

# HOME-BASED BUSINESSES

## Information Sheet

A Home-Based Business is a business activity by the occupier of a dwelling. There are five categories for a home-based business:

- Home Office
- Home Occupation
- Home Business
- Home Store
- Family DayCare

### Definitions

**Home Office:** means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation –

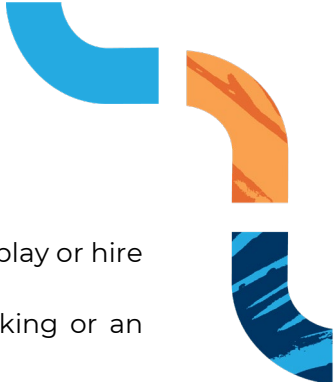
- Is solely within the dwelling;
- Does not entail clients or customers travelling to and from the dwelling;
- Does not involve the display of a sign on the premises; and
- Does not require any change to the external appearance of the dwelling.

**Home Occupation:** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that –

- Does not involve employing a person who is not a member of the occupier's household;
- Will not cause injury to or adversely affect the amenity of the neighbourhood;
- Does not occupy an area greater than 20m<sup>2</sup>;
- Does not involve the display on the premises of a sign with an area exceeding 0.2m<sup>2</sup>;
- Does not involve the retail sale, display, or hire of any goods unless the sale, display or hire is done only by means of the Internet;
- Does not –
- Require a greater number of parking spaces than normally required for a single dwelling; or
- Result in an increase in traffic volume in the neighbourhood or in customer's coming to the property.
- Does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight;
- Does not include provision for the fuelling, repair, or maintenance of motor vehicles;
- Does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

**Home Business:** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service, or profession if the carrying out a business, service or profession -

- Does not involve employing more than 2 people who are not members of the occupier's household;
- Will not cause injury to or adversely affect the amenity of the neighbourhood;

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- d) c) Does not occupy an area greater than 50m<sup>2</sup>;
  - e) d) Does not involve the retail sale, display, or hire of any goods unless sale, display or hire is done only by means of the internet;
  - f) e) Does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood;
  - g) f) Does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight;
  - h) g) Does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

## Frequently Asked Questions

### Is Development Approval Required?

**Home Office:** Does NOT require Development Approval.

**Home Occupation:** Does NOT require Development Approval, however applicants are highly encouraged to discuss their Home Occupation plans with Shire Officer's.

**Home Business:** Development Approval may be required depending on the zoning of the land and the nature of the proposal. You will need to check the zoning table) of the Local Planning Scheme to confirm permissibility in the various zones. It is also advised that you contact the Shire's planning team to confirm whether planning approval is required.

### How should I manage my Home-Based Business?

Home-based businesses should be managed in a way that results in the least possible impact on the character and amenity of the surrounding area.

Any business activity should be confined inside the house or outbuilding as approved, with operating hours generally limited to between 7.00am and 7.00pm, excluding Sundays and public holidays.

Customer visits to the site should be limited as much as possible and generally by appointment, with offset times to avoid multiple visitors being on the site at once. Any customer visitation would result in the proposal being classified as a Home Business and would therefore require a development application.

All car parking should be provided on the site and the public road verge should not be developed or relied upon for parking. Parking requirements will be determined in accordance with the Residential Design Codes of Western Australia, plus additional bays for any employees and an additional customer parking bay. Resident and staff car parking will be permitted in tandem, to minimise the maneuvering area required.

## Other Approvals that may be required

Unless any work is proposed (i.e., changes to the structure of a building), a building permit is not required for any home-based business.

An occupancy permit is not required for any home business, home, occupation, or home office within a single house or grouped dwelling development.

If your business includes hairdressing services, beautician services (including penetration of the skin for example, waxing, eyebrow, or nail services); or the storage, handling

packaging or processing of food for sale to the public, approval will be needed from the Shire's Environmental Health Services. For further information on these approvals please see our website at <https://www.ashburton.wa.gov.au/> or contact us at **9188 4444**.

#### Bushfire Prone Areas:

Where a Development Approval is required for a Home Business and the property is located within a Bushfire Prone Area, additional requirements may apply. In accordance with [State Planning Policy 3.7](#), a Home Business may be considered a 'Vulnerable Land Use' which requires a Bushfire Management Plan (BMP) and Bushfire Emergency Evacuation Plan (BEEP) to be prepared by an [Accredited Bushfire Practitioner](#), and submitted with the development application.

## Assessment Process

#### Assessment:

Applications for Development Approval are first checked to confirm any referrals that may be necessary. For example, neighbour consultation (advertising) may be required where it is proposed that people come to the site in relation to the business, or an outbuilding is proposed to be used in connection with the business. If neighbouring consultation is necessary, the Shire will identify which property owners and occupiers need to be notified and will undertake such notification by letter on the applicant's behalf.

A Planning Officer then considers the application to determine whether or not the application demonstrates compliance with the following:

- The Shire's Local Planning Scheme.
- Any policy, strategy, plan or Management Practice adopted by the Council.

#### Determination:

Most applications are determined by a Planning Officer under delegated authority from the Shire. Applications for Development Approval are either:

- Approved with conditions, including a time limit on the validity of the approval, or
- Refused for specifically stated reasons.

## More information

The Shire is unable to confirm if a proposal would be supported in the absence of a formal development application. However, applicants can discuss planning proposals and preliminary plans with the Shire's planning team. Planning Officers can provide general advice to applicants on proposed development or land use and the information required to lodge a complete application.