

HOLIDAY HOME - PROPERTY MANAGEMENT PLAN

PROPERTY ADDRESS: 116 Peace Street, Shadforth

PROPERTY MANAGER DETAILS:

Name: Tania Sheed

Address: Sheed Road, Denmark

Telephone Number: 0417 920 853

Email: tlsheed@hotmail.com

The nominated Property Manager will:

- Have day-to-day management of the holiday home;
- Specifically respond to complaints pertaining to guest behaviour made before 1am, within a two hour timeframe;
- In relation to any other complaints, respond within a reasonable timeframe but within 24 hours.

DETAILS OF RESERVATIONS ARRANGEMENTS (please tick all applicable):

Internet (please specify) Airbnb

Denmark Visitor Centre

Property Manager

Other (please specify) _____

DUTIES OF PROPERTY MANAGER

- 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);
- Liaise with tenants for the occupancy and vacation of the premises;
- Ensure the correct maximum number of people are staying overnight in accordance with planning approval conditions;
- Ensure the premises are 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 premises, available for inspection by the Shire of Denmark upon request;
- Ensure the premises are clean and maintained to a high standard;
- Ensure bed linen is clean and replaced upon tenant vacation; and
- Ensure rubbish and recycling bins are put out and collected as required.

NOTE: Should the property not have access to Council waste collection services, please provide details of how waste shall be disposed of: _____



HOLIDAY HOME - FIRE AND EMERGENCY PLAN

PROPERTY ADDRESS: 116 Peace Street, Shadforth

EMERGENCY CONTACT DETAILS

FOR ALL EMERGENCIES DIAL 000

Property Manager: 0417 920 853

Denmark Police: 9848 0500

Shire of Denmark: 9848 0300

Denmark Hospital: 9848 0600

EMERGENCY INFORMATION

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

ABC Radio: 630AM

DFES: www.dfes.wa.gov.au/
132 500 for SES emergency assistance
13 DFES (13 33 37) for emergency information

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



Code of Conduct

As Required by the Shire of 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

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 their stay coincides with collection days.

Your collection day is: Fridays.

Keys

At the end of the agreed tenancy, tenants agree to lock the premise, close all windows and return the keys to the key safe at the front of the property. 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 Manager's discretion. No refunds will be made.

Emergency Information

For All Emergencies Dial "000"

Property Manager: 0417 920 853
(Tania Sheed)

