

The *Planning, Development and Infrastructure Act 2016* allows for some businesses to be run from home. These are referred to as a "Home Activity" and are specifically defined with criteria.

Any business seeking to be a Home Activity must achieve the criteria at all times of operation.

What criteria do you need to meet to be a home activity?

Home activity means a use of a site by a person resident on the site:

- a) that does not detrimentally affect the amenity of the locality or any part of the locality; and
- b) that does not require or involve any of the following:
 - i. assistance by more than 1 person who is not a resident in the dwelling;
 - ii. use of a floor area exceeding 30 square metres;
 - iii. Placing a higher demand or load on the services of a public utility organisation than what is typically required by other users in the area.
 - iv. the display of goods in a window or about the dwelling or its curtilage.
 - v. the use of a vehicle exceeding 3 tonne tare in weight

Is development approval required?

You will need to submit a development application if your proposal does not comply with the above criteria.

Note that Council's approval is not assured, and the application may be placed on public notification and/or referred to other relevant agencies. Having a pre-application

discussion with council staff will ensure you have considered all the relevant issues.

More information on how to prepare a development application can be found on Council's website.

What types of activity may cause a problem?

Clause (a) of the definition of a Home Activity is a critical consideration and can be somewhat subjective. From council's experience with these types of proposals, activities that may cause a problem for the surrounding area may include businesses that:

- create repeated prolonged or loud noise,
- operate outside normal working hours,
- carry out activities that produce smoke, smells, fumes, dust,
- increase traffic in the street from delivery vehicles or customer parking
- rely on the external display of goods to operate (such as a shop or showroom).

What is not a home activity?

The following activities are not considered to be home activities:

- mechanical repairs
- panel beating
- spray-painting
- activities that involve noisy machinery.

A note for food businesses

Check with Council's [Environmental Health team](#) regarding your legal requirements under the Food Act and associated regulations and standards for activities that involve food.

These are above and beyond any development approval that may be required.