

Shire of Denmark
Planning Services
PO Box 183, Denmark WA 6383
28 June 2020

Re: Response to Neighbour Submissions – 114 Peace Street, Shadforth

Dear Sir/Madam,

My name is [REDACTED]. We visited Denmark for the first time in January this year. We fell in love with the town and we decided that at some stage down the track we would relocate and become permanent residences of Denmark. We made an offer and purchased 114 Peace St, which has been on the market for more than 3 years. Until we are in the position to be able to relocate to Denmark, we intend on leasing the house as holiday accommodation, which will allow us to visit Denmark when we are able.

We understand some of the concerns raised by the neighbour submissions in relation to our application for Holiday Home approval for our property at 114 Peace Street, Shadforth. We do not wish for a strained relationship with our neighbours and envision being a collaborative and productive addition to the Denmark community.

The following is our response.

Submission 1

Submission: *“We understand that the owner(s) of 114 Peace Street are related to the owners of the adjacent un-hosted commercial holiday home at 116 Peace Street and we are extremely concerned that the properties could be jointly leased resulting in up to 12 people or more congregating at either property”.*

Response: I, [REDACTED] as the sole owner of 114 Peace Street, do not have joint ownership with any other persons or property (116 Peace St). My property will not be jointly leased as a package with the other stated property. We run a separate business with different property managers. My property will be leased independently to the other stated property.

Submission: *“The proposed holiday home and the existing holiday home are located towards the end of Peace Street and opposite its intersection with Kerr Close. Two unhosted commercial holiday homes at this intersection will bring additional people coming and going on a regular basis exacerbating traffic, noise and related issues for us.”*

Response: With the historical occupancy rates of 50%, we do not believe that there will be increased traffic and noise compared to a family living at the house permanently.

Submission 2

Submission: *“The proposed holiday home at 114 Peace Street has an outdoor entertaining area that is elevated, open and exposed thereby compromising our privacy. Sound carries easily. Several windows in the house have direct views into our property. Should the application be approved, increased privacy must be provided with the planting of trees/shrubs between the two properties and/or additional screening around the outside bbq/entertaining area.”*

Response: 114 Peace St property has been in existence for more than a decade. The outdoor area is not new and if neighbours had any issues, it would have been appropriate to address

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these with the previous owner. If you own a house on the side of a hill, properties will inevitably be overlooking you and you will overlook other properties. The previous owners, of 114 Peace St, did not have an issue with the adjacent house (116 Peace) overlooking them. We will not be interested in further screening the patio area to restrict the view, as the spectacular view is the reason, we purchased the house. Also, due to the positioning of our windows and those of our neighbours we are not actually able to see inside any of the neighbouring properties.

We have a strict code of conduct on noise for our property. We have appointed a local property manager [REDACTED] that that will have day-to-day management of the holiday home; and will specifically respond to any complaints pertaining to guest behaviour and in relation to any other complaints. We have a strict policy on “schoolies”, the number of guests staying at the property, and pets are not allowed. Due to the nightly price target of \$300 per night, and high bond amount, we will only attract reputable guests and families.

Submission: “Today (17/6/2020), additional lighting has been installed at 114 Peace Street under the eaves near the bbq/entertaining area, with a corner two-way light directly facing our property. Excessive lighting facing us from our east and our south, would be just too much to tolerate and an infringement on our rights living in a residential (not commercial) zone.”

Response: Extra lights have been installed to light the patio area, which was very dim; the stairs, where a lack of light is a safety hazard, and the wood fire pizza oven area, which was un-useable without light. There are no lights directed at neighbour’s properties.

Submission: “114 Peace Street has a number of exceptionally tall trees surrounding the property. A further condition for any holiday home approval should be that the property is to be maintained to a high standard at all times. Following high winds and/or storms, the property is littered with fallen branches. Not being permanently occupied, we can envisage the land will remain in a messy condition for extended periods. This would not only be unsightly but in contravention of Fire Regulations.”

Response: We have appointed a local maintenance manager [REDACTED] who will be looking after the gardens and trees on the block. The property will be extremely well maintained and will not be unsightly or contravene any fire regulations. In addition, it is not in our interest to have an unsightly block as it will not attract guests.

Submission 3

Covered in previous comments.

Submission 4

Covered in previous comments.

Submission 5

Submission: “It appears the proposed commercial development at 114 has bitumen with crushed rock / pea gravel overlay installed. This is not in accordance with the requirements stated in the Policy.”

Response: Once again, this residence has been in existence for more than a decade. If our neighbours had any issues with the driveway, these should have been addressed with the previous owners. The driveway is of a pea gravel bitumen, constructed to a sealed standard

and meets the required standard for holiday premises. The property complies to Building Code of Australia Requirements, Class 1B building.

In summary, the property will be used for short stay accommodation for no more than six people. The property will **not** be jointly leased as a package with other properties. The property is well established with 3 bedrooms, 1 bathroom and a carport for 2 cars. There is a small additional space for the parking of one other vehicle and a turnaround area. The house has been renovated to luxury quality and will be a well-managed holiday home. The quality of furnishings and appliances in the holiday house are of an exceptionally high standard. As such, it will be a positive addition to Denmark's tourism industry.

We intend that the holiday home will only be rented for a maximum period of three (3) months to any one person in any twelve (12) month period. The block is sizeable, with the closest neighbour nearly 150 metres away, allowing for minimal impact on the amenity of adjoining residents. The nightly charge is proposed to be \$300 per night, ensuring tenants will be of a high calibre and we do not expect tenant behaviour issues.

There are car-parking facilities for two cars with another additional car-parking bay provided next to the courtyard. There are three hard-wired smoke alarms in the house; one in each bedroom. An evacuation light is provided in the path of exit. The holiday home contains the required minimum fire safety measures, such as a fire blanket and fire extinguisher in the kitchen area. A fire and emergency plan has been provided and is part of the Property Management Plan (see attached).

The management plan addresses details of how bookings are to be made; duties of the property manager; fire and emergency plan arrangements and a Code of Conduct for guests. We have appointed a local property manager, [REDACTED] who will have day-to-day management of the holiday home; will specifically respond to complaints pertaining to guest behaviour and to any other complaints. We have appointed a local maintenance manager, [REDACTED] who will be responsible for the gardens and trees. The property will be well maintained and will not be unsightly or contravene any fire regulations.

I look forward to a favourable response.

Kind regards,

[REDACTED]


