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Dear Erin ,

Development Application – Lot 801 (191) Dean Road, Nannup
Proposed holiday house

Please find attached my Submission addressing my concerns about the above Application.

Thankyou.

A handwritten signature in dark ink, appearing to read "Sharon B".

Sharon Barker

*This copy replaces the one I sent
earlier to Jane where I used
Air B&B as a generic term.
I'll email this to you as well.*

LOT 801 DEAN RD, APPLICATION_SHORT STAY HOLIDAY HOUSE_ 8 PEOPLE & PETS

I appreciate Nannup Council allowing this second, more inclusive range of submissions. Applying to run a short-stay holiday house may appear straightforward on the Shire website, but isn't when approval is contested. In a sense the onus, or responsibility, has been shifted back to neighbours/residents to justify any objections they have, in a written submission, with online public access. This is genuine challenge, for real people in a small neighbourhood.

It would be helpful to have guidelines for Submissions on the Shire site, alongside Development Applications. Some Shires supply guidelines. There will likely be other rural/residential pockets within the Shire, with residents wanting to retain the social and rural fabric of their area and needing to write submissions.

- 1. COMMUNITY EXPECTATIONS / SHIRE'S ROLE IN COMMUNITY**
- 2. NANNUP SHIRE'S LPS & PRIVACY ISSUES**
- 3. FIRE EMERGENCY & BUSHFIRE EMERGENCY PLAN**
- 4. TRAFFIC - ROAD SAFETY CONCERNS - SIGNAGE - WILDLIFE**
- 5. MANAGEMENT**

1. COMMUNITY EXPECTATIONS / SHIRE'S ROLE IN COMMUNITY

Shire of Nannup Community Strategic Plan 2021-2036

Risk Management – Point 5 Community Expectations "level of engagement".

The Plan, identifies tourism as a strategic drive, and will introduce a 'Tourism' Zone into LPS4, with relevant sites currently zoned as 'Special Use' changed to 'Tourism' (p27 C42).

For this submission I couldn't find the dedicated tourism / short stay / guest-house accommodation zones.

Nor, if whether there are protected residential zones for long term rentals, adopted elsewhere.

Without defined areas for short-stay accommodation being already decided within the Shire, it is open for anyone to apply to run a short-stay holiday home ; perhaps out-of-town investors; or people owning holiday homes in the Shire.

Lot 801's holiday house proposes catering for 8 people + pets, for potentially 100 days year. From my perspective, it could be seen as a 'small business' operation; located away from the town-centre within a small rural/residential area, with no onsite manager.

In relation to Lot 801, I don't think the lack of a formal submission will necessarily indicates support.

It may do so, but equally impartiality, or possibly even reluctance to offend.

If Lot 801's owners had been able to see in advance, the potential impact or resistance, perhaps things may have proceeded differently.

Resistance to Lot 801's application may not be about opposing 'Tourism', but not wanting Nannup to repeat the overkill and mistakes made in nearby tourist towns.

Being unable to find 'Tourism' / short-stay holiday home zones deemed appropriate within Nannup Shire; nor supportive guidelines for anyone wanting to oppose Lot 801's applications; has made this submission process challenging.

The Reports of Officers to Council recommends approval for 3 years, to allow the *"applicant to recover any costs associated with the establishment of the holiday house"*.

One year would seem reasonable. It seems inequitable to allow extra time for cost recovery, as it benefits only one party. BMP's are expensive and Council development applications don't always succeed. Applicants take this risk.

Nannup LPS Dec 2018

The area around Dean Road is currently zoned rural/residential and 'Not for future subdivision'. It may always remain so, given WAPC guidelines around fires and cul-de-sacs. The cul-de-sac area held five rural title holdings, with one subdivided into 5 lots, including 801.

Nannup Shire LPS

"5.4 Tourism p26 - A45) "encourage the development of a wide range of tourist and recreation facilities, **tourist accommodation** and activities for visitors **in appropriate locations** within and near the Nannup town site and **in the rural areas of the Shire that appropriately address bushfire planning, environmental assets, landscape qualities and compatibility with adjoining land uses;**

Although the properties along Dean Road are no longer farmed as when the Dean family lived here; properties do reflect owners' appreciation and commitment to 'rural/residential' lifestyles. Some graze sheep, horses or cattle. Several grow olives for oil. There are beehives; gardens with productive and ornamental trees and shrubs, and plants for birdlife etc.

By not introducing potential conflict into areas such as Dean Road, while encouraging owners to continue developing 'rural/residential' areas for 'long term land use' will surely benefit the immediate and surrounding environment, now and in the long term, for residents and visitors alike.

benefit the immediate and surrounding environment, now and in the long term, for residents and visitors alike.

Introducing any incompatible and transitory aspects of a short stay holiday home into Dean Rd, particularly given reasonable resistance; seems to contradict the way most Dean Road properties are developing in ways that aren't temporary or transitory, but enhancing the residential/rural aspects.

People do currently drive to Dean Road for the scenery and animals. Nannup Council is in a position to allow Dean Road to remain as it is, and not facilitate the short-stay, transitory 'to-and-fro' and impersonal aspects of short stay holiday home.

