

ArchDesign Studio
Michael Willicombe



ABN:95921572352

4th April 2014

Ref: 32 Gilbert Avenue, Denmark;
Holiday Home - standard.

Dear Sir,

Please find attached an application for a holiday home on vacant land at 32 Gilbert Avenue, Denmark.

Referencing your application notes I think I have all information required. I think the drawings are fairly self explanatory. Interestingly on the effluent disposal system question I am proposing to use the Sun Mar micro flushing composting system (this allows connection of two toilets to one system and a “closed” system (unlike the more basic but still good composting units). I’m not a great fan of standard leaching septic systems and also this particular block is substantially granite rock!... The composting tank unit would be located under the front elevated portion of the house – exact location to be determined by rock... With this of course would be a grey water treatment system.

On the location of car parking there is only ever envisaged to be two cars on site, but there is provision for three bays. These have to be in the front forecourt area due to necessity of the topography and granite boulders and mature karri trees – no other option exists really. To create the parking area its hoped that it will be possible to cut into the slope to minimise fill required but I am seeking approval for a maximum 1 metre of fill (primarily to one corner) to cover the most likely scenario of encountering some stubborn rock in this area also (although it seems to be less “solid”...).

Its evident from the drawings that I’m keen to work with, and around, the existing granite boulders and the mature trees on the site and this has largely created the built form proposed. I feel it is simple and attractive in form and the outdoor deck areas are away (and oriented away from) neighbours in order to maintain amenity for all.

Any questions please email me.

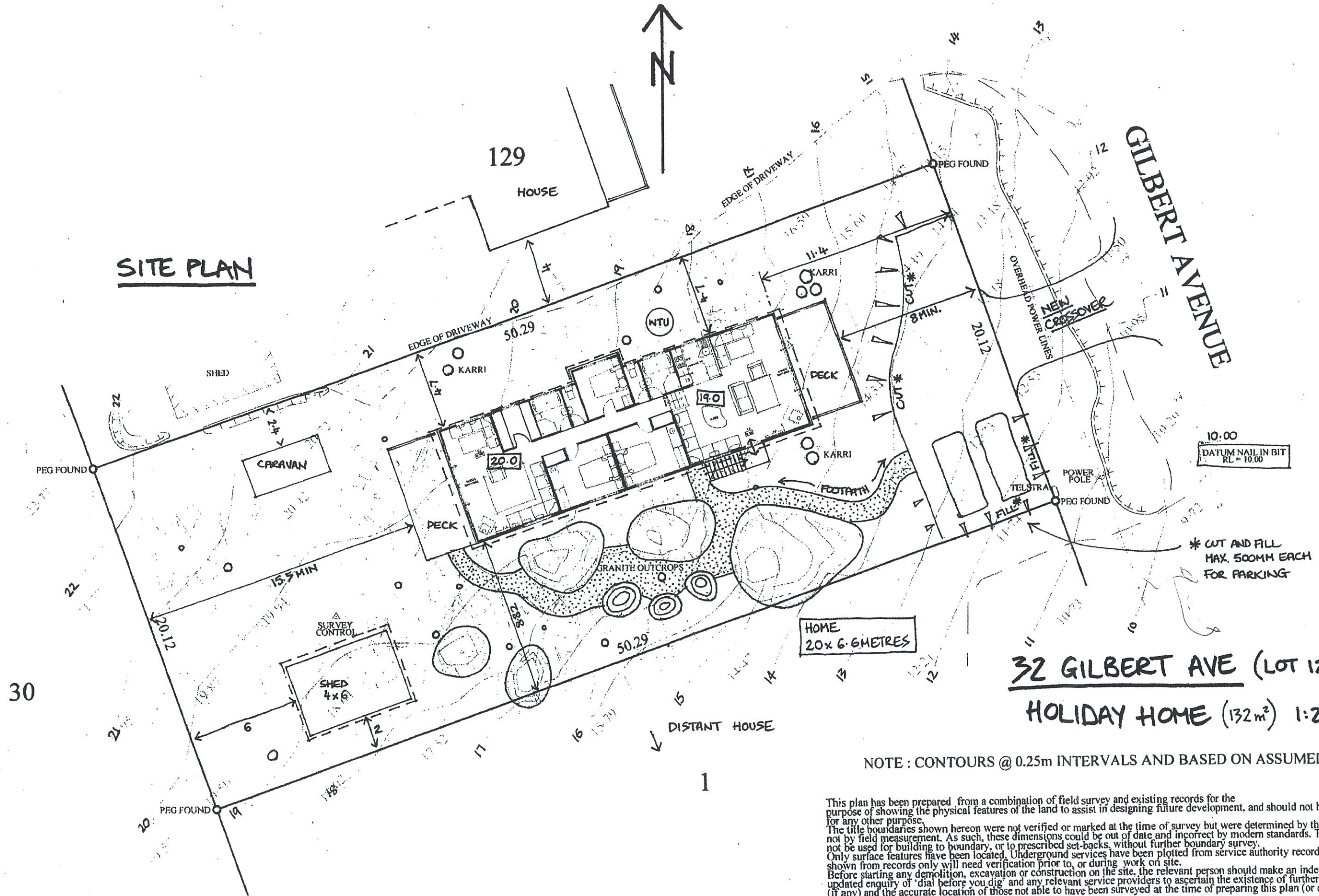
Regards,

A handwritten signature in black ink that reads "Michael Willicombe".

