



This advice sheet is intended to assist residents who are seeking to carry out home occupations from their place of residence.

A home occupation is a small business undertaken in a dwelling or on the land surrounding a dwelling, by a resident of the dwelling.

Wangaratta Council encourages the development of appropriate home occupations, and the conduct of these businesses in accordance with the home occupation provisions of the Wangaratta Planning Scheme. These provisions are consistent across the Victoria and are contained in Clause 52.11 of the Wangaratta Planning Scheme.

The Planning Scheme seeks to ensure that the amenity of the neighbourhood is not adversely affected by an occupation conducted in or from a dwelling. As such, certain types of businesses or activities are inappropriate for home occupations. These include a motor mechanic, timber yard, storage depot and manufacturing, amongst others.

Due to the complexity of these planning controls, if you are contemplating establishing a business from home (and any associated advertising signage), it is imperative that you discuss the home occupation provisions in the Planning Scheme with Council's Planning Unit before commencing any home occupation. Please note that substantial penalties apply for home occupations that are not operating in accordance with the requirements of the Wangaratta Planning Scheme.

The home occupation controls in the Wangaratta Planning Scheme form two sections. The first, 'requirements to be met', involves detailed requirements that must be met by an occupation conducted in or from a dwelling, **without** the need to obtain a planning permit. In other words, no planning permit is required to conduct a home occupation from an existing dwelling, provided that these requirements are clearly met. Council however encourages prospective applicants to get written advice or a Compliance Certificate from its Planning Department.

Please note that the onus is on the operator to comply with these planning requirements, and a failure to do so may result in the issuance of penalties for not operating in accordance with the Wangaratta Planning Scheme.

The second section of the controls, under 'permit required', involves detailed requirements (different to the first part) that must be met by a home occupation, **subject to lodging and obtaining** a planning permit. Please note that if your home occupation cannot meet these requirements, the home occupation is prohibited, and you will be unable to carry out the home occupation from your land.

It is important to note that when promoting your home occupation, the natural action is to erect an advertising sign. To ensure that advertising signs do not detract from the general appearance of residential and rural areas within the Municipality, only one sign is permissible without a planning permit for each premises occupied by a home occupation in rural and residential areas, and the advertisement area of this sign must not exceed 0.2 square metres.

This advice sheet is to be used as a general guide only. Council has made all reasonable effort to ensure the information provided in this series is true and accurate. However, it is recommended that readers seek professional advice before acting or making decisions on the basis of this information. For any questions or clarification, please contact Council's Planning Unit on 5722 0888.

CHECKLIST FOR PLANNING ASSESSMENT

The following information (as a minimum) must accompany any planning permit application for a home occupation proposal:

- Appropriate application fee (schedule of fees available at the Council offices or on Council's website);
- Completed application form (form available at Council offices or on Council's website);
- Full copy of property title, from the land titles office within the last 3 months, along with any related plan of subdivision, restrictions, covenants or agreements (available from Land Registry - Titles Office) or at www.land.vic.gov.au; (see Advice Sheet 4: Obtaining a Copy of Title);
- Three (3) copies of scaled and fully dimensioned Floor and Elevation Plans, showing (as a minimum):
 - o a summary table showing the total floor area designated for the proposed home occupation and the total floor area designated for the dwelling;
 - o site and floor plans showing areas dedicated for the proposed home occupation, the dwelling and car parking.
 - o elevation plans only required if building works or advertising signs on the buildings are also proposed;
- 1 set of reduced A3 plans of the plan outlined above, should the plans be of A1 or A0 in size;
- A written explanation of the proposal, including details of the following:
 - o Description of the proposed home occupation.
 - o Employee numbers.
 - o Hours of operation.
 - o Car parking provision.
 - o Other approvals necessary.
- A written submission detailing how the proposal responds to Clause 52.11-2 of the Wangaratta Planning Scheme relating to home occupations, including the decision guidelines of this clause.
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The above checklist ensures that all documents are submitted to Council to initiate the assessment of the planning application. Additional information may be required depending on the precise nature of the proposal and any site-specific considerations. If applications are lodged without sufficient information for Council assessment, Council will formally request further information in accordance with the *Planning and Environment Act 1987*.