Assessment of Economic Support Provisions

1. **Part 8B, Division 3 - Particular development requires code assessment instead of impact assessment**

Overview

The State are allowing Council the opportunity to 'opt in' to reduce levels of assessment in the planning scheme to code assessment (bound to specific assessment benchmarks), where level of assessment for certain uses is currently impact assessable (assessment against the entire scheme and a number of other matters). If Council decide to 'opt in' to the changes, there is an opportunity to identify specific benchmarks and overlays (already within the existing planning scheme), that an applicant would need to provide assessment against.

State Guidance Material

This provision allows for a local government to opt-in to cap the category of assessment at code assessment for certain uses seeking to establish where the use is identified opposite that zone in the Regulation.

To apply this provision a local government will identify the zones and opposite uses they intend to opt-in to. Given this provision would change the category of assessment of certain uses in certain zones from impact to code, the regulation provides for a local government to identify in the instrument the relevant assessment benchmarks (that may collectively be contained in codes) within the planning scheme that are to apply to the assessment of the uses.

This might include the relevant zone and use codes, as well as any other relevant codes that may contain assessment benchmarks applicable for that use in the zone identified. These assessment benchmarks need to be identified in the instrument for them to have effect. The instrument will list the applicable assessment benchmarks from the planning scheme against each of the uses and zones opted-in to.

If a local government identifies specific overlays may still be relevant and wants to ensure the assessment benchmarks within that overlay code apply to the relevant zones and uses, the instrument should state these also. A local government should consider the ability of the applicable assessment benchmarks within define codes to provide a robust bounded assessment, before opting-in to this provision.

Officer's comments:

- Review of the planning scheme indicates there are already many circumstances where uses are already code assessable (or a lower level of assessment).
- Opportunities have been identified for Council to 'opt in' to lowering the level of assessment for uses to code assessment.
- Where it is recommended Council 'opt in' to lowering the level of assessment to accepted development, assessment benchmarks have been recommended for assessment provisions.
- Some circumstances have been identified where it is not recommended Council 'opt in' to lowering the level of assessment. Justification for retaining the current level of assessment in the planning scheme has been provided in these instances.

Legend:

	Planning scheme already complies with State's proposed level of assessment (code assessment)
	Opportunity to lower planning scheme's level of assessment to code assessable
	It is not recommended any changes are made to the planning schemes current level of assessment

Table 1: Level of Assessment Review – Change to Code Assessment

Proposed Use	Current Planning Scheme Level of Assessment review	Recommendation
Local centre zone		
Food and drink outlet	Code	No change to level of assessment.
Health care service	Code	No change to level of assessment.
Office	Code	No change to level of assessment.
Veterinary service	Accepted if located in an existing building	No change to level of assessment.
Shop	Code if not exceeding 400m^2 GLFA	Already code assessable in certain circumstances – no change to level of assessment.
Neighbourhood centre zone		
Health care service	Code	No change to level of assessment.
Office	Code	No change to level of assessment.
Veterinary service	Accepted if located in an existing building	No change to level of assessment.
Food and drink outlet	Code (if not involving a drive through facility) – neighbourhood centre	Already code assessable in certain circumstances – no change to level of assessment.
Shop	Code if not exceeding 400m^2 GLFA	Already code assessable in certain circumstances – no change to level of assessment.
Principal centre zone		
Bar	Code	No change to level of assessment.
Food and drink outlet	Code	No change to level of assessment.
Health care service	Code	No change to level of assessment.
Indoor sport and recreation	Code	No change to level of assessment.
Market	Accepted subject to requirements	No change to level of assessment.
Office	Code	No change to level of assessment.
Service industry	Code	No change to level of assessment.
Shop	Code	No change to level of assessment.
Veterinary service	Code	No change to level of assessment.
Food and drink outlet	Code (if not incorporating a drive-through facility)	Already code assessable in certain circumstances – no change to level of assessment.
Garden centre	Code if development footprint does not exceed 500m^2	Already code assessable in certain circumstances – no change to level of assessment.
District centre zone		
Bar	Code	No change to level of assessment.
Food and drink outlet	Code	No change to level of assessment.
Garden centre	Code	No change to level of assessment.
Health care service	Code	No change to level of assessment.
Indoor sport and recreation	Code	No change to level of assessment.
Market	Accepted subject to requirements	No change to level of assessment.
Office	Code	No change to level of assessment.
Service industry	Code	No change to level of assessment.
Veterinary service	Code	No change to level of assessment.
Food and drink outlet	Code (if not incorporating a drive-through facility)	Already code assessable in certain circumstances – no change to level of assessment.
Shop	Code if not involving a department store or discount department store	Already code assessable in certain circumstances – no change to level of assessment.
Specialised centre zone		
Food and drink outlet	Code	No change to level of assessment.
Garden centre	Code	No change to level of assessment.
Indoor sport and recreation	Code	No change to level of assessment.
Service Industry	Code	No change to level of assessment.
Shop	Code if having a GLFA of 300m^2 or greater and not incorporating a department store, discount department store or supermarket	Already code assessable in certain circumstances – no change to level of assessment.
Veterinary Service	Code	Already code assessable in certain circumstances – no change to level of assessment.

