

Home-Based Business Information Sheet

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 from the City of Albany. 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.

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

Types of home-based businesses

The City of Albany Local Planning Scheme No. 1 sets out six types of home-based businesses. Each type of home-based business is summarised below

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 limited to office or clerical type activities.

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 or require customers to visit the premises. However, a Home Occupation allows for a greater variety of activities than a Home Office and permits a small commercial vehicle to be kept on, or attend the premises.

Home Business: A Home Business is similar to a Home Occupation, but with a greater area of occupancy. However, a Home Business allows a greater degree of flexibility, as it permits customers to visit the premises by

appointment. The employment of up to two people who do not reside on the premises is also permitted.

Consulting Rooms: Consulting Rooms may be operated within a private home by an occupant and may employ another health practitioner who isn't a resident of 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-based business?

Table 2: Zoning Table of Local Planning Scheme No. 1 outlines the zones where the various types of home-based businesses listed above may be operated.

Property and zoning information is available to view on the Local Planning Scheme No. 1 page via the [City Maps](#) portal of the City's website www.albany.wa.gov.au.

The City of Albany Local Planning Scheme No. 1 is available to download from the Department of Planning, Lands and Heritage [Local Planning Strategies, Schemes and Structure Plans](#) page of the DPLH website <https://www.dplh.wa.gov.au/>.

Are there any restrictions or other requirements?

Restrictions and/or other requirements may apply to the various types of home-based businesses. 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. Please refer to the [Food Premises and Food Vehicles Information Sheet](#) and the [For Food Businesses](#) and [FAQ \(Environmental Health\)](#) pages on the City's website for further information.

How do I apply for development approval?

Where development approval is required for a home-based 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-based business will operate. 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-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.

Further Information

Should you have any questions or require further information, please contact Planning and Development Services at the City of Albany on (08) 6820 3000 or via e-mail on planning@albany.wa.gov.au

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 may be erected on the premises.	Yes, a commercial vehicle under 4.5 tonnes tare (unladen) weight may be kept on, or attend the premises.	No.	None.	<p>No development approval is required for the land use if Home Occupation is listed as a 'P' (Permitted) or 'D' (Discretionary) use within Table 2: Zoning Table of Local Planning Scheme No. 1.</p> <p>A building permit is required if the area used for the occupation exceeds 10% of the floor area of the house or an outbuilding.</p> <p>Environmental health approval is required for a food business</p>

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 4.5 tonnes tare (unladen) weight may be kept on, or attend the premises.	Yes. As per the <i>State Planning Policy 3.1 - Residential Design Codes</i> , plus one bay per employee.	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.
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.	None.	Development approval is not required if Consulting Rooms is listed as 'P' (Permitted) use within Table 2: Zoning Table of Local Planning Scheme No. 1. A development approval may also not be required if the dwelling where the Consulting Rooms are operating from is located within a commercial, centre or mixed use zone (subject to conditions). A building permit is required if the area used for the consulting rooms exceeds 10% of the floor area of the house.

City of Albany 2021

102 North Road, Yakamia WA 6330 | PO Box 484, ALBANY WA 6331

Tel: (08) 6820 3000 Email: staff@albany.wa.gov.au | Website: www.albany.wa.gov.au

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, where operated in a Residential zone.	Yes.	Yes, a sign of up to 0.2m ² may be erected on the premises.	Yes, a commercial vehicle may be kept on, or attend the premises in accordance with section 4.8.6 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.	No development approval is required for the land use if Industry - Cottage is listed as 'P' (Permitted) use within Table 2: Zoning Table of Local Planning Scheme No. 1. A building permit is required if the area used for the cottage industry exceeds 10% of the floor area of the house.
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 <i>State Planning Policy 3.1 - Residential Design Codes</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 approval and environmental health approval are required.

City of Albany 2021

102 North Road, Yakamia WA 6330 | PO Box 484, ALBANY WA 6331

Tel: (08) 6820 3000 Email: staff@albany.wa.gov.au | Website: www.albany.wa.gov.au