

HOME-BASED BUSINESS INFORMATION KIT

Home-based Business - Planning Requirements

In the Northern Territory you may require approval from the Development Consent Authority to run your business at, or from, your home.

Under the *Planning Act* and NT Planning Scheme, whether or not you need approval (and any requirements you must meet) depends upon where you live.

The area covered by the NT Planning Scheme is divided up into various Zones, each having its own requirements, including a list of activities that are permitted, require approval from the Development Consent Authority, or are prohibited.

Home-based Business

Home-based Business is not specifically referred to in the NT Planning Scheme. It is instead described as Home Occupation, Home Based Contracting, Home Based Visitor Accommodation, Home Based Child Care or Medical Consulting Rooms. Each use has its own definition and requirements which are addressed in more detail below.

'Home Occupation'

'Home Occupation' is defined in the NT Planning Scheme as *'an occupation or profession which is carried on in a dwelling or on the site of a dwelling by a person resident in the dwelling and may include the caring for up to five children including children who reside in the dwelling;'*

Home occupation is a prohibited use in Zone RD and a discretionary use requiring the approval of the Development Consent Authority in Zones HT and WM regardless of full compliance with the relevant requirements below.

Home occupation is a permitted use in all other Zones subject to compliance with the requirements below. If the proposed business does not comply with the relevant requirements the use is discretionary requiring the approval of the Development Consent Authority.

The requirements for a home occupation are:

- Only a resident of the dwelling is employed;
- The floor area plus other areas of the site used for your business (including areas used temporarily) does not exceed 30 square metres;
- No greater demand or load is imposed on services provided by a public utility organisation (power, water, waste etc) than that ordinarily required in the locality;
- The only sign displayed is a business sign which is not more than 0.5 square metres in area;
- No goods or equipment are visible from outside the site; and
- No more than one vehicle kept on the site is used for the home occupation.

'Home Based Contracting'

'Home Based Contracting' is defined in the Planning Scheme as *'the storage on the site of a dwelling of materials and/ or vehicles associated with a business operated by a person resident in the dwelling, but which business does not operate on the site of the dwelling;'*

Home Based Contracting is a permitted use in Zones SD, MD, MR, HR, CV, CL, SC, TC, H, A, RR, RL, R & T, subject to compliance with the requirements below. If the proposed business does not comply with the relevant requirements the use is discretionary requiring the approval of the Development Consent Authority.

Home Based Contracting in Zones HT & FD is a discretionary use requiring the approval of the Development Consent Authority regardless of full compliance with the relevant requirements below.

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Use of a dwelling for Home Based Contracting is prohibited in the following Zones: CB, C, LI, GI, DV, PS, OR, CP, CN, RD, and WM.

The requirements for Home Based Contracting are:

For Zones RL, R, H, A, or FD

- The total area of the site used for the home based contracting (including areas used temporarily) does not exceed 200 square metres;
- No greater demand or load is imposed on services provided by a public utility organisation (power, water, waste etc) than that ordinarily required in the locality;
- The only sign displayed is a business sign which is not more than 0.5 square metres in area;
- No goods or equipment are visible from outside the site; and
- No more than three vehicles kept on the site are used for the home based contracting.

For Zones SD, MD, MR, HR, CV, CL, SC, TC, RR, & T

- The total area of the site used for the home based contracting (including areas used temporarily) does not exceed 30 square metres;
- No greater demand or load is imposed on services provided by a public utility organisation (power, water, waste etc) than that ordinarily required in the locality;
- The only sign displayed is a business sign which is not more than 0.5 square metres in area;
- No goods or equipment are visible from outside the site; and
- No more than one vehicle kept on the site is used for the home based contracting.

'Home Based Visitor Accommodation'

'Home Based Visitor Accommodation' is defined in the NT Planning Scheme as 'means temporary accommodation provided on the premises of a dwelling by the resident of that dwelling, as a commercial enterprise for persons away from their normal place of residence but does not include a Hostel.'