Proposed Use	Current Planning Scheme Level of Assessment review	Recommendation
Mixed Use Zone – Precinct MU1 (Urangan Harbour)		
Home-based business	Accepted subject to requirements	No change to level of assessment.
Market	Accepted subject to requirements	No change to level of assessment.
Bar	Code if in sub-precincts 1, 3, 6 or 11)	Already code assessable in certain circumstances – no change to level of assessment.
Food and drink outlet	Code (if located in in sub-precincts 1, 2, 3, 6, 8, 9 or 11	Already code assessable in certain circumstances – no change to level of assessment.
Health care service	Code (if located in sub-precincts 1, 2, 3 or 6)	Already code assessable in certain circumstances – no change to level of assessment.
Indoor sport and recreation	Code (if located in sub-precincts 1, 2, 3, 6)	Already code assessable in certain circumstances – no change to level of assessment.
Office	Code (if located in sub-precincts 1, 2,3, 4, 6 or 11 and having a GLFA not exceeding 200m^2)	Already code assessable in certain circumstances – no change to level of assessment.
Service industry	Code if located in sub-precincts 3, 4, 5, 6 or 7	Already code assessable in certain circumstances – no change to level of assessment.
Shop	Code (if located in sub-precincts 1, 3, 6, 7 or 11 and not exceeding 200m^2 GLFA)	Already code assessable in certain circumstances – no change to level of assessment.
Mixed Use Zone – Precinct MU2 (Hervey Bay Airport Business and Industry Park)		
Home-based business	Accepted subject to requirements	No change to level of assessment.
Indoor sport and recreation	Code	No change to level of assessment.
Market	Accepted subject to requirements	No change to level of assessment.
Service industry	Accepted subject to requirements	No change to level of assessment.
Veterinary Service	Code	No change to level of assessment.
Food and drink outlet	Code (if the GLFA does not exceed 100m^2)	Already code assessable in certain circumstances – no change to level of assessment.
Office	Code (if not exceeding 200m^2 GLFA)	Already code assessable in certain circumstances – no change to level of assessment.
Mixed Use Zone – Precinct MU3 (Carriers Arms Hotel)		
Bar	Code	No change to level of assessment.
Food and drink outlet	Code	No change to level of assessment.
Home-based business	Accepted subject to requirements	No change to level of assessment.
Indoor sport and recreation	Code	No change to level of assessment.
Market	Accepted subject to requirements	No change to level of assessment.
Service industry	Accepted subject to requirements	No change to level of assessment.
Market	Accepted subject to requirements	No change to level of assessment.
Service industry	Accepted subject to requirements	No change to level of assessment.
Shop	Code	No change to level of assessment..
Veterinary Service	Code	No change to level of assessment.
Office	Code (if not exceeding 200m^2 GLFA)	Already code assessable in certain circumstances – no change to level of assessment.
Mixed Use Zone – Precinct MU4 (Dominion Flour Mill)		
Bar	Code	No change to level of assessment.
Food and drink outlet	Code	No change to level of assessment.
Health care service	code	No change to level of assessment.
Home-based business	Accepted subject to requirements	No change to level of assessment.
Indoor sport and recreation	Code	No change to level of assessment.
Market	Accepted subject to requirements	No change to level of assessment.
Service industry	Accepted subject to requirements	No change to level of assessment.
Shop	Code	No change to level of assessment.
Veterinary Service	Code	No change to level of assessment.
Office	Code (if not exceeding 200m^2 GLFA)	Already code assessable in certain circumstances – no change to level of assessment.
Mixed Use Zone – Precinct MU5 (Fraser Island Resorts)		
Home-based business	Accepted subject to requirements	No change to level of assessment.
Indoor sport and recreation	Code	No change to level of assessment.
Market	Accepted subject to requirements	No change to level of assessment.
Service industry	Accepted subject to requirements	No change to level of assessment.
Veterinary Service	Code	No change to level of assessment.
Food and drink outlet	Code (if in an existing building)	Already code assessable in certain circumstances – no change to level of assessment.
Office	Code (if not exceeding 200m^2 GLFA)	Already code assessable in certain circumstances – no change to level of assessment.
Shop	Code (if not exceeding 200m^2 GLFA and within an existing building)	Already code assessable in certain circumstances – no change to level of assessment.

Proposed Use	Current Planning Scheme Level of Assessment review	Recommendation
Mixed Use Zone – Precinct MU6 (Maryborough Residential Airpark)		
Home-based business	Accepted subject to requirements	No change to level of assessment.
Low impact industry zone		
Car wash	Code	No change to level of assessment.
Hardware and trade supplies	Code	No change to level of assessment.
Low impact industry	Accepted subject to requirements	No change to level of assessment.
Research and technology industry	Accepted subject to requirements	No change to level of assessment.
Service industry	Accepted subject to requirements (industry uses code and transport and parking code)	No change to level of assessment.
Transport depot	Code	No change to level of assessment.
Veterinary service	Code	No change to level of assessment.
Warehouse	Accepted subject to requirements (industry uses code and transport and parking code) if not in Precinct MII1 Code (if located in Precinct MII1 – Hervey Bay entrance)	No change to level of assessment.
Medium impact industry zone		
Bulk landscape supplies	Code	No change to level of assessment.
Car wash	Code	No change to level of assessment.
Service industry	Accepted subject to requirements (industry uses code and transport and parking code)	No change to level of assessment.
Transport depot	Code	No change to level of assessment.
Veterinary service	Code	No change to level of assessment.
Warehouse	Accepted subject to requirements (industry uses code and transport and parking code) if not in Precinct MII1 Code (if located in Precinct MII1 – Hervey Bay entrance)	No change to level of assessment.
Low impact industry	Accepted subject to requirements (industry uses code and transport and parking code) if not in Precinct MII1 Code – if located in Precinct MII1 (Hervey Bay Entrance)	No change to level of assessment.
Research and technology industry	Accepted subject to requirements (industry uses code and transport and parking code) if not in Precinct MII1 Code – if located in Precinct MII1 (Hervey Bay Entrance)	No change to level of assessment.
Rural Zone		
Intensive horticulture	Code	No change to level of assessment.
Nature-based tourism	Accepted subject to requirements	No change to level of assessment.
Wholesale nursery	Accepted subject to requirements	No change to level of assessment.
Winery	Code	No change to level of assessment.
Rural industry	Code - if no part of the use area is within: (a) 250m of premises in the Rural residential zone; or (b) 500m of premises in a residential zone	Already code assessable in certain circumstances – no change to level of assessment.
High density residential zone - if located in Precinct HDR1 (Hervey Bay tourism nodes)		
Sales office	Accepted subject to requirements	No change to level of assessment.
Shop	Code	No change to level of assessment.
Tourist park	Code	No change to level of assessment.
Short-term accommodation	Code – if not exceeding a building height of: a) 20.0m; or 26.0m in Precinct HDR1 (Hervey Bay tourism nodes)	Already code assessable in certain circumstances – no change to level of assessment.
Waterfront and marine industry zone		
Low impact industry	Code	No change to level of assessment.
Marine industry	Accepted subject to requirements (industry code and transport parking code)	No change to level of assessment.
Warehouse	Code	No change to level of assessment.

