

Development of Residential Accommodation

HOW TO BENEFIT FROM NEW DEVELOPMENTS ON KING ISLAND

QUICK REFERENCE GUIDE

APPROVED DEVELOPMENTS

16 \$4.6M

Development applications approved in 2017

Estimated construction value of applications approved in 2017

IMPACT OF CONSTRUCTION

\$3.1M 16

Estimated additional income to the region during construction phase

FTE jobs created during construction phase

LONG TERM IMPACT

318 \$2.1M

Further developments approved (not yet built)

Additional annual value to local accommodation sector

\$9M 129

Additional annual value to local food processing sector

FTE jobs created once developments are operational

Current Climate

King Island Council is encouraging owners of residential land to build residential accommodation, facilitating an increase in employment opportunities, and further boosting the Island's economy, as well as your own finances.

King Island is experiencing a period of growth with a number of large scale investments either underway or expected to commence in the coming months. Each of these developments will result in more employment opportunities for existing residents and newcomers to the Island.

A report commissioned by the King Island Chamber of Commerce last year indicates that just the developments known about at the end of 2016 would create in excess of 62 new jobs for the Island. And 62 new jobs could potentially mean 62 new households looking for accommodation on the Island.



Large scale developers are being actively encouraged to consider housing for their workers as part of their implementation planning, but for small scale developers and smaller businesses looking to grow their operations on King Island, the cost of providing new housing is prohibitive.

King Island Council are seeking funding to build a number of good quality housing units that will be offered for lease to developers on the Island to house their management staff through construction and implementation. If this application is successful, a number of 2-bed and 3-bed units will be built in the centre of Currie.

But these are not going to be enough to satisfy the number of construction workers coming through the Island over the next few years, and certainly won't house the potential 62 families predicted.





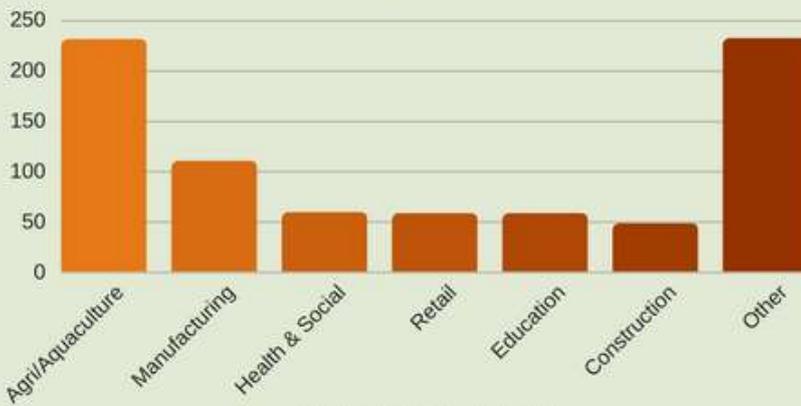
1,617

estimated resident population
June 2016

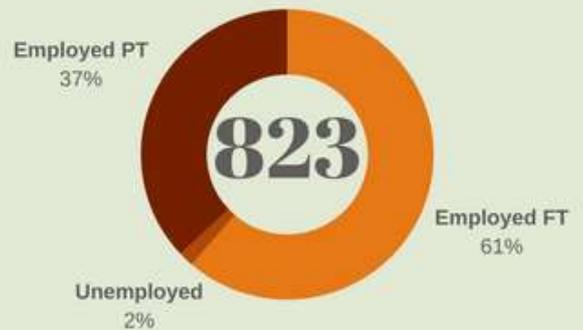
Census 2016

Half King Island's population was in the workforce in 2016, with less than 2% unemployed. More workers will need to be brought to the island to fill any new jobs - and if those workers bring their families with them, King Island's population will quickly grow.

