

Planning FAQ sheets

HOME OCCUPATION



What is the difference between home-occupation and a home-based business?

The main difference is that home-occupation does not allow for any additional employees on the site while 'home-based business' allows for up to two employees. Both of them MUST be ancillary to the residency.

What is a home-occupation?

A home-occupation means the use of a part of the dwelling by the resident for non-residential purposes if:

- a) not more than 40m² of gross floor area of the dwelling is used for non-residential purposes;
- b) the person conducting the home occupation normally uses the dwelling as their principal place of residence;
- c) it does not involve employment of persons other than a resident;
- d) any load on a utility is no more than for a domestic use;
- e) there is no activity that causes electrical interference to other land;
- f) it does not involve display of goods for sale that are visible from any road or public open space adjoining the site;
- g) it involves no more than one advertising sign (that must be non-illuminated) and not more than 0.2m² in area;
- h) it does not involve refuelling, servicing, detailing or repair of vehicles not owned by the resident on the site;
- i) no more than one commercial vehicle is on the site at any one time and no commercial vehicle on the site exceeds two tonnes; and
- j) any vehicle used solely for non-residential purposes must be parked on the site.

Home occupation is **exempt** from requiring a permit under the Break O'Day Interim Planning Scheme 2013, clause 5.1.3, page B-14.

What is a home-based business?

A home-based business means the use of a part of a dwelling by the resident for non-residential purposes if:

- a) no more than 50m² of floor area of the dwelling is used for the non-residential purposes;
- b) the person conducting the business normally uses the dwelling as their principal place of residence;

- c) it does not involve employment of more than two workers who do not reside at the dwelling;
- d) any load on a utility is no greater than for a domestic use;
- e) there is no activity that causes electrical interference to other land;
- f) there is, on the site, no storage of hazardous materials;
- g) there is, on the site, no display of goods for sale;
- h) there is, on the site, no advertising of the business other than one sign (non-illuminated) not exceeding 0.2m² in area;
- i) there is, on the site, no refuelling, servicing or repair of vehicles not owned by a resident;
- j) not more than two commercial vehicles are on the site at any one time and no commercial vehicle on the site exceeds two tonnes; and
- k) all vehicles used by the business are parked on the site.

You can find this requirements in table 4.1.3, page B-5. Home-based business is permitted in the Environmental Living Zone, Rural Living Zone and Rural Resource (if in existing dwelling).

How do I know in which Zone my property is located?

You can find the Zoning and the Overlays of your property on our website under [My Property, Planning](#). You will also find the full [Break O'Day Interim Planning Scheme 2013 here](#).

What do I need to do?

Assess your proposal against the Break O'Day Interim Planning Scheme 2013 conditions and if you deem your proposal to be a home occupation, you are able to operate under the provisions of the Break O'Day Interim Planning Scheme 2013. Keep a record of your assessment for future reference including the date. This may be required to be provided to Council if a complaint is received regarding the activity being undertaken. If your proposal falls outside the home occupation definition, proceed to lodge a development application for a home business in accordance with council's lodgement process. **Please refer to Council's Information Sheet How to Lodge by clicking here.**