

Home Business – Information Sheet



In certain circumstances, residents are permitted to undertake business activities from their home without Council approval.

What Is Home Activity?

Home activity is defined by the Development Act 1993 as the use of a site by a person resident on the site, that does not detrimentally affect the amenity of the locality or any part of the locality; and that does not require or involve:

- assistance by more than one person who is not a resident of the dwelling,
- use of a floor area greater than 30 square metres (whether temporarily or permanently),
- the imposition on the services provided by any public utility or organisation which has a demand or load greater than that which is ordinarily imposed by other users of the services in the locality,
- the display of goods in a window or about the dwelling or its curtilage (surrounds),
- the use of a vehicle exceeding three ton tare in weight,

If an activity meets this definition, Council approval is not required.

What Home Activities Are Appropriate?

Home activities undertaken within the Council include; dress making, hairdresser, screen door repairs, massage, book keeping.

Home activities which do have an impact on the neighbourhood should make effort to mitigate any negative affects. These affects include:

- increased traffic/parking in the area due to delivery and customer vehicles;
- creation of repeated, prolonged or load noise;

- operation outside of normal business hours;
- production of emissions including, dust, smoke, fumes and odours.

Uses such as motor vehicle repairs, mechanical repairs, panel beating, spray painting and any other activities involving noisy machinery are not considered to fit into the definition of a home activity and are more suited within an industry or commercial zone.

When Is Development Approval Required?

The primary purpose of residential areas is residential activity; business activities outside the scope of the home activity definition require either Council Development Approval or relocation to appropriate zoned land. Activities in breach of the *Development Act 1993* may face penalties of \$30,000.

Assessment Criteria for Home Business Applications

Home businesses approved by Council have included home offices, insurance brokers and land brokers.

Activities outside the definition of home activity are assessed against the following criteria of the *Development Plan*.

Council Wide Criteria

Home industrial development should not be undertaken unless it is to be carried out in a building on the same site as a dwelling occupied by a person who carried on the industry. In addition:

- the building or that portion of the building used for the activity should not occupy a floor area in excess of 40 square metres;

- the buildings used to carry on the industry should be located as far as practicable from any dwellings on abutting allotments and adjoining roads;
- the industry should not detract from the amenity of the locality by emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, light overspill or electrical interference;
- goods or materials used or produced by the industry should not be exposed to view from any adjacent premises or from any public place;
- the industry should not require the provision of any service main of a greater capacity than that available in the locality;
- the total number of persons involved in the industry should be limited to two with at least one of these persons residing continuously in the building or premises used for carrying on the industry;
- the industry should not involve the operation of more than two commercial vehicles from the premises;
- the area for external roofed or unroofed storage of materials should be limited to 20 square metres;
- the industry should only operate between the hours of 8.00 am and 6.00 pm, Monday to Friday;
- no more than one advertising sign should be erected which should not exceed 0.6 metres by 0.4 metres in size and be no more than 1.8 metres above ground level or be illuminated;
- provision should be made for the off-street parking of any vehicle involved in the industry and any employee's vehicle.

Residential Zone Criteria

Home business development should comply with the following criteria:

- not involve the operation of more than two commercial vehicles from the premises;
- not exceed 35 square metres in area of any external roofed or unroofed storage of materials;
- operate between the hours of 8.00am and 6.00pm, Monday to Friday only;
- display a maximum of one advertising sign which:
 - does not exceed 0.6 metres by 0.4 metres in size;
 - stands no more than 1.8 metres above natural ground level; and
 - is not illuminated; and
- provide off-street parking for any vehicle involved in the non residential use including any employee vehicles in accordance with Council's carparking provisions.

Rural Mount Barker and Rural Kanmantoo-Kondoparinga Zone Criteria.

Home based industries should:

- include at least one of the following activities:
 - arts;
 - crafts;
 - tourist;
 - heritage related activities; and
 - may include an ancillary area for sale or promotion of goods manufactured in the industry (including display areas);
- have a total combined area for any one or any combination of these activities (including ancillary

- sales/promotion area) not exceeding 80 square metres per allotment with a maximum building area of 80 square metres, including a maximum area of 30 square metres for sale of goods made on the allotment by the industry;
- not be located further than 50 metres from a habitable dwelling occupied by the proprietor of the industry on the allotment;

Mount Lofty Ranges Watershed Criteria

Within Council's Mount Lofty Ranges Watershed Protection Zone home business is discouraged unless it is associated with;

- the value adding of agricultural goods produced within the Mount Lofty Ranges Region.
- based on rural, arts, crafts, tourist, cultural or heritage activities appropriate to the region.

Agricultural industries within the Watershed will be assessed against the following conditions.

Agricultural industries (small-scale) should:

- include at least one of the following activities normally associated with the processing of primary produce:
 - washing;
 - grading;
 - processing (including bottling);
 - packing or storage; and
 - may include an ancillary area for sale and/or promotion of produce (including display areas);

- have a total combined area for any one or any combination of these activities (including ancillary sales area) not exceeding 250 square metres per allotment with a maximum building area of 150 square metres, including a maximum area of 50 square metres for ancillary sale and display of goods manufactured in the industry;
- process primary produce from within the Mount Lofty Ranges Region;
- only occur on an allotment where a habitable dwelling exists.

Activities Involving Food

Any activity involving the preparation, storage or transport of food intended for sale, must comply with the Food Act (2001) and the associated Food Safety Standards.

Activities Involving Hairdressing Or Skin Penetration

Any activity involving hairdressing, ear piercing, waxing or tattooing must comply with the Public and Environmental Health Act (1987) and the relevant codes of practice.

Further Information

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Contact the Duty Planner for queries regarding home activity definition and zoning requirements.

Contact the Trade Waste Officer for queries regarding trade waste.

Contact the Environmental Health Officer for queries regarding food, hairdressing or skin penetration.