2. NANNUP SHIRE'S LPS & PRIVACY ISSUES

2.3 Economic Development and Community Services

d) Conserve land required for ***agricultural production and support opportunities for agricultural diversification and value adding.***

e) Enable ***small home based employment.***

Nannup Shire LPS "5.4 Tourism p26

The local government's strategy is to:

S67) ensure *that tourism/recreation use and development are managed, **located**, designed and sited - which conserves and enhances environmental assets and landscape qualities;*

Lot 801 would obviously be a comfortable for short-term stay.

But is it an appropriate location for a tourist/visitor short stay holiday home?

It is 6kms+ from Nannup town. Guests may enjoy walks/bike-rides for the scenery or river. More likely vehicles will travel back-and-forth. So, increased traffic, for shorter periods (as the application states) but without awareness of local conditions or users.

I don't see any ways a short stay holiday home can directly benefit the people or Dean Rd area itself.

Visitors will obviously benefit some Nannup businesses, but perhaps not others?

I'm not sure if any Nannup data has been collated.

Although not central to my objection, I do have concerns about the personal loss of privacy. Dean Road and Lot 801 are visible from my home buildings. At present mainly neighbours pass by. Short stay guests will likely do so more frequently and this must impact.

I recall one neighbour at the Council meeting, being concerned about strangers overlooking their home. I understand this, as Lot 801 sits on the highest vantage point of Dean Rd. At present it is visually obvious, with valley views. As a holiday home it is potentially intrusive.

Sound carries readily along the valley. Being higher, also means Lot801 guests would overlook neighbouring homes and their activities, animals, orchards or paddocks.

Rather than increased traffic, I hope Dean Rd can remain a quiet residential road, where parents and children can safely play cricket or learn to ride bicycles. It's a bonus having young families in the area.

3. FIRE EMERGENCY & BUSHFIRE EMERGENCY PLAN

Nannup Shire Local Planning Strategy

"5.4 Tourism p26 A45) - The local government's strategy is to:

S66) support a range of tourism development (accommodation, facilities and activities) **in appropriate locations with respect to bushfire and flood risk, land use compatibility and servicing considerations;**

Lot 801's Application doesn't fully address bushfire-planning requirements.

The Report of Officers p7 states

"there is significant risk to guests staying at the property who may be unfamiliar with the area and unaware that bushfire poses a significant risk to people and properties in the area".

State Planning Policy 3.4 Re: Bushfires, Vehicular Access, Water

Guidelines for Planning in Bushfire Prone Areas, Version 1.4 December 2021 - E3.3 Through roads p81 states:

"In bush fire prone areas, a proposed structure plan or subdivision that incorporates no-through roads should be avoided because they do not provide a connected and legible design that allows for easy access and egress by the community, residents and emergency services in the event of a bush fire.

"No-through roads also reduce the options available for access and egress in the event of a bush fire emergency.

"No-through roads should be a maximum of 200 metres from the lot(s) boundary to an intersection where two-way access is provided and may only exceed 200 metres if it meets the provisions which allow for no-through roads greater than 200 metres in A3.2a."

Cul-De-Sac – 200 Metre Ruling

Dean Rd ends in a cul-de-sac, with no suitable retreat other than the river at the base of a hillside.

Lot 801 Dean Rd is further than 200 metres away from the two-way access intersection at Blackwood River Drive.

Currently (from memory) there are 18 houses (22 properties) along Dean Rd, starting at Blackwood River Drive but not including the two corner houses.

Perhaps 10-12 current houses are beyond that 200m mandated distance.

If there is any future subdivision of the large corner block, properties may be beyond that 200m.

Vulnerable Land Use – Fire Risks Posed By Unaware Guests

With long hot summers, make rural-residential blocks vulnerable.

The Reports of Officers p6 states

“proposed holiday house is an example of ‘vulnerable land use’, i.e., “short stay accommodation or tourist development uses that involve people who are unaware of their surroundings.”

This is important. People living in rural areas already are/or learn through experience to be very aware of fire risk and cautious. Reducing fire hazards is ongoing throughout the year.

Report of Officers p7, quotes Lot 801’s BMP

“acceptable solutions” to achieve “the intent of Vulnerable Tourism Land Uses cannot be fully met due to the location of the site at the southern end of Dean Road”.

I note Shires can over-ride this in their decision-making.

The BMP Operation Document focuses on what guests would do in the event of fires, ie, evacuation and ensuring it doesn’t operate in “catastrophic conditions”.

Although the BMP considers the safety of guests, it doesn’t cover the responsibility of educating guests on the ‘Do’s’ and ‘Absolutely Nots’ of fires in rural settings other than evacuation information. Guests will naturally want to light bonfires or wood fires.

“Experts estimate about 85% of bushfires are caused by humans. A person may accidentally, or carelessly start a fire, such as leaving a campfire unattended or using machinery which creates sparks.” Janet Stanley, Mon 18 Nov 2019 The Conversation.

4. ROAD SAFETY - BARRABUP RD – FOOT, BIKE & VEHICLE TRAVELLERS - ANIMALS

Although not directly related to Lot801’s application, as the Nannup Shire aims to encourage tourism, particularly in relation to walking and bike trails, consideration could be given to Barrabup Road, well-used by residents as well as visitors.

