

HOME ACTIVITY INFORMATION

Development Services:



Can I run a business from home?

Yes, in some circumstances you can run a small-scale business from home, as long as it fits into strict conditions. This is known as a *Home Activity* and is defined in the Planning, Development and Infrastructure (General) Regulations 2017.

What is a home activity?

The Regulations define a home activity as the person who lives in the home using the site to run a business which doesn't detrimentally affect the amenity of the area and doesn't:

- have more than one person who doesn't live in the home helping with the business;
- use more than 30 square metres of floor space, either temporarily or permanently;
- use more water, power and similar public utility organisation services than would ordinarily be used by the homes in the area;
- display goods in a window, around the home or its curtilage; or
- use a vehicle weighing more than 3 tonne tare (3000 kg).

Do I need to apply for development approval?

If your home business fits strictly into the above criteria, then you don't need formal development approval from Council and therefore don't need to make a development application. This is because a home activity isn't seen as development within the meaning of the Planning, Development and Infrastructure Act 2016. You must check with Council that you comply with this criterion.

You will need to complete a Home Activity Application to have your home activity registered for Council records. This assists us to deal with any enquiries or complaints should they arise.

You are entitled to carry on your business without further reference to Council unless your business no longer fits strictly into the above criteria or other issues become involved which require special attention, such as health and hygiene matters.

Please be aware that your business must not have a detrimental effect on the amenity of the area at any time. This is often known as the 'nuisance' factor. Obviously this can be a subjective test and has the potential to create friction if the impact of the activity is felt beyond the boundaries of your home.

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What sort of activity can cause a problem?

Businesses involved in manufacturing or the production of something may cause problems because of their operations and the processes and tools used. If anyone considers the business to be affecting the amenity of the area, Council has the power to check the situation and see if you are operating within the home activity criteria. If the 'nuisance' factor is apparent, then you may have a problem continuing your business, unless you obtain development approval.

The Council often receives complaints about businesses that:

- create repeated, prolonged or loud noise (sometimes requiring intervention by the Environment Protection Authority);
- interfere with television or radio reception;
- produce smoke, smells, fumes, dust etc.;
- increase traffic in the street or congestion caused by visitor parking and general movement; or
- are carried out at times outside of normal working hours.

Mechanical repairs, panel beating, spray painting and activities that use noisy machinery, have materials delivered regularly or have a constant turnover of customers are generally not considered a home activity.