Denmark Police: 9848 0500

Shire of Denmark: 9848 0300

Denmark Hospital: 9848 0600

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

ABC Radio: 630AM

DFES: www.dfes.wa.gov.au/

SES emergency: 132 500

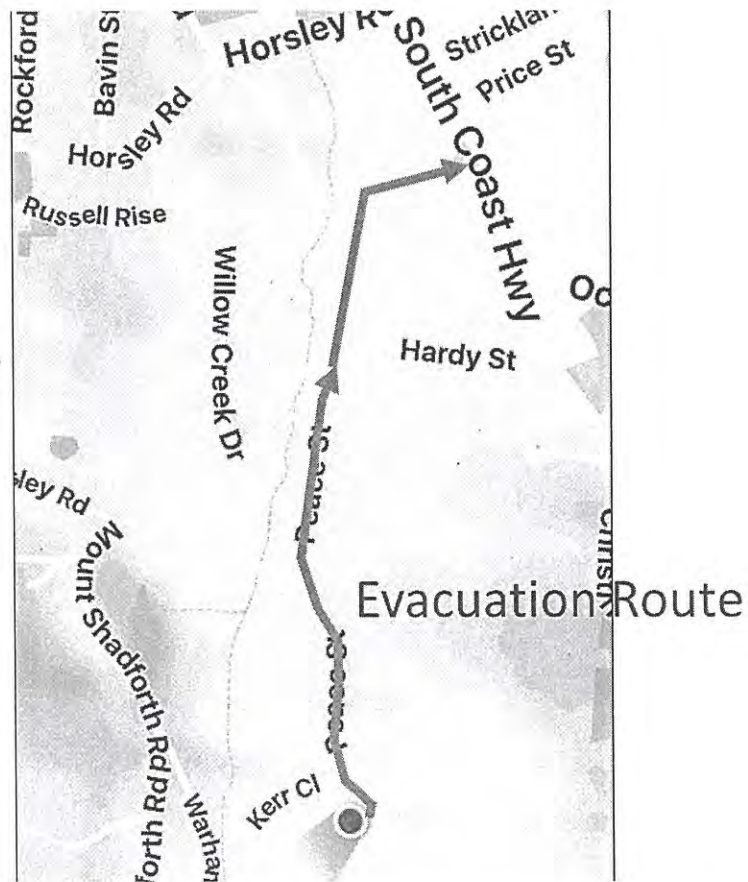
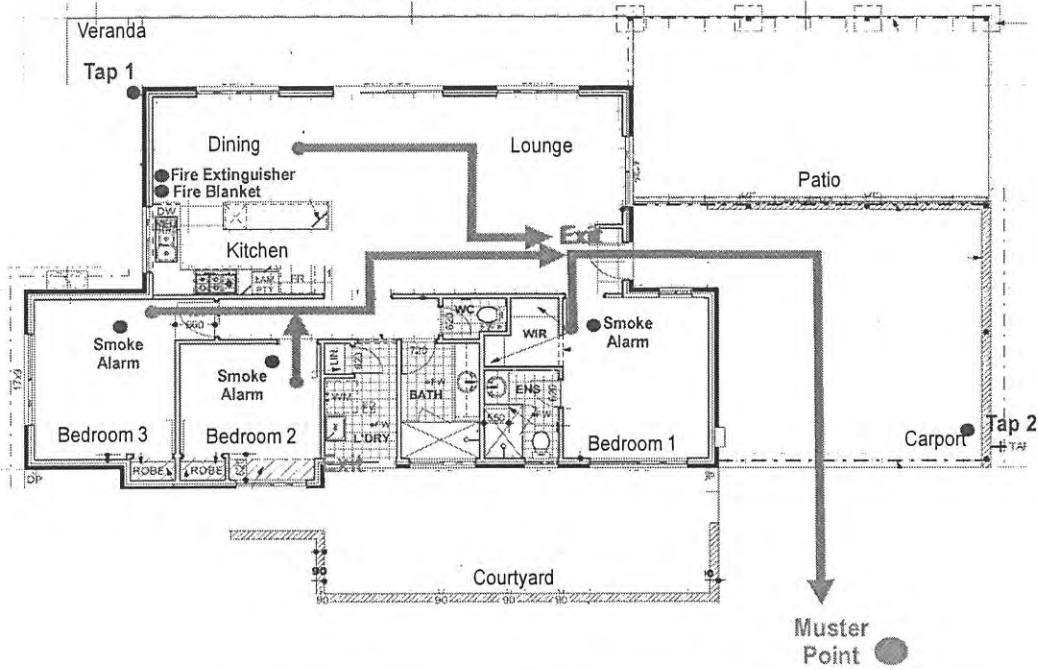
13 DFES (13 33 37) for emergency information

Shire of Denmark:

