



HOME BASED BUSINESSES & FAMILY DAY CARE POLICY

POLICY NUMBER: LPP6

STATUTORY BACKGROUND

This policy is adopted under Part 2 of Schedule 2, of the *Planning and Development (Local Planning Schemes) Regulations 2015* which enables the City of Kalgoorlie-Boulder (the City) to prepare local planning policies for any matter related to the planning and development of the Scheme area. This policy may be cited as Local Planning Policy Home Based Businesses & Family Day Care Policy.

PURPOSE

The purpose of this policy is to provide guidance on and establish a consistent approach to the assessment of proposed home-based business developments and family day care centres.

OBJECTIVES

The objectives of this policy are:

1. Development and use of premises should not conflict with or detract from the quality of the streetscape environment within the locality;
2. Home-based business activities should not impact on the established residential character and amenity, particularly in terms of noise and odour emissions;
3. Home-based business activities should not adversely impact on vehicle circulation or compromise the safety of road users and pedestrians;
4. Home-based business activities must operate as an ancillary use to a residential use on the same lot/development site;
5. To promote the economic and lifestyle importance of home-based businesses in the City of Kalgoorlie-Boulder while acknowledging evolving work practices and technology.



RELATIONSHIP TO OTHER DOCUMENTS

This Local Planning Policy forms part of the City's local planning policy framework. Where this policy is inconsistent with the City's local planning scheme, the Local Planning Scheme prevails. Where this policy is inconsistent with an adopted local development plan, activity centre plan or structure plan, the adopted local development plan, activity centre plan or structure plan prevails.

This local planning policy is not part of the local planning scheme and does not bind the Council in respect of any application for development approval. However, the Council shall have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.

DEFINITIONS

CEO means the Chief Executive Officer of the City.

City means the City of Kalgoorlie-Boulder.

APPLICATION OF POLICY

This policy applies to:

1. Applications for Development Approval made under Part 7 of the Deemed Provisions for Local Planning Schemes;
2. 'Home Office' and 'Home Occupation' uses are exempt from requiring development approval where permissible under the zone subject to complying with the relevant land use definitions under the Scheme, pursuant to clause 61(2)(d) & 61(3) of the Deemed Provisions of the Regulations;

POLICY MEASURES

The development and use of land for a home-based business is to be in accordance with the provisions of the Scheme (including land use definitions) and the following development requirements of the Policy as set out in the Table below.

	Home-Bases Business	Family Day Care
General	Size is consistent with the Scheme provisions, variations will be considered against zone objectives, design, and impact considerations	The number of children is consistent with the Scheme provisions and relevant legislation and to be considered against zone objectives, design and impact considerations



Site Area	<p>The site layout must ensure:</p> <ul style="list-style-type: none"> No nuisance or adverse impact on the amenity of adjoining properties; and No nuisance associated with traffic movements or car parking, particularly with regards to lots with common property access. 	<ul style="list-style-type: none"> Family Day Care Services may be considered for a single house or grouped dwelling with a lot area of 500m² or more; and The use of multiple dwellings for the purpose of a Family Day Care Service is not permitted.
Storage	<ul style="list-style-type: none"> The site internal layout ensures that the business component provides adequate privacy for adjacent residential properties; Provides both suitable work and home environments; Is legible and appropriate for users (both occupants and visitors); Does not create nuisance or adversely impact on adjacent and surrounding properties; and Outbuildings and all other incidental development constructed to accommodate or support the business have a residential appearance (materials and finishes); and Is capable of being reverted to a solely residential use. 	<ul style="list-style-type: none"> Site and floor plans to be provided clearly identifying the business component is clearly identifiable from the primary residential use of the dwelling; Fencing should be of a suitable height to provide a safe and secure site.
Advertising & Signage	<ul style="list-style-type: none"> Signage shall not detract from the streetscape, and the residential character or amenity of the surrounding residential area; A single sign that does not exceed a maximum total sign face area of 0.6m and is not illuminated; Must be painted and affixed to the wall; Must be positioned on private property. 	<ul style="list-style-type: none"> A single sign that does not exceed a maximum total sign face area of 0.6m and is not illuminated; Must be painted and affixed to the wall; Must be positioned on private property.
Operating Hours	<ul style="list-style-type: none"> The hours of operation protect the amenity of the adjoining land uses and must be in accordance with the Environmental Protection (Noise) Regulations 1997; The operating hours limited to Monday to Saturday (7am to 7pm). 	<ul style="list-style-type: none"> Operating hours limited to Monday to Saturday (7am to 7pm).



<p>Amenity</p>	<ul style="list-style-type: none"> • The business activities or functions does not cause nuisance or have any adverse impact on the amenity of adjoining properties or surrounding residential area; • The operation of machinery or electrical equipment or effect from light, vibration, smell, fumes, smoke, vapour, soot, ash, oil, dust, wastewater, waste products or other and shall be in accordance with the <i>Environmental Protection (Noise) Regulations 1997</i>; • The Storage of chemicals, gases or other hazardous materials associated with the use must not compromise public safety of residents within the area; and • The scale and intensity of the use must be limited to ensure minimal impact on the existing public utilities and infrastructure 	<ul style="list-style-type: none"> • The business activities and associated spaces do not cause nuisance or have any adverse impact on the amenity of adjoining properties or the surrounding residential area; • Storage of chemicals, gases or other hazardous materials is no more than the limit normally associated with a domestic activity; • The load imposed on public utilities is no greater than that anticipated with the predominant residential use of the zone.
<p>Car Parking</p>	<ul style="list-style-type: none"> • The level of pedestrian and vehicle traffic generated by the use must have minimal impact on the established residential amenity of the area; • The scale of the use does not result in traffic difficulties or require parking or increased traffic movements; and • Additional on-site parking may be required to accommodate the business activities, including: <ul style="list-style-type: none"> ○ Employees - 1 bay per employee ○ Clients/customers – 1 bay dedicated for clients/customers • This requirement is in addition to the residential requirements 	<p>The use of the existing driveway is applicable for the additional on-site parking of 1 bay to accommodate Client parking, pickup and set down requirements.</p>



	outlined under the Residential Design Codes.	
Commercial Vehicle Parking	Consistent with Clause 38 of the Scheme – for commercial parking in residential areas.	Consistent with Clause 38 of the Scheme – for commercial parking in residential areas.

DOCUMENT CONTROL		
Responsible department	Development and Growth	
Date adopted by Council	18 December 2023	Resolution number: 15.2.2
Date of last review	18 December 2023	Policy reviewed and amended
Date of next review	18 December 2025	Revision Number: 1