

03 August 2026

Chief Executive Officer
City of Swan
PO Box 196
Midland DC WA 6936

Attention: Philip Russell – Manager, Statutory Planning

Dear Philip,

**DEVELOPMENT APPLICATION
PROPOSED NEW SINGLE DWELLING AND CHANGE OF USE / CONVERSION OF THE EXISTING
DWELLING TO AN ANCILLIARY DWELLING
LOT 212 (NO.24A) MARY STREET, HAZELMERE
CITY OF SWAN**

I act on behalf of the landowners Mr Vasile and Mrs Constantina Onicas and the prospective builder (Transilvania Constructions) in relation to the above-mentioned matter.

Please find attached:

- A completed and signed MRS Form 1;
- A completed and signed City of Swan Local Planning Scheme No.17 Development Application Form;
- Proposed Development Plans; and
- A copy of the Certificate of Title for the land.

It is requested that the City advise of the applicable planning application fee.

In support of the application, we submit the following for the City's consideration:

PURPOSE & OVERVIEW

The purpose of this correspondence is to provide a planning framework overview and rationale in support of the proposed development for consideration by the City in assessing and determining the matter.

The proposed development at 24A Mary Street, Hazelmere, involving the construction of an additional dwelling and the change of use / conversion of the existing house into an ancillary dwelling, represents a modest, appropriate and supportable form of residential development that responds proportionately to the current housing challenges facing Western Australia while remaining consistent with the orderly and proper planning of the locality. The proposal provides an opportunity to make more efficient use of existing serviced urban land without compromising the longer-term strategic planning objectives applicable to the 'Residential Redevelopment' zone, including any future coordinated subdivision or redevelopment should that ultimately occur.

Western Australia is presently experiencing significant and sustained housing affordability and housing supply pressures driven by sustained population growth, limited rental availability and

increasing construction costs all of which have contributed to a shortage of affordable housing options. In this context, the proposal provides an opportunity to deliver additional housing within an already serviced urban locality without creating unreasonable impacts upon the surrounding low-density residential environment. Whilst the additional housing yield is modest, it nevertheless contributes positively to the cumulative objective of increasing housing supply within established urban areas where infrastructure and essential services are already available.

The development does not seek to fundamentally alter the established residential character of the locality, nor does it propose a scale or intensity of development inconsistent with the intended future urban function of the land. Rather, the proposal represents a sensitive evolution of residential land use that maintains a domestic built form while providing additional housing choice and flexibility and retaining opportunities to comprehensively co-ordinate subdivision and development of the immediate locality.

Furthermore, the proposed development is unlikely to generate adverse impacts in relation to traffic generation, streetscape character, residential amenity or infrastructure demand beyond that ordinarily associated with residential development contemplated under the zoning. Subject to compliance with applicable residential development standards relating to setbacks, parking, landscaping, private open space and built form, it is contended that the proposal can be accommodated on the land without creating material planning detriment.

Importantly, the proposal should not be viewed as prejudicing the future implementation of a structure plan. Rather, it represents an interim development outcome that is capable of co-existing with any future coordinated redevelopment of the locality. The proposed building locations, access arrangements and servicing do not sterilise the land from future subdivision or redevelopment should a structure plan ultimately be prepared and approved.

It is also relevant that planning systems should retain sufficient flexibility to respond pragmatically to evolving housing needs and contemporary community expectations. In the current housing climate, there is substantial public interest in facilitating additional housing opportunities where appropriate, particularly where development can occur within established urban areas that already benefit from access to infrastructure, services and transport networks without compromising opportunities to more holistically coordinate strategic land subdivision and built form development changes.

Accordingly, it is contended, that the proposal represents a balanced and orderly planning outcome that aligns with broader strategic planning objectives relating to the provision of quick and affordable housing supply, housing diversity and urban consolidation, whilst remaining compatible with the existing and intended residential function of the locality.

