

# Home Based Business Code

## *Gympie Regional Council Planning Scheme 2013*

This fact sheet provides an overview of the Home Based Business Code and outlines whether the code may apply to the activity you are proposing in your home.

The code was adopted on 24 February 2021 and commenced on 15 March 2021 with the *Gympie Regional Council Planning Scheme 2013*.

### What is a home based business?

In the Gympie Regional Council area, a home based business or occupation can operate from a residence in the following zones:

- Residential Living;
- Residential Choice;
- Character Residential;
- Tourist Accommodation;
- Principle Centre;
- District Centre;
- Local Centre;
- Specialised Centre (Gympie Medical Precinct);
- Industry Investigation;
- Rural Residential; and
- Township.

In these locations the residence is to be the main use and the business is to be subordinate to that use. The activities must be compatible with residential use, and must not adversely impact on the comfort of the neighbourhood. Examples include a bed and breakfast, home office or home based childcare.

### I want to operate a business from home – what should I consider?

Gympie Regional Council has identified a number of development standards for a home based business. If these are met, a planning application is not required (accepted development subject to requirements).

A planning application is not required where all of the code requirements can be met, including:

- The operator of the business is a permanent resident of the house, townhouse or apartment;
- There is no more than one (1) non-resident employee if the business is run in a house, and no non-resident employees in residences such as apartments or townhouses;
- The business is conducted from inside the residence, except for a home based child care or the storage of one (1) trailer;
- The business can use up to 20 per cent of the gross floor area up to 60m<sup>2</sup> for a house and no more than 20m<sup>2</sup> in residences such as apartments or townhouses;
- The business must be appointment-based and no more than two (2) customers are to be on site at the one time, except for home based child care, farm stay or bed and breakfast;

- The operator of the business must manage any potential impacts, such as traffic, visitors, car parking, noise and odour. The business should not produce aerosols, dust, fumes, light, odour, particles, smoke or vibration beyond the site;
- Deliveries must occur wholly within the site and the delivery vehicles limited to a kerb mass of three (3) tonnes;
- Only one (1) vehicle is used in association with the home based business.

If the activity does not meet ALL of the code requirements, it is possible the proposed use of the premises is not consistent with the Home Based Business definition. In such cases, advice should be sought from council's Development Assessment Team at 29 Channon Street, Gympie or on 5481 0454.

**PLEASE NOTE: The following are not suitable as home based businesses:**

- Vehicle inspections, detailing, maintenance servicing or repairs;
- The boarding (including day time only), breeding or training of animals;
- Hiring of materials, goods, appliances, vehicles or machinery stored on premises;
- The public display or retail sale of goods (excluding internet or mail order sales).

If the use is for an industrial activity, as defined in Table SC1.1.1 Defined activity groups in Schedule 1 Definitions in the Planning Scheme, an impact assessable material change of use development application needs to be lodged with council.

## Other regulations

The home based business may require compliance with other regulations and licences:

- A bed and breakfast may require a Food Business Licence under the *Food Act 2006* from council if you are preparing food;
- Home based child care is regulated by the Australian Children's Education and Care Quality Authority (ACECQA) and the National Quality Framework (NQF). For more information regarding the national law and regulations contact the ACECQA at [www.cecqa.gov.au](http://www.cecqa.gov.au)
- Tattooing, body piercing and other 'high risk personal appearance activities' must also comply with the *Public Health (Infection Control for Personal Appearance Services) Act 2003*. A High Risk Personal Appearance Services Licence may be required from council.

## Need further information?

To find out the zoning of your property please visit [maps.gympie.qld.gov.au/](http://maps.gympie.qld.gov.au/)

To find a copy of the home based business code, visit [gympie.qld.gov.au/gympie-regional-council-planning-scheme](http://gympie.qld.gov.au/gympie-regional-council-planning-scheme)

If you are unsure if your proposed business can operate as a home based business, the zoning of your property, or if a development application needs to be submitted for assessment, contact council's Development Assessment Team:

**Email:** [planning@gympie.qld.gov.au](mailto:planning@gympie.qld.gov.au)

**Phone:** 5481 0454

If a development application needs to be submitted to council, the Development Assessment Team can also provide you with information regarding the assessment process.

For further information about the *Gympie Regional Council Planning Scheme 2013* or other strategic planning matters, visit [gympie.qld.gov.au](http://gympie.qld.gov.au) or contact council's Strategic Planning Team on [PlanningScheme@gympie.qld.gov.au](mailto:PlanningScheme@gympie.qld.gov.au)

**Phone:** 5481 0904

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