

## Attachment 11.10.3

**Jane Buckland**

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**Subject:** FW: Development Application - Lot 801 (191) Dean Road, Nannup Proposed Holiday House

From: penny simpson  
Sent: Tuesday, 7 March 2023 3:03 PM  
To: Nannup Mailbox  
Cc: neil garvey  
Subject: Development Application - Lot 801 (191) Dean Road, Nannup Proposed Holiday House

Penny Simpson & Neil Garvey  
192 Dean Road  
Nannup WA 6275  
7th March 2023

Dear Development Services

Your Ref: A1687

Thank you for the opportunity to provide our views regarding the Development Application for a Holiday House at Lot 801 (191) Dean Road Nannup, they are as follows:-

We have retired this year.

Neil and I have spent five years scouring the South West to find just the right location in which to enjoy that retirement. We left the beachside suburb of Scarborough in Perth with all its noise and population and inconsiderate neighbours who rented near us. Our learned experience unfortunately is that so many of these neighbours are extremely selfish in their behaviours in regard to being a disturbance to others, for example volume of music at all hours. After years of suffering inconsiderate neighbours we sold up and left.

Our place of choice is Nannup.

Not only beautiful Nannup but quiet, peaceful, serene semi-rural Nannup. All apparent commercial enterprises appeared to be crops and or animals.

We're actually devastated that after making a significant investment in our property that someone wants to put "short stay" people in a house which could not be closer to ours!

There may be a maximum of three months rental in the proposal but that potentially could also mean a new group of up to eight people each and every week. In our experience ( Scarborough is a tourism area ) holidaying people do not always respect the environment and neighbours.

This raises the question of, should this proposal be approved, if and when there is bad behaviour and noise disturbance who will be available to be contacted to complain to late at night and to put a stop to it?

With the potential for six or more vehicles to park at the property at any one time it completely changes the traffic dynamic we currently experience on a No Through Road.

We also enjoy the wildlife up here being free and safe to roam for example kangaroos, emus and large monitor lizards etc more traffic would create a hazard for them.

It would appear the house at Lot 801 was built for purpose but only now an application is in to turn it commercial.

We feel strongly that the activities of a holiday house would degrade the value of our property as well.

We sincerely hope that you do take our views on board and deny this application.

Yours faithfully

Penny Simpson & Neil Garvey

14 March 2023

Lorelle Sinclair & Lewis Horne  
200 Dean Rd  
Nannup WA 6275

Erin Gower  
Development Services Officer  
Shire of Nannup  
Adam St  
Nannup WA 6275

Dear Erin

**RE: DEVELOPMENT APPLICATION – LOT 801 (191) DEAN ROAD, NANNUP – PROPOSED HOLIDAY HOUSE**

We are writing in relation to a letter received, dated 28 February 2023, regarding the application for a holiday house at 191 Dean Rd, Nannup. We were not aware of Stefan and Amanda Murphy's intention to list the property as short term accommodation until receiving the letter so appreciate the opportunity to comment on the development application.

We acknowledge the property has a newly installed high front fence which is noted in the application letter. As this portion of fencing is only present on the property boundary facing Dean Road, we would like to see additional boundary fencing or an enclosed house yard that would support the applicant's intention to allow pets during short-term stays. We are unsure of whether a site inspection from Council occurs during the approval process but believe it is a reasonable request, for both neighbours and guests safety and peace of mind, to have a suitable enclosed secure space for pets at the property.

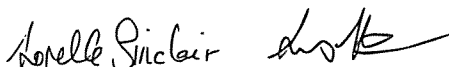
Additionally, we seek further clarification regarding provisions in place regarding noise restrictions after a certain time due to the location within a residential area. In some local governments there is the provision of noise restrictions applicable at a certain time, often 10pm. We believe that it would be appropriate for neighbouring properties to be provided with the contact number of the applicants or delegated representative in order to submit noise concerns/complaints regarding guests who contravene acceptable noise levels.

It is noted that there is a maximum occupancy of 8 guests, but it is not clear if this includes additional visitors to the property. In addition, will there be a stipulation regarding no parties to be held by guests.

Furthermore, is a trial period granted or are there annual reviews to ensure that the development application continues to reflect the needs and concerns of neighbours. Or if a development application is approved, is this a permanent business arrangement without future reviews.

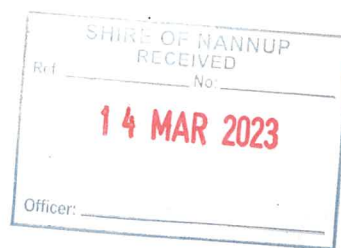
The house is well positioned and is of a low maintenance nature making it an ideal for short term accommodation. We wish Stefan and Amanda Murphy success with their enterprise and look forward to receiving your response regarding our points raised above in progressing this development application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lorelle Sinclair', followed by a stylized flourish or second signature.

