

Information Guide 3 – Home Activity

Can I run a Business from Home?

In some circumstances you can run a small-scale business from your home, provided it does not detract from the enjoyment of the area for your neighbours and it is in compliance with the definition of a “home activity”.

A home activity does not require approval from Council provided it is operated within certain guidelines. These guidelines are designed to protect the residential nature and quality of an area.

What is a Home Activity?

The regulations under the *Planning, Development and Infrastructure 2017*, define a “home activity” to be:

A use of a site by a person resident on the site –

1. That does not detrimentally affect the amenity of the locality or any part of the locality; and
2. That does not require or involve any of the following:
 - assistance by more than one person who is not a resident in the dwelling;
 - use (whether temporarily or permanently) of a floor area exceeding 30 square metres;
 - the imposition on the services provided by a public utility organisation of any demand or load greater than that which is ordinarily imposed by other users of the services in the locality;
 - the display of goods in a window or about the dwelling or its curtilage;
 - the use of a vehicle exceeding three (3) tonne tare in weight.

Residential Amenity

The subjective nature of Part 1 (above) can often be difficult to assess. Generally the following guidelines can be applied to determine compliance with the requirements of this Part:

1. Traffic to and from the house should not unreasonably exceed that which could ordinarily be expected from a private home;
2. The parking of vehicles as a result of the activity should not unreasonably exceed that which could ordinarily be expected from a private home;
3. Noise generated by the activity should not unreasonably exceed that which could ordinarily be expected from a private home.

What Sort of Activities Can Cause A Problem?

It is important to remember that a Home Activity is a business that does not create problems for your neighbours. Council often receives complaints from residents about Home Activities which:

- Create repeated, prolonged or loud noise;
- Increase traffic in the street by delivery vehicles or the parking of customers/clients cars;
- Produce smoke, smells, fumes, dust and the like;
- Are carried on at times outside of normal working hours or operate for extended or continuous periods.

Should these complaints be substantiated a development application, seeking planning consent for the use or activity, will have to be lodged with Council.

Council requests that if a home activity is to be undertaken on a subject property, a letter outlining the manner in which the activity is to be undertaken be submitted for information purposes only.

Note: You may need additional advice from the Eastern Health Authority (Phone 8132 3600) if your business involves the assembly or production of food.

It is also recommended to check with other authorities for any non Council related requirements that may need to be met.

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Further Information

The above information is advisory and only a guide to give you a general understanding of the key issues associated with home activity.

For further information or assistance, please contact Council's City Development & Safety Department on 8366 4200.