

## HOLIDAY HOME - PROPERTY MANAGEMENT PLAN

PROPERTY ADDRESS: 74 MALPHERSON DRIVE, NORMALUP

### PROPERTY MANAGER DETAILS:

Name: BURTON REALTY / TRACY HARDIMAN

Address: 34 NOCKOLDS ST. WALPOLE 6398

Telephone Number: 98401232 / 0438 240674

Email: info@burtonrealty.com.au

### 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)  Air BNB

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: \_\_\_\_\_

15 October 2019 - Attachment 8.1.2a

OFFICE COPY



## HOLIDAY HOME - CODE OF CONDUCT

PROPERTY ADDRESS: 74 MACPHERSON DRIVE, NORNALUP

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 their stay coincides with collection days.

Your collection day is: TUESDAY

**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.

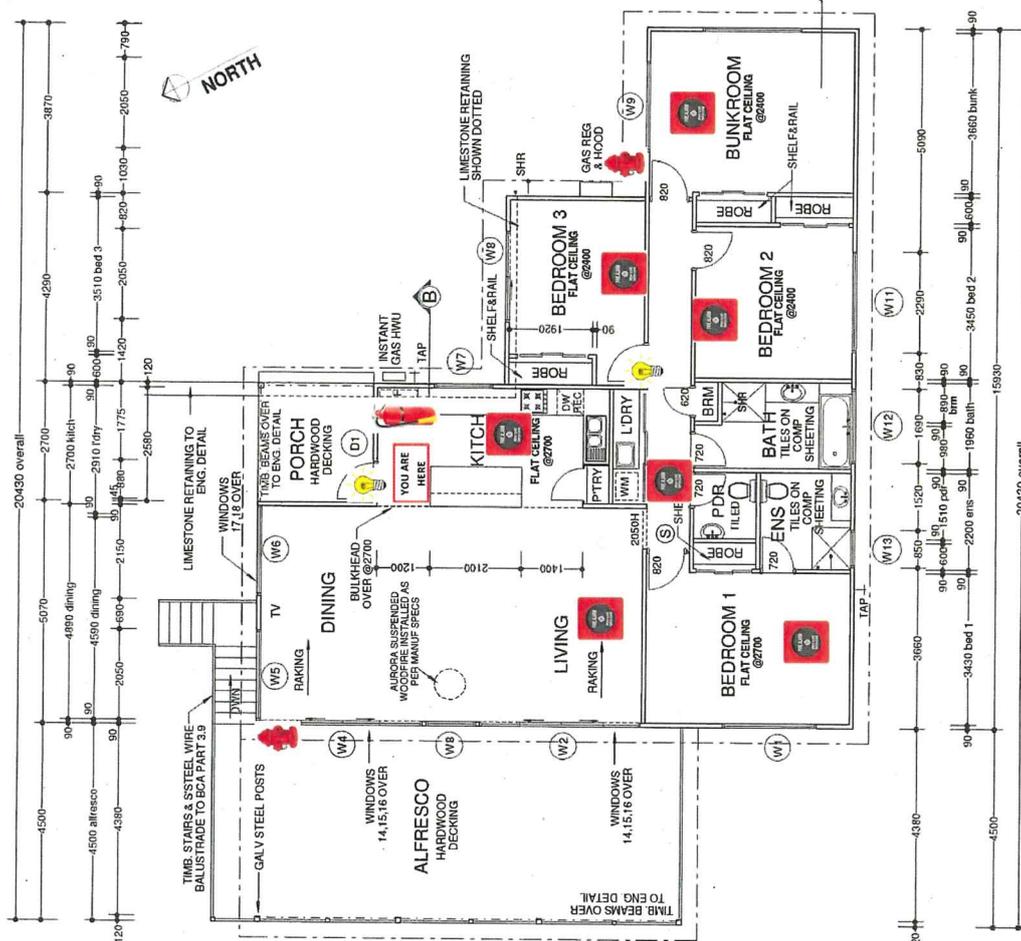
**TERMINATION OF ACCOMMODATION:** If tenants are found to have contravened any of the above Code of Conduct responsibilities a verbal warning will be issued. If the contravention is not rectified immediately the accommodation booking may be terminated with 2 hours' notice at the Property Manager's discretion.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

