

Working From Home Planning Guidelines

Introduction

This information sheet provides guidance for members of the public outlining when they need planning approval from the Town of Port Hedland to work from home. It also outlines how to lodge a Development Application for a Home Business when you need planning approval. It is recommended that applicants discuss their proposal with the Planning and Development Team prior to submission of an application by phoning 9158 9300 or emailing eplanning@porthedland.wa.gov.au.

Types of Home Based Business

Under the Town of Port Hedland Local Planning Scheme No. 5 (Scheme), there are two categories of working from home:

- Home Office; and
- Home Business

A Home Office is permitted in residential areas without the Town's approval, provided the activity meets the definition for Home Office. A Home Business requires the submission and approval of a Development Application.

Home Offices

A Home Office in general means the office component of a business, service or profession carried out in a dwelling by an occupier of the dwelling which does not:

- Entail clients, staff or customers travelling to and from the property;
- Occupy an area greater than 30m²;
- Involve any external change to the appearance of the building; and
- Involve storage of goods that are delivered to the property and sold off-site.

Home Businesses

A Home Business in general means a business, service or profession carried out in a dwelling or on land around the dwelling by an occupier of the dwelling. A Home Business can only be permitted by the Town if the proposal:

- Is a service industry (i.e. does not involve the retail sale, display or hire of goods);
- Employs not more than two people who do not live at the dwelling;
- Occupies an area less than 50m² inclusive of storage areas;
- Has appropriate hours of operation and does not use excessively noisy equipment or machinery in line with the noise regulations; and
- Can accommodate all staff and client parking onsite.

**Please note, the above definitions are general descriptions for understanding purposes only and Scheme definitions are used by the Town's Planners for assessment purposes.*

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Table – Home Business and Home Office requirements

	Home Business	Home Office
<i>Development approval</i>	Yes	No
<i>Employees</i>	Maximum two (2) employees who are not occupiers of the household.	No employees that do not occupy the household are permitted.
<i>Area Occupied</i>	Does not occupy greater than 50m ² of the dwelling area.	Does not occupy greater than 30m ² of the dwelling area.
<i>Retail Sale / Display of Goods</i>	Does not involve the retail sale, display of goods or hire of goods of any nature. Can involve storage of goods that are sold by delivery only.	Does not involve the retail sale, display of goods or hire of goods of any nature. Does not involve storage of goods for sale off-site.
<i>Signage</i>	Maximum 0.2m ² (10cm x 20m) sign permitted.	No signage permitted.
<i>Hours of Operation</i>	To be determined by the Development Approval, should generally align with noise regulations (7am – 7pm Monday - Saturday).	Does not operate after 10pm or before 7am on weekdays or operate on weekends or public holidays.
<i>Traffic / Parking</i>	Does not involve excessive traffic generation or excessively large vehicles, all client and staff parking bays to be provided onsite.	Does not generate any additional traffic or parking bays to a typical residence (2 bays).
<i>Neighbourhood Amenity</i>	Does not cause injury to or adversely affect neighbourhood amenity in terms of the emission of light, noise, odour, electrical interference, vibration, smoke, water or other waste products.	Does not affect neighbourhood amenity at all.

Submission of a Development Application for Home Business

An application for a development approval must be submitted to and approved by the Town prior to the commencement of operation of a Home Business. If the applicant does not own the property, landowner consent must be sought and accompany the

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submitted application. An application without owner's consent will not be accepted. The application can be submitted:

- In person at the Civic Centre, 13 McGregor Street Port Hedland
- By email to eplanning@porthedland.wa.gov.au
- By post to PO Box 41, Port Hedland WA 6721

The application fee for a Home Business is \$222, which must be paid at time of lodgement for the assessment to begin. If a Home Business has commenced prior to approval being granted, approval can still be granted however the application fee is \$666, which encourages people to obtain approval before they commence. A \$73 annual renewal fee also applies, which is usually issued in July/August each year.

What to Submit with the Development Application

The key documents to submit with a development application are:

- Development Application Form;
- Home Business Form;
- Site/Floor Plan;
- Cover letter;
- Application fee; and
- Neighbour's consent (if applicable)

The Development Application and Home Business forms are available on the Town of Port Hedland website: <http://www.porthedland.wa.gov.au/>.

The submitted site and floor plan should show:

- Area of the dwelling to be used for the Home Business (include the area in m²)
- Building dimensions and lot dimensions (length and width of rooms, lot boundaries)
- Location of any stored goods
- Number of car parking spaces (include dimensions and setback to street)

The cover letter should provide a brief summary about the business. It should include the purpose and nature of the business, number of staff employed, hours of operation, how goods and services will be provided and details of any machinery or equipment to be used for operation of the business. A neighbour consent letter isn't compulsory, but may be useful in addressing potential conflicts and reducing the possibility of having to advertise the proposal to neighbours who may be affected by operation of the business.

