

Guidelines and Requirements

Home Based Business



City of Greater Geelong



INTRODUCTION

Under the provisions of the Greater Geelong Planning Scheme, Home Based Business may be conducted from home without the need to obtain a Planning Permit provided strict criteria is met. Home Based Businesses are permissible as of right, i.e no permit required, in a number of different zones.

As a general guide, if you are working from home and produce items and/or you have clients visit your home for business purposes, you are considered to be a Home Based Business.

DEFINITION

The Planning Scheme defines a Home Based Business as follows:-

“An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling.”

PLANNING SCHEME REQUIREMENTS

The Planning Scheme sets certain controls and requirements that must be met in order to be classified as and allow you to operate as a Home Occupation.

The guidelines can be found at by clicking on the following link
http://planningschemes.dpcd.vic.gov.au/schemes/vpps/52_11.pdf

REQUIREMENTS TO BE MET

A home occupation must meet the following requirements:-

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two person who do not live in the dwelling may work in the home based business at any one time
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. The net floor area of the dwelling includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
 - The appearance of any building, works or materials used.
 - The parking of motor vehicles.
 - The transporting of materials or goods to or from the dwelling.
 - The hours of operation.
 - Electrical interference.
 - The storage of chemicals, gasses or other hazardous materials.
 - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.

- Only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- Only goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced, repaired or offered for sale in the home based business must be stored within a building.
- No goods manufactured, serviced, repaired or offered for sale may be displayed so that they are visible from outside the site.
- Any good offered for sale online must not be collected from the dwelling.

PERMIT REQUIRED

Despite the requirements of Clause 52.11-1, a permit may be granted for a home based business:

- Which allows no more than three people who do not live in the dwelling to work in the home based business at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
- Which allows no more than one additional commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.
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If the requirements are met, no Planning Permit is required to conduct a home based business provided the zoning allows such a use as of right. If any of the requirements are not met, the use cannot be considered as a home based business and another definition has to be applied. Council can however, issue a Planning Permit to increase the floor area of the business or allow no more than three people who do not live in the dwelling work in the business.

ADVERTISING SIGN

An advertising sign not exceeding 0.2 square metres in area may be displayed on the property where the Home Based Business is being conducted from. A Planning Permit is required to increase the size of this sign or display an illuminated or floodlit sign.

PROCEDURES/PROCESS

If a Planning Permit is required, once an application for Planning Permit is lodged, registered and allocated to a Planning Officer who will conduct a preliminary assessment of the documentation and may carry out a site inspection. During this site inspection the Planning Officer will determine what form of public notification should be taken. The applicant will be advised of the notification requirements (see below).

Council may require additional information or clarification on the documents submitted. If this is the case, the applicant will be required to provide this information before the advertising procedure commences.

At the completion of the public notification period, if written objections to the proposal are received, a consultation meeting may be arranged between all parties to discuss the issues of concern.

All parties have appeal rights to the Victorian Civil and Administrative Tribunal regarding the decision of Council.

NOTIFICATION

If the Planning Officer determines that the granting of the Permit may cause material detriment to any other person, public notification of the application will be required in accordance with Section 52 of the Planning and Environment Act, 1987.

This public notification usually takes the form of a public notice sent to neighbours and placing a sign on site for a minimum of fourteen days.

CONSIDERATION

In assessing applications for Planning Permits for Home Based Business the following considerations will be taken into account:

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
- Whether the site is suitable for the particular home based business and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating the home based business.
- Whether there is a need for landscaping to screen any outbuildings or carparking or loading areas or other area relating the home occupation.
- The matters set out in Section 60 the Planning and Environment Act.
<http://planningschemes.dpcd.vic.gov.au/schemes/greatergeelong>
- Clause 65 of the Greater Geelong Planning Scheme.
<http://planningschemes.dpcd.vic.gov.au/schemes/vpps/65.pdf>

In addition to the above the Local Provision 22.01 “Discretionary uses in Residential Areas” will be taken into consideration by Council when assessing any Permit application.

http://planningschemes.dpcd.vic.gov.au/schemes/greatergeelong/ordinance/22_lpp01_ggee.pdf

CONCLUSION

A Home Based Business is often a good way of starting a new business. If it becomes successful and expands beyond the home based business provisions, it is then time to move on, either to an industrial zone or a business zone as appropriate to your needs.

Council Planning Staff are available for consultation with potential applicants prior to the lodgement of any Planning Permit application for a Home Based Business. Applicants should take advantage of this service to ensure the expeditious processing of the application and to become more informed of the requirements of Council.

All applications are considered on their individual merits, and no guarantee of planning approval is able to be given by staff of the Planning Development Unit.