THE SUBJECT LAND & THE LOCALITY

The subject land comprises approximately 2,023m² (approximately ½ acre) and has a frontage of approximately 18.6 metres to Mary Street with a side boundary length of approximately 108.6 metres. The land contains an existing single dwelling located towards the front of the site. A registered 'right of carriageway easement' extends along a portion of the southern boundary and is shared with the adjoining property to the south, providing access to the rear portions of both landholdings.

The size, configuration and dimensions of the subject land provide an appropriate physical platform for accommodating an additional dwelling whilst maintaining an orderly site layout, appropriate vehicle access and sufficient separation between the proposed dwellings. The

proposal therefore represents an efficient utilisation of an existing urban lot without requiring further subdivision or significant alterations to the surrounding streetscape or locality.

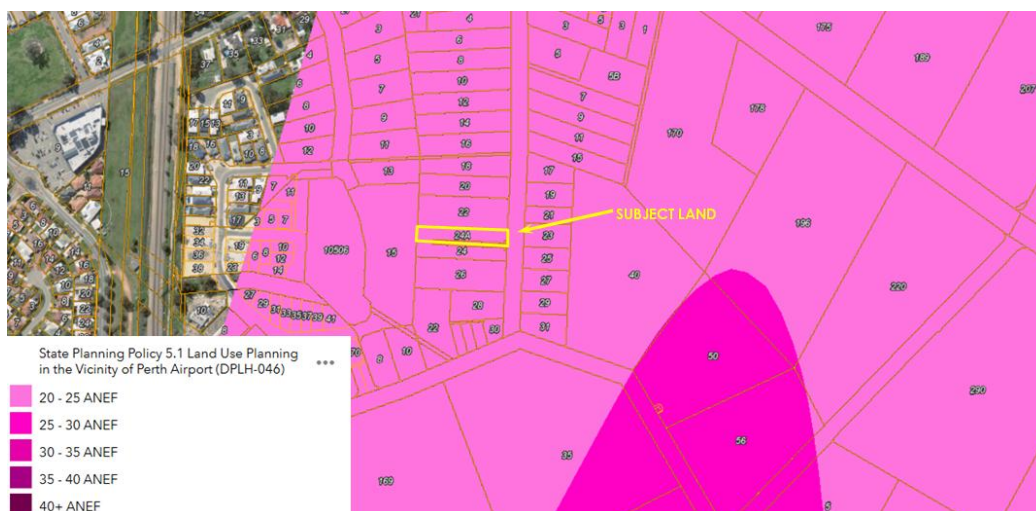


Source: Base Plan - Landgate

It is important to note that the 'right of carriageway easement' was created and registered on the respective Certificates of Title as part of a subdivision approved by the Western Australian Planning Commission (WAPC) in approximately 2004. The existence of this easement demonstrates that provision for future rear access and potential additional development of the land was contemplated at the time the subdivision was approved.

Accordingly, both the subject land and the adjoining property at 24 Mary Street possess the physical capacity to accommodate additional residential development, subject to the applicable planning framework, without reliance upon access arrangements over other adjoining landholdings. This is a significant planning consideration because it demonstrates that the proposed development does not depend upon, nor prejudice, any future coordinated redevelopment of neighbouring properties.

The locality is affected by aircraft noise associated with Perth Airport, with the subject land located within the 20–25 ANEF contour.



Source: Locate

Consequently, State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport generally limits residential development within the locality to a maximum density of R20.
Extract SPP 5.1:

“5.3.2 Residential density

Where land is zoned for residential purposes or to permit residential development, the maximum dwelling density should generally be limited to R20...”

This planning constraint is highly relevant because it significantly limits the redevelopment potential of land throughout the broader ‘Residential Redevelopment’ area. Unlike many redevelopment precincts where higher residential densities can offset the costs associated with coordinated structure planning and infrastructure delivery, the ANEF constraint restricts the achievable development yield. This materially reduces the financial feasibility of preparing and implementing a coordinated structure plan across multiple fragmented landholdings.

Importantly, the subject land is fully serviced by existing urban infrastructure, including reticulated water, sewer, electricity, telecommunications and reticulated gas. The land is also capable of being serviced for stormwater drainage in accordance with the requirements of the City of Swan Policy Pol-C-062 – Hazelmere (Residential Areas) Drainage Improvement Reserve Fund.

