



Information sheet

Sunshine Coast Planning Scheme 2014

Home based business

This information sheet has been prepared to provide a summary of the requirements for a home based business under the *Sunshine Coast Planning Scheme 2014*, including when a development approval is required and which parts of the planning scheme apply.

What is a home based business?

A home based business is a small, domestic-scale business that operates from within a dwelling and is conducted by the residents of the dwelling. In accordance with the *Queensland Planning Provisions*, under the *Sunshine Coast Planning Scheme 2014*, home based business is defined as:

“A dwelling used for a business activity where subordinate to the residential use.”

A home based business may operate from within a dwelling house, dual occupancy or multiple dwelling. Some examples of a home based business include a bed and breakfast and a home office.

What is the category of development and assessment for a home based business?

Under the *Sunshine Coast Planning Scheme 2014*, a material change of use to establish a home based business is:

- ‘*accepted development*’ (not subject to requirements) if a ‘home office’ or involving a home based child care service licensed under the *Child Care Act 2002* in all of the residential zones, in the Major centre, District centre and Local centre zones and in the Emerging community zone, Limited development (landscape residential) zone, Rural zone and Rural residential zone;
- ‘*accepted development*’ (subject to requirements) if *not* a ‘high impact home based business activity’ in all of the residential zones, in the Major centre, District centre and Local centre zones and in the Emerging community zone, Limited development (landscape residential) zone and Rural residential zone;

- ‘*accepted development*’ (subject to requirements) whether or not involving a ‘high impact home based business activity’ in the Rural zone; and
- ‘*assessable development subject to impact assessment*’ if a ‘high impact home based business activity’ in all of the residential zones, in the Major centre, District centre and Local centre zones and in the Emerging community zone, Limited development (landscape residential) zone and Rural residential zone.

In all other zones not mentioned above, a home based business is assessable development subject to impact assessment.

‘Accepted development’ not subject to requirements means that the development is exempt from requiring assessment against the planning scheme and therefore, no development approval for a material change of use is required to be obtained from Council.

‘Accepted development’ subject to requirements means that the development must comply with particular requirements of the planning scheme. These requirements are contained within the codes that are applicable to the development (for example, the Home based business code is the principal code that applies to home based business development). If the home based business complies with all of the requirements for accepted development in the applicable code/s (i.e. all of the relevant acceptable outcomes), then no development approval for a material change of use is required to be obtained from Council.

However, applicants that reside in a multiple dwelling (and some dual occupancies) may be prevented from conducting a home based business due to body corporate by laws. It is highly recommended that relevant by laws are checked prior to any application being made or any ‘accepted development’ being undertaken.

Where accepted development is unable to comply with one or more of the relevant acceptable outcomes of an applicable code, then the development becomes assessable development subject to code assessment. There are other limited circumstances where the category of development for accepted

development *may* be changed, including where the development site is subject to certain mapped overlays that have the effect of changing the level of assessment (e.g. where subject to the heritage and character areas overlay).

Overlay maps are located in **Schedule 2 (Mapping)** of the *Sunshine Coast Planning Scheme 2014*.

A development approval is required to be obtained from Council for all assessable development (code and impact assessment). In the case of impact assessment, the application is assessed against the entire planning scheme, to the extent relevant, and public notification of the application must be undertaken by the applicant.

What is a home office?

A home office is a small scale office conducted from within a dwelling by the occupants of that dwelling. Under the *Sunshine Coast Planning Scheme 2014*, a home office is defined as a home based business for office activities which:

- (a) *are subordinate to the residential component of the dwelling;*
- (b) *are conducted only by residents of the dwelling;*
- (c) *involve no client visits to the premises;*
- (d) *are located in the dwelling or an associated building, with no outside activity; and*
- (e) *do not exceed a gross floor area of 20m².*

The characteristics of a home office mean that it can operate from within a dwelling without causing any adverse impacts on surrounding amenity. For this reason, home offices are accepted development (not subject to requirements) and are exempt from requiring assessment against the planning scheme in many of the zones.

What is a high impact home based business activity?

In contrast to a home office, a high impact home based business activity has the potential to cause adverse impacts on the amenity of surrounding properties. For this reason, a high impact home based business activity is accepted development only in the Rural zone and assessable development requiring impact assessment in all other zones. Under the *Sunshine Coast Planning Scheme 2014*, a high impact home based business activity is defined as:

A type of home based business that involves one or more of the following activities:-

- (a) *any form of vehicle repairs, services, detailing;*
- (b) *panel beating;*
- (c) *spray painting;*
- (d) *engine reconditioning, repairs;*
- (e) *wood working/manufacturing involving the use of power tools;*
- (f) *furniture manufacturing;*
- (g) *metal work;*
- (h) *welding.*

What requirements does the Home based business code contain?

The purpose of the Home based business code under the *Sunshine Coast Planning Scheme 2014* is to ensure home based business is conducted in a manner which is appropriate to the preferred character of the area and protects the amenity of surrounding premises. In order to achieve this purpose, the code contains requirements for accepted development (relevant acceptable outcomes) and assessment benchmarks for assessable development (purpose, overall outcomes, performance outcomes and acceptable outcomes) for:

- operation of the home based business;
- external appearance of buildings;
- scale of use and protection of residential amenity;
- impacts on traffic, services and utilities;
- signage; and
- additional requirements for bed and breakfast.

Under the *Sunshine Coast Planning Scheme 2014*, bed and breakfast means the use or premises being a dwelling house for short term accommodation to the travelling public.

What other parts of the planning scheme apply to home based business?

If categorised as accepted development (subject to requirements) under the *Sunshine Coast Planning Scheme 2014*, a home based business generally only needs to comply with the acceptable outcomes of the Home based business code.

However, if the development site is subject to a mapped overlay (for example, the heritage and character areas overlay), then the home based

business *may* become assessable development and require assessment against the applicable overlay code(s).

If the home based business is identified as assessable development requiring impact assessment under the *Sunshine Coast Planning Scheme 2014*, the development application for a material change of use is assessed against the entire planning scheme, to the extent relevant.

Part 5 (Tables of Assessment) of the *Sunshine Coast Planning Scheme 2014* details which parts of the planning scheme a proposed development is required to be assessed against. The 'Application' section of each planning scheme code further clarifies which provisions of the code comprise the requirements for accepted development and the assessment benchmarks for assessable development.

Need further information?

For further information about the requirements for home based business, the *Sunshine Coast Planning Scheme 2014* is available on Council's website. Alternatively, you may contact Council directly with your enquiry.

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Disclaimer

The contents of this information sheet deals with technical matters in a summary way only and has been prepared to assist the community to understand the *Sunshine Coast Planning Scheme 2014*. Please refer to the *Sunshine Coast Planning Scheme 2014* for further detail.

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