

General Home Business Factsheet

What is a Home Business?

A home business is a business, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling. The business must not involve any of the following:

- (a) The employment of more than two persons other than the residents.
- (b) Interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise.
- (c) The exposure to view, from adjacent premises or from a public place, of unsightly matter.
- (d) The exhibition of signage, other than a business identification sign.
- (e) The retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing.

Home businesses do not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

Do I Need Approval From Council to Operate a Home Business?

Some home businesses require development consent from Council before they can operate. The two available pathways are outlined below and overleaf:

1. Exempt Development

Exempt developments are minor works that do not require development consent from Council. However, to be exempt development the home business must fully comply with requirements set by the NSW State government. The requirements are detailed in:

- (a) [Clause 1.15](#) of [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#).
- (b) [Clause 1.16](#) of [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#).
- (c) [Part 2, Subdivision 22](#) of [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#).

Please note that if the home business necessitates other works, e.g. alterations and additions to the dwelling, those works will require development consent unless they are also exempt development.

Additional information on exempt development is available on Council's [Check](#) webpage.



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2. All Other Home Businesses that are not Exempt Development

All home businesses that do not meet the requirements to be exempt development require development consent from Council. This requires a development application (DA) to be lodged with and approved by Council. A list of the information required to be submitted with a home business DA is provided in Appendix A at the end of this factsheet. Additional information on DAs is available on Council's [Development](#) webpage.

Where Can I Find More Information?

For further information contact Council on (02) 4654 7777.

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Appendix A - Information to be Submitted with a Home Business Development Application

Information	Requirements
Floor Plan	A plan that shows the floor layout of the dwelling, room names, dimensions and areas and the location of the proposed business area. The plan must be to an appropriate scale to ensure legibility.
Statement of Environmental Effects (SEE)	<p>Refer to Council's 'How to Prepare a Statement of Environment Effects Factsheet'. The SEE must also address the following requirements:</p> <ul style="list-style-type: none"> (a) What type of home business is proposed? (b) What is the full extent of activities/services proposed or products being manufactured? (c) What are the proposed hours of operation? (d) How many staff are proposed? (e) How many staff will reside at the premises? (f) How many vehicles will be visiting the premises per hour/day/week? (g) Is there adequate space in the driveway for visitors' vehicles, without compromising space for residents' vehicles? (h) Is there any business identification signage proposed? If so, provide details of its location, size and content (i) Is the existing domestic waste service sufficient to cater for the dwelling and the business? (j) How will clinical waste (if any) be disposed of? (k) Provide a clear description of all fit out works required in order to comply with the applicable National Construction Code, food and/or health legislation.
Waste Management Plan	A statement that describes how construction and operational waste will be managed.