

Ms Annette Harbron
Director of Planning
Shire of Denmark
953 South Coast Hwy
DENMARK 6333

14 July 2014

Dear Annette

We would like to apply for consent for our property at 20 Lights Road, Ocean Beach, Denmark to operate as a Holiday Home (Large).

Please find enclosed relevant plans and forms. I have also enclosed photos of inside and outside the house, although these do not show the final furniture we anticipate using.

I have met with the Denmark Visitor's Centre, who have indicated that they are happy to take on our property as soon as it is approved by the proper processes. We also operate a short stay accommodation in North Perth, so are familiar with the requirements entailed.

Ideally we would like to be able to offer the property for accommodation in time for the Anzac celebrations in November. Please do not hesitate to contact us if we can provide any additional information that will expedite the approval process.

We look forward to hearing from you.

Kind regards

Ann (Kelly) and Peter Klymiuk

e: kellyklymiuk@hotmail.com

beltana@outlook.com

m: +61437 484 994

HOLIDAY HOME
PROPERTY MANAGEMENT PLAN

PROPERTY ADDRESS: 20 LIGHTS ROAD OCEAN BEACH DENMARK

PROPERTY MANAGER DETAILS:

Name: ANN KELLY KLYMIUK / DENMARK VISITORS CENTRE

Address: 125 ALLAMBIE COURT / 73 SOUTH COAST HWY
MUNDARING 6073 / DENMARK 6333

Telephone Number: 0437 484 994 / 08 9848 2055

Email: kellyklymiuk@hotmail.com + beltana@outlook.com
coordinator@denmark.com.au

Details of where bookings are made:

Internet (please specify): STAYZ.COM.AU

Denmark Visitor Centre:

Property Manager:

Other (please specify): _____

It is expected the Property Manager will be based within Denmark and available at all times.

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;
- Ensure rubbish and recycling bins are put out and collected as required;
- Be on call and available at all times.

DATE: 14 July 2014

HOLIDAY HOME CODE OF CONDUCT

PROPERTY ADDRESS: 20 LIGHTS ROAD OCEAN BEACH DENMARK

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: MONDAY

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.

HOLIDAY HOME
FIRE AND EMERGENCY PLAN

PROPERTY ADDRESS: 20 LIGHTS ROAD OCEAN BEACH DENMARK

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 (if applicable).

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: 08 9848 2055 m: 0437 484 994

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:

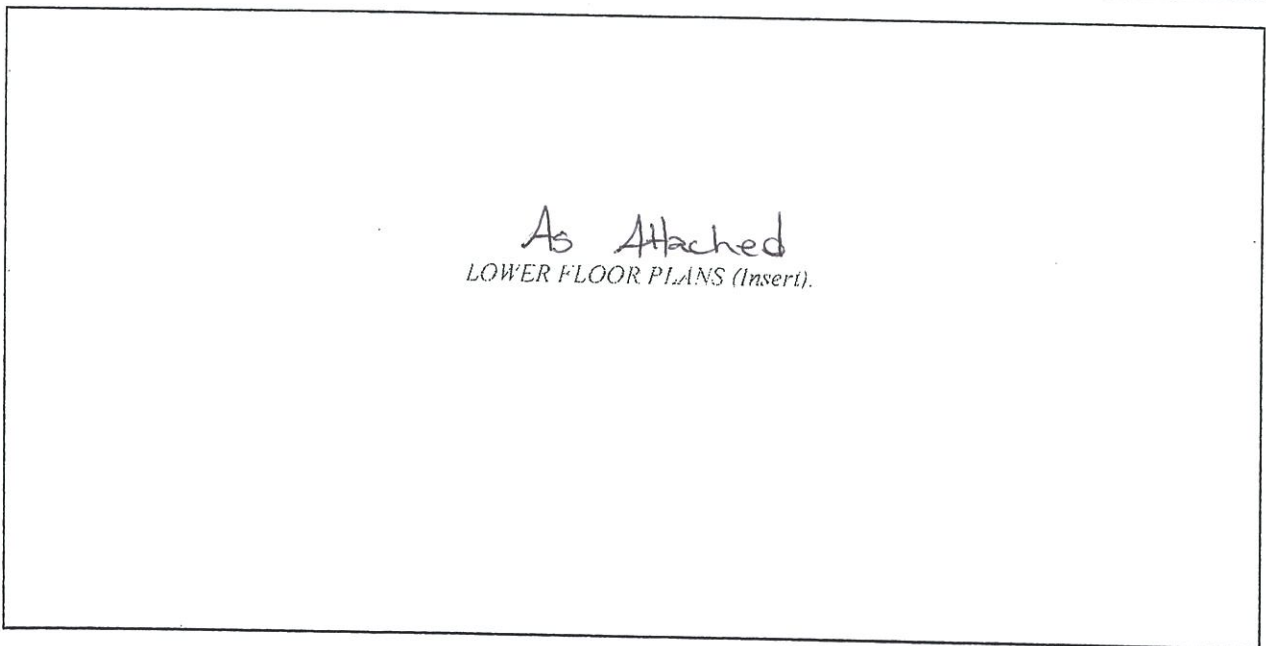
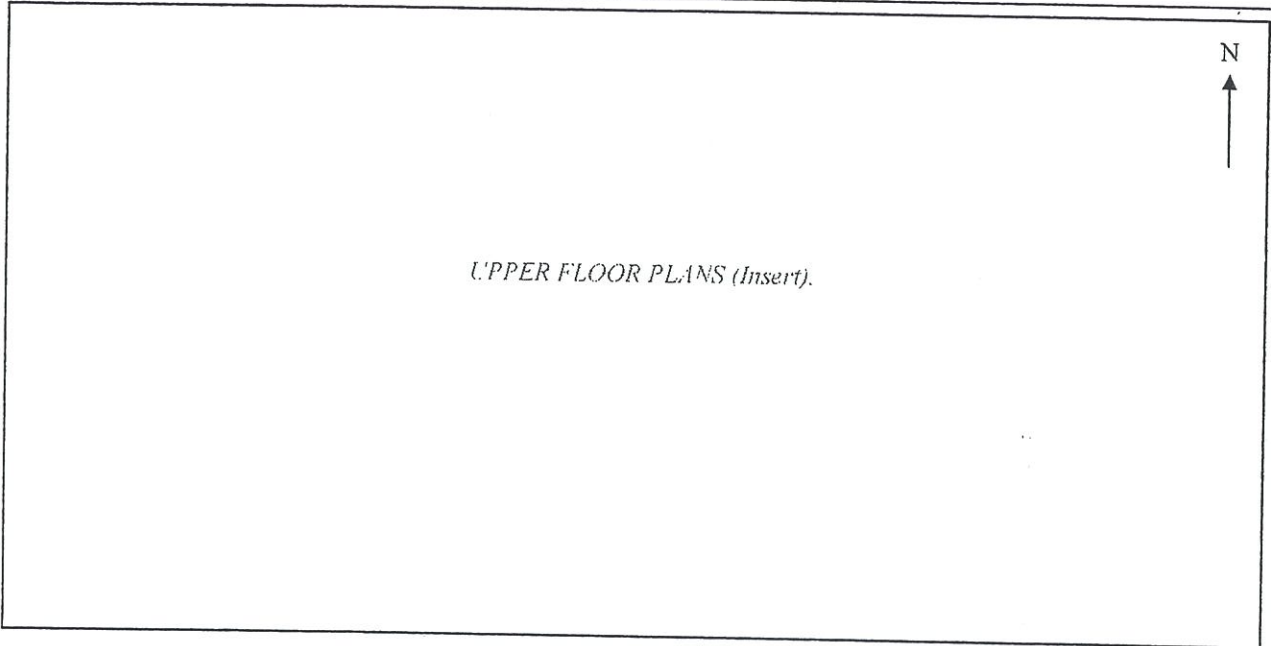
ABC Radio: 630AM

