose of any applicable specific area plan.

but only insofar as each such purpose, local area object or desired future character statement is relevant to the particular discretion being exercised.

The proposal also requires discretion under the following Codes:

- E7.0 Stormwater Management Code
- E11.0 Waterway and Coastal Protection Code
• E15.0 Inundation Prone Areas Code

An assessment in accordance with Clause 8.10.2 of the Scheme is provided in the following sections of this report.

9.2 Use Categorisation

Under 8.2.1 and 8.2.4 of the Planning Scheme, use or development must be categorised into one of the use classes in Table 8.2.

Transport infrastructure typically falls within the Utilities Use Class meaning:

Use of land for utilities and infrastructure including:

a) telecommunications;
b) electricity generation;
c) transmitting or distributing gas, oil or power;
d) transport networks;
e) collecting, treating, transmitting, storing or distributing water; or
f) collecting, treating, or disposing of storm or floodwater, sewage or sullage.

Examples include an electrical sub-station or power line, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retarding basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.”

In this case however the proposed upgrades to the existing terminal could also fit within the Port and Shipping Use Class under Table 8.2 meaning:

use of land for:

(a) berthing, navigation, servicing and maintenance of marine vessels which may include loading, unloading and storage of cargo or other goods, and transition of passengers and crew; or

(b) maintenance dredging.

Examples include berthing and shipping corridors, shipping container storage, hardstand loading and unloading areas, passenger terminals, roll-on roll-off facilities and associated platforms, stevedore and receipt offices, and a wharf.

In cases such as this where the development fits the description of more than one Use Class, under 8.2.3 the use most specifically describing the use applies.

Although forming an essential part of the transport network to Bruny Island, the proposed terminal upgrades including an additional roll on roll off berth are considered to be most specifically described by the Port and Shipping Use Class for the purpose of this assessment.

9.3 Part C Zones

Unlike the Kettering terminal, the Planning Scheme does not apply the same Port and Marine zoning to the Bruny Island end of the ferry route.

The proposed upgrades are within the Environmental Management and Utilities Zones.
9.3.1 Utilities Zone

The Purpose of the Utilities Zone is:

• To provide land for major utilities installations and corridors.
• To provide for other compatible uses where they do not adversely impact on the utility.

There are no desired local area objectives or Desired Future Character Statements.

Port and Shipping is not a listed use under the Use Table 28.2 and is therefore prohibited. Clause 9.1 of the Planning Scheme provides discretion in cases such as this to consider changes or an extension to an existing non-conforming use as follows:

Notwithstanding any other provision in this planning scheme, whether specific or general, the planning authority may at its discretion, approve an application:

(a) to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme; or
(b) to extend or transfer a non-conforming use and any associated development, from one part of a site to another part of that site; or
(c) for a minor development to a non-conforming use,

where there is –

(a) no detrimental impact on adjoining uses; or
(b) the amenity of the locality; and
(c) no substantial intensification of the use of any land, building or work.

In exercising its discretion, the planning authority may have regard to the purpose and provisions of the zone and any applicable codes.

The proposed upgraded roll on roll off facilities are considered to satisfy 9.1 of the Planning Scheme in that they form part of a critical transport network for Bruny Island and are consistent with the Purpose of the Utilities Zone.

As discussed in the accompanying Traffic Impact Assessment the proposal will improve the efficiency of the existing terminal rather than increase the intensity of use. The proposal will not result in detrimental impact to any person or the general amenity of the locality.

