

### 9.3.4 Commercial design code



**Photograph 9.3.4-1**  
Example of a commercial design outcome located at Varsity Lakes. Photograph by Remco Jansen.

#### 9.3.4.1 Application

This code applies to assessing material change of use for non-residential uses where indicated within **Part 5 Tables of assessment** and where there is no use code contained in **Part 9 Development codes**.

**Note:** Where development involves multiple land uses, each use is to be assessed against the applicable use code (e.g. for a mixed use building comprising residential uses, the residential component shall be assessed against the applicable residential use code in addition to this code).

When using this code, reference should be made to **Section 5.3.2** and, where applicable, **Section 5.3.3**, in **Part 5**.

#### 9.3.4.2 Purpose

- (1) The purpose of the Commercial design code is to ensure that non-residential development is responsive, connected, engaged, subtropical, attractive and adaptable to deliver well designed non-residential activities that are reflective of the role and function of the local area in which they are located and reinforce the planned character of that area. ~~designed to make a positive contribution to the character of the area in which it is located.~~
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) **Built form, design, operation and scale of development:**
    - (i) considers the subtropical environment, with an orientation and design that optimises a comfortable and pleasant pedestrian environment at the ground level;
    - (ii) creates highly activated frontages that engage with the street to promote a safe and thriving street life;
    - (iii) ensures that any large format retail premises are sleeved by smaller tenancies that are integrated with the streetscape;
    - (iv) provides adaptable and flexible space at the lower levels of a building to support use and activity changes over time;

**Note:** To facilitate the flexible re-use of the ground floor, Council recommends an internal floor to ceiling height of 4.5m. Above the ground floor, within a tower base, Council recommends an internal floor to ceiling height of 3.5m.

**Comment [MU3 - CP1]:** Theme: Built form and urban design – the importance of a well-designed city;  
Item 9 – Built form improvements

**Comment [MU3 - CP2]:** Theme: Built form and urban design – the importance of a well-designed city;  
Item 9 – Built form improvements

**Comment [MU3 - CP3]:** Theme: Built form and urban design – the importance of a well-designed city;  
Item 9 – Built form improvements

**Comment [MU3 - CP4]:** Theme: Built form and urban design – the importance of a well-designed city;  
Item 9 – Built form improvements

- ~~(i) allows for the flexible reuse of street level tenancies for future changing business and community needs;~~
  - ~~(ii) visually integrates with the street and maintains the reasonable amenity expectation of the surrounding area through well designed building façades;~~
  - ~~(iii) that incorporates glazing or screening of windows to ensure create that opportunities for visual interest and casual surveillance and the creation of visual interest is preserved;~~
  - ~~(iv) provides a legible, safe and comfortable pedestrian experience by providing continuous shading along building frontages; and~~
  - ~~(v) is responsive to site characteristics and planned character.~~
  - ~~(vi) of stand alone small scale uses maintain a compatible form and scale to nearby development; and~~
  - ~~(vii) accommodating retail and commercial activities, ensures large format retail and other land consumptive activities, are sensitively placed within buildings that integrate with the streetscape to maximise street life, safety and pedestrian activity.~~
- (b) Off-street parking areas –
- Mixed use centres**
- (i) are located behind or within the built form to promote street activation, to maintain and improve the amenity of the street.
- Neighbourhood centres**
- (ii) are located to minimise impacts on adjoining sensitive land uses, improve safety and are treated to minimise their visual impact from the street as required; and
- In all other areas**
- (iii) are located beside, behind or within the built form to maintain and improve the amenity of the street and are treated to minimise their visual impact from the street as required; and
- (c) Service and loading areas –
- (i) are located behind the building, underneath the building or in areas where they are screened from the public view to maintain the amenity of the street.
- ~~(d) Land uses –~~
- ~~(i) such as large format retail premises are sleeved by smaller tenancies.~~
  - ~~(ii) that are less active are located above more active ground floor uses.~~

Comment [MU3 - CP5]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Comment [MU3 - CP6]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Comment [MU3 - CP7]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Comment [MU3 - CP8]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Comment [MU3 - CP9]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Comment [MU3 - CP10]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Comment [MU3 - CP11]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Comment [MU3 - CP12]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

### 9.3.4.3 Specific benchmarks for assessment

When using this code, reference should be made to **Section 5.3.2** and, where applicable, **Section 5.3.3**, in **Part 5**.

When this code is referred to in a table of assessment in **Part 5**:

- (1) **Part A** applies to accepted development subject to requirements.
- (2) **Part B** applies to assessable development as follows:
  - (a) **Table 9.3.4-2** applies to any non-residential use (excluding that described in point (b) ); and
  - (b) **Table 9.3.4-3** applies to any non-residential use that is a stand-alone small scale use up to 150m<sup>2</sup>.