Barrabup Road is narrow, and has uneven gravel edges making it awkward to get off quickly. Main Roads has a 70 km/h sign at the start of Barrabup Rd (Mowen Rd), then one indicating 60 km/h for the bend/s.

As well as the trails from town to Kondil Park and the Munda Bidli, there are guesthouses. Loose Goose is at the end and will likely attracting more bike-riders.

The speed limit once Barrabup Road extends around Kondil Park into the rural/residential areas, isn’t indicated, i.e., whether remains 60/70km/h.

Currently no signs indicate speed limits within the residential areas, including Dean Rd.

Signs would definitely make this road user friendly for visitors and residents alike, ie, Signs indicating

- Walkers, family groups
- The 1.5m distance required when vehicles pass bikes
- Some road-crossing points used resident kangaroo and emu family groups

5. PROPERTY MANAGEMENT – POTENTIAL NUMBER OF GUESTS & VISITORS

Lot 801's owners state they'll rent to families/mature groups for short-stays of 3+ nights. Meaning perhaps 8 days monthly or 100 days annually.

At the March meeting, the owners said they would forgo allowing dogs, but dogs remain in their 28.3.23 letter. Higher fees may not prevent dogs venturing into neighbouring paddocks/animals.

The Reports of Officers p7 identifies that ***"the occupation by potentially eight persons is considered to be at a scale that is not consistent with that of a typically residential building."***

It also suggests a *Management Plan* for 'appropriate neighbourly relations', addressing visitors' behaviour and impact on the area.

The owners aim to manage the property from Perth, until they find a suitable local manager. Some aspects I can't imagine but:

- A neighbour, as contact person may be awkward depending on the perceived 'problem'.
- Needing to contact owners in Perth - possibly a time delay to solve a problem.
- If they employ a local manager would they be available 24 hours?
- Would they have a sign outside with their contact details?
- Do they intend to advertise on international platforms? These seem to focus on promoting visitors' experiences rather than looking after local residents.
- How would urgent issues be addressed promptly, e.g., lighting fires out of season? I recall this happening and a reluctance to be a 'nosy neighbour', even though aware of fires from sparks.
- It isn't clear if there is any accountability to the Shire.
- Or, whether the Shire has any specific future accountability?
- Would the Shire have a role once the short stay holiday home was operating?
- Would the Shire document feedback or complaints?
- Would feedback or complaints be made available to the public to help with future submissions.
- Would the Shire deal with some issues?

SHIRE OF NANNUP RECEIVED	
Ref: A1684	No:
15 MAY 2023	
Officer:	

Mr David Taylor
Chief Executive Officer
15 Adams St.
Nannup
WA 6275

OBJECTION To Development Application LOT 801 Dean Road, Nannup - Proposed Holiday House

My husband and I have owned and lived at 151 Dean Road Nannup since 2018. We have made Nannup our permanent home and contribute to the community. Since moving here, our family has grown to include two young children. We love the lifestyle and ambience in Nannup and consider a short-term rental accommodation in this area will have a deleterious and detrimental impact on us and our neighbours.

We are writing to you to **strongly object** to the entire application for the following reasons:

Proximity / Privacy / Safety -

Lot 801 Dean Road is in very close proximity to our property, in fact we have an adjoining boundary separated only by a gravel access way.

This property is extremely dominating sitting on the highest point of dean road with no screening or privacy. It is perched high above our property and completely overlooks us, others and the valley below. The entertainment area at the back of the house has a complete and direct vision of us and our home. There is no easy or real means to reduce this lack of privacy by the use of screens.

We are deeply concerned that if this property becomes a short-term rental, we will have many different people encroaching on our visual space and our right to privacy, thus minimising our enjoyment of our own property.

It is of utmost concern to us, that this proposal could put the safety and privacy of our two small children in jeopardy. To have a continuous procession of unknown, unvetted strangers utilising the rental is of grave concern. They will be able to see directly into our property and watch our children in their own home and back yard and take photographs (or worse) without constraint. This is a very big concern.

Noise –

As we live in a valley noise travels very far. We are concerned that a holiday house will likely be used as a party house and will impact our ability to enjoy our own home. We moved to a small country town to enjoy the serenity and peace, not to be kept up late by loud music and parties. Even during the day we don't want the quiet ambience spoilt by unnecessary noise from a constant stream of renters making the most of their short stay and looking to have a 'good time'. If dogs are permitted, then it is likely there will also be an increase in barking noise.

Who will be available to stop unacceptable noise late at night? The nearest available police station after hours are in Bunbury. Would they be willing to travel that distance for a noise complaint?

Nuisance issues -

We have already had nuisance issues with lot 801 Dean Road. We have had upwards of forty golf balls being hit onto our land by the owners of this property. The golf balls have been hit into our horse paddock which poses all sorts of risks to our incredibly costly, beloved animals. This sort of conduct is an example of the antisocial behaviour that can be expected from people that are not from the area. They demonstrate little respect for property boundaries, safety of animals and farming equipment. These are the same people that are going to manage the property and the behaviour of their guests.

Dogs - also dogs have been coming to our fence-line and worrying our horses and the wildlife. This sort of activity encroaches on our personal rights and can be dangerous to us and our animals.