Accordingly, the proposed development does not rely upon the coordinated provision of external infrastructure, nor does it require infrastructure upgrades dependent upon adjoining landowners or future subdivision. All essential services necessary to accommodate the proposed additional dwelling are either already available or capable of being provided under the existing servicing framework.

This distinguishes the proposal from many development applications within structure planning areas where coordinated infrastructure delivery is fundamental to orderly development. In the present case, the proposal can proceed independently without compromising future planning objectives or creating an unreasonable servicing burden upon the City or adjoining landowners.

PROPOSED DEVELOPMENT SUMMARY

The proposed development is simply explained as follows:

1. Construction of a new, modern two (2) storey primary, single dwelling at the rear of the existing dwelling on the site. The proposed new dwelling will contain four (4) ground floor bedrooms, two (2) bathrooms and a double garage. On the first floor the dwelling is proposed to contain a small timber framed loft area, which would likely, primarily function as a study. Access to the proposed new dwelling is intended via an existing crossover shared with adjoining 24 Mary Street, along the southern boundary of the subject land.
2. Retain and undertake internal modifications to the existing dwelling which has a floor area of approximately 98m²; and was constructed in the mid 2000's. It is proposed to use the existing area marked as lounge, adjoining the garage, as storage and convert, or change, the use of the remainder of this existing dwelling to an ‘Ancillary Dwelling’ with an internal area of 76.10m². Access to the proposed ‘Ancillary Dwelling’ is intended to remain via its own crossover to Mary Street. (See Development Plans)

ZONING CONSIDERATIONS

Perth Metropolitan Region Scheme

The subject land is classified 'Urban' under the provisions of the Perth Metropolitan Region Scheme (MRS). The MRS expressly states that the purpose of the Urban Zone is:

to provide for residential development and associated local employment, recreation and open space, shopping, schools and other community facilities.

The proposed development is consistent with the purpose of the 'Urban' zone. The construction of an additional dwelling together with the adaptive reuse of the existing dwelling as an ancillary dwelling represents a residential land use expressly contemplated within the 'Urban' zone. The proposal neither introduces an incompatible land use nor frustrates the strategic intent of the Metropolitan Region Scheme.

Local Planning Scheme No.17 – Objectives and Structure Plan Provisions

The subject land is classified 'Residential Redevelopment' zone under the provisions of the City of Swan Local Planning Scheme No.17 (LPS17). Clause 4.2.9 of LPS17 expressly states the objectives of the 'Residential Redevelopment Zone' are (to):

- a) identify existing residential areas with significant redevelopment potential for residential purposes, for which comprehensive planning is required in order to ensure a coordinated approach to the subdivision and development of land and upgrading infrastructure;
- b) provide for the coordinated redevelopment of existing residential areas through the application of a comprehensive plan to guide subdivision and development to be known as an 'Outline Development Plan'; and
- c) avoid the subdivision or development of land for any purposes that are likely to prejudice or compromise the future coordinated development of the land, until such time as an Outline Development Plan has been finalised for the subject areas and sufficient provisions are in place to facilitate equitable contributions from landowners to the provision of infrastructure.

Importantly, the objectives of the 'Residential Redevelopment' zone are directed towards ensuring that future subdivision and development occur in an orderly and coordinated manner. They do not establish a presumption against all forms of development pending the preparation of a structure plan. Rather, they require consideration of whether a particular proposal would prejudice the future implementation of coordinated planning outcomes.

A City of Swan approved and WAPC endorsed "outline development plan" or structure plan over the area, and one that contains the subject land, does not currently exist.

Although no structure plan has been prepared for the locality, this fact alone should not be regarded as preventing otherwise appropriate residential development. The statutory planning framework expressly anticipates circumstances where development may proceed prior to a structure plan, provided the relevant decision-maker is satisfied that the proposal will not prejudice the purposes of the 'structure planning area'.