Michael Willicombe

19 August 2014 - Attachment 8.1.1a

SITE PLAN

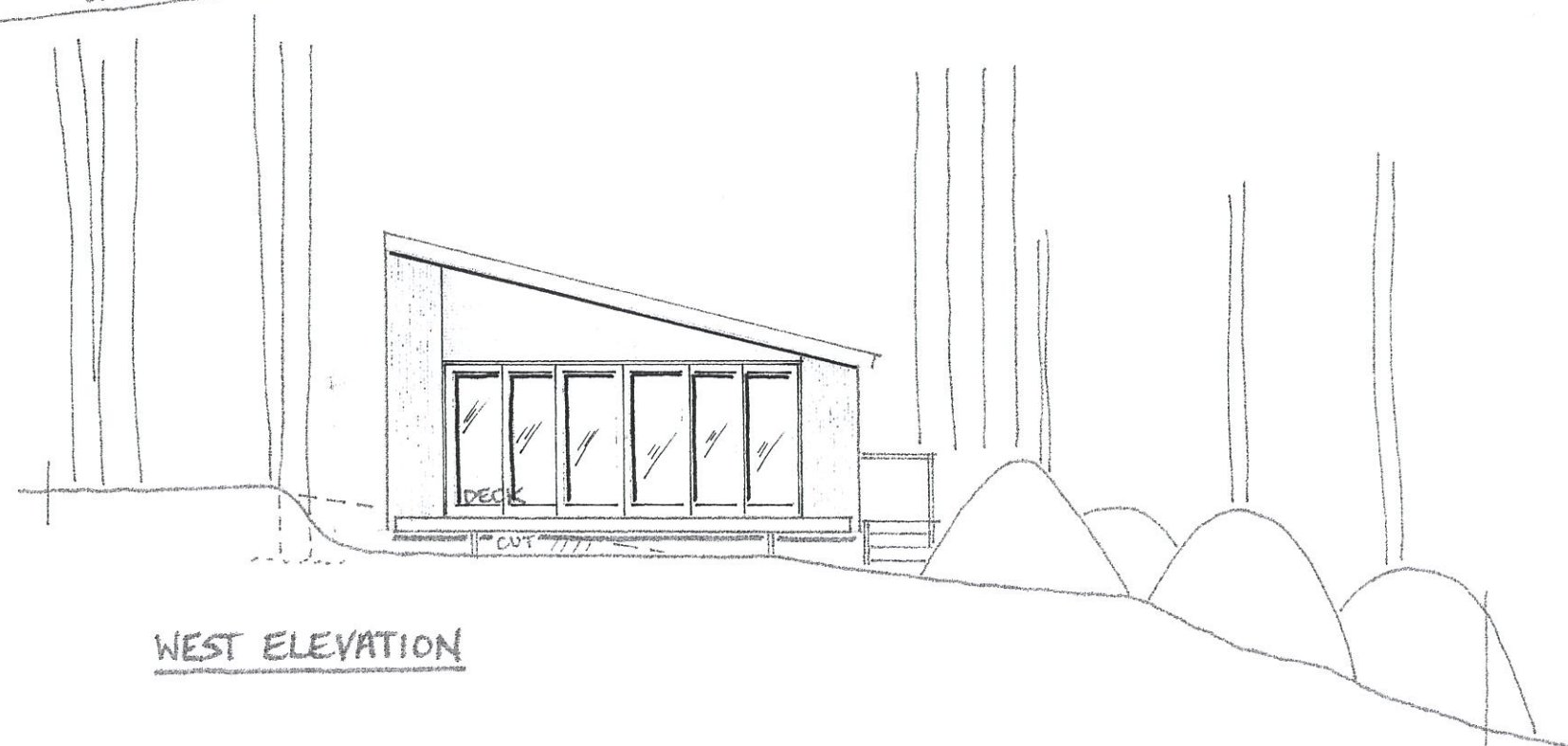
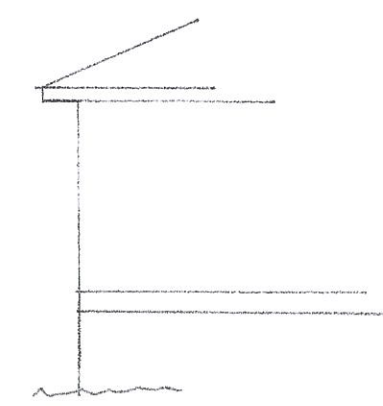
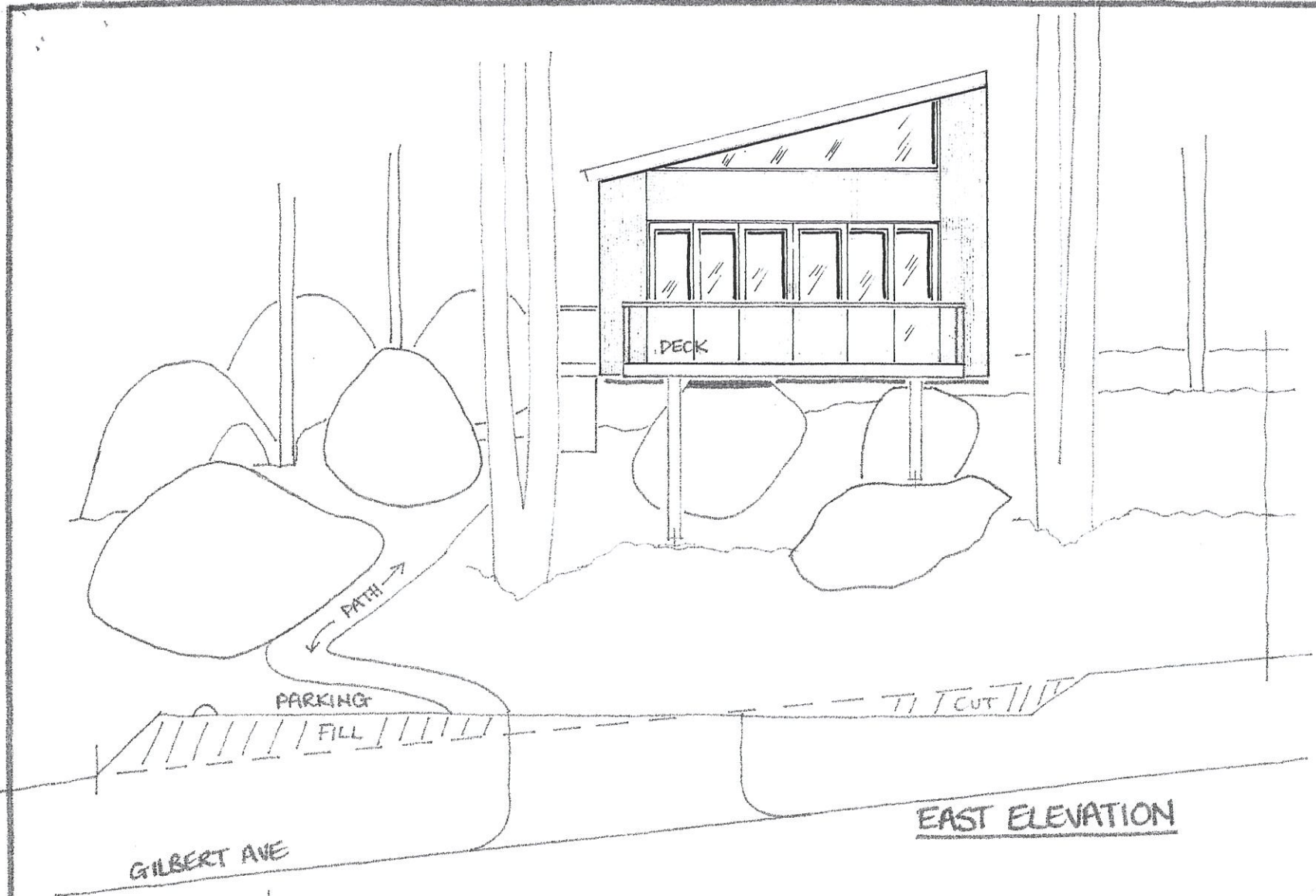


32 GILBERT AVE (LOT 128)
HOLIDAY HOME (132m²) 1:200

NOTE : CONTOURS @ 0.25m INTERVALS AND BASED ON ASSUMED DATUM

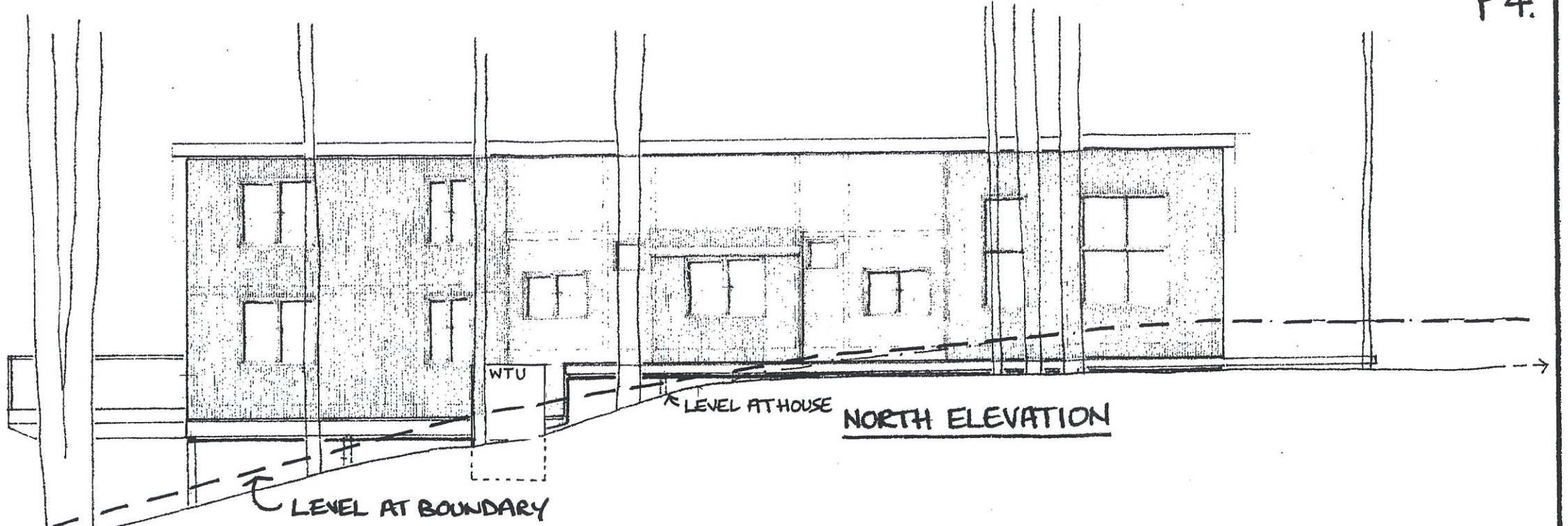
This plan has been prepared from a combination of field survey and existing records for the purpose of showing the physical features of the land to assist in designing future development, and should not be used for any other purpose. The title boundaries shown hereon were not verified or marked at the time of survey but were determined by the SCDB May 09, not by field measurement. As such, these dimensions could be out of date and incorrect by modern standards. This plan should not be used for building to boundary, or to prescribed set-backs, without further boundary survey. Only surface features have been located. Underground services have been plotted from service authority records. All services shown from records only will need verification prior to, or during work on site. Before starting any demolition, excavation or construction on the site, the relevant person should make an independent and updated enquiry of 'dial before you dig' and any relevant service providers to ascertain the existence of further services (if any) and the accurate location of those not able to have been surveyed at the time of preparing this plan (or data).

