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6 November 2026

Reference Number: PDPSPAMEND-2024/048902
Department: City Planning

Ms. Sandra Hogue
Delegate (Chair)
Tasmanian Planning Commission

Via e-mail – tpc@planning.tas.goc.au

Dear Ms. Hogue

Tasmanian Planning Scheme – Clarence
Draft amendment and permit PDPSPAEMND-2024-048902
471 Cambridge Rd, Mornington and 528 and 540 Pass Rd, Cambridge

As per the extension of time granted in your letter of 29 October 2025, I am submitting a final version of the revised Mornington Park Specific Area Plan (the draft SAP), in both word and pdf versions, with the tracked changes removed to improve readability. This draft SAP supersedes Attachment B previously submitted on 21 October 2026.

This draft SAP incorporates changes agreeable to both the applicant and council, following further negotiations this week. Of note, the draft SAP:

- Seeks to only substitute or add to the General Residential Zone, and Parking and Sustainable Transport Code.
- Includes refined definitions to better reflect the intent of the proposed precincts, and terminology consistent with the State Planning Provisions.
- Includes stronger alignment across SAP Purpose Statement, the Local Area Objectives, and clause provisions.
- Aligns with Practice Note 5 - Tasmanian Planning Scheme drafting conventions and Practice Note 8 – Draft LPS written document: technical advice.

We think, as drafted, the SAP will provide for the site to be developed in the optimal fashion given its specific features and location.

I am also including an updated version for Attachment B2, which is a reformatted version of the draft SAP so that the clause explanations adjoin the relevant SAP provisions. I hope this simplifies your review of the draft SAP rationale.

Although not specified in your letter of 29 October, the comments made by Mr. Clark in his submission of 28 October 2026, raising concerns with the draft permit conditions in section 1 and 4 of his submission, prompted us to revisit the modified draft permit submitted to the Commission on 20 October 2026.

Following further advice from council's governance team, our preference remains to not change Condition 1, but rather to include a separate condition, namely condition 25. However, we have taken the opportunity to refine the draft permit by modifying the drafting of condition 14, condition 22 and condition 25. Attachment A, therefore, replaces the previous version submitted on 20 October 2026.

The attachments provided in this submission supersede previously submitted attachments, and it would be appreciated if these versions are uploaded to the Commissions website.

I trust the information is of assistance to the Commission. If you have any questions, please contact me.

Yours sincerely,



Indra Boss
Strategic Planner

Encl: Attachment A – modified Draft Planning Permit

Attachment B – modified draft Mornington Park Specific Area Plan (word)

Attachment B2 – modified draft Mornington Park Specific Area Plan (with explanatory clause comments)

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Clarence City Council

DRAFT PLANNING PERMIT

LAND USE PLANNING AND APPROVALS ACT 1993

Development No: **PDPSPAMEND-2024/048902** **Approval Date:**

Description: **Five Lot Subdivision (2 residential lots, 1 public open space lot, 1 road lot, and 1 balance lot with two existing dwellings)**

Address: **471 Cambridge Road, Mornington, 528 & 540 Pass Road, Cambridge**

This permit is granted, subject to the following conditions:

General Conditions:

1 The use or development must only be undertaken in accordance with the endorsed plans:

- Proposed subdivision plans version C dated 10/01/25, prepared by Rogerson & Birch,
- Concept Services – General Arrangement, Dwg No. 1 version DA4, dated 28/01/26 prepared by Johnston McGee & Gandy Pty Ltd,
- Bushfire Hazard Report, version 4, dated 14/02/25, prepared by Mat Clark (BFP-P)

and any permit conditions and must not be altered without the consent of Council.

2 Each lot must be provided with a minimum 3.6m wide constructed and sealed access from the road carriageway to the property boundary in accordance with Tasmanian Standard Drawing or its relevant equivalent operating at the time the works are being undertaken (copy available from Council). This access must be inspected by council prior to sealing or pouring new concrete.

Following construction, the crossover must be maintained or repaired by the owner at the owner's expense in accordance with any directions given by council to the owner and in accordance with the relevant Council's local highways standards By-Law operating from time to time.

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Unless within a new subdivision, a permit to carry out works within Council's Road reservation, is required for the purposes of this condition. An application form is available on Council's website.

3 Engineering designs, prepared by a suitably qualified person, are required for:

- road design (including line marking, signage and any traffic devices);
- traffic calming design;
- stormwater drainage including upgrade of stormwater main along Cambridge Road and detention design;
- footpaths and pedestrian infrastructure; and

lot accesses.and must show the extent of any vegetation removal proposed for these works and be designed in conjunction with any landscaping plan requirement. Such engineering designs must be compliant with all Council By-Laws and adopted standards applicable at the time of lodgement of the engineering designs. These engineering designs, together with the safety in design report, must be submitted and approved by Council's Chief Executive Officer or delegate clearly describing works that are being undertaken for each approved stage of the development.

