

## Policy 3.5: Home Occupations

### INTRODUCTION

Working from home is now acknowledged as a widely accepted practice in today's workforce. Not only has it become increasingly common, changes in the traditional organisation of work, coupled with dramatic advances in communications and computer technology, have made it more possible and it is therefore quite reasonable to assume that the number of people wanting and able to work from home is likely to continue to increase in the future.

However, there needs to be recognition that while some home based employment is acceptable within a residential environment, there are limits on the compatibility of home occupations with residential uses. Some degree of control is therefore necessary to protect the character and amenity of residential neighbourhoods.

### DEFINITION

Home occupation means the carrying on of any business, profession or trade carried out by the owner or occupier of a residential property, whether carried out as the principle means of income of the owner or occupier or not, conducted in a dwelling or within the boundaries of the lot upon which a dwelling is constructed but does not include the sale or hire of any goods.

### AIMS

To provide guidelines for the use of residential properties for home occupations, so as:

- to ensure that the home occupation does not have a prejudicial affect on the amenity of the locality and residential neighbours in particular;
- to protect the character of the locality; and
- to ensure that the use of land for any home occupation is small in scale, unobtrusive and compatible with surrounding buildings and uses.

### POLICY

1. All home occupations shall comply with the following requirements:
  - (a) be conducted within a dwelling where the predominant use of the building is a domestic residence;
  - (b) incorporate provisions for the parking of all vehicles associated with the home occupation within the lot boundaries;
  - (c) be conducted in such a manner that the building and lot retain the appearance of a domestic dwelling;
  - (d) be restricted to operating only within the hours as required by Council, where such a condition is included in the planning approval; and
  - (e) the applicant must be the permanent resident residing on a regular basis on the residential property used for the purpose of a home occupation.

2. A home occupation shall not:
- (a) entail more than one (1) customer or client on the premises at any one time;
  - (b) entail more than four (4) customers or clients per day;
  - (c) operate or conduct business in any manner whatsoever outside the hours of 7.00 am to 7.00 pm Monday to Friday, including public holidays;
  - (d) require the use or impose a load on any public utility greater than that ordinarily required by a residential dwelling;
  - (e) involve the service or repair of any motor vehicle or other engine;
  - (f) involve the storage or use of chemicals, gases or hazardous materials;
  - (g) involve any activity which, in the opinion of Council, will adversely affect the amenity of the neighbourhood through emission of light, noise, fumes, odours, dust, vibration, smoke, vapours, electrical interference, waste water or any waste products;
  - (h) generate any vehicular traffic which, in the opinion of Council, is substantially greater than that which is normal to the residential neighbourhood in which it is located;
  - (i) entail the outdoor storage of materials;
  - (j) employ no other person unless that person is an occupant of the dwelling and in any event no more than one employee;
  - (k) involve the parking on the land of any vehicle to be used in connection with the home occupation unless the vehicle is not more than 6 metres long, 2 metres wide and 2.3 metres high and cannot be seen from any street when parked;
  - (l) involve the placement on the land of any advertisements, advertising hoarding, illuminated sign or other advertising device or erection that exceeds 0.2m<sup>2</sup> in area and is for no other purpose than to describe the nature of the home occupation;
  - (m) use for the purposes of the home occupation an area greater than 30m<sup>2</sup>;
  - (n) involve the penetration of skin (including body piercing, tattooing and electrolysis) which has specific health requirements that require monitoring and regulation. Due to the difficulty of operating such uses in residential zones, and the health risks posed as a result, such uses will not be approved in residential zones;
  - (o) in the opinion of Council by reason of its nature or scale, constitute a use that would be more appropriately located in a zone other than a residential zone;
  - (p) entail regular deliveries of supplies, goods or equipment to the premises and any deliveries or service vehicles, specific to the home occupation, servicing the site should not exceed one (1) visit/delivery per month; and
  - (q) involve the storage, preparation, handling or packing of food.

3. Council's planning approval is not required where all of the following are complied with:
  - (a) the home occupation comprises a business office no greater than 20 square metres;
  - (b) no clients or customers travel to and from the premises in relation to the business;
  - (c) no staff other than the occupier(s) of the dwelling travel to and from the premises in relation to the business;
  - (d) there is no advertising on the site;
  - (e) there are no deliveries of goods or equipment to the premises; and
  - (f) the business will not adversely affect the amenity of the residential neighbourhood through emission of light, noise, fumes, odours, smoke, vapours, dust, vibration, electrical interference, waste water or any waste products.
4. Where an application for planning approval for a home occupation is received, Council shall seek the comments of the owners and occupiers of surrounding properties prior to determination of the application.
5. An applicant who has been granted an approval for a home occupation may only carry out that use at the premises in respect of which the approval was granted. Approvals may be revoked in accordance with clause 46 of the Town Planning Scheme where, in the opinion of Council, it either fails to comply with conditions of approval or is causing an unreasonable nuisance or annoyance to neighbours or occupiers of land in the neighbourhood. Not transferrable.
6. The Council shall have regard to and may apply conditions of planning approval relating to matters such as the hours and days of operation, number of clients/customers to the site, deliveries, advertising signs and other matters pertaining to the operation and activities of the home occupation. The applicant shall also be advised that any alterations to the specified operations or activities of the home occupation may require separate approval by Council.
7. In order to comprehensively assess a home occupation application the Council will require the completion, in writing, of a home occupation questionnaire (available from Council's Planning Services and at [www.cambridge.wa.gov.au](http://www.cambridge.wa.gov.au)). This requirement is in addition to the submission of an application for planning approval.

Adopted: 24 June 2008