



TOWN PLANNING SCHEME POLICY NO. 19.4: HOLIDAY HOMES

Adopted on the **XX XXX** 2012 in accordance with Clause 8.2
of Town Planning Scheme No. 3.

6 November 2012 - Attachment 8.1.1 a)

1. INTRODUCTION

Holiday homes are private residential dwellings that are leased out for short term accommodation for a period not exceeding three (3) months. Holiday homes are an important aspect of the tourism industry in the Shire of Denmark and have long been an important part of local and Western Australian lifestyle and culture. Over time, there has been increased commercialisation of holiday homes which have lead to changes in character and amenity of neighbourhoods. Community concerns about holiday homes often relate to the behaviour of tenants, rather than being associated with the use *per se*. In addition there has been concern that some holiday homes are not maintained to a satisfactory standard, which in turn reflects negatively on Denmark's tourism industry. This has led to pressures for the regulation of holiday homes which to date have been largely unregulated.

2. POLICY BASIS

Clause 8.2 of the Shire of Denmark's Town Planning Scheme No. 3 ('the Scheme') provides for the preparation and subsequent adoption of Town Planning Scheme Policies. Town Planning Scheme Policy No. 19.4: Holiday Homes ('Policy No. 19.4') has been prepared in accordance with the Scheme.

As per Clause 8.2.4 of the Scheme, Policy 19.4 does not bind the Shire of Denmark in respect of any application for planning approval but the Shire of Denmark will have due regard to the provisions of Policy 19.4 and the objectives which the policy was designed to achieve before making its determination.

3. OBJECTIVES

- 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 encourage the provision of good quality, well managed holiday homes.
- To encourage the marketing, management and presentation of holiday homes to enhance Denmark's image.
- To identify **suitable appropriate** areas where holiday homes are deemed to be most suitable and clarify the assessment process for each of these defined areas.

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As required
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4. DEFINITIONS

As per Appendix I – Interpretations of the Scheme, the following definitions are relevant:

Holiday Home (Standard) - means a single house (excluding ancillary accommodation), which may also be used for short stay accommodation for no more than six people (but does not include a bed and breakfast, guesthouse, chalet and short stay accommodation unit).

Holiday Home (Large) – means premises conforming to the definition of holiday home (standard) with the exception that the premises provide short stay accommodation for more than six people but not more than 12 at any one time.

5. ZONE PERMISSIBILITY

As per the provisions of the Scheme (Table 1 – Zoning Table and Clause 5.38), the following land use permissibility provisions apply to holiday homes:

Residential	SA
Tourist	AA
Commercial	X
Industrial	X
Rural	SA
Special Rural	SA (as per Clause 5.38 of the Scheme)
Rural Multiple Occupancy	SA
Special Residential	SA (as per Clause 5.38 of the Scheme)
Landscape Protection	SA (as per Clause 5.38 of the Scheme)
Professional Office	X

Note:

- AA - means that Council may, at its discretion, permit the use in the zone.
- SA - means that Council may, at its discretion, permit the use in the zone following public advertising thereof.
- X - means the use is not permitted in the zone.

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6. POLICY STATEMENT CRITERIA

6.1 Preferred Locations for Holiday Homes

Areas in which the Shire prefers the locations of Holiday Homes are shown on Map 1 as Areas 1 and 2. The area in which the Shire does not generally support holiday homes is shown as Area 3. An explanation of each of the identified areas is provided in Table 1 (see over).

The cumulative impact of holiday homes on the retention of the predominant residential nature and character of neighbourhoods are negated through the identification of preferred areas and residential densities which achieves a large coverage within the Shire.

6.2 Preferred Residential Density of Land for Holiday Homes

For land zoned residential in Area 1, generally those sites with lower density codings are considered more suitable for holiday homes than areas of higher density codings due to the impact of holiday homes on residential amenity and character of neighbourhoods in areas of denser settlement – refer Table 2.

R2-R5	<i>Most Preferred</i>
R10	<i>Preferred</i>
R20-R40	<i>Least Preferred (note: Holiday Home (Large) proposals generally not permitted)</i>

6.3 Applicable Criteria To Be Met For Holiday Home (Large) Applications

The following development standards should apply to Holiday Home (Large) proposals:

- Have a site area of no less than 1,000m²
- Have no less than four (4) bedrooms and two (2) bathrooms
- Be limited in the number of people (7 – 12) in accordance with the capacity of the septic system on site

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Table 1: Preferred Areas for Holiday Homes		
Area 1 – Wilson Inlet Environ	Area Boundary	<i>Area 1 is defined by residential areas located to the south of South Coast Highway and to the east of Ocean Beach Road along the Wilson Inlet foreshore.</i>
	Area Description	<i>High visual aesthetics along the Wilson Inlet have historically proved popular to establish holiday homes, particularly in both the Weedon Hill and Ocean Beach areas. It is likely this trend will continue and as these areas combine high amenity settings, inlet locations and provide relatively close proximity to natural attractions and the Denmark town site.</i>
Area 2 – Rural	Area Boundary	<i>Area 2 is defined as areas outside of Area 1 and 3 and generally consists of low density coded ‘Residential’ zoned land and areas zoned ‘Special Residential’, ‘Special Rural’, ‘Landscape Protection’ and ‘Rural’.</i>
	Area Description	<i>Rural and lifestyle areas provide the opportunity for holiday homes to established in an environment with larger lots sizes therefore generating negligible effects on the amenity of adjoining neighbours. The ability to construct additional dwellings within the Rural zone (pending certain criteria) offers opportunity for landowners to easily diversify business interests by establishing holiday homes.</i>
Area 3 – Townsite	Area Boundary	<i>Area 3 is defined by areas in close proximity to services and facilities within the town centre and those areas with higher density coded land (i.e. R5 to R40 including areas that have split codings); does exclude those areas where holiday homes are considered an ‘X’ land use class.</i>
	Area Description	<p><i>The Shire of Denmark acknowledges the importance of maintaining a high level of owner occupier and/or long term rentals within the Denmark town site. Applications for holiday homes will generally not be supported in this area as these houses have been identified as being within the walkable catchment to local shops, schools, businesses, recreational facilities and public open spaces and should be retained wherever possible for permanent residents. Consideration has been given to this area, in that some people may wish to consider renting holiday homes within the Denmark town site for those reasons stated above, however there is sufficient short stay accommodation within the town centre (hotels, motels, units etc) which can satisfy current demand. Furthermore, short stay holiday makers have proven to be upwardly mobile and seek higher amenity settings found generally in the two areas identified above.</i></p> <p><i>In accordance with Clause 4.1 of the Scheme, legal holiday homes (i.e. have planning approval) currently operating in this area at the time at which the policy comes into force will be able to continue to operate, however, should the use cease for six months or more, no further approvals will be issued (refer Clause 4.4.1 of the Scheme).</i></p>

6.4 Public Notice of the Proposal

In accordance with Clause 3.2.2 of the Scheme, all 'SA' applications are required to be advertised for public comment in accordance with Clause 6.4 prior to being determined – noting that whilst comments relating to a proposal are considered in the final determination of an application, there is no obligation from the Shire of Denmark to refuse a proposal based on receiving objections alone.

Having regard to the provisions of Clause 6.4 of the Scheme, as a minimum all 'SA' applications will be referred to the adjoining landowners (generally identified as three (3) x landowners either side of the subject property, including across the road and to the rear of the subject property) seeking comments on the proposal.