### 31.3 Use Standards

<table>
<thead>
<tr>
<th>Acceptable Solution/Performance Criteria</th>
<th>Compliance Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>28.3 Hours of Operation</strong>&lt;br&gt;A1&lt;br&gt;Hours of operation of a use within 50 m of a residential zone must be within 7.00 am to 7.00 pm, except if:&lt;br&gt;(i) for office and administrative tasks; or&lt;br&gt;(ii) a Utilities use.</td>
<td>A1 is not considered to apply.&lt;br&gt;<strong>Hours of Operation</strong> means the hours that a business is open to the public or conducting activities related to the business, not including routine activities normally associated with opening and closing for business. The proposal relates to the existing transport network rather than the operation of a business. No change is proposed the hours of ferry operations.</td>
</tr>
<tr>
<td><strong>28.3.2 Noise</strong>&lt;br&gt;A1&lt;br&gt;Noise emissions measured at the boundary of a residential zone must not exceed the following:&lt;br&gt;(a) 55 dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;&lt;br&gt;(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;&lt;br&gt;(c) 65dB(A) (LAmx) at any time.</td>
<td>The proposal will not tangibly alter the noise emissions from the site measured at the boundary of the Environmental Living Zone adjacent to the south of the road casement, towards Apollo Bay.</td>
</tr>
<tr>
<td><strong>28.3.4 External Lighting</strong></td>
<td>Not applicable – all lighting within 50m of a residential zone will be street lighting.</td>
</tr>
<tr>
<td><strong>28.3.4 Commercial Vehicle Movements</strong></td>
<td>Not applicable. The proposal does not alter the hours of the ferry operation.</td>
</tr>
<tr>
<td><strong>28.3.5 Discretionary use</strong></td>
<td>It is considered that this standard does not apply because the use is prohibited and to be</td>
</tr>
</tbody>
</table>
Discretionary use must not compromise or reduce the operational efficiency of an existing or intended utility having regard to all of the following:

(a) the compatibility of the utility and the proposed use;
(b) the location of the proposed use in relation to the utility;
(c) any required buffers or setbacks;
(d) access requirements.

assessed under 9.1 rather than discretionary. Nevertheless, if the standard did apply the proposed upgrades for the purpose of improved operation of this important transport infrastructure would comply with P1.

28.4 Development Standards

<table>
<thead>
<tr>
<th>Acceptable Solution/Performance Criteria</th>
<th>Compliance Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>28.4.1 Building Height</td>
<td>Complies.</td>
</tr>
<tr>
<td>A1</td>
<td></td>
</tr>
<tr>
<td>Building height must be no more than:</td>
<td></td>
</tr>
<tr>
<td>10 m.</td>
<td></td>
</tr>
<tr>
<td>28.4.2 Setback</td>
<td>Not applicable</td>
</tr>
<tr>
<td>A1</td>
<td></td>
</tr>
<tr>
<td>Building setback from frontage must be no less than:</td>
<td></td>
</tr>
<tr>
<td>10 m.</td>
<td></td>
</tr>
<tr>
<td>28.4.3 Landscaping</td>
<td></td>
</tr>
<tr>
<td>A1</td>
<td>Not applicable</td>
</tr>
<tr>
<td>A2</td>
<td></td>
</tr>
<tr>
<td>Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zones land.</td>
<td></td>
</tr>
<tr>
<td>28.4.4 Outdoor Storage Areas</td>
<td>Not applicable</td>
</tr>
<tr>
<td>28.4.5 Fencing</td>
<td>Complies.</td>
</tr>
<tr>
<td>Fencing must comply with all of the following:</td>
<td></td>
</tr>
<tr>
<td>(a) fences and gates of greater height than 2.1 m must not be erected within 10 m of the frontage;</td>
<td></td>
</tr>
<tr>
<td>(b) fences along a frontage must be 50% transparent above a height of 1.2 m;</td>
<td></td>
</tr>
<tr>
<td>(c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.</td>
<td></td>
</tr>
<tr>
<td>28.4.6 Environmental Values</td>
<td>Complies.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>No trees of high conservation will be impacted.</td>
</tr>
</tbody>
</table>
A1 No trees of high conservation value will be impacted

The proposal complies with A1.

9.3.1 Environmental Management Zone

The Purpose of the Environmental Management Zone under 29.1 is:

- To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.
- To only allow for complementary use or development where consistent with any strategies for protection and management.
- To facilitate passive recreational opportunities which are consistent with the protection of natural values in bushland and foreshore areas.
- To recognise and protect highly significant natural values on private land.
- To protect natural values in un-developed areas of the coast.

