



CITY OF BAYSWATER

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Home Based Business

WHAT ARE HOME-BASED BUSINESSES?

Home-based businesses are small businesses that may operate (if the appropriate approvals are granted) from a dwelling in a residential area. The City of Bayswater has four categories of home-based businesses:

1. Home Office;
2. Home Occupation;
3. Home Business; and
4. Cottage Industry.

WHAT DO THE CATEGORIES MEAN?

The relevant Town Planning Scheme details the full definition of each category. However, the following is a basic description of what each category means:

A **Home Office** is a business which is carried out:

- Solely within a dwelling;
- Has no external impacts on the neighbourhood; or
- Does not change the appearance of the dwelling.

Examples of home offices may include a plumber or a real estate agent who does accounting or administration work from home using a computer, phone and/or fax. No client visitation is permitted.

A **Home Occupation** is a business carried out solely by a resident of the site which allows for limited client visitation. A home occupation also allows more flexibility than a home office. An example may be a hairdresser with up to five (5) customers per day

A **Home Business** provides for a resident and up to two non-resident staff. An example may be a small property settlement agency.

However, this level of business may have more potential impacts on the neighbourhood, so formal public advertising is required. A Home Business may require on-site parking over and above the vehicle parking requirements of the Residential Design Codes, depending on the nature and scale of the proposed business.

A **Cottage Industry** provides for a more "hands on" business that may involve small-scale arts and crafts. A Cottage Industry is carried out solely by a resident of the site and could involve the use of an outbuilding. An example would be a resident designing and making jewellery from home.

CUSTOMER VISITS

Customer visits to home-based businesses depend on the type of home-based business being proposed:

CATEGORY	CUSTOMER VISITS
Home Office	No customer visits to the premises.
Home Occupation	Generally a maximum of five (5) customers per day.
Home Business	The number of customer visits will be based on the merits of the application.
Cottage Industry	Generally a maximum of five (5) customers per day.

COUNCIL POLICY

The City has a Home-Based Businesses Policy which provides further information on home-based businesses in addition to the Town Planning Scheme provisions. Please refer to the policy for further information.

PLANNING APPROVAL PROCESS

Planning approval is not required for a **Home Office** provided that the use complies with the definition and a completed Home Office Registration Form is submitted to the City.

A copy of the Home Office Registration Form is available from www.bayswater.wa.gov.au or by contacting the City. There is no fee to register a Home Office.

A person proposing to establish a **Home Occupation, Home Business** or **Cottage Industry** is required to submit an application for and obtain planning approval **prior** to the commencement of the activity.

The planning application should include full and accurate documentation and plans which clearly details the proposed business. If all information is submitted at the time of making an application, this will assist the City in determining your application more efficiently.

To assist you in this task, a checklist is provided below.

- Complete a Metropolitan Region Scheme Form 1 signed by the owner of the land (available at www.bayswater.wa.gov.au).
- Complete a Home Based Business Checklist Form (available at www.bayswater.wa.gov.au).
- Pay the planning application fee (available at www.bayswater.wa.gov.au).
- Provide supporting information including a detailed description of the business activities proposed and the hours of operation.
- Submit relevant letters of support or non-objection from the landowners (i.e. not the occupiers).
- Provide a scaled house/site plan indicating the room/area proposed to be used for the business.

LETTERS OF NON-OBJECTION FROM ADJOINING LANDOWNERS

The neighbour consultation and public advertising process depends on the type of home-based business being proposed -

CATEGORY	ADVERTISING PROCESS
Home Office	Not required provided that a completed Home Office Registration Form is submitted to the City.
Home Occupation	Requires letters of support or non-objection from landowners on either side boundary of the subject property.
Home Business	Requires letters of support or non-objection from all adjoining landowners including those lots directly and diagonally across the street and those lots directly and diagonally behind the subject site. Further advertising will be required as per the Town Planning Scheme, including the City sending letters to owners in the vicinity, placing signs on the site and newspaper advertisements.
Cottage Industry	Requires letters of support or non-objection from all adjoining landowners including those lots directly and diagonally across the street and those lots directly and diagonally behind the subject site.

GRANTING OF PLANNING APPROVAL

Any approval to conduct a home-based business:

1. Is issued to a specific occupier of a particular parcel of land;
2. Shall not be transferred or assigned to any other person; and
3. Shall not be transferred from the land in respect of which it was granted.

Any approval granted is automatically cancelled if the property changes land ownership.

ANNUAL RENEWAL

Licenses to operate a home-based business require renewal every year (except for Home Offices). To do this, you will need to:

1. Complete a MRS Form 1;
2. Pay the renewal fee;
3. Confirm in writing that the activities have not changed since the granting of planning consent; and
4. Confirm that the adjoining landowners have not changed since the granting of planning approval (see section on requirements for letters of non-objection from adjoining landowners). If a landowner has changed, a letter of support or non-objection from the new landowner must be submitted with the renewal form.

The City will then confirm the renewal of your Home-Based Business Permit in writing.

FURTHER INFORMATION

Should you require any further information, please contact the City's Planning and Development Services Division.

Phone: (08) 9272 0622

Fax: (08) 9272 0665

E-mail: mail@bayswater.wa.gov.au

Web: www.bayswater.wa.gov.au

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