

HOME OFFICES, HOME OCCUPATIONS, & HOME BUSINESSES

Council supports in principle the concept of allowing to a limited degree low intensity homes based occupation and businesses to operate in residential areas. The Council has established different categories of home based employment and defined these under its Local Planning Scheme No.10.

There are two fundamental planning principles which would allow home based employment and businesses to operate from private home in a residential area;

1. The operation of the home based business would not detract from the amenity of the area in terms of noise, traffic or the residential scale and aesthetics.
2. The house is used principally for residential purposes.

Home based employment known as either *Home Occupation* or *Home Business* can only operate legally with the prior approval of Council. While retrospective applications can be considered Council is under no obligation to approve an already operating home based employment.

Applications for a *Home Occupation* or *Home Business* to are to consist of:

1. APPLICATION FOR DEVELOPMENT APPROVAL FORM

The Application for Development Approval form must be completed with all necessary details and signed by all owners of the land.

2. COVERING LETTER

The covering letter must provide a description of the proposed home based occupation:

- * type and nature of occupation (as per the definitions provided below)
- * persons to be employed (if any);
- * number of vehicles and/or people expected to visit the property related to the occupation on a weekly basis;
- * method of advertising occupation;
- * the hours of operation; and any other relevant details.

3. SITE PLAN

Two (2) copies of a site plan, where appropriate, indicating the area to be used for the occupation, and the location of on-site visitor parking bays (if required).

4. APPLICATION FEE

The current application fees for Home Occupations and Home Businesses are available from the Town's Fees and Charges Schedule. Please note, a Home Business may attract an additional advertising cost. The appropriate fee is a one-off cost, and must be submitted with the application. In the case where building works requiring planning consent are needed to facilitate the home occupation/business the planning fee is then based on the development schedule of 0.32% of the value of construction.

DEFINITIONS

“home business” means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which -

- (a) does not employ more than 2 people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50 square metres;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone;

“home occupation” means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- (a) does not employ any person not a member of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20 square metres;
- (d) does not display a sign exceeding 0.2 square metres;
- (e) does not involve the retail sale, display or hire of goods of any nature;
- (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and

- (g) does not involve the use of an essential service of greater capacity than normally required in the zone;

“**home office**” means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not:

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling;

A home office may operate as of right in a residential area providing its operation remains within this definition.*

ADVERTISING REQUIREMENT

An application for a ‘Home Business’ will require advertising prior to Council being able to determine such a proposal. Advertising can include inviting written comments from those who are likely to be affected by the business, a sign or signs being placed on the site or by an advertisement placed in the local newspaper. The exact form and extent of advertising will be determined by the Town, and the costs of any signs, or newspaper advertising are additional to the application fees and are to be met by the applicant.

ASSESSMENT PROCESS;

The Town has the responsibility to ensure that it understands clearly the exact nature and impact of the Home Occupation or Home Business it is being requested to approve.

Providing that sufficient information and any neighbour consultation is carried out the approximate timeframe for a decision is approximately four to six weeks.

However, applications that are incomplete or do not provide adequate information may be deferred or returned to the applicant.

FURTHER INFORMATION

If you have any queries on home occupations or businesses, please contact the Towns’ Development Services Administration Officer on 9377 8009.

** although a home office does not require formal approval as with the other categories of home based employment, the Town would appreciate a brief letter providing basic information on your Home Office. The Town is interested in contacting home based businesses as part of its economic development initiative*