



MC Planners Ref: 24111

28th October 2026

Tasmanian Planning Commission

Via email - tpc@planning.tas.gov.au

Attention: Karen Fyfe and Delegates

Dear Delegates

**POST-HEARING SUBMISSION - COMBINED AMENDMENT AND SUBDIVISION
APPLICATION - PDPSAMEND-2024/048902 - 471 CAMBRIDGE ROAD, MORNINGTON,
AND 528 & 540 PASS ROAD, CAMBRIDGE**

The following submission is provided in response to directions dated 5th October 2026.

Permit conditions

- 1. *The planning authority and applicant are to provide a joint submission, to address bushfire hazard management, on:***
 - *modifications to condition 24 and a new condition 25 for bushfire hazard and maintenance of the balance lot; or***
 - *modifications to condition 1.***

If agreement cannot be reached, separate submissions can be provided.

We cannot support the conditions as drafted as they do not resolve the principal issue raised at the hearing in that Conditions 1 and 25 do not allow the flexibility for an alternate Bushfire Hazard Management Report for the site without changing both the condition and the resulting covenant. Further additional requirements have been added to Condition 24 regarding conformity with Council's Bushfire Policy which potentially conflicts with the approved bushfire report. Further, whilst we have no issue with the objective in principle with the addition to Condition 22, it seems to be owner specific and straying into the details of the Deed rather than the requirements of a planning permit condition. We have no issue with the amendments to Condition 10.

We suggest dot point 3 of Condition 1 be deleted, Condition 24 (2) dot point 3 be deleted, and Condition 25 be replaced by the following:



“25 The Final Plan and accompanying Schedule of Easements must include a covenant that describes an obligation on the land owner for the two residential lots and the balance lot to: implement and maintain the Hazard Management Area (HMA) in accordance with the endorsed Bushfire Hazard Management Report (BHMR) prepared by MC Planners (February 2025) or as amended and/or replaced by Tasmania Fire Service or one of its Accredited Practitioners”.

- 2. The planning authority is to provide a modified specific area plan (SAP) reflecting the changes discussed at the hearing, with input from the applicant where required. The modifications to the SAP are to ensure that it is drafted in accordance with the revised precinct and master plan discussed at the hearing, Practice Note 8 and include provisions to provide for certainty on the outcome of the intended development. Modifications to the SAP are to include a rationale for the changes against each of the clauses. in strategic emphasis relative to the previous regional strategies.**

Whilst we met with Council to agree the conceptual changes to the advertised SAP and provided an initial updated draft based on our submitted SAP, unfortunately the final revised SAP was not made available to us before it was issued. That said, the matters we raised at the hearing have been addressed, such as the removal of regulation of the Local Business and Public Open Space zones, and the removal of the lot layout to enable further flexibility to cope with bushfire. However, other new provisions were added in the revised version, such as the incentive for town housing, housing diversity and provision for street trees. We support these ideas generally, but had no oversight of the provisions themselves. With the time available we have reviewed Council's revised SAP in detail and have the following comments regarding the drafting:

- Under CLA-SXXX 3.1 LAOs for are included for the Multiple Dwellings Precinct but not Villa Precinct.
- Under CLA - SXX.4 the definitions for ‘Grouped Housing’ and Townhouse’ contain elements that do not differentiate the type (e.g. shared service easements) and elements that are too specific, meaning that a multiple dwelling not meeting the definition would have no standards to meet, as all the standards relate to the specified types only;
- Under CLA-SXX.5 there are no relevant standards for consideration of Residential use as a Discretionary use. The use should remain Permitted, where not NPR. This also enables freehold subdivision within the Multiple Dwelling Precinct for single dwellings (e.g. town houses on individual lots), which would otherwise be prohibited;
- The revised CLA-SXX.7.3 A1.2 needs to refer to ‘Villa Precinct’ and A3.1 confuses setbacks vs A1.1 and omits requirements for side or rear boundary setbacks or building heights within the Multiple Dwelling Precinct.
- CLA-SXX.7.4 needs to also specify substitution of the zone privacy standard.
- CLA-SXX.7.6 The Clause refers to the Multiple Dwellings and Villa Precincts, but the standards only apply to ‘Primary Facades’ which only exist in the Multiple Dwellings Precinct.

