

9.3.8 Home based business code

9.3.8.1 Application

- (1) This code applies to accepted development and assessable development identified as requiring assessment against the Home based business code by the tables of assessment in **Part 5 (Tables of assessment)**.
- (2) The acceptable outcomes in **Table 9.3.8.3.1 (Requirements for accepted development and performance outcomes and acceptable outcomes for assessable development)** are requirements for applicable accepted development.
- (3) All provisions in this code are assessment benchmarks for applicable assessable development.

9.3.8.2 Purpose and overall outcomes

- (1) The purpose of the Home based business code 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.
- (2) The purpose of the Home based business code will be achieved through the following overall outcomes:-
 - (a) a *home based business* is domestic in scale and operates in a manner that is subservient and *ancillary* to the residential use on the premises; and
 - (b) a *home based business* is compatible with the preferred character of the local area and does not adversely impact upon the amenity of adjoining or nearby *sensitive land uses*.

9.3.8.3 Performance outcomes and acceptable outcomes

Table 9.3.8.3.1 Requirements for accepted development and performance outcomes and acceptable outcomes for assessable development

Performance Outcomes		Acceptable Outcomes	
Operation as Bona Fide Working From Home Activity			
PO1	The <i>home based business</i> is conducted as a bona fide working from home activity.	AO1.1	Except where a <i>bed and breakfast</i> , the <i>home based business</i> is conducted:- (a) in, under or within the curtilage of the <i>dwelling house</i> ; (b) within a <i>dual occupancy</i> ; or (c) within a <i>multiple dwelling</i> . OR For a <i>home based business</i> operating as a <i>bed and breakfast</i> , the <i>bed and breakfast</i> is conducted within the <i>dwelling house</i> .
		AO1.2	A resident of the <i>dwelling</i> conducts the <i>home based business</i> .
Residential Appearance and Character			
PO2	The <i>home based business</i> is conducted such that buildings on the <i>site</i> retain a residential appearance and character.	AO2	The external appearance and character of the <i>dwelling</i> is not modified to accommodate the <i>home based business</i> .
Scale of Use and Protection of Residential Amenity			
PO3	The <i>home based business</i> is limited in size and scale so that:- (a) the amenity of the existing neighbourhood is protected; and (b) the <i>home based business</i> remains <i>ancillary</i> to the use of the <i>dwelling house</i> as a private permanent	AO3.1	For a <i>home based business</i> (other than a <i>bed and breakfast</i>) conducted in, under or within the curtilage of a <i>dwelling house</i> :- (a) the total <i>gross floor area</i> used for the <i>home based business</i> does not exceed:- (i) 40m ² where the <i>dwelling house</i>

Performance Outcomes		Acceptable Outcomes	
	residence.		<p>is located on a lot not exceeding 2,000m² in area; or</p> <p>(ii) 80m² where the <i>dwelling house</i> is located on a lot exceeding 2,000m² in area;</p> <p>(b) no more than 2 customers or clients are present at any one time and no more than 8 customers or clients are present in any one day; and</p> <p>(c) the <i>home based business</i> does not involve more than:-</p> <p>(i) 1 person who is a non-resident of the <i>dwelling house</i>; or</p> <p>(ii) where the <i>site</i> is included in the Rural zone, 4 persons who are non-residents of the <i>dwelling house</i>.</p> <p>OR</p> <p>For a <i>home based business</i> conducted within a <i>dual occupancy</i> or <i>multiple dwelling</i>:-</p> <p>(a) the total <i>gross floor area</i> used for the <i>home based business</i> does not exceed 20m²;</p> <p>(b) the <i>home based business</i> does not involve outdoor use areas;</p> <p>(c) no more than 2 customers or clients are present at any one time and no more than 4 customers or clients are present in any one day; and</p> <p>(d) the <i>home based business</i> involves only the persons who are residents of the <i>dwelling</i>.</p> <p>OR</p> <p>For a <i>home based business</i> operating as a <i>bed and breakfast</i>:-</p> <p>(a) at least one bedroom within the <i>dwelling house</i> is excluded from use by guests; and</p> <p>(b) the maximum number of bedrooms used to accommodate guests is 3 and the maximum number of guests accommodated at any one time is 6.</p> <p>AO3.2 Not more than one <i>home based business</i> is conducted on the premises.</p>
PO4	The <i>home based business</i> does not involve any materials, equipment or processes that cause nuisance or adversely impact on residential amenity.	AO4.1	The <i>home based business</i> does not produce any dust emissions beyond the <i>site</i> boundaries.
		AO4.2	The <i>home based business</i> does not produce any odour emissions or a noticeable smell in excess of 1 odour unit at the <i>site</i> boundaries.
		AO4.3	The <i>home based business</i> does not produce noise which exceeds the background noise level plus 5 dB(A) (8.00am to 6.00pm) (measured at adjusted sound level) at the <i>site</i> boundaries.