29.2 Use

The extension to the existing Port and Shipping facility is a Discretionary Use under the Use Table 29.2. The proposal is for an important extension to an existing transport infrastructure asset in an existing disturbed area. It is considered a complimentary activity consistent with the Zone Purpose. The proposal is therefore considered acceptable in terms of Use.

29.3 Use Standards for Reserved Land

The proposal does not relate to Reserve Land and this Use Standard 29.3.1 does not apply. There are no other applicable Use Standards.

29.4 Development Standards

<table>
<thead>
<tr>
<th>Acceptable Solution/Performance Criteria</th>
<th>Compliance Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>29.4.1 Building Height</td>
<td></td>
</tr>
<tr>
<td>Objective:</td>
<td></td>
</tr>
<tr>
<td>To ensure that building height contributes positively to the landscape and does not result in unreasonable impact on residential amenity of adjoining land.</td>
<td></td>
</tr>
</tbody>
</table>

A1

Building height comply with any of the following:

(a) as proscribed in an applicable reserve management plan;
(b) be no more than 7.5 m.

P1

Building height must satisfy all of the following:

(a) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape of the area;
(b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:
   (i) overlooking and loss of privacy;
   (ii) visual impact when viewed from adjoining lots, due to bulk and height;

There is no applicable reserve management plan. The proposed jacking tower is within the Environmental Management Zone and with a height of 7.6m slightly exceeds the permitted height standard of 7.5m under A1. The proposal is therefore assessed under P1.

The proposed jacking tower is of similar height to the gantry over the ramp for the existing berth. It is also subservient to the scale of the associated ferries and will no significant impact on the landscape of the area. There are no adjoining residential lots and the proposal will therefore not result in any privacy or visual impacts on residential amenity. The height of the structure is necessary to cater for the functional requirements of the ferry operations.
(c) be reasonably necessary due to the slope of the site or for the functional requirements of infrastructure.

| 29.4.2 Setback |  
|-----------------|-----------------|
| A1              | Building setback from frontage must comply with any of the following: |
|                 | (a) as proscribed in an applicable reserve management plan; |
|                 | (b) be no less than 30 m. |
|                 | Complies. |
|                 | The upgrades will be sited to seaward and more than 30m of the boundary with the frontage (in this case the common boundary with the Lennon Road casement). |

| A2              | Building setback from side and rear boundaries must comply with any of the following: |
|                 | (a) as proscribed in an applicable reserve management plan; |
|                 | (b) be no less than 30 m. |
|                 | Complies. |
|                 | There are no applicable side or rear boundaries within 30m. |

| A3              | Buildings and works must be setback from land zoned Environmental Living no less than 30 m. |
|                 | Complies. |
|                 | The upgrades within the Environmental Management Zone are not located within 30m of land zoned Environmental Living. |

| A4              | Building setback for buildings for sensitive use (including residential use) must comply with all of the following: |
|                 | (a) be sufficient to provide a separation distance from land zoned Rural Resource no less than 100 m; |
|                 | (b) be sufficient to provide a separation distance from land zoned Significant Agriculture no less than 200 m. |
|                 | Not applicable. |
|                 | The proposal does not involve a sensitive use. |

| 29.4.3 Design |  
|-----------------|-----------------|
| Objective:     | To ensure that the location and appearance of buildings and works minimises adverse impact on natural values and on the landscape. |
| A1             | The location of buildings and works must comply with any of the following: |
|                 | (a) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline; |
|                 | (b) be located within a building area, if provided on the title; |
|                 | (c) be an addition or alteration to an existing building; |
|                 | A1 requires compliance with one or more of the criteria a)-d). |
|                 | The proposal complies with (c) in that it is an extension to the existing wharf terminal. A1 is therefore satisfied. |
(d) as prescribed in an applicable reserve management plan.

A2
Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.

The terminal upgrades are to be constructed from concrete, natural rock and grey painted steel. All surfaces will not exceed an estimated light reflectance value of 40%.