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Assessment Process

Once accepted by the Town, the Town usually takes 20-30 days to decide on the application. If advertising the proposal and referral to a Council Meeting is required, the application process could take up to 90 days and may incur an additional advertising fee. If the application is approved:

- The approval is granted to the applicant, and cannot be transferred to another person without obtaining a new approval;
- On the sale of the property or moving residence, the home business entitlement ceases and will need to be applied for at the new address;
- May be withdrawn at any time for any valid reason (i.e. if the business operation is affecting neighbourhood amenity within reason); and
- May have conditions attached that limit the impact of the business on neighbouring properties.

In conjunction with any granted planning approval, a separate approval from the Town's Environmental Health Team may also be required dependent on the nature of the business (ie food preparation, beautician etc.). Please contact the Town's Environmental Health Team for application forms and enquires. If the Town or neighbours suspect breaches of the conditions of approval, the Town may visit the property to investigate and determine whether the approval should be withdrawn or any other action required.

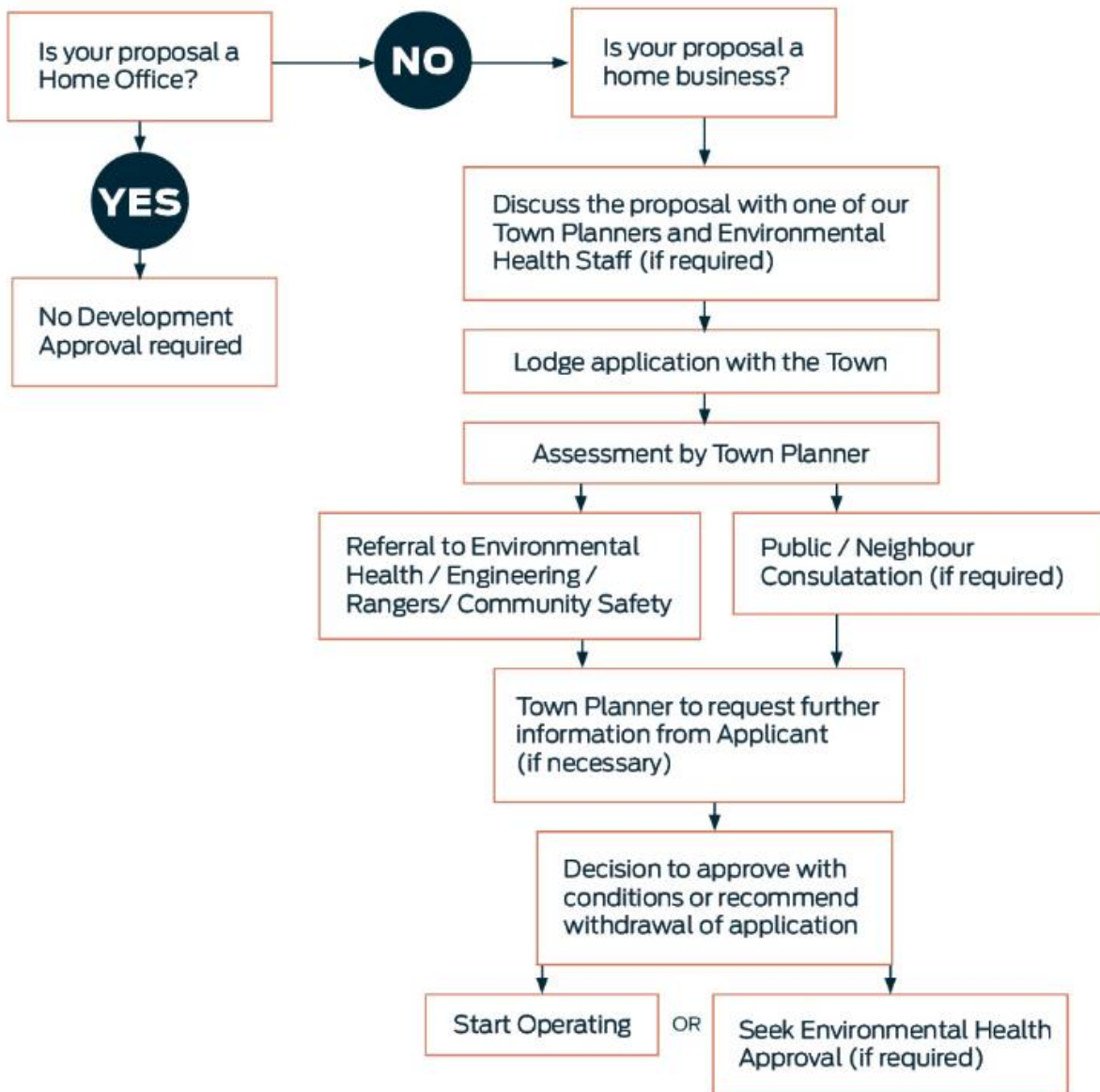
Key Things to Remember

- Home Offices do not require Development Approval;
- Home Businesses require Development Approval;
- Owners consent is required for an application to be accepted;
- A submission should consist of the Development Application Form, Home Business Form, Site Plan and Cover Letter; and
- The Town will not approve a Home Business which:
 - Employs more than two people not members of the occupiers household;
 - Uses an area greater than 50m² on the property; or
 - Involves the retail display, sale or hire of goods of any nature

Please see the attached example of what a submitted Development Application Form, Home Business Form, Site Plan and Cover Letter should look like. If you have any questions when preparing your application, please contact the Planning and Development Team on 9158 9300 or by email epanning@porthedland.wa.gov.au.

