



**Shire of Bridgetown-Greenbushes
Town Planning Scheme No. 3
Amendment No. 72**

January 2017

**Prepared by the Shire of Bridgetown-Greenbushes
PLANNING AND DEVELOPMENT ACT 2005**

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

**SHIRE OF BRIDGETOWN-GREENBUSHES
TOWN PLANNING SCHEME NO. 3
AMENDMENT NO. 72**

Resolved that the local government pursuant to Section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Introducing the definition of Home Office in Clause 1.6 Interpretation as per the model definition from the Planning Regulations 2015 including supplemental provisions, to read as follows:

“Home Office - means a dwelling used by a resident 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 occupy an area greater than 20 m²; 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.”

2. Modifying Table 1 (Zoning Table) to add and list Home Office as a ‘P’ permitted use in the Commercial, Residential, Residential Development, Rural, Special Residential and Special Rural zones; and modifying Schedule 2 – Special Use Zones to include Home Office as a ‘P’ permitted use in the Special Restricted Use R1, R5, R8 and R10 zones only.

3. Modifying the definition of Home Occupation in Clause 1.6 Interpretation as per the model definition from the Planning Regulations 2015 to read as follows:

“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 0.2m²; 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 -
 - (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.”
4. Modifying Schedule 2 – Special Use Zones to include Home Occupation as an ‘AA’ discretionary use in the Special Restricted Use R1, R5, R8 and R10 zones only.
5. Introducing the definition of Home Business in Clause 1.6 Interpretation as per the model definition from the Planning Regulations 2015 including supplemental provisions, to read as follows:
- “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.”

6. Modifying Table 1 (Zoning Table) to add and list Home Business as an 'AA' discretionary use in the Commercial, Residential, Residential Development, Rural, Special Residential and Special Rural zones; and modifying Schedule 2 – Special Use Zones to include Home Business as an 'AA' discretionary use in the Special Restricted Use R1, R5, R8 and R10 zones only.
7. Modifying Table 1 (Zoning Table) to add where applicable and list Cottage Industry as an 'AA' discretionary use in the Commercial, Residential, Residential Development, Rural and Special Residential zones and as a 'P' permitted use in the Industrial and Service Industry zones; modifying Schedule 1 – Special Rural Zones to add Cottage Industry as an 'AA' discretionary use in the SR1, SR2, SR3 and SR4 zones; and modifying Schedule 2 – Special Use Zones to add Cottage Industry as an 'AA' discretionary use in the R1 and R5 zones only.
8. Introducing the definition of Rural Home Business in Clause 1.6 Interpretation as defined in the Planning Regulations 2015 to read as follows:

“Rural Home Business - means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation —

 - (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 200 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 more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.”
9. Modifying Table 1 (Zoning Table) to add and list Rural Home Business as an 'SA' special approval use for the Rural zone and as an 'X' prohibited use in all other zones.

Amendment No. 72 has been adopted as a 'Standard' amendment under the provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015* for the following reasons:

- The amendment will not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
- The amendment is not a complex or basic amendment.

Dated this _____ day of _____ 2017

Chief Executive Officer _____

Scheme Amendment Report

1.0 Purpose

The purpose of this amendment is to update the definitions and appropriate permissibility of a range of home based business activities for residents in the Bridgetown Townsite. The amendment has been prepared, in conjunction with the review of the related policy, to better address the needs of the Shire and generally reflect the 'Model provisions' from the *Planning and Development (Local Planning Schemes) Regulations 2015*.

2.0 Background

At the Ordinary Meeting of Council held on 28 May 2015, Council resolved:

"C.02/0515 That:

- 1. The CEO present a report back to Council on the possible amendment to Town Planning Scheme No. 4, to introduce into a new use of "Home Business" with 'AA' use applicability in the Rural zones of the Scheme.*
- 2. The report to Council also address allowing uses already listed in the zoning table to be approved as a Home Business subject to such businesses meeting the restrictions (floor area, restriction on employees, etc.) of a home business.*
- 3. A review of the Home Occupation Cottage Industry Policy be undertaken in conjunction with the above report to Council."*

A subsequent report was then presented to the Ordinary Meeting of Council held on 24 November 2016 whereby Council resolved:

"C.08/1116 That Council:

- 1. Gives 'in-principle' support for following changes to Town Planning Scheme No. 3 and Town Planning Scheme No. 4:*
 - a) Introduce 'Home Office' as defined in the Planning Regulations 2015, subject to supplemental provisions limiting the use to 20m² only, and to be conducted by the resident(s) of the dwelling only; with a 'Home Office' listed as a 'P' permitted use in the Commercial, Residential, Residential Development, Rural, Special Residential, Special Restricted Use and Special Rural zones under Town Planning Scheme No. 3; and listed as a 'P' permitted use in the Commercial, Residential, Rural 1, Rural 2, Rural 3, Rural 4, Special Residential, Special Rural and Special Use zones under Town Planning Scheme No. 4.*
 - b) The definition of 'Home Occupation' be modified to reflect the model definition in the Planning Regulations 2015, which includes the prohibition of fuelling, repair or maintenance of motor vehicles.*

- c) *Introduce 'Home Business' as defined in the Planning Regulations 2015, subject to a supplemental provision to prohibit the fuelling, repair or maintenance of motor vehicles; with a 'Home Business' listed as an 'AA' discretionary use in the Commercial, Residential, Residential Development, Rural, Special Residential, Special Restricted Use, and Special Rural zones under Town Planning Scheme No.3; and listed as a 'AA' discretionary use in the Commercial, Residential, Rural 1, Rural 2, Rural 3, Rural 4, Special Residential, Special Rural and Special Use zones under Town Planning Scheme No. 4.*
 - d) *Modify the permissibility of 'Cottage Industry' as an 'AA' discretionary use in the Commercial, Residential, Residential Development, Rural, Special Rural and some Special Restricted Use zones under TPS3; as a 'P' permitted use in the Industrial and Service Industry zones in TPS3; and as a 'P' permitted use in the Industrial zone in TPS4.*
 - e) *Introduce 'Rural Home Business' as defined in the Planning Regulations 2015, and listed as an 'SA' special approval use in the Rural 1, Rural 2, Rural 3 or Rural 4 zones only of TPS4.*
2. *Directs the Chief Executive Officer to prepare necessary scheme amendment documentation reflecting Point 1. above, for presentation at a future meeting of Council.*
 3. *Notes the content of the draft Home-Based Business Policy, as per Attachment 2, with the final draft policy to be presented to Council in conjunction with Point 2. above for future public consultation."*

3.0 Justification

The operation of home based businesses is regulated by the Shire's Town Planning Scheme No. 3 (TPS3) relating to the Bridgetown Townsite. The Shire's Home Occupation & Cottage Industry Town Planning Scheme Policy No. 20 also provides specific guidance for those two listed uses.

The purpose of controlling home based business activities within dwellings and ancillary outbuildings is to ensure that any such activities remain incidental to the primary residential use of the property, and that the amenity of surrounding properties is protected, particularly the amenity of nearby residential dwellings or other sensitive land uses (ie. schools, hospitals, etc).

There are a variety of home based business land uses applicable to the Shire of Bridgetown-Greenbushes, with two already defined in TPS3, plus others defined in the 'Model provisions' in Schedule 1, Part 6, Division 1 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (Planning Regulations 2015). A review of the other local planning schemes and the Planning Regulations 2015 demonstrates the five types of home based business uses (in order of size) as Home Office, Home Occupation, Home Business, Cottage Industry and Rural Home Business.

3.1 Home Office

Under the Planning Regulations 2015 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 typically a permitted use under most zones where a dwelling is permitted. Development approval would typically be exempt where located within the dwelling, no customers will be visiting the property, no signage is displayed and no works or changes in the building are proposed. This use class could apply to a mobile business (ie. plumber), an online business (ie. marketing consultant) or service business (ie. book keeper).

A Home Office is not currently listed or defined in TPS3 however the current Home Occupation & Cottage Industry Policy recognises that mobile businesses do not require approval to use their home for administrative purposes. This unofficial exemption however does not technically apply to a person working from home, even where consistent with the home office definition.

A Home Office is to be incorporated into TPS3 including supplemental provisions limiting the use to 20m² only, and to be conducted by the resident(s) of the dwelling only. A Home Office is to be listed in Table 1 (Zoning Table) as a ‘P’ permitted use in the Commercial, Residential, Residential Development, Rural, Special Residential and Special Rural zones.

