



Home Occupation and Home Business

Home Occupation

'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) involves employing a person who is a member living at the 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 20m²; and
- d) does not involve the display on the premises of a sign with an area exceeding 0.2m²; 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:
 - a. require a greater number of parking spaces than normally required for a single dwelling; or
 - b. result in an increase in traffic volume in the neighbourhood; and
- g) does not involve the presence, use or calling of a vehicle 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.

A Home Occupation can only be considered by the Shire in the following zones: **Residential, Rural Residential, Commercial (C2 – Mixed Use), Rural and some* Special Use Zones.**

** Special Use Zones:*

SU1

– Lots fronting Ingram Street, Tuckey Street, Young Street, Hunt Street and Thresher Street, North West Cape – on Composite Development Precinct

SU6 Exmouth Marina

- Area B – Precinct 1 Revetments Lots, Precinct 2 Vertical Canal Lots, Precinct 3 Residential Dry Lots, Precinct 4 Icon Site A and B, Precinct 5 Icon Site C, Precinct 6 and 6A Horwood Quays and Landing Park Tourist Commercial, Precinct 7 Tourist Commercial Mixed Use, Precinct 8 Murat Road, Precinct 9 Southern Revetment Lots

- Area C – Residential, Build Strata Permanent Residential

SU9

- Lots 301-313 Deposited Plan (DP) 2955; Lots 314-327 DP 33791; 'Cape Wilderness Estate'

Home Business

'Home business' means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out 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 50m²; and
- d) does not involve the retail sale or display 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 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.

A Home Business can only be considered by the Shire in the following zones: **Residential, Rural Residential, Rural and Special Use Zone 1** (Lots fronting Ingram Street, Tuckey Street, Young Street, Hunt Street and Thresher Street, North West Cape – on Composite Development Precinct)

A Home Occupation/Home Business requires development approval.

Types of Home Occupation/Home Business include but are not limited to:

1. *Professional Service:* Real Estate, Engineering, Surveying, Planning, Architecture, Valuation, Secretarial, Legal, Finance, Tax return, Photography, Marriage Celebrant, Justice of the Peace, Home Based Travel Consultant.
2. *Human Services:* Naturopathy, Pilates, Beautician, Beauty Therapy, Nail Salon, Medical, Therapeutic, Guidance, Masseur, other.

Development Requirements

1. The hours of operation shall be limited to the normal business hours of 8am to 5pm Monday to Saturday;
2. Not entail more than two (2) clients or customers travelling to and from the dwelling at any time;
3. Not involve the penetration of skin (including body piercing, tattooing and electrolysis) which has specific health requirements that require monitoring and regulation;
4. Not involve the hire of any vehicle, trailer, boat, or caravan;
5. Not involve the use of a commercial vehicle; and
6. Not include the outdoor storage of any materials or supplies.

Application/Approval Process

A development application is required and shall be accompanied by a site plan, floor plan/s, and letter detailing intent and scope of activity identifying the proposed area to be utilised for the 'Home Occupation/Home Business.'

The development application may require advertising for a minimum of 14 days. The Shire will have regard to the comments of adjoining property owners in determining an application.

In addition to the Development Approval, an approved 'Home Occupation/Home Business' will require an annual permit with a fee set by Council. Upon payment and subject to ongoing compliance, an annual permit will be issued.

An approval to Conduct a Home Occupation or a Home Business is issued to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted. Should there be a change of the occupier of the land in respect of which a home occupation or home business approval is issued, the approval is cancelled.

If, in the opinion of the local government, a Home Occupation/Home Business is causing a nuisance or annoyance to owners or occupiers of land in the locality the local government may:

- a) **revoke the approval; or**
- b) **issue a notice to the occupier of the land in respect of which the approval is issued specifying measures to be undertaken to cease the nuisance or annoyance.**

Disclaimer

This information sheet is provided as generalised information. While we aim to keep the content of this document current and accurate, we accept no responsibility or warranties for actions based on the information provided. The Shire of Exmouth encourages you to seek professional advice before acting on any information contained within this document. Should you require further information, please do not hesitate to contact the Shire on (08) 9949 3000 or e-mail: info@exmouth.wa.gov.au. 8 December 2020.