HOB-S6.0 Hobart Commercial Zone Specific Area Plan

HOB-S6.1 Plan Purpose

The purpose of the Hobart Commercial Zone Specific Area Plan is:

- HOB-S6.1.1 To provide for a diversity of generally non-residential uses that reflect the transition between the Central Business Zone and residential areas.
- HOB-S6.1.2 To provide for residential use primarily above ground floor level.
- HOB-S6.1.3 To provide that building height reflects the transition between the Central Business

 Zone and inner residential areas is compatible with existing development in the streetscape and surrounding area.
- HOB-S6.1.4 To provide for Hotel Industry use that does not cause an unreasonable loss of amenity for surrounding residential areas or sensitive uses.

HOB-S6.2 Application of this Plan

- HOB-S6.2.1 The specific area plan applies to the area of land designated as Hobart Commercial Specific Area Plan on the overlay maps.
- HOB-S6.2.2 In the area of land this plan applies to, the provisions of the specific area plan modify, are in substitution for or are in addition to the provisions of:
 - (a) Commercial Zone; and
 - (b) Signs Code

as specified in the relevant provision.

HOB-S6.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

HOB-S6.4 Definition of Terms

HOB-S6.4.1 In this Specific Area Plan, unless the contrary intention appears:

Term	Definition
Hotel Industry impact assessment	means a report detailing: (a) the proposed use, hours of operation and type and duration/frequency of music/entertainment; (b) the location of music performance areas or speakers, external doors and windows, any other noise sources, and waste storage areas;
	(c) the entry points, external areas for smokers and a waste management plan;
	 (d) the nature and location of surrounding uses, and for non-residential uses their hours of operation, and a written description of the site context;

	the proposed management of noise in relation to noise sensitive areas within audible range of the premises, including residential uses and accommodation and associated private open space		
	(f) a summary of the consultation with adjoining landowners/occupiers and proposed measures to address any concerns;		
	the location of lighting within the boundaries of the site, security lighting outside the licensed premise and any overspill of lighting;		
	(h) impacts on traffic and parking;		
	(i) the intended design measures to prevent crime, including:		
	(i) providing safe, well designed buildings;		
	(ii) reducing opportunities for crime to occur;		
	(iii) minimising the potential for vandalism and anti-social behaviour;		
	(iv) promoting safety on neighbouring public and private land; and		
	 (j) any other measures to be undertaken to ensure minimal amenity impacts from the licensed premises during and after opening hours. 		
single aspect	Means a dwelling or serviced apartment that has external windows on no more than one building elevation (not excluding skylights and windows to a light well or ventilation shaft).		

HOB-S6.5 Use Table

This clause is a substitution for Commercial Zone – clause 17.2 Use Table.

Use Class	Qualification			
No Permit Required				
Natural and Cultural Values Management				
Passive Recreation				
Utilities	If for minor utilities.			
Residential	If for a home-based business.			
Permitted				
Bulky Goods Sales – move to discretionary	If for motor vehicle, boat or caravan sales on sites fronting Argyle, Murray or Campbell Streets.			
Emergency Services				
Equipment and Machinery Sales and Hire – move to discretionary				

Residential	If: (a) located above ground floor level (excluding pedestrian or vehicular access); and (b) not listed as No Permit Required.
Service Industry – move to discretionary	
Storage – move to discretionary	If not for liquid or solid fuel depot.
Discretionary	
Bulky Goods Sales	If not listed as Permitted.
Business and Professional Services – move to permitted	
Community Meeting and Entertainment – move to permitted	
Educational and Occasional Care – move to permitted	
Food Services – move to permitted	
General Retail and Hire – move to permitted	
Hotel Industry – move to permitted	If for alterations or extensions to an existing Hotel Industry.
Manufacturing and Processing	
Research and Development – move to permitted	
Residential	If not listed as No Permit Required or Permitted.
Resource Processing	If for food and beverage production.
Sports and Recreation	
Transport Depot and Distribution	
Tourist Operation	
Utilities	
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation – move to permitted	
Prohibited	
All other uses	

HOB-S6.6 Use Standards

HOB-S6.6.1 Adult entertainment venues

This clause is in addition to Commercial Zone – clause 17.3 Use Standards, and Signs Code – clause C1.5 Use Standards.

