

From: "Clarence City Council"
Sent: Mon, 15 Jun 2026 08:19:33 +1000
To: "City Planning" <cityplanning@ccc.tas.gov.au>
Subject: FW: PDPSPAMEND-2024/048902
Attachments: Objection template (1).docx
Categories: Sonya



Leah MacCarthy

Customer Contact Officer

City of Clarence

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Clarence City Council pays respect to all First Peoples, including the Mumirimina (mu mee ree mee nah) People of the Oyster Bay Nation whose unceded lands, skies, and waterways we are privileged to conduct our business on. We pay respect to, and value the deep knowledge of Elders past and present, and we acknowledge the survival and deep spiritual connection of the Tasmanian Aboriginal People to their Country, a connection which has endured since the beginning of time. Our work reflects our ongoing commitment to truth-telling and respectful understanding.

From: Susan Foster [REDACTED]
Sent: Saturday, June 13, 2026 11:23 AM
To: Clarence City Council <clarence@ccc.tas.gov.au>
Subject: PDPSPAMEND-2024/048902

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To the Chief Executive Officer,

Please find attached some concerns for the upcoming proposed development at 471 Cambridge Road, Mornington, 528 and 540 Pass Road, Cambridge.

Yours sincerely,

Susan Foster



[REDACTED],
Morningside,
HOBART 7018
[REDACTED]

City of Clarence
38 Bligh St, Rosny Park
TAS, 7018.

Dear Chief Executive Officer,

I refer to the 'LOCAL PROVISION SCHEDULE AMENDMENT & COMBINED PLANNING PERMIT REQUEST PDPSPAMEND-2024/048902', having viewed the advertised plans at ([Advertised Plans - City of Clarence](#)) made up of 370 pages.

I note that the proposed residential density for multiple dwellings has a minimum Acceptable Solution of 200m², and may further be reduced, as shown on pg. 7/370:

CLA - SXX.7.1 Residential density for multiple dwellings

This clause is in substitution for General Residential Zone - clauses 8.4.1 Residential density for multiple dwellings.

Objective:	
<i>That the density of multiple dwellings: (a) makes efficient use of land for housing; and (b) optimises the use of infrastructure and community services; and (c) supports higher-density residential development, including townhouse or apartment-style housing, particularly on land adjoining public open space, where built form, siting and façade articulation establish a coherent streetscape and public-open-space interface that delivers park activation, passive surveillance and high-quality residential amenity in accordance with the spatial and housing intentions of the Specific Area Plan.</i>	
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings must have a site area per dwelling of not less than 200m ² .	P1 Multiple dwellings may have a site area per dwelling of less than 200 m ² where the development has regard to: (a) building height, bulk and scale; (b) the residential amenity outcomes for future occupants and adjoining properties; and (c) contribution to a range of dwelling types and sizes.

In comparison with the existing requirements for the General Residential Zone of the Tasmanian Planning scheme, at clause 8.4.1, where I note that 325m² is the Acceptable Solution, and Performance Criteria applies for smaller lots.

8.4 Development Standards for Dwellings

8.4.1 Residential density for multiple dwellings

Objective:	That the density of multiple dwellings: (a) makes efficient use of land for housing; and (b) optimises the use of infrastructure and community services.	
Acceptable Solutions		Performance Criteria
A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .		P1 Multiple dwellings must only have a site area per dwelling that is less than 325m ² , if the development will not exceed the capacity of infrastructure services and: (a) is compatible with the density of existing development on established properties in the area; or (b) provides for a significant social or community benefit and is: (i) wholly or partly within 400m walking distance of a public transport stop; or (ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.

[\(Planning Scheme Viewer\)](#)

As an adjoining landowner, I firstly object, and consider that the proposed densities shown (300m² or 12x25m, per the advertised plans) would fail at the meeting the P1 performance criteria of the above, for these reasons:

- a) less than 325m² isn't compatible with existing development; and
- b) there is no significant social or community benefit from this proposal.

In addition to the above, I see no convincing argument put forward by the proponent on why smaller than 325m² lots should prevail in the Mornington Park Specific Area Plan (SAP).

I note that a SAP may propose alternative provisions to the TPS. That matter is described in the documents (pp 69-370) with a Council planner recommendation, which itself includes an report from an "independent planning consultant".

Although weak overall the report provides a particularly confused section at "Consideration of Section 32" (pg 91/370), which does not address the key tests of Section 32, as written in the Land Use Planning and Approvals Act 1993 ([View - Tasmanian Legislation Online](#)).

Specifically, it makes apparent mistaken references with incorrect clause numbers, and does not address the key tests of s32 (4)(a and b). This is important as demonstrating why the special provisions in the Mornington SAP, are actually required.

On the above, I note that on page 93/370, the report states:

The Specific Area Plan has been prepared in accordance with section 32(4) of the Act, as it does not modify state-wide provisions beyond what is reasonably necessary to achieve appropriate site-specific outcomes, and continues to rely on applied zones and state-wide codes as the primary regulatory tools.

In contrast to the advertised report, I suggest that s32 (4) of LUPPA requires entirely different tests, namely the satisfaction of s32 4(a and b), which are:

4) An LPS may only include a provision referred to in [subsection \(3\)](#) in relation to an area of land if –

(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or

(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.

Clearly, the summary paragraph of the report misses the point of s32(4) entirely.

However, the report has referred to an further attached report (MC planners, February 2026) which also provides comment around s32(4 a and b) (pg 215/370).

Here, I find the discussion put forward lacking in serious merit or effort. It suggests that a park is a social benefit, although the large volume of recreational opportunities in the immediate neighbourhood (~800 walking distance or 10 minutes) is not addressed, nor analysed in any manner.

In contrast, I observe that the Open Space provision in this suburb is already excellent, exceeds any typical provision of open space, and if anything is probably overserved within a typical 800m/10minute walking range. Expansive open space is located 180m south, extensive cycling tracks are within 200m.

Next, the MC report describes the future housing as affordable, and therefore makes a leap to this being a social benefit. However, I see no formal arrangement between a social housing provider and the developer in the proposal. It is impossible to see how the housing will be any price other than market value, and this point clearly fails.

In considering the comments from MC, no special significance to economic matters or the environment is made by the proposal (and relieving, is not suggested by the proponent). However, the social benefit argument appears to be wrong.

Next, the report attempts to address 4(b), by simply referring to the location, noting that it has roads, and is able to be developed. This cannot be a serious justification - certainly not to the extent that this merits altering the existing provisions of the General Residential Zone (GRZ).

I do agree that the Tasmanian Planning Commissions provide application of the GRZ 'Section 8A Guidelines' [Section 8A Guidelines – Tasmanian Planning Commission Website](#), the rules of which are entirely satisfied in this location. In my view, the existing GRZ and provisions is clearly able to respond to the characteristics of this site.

I do not consider, from the information supplied, that the site satisfies either of the tests at s34 4(a or b) to vary provisions, especially regarding density and minimum lot sizes.

The key matters of Section 32, especially the functioning of s32 4(a and b) which are legislated requirements, to inform zones and provisions of a specific area plan as provided by s32 (3), reasonably ought to demonstrate a much higher level of discussion and analysis.

Yours sincerely,

Susan Foster.