

I propose that there be written recognition that the primary purpose of residential areas is for residential purposes. A persons place of residence needs to be a safe happy refuge that meets the emotional and physical health needs of the occupants. Secondary purposes such as home businesses can be allowed but only on the provision that they do not interfere with the primary purpose of a residential area.

The “Outcome focus” needs strong limits set to prevent the situation occurring of the “end justifying the means”. For example if someone in a position of power decides to provide a blanket encouragement of home business this could result in businesses unsuitable for a residential area being allowed to operate when a rules based approach would have prevented this.

There needs to be no watering down of the home based business exemption guidelines (Planning and Development Regulation 2008 Schedule 1 Part 1.3 Division 1.3.7 Section 1.108 - which do not seem to be enforced anyway).

To make the application of these regulations more effective the investigators of complaints need to take into account the evidence provided by the residents making the complaint rather than solely base their responses (or lack of responses) on their own evidence alone. This would relax their need to attend the site outside of business hours- which does not appear to happen very often. It would also prevent the “hear no evil see no evil” situation where the investigator never manages to catch the non-compliance occurring when they turn up for an inspection.

In addition to address the issue where the non-complaint operator only breaches the rules part time there needs to be added the provision that if evidence exists of 3 breaches in the span of one month then the regulations are to be enforced.

Also the regulations regarding acceptable sound limits in residential areas need to be reviewed. The current levels are there to permit acceptable noise creation such as mowing the lawn, renovating, home hobbies, etc. However these noises are only temporary. A home based business make make this level of noise continuously affecting home bound residents or residents working from home. Therefore a separate regulation covering noise needs to be set for home based businesses.