

Planning Application Fact Sheet

Running a business from home (home based business)



Working from home can be a great way to balance your personal and work lifestyle, however it's important that the business you run from your home (or dwelling) does not affect the people who live around you. This fact sheet provides information on when and how to apply for a planning permit for a home based business.

Do I need a planning permit to run a business from my home?

The Hobsons Bay Planning Scheme defines a 'home based business' as:

An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere, but not a Brothel.

You don't need a planning permit for a home based business if the following requirements in [Clause 52.11-1](#) of the Hobsons Bay Planning Scheme are met:

- the person conducting the home based business must use the dwelling as their principal place of residence
- no more than two people who do not live in the dwelling may work in the home based business at any one time
- the net floor area used in conducting the occupation including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. The net floor area of the dwelling includes out-buildings and works normal to a dwelling.
- the occupation must not impose a load on any utility greater than normally required for domestic use
- the occupation must not adversely affect the amenity of the neighbourhood in any way including:
 - the appearance of any building, works or materials used
 - the parking of motor vehicles

- the transporting of materials or goods to or from the dwelling
- the hours of operation
- electrical interference
- the storage of chemicals, gasses or other hazardous materials
- emissions from the site
- no motor vehicle may be adjusted, modified, serviced or repaired for gain
- only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site
- only goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online
- materials used or goods manufactured, serviced, repaired or offered for sale in the home occupation must be stored within a building
- no goods manufactured, serviced, repaired or offered for sale may be displayed so that they are visible from outside the site
- any goods offered for sale online must not be collected from the dwelling

If you can't meet these requirements, you are not allowed to operate your business from your home. However, you can apply for a planning permit to vary the following:

Application Checklist:

- allow no more than three people who do not live in the dwelling to work in the home based business at any one time
- allow a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser
- allows no more than one additional commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time

Can I erect signs on the site?

A small sign is allowed for a home occupation to identify the property if required. However it must comply with the following requirements:

- there must only be one sign
- the maximum area allowed for a home occupation sign is 0.2 square metres (i.e. 400mm x 500mm)
- the sign must not be animated (i.e. a sign that can move, contains moving parts, changes its message, flashes or has a moving or flashing border) or be floodlit (illuminated by external lighting provided for that purpose)

What else should I consider?

You should check with Council's Health Department and Local Laws Department, to see whether other types of permits are required, they can be contacted via email customerservice@hobsonsabay.vic.gov.au or phone 9932 1000. Also, speak to your neighbours and advise them that if they experience any problems, they should speak directly to you so that any problem might be addressed without the need for formal intervention from Council.

Applications should be lodged through Council's [Greenlight Portal](#), and be accompanied by an electronic copy of the following information:

- application Fee: identified as Class 1 on Council's [Schedule of Fees](#)
- a recent full copy of title (less than 90 days old) and details of any restrictive covenant. A full copy of title can be obtained from the LANDATA website, <https://www.landata.vic.gov.au/>.
- a description of the proposed change, including justification as to why the variation should be approved
- a site plan drawn to an appropriate scale, showing:
 - the boundaries and dimensions of the site at an appropriate scale
 - the layout of all proposed buildings on the site and those directly adjoining the site
 - dimensioned setbacks from all boundaries
 - any significant vegetation
 - the current and proposed use(s) of all areas of the site

Please note that applications not lodged through the Greenlight Portal must also be accompanied by a fully completed Application for Planning Permit form.

Further information may be required once an initial assessment of the application has occurred.

If you would like to find out more or speak to one of Council's planners, please call 9932 1000 or email townplanning@hobsonsabay.vic.gov.au