Proposed Use	Current Planning Scheme Level of Assessment Review	Recommendation	Recommended Applicable Benchmarks
Specialised centre zone			
Bar	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Health care service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Market	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Office	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Mixed Use Zone – Precinct MU1 (Urangan Harbour)			
Garden centre	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Mixed Use Zone – Precinct MU2 (Hervey Bay Airport Business and Industry Park)			
Bar	Impact	Support	• Mixed Use zone code • Business uses code • Transport and parking code • Landscaping code • Acid Sulfate Soils overlay code • Airport and aviation facilities overlay code • Biodiversity areas, waterways and wetlands overlay code • Bushfire hazard overlay code • Coastal protection overlay code • Flood hazard overlay code • Heritage and neighbourhood character overlay code • Infrastructure overlay code
Garden centre	Impact	Support	• Mixed use zone code • Business uses code • Transport and parking code • Landscaping code • Acid Sulfate Soils overlay code • Airport and aviation facilities overlay code • Biodiversity areas, waterways and wetlands overlay code • Bushfire hazard overlay code • Coastal protection overlay code • Flood hazard overlay code • Heritage and neighbourhood character overlay code • Infrastructure overlay code
Shop	Impact	Support	• Mixed Use zone code • Business uses code • Transport and parking code • Landscaping code • Acid Sulfate Soils overlay code • Airport and aviation facilities overlay code • Biodiversity areas, waterways and wetlands overlay code • Bushfire hazard overlay code • Coastal protection overlay code • Flood hazard overlay code • Heritage and neighbourhood character overlay code • Infrastructure overlay code

Proposed Use	Current Planning Scheme Level of Assessment Review	Recommendation	Recommended Applicable Benchmarks
Veterinary service	Impact	Support	• Mixed use zone code • Business uses code • Transport and parking code • Landscaping code • Acid Sulfate Soils overlay code • Airport and aviation facilities overlay code • Biodiversity areas, waterways and wetlands overlay code • Bushfire hazard overlay code • Coastal protection overlay code • Flood hazard overlay code • Heritage and neighbourhood character overlay code • Infrastructure overlay code
Health care service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Mixed Use Zone – Precinct MU3 (Carriers Arms Hotel)			
Garden centre	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Health care service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Mixed Use Zone – Precinct MU4 (Dominion Flour Mill)			
Garden centre	Impact	Support	• Mixed use zone code • Business uses code • Transport and parking code • Landscaping code • Acid Sulfate Soils overlay code • Airport and aviation facilities overlay code • Biodiversity areas, waterways and wetlands overlay code • Bushfire hazard overlay code • Coastal protection overlay code • Flood hazard overlay code • Heritage and neighbourhood character overlay code • Infrastructure overlay code
Mixed Use Zone – Precinct MU5 (Fraser Island Resorts)			
Bar	Impact	Support	• Mixed Use zone code • Business uses code • Transport and parking code • Landscaping code • Acid Sulfate Soils overlay code • Airport and aviation facilities overlay code • Biodiversity areas, waterways and wetlands overlay code • Bushfire hazard overlay code • Coastal protection overlay code • Flood hazard overlay code • Heritage and neighbourhood character overlay code • Infrastructure overlay code • Fraser and Great Sandy Strait Islands overlay code

Proposed Use	Current Planning Scheme Level of Assessment Review	Recommendation	Recommended Applicable Benchmarks
Health care service	Impact	Support	• Mixed Use zone code • Business uses code • Transport and parking code • Landscaping code • Acid Sulfate Soils overlay code • Airport and aviation facilities overlay code • Biodiversity areas, waterways and wetlands overlay code • Bushfire hazard overlay code • Coastal protection overlay code • Flood hazard overlay code • Heritage and neighbourhood character overlay code • Infrastructure overlay code • Fraser and Great Sandy Strait Islands overlay code
Garden centre	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Mixed Use Zone – Precinct MU6 (Maryborough Residential Airpark)			
Bar	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Food and drink outlet	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Garden centre	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Health care service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Indoor sport and recreation	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Market	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Office	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Service industry	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Shop	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Veterinary service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Low impact industry zone			
Bulk landscape supplies	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Medium impact industry zone			
Hardware and trade supplies	Impact	Support	• Applicable Local Area Plan • Medium impact industry zone code • Industry uses code • Transport and parking code • Landscaping code • Acid Sulfate Soils overlay code • Airport and aviation facilities overlay code • Biodiversity areas, waterways and wetlands overlay code • Bushfire hazard overlay code • Coastal protection overlay code • Flood hazard overlay code • Heritage and neighbourhood character overlay code • Infrastructure overlay code
High impact industry zone			
Bulk landscape supplies	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Car wash	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Hardware and trade supplies	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Low impact industry	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Research and technology industry	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a