It is zoned as Self Assessable (S) in zones SD, MD, MR, HR, CV, CL, CB, TC, H, A, RR, RL, R, HT, WM, FD, T so long as it complies with all the requirements set out in Clause 7.10.1 of the Planning Scheme. If the proposed business does not comply with the relevant requirements the use is discretionary requiring the approval of the Development Consent Authority.

The Development Consent Authority may approve an application that is not in accordance with subclauses 3 (e), (f), (g), (h) and 4, only where it is satisfied that the proposed accommodation is appropriate to the site having regard the amenity of the streetscape, the effect of vehicle parking on the amenity and character of the street and the potential impact of the use of the residential amenity of adjoining and nearby property

The Development Consent Authority may approve an application that accommodates more than six guests only where it is satisfied that the proposed accommodation is appropriate to the site having regard to the potential impact on the residential amenity of adjoining and nearby property and where the combined total number of residents and guests is no more than twelve.

The use is prohibited in Zones C, SC, LI, GI, DV, PS, OR, CP, CN & RD.

'Home Based Child Care Centre'

'Home Based Child Care Centre' is defined in the NT Planning Scheme as 'the caring in a dwelling for six to a maximum of 16 children including children who reside in the dwelling, by a person who resides in the dwelling;'

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Home Based Child Care Centre is a permitted activity in Zones A, RL, and CP. If the proposed business does not comply with the relevant requirements the use is discretionary requiring the approval of the Development Consent Authority.

The use is prohibited in Zones CB, C, SC, LI, GI, DV, PS, H, CP, CN and RD and is discretionary in all other Zones, regardless of full compliance with the requirements.

The requirements for Home Based Child Care Centre are:

- The dwelling is suitable for the use;
- No greater demand or load is imposed on services provided by a public utility organisation (power, water, waste etc) than that ordinarily required in the locality; and
- The only sign displayed is a business sign which is not more than 0.5 square metres in area.

Home Based Child Care Centre also requires one parking space for each non-resident employee, plus parking spaces for the dwelling. There may be additional requirements imposed for particular Zones, eg building height and setbacks.

The Development Consent Authority may approve an application that does not meet the requirements above, only where it is satisfied that the proposed home based child care is appropriate to the site having regard to the potential impact on the residential amenity of adjoining and nearby property.

'Medical Consulting Rooms'

'Medical Consulting Rooms' is defined in the NT Planning Scheme as 'a room or suite of rooms on the site of a single dwelling used by a resident of that dwelling for the purposes of his or her work as a medical practitioner, dentist or person ordinarily associated with health care;'

Medical Consulting Rooms is a permitted activity only in Zones CL, RL, and R. If the proposed business does not comply with the relevant requirements the use is discretionary requiring the approval of the Development Consent Authority.

The use of a dwelling for Medical Consulting Rooms is prohibited in the following Zones: SC, LI, GI, DV, PS, OR, H, CP, CN, RD and WM.

In all other Zones you will require the approval of the Development Consent Authority to use your dwelling as a Medical Consulting Rooms.

The requirements for medical consulting rooms are:

- The service is carried out by residents of the dwelling and no more than one person who is not a resident;
- The total area used for the consulting rooms (including areas used temporarily) does not exceed 30 square metres;
- No greater demand or load is imposed on services provided by a public utility organisation (power, water, waste etc) than that ordinarily required in the locality; and
- The only sign displayed is a business sign which is not more than 0.5 square metres in area.

Medical Consulting Rooms also require three parking spaces for each consulting room, one additional space plus two parking spaces for the dwelling. There may be additional requirements imposed for particular Zones, eg building height or setbacks

The Development Consent Authority may approve an application that does not meet the requirements above, only where it is satisfied that the proposed Medical Consulting Rooms is



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appropriate to the site having regard to the potential impact on the residential amenity of adjoining and nearby property.

Further information

You can obtain information about the zoning of your land and the requirements for your intended activity by contacting Planning on 8999 5511.

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