

Home Businesses Information Sheet

What are Home Businesses?

Home businesses are small businesses that may operate from a private home, often within a residential area, subject to the appropriate approvals being obtained from the City of Albany. Home businesses cannot display, hire or offer for retail sale items of any nature directly from the premises. However, the sale of items by wholesale or by mail order via the Internet may be permitted.

The only exceptions to these restrictions apply to cottage industries, which may operate from an outbuilding and can include the display and retail sale of items produced on the premises.

Where the area occupied by a home office, home occupation, home business or consulting rooms exceeds 10% of the floor area of the existing house, the building will have to be reclassified under the Building Code of Australia. The classification will depend on the use, as defined in the Building Code of Australia Volume One. Reclassification may require that alterations are made to the building.

These may include fire separation measures, the provision of access arrangements for people with disabilities or the provision of accessible unisex toilet facilities to Australian Standard 1428.1.2009.

The land use definitions within City of Albany Local Planning Scheme No. 1 classify businesses that provide services of a personal nature as shops. This includes hairdressing, beauty therapy, relaxation massage, etc. As a shop cannot be permitted in the Residential zone, these types of business cannot be permitted as home businesses, unless they operate on a mobile basis, visiting customers off the premises.

Types of Home Business

City of Albany Local Planning Scheme No. 1 sets out six types of home business, which are as follows:

Home Office: A Home Office is a business carried out entirely within a private home by an occupant. It should not change the appearance of the house, nor should it have any external impacts on the neighbourhood or require customers to visit the premises. A Home Office is typically used for the administration of a business which operates off-site.

Home Occupation: A Home Occupation is a business carried out entirely within a private home by an occupant. As with a Home Office, it should not adversely affect the amenity of the neighbourhood. However, a Home Occupation allows a greater degree of flexibility, as it permits customers to visit the premises by appointment and for a small commercial vehicle to be kept on, or attend the premises.

- Home Business:** A Home Business is similar to a Home Occupation, but permits the employment of up to two persons who are not resident on the premises. It also allows a slightly larger commercial vehicle to be kept on, or attend the premises.
- Consulting Rooms:** Consulting Rooms may be operated within a private home by an occupant and may employ another health practitioner who is not resident on the premises. Consulting Rooms may be used by no more than two health practitioners for the investigation or treatment of human injuries or ailments and for general outpatient care. Patients may visit the premises by appointment.
- Cottage Industry:** A Cottage Industry is a trade or light industry producing art or craft items that may be carried out within a private home or outbuilding by an occupant. Items may be displayed and sold by retail from the premises and customers are permitted to visit without requiring an appointment.
- Family Day Care:** A Family Day Care is an education and care service that is delivered by two or more educators to provide education and care for children in a private home, whether or not the service also provides education and care to children in another location.

In which zones may I operate a Home Business?

Table 1: Zoning Table of Local Planning Scheme No. 1 lists the various types of home business and the zones in which they may be operated.

You can find the zoning of your property by referring to the Local Planning Scheme No. 1 Scheme Maps or the City's online map module: <http://albany.wa.gov.au/business/building-planning/whats-my-property-zoning/>

Are there any restrictions or other requirements?

Restrictions and/or other requirements may apply to the various types of home business. These are summarised in the table at the end of this information sheet.

Any food businesses must obtain the necessary approvals from the City of Albany Planning and Development Services' Environmental Health branch. For more information, please see the City's Home Produced Food Information Sheet.

How do I apply for development approval?

Where development approval is required for a Home Business, an application should be lodged with the City of Albany according to the City's Application for Development Approval Information Sheet.

The planning application should include full and accurate plans and details that clearly outline how the proposed Home Business will be operated. If all of the necessary information is submitted at the time of making your application, this will assist the City in processing it more efficiently.

Some applications may have to be referred to adjoining landowners and/or advertised for public comment, in accordance with Local Planning Scheme No. 1. These applications will take longer to process as a result.

Once you have obtained development approval

Once you have obtained the necessary development approval, you must ensure that you comply with any planning conditions that have been placed on the approval. You may also be required to apply for a building permit or Environmental Health approvals.

Approval for a Home Business is only issued to the specific occupier of a premises. It cannot be transferred or assigned to any other person and cannot be transferred from the premises to which it relates. If the occupier who was granted development approval vacates the premises to which it relates, the approval is cancelled.

Further Information

Should you have any questions or require further information, please contact Planning and Development Services at the City of Albany on (08) 9841 9333 or via e-mail on planning@albany.wa.gov.au

Home business category	Where on my property may I operate from?	May I employ anyone?	May customers visit me?	May I erect a sign on the premises?	May a commercial vehicle be kept on, or attend the premises?	Are there any additional parking requirements?	What other special provisions apply?	What approvals do I need?
Home Office	Within the house.	You may not employ anyone who does not reside on the premises.	No.	No.	No.	No.	None.	No approvals are required where a Home Office is to be operated within an approved house.
Home Occupation	From an area of no more than 20m ² on the premises.	You may not employ anyone who does not reside on the premises.	Yes, by appointment only.	Yes, a sign of up to 0.5m ² may be erected on the premises.	Yes, a commercial vehicle under two tonnes tare (unladen) weight may be kept on, or attend the premises.	No.	None.	Development (planning) approval, a building permit if the area used for the occupation exceeds 10% of the floor area of the house or an outbuilding, and environmental health approval if a food business.
Home Business	From an area of no more than 50m ² on the premises.	Yes, you may employ two people who do not reside on the premises.	Yes, by appointment only.	Yes, a sign of up to 0.5m ² may be erected on the premises.	Yes, a commercial vehicle under 3.5 tonnes tare (unladen) weight may be kept on, or attend the premises.	Yes. As per the <i>Residential Design Codes of WA</i> , plus one bay per employee.	None.	Development (planning) approval, a building permit if the area used for the business exceeds 10% of the floor area of the house or an outbuilding, and environmental health approval if a food business.
Consulting Rooms	Within the house.	Yes, you may employ one other practitioner who does not reside on the premises.	Yes, by appointment only.	Yes, a sign of up to 1m ² may be erected on the premises.	No.	Yes. Three bays per practitioner and one bay per three employees.	Approval will only be issued to the practitioner and is not transferrable to another operator.	Development (planning) approval and a building permit if the area used for the consulting rooms exceeds 10% of the floor area of the house.
Cottage Industry	From an area of no more than 50m ² on the premises.	You may not employ anyone who does not reside on the premises.	Yes.	Yes, a sign of up to 0.5m ² may be erected on the premises.	Yes, a commercial vehicle may be kept on, or attend the premises in accordance with section 5.8.6 of <i>Local Planning Scheme No. 1</i> .	Yes. One bay per 30m ² net lettable area.	Display and retail sale of items produced on the premises is permitted.	Development (planning) approval. A building permit may be required, dependent on the specific activity being undertaken.
Family Day Care	Within the house.	Yes, you may employ other family day care educators who do not reside on the premises.	Yes, by appointment only.	Yes, a sign of up to 1m ² may be erected on the premises.	No.	Yes. As per the <i>Residential Design Codes of WA</i> , plus one bay.	A maximum of seven children, including the carer's own children may be minded on the premises at any one time. Delivery and collection of children must be staggered.	Development (planning) approval and environmental health approval.