Proposed Use	Current Planning Scheme Level of Assessment Review	Recommendation	Recommended Applicable Benchmarks
Service industry	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Transport depot	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Veterinary service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Warehouse	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Rural Zone			
Agricultural supplies store	Impact	Support	• Applicable Local Area Plan • Business uses code • Rural zone code • Transport and parking code • Landscaping code • Acid Sulfate Soils overlay code • Agricultural land overlay • Airport and aviation facilities overlay code • Biodiversity areas, waterways and wetlands overlay code • Bushfire hazard overlay code • Coastal protection overlay code • Flood hazard overlay code • Heritage and neighbourhood character overlay code • Infrastructure overlay code
High density residential zone - if located in Precinct HDR1 (Hervey Bay tourism nodes)			
Tourist attraction	Impact	Support	• Applicable Local Area Plan • High density residential zone code • Business uses code • Landscaping code • Transport and parking code • Works, services and infrastructure code • Acid Sulfate Soils overlay code • Airport and aviation facilities overlay code • Biodiversity areas, waterways and wetlands overlay code • Bushfire hazard overlay code • Coastal protection overlay code • Flood hazard overlay code • Heritage and neighbourhood character overlay code • Infrastructure overlay code
Nature based tourism	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a

Purpose of Zones -

Zone	Purpose
Specialised centre zone	The purpose of the Specialised centre zone is to provide for one or more specialised uses including, for example, conference centres, entertainment centres, education and research facilities or university campuses.
Mixed Use Zone – Precinct MU1 (Urangan Harbour)	The purpose of the Mixed use zone is to provide for a mix of variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities. (h) development in Precinct MU1 (Urangan Harbour) promotes the establishment of a vibrant and active mixed-use harbour-side precinct that accommodates a range of residential tourism, recreation, business, community and industry uses consistent with the Urangan Harbour Master Plan and associated Planning Scheme Policy for the Urangan Harbour Master Plan in Schedule 6;
Mixed Use Zone – Precinct MU2 (Hervey Bay Airport Business and Industry Park)	The purpose of the Mixed use zone is to provide for a mix of variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities. (i) in addition to providing support services to the aviation sector and Hervey Bay Airport , development in Precinct MU2 (Hervey Bay Airport Business and Industry Park) accommodates a range of complementary business, industry and limited residential uses that contribute to the establishment of a self-contained employment hub;

Zone	Purpose
Mixed Use Zone – Precinct MU3 (Carriers Arms Hotel)	The purpose of the Mixed use zone is to provide for a mix of variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities. (j) development in Precinct MU3 (Carriers Arms Hotel) contributes to and enhances the established hotel, motel and conference facilities located in the precinct and caters for a range of residential, business and entertainment uses;
Mixed Use Zone – Precinct MU5 (Fraser Island Resorts)	The purpose of the Mixed use zone is to provide for a mix of variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities. (k) development in Precinct MU5 (Fraser Island Resorts) contributes to and enhances the established integrated resorts located in this precinct that accommodate a range of residential, tourism, recreation, business, community and industry uses;
Mixed Use Zone – Precinct MU6 (Maryborough Residential Airpark)	The purpose of the Mixed use zone is to provide for a mix of variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities. (l) development in Precinct MU6 (Maryborough Residential Airpark) provides for an alternative lifestyle choice that is tailored to aviation enthusiasts who own and operate private aircrafts as a dominant mode of transport. This precinct supports residential uses with associated air services such as hangers with direct access to the Maryborough Airport runways.
Low impact industry zone	The purpose of the Low impact industry zone is to provide for:- (a) service industry and low impact industry; and (b) other uses and activities that:- (i) support industry activities (ii) do not compromise the future use of premises for industry activities.
High impact industry zone	The purpose of the High impact industry zone is to provide for:- (a) high impact industry; and (b) other activities that: (i) support industry activities (ii) do not compromise the future use of premises for industry activities
High density residential zone - if located in Precinct HDR1 (Hervey Bay tourism nodes)	The purpose of the High density residential zone is to provide for:- (a) high density multiple dwellings; and (b) community uses, and small-scale services, facilities and infrastructure, to support local residents (i) development in Precinct HDR1 (Hervey Bay tourism nodes) provides for the establishment of tourist facilities and services to complement visitor accommodation and enhance the attractiveness of tourist nodes.

2. Schedule 6, Part 1, Section 1A - Particular building work that increases gross floor area of an existing building

Overview

The State has provided reduced requirements for building work. The planning scheme only regulates building work for dwelling houses, dual occupancies and domestic outbuildings on vacant lots. This provision is not applicable to the Fraser Coast Regional Council.

State Guidance Material

This provision provides for a local government to opt-in to change the category of development for some expansions of gross floor area (GFA) from assessable to accepted development. To apply this provision a local government will identify the zones and opposite uses they intend to opt-in to.

