

## PART E2: COMMERCIAL ZONES POLICY

### 1.1 Zone Maps

Maps, including maps that identifies land use zones, are published on the Territory Planning Authority's website.

This Commercial Zones Policy applies to all development in a commercial zone (CZ1 to CZ6 inclusive).

### 1.2 Land Use Table

The following table identifies permissible land uses and development types (marked 'Y') in commercial zones.

The uses listed require development approval unless they meet the 'exempt development' provisions of the *Planning (Exempt Development) Regulation 2023*. Development and land use types listed are defined in the dictionary at Part G of the Territory Plan.

Uses not listed in the table are prohibited. Development of prohibited uses may be considered under certain limited circumstances as outlined under Part 7.3 of the *Planning Act 2023*.

District policies specify additional types of development and land uses that are permissible or prohibited in districts.

Development Type	CZ1	CZ2	CZ3	CZ4	CZ5	CZ6
ancillary use	Y	Y	Y	Y	Y	Y
animal care facility	-	-	Y	Y	-	-
aquatic recreation facility	-	-	-	-	-	Y
boarding house	-	-	-	-	Y	-
bulky goods retailing	Y	Y	Y	Y	Y	-
build-to-rent development	Y	Y	Y	Y	Y	
business agency	Y	Y	Y	Y	Y	-
café	Y	Y	Y	Y	Y	Y
car park	Y	Y	Y	Y	Y	Y
caravan park/camping ground	-	-	-	-	-	Y
caretakers' residence	-	-	-	-	-	Y
civic administration	Y	Y	Y	-	-	-
club	Y	Y	Y	Y	-	Y
co-housing	Y	Y	Y	Y	Y	-

## CONSULTATION DRAFT FOR COMMENT

Development Type	CZ1	CZ2	CZ3	CZ4	CZ5	CZ6
commercial accommodation use	Y	Y	Y	-	-	Y
communications facility	Y	Y	Y	Y	Y	-
community activity centre	Y	Y	Y	Y	Y	Y
community theatre	Y	Y	Y	Y	Y	Y
complementary use	Y	Y	Y	Y	Y	Y
cultural facility	Y	Y	Y	Y	Y	Y
consolidation	Y	Y	Y	Y	Y	Y
craft workshop	Y	Y	Y	Y	-	Y
demolition	Y	Y	Y	Y	Y	Y
drink establishment	Y	Y	Y	Y	Y	Y
drive-in cinema	-	-	-	-	-	Y
early childhood education and care	Y	Y	Y	Y	Y	Y
educational establishment	Y	Y	Y	Y	Y	Y
emergency services facility	Y	Y	Y	-	Y	-
financial establishment	Y	Y	Y	Y	Y	-
freight transport facility	-	-	Y	-	-	-
funeral parlour	-	-	Y	-	-	-
group or organised camp	-	-	-	-	-	Y
guest house	Y	Y	Y	Y	Y	Y
health facility	Y	Y	Y	Y	Y	Y
home business	Y	Y	Y	Y	Y	-
hotel / motel	Y	Y	Y		Y	Y
hospital	Y	Y	Y	Y	Y	Y
indoor entertainment facility	Y	Y	Y	Y	Y	Y
indoor recreation facility	Y	Y	Y	Y	Y	Y
industrial trades	-	-	Y	Y	-	-
light industry	Y	-	Y	Y	-	-
light rail	Y	Y	Y		Y	Y
minor road	Y	Y	Y	Y	Y	Y
minor use	Y	Y	Y	Y	Y	Y
municipal depot	-	-	Y	Y	-	-

## CONSULTATION DRAFT FOR COMMENT

Development Type	CZ1	CZ2	CZ3	CZ4	CZ5	CZ6
multi-unit housing	Y	Y	Y	Y	Y	-
office	Y	Y	Y	Y	Y	-
outdoor recreation facility	Y	Y	Y	-	Y	Y
overnight camping area	-	-	-	-	-	Y
parkland	Y	Y	Y	Y	Y	Y
pedestrian plaza	Y	Y	Y	Y	Y	Y
personal service	Y	Y	Y	Y	Y	Y
place of assembly	Y	Y	Y	-	Y	Y
place of worship	Y	Y	Y	Y	Y	Y
produce market	-	-	Y	Y	-	-
public agency	Y	Y	Y	Y	Y	-
recyclable materials collection	Y	Y	Y	Y	-	-
religious associated use	Y	Y	Y	Y	Y	Y
residential care accommodation	Y	Y	Y	Y	Y	-
restaurant	Y	Y	Y	Y	Y	Y
retail plant nursery	Y	Y	Y	Y	Y	Y
retirement village	Y	Y	Y	Y	Y	-
secondary residence	Y	Y	Y	Y	Y	-
service station	Y		Y	Y	-	-
shop	Y	Y	Y	Y	Y	Y
sign	Y	Y	Y	Y	Y	Y
single dwelling housing	Y	Y	Y	Y	Y	-
store	-	-	Y	-	-	-
subdivision	Y	Y	Y	Y	Y	Y
supermarket	Y	Y	Y	Y	Y	Y
supportive housing	Y	Y	Y	Y	Y	-
take-away food shop	Y	Y	Y	Y	Y	Y
temporary use	Y	Y	Y	Y	Y	Y
tourist facility	Y	Y	Y	-	-	Y
tourist resort	Y	Y	Y	-	-	Y
transport facility	Y	Y	Y	Y	Y	Y

