

CARETAKERS RESIDENCE CODE

1 Purpose of the Code

The purpose of this Code is to ensure that if a Caretakers Residence is developed it;

- Is only when it is necessary that a caretaker or manager lives on the same site as a non residential use;
- Is only at a size and scale necessary to accommodate a caretaker or manager and his/her family;
- Only provides residential accommodation while the non residential use is operating;
- Does not compromise the capacity of existing non residential uses in the Area to continue to operate in the same manner that they already did or restrict their capacity to expand and grow;
- Provides a good living environment for its occupants;
- Is appropriately located within the site to fulfil its caretaker or manager function.

2 Application of the Code

This section is applicable to Code Assessable Caretakers Residence development, made Code Assessable by a Level of Assessment Table. For code assessable development, the code for assessment consists of the secondary code(s) listed below:

- Airport Code; and
- Demolition Code – where on a site where the code applies; and
- External Works and Servicing Code; and
- Filling or Excavation Code; and
- Flood Prone Land Code – where any part of the proposal is within the Q100 flood line shown on the Area maps; and
- Heritage Code - where on a Heritage Place or on a site adjoining a Heritage Place; and
- Norman Road Residential Area Code - where located in the Norman Road Residential Area; and
- Parking and Access Code; and
- Steep or Unstable Land Code – to the extent relevant as outlined at the beginning of the Steep or Unstable Land Code; and
- Water Quality and Water Quantity Code – where any part of the proposal is located within a waterway corridor.

3 Definitions

None specific to this Code.

4 Explanation

This code sets out requirements that apply in addition to the requirements of other codes that are focused on the non residential use of the land. Where there is any inconsistency between the requirements of this code and another code, the requirements of the other code take precedence. The use of the land for the non residential use will remain as the main use of the land and a Caretakers Residence is not to



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compromise that main use or the main use of any other land in the Area. The non residential use will always remain as the main use of the land and the Caretakers Residence is not to be taken to be replacing or having a higher importance than the main use of the land. This is to be noted in any approval for a Caretakers Residence requiring recognition that a Caretakers Residence is not to be afforded the same level of residential amenity as a dwelling unit in a Residential Area, particularly under the *Environment Protection Act 1994*.

5 Performance Criteria and Acceptable Solutions

Performance Criteria		Acceptable Solutions	
Location			
P1	Development for the purposes of a Caretakers Residence only occurs in conjunction with a bona fide non residential use that is the main use of the premises and there is a demonstrated genuine need for the Caretakers Residence.	A1	No Acceptable Solution specified.
P2	A Caretakers Residence is; (a) integrated with the non residential use by locating it in close proximity to the main work area or building of the non residential use; and (b) of a scale and size that reflects its intended function; and (c) is not located in close proximity to non residential vehicle routes and non residential adjoining uses.	A2.1.1	The Caretakers Residence is located above the main work area or building of the non residential use on the site.
		OR	
		A2.1.2	The Caretakers Residence is architecturally and structurally attached to the side of the main building of the non residential use on the site.
		OR	
		A2.1.3	The Caretakers Residence is a detached building that has a maximum Gross Floor Area of 150m ² and is located; (i) within 50 metres of the main building of the non residential use; or (ii) within 50 metres of the edge of the main work area of the non residential use.
		AND	
		A2.2	The Caretakers Residence is not located closer than 15 metres to any boundary of the site fronting onto road reserve or 5 metres to any other boundary.
P3	Caretakers Residences are set back from the Fitzroy River and other waterways to	A3	Caretakers Residences are not located within a Waterway Corridor as shown on Planning Scheme Map 5.