Performance Outcomes		Acceptable Outcomes	
		AO4.4	A maximum of one commercial vehicle associated with the <i>home based business</i> is parked/garaged on the <i>site</i> .
		AO4.5	Materials or equipment used or goods manufactured, serviced or repaired are stored within a building on the premises.
		AO4.6	Trade person's storage and horticultural activities are located at the rear of the <i>dwelling</i> and any vehicle, or stored equipment or materials, is screened from view from all public places and adjoining residential premises.
		AO4.7	Where goods are offered for sale from the premises, the public display of such goods:- (a) does not occur outside of a building; and (b) is not visible from the street or another public place.
PO5	The hours of operation of the <i>home based business</i> do not cause a nuisance or adversely impact on residential amenity.	AO5	For a <i>home based business</i> , other than a <i>bed and breakfast</i> , the hours of operation are limited to:- (a) 8.00am and 6.00pm, Mondays to Saturdays; and (b) not at all on Sundays or public holidays. Note—office administration functions and activities that do not involve visitors by customers or clients, deliveries or noise related activities may occur outside of the hours of operation.
Traffic Impacts			
PO6	Traffic impacts of the <i>home based business</i> are no greater than that which might reasonably be expected in a residential location.	AO6.1	The <i>home based business</i> does not involve the use of a motor vehicle with a carrying capacity exceeding 2.5 tonnes.
		AO6.2	Commercial deliveries or collections are limited to a vehicle no larger than a courier van and no more than 2 deliveries or collections per day.
		AO6.3	Loading or unloading activity is undertaken entirely within the <i>site</i> and only during the hours of operation specified by Acceptable Outcome AO5.
Signage			
PO7	Signage associated with the <i>home based business</i> is small, unobtrusive and appropriate to its location and setting.	AO7	Not more than 1 sign is erected on the premises and the sign:- (a) includes only the name of the occupier and/or the business conducted on the premises; (b) has a maximum <i>signface area</i> of:- (i) 0.3m ² where in an <i>urban zone</i> ; or (ii) 0.5m ² where in another zone; (c) is attached to a fence or wall; and (d) is not illuminated or in motion.
Impact on Services and Utilities			
PO8	The <i>home based business</i> does not impact on the capacity of <i>infrastructure</i> services.	AO8	No greater load is imposed on any public utility than would reasonably be expected from the normal residential use of the <i>dwelling</i> .

Performance Outcomes		Acceptable Outcomes	
Additional Requirements for Bed and Breakfast Accommodation			
Temporary Accommodation			
PO9	<i>Bed and breakfast</i> accommodation is provided for short-term stay only.	AO9	Guests stay no more than 14 consecutive nights.
Guest Facilities			
PO10	An acceptable standard of facilities is provided for guests of the <i>bed and breakfast</i> .	AO10.1	Guests are provided with a bedroom capable of being enclosed to prevent visual or other intrusion by members of the host family or other guests.
		AO10.2	A separate bathroom and toilet facility is provided within the <i>dwelling house</i> for the exclusive use of guests.
Access and Parking			
PO11	Sufficient parking spaces are provided on the <i>site</i> to cater for guests of the <i>bed and breakfast</i> .	AO11	A minimum of 1 (one) on-site car parking space per guest bedroom is provided in addition to the car parking spaces required for a <i>dwelling house</i> . Note—car parking spaces may be provided in a tandem configuration, provided that all spaces are wholly contained within the <i>site</i> such that parked vehicles do not protrude into the road reserve.
PO12	The design and management of <i>access</i> , parking and vehicle movement on the <i>site</i> facilitates the safe and convenient use of the <i>bed and breakfast</i> by residents and visitors.	AO12	Access driveways, internal circulation and manoeuvring areas, and on-site car parking areas are designed and constructed in accordance with:- (a) IPWEA Standard Drawings SEQ R-050 and R-056 as applicable; and (b) <i>AS2890 Parking facilities – Off-street parking</i> .