



Planning Information Sheet

PS10 – Home Occupation

October 2010

Council may allow low impact occupations or businesses to be conducted from a person's own home in areas where the zoning may otherwise not allow such uses. However, these uses must satisfy certain criteria to ensure that there is no disturbance or nuisance created that would be inconsistent with the residential or rural character of the area. Activities that may be permitted in a residential area generally fall into the following four categories;

Home Office

A 'Home Office' is defined as a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not –

- Entail clients or customers travelling to and from the dwelling;
- Involve any advertising signs on the premises; and
- Require any external change to the appearance of the dwelling”.

Home Occupation

A 'Home Occupation' is defined as an occupation carried out in a dwelling or on land around a dwelling by a resident of the dwelling which –

- Does not entail employment of any person 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 20m²;
- Does not display a sign exceeding 0.2m² in area;
- Does not entail the retail sale, display or hire of goods of any nature;
- In relation to vehicles and parking, will not result in the requirement of a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volumes in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include the provision for the fuelling, repair or maintenance of motor vehicles; and
- Does not involve the use of essential services of greater capacity than normally required in the zone”.

Home Business?

A 'Home Business' is defined as a “a business, service or profession carried out in a dwelling or on land or on land around a dwelling by an occupier of the dwelling, which:

- Does not employ more than 2 people not members 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 50m² ;
- Does not involve the retail sale, display or hire of goods of any nature;
- In relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- Does not involve the use of an essential service of greater capacity than normally required in the zone.

Cottage Industry

Cottage Industry means an industry which produces arts and crafts of a local nature, which cannot be carried out under the classification of a home occupation within the curtilage of the house, that:

- does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or prejudicial affection due to the emission of noise, vibration, electrical interference, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;
- does not entail the employment of any person not a member of the occupier's family except in the case of a professional person;
- does not occupy an area greater than 55 square metres, unless special approval is granted by Council;
- does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located;
- is restricted in advertisement to a sign not exceeding 0.2 square metres in area; and
- may be carried out from an outbuilding which blends with the character of the area and does not detract from the area.

Is planning approval required?

Subject to obtaining planning approval from Council, a 'home occupation' may be permitted within the 'Residential', 'Rural residential' and Priority or General Agriculture zones. A 'home office' is exempt from requiring planning approval in any zone. Cottage Industry may also be considered in these areas but, you will need to check to Zoning Table 1 of Local Planning Scheme No. 1. Depending on the scale, noise, dust, fumes etc, work that could potentially disturb neighbouring properties may not be permitted, as such uses are more appropriate in an industrial area

How do I apply for planning approval?

You will need to complete a planning application form and the attached checklist, which will assist you in ensuring that all the required documentation is submitted with your application. Please note that the checklist requires the submission of a questionnaire, which should provide a detailed description of the proposed commercial activities.

What do I need to know?

Schedules 13 and 14 of Local Planning Scheme No. 1 provides the relevant development standards for parking requirements, landscaping, minimum lot size, setbacks, site coverage etc. The Scheme text and maps can be viewed at the Council offices, or you can retrieve this information online at www.wapc.gov.au. Alternatively you can contact one of our Planning Officers on (08) 9780 5265 for further assistance.

Local planning Policies are also developed to help guide the discretionary decisions of Council. The relevant policies must be identified and the development proposal must be justified against the provisions of any relevant policies. To ensure that you have covered all policy requirements please check the current list of policies on Council's website when you are preparing your application.

Is there anything else?

Depending on the development that is proposed, you may also require a building licence and/or approval from Council's Environmental Health Department. On this basis it is suggested that you consult with Council's Building and Environmental Health Department regarding any other approvals that may be required. Council's Building Department can be contacted on 9780 5214, and Council's Health Department can be contacted on 9780 9232.

Note: Prior to lodging your application for planning approval you may wish to consider making an appointment with one of Council's Planning Officers to discuss the proposal. Please phone 9780 5228 for an appointment. Applications that do not comply with the relevant standards or contain insufficient information may be refused or take longer to process.

**** DISCLAIMER ****

This information sheet is a guide only. Verification with original Local Laws, Acts, Local Planning Scheme No. 1 and other relevant documents is recommended for detailed references. The Shire of Augusta Margaret River accepts no responsibility for errors or omissions.