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






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

FLOOR PLANS OF PREMISE

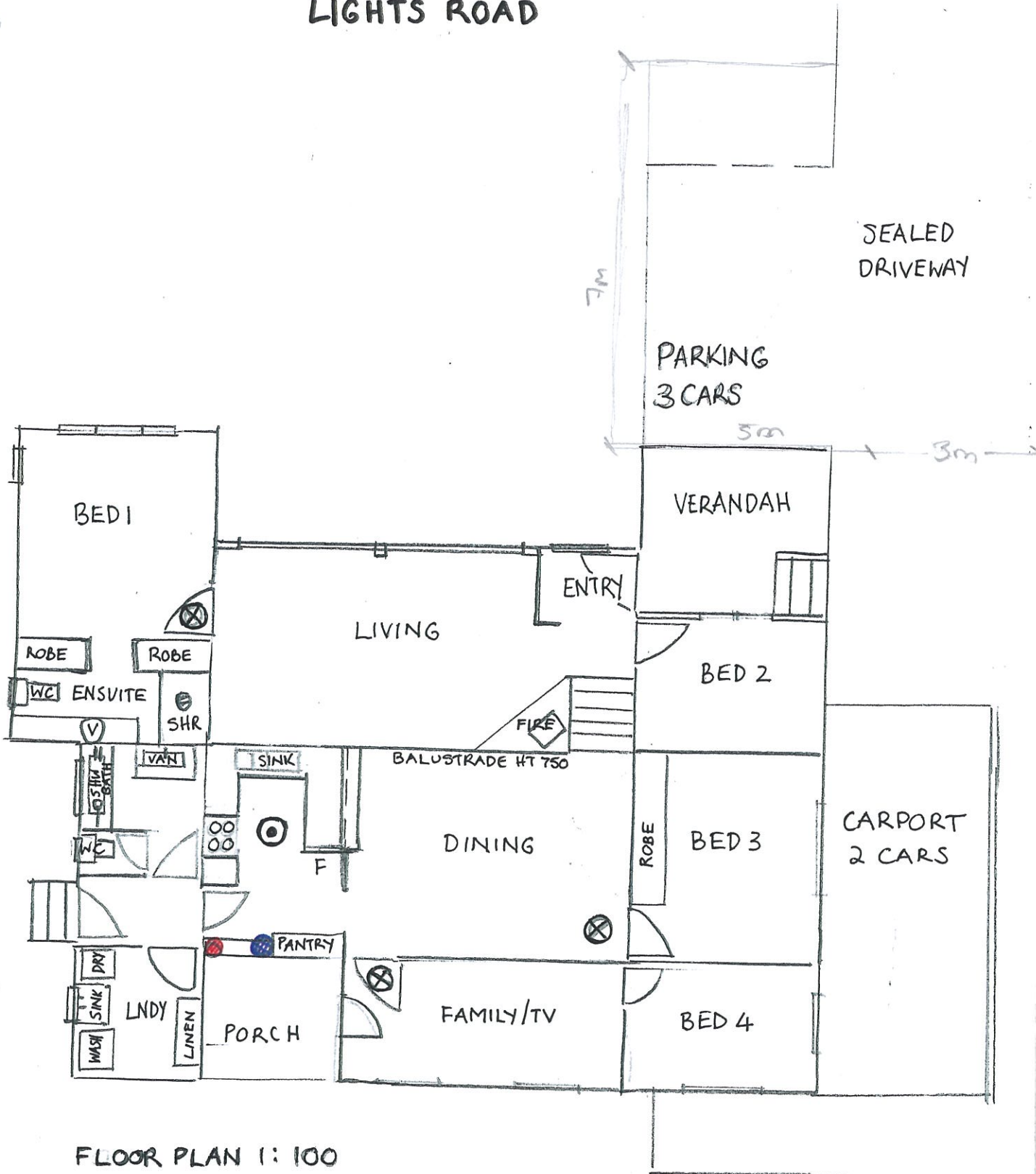
PROPERTY ADDRESS: _____



LEGEND

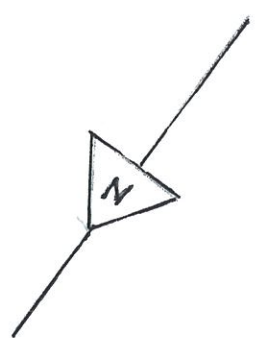
-  Hardwired smoke alarms
-  Fire blanket (in kitchen)
-  Exit Lighting (if required)
-  Fire Extinguishers
-  You are here.