	Objective: To provide that adult entertainment venues do not:						
(a) ne		(a) negatively impact on the st	negatively impact on the streetscape; or				
		(b) cause an unreasonable los sensitive uses.	ss of amenity for surrounding residential areas or				
Acceptable Solutions		olutions	Performance Criteria				
	A1		P1				
	distance of no le straight line to the (a) a General Residential (b) from a site (i) dwell (ii) prima (iii) second (iv) child (v) crèchd (vi) placed (vii) bed a (viii) playgo (ix) any contraction (ix) and contraction (i	ary school; andary school; care centre; e; of worship; and breakfast accommodation; around; or other use if it is regularly frequented ildren for recreational or cultural	P1 Adult entertainment venues must not have a detrimental impact on amenity of the General Residential Zone, Inner Residential Zone or uses listed in HOB-S6.6.1 A1(b), having regard to: (a) noise and disturbance generated from within the adult entertainment venue and from patrons arriving at or departing from the venue; (b) the hours of operation and intensity of the proposed use; (c) the location of the proposed use and the nature of surrounding uses and zones; (d) the impact of the proposed use on the mix of uses in the immediate area; (e) the impact on pedestrian safety and amenity.				
	A2		P2				
Adult entertainment venues must not: (a) occupy a room or space with a ground floor frontage onto a street; or (b) be directly visible from the street.		ent venues must not:	No Performance Criterion.				
		to a street; or					
	A3		P3				
No form of public address or sound amplification is to be audible from outside the building.		•	No Performance Criterion.				

A4 Signs must: (a) only indicate the name of the business using text; and (b) not include graphics or images.

HOB-S6.6.2 Hotel Industries

This clause is in addition to Commercial Zone – clause 17.3 Use Standards.

Objective:	To provide that hotel industry uses do not cause an unreasonable loss of amenity for surrounding areas.				
Acceptable Solutions		Performance Criteria			
A1		P1			
Hours of operation of a Hotel Industry use must be within the hours of 12.00am to 7.00am.		Hours of operation for a Hotel Industry use must not have an unreasonable impact on the amenity and safety of the surrounding area and uses, having regard to:			
		(a) the hours of operation and intensity of the proposed use;			
		(b)		ation of the proposed use and the nature bunding uses and zones;	
		(c) the impact of the proposed use on the mix of uses in the immediate area;			
		(d)	(d) the impacts of lightspill;		
		(e)	prevent that:	ion of crime through design measures	
			(i)	provide safe, well designed buildings;	
			` '	minimise the potential for vandalism and anti-social behaviour;	
			` '	promote safety on neighbouring public and private land and	
		(f)	a Hotel	Industry impact assessment.	
		(g)			

HOB-S6.7 Development Standards for Buildings and Works

HOB-S6.7.1 Building height

This clause is in substitution for Commercial Zone - clause 17.4.1 Building Height A1 and P1.

Objective: That building height: (a) is compatible with existing development in the streetscape and surrounding area; reflects the transition between the Central Business Zone and inner residential (b) does not unreasonably impact on views from public spaces; (c) does not unreasonably overshadow public open space; and (d) encourages residential use above ground floor level. **Acceptable Solutions Performance Criteria** Α1 Building height must be not more than: Building height must be compatible with the streetscape and character of development existing on (a) 12m; or established properties in the area, having regard to: (b) 15m, if the development provides at least 50% of Buildings must make a positive contribution to the the floor space above ground level for residential streetscape and character of the area, having regard use. (a) the topography of the site; (b) preventing unreasonable impacts on the view lines and view cones in Figure HOB-S6. 1 and on the landscape horizons to kunanyi / Mt Wellington and the Wellington Range from public spaces within the Commercial Zone; (c) the height, bulk and form of existing buildings on the site and surrounding area; (d) the height, bulk and form of proposed buildings; the height, bulk and form of proposed buildings reflecting the transition between the Central Business Zone and residential areas; (e) the apparent height when viewed from the adjoining road and public places; (f) the need to minimise unreasonable impacts on the amenity of public open space from overshadowing. A2 (Inclusion) **P4** In addition to clauses HOB-S6xx A1 to A3, heritage-(a) In addition to clauses HOB-S6xx P1.1 to adjacent buildings set back less than 15m from a P3.3, heritage-adjacent buildings set back

frontage must:

(a) be not more than 1 storey or 4m (whichever is the lesser) higher than the façade height of a heritage building on an adjacent

less than 15m from a frontage must: not unreasonably dominate existing heritage buildings on an adjacent heritage place; and

- heritage place (refer to Figures HOB-S6xx and HOB-S6xx); and
- (b) if the development is between two heritage places (refer to HOB-S6xx), be not more than the façade height of the highest heritage building on an adjacent heritage place.
- (b) be compatible with and not detract from the historic heritage significance of an adjacent heritage place.

