

Development Approval – INFORMATION SHEET

HOME-BASED BUSINESS

Enquires and Lodgement

A development application may be required for a home-based business. Please refer to the attached table for details on the required approvals. We ask that you read the information sheet in its entirety and contact us should you have any further questions.

Enquires: planning and development services 6820 3000 or email planning@albany.wa.gov.au

Lodge: online (preferred) www.albany.wa.gov.au or via email planning@albany.wa.gov.au
In person by visiting the City of Albany 102 North Road, Albany

Planning applications should include full and accurate plans and details that clearly outline how the proposed home-based business will operate. Providing all required details upfront will help the City assess the application and process it more efficiently.

Some applications may have to be referred to adjoining landowners and/or advertised for public comment, in accordance with the current Local Planning Scheme. These applications will take longer to process as a result.

Once your application is deemed complete, we'll contact the applicant to collect credit card details by phone. *If the application is missing information, we'll contact the applicant to explain what's needed or request modifications.*

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-based 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.

Considerations prior to developing a home-based business

What is a home-based business?

A home-based business is a small business operated from a private home, subject to the appropriate approvals and permits being obtained. Home-based businesses cannot display, hire or offer for retail sale items of any nature directly from the premises. However, the sale or hire of items 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-based business (excluding a family day care) 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

Types of home-based businesses

Home Office - means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation —

- a) is solely within the dwelling; and
- b) does not entail clients or customers travelling to and from the dwelling; and
- c) does not involve the display of a sign on the premises; and
- d) does not require any change to the external appearance of the dwelling.

Home Occupation - means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that —

- a) does not involve employing a person who is not a member of the occupier's household; and
- b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- c) does not occupy an area greater than 20 m²; and
- d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and
- e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- f) does not —
 - i) require a greater number of parking spaces than normally required for a single dwelling; or
 - ii) result in an increase in traffic volume in the neighbourhood; and
- g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

Home Business - means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession —

- a) does not involve employing more than 2 people who are not members of the occupier's household; and
- b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- c) does not occupy an area greater than 50 m²; and
- d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- f) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

Rural Home Business - means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation —

- a) does not involve employing more than 2 people who are not members of the occupier's household; and
- b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- c) does not occupy an area greater than 200 m²; and
- d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.

Industry – Cottage - means a trade or light industry producing arts and craft goods which does not fall within the definition of a home occupation and which —

- a) does not cause injury to or adversely affect the amenity of the neighbourhood;
- b) where operated in a residential zone, does not employ any person other than a member of the occupier's household;
- c) is conducted within an outbuilding which is compatible with the principal uses to which land in the zone in which it is located may be put;
- d) does not occupy an area in excess of 50 m²; and
- e) does not display a sign exceeding 0.2 m² in area.

Family Day Care - means premises where a family day care service as defined in the *Education and Care Services National Law (Western Australia)* is provided.

In which zones may I operate a home-based business?

The Zoning Table (Table 3) of the Local Planning Scheme No. 2 outlines where the different types of home-based businesses can operate. Property and zoning information can be accessed through the City of Albany's [Property Map](#).

Restrictions or other requirements?

Specific restrictions may apply to different types of home-based businesses, which are summarised in the table below.

Food Businesses and Skin Penetration: Must also obtain necessary approvals from the City of Albany's Environmental Health department. Refer to the City's webpage for Food Business Information. [For Food Businesses \(Residents And Business\) » City of Albany](#).

Requirements for each home-based business category

Home-based 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.	No.	Yes, a sign of up to 0.2m ²	Yes, a commercial vehicle under 4.5 tonnes tare (unladen) weight may be kept on, or attend the premises.	No.	None.	No development approval is required for the land use.
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 and only where it does not result in traffic impacts and additional carparking can be contained onsite.	Yes, a sign of up to 0.5m ²	Yes, a commercial vehicle under 4.5 tonnes tare (unladen) weight may be kept on, or attend the premises.	Yes. Two bays for the dwelling, plus one bay per employee. If clients are attending the site, there should be additional parking. All carparking is to be contained on-site	None.	Development approval is required. A building permit is required if the area used for the business exceeds 10% of the floor area of the house or an outbuilding. Environmental health approval is required for a food business.
Rural Home Business	From an area of no more than 200m ² on the premises.	Yes, you may employ two people who do not reside on the premises.	Yes but must not exceed the calling of more than 3 vehicles at any one time.	Yes, a sign of up to 0.5m ²	Yes, a commercial vehicle under 30 tonnes tare (unladen) weight may be kept on, or attend the premises.	If clients are attending the site, there should be additional parking. All carparking is to be contained on-site	Consideration must be given to any proposed land uses in Special Control Areas of LPS2.	Development approval is required. A building permit is required if the area used for the business exceeds 10% of the floor area of the house or an outbuilding. Environmental health approval is required for a food business.
Industry - Cottage	From an area of no more than 50m ² on the premises.	You may not employ anyone who does not reside on the premises, where operated in a Residential zone.	Yes.	Yes, a sign of up to 0.2m ²	No.	Yes. One bay per 30m ² net lettable area.	Display and retail sale of items produced on the premises is permitted. Land use must be conducted within an approved outbuilding on the premises.	Development approval is likely to be required, depending on the zone. A building permit is required if the area used for the cottage industry exceeds 10% of the floor area of the house.

Home-based 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?
Family Day Care	Within the house with outdoor activity areas clearly defined within the property boundaries.	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	No.	Yes. As per the <i>Residential Design Codes</i> , plus one bay.	Maximum children are defined within the <i>Education and Care Services National Law (Western Australia)</i> . Delivery and collection of children must be staggered.	Development approval and environmental health approval are required.