King Island's Workforce

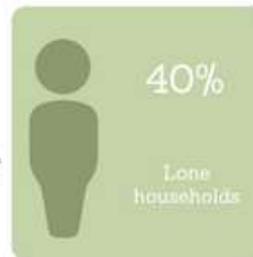


Employees by industry

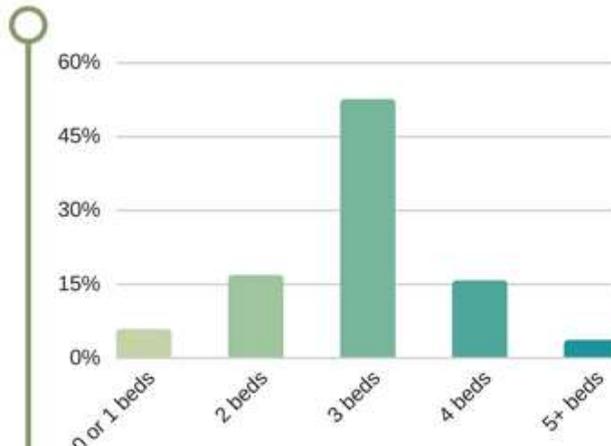


Employment status

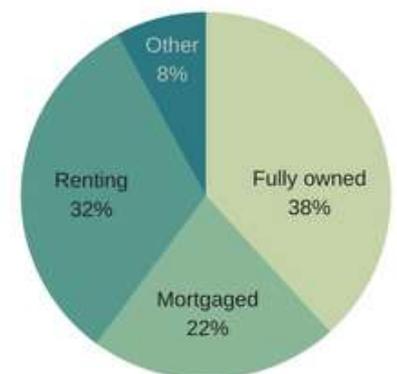
Households and Houses



40% of households on King Island consist of just one person, and yet only 22% of houses on the island are one or two bedroom. Increased provision of smaller houses with just one or two bedrooms may free up some of the larger houses for new and existing families on the island, with the additional benefit that smaller houses are cheaper to develop.



Number of bedrooms per occupied dwelling



Housing ownership status

Planning Permission

and how to get it

Planning permission is required before starting a building or structural renovation project, and for the repurposing of any existing property, e.g. residential accommodation to visitor accommodation. The requirements for a development application will depend on the specific development proposed, but the process is not always as complicated as you might think.

Standards are the particular planning issues that each development must address. They are made up of an objective and a way to satisfy that objective. An objective may be satisfied through an **Acceptable Solution**, in which case the development is **Permitted**, or through **Performance Criteria**, in which case the development is considered **Discretionary**.

The table below shows some of the **Standards** and **Acceptable Solutions** for each of the residential zones of King Island.

In the first instance, you can come and talk with Council's Development Services Officer to see what specific requirements might apply to your situation.

To find out more, you can view the King Island Interim Planning Scheme and the specific details for each zone at <http://iplan.tas.gov.au>

Permitted Use

If the proposed development meets the **Acceptable Solutions** for all **Standards** documented in the planning scheme. A **Development Application** needs to be completed and submitted to the planning authority, but no public advertisement of the proposal is required before the planning authority assess the application.

A **Permitted Use** permit cannot be refused, but can contain conditions that the developer has to address.

Discretionary Use

If some of the **Acceptable Solutions** cannot be met, then satisfying the **Performance Criteria** in the particular zone or code **Standards** may be possible. If so, the application is considered **Discretionary**. This process includes a two-week advertising process to facilitate feedback from the community and allows the planning authority 42 days to decide on the application.

Where public comment is received the proposal will be considered by the planning authority (Council). In some circumstances an application may be refused by the planning authority.



In all situations, it is strongly recommended that advice be sought from Council's professional planning staff before you incur unnecessary costs. Council does offer a free pre-application consultation to assist in the preparation of an application.