## CONSULTATION DRAFT FOR COMMENT

Development Type	CZ1	CZ2	CZ3	CZ4	CZ5	CZ6
varying a lease	Y	Y	Y	Y	Y	Y
vehicle sales	-	-	Y	-	-	-
veterinary clinic	Y	Y	Y	Y	Y	Y
veterinary hospital	-	-	Y	Y	-	-
warehouse	-	-	Y	-	-	-
zoological facility	-	-	-	-	-	Y

### 1.3 Policy Outcomes

Development proposals in commercial zones will be assessed having regard to the policy outcomes to be achieved for the relevant zone.

The policy outcomes to be achieved for all commercial zones are:

#### All commercial zones

The desired outcomes to be achieved for all commercial zones are:

1. Commercial zones are primarily for commercial developments providing a strong economic focus for the zone and land for the supply of commercial services. Other complementary uses are permitted however these should not detract from the primary commercial nature of the zone.
2. Development should be of a scale and nature that recognises and responds to the zone hierarchy.

#### CZ1 – Core Zone

The fundamental desired outcome for the CZ1 zone is to achieve and/or maintain a mix of predominantly commercial land uses that contribute to a diverse and active character.

Other important desired outcomes to be achieved in the CZ1 zone:

1. Provide for a range of conveniently located retail and service outlets.
2. Promote vibrant, interesting and lively street frontages including during evenings and weekends.
3. Encourage an attractive, safe, and well-lit pedestrian environment with convenient access to public transport.
4. Maintain and enhance a high standard of urban design through use of sustainable design and materials and ensure that buildings retain a high level of design consistency and compatibility.
5. Provide opportunities for business investment and employment.
6. Maintain and enhance environmental amenity.
7. Promote the establishment of cultural and community identity that is representative of, and appropriate to, the place.
8. Promote active living and active travel.
9. Provide a high-quality public realm by facilitating active uses on ground floor level that connect with the wider open space, pedestrian and cycle networks to promote active travel and active living

## CONSULTATION DRAFT FOR COMMENT

### **CZ2 – Business Zone**

The fundamental desired outcome for the CZ2 zone is to provide for office and business sites that are accessible to public transport and convenience retailing and services.

Other important desired outcomes to be achieved in the CZ2 zone:

1. Provide a diverse range of accommodation sizes and locations for offices close to the retail core.
2. Encourage provision of convenient outlets for goods, services and facilities to meet the needs of the workforce.
3. Create vibrant lively pedestrian routes and public spaces.
4. Ensure a high-quality urban environment through use of sustainable design and materials and maintain a high level of amenity for employees and the public.
5. Promote active living and active travel.
6. Provide a high-quality public realm by facilitating active uses on ground floor level that connect with the wider open space, pedestrian and cycle networks to promote active travel and living
7. Encourage an attractive, safe, well-lit and connected pedestrian environment with convenient access to public transport

### **CZ3 – Services Zone**

The fundamental desired outcome for the CZ3 zone is to provide for a range of conveniently located services and lower rent commercial activities.

Other important desired outcomes to be achieved in the CZ3 zone :

1. Encourage commercial development that supports but does not undermine the function of the CZ1 and CZ2 zones.
2. Accommodate retail uses or entertainment facilities requiring larger sites.
3. Encourage a mix of land uses which contribute to an active and diverse character.
4. Maintain and enhance environmental amenity and encourage a standard of urban design consistent with the function of the zone.
5. Undertake development using best practice environmentally sustainable development principles
6. Promote active living and active travel.
7. Encourage an attractive, safe, well-lit and connected pedestrian environment with convenient access to public transport.
8. Provide a high-quality public realm by facilitating active uses on ground floor level that connect with the wider open space, pedestrian and cycle networks to promote active travel and active living.

