

22.0 Central Business Zone

22.1 Zone Purpose

22.1.1 Zone Purpose Statements

22.1.1.1 To provide for business, civic and cultural, community, food, hotel, professional, retail and tourist functions within a major centre serving the region or sub-region.

22.1.1.2 To maintain and strengthen the principal activity centre providing for a wide range of services and facilities to serve the surrounding subregion, with a strong focus on the retail and commercial sector.

22.1.1.3 To facilitate high density residential development and visitor accommodation within the activity centre above ground level and surrounding the core commercial activity centre.

22.1.1.4 To ensure development is highly accessible by public transport, walking and cycling.

22.1.1.5 To provide for public open spaces as a focus for community facilities and events.

22.1.2 Local Area Objectives

Local Area Objectives	Implementation Strategy
KINGSTON	
(a) Kingston is the commercial centre of the municipality and should continue to develop in a coordinated and cohesive	(a) The most significant commercial and community related activity should be located within central Kingston.

<p>manner that best responds to the needs of the community.</p> <p>(b) Central Kingston should provide a wide range of public and private services that suitably match the needs of the Kingborough community.</p>	<p>(b) Gaps in existing services are to be identified and appropriate developments encouraged that meet these local needs.</p>
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22.1.3 Desired Future Character Statements

Desired Future Character Statements	Implementation Strategy
KINGSTON	
<p>(a) Central Kingston should be further developed and improved so that it is a pleasant destination, and is characterised by attractive public spaces and a modern urban design.</p> <p>(b) Central Kingston will be developed so that visitors are able to access the area and move about in a safe and efficient manner.</p> <p>(c) Car parking needs are to be met in a manner that allows for active streetscape functions, pedestrian safety and convenient locations.</p>	<p>(a) The redevelopment of significant land parcels (such as the former Kingston High School site) and public streetscapes will be based on contemporary urban planning techniques that meet long term community needs.</p> <p>(b) Traffic modelling will be required to ensure efficient movement and physical infrastructure will be provided to best meet the needs of vehicles, cyclists and pedestrians.</p> <p>(c) Car parking areas are not to face immediately onto streets within central Kingston and should be designed so that common areas are provided behind, under or above buildings facing the street.</p>

22.2 Use Table

No Permit Required	
Use Class	Qualification
Any permitted use	Only if replacing an existing use on the site and there is no associated development requiring a permit
Residential	Only if home-based business
Utilities	Only if minor utilities
Permitted	

Use Class	Qualification
Business and professional services	
Community meeting and entertainment	
Educational and occasional care	Only if above ground floor level, (except for access).
Food services	Except if a take away food premises with a drive through facility.
General retail and hire	Except if adult sex product shop or supermarket.
Passive recreation	
Residential	Except if No Permit Required. Only if above ground floor level (except for access).
Research and development	Only if above ground floor level (except for access).
Discretionary	
Use Class	Qualification
Bulky goods sales	
Custodial facility	Only if a remand centre.
Educational and occasional care	Except if Permitted.
Emergency services	
Equipment and machinery sales and hire	
Food services	Except if permitted
General retail and hire	Except if permitted
Hospital services	
Hotel industry	Except if adult entertainment venue.
Natural and cultural values management	
Research and development	Except if permitted.

Residential	Except if No Permit Required or Permitted.
Service industry	Only if an extension to an existing use.
Sports and recreation	
Storage	
Transport depot and distribution	
Utilities	Except if No Permit Required.
Vehicle fuel sales and service	
Vehicle parking	
Visitor accommodation	Except if camping and caravan park or overnight camping area
Prohibited	
Use Class	Qualification
All other uses	

22.3 Use Standards

22.3.1 Hours of Operation

Objective:	
To ensure that hours of operation do not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Hours of operation of a use within 50 m of a residential zone must be within:</p> <p>(a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;</p> <p>(b) 7.00 am to 9.00 pm Sundays and Public Holidays.</p> <p>except for office and administrative tasks.</p>	<p>P1</p> <p>Hours of operation of a use within 50 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.</p>

22.3.2 Noise

Objective:	
To ensure that noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Noise emissions measured at the boundary of a residential zone must not exceed the following:</p> <ul style="list-style-type: none"> (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (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; (c) 65dB(A) (LAmax) at any time. <p>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, second edition, July 2008, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.</p> <p>Noise levels are to be averaged over a 15 minute time interval.</p>	<p>P1</p> <p>Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.</p>

22.3.3 External Lighting

Objective:	
To ensure that external lighting does not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>External lighting within 50 m of a residential zone must comply with all of the following:</p> <ul style="list-style-type: none"> (a) be turned off between 11:00 pm and 6:00 am, except for security lighting; 	<p>P1</p> <p>External lighting within 50 m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following:</p>

