



SHIRE OF
MANJIMUP

Development Approval Requirements for Home-Based Food Processing INFORMATION SHEET

Introduction

The Shire of Manjimup is supportive of any enterprise that promotes the Shire's importance as a premium food grower and supplier. This Information Sheet has been prepared to provide guidance to producers on the Shire's Development approval requirements for home-based food processing, such as jam and preserves manufacturing, honey production and meat, vegetable and fruit repackaging.

The Development approval process will consider whether the proposed home-based business is compatible with the objectives of the zone and will consider if the operation will protect the amenity of surrounding properties. The Development approval process is separate from environmental health requirements, which regulate food handling.

Defined Uses

The Shire will examine each proposal and identify whether it falls within the definition of a 'home occupation', 'home business' or 'rural home business'. The differences between the three types are:

- A **home occupation** is limited to an area of 20m² and does not allow for the employment of a person that does not reside at the premises. A home occupation does not allow for the retail sale or display of goods. Any commercial vehicle greater than 2 tonnes tare weight is not permitted to visit or be parked at the property.
- A **home business** is limited to an area of 50m² and allows for up to 2 persons to be employed that do not reside at the premises. However, like home occupation, it does not allow for the retail sale or display of goods. Any commercial vehicle greater than 3.5 tonnes tare weight is not permitted to visit or be parked at the property.
- A **rural home business** is limited to an area of 200m² and allows for up to 5 persons to be employed that do not reside at the premises. Unlike home occupation or home business, the retail sale or display of goods can be approved by the Shire. A rural home business also allows for commercial vehicles of up to 3.5 tones to visit the property and may allow for up to 3 vehicles of this weight to be parked at the property.

Whether your home-based food processing business will be considered a home occupation, home business or rural home business will depend on the details of your proposal and the zone in which the property is situated.

Residential, Rural Residential, Town Centre and Enterprise Zones

The Shire may grant Development approval for a home-based food processing business as either a 'home occupation' or 'home business', depending on the size and number of employees. Development approval is required for both types before you commence operations, with this approval to be annually renewed. Note that the Shire is unable to grant Development approval in these zones for the retail sale or display of goods. A 'rural home business' is also not permitted.

General Agriculture and Priority Agriculture Zones

A home-based food processing business that meets the criteria of a 'home occupation' does not require Development approval in the Shire of Manjimup. Home business and rural home business proposals will require Development approval prior to commencement. The Shire is able to grant discretionary Development approval for the retail sale and display of goods in these zones (as a rural home business).

Rural Smallholdings, Rural Conservation and Bushland Protection Zones

Development approval is required for all three home-based food processing business types. If the retail sale and display of goods is proposed, the operation will be considered a 'rural home business'.

Home Occupation Approval Process

Home-based food processing that falls within the definition of 'home occupation' requires Development approval in all zones except General Agriculture and Priority Agriculture. Although Development approval is required, this will be granted as long as the operation complies with the home occupation criteria relating to floor area, employment, protection of the amenity of surrounding properties, vehicle parking and servicing. Neighboring properties will be informed of the application and invited to comment prior to initial approval.

Home occupation approvals are issued annually and will need to be renewed before 30 June each year. The purpose of annual renewal is to ensure the business continues to operate within the home occupation parameters.

Home Business Approval Process

Home-based food processing that falls within the definition of 'home business' requires Development approval in all zones. Unlike a home occupation, which is a 'permitted use', a home business requires the Shire to exercise its discretion and grant approval after taking into account any comments from surrounding properties.

Home business approvals are issued annually except in the General Agriculture and Priority Agriculture Zones and will need to be renewed before 30 June each year. The purpose of annual renewal is to ensure the business continues to operate within the home business parameters.

Rural Home Business Approval Process

Home-based food processing that falls within the definition of 'rural home business' requires Development approval prior to commencement. A rural home business requires the Shire to exercise its discretion and grant approval after taking into account any comments from surrounding properties.

Rural home business approvals will require annual renewal only where the property is located in an area where the operation may affect the amenity of surrounding properties. Identification of whether annual renewal is required will be determined on a case-by-case basis and taking into account any submissions received on the proposal.

Penalty for Retrospective Approval

If you operate a home-based food processing business without a required Development approval, you may still lodge an application. However, a penalty of triple the normal application fee will be payable.

The information contained in this brochure is intended as a guide only. It is recommended that the advice and assistance of the Shire's Statutory Planning section be sought prior to lodgement of a Development application.

The Shire of Manjimup disclaims any liability for any damages sustained by a person acting on the basis of this information.