LIGHTS ROAD



FLOOR PLAN 1: 100
 20 LIGHTS ROAD OCEAN BEACH DENMARK

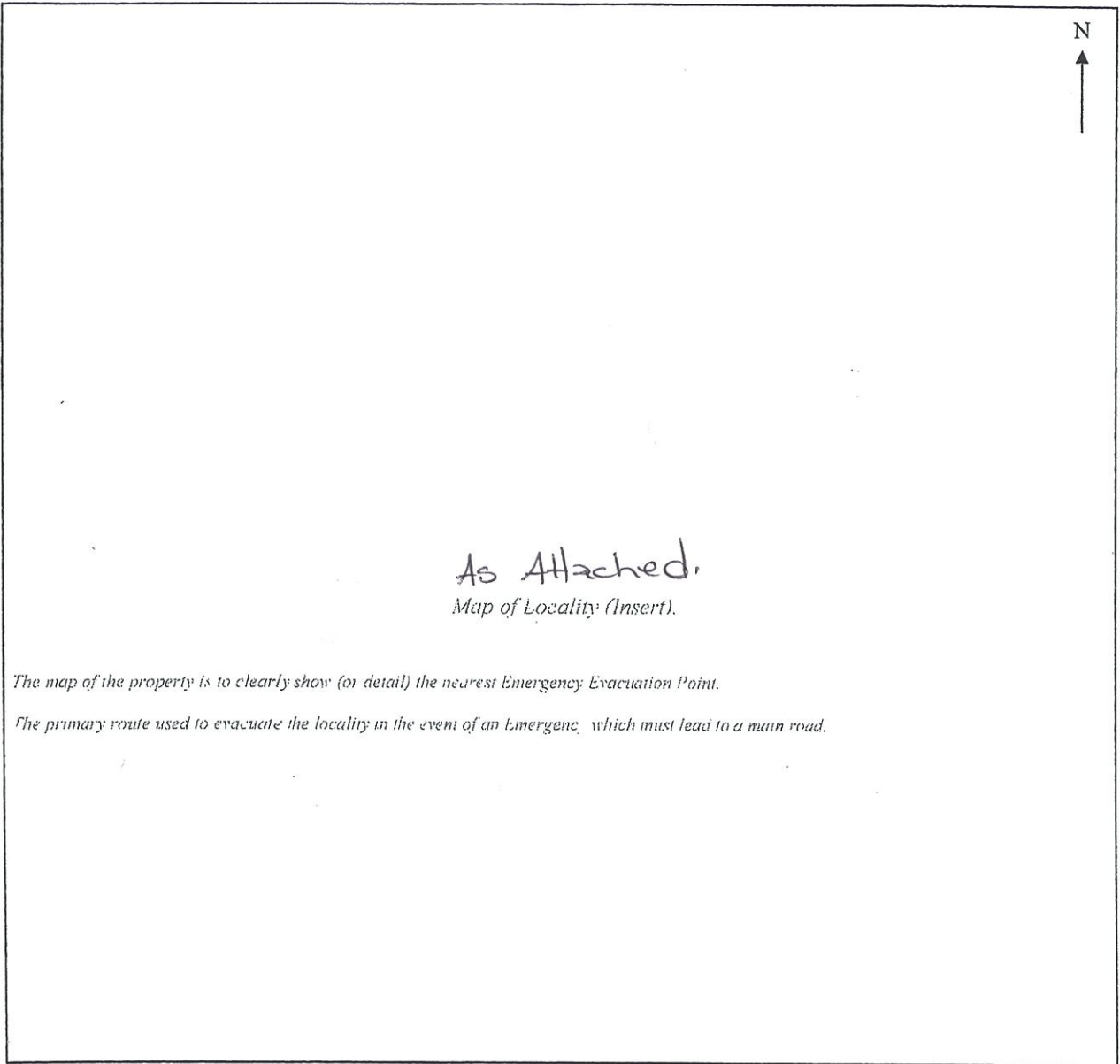
- ⊙ FIRE BLANKET
- ⊘ FIRE EXTINGUISHER
- ⊙ YOU ARE HERE
- ⊗ SMOKE ALARMS



SHED/
GARAGE

FIRE EVACUATION ROUTE

PROPERTY ADDRESS: 20 LIGHTS ROAD OCEAN BEACH DENMARK



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*As Attached,
Map of Locality (Insert).*

The map of the property is to clearly show (or detail) the nearest Emergency Evacuation Point.

The primary route used to evacuate the locality in the event of an Emergency, which must lead to a main road.