Source: Base Map – PlanWA

Noting that clause 5A.1.1 of LPS 17 includes the 'Residential Redevelopment' zone within the "structure planning area", it is therefore also important to note that clause 5A.1.4.2 of LPS 17 states:

"...a local government may recommend subdivision or approve the development of land within a Structure Planning Area prior to a Structure Plan coming into effect in relation to that land, if the local government is satisfied that this will not prejudice the specific purposes and requirements of the Structure Planning Area."

This clause is of particular significance because it expressly confers discretion upon the local government to approve development prior to the coming into effect of a structure plan. The relevant statutory question is therefore not whether a structure plan currently exists, but whether the proposed development would prejudice the purposes and requirements of the structure planning area.

It is respectfully submitted that the answer to that question is no.

The proposed development:

- retains the residential function of the land;
- does not sterilise future subdivision opportunities;
- does not prevent future road connections or infrastructure provision;
- utilises existing servicing infrastructure;
- maintains flexibility for any future coordinated redevelopment; and
- is capable of integrating into any future structure plan should one ultimately be prepared.

The following "Deemed Provisions" clause also applies:

"27. Effect of structure plan

(1) A decision-maker for an application for development approval or subdivision approval in an area that is covered by a structure plan that has been approved by the Commission is to have due regard to, but is not bound by, the structure plan when deciding the application." (underline added)

Clause 27 of the Deemed Provisions reinforces the discretionary nature of the planning framework by requiring decision-makers to give due regard to an approved structure plan rather than being strictly bound by it. By implication, where no approved structure plan exists, there is even greater scope for the exercise of planning discretion, provided the proposal is otherwise consistent with the objectives of the Scheme and does not prejudice coordinated future planning.

Having regard to the fragmented pattern of land ownership, the infrastructure costs associated with road construction and service upgrades, and the limited redevelopment yield resulting from the R20 density restriction imposed by State Planning Policy 5.1, it is considered unlikely that a coordinated structure plan will be prepared and implemented within the foreseeable future.

Similar redevelopment areas within the City have demonstrated the practical difficulty of achieving coordinated redevelopment where numerous landowners are required to collectively fund significant infrastructure works for relatively modest residential development yields. The experience of the Middle Swan 'Residential Development' zone, generally bound by Bishop Road – north, Viveash Road and GNH – west, Railway Avenue – east, and Toodyay Road – south, illustrates these challenges.

In practical terms, requiring preparation of a structure plan as a prerequisite to relatively modest residential development has the potential to sterilise otherwise developable urban land for an indefinite period. While the planning framework seeks coordinated redevelopment where achievable, it should not operate so as to prevent reasonable residential development where there is no realistic prospect of coordinated redevelopment occurring within the foreseeable future.

Sound planning requires a balance between long-term strategic aspirations and present-day development opportunities. In circumstances where land is fully serviced, capable of independent development and where the proposal does not compromise future planning options, the exercise of planning discretion is both appropriate and consistent with the objectives of the Scheme.

The preparation and implementation of a structure plan require the engagement of specialist consultants and the completion of technical investigations, resulting in substantial upfront costs and extended approval timeframes, particularly when the complexities of dealing with a number of different land owners is involved. For a locality of this relatively small size and limited development potential, these costs are disproportionate to the likely development return, reducing project feasibility and discouraging investment.

The proposal advances the 'Aims of the Scheme' by facilitating additional housing within an established urban area, making efficient use of existing infrastructure, avoiding unnecessary urban expansion and promoting orderly development that is compatible with the surrounding residential environment. These outcomes are directly aligned with the strategic planning objectives of both LPS17 and broader housing objectives for the Perth metropolitan area.

Conversely, refusing development solely because a structure plan has not been prepared is likely to result in the continued sterilisation of serviced urban land, thereby delaying the delivery of additional housing without any corresponding strategic planning benefit. In circumstances where the proposal demonstrably preserves future redevelopment opportunities, such an outcome would not represent the most efficient or balanced exercise of planning discretion.

Zoning and Use Class

The subject land is classified 'Residential Redevelopment' under the provisions of Local Planning Scheme No.17 (LPS17).