HOB-S6.xx Design(Inclusion)

A2

New buildings or alterations to an existing façade must be designed to satisfy all of the following:

- (a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site:
- (b) if for a ground floor level façade facing a frontage:
- (i) have not less than 40% of the total surface area consisting of windows or doorways; or
- (ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%:
- (c) if for a ground floor level façade facing a frontage must:
- (i) not include a single length of blank wall greater than 30% of the length of façade on that frontage; or
- (ii) not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage; and
- (d) provide awnings over a public footpath if existing on the site or on adjoining properties.

P2

New buildings or alterations to an existing façade must be designed to be compatible with the streetscape having regard to:

- (a) how the main pedestrian access to the building addresses the street or other public places;
- (b) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;
- (c) providing architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces:
- (d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if it is essential for the security of the premises and any other alternatives are not practical; and
- (e) providing awnings over a public footpath.

HOB-S6.7.2 Residential and Visitor Accommodation amenity

This clause is in addition to Commercial Zone – clause 17.4 Development Standards for Buildings and Works.

Objective:	To ensure that buildings for residential or visitor accommodation uses provide reasonable levels of amenity and safety in terms of noise, access to daylight and natural ventilation, open space and storage.		
Acceptable S	olutions	Performance Criteria	

Α1

Residential or Visitor Accommodation development must demonstrate that design elements are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control (AS3671:1989 – Road traffic noise intrusion (building siting and construction) and AS2107:2016 – Acoustics (Recommended design sound levels and reverberation times for building interiors)).

Р1

Residential or Visitor Accommodation development must demonstrate that design elements are able to achieve internal noise levels in accordance with relevant Australian Standards for acoustics control (including AS3671:1989 – Road traffic noise intrusion (building siting and construction) and AS2107:2016 – Acoustics (recommended design sound levels and reverberation times for building interiors)), unless:

- (a) alterations required to meet these standards would negatively impact on historic heritage significance of a heritage place or local heritage precinct; or
- (b) external alterations of an existing building that are required to meet these standards would negatively impact on the streetscape.

Α2

Residential or serviced apartment components of a new building (including external elements such as a balcony, roof garden, terrace or deck) must:

- (a) if the building includes any single aspect dwellings or single aspect serviced apartments, be set back at least 5m from all side or rear boundaries and other buildings on the same site (refer Figure HOB-S6.2); or
- (b) if the building includes no single aspect dwellings and no single aspect serviced apartments, have at least two elevations of the building, and all habitable room windows, that are either:
 - set back at least 5m from a side or rear boundary or other building on the same site;
 - (ii) facing a frontage (refer Figure HOB-S6.3).

P2

Residential or serviced apartment components of a new building must be designed to allow for reasonable access to daylight into habitable rooms and private open space, and reasonable opportunity for air circulation and natural ventilation, having regard to:

- (a) proximity to side and rear boundaries;
- (b) proximity to other buildings on the same site;
- (c) the height and bulk of other buildings on the same site;
- (d) the size of any internal courtyard or void;
- (e) the use of light wells or air shafts;
- (f) development potential on adjacent sites, considering the zones and codes that apply to those sites: and
- (g) any assessment by a suitably qualified person.

A3

Every habitable room in a dwelling:

- (a) must have at least one external window;
- (b) must have at least one external window visible from all points of the room if a living room;

P3

Every habitable room in a dwelling must have reasonable access to natural daylight and ventilation from an external window, having regard to:

- (a) the orientation of the room;
- (b) the size and location of windows;

- (c) where the only external window in the room is located within a recess, that recess must be:
 - (i) a minimum width of 1.2m; and
 - (ii) a maximum depth of 1.5 times the width, measured from the external surface of the external window; and
- (d) must have a room depth from an external window of:
 - (i) not more than 2.5 times the ceiling height; or
 - (ii) if an open plan layout (where the living, dining and kitchen are combined), not more than 8m.