LEGEND

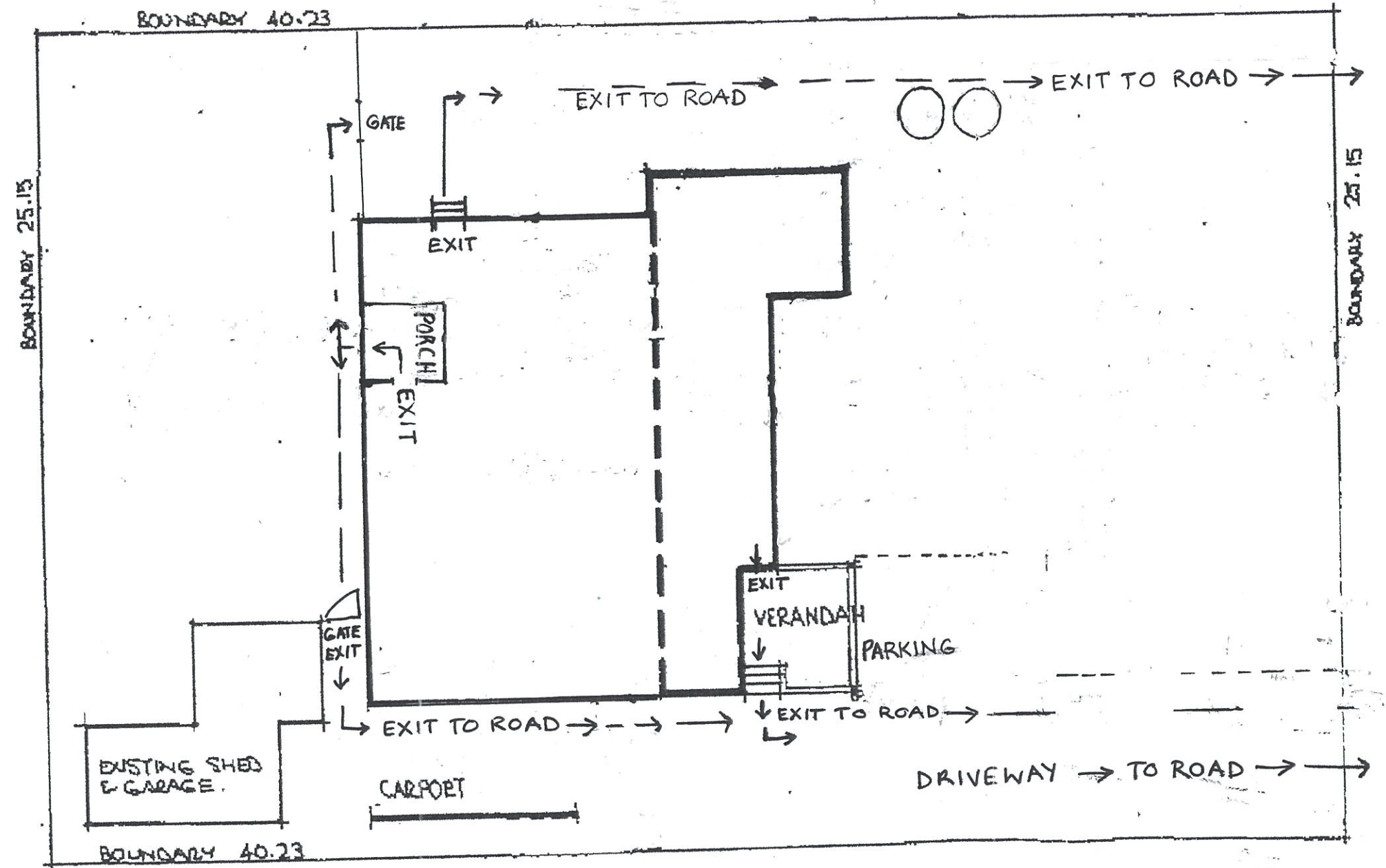


Subject Property



Roads to be used in the first instance for Emergency Evacuation

FIRE EVACUATION ROUTE



20 LIGHTS ROAD OCEAN BEACH DENMARK
SITE PLAN 1:200



SCHEDULE OF SUBMISSIONS: PROPOSED HOLIDAY HOME (LARGE) – NO. 20 (LOT 24) LIGHTS ROAD, OCEAN BEACH (A515; 2014/124)

