

A Guide to Home Based Business in Monash

HOME BASED BUSINESS

Many people operate their own small business from their residential home.

Such a use is called **Home Based Business**. The Monash Planning Scheme allows a person to use their residential home for a Home Based Business provided certain specific requirements are fully satisfied.

If any one or more of the requirements are not met then the business use either requires specific Planning Permit approval or is prohibited.

The formal definition of Home Based Business is:-

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.

The Purpose of the Planning Scheme in respect of Home Based Business, is to ensure that the amenity of the neighbourhood is not adversely affected by an occupation conducted in or from a Dwelling.

52.11-1 Requirements to be met –

A home based business must meet the following requirements:

- 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 business 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 business must not impose a load on any utility greater than normally required for domestic use.
- The business 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.

Requirements continued:-

- 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 based business 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 one or more of these requirements cannot be met then you must discuss your proposed use with the Town Planning Section of the City of Monash. The use may be prohibited.

52.11-2 Permit required

A Planning Permit may be granted by Council for a Home Based Business:

- Which allows no more than three people who do not live in the dwelling to work in the home based business at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
- Which 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.

Decision Guidelines

Before deciding on such an application, Council must consider, as appropriate:

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.

- Whether the site is suitable for the particular home occupation and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home occupation.

Council encourages Home Based Business's applications in higher order and busier streets and roads.

In assessing planning applications in cul-de-sacs and minor or quiet residential streets, Council will have particular regard to the expectation of property owners concerning the amenity provided by reduced traffic and activity levels on those streets.

In these cases the onus is on the applicant to particularly demonstrate that the proposal will not disturb the reasonable expectations of the neighbourhood in terms of traffic movements, car parking, privacy, noise and hours of operation.

Unanswered Questions?

Who should I ask?

Should you have any questions regarding this Guide, Monash Planning Scheme or about Home Based Business in Monash, you should contact Council's Town Planning Section.

Phone: **9518 3555**

Or

Visit the Town Planning at

293 Springvale Road, Glen Waverley