Notwithstanding the above, upon lodgement of the planning application Planning Services may determine that advertising of the proposal in the local newspaper and/or a sign on-site is required. Should an advertising notice be placed in the local newspaper, the applicant will be invoiced for the actual cost of the advertisement as per Council's operative Fees & Charges Schedule.

6.5 Car Parking Requirements

- Holiday Homes (Standard) require a minimum of two (2) on-site car parking bays to be provided, noting these may be provided in a tandem configuration.
- Holiday Homes (Large) require a minimum of three (3) on-site car parking bays to be provided, noting two (2) may be provided in a tandem configuration.

6.6 Access and Manoeuvring Requirements

As a minimum the following construction standards shall apply:

Existing Road Condition	Construction Standard
Where the property fronts an existing gravel road.	<i>The crossover shall be constructed to an all-weather standard (e.g. gravel, crushed rock) to facilitate access to the development by 2 wheel drive vehicles and thereafter maintained.</i>
Where the property fronts an existing sealed (i.e. bitumen/asphalt) road.	<i>The crossover shall be constructed to a sealed standard (asphalt, concrete or brick pavers), drained and thereafter maintained.</i>

Table 4: Accessway, Parking & Manoeuvring Areas	
Zoning of Subject Property	Construction Standard
Residential Special Residential	<i>Vehicle parking, manoeuvring and circulation areas shall be suitably constructed, sealed (asphalt, concrete or brick pavers), drained and thereafter maintained.</i>
Rural Special Rural Rural Multiple Occupancy Landscape Protection	<i>Vehicle parking, manoeuvring and circulation areas shall be suitably constructed to an all-weather standard (e.g. gravel, crushed rock) to facilitate access to the development by 2 wheel drive vehicles and thereafter maintained.</i>
Tourist	<i>Construction standard will depend on the location of the property – i.e. if located in Denmark townsites then the construction standard that will be applied is as per 'Residential/Special Residential' zone requirements.</i>

6.7 Length of Stay Provisions

The holiday home may only be rented for a maximum period of three (3) months to any one person in any ~~one calendar year~~ twelve (12) month period.

6.8 Building Code of Australia Requirements

In accordance with the Building Code of Australia (BCA), a dwelling that is to be used as a holiday home is classified as a Class 1B building, therefore the following provisions will generally apply:

- Provision of hard wired smoke alarms on every storey in every bedroom and passageway; and
- Evacuation lights required in the paths of exit.

When considering the planning application, Building Services will have regard to issues such as the dwelling configuration and layout to determine what requirements will apply in order to satisfy the BCA requirements.

6.9 Fire and Emergency Requirements

A dwelling that is to be used as a holiday home specifically requires the following minimum fire safety measures to be implemented/installed:

- a fire blanket in the kitchen area; and
- fire extinguishers.

A fire and emergency plan will also need to be prepared and will form part of the Property Management Plan (refer Section 6.10).

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6.10 Property Management Plan Requirements/Responsibilities

Prior to the commencement of activities, a Property Management Plan is required to be submitted and approved by Planning Services. Matters that need to be addressed in the Property Management Plan include:

- Details of the appointed property manager;
- Details of how bookings are to be made;
- Duties of the property manager;
- Fire and emergency plan arrangements (i.e. location of smoke alarms, fire blankets, exit lighting, fire extinguishers, external taps/garden hoses, a fire evacuation route leading to the nearest main road and emergency information details); and
- A Code of Conduct for guests.

To ensure consistency in Property Management Plan details, a proforma Property Management Plan is available from Planning Services.

A condition of Planning Approval for a holiday home proposal will require the applicant to provide a copy of the approved Property Management Plan to adjoining landowners/occupiers as identified by Planning Services.

In relation to the appointment of a Property Manager, the following is applicable:

- is a person/company that will have day-to-day management of the holiday home; and
- will respond, within a reasonable timeframe but in any event within 24 hours, to any contact relating to the holiday home.

6.11 Signage

On-site holiday home signage is not permitted with the exception of a 0.2 m² nameplate (i.e. identifies the name of holiday home if relevant) (NB: exempt from Planning Approval).

Business Directional Signs (commonly referred to as 'Blue Signs') are not permitted for holiday home premises.

6.12 Approval Period

Planning Approval for a holiday home is initially granted for a 12 month period, with a renewal application required to be lodged, where if approved Planning Approval will generally be issued for a three (3) year period.

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This provision seeks to ensure that Property Managers are fully responsible for the holiday home and to ensure there is minimal impact on the amenity of neighbouring properties. This provides a degree of certainty to operators, while also enabling the Shire flexibility to terminate approval of non compliant operators, particularly where valid complaints are received, conditions of approval are not being complied with and/or there are concerns relating to the holiday home operations.

7. APPLICATION REQUIREMENTS

7.1 New Applications

The following information is required to be submitted to enable an assessment of the Holiday Home proposal:

- Completed 'Application for Planning Consent' form
- Payment of the applicable Planning Application fee as per Council's operative Fees & Charges Schedule
- Two copies of the following:
 - Site plan (to scale) showing the location of the dwelling in relation to the lot boundaries, on-site car parking areas, the driveway(s), crossover and location of effluent disposal systems (where property is not connected to sewer)
 - Floor plan of the dwelling
- Internal and external photos of the dwelling
- A completed Property Management Plan (NB: proforma template is available from Planning Services)
- Accompanying letter outlining the proposal.

7.2 Renewal Applications

- Completed 'Application for Planning Consent' form
- Payment of the applicable renewal Planning Application fee as per Council's operative Fees & Charges Schedule
- Accompanying letter detailing compliance with the conditions of the original Planning Approval and any arrangements that may have changed since the original Planning Approval was granted.

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8. ONGOING RESPONSIBILITIES/ADDITIONAL APPROVALS REQUIRED

- Should initial Planning Approval be granted, prior to the premises commencing operations as a Holiday Home the premises must be registered with the Shire of Denmark (Health Services) as a Holiday Home, with fees payable as per Council's operative Fees & Charges Schedule. A registration certificate will only be issued by the Shire of Denmark (Health Services) once all conditions of Planning Approval have been met.
- Holiday homes require annual registration from the Shire of Denmark (Health Services), with fees applying as per Council's operative Fees & Charges Schedule. Annual registration certificates will only be issued by the Shire of Denmark (Health Services) when all conditions of Planning Approval are being complied with and any valid complaints received have been satisfactorily addressed to the satisfaction of the Shire of Denmark (Planning/Health Services).
- When a property that has a Holiday Home planning approval and associated registration is sold, the new owner(s) are required to undertake one of the following within fourteen (14) days of taking ownership of the property:

- Advise the Shire of Denmark, in writing, that they no longer intend for the premises to be used as a Holiday Home;