- CLA-SXX.7.7 needs to be appropriately numbered and A1 would result in overzealous and inconsistent distribution of street trees in the different precincts and conflicts with road layout which includes cul-de-sacs. We have no objection to providing for street trees per se.
- CLA - SXX.8.1 should only apply to the Multiple Dwellings and Villa Precincts. On review 10x15m minimum rectangle clear of all setbacks will not work for either Villa housing or free-hold town housing within the Multiple Dwelling Precinct. We suggest making the A1 minimum area 15m x 20m in the Villa Precinct and 8 x 25m in the Multiple Dwellings precinct and removing all other requirements under A1(a).

Further, there are a number of instances where alterations have been made that are diluted or are a departure from the proponent's intent:

- CLA - SXX.5 Visitor Accommodation has been added in to all precincts as single dwellings and in all forms within the Multiple Dwellings precinct. The intent was to have Visitor Accommodation as a discretionary use only if for a boarding house, hostel or serviced apartment, to minimise the conversion of dwellings to Visitor Accommodation on the site.
- CLA-SXX.7.2 we would prefer dwelling sizes were not regulated and this be left to the market. It is in the developer's interest to provide a range of sale options - this should not be forced.
- CLA-SXX.7.5 the waste storage provision applying to the Villa Precinct should be added back in as per the submitted SAP. The underlying waste provision only applies to multiple-dwellings and the intention is to ensure waste storage is provided behind out of front yards.
- CLA-SXX.7.6 A1 the requirements have been simplified and an option to incorporate only 3 of the 6 requirements added. The submitted SAP provision was clear and provided a high bar for meeting the acceptable solution. The change only drives poorer outcomes, particularly as the pathway under P1 is available anyway.
- Former CLA-SXX.7.6 the fencing clause has been deleted. Whilst we understand the potential conflict with fencing exemption under 4.6.3, there is no reason an amended version clause could not be applied where this exemption is not met as per clause 8.4.7 Frontage fences for all dwellings in the General Residential zone.

Whilst it was hoped an agreed version of the SAP could be reached within the time period, further time is needed to refine the SAP before consideration by the Commission in our view. We have chosen not to provide an amended version of the SAP correcting the above, but request until Friday 6th November to refine the SAP with Council, before re-submitting it to the Commission. Council are amenable to this and meetings are scheduled for Monday and Wednesday next week.

3. ***In drafting the revised SAP the Commission requests a further submission on how the revised SAP satisfies section 32(4)(b) of the Land Use Planning and Approvals Act 1993, including why they are necessary to achieve the intended outcome, rather than using the standards in the underlying General Residential Zone.***



The standards in the underlying General Residential zone are not capable of delivering the development proposed and the application of this zone alone would be a significant lost opportunity in supporting the local business centre, housing delivery and public space quality. We agree with Council's justification under this clause, which supports our arguments within the submitted planning report.

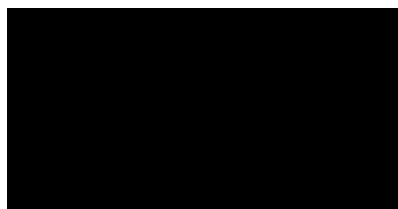
- 4. The planning authority is to review the following permit conditions to ensure certainty and finality: (a) condition 3 - to determine if it is necessary to specify anything in 'other' under the last dot point and/or if the dot point is required; (b) condition 10 - to determine whether the condition should refer to 'footpath' or 'shared paths'; and (c) condition 22 - to determine if any redrafting is required if the SAP is not approved as part of this application.**

We have no objections to these amendments, but certainly trust the SAP in its final form is included in the amendment for the reasons outlined in point 3 above.

As stated above, we request additional time to refine the SAP with Council with a final SAP submission to be made on Friday 6th November. If you require any further information or would like to discuss the above, please contact us at planning@mcplanners.com.au or 6288 7248.

Yours faithfully

MC PLANNERS PTY LTD



Mat Clark

DIRECTOR/PRINCIPAL PLANNER





ATTACHMENT 1

Traffic Statement