www.denmark.wa.gov.au



FIRE EVACUATION ROUTE

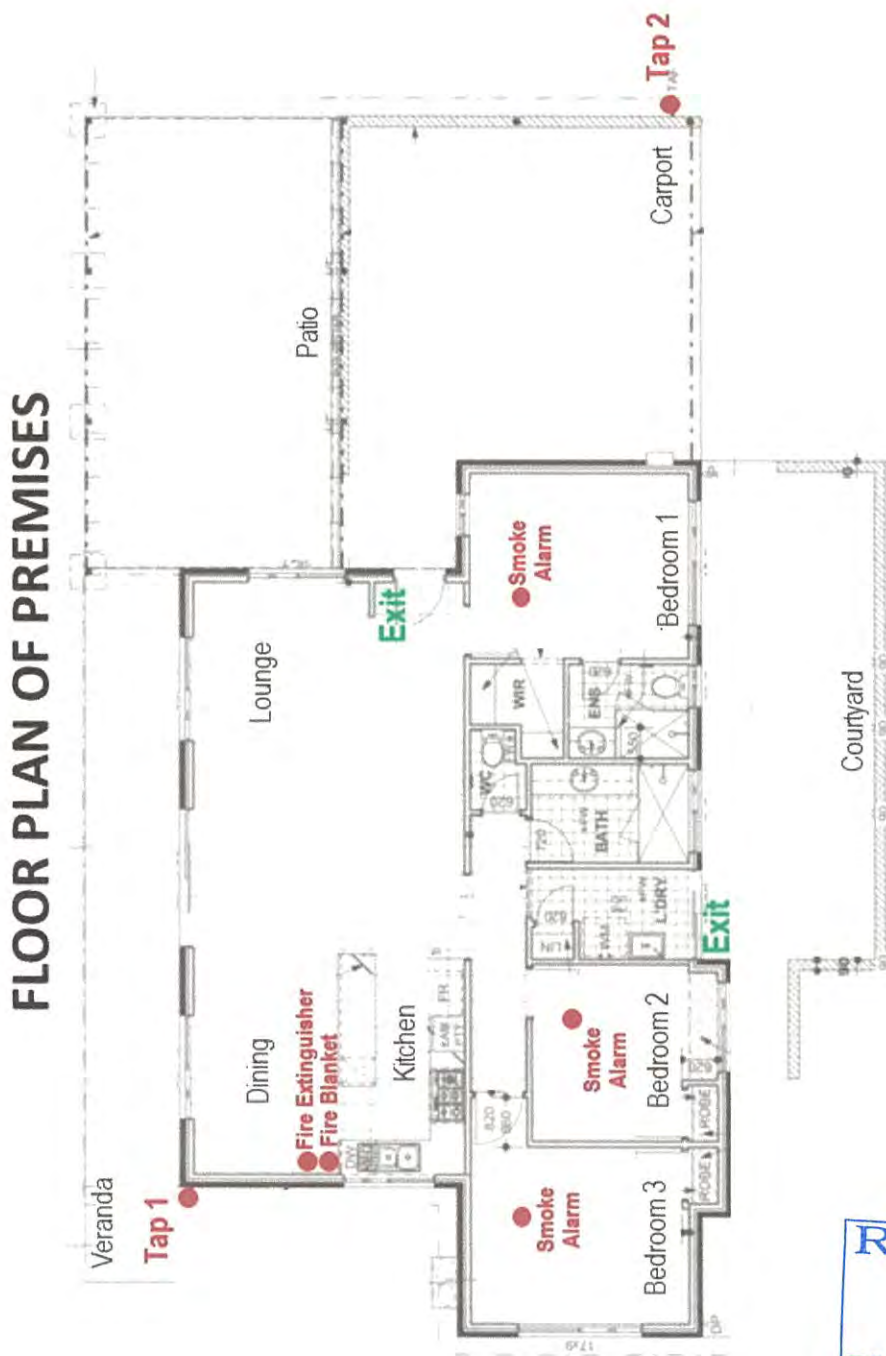


RECEIVED
15 JAN 2018
BY: _____

HOLIDAY HOME – FLOOR PLAN OF PREMISES

Attach floor plan of the dwelling showing the following:

- Hardwired smoke alarms (required in all bedrooms and passageways)
- Fire blanket (in kitchen)
- Exit lighting in the paths of exit
- Fire extinguishers
- External taps/garden hose locations
- 'You Are Here' symbol.



You are Here

RECEIVED
20 NOV 2017
BY: _____



SCHEDULE OF SUBMISSIONS: PROPOSED HOLIDAY HOME (STANDARD) – NO. 116 (LOT 210) PEACE STREET, SHADFORTH (2017/181; A3524)