There are often no police or rangers on duty to attend to nuisance issues, especially after hours or on weekends or public holidays.

Illegal or antisocial behaviours -

The property is located in a quiet, isolated area. This may entice short-term renters to use the site for unruly activities, rowdy parties, illicit drug use and other nefarious purposes at all times of the day and night. As mentioned, there are no regular police or ranger patrols in the area and the locals certainly don't want there to be a need for this. Have the relevant agencies (police, medical) been advised of this proposal and given approval?

Fire risks -

Nannup is a bushfire prone area.

Short-term renters are likely to lack the skills, understanding and local knowledge in regard to fire safety and restrictions. Being in the 'bush' they may be keen to start a campfire / bonfire which could easily get out of control. Fires are potentially dangerous even within the permitted fire season. Fires can also be accidentally started by vehicles, cigarettes, rubbish, BBQs etc. The increased number of people in this vulnerable area increases fire risk substantially. There is

considerable grass and vegetation on the property and the immediate surrounds. Adjacent large trees could rapidly engulf the area in a devastating fire.

Dean Rd is a cul-de-sac (one way in and out) and a fire in the area could prevent ingress and egress for residents and fire authorities. This is an unacceptable risk to the safety of the residents, fire personnel, infrastructure and animals.

The fact that it is a one-way street and the fire hazard this poses in getting in and out safely means that further subdivision is not permitted. This issue should also be a big factor in considering short-stay rentals and the added risks imposed.

Traffic -

Increased traffic/safety concerns. There will indeed be an increase in traffic by drivers inexperienced with the local roads / conditions. Short-term renters will be out and about sightseeing etc., much more than local residents. Many of the residents along Dean Road (us included) comprise of young families, some of which like to ride their scooters and bikes along the street with relative freedom. One of the reasons we purchased our property was the fact that it was a nice quiet no-through road. We are concerned that allowing short-term rental accommodation would mean increased traffic at all times of the day and night. Parties at the property may also result in intoxicated drivers. This will pose an unacceptable risk and avoidable hazard to children and wildlife that frequent the area.

The road is not well lit, has some tight bends and many resident kangaroos and other wildlife. The possibility of an accident being caused by short-term renters unaccustomed to the risks is high. Injured animals may be left to suffer.

At the very least, better lighting, signage and traffic quelling devices should be installed.

Pets/fencing-

The applicant has also applied for pets to be allowed at the holiday accommodation. This is a great concern for us as there is no secure dog fencing on the property. Most of the residents along Dean Road own livestock. We ourselves own horses and poultry. It concerns us that dogs may run rampant around the neighbourhood, potentially injuring or even killing livestock and beloved pets. Being a rural area this is also a place abundant in wildlife, there are hundreds of kangaroos as well as emus that frequent the area. When the kangaroos are chased they bounce in to the fencing causing damage. A loose dog may also cause a traffic accident.

Will the dogs be checked to ensure they are registered and not declared dangerous?

Will a local Ranger be available and on call including after-hours and weekends to manage unsecured dogs or deal with excessive barking?

Other neighbouring shires have introduced strict rules around pets such as not allowing them to be left unattended.

Environment & wildlife -

The property is located with direct access to a relatively pristine and normally low-frequented area of the Blackwood River. It seems obvious that for each short-term rental - the adults, their children and dogs (and the numbers could be substantial) - will be inclined to go down to the river to explore or interact during their stay.

The river environment is already fragile and this will cause much increased pressure to be applied to the river itself (e.g., pollution, litter) the surrounding environment, wildlife (disturbance of fauna & flora) and erosion of river banks (a high risk) from foot traffic (there are no protective pathways etc. to accommodate the increased use in this area). Weed infestation / spread could be increased - in both the river area and on adjacent private properties. Dieback is a real problem in the south of WA and is often spread by human activity.

Non-locals often don't understand the local environment and the effects of their actions and even the dangers they may be exposed to (e.g. toxic algal blooms, swimming hazards). It is not a place that is regularly monitored and protected other than by the locals and for this reason among others, the proposal should be rejected. Tourists in the main tourist spots of Nannup can be monitored much more effectively and frequently. Have the relevant Departments (Water Corp and environmental authorities) been approached for their approval?

Wider community -

Dean Road is not an appropriate site for short-term rental properties. It is a quiet, neighbourly, family-oriented street and such a proposal will do nothing to improve the quality of life or safety of the residents. In fact, it will have the opposite adverse effect.

The issues around short stay accommodation has far and wide reaching impacts on the community. You only have to look at other places where AirBnB and similar short-term rentals are located and having a very real and detrimental effect on the community. Many WA shires are restricting and regulating these places for this reason. The WA State Government is also introducing regulations to help reduce their negative impact on communities.

There is a huge shortage of long-term rental accommodation in Nannup and many families have sadly had to move elsewhere in recent years due to this growing crisis. Short term rentals serve only to provide financial gains for the property owners, whereas long term rentals help tourism by providing accommodation for people in associated retail, service and hospitality which tourism relies upon.