### **CZ4 – Local Centre Zone**

The fundamental desired outcome for the CZ4 zone is to provide for convenience retailing and other accessible, convenient shopping and community and business services to meet the daily needs of local residents, particularly those with mobility issues.

Other important desired outcomes to be achieved in the CZ4 zone:

1. Provide opportunities for business investment and local employment.
2. Encourage a mix of uses that is appropriate to this level of the commercial hierarchy and enable centres to adapt to changing social and economic circumstances.
3. Maintain and enhance local residential and environmental amenity through appropriate and sustainable urban design.
4. Promote the establishment of a cultural and community identity that is representative of, and appropriate to, the place.
5. Promote active living and active travel.

## CONSULTATION DRAFT FOR COMMENT

### **CZ4 – Local Centre Zone**

1. Provide a high-quality public realm by facilitating active uses on ground floor level that connect with the wider open space, pedestrian and cycle networks to promote active travel and active living.
2. Encourage an attractive, safe, well-lit and connected pedestrian environment with convenient access to public transport.

### **CZ5 – Mixed Use Zone**

The fundamental desired outcome for the CZ5 zone is to encourage higher density residential development in locations with convenient access to transport corridors, and commercial and employment centres.

Other important desired outcomes to be achieved in the CZ5 zone:

1. Create an efficient and sustainable urban environment and provide for a diversity of living, working and recreation opportunities.
2. Maintain and enhance environmental amenity and undertake development using best practice environmentally sustainable development principles.
3. Encourage a standard of urban design that is consistent with selected major avenues, approach routes and other strategically located areas.
4. Encourage activities particularly at street frontage level that contribute to an active public realm.
5. Promote active living and active travel.
6. Provide a high-quality public realm by facilitating active uses on ground floor level that connect with the wider open space, pedestrian and cycle networks to promote active travel and active living.
7. Provide a mixture of compatible land uses and integrate suitable business, office, residential, retail and other development in accessible locations so as to encourage walking and cycling and maximise public transport patronage.

### **CZ6 – Leisure and Accommodation Zone**

The fundamental desired outcome for the CZ6 zone is to provide for the development of entertainment, accommodation and leisure facilities for residents of and visitors to the ACT and surrounding region.

Other important desired outcomes to be achieved in the CZ6 zone:

1. Protect leisure and accommodation uses from competition from higher order commercial uses, and encourage activities that enhance the region's economic diversity and employment prospects.
2. Locate leisure and accommodation facilities in places that have convenient access to public transport.
3. Protect the amenity of nearby residential areas, with regard to noise, traffic, parking and privacy.
4. Encourage the location of facilities, their design and landscaping that is compatible with environmental values.
5. Encourage the bulk, scale, size, design and landscaping of development that is compatible with the surrounding landscape.
6. Encourage activity at street frontage level and provide an appropriate level of surveillance of the public realm.

## 1.4 Assessment Requirements

Assessment requirements set the mandatory development controls within specific zones or for specific development types.

District policies also contain assessment requirements. Assessment requirements in district policies will prevail where inconsistencies occur.

All development proposals in commercial zones will be assessed against the following requirements:

Control	Assessment requirement	Reference
Maximum Gross Floor Area (GFA)	<ol style="list-style-type: none"> <li>1. Group centres: <ol style="list-style-type: none"> <li>a) Within the CZ1, CZ2 and CZ3 zones for office on any lease: 2000m<sup>2</sup></li> <li>b) Within the CZ2 zone for retail uses on land that is contiguous with the CZ1 zone: 300m<sup>2</sup></li> <li>c) Within the CZ2 zone for retail uses: 100m<sup>2</sup></li> <li>d) Within the CZ3 zone for shop selling food: 300m<sup>2</sup></li> </ol> </li> <li>2. Town centres: Within the CZ3 zone for supermarket or retail use selling food: 200m<sup>2</sup></li> <li>3. CZ4 and CZ5 zones: For retail uses: 1500m<sup>2</sup></li> <li>4. CZ6 zone: For a retail use (but does not apply to shops selling predominantly arts, crafts and/or souvenirs): 250m<sup>2</sup></li> </ol> <p><b>NOTE:</b> The term 'retail uses' is a collective term for a range of land uses including shop, bulky goods retailing, personal service, retail plant nursery, supermarket, take-away food shop, café</p>	
Residential use	<ol style="list-style-type: none"> <li>5. Within the CZ1 zone, residential use is not permitted at the ground floor.</li> </ol> <p><b>NOTE:</b> The term 'residential use' is a collective term for a range of land uses including Caretaker's residence, Special dwelling, Commercial housing, Co-housing, Multi-unit housing, Residential Care Accommodation, Retirement Village, Secondary residence, Single dwelling housing, Supportive housing</p>	
Internal shopping arcades and malls	<ol style="list-style-type: none"> <li>6. Within the CZ3 zone, internal shopping arcades or malls are not permitted.</li> </ol>	