Submission Number	Name & Address	Verbatim Submission	Planning Services Comment
S1	<p>Details omitted as per Council Policy.</p> <p>Submitter is a nearby landowner</p>	<p>Our property at [address removed] is located diagonally opposite the proposed holiday home as shown on the attached aerial photo {NB: omitted by Planning Services}.</p> <p>We are objecting to the proposal for the following reasons:</p> <ol style="list-style-type: none"> 1. It would appear that it does not comply with the Shire of Denmark’s Town Planning Scheme Policy No 19.5: Holiday Homes as the Vehicle Crossover is not sealed and the vehicle, parking, manoeuvring and circulation areas are not constructed, sealed and drained as appears to be required in a Special Residential Zone. Our property is close to these areas and vehicle use of the gravel surface is noisy. Photos taken from our property will be sent under separate cover showing these areas – refer photos at end of table. 2. The proposed holiday home has an outdoor entertaining area that is elevated, open and exposed, potentially compromising the privacy of adjoining residents and the high standard of amenity currently enjoyed by us and other adjoining residents. Because of the topography and open construction of the outdoor area any activity or noise is clearly audible from our living areas. The photos referred to in point 1 above illustrate the elevation and the openness of the entertainment area in the context of this locality. <p>Comment:</p> <ul style="list-style-type: none"> • If the existing residence is considered suitable, and it is approved for use as a Holiday Home, it is requested that the management plan contain strict noise and nuisance provisions as well as verge parking restrictions in keeping with other management plans for recently approved Holiday Homes – Standard because of the proximity of our residence to its driveway, onsite parking and outdoor entertaining area, and to minimise the potential for any conflict. <p>Other Comments:</p> <ul style="list-style-type: none"> • The residence has extensive outdoor lighting spilling over to adjoining properties at night. • The definition of Holiday Homes – Standard states that ... it may be used for short stay accommodation for no more than six people. How does Council enforce this provision? 	<ul style="list-style-type: none"> • The vehicle crossover and driveway have been sealed, noting this has only recently been completed by the owners. • The entertaining area is setback in excess of 80 metres from the submitter’s residence and to the rear of the existing carport wall. <p>No objection has been received from the nearest adjoining property owner to the east regarding privacy or other amenity concerns. The outdoor living area exceeds the minimum setback requirements for the Special Residential (2) zone.</p> <p>Issues relating to potential noise emission from the outdoor area would apply irrespective of the Holiday Home use. Policy 19.5 stipulates that speculation relating to potential behaviour of guests (including noise) does not represent a valid ground for refusal.</p> <ul style="list-style-type: none"> • A Property Management Plan is required to be provided to landowners consulted a part of the application in the event that approval is granted. This includes a Code of Conduct for Guests. • External lighting within the property is of a domestic scale (sconce lights, pendant lights, eave downlights and solar garden lights). There is no direct light spill onto the submitter’s property although the lighting is clearly visible. • Conditions restricting occupancy would form part of any development approval. • Renewal applications are not subject to re-consultation although any valid complaints received by the Shire would be taken into account as part of a future assessment.

- It is understood that any approval is for one year only, after which time a renewal application is lodged. It is requested that adjoining landowners be involved in this process.
- We understand that a management plan will include contact details of a local person that we can contact in the advent of non-compliance.

Further Comments Following Liaisons Between Submitter & Planning Services

We appreciate that the driveway and crossover have now been completed in accordance with the Denmark "Town Scheme Policy No 19.5: Holiday Homes" (Policy 19.5).

However we still believe some screening could be used to ensure the policy statement criteria of Policy 19.5 are met, in particular that "Outdoor living and car parking areas are located and/or screened to protect the visual amenity of surrounding residences".

We have become more aware of a visual amenity issue since the house has been occupied for the first time. A number of vehicles regularly used the driveway and parking area. We are only partially screened by vegetation on our property and like our neighbours we are of the view that screening of the parking area (with perhaps vegetation) would help to improve the visual amenity and assist to meet Policy 19.5 criteria.

The applicant's outdoor area was also utilised a lot during the Christmas period and the only screening being vegetation on our property. Although there is some distance between us we felt that our privacy and the visual amenity from our outdoor area was being compromised. We expect this could work both ways. As a solution to this issue we would be grateful for some form of screening on the eastern side of their outdoor area.

Shire of Denmark Town Planning Scheme Policy 19.5: Holiday Homes

Based on this experience we would also like to make some comments about Policy 19.5.

We consider that it would be better land use planning practice not to have Holiday Homes and residences co-located, as there is always the potential for loss of residential amenity and conflict. It is also considered not unreasonable that in residential zones, residents and prospective purchasers can expect some certainty in respect to land uses in these areas.

We understand that The Shire of Augusta Margaret River has experienced similar planning issues and adopted a policy essentially limiting holiday homes to certain holiday or tourist precincts. Their policy also stipulates that "Holiday Homes and

- Contact details of the relevant Property Manager are required to be provided to landowners consulted as part of the development application should approval be granted.
- Noted.
- Policy 19.5 does not mandate screening of carparking areas for Holiday Home (Standard) applications. Parking required to service the use accords with that of a standard single house (minimum 2 carparking bays).
- Carparking is to be accommodated within the existing carport and driveway. The location and amount of parking required to service the Holiday Home does not warrant additional screening.
- Given the distance to the submitter's property, and the position of the outdoor living area, located on the northern side of the carport, a requirement for privacy screening is not warranted.
- Policy 19.4 adopted on 6 November 2012 (now superseded) had nominated preferred locations for holiday home applications based upon locational attributes.