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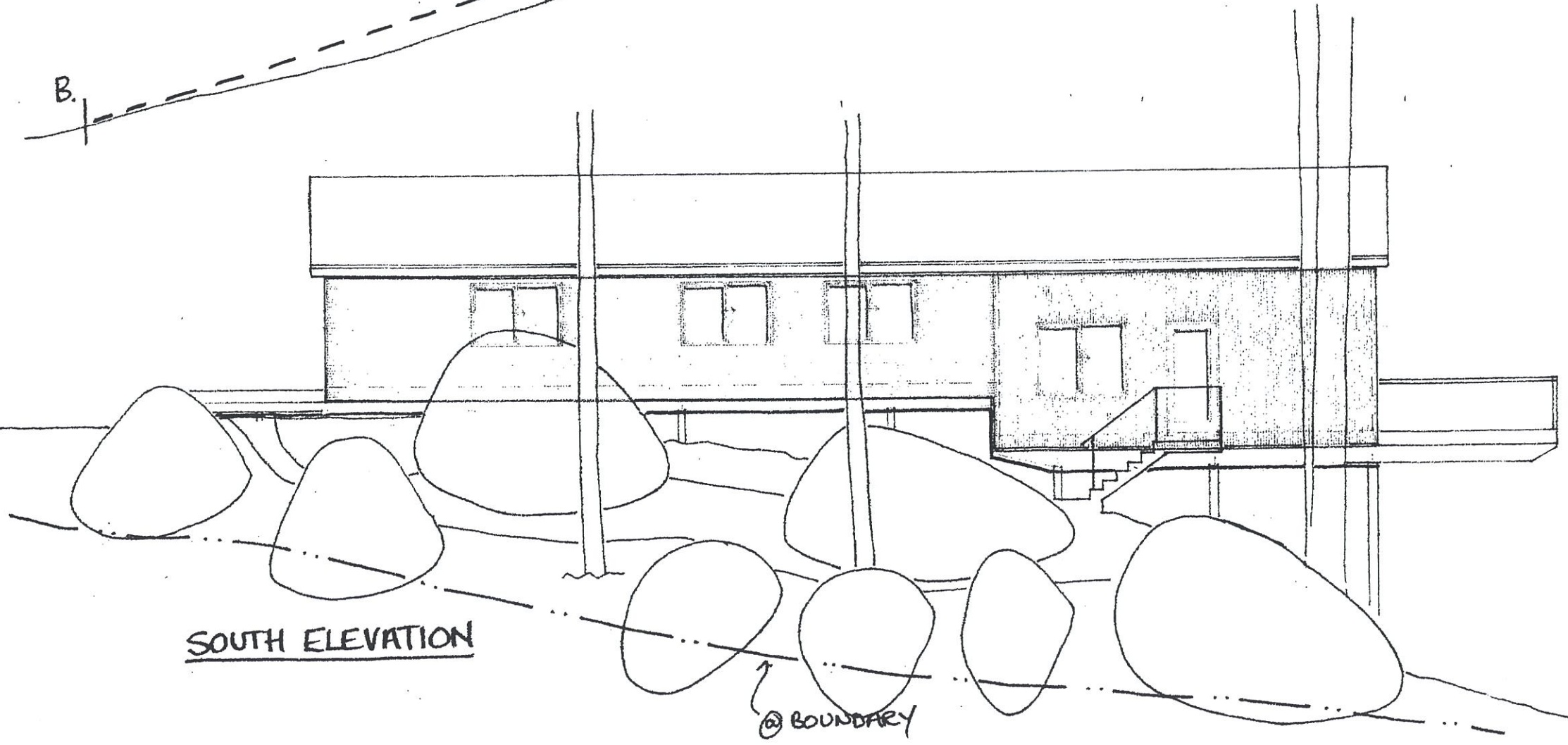
32 GILBERT AVE
 ELEVATIONS 1/100

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 24 APR 2014



NORTH ELEVATION

32 GILBERT AVE
ELEVATIONS 1:100



SOUTH ELEVATION

@ BOUNDARY

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28 MAY 2014
BY:

B.

HOLIDAY HOME
PROPERTY MANAGEMENT PLAN

PROPERTY ADDRESS:

PROPERTY MANAGER DETAILS:

Name: ~~ALBERT BELLA~~ T.B.A.

Address: T.B.A.

Telephone Number: T.B.A.

Email: T.B.A.

Details of where bookings are made:

Internet (please specify):

Denmark Visitor Centre: YES

Property Manager:

Other (please specify):

NOTE: In relation to the nominated Property Manager, the following is applicable:

- is a person/company that will have day-to-day management of the holiday home; and
- will specifically respond to complaints pertaining to guest behaviour made before 1am within a two hour timeframe; and
- in relation to any other complaints will respond, within a reasonable timeframe but in any event within 24 hours.

DUTIES OF PROPERTY MANAGER

General Information: The Property Manager will supply readily visible in the kitchen or living area of the home the Code of Conduct, the Property Management Plan and the Fire and Emergency Plan (including the Fire Evacuation Route). Other duties include:

- Liaise with tenants for the occupancy and vacation of the premises;
- Ensure the correct maximum number of people is staying overnight in accordance with planning approval conditions;
- Ensure the premise is registered with the Shire of Denmark as a Holiday Home provider;
- Ensure guests are aware of the Code of Conduct;
- Ensure guests are aware of the Fire and Emergency Plan;
- Maintain a register of all people who utilise the premise, available for inspection by the Shire of Denmark upon request;
- Ensure the premise is clean and maintained to a high standard;
- Ensure bed linen is clean and replaced upon tenant vacation; and
- Ensure rubbish and recycling bins are put out and collected as required.

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01 MAY 2014

HOLIDAY HOME CODE OF CONDUCT

PROPERTY ADDRESS:

32 GILBERT AVE

The following Code of Conduct governs tenant behaviour and use of the property. The tenant agrees to follow the guidelines below, for themselves and any visitors they allow at the property:

TENANTS: A responsible adult (over 18 years of age) shall be on site at all times when children are present. No unauthorised people are permitted to stay overnight.

NOISE AND NUISANCE: The tenants agree not to cause or permit nuisance at the property. This includes excessive noise, disruptive or anti-social behaviour. Noise should generally cease after 9pm Sunday through Thursday and 10pm Friday and Saturday.

VEHICLE PARKING: The tenants agree to use the parking spaces provided and not to park on lawn or garden areas on the property, or on the street verge or street itself outside the property. The guests agree not to park any additional vehicles on the property in excess of the parking spaces provided.

SHIRE REGULATIONS: The tenants agree to all Shire regulations, including noise and fire limitations.

PREMISE CONDITION AND CLEANLINESS: The tenants agree to leave the premise in a clean and tidy condition upon vacating, with all fittings and chattels in their original condition and position at the beginning of stay. Tenants are to advise the Property Manager of any damage or disrepair within 24 hours of this occurring. Any damage repairs or excessive cleaning that is attributable to the tenants stay will be paid for by the tenants.

FIRES: The tenants agree not to allow any candles, open fires or similar burn unsupervised within the premise. No open fires are permitted outside at any time. Barbeque facilities may be provided and used in a safe manner.

RUBBISH DISPOSAL: The guests agree to contain all their rubbish in the bins provided. Tenants are responsible for the putting out and collection of the bins where your stay coincides with collection days.

Your collection day is:

KEYS: At the end of the agreed tenancy, tenants agree to lock the premise, close all windows and return the keys to the Property Manager. Any lost or damaged keys will be replaced at the tenant's expense.

