### Business uses code

#### Application

This code applies to development identified as requiring assessment against the Business uses code by the tables of assessment in **Part 5 (Tables of assessment)**.

#### Purpose and overall outcomes

1. The purpose of the Business uses code is to ensure that business uses and other centre activities:-
   1. are developed in a manner consistent with the Bundaberg Region Activity Centre Network; and
   2. are of a high quality design which reflects good centre design principles and appropriately responds to local character, environment and amenity considerations.
2. The purpose of the Business uses code will be achieved through the following overall outcomes:-
   1. a business use is consistent with the role and function of the centre and the intentions of the zone it is located in;
   2. a business use incorporates building and landscape design that responds to the character of the particular local area;
   3. a business use is integrated into its surrounds and reflects high quality town centre design, streetscape and landscaping principles; and
   4. a business use avoids or mitigates adverse impacts upon the amenity, privacy or environmental quality of nearby residential uses.

#### Specific benchmarks for assessment

Benchmarks for assessable development

| **Performance outcomes** | **Acceptable outcomes** | **Compliance / Representations** |
| --- | --- | --- |
| ***Requirements for business uses (other than corner stores in residential areas)*** | |  |
| ***Activity centre role and function*** | |  |
| **PO1**  The business use is of a type, scale and intensity that is consistent with the role and function of the centre and the intentions of the zone it is located in. | **AO1**  No acceptable outcome provided. | Provide a brief description how your proposal complies with the relevant Acceptable outcome (if applicable) or a detailed analysis how compliance is achieved with the Performance outcome. |
| ***Relationship of buildings to streets and public spaces*** | |  |
| **PO2**  The business use is in a building that:-   1. clearly defines, frames or encloses the street and other useable public and semi-public open space; 2. has a front building line that is consistent with the existing or intended built form of the locality; and 3. has a positive street front address and helps create or maintain an attractive and coherent local streetscape character. | **AO2.1**  Buildings located in a main street or a core retail area[[1]](#footnote-1) are built to the front boundary for all or most of its length so as to create a continuous or mostly continuous edge.  **AO2.2**  Buildings located in areas other than as specified in AO2.1 are setback at least 6m from the street frontage and main entrances front the street. | Click and provide your representations. |
| **PO3**  Car parking areas, service areas and driveways are located so as not to dominate the streetscape. | **AO3**  The development provides for:-   1. shared driveways; 2. rear access lanes; and 3. parking and service areas situated at the rear or the site or in a basement. | Click and provide your representations. |
| **PO4**  The business use provides for footpaths, walkways and other spaces intended primarily for pedestrians to be comfortable to use and adequately sheltered from excessive sunlight and inclement weather. | **AO4.1**  Development located in a main street or a core retail area provides adequate and appropriate pedestrian shelter along the full length of the street frontage in the form of an awning, colonnade, verandah or the like for the width of the verge.  **AO4.2**  Development in areas other than as specified in AO4.1 no acceptable outcome provided. | Click and provide your representations. |
| **PO5**  The business use is in a building which is designed to create vibrant and active streets and public spaces. | **AO5.1**  Development provides for a minimum of 65% of the building frontage to a public street or other public space to present with clear or relatively clear windows and glazed doors.  **AO5.2**  The ground storey level of any building in a main street or core retail area incorporates activities that are likely to foster casual, social and business interaction for extended periods such as shops, restaurants and the like.  **AO5.3**  Development minimises vehicular access across active street frontages. | Click and provide your representations. |
| ***Building mass and composition*** | |  |
| **PO6**  The business use is in a building that enhances and complements the character and amenity of streets and neighbouring premises via a built form that:-   1. maintains some area free of buildings at ground level to facilitate pedestrian movement and other functions associated with the building; 2. ensures access to attractive views and prevailing cooling breezes; and 3. reduces the apparent scale and bulk of buildings, to the extent practicable. | **AO6.1**  Other than where located in a main street or a core retail area, site cover does not exceed:-   1. 70% for that part of the development not exceeding 2 storeys in height; 2. 40% for that part of the development exceeding 2 storeys in height.   **AO6.2**  Buildings are set back from street frontages:-   1. in accordance with Acceptable Outcome AO2.1 and AO2.2 (as applicable) for that part of building up to 2 storeys in height; 2. at least 6m for that part of a building exceeding 2 storeys in height.   **AO6.3**  If not adjoining premises used for a residential activity or included in a residential zone, buildings are set back from other site boundaries as follows:-   1. for that part of a building up to 2 storeys in height:-    1. 0m if adjoining an existing blank wall or vacant land on an adjoining site; or    2. at least 3m if adjoining an existing wall with openings on an adjoining site; 2. at least 4m for that part of a building exceeding 2 storeys in height.   **OR**  If adjoining premises used for a residential activity or included in a residential zone, buildings are set back from other site boundaries as follows:-   1. at least 3m for that part of a building up to 2 storeys or 8.5m in height; 2. at least 6m for that part of a building exceeding 2 storeys or 8.5m in height.   **AO6.4**  Any projection above the podium level outside the boundaries of the building envelope is limited to balconies that do not project more than 1.5m into the setback.  **AO6.5**  All storeys of a building above the second storey have a plan area that does not exceed 1,000m² with no horizontal facade exceeding 45m in length. | Click and provide your representations. |