Policy 19.5 adopted on 18 August 2015 removed reference to preferred locations. This policy was subject to broad public consultation at the time with no significant objections received.

In reviewing Policy 19.4 consideration was given to the Western Australian Planning Commission Planning Bulletin 99: Holiday Homes Guidelines which states:

"As a guide, holiday homes are most appropriate in areas of high tourism amenity and close proximity to key tourism attractions such as the beach, town centre or rural areas. Suburban locations may not be appropriate."

		<p>Houses are located and designed so as to avoid potential amenity issues and conflict with surrounding areas.” We believe including the reference to “design” is very important.</p> <p>Thank you again for inviting us to comment further and we look forward to a suitable agreement being reached to the satisfaction of all parties.</p>	<p>In this context it was considered that all locations within Denmark could fit this criteria, with all lots being close to either the beach, town centre or rural areas (as well as many other key tourism attractions in the Shire). To take away the permissibility of holiday homes in all suburban areas would significantly impact the tourism benefits that a diversity of tourism accommodation brings to Denmark, however it was recognised that this needed to be balanced against the preservation of the residential neighbourhood character and availability of housing for permanent residents.</p> <p>At the time there was also a desire to remove the perception that some locations, such as Weedon Hill were preferred over other sites, potentially causing a disproportionate concentration of holiday impacting the residential character of the area.</p>
S2	<p>Details omitted as per Council Policy.</p> <p>Submitter is an adjoining landowner</p>	<p>Thank you for your letter dated 28 November 2017 concerning the application for approval for a Holiday Home (Standard) on the above property. This came as a surprise to us as we had been informed previously by a representative of the owners, that this property was to be a holiday home, but only for the owners and their family. It came as a shock to find it listed on Airbnb.</p> <p>This application will certainly have an impact on our property, we being directly below the property the subject of the application, and we therefore wish to make submissions. The house has only recently been completed and the owners spent a few days settling into the house. During this time, we were able to gauge the impact occupants of the dwelling would have. (Note: During construction of the property, trades’ peoples’ conversations were clearly audible.)</p> <ul style="list-style-type: none"> • There is a large, outdoor entertaining area, complete with BBQ, Pizza oven and heater, with furniture that could accommodate a number of people. Because of the topography of the land, any sound emanating from this area travels down the valley and are clearly heard by us. We submit that this area should be enclosed in a way that decreases noise levels and also protects the visual privacy of the surrounding residences. From parts of our garden, we can clearly see anyone using the outdoor area. • There are a number of outdoor lights installed at the house that directly shine down the valley. Recently, the house was lit up like a Christmas tree!! We 	<ul style="list-style-type: none"> • Noted. The listing on Airbnb has been removed now. • The entertaining area is setback in excess of 60 metres from the submitter’s property. In attending the site it was evident that established vegetation exists near the northern which offers some additional screening protection. • The entertaining area exceeds the setback requirements applicable to the Special Residential (2) zone. The proposed Holiday Home use will not in itself generate additional noise beyond that which could otherwise arise through permanent occupation of the single house. In this regard Policy 19.5 stipulates that speculation relating to potential behaviour of guests would not represent valid grounds for refusal. • The applicant has confirmed that no wood fired pizza oven has been installed and none

submit that the lighting arrangements should be altered so the lights do not light up the sky to the extent that they presently do.

- We live in a fire prone area. The house is advertised as having a “home-made wood fired pizza oven”. We submit that having a wood-fired pizza oven is a danger to all neighbours and the area in general. There is no guarantee that occupants staying in the home would be aware of the risks. In fact, whilst the house was recently occupied, we could clearly see flames from the fire coming from the houses 'outdoor area. A house rule should be made that there are to be NO fires during the shires' summer fire restriction season and the property manager should regularly check this.
- The holiday home is advertised as being for a maximum of 6 guests. It is furnished in such away i.e. 3 queen size beds, that it appears to mainly cater for adult couples. What guarantee is there that this maximum of 6 guests will be adhered to? Children sleeping on the couches for example.
- Pursuant to Town Planning Scheme Policy 19.5, clause 3, there is an objective that “holiday homes are managed To a high standard”. Clause 6.8 stipulates a condition for approval is that adjoining landowners are to be provided with details of the Property Manager. We require this information as soon as any approval is given with a guarantee that any problems will be dealt with according to the clause together with an assurance that the house will be regularly checked during occupancy so that the House Rules are complied with.