TERMINATION OF ACCOMMODATION: If tenants are found to have contravened any of the above Code of Conduct responsibilities a verbal warning will be issued. If the contravention is not rectified immediately the accommodation booking may be terminated with 2 hours notice at the Property Managers discretion. No refunds will be made.

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01 MAY 2014

DATE: 1/5/14

HOLIDAY HOME
FIRE AND EMERGENCY PLAN

PROPERTY ADDRESS:

FIRE SAFETY INFORMATION:

The following floor plan of premises clearly identifies the location of:

- Hardwired smoke alarms;
- Fire blanket (in kitchen);
- Exit Lighting (if required);
- Fire Extinguishers; and
- External Taps/Garden Hose Locations; and
- A fire evacuation route leading to the nearest main road; and

Please attach a floor plan for each level of the premise with the above clearly located and identified.

The above information is to be clearly displayed in accordance with the Property Management Plan.

EMERGENCY CONTACT DETAILS:

FOR ALL EMERGENCIES DIAL 000

Property Manager:

Denmark Police: 9848 0500

Shire of Denmark: 9848 0300

Denmark Hospital: 9848 0600

EMERGENCY PROCEDURE:

In the event of a fire or emergency, evacuation information may be broadcast or available from the following sources:

ABC Radio: 630AM

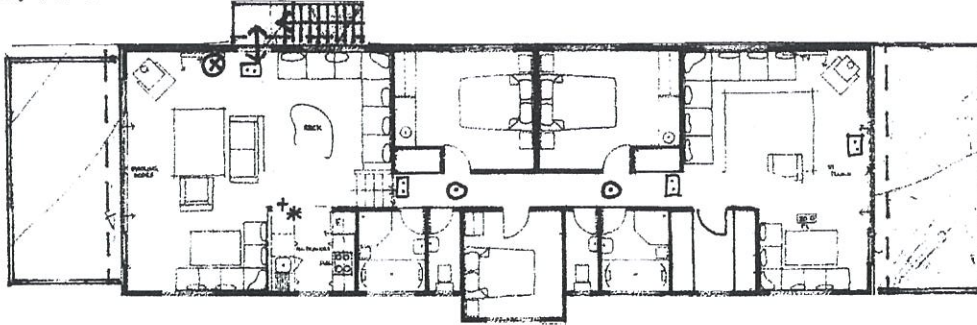
FESA: www.fesa.wa.gov.au/alerts
1300 657 209

Shire of Denmark: www.denmark.wa.gov.au

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FLOOR PLANS OF PREMISE

PROPERTY ADDRESS:
32 GILBERT AVE



LEGEND

Hardwired smoke alarms ⊙

Fire blanket (in kitchen) +

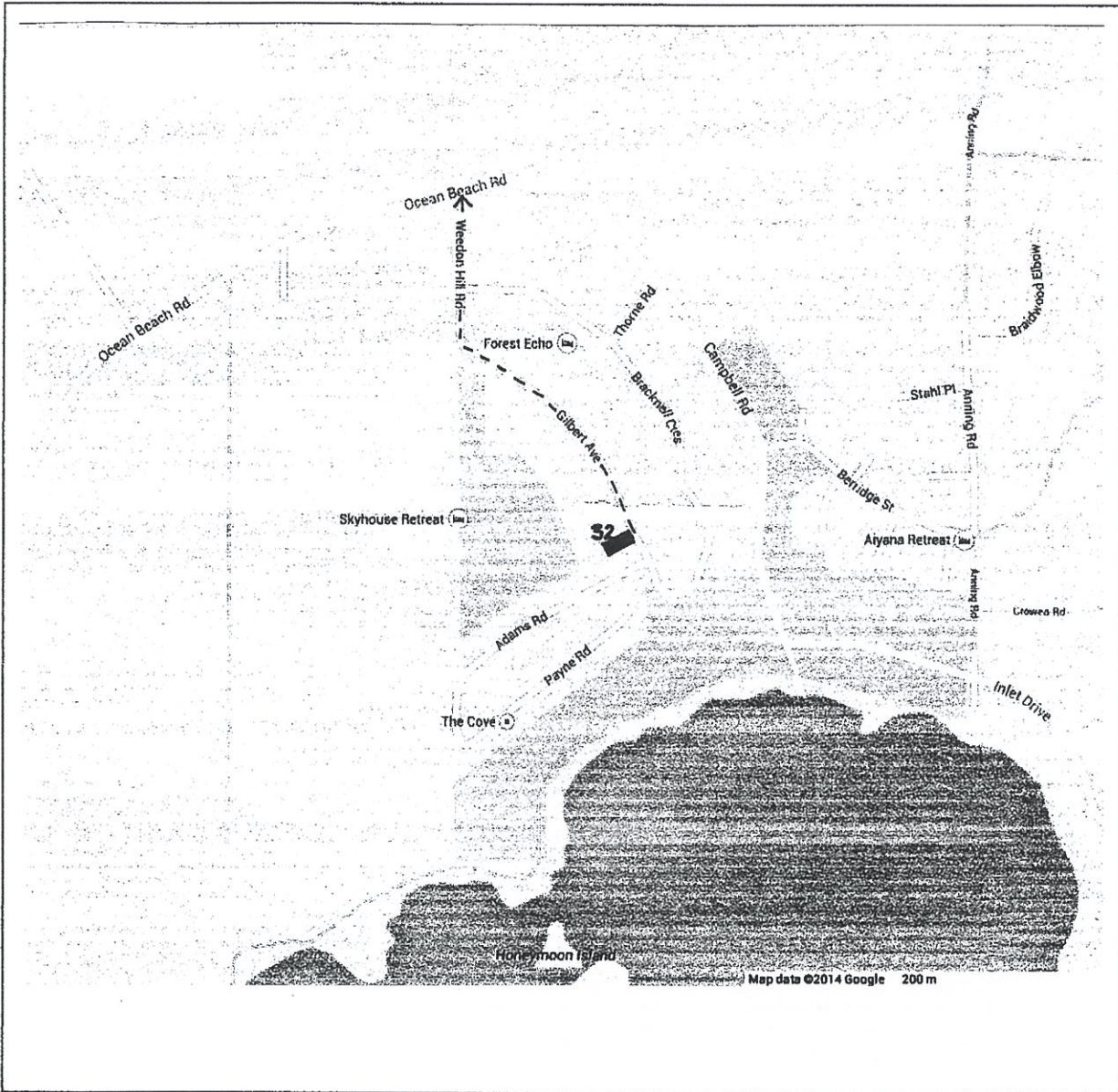
Exit Lighting (if required) ◻

Fire Extinguishers *

You are here. ⊗

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FIRE EVACUATION ROUTE



PROPERTY ADDRESS:

LEGEND

Subject Property
32 GILBERT AVE

Roads to be used in the first instance for Emergency Evacuation
GILBERT AVE, OCEAN BEACH ROAD

