

DATE: 20.2.13

RECORD: ICR137796

FILE: A100529

Planning Officer
Shire of Jerramungup
PO BOX 92
Jerramungup
WA 6337

Dear Craig

COMMENT ON BED AND BREAKFAST PROPOSED FOR LOT 11 POINT HENRY ROAD

We wish to comment on a number of aspects of the above proposal.

It is our view that this is an unreasonable commercial development which will inevitably be detrimental to our location. At a minimum, there will be some impact on our amenity. There also exists the potential for a more significant concern.

Our understanding is that the proposal is to build a residence and a separate accommodation block in the most southerly corner of the 3.38 hectare block. The development plan indicates the envelope close to the centre of the block. It is now our understanding that the relocation of the building envelope was approved for a former owner, presumably not for the construction of such a development.

An examination of the approval process for the envelope relocation indicates ;

- No consultation with adjacent landowners was undertaken
- The approval from Council included a requirement to have a 15m natural vegetation buffer on each boundary. Presumably to give some minimal shielding from other blocks
- The applicant wrote to appeal against this requirement by Council due to fire risk. (Note. DFES guidelines state 20m minimum and an increase of 1m per degree of upslope)
- The Health and Building officer changed the approval provided to the applicant by removing the additional requirement. There is no evidence that Council approved this change. In effect the officer appears to have unilaterally overruled Council
- The officer did note that "the proposed location is not ideal"
- A file note by the officer suggests that he had the power to decide on the location of the building envelope. If this was correct why did the matter go to Council for a decision. In any event Council did make a decision and it was altered without their approval.
- The change, without Council consideration and approval may be invalid

Under this proposal the buildings would be in what is in effect, allowing for DFES recommended fire protection clearance, in the closest possible proximity to three adjacent blocks.

Limitations on future building locations on the other affected blocks will not be relevant to us as we have an existing residence.

Our concerns are as detailed below

Fire Risk

DFES indicate that in bushfire areas risk increases with population increase. They further state that, in terms of compass direction, the greatest fire threat is from the northern quadrant.

You will recall that in the recent bushfire event close to Bremer Bay the probability of strong, hot northerly winds was a major factor in assessing possible fire behavior and level of risk.

This development places itinerant, probably non bushfire aware, visitors in very close proximity immediately to our north. It would be unrealistic to think that short term visitors would be as concerned and as careful as residents.

Our capacity to react to a fire started in this area will be limited due to the proximity of the location

Noise

We note that the residence and the accommodation block are separate. This no doubt makes sense in terms of the operators privacy and noise levels. The contrary effect is a lower level of control over occupants and resultant lesser degree of amenity for neighbours. This is exacerbated by the corner location of the accommodation block.

Tresspass

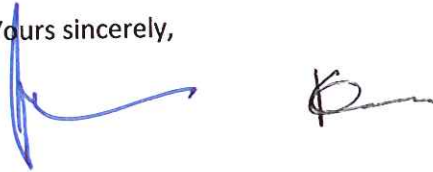
The building which has been used as a Bed and Breakfast previously is located on Short Beach Road and is not so adjacent to neighbouring blocks. The shortest distance to Short Beach from that location is directly down the road. From Lot 11 it is a 3km walk to Short Beach via the roads. It would not be a stretch to imagine that on some occasions a short cut would be taken. Particularly as the accommodation block is closer to two boundaries than the residence. This already happens from time to time on some blocks at Short Beach.

Visually Obtrusive

The ground at the back of our block rises steeply. An examination of the contours indicates a rise in the order of 15m. This equates to about 10 degrees of slope. It is difficult to determine at this time whether, and to what extent, buildings would be visible.

Lastly, we regret having to make a submission on this issue. Unfortunately if we do not do so prior to the proposal being considered by Council we will have effectively surrendered any interest in the matter.

Yours sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'J' followed by a horizontal line that curves upwards at the end.

John & Katharine McAleer

Lot 20, No. 63 Ridge Way Drive

Bremer Bay

WA 6338

15th February 2013