Submission Number	Name & Address	Verbatim Submission	Planning Services Comment
S1	<p>Details omitted as per Council Policy.</p> <p>Submitter is an adjoining landowner.</p>	<p>We the land owners of [address removed] have received advice of application for proposed holiday home at 20 lights rd and have no objections to this application. A copy of the approved management plan would be appreciated.</p>	<ul style="list-style-type: none"> • Noted. • A condition of planning approval requires the applicant/owner to provide a copy of the approved management plan to adjoining landowners.
S2	<p>Details omitted as per Council Policy.</p> <p>Submitter is a nearby landowner.</p>	<p>As your records show I currently own an adjoining property at [address removed] Ocean Beach. I appreciate the opportunity to consider and comment on the proposal that has been lodged.</p> <p>I wish to exercise my right to <u>object to the proposal</u> for the following reasons:</p> <ul style="list-style-type: none"> • There are already two (2) known holiday home businesses established in close proximity (300m) to my property and this would make a third. • This concentration of holiday homes is not beneficial in providing a stable, supportive community in this residential area. • While current zoning may permit this type of business in the area, it is primarily a residential area for owner occupiers or rental tenants. • The general business nature of “holiday homes” would suggest this proposal increases the potential for anti-social behaviour that impacts direct neighbours and the surrounding community (i.e. excessive noise, traffic etc.) • The proposal is in direct opposition to discussion and movement within the Shire Council to limit the overall numbers of “holiday homes” within the town area. There are already known pitfalls to this type of rezoning in certain areas. • I have not seen or heard of any evidence that would suggest more holiday homes should be created in this area to cater for an increased need. Does the Shire have any data that would support this or any other proposal? <p>I trust that my objection to this proposal will be seriously considered along</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 the area. • 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 at the time and the Shire of Denmark’s Health Services staff. • As per the provisions of Policy 19.4, the subject site is located in Area 2 which is a preferred location for holiday homes. A recent resolution by Council at its meeting of 19 August 2014 - triggered by the refusal of a holiday home in Weedon Hill – was to consider a review of Policy 19.4 in terms of preferred locations; noting that the current application is to be considered against the current provisions of Policy 19.4. • Holiday homes are an important aspect of the tourism industry in the Shire of Denmark and have

		with other submissions in the final determination	long been an important part of local and WA lifestyle and culture. The question of whether there is a need for additional holiday homes in the Shire of Denmark overall will be primarily determined by the tourism industry.
S3	<p>Details omitted as per Council Policy.</p> <p>Submitter is a nearby landowner.</p>	<p>I am writing to lodge my objection to the proposed holiday home at 20 Lights Rd Ocean Beach. I already have a holiday right next door to me at 21 Iluka Ave and have had noise problems in the past with domestic arguments and the main noise comes from video games being played at a very loud volume including at 3.am in the morning. There have also been problems on several occasions with parking when a number of people turn up in cars.</p> <p>This holiday home will be the 3rd one within an area of just 500 meters from my residence and I have read in the past that the shire is concerned about the number of holiday home's in residential areas but this still seem to be ignored by the shire.(Say one thing and do another.)</p> <p>I am also concerned about the parking aspect of this residence which you describe as LARGE and like next door to me, if a number of people bring a car each it causes a problem in the street with parking. You read from time to time how the shire has knocked back certain applications for projects on parking grounds yet this only seem to apply at the whim of the shire with no consistent application of rules.</p>	<ul style="list-style-type: none"> • The Shire has not received any complaints regarding noise concerns at the mentioned premises. • Refer Comment/Conclusion in the main report for general comment on concerns raised in regards to the number of holiday homes in the area. • As a Holiday Home (Large), three (3) vehicle parking spaces are required to be provided; the proposal complies with this requirement.
S4	<p>Details omitted as per Council Policy.</p> <p>Submitter is an adjoining landowner.</p>	<p>I hereby wish to lodge an objection to the proposed Large Holiday Home at Lot 24 Lights Road, Ocean Beach. The reasons behind my objection are as follows:</p> <ol style="list-style-type: none"> 1. I am owner/occupier of [address removed], Ocean Beach – the rear of my property shares a fence with the Lights Road property. My elderly mother lives with me and we both enjoy the beauty and peacefulness of the area. I purchased this house because of where it is, away from the township, for the peace and quiet it offers. However.... 2. There are already two holiday homes within 500 meters of my property and during summer/school holidays, our area is busy with cars and people, who, on occasions are very noisy, playing loud music etc at all hours simply because they are on holidays enjoying themselves, without any consideration for home owners in the vicinity, some of whom have to 	<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 the area. • 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