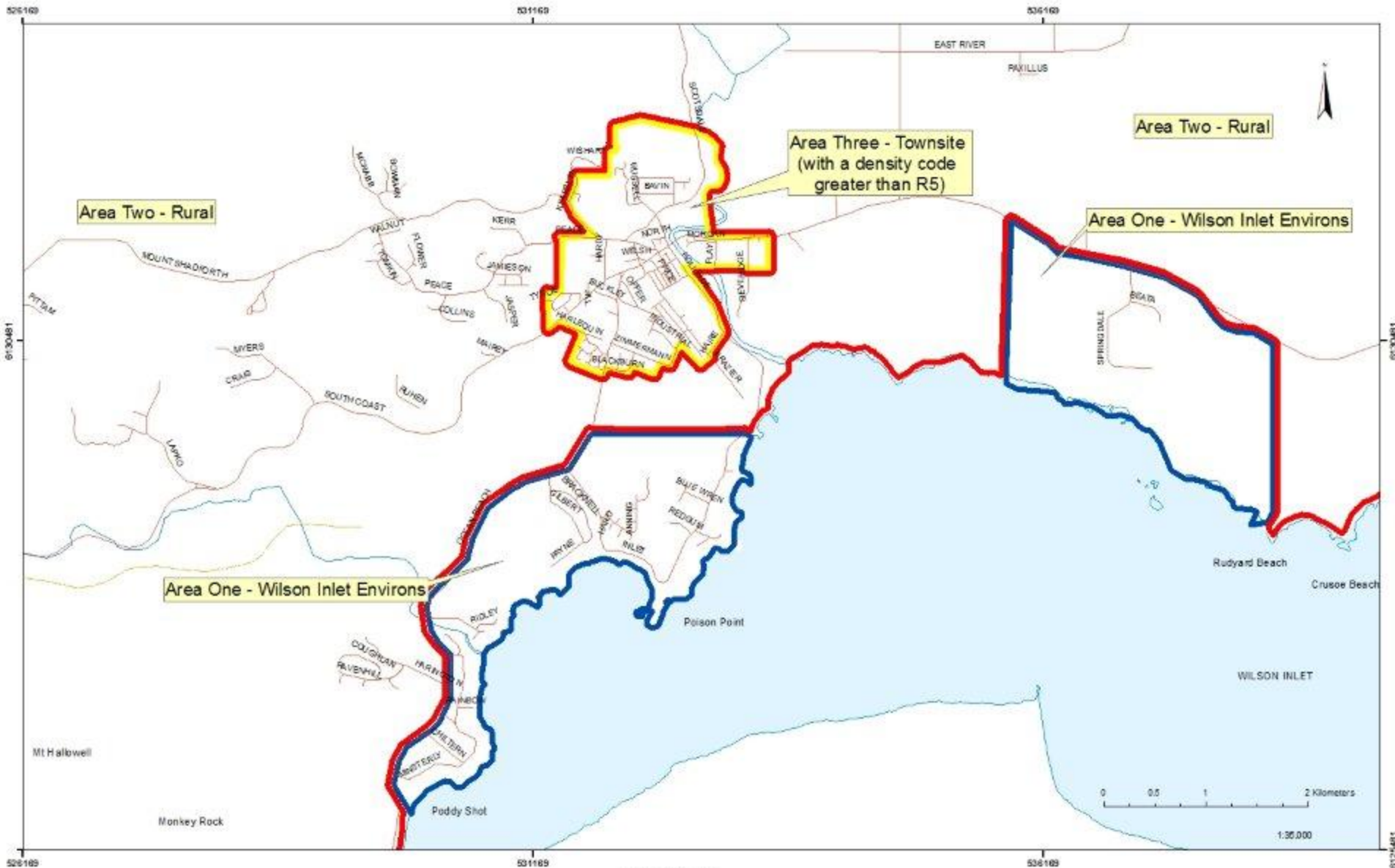
OR

- Submit a new Property Management Plan for approval by Planning Services. A condition of approval of such Property Management Plan may require the owner(s) to provide a copy of the approved Property Management Plan to adjoining landowners/occupiers as identified by Planning Services.

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Plan 2 of 2
Legend

Sealed Road

Preferred Areas

- Area One: Wilson Inlet Environs
- Area Two: Rural
- Area Three: Townsite areas with a density code greater than R5

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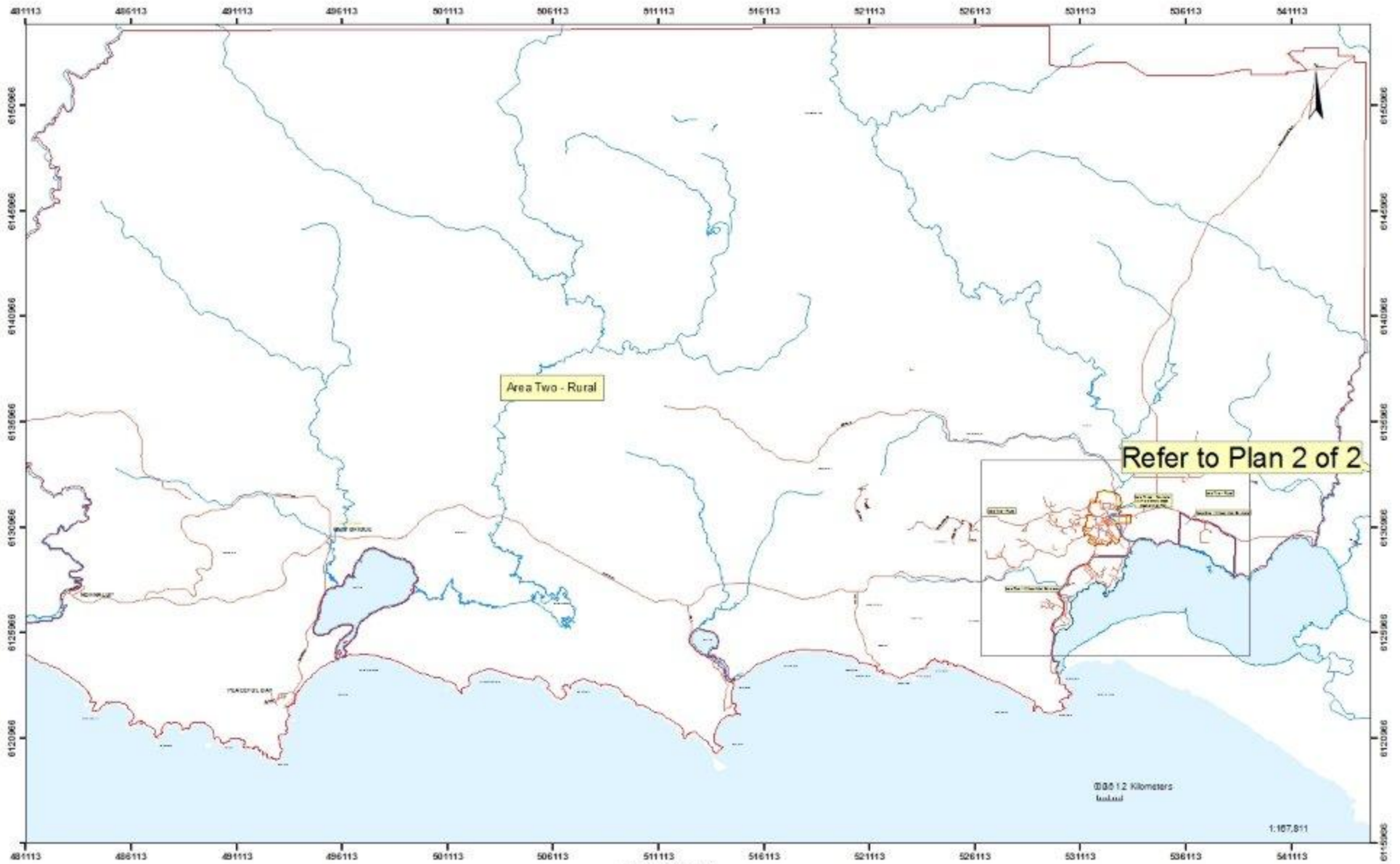
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Shire of Denmark
Preferred Areas for
Holiday Homes
within the Shire of Denmark.