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07 AUG 2019

Shire of Denmark

NOTE:  
 -R4 INSULATION BATT'S TO CEILING AREA  
 -R1.5 FOIL BACKED INSULATION UNDER ROOF SHEETING  
 -R2.5 INSULATION TO EXTERNAL WALLS  
 -R1.5 INSULATION TO EXTERNAL WALLS FRAMES  
 -WITH INSECT SCREENS TO EACH OPENING  
 -AND SKIRTING THROUGHOUT  
 -GALV ROOF TIE DOWN @1200 CTS  
 -DAMPERS TO ALL MECHANICAL VENTS  
 -CEILING FLOORS-40MM  
 -INSTANT GAS HWU

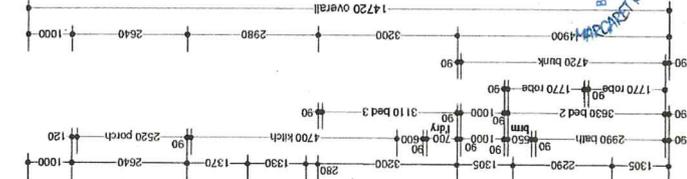


AREAS:  
 LIVING: 153.70m<sup>2</sup>  
 ALFRESCO: 48.50m<sup>2</sup>  
 PORCH: 6.50m<sup>2</sup>

**Legend**

- Hardwired smoke alarms
- Fire blanket and fire extinguisher
- Exit lighting in the paths of exit
- External tap/garden hose

*Handwritten signature*  
 Roger Pateman  
 BSc (Hons) M.I.E. Aust. C.P. Eng.  
 Reg. No. 25334  
 Tel: 9737 9179  
 PROJECT OVER STRUCTURAL



Ⓢ DENOTES HARD WIRED SMOKE ALARM  
 CHECK ALL LEVELS & DIMENSIONS ON SITE  
 PRIOR TO COMMENCEMENT OF ALL WORKS

**ENHANCED Design & Drafting**  
 MARK GRAHAM ASSOC. DIP. ARCHITECTURE  
 Margaret River 6285  
 Telephone/Fax 08 97897 733  
 Mobile 0438 810 440  
 E-Mail: r.drafford@mel.net.au