In accordance with Clause 4.3 – Zoning Table, the proposed development comprises:

- (i) a new 'Single House', being a 'P' (Permitted) use within the 'Residential Redevelopment' zone; and
- (ii) the conversion of the existing 'Single House' to an 'Ancillary Dwelling', being an 'A' (Discretionary) use, requiring consideration and determination by the City following public advertising.

Importantly, neither component of the proposal constitutes a prohibited or unexpected land use within the 'Residential Redevelopment' zone. Rather, both forms of residential accommodation are expressly contemplated by the Scheme, with the only distinction being that the ancillary dwelling requires advertising and the exercise of planning discretion by the City.

Having regard to Clause 61 of the Deemed Provisions and Schedule 5 of LPS17, the proposal does not constitute development that is exempt from the requirement to obtain development approval and is therefore appropriately the subject of the current application.

A 'Single House' is defined by LPS17 as:

"has the meaning as in the Residential Design Codes".

R-Code definition: (A dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property).

The proposed new dwelling satisfies this definition. Upon approval of the associated change of use / conversion of the existing dwelling to an ancillary dwelling, the proposed development

will comprise one principal dwelling and one ancillary dwelling on a single lot, consistent with both the Scheme and the Residential Design Codes.

An 'Ancillary Dwelling' is defined by LPS17 as:

"has the meaning as in the Residential Design Codes".

R-Code definition: *(self-contained dwelling on the same site as a dwelling which may be attached to, integrated with or detached from the dwelling).*

The existing dwelling clearly satisfies the functional characteristics of an ancillary dwelling, being a fully self-contained residential unit located on the same lot as the proposed principal dwelling. Accordingly, the proposal satisfies the land use definition contained within both the Scheme and the R-Codes.

The conversion of the existing dwelling to an ancillary dwelling requires planning approval because the existing dwelling marginally exceeds the 70m² maximum floor area specified within Deemed-to-Comply Provision C1 of Element 5.5.1 (Ancillary Dwellings), Part B, Volume 1 of the R-Codes.

The proposed variation is less than 10 per cent above the deemed-to-comply standard and is therefore modest in nature. Importantly, the R-Codes expressly provide the City with discretion to approve variations where it is satisfied that the relevant design principles are achieved. In this instance, the relatively minor increase in floor area does not alter the fundamental character or function of the dwelling as ancillary accommodation, nor does it generate any additional planning impacts beyond those ordinarily associated with a compliant ancillary dwelling.

The variation relates solely to floor area and does not result in increased site coverage, building height, overlooking, overshadowing, parking demand or adverse impacts upon adjoining properties. Consequently, the planning implications of the variation are negligible and capable of being appropriately addressed through the exercise of planning discretion.

Beyond its compliance with the applicable land use framework, the proposal also advances broader planning objectives relating to housing diversity, affordability and sustainability. Ancillary dwellings are widely recognised as an effective means of increasing housing choice within established residential areas by providing accommodation suitable for smaller households, ageing residents, dependent family members, carers and persons seeking more affordable housing options.

The proposal also represents a sustainable planning outcome through the adaptive reuse of an existing dwelling. Rather than demolishing a serviceable residential building and constructing a replacement, the proposal retains and repurposes the existing built form, reducing demolition waste, conserving embodied energy and minimising the consumption of new construction materials. This approach is consistent with contemporary urban principles that encourage the efficient use of existing building stock and support environmentally responsible development outcomes.

Accordingly, the proposal delivers a range of planning benefits extending beyond the immediate development site, including increased housing supply, greater housing diversity, improved utilisation of existing urban land and infrastructure, and reduced environmental impacts associated with new construction. It is not a proposal that seeks approval for an

incompatible or unexpected land use. Rather, it seeks approval for two forms of residential development expressly contemplated by the planning framework, with the only discretionary component relating to the conversion of the existing dwelling to ancillary accommodation and a minor variation to the ancillary dwelling floor area standard. These matters are appropriately capable of determination by the City through the exercise of its statutory planning discretion.

