



Caretaker's Dwelling Policy

Responsible Officer

Objective

The objective of the Shire of Cocos (Keeling) Islands Caretaker's policy is to ensure that Caretaker's Dwellings are only considered if they are part of a development that can demonstrate achievement of economic development outcomes, are situated in appropriate locations, are fit for purpose and do not impact on the amenity of the neighbourhood or compromise land use of the surrounding area as defined in the SOCKI Town Planning Scheme.

Scope

The scope of this policy is to provide clear guidance to Council and the community on the acceptable standards applicable to Caretaker's Dwellings.

Policy

A Caretaker's Dwelling is a Discretionary "D" use in all zones in Shire of Cocos (Keeling) Islands Local Planning Scheme No. 1 (LPS1)

"D" means that the use is not permitted unless the local government has exercised its discretion by granting development approval.

A Caretaker's Dwelling shall comply with the following:

- (i) A Caretaker's Dwelling will only be considered if it can be demonstrated that it is essential for an approved and established industry, business, office or recreation area carried out on, or existing on, the same site.
- (ii) If an established use does not exist on the site the subject of an application for a Caretaker's Dwelling, the development application shall include plans for an industrial, business, office or recreation development. If approved, a condition

of development approval will be imposed setting out that the Caretaker's Dwelling cannot be occupied prior to the commencement of the associated use on the property.

- (iii) A Caretaker's Dwelling shall at all times be directly associated with an industrial, business, office or recreation development or other approved use on the site. (Extract from the Cocos Keeling Islands Local Planning Scheme definition).
- (iv) New businesses will be required to provide evidence that demonstrates that their business model is dependent upon having a Caretaker's Residence; existing businesses will be required to provide evidence that their existing business is achieving economic development outcomes and that a Caretaker's residence will improve or enhance the business's contribution to economic growth and development.
- (v) The Caretaker's Dwelling may only be occupied by the owner/operator. For periods of leave of six months or less the owner/operator must seek approval from the Shire's CEO for an authorised person in charge of the business to occupy the site to ensure the business is maintained and continues to operate. For periods of leave exceeding six months, the owner/operator must seek approval from the Council for an authorised person in charge of the business to occupy the site to ensure the business is maintained and continues to operate.
- (vi) At no time should the owner derive an income from the Caretaker's Dwelling.
- (vii) Caravans or mobile homes are not acceptable as temporary or permanent Caretaker's Dwellings.
- (viii) The total habitable floor area of the Caretaker's Dwelling, measured from the external face of walls, shall be limited to a maximum plot ratio area of 100 square metres of habitable space as defined in the R Codes.
- (ix) Incidental residential development such as carports, open verandas and the like will be permitted on the basis that the total area of the lot set aside for residential purposes (including the Caretaker's Dwelling, gardens, outbuildings and the like) does not exceed an area of 200 square metres.
- (x) A Caretaker's Dwelling will only be considered on lots that have a site area of 2000 square metres or more.

- (xi) Caretaker's Dwelling are limited to one Caretaker's Dwelling per lot or total lease area and are not permitted on lots within a strata scheme.
- (xii) The applicant must submit plans and specifications for Development Approval and Building Approval for of the proposed development for Council's approval.
- (xiii) The Caretaker's Dwelling is to be connected to mains water, sewerage and power. Options for alternate services will be considered by Council where services are remote from the site and it is economically unfeasible to connect. The application is to provide detail information of alternate environmental sustainable systems to provide sufficient power, water supply and wastewater treatment such as composting, or low water use toilets, and approved grey water reuse system.
- (xiv) The applicant is to provide evidence of capacity for accessing water supply sufficient for consumption and fire fighting via a combination of:
 - a. a minimum rainwater storage capacity of 10,000 litres (90,000 litres where not connected to mains water) with the appropriate roof plumbing system to ensure that roof runoff capture is maximised; and/or
 - b. approved de-salination equipment; and/or
 - c. Alternative/s that will assure Council that there is sufficient water supply for consumption and fire fighting.
- (xv) Where a property is within a Special Control Area – Water Lens, the applicant is to demonstrate the following objectives are met;
 - LPS 1 Clause 5.1.3 the objectives of the Special Control Area are:
 - (a) to avoid development that will unacceptably diminish the quality and supply of groundwater provided by the groundwater lenses and unacceptably modify the ecosystem; and
 - (b) to ensure development and subdivision does not cause pollution to the groundwater lenses or result in increased groundwater salinity.
- (xvi) Where a property is leased, In addition to the annual lease fee, the applicant shall pay Council rates associated with the change of use of the site, and that the lease fee will be reviewed to reflect the residential nature of the site at the completion of the current lease period. The applicant shall meet all costs associated with the redrafting of the lease to permit the applicant to reside on the subject Lot.

Any application for an ancillary or caretakers dwelling should be accompanied by the following:

- (i) Justification for the proposed caretakers dwelling detailing the need for a caretaker/s and how this is associated with the business.
- (ii) Building plan showing footprint of proposed dwelling i.e. square meters, number of bathrooms, toilets, kitchens, laundry and bedrooms, outbuildings and associated setbacks, and paved surfaces including driveways, car parks, garages, verandas and alfresco areas.
- (iii) A site plan showing the features of the site including remnant vegetation cover, existing and proposed development areas including existing and proposed wastewater system(s) and onsite water features and sources including waterways, wetlands, drains, dams and bores.
- (iv) Details of any proposed vegetation clearing, environmental buffers, site earthworks and services, including for water supply, wastewater management and stormwater management.
- (v) Acknowledgement that all the services and amenity offered in residential areas may not applicable to the site of the Caretaker Dwelling.

Definitions

Caretaker's Dwelling - means a building or portion of a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site; (Schedule 1 - Defined Words - Shire of Cocos Keeling Islands Local Planning Scheme No. 1)

Relevant Legislation/Local Law

Shire of Cocos (Keeling) Islands Local Planning Scheme No. 1 (LPS1)

Office Use Only				
Relevant Delegations				
Council Adoption	Date	24/04/2019	Resolution #	10.4.2
Reviewed/Modified	Date		Resolution #	
Reviewed/Modified	Date		Resolution #	