

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.3 – Home Based Business.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To ensure that home based businesses do not compromise the amenity of the area.
- 3.2 To ensure that home based businesses remain an ancillary use to the main dwelling or the principle land use on the property.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for a Home Business, Home Occupation, Home Store and Industry – Cottage (more commonly known as ‘Cottage Industry’).

5.0 APPLICATION REQUIREMENTS

Applications shall include the following information:

- 5.1 Details of the proposed activity inclusive of any equipment used, proposed hours of operation, employees (if any) and their relationship to the occupier of the dwelling, frequency of clients or customers to the site, proposed signage and any other information considered relevant to the proposal.
- 5.2 A site plan (and floor and elevation plans as necessary) showing where the activity is to take place, including the dwelling, associated outbuildings, areas for storage and/or administration and vehicle/visitor access and car parking provision as necessary.

6.0 POLICY STATEMENT

- 6.1 An application will generally not be supported where the proposed activity does not comply with the definition provided in the Local Planning Scheme or the requirements of this policy.
- 6.2 An application will only be supported where the Council is satisfied that the proposal will not result in unacceptable environmental or amenity impacts as a result of noise, dust, light spill, odour, vibration, traffic movement or visual intrusion on the nearby residents or the environment.
- 6.3 Activities must be incidental, ancillary or subordinate to the predominant use of the land as a residence, and are not to be construed as an alternative use.
- 6.4 A business can either be attached or detached from the dwelling located on the site. If new, detached buildings are being developed to accommodate the new use, they should generally be clustered with existing buildings on the site and appropriately constructed using materials that complement the existing development.

- 6.5 The parking of vehicles associated with a business are not permitted within a public carriageway, including the road verge.
- 6.6 For activities involving the preparation of food for commercial purposes, the domestic premises must be provided with facilities in accordance with the applicable health standards.
- 6.7 In some instances planning consent may only be granted for a period of twelve (12) months upon which renewal of the application is required, including payment of all relevant fees.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme. Should no written, author-identified objection be received during the advertising period the application may be determined under delegated authority. However, should a written, author-identified objection be received during the advertising period, or there be concerns over the potential impact on the amenity of the area from the type of activity proposed, the application (and any received submissions) are to be placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy 'Home Based Business' refers to Home Business, Home Occupation, Home Store and Cottage Industry shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* and Shire of Chapman Valley Local Planning Scheme.

Responsible Business Unit	Planning
LPP Category	1 – Residential
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