A Home Office is also to be listed in Schedule 2 – Special Use Zones as a ‘P’ permitted use applicable to the Special Restricted Use R1, R5, R8 and R10 zones only, with existing dwellings or future subdivided land, potentially suitable for Home Office activities. The subject properties are as follows:

- R1 – Lot 887 (RSN 24339) South Western Highway, Bridgetown
- R5 – Lot 4 (RSN 11749) Brockman Highway, Bridgetown
- R8 – Lots 548-567, 575 – 578 and 5741 Brockman Highway, Smith Street and Farrell Road, Bridgetown (future Penola Hills subdivision)
- R10 - Lot 5 (RSN 11719) Brockman Highway, Bridgetown

3.2 Home Occupation

Under the Planning Regulations 2015, 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 0.2m²; 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 —
 - (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 TPS3 currently a Home Occupation “means a business carried on with the permission of the responsible authority within a house or the curtilage of a house that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or prejudicial affection due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, or waste products;
- (b) does not entail the employment of any person not a member of the occupier’s family, except in the case of a professional person;
- (c) does not occupy an area greater than 20 square metres;
- (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located; and
- (e) is restricted in advertisement to a sign not exceeding 0.2 square metres in area.”

A Home Occupation is already listed in TPS3 as a discretionary use in the Commercial, Residential, Residential Development, Rural and Special Residential zones, plus some Special Restricted Use and Special Rural zones.

This activity could apply to people running a business service (ie. accountancy, graphic designer) or one-on-one personal or educational service (ie. hairdresser, music lessons). A Home Occupation could also include other services such as goods production (ie. florist, food), or perhaps group educational services (ie. cooking or gardening classes).

An important restriction is the 20m² area to run the business activity, plus available onsite parking for any customers. Depending upon the type and scale of activity, some may be better suited to the Home Business use or Cottage Industry use.

As a discretionary use a Home Occupation may only be conducted with approval from the Shire, often subject to public advertising, particularly where the use may potentially generate noise and/or visitor traffic.

Pursuant to the model definition in the Planning Regulations 2015, the fuelling, repair or maintenance of motor vehicles (ie. home based mechanic), which have a propensity to create noise, fumes, increased traffic, etc, can be prohibited for a Home Occupation, which is an important distinction. As such the definition of Home Occupation is to be modified to reflect the model definition in the Planning Regulations 2015 stated above.

The Home Occupation use is broadly listed for most zones however the use is to be specifically added to Schedule 2 – Special Use Zones for Special Restricted Use R1, R5, R8 and R10 zones only.

3.3 Home Business

Under the Planning Regulations 2015, 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 is typically a discretionary use under most zones where a dwelling is permitted, subject to development approval and public advertising. This use could apply to larger scale home based businesses such as pet grooming, plant nursery or fitness classes for small groups.

A Home Business is not currently listed or defined in TPS3, limiting the ability for residents to undertake business activities from home that require more space. As a discretionary use a Home Business may only be conducted with approval from the Shire, subject to mandatory public advertising, as the use may potentially generate noise and/or visitor traffic.

Although the model definition in the Planning Regulations 2015 does not include the restriction of fueling, repair or maintenance of motor vehicles (as recommended for a Home Occupation), the same restriction is necessary to prohibit the establishment of home based mechanics in urban and semi-rural areas.

The model definition of Home Business is to be incorporated into TPS3, supplemented by the additional provision to exclude fuelling, repair or maintenance of motor vehicles. The Home Business use is to be added to Table 1 (Zoning Table) as an 'AA' discretionary use in the Commercial, Residential, Residential Development, Rural, Special Residential and Special Rural zones; and specifically added to Schedule 2 – Special Uses Zones for Special Restricted Use R1, R5, R8 and R10 zones only.