Lorelle Sinclair and Lewis Horne

Sharon Bastiaansen-Barker  
164 Dean Rd  
Nannup, WA  
(PO Box 159)



Erin Gower  
Development Services Officer  
Shire Planning Unit  
Shiare of Nannup  
PO Box 11  
Nannup WA 6275

**13 March 2022**

Dear Erin,

**Re: Development Application – Lot 801 (191) Dean Rd, Nannup  
Proposed Holiday House**

My concerns around this application for a 'short term rental' are:

**Fire Emergency – Escape roads and access in event of bushfire**

Attached is a copy of the WA Planning Commission letter to the Shire, dated 23 Nov 2017. Lot 8280 couldn't be subdivided along the road line, as it didn't comply with State Planning Policy 3.4 re: bushfires, Vehicular Access, Water. Plus wasn't supported by DFES. Subdivision of Lot 8280 would have meant more people requiring close access to a second mandated 'escape' road in case of an emergency. Dean Road being a cul-de-sac road, Lot 8280 wasn't close enough to this second 'escape' road. Lot 801 is a bit further along than Lot 8280, and could be subject to the same ruling if it changes from being residential to short term accommodation.

**Bushfire Emergency Plan**

The Operational Document focuses on what to do in the event of fires. It doesn't actually outline the responsibility of 'short term renters' to be fire conscious, or 'owners' to educate, particularly on outdoor bonfires/fire pits barbeques during 'fire ban' months. Visitors can be unaware about 'fire danger' or caution, when it's not part of their everyday.

**Visitors and car numbers**

Lot 801's proposal is for up to 8 guests, so potentially 1-8 vehicles and increased 'to-and-fro' vehicles along the final straight stretch of Dean Rd.

**Bike riding - Safety – Vehicle speed limits in residential areas**

Dean Road is residential street and young children live and holiday along this final stretch of road.

People currently use Dean Road for bike riding, running, walking and to go to town via Barrabup Road.

The speed limit on Barrabup Rd currently supports vehicles travelling into the North Nannup residential area.

But this speed is far riskier for walkers and bike riding, given the road's narrowness and soft gravel edges.

The short detour along the Mundi Biddi trail through Kondil Park, doesn't counteract this risk.

**Pets / High front fence that bounds Dean Rd Lot 801**

It is proposed guests be allowed to bring pets, but doesn't specify if this precludes cats.

There is a high front fence that may not deter exploratory dogs with a strong sense of smell.

**Property Management**

Local management is important in case of emergency, and as a first point of contact if there are any concerns. It's not clear if these would be directed to the Shire or through an agent.

I assume the Shire will notify residents of their decisions.

Kind regards,

Sharon B.

Sharon Barker



Your ref: TPL1-18  
Our ref: SPN/2072  
Enquiries: Neil Fraser ([Neil.Fraser@planning.wa.gov.au](mailto:Neil.Fraser@planning.wa.gov.au))

Shire of Nannup  
P O Box 11  
Nannup 6275 WA

Transmission via electronic mail to: [jane@nannup.wa.gov.au](mailto:jane@nannup.wa.gov.au)

Dear Sir/Madam

**REFUSAL – LOT 8280 DEAN ROAD NANNUP SPN/2072**

Pursuant to Schedule 2, Clause 22(1)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Western Australian Planning Commission (the Commission) refused to grant approval to Lot 8280 Dean Road Nannup on 14 November 2017 for the following reasons:

1. the Commission is not satisfied that bushfire management issues can be satisfactorily addressed in accordance with the objectives and intent of State Planning Policy 3.7 - Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas, given the proposal:
  - a) does not satisfy Element 3 Vehicular Access (A3.1) and Element 4 Water (A4.2 & A4.3); and
  - b) is not supported by the Department of Fire and Emergency Services (DFES).
2. the proposed subdivision is inconsistent with a stated objective of State Planning Policy 3.4 - Natural Hazards and Disasters which seeks to minimise the adverse impact of natural disasters, including bushfires, on communities, the economy and environment.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Kerrine Blenkinsop".

Kerrine Blenkinsop  
Secretary  
Western Australian Planning Commission

23/11/2017

**Right to apply for a review - 28 days**

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 of the *Planning and Development Act 2005*. The



application for review must be submitted in accordance with Part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH WA 6000. It is recommended that you contact the Tribunal for further details: telephone (08) 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>.