This provision does not change or amend the current definition or Minor building work under the Regulation.
It is a separate provision providing a greater threshold for building work for minor expansions in GFA when a local government chooses to opt-in. If given effect, the Regulation outlines the requirements to make certain building work increasing GFA accepted development where:

- *it is an existing lawful use of premises*
- *the expansion in GFA is the lesser of 100m^2 or 10% of the GFA of the existing building*
- *the building work is not undertaken on, or adjacent/adjoining a state or local heritage building*
- *the building work complies with the applicable siting requirements where identified by a local government*
- *the building work does not reduce the number of car parking spaces or the total area of landscaping on the premises*
- *the building work is substantially started during the effective period of this instrument*
- *no other building work to increase GFA, other than building work carried out under a development approval given before the provision took effect, has been carried out during the effective period of this instrument.*

Officer comments:

- The planning scheme only regulates building work for dwelling houses, dual occupancies and domestic outbuildings on vacant lots.
- It is not recommended Council "opt-in" to provision – Schedule 6, Part 2, Section 7A – Particular material change of use involving an existing building.
- The proposed schedule amendments are not applicable, as the Fraser Coast Planning Scheme 2014 does not regulate building work for the zones/uses proposed –

Table 2: Applicable Zones and Uses

Zone	Use
Neighbourhood centre zone or Local centre zone	Food and drink outlet
	Health care service
	Office
	Shop
	Veterinary service
District centre zone, principal centre zone, specialised centre zone	Bar
	Food and drink outlet
	Garden centre
	Health care service
	Indoor sport and recreation
	Market
	Office
	Service industry
	Shop
	Veterinary service
Mixed use zone	Bar
	Food and drink outlet
	Garden centre
	Health care service
	Home based business
	Indoor sport and recreation
	Market
	Office
	Service industry
	Shop
	Veterinary service

Zone	Use
Low impact industry zone, medium impact industry zone or high impact industry zone	Bulk landscape supplies
	Car wash
	Hardware and trade supplies
	Low impact industry
	Research and technology industry
	Service industry
	Transport depot
	Veterinary service
	Warehouse
Rural zone	Agricultural supplies store
	Intensive horticulture
	Nature based tourism
	Rural industry
	Wholesale nursery
	winery
High density residential zone - if located in Precinct HDR1 (Hervey Bay tourism nodes)	Nature based tourism
	Sales office
	Shop
	Tourist attraction
	Tourist park
Waterfront and marine industry zone	Low impact industry
	Marine industry
	Warehouse

3. Schedule 6, Part 2, Section 7A – Particular material change of use involving an existing building

Overview

The State have provided provisions for accepted development (development can occur without a planning permit)/accepted development subject to requirements (development can occur without a planning permit if it meets certain requirements) for code and impact assessable developments (an application needs to be submitted to Council for assessment). The changes are applicable where involving an existing building and only involves minor building work. The only applicable assessment provisions are

- The change of use is within an existing building
- No building work is carried out
- Only minor building work can be carried out
- If the use is a shop the *Trading (Allowable Hours) Act 1990* applies for trading hours; otherwise
    - Applicable benchmarks for operating hours
    - The number of car parking spaces/total area of landscaping is not reduced
    - If in a neighbourhood or local centre zone, applicable benchmarks for heavy vehicle traffic connected with the use can be identified

Other than the requirements listed above, Council can only regulate operating hours where the use is not subject to the *Trading (Allowable Hours) Act 1990* and where located in the neighbourhood or local centre zones, heavy vehicle use in connection with the proposed use (which must already be identified within the planning scheme).

State Guidance Material

This provision provides for a local government to allow a change in tenancy within an existing building as accepted development if the use is expected in that zone and only minor building work will occur. To apply this provision a local government will identify the zones and opposite uses they intend to opt-in to. If given effect, the Regulation outlines a material change of use can occur as accepted development for the uses and zones a local government has opted in to where:

- *the change of use involves the reuse of an existing building*
- *the change of use does not involve the carrying out of building work*
- *the change of use may involve minor building work*
- *where for a proposed use, other than a declared use under section 275O of the Planning Act 2016:*
- *If the proposed use is a shop to which the Trading (Allowable Hours) Act 1990 applies – the requirements under that Act about trading hours for the shop; or*
    - *The use complies with the applicable benchmark identified in Column 3 applying to the premises about operating hours*

- the change of use does not reduce the number of car parking spaces or total area of landscaping
- where in a neighbourhood or local centre zone complies with the applicable benchmark identified in Column 3 about heavy vehicle traffic connected to the proposed use.

This provision does not provide for additional requirements other than those listed above. The Regulation provides for a local government to identify appropriate requirements related to operating hours where the use is not bound by the Trading (Allowable Hours) Act 1990, and for neighbourhood or local centre zones heavy vehicle use in connection with the proposed use. When identifying requirements for operating hours or heavy vehicle movements, the requirements and / or assessment benchmarks are required to be contained in the current planning scheme and will need to be identified in the instrument for them to have effect.

Officer comments:

- Review of the planning scheme indicates there are already many circumstances where uses are already accepted development.
- Opportunities have been identified for Council to 'opt in' to lowering the level of assessment for uses to accepted development.
- In accordance with the guidance material, Council only have the opportunity to regulate operating hours where the use is not subject to the *Trading (Allowable Hours) Act 1990* and where located in the neighbourhood or local centre zones, heavy vehicle use in connection with the proposed use.
    - Review of the planning scheme indicates so assessment benchmarks including these provisions.
    - The proposed changes have been assessed and are considered low risk. Additionally, should any issues arise, Council have the ability to revoke the Legislative provisions.
- Some circumstances have been identified where it is not recommended Council 'opt in' to lowering the level of assessment. Justification for retaining the current level of assessment in the planning scheme has been provided in these instances.

