

### 9.3.3 Home based business code

#### 9.3.3.1 Application

This code applies to assessing material change of use development application for development involving a *Home based business* use in all zones.

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

#### 9.3.3.2 Purpose

- (1) The purpose of the Home Based Business Code is to facilitate the establishment of low impact, small scale businesses in residential *dwelling*s.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) *home based business* uses do not detract from the prevailing residential character or amenity of the area;
  - (b) *home based business* is operated so as to protect and maintain the amenity of adjoining residential uses; and
  - (c) *home based businesses* do not negatively impact on public or environmental safety.

#### 9.3.3.3 Assessment benchmarks

##### Part A - Criteria for accepted and assessable development

**Table 9.3.3.1 - Home based business code**

Performance Outcomes	Acceptable Outcomes
<b>For accepted, accepted subject to requirements and assessable development (code, code (fast tracked) and impact)</b>	
<b>Scale and appearance</b>	
<p><b>PO1</b> The scale and appearance of the <i>Home based business</i> is:</p> <ol style="list-style-type: none"> <li>(a) subordinate to the residential use of the <i>dwelling</i>;</li> <li>(b) compatible with the character and amenity of the local area; and</li> <li>(c) does not compromise the viability of the Western Downs activity centre network.</li> </ol>	<p><b>AO1.1</b> The <i>gross floor area</i> occupied by the <i>Home based business</i> does not exceed 50m<sup>2</sup>.</p> <p><b>AO1.2</b> The external character, scale and appearance of the <i>dwelling</i> is not modified to accommodate the <i>Home based business</i>.</p> <p><b>AO1.3</b> The equipment, materials, or goods associated with the <i>Home based business</i> are:  <ol style="list-style-type: none"> <li>(a) displayed or stored in a building and/or structure; and</li> <li>(b) are not visible from the road frontage.</li> </ol> </p>
<b>Operation</b>	
<p><b>PO2</b> The operation of the <i>Home based business</i> is complementary to the residential amenity of the local area and protects the viability of the Zone as well as the Western Downs activity centre network.</p>	<p><b>AO2.1</b> Operating hours of the <i>Home based business</i> are limited to:  <ol style="list-style-type: none"> <li>(a) 8.30am to 5.00pm Monday to Friday; and</li> <li>(b) 8:30am to 12:00 noon Saturday and Sunday.</li> </ol> </p> <p><b>AO2.2</b> The <i>Home based business</i> is not frequented by more than 6 clients or customers per working day.</p>

Performance Outcomes	Acceptable Outcomes
	<p><b>AO2.3</b> A maximum of 1 person other than occupants of the <i>dwelling</i> are employed in the <i>Home based business</i>.</p> <p><b>AO2.4</b> A maximum of seven children including the occupants of the <i>dwelling</i> are cared for where for home based child care.</p> <p><b>AO2.5</b> The sale of goods is not undertaken on the premises except where sold in association with a service provided by the Home based business.</p>
<p><b>PO3</b> The <i>Home based business</i> must not detract from the amenity of the local area through unacceptable noise impacts.</p>	<p><b>AO3</b> <i>Home based business</i> activities do not produce noise emissions at the boundary of adjoining premises in excess of (whichever is the greater):</p> <p>(a) 5 dBa above background noise; or (b) 40 dBa.</p>
<p><b>For assessable development (code, code (fast tracked) and impact)</b></p>	
<p><b>Amenity</b></p>	
<p><b>PO4</b> The <i>Home based business</i> must not detract from the amenity of the local area through unacceptable impacts including:</p> <p>(a) vibration; (b) light; (c) odour; (d) emissions or by-products including fumes, smoke, vapour, steam, waste water, soot, ash, dust, grit, oil, waste water; (e) electrical or other interference</p> <p>Note - a Home based business does not include any use included within the Industrial activities group.</p>	<p><b>AO4</b> No acceptable outcome.</p>
<p><b>PO5</b> The storage of hazardous goods associated with the Home based business must not compromise the safety of persons, either on or adjoining the premises.</p>	<p><b>AO5</b> The storage of flammable and combustible materials or liquids complies with the minor storage provisions of <i>Australian Standards AS1940 – The Storage and Handling of Flammable and Combustible Liquids</i>.</p>
<p><b>PO6</b> The use does not generate traffic loads greater than reasonably associated with a <i>Dwelling house</i>.</p>	<p><b>AO6.1</b> The <i>Home based business</i> does not generate more than 12 vehicle movements per working day.</p> <p><b>AO6.2</b> The <i>Home based business</i> does not rely on transport greater than a three tonne rigid vehicle from frequently the dwelling.</p>

Performance Outcomes	Acceptable Outcomes
<b>Guest Accommodation</b>	
<p><b>PO7</b> Guest accommodation must be easily accessible to the touring public, and located in proximity to scenic routes, tourist nodes or centres.</p>	<p><b>AO7</b> Guest accommodation is located within 400 metres of a:</p> <ul style="list-style-type: none"> <li>(a) Tourist Node identified on <b>Economic Development and Natural Resources Strategic Plan Map 4</b>; or</li> <li>(b) Scenic Route identified on <b>Economic Development and Natural Resources Strategic Plan Map 4</b>; or a</li> <li>(c) Centre Zone.</li> </ul>
<p><b>PO8</b> Guest accommodation is provided for short-term purposes only.</p>	<p><b>AO8</b> Guests are accommodated for up to a maximum of 14 nights.</p>
<p><b>PO9</b> Guest accommodation provides reasonable levels of privacy and amenity for adjoining properties and the local area.</p>	<p><b>AO9.1</b> The maximum number of guest accommodation rooms is three.</p> <p><b>AO9.2</b> The maximum number of guests accommodated at any one time is six</p> <p>Editor's note: a guest is considered to be any person 13 years and over.</p>
<p><b>PO10</b> The guest accommodation provides reasonable levels of privacy and convenience for residents and guests.</p>	<p><b>AO10</b> Guest accommodation is:</p> <ul style="list-style-type: none"> <li>(a) capable of being enclosed to prevent visual or other intrusion by residents; and</li> <li>(b) provided with bathroom and toilet facilities for the exclusive use by guests.</li> </ul>