

## HOME OCCUPATION

### What is a Home Occupation?

A Home Occupation means a business or trade carried out, with the permission of the City of Albany, within a house or the confines of a housing lot.

Generally a home occupation is a business run from home that does not reduce the residential character of the area or cause the house to appear to be anything other than a house. More particularly an application for a Home Occupation will not be considered unless the use:

- Entails the establishment of a business other than hairdressing or similar personal body care businesses, office or workshop only, but does not include a retail sale or display of goods of any nature;
- Does not create injury or prejudicially affect the amenity of the neighbourhood, including (but without limiting the generality of the foregoing) injury prejudicial affection due to the emission of light, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, grit, oil, waste, water or waste products;
- Does not entail the employment of any person not a member of the occupier's family, normally resident in the house;
- Does not require the provision of any essential service of a greater capacity than normally required in the zone in which it is located;
- Does not occupy an area greater than 25 square metres (20 square metres in the former shire area), including office accommodation, which in the case of the workshop or trade, shall not be less than 6 metres from the nearest part of a habitable room within an adjacent or adjoining residence other than that within the curtilage of the lot upon which the workshop is erected;
- Will not result in the requirement of a greater number of vehicle parking facilities than normally required within the zone in which it is located and will not result in a substantial increase in the amount of vehicular traffic in the vicinity; and
- Does not entail the presence, parking or garaging of vehicles of more than four tonnes tare weight.

### What Approvals Will I Need?

Planning Scheme Consent is required to operate a Home Occupation. Applications are made to the City of Albany through the Development Services' Planning section on the attached form.

Should alterations to the existing house or the construction of new buildings be required in order to accommodate the Home Occupation, a Building Licence is also required. Applications for a Building Licence are made to the City of Albany's Building section, generally after the Planning Scheme Consent has been issued.

To apply for Planning Scheme Consent you will need to:

- Complete a Planning Scheme Consent application form;
- Supply 4 copies of a scaled site plan (preferably A3 or A4 size). Refer to back of the Planning Scheme Consent application form for information required;
- Supply 4 copies of a floor plan of the dwelling indicating which room(s) are to be used for the Home Occupation or if the Home Occupation is to take place away from the house please indicate the location on the site plan;
- Supply a brief letter explaining the nature of the activity; and
- Pay the standard application fee.

### **Are There Any Special Requirements?**

**YES...** Each of the following criteria must be met:-

The zoning of the land must be:-

- Residential; or
- Central Area; or
- Yakamia Creek; or
- Rural; or
- Future Urban; or
- Special Rural, Special Residential or Conservation with relevant provisions of the zone permitting a Home Occupation.

The proposal must comply with the Home Occupation definition above.

### **The Assessment Process**

The assessment process is dependent on the Scheme area you are located in.

- Home Occupation is classified as a 'SA' use under Town Planning Scheme No. 1A. (Covers the Former Town of Albany Area)
- Home Occupation is classified as an 'A' use under Town Planning Scheme No. 3. (Covers the Former Shire of Albany Area)

The attached assessment process outlines how we assess your application in your Scheme area.

### **More Information ....**

Should you have any questions or require any further information, please contact a member of the Development Services Team by either phoning on 9841 9383, by email [planning@albany.wa.gov.au](mailto:planning@albany.wa.gov.au) or in person at the City Offices.

### **\*\* DISCLAIMER \*\***

This information sheet is a guide only. Verification with original Local Laws, Acts, Planning Schemes, and other relevant documents is recommended for detailed references. The City of Albany accepts no responsibility for errors or omissions.

## THE ASSESSMENT PROCESS

### How Is My Application Processed?

Type	What Steps are Involved?	Time Taken
<b>P</b>	<ul style="list-style-type: none"> <li>Assessed by Officer. No formal advertising involved.</li> <li>May be advertised to surrounding landowners at Officer's discretion. Should advertising be required, the approval process can be extended to between 4-6 weeks.</li> </ul>	<b>2 weeks</b>
<b>AA</b>	<ul style="list-style-type: none"> <li>Must be advertised at least once in a local paper.</li> <li>It will be advertised to surrounding landowners.</li> <li>Application will be on advertising for 21 days.</li> <li>The Officer will collate comments received when the advertising period is finished.</li> <li>Should there be any opposing submissions, then the application will need to go before Council for a decision. This will delay the approval process until it can go in the next agenda. This may add an extra 6 weeks to the approval process.</li> <li>Should the application receive no submissions or only ones in favour, then there may be no requirement to go before Council and an official approval/refusal may be granted by Officer.</li> </ul>	<b>6 weeks</b>
<b>A</b>	<ul style="list-style-type: none"> <li>Assessed by Officer.</li> <li>May be advertised to surrounding landowners at Officer's discretion. Should advertising be required, the approval process can be extended to between 4-6 weeks.</li> </ul>	<b>2 weeks</b>
<b>IP</b>	<ul style="list-style-type: none"> <li>Assessed by Officer. No advertising involved.</li> <li>May be advertised to surrounding landowners at Officer's discretion. Should advertising be required, the approval process can be extended to between 4-6 weeks.</li> </ul>	<b>2 weeks</b>
<b>SA</b>	<ul style="list-style-type: none"> <li>Must be advertised at least once in a local paper.</li> <li>A sign will be placed on the property in a prominent place.</li> <li>It will be advertised to surrounding landowners.</li> <li>Application will be on advertising for 21 days.</li> <li>The Officer will collate comments received when the advertising period is finished.</li> <li>Should there be any opposing submissions, then the application will need to go before Council for a decision. This will delay the approval process until it can go in the next agenda. This may add an extra 6 weeks to the approval process.</li> <li>Should the application receive no submissions or only ones in favour, then there <u>may</u> be no requirements to go before Council and an official approval/refusal granted by Officer.</li> </ul>	<b>6 weeks</b>
<b>X</b>	<ul style="list-style-type: none"> <li>Involves no advertising. Automatic refusal.</li> </ul>	<b>2 weeks</b>

**Note:**

Any application can be referred to a formal Council Meeting for a decision. If an application is referred to a formal Council meeting for a decision, there can be no guarantee on the time taken to process an application.

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