

The City of Belmont is supportive of residents working from their residence providing it complies with the definitions and requirements of the City of Belmont Local Planning Scheme 15. A Home Based Activity can include a multitude of elements including but not limited to:

Home Business

A 'Home Business' means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a 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 50 m²; and
- (d) 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
- (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 of 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' **requires development approval** before the business can operate, except where it is a Permitted ('P') use. There is no fee for this application. In order for a proposal to be classified as a 'Home Business', it must comply with all the conditions listed under the above definition.

Home Occupation

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

Under the *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, Part 7, cl.61(2)(b) a 'Home Occupation' for properties located in the Residential, Commercial, Mixed Use, Residential & Stables and Special Development Precinct zones do not require development approval. If you require a letter from the City advising if a 'Home Occupation' can operate from your residence, please forward a written request to the City advising of the type of 'Home Occupation' to be operated and any additional supporting information. *Please note that written confirmation from the City requires payment of a fee (refer Schedule of Planning Fees).* Council Officers will then review the matter and provide written advice.

CITY OF BELMONT

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Home Office

A 'Home Office' means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation —

- (a) is solely within the dwelling; and
- (b) does not entail clients or customers travelling to and from the dwelling; and
- (c) does not involve the display of a sign on the premises; and
- (d) does not require any change to the external appearance of the dwelling;

A 'Home Office' is permitted within all zones within the City of Belmont. Under the *Planning & Development (Local Planning Schemes) Regulations 2015, Schedule 2, Part 7, cl 61(2)(c)*, a 'Home Office' does not require planning approval). However, if you require a letter from the City advising if a 'Home Office' can operate from your residence, please forward a written request to the City advising of the type of 'Home Office' to be operated and any additional supporting information. *Please note that written confirmation from the City requires payment of a fee (refer Schedule of Planning Fees)*. Council Officers will then review the matter and provide written advice.

Home Store

A 'Home Store' means a shop attached to a dwelling that:

- (a) has a net lettable area not exceeding 100m²; and
- (b) is operated by a person residing in the dwelling;

A 'Home Store' **requires development approval** before the store can operate. A 'Home Store' is considered to be a 'Discretionary' use in the 'Mixed Use', 'Mixed Business' and 'Special Development Precincts'. A 'Home Store' application lodged within the 'Residential' and 'Residential and Stables' zones will require advertising ('A' use) of the proposed use or development to nearby owners and occupiers, as per Schedule 2, Part 8, Clauses 62 to 65 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. There is no fee for this application. In order for a proposal to be classified as a 'Home Store', it must comply with all the conditions listed under the above definition.

Child Family Day Care

'Family Day Care' means premises where a family day care service, as defined in the *Education and Care Services National Law (Western Australia)*, is provided. An application fee of \$147 is applicable.

Please note a Child Care Premises is different to a Child Family Day Care and means premises where —

- (a) an education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1), other than a family day care service as defined in that section, is provided; or
- (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.

Please refer to Local Planning Policy 9 for more information.

CITY OF BELMONT

Development Application Checklist

Home Business or Home Store

Date of Publication: 16/07/21

Council Use Only Application No: _____

This checklist has been prepared to ensure development applications are complete and contain all required information to allow for the application to be processed in a timely manner. The City asks that you read the following information and complete the checklist to ensure all information is provided so that your application can be formally accepted.

Please note **incomplete applications** may not be accepted and may be returned to the applicant to lodge at a future date when all outstanding information is available.

Lodgement of Applications Online

The City encourages customers to lodge development applications online (www.belmont.wa.gov.au, refer Build, How to get Started, Lodge and Track an Application). Guest access is available.

Attachments with a total file size of 100MB can be uploaded. Application fees are paid on lodgment by credit card. Please note the Credit Card Merchant Service Fee will only be charged for credit card transactions of \$100,000 or above. Further information about the online lodgment process can be found in the Planning and Building Application Online Guide.

Minimum required information for Home Business or Home Store	Applicant Use Only	Council Use Only
<p>One (1) electronic copy of the complete application is required. Electronic plans should be submitted in PDF format and meet the following requirements:</p> <ul style="list-style-type: none"> • unlocked, no security or passwords • to scale • optimised for minimum file size. 		
<p>The following information is required:</p> <ul style="list-style-type: none"> • Application for Development Approval Form completed and signed by all landowners (registered on the certificate of title) of the land; or is accompanied by a letter of authorisation signed by all landowners of the land. • MRS Form 1 (only to be used in instances where development is proposed on or abutting land that is Reserved under the Metropolitan Region Scheme). • Current copy of the Certificate of Title (no older than 6 months). <i>Note: This is required to confirm ownership details and to check for caveats and memorials that may affect the proposed development. Available for purchase from Landgate (www.landgate.wa.gov.au).</i> • Correct fee paid – refer to Schedule of Planning Fees • Site Plan drawn to an appropriate scale (e.g. 1:200): <ul style="list-style-type: none"> – Lot number/s and lot dimensions, street names and North point; – Parking, turning and manoeuvring areas, existing and proposed crossovers; – Landscaping areas, storage areas and bin storage areas. • Floor Plan drawn to an appropriate scale (e.g. 1:200): <ul style="list-style-type: none"> – Lot number/s and lot dimensions, street names and North point; – Indication of the portion/s of the dwelling to be used for the business; – Labelling the use of each room/area and dimensions. 		

