

14 February 2024

City of Joondalup
Boas Avenue
Joondalup WA 6027

Dear Sir or Madam

**RETROSPECTIVE APPLICATION FOR HOME BUSINESS AND STOREROOMS
71 KANANGRA CRESCENT, GREENWOOD**

Please find attached application for development approval retrospective home business and storeroom at 71 Kanangra Crescent, Greenwood.

Background

The landowner, together with her husband and son, have been operating a home business since obtaining development from the City of Joondalup a number of years ago. Unfortunately her husband passed away not long after the business started, and her daughter was also diagnosed with chronic debilitating neurological and physical illness requiring full time care, and she has since been operating the business with her son and daughter in law. Regular checks by the City's Environmental Health Department have ensured the business was operating within the health regulations.

The business does not retail from the site, rather goods are sold at weekend Farmer's Markets.

Due to the nature of the business being small goods production, additional store room area is required for the production machines (eg, mincer and sausage maker), therefore additional area for the store room is also sought above the 50m² associated with the home business itself. The area has expanded over time to also meet the challenges presented by the COVID pandemic, such as supplying limited home deliveries during the lockdown stages.

Site Particulars

Lot 314 (71) Kanangra Crescent, Greenwood is zoned Residential with a density coding of R20/60 and a site area of 740m². The site is located opposite Kanangra Park and within close proximity to the Greenwood train station. The site contains a single dwelling and outbuilding, and is the primary residence of the landowner.

Local planning framework and Land Use

- **Local Planning Scheme No. 3**

Under LPS3 a Home Business is defined as per below, with comments relating to the business aside each point of the definition:

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 - The landowner operates the business with her son and daughter in law, with two occasional kitchen staff

(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and – There is no adverse affect to the amenity of the neighbourhood as the business operates behind the front façade of the dwelling

(c) does not occupy an area greater than 50 m²; and – The area of production is compliant with the 50m² requirement for the area of the kitchen. Additional store room area is required due to the nature of the machinery.

(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 – There is no retail sale, display or hire of any goods, other than limited goods offered by internet, and these are delivered.

(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 – All parking is on site and does not create traffic difficulties.

(f) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and – all vehicles related to the business are less than 4.5 tonnes tare weight

(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; - no use of any additional essential service is required.

- **Home Business Local Planning Policy**

5.1 Criteria Applying to Home Businesses:

a. The applicant must use the dwelling as the principal place of residence.

The landowner and business operator resides in the dwelling as her principal place of residence.

b. The Home Business must not result in a substantial and/or inappropriate modification to the dwelling.

The dwelling is consistent with the open space requirements of the Residential Design Codes.

c. Any appliances or machinery used for the purpose of the Home Business must be of a domestic scale. Large industrial appliances are prohibited.

Whilst larger equipment is stored on site, this is used infrequently. Appliances are larger than usual domestic scale, but are small commercial scale and not at a large industrial scale.

d. Applicants must demonstrate that the proposal will not have an undue impact on amenity of the surrounding area and land uses.

The business has operated without complaint for a number of years. All of the business is contained behind the front facade, and does not emit any adverse noise or odours.

5.2 Car Parking and Customers:

a. One on-site car parking bay is required per customer and per employee. The total number of on-site car parking bays shall be equal to the maximum number of employees and customers that are permissible at the Home Business at any one time. On-site car parking is to be designed and provided in accordance with the R-Codes.

On site parking is provided within the site, as demonstrated in the Management Plan below.

b. All car parking bays associated with the Home Business are to be made available and maintained for the parking of customer and employee vehicles only, during the approved home business operating hours. Resident parking is not permitted in customer bays during the approved Home Business operating hours. No verge parking for the business is permissible.

Parking is on site. There are no visitors for the business as products are sold off site or occasionally delivered.

c. The Home Business must not require the provision of car parking bays in a manner that would detract from the residential appearance of the dwelling or dominate the streetscape.

Car parking is within the front car port.

5.3 Operating Hours:

a. The days and hours of operation shall be limited to the following: i. 8.00 am to 6.00 pm, Monday to Friday ii. 9.00 am to 5.00 pm, Saturday.

Hours of operation are within the above times. Operating hours are 8:00am to 5:00pm Monday to Friday and do not operate on Saturday or Sunday. Deliveries occur one day per week during operating hours.

b. When determining an application, the number of hours and/or days of operation may be increased, or further restricted through conditions of development approval where it is deemed necessary to protect the amenity of the surrounding area.

Hours of operation are within the above times.

