

11. Home Based Business

Background

The Shire of Waroona Local Planning Scheme No.7 includes multiple categories of Home Based Business.

In accordance with the Clause 6.1 of the Scheme, the permission of the Council must be obtained prior to establishment of a Home Based Business, with the exception of a Home Office.

This Policy sets out the conditions under which Council will consider granting permission to conduct a Home Based Business.

The different categories provide for different levels of development as defined within the Local Planning Scheme No. 7.

It should be noted that situations such as a tradesperson storing work vehicles and/or equipment is not considered a Home Based Business for the purposes of land use interpretation where no works are undertaken on the premises and does not involve the calling of any persons who are not residents of the premises. *

*Note: while the use of the land may be exempt from planning consent, reference should be made to Council's Scheme and Policy provisions relating to parking of Commercial Vehicles.

Objective/s

It is the objective if this policy is to provide clarification and guidance in the assessment of proposals for Home Based Business.

Legal Status/Considerations

Policy adopted as a Town Planning Scheme Policy pursuant to clause 2.4 of Town Planning Scheme 7.

Special Procedural Considerations

The permission of the Council must be obtained prior to establishment of a Home Based Business. The Applicant must lodge the specified Application Form together with an **initial fee**. A **renewal fee** will be paid thereafter until Council is notified of the closure of the Home Based Business.

Policy Statement

1. Council will maintain a register of Home Based Businesses.
2. Applications for a planning consent or renewal of a planning consent must be made on the application for planning consent form (Appendix 1A of the Scheme) and an approval issued will be in accordance with Appendix 1B of the Scheme.



3. In assessing an application for a Home Based Business, reference shall be given to the nature of the business proposed. Businesses with little potential impact on adjoining properties such as the following, where contained wholly within a building on the lot shall generally be considered appropriate in terms of effect on amenity:

- Hairdressing and beauty therapy;
- Administration based businesses such as professional consulting, accounting, drafting or bookkeeping;
- Businesses producing goods with minimal emissions such as photography, painting or crafts.

Applications for businesses with the potential to generate unacceptable impact on amenity shall be subject to stringent assessment, and where considered to be appropriate may be subject to conditions for limitation or ongoing monitoring of amenity impact. Such businesses may include metal fabrication woodwork and the like.

4. Applications for Home Based Businesses shall be required to include details of parking facilities provided. In considering the appropriateness of the parking proposed the following criteria shall be imposed:

- a) All parking shall be accommodated on the lot subject of the application;
- b) Parking for uses with infrequent visitation may be accommodated on the driveway of the lot;
- c) A minimum of 2 visitor bays shall be provided, in addition to any staff parking required.

5. A planning consent for a Home Based Business shall expire one year from the date of issue.

6. In order to continue an existing Home Based Business an application for renewal is required to be submitted. The application shall be made in the form of an application for planning consent under the Scheme.

7. In assessing applications for renewal of a Home Based Business, Council may undertake consultation with surrounding landowners where it is considered that an impact on amenity may result from the operation of the Home Based Business.

8. An initial application fee and renewal fee will be payable on application and the amount of such fees shall be determined by Council as part of Council's schedule of fees and charges.

9. Notwithstanding any of the above Clauses, if a lot is appropriately zoned and being used primarily for commercial or industrial purposes, Council may determine that the use proposed for a dwelling or associated outbuilding on that lot is suitable for that zone and Planning Consent shall be determined on in accordance with the appropriate land use classification of the Scheme.

Adoption/Amendments

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