Plan 1 of 2
Legend

— Sealed Road

Preferred Areas

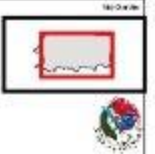
- Area One: Wilson Inlet Environs
- Area Two: Rural
- Area Three: Township areas with a density code greater than RS

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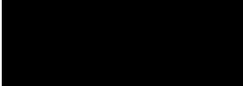
Shire of Denmark
Preferred Areas for
Holiday Homes
within the Shire of Denmark.



SCHEDULE OF SUBMISSIONS: DRAFT POLICY 19.4: HOLIDAY HOMES

#	Submitter's Name & Address	Verbatim Submission	Planning Services Comment
1	B Plyley 12 Pember Road East DENMARK WA 6333	<p>I have serious concerns over mixing tourism and residential lifestyles. My concerns link to the ultimate reduction of Residential property values and increased risk of fire.</p> <p>The proposed policy targets low density areas to add tourism Holiday Homes. The policy effectively converts these residential areas to tourism because it puts no limits on the number or size of Holiday Homes in these residential areas. It will be impossible to retain the residential lifestyle (and to sell these properties as residential) if there is no clarity on the impact of the Holiday Homes on the area.</p> <p>Shire studies in the past have highlighted the relationship to increasing population density and fire risk. Many areas targeted for Holiday Homes in the changed TPS will see substantial increase in fire risk due to unlimited establishment of holiday homes. At minimum, the Shire should conduct (and make public) a study of the increase in fire risk due to holiday homes. Creating a policy without limits on population density is irresponsible and may unduly endanger unsuspecting residents.</p> <p>So, my primary concerns are that:</p> <ul style="list-style-type: none"> • Property values in Residential areas affected by this policy will be significantly reduced due to uncertainty in the number and size of Holiday Homes. • Fire Risk has not been reviewed with the change in TPS. Uncertainty in the proposed population density will increase fire risk to unsuspecting residents. <p>My suggested solutions are that the shire should:</p> <ul style="list-style-type: none"> • Conduct a Fire Risk study in the affected areas to determine fire risk with unlimited population density increase, and to determine if fire-fighting infrastructure is adequate for the increased population density. This should be conducted and reviewed by the concerned public before a policy on Holiday Homes can be adopted. • Prescribe a maximum density of Holiday Homes based on retention of Residential lifestyle values and acceptable fire risk. • Eliminate the possibility of Large Holiday Homes in Residential and Special Residential areas. 	<ul style="list-style-type: none"> • There is no evidence to suggest that property values are diminished as a result of holiday homes in the immediate vicinity. • The low density areas have been identified as the preferred areas for holiday homes to locate as opposed to higher density areas given lot sizes in low density areas are generally larger, with development setbacks greater as well, thus the impacts on residential amenity are lessened accordingly. • The Shire's Community Emergency Services Manager has had regular input into the policy provisions and considers that on the basis that evacuation maps are required to be provided and that properties will be inspected annually, the only increased risk that there may be is to the tourists as there will be a higher number of people that are unaware of living in a fire prone area during the fire season. • The Shire already has a high number of fire appliances (27 including VFRS, BFB & DEC). Population numbers would have to significantly increase prior to more VFRS appliances being required.

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		<p>Many areas in the Denmark shire have been designed and developed as residential zones. The economic value to Denmark of these zones is significant; local businesses rely on the steady revenue from permanent residents who have moved to Denmark for the lifestyle. A Policy for Holiday Homes without development limits in residential zones focuses on the Tourism market without consideration for the mainstay of the Denmark economy.</p> <p>The real-estate market in Denmark will suffer as investors become aware that there are no residential zones in Denmark with surety of the residential lifestyle. Property values will drop.</p> <p>The Holiday Home policy does not address the increased risk of fire in the low-density residential areas. While appearing innocuous, the policy opens a path for substantial increase in population density during the peak fire risk periods. Because the policy is a blanket policy over many different zones, it is not possible to determine the effect of the policy on fire risk without an associated review of fire risk in each effected area.</p> <p>The Policy falls well short of providing clarity on the economic impact of unlimited Holiday Homes on residential zones. It also does not address a serious public safety issue due to the creation of significant increase in the population density in previously low-density zones.</p> <p>The Policy is unacceptable in its current form. It needs a fire risk review with results circulated for public review. And, it needs clear limits on population density due to inclusion of Holiday Homes.</p>	
2		<p>I live on Weedon Hill in Denmark. Luckily for us, we don't live next door to a holiday rental but 1 door away. Also most of the other holiday houses are further away from us, thank goodness for that. During holiday season the noise levels are high – shouting, screaming, loud music to all hours. We hear them from where we live and I would be not be able to live next door to or close to a cluster of holiday houses. Those of us who live here still have to go to work and carry on with our normal lives.</p> <p>One realises as well that people who are on holiday have different needs than those who are not a holiday. I feel strongly that holiday areas should only be in designated areas of town, giving people who live here a choice. I realise though that having separate holiday house zones is probably very difficult but that would be the best solution. Failing that I feel residents should have some kind of plan to fall back on. People don't complain because we are all aware that the police station is closed – who do we phone and what exactly can we do? We feel there is nothing we can do.</p>	<ul style="list-style-type: none"> • The reference to the type of noises experienced could potentially be attributed to any property and not just holiday homes. • The Shire has only received 1 complaint about noise from a holiday home in the last few years – noting that after reviewing the complaint it was considered that it was not an issue given the nature of the noise complaint. • It is acknowledged that people on holiday have different needs to those who are permanent residents but it is considered for this form of holiday accommodation that segregation into zones is not appropriate. • The policy seeks to put onus back onto the back onto the property manager in the first instance to deal with such complaints, provides for the property management plan to be provided to adjoining landowners/occupiers such that they are aware of who to contact initially and then there is always the ability to contact the police depending on the seriousness/severity of the issue. In circumstances where valid complaints regarding a holiday home are received, the Shire

		<p>I feel the shire should listen to the needs of the local people – tourism is a valuable source of income for Denmark but there should be a solution that ensures residents are happy and holidaymakers.</p>	<p>has the right to not renew the approvals to operate.</p>
3		<p>The majority of issues addressed by Council would appear to be directed at existing holiday homes ie. Tightening up owner responsibility, better management by local agents etc.</p> <p>This can only result in an improved situation, but the matter of approval for future applications should also be a major concern... surely this is the time to look at approvals given in the past which, in hindsight, should never have been granted, and made certain that these mistakes are never made again.</p> <p>We reside in a small street of only 11 homes, and already have two existing holiday homes, while the adjacent street has 3 units plus a spa open to the public. While all these premises to date have presented no problems, any increase in this would be strenuously objected to... our street is narrower than the standard width, and an increased traffic flow would create a high risk of accident, in fact, during the past holiday period, we have had several near misses, as visitors are unaware of the narrowness of the road.</p> <p>Furthermore, how many of our holiday visitors would know what to do in the event of bushfire? We locals, hopefully, have a plan and a 'stay or go' decision already made, but in our particular area, depending upon the direction of a fire, being unaware of the various escape routes, could result in tragedy and many visitors have no idea of what avenues of escape there are.</p> <p>Lastly in the event of a noise problem, particularly at weekends, getting through to our police is a difficult process, according to various complaints we have heard. It is no way the fault of Denmark Police... apparently a weekend call gets put through to Midland, is recorded by them, and gets lost in the system, so our local officers sometimes do not receive this information till after the weekend, by which time the offenders are no longer in the area. We realise this is not a Shire problem, but it is within the context of the aims of the Policy.</p> <p>In closing we do feel that the regulations have to be tightened up, but property owners and their local managers will have to be more diligent. Also the Shire of Denmark will have to ensure that these amendments are overseen in a responsible manner.</p>	<ul style="list-style-type: none"> • The policy is aimed at new applications as it cannot be applied retrospectively. Planning Services are aware that in the past property management plans and fire management plans were not required for holiday homes, however as part of the inspection processes the Shire will be seeking to have this information provided by the owners as it is appropriate to require such documentation to ensure the safety of the occupants and is required to assist with operational matters from an occupant, manager and Shire perspective. • The policy seeks to put onus back onto the back onto the property manager in the first instance to deal with such complaints, provides for the property management plan to be provided to adjoining landowners/occupiers such that they are aware of who to contact initially and then there is always the ability to contact the 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.
4		<p>As a resident of Weedon Hill, I am quite astounded and amazed at the letters of complaints that recently appeared in the Denmark Bulletin regarding so-called "Noisy Holiday Makers".</p>	<p>Noted.</p>