- (c) the size of the room;
- (d) the ceiling height;
- (e) the opportunity for cross-ventilation;
- (f) the proposed use of the room;
- (g) overshadowing of the site from existing development;
- (h) existing site constraints; and
- (i) any assessment by a suitably qualified person.

Α4

Private open space must be provided for each dwelling or serviced apartment on a site.

P4

Fewer than all of the dwellings or serviced apartments on a site may be provided with open space if:

- (a) communal open space is provided on site that exceeds size requirements under HOB-S6.7.2 A6 by 10m² for each dwelling unit or serviced apartment without private open space, and is of high quality in terms of location, access to sunlight, outlook, facilities, landscaping and accessibility;
- (b) environmental conditions such as high winds or high levels of noise would significantly diminish the amenity of the private open space and this is unable to be mitigated by screening that does not unreasonably reduce access to daylight, as demonstrated by a suitably qualified person; or
- (c) the dwelling or serviced apartment is in an existing building that cannot reasonably accommodate private open space due to site constraints, or impacts on historic heritage significance of a heritage place or local heritage precinct.

Α5

Private open space for a dwelling or serviced apartment must:

(a) have an area not less than:

P5

Private open space for a dwelling or serviced apartment must be capable of meeting the projected

- (i) 8m² for 1 bedroom dwellings or serviced apartments;
- (ii) 10m² for 2 bedroom dwellings or serviced apartments;
- (iii) 12m² for 3 or more bedroom dwellings or serviced apartments;
- (b) not include plant and equipment such as outdoor components of an air conditioning unit:
- (c) unless drying facilities are provided elsewhere on the site, include a clothes drying area of at least 2m² in addition to minimum area in (a) above, that may be in a separate location, and is screened from public view;
- (d) have a minimum horizontal dimension of 2m, or 1.5m for a 1 bedroom dwelling or serviced apartment;
- (e) where above ground floor level, not be located within 5m of private open space of any other dwelling or serviced apartment in another building (excluding between conjoined terrace-style dwellings or serviced apartments); and
- (f) be screened visually and acoustically from mechanical plant and equipment, service structures and lift motor rooms.

outdoor recreation requirements of occupants, having regard to:

- (a) the size and minimum dimensions of the space, excluding space occupied by plant and equipment such as outdoor components of an air conditioning unit;
- (b) the amount of space available for furniture or plantings;
- (c) the potential for significant noise intrusion;
- (d) proximity and overlooking to the private open space of existing adjacent residential and serviced apartment development;
- screening where necessary for privacy that does not unreasonably restrict access to daylight;
- screening where necessary for noise and wind protection that does not unreasonably restrict access to daylight;
- (g) screening from public view for clothes drying areas; and
- (h) any advice from a suitably qualified person.

Α6

Sites with 10 or more dwellings or serviced apartments must provide communal open space on the site that:

- (a) is at least 70m², with an additional 2m² for every dwelling or serviced apartment over 10:
- (b) if provided in multiple locations at least one single area must be a minimum of 40m²;
- (c) has a minimum horizontal dimension of 3m;
- (d) includes at least 20% of the total area for plantings (including food growing), being deep soil planting if at ground level;

P6

Sites with 10 or more dwellings or serviced apartments must provide communal open space on the site that provides reasonable amenity and outdoor recreation opportunities for occupants, having regard to:

- (a) the area and dimensions of the space;
- (b) the total number of dwellings or serviced apartments on the site;
- (c) the accessibility of the space;
- (d) the flexibility of the space and opportunities for various forms of recreation;
- (e) the availability and location of common facilities within the space;

- (e) is directly accessible from common entries and pathways;
- (f) screens any communal clothes drying facilities from public view;
- (g) may be above ground floor level, including rooftops;
- (h) is screened visually and acoustically from mechanical plant and equipment, service structures and lift motor rooms:
- does not include vehicle driveways, manoeuvring or hardstand areas; and
- (j) includes no more than 20% of the total area located between 30 degrees East of Sough and 30 degrees West of South of:
 - (i) a building on the site with a height more than 3m; or
 - (ii) a side or rear boundary within 5m.

