



POLICY NO. LPP 2.5

HOME BUSINESSES AND FAMILY DAY CARE

PURPOSE

To provide guidance for the assessment and determination of applications involving a home-based activity.

POLICY STATEMENT

1. APPLICATION OF POLICY

This Policy applies to all proposals for a Family Day Care, and/or Home Business.

2. OBJECTIVES

- (a) To ensure Home Businesses and/or Family Day Care do not have an unreasonable impact on the amenity of the local area.
- (b) To provide economic growth and employment opportunities by facilitating Home Businesses and/or Family Day Care where appropriate.

3. POLICY

(a) General Requirements

For proposals that are not exempt from requiring Development Approval, the following provisions apply:

- (i) All Home Businesses and/or Family Day Care must be of an appropriate scale and be compatible with the setting.
- (ii) All Home Businesses and/or Family Day Care may incorporate one advertising sign, no greater than 0.2m² in area.
- (iii) Home Businesses and/or Family Day Care proposals that involve visitations to the property are permitted on strata lot sites, where the subject site has direct frontage and access to the road network.
- (iv) Applications for Home Businesses and Family Day Care will be advertised to adjoining landowners where variations to this Policy are proposed.
- (v) When determining whether a Home Businesses and/or Family Day Care has an impact on the amenity of surrounding properties, consideration will be given to the nature and scale of the business, noise, emissions, traffic generation, carparking requirements and hours of operation.
- (vi) Parking for Home Businesses and Family Day Care shall be in accordance with the City of Gosnells Local Planning Policy 1.4 Parking, which shall be in addition to the car parking bays required for the dwelling.



(b) Family Day Care

- (i) The maximum number of children accommodated by a Family Day Care operation (including the applicant's children) is seven and the site shall have a minimum area of 350m².
- (ii) Family Day Cares within designated Bushfire Prone Areas will require a Bushfire Management Plan, jointly endorsed by the City and the Department of Fire and Emergency Services.
- (iii) In accordance with the City of Gosnells Local Planning Policy 1.3 Exempted Development, Family Day Care proposals that comply with this policy and therefore do not require advertising to neighbours, are exempt from requiring planning approval.

(c) Home Businesses

- (i) Hours of operation are to be between 8am and 6pm Monday to Saturday. Proposals seeking to operate outside these hours must demonstrate that the use outside these hours will not adversely impact on the amenity of surrounding properties.
- (ii) The retail display, sale or hire of goods is not permitted on-site directly to customers, unless;
 - (a) the retail of goods are ordered by customers via telephone or internet sales that are dispatched via post; or
 - (b) the sale of goods is associated with and incidental to the primary service offered by the Home Business (for example, such as the provision of hair care products from a home-based hairdresser).

GOVERNANCE REFERENCES

Statutory Compliance	<i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> City of Gosnells Local Planning Scheme No.24
Industry Compliance	<i>Children and Community Services Act 2004</i> <i>Environmental Protection (Noise) Regulations 1997</i>
Organisational Compliance	
Process Links	

LOCAL PLANNING POLICY ADMINISTRATION

Directorate		Officer Title		Contact:	
Planning & Development Services		Manager Development Services		9397 3000	
Risk Rating	Low	Review Cycle	Triennial	Next Due:	2029
Version	Decision To Advertise	Decision to Adopt	Synopsis		
1.	OCM 365/09/08/2011		Advertised with a 21-day submission period.		
2.		OCM 528/08/11/2011	To provide clear guidance on the assessment and determination on proposals involving Family Day Care, Home Business and Home Occupation uses.		
3.	OCM 414/28/08/2012		Advertised with a 21-day submission period.		
4.		OCM 545/13/11/2012	To clarify when planning approval is required for a garage sale or a genuine hobby and what constitutes a home based		



			activity as well as determining low impact applications which do not necessarily meet the hours of operation or location requirements.
5.	OCM 291/23/08/2016		Advertised with a 21-day submission period.
6.		OCM 403/08/11/2016	Amended Clause 3 to add a sub-clause for Family Day Care, Clause 5.1 to add a sub-clause to clarify home based activity proposals involving visitors and Amended sub-clause 5.2 to clarify family day care maximum numbers.
7.		OCM 418/18/12/2018	Extensive changes throughout policy.
8.		Exec Team Meeting 15/06/2020	Administrative typographical corrections to the definitions of Home Occupation and Home Business
9.		OCM 35/09/03/2021	Deleting reference to the Home Occupation Use through the Policy
10.	OCM 321/11/11/2025		Advertised with a 21 day submission period.
11.		OCM 7/10/02/2026	Amended to simplify the policy, clarify when Family Day Care proposals are exempt from planning approval and when they require advertising and remove the maximum number of children permitted.