

Home Based Business (Gatton)



1 JULY 2019

DEVELOPMENT ASSESSMENT INFORMATION

(Gatton Shire Planning Scheme Area)

Please Note: This fact sheet is only applicable to those properties located within the Gatton Planning Scheme Area. Please use Council's [ePlan](#) to determine your properties applicable planning scheme.

What is a Home Based Business?

The Gatton Shire Planning Scheme 2007 defines a "Home Based Business" – a business conducted within the curtilage¹ of a dwelling unit, where the person responsible for the business is a resident of that dwelling unit.

Do I need to lodge a planning application for a Home Based Business?

The table below shows if an application is required for a Home Based Business for each zone.

Zone	Level of Assessment
Rural Upland Rural General Rural Agriculture Emerging Communities Rural Residential Village Urban Residential Park Residential	Accepted Development (if acceptable solutions of applicable codes are complied with, see page 3). Otherwise a code assessable Material Change of Use application is required
Commercial Industry Open Space and Recreation Community Facilities	Impact Assessable (an application must be lodged to Council)

What codes does my Home Based Business need to comply with to be Accepted Development?

The codes you must comply with to be accepted development include:

- Home Based Business Code;
- Advertising Devices Code; and
- If you are in the Emerging Community or Rural Residential Zone: Vehicle Access and Parking Code.

If it does not meet the acceptable solutions of the above codes a code assessable Material Change of Use Application is required.

The attached checklist to this fact sheet outlines requirements of the codes requiring compliance for accepted development ONLY.

How can I find out the zone for my property?

Council's [ePlan](#) can be used to determine the zone of your land.

How do I make an application?

For information please read Council's [Application](#) webpage. A fact sheet on Application Requirements & Processing is available.

¹means the area of land appurtenant to a building or other structure.

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Fees & Charges

Refer to Council's website for the current Fees & Charges.

Need further information?

This fact sheet is designed to be a guide to the planning scheme and application process. It does not constitute all details within the planning scheme. Additional information can be obtained from the Gatton Shire Planning Scheme. If you require specific information please contact Council's Customer Service on 1300 005 872.

Please note this fact sheet may be updated by Council at any time with the most recent version available on Council's website. If you have a printed copy please see Council's website to ensure you have the latest version. ■

How will my application be assessed?

A code assessable application for a Home Based Business will be assessed against the following codes of the Gatton Shire Planning Scheme:

- Home Based Business Code
- Advertising Device Code
- Building Work Code
- Services and Infrastructure Code
- Vehicle Access, Parking and On-Site Movement Code (if in Emerging Communities, Rural Residential, Village zone).
- Zone code applicable to your property.

In your code assessable application to council you must address the above codes that are applicable to your development and property.

An Impact Assessable Application will be assessed against the Gatton Planning Scheme in its entirety. However the application should address the above codes mainly.

It is recommended that you engage an appropriately qualified town planning consultant with knowledge of the *Planning Act 2016* to assist you to prepare your application.

What other approvals do I need?

- Development Permit for [Building Work](#)
- Development Permit for [Plumbing and Drainage](#)

There may be additional approvals required beyond what is listed above.

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For Accepted Development:

PLANNING SCHEME REQUIREMENTS		COMPLIES ✓/✘/NA
HOME BASED BUSINESS CODE		
A1.1	The home based business use is carried out by persons who reside on the site as their permanent place of residence, and involves no more than one non-resident employee	
A1.2	The home based business use does not occupy an area exceeding 80m ² (excluding on-site parking).	
A2.1	The use, including any display of goods and storage of equipment or materials, takes place in an enclosed building or is screened such that it is not visible from a public place (eg. road) or adjoining property.	
A2.2	There is no retail sale of goods associated with the development except where those goods are made on the premises.	
A3.1	The home based business generally involves visitation by only one client or customer at a time.	
A3.2	Apart from occasional loading and unloading of goods from delivery vehicles, the maximum number of heavy vehicles (in excess of 5 tonnes gross vehicle mass or 7.5m in length) associated with the home based business parked on or near the site is: (a) In the Urban Residential or Village zones – 0 (b) In the Park Residential and Rural Residential zone – 1 (c) In any other zone – 2.	
A3.3	An additional uncovered car parking space is provided on site; and	
A3.4	An area is available to enable service vehicles to unload within the site.	
A4.1	The home based business does not impose greater requirements on any public utility than would be reasonable from the residential use on the same premises.	
A4.2	The home based business does not involve a use which is an Environmentally Relevant Activity as identified in accordance with the Environmental Protection Act 1998.	
A4.3	The use shall not generate any emissions including but not limited to, ash, dust, electrical or radio interference, fumes, grit, light, noise, oil, soot, odour, smoke, stream, vapour, vibration, waste water or waste products, which would be greater than that reasonably expected from the residential use on the same premises.	
P5	Signage is limited to a single, small and relatively unobtrusive sign at or within the frontage of the site.	
P6	The home based business does not create a noise nuisance which adversely affects the amenity of the local residential area.	
ADVERTISING DEVICES CODE		
A5.1	Where for a home based business, advertising devices are limited to a single sign with a maximum surface area of 1m ² located at or within the frontage of the site, and bearing only the name of the occupier and of the occupation or profession.	
VEHICLE ACCESS, PARKING AND ON-SITE MOVEMENT CODE (Emerging Community or Rural Residential Zone only)		
A10.1	Home Based Business: In addition to that required for the Dwelling House - 1 space or - 2 spaces where an employee is engaged	

If all applicable boxes have a ✓, no planning approval is required.

If any boxes have a ✘, planning approval is required (consult a suitably qualified town planning consultant or Council for more information).