There is no doubt that Nannup is a tourist town and requires tourist accommodation, however, there are better alternatives that are more suitable both in location and scale. One example of this is the recent application for a caravan park in Jalbarragup. A caravan park may be more suitable as it can accommodate large numbers of tourists with minimal impact on the local residents. Location of short-term rentals should be carefully considered by the Shire / Council

and only approve it where it will be truly beneficial, rather than rubber-stamp these types of applications without considering the impacts to Nannup residents.

In this particular instance, the provision of short-term rental accommodation serves primarily to financially benefit the owners of the property. It certainly does not benefit the immediate neighbouring property owners. It would be of far greater benefit to Nannup if it were long term rental accommodation.

Restrictions -

Other neighbouring shires have demonstrated a strong need for restrictions around short stay accommodation. They have taken action towards the growing concerns of the locals around issues that come with short stay accommodation. Some of the new regulations consist of restricting the number of days allowed per year for short stay accommodation, creating short stay zones within their communities, imposing strict rules around pets, noise restrictions, car and guest limits and the deregistering of non-compliant properties.

What restrictions has the shire of Nannup put in place around short stay accommodation?

Property manager - it is completely unacceptable for the owners to manage the property from Perth until a proper manager is found. A manager must be within a reasonable distance and be able to respond in an adequate time frame to complaints. There must be accountability. There must be a visible sign with the manager's contact details. What happens if the manager can't resolve complaints in a timely manner?

The number of guests - 8 people staying in a 3-bedroom house appears too many - surely the number of roll-out beds should not be the determining factor. Also, what provisions are in place to ensure the number of people is not exceeded?

Three year approval is far too long a time. Other shires have introduced a one year approval policy which is then reviewed at the renewal time and any misconduct complaints are taken into consideration.

Nannup Shire has an ethical duty to ensure short-term rentals do not cause harm to the community, especially when the deleterious effects are well known and the residents have made their objections and concerns very clear. At the very least, the Shire should follow the lead of other shires such as Margaret River and Busselton that have introduced strict local bylaws to help limit the adverse effects of short-term rentals to the community.

Conclusion -

We strongly object to the complete application. No other neighbour we have spoken to supports the proposal and does not want this property turned into short term rental accommodation. This sentiment is clearly reflected on the Nannup Community Facebook page.

Yours sincerely,

Jessica and Leo Brown

Erin Gower

From: penny7simpson@gmail.com
Sent: Friday, 12 May 2023 5:38 PM
To: Nannup Mailbox
Subject: Development Application - Lot 801 (191) Dean Road, Nannup

Penny Simpson & Neil Garvey
192 Dean Road
Nannup WA 6275
12th May 2023

SHIRE OF NANNUP RECEIVED	
Ref. <u>A1687</u>	No: _____
15 MAY 2023	
Officer: _____	

Good Afternoon

We would like to express our thanks to the Council for listening to our concerns and voting for a second round of submissions to include more residents of Dean Road who feel they will be affected negatively by the proposed Airbnb at Lot 801 (191) Dean Road

In particular thanks to Councillor Bob Longmore for raising concerns that we had raised legitimate issues but hadn't been given the opportunity to express them because not enough invitations to comment had been sent out to land owners

Also many thanks to Councillor Patricia Fraser for moving a motion to include more Dean Road residents by way of a second round of submissions to allow them to express their concerns

Dean Road residents were heartened to see Democracy play out

Councillors are elected by the people in the community to fairly represent them and their ward as well as to consider planning applications

You have been asked to consider an application to develop Lot 801 (191) to a holiday house

Oxford Dictionary definition of - Consider : - think carefully about something before making a decision

Each application is considered on its merits

Oxford Dictionary definition of - Merit : - the quality of being particularly good or worthy, especially so as to deserve praise or reward

It is reasonable to expect that small towns like Nannup will grow Nannup is beautiful and not surprisingly promoting Tourism is an attractive proposition It follows that the Tourists will require somewhere to stay - caravans or tents etc Alternative accommodation may be required such as hotels or Airbnb etc However where they are put requires consideration

It is all very well for Council to push hard on approving Airbnbs for all the financial benefits it brings to the town and the home owner but in reference to the definition in the Oxford Dictionary where is or has been any consideration for the Humans who live on Dean Road and strongly feel they will be negatively affected by the presence of Airbnbs

The Landowners of Dean Road accept and embrace that we have no Postal Service in our area and that we have no Rubbish Collection in our area It is the price we are happy to pay to live in semi rural peace and tranquility

It hasn't taken a great deal of research under the heading of Sociology, which is a Social Science / Humanities subject to learn how necessary quality of life is for the good of every human, their neighbours and their community

The Residents of Dean Road feel they currently have a wonderful quality of life which they feel will be threatened by a stream of strangers in their midst who may bring with them noise, drugs, crime, fire risk, pets, traffic, trespassing and general disturbance

Not one Landowner in Dean Road would have purchased a home next to a hotel or Airbnb Such is the displeasure amongst the Landowners in Dean Road the synergetic effort to stop the application from being approved is nothing short of outstanding

At this moment in time Lot 801 (191) has not yet been approved for use as an Airbnb, no Tourists have stayed in it yet, therefore it stands to reason that we cannot provide any proof or evidence that our fears of noise, parties, music, pets etc will be realised

Equally and for the same reason Council cannot provide any proof or evidence that they will not Simply making an assumption that it will not is not good enough