		<p>Up on Weedon Hill we live between two holiday homes as such we experience nothing but goodwill and joyful laughter from wonderful visitors and holiday makers which are the life-blood of this town.</p> <p>Denmark residents who claim that holiday makers are nothing but noisy intruders are making mountains out of mole hills and are biting the hand that feeds them.</p> <p>Denmark is one of the most scenic towns in the region of WA, without holiday makers it would be one of the poorest as it was 40 or 50 years ago.</p> <p>Most of us who settled here in Denmark were previous holiday makers and as such we were always made very welcome by the locals.</p> <p>As well as the scenery and the village lifestyle, the friendly hospitality was also one of the main attractions. Sadly it appears a few Johnny-come-lateley's are trying to preserve this nice town for their own little neck-of-the-woods.</p>	
5	<p>V Heath 19 Harington Break DENMARK WA 6333</p>	<ul style="list-style-type: none"> • Comparing Policies 19.3 and 19.4 there appears to be a parity of information in Policy 19.4 compared to 19.3 which contains maps to which an applicant can refer. • Policy 19.4 refers to Clause 5.38 of the Scheme a number of times so wouldn't it be pertinent to include a copy of the Clause with the Policy document? • Definitions 4 – refers to Appendix 1 and there is no Appendix 1 attached to the Policy document. • 6.3 Applicable Criteria – using the capacity of the sewage system to determine the number of people in the dwelling (i.e. 7-12) seems a very strange criteria. Who knows what the capacity is? It is recorded in the application for Holiday Homes accommodation? Does the Property Manager know of this capacity and will he be available to control the numbers so that they don't exceed the permitted numbers of guests. • 6.12 Approval Period – I note that Property Managers are fully responsible for the holiday home and its operations but how is he going to control the eviction of 20 rowdy guests? Is he contactable 24 hours a day, seven days a week? <p>There should be a stated chain of command/responsibility/accountability for all holiday homes and telephone numbers and names should be given to neighbouring property owners. These owners are going to be monitoring the property use, I'm sure, to the n-th degree.</p>	<ul style="list-style-type: none"> • Maps are provided for in Policy 19.4 – noting that the draft version that appeared on the website did not include the maps. IT should be noted that the map content provided for in current Policy 19.3 did not change with the draft Policy 19.4. • Clause 5.38 of the Scheme states that the use class of holiday homes in certain zones are SA uses – Clause 5 of the policy adequately references this provision so it is considered there is no need to duplicate the exact wording of Clause 5.38 in the policy. • The reference to Appendix I is that provided for in the Scheme. • Use of the capacity of the septic system on-site is merely one criteria to be met for holiday home (large) proposals. The number of bedrooms provided for in a dwelling will determine the size/extent of a septic system required thus it is considered appropriate to utilise this as one criteria to determine appropriateness of a holiday home (large) proposal. • A condition of Planning Approval for all holiday homes stipulates the maximum number of persons able to occupy the premises at any one time and it is the responsibility of the landowner to ensure that the capacity of the premises is not exceeded – thus they should be providing the details of the Shire approval to the property manager to ensure compliance with the conditions of the approval as required. • The policy seeks to put onus back onto the back onto the property manager in the first instance to deal with such complaints, provides for the property management plan to be provided to adjoining

		<p>Who determines or quantifies what a 'valid complaint' is and what sort of timeframe is set for action on a complaint?</p> <ul style="list-style-type: none"> 6.9 Fire and Emergency Requirements – I believe that maximum fire safety measures should be stated and included, not minimum measures. The threat of fire to the residents of Denmark is very prominent in people's minds but it could well be that visitors are not aware of this threat and fire safety could perhaps not be a priority in their minds and habits. <p>This part of the Policy should be given much more emphasis and prominence.</p> <p>Thank you for the opportunity to comment and I wish you every success in the implementation of your Policy which sometimes seems to be a daunting task.</p>	<p>landowners/occupiers such that they are aware of who to contact initially and then there is always the ability to contact the police depending on the seriousness/severity of the issue (which with the example given it is considered this would be a police matter). In circumstances where valid complaints regarding a holiday home are received, the Shire has the right to not renew the approvals to operate.</p> <ul style="list-style-type: none"> It is considered appropriate that a minimum level of fire and emergency requirements is imposed, with landowners then able to implement measures over and above the minimum requirements to protect their occupants and property.
6	<p>J Davey & S Lehmann PO Box 649 DENMARK WA 6333</p>	<p>Recently an application was approved for 4 Knowles Court to be a holiday home. This was despite the numerous objections of numerous nearby residents. It therefore concerns us that this submission process is merely a rubber stamp procedure such that necessary protocols are adhered to. It was a concern that the property in question was clearly purchased with the objective of being a holiday home, therefore the owner must have been very confident of approval despite it being the first in the area.</p> <p>Specifically, holiday homes within the community need to be sensibly located and sensitively managed. The following would be our primary requirements:</p> <ol style="list-style-type: none"> 1. A contact needs to be available after hours until 1am, 365 days a year to receive complaints and act on them if necessary. This could be a ranger funded by the shire. It is our belief that using police for this purpose is ineffective and wasteful of resources. 2. If the majority of nearby residents object, then planning consent cannot be given. 3. Permission to run as holiday home needs to be subject to regular yearly review. 4. If regular complaints are received, the council may enforce a reduction in the number of tenants permitted in a home, or revoke the licence if warnings are ignored. 	<ul style="list-style-type: none"> There were numerous objections received in relation to the proposal referenced however Council considered each submission on its merits and determined to approve the application with conditions. All comments relating to proposals are considered in the final determination of an application, however the final decision rests with Council and there is no obligation from the Shire to refuse such a proposal based on neighbour comments alone. It should be noted that this holiday home has been operating for a few months now and to date the Shire has not received any complaints. The policy seeks to put onus back onto the back onto the property manager in the first instance to deal with such complaints, provides for the property management plan to be provided to adjoining landowners/occupiers such that they are aware of who to contact initially and then there is always the ability to contact the 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. The Shire's Rangers and Environmental Health Officer are available for emergency situations and if contacted would make a judgement call as to whether they are required to investigate the situation immediately or if it is a police matter. If the complaint is noise related then the Shire's Rangers are not the appropriate contact for such issues. Refer comments provided in the first bullet point above. As per the policy provisions, planning approval is initially granted for 12 months and if there are no concerns relating to the holiday home operations then a three (3) year planning approval is granted. In addition to needing planning approval, the holiday homes require annual registration with the Shire's Health Services section. Should there be any