An engineering assessment fee, in accordance with Council's adopted fee schedule, must be paid prior to the approval of the engineering designs. A 'Start of Works' authority must be obtained prior to the commencement of any works.

For the Final Engineering Design Plans to be sealed prior to the completion of the works or the expiry of the "On-Maintenance" period a bond must be paid, in accordance with Council bonding Policy. Please note that the bond for the "On-Maintenance" period is 5% of the construction cost.

Works for all stages shown on the engineering designs must be commenced within 2 years of the date of the approval or the engineering designs will be required to be resubmitted.

As construction drawings and necessary CCTV reports for Council's infrastructures must be submitted prior to the issue of the Certificate of Practical Completion.

4 Driveways, parking areas and other areas accessible to vehicles must be constructed in a suitable impervious surface, and provide for adequate stormwater drainage prior to the commencement of the use. Details of the construction must be submitted to, and approved by, Council's Chief Executive Officer or delegate prior to the commencement of any works.

5 An erosion and sedimentation control plan, in accordance with the Derwent Estuary Programme Soil and Water Management on Building and Construction Sites document, must be submitted and approved by Council's Chief Executive Officer or delegate when lodging the 'Start of Works Notice' to council. All debris/construction materials must be contained within the property. All works must be carried out in compliance with the approved erosion and sediment control plan.

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6 The owner or developer must not deposit, stockpile or store any soil, fill or other material on any lot after the completion of civil works, except where expressly approved in writing by the planning authority for landscaping or construction purposes.

Any unauthorised fill must be removed within 14 days of written notice. Failure to comply constitutes a breach of this permit. The planning authority may issue infringement notices and penalties or undertake remedial works at the owner's

7 The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all council infrastructure required to service the lots in a form to the satisfaction of Council's Chief Executive Officer or delegate.

8 The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all utilities infrastructure required to service the lots in a form to the satisfaction of the relevant utility service provider.

9 Prior to commencing any works on-site, a filling plan shall be prepared by a suitably qualified person and submitted to and approved by Council's Head of Infrastructure and Natural Assets. The plan is to conform with principles outlined in AS3798-2007 – Guidelines on Earthworks for Commercial and Residential Developments and is to include start and end dates, a staging plan (if applicable) and a rehabilitation plan.

Filling of the land shall be fit for the purposes of those future uses reasonably expected on the land and must be undertaken in a manner which does not create nuisance by way of dust, noise, traffic movements or weed dispersal, either during the filling operation or after completion.

Upon completion of filling operations, the works shall be certified by a suitably qualified person as being carried out in accordance with the approved filling plan and rehabilitation plan and is fit for purpose and free of deleterious matter or hazardous/controlled substances.

An as constructed topographical survey plan at a suitable scale is to be provided to Council upon completion of the works.

10 Street construction, including line marking, traffic devices, street lighting, concrete kerbs, gutters, footpaths, shared paths with asphalt roads, must be carried out to the requirements of council's Local Highways Standard Requirements By-Law and must be approved by council's Head of Infrastructure and Natural Assets. Pavement designs must be based upon laboratory-soaked California Bearing Ratio (CBR) values. Line marking must be in thermoplastic material.

11 Suitable barriers must be erected during the stages of construction and at access points to the balance land to prevent unauthorised vehicle access.

12 Appropriate temporary turning heads are to be provided with sealed surfaces at the end of each road stage to facilitate adequate vehicle manoeuvrability. Appropriate

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signage signifying the temporary turning head is required. Appropriate and sustainable drainage must be provided for these temporary facilities.

13 The owner must, at their expense, repair any council services (e.g. pipes, drains) and any road, crossover, footpath or other council infrastructure that is damaged because of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs must be in accordance with any directions given by the council and in accordance with the council's Local Highways Standard Requirements By-Law.

If the owner does not undertake the required repair works within the timeframe specified by council, the council may arrange for the works to be carried out at the owner's expense.

14 Any lots described as "public access way", "road", "to be acquired by the Highway Authority" or other land designated to become public land on the Final Plan must be transferred to the Council for a nominal sum of $1.00 and must be accompanied by a Memorandum of Transfer to the Clarence City Council, all documentation in relation to discharges of any Mortgages, withdrawal of caveats, and all other relevant registrable dealings.

