

Home Business Extract From District Planning Scheme No 2 (Dps2)

What is a Home Business?

A home business can be a convenient and cost effective way of starting a new business. Trends show that the number of people working from home has increased significantly during recent years. It is expected that in the next decade, 25 per cent of the workforce will be working from home. The increased reliance in telecommunications being one of the major contributors to this trend.

In recognition of the demand to work from home the City has introduced three different categories of Home Business: Home Business Category 1, Home Business Category 2, and Home Business Category 3.

The main difference between these categories relates to the intensity of use and the likely effect on the surrounding locality. Standards vary according to the number of non-resident employees allowed, dwelling area used, and presence of customers.

When is Planning Approval required?

Planning approval is not needed for a Home Business Category 1 within a dwelling. A development (use) approval is required for a Home Business – Category 2 and Home Business – Category 3. A letter, two sets of plans, and a fee of \$185 are required with applications addressing the detailed aspects of the Home Business based on the category below.

For Category 1 applications, please provide a letter outlining the proposed business in detail in accordance with the criteria together with a fee of \$62.

Please note: *in most cases Home Business Approvals are issued for a 12 month period only.*

It is the Applicant's responsibility to renew this application if they wish to carry on the business.

To renew the application the Applicant is required to submit:

- (a) a covering letter stating they are seeking to renew the Home Business and inform Council of any changes to the nature of the approved business;
- (b) a renewal fee of \$62; and
- (c) a signed MRS Form 1 (Development Application Form) by the owner.

Home Business – Category 1: means an occupation carried on within a dwelling by a resident of the dwelling which:

- (a) does not entail the retail sale, display or hire of goods of any nature;
- (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (c) does not entail any substantial and/or inappropriate modification of the dwelling;
- (d) does not entail employment of any other person;
- (e) does not occupy an area greater than 20m² or where more than one resident is involved and not cause the area used for home business within the dwelling to occupy an area greater than 30m²;
- (f) does not display any advertising signage;
- (g) does not attract customers or regular and frequent deliveries of goods or equipment to the site;
- (h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling and will not result in any increase in the amount of vehicular traffic in the vicinity;
- (i) does not entail the presence, parking and garaging of a vehicle of more than 1.5 tonnes tare weight; and
- (j) does not involve the servicing or repair for gain of motor vehicles.
- (k) No customers are permitted to visit the site.
- (l) notwithstanding factors (a)-(k); a Home Business Category 1 may entail the operation of a Family Day Care Centre as defined by Clause 1.9 of this Scheme.

Home Business – Category 2: means an occupation carried on in a dwelling or on land around a dwelling by a resident of the dwelling which:

- (a) does not entail the retail sale, outdoor display or hire of goods of any nature;
- (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (c) does not detract from the residential appearance of the dwelling house or domestic outbuilding;
- (d) entails the employment of no more than 1 person not a member of the occupier's household;
- (e) does not occupy an area greater than 30m²; Council may permit an area greater than 30m² where it is considered that the scale of the business is limited by other factors and the increase in floor space will not have a detrimental effect on the amenity of the surrounding areas;
- (f) does not have more than one advertisement sign and the sign displayed does not exceed 0.2m² metres in area;
- (g) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling, and will not result in a substantial increase in the amount of vehicular traffic in the vicinity;
- (h) does not involve the servicing or repair for gain of motor vehicles; and does not entail the presence, parking and garaging of a vehicle of more than 3.5 tonnes tare weight;
- (i) no more than two customers may attend the premises at any one time(Policy3.1.11);

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- (j) customer visits must be during the hours of 8am to 5pm Monday to Friday and 9am to 5pm Saturday (Policy 3.1.11);
- (k) customer visits must be by appointment only;
- (l) regular deliveries of goods and equipment including deliveries carried out at intervals of less than a month are generally not considered appropriate (Policy 3.1.11).

Home Business – Category 3: means an occupation or professional practice undertaken for the purposes of commercial gain; and carried on in a dwelling or on land around a dwelling by a resident of the dwelling which:

- (a) does not entail the retail sale, outdoor display or hire of goods of any nature;
- (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (c) does not detract from the residential appearance of the dwelling house or domestic outbuilding;
- (d) entails employment of a maximum of two persons not members of the occupier's household. Council may approve a greater number of employees, not exceeding four persons, subject to community consultation;
- (e) occupies an area not exceeding 50m². Council may approve, subject to community consultation, an area of up to 100m², or one-third of the floor area of the dwelling whichever is the lesser;
- (f) displays a sign describing the nature of the approved home occupation. The sign must not exceed 0.2m², and a maximum of two metres high;
- (g) will not result in the requirement for a greater number of parking facilities than those provided on the site so as to cause an unacceptable inconvenience for adjoining residents and road users;
- (h) will not result in a substantial increase in the amount of vehicular traffic in the vicinity;
- (i) does not involve the servicing or repair for gain of motor vehicles;
- (j) does not entail the presence, parking and garaging of a vehicle of more than 3.5 tonnes tare weight;
- (k) no more than three customers may attend the premises at any one time (Policy 3.1.11);
- (l) customer visits must be during the hours of 8am to 5pm Monday to Friday and 9am to 5pm Saturday (Policy 3.1.11);
- (m) regular deliveries of goods and equipment including deliveries carried out at intervals of less than a month are generally not considered appropriate (Policy 3.1.11);
- (m) where a Home Business is proposed in either a Residential or Special Residential zone, the preferred location of the proposal is where it abuts or is directly opposite one of the commercial centres listed in the City of Joondalup Centres Strategy (Policy 3.1.11).

Applicants proposing to carry out a Home Business – Category 3, must submit a Management Plan as part of the application. Management plans are to include:

- measures to minimise and control noise;
- measures to minimise vehicle loading and unloading and traffic movements;
- the proposed hours of operation;
- a car parking plan;

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- a landscaping plan including landscape buffers;
- details of any poisonous, flammable or harmful chemicals or other hazardous materials proposed to be stored or used and measures to ensure that no polluting or harmful substances will escape from the site;
- measures to minimise emissions of odours, dust or vapours from the site;
- ways to limit the number of people visiting the house at any one time in relation to the business;
- a diagram of proposed signage;
- a plan showing any proposed outdoor storage areas;
- measures to ensure that no detrimental impact occurs to the character of the neighbourhood;
- measures to manage the impact of the home business on any building or place listed on the Municipal Inventory of Heritage Places.
- compliance with all other relevant State and Commonwealth legislation and or Regulations.
- details of all appliances or machinery to be used in the Home Business.

Further Information:

Please contact the City's Building and Approvals Unit on 9400 4961.

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