➤ Contact us

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DEVELOPMENT STANDARD ACCEPTABLE SOLUTION	GENERAL RESIDENTIAL	LOW DENSITY RESIDENTIAL	ENVIRONMENTAL LIVING	VILLAGE
Minimum lot size	325m ²	500m ²	1 ha	500m ²
Front setback (exc. garage / carport)	4.5m	4.5m	20m	4.5m
Side setback	1.5m	1.5m	10m	1.5m
Rear setback	4m	4m	10m	4m
Garage / carport setback	5.5m	5.5m	20m	5.5m
Maximum height	8.5m	8.5m	8.5m	8.5m
Maximum site coverage	50%	50%	500m ²	50%
Private open space	24m ²	25m ²	50m ²	25m ²
Sunlight and overshadowing	Must have at least one habitable room (other than a bedroom) that faces between 30° west of north and 30° east of north			
Width of openings for garages and carports	Maximum width of openings of 6m for garages and carports if within 12m of the site frontage			
Privacy	Limit overlooking into private open space or habitable rooms by ensuring adequate separation and screening of windows, decks and balconies			
Frontage fences	Limit fence heights to 1.2m for solid fences and 1.8m where the fence is 30% transparent above 1.2m, to achieve a balance between privacy and security for dwellings with the potential for passive surveillance where within 4.5m of the frontage if within the General Residential, Low Density Residential or Village zones			

What's the best way to build?

The options are endless

The best way for you to build will depend on your timeframe, budget, and skills, as well as the availability of trades and materials. Some of the options available to you are detailed here with an indication of key considerations for each. Different options will suit different people and as such the decision you make must be based on your own circumstances and your own research. Additional information on building in Tasmania can be found at www.justice.tas.gov.au/building.



Owner Builder

An owner builder is anyone who takes on the job of managing their own residential building project and performs the coordinating and contracting roles usually undertaken by a builder. Getting finance to build your house as an owner builder can be more difficult than buying an existing house or contracting a builder, so it is worth exploring your options before you commit to the owner-builder route.

As an owner builder you are responsible for:

- Overseeing and scheduling all aspects of the building process, such as the arrival and departure of tradespeople, ordering and delivering of materials, and management of the building site
- Obtaining all necessary Council / Authority approvals for the work
- Ensuring that the financial, taxation and insurance requirements of the building work are carried out correctly and fully
- Ensuring that all relevant laws are complied with
- Providing a safe working environment
- Taking out insurance if you sell your home within seven years of building it
- Obtaining your Owner Builder Permit and registering with the office of Fair Trading in your state as an owner builder (details at www.justice.tas.gov.au/licensing_and_accreditation/owner_builders2)

Contracting a builder

A builder is a person whose main task is to manage and coordinate home building or renovation projects. They take your plans and specifications (or produce them for you) and turn those plans into a reality. They manage the purchase and delivery of materials and coordinate the work of tradespeople such as plumbers, painters and carpenters who are involved in the project.

You should consider the following when contracting a builder:

- Agree what tasks are included in the builder's or tradesperson's scope of works, and what tasks are excluded (e.g. delivery of materials, contracting tradespeople, drawing plans for planning, engaging the building surveyor)
- Agree a price for the works and how you want to pay, for example:
 - Fixed price: paid in instalments based on progress made
 - Time and materials: pay per hour of labour and pay the cost of materials plus an administration fee, paid periodically
- Agree the timeframe for the works to be completed, based on what you want and what is possible for the builder or tradesperson
- Sign a contract before any work starts which clearly outlines everything agreed above and how any variations will be managed
- Ask to see the builder's or tradesperson's licence and insurances before you sign the contract and check they are current throughout the works

Stick built homes

What many people would consider the "normal" way to build a house – all works carried out on site or nearby, building a whole house from scratch.

You may want to start this process by engaging a builder, an architect or draftsman to draw up plans. Having clear plans drawn up will make it easier for you to get quotes from builders, tradespeople and other suppliers, and will help you determine exactly what you want to have built before a shovel hits the ground.

Kit homes

A kit home is made from pre-fabricated elements delivered to site and assembled either by an owner builder or by a contracted builder. Purchase of a kit home can include just the materials required for framing and cladding, through to a full, internal fit out including kitchen, bathrooms, laundry facilities, and so on.

The exact process for building a kit home will depend on the company you buy your kit home through, and whether you will build yourself or engage a builder.

Modular homes

Modular homes are constructed off-site and then delivered to the intended site of use. On-site works are generally limited to the groundworks and footings or foundation and connection to services.