**PART A – ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS**

**Table 9.3.4-1: Commercial design code – for accepted development subject to requirements**

Required outcomes	
Design and appearance Built form and design	<b>RO1</b> Development is orientated to address streets and public open spaces.
	<b>RO2</b> Windows and balconies located above ground floor overlook the street and public open spaces to provide opportunities for casual surveillance.
	<b>RO3</b> Building entrances are clearly visible from the street.
	<b>RO4</b> A minimum of 80% of the ground floor facade is windowed.
	<b>RO5</b> The maximum screening of ground floor windows is 50%.
	<b>RO6</b> Ground floor windows are no more than 900mm above ground level.
Car parking Off-street parking areas	<b>RO7</b> <b>Mixed use centres</b> Off-street parking areas are located behind or within the building.
	<b>RO8</b> <b>Neighbourhood centres</b> Off-street parking areas are located in front, beside, behind or within the building.
	<b>RO9</b> <b>All other areas</b> Off-street parking areas are located beside, behind or within the building.
Amenity Service and loading areas	<b>RO10</b> Service and loading areas are: (a) located underground; (b) behind the use; or (c) visually screened from public areas.
<b>Advisory note</b> Accepted development identified in the assessment tables as subject to requirements must comply with all the nominated requirements in this and other applicable codes.	

**Comment [MU3- CP13]:** Theme: Built form and urban design – the importance of a well-designed city;  
Item 9 – Built form improvements

**Comment [MU3- CP14]:** Theme: Other land use changes - improving clarity, consistency and alignment within the City Plan;  
Item 32 – Minor administrative and editorial improvements

**Comment [MU3- CP15]:** Theme: Other land use changes - improving clarity, consistency and alignment within the City Plan;  
Item 32 – Minor administrative and editorial improvements

**Comment [MU3- CP16]:** Theme: Other land use changes - improving clarity, consistency and alignment within the City Plan  
Item 32 – Minor administrative and editorial improvements

**PART B – ASSESSABLE DEVELOPMENT BENCHMARKS**

**Table 9.3.4-2: Commercial design code – for assessable development**

Performance outcomes	Acceptable outcomes
<b>Land-use</b>	
<del><b>PO10</b> Ground floor spaces are designed to enable flexible reuse of the tenancies to support changing community and business needs.</del>	<del><b>AO10</b> No acceptable outcome provided.</del>
<del><b>PO11</b> Active uses are located on the ground floor to encourage pedestrian activity and interaction. Note: – An example of ‘active uses’ could include uses such</del>	<del><b>AO11</b> No acceptable outcome provided.</del>

**Comment [MU3- CP17]:** Theme: Built form and urban design – the importance of a well-designed city;  
Item 9 – Built form improvements

Performance outcomes	Acceptable outcomes
as shops and food and drink outlets.	
<b>Design and appearance</b> <b>Built form and design</b>	
<b>PO1</b> Development creates a contextually responsive built form to reinforce the planned character of the area.	<b>AO1</b> No acceptable outcome provided.
<b>PO2</b> To support changing community and business needs, ground floor spaces are designed to allow flexible reuse of the tenancies by: (a) providing a mix of adaptable floor plates; and (b) floor-to-ceiling heights capable of accommodating commercial, retail or other non-residential uses at different stages of the building's life cycle.  <b>Note: To facilitate the flexible re-use of the ground floor, Council recommends an internal floor to ceiling height of 4.5m.</b>	<b>AO2</b> No acceptable outcome provided.
<b>PO4</b> Development creates presents an attractive, safe, active and engaging frontage to all streets and enhances the desired character of the area through: (a) its interface with the street and open space; incorporating doorways, entrances and windows at frequent intervals to the street; (b) providing opportunities for casual surveillance; (c) clearly defined building entrances; and (d) visually integrating services and utilities y-cabinets.	<b>AO4</b> <b>AO3.1</b> Windows and balconies located above the ground floor overlook the street and public open spaces to provide opportunities for casual surveillance. <b>AO3.2</b> Building entrances are clearly visible from the street. <b>AO3.3</b> A minimum of 80% of the ground floor facade is windowed. <b>AO3.4</b> The maximum screening of ground floor windows is 50%. <b>AO3.5</b> Ground floor windows are no more than 900mm above ground level. <b>AO3.6</b> Service and utilities y-cabinets are visually integrated into building facades.