Thank you for the opportunity to address our concerns and we look forward to hearing from you in due course regarding this Application.

Further Comments Following Liaisons Between Submitter & Planning Services

Thank you for your recent emails concerning the above application. We still have concerns regarding this application but certainly hope to be able to reach a mutually agreeable solution with the applicant. To this end, we make the following comments and suggestions.

Additional Screening of Outdoor Area:

We note your comments relating to setbacks from side boundaries and in particular, note that during your inspection, you took into account existing vegetation. The vegetation referred to is INSIDE our property and was planted pursuant to a requirement by the Shire at the time we applied for planning permission for our house. The then owners of 116 Peace Street (vacant block), stipulated this requirement prior to agreeing to our house plans. During the time we have resided in our property, there have been at least two occasions when we have lost shrubs due to high winds during storms. Should this occur again, as is quite likely, this screening could not be relied upon. A compromise to this situation could be that the applicants plant screening vegetation inside their property, adjacent to our dividing boundary. The vegetation need not be high, perhaps native tall growing shrubs – but this would make an extra screen for them, and us. It would assist the visual

was visible at the time of conducting the preliminary site visit.

- Maximum occupancy of the Holiday Home would be conditioned through the development approval.
- Contact details of the relevant Property Manager will be made available to landowners consulted as part of the development application in the event that approval is granted.
- Given the open nature of surrounding properties, absence of solid fencing and topography, some degree of overlooking cannot be avoided. The acceptability/ degree of overlooking is guided by compliance with development setback requirements established under the scheme.

The entertaining area is set back in excess of 60 metres from the submitter's property exceeding the 20 metre minimum stipulated in the Special Residential (2) zoning provisions that apply. On this basis, enclosure/ screening of the outdoor entertaining cannot be substantiated.

The submitter is afforded some additional screening protection albeit that such vegetation is established and controlled within their property boundary. This screening formed a condition of development linked to approval of the single house on the submitter's property due to a reduced rear setback that was requested at the time.

- Issues pertaining to water runoff from the site are not directly related to the proposed Holiday Home use. Although landowners are required to retain runoff from roof and impervious surfaces within their property there is no requirement to contain natural overland flows.

		<p>impact from our property and reduce noise levels as well, and serve to preserve the amenity of the area. At present, we are able to look directly into the applicant's outdoor entertaining patio from a number of areas within our property, regardless of the current vegetation.</p> <p>The planning of vegetation could also alleviate another issue, that of drainage. During high rain fall, the water falling on the applicant's property pours down the valley. After several "wash aways", we have had to remedy this problem with the use of a build up of mulch inside our fence line so excess (rain)water now runs along the outside boundary but it does then run along our eastern boundary (on the property owned by the [Name Removed] and eventually, onto Kerr Close and then into the roadside drain. The planning of screening vegetation on the applicant's property, would assist with the water issue quite substantially. As we understand the situation and according to Shire regulations, it is an owners' responsibility to retain water falling on their property.</p> <p>Regarding the problems relating to the lighting of the property:</p> <p>On your property inspection, you noted external wall sconce lights, directed up and down, but perhaps did you not notice the down lights in the eaves, and these are the lights that shine directly down the valley into our property. It is because we look UP the valley into those lights, that they have such a visual impact on us. However, with the property recently occupied, we also noted that a lot of the light is coming from inside the house. Obviously, we cannot, and would not wish to impose restrictions on occupiers as to how they use the property, but we note that there are no window treatments on any of the windows. If blinds were installed on those windows and even partially lowered or closed at night, it would have a big impact on the light shining down the valley and into our property, and those of our neighbours. This would therefore minimize the impact of this holiday home on the amenity of adjoining residents, which is one of the objectives of the Town Planning Scheme Policy 19.5(3).</p> <p>We are therefore at this stage, still not satisfied with the response provided to you by Mr Tan in his email to you dated 17 January 2018 concerning some issues. We would, however, like to reach a compromise satisfactory to us all, and look forward to your further comments.</p>	<ul style="list-style-type: none"> External lighting within the property is essentially of a domestic scale (sconce lights, pendant lights, eave downlights & solar garden lights). There is no direct light spill onto the submitter's property although the lighting would be visible and is most likely generating greater concern due to the nature of the prevailing environment. <p>Issues associated with lighting on the property and window treatments are not generated by the Holiday Home application itself, but represent existing concerns with the design and fitout of the house.</p> <p>The Shire has no policies or local laws that stipulate or control the types of lighting that can be installed on domestic properties. Action can be pursued through the Local Government Act where a nuisance exists as would potentially apply in the case of directional light spill – refer comments in report in this regard.</p>
S3	<p>Details omitted as per Council Policy.</p> <p>Submitter is an adjoining landowner</p>	<p>Thank you for your letter dated 28 November 2017 inviting us, adjoining land owners, to comment on the proposed Holiday House at 116 (lot 210) Peace Street, Shadforth.</p> <p>We are located directly opposite the proposed holiday house and are objecting to the proposals for the following reasons.</p>	<ul style="list-style-type: none"> The vehicle crossover and driveway have been sealed, noting this has only recently been completed by the owners. The requirement for screening of carparking areas particularly applies to Holiday Home (Large) applications (max 7-12 people) not Holiday Home (Standard). External lighting within the property is essentially of a domestic scale (sconce lights,