A3
Fill and excavation must comply with all of the following:
(a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations;
(b) extent is limited to the area required for the construction of buildings and vehicular access.

The proposed new ramp and rock armoring will involve fill greater than 1m and are to be assessed under P3.

P3
Fill and excavation must satisfy all of the following:
(a) there is no adverse impact on natural values;
(b) does not detract from the landscape character of the area;
(c) does not impact upon the privacy for adjoining properties;
(d) does not affect land stability on the lot or adjoining land.

Having regard to the accompanying Marine and Natural Values Assessments the proposed upgrades to the existing ferry terminal will not have an adverse impact on the marine environment, natural values or the landscape character of the area. There are no nearby properties that could be affected by loss of privacy or land instability.

9.4 Part D Codes

9.4.1 E5.0 Road & Railway Assets Code

The purpose of this Code is to protect the safety and efficiency of road and railway networks and reduce the conflict between sensitive uses and major roads and the rail network.

E5.2 Application of the Code

The Code is applicable under E5.2.1a) as the proposed works involve minor changes to the existing vehicle access to the marshalling area.

E5.6 Development Standards

<table>
<thead>
<tr>
<th>Acceptable Solution/Performance Criteria</th>
<th>Compliance Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>E5.5.1 Existing road accesses and junctions A3</td>
<td>Complies.</td>
</tr>
<tr>
<td>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</td>
<td>No extra traffic is expected to be generated from this proposal. The accompanying Traffic Impact Assessment provides additional detail to demonstrate compliance with the Standard.</td>
</tr>
</tbody>
</table>
9.4.2 E6.0 Parking and Assets Code

The purpose of this Code is to ensure safety and efficient access to the road network for all users, ensuring sufficient parking, and that access and parking areas are designed and located to be safe to all users.

E6.2 Application of the Code

The Code applies to all use and development.

E6.6 Use Standards

<table>
<thead>
<tr>
<th>Acceptable Solution/Performance Criteria</th>
<th>Compliance Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>E6.6 Number of Car Parking Spaces A1</td>
<td>The primary purpose of the proposal is to improve the reliability of the ferry service by the construction of additional loading and unloading ramps at both terminals.</td>
</tr>
<tr>
<td>Port and shipping Use class uses such as this that are not specified in Table E6.1 are listed at the rate of 2 spaces for 3 staff.</td>
<td>As demonstrated in the Traffic Impact Assessment the additional ramp infrastructure provides a secondary benefit of increasing the number of vehicles that can be carried per hour, and this reduces the waiting time and length of queued vehicles. For these reasons, the number of Car Parking Spaces is not affected and therefore it is considered that the proposal complies with the acceptable solution A1.</td>
</tr>
</tbody>
</table>

E6.6 Development Standards

<table>
<thead>
<tr>
<th>Acceptable Solution/Performance Criteria</th>
<th>Compliance Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>E6.7.1 Number of vehicular accesses</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>6.7.1 Design of Vehicular Accesses A1</td>
<td>Complies. The design has been developed in accordance with the Department of State Growth Specifications, Austroads Guidelines and Australian Standards. The accompanying Traffic Impact Assessment includes a geometric review of the additional ramp layout and indicates it will operate successfully. The drawings also demonstrate through swept paths of design vehicles that a vehicle from any marshalling lane can be loaded using the new ramps. Some minor changes to the traffic management will be required at the terminal, but they will not alter the functionality of the traffic control. The Traffic Impact Assessment concludes that from a traffic and safety perspective the proposal is not expected to create any adverse safety, amenity or transport efficiency issues.</td>
</tr>
<tr>
<td>Design of vehicle access points must comply with all of the following:</td>
<td></td>
</tr>
<tr>
<td>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</td>
<td></td>
</tr>
<tr>
<td>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.</td>
<td></td>
</tr>
</tbody>
</table>
9.4.3  E7.0 Stormwater Management Code

The purpose of this provision is to ensure that stormwater disposal is managed in a way that furthers
the objectives of the State Stormwater Strategy.