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01 MAY 2014

SCHEDULE OF SUBMISSIONS: PLANNING APPLICATION 2014/107

Submission Number	Name & Address	Verbatim Submission	Planning Services Comment
S1	<p>Details omitted as per Council Policy.</p> <p>Submitter is a nearby landowner.</p>	<p>I have received a letter from the Shire regarding the above mentioned block.</p> <p>The proposal to build a 6.3 metre wall against the adjoining property at 30 Gilbert Avenue will adversely affect the neighbourhood by blocking light from the surrounding houses where on Weedon Hill light is at a premium already.</p> <p>Also in my belief there are sufficient holiday rentals in the area already.</p>	<ul style="list-style-type: none"> • The design of the dwelling is not the subject of this application, noting that it complies with the Deemed-to-Comply provisions of the Residential Design Codes and has recently been granted Planning Approval. • Refer to discussion in Comment/Conclusion part of the Council Report. • It is noted that the submitter is the owner of a Holiday Home in the vicinity.
S2	<p>Details omitted as per Council Policy.</p> <p>Submitter is an adjoining landowner.</p>	<p>In reference to the above Holiday Home proposal, we herewith wish to vigorously stress our opposition to this application in its entirety!</p> <p>In this instance, we feel it is only reasonable to bring to your attention: Shire of Denmark – Town Planning Scheme – Policy 19.4: Holiday Homes – Part 3 : “Objectives” – which clearly states the following:</p> <ul style="list-style-type: none"> • To ensure that the predominant residential nature and character of neighbourhoods are retained. • To minimise negative impacts of holiday homes on the amenity of adjoining residents. • To identify appropriate areas where holiday homes are deemed to be most suitable and clarify the assessment process for each of these defined areas. <p>Let’s be crystal clear regarding this application!</p> <p>The primary purpose for constructing this residence is for commercial rental purposes!</p> <p>As retirees in our 70’s, [we] value our privacy, amenities and outlook.</p> <p>We purchased our block in 2001, because of the magic location, the peace and serenity and subsequently built in 2005, on the understanding this was</p>	<ul style="list-style-type: none"> • That the holiday home will negatively affect the neighbourhood amenity is speculative and not grounds for refusal. However should there be a situation whereby noise emanating from the property/incidences of antisocial behaviour is of concern to surrounding neighbours, the details of the Property Manager are provided to the surrounding neighbours such that in the first instance the Property Manager can be contacted to address such issues. There is also the ability to contact the local Police depending on the seriousness/severity of the issue. • In circumstances where valid complaints regarding a holiday home are received, the Shire has the right to not renew the approvals to operate. • In terms of the dwelling design, as noted above this dwelling is compliant with the Deemed-to-Comply provisions of the Residential Design Codes and is not the subject of this application. It is noted that the elevation will have a lesser height than a standard two storey building. It is noted that the wall in question is located on the southern boundary (i.e. the shadow of the dwelling will fall north), and that potential for visual overlooking from

	<p>predominately a residential neighbourhood!</p> <p>Over the past 3 years approval for Holiday Home rentals have been granted for the home next door and the home adjoining our rear boundary was also approved accordingly.</p> <p>You now propose on approving directly next door to us, on the other side.</p> <p>It really is time for the Shire to recognise the impact of just simply rubber stamping these Holiday Home applications, and to consider the massive influence these have on the lifestyles of the permanent residents here on Weedon Hill!</p> <p>In our own case, we have been subjected to some of the following events:</p> <p>Cars wheel spinning – loud parties, till all hours of the morning – up to 20 people, thumping music – swearing – abusive behaviour – excessive drinking – overcrowding – conflicts and a call for Police assistance, to no avail – along with bags of overflowing rubbish, just simply dumped!</p> <p>I am certain you get the general picture!</p> <p>These events occur not only in the peak holiday season, they have also tended to occur at various times throughout the year.</p> <p>All permanent residents on Weedon Hill are, to one degree or another, exposed to all these negative aspects of Holiday Home rentals!</p> <p>We sincerely request the Shire of Denmark to review and decline this application, as the current situation has been allowed to get completely out of control!</p> <p>Not only are we faced with the prospect of a repugnant 6.3m height by 20.0m length wall only 4.7m from our side boundary, which will effectively remove all outlook, views and sunlight from our southern living area windows, you now propose to have us sandwiched on all sides by Holiday Rental Homes!</p> <p>Please explain the fairness in that!</p>	<p>the subject property is minimal due to the upward slope of the block to the neighbour, location of outdoor living areas and the retention of trees and use of screening.</p> <ul style="list-style-type: none">• In terms of being bound by holiday homes on all boundaries, refer back to point 1 and 2 above. Should valid complaints be received during operation, the Shire has the right to not renew the approval for the holiday home. It is further noted that the potential negative aspects associated with holiday homes could occur at any residence, whether lived in by permanent residents or holiday makers.
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		<p>We request the Shire to comprehend how seriously this proposal will impact our lives, and sincerely trust that common sense will prevail in the decision making process, until everyone is singing from the same song sheet.</p>	
<p>S3</p>	<p>Details omitted as per Council Policy.</p> <p>Submitter is a nearby landowner.</p>	<p><u>Covering Letter</u> I attach for your consideration a copy of a letter that we have written in response to the shires invitation to comment on the holiday-home commercialising if a proposed new dwelling nearly opposite us on Weedon Hill.</p> <p>This is an issue that goes to the heart of the intention of local government with respect to its attitude towards the residential nature and character of its various neighbourhoods and its lack of consideration for the rights of its long-term residents in these local areas, as well as the perceived interference of our states department of local government.</p> <p>It is borderline despair for many of us permanent residents here on Weedon Hill: we are convinced that saturation limit has already been reached for the proportion of second holiday homes of absentees owners who are granted permission to commercialise them, and we would appreciate advice on what path to take in order to achieve this acknowledgement and concomitant action from whichever forms of government level and departments are ultimately responsible.</p> <p>Apart from potentially dangerous frequent site neglect, none of us has problems with people elsewhere building themselves a second home for their holidays and potentially retiring to it, but we object very strongly to their expectation that at a whim they can turn it to a profit at the expense of our neighbourhood ambience and amenity. Arbitrary Council decision-making processes that have declared local areas of our town holiday-home zones, which we assume means commercialised, we find arrogant and uncaring in the extreme in a wonderful town which is naturally made what it is primarily by its 5,000 permanent residents, not by its visitors.</p> <p>We would appreciate your opinion and whatever advice and/or assistance you can offer us.</p> <p><u>Submission</u> Thank you for the opportunity to comment on the proposal that 32 (Lot 128)</p>	<ul style="list-style-type: none"> • Refer Comment/Conclusion in the main report for general comment on concerns raised in regards to the number of holiday homes in Weedon Hill. • In terms of potential negative impacts on the neighbourhood and management of such issues refer comments associated with the submission above. • Should maintenance/management issues arise such as an over sensitive sensor light the contact details of the local property manager will be provided to nearby landowners so that such issues can be addressed. • The perceived negative impact of holiday homes on local character and amenity is subjective. As raised in the submission, much of this comes down to the behaviour of holiday makers, which can be addressed on an individual basis, in the first instance by the local property manager, with the potential for the Shire to revoke or not renew planning approval for the holiday home if issues are consistently not addressed. • It is not envisioned that traffic would increase beyond what is reasonable for a suburban street, noting that no more than 6 persons can be accommodated at any one time. • It is noted that the proposed development has a suitable area for parking, which is located at the front of the dwelling with clear access from the road, which should prevent issues associated with holiday makers accessing the wrong property and navigating difficult accessways. • It is noted that the Shire has no records of complaints in regards to the issues raised by the submitter.