- (f) landscaping;
- (g) the provision of gardens, trees and plantings (including food gardens) appropriate in area to the size of the communal area;
- (h) accessibility to daylight, taking into account the development potential of adjacent sites;
- (i) the outlook from the space;
- (j) the level of noise intrusion from external noise sources; and
- (k) any advice from a suitably qualified person;

unless:

- (a) the dwellings or serviced apartments are located in an existing building where communal open space cannot be reasonably achieved due to site constraints, or impacts on historic heritage significance of a heritage place or local heritage precinct; or
- (b) open space, accessible by the public, that is of high quality in terms of location, access to sunlight, outlook, facilities, landscaping and accessibility and that can adequately accommodate the needs of occupants is provided on the site; or
- (c) private open space is provided for all dwellings or serviced apartments on the site, provides a reasonable level of amenity in terms of access to sunlight and outlook, and sufficiently caters for flexible outdoor recreation needs including relaxation, entertainment, planting, outdoor dining and children's play.

Α7

Each multiple dwelling must be provided with a dedicated and secure storage space of no less than 6m³, located externally to the dwelling.

Р7

Each multiple dwelling must be provided with adequate storage space.

HOB-S6.7.3 Waste storage and collection

This clause is in addition to Commercial Zone – clause 17.4 Development Standards for Buildings and Works.

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To ensure the storage and collection of waste provides for a reasonable level of amenity and safety for surrounding occupants and for traffic, cyclists, pedestrians and other road and footpath users.

Acceptable Solutions

Bulk waste bins that are commercially serviced must be provided for sites:

- (a) with more than one commercial tenancy;
- (b) with one commercial tenancy that is greater than 100m²;
- (c) with more than 4 dwellings or visitor accommodation units (or 3 if a mixed use site); and
- (d) with more than 2 dwellings or visitor accommodation units (or 1 if a mixed use site);

unless:

- (a) there are no more than 4 individual bins for kerbside collection at any one time per commercial site;
- (b) there are no more than 8 individual bins for kerbside collection at any one time per residential or mixed use site;
- (c) individual bins are commercially serviced without being placed on the kerbside for collection.

Performance Criteria

Р1

Bulk waste bins that are commercially serviced must be provided unless kerbside collection would not unreasonably compromise the amenity of the surrounding area or the flow and safety of vehicles, cyclists and pedestrians, and:

- the frontage of the site has a width equivalent to 5m for each dwelling, visitor accommodation unit or tenancy with individual bins; or
- (b) bulk waste bin storage and collection cannot reasonably be provided on site due to:
 - impacts on historic heritage significance of a heritage place or local heritage precinct; or
 - (ii) site constraints, if for an existing building.

A2

An on-site storage area, win an impervious surface (unless for compostables), must be provided for bins that:

- (a) if for separate bins per dwelling, Visitor Accommodation unit or commercial tenancy:
 - provides an area for the exclusive use of each dwelling, accommodation unit or tenancy, and is not located between the building and a frontage;
 - (ii) is set back not less than 4.5m from a frontage unless within a fully enclosed building;

P2

A storage area for waste and recycling bins must be provided that is:

- (a) capable of storing the number of bins required for the site;
- (b) of sufficient size to enable convenient and safe access and manoeuvrability for occupants, and waste collection vehicles where relevant;
- (c) in a location on-site that is conveniently and safely accessible to occupants, without compromising the amenity and flow of public spaces;

- (iii) is not less than 5.5m horizontally from any dwelling or accommodation unit unless for bins associated with that dwelling, or within a fully enclosed building; and
- (iv) is screened from the frontage and any dwelling or accommodation unit by a wall to a height not less than 1.2m above the finished surface level of the storage area.
- (b) if for bulk waste bins:
 - (i) is located on common property;
 - (ii) includes dedicated areas for storage and management of recycling and compostables;
 - (iii) is not less than 5.5m from any dwelling or accommodation unit unless within a fully enclosed building;
 - (iv) is screened from any public road, dwelling or accommodation unit by a wall to a height not less than 1.8m above the finished surface level of the storage area;
 - (v) is accessible to each dwelling, accommodation unit or tenancy without the requirement to travel off-site; and
 - (vi) where the development is mixed use, have separate storage spaces for commercial and residential bins with separate access to each.