E7.2 Application of the Code

This Code is applicable as it applies to development requiring management of stormwater. A
stormwater management concept is shown on the plans and a stormwater management plan prepared
by Burbury Consulting accompanies the application.

9.4.4  E10.0 Biodiversity Code

The purpose of this provision is to minimise loss of identified threatened vegetation communities and
flora species, conserve threatened fauna species and minimise loss of locally significant biodiversity
values.

E10.2 Application of the Code

The site is within a Biodiversity Protection Area on the Planning Scheme Maps.

The proposed works are situated in highly modified area, with few native species present. No impacts
to native vegetation communities or threatened fauna or flora expected in the proposal and the Code
therefore does not apply under E10.2.1.

The accompanying Natural Values Assessment reviews matters under this Code and determined that
the proposal complies with all standards.

9.4.5  E.11 Waterway and Coastal Protection Code

This Code applies to any development that involves vegetation or soil disturbance within a Waterway
and Coastal Protection Area. In this case the terminal is within and to seaward of a mapped Waterway
and Coastal Protection Area. The Code therefore applies.

E11.7 Development Standards

<table>
<thead>
<tr>
<th>Acceptable Solution/Performance Criteria</th>
<th>Compliance Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>E11.7.2 Building and Works Dependant on a Coastal Location</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Objective</strong></td>
<td></td>
</tr>
<tr>
<td>To ensure that buildings and works dependent on a coastal location are appropriately provided for, whilst minimising impact on natural values, acknowledging the economic, social, cultural and recreational benefits that arise from such development.</td>
<td></td>
</tr>
<tr>
<td><strong>A1</strong></td>
<td></td>
</tr>
<tr>
<td>An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.</td>
<td>The proposed extension results in an increased area of more than 20%. The proposal must therefore be assessed under P1.</td>
</tr>
<tr>
<td><strong>P1</strong></td>
<td></td>
</tr>
<tr>
<td>Buildings and works must satisfy all of the following:</td>
<td>The proposal satisfies P1 in that:</td>
</tr>
<tr>
<td></td>
<td>a) The ferry terminal clearly requires a coastal location;</td>
</tr>
</tbody>
</table>
(a) need for a coastal location is demonstrated;
(b) new facilities are grouped with existing facilities, where reasonably practical;
(c) native vegetation is retained, replaced or re-established so that overall impact on native vegetation is negligible;
(d) building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill;
(e) impacts to coastal processes, including sand movement and wave action, are minimised and any potential impacts are mitigated so that there are no significant long-term impacts;
(f) waste, including waste from cleaning and repairs of vessels and other maritime equipment and facilities, is managed in accordance with current best practice so that significant impact on natural values is avoided.

<table>
<thead>
<tr>
<th>P2</th>
<th>The proposal is considered to satisfy P2 in that:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>a) The area of reclamation is necessary to support the proposed additional berth and terminal upgrades; and</td>
</tr>
<tr>
<td></td>
<td>b) The works have been designed to minimise the potential for erosion and impacts on coastal processes through installation of upgraded shoreline and rock armour protection. The design and features of rock materials and marine structures are consistent with the existing site and will enable expansion of an already highly disturbed and controlled site to avoid significant long term impacts.</td>
</tr>
</tbody>
</table>

| A3 | Not applicable. |

9.4.6 E15 Inundation Prone Areas Code

The proposal involves works adjacent to seaward of a Coastal Inundation High Hazard Area as shown on Map E15.1 of the Planning Scheme.

E15.6 Use Standards

The proposal does not involve a habitable building and the Use Standard does not apply.
## E15.7 Development Standards for Buildings and Works

### Acceptable Solution/Performance Criteria

**E15.7.6 Development Dependent on a Coastal Location**

**Objective:**
To ensure that high risk from coastal inundation is appropriately managed and takes into account the use of buildings.

<table>
<thead>
<tr>
<th>A1</th>
<th>An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.</th>
</tr>
</thead>
</table>

The proposed extensions are greater than 20% and therefore must be assessed under P1.