		<p>work the following day.</p> <p>3. If the approval is granted, and there could be 8 persons at one time in the proposed guest house, how many vehicles will there be at premises and where will these be parked?</p> <p>I am aware of a person who made an application to the Council for B&B at her premises, where the most would be four persons at any one time yet her application was rejected on the grounds that there is not enough parking space provided. What will be the difference with Nr 20 Lights Road's parking? Will the guests park at the rear of the house thus causing lot more noise that we, the nearby residents will have to put up with or will some have to use the verge on Lights Road?!?</p>	<p>the seriousness/severity of the issue at the time and the Shire of Denmark's Health Services staff.</p> <ul style="list-style-type: none">• As a Holiday Home (Large), three (3) vehicle parking spaces are required to be provided; the proposal complies with this requirement.• It is noted that the mentioned application was granted planning consent subject to the provision of an additional parking bay on-site.
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SCHEDULE OF SUBMISSIONS: PLANNING APPLICATION 2014/124

Submission Number	Name & Address	Verbatim Submission	Applicant response
S1	Details omitted as per Council Policy. Submitter is an adjoining landowner.	We the land owners of [address removed] have received advice of application for proposed holiday home at 20 lights rd and have no objections to this application. A copy of the approved management plan would be appreciated.	<p>We will be very happy to provide a copy of the approved management plan to all neighbours, should we succeed in gaining approval.</p> <p>We are experienced in every facet of holiday accommodation management and already own and operate 5 star rated holiday accommodation in North Perth. We have comprehensive strategies for ensuring a workable and enforceable property management plan for 20 Lights Road, including more than 20 years experience in public sector facilities management, project management, and client relations. We believe we can offer significant skills and experience to the Denmark community and intend continuing our 40+ years relationship with this community.</p>
S2	Details omitted as per	As your records show I currently own an adjoining	Although there may be two (2)

	<p>Council Policy. Submitter is a nearby landowner.</p>	<p>property at [address removed] Ocean Beach. I appreciate the opportunity to consider and comment on the proposal that has been lodged. I wish to exercise my right to object to the proposal for the following reasons:</p> <ul style="list-style-type: none"> • There are already two (2) known holiday home businesses established in close proximity (300m) to my property and this would make a third. • This concentration of holiday homes is not beneficial in providing a stable, supportive community in this residential area. • While current zoning may permit this type of business in the area, it is primarily a residential area for owner occupiers or rental tenants. • The general business nature of “holiday homes” would suggest this proposal increases the potential for anti-social behaviour that impacts direct neighbours and the surrounding community (i.e. excessive noise, traffic etc.) • The proposal is in direct opposition to discussion and movement within the Shire Council to limit the overall numbers of “holiday homes” within the town area. There are already known pitfalls to this type of rezoning in certain areas. • I have not seen or heard of any evidence that 	<p>existing businesses established in close proximity (300m), none are causing any disruption, or are noticeable as evidenced by the fact that we have no way to determine which properties are thus operating.</p> <p>Denmark is a burgeoning community and there is not enough available accommodation to meet demand. The Denmark Visitor’s Centre and local businesses and Real Estate agents have all confirmed that there is no short-term holiday accommodation available until after Easter 2015. Given the influx of people expected between now and May 2015, provision of such accommodation, managed by experienced property managers, with adherence to appropriate and rigorous management plans, seems advantageous for the Denmark community and businesses. This will ensure as much business as possible flows on to the local community, rather</p>
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		<p>would suggest more holiday homes should be created in this area to cater for an increased need. Does the Shire have any data that would support this or any other proposal?</p> <p>I trust that my objection to this proposal will be seriously considered along with other submissions in the final determination.</p>	<p>than being redirected (as is already the case) to other communities and towns, such as Mt Barker and Walpole.</p> <p>We have spent many weeks and months at the property at 20 Lights Road and at no time have we been aware of any holiday accommodation operating in that location. On the contrary, the area seems “stable, supportive” and “residential”. We have a vested interest in ensuring this remains the case – that is, prospective guests are looking to enjoy exactly that ‘ambience’. We have every strategy and intention focused on keeping the current area exactly as it is. To this end, the Property Management Plan negotiated recently (in the hope of receiving approval) with South Coast Property, is specifically formulated to ensure zero tolerance for disruptive/noisy guests, via the use of acceptance of such conditions for booking and a significant bond, refunds</p>
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			contingent on quiet, orderly and respectful occupancy.
S3	Details omitted as per Council Policy. Submitter is a nearby landowner	<p>I am writing to lodge my objection to the proposed holiday home at 20 Lights Rd Ocean Beach. I already have a holiday right next door to me at 21 Iluka Ave and have had noise problems in the past with domestic arguments and the main noise comes from video games being played at a very loud volume including at 3.am in the morning. There have also been problems on several occasions with parking when a number of people turn up in cars.</p> <p>This holiday home will be the 3rd one within an area of just 500 meters from my residence and I have read in the past that the shire is concerned about the number of holiday home's in residential areas but this still seem to be ignored by the shire.(Say one thing and do another.)</p> <p>I am also concerned about the parking aspect of this residence which you describe as LARGE and like next door to me, if a number of people bring a car each it causes a problem in the street with parking. You read from time to time how the shire has knocked back certain applications for projects on parking grounds yet this only seem to apply at the whim of the shire with no consistent application of rules.</p>	<p>The types of noise problems outlined in this submission can be experienced more readily from rental properties with less leverage to evict/deal with such disturbances than properly managed holiday accommodation. Part of the conditions for booking will require guests to agree to strict conditions regarding noise and disruption, which will be dealt with by removal from the accommodation and loss of bond and booking costs – set at significant levels to deter any anti-social behaviours.</p> <p>In addition, having significant experience in operating holiday accommodation, we have a range of strategies for ensuring we know who is booking and refusing bookings for people who may seem questionable, or who may not be suitable for family and couple holiday accommodation – our targeted guests. We will NOT</p>