**PROPOSED RESIDENCE**  
 LOT 119 MACPHERSON DRIVE  
 NORMALUP

**FLOOR PLAN** WDWgs  
 Project No: 1 Sheet: 2 of 8  
 Scale: 1:100 Revision: A3  
 Date: 6-5-2015 Dwg:

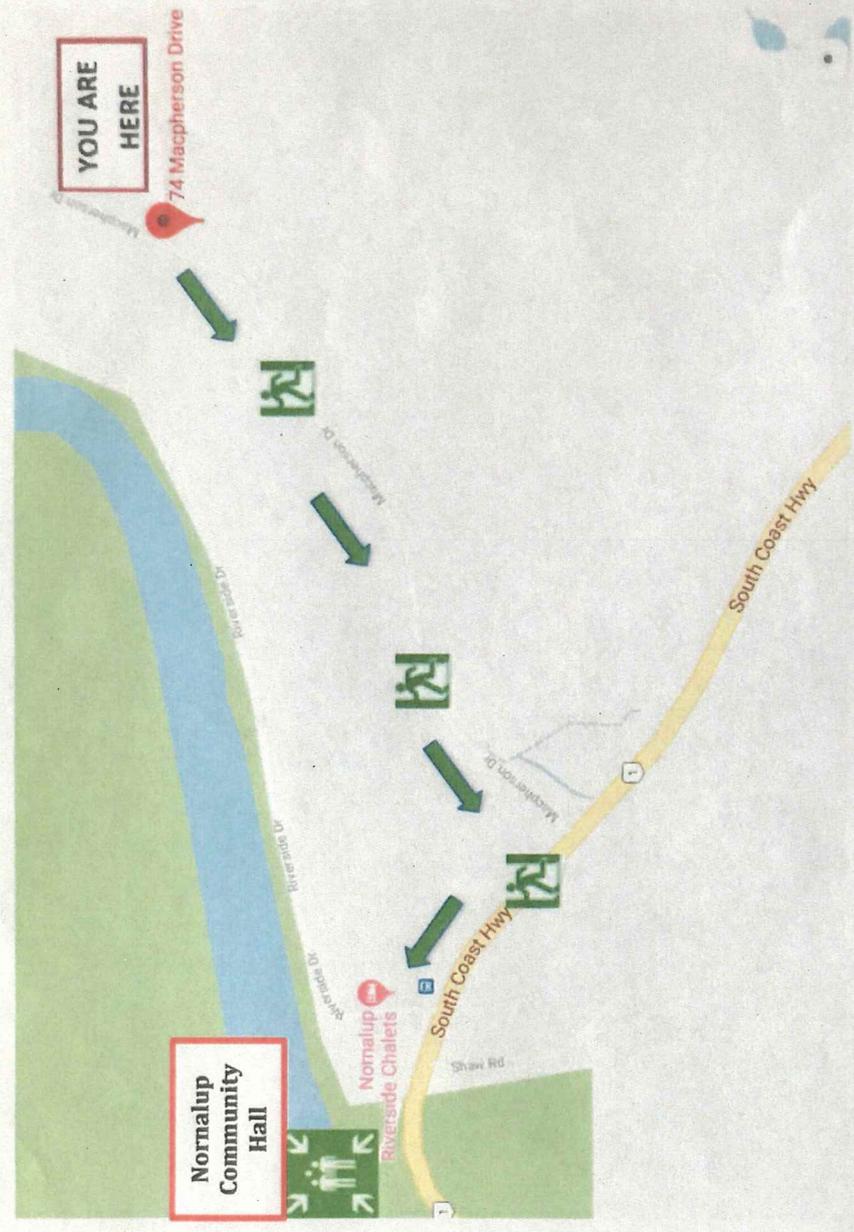
**SCALE IN METRES**  
 0 1 2 3 4 5

**BAL**  
 -BUILDING TO COMPLY WITH THE BCA PART 3.7.4 AND AS3959/ AS 3955-2009

**FLOOR PLAN**

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# EVACUATION DIAGRAM



**LEGEND**

- FIRE
- 000 EMERGENCY
- EVACUATION
- REFUGE AREA
- REGISTERED MANAGER  
**TRACY HAROIMAN**  
0438240674

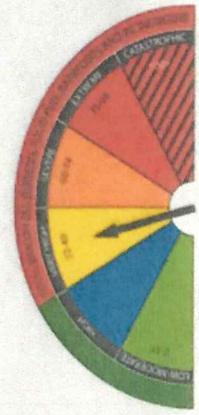
## IN AN EMERGENCY

- If you see smoke**
- If you see fire**
- If you are told to leave**

## EVACUATE

1. Rescue anyone in danger
2. Call 000 Fire
3. Close all windows
4. Go to Normalup Community Hall, near Normalup Riverside Chalets
5. Advise Registered Manager
6. Return to home when safe

Return when advised by Emergency Services or the Registered Manager – call to ask.  
Monitor the house for any small fires. If you see a fire use extinguisher, call 000 and evacuate.



On Extreme or Catastrophic days stay within the township areas.  
Monitor the radio or television and the DFES website for updates.

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# NORNALUP AREA BUSH FIRE READY INFORMATION

FIRE EMERGENCY – 000

DFES – INFO LINE – 133337

DFES Warnings and Alert Website: [www.emergency.wa.gov.au](http://www.emergency.wa.gov.au)

~~Chief Bushfire Control Officer – Ross McDougall – 9840 9583/0428 788 000~~

~~Deputy Chief Bush Fire Control Officer – Lez Baines – 9840 9847/0408 956 133~~

## KEY COORDINATORS

(\*indicates possibly no mobile service)

