

Home Business, Home Occupation and Home Office Fact Sheet

Small Scale Home Businesses

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

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 occupiers 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 essential service of greater capacity than normally required in the zone.

Home Occupation means an occupation carried out in the 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 2.0 tonnes tare weight, and does not include the 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 which does not include –

- a. Does not entail clients, customers or staff travelling to and from the dwelling;
- b. Involve any advertising signs on the premises; or
- c. Require any external change to the appearance of the dwelling.

WHEN APPROVAL IS NOT REQUIRED

Approval is not required for a Home Office where it satisfies the above mentioned definition.

Notwithstanding the exemptions above, a Home Occupation approval is required where the activities include (but are not limited to) food preparation.

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.

WHEN APPROVAL IS REQUIRED

When seeking an approval for a Home Business or Home Occupation it will be necessary to provide the following:

- A completed City of Melville Application Form and any relevant application fee (refer to Fees and Charges Schedule)
- Information detailing:
 - The nature of the home occupation/ home business;
 - The proposed days and hours of operation;
 - The number of clients / customers / couriers expected per hour / day and week;
 - The number of employees proposed;
 - Details of any proposed signage (signage exceeding 0.2sqm will require a separate application for sign licence and separate application fees);
 - Whether your proposed business involves hairdressing, waxing, electrolysis, tattooing, acupuncture, ear or body piercing, manicures / pedicures, permanent eyebrow and lip lining, shaving or any other skin penetration procedure;
- A site plan of the property showing available site parking for clients / customers / couriers / employees (in addition to the two (2) bays required for the dwelling); and
- A floor plan of the existing dwelling identifying the location of the room(s) to be used for the home occupation.

Additional information may also be requested to be provided once assessment of your application has commenced where deemed required.

Please note your application may be determined under delegation, by the Development Advisory Unit or by Council. The City will endeavour to determine your application as promptly as possible.

RENEWING HOME OCCUPATION APPROVALS

Recent changes to the City of Melville Community Planning Scheme as per Amendment 61 (Government Gazette: 27 March 2012) have removed the requirement for annual renewals. However, the Council still reserves the right to revoke an approval where adverse amenity impacts are identified. The council may also grant approval for a temporary period where potential impacts are uncertain, in accordance with Clause 7.12 © of the City of Melville Community Planning Scheme No. 5. Should a temporary approval be issued, a further application for planning approval would be required at its expiry.