

4. ECONOMY AND EMPLOYMENT

LPP 4.1 HOME-BASED BUSINESSES

1. Introduction, background and purpose

Local Planning Scheme No. 5 allows the local government discretion to approve applications for Home Occupation and Home Business in the Residential, Residential Development, Rural Residential, Rural 1, Rural 2, Mixed Use and Town Centre zones. Such uses may be encouraged as a means of facilitating economic development opportunity provided local amenity is not compromised.

This policy sets out the application requirements and matters to be considered in determining applications for home based businesses.

2. Application of policy

This policy applies to all applications for planning approval under Local Planning Scheme No. 5 to operate a home occupation or home business in the Shire of Collie.

This policy provides guidance to the local government in exercising its general discretion to allow Home Based Businesses in the Residential, Residential Development, Rural Residential, Rural 1, Rural 2, Mixed Use and Town Centre zones.

3. Policy objectives

- 3.1 Support and encourage home-based business as a suitable local enterprise of economic and social importance to the Shire;
- 3.2 Maintain residential areas as primarily a place to live, not primarily a place to work whilst recognising that working from home is an expanding area of employment and a significant contributor to the economy;
- 3.3 Protect the amenity and character of residential and rural areas by ensuring that potential impacts associated with home business such as noise, traffic, pollution, people and advertising signs are minimised and adequately controlled;
- 3.4 Ensure that home business development is compatible with the residential/rural character of surrounding built areas;
- 3.5 Take into account additional requirements to the Local Planning Scheme No 5 which the local government will consider in its determination of a development application; and
- 3.6 Provide a consistent and equitable approach for the local government in the assessment of applications and complaints in relation to home businesses.

4. Policy statement

A home office is exempt from requiring approval under the provisions of Local Planning Scheme No. 5. Should an application for a home occupation be received by the local government and determined to be a 'home office', the applicant shall be notified in writing that approval is not required and any application fee returned.

Should any home office grow to the extent that its operation has become the subject of a notice or complaint, the occupant of the dwelling shall demonstrate compliance with the operations of a home office or make an application for planning approval.

Approvals for Home Occupations and Home Businesses should be renewable annually. Approvals and renewals should ensure the following is complied with:

- (i) The proposal or continued operation complies with the relevant definition and criteria for the type of home business as specified in Local Planning Scheme No.5;
- (ii) Does not occupy an area greater than that specified in the definition to the relevant category of home based business, with the exception of rural or large residential properties which may accommodate outbuildings or activities in excess of the specified area. The maximum area permissible to be determined by the local government on a case by case basis;
- (iii) Does not display any sign other than in accordance with the Shire of Collie's Local Planning Policy LPP 4.2 Advertisements and signage and not be erected without the approval of the local government;
- (iv) The home based business is be compatible with the principle uses to which land in the zone which it is located may be put and will not generate a volume or type of traffic that would prejudice the amenity of the area;
- (v) No storage of flammable or toxic chemicals associated with the home based business unless approved by a Shire of Collie Environmental Health Officer;
- (vi) No justifiable complaints have been received by the local government which would warrant the cancellation of a home occupation or home based business permit.

Home based business considered to be controversial, of public interest or that may impact upon surrounding landowners may require advertising at the discretion of the Chief Executive Officer.

Definitions

As per the definitions of Local Planning Scheme No.5, there are three categories of home based businesses. These categories are home office, home occupation and home business. The categories are defined in the Local Planning Scheme as follows:

“home business” means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which —

- (a) does not employ more than 2 people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50 square metres;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) 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, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone;

“home occupation” means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which —

- (a) does not employ any person not a member of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20 square metres;
- (d) does not display a sign exceeding 0.2 square metres;
- (e) does not involve the retail sale, display or hire of goods of any nature;
- (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than two tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (g) does not involve the use of an essential service of greater capacity than normally required in the zone;

“**home office**” means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not —

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling.

Adopted by Council: 27 January 2010

LPP 4.2 ADVERTISEMENTS AND SIGNAGE

1. Introduction, background and purpose

An application for planning approval is required to be lodged for all advertising that is not identified as permitted development (i.e. not requiring planning approval) under Clause 8.2 (f) and Schedule 5 Local Planning Scheme No. 5.

2. Application of policy

This policy applies to any advertising proposed to be erected within the Shire of Collie.

3. Policy objectives

- 3.1 To provide a consistent approach to advertising applications within the local government.
- 3.2 To provide guidelines that will assist in the regulation and control of advertising within the Shire.
- 3.3 To reduce the proliferation of signs.