		<p>Gilbert Avenue be zoned commercialised holiday home accommodation. We are aware of the precedent that has been set in the town for such accommodation and appreciate the invitation to respond to the proposal. We write to lodge our objection to the proposal on several grounds and to put a case for ignoring the precedent on Weedon Hill on this present and future occasions.</p> <p>We feel that the proposal for the above property to be a commercial holiday home (standard) is neither compatible with nor complimentary to the existing residential living environment and amenity of the local area. Already, as acknowledged in your Policy 19.4, we have had increased commercialisation of people's holiday homes which has led to unwelcome changes in the character and amenity of parts of our Weedon Hill neighbourhood, where we have lived as permanent residents for well over thirty years. However, precedence can not be considered 'carte blanche' for continuing the practice when the continued existence of the predominant long-established amenity for permanent residents is threatened by unchecked unwelcome changes for commercial gain of absentee owners.</p> <p>It is obvious that the unwelcome changes relate almost exclusively to the behaviour of tenants, very many of whom have and make absolutely no connection to the ambience of the neighbourhood and are there on their own holiday pleasure with little consideration or appreciation for the residential amenity they occupy temporarily, or the rights to that amenity of the actual long-term resident of neighbours. With respect to this we have already experienced:</p> <ul style="list-style-type: none">• The irritation of a house being built close to the rear adjoining boundary with the result that we heard all too clearly the sounds of occupancy. We were quite grateful when we discovered that it was a second holiday residence belonging to a Perth family who would hence not be in permanent residence for the foreseeable future. However, a year later the owners applied for its Class 1 residential status to be changed to holiday accommodation. We were very grateful when this application did not succeed.• The problem with visitors straying into our property. We had to deal (not unpleasantly) with children and teenagers doing so. With no fences, and the topography of the area difficult to fence as well as little desire or real need to do so being a tacit agreement between	<ul style="list-style-type: none">• A map of all the approved and operating holiday homes in the nearby area has been provided – refer attachment 8.1.1.d
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		<p>neighbours in residence and part of the neighbourliness of our area, we felt threatened by the potential for litigation in the case of injury, as well as damage to our garden which was a tempting adventure playground. We resented the loss of our amenity and privacy and a need to outline our boundaries with perfectly ordinary people who, on holiday, appeared to have no understanding that our yard could not be part of their stay.</p> <ul style="list-style-type: none">• The need to deal with many weeks of absentee owner over a sensor-light that appeared to be sensitive to mere air movement for 24 hours a day. (When visitors were there, we asked them on more than one occasion to turn off the switch so that we were not disturbed by its searchlight qualities at night; and we remarked to them that the light was frequently on during the day as well). Frustrating continued failure to fix the problem resulted in our removing the light bulb and informing the owners.• Visitors arriving there very late at night to begin their holiday. We did not appreciate the disturbance by their raised and (understandably) excited voices that often continued for some time with late-night suppers.• The problem of a succession of vehicle drivers learning to negotiate a very difficult driveway with the accompanying loud shouts of instructions and vehicle tyres skidding and squealing on sand and rock.• Drivers of visitor-vehicles (if state or non-DE plates are any indication) 'hooning' up and down Gilbert Avenue hill at all hours. Other streets are obviously not spared this experience, of course.• Acquaintances on the hill concerned that there has been on more than one occasion confusion over which house visitors are coming to and being disturbed late at night by people expecting that they have arrived at their holiday accommodation when they are greeted at the door by someone whom they have woken up.• Suffering the insult of a fishing boat parked near our boundary for days containing an unknowable quantity of fish in a steadily advancing state of putrefaction. We could do nothing else but keep windows closed when our polite request for the fish to be removed and properly dealt with, and the boat or the vessels that had contained the fish cleaned, was seen as a cause for amusement by the family, which included children, one of whom was a very small	
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girl. We were told to mind our own business, and, of course, it was our business. Where to go for help with these unpleasant holiday-makers, who displayed little cognisance of our society's values, was something not know to anyone.

It is obvious that it is not possible to control the behaviour of tenants who destroy the amenity of the residents of Weedon Hill, whether in adjoining properties or not. To whom do aggrieved residents appeal at midnight or at midday? Are they to be supplied with a telephone number to call? And can there be an immediate response and appropriate consequence applied that fits the crime? By whom? With what authority? A Code of Conduct presupposes emotional intelligence and empathy, not just money to pay the rent, and, no matter how good, cannot be legally enforced or transgressions with to the satisfaction of long-term resident neighbours when tenant behaviour does not resemble in the least the character of the neighbourhood created by its long-terms residents; and probably does not resemble their normal behaviour in their own environments.

Our town is more than a tourist destination or a holiday-home park: it has more than 5000 permanent residents – whose presence in it, varied contributions to its amenity, and care for the character of their residential neighbourhoods – make our town what it is. Arbitrarily declaring certain areas holiday home zones, presumably because of their environs and/or outlook, promotes rank commercialisation which, if allowed to continue to increase, will ever negatively impact on residents – not only those adjoining – and the character of the neighbourhood. A residential area cannot be permitted to become a de facto holiday park or its residents required to be accommodating to the holiday-maker disturbance we have experienced in yet more commercialised home accommodation.

With respect to the proposal for 32 Gilbert Avenue, we note that if the commercial aspect of holiday home classification for the single dwelling to be built there goes ahead, then 30 Gilbert Avenue, which has been occupied by its owners for something like 10 years, will have commercial holiday homes on three of its four boundaries (the road being its fourth). This cannot be seen as fair or acceptable to anyone where the impact of three adjoining holiday homes on three sides of the home of a permanent resident in a residential area can be considered not only negative in its impact, but also arguably discriminatory. For our part, we have heard unpleasant raucous

		<p>noise from holiday makers on the deck of 28 Gilbert Avenue at a very late hour, and do not want to experience any more, closer still at 32.</p> <p>We do not want to be seen unnecessarily obstructive, but...</p> <p>We do not want to experience the impact of more people coming and going in a house in our neighbourhood who have no connection with or interest in the existing ambience of it.</p> <p>We do not want to have the threat of our property not continuing to have the neighbourly respect and mutual 'neighbourhood watch' environment we have established over many years with residents both in our street and others.</p> <p>We do not think that properties in a residential area that we have been associated with for 36 years should be able to continue to be changed to holiday status on the whim of more absentee owners who would be welcome to join this neighbourhood by building a residence for their own holiday enjoyment and that they might occupy permanently at some future time.</p> <p>No one here has bought a block and built in this area with advice from Council of the threat of anxiety, turmoil and disadvantage over a future change to commercial use of a dwelling on a nearby residential quarter-acre block during holiday seasons.</p> <p>We do not want to have our existing residential living environment increasingly adversely affected by transients who have already and will likely continue, whilst 'in holiday mode', to disturb our sleep; show no respect or appreciation for our space, privacy, property and local area and its amenity; behave offensively; make unacceptable noise via 'partying' and 'road-rage driving'; create road hazard with parking; and generally treat our neighbourhood like a holiday park.</p> <p>On a positive note, we are aware of one holiday home on Weedon Hill which has its owners as neighbours, said owners able to state that they have experienced no problems. We are happy to state that a B&B on Weedon Hill works very well and we live happily next door to it. In both these cases, obviously, because the owners are actually in residence, their visitors</p>	
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appear to have an attitude that reflects the respect for the neighbourhood demonstrated by their hosts. Their 'car behaviour' seems normal as well. These management styles work for everyone, and their properties are always in a cared-for state.

Some years ago, we appreciated Councils stated concern for the probable need for the provision of, control of the minimising of the impact of small-scale tourist accommodation and we feel that the limit has been reached in our immediate local area. Small-scale does not mean that everyone wishing to join the fad of building a second residence for commercial purposes in a desirable place in the country can expect to be permitted to do so. A residential area is simply that, and there has to come a time when numbers of second residences in our local have to be able to be prevented from being commercialised, and built for the owners use only, rather than for income and tax-break creation.

That time has come for the residents of Weedon Hill. Other permanent residents, not just adjoining landowners, living on Gilbert Avenue, Bracknell Crescent and Thorne, Payne and Adams Roads should be given the opportunity to be part of this consultation process about retaining the predominant residential neighbourly amenity of Weedon Hill that is important to its permanent residents and is threatened by increasing commercialising of second residences of absentee owners being permitted.

Addendum to Submission

Further to our letter of 3 July, I write to add pertinent information in support of our objection to the holiday home proposed for 32 (Lot 128) on the lower half of Gilbert Avenue because, apart from other matters outlined in our first letter, we offer further evidence that for its residents saturation point has been reached for the number of commercial holiday homes on the 'Weedon Hill node'.

Over the weekend, [name removed] a Payne Road resident of sixteen years, accompanied me on a walk around just the Adams-Payne Roads loop and we noted what we understand via signage and local knowledge – which we confirmed with Adams Road residents – are at least **sixteen** commercial holiday homes, two of which have owners in residence. There is also a B&B on the corner of Gilbert Avenue and Payne Road/Bracknell Crescent; in addition, of course, known to us, there are further commercial

holiday homes in Gilbert Avenue (Lot 130) and Bracknell Crescent that are mentioned in our first letter. We are not aware of others that no doubt exist, but have no obvious impact (in terms of traffic and disruptive occupancy, for example) on our immediate local area bounded by Payne and Adams Roads and lower Gilbert Avenue.

A list of these commercial holiday home properties, identified by their lot numbers and names according to signage, follows on page 2. To add dimension to their understanding of our objection, I respectfully request that a coloured map of this information be provided to councillors for the purposes of their consideration of the application for a holiday home at Lot 128 Gilbert Avenue.