		<p>The driveway to the house is directly opposite our property and as It is not sealed with pavers, concrete or asphalt it therefore surely does not comply to the Town Planning Scheme 19.5 Holiday Homes, section 6.4.</p> <p>The outdoor parking area directly opposite our property is very visible and not screened as specified in the Town Planning Scheme 19.5 Holiday Homes, section 6.1. This exposed area, along with the several, extremely bright exterior lights that shine out across the road, at night, invade our visual privacy and that of our neighbours.</p> <p>Question 1 If the holiday home is successful with its application will surrounding land owners be given a contact phone number for the owner or manager of the property in the event of any anti social behaviour?</p> <p>Question 2 Will surrounding land owners be invited to submit their comments towards the end of the first year of planning approval and before commencement of the next 3 years of planning approval for the property?</p> <p><u>Further Comments Following Liaisons Between Submitter & Planning Services</u> Thanks again for clarifying the parking situation for Holiday Homes. We are not against 116 Peace Street being a holiday home, however our concern is that there could be more than 2 vehicles parked at any one time and as there will be no screening, the visual amenity, as seen from our verandah, will definitely be impaired. We know that predicting what might happen is not an acceptable argument but over the Christmas period there was at times, 6 cars parked at 116 and this has given us a foresight into how several vehicles does impact on our vista. Will the statement, "no more than two cars", be included in the advertising of this holiday home?</p> <p>We are not asking for fencing but some form of soft screening would certainly help retain the visual amenity of our immediate neighbourhood and take away the negative impact of the exposed drive and parking areas.</p> <p>We look forward to further feedback on this matter of screening on the road side of 116 Peace Street.</p>	<p>pendant lights, eave downlights & solar garden lights) – and particularly on the elevation fronting the submitter’s property. There is no direct light spill onto the submitter’s property, nor Peace Street. Refer comments in the report regarding lighting considerations.</p> <ul style="list-style-type: none"> • Contact details of the relevant Property Manager will be made available to landowners consulted as part of the development application in the event an approval is granted. • Renewal applications are not subject to re-consultation although any valid complaints received by the Shire would be taken into account as part of a future assessment. • The potential number of vehicles parked at the property would not exceed that which could otherwise occur from time to time as part of the established single house. • The property contains several trees within the front building setback, which were notated for retention as part of the initial single house approval. The applicant has indicated that they may undertake additional landscaping over time which will soften the appearance of the new dwelling and driveway area. • Notwithstanding, on the basis of the scale of the proposed use and anticipate parking demands, the imposition of conditions to mandate planting/ landscaping be undertaken within the front building setback is not warranted.
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Photos as referenced in Submission 1:















SITE VISIT RECORD FORM

Subject Site: 116 (Lot 210) Peace Street, Shadforth

Date: 9 February 2018
By Whom: Senior Town Planner Jasmine Tohill
File Ref: A3524 (2017/181)

LOCATION PLAN





View 1



View 2



View 3



View 4



View 5



View 6



Front Elevation facing Peace Street



Rear patio – with wall lights, patio heater and barbeque



Garden bed with solar garden lights at rear dwelling



Lights on rear elevation –wall and eaves.



Night view of external lights on rear elevation (6 February 2018)