

Home Business, Home Occupation and Home Office

A Home Business, Home Occupation or Home Office is a small scale business or activity operated on an ancillary basis within a residential property. The Home Business, Home Occupation or Home Office must be operated by the occupier of the residence and is not transferable to other owners, occupiers or properties.

Definitions

Under the City's Local Planning Scheme No. 3 (the Scheme) the uses 'Home Business', 'Home Occupation' and 'Home Office' have the following 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:

- a) does not entail clients or customer travelling to and from the dwelling;
- b) does not involve any advertising signs on the premises; and
- c) does not require any external changes to the appearance of the dwelling."

The Requirement for Planning Approval

Planning consent is not required from the City for a Home Office. Where the City deems that a Home Office complies with the above requirements, a letter can be provided upon request confirming that approval is not required. Planning consent is required from the City prior to commencing either a home business or home occupation where such uses a permissible under the Scheme.

Please note that approvals for a Home Occupation, Home Office or Home Business are only granted to the person to whom it is issued and is not capable of being transferred or assigned to any other person. Upon the sale of the property or change in ownership of the land any approval will cease.

When submitting a planning application, the following is to be provided:

- A completed Home Business / Occupation Application Form;
- A completed and signed Development Application Checklist;
- Written confirmation on the type of business, how it complies with the requirements stipulated under the Scheme definition, the hours of operation, whether clients will visit the premises by prior appointment only and how it will be advertised; and
- A site plan and internal floor plan drawn to a scale of no less than 1:500 showing the areas to be used in conjunction with the proposal and where vehicles can be parked on site.

Please note that additional information may also be requested to be provided once assessment of the proposal has commenced where it has been deemed to be required.

Should you have any queries please contact the City's Approval services on 9257 9999