(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	(a) level of illumination and duration of lighting; (b) distance to habitable rooms in an adjacent dwellings.
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22.3.4 Commercial Vehicle Movements

Objective:	
To ensure that commercial vehicle movements do not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:</p> <p>(a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;</p> <p>(b) 7.00 am to 9.00 pm Sundays and Public Holidays.</p>	<p>P1</p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);</p> <p>(e) noise reducing structures between vehicle movement areas and dwellings;</p> <p>(f) the level of traffic on the road;</p> <p>(g) the potential for conflicts with other traffic.</p>

22.4 Development Standards for Buildings and Works

22.4.1 Building Height

Objective:	
To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building height must be no more than:</p> <p>15 m.</p>	<p>P1</p> <p>Building height must satisfy all of the following:</p> <p>(a) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(b) be compatible with the scale of nearby buildings;</p> <p>(c) be no more than 20 m.</p>
<p>A2</p> <p>Building height within 10m of a residential zone must be no more than:</p> <p>(a) 8.5m; or</p> <p>(b) 9.5m if for 6 Summerleas Road (FR 130964 /1), 58 Channel Highway (FR 30067/2), 56A Channel Highway (FR 198046/1), 56 Channel Highway (FR 30067/3), 54 Channel Highway (FR 126454/4), 52 Channel Highway (FR 126454/5), 50 Channel Highway (FR 146799/1), 48 Channel Highway (FR 20911/3), 46 Channel Highway (FR 20911/2), or 44 Channel Highway (FR 140017/0, FR 140017/1, FR 140017/2).</p>	<p>P2</p> <p>Building height within 10m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone.</p>

22.4.2 Setback

Objective:	
To ensure that building setback contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.	
Acceptable Solutions	Performance Criteria
A1	P1

<p>Building setback from frontage must be parallel to the frontage and must be no more than:</p> <p>3 m, if fronting Channel Highway.</p> <p>nil m, if fronting any other street.</p>	<p>Building setback from frontage must satisfy all of the following:</p> <ul style="list-style-type: none"> (a) be consistent with any Desired Future Character Statements provided for the area; (b) be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape; (c) enhance the characteristics of the site, adjoining lots and the streetscape; (d) provide for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created; (e) provide for large variations in building alignment only where appropriate to provide for a forecourt for space for public use, such as outdoor dining or landscaping, provided the that no potential concealment or entrapment opportunity is created and the forecourt is afforded very good passive surveillance.
<p>A2</p> <p>Building setback from a residential zone must be no less than:</p> <ul style="list-style-type: none"> (a) 6 m; (b) half the height of the wall, <p>whichever is the greater.</p>	<p>P2</p> <p>Building setback from a residential zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by:</p> <ul style="list-style-type: none"> (a) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00 am and 5.00 pm on June 21 or further decrease sunlight hours if already less than 3 hours; (b) overlooking and loss of privacy; (c) visual impact when viewed from adjoining lots, <p>taking into account aspect and slope.</p>

22.4.3 Design

Objective:	
To ensure that building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building design must comply with all of the following:</p> <ul style="list-style-type: none"> (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing façade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) not include security shutters over windows or doors with a frontage to a street or public place; (g) provide awnings over the public footpath if existing on the site or on adjoining lots. 	<p>P1</p> <p>Building design must enhance the streetscape by satisfying all of the following:</p> <ul style="list-style-type: none"> (a) provide the main access to the building in a way that addresses the street or other public space boundary; (b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces; (c) treat large expanses of blank wall in the front façade and facades facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space; (d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street; (e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact; (f) not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints; (g) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;

	(h) be consistent with any Desired Future Character Statements provided for the area.
A2 Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.	P2 No Performance Criteria.

22.4.4 Passive Surveillance

Objective:	
To ensure that building design provides for the safety of the public.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building design must comply with all of the following:</p> <ul style="list-style-type: none"> (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade; (c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30 % of the surface area of the ground floor level facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; 	<p>P1</p> <p>Building design must provide for passive surveillance of public spaces by satisfying all of the following:</p> <ul style="list-style-type: none"> (a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces; (b) locate windows to adequately overlook the street and adjoining public spaces; (c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa; (d) locate external lighting to illuminate any entrapment spaces around the building site; (e) provide external lighting to illuminate car parking areas and pathways; (f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces; (g) provide for sight lines to other buildings and public spaces.