<table>
<thead>
<tr>
<th>P1</th>
<th>Buildings and works must satisfy all of the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>need for a coastal location is demonstrated;</td>
</tr>
<tr>
<td>(b)</td>
<td>new facilities are grouped with existing facilities, where reasonably practical;</td>
</tr>
<tr>
<td>(c)</td>
<td>building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill;</td>
</tr>
<tr>
<td>(d)</td>
<td>waste, including from cleaning and repairs of vessels and other maritime equipment and facilities, solid waste, is managed to ensure waste is safe from inundation events;</td>
</tr>
<tr>
<td>(e)</td>
<td>risk from inundation is acceptable, taking into account the nature of the development and its users.</td>
</tr>
</tbody>
</table>

The proposed upgrades are considered to satisfy P1 in that:

- a) the public ferry terminal clearly requires a coastal location;
- b) the proposal augments the existing terminal facilities;
- c) the proposal responds to the shape of the land and bathymetry and seeks to minimise the need for cut and fill within those constraints;
- d) the terminal will continue to be managed in accordance with current best practice and will not involve wastes that would be vulnerable to inundation events; and
- e) the proposal has been specifically designed to be resilient to extreme weather events. The terminal will be constructed to a level of 2.6m AHD and will provide a freeboard approximately 100mm above the planning scheme low risk level of 1% SEP and storm surge allowance (2.5m) AHD. Any risk of inundation is therefore acceptable.

<table>
<thead>
<tr>
<th>P2</th>
<th>Dredging or reclamation must satisfy all of the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>be necessary to establish a new or expanded use or development or continue an existing use or development</td>
</tr>
<tr>
<td>(b)</td>
<td>potential for foreshore erosion or seabed instability is minimised;</td>
</tr>
<tr>
<td>(c)</td>
<td>impacts to coastal processes, including sand movement and wave action are minimised and any potential impacts will be mitigated so that there are no unreasonable adverse long-term effects,</td>
</tr>
</tbody>
</table>

| (d) | subject to the mitigation measures set out in the Marine and Coastal Vulnerability |
(d) limited and acceptable impact on aquatic flora, fauna and habitat;
(e) risk of re-suspension of potentially contaminated material is minimised;
(f) extracted material will be adequately and appropriately disposed of, including appropriate management of any declared weeds, local environmental weeds and other contamination;

Assessments the proposal is considered to satisfy these criteria.

A3
No Acceptable Solution for coastal protection works initiated by the private sector.

Not applicable.

E17.0 Signs Code

Any changes to signage will be for the safety and guidance of traffic and fall within the definition of a Statutory Sign under E17.3. They are exempt from the Signs Code under Table E17.1 and E17.4.

9.5 Part F Specific Area Plans

No Specific Area Plans apply to the proposed works.

10. Conclusion

This report supports an application for a planning permit by the Department of State Growth to Kingborough Council for the proposed upgrades of the existing Roberts Point terminal for the Bruny Island Ferry.

The proposal involves the addition of a second roll on – roll off berth adjacent to the existing Bruny Island Ferry terminal at Roberts Point consisting of a second berth and dual lane loading ramp as well as installation ticketing control infrastructure to support planned operational upgrades in line with new vessels.

The purpose of this report is to address the Kingborough Interim Planning Scheme 2015 and along with the accompanying marine, natural values and traffic assessments to consider issues of traffic efficiency and safety, natural values, stormwater and amenity in the vicinity.

This report has identified the proposed road works are an existing non conforming use within the Utilities Zone and a discretionary use in the Environmental Management Zone. Discretion is required in relation to the E7.0 Stormwater Management Code, E11.7 Waterway and Coastal Protection Code and E15 Inundation Prone Areas Code.

The proposal is assessed to comply with the relevant acceptable solutions and performance criteria under these Zones and Codes. The proposal is therefore assessed to comply with the requirements of the Interim Planning Scheme and should be approved.