

Home Occupation Guidelines

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A Home Occupation is a small business that is conducted in a dwelling or on the land around a dwelling by a resident of the dwelling and can only operate if it does not adversely affect the amenity of the surrounding neighbourhood in which it is located.

Is a Planning Permit Required?

No Planning Permit is required to conduct a Home Occupation from an existing dwelling in any residential or rural zone of the Frankston Planning Scheme provided the following requirements are met:

- The person conducting the Home Occupation must use the dwelling as their principal place of residence.
- No more than one person who does not live in the dwelling may work in the occupation.
(Note: A permit may be granted to allow up to two people who do not live in the dwelling to work in the business.)
- No more than 50 m² or one-third of the total floor area of the dwelling (*whichever is the lesser*) may be used for conducting a Home Occupation. This includes areas used for the storage of any materials or goods.
(Note: A permit may be granted to use up to 100 m² of floor area, provided the area is equal to or no more than one third of the total floor area of the dwelling).
- The occupation must not impose a load on any utility (*power, gas, water, waste-water treatment and/or disposal*) 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 serviced or repaired for gain. (Motor vehicle repairs, spray painting, panel beating etc. are not considered to be within the scope of a Home Occupation. Such uses should be located in an industrial area).**
- Only one commercial vehicle registered to a resident of the dwelling may be present at any time. The vehicle, which may include a commercial goods vehicle, commercial passenger vehicle, or a tow truck within the meaning of the Transport Act 1983, shall not exceed 2 tonnes capacity, and may have a trailer. The vehicle must not be fuelled or repaired on the site.
(Note: A permit may be granted for one additional vehicle that meets the above requirements).
- Only goods manufactured or serviced in the Home Occupation may be offered for sale.
- Materials used or goods manufactured, serviced or repaired in the Home Occupation must be stored within a building.
- No Goods manufactured, serviced or repaired can be displayed so that they are visible from outside the site.

Where a permit is required for a Home Occupation use, Council will consider:

- 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.

Advertising Signs:

To ensure that advertising signs do not detract from the general appearance of residential and rural areas, only one sign is allowed and the advertisement area of this sign must not exceed 0.2m². It cannot 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*).

Enforcement:

Failure to comply with the provisions of 'Home Occupation' will leave Council with no option but to undertake enforcement action to ensure compliance with the requirements of the Frankston Planning Scheme.

Enforcement action may include the issuing of a Planning Infringement Notice for any breach.

Failure to comply with a Planning Infringement Notice (P.I.N.) could result in prosecution of the offence before a Magistrate who would determine the penalty to be paid. Council would also seek payment of all Council's costs associated with any legal proceedings undertaken and may also apply for an Enforcement Order from the Victorian Civil and Administrative Tribunal to ensure compliance with the Scheme.

Need more information?

If you are contemplating establishing a business from home and require more information, please contact Council's Statutory Planning Department on 9784 1733.

It should be noted that a Brothel is not permitted as a Home Occupation.