			<p>be using a booking system that allows immediate bookings, so that we can personally communicate with prospective guests to determine their suitability. Because of our diligence, and the strategies we employ, we have never had an occasion where guests have been disruptive or impacted on neighbours in any holiday accommodation we manage/own.</p> <p>Parking areas exceed the requirements outlined by the Australian Standards: Parking Facilities (AS/NZS 2890.1:2004 from the <i>Australian/New Zealand Standard: Parking Facilities</i>) and allows for parking for 4 cars with turning circles allowing for entry to Lights Road in a safe manner. We are happy to add additional signage advising the need for caution if Council deems this appropriate.</p>
S4	Details omitted as per Council Policy. Submitter is an	I hereby wish to lodge an objection to the proposed Large Holiday Home at Lot 24 Lights Road, Ocean Beach. The reasons behind my	It is highly unlikely that more than 6 persons will be accommodated at 20 Lights Road, and any guests

	<p>adjoining landowner.</p>	<p>objection are as follows:</p> <ol style="list-style-type: none"> 1. I am owner/occupier of [address removed], Ocean Beach – the rear of my property shares a fence with the Lights Road property. My elderly mother lives with me and we both enjoy the beauty and peacefulness of the area. I purchased this house because of where it is, away from the township, for the peace and quiet it offers. However.... 2. There are already two holiday homes within 500 meters of my property and during summer/school holidays, our area is busy with cars and people, who, on occasions are very noisy, playing loud music etc at all hours simply because they are on holidays enjoying themselves, without any consideration for home owners in the vicinity, some of whom have to work the following day. 3. If the approval is granted, and there could be 8 persons at one time in the proposed guest house, how many vehicles will there be at premises and where will these be parked? I am aware of a person who made an application to the Council for B&B at her premises, where the most would be four persons at any one time yet her application was rejected on the grounds that there is not enough parking space provided. What 	<p>will be screened and required to agree to strict conditions (visible and posted on relevant webs and documents and articulated in emails and conversations with prospective guests). These will include warnings and clear parameters about what constitutes unacceptable noise/disruption and behaviours, the penalties for such, and the hours before and after which guests should make no discernable noise. Such disruptions, as previously mentioned, are even harder to address in rentals and are of longer duration, because rental tenants cannot as easily be evicted.</p> <p>The barrier/fence between 20 Lights Road and nearest neighbours is substantial, high and of materials that absorb sound. We have spent many weeks in residence at 20 Lights Road – with up to 6 additional guests – and at no time has there</p>
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		<p>will be the difference with Nr 20 Lights Road's parking? Will the guests park at the rear of the house thus causing lot more noise that we, the nearby residents will have to put up with or will some have to use the verge on Lights Road?!?</p>	<p>been excessive noise or disruption from any party within our boundaries, or from any property adjoining ours. In fact, the neighbours' dogs create more noise than anything else – for which we are grateful as they are, statistically, the best security strategy available.</p> <p>All parking is situated at the western and southern sides of the house, at the side and front of the residence, and is separated from the rear neighbours by shed and outbuildings. Parking exceeds Australian Standards for Parking Facilities for 4 cars.</p>

Attachment D - Map of Area Highlighting Location of Nearby Approved Holiday Homes



-  Approved Holiday Homes
-  Subject Property