- (d) screened from view from public spaces and dwellings or accommodation units; and
- (e) if the storage area is for common use, separated from dwellings or units on the site to minimise impacts caused by odours and noise.

А3

Bulk waste bins must be collected on site by private commercial vehicles, and access to storage areas must:

(a) in terms of the location, sight distance, geometry and gradient of an access, as well as off-street parking, manoeuvring and service area ,be designed and constructed to comply with AS2890.2:2018: Parking Facilities – Off-Street Commercial Vehicle Facilities;

Р3

A waste collection plan demonstrates the arrangements for collecting waste do not compromise the safety, amenity and convenience of surrounding occupants, vehicular traffic, cyclists, pedestrians and other road and footpath users, having regard to:

- (a) the number of bins;
- (b) the method of collection;
- (c) the time of day of collection;
- (d) the frequency of collection;

- (b) ensure the vehicle is located entirely within the site when collecting bins; and
- (c) include a dedicated pedestrian walkway, alongside or independent of vehicle access ways.
- (e) access for vehicles to bin storage areas, including consideration of gradient, site lines, manoeuvring, direction of vehicle movement and pedestrian access;
- (f) distance from vehicle stopping point to bins if not collected on site;
- (g) the traffic volume, geometry and gradient of the street; and
- (h) the volume of pedestrians using the street.

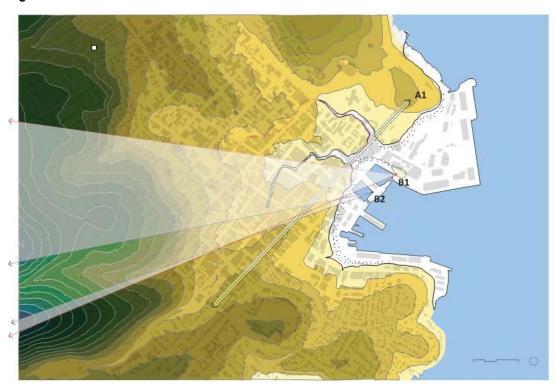
HOB-S6.8 Development Standards for Subdivision

This sub-clause is not used in this specific area plan.

HOB-S6.9 Tables

This sub-clause is not used in this specific area plan.

View lines and view cones Figure HOB-S6. 1



View Lines and View Cones

Legend:

A 1 : Macquarie Street to / from Cenotaph View line width = street width

B 1 : Hunter Street (above Hunter Island) to kunanyi (Mount Wellington)
Cone Width : 22 ° 21′ at horizon, 32° extent of arc
Cone Elevation : 7° 55′, Base of cone : 6° 41′ View Point :

E: 474822.332 N: 658943.174

B 2 : Franklin Wharf (Constitution Dock edge - 10 m from SE corner) to face of kunanyi (Mount Wellington)

Angle from horizontal: 8° 34'

Building edges (left): 81° 49′ (upper) 85° 16′ (lower) Building edges (right): 81° 33′ (upper) 82 30 (mid) 85° 16′ (lower) View Point:

E: 474685.740 N: 658836.092

Figure HOB-S6.2Setbacks for developments including single aspect dwellings or single aspect serviced apartments under HOB-S6.7.2 A2 (a) $\,$

