



## **Broadsound Shire Council**

### **Guide to the *Broadsound Plan***

## **Guide 1—Development Applications**

### **Working from Home**

#### **Introduction**

Many people may wish to operate a business from their home address, rather than from industrial or business premises. The home business may be the main income earner for an individual or family, or it may be a part-time way of earning extra income.

Broadsound Shire Council encourages the development of small businesses, including those at a person's own home. At the same time, it has to be sure that neighbourhood amenity in a residential area or village is not adversely affected

The purpose of this leaflet is to give advice about when it is necessary to get a development permit from Council and whether particular business activities may not need a development permit..

This leaflet cannot cover all business activities run from home. It is intended to give general advice and guidance only.

*You should always contact Broadsound Shire Council to find out if you need development approval for a particular business activity in a particular location.*

#### **Will I need to apply for planning permission if I use my home for business?**

This depends on the nature of both the business activity and the house where it is to be carried out. This is because development approval is only required for a business activity where a **material change of use** occurs. This will depend very much on the scale and character of the business activity and the effect on the character of the house from which it is operated and the neighbourhood.

Some basic guidelines for deciding if it is necessary to apply for development approval follow. *Please note they are intended only as general guidance and you should always confirm the position with Broadsound Shire Council.*

## Examples of uses that usually do not constitute ‘material change of use’—development application probably not needed

The following uses are examples of business activity that probably don’t constitute a **material change of use**. What is intended to be done is unlikely to alter the residential use of premises and is unlikely to affect neighbours’ amenity—

- the house or a domestic outbuilding on the same premises is used for an office or workspace for activities predominantly conducted elsewhere and little or no personal client contact occurs at the site. For example, a mobile business or one that uses email, the internet and postal services predominately;
- one or perhaps two bedrooms are let to lodgers;
- the care of children in accordance with the *Child Care (Family Day Care) Regulation 1991*.

Where a proposed business activity complies with the above guidelines, it is generally the case that there is no need to seek development approval from Council.

## Examples of uses that will usually need a development application

The following uses are examples of business activity are likely to be a **material change of use**. If something like one or other of the following kinds of use is intended, the use of the premises cannot be considered to be simply a house—it becomes a house plus a business or industry. This change of use is likely to be a **material** change that, amongst other things, may affect your neighbours’ amenity—

- Repairing or servicing trucks, cars, other vehicles or machinery
- Taxi or bus businesses eg school bus
- A business that needs a large commercial vehicle (4 tonnes or more with or without trailer) at the premises or on road reserves adjoining the premises
- Hiring out materials, goods appliances or vehicles
- Offices (with staff or open to the public)
- Selling goods by retail—eg a shop or cafe
- Storage and distribution - warehouse or wholesaler
- Providing services, such as hairdresser or masseur
- Taking in more than 4 lodgers or boarders
- Caring for animals, in a town or village.

*(The above are examples, not an exhaustive list).*

## How do I make a development application if I need to?

A standard application process is used throughout Queensland. A development application form, **Form 1**, is used. This form is used for all development applications regardless of whether they are made to a State government department, a local government or a private building certifier.

The form has a number of parts but only the parts relevant to each proposal need be completed, according to the nature of the proposal. An **Assessment Checklist** assists in determining the parts of the application form that apply to a particular application.

Form 1 is available at Broadsound Shire Council offices or indeed at most local governments. It is also available on the IPA website at—  
[www.ipa.qld.gov.au](http://www.ipa.qld.gov.au).

**Guide 1 Making an IDAS Application** accompanies the form and provides assistance with filling out *Form 1*. *Guide 1* is one of a series of guides prepared by the State Government to assist in the completion of the application forms.

The development application should be supported with enough detailed information including scaled plans and a written explanation of the proposal. Details of any consultation with neighbours or others about what is proposed should also be provided.

## Fees payable

The fee set by Council to assess development applications is \$450.00, with a higher fee for complex proposals that are generally outside the scope of 'working from home'.

Please ensure that the fee is paid when the development application is made.

## Where to lodge an application

**Form 1** and supporting documents should be lodged and the assessment fee should be paid at any Broadsound Shire Council office or mailed to —

The Chief Executive Officer  
Broadsound Shire Council P O Box 1  
ST LAWRENCE QLD 4707

## How will my development application be assessed?

Broadsound Shire Council will assesses the application against the -

- *Common material*, which is all material about the application the assessment manager has received and any current development approval and
- the *Broadsound Development Code*, which is the code contained in the planning scheme against which all code assessable development is assessed.

Broadsound's planning scheme, the *Broadsound Plan*, is available on Council's website—

<http://www.broadsound.qld.gov.au/>

## What happens when Council decides my application?

When your development application is decided, a **Decision Notice** will be issued. This decision notice is likely to contain conditions.

Complying with these development conditions is essential.

## What happens if I don't apply for development approval if it is needed?

It is an offence to carry out assessable development under the *Integrated Planning Act 1997*. See s 4.3.1 "A person must not start assessable development unless there is an effective development permit for the development. (Maximum penalty—1665 penalty units.)"

## Advertising signs – approval is needed under local laws

If you propose to exhibit an advertising sign at your home about the business conducted from it, a separate application for approval under Council's local laws is needed, unless the proposed advertising sign meets the following criteria—

- only one sign is displayed
- the sign does not exceed 0.3m<sup>2</sup>
- no greater height than 1.5m
- the sign is located on the site and is situated below any portion of the roof of the house
- the sign is not moving, flashing, illuminated or audible.

## Where can I get advice?

Assistance is available from any Council office or by phoning Council's Consulting Town Planner—(07) 4685 2332.