5.4 Signage:

a. One advertising sign, not exceeding 0.2 square metres in area, is permitted on the front façade of the dwelling for a Home Business in accordance with the City's Advertisements Local Planning Policy.

No advertising signage proposed.

5.5 Additional Criteria Applying to a Home Business with Two External Employees:

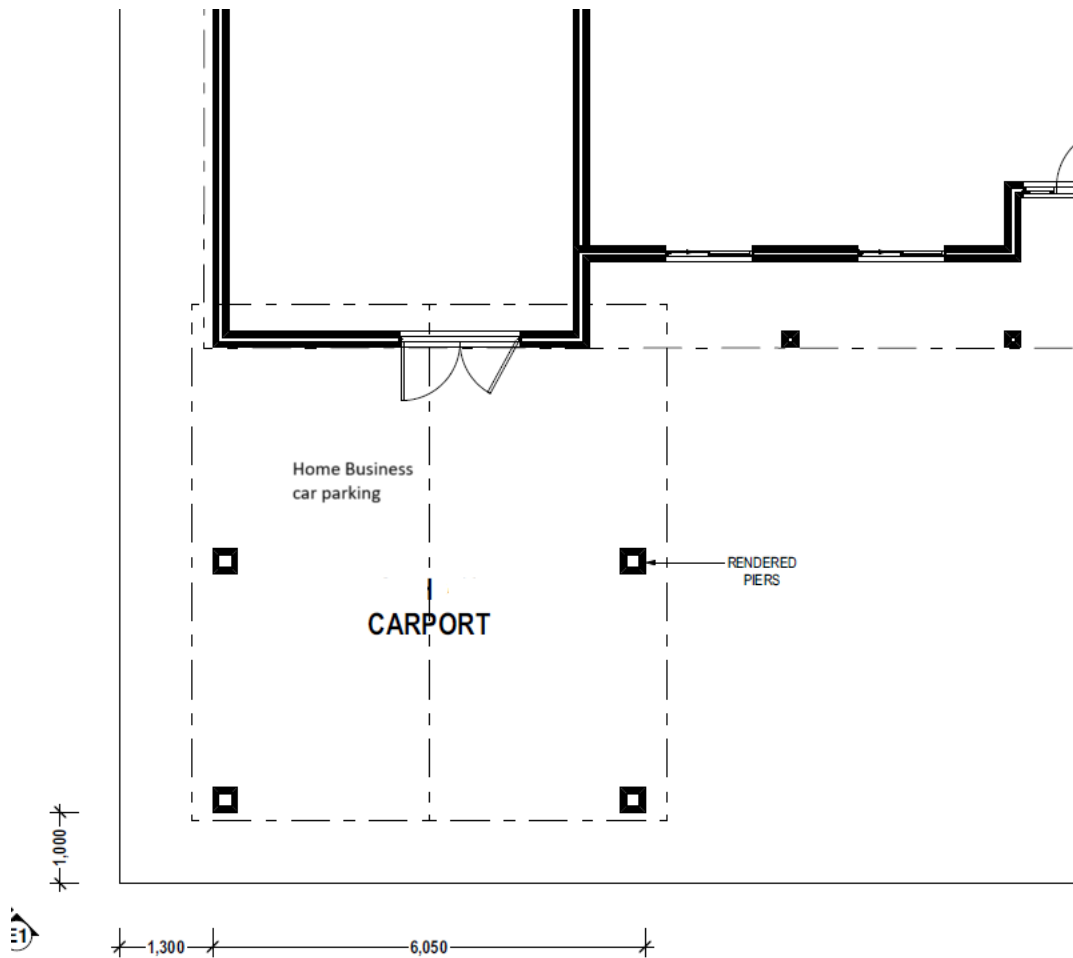
5.5.1 Location Where this type of Home Business is proposed in the 'Residential' zone, the location of the proposal shall be where it abuts or is directly opposite one of the commercial centres listed in the City of Joondalup Local Planning Strategy, unless the applicant can demonstrate to the satisfaction of the City that the proposal will not have an undue impact on the amenity of the surrounding area as a result of noise, traffic, parking, pollution, people and advertising.

The property is within the Greenwood train station precinct and opposite Kanangra Reserve. There is no adverse impact on the amenity of the area. If the Greenwood station is identified as a station precinct there may be future planning in the area.

5.5.2 Management Plan

A Management Plan is required to be submitted as part of an application for this type of Home Business. As a minimum, the Management Plan is to include the following information:

a. A car parking plan.



b. Measures to minimise and control noise.