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Assessment Flowchart



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Example Development Application Form



TOWN OF PORT HEDLAND LOCAL PLANNING SCHEME NO. 5 APPLICATION FOR DEVELOPMENT APPROVAL

Owner Details			
Name: John & Mary Smith			
Postal Address: PO Box 000 Port Hedland WA 6721			
Phone: (08) 1234 5678		Mobile: 0400 123 456	
E-Mail: john.smith@bigpond.com			
Contact Person: John Smith			
Signature:		Date: 01.01.2019	
Signature:		Date: 01.01.2019	
<i>The owner/s signature is required on all applications. If unsigned the application will not proceed.</i>			

Applicant Details			
Name: Joe Bloggs			
Postal Address: PO Box 111 Port Hedland WA 6721			
Phone: (08) 9876 5432		Mobile: 0400 654 321	
E-Mail: joe.bloggs@hotmail.com			
Contact Person: Joe Bloggs			
Signature:		Date: 01.01.2019	
Signature:		Date: 01.01.2019	
<i>The information and plans provided with this application may be made available by the local government for public viewing in connection with the application.</i>			

Property Details		
Street / House No: 2	Lot No: 41	Location No: N/A
Street Name: Sutherland Street		Suburb: Port Hedland
Nearest Street Intersection: McGregor Street		
Diagram or Plan No: Plan 430285	Certificate of Title Vol. No: N/A	Folio: N/A
Title Encumbrances: Nil (e.g. Easements, Restrictive Covenants)		

Proposed Development		
Nature of Development: Works <input type="radio"/> Use <input checked="" type="radio"/> Works & Use <input type="radio"/>		
Description of existing development and/or land use: Single House		
Description of proposed works and/or land use (excluding GST): Home Business - Beauty Therapy		
Approximate cost of development: \$ N/A - Home Business Application - No Building Works Proposed		

OFFICE USE ONLY	
Application No: 2019/001	Assessment No: A100200
Description: Home Business - Beauty Therapy	
Accepting Officer Name: C.R.	Date Application Accepted: 02.01.2019
Fees: Application Fees: \$ 222	Advertising Fees: \$ N/A
Total Fee: \$ 222	

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Example Home Business Application Form



TOWN OF PORT HEDLAND HOME BUSINESS

Please complete this form if you intend to operate a business from your home - to be completed in addition to the Development Application Form and all other requirements as noted on the checklist.

Home Business Details			
Description of Business/ Service to be provided:	Hairdressing and nail salon business involving online marketing and clients attending the property by appointment only. No retail sale or display of goods will occur.		
Trading Name:	Joe Bloggs Beauty Clinic		
Days and Hours of Operation:	Monday - Saturday 8am - 6pm, Closed on Sundays		
No. Employees that do not reside at the premises:	0		
Will there be client/ customer visits to the property?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	
Frequency of client/ customer visits:	5 per day, maximum 1 per hour by appointment only		
How often will deliveries be made to the home?	Once per week		
Are you preparing or handling food?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
Are you providing a service that requires skin penetration (e.g. waxing, piercing, tattooing)?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
Is there any signage proposed?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	
If yes, is it less than 0.2m ² ?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>

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Example Cover Letter

Chief Executive Officer
Town of Port Hedland
PO Box 41
Port Hedland, WA 6721
eplanning@porthedland.wa.gov.au

Attention: Planning and Development Team

Dear Sir/Madam

**Application for Home Business – Beauty Therapy at Lot 41 (2) Sutherland Street,
Port Hedland**

I, Joe Bloggs, wish to start operating a beauty therapy clinic at my home located at 2 Sutherland Street, Port Hedland. I am a tenant of the property and the landowner has given consent for this application as shown on the Development Application form.

The proposed beauty clinic involves hairdressing and painting of nails, and does not include any other activities. I have discussed the proposed business with the Town's Environmental Health services and they have advised of health requirements for the business. The proposed business will be located in the front bedroom of my house, and no building works are proposed as the room is already suitable to operate. There will be no staff visiting the property as I am a sole operator and tenant of the dwelling. Clients attending the property will park in my driveway within the site boundaries as shown on the attached site plan. The proposed hours of operation are Monday – Saturday 8am – 6pm, and the business will be closed on Sundays and Public Holidays.

I will market the business online and no signage will be displayed at the property. Clients will attend the property by appointment only, arranged via telephone, email and social media. I will not be offering any goods for sale or display as part of the business as it is a service business only.

If you have any questions about my proposed Home Business, please contact me on the number provided on the Development Application form.

Yours sincerely,

Joe Bloggs
Director

1 January 2019

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Example Site Plan