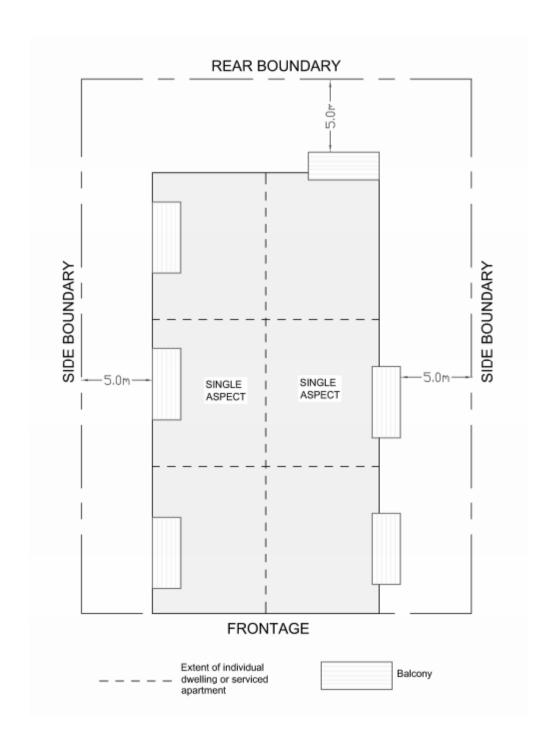
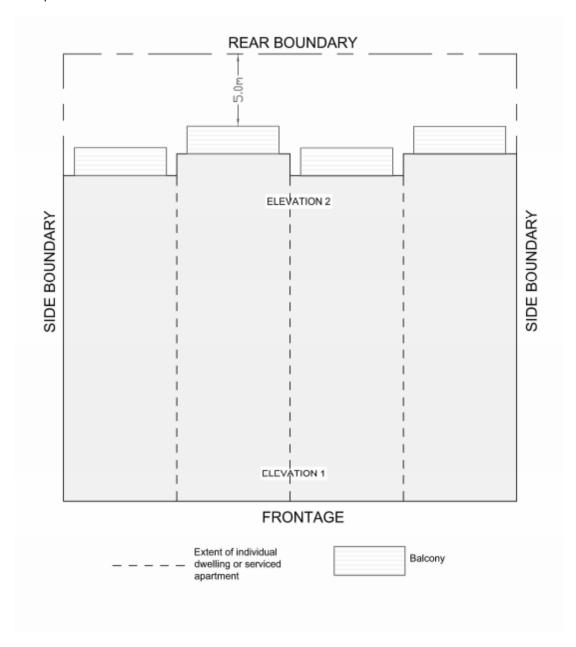


Figure HOB-S6.3Setbacks for developments not including single aspect dwellings or single aspect serviced apartments under HOB-S6.7.2 A2 (b)

Example 1



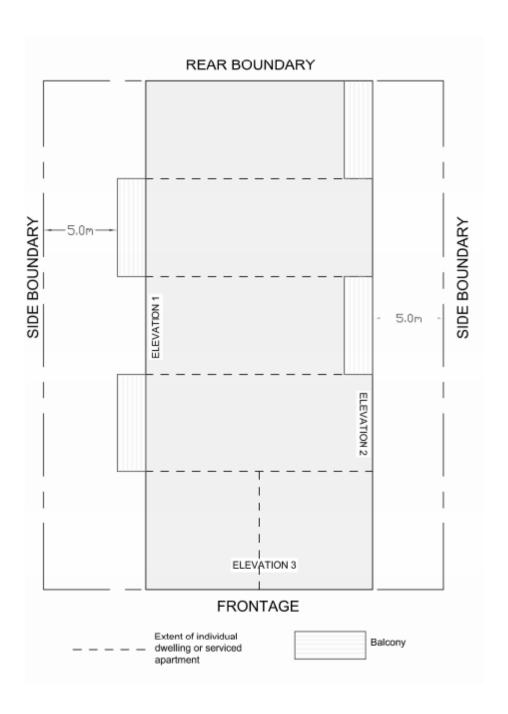


Figure HOB-S6.xExample of heritage-adjacent area of application for new development (Inclusion)

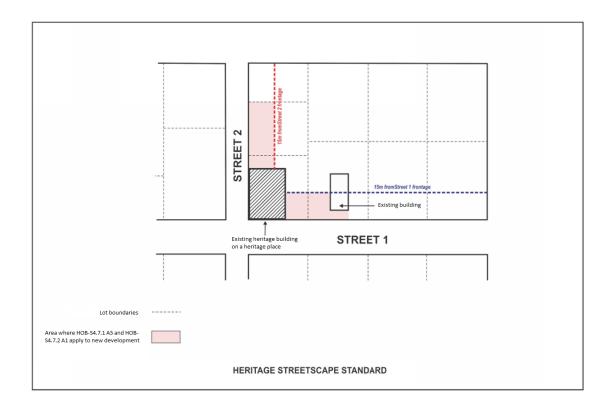


Figure HOB-S4.5Examples of permitted heritage-adjacent development heights required by clause HOB-S4.7.1 A4