CODE AND POLICY CONSIDERATIONS

WAPC – Residential Design Codes (R-Codes)

Assuming an applicable residential density of R5 or R20, an assessment of the proposed new Single House demonstrates that the development either satisfies, or is capable of satisfying, the applicable development standards contained within Part B, Volume 1 of the Residential Design Codes (R-Codes). Accordingly, no variations are sought in respect of the proposed principal dwelling.

The only variation requiring planning consideration relates to the proposed conversion of the existing dwelling to an ancillary dwelling. All other aspects of the proposal either comply with, or are capable of complying with, the applicable provisions of the R-Codes.

As previously discussed, the conversion of the existing dwelling to an ancillary dwelling seeks a variation to the 70m² maximum internal floor area specified within Deemed-to-Comply Provision C1 of Element 5.5.1 – Ancillary Dwellings of the R-Codes. The R-Codes expressly contemplate that variations to the Deemed-to-Comply provisions may be approved where the relevant Design Principles are satisfied. It is respectfully submitted that the proposed ancillary dwelling achieves the intent of the applicable Design Principles for the following reasons:

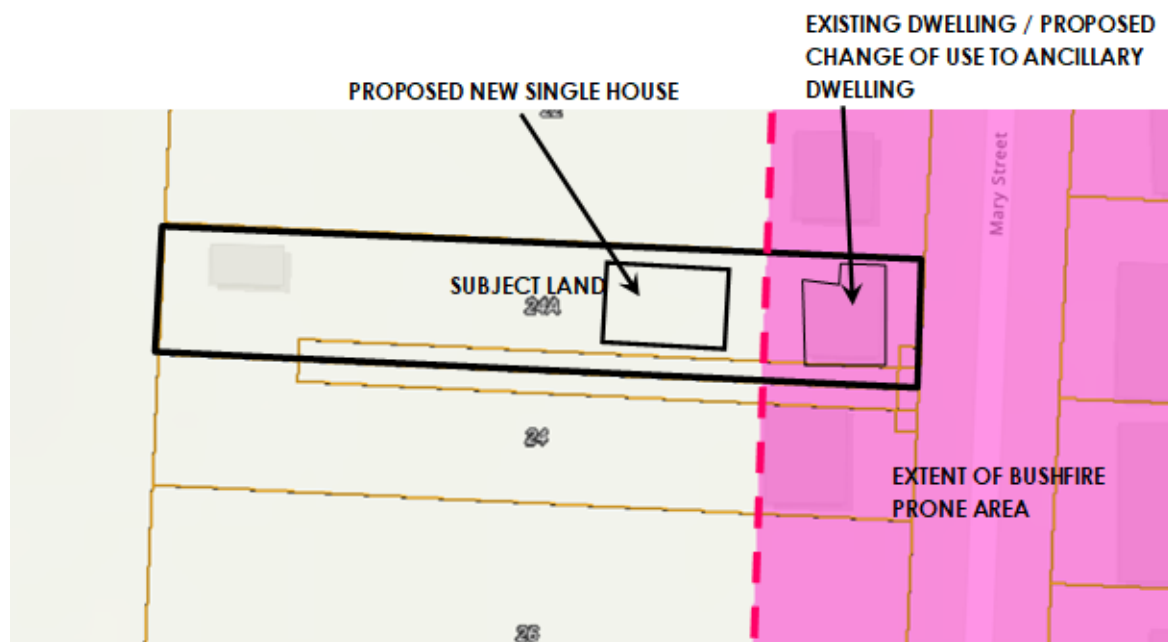
- The proposed ancillary dwelling will have an internal floor area of 76.1m² following the proposed internal alterations, representing a variation of only 6.1m² (approximately 8.7 per cent) above the Deemed-to-Comply standard.
- Importantly, the variation is modest and does not alter the essential character or function of the dwelling as ancillary accommodation. The ancillary dwelling will remain subordinate to the proposed principal dwelling and is specifically intended to provide accommodation for occupants living independently or semi-independently while maintaining a functional relationship with the primary residence. The proposal therefore continues to satisfy the planning intent of ancillary accommodation contemplated by the R-Codes.
- Each dwelling is provided with an appropriate area of private open space while also sharing the substantial balance of the site. Given the generous 2,023m² lot area, the proposal provides a significantly greater level of communal and private outdoor living area than would ordinarily be available on a conventional residential lot. The slightly increased floor area therefore does not result in any loss of residential amenity or functional outdoor space.
- The existing dwelling (proposed ancillary dwelling) already forms part of the established Mary Street streetscape, therefore it will have no discernible impact upon the streetscape, while the proposed principal dwelling will be located to the rear of the existing dwelling (proposed ancillary dwelling) and will have only negligible built form bulk impact on the public realm (Mary Street streetscape). Accordingly, the proposal maintains the existing residential character of Mary Street.