			concerns with the operations and/or non-compliance with conditions, the Shire has the right to not renew the registration at this time.
7		<p>We have moved to Perth recently (due to family circumstances) after having lived in Denmark for the past eight and a half years at [REDACTED] (Weedon Hill) and a ratepayer for the last twelve years.</p> <p>The decision to keep the family home in Denmark and operate it as short term holiday accommodation may be interpreted by some as having a vested interest in that part of the market regarding the above mentioned subject. However, speaking as long term residents of beautiful Denmark, we have never had a problem with short term residents in regard to noise or any other anti social behaviour, especially when you consider our address is surrounded by short term holiday places. To try and legislate or lay down rules when visitors or anybody else must cease ALL noise after a certain time smacks of 'big brother' impinging on peoples freedom to enjoy the ambience of Denmark when common sense is all that is required and most tenants will abide by a Code of Conduct that is on display in these premises.</p> <p>The subject of 'noise' is in itself an interesting topic that can be defined and debated endlessly.</p> <p>Any unruly or anti social behaviour anywhere should be dealt with in the first instance by the local Police with the person or persons concerned.</p> <p>Frankly, the present set up is satisfactory and the Shire/Denmark Council should not have to waste ratepayers funds in appeasing to a small minority of people who are opposed to almost everything.</p>	Noted.
8		<p>I wish to raise my concern regarding the introduction of a Draft Policy on Holiday Homes in residential areas of Denmark.</p> <p>My concerns are to my dwelling in [REDACTED] Denmark. The house opposite this is [REDACTED] (a holiday home).</p> <p>My concern at the time was the amount of people being able to reside in this dwelling – I was verbally told from the Shire of Denmark (when the application to change to a holiday home was submitted) no more than 6 people and the building would not become a 2 storey dwelling.</p> <p>During the past 4 weeks I have had a motor home parked on the front lawn of this property for up to a week with a power cord running to this vehicle. It was quite obvious to me that people were residing in this motor home every night. At the same time the driveway to full capacity of 4 cars – being a double carport.</p>	<ul style="list-style-type: none"> • It is considered that this issue of people utilising motor homes/campervans/caravans is rare thus it is considered that there is no need to incorporate a provision into the policy – noting that <i>the Caravan Parks & Camping Ground Regulations 1997</i> allow for camping within a caravan on a site for up to 3 days with the owner's permission, 3 days to 3 months with local government approval and 3 months to 12 months with Ministerial approval. Therefore if it does become an issue there is already a legislative avenue for the Shire to utilise. • Given this issue has been raised in relation to this particular property, Planning Services will write to the owners of the subject property and advise them accordingly of the requirements.

		<p>I would like the draft policy, or rules, to state, no motor homes, tents, campervans or caravans to be on the residential site at all in Holiday Homes.</p>	
9		<p>I would like to add a voice on the effects of holiday homes on the next door neighbours.</p> <p>Over the almost four years I have been living in my home there have been several incidences which has caused concern. The owner at times had been contacted but seemed to be unconcerned.</p> <p>In October/November 2011 a wedding party and or guests stayed in the Highview property next door. There were 13 vehicles parked in the yard overnight, which came and went several times in the 24 hours or so. The following day I went away for a couple of weeks and when I returned, I found that my electric meter box had been run into by a vehicle which rendered it to a 45 degree angle and it had also completely smashed the green electrical junction box. The water pipes to the meter that belong to the rented house were also twisted out of shape. At my own cost I had to get an electrician to fix the meter box and Western Power to replace the junction box.</p> <p>On another occasion three or four children staying at the house decided it would be fun to climb on the high rocks at the front of my property (inside my boundary). I was somewhat annoyed that the parents allowed them to do this.</p> <p>Late last year there were visitors with a Beagle dog, which decided my garden looked better than where he was staying, came across raced around my vegetable garden, lifting a leg in the process and when I went out the back door there was the owner chasing him, so the dog decided to take cover, dashed past me at the open door and went into my house. The dog was completely undisciplined.</p> <p>Approximately 3 weeks ago another dog, this time a Dobermann. When I saw it I went over to the people and asked if the dog could be constrained whilst they were there. They replied in the affirmative. This meant the dog was kept inside the house. The dog was taken for a walk the next morning without a leash until it got away and the owner then secured it. The same Dog Act applies to Denmark as anywhere else.</p> <p>Other dogs have been kept in the house during occupation, but have been kept inside.</p> <p>As there is no fence to this property, I feel it is inappropriate for it to be let on</p>	<ul style="list-style-type: none"> • In relation to the reference that numbers staying at the premises may have exceeded the approval numbers, Planning Services will write to the owners of the subject property and remind them of the approval conditions pertaining to the property. • The damage experienced to the submitters property is definitely an unfortunate situation and it potentially could be attributed to occupants of the holiday home. From a Shire perspective it is considered that there is very little that the Shire can do in this instance other than provide the owner's details such that the matter could be addressed by both parties. • It is a requirement of the Dog Act and the Shire's Local Law Relating to Dogs that there needs to be an adequate means of containing dogs at a premise – noting that this does not necessarily a property needs to be fenced if there are other suitable containment measures in place. • Upon receipt of this submission and the reference to dog matters, the Shire's Director of Community & Regulatory Services has already provided a response to the submitter advising that in relation to future dog problems that contact should be made with the Shire's Rangers immediately such that they can investigate and respond promptly as required.

		<p>the basis that it is suitable for dogs.</p> <p>I do have my grandchildren come to stay and if a dog such as the one above had an unpredictable temperament, who knows what awful damage could be done to a child.</p> <p>I therefore ask that the number of people renting the house be restricted to the number of beds provided.</p> <p>No house should be let to people who have dogs if no fence is provided to contain them.</p> <p>Residents should have recourse if the animal is noisy in any way.</p> <p>When I have spoken to staff at the Information Centre they tell me they have no control over the above. Why Not??</p> <p>I trust you will take my comments on board. I would like to add that most of the people who do stay at the above residence have respected my privacy.</p>	
10	G & L Barak Received via email	<p>I'm sure I have already voiced my opinion before but just in case it went unnoticed.</p> <p>I think that if all absentee owners (of all holiday accommodation) will be required to have a manager/caretaker (not just a cleaner) most of the neighbours will be happy and it would be better for tourism in general as well.</p>	Noted.
11		<p>I am writing in response to the draft plan 19.4 for holiday homes in Denmark. As a property owner/resident of Weedon Hill for the last 2 years private holiday homes have had quite an impact on my life. As your records may show I have been critical of the council's handling of this issue so I would now like to thank those responsible for this new initiative. I welcome the implementation of the proposed regulations and consider them overall to be adequate if they are implemented effectively. I would like to comment further on the following.</p> <p>Re: Approvals: I appreciate that some provision has been made for the withdrawal of a holiday home registration if there are breaches to the new regulations.</p> <p>We have had quite severe disturbances at [REDACTED] from 3 private holiday homes that <i>do not</i> adjoin ours - they are one and two blocks away and 2 are on the opposite side of the road. I have also had disturbances from a recently proposed holiday home in Bracknell Avenue which is one street away but in practical terms still very close. Unfortunately the noise travels on this hill,</p>	<ul style="list-style-type: none"> • Noted. • The policy is aimed at new applications as it cannot be applied retrospectively. Planning Services are aware that in the past property management plans and fire management plans were not required for holiday homes, however as part of the inspection processes the Shire will be seeking to have this information provided by the owners as it is appropriate to require such documentation to ensure the safety of the occupants and is required to assist with operational matters from an occupant, manager and Shire perspective. • Gilbert Avenue is located within Area 1 – Wilson Inlet Environ and predominantly has a density coding of R10, thus is considered to be a preferred area for holiday homes to locate. • The policy seeks to put onus back onto the back onto the property manager in the first instance to deal with such complaints, provides for the property management plan to be provided to adjoining landowners/occupiers such that they are aware of who to contact initially and then there is always the ability to contact the police

