

Home Activity

address 43 Dauncey Street, Kingscote

postal PO Box 121, Kingscote SA 5223

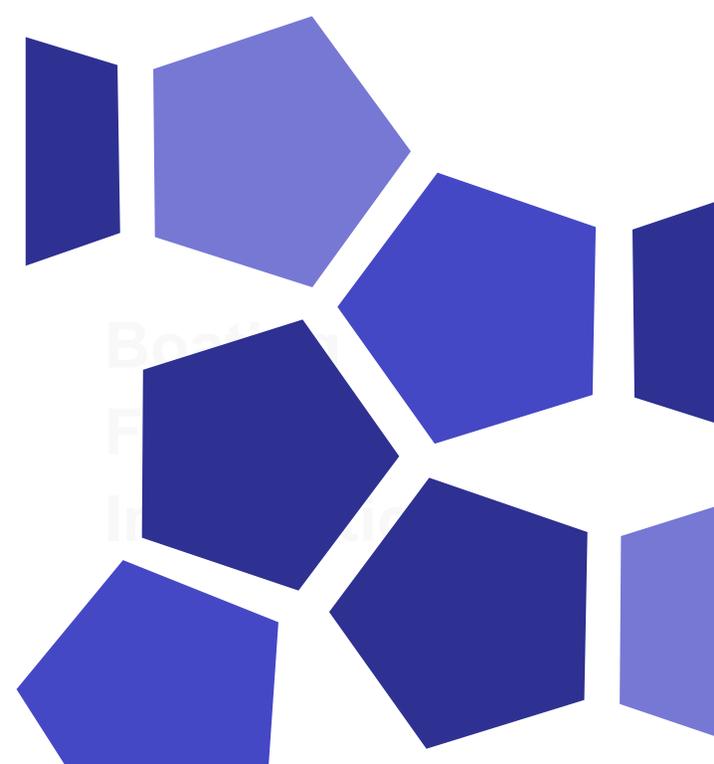
phone 08 8553 4500 | **fax** 08 8553 2885

email kicouncil@kicouncil.sa.gov.au

website www.kangarooisland.sa.gov.au

abn 93 741 277 391

V03/17



Home Activity

Residents may be permitted to operate small-scale business from the site of their residential premises in some instances. This is known as a Home Activity, and is defined by the Development Regulations 2008.

A Home Activity is the use of a site by a person resident on the site that complies with the following criteria:

- The floor or site area of the business shall not exceed 30 square metre of floor area
- Not more than one other person in addition to the persons normally residing in the home shall work on the premises at any time
- No unreasonable non-domestic requirements shall be placed upon any public utility
- No vehicles in excess of 3 tonnes in weight shall be associated with or service the business
- There shall be no detrimental effect of the amenity of any part of the locality
- No display of goods in a window or about the dwelling or its curtilage.

In determining whether the activity is having a detrimental effect on the locality, the following aspects (among others) are relevant:

- No sign other than a non-illuminated sign not exceeding 0.2 square metres and displaying only the name, address and identification of the business or profession shall be permitted.
- No nuisance shall be caused to any owner or occupier of land in the vicinity

What type of activity may be deemed a nuisance?

Nuisance is considered to be an activity that is an annoyance to another person and may include:

- Excessive noise
- Traffic – deliveries, parking etc
- Excessive number of visitors to the property
- Activity outside of normal business hours
- Generation of fumes, dust, smoke etc

Determining the levels of nuisance can be subjective and, in cases where there is a dispute relating to nuisance activity, Council may attempt to resolve any issues through mediation.

Is a Development Application necessary?

Provided the business is conducted within the defined criteria of a Home Activity, an application to Council is not required under the Development Act 1993.

It is advised, however, to give written notice to Council of your intentions to undertake a Home Activity.

If your proposed activity does not conform to the criteria of a Home Activity, a Development Application will be required to be lodged with Council. It will be assessed against the relevant provisions of the Development Plan in relation to the proposed land use.

In such instances there is no guarantee that consent will be granted.

If the proposed Home Activity involves the use of a kitchen or other part of a dwelling for the preparation of foods, the proprietor should discuss the matter with Council's Environmental Health Officer to ensure that the operation will comply with the requirements of the Food Act 2001 and the Food Safety Standards. In addition, a Food Business Notification form must be completed and lodged with Council's Environmental Health Officer.

It is also recommended to check with other authorities for any non-Council related requirements that may need to be met.