- The proposed ancillary dwelling's additional 6.1m² of floor area will not generate any measurable increase in overlooking, overshadowing, traffic generation, parking demand, noise or visual bulk, partly because it is a modest and non-impactful increase in floor area, but mainly because the dwelling is existing. From a planning perspective, the variation has no material impact upon adjoining landowners or the surrounding residential locality.
- The proposal represents the adaptive reuse of an existing dwelling rather than demolition and reconstruction. This approach promotes sustainable development by retaining an existing residential building, reducing demolition waste and avoiding the unnecessary consumption of additional construction materials. The proposal therefore advances broader planning objectives relating to environmental sustainability and efficient utilisation of existing housing stock.

Having regard to the above, it is considered that strict application of the 70m² 'Deemed to Comply' standard would not achieve a superior planning outcome in this instance. The proposed variation is minor in scale, generates no adverse planning impacts and continues to satisfy the intent of the applicable Design Principles. Accordingly, the exercise of planning discretion to approve the variation is both reasonable and consistent with the objectives of the R-Codes.

State Planning Policy (SPP) 3.7 – Planning in Bushfire Prone Areas

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) establishes the framework for incorporating bushfire risk considerations into land use planning and development to protect life, property and infrastructure.



Source: Locate

A review of the State Government Mapping (Locate) indicates that only the eastern portion of the subject land, representing approximately 15 per cent of the total site area, is identified as being within a designated bushfire prone area. This portion of the land contains the existing dwelling, which is proposed to be converted to an ancillary dwelling. Importantly, the proposed new principal dwelling is located wholly outside the mapped bushfire prone area.

The subject land is relatively level and is situated within an established urban residential environment. The eastern side of Mary Street is substantially developed for residential purposes and benefits from an established road network, reticulated infrastructure and a modified landscape character.

Having regard to the characteristics of the site and its surrounding urban context, it is considered that the proposal is unlikely to give rise to a significant bushfire risk. Should the City determine that a Bushfire Attack Level (BAL) assessment is required in accordance with SPP 3.7 or the Building Code of Australia, such an assessment can be undertaken by an appropriately qualified practitioner.

Should a BAL assessment identify a Bushfire Attack Level requiring additional construction standards, compliance can be readily achieved through the application of AS 3959 – Construction of Buildings in Bushfire-Prone Areas. Such matters relate principally to building construction standards rather than land use planning and are appropriately addressed through the building approval process.

The proposal does not involve intensification of development within a heavily vegetated landscape, nor does it create additional bushfire management issues requiring strategic planning responses. Rather, the application relates to residential development within an established urban area where any necessary bushfire protection measures can be incorporated into the detailed building design, if required.

Notwithstanding the above, should the City consider that a BAL assessment or other supporting bushfire documentation is required to assist in its assessment of the application, such information can be prepared and submitted during the determination process.

It is considered that bushfire does not represent a constraint that would warrant refusal of the application or prevent the City from exercising its discretion to grant development approval. Any technical construction requirements arising from SPP 3.7 or AS 3959 can be appropriately addressed through the detailed design and building approval process without affecting the overall planning merits of the proposal.

State Planning Policy (SPP) 5.1 – Land Use Planning in the vicinity of Perth Airport

State Planning Policy (SPP) 5.1 – Land Use Planning in the Vicinity of Perth Airport provides the strategic planning framework for managing the interface between land use planning and aircraft noise associated with Perth Airport. As discussed previously under "The Subject Land and the Locality", the subject land is located within the 20–25 Australian Noise Exposure Forecast (ANEF) Contour. Clause 5.3.2 of SPP 5.1 provides that residential development should generally be limited to a maximum residential density of R20.