Delivery of prefabricated modules to King Island can be more complicated than delivery of un-constructed materials for a stick built or kit home, and there may be additional costs in bringing specialist workers to the Island to complete the on-site works.

Container homes

Container homes are sometimes retired and repurposed shipping containers, and sometimes modular homes that are able to be packed down to the size of a standard shipping container. They range from basic accommodation through to bespoke family homes fitted with all the comforts you would expect of a standard built house.

Some container homes can be relocated from one site to another relatively easily, just needing suitable footings and services available at each site.

Renovate and Repurpose

What you need to know before you start

Repurposing a property

The approval of any development is based on the planned use of the property. Changing that use – for example, from residential accommodation to visitor accommodation – will always require planning approval. That being said, the process is quite straight forward.

Renovating a property

Certain types of renovation require planning approval. This will always include structural works on an existing building, and can include other smaller changes. Considerations for every project include ensuring it fits within the desired character of the area, that neighbours'



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rights such as privacy are protected, and that no harm is caused to the environment.

Building permits

The type of building works, and who is completing them, will dictate whether or not a building permit is required. These guidelines are set by the Department of Justice.

Further information

As with all planning and building matters, you can start by talking with Council's Development Services Officer to see what specific requirements might apply to your situation. This service is offered free of charge.

Council as Planning Authority

Our role, our obligations, and your rights

Our Role

In Tasmania, it is standard practice for Councils to also fulfil the role of Local Planning Authority. While this ensures the entity making planning decisions is well informed of the local context, it can also lead to some confusion and frustration when decisions are not supported by the community which Council represents.

The role of Councillor and the role of a Planning Authority member are different. The key difference relates to decision making: as a member of a Council, decisions may be swayed by community feedback, but as a member of a Planning Authority, decisions must be based on the rules set out in the planning scheme.

Council acts as a Planning Authority when it is undertaking responsibilities in relation to the Land Use Planning and Approvals Act 1993 (LUPAA). Under LUPPA, Planning Authorities are responsible for developing planning schemes, proposing amendments to planning schemes, supporting or rejecting changes proposed by others, and making decisions on individual developments in accordance with the planning scheme.

Our Obligations

There are likely to be occasions when Councillors have no option but to approve developments that are consistent with the planning scheme, even though there is considerable dissatisfaction in the community. In such situations, it is important to understand that by virtue of election to a Council, Councillors are also fulfilling a role and a responsibility in accordance with the State's planning legislation. Therefore, in carrying out that responsibility Councillors are bound to take a broader and longer-term view of things – perhaps to the detriment of individual constituents.

As members of a Planning Authority, Councillors must act with procedural fairness and should not make public declarations of their views on particular developments until all the information and reports have been assessed.

Your Rights

Any Development Application (DA) submitted for a discretionary use will be advertised to the public for 14 days. This enables any member of the public to review the DA before a decision is made by the Planning Authority.



You may wish to prepare a representation in support or in opposition to the application. To be effective, a representation should only raise matters addressed in the relevant planning scheme and give objective reasons for the support or opposition of the DA. For example:

- type of land use is not appropriate
- appearance or character
- overshadowing of neighbours
- generation of additional traffic

The merit of any representation will be deliberated at a public Council meeting and a decision made.

Any person who lodged a representation to Council may appeal the decision through the Resource Management & Planning Appeal Tribunal (RMPAT). Appeals must be lodged within 14 days of the decision being made. RMPAT can be contacted on 03 6233 6464, www.rmpat.tas.gov.au or GPO Box 2036, Hobart TAS 7001.

Renting Your Property

Your rights and obligations as a landlord

Not all new workers moving to the Island will want (or perhaps be able to afford) to buy a house as soon as they arrive, so the increase in population is likely to lead to an increased demand for rental properties. If you are thinking about renting your property on an ongoing basis there are a few things you should consider before making a decision.

The information provided here has largely been gathered from The Rental Guide booklet published by Consumer Affairs and Fair Trading. It is recommended that you do your own research to satisfy any particular concerns you may have with regard to your specific situation.

