

## 4.9 Code for Caretaker's Residence

### PURPOSE

The purpose of this code is;

- (a) to ensure caretaker's residences are used for genuine caretaking or property management purposes, and are able to provide an acceptable level of residential amenity for their occupants.
- (b) to ensure development (including associated infrastructure and any ancillary buildings) has due regard for environmental values, does not unduly impact on the ecological processes and biodiversity of the Shire, and does not adversely impact Wetlands, Waterways and Fish Habitat Areas;
- (c) to minimise the risks to buildings and the natural environment that may result from inadequate identification and management of acid sulfate soils; and
- (d) to ensure acceptable levels of flood immunity for people and buildings.

#### (1) Element: Design of Caretaker's Residence

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<b>P1 Not more than one caretaker's residence is provided on the site, notwithstanding that the site may comprise more than one lot or more than one use.</b>	A1 Only one Caretaker's residence is established on the site.
<b>P2 The Caretaker's residence must be occupied by a person having responsibility for the security, maintenance and/or management of non-residential activities conducted on the same site, and if applicable, that person's immediate family.</b>	A2 The Caretaker's residence is occupied either by the proprietor, manager or caretaker of the non-residential use on the same site, together with any immediate family of that person.

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#### 4. CODES FOR RESIDENTIAL DEVELOPMENT AND USE

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<b>P3 The caretaker's residence must be ancillary to the non-residential premises on the same site.</b>	<p>A3.1 The Caretaker's residence has a gross floor area of not more than 100m<sup>2</sup>.</p> <p><b>AND</b></p> <p>A3.2 The Caretaker's residence does not have a separate land title from the balance area of the site.</p>
<b>P4 Except where ancillary to the rural use or within a multiple dwelling complex, the caretaker's residence must be provided with private open space that is useable, adequately screened from the primary activities on the site, and directly accessible from the dwelling unit.</b>	<p>A4.1 The Caretaker's residence contains an area of private open space which is directly accessible from a habitable room and</p> <p>(a) (i) if at Ground level, has an area of not less than 50m<sup>2</sup>, with no horizontal dimension of less than 4 metres, or</p> <p>(ii) if a balcony, verandah or deck, has an area of not less than 15m<sup>2</sup>, with no horizontal dimension of less than 2.5 metres.</p> <p>(b) is screened ( if at ground level, by a minimum 1.8 metre high solid fence or wall) or sited away from view from other activities on the site.</p>

#### (2) Element: Height and Siting of Caretaker's Residence

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 Caretaker's residences must not cause significant loss of amenity to adjacent land and dwellings having regard to:</b></p> <ul style="list-style-type: none"> <li>overshadowing,</li> <li>privacy and overlooking,</li> <li>views and vistas,</li> <li>building character and appearance, and</li> <li>building massing and scale as seen from neighbouring premises.</li> </ul>	<p>A1.1 Caretaker's residences are not higher than 2 storeys.</p> <p><b>AND</b></p> <p>A1.2 Caretaker's residences are not higher than:</p> <p>(a) 10.0 metres on land with a slope of 15% or more, as identified on Regulatory Map 1.3 (the Steep and Unstable Land Special Management Area), or</p> <p>(b) 8.5 metres otherwise.</p>
<p><b>P2 Caretaker's residences must be sited such that no significant loss of amenity to adjacent land and dwellings occurs having regard to:</b></p> <ul style="list-style-type: none"> <li>overshadowing,</li> <li>privacy and overlooking,</li> <li>views and vistas,</li> <li>building character and appearance, and</li> <li>building massing and scale as seen from neighbouring premises.</li> </ul>	<p>A2.1 In Residential (other than Sustainable Rural Residential), Centre, Industrial, Special Purpose and Master Planned Community Precincts the minimum street setback (including corner lots) is 6 metres.</p> <p><b>AND</b></p> <p>A2.2 In Residential (other than Sustainable Rural Residential), Centre, Industrial, Special Purpose and Master Planned Community precincts the minimum street setback for carports (including corner lots) is 4.5 metres.</p>