The proposed development fully acknowledges and responds to this planning constraint. The proposal does not seek residential densities exceeding those contemplated by SPP 5.1. Rather, it proposes a residential outcome significantly below the maximum density generally supported within the applicable ANEF contour. Consequently, the proposal is entirely consistent with the intent of SPP 5.1.

City of Swan Policy – Pol- C -062 – Hazelmere (Residential Areas) Drainage Improvement Reserve Fund

The subject land is located within the Hazelmere (Residential Areas) Drainage Improvement Reserve Fund area and is therefore subject to the requirements of City of Swan Policy Pol-C-062.

Clause 2.1.1 of the policy provides:

"A drainage contribution fee shall be collected from all new subdivisions, developments and/or extensions to existing developments within the Hazelmere Drainage Improvement Area."

The proposed development falls within the scope of this requirement and, accordingly, the Policy is directly applicable to the application. The purpose of the Policy is to ensure that new development contributes equitably towards the provision and upgrading of district drainage infrastructure required to support the orderly development of the Hazelmere locality. The proposal is entirely consistent with this objective. The development neither seeks to avoid nor challenge the application of the Policy and acknowledges that an appropriate drainage contribution will be payable in accordance with the City's adopted requirements.

The applicant acknowledges the applicability of Policy Pol-C-062 and accepts that payment of the applicable drainage contribution will likely be imposed as a condition of development approval. The applicant is prepared to satisfy this requirement in accordance with the Policy and any condition lawfully imposed by the City.

Importantly, the existence of the Drainage Improvement Reserve Fund provides further evidence that the City has established a servicing framework to facilitate ongoing residential development within the locality. The proposal is capable of being integrated into that framework without requiring separate drainage infrastructure or placing an unreasonable burden upon the City or adjoining landowners. Therefore, drainage servicing is not considered to represent a constraint to the proposed development or a matter that would justify withholding development approval. Rather, the Policy provides a clear and established mechanism through which the development can make an equitable contribution towards future drainage infrastructure.

CONCLUSION

In conclusion, the proposed development represents a modest residential development outcome that is consistent with the objectives of sound land use planning and the broader strategic planning intent.

The proposal does not seek to intensify development beyond that contemplated for the locality, nor does it prejudice the orderly and coordinated future subdivision or redevelopment of the wider 'Residential Redevelopment' precinct. Rather, it utilises existing serviced urban land to provide an additional dwelling within the maximum residential density contemplated by the planning framework, whilst retaining the long-term flexibility for any future structure planning initiative should one ultimately proceed.

Importantly, the proposal makes efficient use of existing infrastructure, maintains the established residential character of the locality, avoids unreasonable impacts upon adjoining properties and achieves a practical increase in housing supply. The adaptive reuse of the

existing dwelling as an ancillary dwelling also represents a responsible and sustainable planning outcome by retaining and using an existing building.

The planning framework does not prohibit development prior to the approval of a structure plan. Rather, it expressly provides the City with discretion to approve development where it is satisfied that the proposal will not prejudice the purposes of the structure planning area. For the reasons outlined throughout this submission, it is respectfully contended that the proposed development satisfies this test. The proposal is appropriately serviced, compatible with the existing and intended residential function of the locality and capable of proceeding without compromising any future coordinated planning objectives.

Accordingly, the application is considered to represent a balanced, orderly and sustainable planning outcome that is capable of being supported by the applicable statutory planning framework.

It is therefore respectfully requested that the City support the application and grant development approval, subject to such reasonable conditions as it considers appropriate.

Finally, we welcome the opportunity to meet with City staff to discuss this matter further and to provide further clarifying information, if and as required.

We trust the content of this correspondence is sufficiently clear. Should you have any queries regarding this matter please do not hesitate to contact me on 0400 116 847 or steve.pandevski@iinet.net.au.

Thank you for your consideration.

Yours faithfully,



Steve Pandeovski
Town Planning & Development Advisor