

Building Consent Practice Note

Homes that contain business activities

Purpose:

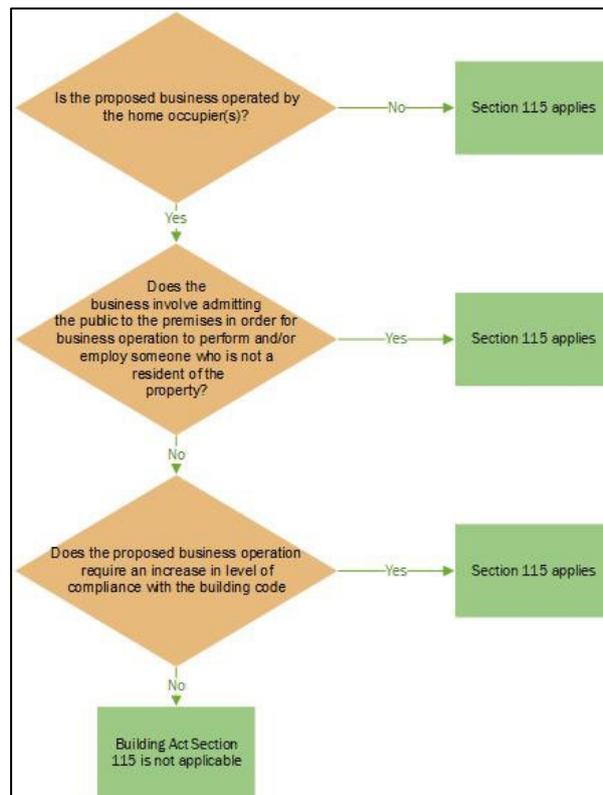
This practice note serves as a guide to assist in the evaluation of the applicability of Building Act Section 115 to residential properties incorporating small home-based business activities.

This practice note is not intended to cover commercial accommodation home based activities.

Procedure:

"Home Occupation" typically denotes small-scale business or professional activities conducted from an individual's residence. It enables individuals to operate businesses from the convenience of their homes. The nature of home occupations varies, and some activities may fall under Building Act Section 115, necessitating the acquisition of building consent or other approvals, including planning approval.

Determine if the Home-Based Business Operation is subject to Building Act Section 115 or a building consent.



Definitions:

"Home Occupier" refers to an individual or individuals who reside in and occupy a residential property as their home. In the context of this evaluation guidance document, the term is used to identify whether the person or persons operating the business are also the ones living in the residence.

Public access typically refers to the right or opportunity for members of the public to enter, use, or visit a particular place, property, or premises. In the context of the Building Act, it relates to whether a business operation conducted on a property allows members of the public to enter the premises. For example, if a home-based business involves customers or clients coming to the residence, or if the business premises are used for services that are open to the public, it could be considered as having public access.