All home business operations occur indoors which mitigates noise.

c. Measures to minimise vehicle loading and unloading and traffic movements.

Vehicles are only loaded twice per week for Farmer's Markets. There are limited traffic movements as there is no retail sales or visitors to the property.

d. The proposed hours of operation.

Hours of operation are as per the above policy hours.

e. Details of any poisonous, flammable or harmful chemicals or other hazardous materials proposed to be stored or used and measures to ensure that no polluting or harmful substances will escape from the site.

No hazardous substances are used or stored on site.

f. Measures to minimise emissions of odours, dust or vapours from the site.

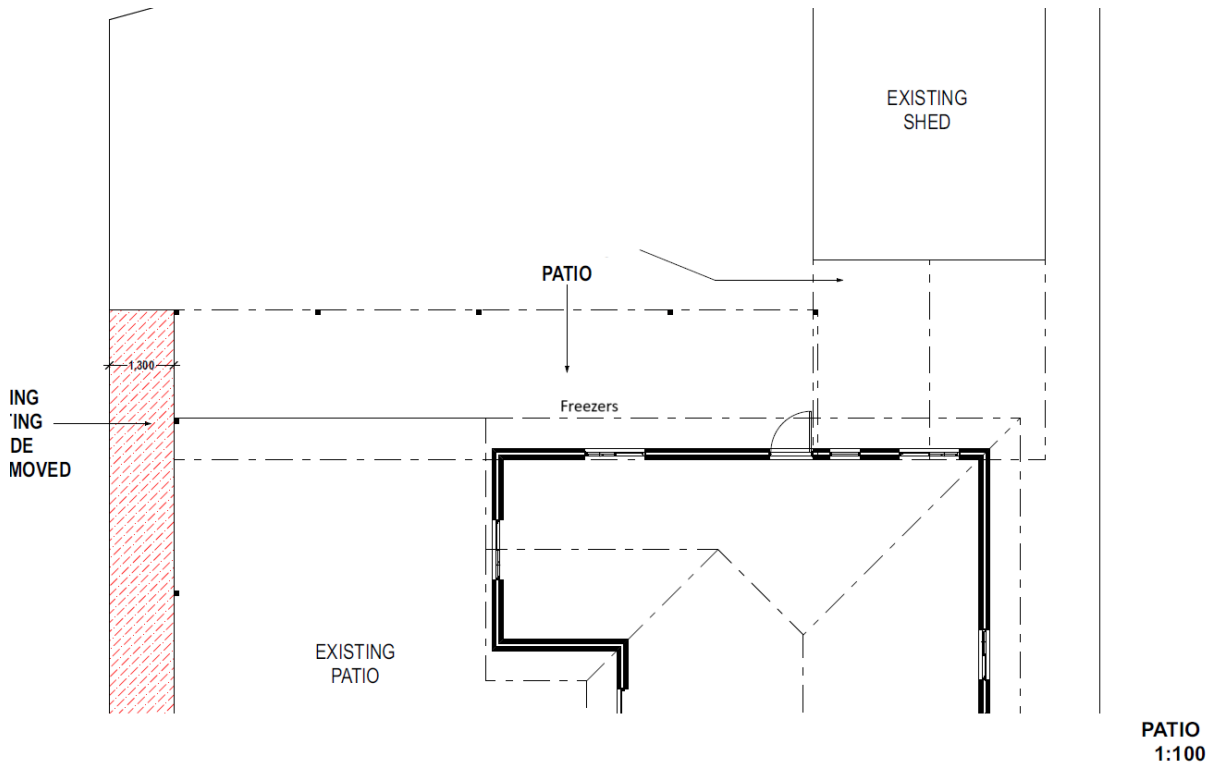
No emissions occur from the site apart from the occasional odour of meat being smoked, which is consistent with a residential barbeque odour. Smoking occurs inside to mitigate odour being released outside.

g. Ways to limit the number of people visiting the house at any one time in relation to the business.

No retail occurs on site therefore no visitors are at the house.

h. A plan showing any proposed outdoor storage areas.

There are a number of freezers freestanding on the rear wall of the dwelling.



i. Measures to ensure that no detrimental impact occurs to the character of the neighbourhood.

As demonstrated by the ongoing use without complaint, the majority of the home business is contained within the dwelling perimeter so that there is no detrimental impact to the character of the neighbourhood.

j. Measures to manage the impact of the Home Business on any building or place listed on the municipal inventory of heritage places.

There are no heritage listed places within the vicinity of the home business.

k. Details of all appliances or machinery to be used in the Home Business.

Mincer, sausage maker, smoker