(f) provide well-lit public access at the ground floor level from any external car park.	
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22.4.5 Landscaping

Objective:	
To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Landscaping along the frontage of a site is not required if all of the following apply:</p> <p>(a) the building extends across the width of the frontage, (except for vehicular access ways);</p> <p>(b) the building has a setback from the frontage of no more than 1 m.</p>	<p>P1</p> <p>Landscaping must be provided to satisfy all of the following:</p> <p>(a) enhance the appearance of the development;</p> <p>(b) provide a range of plant height and forms to create diversity, interest and amenity;</p> <p>(c) not create concealed entrapment spaces;</p> <p>(d) be consistent with any Desired Future Character Statements provided for the area.</p>
<p>A2</p> <p>Along a boundary with a residential zone landscaping must be provided for a depth no less than:</p> <p>2 m.</p>	<p>P2</p> <p>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.</p>

22.4.6 Outdoor Storage Areas

Objective:	
To ensure that outdoor storage areas for non-residential use do not detract from the appearance of the site or the locality.	
Acceptable Solutions	Performance Criteria
A1	P1

<p>Outdoor storage areas for non-residential uses must comply with all of the following:</p> <ul style="list-style-type: none"> (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped areas. 	<p>Outdoor storage areas for non-residential uses must satisfy all of the following:</p> <ul style="list-style-type: none"> (a) be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality; (b) not encroach upon car parking areas, driveways or landscaped areas.
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22.4.7 Fencing

Objective:	
To ensure that fencing does not detract from the appearance of the site or the locality and provides for passive surveillance.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Fencing must comply with all of the following:</p> <ul style="list-style-type: none"> (a) fences, walls and gates of greater height than 1.5m must not be erected within 4.5m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2m; (c) height of fences along a common boundary with land in a residential zone must be no more than 2.1m and must not contain barbed wire. 	<p>P1</p> <p>Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a site, having regard to all of the following:</p> <ul style="list-style-type: none"> (a) the height of the fence; (b) the degree of transparency of the fence; (c) the location and extent of the fence; (d) the design of the fence; (e) the fence materials and construction; (f) the nature of the use; (g) the characteristics of the site, the streetscape and the locality, including fences; (h) any Desired Future Character Statements provided for the area.

22.4.8 Environmental Values

Objective:	
To ensure that the design and location of buildings and works avoids and minimises adverse environmental impacts.	
Acceptable Solutions	Performance Criteria
A1 No trees of high conservation value will be impacted.	P1 Buildings and works are designed and located to avoid, minimise, mitigate and offset impacts on trees of high conservation value.

22.5 Development Standards for Subdivision

22.5.1 Subdivision

Objective:	
To provide for lots with appropriate area, dimensions, services, roads and access to public open space to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements.	
Acceptable Solutions	Performance Criteria
A1 The size of each lot must be no less than: 200 m ² . except if for public open space, a riparian reserve or utilities.	P1 The size of each lot must be sufficient to accommodate development consistent with the Zone Purpose, having regard to any Local Area Objectives or Desired Future Character Statements.
A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following; (a) clear of the frontage, side and rear boundary setbacks; (b) clear of easements; (c) clear of title restrictions that would limit or restrict the development of a commercial building; (d) has an average slope of no more than 1 in 5;	P2 The design of each lot must contain a building area able to satisfy all of the following: (a) be reasonably capable of accommodating use and development consistent with Zone Purpose, having regard to any Local Area Objectives or Desired Future Character Statements;

<p>(e) is a minimum of 10 m x 15 m in size.</p>	<p>(b) provides for sufficient useable area on the lot for on-site parking and maneuvering, unless adequate arrangements are made for suitable alternative solutions to future likely demand generated by the development potential of the lot;</p> <p>(c) minimises the need for earth works, retaining walls, and cut & fill associated with future development.</p>
<p>A3</p> <p>The frontage for each lot must be no less than: 10 m.</p>	<p>P3</p> <p>The frontage of each lot must be sufficient to accommodate development consistent with the Zone Purpose, having regard to any Local Area Objectives or Desired Future Character Statements.</p>
<p>A4</p> <p>No Acceptable Solution.</p>	<p>P4</p> <p>The arrangement of roads within a subdivision must satisfy all of the following:</p> <p>(a) the subdivision will not compromise appropriate and reasonable future subdivision of the entirety of the parent lot;</p> <p>(b) accords with any relevant road network plan adopted by the Planning Authority;</p> <p>(c) facilitates the subdivision of neighbouring land with subdivision potential through the provision of connector roads, where appropriate, to the common boundary;</p> <p>(d) provides for acceptable levels of access, safety, convenience and legibility through a consistent road function hierarchy.</p>
<p>A5</p> <p>Each lot must be connected to services adequate to support the likely future use and development of the land.</p>	<p>P5</p> <p>No Performance Criteria.</p>
<p>A6</p> <p>No Acceptable Solution.</p>	<p>P6</p> <p>Public Open Space must be provided as land or cash in lieu, in accordance with the Kingborough</p>

	Public Open Space Contribution Policy, Policy 6.3, May 2019.
A7 No trees of high conservation value will be impacted.	P7 The design of each lot must minimise, mitigate and offset impacts on trees of high conservation value.