Legend:

	Planning scheme already complies with State's proposed level of assessment (Accepted development/Accepted development subject to requirements)
	Opportunity to lower planning scheme's level of assessment to Accepted development/Accepted development subject to requirements
	It is not recommended any changes are made to the planning schemes current level of assessment

Table 3: Assessment – Particular material change of use involving an existing building

Proposed Use	Current Planning Scheme Level of Assessment Review	Recommendation
Local centre zone		
Food and drink outlet	Accepted if located in an existing building (except if incorporating a drive-through facility)	No change to level of assessment.
Health care service	Accepted if located in an existing building (if not exceeding 250m^2 GLFA)	No change to level of assessment.
Office	Accepted if located in an existing building (if not exceeding 200m^2 GLFA)	No change to level of assessment.
Shop	Accepted if located in an existing building (if not exceeding 400m^2 GLFA)	No change to level of assessment.
Veterinary service	Accepted if located in an existing building	No change to level of assessment.
Neighbourhood centre zone		
Food and drink outlet	Accepted if located in an existing building (except if incorporating a drive-through facility)	No change to level of assessment.
Health care service	Accepted if located in an existing building (if not exceeding 250m^2 GLFA)	No change to level of assessment.
Office	Accepted if located in an existing building (if not exceeding 200m^2 GLFA)	No change to level of assessment.
Shop	Accepted if located in an existing building (if not exceeding 400m^2 GLFA)	No change to level of assessment.
Veterinary service	Accepted if located in an existing building	No change to level of assessment.
Principal centre zone		
Food and drink outlet	Accepted if located in an existing building (except if incorporating a drive-through facility)	No change to level of assessment.
Garden centre	Accepted if located in an existing building and the development footprint does not exceed 500m^2	No change to level of assessment.
Health care service	Accepted if located in an existing building	No change to level of assessment.
Indoor sport and recreation	Accepted if located in an existing building	No change to level of assessment.
Market	Accepted subject to requirements (market code)	No change to level of assessment.
Office	Accepted if located in an existing building	No change to level of assessment.
Service industry	Accepted if located in an existing building	No change to level of assessment.
Shop	Accepted if located in an existing building	No change to level of assessment.
Veterinary service	Accepted if located in an existing building	No change to level of assessment.
District centre zone		
Food and drink outlet	Accepted if located in an existing building (except if incorporating a drive-through facility)	No change to level of assessment.
Garden centre	Accepted if located within an existing building	No change to level of assessment.
Health care service	Accepted if located in an existing building	No change to level of assessment.
Market	Accepted subject to requirements (market code)	No change to level of assessment.
Office	Accepted if located in an existing building	No change to level of assessment.
Service industry	Accepted if located in an existing building	No change to level of assessment.
Shop	Accepted if located in an existing building (if not involving a detapartment store or discount department store)	No change to level of assessment.
Veterinary service	Accepted if located in an existing building	No change to level of assessment.
Specialised Centre Zone		
Food and drink outlet	Accepted if located within an existing building and not incorporating a drive-through facility	No change to level of assessment.
Garden centre	Accepted if located within an existing building	No change to level of assessment.
Service industry	Accepted subject to requirements (if located within an existing building)	No change to level of assessment.
Shop	Accepted if located within an existing building, having a GLFA of 300m^2 or greater and not incorporating a department store, discount department store or supermarket.	No change to level of assessment.
Veterinary service	Accepted if located within an existing building	No change to level of assessment.
Mixed Use Zone – Precinct MU1 (Urangan Harbour)		
Food and drink outlet	Accepted if located in an existing building (in sub-precincts 1, 2,3, 6 or 11 and not involving a drive-through facility)	No change to level of assessment.

Proposed Use	Current Planning Scheme Level of Assessment Review	Recommendation
Home-based business	Accepted if a Home based business (if involving a home based child care service licensed under the Child Care Act 2002)	No change to level of assessment.
Market	Accepted subject to requirements (market code)	No change to level of assessment.
Office	Accepted if located in an existing building (if not exceeding 200m^2 GLFA)	No change to level of assessment.
Shop	Accepted if located in an existing building (if located in sub-precincts 1, 3, 6, 7 or 11 and not exceeding 200m^2 GLFA)	No change to level of assessment.
Mixed Use Zone – Precinct MU2 (Hervey Bay Airport Business and Industry Park)		
Home-based business	Accepted if a Home based business (if involving a home based child care service licensed under the Child Care Act 2002)	No change to level of assessment.
Market	Accepted subject to requirements (market code)	No change to level of assessment.
Office	Accepted if located in an existing building (if not exceeding 200m^2 GLFA)	No change to level of assessment.
Mixed Use Zone – Precinct MU3 (Carriers Arms Hotel)		
Food and drink outlet	Accepted if located in an existing building (except if incorporating a drive-through facility)	No change to level of assessment.
Home-based business	Accepted if a Home based business (if involving a home based child care service licensed under the Child Care Act 2002)	No change to level of assessment.
Market	Accepted subject to requirements (market code)	No change to level of assessment.
Office	Accepted if located in an existing building (if not exceeding 200m^2 GLFA)	No change to level of assessment.
Shop	Accepted if located in an existing building (if not exceeding 200m^2 GLFA)	No change to level of assessment.
Mixed Use Zone – Precinct MU4 (Dominion Flour Mill)		
Food and drink outlet	Accepted if located in an existing building (except if incorporating a drive-through facility)	No change to level of assessment.
Home-based business	Accepted if a Home based business (if involving a home based child care service licensed under the Child Care Act 2002)	No change to level of assessment.
Market	Accepted subject to requirements (market code)	No change to level of assessment.
Office	Accepted if located in an existing building (if not exceeding 200m^2 GLFA)	No change to level of assessment.
Shop	Accepted if located in an existing building (if not exceeding 200m^2 GLFA)	No change to level of assessment.
Mixed Use Zone – Precinct MU5 (Fraser Island Resorts)		
Home-based business	Accepted if a Home based business (if involving a home based child care service licensed under the Child Care Act 2002)	No change to level of assessment.
Market	Accepted subject to requirements (market code)	No change to level of assessment.
Office	Accepted if located in an existing building (if not exceeding 200m^2 GLFA)	No change to level of assessment.
Mixed Use Zone – Precinct MU6 (Maryborough Residential Airpark)		
Home-based business	Accepted if a Home based business (if involving a home based child care service licensed under the Child Care Act 2002)	No change to level of assessment.
Low impact industry zone		
Hardware and trade supplies	Accepted if located in an existing building	No change to level of assessment.
Low impact industry	Accepted subject to requirements (industry uses code and transport and parking code)	No change to level of assessment.
Research and technology industry	Accepted subject to requirements (industry uses code and transport and parking code)	No change to level of assessment.
Service industry	Accepted subject to requirements (industry uses code and transport and parking code)	No change to level of assessment.
Warehouse	Accepted subject to requirements (industry uses code and transport and parking code)	No change to level of assessment.
Medium impact industry zone		
Low impact industry	Accepted subject to requirements (industry uses code and transport and parking code) if not in Precinct MII1	No change to level of assessment.
Research and technology industry	Accepted subject to requirements (industry uses code and transport and parking code)	No change to level of assessment.
Service industry	Accepted subject to requirements (industry uses code and transport and parking code)	No change to level of assessment.
Warehouse	Accepted subject to requirements (industry uses code and transport and parking code)	No change to level of assessment.
In a Rural Zone		
Wholesale nursery	Accepted subject to requirements	No change to level of assessment.
High density residential zone - if located in Precinct HDR1 (Hervey Bay tourism nodes)		
Sales office	Accepted subject to requirements	No change to level of assessment.
Waterfront and Marine Industry Zone		
Marine industry	Accepted subject to requirements (industry code and transport parking code)	No change to level of assessment.