3.4 Cottage Industry

Under TPS3 Cottage Industry *“means an industry which produces arts and craft goods which cannot be carried out under the provisions relating to a Home Occupation’ and that:*

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;*
- (b) where operated in a Residential zone, does not entail the employment of any person not a member of the occupier's family normally resident on the land;*
- (c) is conducted in an outbuilding which is compatible to the zone and its amenity and does not occupy an area in excess of 55 square metres;*
- (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located; and*
- (e) does not display a sign exceeding 0.2 square metres in area.”*

A Cottage Industry is typically a permitted or discretionary use under most zones where a dwelling is permitted, often subject to development approval and public advertising. This use generally applies to the production of arts and crafts goods such as furniture, toys, pottery, etc.

Under TPS3, Cottage Industry is a permitted or discretionary use in the Commercial, Industrial, Residential, Residential Development, Rural, and some Special Restricted Use and Special Rural zones.

Although Cottage Industry is not currently defined in the Planning Regulations 2015, as a permitted use, development approval may be exempt where consistent with scheme and policy provisions, meaning Shire approval may not be required for a Cottage Industry within the Bridgetown townsite.

Given the maximum allowable area of 55m² and the potential for noise impacts, the permissibility of Cottage Industry is to be modified in Table 1 (Zoning Table) from 'P' permitted to an 'AA' discretionary use in the Commercial, Residential, Residential Development, Rural, Special Rural zones. Cottage Industry is already listed as an 'AA' discretionary use in the R7, R8 and R10 zones under Schedule 2 – Special Use Zones, and is to be specifically added to the R1 and R5 zones only.

3.5 Rural Home Business

Under the Planning Regulations 2015, a Rural Home Business *“means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation —*

- (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 200 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 more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.”*

A Rural Home Business with a generous area of 200m² could allow for a range of rural based businesses or trades that require substantially more work and/or storage area, such as small scale manufacturing (ie. wholesale bakery), storage yard (ie. earthmoving contractor) or supply yard (ie. rural supplies). Whilst some similar uses may already be defined in TPS3, and limited to appropriate commercial, industrial and rural zones, there may be scope for support of a range of rural home businesses.

To assist with discussion, a 'Rural Industry' under TPS3 is defined as *“means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.”*

A Rural Industry is a permitted use in the Rural zone and a discretionary use in the Industrial zone within TPS3. An example of a rural industry could be a vineyard or orchard with a processing facility, and a workshop to service plant or equipment, whether used on or offsite. The generation of noise and traffic therefore associated with a rural industry would be significant in most cases, subject to compliance with relevant regulations. Importantly a Rural Industry would not need to be associated with a dwelling and therefore not defined as a Rural Home Business.

As the name suggests a Rural Home Business should only be permitted on Rural zoned land, as such activities may have a propensity to generate noise, traffic, etc. There are many properties within the Bridgetown townsite zoned Rural under TPS3, and of variable sizes ranging from approximately 4000m² up to 8 hectares.

A Rural Home Business is not currently listed in TPS3 and depending upon the nature of the proposed use could therefore be considered a 'Use Not Listed'. A Rural Home Business use class is to be defined pursuant to the Planning Regulations 2015 and listed in Table 1 (Zoning Table) as an 'SA' special approval use only in the Rural zone (Column 6) and as an 'X' prohibited use in all other zones.

Under Part IV of TPS3, Clause 4.1 Amenity and Tourist Development and sub-clauses 4.1.1, 4.1.2 and 4.1.3 include provisions to recognise and protect amenity of land. It is important that properties surrounding a Rural Home Business have adequate separation. As such a minimum lot size of 2.0 hectares is to be included in the new Home Based Business Policy for Rural Home Business uses.

3.6 Policy Review

A review of the Shire's current Home Occupation & Cottage Industry Policy has been undertaken in conjunction with preparation of this amendment. Whilst the current Policy is limited to home occupations and cottage industry, the draft Home Based Business Policy includes all five categories of home based businesses (in order of scale and permissible area) being Home Office, Home Occupation, Home Business, Cottage Industry and Rural Home Business.

The aim of the draft Policy is *"To enable low scale businesses the opportunity to be conducted from home without having a detrimental impact on the amenity of the local area."* The draft Policy seeks to provide Council, Shire staff and the general community with a clear process for the assessment and operation of home based businesses throughout the Shire on the presumption that home based businesses will be supported where it can operate without impact on the amenity of the locality.

Advertising of the draft Home Based Business Policy will be undertaken in conjunction with advertising of this amendment, then if supported, come into effect on or about the expected gazettal dates for the amendments.