~~John Taylor – 98401406 – 0417 186 518~~

~~Lucy D'Angelo – 98401945 – 0497 224 688~~

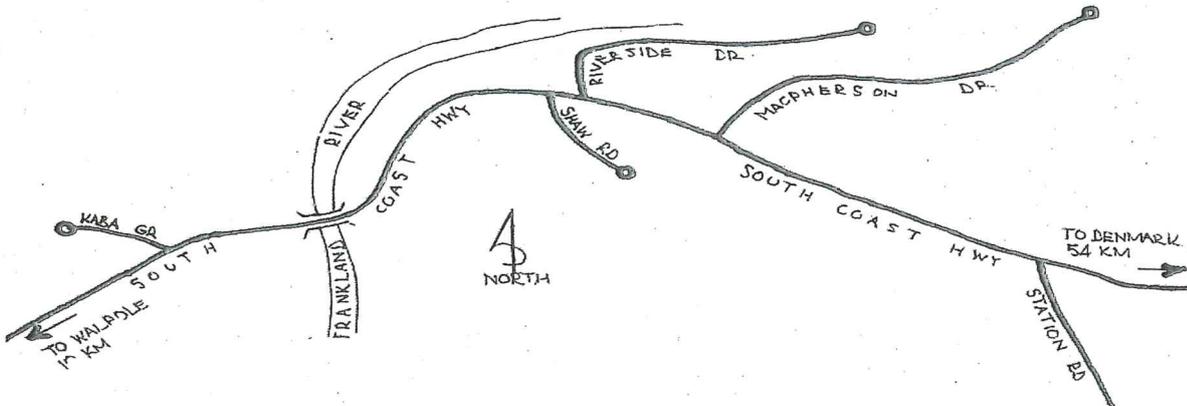
~~Philip Powell – 98401030 – 0490 858 572\*~~

## Macpherson Dr – Street Coordinators

~~Janine Smeathers – 9840 1163 – 0428 614 206\* 042940116\*~~

~~Elisabeth Shaw – 9840 1773 – 0427 210 547~~

ALL CONTACT DETAILS TO BE DELETED IN FULL



## BUSH FIRE WARNINGS

### ADVICE

- Be aware and keep up to date.

### WATCH AND ACT

- Put your preparations into action – If you are not staying to defend your property  
Do not wait to be told. Leave now by the safest route.

### EMERGENCY WARNING

- Take immediate action to survive – you will be impacted by fire.

### ALL CLEAR

- Take care to avoid any dangers and keep up to date.

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**SCHEDULE OF SUBMISSIONS: PROPOSED HOLIDAY HOME (LARGE) – No. 74 (Lot 119) MacPherson Drive, Nornalup (2019/105; A2470)**

Submission Number	Name & Address	Verbatim Submission	Planning Services Comment
S1	<p>[REDACTED]</p> <p>Details omitted as per Council Policy</p>	<p>We are writing to object to the proposal for the following reasons.</p> <p>Firstly, our decision to move to and retire in Nornalup was made due to its location, peace and tranquillity, something that is getting harder and harder to find in the modern world.</p> <p>The applicant’s decision to request that the existing property is to be used as a holiday accommodation will impact us in the following ways:</p> <p>Increased traffic volume and noise particularly if the home is occupied by 8 people.</p> <p>Increased noise from the property (visitors will have little or no respect for the neighbours or the resident wildlife, as they are visiting the area). We, the occupants of the property bordering the proposed Holiday accommodation no not want music and celebrations during peak holiday times or come to that any time, we chose the lifestyle and do not want it destroyed. We enjoy the visiting wildlife which may be scared away with additional movements in the area. There is little enough area for the native animals as it is.</p> <p>The subdivision on Macpherson Drive as you will know is open with no fixed solid fencing on any of the properties and this does raise security concerns, with the potential for visiting people to walk onto our property as has happened on occasions. The potential for this occurring with an adjoining holiday home is vastly increased. [REDACTED] (Note: Personal information has been redacted. Should Council require a full copy of the submission this can be provided upon request)</p> <p>The aforementioned lack of fencing will cause issues for adjoining properties with visiting pets straying onto our property. The fences here are post and wire and allow for native wildlife to move freely between blocks but will also allow pets and children to roam.</p> <p>The potential for rubbish accumulation in the area is also a concern. You will know from experience that during peak holiday period, rubbish is discarded on road verges and the concern for the environment from visitors is less than for residents of the area. Overflowing bins will cause havoc for the local wildlife and our beautiful pristine area.</p> <p>We believe having a large holiday home adjacent to our property will cause a drop in the value of our home. The home as an asset is vital and any drop in value is concerning to any homeowner.</p> <p>There was no mention of the owners intention to use the house as holiday accommodation when it was being built. The builder had made no provision for power or water and we happily assisted with this believing that a good relationship with our visiting neighbours was essential. If we had known this was to be holiday accommodation, we may not have provided this assistance to number 74.</p>	<p>Policy 19.5 stipulates that speculation relating to potential behaviour of guests does not represent a valid ground for refusal.</p> <p>Issues relating to the potential for noise, trespass and impacts upon wildlife can equally apply whether the property is occupied by owners, long term renters or short term holiday rentals. The Holiday Home approval process provides a mechanism by which such impacts can be controlled and monitored with recourse through the Property Manager and the Shire’s compliance process should the Code of Conduct be breached.</p> <p>The Holiday Home is not likely to generate any greater traffic than that which could otherwise occur if the property were permanently occupied, noting that the property would be unlikely to be tenanted all of the time.</p> <p>Fencing is a matter for private landholders to consider as per the <i>Dividing Fences Act 1961</i> and the <i>Shire of Denmark Local Laws Relating to Fencing</i>. To address concerns that have been raised relating to fencing the applicant has proposed to undertake additional landscape planting along the rear property boundary</p>