	<p>especially as many activities are conducted on the ubiquitous 'decks' at night. Therefore I see regulation 6.4 requiring council to refer applications for holiday homes to 3 adjoining landowners as necessary and welcome.</p> <p>Re: 6.10 Property Management Plan I welcome the recommendations made to provide adjoining landowners with contact details for holiday rentals.</p> <p>Queries: Re: Existing properties already operating as holiday homes I notice that in Draft plan 19.3 the recommendation below was included. I cannot find the equivalent section in the 19.4 version.</p> <p><i>'In the case of an established permitted holiday home use, it is encouraged that the property management plans be submitted within 6 months from the adoption of this policy by Council'.</i></p> <p>Therefore I would like some clarification re: zoning. I live at [REDACTED] and notice that I am in a residential zoning. There already seem to be at least 2 and possibly 3 properties operating as holiday homes in our street. Will the owners be required to follow the new regulations even though they are outside the designated holiday zoning (as per map)?</p> <p>Can you also please clarify what the guidelines are for noise at night ie times and what action can be taken by residents who are being affected?</p> <p>Re: Fire and Emergency Information to Tenants I fully support the fire and emergency plans. I am reassured that users of holiday homes will be made aware of the severe risk of fire on Weedon Hill but I cannot foresee how this will be implemented effectively.</p> <p>Thankyou again for your efforts in trying to resolve these issues.</p>	<p>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.</p> <ul style="list-style-type: none"> • The Shire's Environmental Health Services section has provided the relevant noise guidelines to the submitter.
12	<p>[REDACTED]</p> <p>I would like to present a more balanced view on the "holiday rentals" currently in debate in the Bulletin.</p> <p>My wife and I have lived at [REDACTED] for the past 8 years and we, and many others on Weedon Hill and surrounding Adams Rd and Gilbert Ave, are astounded at the noise complaints that are being made against the holiday rentals by a few residents. I note that some of these complaints are as trivial as complaining about "two visitors talking on their balcony" approximately 150 metres away!!</p>	Noted.

		<p>You will note that we live next door to Rosella's Rest and agree that there was the one out of control "party" about a year ago. This was an isolated occurrence and we have had no other problems with holiday makers. Certainly there have been occasions where holiday makers have been enjoying a BBQ and (heaven forbid) even laughing.</p> <p>Like it or not we are a holiday destination and our town depends on these visitors. It is ridiculous to ask these visitors to go indoors at 9pm and 10pm as it seems some residents are proposing.</p> <p>Apparently, there are 113 holiday homes in Denmark and if each of these has, conservatively, 15 rentals a year it means that there are only 4 or 5 complaints a year for these 1500 visiting families. Hardly a problem!</p> <p>Instead of wasting time and money on this campaign we should be welcoming visitors to our beautiful town.</p> <p>Lastly how will "excessive noise" be determined and who will monitor it? Surely this will revert back to the police which is what happens at the moment.</p> <p>This is just to be on record to say that we have absolutely no problem with holiday rentals in our area.</p>	
13	R Thomson Received via email	<p>I am a property owner/resident of Weedon Hill and private holiday homes have had quite an impact on my life since moving there 2 and a half years ago. I welcome the implementation of the proposed regulations.</p> <p>I would like to make the following comments.</p> <ol style="list-style-type: none"> 1) The weighting of the distribution of holiday homes within residential areas needs to be addressed. The number of them that already exist on Weedon Hill is well beyond an acceptable ratio. I would like to suggest that a permanent moratorium on the approval of any new holiday homes is instituted for this area and that the total number is reduced to a more acceptable level by not replacing homes that stop functioning as holiday homes. 2) There needs to be a system in place that allows residents to call the home owner or a representative of that owner and get an immediate resolution to any visitor activity that is negatively impacting on residents lives. Calls to the Denmark Police particularly after hours are not effective as they are often not there. It is absolutely unacceptable that residents should have to put up with any noise, behaviour or circumstance that impacts the equanimity of their lives and not have a means to address these commonly occurring 	<ul style="list-style-type: none"> • As there was a perception that holiday homes were predominantly located in the Weedon Hill area, Planning Services undertook an analysis of the streets that had 15% or more of the total housing stock approved as holiday homes. Of the 13 streets throughout the Shire that had more than 15% of the total housing stock approved as holiday homes, Weedon Hill had 2 streets – being Adams Road (38.09%) and Payne Road (21.21%). • The policy seeks to put onus back onto the back onto the property manager in the first instance to deal with such complaints, provides for the property management plan to be provided to adjoining landowners/occupiers such that they are aware of who to contact initially and then there is always the ability to contact the 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. • The draft policy already contains reference that a condition of Planning Approval will require the applicant to provide a copy of the approved Property Management Plan to adjoining landowners/occupiers as identified by Planning Services. This provision is proposed to retain in the final policy.

		<p>issues.</p> <p>3) I would like to confirm that whether residents make their objections known or not that holiday homes do have an impact. These include:</p> <p>a) Increased traffic through the neighbourhood</p> <p>b) Additional noise</p> <p>c) Concern that visitors are not aware of the acute risk of fire in the summer holiday season particularly</p> <p>In relation to 6.10 of the draft I would like to suggest a stipulation that the owners of the adjoining properties contacted in relation to any proposed holiday home should be provided with full contact details of the proposed property manager should approval be granted.</p> <p>Thank you again for your efforts in resolving these issues.</p>	
14	D Cottam 28 Mitchell Street DENMARK WA 6333	<p>I am writing to express my concern that this proposal does not have a limit on the number of holiday home approvals per street or district radius.</p> <p>I lived in the UK during the time of holiday homes being burnt down by some Welsh communities. This was not because of noise disturbances but rather the deeper problems that too many holiday homes in one area causes. Like house prices being artificially high, due to holiday home investors, causing lower income families and first home buyers having to move of their home town. Houses sit empty whilst we have a lack of rentals, lack of people using local shops and services. Tourists might use local shops but they are not joining the bowling, tennis, golf or football clubs nor any of the other groups in town which leads to lack of community.</p> <p>Many smaller 'tourist' towns in the UK have resorted to providing Local Occupancy Laws to ensure that any government sponsored house is only rented or sold to someone who has lived or worked in the area for two years. This is to ensure that affordable housing stays with local people.</p> <p>If we do not take this opportunity to effectively manage the quantity of holiday homes permitted in a particular area then you will not be able to achieve your first two objectives of 'ensuring the predominant residential nature and character of neighbourhoods were retained' and 'minimizing the negative impacts of holiday homes on the amenity of adjoining residents'.</p> <p>Thank you for your attention in this matter.</p>	<ul style="list-style-type: none"> • It is considered that the policy provisions will address the objectives of ensuring the character of neighbourhoods is retained and impacts of holiday homes are minimized.
15	G & B Harris PO Box 771 DENMARK WA 6333	<p>Please receive this submission in respect of Holiday Homes.</p> <p>3. Objectives</p>	<ul style="list-style-type: none"> • Comments noted however it is considered that the objectives as currently stated state the intent of the policy provisions adequately. • The Shire of will evaluate the appropriateness of reissuing an approval

These seem to be somewhat weak and ambiguous, and need positive strengthening eg. 'To minimise negative impacts'.. Surely 'minimise' should be 'eliminate'? 'Predominant residential' sounds somewhat open-ended. Similarly debatable comments follow.