4.0 Conclusion

The resolution of Council made in November 2016 seeks to update and broaden the range of business activities available to residents that are incidental to a residential dwelling, with the proposed changes generally in accordance with the model definitions from the *Planning and Development (Local Planning Schemes) Regulations 2015*.

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF BRIDGETOWN-GREENBUSHES TOWN PLANNING SCHEME NO. 3 AMENDMENT NO. 72

Resolved that the local government pursuant to Section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Introducing the definition of Home Office in Clause 1.6 Interpretation as per the model definition from the Planning Regulations 2015 including supplemental provisions, to read as follows:

“Home Office - means a dwelling used by a resident occupier of the dwelling to carry out a home occupation if the carrying out of the occupation -

- (c) is solely within the dwelling; and
- (d) does not occupy an area greater than 20 m²; 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.”

2. Modifying Table 1 (Zoning Table) to add and list Home Office as a ‘P’ permitted use in the Commercial, Residential, Residential Development, Rural, Special Residential and Special Rural zones; and modifying Schedule 2 – Special Use Zones to include Home Office as a ‘P’ permitted use in the Special Restricted Use R1, R5, R8 and R10 zones only.

3. Modifying the definition of Home Occupation in Clause 1.6 Interpretation as per the model definition from the Planning Regulations 2015 to read as follows:

“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 0.2m²; 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 -
 - (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.”

4. Modifying Schedule 2 – Special Use Zones to include Home Occupation as an ‘AA’ discretionary use in the Special Restricted Use R1, R5, R8 and R10 zones only.

5. Introducing the definition of Home Business in Clause 1.6 Interpretation as per the model definition from the Planning Regulations 2015 including supplemental provisions, to read as follows:

“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.”

6. Modifying Table 1 (Zoning Table) to add and list Home Business as an 'AA' discretionary use in the Commercial, Residential, Residential Development, Rural, Special Residential and Special Rural zones; and modifying Schedule 2 – Special Use Zones to include Home Business as an 'AA' discretionary use in the Special Restricted Use R1, R5, R8 and R10 zones only.
7. Modifying Table 1 (Zoning Table) to add where applicable and list Cottage Industry as an 'AA' discretionary use in the Commercial, Residential, Residential Development, Rural and Special Residential zones and as a 'P' permitted use in the Industrial and Service Industry zones; modifying Schedule 1 – Special Rural Zones to add Cottage Industry as an 'AA' discretionary use in the SR1, SR2, SR3 and SR4 zones; and modifying Schedule 2 – Special Use Zones to add Cottage Industry as an 'AA' discretionary use in the R1 and R5 zones only.
8. Introducing the definition of Rural Home Business in Clause 1.6 Interpretation as defined in the Planning Regulations 2015 to read as follows:

“Rural Home Business - means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation —

 - (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 200 m²; and
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 - (f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.”
9. Modifying Table 1 (Zoning Table) to add and list Rural Home Business as an 'SA' special approval use for the Rural zone and as an 'X' prohibited use in all other zones.

Amendment No. 72 has been adopted as a 'Standard' amendment under the provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015* for the following reasons:

- The amendment will not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
- The amendment is not a complex or basic amendment.

Adoption Page

The following endorsements are hereunto affixed as confirmation of compliance with the requirements of the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015*.

Adoption

Adopted for advertising by Resolution (No. _____) of the Council of the Shire of Bridgetown-Greenbushes at the Ordinary Meeting of Council held on the _____ day of _____ 20__.

Shire President _____ Date _____

Chief Executive Officer _____ Date _____

Final Approval

Adopted for final approval by Resolution (No. _____) of the Council of the Shire of Bridgetown-Greenbushes at the Ordinary Meeting of Council held on _____ day of _____ 20__ and pursuant to that Resolution the seal of the authority was hereunto affixed in the presence of:

Shire President _____ Date _____

Chief Executive Officer _____ Date _____

Recommended/Submitted for Final Approval

Endorsed by the Western Australian Planning Commission and submitted for final approval.

Delegated under s.16
of the *Planning and
Development Act 2005* _____ Date _____

Final Approval Granted

Minister for Planning _____ Date _____