			<p>and to preclude guests with pets, both of which are included in the draft schedule of conditions.</p> <p>The property is serviced by the Shire’s kerbside rubbish collection service. As per the Property Management Plan, the Property Manager will be responsible for ensuring that rubbish and recycling bins are put out and collected and that the premises are clean and maintained to a high standard.</p>
S2	 <p>Details omitted as per Council Policy</p>	<p>I am commenting as a resident and ratepayer of Macpherson Drive for 14 years. I wish to comment on three points raised in your letter.</p> <p>Number one is the impression given of a “done deal” – ie. “there is no obligation from the Shire of Denmark to refuse such a proposal. Whatever the community submissions.</p> <p>Number two is the advice that reflecting upon behaviour of proposed occupants is not a valid point.</p> <p>Number three . Allowing a commercial venture in this quiet residential street, has the potential to change the amenity and reasonable expectations from residents, of a quiet rural lifestyle.</p> <p>Number One: I am disappointed that the Shire have declared that the wishes of their ratepayers will be given very little respect, during council deliberations. Disappointing, as these issues impact greatly upon the quality of life and every day life style of residents. Residents, like myself who have bought our home here in good faith, observing the existing environment, never expecting the precedent of having commercial ventures next door.</p> <p>It seems that the Shire look very favourably upon proposals which involve tourists whilst ignoring those of us who have bought our home here ie. we contribute to the community and therefore the Denmark Shire - EVERY DAY&gt; A very cynical exercise to extend to adjoining land owners, the opportunity to comment, and then state clearly that their comments will not be considered.</p> <p>Number Two: I would expect that considering the conduct etc of future occupants of a commercial venture would feature high on the list when considering a commercial proposal.</p> <p>For example: Looking at the proximity of the proposed holiday house to the other homes in this area, it would not be reasonable to expect from a holiday house sleeping 8 people:  *24hr increased noise: * 24 hr increase in vehicles coming and going: * visual pollution from house lighting and traffic. * incidence of pets straying: * children wandering (safely).</p>	<p>Policy 19.5 outlines those matters that are to be considered as part of the assessment of all Holiday Home applications. It does not nominate preferred areas for Holiday Homes or preclude Holiday Homes within Nornalup.</p> <p>Submissions were sought from adjacent residents in accordance with the requirements of TPS No.3 and Policy 19.5 so as to inform the Shire’s assessment, provide an opportunity for any concerns to be addressed and for appropriate conditions to be applied.</p> <p>The policy does not allow for assumptions regarding the potential behaviour of occupants to be taken into account as they are generally speculative, cannot be substantiated and would not represent valid grounds for refusal.</p> <p>In the event that the application is approved contact details of the relevant Property Manager are</p>

		<p>So I would hope the Shire will immediately amend this stipulation, and even extend the conditions of behaviour and activities of occupants, to priority status.</p> <p># There was no mention of this house becoming a commercial venture as it was being built.</p> <p>During the building of this house I suffered a year of almost unbearable impact upon my daily living. From the daily roar of huge machinery, to my drive being continually ploughed and blocked by these machines. Finally, I was forced to pay heavily for a new drive so as to be able to even access my home.</p> <p>The many, many discussions regarding my inability to leave my property were always with the builder. I never once complained to the owner, in the interests of future good neighbour relationships. There would be, I thought, the owners and their families.</p> <p>Now I see there will be no end to the intrusions and impact upon my quality of life.</p> <p>Number Three: This subdivision was intended to be a RESIDENTIAL subdivision. Buying a property here, implied a special type of living, a natural environment of some seclusion and peaceful amenity.</p> <p>The Shire intention to now approve of a Commercial venture, will, obviously, change the area from “residential” to “commercial”. And, just as obviously, change the valid expectations of present residents’ that their life will not be impacted by the arrival of Shire approved commercial ventures.</p> <ul style="list-style-type: none"> <li>• I don’t want a large holiday home next to me.</li> <li>• I don’t want commercial ventures in this quiet residential street.</li> <li>• I want the Denmark Shire to look after the people who wish to make their home here, those who contribute to their community and respect their neighbours.</li> </ul> <p>And I want the Shire to consider more sensitively, the impact upon ordinary, ratepaying, community building residents, before giving priority to any project which yells “tourist”.</p>	<p>made available to all landowners that were consulted as part of the development application should issues arise with management of the property or tenant behaviour. Complaints can also be reported to the Shire for investigation, noting that the approval (if granted) would be for an initial 12 month period to provide an opportunity for further review.</p> <p>Holiday Homes do not represent a permanent change from the primary residential use, being subject to ongoing renewal, initially within the first 12 months and then every 3 years thereafter.</p>
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3<sup>rd</sup> of October 2019.

