

PART 12—ASSESSMENT CRITERIA FOR DEVELOPMENT FOR A STATED PURPOSE OR OF A STATED TYPE

Division 1—Preliminary

12.1.1 Codes for Development for a Stated Purpose or Development of a Stated Type

The provisions in this part comprise the following codes—

- Preliminary (division 1);
- Home Based Activities Code (division 2);
- Vegetation Management Code (division 4);
- Reconfiguring a Lot Code (division 5);
- Residential Code (division 6);
- Commercial and Industrial Code (division 7);
- Intensive Animal Husbandry Code (division 8);
- Parking Code (division 9);
- Character Code (division 10);
- Recreation and Entertainment Code (division 11);
- Community Use Code (division 12);
- Temporary Use Code (division 13);
- Advertising Devices Code (division 14);
- Earthworks Code (division 15);
- Planning Scheme Building Matters Code (division 16).



Division 2—Home Based Activities Code

12.2.1 Home Based Activities Code

(2)

The provisions in this division comprise the Home Based Activities Code. They are—

- compliance with the Home Based Activities Code (section 12.2.2);
- overall outcomes for the Home Based Activities Code (section 12.2.3);
- specific outcomes, probable solutions and acceptable solutions for the Home Based Activities Code (section 12.2.4).

The overall outcomes sought for the Home Based Activities Code are the following—

- (a) Home Based Activities are undertaken in a manner which does not cause a nuisance or disturbance to the occupiers or users of other nearby land, particularly nearby residents; and
- (b) Home Based Activities are compatible with the physical characteristics of the site where they are located and the character of the local area.

12.2.2 Compliance with the Home Based Activities Code

Development that, in the local government's opinion is consistent with the specific outcomes in section 12.2.4 complies with the Home Based Activities Code.

12.2.4

Specific Outcomes, Probable Solutions and Acceptable Solutions for the Home Based Activities Code

The specific outcomes sought for Home Based Activities are set out in column 1 of Table 12.2.1 and the acceptable solutions (if self assessable) and the probable solutions (if code assessable) are set out in column 2 of Table 12.2.1.

12.2.3 Overall Outcomes for the Home Based Activities Code

(1) The overall outcomes are the purpose of the Home Based Activities Code.

NOTE 12.2.3A

Sub-section (1) provides the link between the overall outcomes sought for the code and the IPA code assessment rules which refer to the 'purpose' of the code [see IPA s.3.5.13(2)].



Table 12.2.1: Specific Outcomes, Acceptable Solutions and Probable Solutions for Home Based Activities

Column 1 Specific Outcomes	Column 2 Acceptable Solutions (if self assessable) Probable Solutions (if code assessable)
<p>Scale and Intensity of Activity</p> <p>(1) The scale and intensity of activity is compatible with the physical characteristics of the site and the character of the local area.</p> <p>Amenity</p> <p>(2) The activity does not create conditions which—</p> <p>(a) cause disturbance or annoyance to neighbours or other persons not connected with the activity; or</p> <p>(b) adversely affect property not connected with the activity; or</p> <p>(c) cause hazards to persons or property not connected with the activity.</p> <p>Advertising</p> <p>(3) Any advertising device associated with the proposed activity is compatible with the character of the local area.</p>	<p>Scale and Intensity of Activity</p> <p>(1) (a) The floor area used for the specific activity, either in a separate building or part of the main building is not greater than 50m².</p> <p>(b) New buildings or roofed structures for the activity do not increase the area covered by buildings or roofed structures to greater than 50% of the lot.</p> <p>(c) The maximum height of a new building, structure or object associated with the activity is 8.5m.</p> <p>(d) If providing visitor accommodation, a maximum of four (4) unrelated persons or one family travelling together in not more than one motor vehicle are accommodated at any one time.</p> <p>(e) The persons who are engaged or employed in the activity reside on the premises, provided that one other person, who does not reside on the premises may be engaged in the use.</p> <p>Amenity</p> <p>(2) (a) The activity—</p> <p>(i) involves a business office, professional office, retail outlet, hairdressing or beauty salon, or other similar low impact use; and</p> <p>(ii) either—</p> <p>(A) does not generate or attract visitors or clients to the site; or</p> <p>(B) involves site visits, by appointment only, and where such visits are limited to no more than—</p> <p>(I) two visitors or clients to the site per hour; and</p> <p>(II) 10 visitors or clients to the site per day.</p> <p>(b) There is no operation of the activity on Sundays or Public Holidays or outside the hours of 7.00 a.m. to 6.00 p.m., Monday to Saturday.</p> <p>(c) There is no display or storage of goods or other materials visible from beyond the site.</p> <p>(d) There are no repairs or servicing of motor vehicles, personal items or household items, except for registered motor vehicles and personal or household items which are owned and used by persons who reside on the premises.</p> <p>(e) The Home Based Activity does not involve an industrial activity, other than those outlined in respect of sub-section (d) above.</p> <p>Advertising</p> <p>(3) Any advertising device which is associated with the activity and which is capable of being viewed from nearby land or roads is—</p> <p>(a) not illuminated; and</p> <p>(b) limited to one sign, not greater than 0.5m² in area.</p>
<p>Car Parking</p> <p>(4) Adequate car parking is provided or is available for the activity.</p> <p>Siting of Activity</p> <p>(5) The location of activities on site is compatible with the character of the local area.</p>	<p>Car Parking</p> <p>(4) (a) There are no parking requirements for activities which—</p> <p>(i) do not engage or employ persons who do not reside on the premises; and</p> <p>(ii) do not generate or attract visitors or clients to the site.</p> <p>(b) One parking space is provided either on site or is available on the street in front of the site for each person who is engaged or employed in the activity but who does not reside on the premises.</p> <p>(c) In addition to sub-section (b) above, two parking spaces are provided either on site or are available on the street in front of the site in situations where the activity will generate or attract visitors or clients to the site.</p> <p>Siting of Activity</p> <p>(5) New buildings or structures associated with the activity comply with the boundary clearances stated in Part 12, Division 16.</p>



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