Surely that brings us back to square one

While Council is pushing for growth in Tourism and Airbnb accommodation anywhere in Nannup it seems clear that the majority of residents in Dean Road do not want Airbnb in their road for all the reasons noted in their submissions

Should Council go ahead and approve the application in spite of the wishes of the Landowners, will the Council publicly commit to reversing the approval if the problems already mentioned do arise and not just tick the box done and wash their hands of our concerns

Also if the approval goes ahead we want the Council to review the decision after one year not three as this is far too long to put up with problems if they occur

We don't agree that three years is necessarily to " recover costs associated with the establishment of a holiday house " because it was stated that it was not built to be a holiday house We appreciate that the Shire will investigate written noise complaints

Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 Part 9 Cl.67

(M) The compatibility of the development with its setting including -

(i) The compatibility of the development with the desired future character of its setting
The desired Future Character of this setting does not include Airbnbs

(N) The amenity of the locality including the following -

(i) Environmental impacts of the development
(ii) The character of the locality
(iii) Social impacts of the development The Character of the locality is under threat and that seems to be totally overlooked and the social impacts are of great concern for the happiness and wellbeing of the local community

(X) The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals

The majority of the Dean Road community does not want to be living with Airbnb tourists

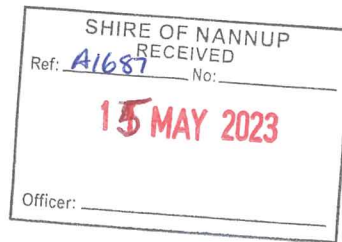
So rather than rush to tick an approval box please CONSIDER the MERIT of the QUALITY OF LIFE of the Human Beings who live on Dean Road

Yours faithfully
Penny Simpson & Neil Garvey

199 Dean Road,
Nannup, WA 6275

15th May 2023

David Taylor (CEO) Adam Street
PO Box 11
WA 6275



Dear Mr Taylor,

Response to Development Application – Lot 801 Dean Road, Nannup. Proposed Holiday House

Thank you for the opportunity to submit a response to the above proposal. By way of background, we are on an adjoining property to Lot 801 Dean Road and retired to Nannup twelve years ago. The property is a semi-rural setting in a one way in, one way out road.

We strongly oppose the change of use proposal of the property for the following reasons.

1. Short-term letting of the property will expose the risk of this becoming a party house. There is significant data online regarding noise from short term lets and unauthorised parties getting out of hand.
2. Short-term letting will expose the risk of noise and disturbance to neighbours. Neighbours consider neighbours; people on holiday do not necessarily do so, especially if partying into the night outside with the barby lit.
3. Short-term letting will expose the occupiers to the risk of bushfires. It is unlikely that short-term clients would be cognisant of the escape routes out of Dean Road.

It is not plausible to suggest that pre-emptive action could be taken to prevent potential clients of the property arriving in the event of a significant fire situation. The potential clients could well be traveling to the property from overseas/over East and out of contact. There is also the issue of them already being in the property when a significant bushfire event occurs.

4. Short-term letting will expose the risk of waste disposal issue, vermin and pollution to the surrounds. There is no waste collection at the address. During construction of the property waste was a problem, with wind-blown cement bags landing on our property. I doubt the clients would be able to use the Waste Management Facility and assume waste would have to accumulate somewhere.
5. Short-term letting removes the opportunity for a local family to lease the property. This is a growing ethical/moral issue for Nannup. Do we want to become a holiday camp or remain as a town with heart?

None of the above risks offer tangible benefits to neighbours or the Shire and on this basis alone the proposal should be rejected.

The fact that the Shire was preparing to allow its change of use for three years is simply unfair. It removes any leverage Council may have either on enforcing conditions or resolving complaints.

With regards to your letter dated 28th April 2023, and the owners' previous submissions regarding management, pets, etc., these do not appear to be enforceable undertakings (enforceable by the Shire or others). It is for this reason that three-year review period is not workable.

With respect to the above, Council should make decisions employing the precautionary principle.

Given that short-term rentals may be deemed an intensification of land use, the precautionary principle should also apply to bushfire planning, in particular, escape routes.

I note that part of the bushfire mitigation relies on the upgrade of Gracilis Road. I would argue this upgrade needs to actually happen prior to a decision on this application being made.

To summarise:

It is not neighbourly.

It is neither necessary to Nannup, nor Dean Road.

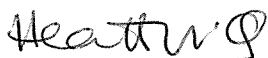
It is not safe.

It is a profit before people idea.

My expectation is that there would be few Nannup residents who would want a short-term let as their neighbours; that includes fervent supporters within Council.

Kindest Regards

Alan & Heather McQueen

A handwritten signature in black ink, appearing to be 'Alan McQueen', written in a cursive style.A handwritten signature in black ink, appearing to be 'Heather McQueen', written in a cursive style.

