



# HOME OCCUPATION AND HOME BUSINESS

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## 1. CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy DP-04: Home Occupation and Home Business.

## 2. OBJECTIVES

- (a) **Provide** guidelines in respect of applications for Home Occupations and Home Business approvals.
- (b) **Provide** for appropriately scaled small businesses, services or professions that are able to operate within residential areas.
- (c) **Encourage** the establishment and growth of local businesses, services and professions.
- (d) **Protect** the amenity and character of residential neighbourhoods.
- (e) **Maintain** an appropriate level of safety in residential streets.

## 3. APPLICATION OF THIS POLICY

Commercial activity undertaken at a dwelling is generally classified as either a 'Home Occupation', 'Home Business' or, for very small operations, a 'Home Office'. Development approval is not required for a 'Home Office' use. Permissibility for 'Home Occupation' and 'Home Business' is specified in the Scheme.

This Policy provides guidance on the matters that will be considered when assessing applications for a Home Occupation or Home Business, and when deciding whether a use falls within the definition for Home Office.

Any 'Home Occupation' or 'Home Business' activity must be undertaken in accordance with the parameters outlined within the land use definitions presented under Appendix 1 – Dictionary of Defined Terms of the City of Karratha Local Planning Scheme No. 8 (LPS8). For the purposes of this policy, the definition for a 'Home Office' is that prescribed under Schedule 1, Part 6, Clause 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

This Policy applies across the City's municipal area and should be read in conjunction with the Scheme and any other relevant local planning policy. To the extent of any inconsistency between the policy and the Scheme, the Scheme prevails.

## 4. POLICY PROVISIONS

Refer to Table 1 and Table 2 in Appendix A.

## 5. CONSULTATION

- (a) The City may require applicants to provide written evidence of support for an application from owners / occupiers of neighbouring properties before issuing a decision.
- (b) Regardless of whether written support is provided pursuant to (a) above, the City may advertise an application for public comment.

## 6. REFERENCES TO RELATED DOCUMENTS

- Application for Development Approval Form
- Planning Services Fee Schedule
- City of Karratha Local Planning Scheme No. 8
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- State Planning Policy 7.3: Residential Design Codes
- *Environmental Protection (Noise) Regulations 1997*
- City of Karratha Health Local Law

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Last Review:	September 2020
Next Review:	December 2020 [Every 5 years]
Responsible Officer:	Manager Approvals & Compliance

*This policy takes effect from the date of adoption by Council and shall remain valid until it is amended or rescinded.*

**TABLE 1 - Deemed Requirements**

Planning Matter	Home Office	Home Occupation	Home Business
Area Occupied	Solely within the dwelling	Not more than 20sqm	Not more than 50sqm
Number of Employees	Occupier of the dwelling	No person not a member of the occupier's household	No more than two people not members of the occupier's household
Retail Sale / Display of Goods	Does not entail clients or customers travelling to and from the dwelling	No retail sale or display of goods of any nature <u>from the dwelling</u>	No retail sale, display or hire of goods of any nature <u>from the dwelling</u>
<u>Signage</u>	<u>No signage is permitted</u>	<u>Does not display a sign greater than 0.2m<sup>2</sup> in area</u>	<u>Does not display a sign greater than 0.2m<sup>2</sup> in area</u>
Vehicle Storage	No changes to the external appearance of the dwelling	No more than one vehicle of up to 2 tonnes tare weight	No more than one vehicle of up to 3.5 tonnes tare weight

**TABLE 2 - Performance Criteria**

Planning Matter	Scheme Provision (Discretionary)	Potential Impacts	Performance Criteria
(Clause 67 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> ('the Regulations')).	Refer to Appendix 1 Definitions for Home Business and Home Occupation		
<b>Offsite Emissions and Compatibility of Proposed Development (m) (n)</b>	<b>Home Business (b)</b> <b>Home Occupation (b) (c)</b>	<p>Adverse impacts on adjoining properties and the neighbourhood through emissions of light, noise, odour, dust, electrical interference, vibrations, smoke, water or other waste products, especially through activities such as (but not limited to):</p> <ul style="list-style-type: none"> <li>Spray-painting;</li> <li>Vehicle wrecking;</li> <li>Personal training and fitness activities</li> </ul> <p>The appearance of the property from surroundings is unacceptable in its setting.</p>	<p>(a) If the City considers that the proposed activity may result in adverse impacts on residential amenity and/or surrounding properties, then an Operational Management Plan may be required to demonstrate compliance with this Policy. Such applications will be referred to any potentially impacted neighbouring property owner and occupant for their consideration and comment.</p> <p>(b) Applicants will be required to comply with the requirements of the <i>Environmental Protection (Noise) Regulations 1997</i> and any relevant local law or policy.</p>

			<p>(c) The City will generally not approve operating hours outside of 7am to 7pm, Monday to Friday, but may do so if it is satisfied that adverse impacts will not eventuate.</p> <p>(d) The property should be kept in a clean and tidy state.</p> <p>(e) Any activities undertaken outside the dwelling and visible from the public realm should be screened.</p>
<b>Environmental Health (r)</b>	<b>Home Business (b)</b>  <b>Home Occupation (b)</b>	Preparation of food from a domestic kitchen that is not suitable due to human health concerns.	Only low-risk food, as determined by the City's Environmental Health Services, is permitted to be prepared from a domestic kitchen.
<b>Vehicle Parking (s) (t)</b>	<b>Home Business (e)</b>  <b>Home Occupation (g) (h)</b>	<p>Adverse impacts on adjoining properties and the neighbourhood such as:</p> <ul style="list-style-type: none"> <li>• Inadequate space for parking within the lot boundaries</li> <li>• Primary street setback area being used primarily for parking of vehicles</li> <li>• Obstruction of sightlines</li> <li>• Obstruction of footpaths</li> </ul>	<p>(f) Sufficient car parking should be provided for customers/staff in addition to the required number of car parking bays for the occupants of the dwelling.</p> <p>(g) All parking should be provided for occupants, staff and visitors within legal lot boundaries unless otherwise agreed to by the City.</p> <p>(h) The primary street setback area should not be dominated by parked vehicles.</p> <p>(i) The site plan lodged with the development application should clearly indicate car parking spaces within lot boundaries, including dimensions.</p>
<b>Traffic Management (t)</b>	<b>Home Business (e)</b>  <b>Home Occupation (g) (h)</b>	<ul style="list-style-type: none"> <li>• Excessive traffic generation from either customer/clients or deliveries to and from the dwelling affecting amenity and safety of neighbourhood.</li> <li>• High number of vehicles not typical for a residential street.</li> </ul>	<p>(j) The Home Occupation / Home Business should not generate more than two (2) additional vehicle movements per hour.</p> <p>(k) Applicants should submit information regarding anticipated traffic numbers and the manner in which these will be managed.</p>

<b>Vehicle and Machinery Storage (m) (n)</b>	<b>Home Business (b) (e)</b>  <b>Home Occupation (b) (c) (g) (h)</b>	<ul style="list-style-type: none"> <li>Storage of large commercial vehicles impacting on the amenity and/or safety of a residential neighbourhood.</li> <li>Storage of vehicles and machinery that detract from the appearance of the streetscape and/or create a safety concern.</li> </ul>	<p>(a) The City may require any vehicle or machinery storage area that is visible from the public realm to be screened.</p> <p>(b) Any vehicle larger than 3.5 tonne tare weight proposed to be stored at a residential property would be considered as a 'Use Not Listed – Commercial Vehicle Parking'.</p>
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