Jasmine Tohill  
Senior Town Planner,  
Shire of Denmark, PO Box 183, Denmark WA 6333  
Phone: (08) 9848 0315

Via Email: [Planner3@denmark.wa.gov.au](mailto:Planner3@denmark.wa.gov.au)

**RE: Lot 74 Macpherson Drive, Nornalup Application for approval as a Holiday Home**

Thank you for the opportunity to provide additional information in relation to this application.

By way of background, this block was purchased over 10 years ago and the decision to build was not taken lightly. We utilised a local builder and many local tradespersons to construct a fine holiday house adding to the local economy. In the planning process we researched the requirements for holiday home zoning to ensure our property was compliant. We respect the sentiment of residents not wanting change or increased numbers of people occupying what was a previously vacant site.

As professionals with young children we are unfortunately not in a current position to reside permanently in this beautiful part of the world however, we elected to build a quality holiday home primarily for family, friends and a small community of high end short stay tenants who will abide to our strict code of conduct.

Regarding concerns about noise – we are cognisant that whilst having 7 children between us human noise is inevitable and the only property with no noise is an empty one. We will not however, tolerate antisocial behavior and excessive noise. There will be no sound systems available on the property so any music will be from small portable devices. The property windows are double glazed for both insulation and noise mitigation. The property is at the front part of a 2000 square metre block with significant clear space from rear properties. This coupled with a strict code of conduct enforcing no noise after 10pm Friday and Saturday and 9pm Sunday through Thursday will manage this concern. The designated property manager will be available to take phone calls relating to any concerns.

Regarding concerns about pets – we have a no pet policy for the house and will make this clear to any potential tenants as well as updating our code of conduct to reflect this.

Regarding concerns about the boundary. With a no pet policy there will be no wandering of animals however, we have spoken to our rear neighbors' and will be planting shrubs at the eastern border of the property to aid privacy and further delineate the property border. The northern, southern and western boundaries are clearly marked by the driveway and road. If it is deemed that fencing is required we would be happy to consider this.

Regarding rubbish. We are mindful of this concern and between the property manager and the cleaner we will ensure that this does not become an issue.

To reiterate this is a beautiful holiday home designed for our family and friends but we request the formal flexibility within the existing framework of council regulations to offer a high-end rental property on occasions we deem appropriate as a number of other local properties already do. This will add to the local economy and although we are cognisant of the concerns of some local residents we are confident that with a strict code of conduct and excellent property management the impact will be minimized. We hope to maintain good relations with our fellow Nornalup landowners.

We would be happy to provide any further information with regard to this application as required.

Kind regards

Dr Paul Armanasco Dr Claire Armanasco Dr Peter Ricciardo



# SITE VISIT RECORD FORM

**Subject Site:** No.74 (Lot 119) Macpherson Drive, Nornalup

**Date:** 7 October 2019

**By Whom:** Senior Town Planner, Jasmine Tohill

**File Ref:** A2470 (2019/105)

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Street front/ southern side elevation



Existing shared crossover



Portion of shared driveway



New concrete driveway servicing the existing residence – view towards Macpherson Drive



Rear Parking Area



Front Parking Area



Battleaxe driveway (servicing Lots 121 and 120) defining northern boundary of subject property.



Driveway defining boundary to adjacent property to south.



View from rear parking area towards adjacent residence to south.



Rear of subject property showing existing peppermint trees/ area proposed for additional planting.