| ***Building features and articulation*** | |  |
| **PO7**  The business use is in a building which:-   1. provides visual interest through form and facade design; 2. provides outdoor or semi-enclosed public spaces that complement adjoining indoor spaces; 3. takes advantage of local climatic conditions in ways that reduce demand on non-renewable energy sources for cooling and heating; and 4. appropriately responds to the character and amenity of neighbouring premises. | **AO7.1**  The building has articulated and textured facades that incorporates some or all of the following design features to create a high level of openness and visual interest, and provide shading to walls and windows:-   1. pedestrian awning, colonnades, verandahs, balconies and eaves; 2. recesses, screens and shutters; 3. textural and material variation; 4. windows that are protected from excessive direct sunlight during warmer months.   **AO7.2**  The building is articulated and finished in a manner that positively responds to attractive and notable elements of adjacent buildings and the streetscape, such as continuity of colonnades, verandahs, balconies, eaves, parapet lines and roof forms.  **AO7.3**  The building incorporates vertical and horizontal articulation such that no unbroken elevation is longer than 15m. | Click and provide your representations. |
| **PO8**  Where the business use involves the development of a multi-storey building, the building is designed to:-   1. display the functional differences between the ground level and the above ground level spaces; 2. have a top level and roof form that is shaped to provide a visually attractive skyline silhouette; and 3. effectively screen rooftop mechanical plants from view. | **AO8**  No acceptable outcome provided. | Click and provide your representations. |
| ***Environmental management and amenity of residential premises*** | |  |
| **PO9**  The business use does not unreasonably impact upon the amenity or environmental quality of its environs and especially any nearby residential premises. | **AO9.1**  Undesirable visual, noise and odour impacts on public spaces and residential uses, are avoided or reduced by:-   1. where appropriate, limiting the hours of operation of the business use to maintain acceptable levels of residential amenity relative to the site context and setting; 2. providing vehicle loading/unloading and refuse storage/collection facilities within enclosed service yards or courtyards; and 3. not locating site service facilities and areas along any frontage to a street or other public space.   **AO9.2**  Where the business use requires the use of acoustic attenuation measures to mitigate adverse impacts on nearby sensitive land uses, such measures are designed and constructed to be compatible with the local streetscape.  **AO9.3**  If adjoining premises are used for a residential activity or included in a residential zone, buildings are sited and designed to mitigate adverse micro-climatic impacts from overshadowing or wind tunnelling. |  |
| **PO10**  The business use maintains the reasonable privacy and amenity of residential premises such that the use of indoor and outdoor living areas by residents is not unreasonably diminished. | **AO10**  Where the development is adjacent to an existing or approved building containing residential uses, the reasonable privacy and amenity of such uses is maintained by:-   1. siting and orienting buildings to minimise the likelihood of overlooking occurring; 2. having windows and outdoor areas, (including balconies and terraces) located and designed so that they do not look into dwellings or rooming units; and 3. incorporating screening over building openings. | Click and provide your representations. |
| ***Safety and security*** | |  |
| **PO11**  Development contributes to a safe and secure pedestrian environment by:-   1. allowing casual surveillance to and from the street and other public spaces; 2. orienting the upper level windows so that they overlook the street and other public spaces; 3. ensuring entrances to businesses are clearly defined and visible from the street, car parking areas and pathways; 4. providing adequate lighting of entrances; 5. providing clear sightlines for pathways and routes; 6. presenting an active face to the street by generous provision of windows and openings and avoiding the use of security shutters; 7. using external building materials and finishes that are robust and durable; and 8. avoidance of blank exposed walls to discourage vandalism. | **AO11**  No acceptable outcome provided. | Click and provide your representations. |
| ***Requirements for corner stores in residential areas*** | |  |
| **PO12**  Where the business use involves the establishment of a corner store in a residential area, the corner store:-   1. is appropriately located in the residential area taking account of the size and configuration of the neighbourhood and the location of other existing or approved retail facilities; and 2. is compatible with the scale and intensity of development in the neighbourhood. | **AO12.1**  The corner store is located on a site that:-   1. has access and frontage to a collector street or higher order road; or 2. is adjacent to a community activity or an existing non-residential use.   **AO12.2**  The corner store is located on a site that is more than 400m radial distance from:-   1. any existing shop; 2. any site with a current approval for a shop; or 3. any land included in a centre zone.   **AO12.3**  Site cover for a corner store does not exceed 50%. | Click and provide your representations. |

1. Note—for the purposes of this code, a ‘main street or core retail area’ refers to traditional street based areas within the historic town centres of townships and cities that incorporate a mix of retail, residential, community, and administration uses. [↑](#footnote-ref-1)