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Minimum required information for Home Business or Home Store	Applicant Use Only	Council Use Only
<ul style="list-style-type: none"> • Written submission including (but not limited to) details of: <ul style="list-style-type: none"> - The detailed description of the nature of the onsite activities; 		
<ul style="list-style-type: none"> - Whether the proprietor and employees occupy the dwelling as their place of residence; 		
<ul style="list-style-type: none"> - Proposed hours and days of operation; 		
<ul style="list-style-type: none"> - Maximum number of employees at any one time; 		
<ul style="list-style-type: none"> - Maximum number of expected visitors/customers/clients at the premises at any given time; 		
<ul style="list-style-type: none"> - Any equipment to be used. 		

Disclaimer

This checklist intends to assist applicants in ensuring their development application is complete and contains all necessary information for an assessment being undertaken. Notwithstanding the contents in this checklist, please note that the City reserves the right to request additional information as required for specific applications such as traffic reports, and acoustic reports, etc.

Applicants are encouraged to arrange an appointment with a Planning Officer prior to lodgement. ***Discussing your development proposal at an early stage can avoid unnecessary delays in the processing of your application.*** This publication is intended to provide general information only. Verification with the original Local Laws, Planning Schemes and other relevant documents is required for detailed references.

Development Application Checklist

Child Family Day Care

Council Use Only Application No: _____

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Minimum required information	Applicant Use Only	Council Use Only
<p>One (1) electronic copy of the complete application is required. Electronic plans should be submitted in PDF format and meet the following requirements:</p> <ul style="list-style-type: none"> • unlocked, no security or passwords • to scale • optimised for minimum file size. 		
<p>The following information is required: <i>Note: A list of the details required on each plan is provided overleaf.</i></p>		
<ul style="list-style-type: none"> • Application for Development Approval Form completed and signed by all landowners (registered on the certificate of title) of the land; or is accompanied by a letter of authorisation signed by all landowners of the land. 		
<ul style="list-style-type: none"> • MRS Form 1 (only to be used in instances where development is proposed on or abutting land that is Reserved under the Metropolitan Region Scheme). 		
<ul style="list-style-type: none"> • Current copy of the Certificate of Title (no older than 6 months). <i>Note: This is required to confirm ownership details and to check for caveats and memorials that may affect the proposed development. Available for purchase from Landgate (www.landgate.wa.gov.au).</i> 		
<ul style="list-style-type: none"> • Correct fee paid – refer to Schedule of Planning Fees 		
<ul style="list-style-type: none"> • Site plan drawn to an appropriate scale (e.g. 1:200). The following information should be included on the site plan: <ul style="list-style-type: none"> - Lot number/s and lot dimensions, street names; - Location and dimension of all car parking bays including drop off and pick up areas; - Details of fencing; - Outdoor play areas showing distance to property boundary; and - Pedestrian access to and across the site. 		
<ul style="list-style-type: none"> • Floor plans for each building drawn to an appropriate scale (e.g. 1:100). The following information should be on the site plan: <ul style="list-style-type: none"> - Internal layout of dwelling, highlighting proposed areas that children will use; and - Labelling the use of each room/area and dimensions. 		

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Minimum required information	Applicant Use Only	Council Use Only
<ul style="list-style-type: none"> • Written submission including (but not limited to) details of: <ul style="list-style-type: none"> – The detailed description of the Family Day Care operation and on-site activities 		
<ul style="list-style-type: none"> – Proposed hours and days of operation 		
<ul style="list-style-type: none"> – Maximum number of children at the premises at any given time 		
<ul style="list-style-type: none"> – Any equipment to be used including play equipment and if food will be prepared on site 		
<ul style="list-style-type: none"> – Drop off and pick up arrangements (including parking availability) 		
<ul style="list-style-type: none"> – All other relevant information regarding the land use. 		
<p>Neighbour Consultation: Children’s outdoor play areas are required to be setback a minimum of 1.5m from adjacent property boundaries. If your proposal does not meet this requirement, the City is required to advertise your application to the adjacent properties as a variation to the Policy. You may wish to do this prior to lodging your application and submit written and signed comments/consent from your neighbour.</p>		

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Applicants are encouraged to arrange an appointment with a Planning Officer prior to lodgement. ***Discussing your development proposal at an early stage can avoid unnecessary delays in the processing of your application.***

This publication is intended to provide general information only. Verification with the original Local Laws, Planning Schemes and other relevant documents is required for detailed references.