Proposed Use	Assessment	Recommendation	Recommended Applicable Benchmarks
District Centre zone			

Proposed Use	Assessment	Recommendation	Recommended Applicable Benchmarks
Bar	Code	Support	N/a
Indoor sport and recreation	Code	Support	N/a
Principal centre zone			
Bar	Code	Support	N/a
Specialised Centre zone			
Indoor sport and recreation	Code	Support	N/a
Bar	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Health care service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Market	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Office	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Mixed Use Zone – Precinct MU1 (Urangan Harbour)			
Bar	Code	Support	
Health care service	Code	Support	N/a
Indoor sport and recreation	Code	Support	
Garden centre	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Showroom	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Veterinary service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Mixed Use Zone – Precinct MU2 (Hervey Bay Airport Business and Industry Park)			
Indoor sport and recreation	Code	Support	N/a
Showroom	Code	Support	N/a
Veterinary service	Code	Support	N/a
Bar	Impact	Supported	N/a
Food and drink outlet	Impact	Supported	N/a
Health care service	Impact	Supported	N/a
Garden centre	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Shop	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Mixed Use Zone – Precinct MU3 (Carriers Arms Hotel)			
Shop	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Bar	Code	Support	N/a
Indoor sport and recreation	Code	Support	N/a
Veterinary service	Code	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Garden centre	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Health care service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Showroom	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Mixed Use Zone – Precinct MU4 (Dominion Flour Mill)			
Bar	Code	Support	N/a
Health care service	Code	Support	N/a
Indoor sport and recreation	Code	Support	N/a
Veterinary service	Code	Support	N/a
Food and drink outlet	Impact	Support	N/a
Garden centre	Impact	Support	N/a
Showroom	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Mixed Use Zone – Precinct MU5 (Fraser Island Resorts)			
Bar	Impact	Supported	N/a
Health care service	Impact	Supported	N/a
Shop	Impact	Supported	N/a
Indoor sport and recreation	Code	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Veterinary service	Code	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Garden centre	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Showroom	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a

Proposed Use	Assessment	Recommendation	Recommended Applicable Benchmarks
Mixed Use Zone – Precinct MU6 (Maryborough Residential Airpark)			
Bar	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Food and drink outlet	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Garden centre	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Health care service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Indoor sport and recreation	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Market	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Office	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Shop	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Showroom	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Veterinary service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Low Impact Industry zone			
Veterinary service	Code	Support	N/a
Bulk landscape supplies	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Car wash	Code	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Transport depot	Code	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Medium impact industry zone			
Bulk landscape supplies	Code	Support	N/a
Car wash	Code	Support	N/a
Transport depot	Code	Support	N/a
Veterinary service	Code	Support	N/a
Hardware and trade supplies	Impact	Support	N/a
High Impact Industry zone			
Bulk landscape supplies	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Car wash	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Hardware and trade supplies	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Low impact industry	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Research and technology industry	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Service industry	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Transport depot	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Veterinary service	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Warehouse	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a
Rural Zone			
Agricultural supplies store	Impact	Support	N/a
Winery	Code	Support	N/a
Rural industry	Code - if no part of the use area is within: (a) 250m of premises in the Rural residential zone; or (b) 500m of premises in a residential zone	Support	N/a
Rural industry	Impact - if any part of the use area is within: (a) 250m of premises in the Rural residential zone; or (b) 500m of premises in a residential zone	Not supported – Circumstances where impacts of use require assessment (amenity concerns to neighbouring properties)	N/a
High density residential zone - if located in Precinct HDR1 (Hervey Bay tourism nodes)			
Shop	Code	Support	N/a
Tourist attraction	Impact	Support	N/a
Nature-based tourism	Impact	Not supported – conflicts with the zone purpose (refer to zone purpose statement below)	N/a