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Performance Criteria		Acceptable Solutions	
enhance the attractive appearance of the River corridor and to preserve ecological processes.			
Amenity			
P4	A Caretakers Residence is not to compromise the economic viability of any non residential use on another site by; (a) necessitating a change in work hours, practices or processes; or (b) limiting its expansion opportunities.	A4.1	In an Industrial Area, the Caretakers Residence is designed, constructed and maintained in such a way as to achieve the following average maximum noise levels ($L_{Amax\ adjT}$): (i) internal noise level in the bedrooms - 35 dB. (ii) internal noise level in living areas - 40 dB. (iii) noise level in external living areas - 53 dB.
		A4.2	AND The owner(s) of land where it is proposed to construct a Caretakers Residence; (i) acknowledge and accept in writing to the Assessment Manager that the land is subject to potentially intrusive noise levels or odour impacts associated with lawful non-residential uses in the locality; and (ii) acknowledge and accept in writing to the Assessment Manager that should the inhabitants of the Caretakers Residence complain or be affected by the impacts of lawful non-residential uses, the owner of the Caretakers Residence will undertake all necessary measures or actions, at the owners cost, to reduce the impacts to a level to the satisfaction of the inhabitants;
		A4.3	AND In any Area other than an Industrial Area, or on land identified as Public Open Space, the Caretakers Residence is located no closer than 25 metres to a property boundary.
P5	A Caretakers Residence is provided with the necessary facilities and areas for human occupation.	A5.1	Car parking spaces are provided on site for the Caretakers Residence in addition to what is required for the non residential use in accordance with the Parking and Access Code .
		A5.2.1	AND A minimum of 8m ² with a minimum dimension of 2.5 metres is located immediately adjacent to the Caretakers Residence away from the main work area or building of the non residential use on the site for the purposes of



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Performance Criteria		Acceptable Solutions	
		<p>A5.2.2</p> <p>OR</p> <p>A clothes dryer machine is installed inside the Caretakers Residence.</p>	<p>providing a clothes drying area.</p>
Natural Hazard			
P6	<p>The Caretakers Residence:</p> <p>(a) is protected from adverse flooding and does not:</p> <p>(1) significantly interfere with the passage, storage or quality of stormwater or the natural functions of a waterway; and</p> <p>(2) put loss of life at risk; and</p> <p>(3) put life at risk of injury; and</p> <p>(4) put damage to property at high risk; and</p> <p>(b) complies with the requirements of the Flood Prone Land Code:</p>	A6	<p>Caretakers Residences and ancillary structures are not located within the Q100 floodable area as shown on the Planning Area Map.</p> <p><i>Note: New Caretakers Residences or extensions to Caretakers Residences within the Q100 line are required to submit a code assessable application and are subject to the Flood Prone Land Code.</i></p>
P7	<p>Habitable rooms, non habitable areas (eg utility areas, garage, laundry and storage room) and car parking do not significantly interfere with the passage or storage of stormwater or the natural functions of a waterway.</p>	A7	<p>Caretakers Residences and ancillary structures are not located within the Q100 floodable area as shown on the Planning Area Map.</p> <p><i>Note: New Caretakers Residences or extensions to Caretakers Residences within the Q100 line are required to submit a code assessable application and are subject to the Flood Prone Land Code.</i></p>
P8	<p>The Caretakers Residence is designed, constructed and located on land in a way that the Caretakers Residence responds to any</p>	A8	<p>Caretakers Residences and ancillary structures are not located on Steep Slopes¹ or are able to comply with the Steep or Unstable Land Code.</p>



¹ As identified in the Steep or Unstable Land Code

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Performance Criteria		Acceptable Solutions	
topographical constraints the land may have.			
Miscellaneous			
P9	Caretakers Residences are serviced with basic but essential infrastructure to ensure good health; hygiene; protection of the environment, quick access to communications and water (for fire fighting) in case of an emergency and the like.	A9	Caretakers Residences are serviced with: (i) practical access to a constructed portion of a dedicated road reserve; and (ii) connection to a potable water supply; and (iii) sewerage; and (iv) electricity; and (v) telephone.
P10	The Caretakers Residence is primarily used by one (1) household for domestic residential purposes.	A10.1	The Caretakers Residence accommodates one (1) household only.
		AND A10.2	A Caretakers Residence does not contain any additional self contained dwelling unit that is, or is capable of, being sub let or tenanted for the purposes of a separate household.

