

1. INTRODUCTION

Town Planning Scheme No.4 (TPS) allows the Council discretion to approve home occupations and home businesses in the Residential, Special Residential, Special Rural, Rural Living and General Rural zones and, rural home businesses in the Special Rural, Rural Living and General Rural zones. Such uses may be encouraged as a means of facilitating economic development opportunity provided local amenity is not compromised.

2. APPLICATION OF POLICY

This policy provides guidance to the City in exercising discretion to approve or refuse home occupations and home businesses in the Residential, Special Residential, Special Rural, Rural Living and General Rural zones and approve or refuse rural home businesses in the Special Rural, Rural Living and General Rural zones. The policy sets out the application requirements and matters to be considered in determining applications for home occupations, home businesses and rural home businesses.

3. POLICY OBJECTIVES

- a) To provide residents with the opportunity to conduct activities from their homes in small/domestic scale enterprises within strict guidelines to ensure local amenity is not compromised.
- b) To facilitate activities that are of a small scale and do not necessarily warrant location in the local centre, district centre or industrial zones.

4. POLICY STATEMENT

4.1 Applications for home occupations, home businesses and rural home businesses shall be assessed with consideration to the following:

- a) The definitions for home occupation, home business and rural home business in the TPS;
- b) Points determined for applications by the Scale of Compatibility Table (see attached tables in section 5) based on information supplied as part of the application and any other information;
- c) The circumstances particular to each application;
- d) The impact the proposal may have on the surrounding area; and
- e) Applications for home occupations, home businesses and rural home businesses involving food preparation for commercial purposes will not be permitted by the City unless it complies with the requirements of the relevant Health Regulations (advice from the City's Environmental Health Services should be sought in regard to this).

4.2 Advertising

Home occupation applications may be advertised by the City to surrounding neighbours in accordance with *Clause 64(3)(a) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015* where:

- a) The scale of compatibility criteria score is 20 or above; or
- b) When the City considers it necessary.

Home business and rural home business applications are subject to advertising in accordance with *Clause 64(1)(e) and Clause 64(3)(a) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015*.

Notwithstanding, applicants are encouraged to gain signed comments from surrounding neighbours or other affected properties as part of their application.

4.3 Validity of Approvals

Approvals for home occupations, home businesses and rural home businesses are valid for one year and must be renewed annually. Applications for renewal need to be lodged with the City prior to the current approval expiring and application fees are payable. The City may approve, approve with conditions or refuse a renewal application.

Note:

This policy does not apply to home offices which are “permitted development” under *Clause 61(2)(c) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015* therefore a development application is not required. However, persons must ensure their activities meet the definition of a home office in accordance with Schedule No.1 of TPS No. 4.

For reference a home office is defined as follows:

“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:

- *entail clients or customers travelling to and from the dwelling;*
- *involve any advertising signs on the premises; or*
- *require any external change to the appearance of the dwelling.*

By way of clarification, a home office is considered to be the use of the premises by a person who conducts the activity off site (e.g. mobile mechanic) and only conducts the administration component of the enterprise at their residence.

5.0 COMPATIBILITY TABLES

5.1 HOME OCCUPATION COMPATIBILITY SCALE – SCORE NOT TO EXCEED 30 POINTS

SCORE	1 Point	2 Points	3 Points	SCHEME LIMITS
ACTIVITY TYPE e.g.	Arts	Storage; Crafts using electrical equipment	Activities proving a Service, Creation of goods or instruction	Must be associated with applicant's residence.
OCCUPIED AREA (including storage area)	< 10m ²	10m ² - 15m ²	>15m ² – and ≤ 20m ²	Not greater than 20m ²
LOCATION	Inside the residence	Inside an Outbuilding	Exposed	
ADVERTISING SIGN (confined to subject property)	Nil		Required	Not to exceed 0.2m ²
COMMERCIAL VEHICLE	Nil	One parked on property (approval required); none calling	More than one calling	Any commercial vehicle involved in the business to comply with the Scheme provisions
EQUIPMENT e.g.	Nil	Office equipment, telephone, word processor, kitchen appliances etc.	Power tools, mechanical tools, tools generally of a noisy nature.	Electric motor only
EMPLOYEES	Applicant only at all times	Two household members (includes intermittently)	More than two household members (includes intermittently)	
CUSTOMERS ATTENDING PER DAY	Nil	0 - 5	> 5	
OPERATING HOURS	< 10 hours per week	10-35 hours per week	> 35 hours per week	
PREVAILING LOT SIZE	> 2000m ²	600m ² – 2000m ²	< 600m ²	
STOCK/GOODS	Inside a building	In view	Questionable or unsightly	Not to prejudice amenity
TOTAL SCORE	 : < 20 - Approval recommended 20-30 - Can be approved by Delegation or submit for Council decision > 30 - Refusal on basis of cumulative score from above			