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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P3 Caretaker’s residences must be sited such that no significant loss of amenity to adjacent land and dwellings occurs having regard to:</b></p> <ul style="list-style-type: none"> <li>• overshadowing,</li> <li>• privacy and overlooking,</li> <li>• views and vistas,</li> <li>• building character and appearance,</li> <li>• building massing and scale as seen from neighbouring premises,</li> <li>• the typically open or forested rural landscape in which buildings are a minor element,</li> <li>• maintaining an open visual landscape dominated by natural elements, rather than built structures, and</li> <li>• Environmental (noise and dust) nuisance.</li> </ul>	<p>A3.1 In Sustainable Rural Residential precincts the minimum street setback (including garages and carports) is 10.0 metres (including corner lots).</p> <p><b>AND</b></p> <p>A3.2 In Sustainable Rural Residential precincts the minimum side and rear setback for swimming pools, garages and carports associated with a Caretaker’s residences is:</p> <ul style="list-style-type: none"> <li>(a) 1.5 metres (where the building is 4.5 metres in height or less), or</li> <li>(b) 2.0 metres (where the building is higher than 4.5 metres but not more than 7.5 metres), or</li> <li>(c) 2.5 metres (where the building is higher than 7.5 metres) plus 0.5 metres for every 3.0 metres or part exceeding 7.5 metres.</li> </ul> <p><b>AND</b></p> <p>A3.3 In Rural precincts the minimum street setback (including garages and carports and including corner lots) is:</p> <ul style="list-style-type: none"> <li>(a) 20.0 metres (where not fronting a State Controlled Road), or</li> <li>(b) 40.0 metres (where fronting a State Controlled Road).</li> </ul> <p><b>AND</b></p> <p>A3.4 In Rural precincts the minimum side and rear boundary setback (including swimming pools, garages and carports) is:</p> <ul style="list-style-type: none"> <li>(a) On sites less than or equal to 2.0 hectares - 3.0 metres for all buildings, and</li> <li>(b) On sites greater than 2.0 hectares - 20.0 metres for residential buildings (ie. buildings containing habitable rooms) and 10.0 metres for all other buildings.</li> </ul>
<p><b>P4 Caretaker’s residences are sited such that there is no significant loss of amenity for residents in areas of new development due to the operation of cane trains.</b></p>	<p>A4.1 Caretaker’s residences are setback from a cane train line a minimum of 40 metres and a minimum of 100 metres from level crossings and sidings.</p>
<p><b>P5 Caretaker’s residences must be sited to avoid or minimise adverse environmental impacts caused by erosion, increased stormwater runoff, loss of vegetation, and intrusion into important elements of the Shire’s visual landscape.</b></p>	<p>A5 Caretaker’s residences are not erected on land having a slope of 25% or more.</p>

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(3) Element: Protection and Management of Waterways, Wetlands and Fish Habitat Areas

**PURPOSE**

To provide for the protection and enhancement of the ecological values and processes, environmental values (as defined in Volume 1 or declared under an environment protection policy or regulation pursuant to the *Environmental Protection Act 1994*) and functions of waterways, wetlands and fish habitat areas, by protecting and managing water quality, hydrological regimes, stream integrity and biodiversity.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 A buffer is maintained to protect and enhance the environmental values, ecosystem services and visual amenity of waterways, wetlands and fish habitat areas, having regard to:</b></p> <ul style="list-style-type: none"> <li>• fauna habitats;</li> <li>• adjacent land use impacts;</li> <li>• stream integrity;</li> <li>• sustainable aquatic and wetland ecosystems;</li> <li>• recreational amenity; and</li> <li>• the amenity of adjoining residential land.</li> </ul>	<p><b>A1.1</b></p> <p>(a) A vegetated buffer is provided of the following width, as measured from the top of the defining bank (refer Figure 4-2.1.2(c) in the Code for Waterways and Wetlands):</p> <ul style="list-style-type: none"> <li>(i) 25m for a waterway shown as stream order 3 or above; or</li> <li>(ii) 10m for a waterway shown as stream order 1 or 2;</li> </ul> <p>as shown on Figure 4-2.1.2(a) in the Code for Waterways and Wetlands.</p> <p><b>OR</b></p> <p>(b) For waterways where a revetment wall exists, all buildings and structures higher than 1.0m are set back 4.5m from the property boundary adjoining the waterway.</p> <p><b>AND</b></p> <p><b>A1.2</b></p> <p>(a) A minimum vegetated buffer width of 25m is provided around the perimeter of any wetland shown on Figure 4-2.1.2(b) in the Code for Waterways and Wetlands.</p> <p><b>OR</b></p> <p>(b) For lots less than 2000m<sup>2</sup> all buildings and structures higher than 1.0m are set back 4.5m from the property boundary adjoining the wetland.</p> <p><b>AND</b></p> <p><b>A1.3</b> All existing native vegetation within the buffer established under A1.1(a) or A1.2(a) is retained and, is supplemented using locally indigenous plant species so that a locally representative community is provided.</p>

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(4) Element: Acoustic Environment Amenity

**PURPOSE**

To ensure an appropriate acoustic environment is maintained within the site and on nearby land, without significantly detracting from visual amenity, preferred character, livability or safety of the locality.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 The exposure of dwellings to noise is minimised by maintenance of the EPP (noise) Environmental values of the acoustic environment.<sup>1</sup></b></p>	<p>A1 Development and use achieves compliance with the noise limits specified for the relevant noise types, as identified in Table 3.1 of <i>Planning Scheme Policy No. 7 - Acoustic Environment Assessment</i>.</p>
<p><b>P2 Emissions of sound beyond the boundary of the site maintain the EPP (noise) Environmental values of the receiving acoustic environment of nearby residential land and other noise sensitive places.<sup>1</sup></b></p>	<p>A2 Development and use achieves compliance with the noise limits specified for the relevant noise types, as identified in Table 3.1 of <i>Planning Scheme Policy No. 7 - Acoustic Environment Assessment</i>.</p>
<p><b>P3 Noise attenuation measures are compatible with the local streetscape, encourage the creation of active street frontages and are designed to discourage crime and anti-social behaviour having regard to:</b></p> <ul style="list-style-type: none"> <li>• aesthetic quality and compatibility;</li> <li>• physical accessibility;</li> <li>• provision for casual surveillance of public space from dwellings; and</li> <li>• opportunities for concealment or vandalism.</li> </ul>	<p>No Acceptable Measure nominated</p>