6.12 Approval Period

Who will evaluate, and how, are complaints going to be deemed 'valid'. Is a Shire person or organisation to be appointed to take immediate action on miscreants or will the Property Managers be required to be local and available at all times the Holiday Accommodation is occupied? If not, who is to manage it and how will they be contacted? Unless these points are strictly monitored, all the rules and regulations in the works will count for nought.

A punitive Policy rather than a preventative one is quite unsatisfactory and no Holiday Home should be allowed unless there is a responsible Owner/Caretaker/Manager who can be immediately available and empowered to stop (not minimise) bad behaviour, such as those recently reported. With the increase in the use of drugs and bad behaviour in today's society, these matters need to be addressed far more stringently.

It must be patently obvious to the Shire by now that there simply is no place for Holiday Home Accommodation in Residential areas, particularly those that have been sought out by retiring self-funded Retirees for a peaceful and quiet retirement (such as Jamieson Hill (Knowles Court)). The Residents must surely be more beneficial to the town's economy and well-being than short-stay tourists. Why should Residents not be given more consideration than absent owners who are either using their property to pay the mortgage or making money at other Residents' expense (distress)?

There should be no place for tourists in a residential zone and Holiday Home Accommodation should be phased-out in residential areas, and restricted to properties where the Owner resides either on the property or nearby; and the more friendly, controlled and neighbourly Bed and Breakfast Accommodation (where the Owner lives on the property) should be actively encouraged to replace Holiday Homes. Late night revelries in Denmark will affect far more than three homes either side and 'across the road', as when we lived halfway up Jamieson Hill, noise could be heard from up to a kilometre away. A recent report in an English newspaper recorded noise from late-night music travelling two miles (3 km) under unfavourable conditions.

and make a determination on the validity of a complaint having regard to matters including but not limited to the nature of the complaint, the impact on the adjoining locality and assessment against any relevant legislative provisions (e.g Environmental Protection (Noise Regulations) 1997).

- The policy seeks to put onus back onto the back onto the property manager in the first instance to deal with such complaints, provides for the property management plan to be provided to adjoining landowners/occupiers such that they are aware of who to contact initially and then there is always the ability to contact the 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.
- The reference to 'immediately' available was tested when the City of Busselton prepared a Holiday Homes Local Law, with the Department of Local Government advising that immediately was unreasonable and unachievable. As a result the relevant provision within the City of Busselton's Holiday Homes Local Law is "within a reasonable time but in an event within 24 hours". Planning Services have recommended that a similar provision be incorporated into Section 6.10 of the final policy.
- Holiday homes are an important aspect of the tourism industry in the Shire of Denmark and have long been an important part of local and Western Australian lifestyle and culture. As a result the Shire of Denmark and other local authorities throughout the State have determined that holiday homes should be encouraged in appropriate areas with some provisions in place to address property management and operational activities for the betterment and safety of the occupant, the owner and the community.

		In conclusion, we think it only fair to ask the Shire Officers and Councillors whether, they in all honesty, would approve a Holiday Home next to them. We very much doubt it. No one we have spoken with nor, in turn, anyone they have spoken with, would want one next or near to them. That, in itself, speaks volumes about the intrinsic value of Holiday Home Accommodation in residential areas.	
16	Denmark Chamber of Commerce Received via email	<p>Thank you for your invitation to comment on the above policy. Our Tourism Sub Committee have looked at the policy and make the following comments:</p> <p>Page 5 – Last paragraph of Area 3 – Townsite. This paragraph should be a General Note and apply to all areas, not just Area 3. All properties ceasing to operate for 6 months, irrespective of where they are located should be subject to reapplying, and only the words “no further approvals will be issued” relate to Townsite.</p> <p>Page 6 – Clause 6.4 – notice of application for a holiday home should be referred to not only the adjoining neighbours, but also to commercial operators within a 1 km radius, and residents within 500 metres in the same and adjacent streets.</p> <p>Page 6 – Clause 6.5 – Added Note – In either case no off site parking of guests is allowable.</p> <p>Page 9 – Clause 8 – This should apply to all Holiday Homes including those already issued not just those being issued from the adoption of this policy, thereby ensuring that all Holiday Homes in the shire are subject to annual registration.</p> <p>Added notes:</p> <ol style="list-style-type: none"> 1. All homes should have a notice outside the front door showing the phone number of the manager (assists when keys are lost and guests can't get in); and also displayed on the fridge or other equally prominent location, in the home. This notice should also include emergency contact details. The “holiday home code of conduct” and evacuation procedures should also to be displayed in the same location. 2. Holiday Homes should be required to have a commercial rubbish service, or demonstrate an effective rubbish removal system is in place, rather than a domestic service as Holiday makers tend to create more rubbish. 	<ul style="list-style-type: none"> • Is currently provided against Area 3 only as this is the area where they are not generally supported and is in acknowledgement of existing approvals that are in place. • Advertising to residents within 500 metres seems extreme for a holiday home proposal as does advertising to commercial operators within a 1km radius – noting that competition is not a valid planning justification for refusing a proposal. • As long as the minimum required bays are on-site there is no legal ability to deal with off-site parking as long as they are parked legally (i.e not on a footpath, blocking a crossover etc). • Noted however unless there are specific conditions requiring such on the planning approvals previously granted there is no ability to impose this requirement. • The property management plan is required to be provided to all occupants and displayed in the living or kitchen area of the premises (as referenced on the property management plan proforma). • It is considered that the current waste arrangements in place are appropriate at this point in time. The Shire is currently reviewing its rating policies for a range of businesses including holiday homes and this issue will be considered in context of the rating review.
17	Department of Planning - Policy Development Section	<p>Thank you for your correspondence on the 3 August 2012 and referring the above mentioned draft policy to Policy Development for comment.</p> <p>Policy Development commend the Shire of Denmark for producing a holiday</p>	<ul style="list-style-type: none"> • Comments on policy content noted. • The two variations proposed are supported.

Received via email	<p>home policy which reflects the importance of holiday homes as a component of the short stay accommodation sector in Western Australia.</p> <p>The policy defines holiday home (standard) and holiday home (large) as per the recommended definitions proposed in <i>Planning Bulletin 99: Holiday Homes Guidelines</i>. The policy highlights zone permissibility (Table 1 – Zoning Table and Clause 5.38) and identifies the preferred locations which are supported by Policy Development. Public notice of holiday homes has been addressed in the policy. Car parking requirements, safety including Building Code of Australia requirements, fire and emergency requirements, and property management plan requirements and responsibilities have also been adequately addressed. The Shire has taken the approach of providing initial approval for a limit of one year, and renewal for a three year period. This method is supported by Policy Development.</p> <p>Policy Development has no objections to the objectives included in the policy however the following variation could be considered by the Shire:</p> <ul style="list-style-type: none">• To identify <i>appropriate</i> areas where holiday homes are deemed to be most suitable and clarify the assessment process for each of these defined areas. <p>If a residence is approved for use as a holiday home a length of stay provision will be imposed. Policy Development suggests the following rewording:</p> <ul style="list-style-type: none">• The holiday home may only be rented for a maximum period of three (3) months to any one person in any <i>twelve (12) month period</i>. <p>Please note that this is a departmental response to tourism planning issues only and does not reflect comments of other branches of the Department of Planning (DoP) or a formal position of the Western Australian Planning Commission (WAPC), which may need to be consulted on this proposal.</p>	
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