

## Home Based Business under the Draft McKinlay Shire Planning Scheme

This information sheet has been prepared to provide a summary of the requirements for a home-based business under the draft McKinlay Shire Planning Scheme, including when a development approval is required and which parts of the planning scheme apply. Please refer to the proposed scheme for further detail.

### What is a Home Based Business?

A Home Based Business is defined under the draft McKinlay Shire Planning Scheme as *“the use of a dwelling or domestic outbuilding on premises for a business activity that is subordinate to the residential use of the premises.”*

Examples of home-based businesses:

- Bed and breakfast
- Home office
- Home-based child care

Examples of uses which do not qualify as home-based businesses:

- Shop
- Warehouse
- Transport depot

### Why do we have Home Based Businesses?

Home-based businesses provide the opportunity for very small-scale businesses to establish with minimal overheads. It also provides the opportunity for people to work from home and can even increase security in residential areas which might otherwise be depopulated during working hours. When home-based businesses are in residential neighbourhoods, it is essential that the scale and intensity of the home-based businesses is limited to ensure it does not impact on the neighbours.

### Acceptable locations

Home based businesses are only permitted in certain locations. You can have a home-based business in the:

- Rural zone
- Township zone
- Rural residential zone

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## Is council approval required?

Council has identified some criteria which, if met, mean you do not need to obtain an approval. This means that the home-based business is classed as accepted development or accepted development subject to requirements if it can meet the criteria.

## Assessment Criteria (rules to abide by)

See Part 4 of the draft McKinlay Shire Planning Scheme for the full threshold criteria, which is generally:

- (a) the gross floor area (GFA) does not exceed 60m<sup>2</sup>;
- (b) the use is contained within an existing domestic outbuilding or dwelling;
- (c) does not require more than the owner and two (2) employees on-site at any one time;
- (d) does not generate more than one (1) heavy vehicle trip per week;
- (e) does not involve hiring out of materials, goods, appliances or vehicles;
- (f) does not involve the repair or maintenance of vehicles, other than minor maintenance of vehicles used in conjunction with the home based business;
- (g) where bed and breakfast, does not exceed three (3) bedrooms; and
- (h) other than where a bed and breakfast or home based childcare, the business use does not operate outside the hours of 6am to 6pm seven (7) days a week.

## When is council approval required?

If your home-based business does not comply with the criteria above, then you will be required to submit a 'code assessable' development application to council. This means that the development must comply with further requirements of the planning scheme. These requirements are contained within the applicable zone and the General development code.

## Other permits/licenses

### Food

Home based businesses involving the preparation or sale of food to the public may require a food licence. This is separate to council's development approval of a home-based business.

### Building work

A private building certifier must approve any building work, such as structural fit-outs and extensions. This is separate to council's development approval of a Home Based Business.

### Legislative obligations

Whilst a Home Based Business may not need any further council requirements, there may be other legislative requirements specific to your business activities. As the operator of a Home Based Business, it is your responsibility to ensure all relevant approvals are obtained prior to operating.

### Disclaimer

The contents of this information sheet deals with technical matters in a summary way only and has been prepared to assist the community to understand the draft *Burke Shire Council Planning Scheme 2017*. Please refer to the draft *Burke Shire Council Planning Scheme 2017* for further detail.