<sup>1</sup> To demonstrate compliance with this performance criterion, applicants may need to prepare a noise impact assessment in accordance with *Planning Scheme Policy No. 7 - Acoustic Environment Assessment*.

#### 4. CODES FOR RESIDENTIAL DEVELOPMENT AND USE

(5) Element: Special Requirements in relation to Acid Sulfate Soils and Potential Acid Sulfate Soils

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 Development (including associated infrastructure and any ancillary buildings) must be sited and constructed:</b></p> <p>(a) to avoid the exposure or creation of acid sulfate soils;</p> <p>(b) to minimise impacts of acid sulfate soils on the structural integrity of the dwelling; and</p> <p>(c) to minimise impacts of acid sulfate soils on environmentally sensitive areas on or adjacent to the premises.</p>	<p><b>A1.1</b> Development on a site below the 20 metre AHD contour identified on Regulatory Map 1.4 does not involve any excavation or filling is carried out below the water table (ie requires dewatering).</p> <p><b>AND</b></p> <p><b>A1.2</b> Development on a site at or below the 5mAHD contour identified on Regulatory Map 1.4 does not involve any filling of land with 500m<sup>3</sup> or more of material at an average depth of 0.5metres or greater.</p> <p><b>AND</b></p> <p><b>A1.3</b> Where development is on a site below 20 metre AHD contour identified on Regulatory Map 1.4, any underground infrastructure at or below 5m AHD (eg footings, plumbing and drainage) is constructed using materials which are resistant to the by-products of acid sulfate soils (eg; PVC or plastic coated drainage pipes, or acid resistant concrete).</p>

(6) Element: Vehicle Parking and Access

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 Residents must be able to park on-site safely.</b></p>	<p><b>A1.1</b> A covered carparking space is provided for the Caretaker's residence in addition to the carparking spaces provided for the Detached house.</p>

(7) Element: Waste Management

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 Dwellings must provide adequate areas for the storage of waste and recyclable items, in appropriate containers, which are convenient to use, minimise movement of containers for servicing and are of minimal impact to the amenity of users, occupiers and neighbours of the premises.</b></p>	<p><b>A1.1</b> A level area is provided on the site for the storage of waste and recyclable items in standard waste containers.</p>

(8) Element: Water Supply for Bushfire Emergency

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 Development on land within a Bushfire Prone Area must have a sufficient supply of water for firefighting purposes, including:</b></p> <ul style="list-style-type: none"> <li>• connection to a reticulated water supply scheme if available, with conveniently located hydrants, or</li> <li>• where a reticulated supply is not available, the provision of a dam, water tank or swimming pool having sufficient capacity for water pumping in times of bushfire.</li> </ul>	<p><b>A1.1</b> In a Bushfire Prone Area, as shown on Regulatory Map 1.7, premises are connected to a reticulated water supply having a water pressure compiling with the Queensland Water Resource Commission “Water Supply Guidelines” for firefighting in times of bushfire emergency.</p> <p><b>OR</b></p> <p><b>A1.2</b> In a Bushfire Prone Area, as shown on Regulatory Map 1.7, premises have a dam, on-site water tank or swimming pool having a total minimum capacity of 45,000L for firefighting purposes in times of bushfire emergency.</p>

(9) Element: Flooding

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 Floor levels of Detached houses and Display homes are provided at a height above flood levels at which the safety of people on the site is maintained and potential damage to property on the site is minimised.</b></p>	<p><b>A1.1</b> In any Flood Prone or Drainage Constraint Area as shown on Regulatory Map No 1.5:</p> <p>(a) no new Detached houses or Display homes are constructed other than extensions to existing buildings; or</p> <p>(b) the floor levels of all habitable rooms are the greater of:</p> <ul style="list-style-type: none"> <li>(i) 2.5m AHD (to provide protection from storm surge events); or</li> <li>(ii) 400mm above the 100 year ARI flood level; or</li> <li>(iii) where design flood levels have not yet been determined – 600mm above the highest recorded flood level;</li> </ul> <p>other than extensions to existing buildings where the floors of existing habitable rooms are below the levels nominated.</p> <p><b>OR</b></p> <p><b>A1.2</b> Net filling In any Flood Prone or Drainage Constraint Area as shown on Regulatory Map No 1.5 does not exceed 50m<sup>3</sup>.</p>

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