Waterfront and marine industry zone			
Low impact industry	Code	Support	N/a
Warehouse	Code	Support	N/a

Purpose of Zones -

Zone	Purpose
Specialised centre zone	The purpose of the Specialised centre zone is to provide for one or more specialised uses including, for example, conference centres, entertainment centres, education and research facilities or university campuses.
Mixed Use Zone – Precinct MU1 (Urangan Harbour)	The purpose of the Mixed use zone is to provide for a mix of variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities. (h) development in Precinct MU1 (Urangan Harbour) promotes the establishment of a vibrant and active mixed-use harbour-side precinct that accommodates a range of residential tourism, recreation, business, community and industry uses consistent with the Urangan Harbour Master Plan and associated Planning Scheme Policy for the Urangan Harbour Master Plan in Schedule 6;
Mixed Use Zone – Precinct MU2 (Hervey Bay Airport Business and Industry Park)	The purpose of the Mixed use zone is to provide for a mix of variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities. (ii) in addition to providing support services to the aviation sector and Hervey Bay Airport , development in Precinct MU2 (Hervey Bay Airport Business and Industry Park) accommodates a range of complementary business, industry and limited residential usesthat contribute to the establishment of a self-contained employment hub;
Mixed Use Zone – Precinct MU3 (Carriers Arms Hotel)	The purpose of the Mixed use zone is to provide for a mix of variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities. (j) development in Precinct MU3 (Carriers Arms Hotel) contributes to and enhances the established hotel, motel and conference facilities located in the precinct and caters for a range of residential, business and entertainment uses;
Mixed Use Zone – Precinct MU5 (Fraser Island Resorts)	The purpose of the Mixed use zone is to provide for a mix of variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities. (k) development in Precinct MU5 (Fraser Island Resorts) contributes to and enhances the established integrated resorts located in this precinct that accommodate a range of residential, tourism, recreation, business, community and industry uses;
Mixed Use Zone –	The purpose of the Mixed use zone is to provide for a mix of variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses
Mixed Use Zone – Precinct MU6 (Maryborough Residential Airpark)	The purpose of the Mixed use zone is to provide for a mix of variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities. (l) development in Precinct MU6 (Maryborough Residential Airpark) provides for an alternative lifestyle choice that is tailored to aviation enthusiasts who own and operate private aircrafts as a dominant mode of transport. This precinct supports residential uses with associated air services such as hangers with direct access to the Maryborough Airport runways.
Low impact industry zone	The purpose of the Low impact industry zone is to provide for:- (a) service industry and low impact industry; and (b) other uses and activities that:- (i) support industry activities (ii) do not compromise the future use of premises for industry activities.
High impact industry zone	The purpose of the High impact industry zone is to provide for:- (c) high impact industry; and (d) other activities that: (iii) support industry activities (iv) do not compromise the future use of premises for industry activities
Rural zone	The purpose of the rural zone is to: (a) provide for rural uses and activities (b) provide for other uses and activities that are compatible with:- (i) existing and future rural uses and activities; and (ii) the character and environmental features of the zone; and (3) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes.
High density residential zone - if located in Precinct HDR1 (Hervey Bay tourism nodes)	The purpose of the High density residential zone is to provide for:- (a) high density multiple dwellings; and (b) community uses, and small-scale services, facilities and infrastructure, to support local residents (i) development in Precinct HDR1 (Hervey Bay tourism nodes) provides for the establishment of tourist facilities and services to complement visitor accommodation and enhance the attractiveness of tourist nodes.

Schedule 6, Part 2, Section 7B - Material change of use for home-based business in particular zones

Overview

The State has provided opportunities for Council to lower levels of assessment for home based businesses in residential and tourist accommodation zones where not involving an industry activity and where complying with the Environmental Protection (Noise) Policy during operating hours. If applied, no other provisions are required other than those.

State Guidance Material

This provision provides for local governments to allow home-based business as accepted development in the low density residential, low-medium density residential, medium density residential, high density residential, character residential, tourist accommodation and township zones. A local government may choose to opt-in to some or all of the zones for this provision. If given effect, the Regulation outlines a material change of use for a home-based business use is accepted development where:

- *the material change of use does not involve an industry activity as define under a local planning instrument*
- *the use complies with the acoustic quality objectives in the Environmental Protection (Noise) Policy during operating hours.*

This provision does not provide for additional requirements other than those listed above. A local government opting-in to this provision will be unable to apply any additional requirements that may apply to home-based business uses in their current planning scheme.

Officer comments:

- Review of the planning scheme levels of assessments indicates the current provisions for a home based business already meet the accepted development requirements.
- It is not recommended Council 'opt in' to this schedule.

Assessment of current provisions for a home based business –

Zone	Current Level of Assessment	Recommendation
Home based business		
Low density residential zone	Accepted If involving a home based child care service licensed under the *Child Care Act 2002* Accepted subject to requirements if not otherwise specified.	No change to level of assessment.
Medium density residential zone	Accepted If involving a home based child care service licensed under the *Child Care Act 2002* Accepted subject to requirements if not otherwise specified.	No change to level of assessment.
High density residential zone	Accepted If involving a home based child care service licensed under the *Child Care Act 2002* Accepted subject to requirements if not otherwise specified.	No change to level of assessment.
High density residential zone - if located in Precinct HDR1 (Hervey Bay tourism nodes)	Accepted If involving a home based child care service licensed under the *Child Care Act 2002* Accepted subject to requirements if not otherwise specified.	No change to level of assessment.