Erin Gower

From: David Taylor
Sent: Monday, 15 May 2023 8:18 AM
To: Erin Gower; Kellie Jenkins
Subject: Fwd: FAO David Taylor - LoT 801 proposal

SHIRE OF NANNUP RECEIVED	
Ref: <u>A1687</u>	No: _____
15 MAY 2023	
Officer: _____	

Hi Erin/Kellie

I have acknowledged receipt to sender and advised will be forwarded onto yourselves

Kind Regards,

David Taylor
Chief Executive Officer
Shire of Nannup

From: John Jackson <jrjackson44@gmail.com>
Sent: Friday, May 12, 2023 6:26:14 PM
To: david.taylor@nannup.wa.gov.au <david.taylor@nannup.wa.gov.au>; nannup@nannup.wa.gov.au <nannup@nannup.wa.gov.au>
Subject: FAO David Taylor - LoT 801 proposal

Dear David

I write further to your correspondence of the 28th April 2023 advising us about our opportunity to provide comments on the proposed development application on LOT 801 Dean Road Nannup.

We strongly oppose the application and believe Dean Road is not the place for this type of short stay accommodation. Dean road is a family orientated road, with a close-knit community who enjoy privacy and tranquility. Short stay accommodation has the potential to impact the character of Dean Road for the worse and we see no benefits at all for residents, only a long list of disbenefits. It is clear if you look on the Nannup community face book page this is an issue which is extremely unpopular in Nannup, driving local people from town due to a lack of affordable housing. Strict local bylaws have been enforced by Busselton, Dunsborough and Yallingup and it seems Nannup Shire have not considered lessons learned by our neighbours. Strict rules on dogs, nighttime curfews and the power to immediately de register properties if new rules are not adhered to is the norm for other Shires, so why not Nannup?

The city of Busselton and the state Government is also seriously considering these types of accomodation being banned from some residential areas. We are concerned that our Shire is not also considering such measures and carte blanche approving these types of accomodation anywhere in the shire. See link below:

[Strict Airbnb, holiday home laws now enforced in Busselton, Dunsborough, Yallingup - ABC News](#)

Our major specific concerns are as follows:

Guests

Weekend sublets used for short stay accommodation with companies such as air B&B have well known and documented issues with guests. Websites such as www.airbnbhell.com and other published articles below are referenced. A simple Google search will produce dozens more.

These articles outline the types of anti-social behavior, noise, criminal activity and other issues that have been known to be associated with this type of accommodation.

The fact the applicant is suggesting they will manage from Perth until a local manager can be employed is totally unacceptable given the risks associated with unruly guests. The Shire would be irresponsible if they did not insist as a condition that a local manager is employed and remains employed at all times while the air b&b is operating. We do not want this to become our (the residents) problem to manage in the event no local manager is available.

The number of guests (8) is also too much for a 3 bedroom home and there is no limit on the number of other guests, after say 10pm, as imposed by our neighboring shires. Typically there would also be a limit on the number of cars allowed, this would be set at an appropriate level, so the total number of guests are limited.

Dogs /Pets

Dean Road has a high proportion of Special Rural blocks. At least 5 properties immediately impacted have livestock, including cattle, sheep, horses, and many are breeding livestock as well. The fencing on lot 801 is non-existent on 3 sides and the risk of dogs as part of the rental agreement is completely unacceptable as it poses a risk to livestock. Pet / Dog management by way of a management plan is not an acceptable control method where breeding livestock is concerned. Especially for dogs not registered to the Shire of Nannup. There are many proven instances of dogs left unattended in accommodation such as this in neighbouring shires so why would we not expect to happen here.

There are also no clear speed limit signs on Dean Road, with a very large population of native animals this poses a real problem. Locals are very experienced and diligent in ensuring no harm comes to the Kangaroos and Emu's that frequent the area through appropriate driving. It is very clear that tourists will not have the same level of awareness to drive at much lower speeds to avoid injury to native wildlife.

Traffic

The suggestion that there will be no increase in traffic is a flawed assumption. Dean Road has very little to offer in the way of amenities. The Southwest is visited to enjoy winery's, brewery's, the beach and other attractions. Guests will inevitably be going out on multiple trips, in multiple cars to enjoy these attractions leading to a net increase. We would insist an appropriate traffic impact assessment is conducted with all assumptions stated.

Fire Risk

We know that applications for further subdivisions on Dean Road have been disallowed at state level by the WAPC given there is one road in and out. Lot 801 is in a highly bush fire prone area and is over 1 kilometre from a road junction leading away from fire. Furthermore, Gracilis road leads west into dense bush and therefore the only safe route out is Barrubup road to Mowen. We seek a sensible and consistent application of the rules and a rigorous bush fire assessment.

Thank you for the opportunity to provide comments and we hope this finds the correct resolution.

Yours Sincerely

John Jackson & Louise Carver

138 Dean Road, Nannup, 6275

Click [here](#) to report this email as spam.

Jane Buckland

From: Geoff and Dianne <brenlane@bigpond.net.au>
Sent: Friday, 12 May 2023 8:31 AM
To: Jane Buckland
Subject: Fwd: proposed B&B in Dean Road.