## 1.5 Assessment outcomes

Development proposals in the commercial zones will be assessed having regard to the following desired outcomes:

- 1) The stated policy outcomes (including the zone hierarchy).
- 2) For a proposed development that is:
  - a) defined as being at precinct scale or urban design developments
  - b) exceeding one hectare

- c) comprise more than 1,000m<sup>2</sup> of public or common space or
- d) required to seek advice from the Design Review Panel,
- 2) sufficient consideration of and response to the Urban Design Guide has been undertaken.
- 3) For residential development demonstrates sufficient consideration of the applicable elements of the Housing Design Guide for:
  - a) land use and development
  - b) urban structure and site
  - c) building design and built form
  - d) access movement and place
  - e) sustainability and environment.
- 4) For new dwellings, development is consistent with the objectives, design criteria and design guidance within the Housing Design Guide. Important matters for assessment in this regard include:
  - a) visual privacy and interface
  - b) solar and daylight access
  - c) common circulation and spaces
  - d) apartment size and layout
  - e) ceiling heights
  - f) private open space and balconies
  - g) natural ventilation.
- 5) The functionality and usability of the development for its intended purpose/use.
- 6) Bulk and scale are controlled to limit impacts on surrounds in particular streetscape impacts and on any nearby residential development (including if part of a mixed development).
- 7) New development is sufficiently setback from property boundaries and other buildings or structures (including other buildings and structures on the site).
- 8) Site constraints including noise, bushfire, flooding, contamination or hazardous materials.
- 9) Impacts of non-residential development on surrounding residential amenity.
- 10) A suitable level of passive surveillance from the development to public spaces is provided.
- 11) Site coverage allows for sufficient space for landscaping, deep soil zones and water infiltration.
- 12) Living infrastructure addresses impacts of urban heat.
- 13) Impacts on and connections with the natural environment.
- 14) Vehicle and bicycle parking, including dimensions and number of spaces, manoeuvrability, access and egress, safety for users and pedestrians, and the visual impact to the street or public places.
- 15) Electric vehicle parking and access to charging locations.
- 16) End-of-trip facilities provisions.
- 17) For mixed use developments, the development responds to all uses including interaction with public accessible spaces as well as within the development.
- 18) Accessibility and adaptability provisions.
- 19) Water sensitive urban design (WSUD) provisions.
- 20) Minimisation of unnecessary cut and fill.
- 21) Serviceability in terms of infrastructure and utility services.
- 22) Suitability of any advertising or signs.
- 23) Consistency with the Crown lease.
- 24) Any applicable statement of environmental effects.
- 25) The additional assessment outcomes in the following table.



## CONSULTATION DRAFT FOR COMMENT

Zone	Assessment outcome	Reference
CZ4	<p>26) Where residential development is proposed, the total GFA for commercial and/or retail purposes on the site cannot be reduced by more than 50% unless it is demonstrated to the satisfaction of the Territory Planning Authority:</p> <ul style="list-style-type: none"> <li>a) the whole centre is currently not commercially viable</li> <li>b) the centre will remain commercially viable after the proposed development.</li> </ul> <p>Compliance with this requirement is demonstrated by a retail and commercial needs assessment prepared by a suitably qualified person.</p>	
All CZ zones	<p>27) Where any of the following uses are proposed:</p> <ul style="list-style-type: none"> <li>a) <i>club</i></li> <li>b) <i>drink establishment</i></li> <li>c) <i>emergency services facility</i></li> <li>d) <i>hotel</i></li> <li>e) <i>indoor recreation facility</i></li> <li>f) <i>industry (except light industry)</i></li> <li>g) <i>indoor entertainment facility</i></li> <li>h) <i>outdoor recreation facility</i></li> <li>i) <i>restaurant</i></li> </ul> <p>residential development should not be located directly adjacent unless the development complies with a noise management plan prepared by a suitably qualified person and that has been endorsed by the Environment Protection Authority (EPA).</p>	

\* Zones not listed do not have additional assessment outcomes.

### 1.6 Development compliance provisions

Where a proposed development complies with a relevant provision in the technical specifications and the technical specification comprehensively addresses the outcome, further assessment regarding those specific provisions will not be required.

The Territory Planning Authority may consider endorsement or written support from an entity or utility service provider to demonstrate compliance with an Outcome that relates to services or utilities.