

Home business – Pine Rivers district

Under the PineRiversPlan, a home business is defined as the use of premises for an occupation or profession carried out in, under or otherwise on the same site as a detached house, duplex dwelling, high density multiple dwellings units, low density multiple dwellings units density or medium density multiple dwellings units by a resident of the dwelling unit. The term includes one tennis court for hire whether or not the court is lit. The term does not include bed and breakfast accommodation.

A dwelling unit is defined as any building or part thereof which comprises or is intended to comprise self-contained accommodation for the exclusive use of a single family.

The level of assessment for a home business is self assessable (no town planning approval required) if the property is located in the following zones:

- Residential A Zone
- Residential B Zone
- Future Urban Zone
- Special Residential Zone
- Park Residential Zone

AND if the proposed home business has a maximum area of 30m²

AND fully enclosed in a building

AND excludes the hire of a tennis court

AND the acceptable solutions of the Home Business Code can be complied with.

If the home business cannot comply with the abovementioned requirements,

OR the area exceeds 30m²

OR the Home Business is not fully enclosed in a building

OR includes the hire of a tennis court

the level of assessment will be either code or impact assessable, and the proposal will require a Material Change of Use application to be lodged with council.

The level of assessment for a home business is self assessable (no town planning approval required) if the property is located in the following zones/localities:

- Rural Residential Zone
- Home Industry Zone
- Rural Zone (within the Coast and River Lands Locality, and located outside of Sub-Precincts RU-4, RU-5 or RU-7)
- Rural Zone (within the Urban Locality, Major Employment Centres Locality, Catchment Locality, Rural Living Locality, Village Locality, and Mountain Summit and Forests Localities).

AND if the proposed home business has a maximum area of 100m²

AND excludes the hire of more than 1 tennis court

AND the acceptable solutions of the Home Business Code can be complied with.

If the home business cannot comply with the abovementioned requirements,

OR the area exceeds 100m²

OR includes the hire of more than 1 tennis court

the level of assessment will be either code or impact assessable, and the proposal will require a Material Change of Use application to be lodged with council.

Acceptable solutions of the home business code include:

- The home business does not open to the public on Christmas Day, Good Friday and ANZAC Day or outside of the hours of 8am to 6pm on any other day.
- The on-site display of goods associated with the operation of the Home Business is not to be seen from beyond the confines of the site.
- No goods, other than those manufactured or fabricated on the site, or those products used as part of an activity conducted on the site, are to be sold to customers on the site.
- On land which is zoned either Rural or Rural Residential, no more than one person who is not resident on the site is to be employed on the premises as part of the home business. On land in all other zones, no persons other than those residents on the site are to be employed as part of the home business.
- On land which is zoned either Rural or Rural Residential, and the home business operations occupy more than 30m² of gross floor area, the parking or storage of no more than 1 vehicle on or adjacent to the site is permitted.
- On land in all other zones, the business operation is not to involve the parking or storage of any heavy vehicle on or adjacent to the site.
- Where the home business operations occupy more than 30m² of gross floor area or involve some external recreational or educational facility, no fewer than 4 car parking spaces, in addition to those spaces required for the residential use on the land, are to be provided on site. Carparking is to be buffered from the road and side boundaries of the site by landscaped areas with a minimum width of 3m.
- Where the home business operations involve some activity external to buildings, the operation is to be located clear of the minimum road boundary clearance for the residential use on the land and is buffered from the road, side and rear boundaries of the site by landscaped areas having a width of not less than 3m.
- The “recommended maximum values of light technical parameters for the control of obtrusive light” given in Table 2.1 of Australian Standard AS 4282-1997 are not to be exceeded for any outdoor activity associated with the Home Business.
- Tall structures (eg. antennae, masts, aerials, and telecommunication structures) are limited in height to 10m above natural ground surface.
- Transmission and receiving dishes are no larger than 1.8m diameter on land zoned Rural or Rural Residential, and no larger than 1.2m diameter in all other zones.
- Signage associated with the operation of the home business:
 - a) is limited in content to the nature of the business conducted on the land, the name of the business and its operator, and contact details
 - b) is wholly contained within the premises from which the business is operating
 - c) has an aggregate face area of no more than 0.3m², or 0.6m² in the Home Industry Zone
 - d) is not fixed to trees or shrubs
 - e) if illuminated by artificial lighting, is lit by static illumination only; and
 - f) does not incorporate any moving, rotating or animated parts.

It is important to note that Overlays may change the level of assessment for a home business.

In referring to the specific outcomes and probable solutions listed above, please have consideration for the following:

In accordance with State legislation, the planning scheme has been developed with a ‘performance-based approach’. In other words, there may be different ways compliance can be achieved with the planning scheme. Generally, the proposed development must comply with the specific outcomes (left column). The probable solutions (right column) represent one option to satisfy the relevant specific outcome however alternative solutions can be presented by the applicant. Alternative solutions are assessed on their merits during the application process.

Approvals for building work and plumbing and drainage work may also need to be obtained for home businesses.