5.2 HOME BUSINESS COMPATIBILITY SCALE – SCORE NOT TO EXCEED 30 POINTS

SCORE	1 Point	2 Points	3 Points	SCHEME LIMITS
ACTIVITY TYPE e.g.	Arts; Administration;	Crafts (using electrical equipment)	Activities proving a Service, Creation of goods or Instruction	Must be associated with applicant's residence.
OCCUPIED AREA (includes storage areas)	< 20m ²	20m ² - 30m ²	>30m ² - and ≤ 50m ²	Not greater than 50m ²
LOCATION	Inside the residence	Inside an Outbuilding	Exposed	
ADVERTISING SIGN	Nil		Required	Not to exceed 0.2m ²
COMMERCIAL VEHICLE	Nil	One parked on property (approval required); none calling	More than one calling	Any commercial vehicle involved in the activity to comply with the Scheme provisions
EQUIPMENT e.g.	Nil	Office equipment, telephone, word processor, kitchen appliances etc.	Power tools, mechanical tools, tools generally of a noisy nature.	Electric motor only
EMPLOYEES	Applicant only at all times	Two household members (includes intermittently)	Up to two employees not part of the household	
CUSTOMERS ATTENDING PER DAY	Nil	0 - 5	> 5	
OPERATING HOURS	< 10 hours per week	10 - 35 hours per week	> 35 hours per week	
PREVAILING LOT SIZE	> 2000m ²	1000m ² - 2000m ²	< 1000m ²	
STOCK/GOODS	Inside a building	In view	Questionable or unsightly	Not to prejudice amenity
TOTAL SCORE	< 20 - 20-30 - > 30 -	Approval recommended Can be approved by Delegation or submit for Council decision Refusal on basis of cumulative score from above and that the proposal is likely to have an adverse impact on the neighbourhood		

5.3 RURAL HOME BUSINESS COMPATIBILITY SCALE – SCORE NOT TO EXCEED 30 POINTS

SCORE	1 Point	2 Points	3 Points	SCHEME LIMITS
ACTIVITY TYPE e.g.	Arts; Administration;	Crafts (using electrical equipment)	Activities proving a Service, Creation of goods or Instruction	Must be associated with applicant's residence.
OCCUPIED AREA (includes storage areas)	< 50m ²	50m ² to 100m ²	>100m ² and ≤ 200m ²	Not greater than 200m ²
LOCATION	Inside the residence	Inside an Outbuilding	Exposed	
ADVERTISING SIGN	< 1m ²	1 to 2m ²	>2m ²	
COMMERCIAL VEHICLE (NUMBERS)	One parked on property (approval required); or calling	Two parked on property (approval required); or calling	Three parked on property (approval required); or calling	3
COMMERCIAL VEHICLE (SIZE)	< 10 tonnes	10 to 20 tonnes	>20 and ≤ 30 tonnes	30 tonnes
EQUIPMENT e.g.	Nil	Office equipment, telephone, word processor, kitchen appliances etc.	Power tools, mechanical tools, tools generally of a noisy nature.	Electric motor only
EMPLOYEES	Applicant only at all times	Two household members (includes intermittently)	Up to two employees not part of the household	
CUSTOMERS ATTENDING PER DAY	Nil	0 - 5	> 5	
OPERATING HOURS	< 10 hours per week	10 - 35 hours per week	> 35 hours per week	
PREVAILING LOT SIZE	> 4 hectares	4ha -1ha	< 1ha	
STOCK/GOODS	Inside a building	In view	Questionable or unsightly	Not to prejudice amenity
TOTAL SCORE	<p>< 20 - Approval recommended</p> <p>20-30 - Can be approved by Delegation or submit for Council decision</p> <p>> 30 - Refusal on basis of cumulative score from above and that the proposal is likely to have an adverse impact on the neighbourhood</p>			

- D106/6/03** Development Services Committee 9 June 2003 - Adopted by Council 16 June 2003
- D160/9/04** Development Services Committee 13 Sept 2004 - Adopted by Council 20 Sept 2004
- D27/4/12** Development Services Committee 16 April 2012 - Adopted by Council 23 April 2012
- D32/8/16** Development Services Committee 16 Aug 2016 - Adopted by Council 22 Aug 2016
- Revised February 2018 (as per Amendment 86)
- D54/9/20** Development Services Committee 21 Sept 2020 - Adopted by Council 29 Sept 2020