



Part C – Specific Land Use Controls

# Chapter C10: Home Business and Industry

## Contents

1	INTRODUCTION	1
2	OBJECTIVES	1
3	DEFINITIONS	1
4	CAR PARKING REQUIREMENTS	1
5	DEVELOPMENT APPLICATION LODGEMENT REQUIREMENTS	2
5.1	Site Plan & Floor Layout Plans	2
5.2	Statement of Environment Effects	2
6	FUTURE EXPANSION OR ENLARGEMENT OF A HOME BUSINESS OR INDUSTRY IN RESIDENTIAL OR RURAL AREAS	3
7	HOME INDUSTRY	3
7.1	LOADING AND UNLOADING FACILITIES	3
7.2	Landscaping Plan	4



## 1 INTRODUCTION

1. This chapter of the DCP outlines Council's requirements for the establishment and operation of a home business and home industry. Sections 2-6 applies of this chapter apply to both home business and home industry. Section 7 contains controls specific to home industry.
2. This chapter should be read in conjunction with the provisions of the relevant LEP applying to the site and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
3. Under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, a "home business" and "home industry" is generally "exempt development" except where it involves a change of building use. Under the Building Code of Australia (BCA), change of building use involves a floor area greater than 10% of the total floor area of the building.

## 2 OBJECTIVES

1. The main objectives of this policy are:
  - (a) To allow for low scale home businesses and home industry which are conducted within a dwelling or a building ancillary to the dwelling; and
  - (b) To ensure home businesses and home industry are compatible in terms of amenity with surrounding land uses, especially in rural, residential and mixed use zones.

## 3 DEFINITIONS

**Home business** and **Home Industry** are defined uses in the LEP and the SEPP Exempt and Complying Codes) 2008.

## 4 CAR PARKING REQUIREMENTS

1. The provision of at least two (2) car parking spaces is required for any home business operation, in order to cater for resident car parking.
2. The provision of one (1) additional car parking space is required for each non-resident employee associated with the home business activity.
3. Council may require additional car parking for any home business which requires regular on-going client visitations. This requirement will be determined by Council, taking into account the nature of the home business proposed.
4. Medical practitioners and other health care professionals whom propose to operate as a home business will be required to make provision for same car parking requirements as a health consulting room (ie per medical practitioner / surgery room).

## 5 DEVELOPMENT APPLICATION LODGEMENT REQUIREMENTS

### 5.1 Site Plan & Floor Layout Plans

1. The submission of a site plan (ie at a 1:100 scale or 1:200 scale) is required which shows the exact siting of the dwelling and any ancillary buildings upon the subject site. The site plan shall also show the existing and / or proposed car parking arrangements for residents, employees and visitors and in addition the proposed access arrangements to / from the site.
2. The submission of an internal floor layout plan of the dwelling or ancillary building is required which shows the location and gross floor area of the proposed home business.

### 5.2 Statement of Environment Effects

1. The submission of a Statement of Environmental Effects (SEE) is required with the Development Application and should address the following.
  - (a) The full nature of the proposed home business or industry, including but not necessarily limited to the following matters:
    - (i) The proposed number of residents of the dwelling involved in the home business activity.
    - (ii) The proposed number of non-resident employees associated with the home business
    - (iii) The proposed hours of operation of the home business, including any clients attending the site.
    - (iv) The nature and frequency of deliveries to the site.
    - (v) The proposed number of resident, employee and client / visitor car parking spaces to be provided for both the dwelling and the home business.
    - (vi) The proposed waste management and recycling strategy to be implemented, in order to minimise waste generation and maximise waste recycling whilst ameliorating potential odour or other impacts from waste products upon the immediate locality.
    - (vii) A Statutory Declaration that states that the home business/industry will be conducted by one or more permanent residents of the dwelling. The Statutory Declaration shall also state whether it involves the employment of not more than 2 persons other than permanent residents.
    - (viii) If the property owner is a company, the Development Application form must be signed by a Director of the company authorised to deal with property related matters and must be accompanied with the company's ABN and / or company seal. Alternatively, a letter with the company letterhead and ABN and / or company seal which is duly signed by a Director of the company with appropriate authority to deal with property related matters may also be provided.

## 6 FUTURE EXPANSION OR ENLARGEMENT OF A HOME BUSINESS OR INDUSTRY IN RESIDENTIAL OR RURAL AREAS

1. Home businesses and industries must not affect the amenity of any surrounding residential or rural locality.
2. In cases where a home business or industry activity in the future requires expansion or enlargement (ie due to additional floor area required in excess of 25% of the total floor area of the building and / or additional employees being required), the relocation of the business to a suitable business zone will be necessary.

## 7 HOME INDUSTRY

Home industry must comply with the following additional controls were necessary.

### 7.1 LOADING AND UNLOADING FACILITIES

1. The home industry shall make provision for a suitable loading / unloading facility which is able to accommodate a large rigid truck. All loading and unloading activities shall take place wholly within the loading bay, at all times. No loading or unloading activity shall take place within any car parking area, landscaping area or any road reserve (including footpath).
2. All truck movements into / from the site are to be in a forward direction.
3. Loading dock facilities shall be positioned, wherever possible, away from the street frontage. Where such facilities can only be provided to the street frontage, appropriate landscaping will be required in front of the loading facility to adequately screen the development.
4. All loading dock facilities must guarantee satisfactory on-site manoeuvring areas for trucks in accordance with the Australian Standard AS 2890.2 Design Vehicular and Turning templates.

Note: Council will assess the adequacy of proposed manoeuvring areas provided for on-site truck manoeuvring with reference to the standard vehicle turning templates as per the Australian Standard AS 2890.2 Design Vehicular and Turning templates.

5. Access arrangements should be designed in accordance with the NSW Roads & Traffic Authority's Traffic Generating Guidelines and Australian Standard AS 2890.1 (2004). However, it is desirable that separate access arrangements be made available for standard passenger vehicles and trucks upon the development site, in order to minimise potential vehicular conflicts.
6. All internal two-way access roads shall have a minimum width of 7 metres. Lesser widths may be provided if the internal road system is designed to a single one-way circulation arrangement within the site including any loading dock facilities. Directional signage shall be shown on all internal roadways (where required) to facilitate the orderly movement of trucks and other vehicles within the site.
7. All car parking areas, manoeuvring areas and internal roadways must be provided with a drainage system comprising surface inlet pits. Therefore, Council will require the lodgement of appropriate stormwater drainage layout plans and calculations for the proposed stormwater drainage system. The proposed stormwater drainage system must be designed in accordance with Council's requirements for stormwater drainage and on-site detention as per the Stormwater Management Chapter in Part E of this DCP.

## 7.2 Landscaping Plan

1. The submission of a landscaping plan is required for any home industry activity which requires truck loading / unloading facilities on-site to cater for raw material deliveries to the site and /or deliveries of finished products by trucks from the site.
2. The landscaping plan shall make provision for suitable buffer screen planting along the perimeter of the site. In this regard, minimum 2 metre deep dense evergreen buffer screen planting is required along all side or rear property boundaries with special attention provided along the property boundary where the loading / unloading facility is proposed.

The landscaping plan shall be prepared in accordance with the requirements of the Landscaping Chapter in Part E of this DCP.