Commercial Holiday Home Accommodation on lower Weedon Hill

Commercial holiday homes on Adams Road from east (Gilbert Ave.) to west:

- 1 (Previously) Lot 115 – I Adams Road.
- 2 Lot 113
- 3 Lot 112 ('Karri Waters')
- 4 Lot 204
- 5 Lot 203 – Owners in residence.
- 6 Lot 202
- 7 Lot 208 ('Amara on Adams')
- 8 Lot 122
- 9 Lot 125
- 10 The Cove: two cottages of the accommodation of 'The Cove' face Adams Road. There are other commercial accommodation units on this property. Owners are in residence.

Commercial holiday homes on Payne Road from west to east:

- 11 Lot 98 ('Moonwaters')
- 12 Lot 94 ('Aspects')
- 13 Lot 91 ('Treetops' – A-frame)
- 14 Lot 107 ('Amberley Cottage')
- 15 Lot 87 (Honeymoon View)
- 16 Lot 86 (Rosella's Rest)

<p>S4</p>	<p>Details omitted as per Council Policy.</p> <p>Submitter is a nearby landowner.</p>	<p>Thank you for forwarding the letter sent to us regarding a proposal to build a holiday home on 32 Gilbert Avenue. I previously mentioned that we are overseas at present and [name deleted] has been in contact with us concerning this proposal which affect us directly as we live opposite the block in question. We have read [name deleted – refer submission 3] letter objecting to this proposal and support [the] objections.</p> <p>In addition we would like to draw attention to the fire risk which is increased with absentee owners. (Discuss this with the Ranger who patrols Weedon Hill in the summer and issues warnings to property owners). Holiday makers do not appreciate the real fire risk on the hill and in the past we have asked visiting holiday makers to extinguish burning material and open BBQ's.</p> <p>Sewerage is of concern too as septic tanks need to be checked regularly to work efficiently and again this is not always done by absentee owners. What system is being considered as this block is mainly granite boulders?</p> <p>An issue of greater concern is the continuing increase in the number of absentee owners on Weedon Hill and we think the council should take into consideration the concerns of ALL PERMANENT RESIDENTS in this matter when they consider this issue.</p> <p>Therefore we both strongly object to this proposal and would appreciate it if you would continue to email us any further correspondence regarding the issue.</p>	<ul style="list-style-type: none"> • The management of the property in terms of fire risk is extremely important, particularly in vegetated areas like Weedon Hill. The owner is required to comply with the Shire's Fire Regulation Notice requirements and is constructing the dwelling to AS3959 standards. • A Water treatment Unit is proposed, and the owner has indicated that the effluent disposal system will be regularly inspected. • It is noted that even if commercial holiday homes were not supported there is no control on whether the home is permanently lived in. • As part of all new holiday home approvals, inspections are undertaken to ensure fire equipment measures required are in place.
<p>S5</p>	<p>Details omitted as per Council Policy.</p> <p>Submitter is a nearby landowner.</p>	<p>As owners and occupants of [address deleted] Weedon Hill, we strongly oppose the planned construction of a holiday home at Number 32, Lot 128 Gilbert Avenue Weedon Hill. While this may seem selfish and inconsiderate on our behalf, we feel it is no more inconsiderate that the plans of the applicant. Purchasing a block and immediately building a holiday home on it, the applicant will not be adding to, nor enhancing the community. Instead their aim is obviously only financial gain with no consideration to their neighbours.</p> <p>In the fifteen years that we have lived and raised a family at [address deleted], we have continually been dismayed by the antisocial behaviour shown by visitors occupying holiday properties on Weedon Hill. The peace and tranquillity of this wonderful area is so often destroyed by drunken,</p>	<ul style="list-style-type: none"> • That the holiday home will negatively affect the neighbourhood amenity is speculative and not grounds for refusal. • Should there be a situation whereby noise emanating from the property/incidences of antisocial behaviour is of concern to surrounding neighbours; the details of the Property Manager are provided to the surrounding neighbours such that in the first instance the Property Manager can be contacted to address such issues. There is also the ability to contact the local Police depending on the seriousness/severity of the issue.

	<p>rowdy and abusive holidaymakers. We, along with our children have witnessed this behaviour firsthand.</p> <p>A recent count of properties on Gilbert Avenue revealed that only nine are occupied permanently. A further count of Payne and Adams Roads on Weedon Hill revealed that sixteen properties are rental accommodation. While we and our neighbours take pride in our properties and maintain good housekeeping principal the same cannot be said for holiday accommodation on Weedon Hill. Hardly surprising considering their aim is to make as much money from holiday makers with the lease outlay.</p> <p>In an area which is widely joked about being 'the biggest fire risk on the South Coast' it would be ludicrous that the Shire would even consider more holiday properties.</p> <p>Our thoughts are with the owners of Number 30 Gilbert Avenue Weedon Hill. Should this proposed construction proceed, it would result in them having holiday properties on both sides of the residence as well as a holiday home on their rear boundary.</p> <p>We only hope that common sense will prevail and a decision by the Shire will clearly state that enough is enough.</p>	<ul style="list-style-type: none">• In circumstances where valid complaints regarding a holiday home are received, the Shire has the right to not renew the approvals to operate.• In terms of property maintenance, it is considered that competition from other holiday homes and other commercial incentives encourages holiday home owners to maintain their properties to a high standard to appeal to holiday makers and contribute to the community aesthetics. The subject dwelling is proposed to be a high quality, architectural design, with care given to the retention of the natural features of the site.
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Michael and Eva Willicombe

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

30th July 2014

**Ref: 32 Gilbert Avenue, Denmark;
Holiday Home - standard.**

Dear Sir,

With reference to our planning application lodged in April this year we're happy to respond to the objections received as follows:

S1: The 6.3 high wall mentioned here is in fact only 4 metres in height where adjacent to the northern neighbours house at No.30. The northern neighbours house is in fact taller than ours, at approximately 5 metres in height, and with higher floor levels. This has been a misconception in the past, hopefully now clarified. The fact is there will be no loss of light to windows in No.32 and in reality light levels will improve due to the skyline being opened up by the removal of high canopy trees where our house is being built [Planning Approval for house already granted]. Remember these neighbours windows are SOUTH facing.

- See attached drawings, for illustration only.

S2: The northern neighbours at No.30 (writing this letter), in addition to numerous objections regarding the house itself [Planning Approval already granted], have raised concerns here about the use of the house for holiday home accommodation. In response to this aspect of the design we would only say that we have made every effort to avoid any possible negative impact with the specific design of the house, as follows:

1. The parking for the house is located at the front, away from this neighbour's house and driveway, and entrance etc, to avoid light and noise disturbance.
2. The entrance (by footpath) to the house is away from this neighbour's house, on the opposite (southern) side; away from all neighbours' houses in fact.
3. Outdoor areas for the house have been designed away from this neighbour's house, at the front and rear.
4. The windows in our house will all be toughened glass, which is a modern fire protection measure that has the added benefit of reducing noise transfer, by up to plus 50% (6mm toughened). This is so neither neighbour will be disturbed by screaming children! etc.

In all these respects our house design is far better considered than most holiday homes in Denmark.

S3: Its not clear if the authors here are different to **S2**. Complaints about driveways and fishing boats are valid, to a degree, but we would refer to S2/1 above and state our design is superior to avoid such conflicts with vehicles and their coming and going.

S4: Complaints about septic tanks are valid, they should not be used AT ALL, in my opinion. The large extent of granite on our difficult block renders this not an option in any event. We are using an approved Water Treatment Unit that is “state of the art” and produces clear, completely odourless, water at the end of a process. The unit is inspected and maintained, as a legal requirement, every 3 months, by the local Denmark authorised plumber/agent.

S5: Fire risk is mentioned as a concern here. As a new home our house will be built to modern standards and as such be at a MUCH reduced risk than 95% of the (older) houses in the area. It will also be a much reduced risk TO neighbours in this same regard (paritcularly compared to the vacant block before, untouched for at least 10 years). While some newer residents to the area chose to clear fell their blocks we will be retaining most of the mature karri trees on our block and simply clearing the understorey and maintaining the block as low fire fuel level – the most effective fire risk control; one that the Council should be doing more about... [Note the reserve on the hill...].