- Comment [MU3 - CP18]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements
- Comment [MU3 - CP20]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements
- Comment [MU3 - CP19]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements
- Comment [MU3 - CP22]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements
- Comment [MU3 - CP21]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements
- Comment [Amend-23]: Theme: Other land use changes – improving clarity, consistency and alignment within the City Plan; Item 32 – Minor administrative and editorial improvements
- Comment [MU3 - CP25]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements
- Comment [Amend-24]: Theme: Other land use changes – improving clarity, consistency and alignment within the City Plan; Item 32 – Minor administrative and editorial improvements
- Comment [MU3 - CP26]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements
- Comment [MU3 - CP27]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements
- Comment [MU3 - CP28]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements
- Comment [MU3 - CP29]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Performance outcomes	Acceptable outcomes
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Figure 9.3.4-1

Example of large scale commercial development incorporating AO1AO3.1 – AO1AO3.6

<p><b>PO2PO4</b> Buildings are visually interesting through a combination of: (a) balconies and recesses; (ba) variation in materials, colours, or textures; (eb) recessions and projections in the roof and wall plane; or (ec) variations in the building form; or (ed) landscaping, at and above ground level.</p>	<p><b>AO2AO4</b> No acceptable outcome is provided.</p>
<p><b>PO3PO5</b> Large scale uses are sensitively placed within buildings and are sleeved by smaller tenancies or provide a shopfront presentation to the street.</p>	<p><b>AO3AO5</b> No acceptable outcome is provided.</p>
<p><b>PO4PO6</b> Roof forms provide a clean appearance where plant and equipment is integrated into the roof design.</p>	<p><b>AO4AO6</b> Roof top plant and equipment are: (a) contained within roof forms; (b) grouped together in one area; and (c) screened.</p>
<p><b>PO5PO7</b> Development provides weather protection to pedestrians in the public realm and for pedestrian entrances to the development. Development creates a safe and comfortable pedestrian experience.</p>	<p><b>AO5AO7</b> Continuous shade is provided along all building frontages through the use of: Development provides: (a) awnings; (b) overhanging first floor balconies; or (c) shade sails.</p>

Comment [Amend-30]: Theme: Other land use changes – improving clarity, consistency and alignment within the City Plan;  
Item 32 – Minor administrative and editorial improvements

Comment [MU3 - CP32]: Theme: Built form and urban design – the importance of a well-designed city;  
Item 9 – Built form improvements

Comment [Amend-31]: Theme: Built form and urban design – the importance of a well-designed city;  
Item 9 – Built form improvements

Comment [MU3 - CP33]: Theme: Built form and urban design – the importance of a well-designed city;  
Item 9 – Built form improvements

Comment [Amend-34]: Theme: Other land use changes – improving clarity, consistency and alignment within the City Plan;  
Item 32 – Minor administrative and editorial improvements

Performance outcomes	Acceptable outcomes
<b>Car-parking</b> Off-street parking areas	
<b>PO6PO8</b> <b>Mixed use centres</b> Off-street parking areas are located behind the building or fully integrated into the built form so it is not visible from the street within the building to maintain and improve the amenity of the street.	<b>AO6AO8</b> <b>Mixed use centres</b> No acceptable outcome provided.
<b>PO7PO9</b> <b>Neighbourhood centres</b> Off-street parking areas: (a) have an attractive street interface; (b) minimise impacts on adjoining sensitive land uses; (c) are safe and accessible; and (d) incorporate high quality landscaping. are located to minimise impacts on adjoining sensitive land uses, improve safety and are treated to minimise their visual impact from the street as required.	<b>AO7AO9</b> <b>Neighbourhood centres</b> No acceptable outcome provided.
<b>PO8PO10</b> <b>All other areas</b> Off-street parking areas are located behind the building or fully integrated into the built form so it is not visible from the street. Off-street parking areas are located beside, behind or within the building and are treated to minimise their visual impact from the street as required.	<b>AO8AO10</b> <b>All other areas</b> No acceptable outcome provided.
<b>Amenity</b> Service and loading areas	
<b>PO9PO11</b> Services and loading areas are: (a) located underground; (b) behind the use built form; or (c) visually screened from public areas integrated into the built form.	<b>AO9AO11</b> No acceptable outcome provided.

Comment [MU3 - CP35]: Theme: Other land use changes - improving clarity, consistency and alignment within the City Plan; Item 32 – Minor administrative and editorial improvements

Comment [MU3 - CP37]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Comment [MU3 - CP36]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Comment [MU3 - CP38]: Theme: Growth and diversification of employment - stimulating economic growth; Item 20 – Neighbourhood centre improvements

Comment [MU3 - CP39]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Comment [MU3 - CP40]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Comment [MU3 - CP41]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements

Table 9.3.4-3: Commercial design code – for assessable development for stand-alone small scale uses up to 150m<sup>2</sup>

Performance outcomes	Acceptable outcomes
<b>Design and appearance</b>	
<b>PO12</b> Development maintains a compatible form and scale to nearby development, having regard to the role and function of the local area in which they are located and planned character of that area.	<b>AO12</b> No acceptable outcome provided.

Comment [MU3 - CP42]: Theme: Built form and urban design – the importance of a well-designed city; Item 9 – Built form improvements