SHIRE OF NANNUP RECEIVED	
Ref. <u>A1687</u>	No: _____
12 MAY 2023	
Officer: _____	

----- Forwarded Message -----

Subject: proposed B&B in Dean Road.
Date: Thu, 11 May 2023 15:34:20 +0800
From: Geoff and Dianne <brenlane@bigpond.net.au>

Dear Sir/Madam,

I am replying to your recent letter regarding the B&B in Dean Road and wish to inform you that we are opposed to the B&B on a number of grounds. The main one concerning the bush fire season. Holiday makers quite often do not realise the great danger bush fires pose for small regional towns. We live down the end of Dean Road which is a very long cul-de-sac with only one way in and out, so in summer we are already on heightened alert that if a bush fire breaks out we could be trapped at the end of the road.

Also most of the people that live in this street are permanent residents that made their home in this tranquil spot and that could all change if this goes ahead with extra noise and traffic, but most of all for the safety measures I outlined.

Yours Truly

Dianne & Geoff Aylmore

220 Dean Road, Nannup.

Click [here](#) to report this email as spam.

13th May 2023

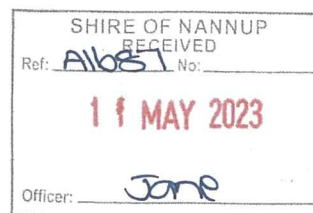
David Taylor

Chief Executive Officer

Shire of Nannup

Adam St

Nannup WA 6275



Dear David

Re: Development application – Lot 801 (191) Dean Road, Nannup

Proposed Holiday House Your Ref: A 1687

It has come to our attention that the above application has been lodged with the council without our initial knowledge, hence not having the opportunity to respond earlier. Whilst we are fully aware of Nannup's shortage of accommodation specifically when events are held in the town, we have concerns with 191 Dean Road becoming available for an Airbnb/holiday house.

Please accept our comments below, in response to your letter dated 28th April 2023.

PETS

Whilst the house has a newly erected high fence and entrance gate abounding Dean Road, this is not the case elsewhere around the property. As the application is requesting permission for pets, they will not be fully contained within the property boundary. Dean Road has an abundance of roaming wildlife and properties close to Dean Road carry sheep, horses and cattle.

This is our grave concern as the property is not adequately fenced and uncontained pets could disturb animals by chasing or attacking. Therefore, we do not accept the proposed Holiday House receives pets at any time other than the owners unless the full boundary of the property is fenced to the same specification as the entrance to the property.

FIRE

The house is close to a 'dead end' with 6 surrounding properties to the southeast of the house having a single escape route in the event of a fire. The period between November and May is managed by the resident landowners for potential extreme fire events. We are aware that there is a fire pit at the house which we have been advised has been used by the owners during a restricted fire period without gaining a permit. If the owners cannot comply, what chance do we have that they will ensure the Airbnb occupants abide by the local regulations. In addition, we would like to see a larger fire break around Airbnb lets of 15 meters to afford better protection to the neighbourhood.

222 Dean Road, Nannup, WA 6275

Tel: +61 427 416 681

jlevinson@westnet.com.au

It is imperative that the holiday occupants are made fully aware of the dangers of fire and to abide by the local regulations specifically as there is no local manager to oversee the property in the short term.

MANAGEMENT

The owners of the property reside in the metropolitan Perth and therefore are in a remote location (more than 2 hours away from the house) and therefore unable to attend to potential neighbourly complaints from afterhours.

We recommend there be a local after hours contact in the event of complaints or potential emergency. If not, then who do we contact for unruly behaviour outside of normal hours? Do we call the Council Ranger at 10.30pm to respond or the Police?

NUMBER OF OCCUPANTS

A 3-bedroom house accommodating 8 guests has the potential to create adverse behaviour and over-crowding.

With new legislation being adopted by many councils around the number of nights a property can be let each year as an Airbnb, we would like to see the same proposed cap of 60 days per year as per the proposed new regulations some councils are adopting.

Finally, we would like to see a review after six months and then annually thereafter.

Please accept our views in good faith

Yours sincerely

Julia Levinson

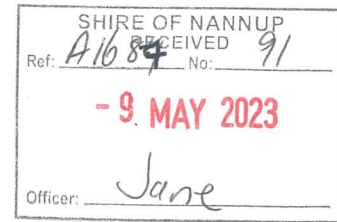
A handwritten signature in dark ink, appearing to be 'Julia Levinson', with a long horizontal stroke extending to the right.

222 Dean Road, Nannup, WA 6275

Tel: +61 427 416 681

jlevinson@westnet.com.au

8 may 2023



Jane Buckland

Development Services Coordinator

Shire of Nannup

Adam Street, Nannup, WA

PO Box 11, Nannup, WA 6275

P: 9756 1018

Dear Jane

Thank you for your correspondence regarding proposal for short term accommodation – 191 Dean Road Nannup.

As a permanent resident living on dean road for over 30 years I am somewhat apprehensive and uncomfortable with the concept and proposal for a holiday house being considered for lot 810 (191 Dean road Nannup)

There is often a tendency for no residence and holiday makers visiting our aria to be somewhat (lax) with regard respecting fundamentals of good social behaviour and the courtesy of conforming to the expectations of the permanent residence in our aria.

The issue of pet is also of concern, dogs in particular epically if there are more than one can chase injury and kill other pets belonging to the locals should gests not control their animal.

Dean road exceptionally quiet and peaceful and has ambience much loved by all who live here, I don't what that to change, hence I forward my objection to the proposal.

Karin Saalik

Dean Road Nannup