General objections (bundled) to holiday homes:

There is clearly a group in the Denmark area who object to the notion of any holiday homes as a matter of course but I am confident the Council is right in its general support for holiday homes, in the appropriate designated areas [as written in its Town Planning Scheme]. This has been a position of Council, and written in the Scheme for many years now; its certainly nothing new. Holiday homes are an essential part of the local economy and without them many service businesses that all residents enjoy (whether temporary or permanent residents) would not survive.

In specific planning terms we think the Council could tighten rules over holiday home usage, and reducing the number of residents from 8 down to 6 would be one (in the “standard” category) is one clear way of reducing “party” risk (or limit adult numbers of 16 to 4?). In operation we will be limiting occupation to 6 people and we have two friends as near neighbours who similarly limit the occupations in their holiday homes to this number, and subsequently have never had any unruly behaviour or complaints from neighbours, not even nudity! In terms of problem neighbours we know of some properties in the Denmark area that cannot be sold due to the antisocial nature of permanent resident neighbours and so we feel that holiday homes cannot be unduly singled out. We feel that holiday homes can happily co-exist with other homes, provided they are indeed well designed and considered (as ours is), and the appropriate Council controls are maintained.

In terms of the term “residential nature” we feel that a home that is sympathetic to its woodland setting is more in keeping with the “residential nature” of the Wheedon Hill area than clear felled blocks with “perth suburban” bungalows on them... A look around currently shows this disparity.

We could, but don’t feel the need to, raise a group of supporters to our application, local people who share our views expressed here, including, but not exclusively, holiday home owners. But in this instance we don’t feel the need, and would prefer to keep our application drama free. We intend to spend much of the off seasons down here in Denmark so we are endeavouring to keep the peace as much as we can☺

Regards,

Michael and Eva Willicombe

FOR ILLUSTRATION ONLY

①

PARKING

FOOTPATH

ENTRANCE

GILBERT AVE

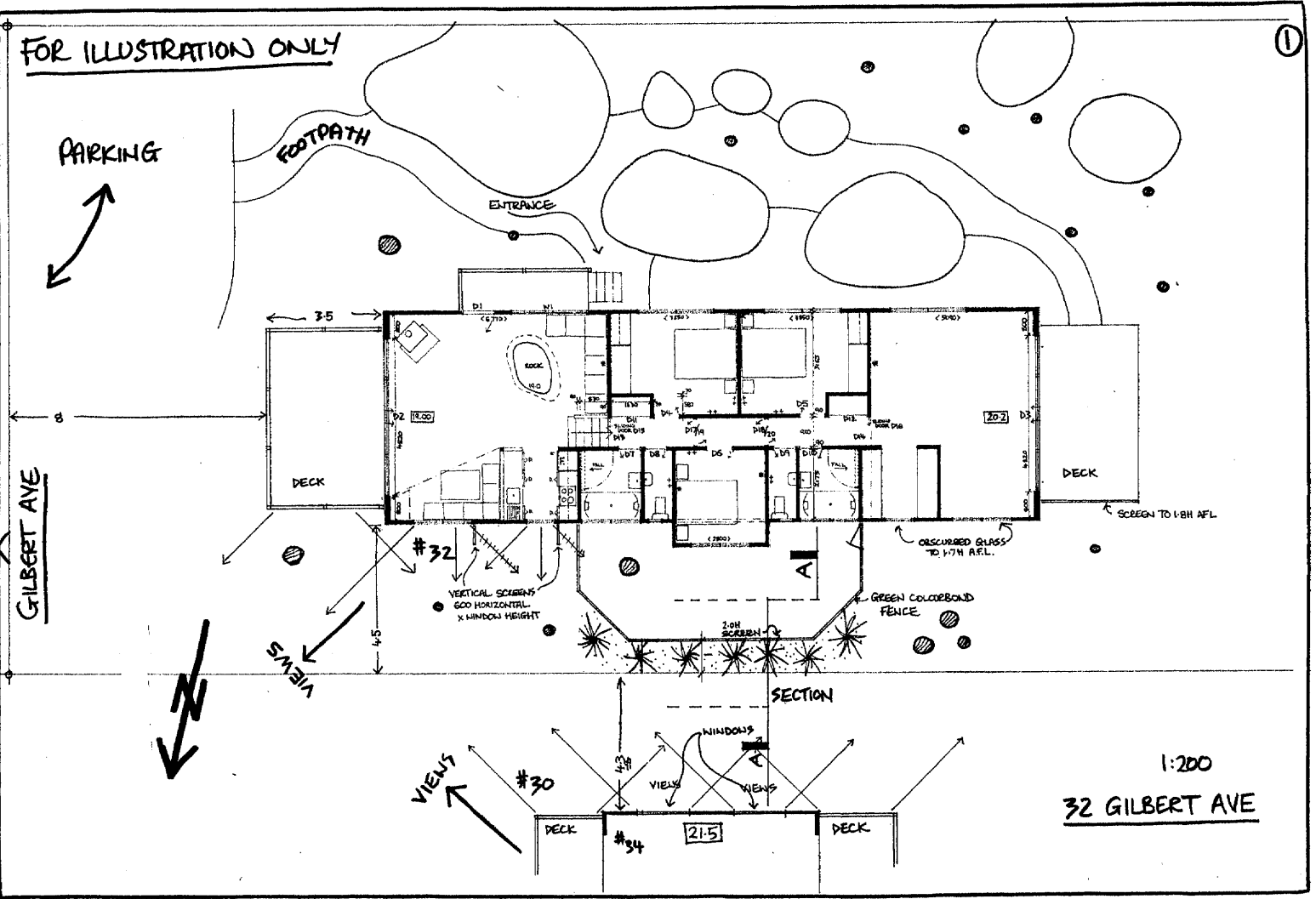
VIEWS

VIEWS

SECTION

1:200

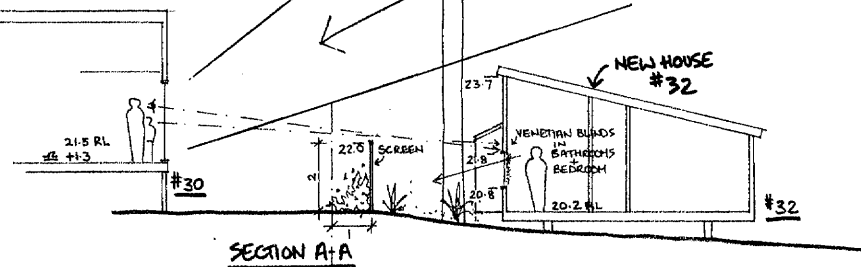
32 GILBERT AVE



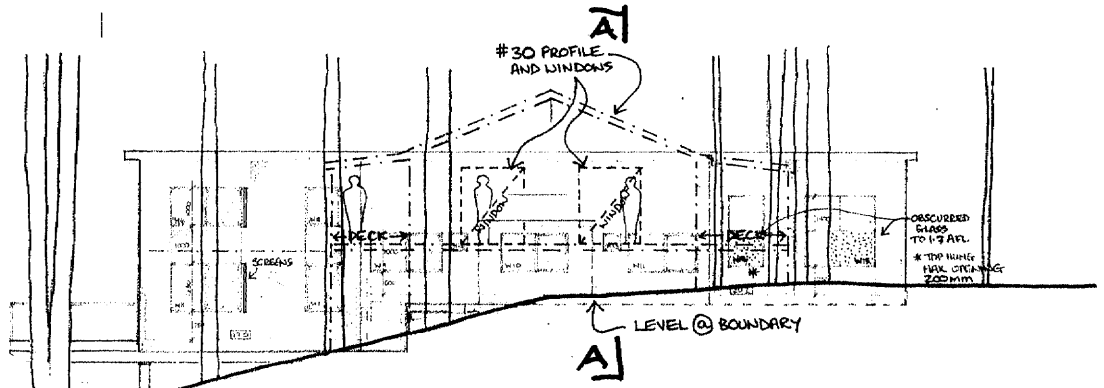
FOR ILLUSTRATION ONLY

②

DAYLIGHT INCREASED
BY CLEARED CANDY
OVER HOUSE



SECTION A+A



NORTH ELEVATION
WINDOW TREATMENTS
1:200

32 GILBERT AVE

B

Map of Nearby Registered Holiday Homes



Registered Holiday Homes