

## LOCAL PLANNING POLICY NO. 17 – HOME BUSINESSES

### Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy No. 17 – Home Businesses.

### Policy Statement

The Town recognises the economic and social benefits associated with home businesses, and also acknowledges that working from home is an expanding area of employment.

The facilitation of home businesses needs to be balanced against the need to protect the amenity and character of residential areas, and any impacts associated with home businesses such as the scale of the operation, noise, odour, emissions, traffic generation and car parking requirements.

### Policy Objectives

- (a) To provide guidance for the assessment of applications for home businesses.
- (b) To ensure that home businesses will not compromise the character and amenity of the surrounding residential area or nearby residents.
- (c) To provide for economic growth and employment opportunities by facilitating the development of home businesses.

### Application

This policy applies to applications for Home Businesses.

### Definitions

Home Business: *means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession –*

- (a) *does not involve employing more than 2 people who are not members of the occupier's household; and*
- (b) *will not cause injury to or adversely affect the amenity of the neighbourhood; and*
- (c) *does not occupy an area greater than 50m<sup>2</sup>; and*
- (d) *does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the internet;*
- (e) *does not result in traffic difficulties as the result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and*
- (f) *does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight*

## **Policy Requirements**

### **1. Information Requirements**

An application for development approval for any Home Business is to include the following:

- (a) A written submission detailing:
  - (i) The nature of the home business;
  - (ii) Confirmation that the home business will be conducted by an occupier of the dwelling, and the number of persons to be employed;
  - (iii) Hours and days of operation;
  - (iv) The number of customers/ client and frequency of visits;
  - (v) Details of any signage proposed.
- (b) Scaled plans detailing:
  - (i) The area to be occupied by the home business;
  - (ii) The location of car parking and access; and
  - (iii) The location of any storage area associated with the home business.
- (c) Payment of fees in accordance with Council's adopted Schedule of Fees and Charges.

### **2. Consultation**

Applications for Home Businesses (compliant or not) will require community consultation in accordance with clause 64 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

### **3. General**

- (a) All home businesses must comply with the *Environmental Protection (Noise) Regulations 1997* and Food Safety Standards (if applicable) at all times.
- (b) Applications for home businesses on strata lot sites that involve visitations will only be supported where consent from the strata body or all landowners within the strata complex has been received.
- (c) In determining the appropriateness of a Home Business, the nature and scale of the business, noise, odour, emissions, traffic generation, car parking requirements and hours of operation will be taken into consideration.
- (d) A Home Business shall only be permitted to operate between the hours of:
  - (i) 8:00am and 5:00pm Mondays to Saturdays; and
  - (ii) Not at all on Sundays and Public Holidays.
- (e) The retail display, direct in-person sale or hire of goods is not permitted on-site. Retail sales are permitted so long as the goods are ordered by customers via telephone or internet and are dispatched by post.

### **4. Customers and Clients**

- (a) The number of customers/clients permitted to attend the premises shall be determined having regard to the amenity of the surrounding locality.
- (b) All customer/client visits must be made with 15-minute appointment intervals, unless there is adequate car parking.

### **5. Traffic and Car Parking**

- (a) In addition to the car parking bays required for the dwelling, a minimum of two car parking bays shall be provided to adequately cater for the expected number of customers/clients and/or employees attending the site at any one time. Car parking in the driveway is not to obstruct footpaths.
- (b) The use of on-street car parking may be considered for the use of customers/clients and/or employees where the safety and functionality of the road network is not compromised.

### **6. Approval Period**

- (a) The Town may withdraw approval of a home business upon the receipt of substantiated complaints from neighbours.
- (b) The Town may grant approval for an initial period of twelve months, where it has concerns regarding the potential operation of the use on the amenity of the locality. In such cases, the applicant will be required to seek a renewal of

approval to continue to operate the home business after the initial 12 month period.

## 7. **Garage Sales**

Garage sales generally will not require Development Approval, however, in the event that a property accommodates more than one garage sale in any 30 day period, it shall be considered a Home Store and require Development Approval under the operative local planning scheme.

<b>Document responsibilities:</b>			
<b>Owner:</b>	Community Planning	<b>Owner Business Unit:</b>	Planning and Regulation
<b>Inception date:</b>	27 October 2020	<b>Decision maker:</b>	Council
<b>Review date:</b>	26 March 2024	<b>Repeal and replace:</b>	N/A