Beginning a tenancy

Lease Agreement

When a property is rented there is an agreement between the owner and the tenant. This agreement may be verbal or written, although it is preferable that it be written. This lease agreement needs to set out all the terms of the agreement, including the start date, rate and frequency of rent payments, and the details of any areas, fixtures, fittings or furniture that are specifically included or excluded from the lease.

A lease agreement may be for a fixed term or open ended. The choice of which will depend on you and your tenants' preferences, but it will have impact on how the tenancy is managed and the process required to end it when the time comes.

Minimum Standards

As a landlord you must ensure that your rental premises meet the minimum standards set by Consumer Affairs and Fair Trading.

Lease Agreement

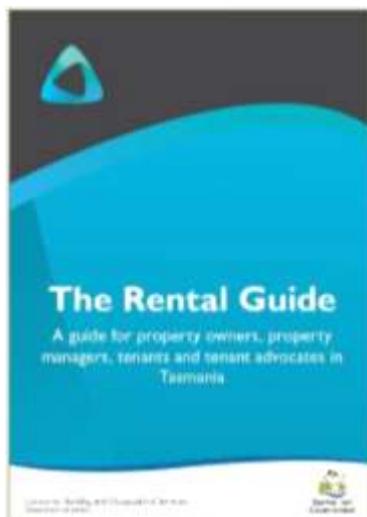
You are entitled to ask the tenant to pay a security deposit or bond, but that must be paid to the Rental Deposit Authority either directly or via a real estate agent – it is illegal for private property owners to receive and hold a bond.

During a tenancy

Collecting Rent Payments

The tenancy agreement will specify a payment frequency, for example weekly, fortnightly, monthly, and a payment amount. It is usual for rent to be collected in advance, e.g. a payment for February would be collected on 31 January. If payment is made by cash or cheque, the landlord needs to provide the tenant with a receipt detailing the date and amount received, period covered, address of tenanted premises, and the tenant's name.

FURTHER INFORMATION



The Rental Guide

This booklet is available in hardcopy at Service Tasmania or can be downloaded free of charge from www.consumer.tas.gov.au/renting. Landlords are required to provide a copy of this booklet to any tenants moving into their property.



Minimum Standards

As of August 2015, landlords are required to ensure that their rental properties meet minimum standards. A two-page fact sheet with details of these requirements is on the Consumer Affairs and Fair Trading website: www.consumer.tas.gov.au/renting

Rent Increases

Rent can be increased no more than once a year and only with 60 days written notice of the new rental amount.

Quiet Enjoyment

Tenants have a right to quiet enjoyment of the leased premises for the duration of their tenancy. If an owner wants to visit the property – to carry out an inspection, assess a need for maintenance – they should arrange a suitable time with the tenant, or at the very least provide 24 hours advance notice.

Maintenance and Repairs

Both the owner and the tenant are obliged to keep the property in as near as possible to the same condition (excepting wear and tear) as when the tenancy started.

If maintenance or repairs are needed and the tenant is not at fault, the owner must make the repairs at their own cost and within no more than 28 days from being notified of the requirement.

Tenants must inform the owner of the need for any repairs or maintenance within 7 days. If the tenant's actions or inaction has led to a need for maintenance or repair, the tenant must pay for any costs involved.

Ending a tenancy

Termination by the Owner

If the owner does not wish to extend a fixed-term lease agreement beyond the agreed end date, or if they wish to terminate a non-fixed term lease, they need to serve a Notice to Vacate at least 42 days before the intended end date.

Termination by a Tenant

If a tenant wishes to break their fixed-term lease before an agreed end date they are responsible for paying the agreed rent until a new tenant is found or until the expiry date of their agreement, whichever comes first. To terminate a non-fixed term lease, a tenant must advise the owner of their intent to vacate the property at least 14 days before their intended departure.

Problems and disputes

If you have any questions about your rights and responsibilities under the Residential Tenancy Act 1997, Consumer Affairs and Fair Trading is available to provide information.

T: 1300 654 499

E: consumer.affairs@justice.tas.gov.au

W: www.consumer.tas.gov.au/renting