This Transfer must be executed by the vendor, identifying the lot(s) to be transferred and the applicant is responsible for all Land Titles Office fees and charges and duty in relation to the document.

The applicant remains responsible for ensuring that any Land Titles Office requisitions are effectively resolved and the applicant must meet the costs of such requisitions.

15 All proposed waterway crossings must be designed and constructed in a manner to ensure the waterway is not obstructed in any way. A hydraulic analysis of the catchment must be provided to demonstrate the adequacy of the crossing to meet Council's adopted Stormwater Management Procedure for New Development. Engineering designs and drawings must be prepared for approval of Council's Chief Executive Officer or delegate prior to the commencement of works.

The works must be completed in accordance with the approved plans prior to the sealing of the final plan of survey.

16 A minimum 150mm diameter stormwater drainage connection to council's main must be provided prior to the commencement of the use / prior to the issue of a certificate of likely compliance (CLC) for building works/ issue of title whichever occurs first. An extension to council's stormwater main may be required at the developer's expense.

17 All existing services on the land must be contained within a single lot. For any services extending beyond the property boundary, a suitable easement must be created on the affected titles.

18 All new power and telecommunication services, including applicable street lighting, must be underground and within the road reserve or subject of a suitable easement approved by Council's Chief Executive Officer or delegate. Trenchless installations

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must incorporate the installation of a conduit to accommodate the services. These conduits are to extend beyond all trafficable areas and surface drainage, inclusive of footpaths and table drains, with a minimum cover of 1.2 metres. The above works must be to the satisfaction of Council's Chief Executive Officer or delegate and completed prior to the sealing of the Final Plan of Survey.

19 Prior to the sealing of the final plan, the developer must supply the City of Clarence with as-installed services plan(s) clearly indicating the location and details of all relevant services (entirely contained within their respective lots or appropriate easements). The as-installed services plan(s) must be submitted by a suitable qualified expert as confirmation that all engineering work required by this permit has been completed.

20 Where subdivision or development works are approved to be undertaken in stages, all works for each stage must comply with the most current Council By-Laws, adopted policies and Standards in force at the time the engineering drawings for that stage are lodged for approval.

If any previously completed works do not comply with the current Council By-Laws, adopted policies and Standards and require modification to integrate with subsequent stages, the permit holder must reconstruct or upgrade those works to achieve compliance and ensure seamless integration between stages.

All costs associated with such reconstruction or upgrade works are the responsibility of the permit holder.

21 All public open space/reserve areas (other than roads) must be included in the first stage of the development.

22 The owner has proposed to create a 5,000m2 lot on the land to be allocated as Public Open Space. As this exceeds the 5% contribution minimum requirement of s116(a) of the *Local Government (Building and Miscellaneous Provisions) Act 1993,* Council has negotiated a deed with Mornington Park Estate Pty Ltd, executed on 22 April 2026, for the purchase of the land in excess of the 5% contribution.

In the event Mornington Park Estate Pty Ltd is no longer the landowner of the POS lot area, Mornington Park Estate Pty Ltd is to assign the deed executed on 22 April 2026 in accordance with clause 12 of that deed, subject to the satisfaction of council's Chief Executive Officer.

23 All public recreation space areas must be shown as lots on the Final Plan and noted as "Public Open Space".

All public open space lots must be fenced by the subdivider, and suitable fire breaks created, to satisfaction of Council's Manager City Planning. The Final Plan and Schedule of Easements will not be sealed until this work is complete or a suitable Bond and Guarantee for the work is lodged.

The bond is to be for an amount of 1.5 times the estimated cost of construction and may be a cash deposit or a bank guarantee. The work is to be completed within 6 months of the lodging of the bond. If the works are not completed within this time,

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Council may have the fencing work undertaken and may recover those costs incurred from the bonded amount.

24 A Landscape and Earthworks Plan for all areas of Public Open Space (POS) shown on the Plan of Subdivision must be submitted to and approved by Council's Chief Executive Officer or delegate prior to the issue of a Certificate of Likely Compliance (CLC) for building works or commencement of works within the POS, whichever occurs first.

1. The Landscape and Earthworks Plan must clearly document the following:

    - finished surface contours at 0.1 metre intervals and spot levels sufficient to demonstrate final landform and drainage patterns;
    - the detailed shaping of all swales, low points and overland flow paths to demonstrate that the land will function as usable public open space while accommodating stormwater conveyance;
    - cross sections and long sections of proposed swales and overland flow paths at intervals sufficient to demonstrate batter slopes, depths and integration with surrounding landforms;
    - finished surface treatments including turfing, topsoil depths and soil preparation for all disturbed areas;
    - establishment specifications for turf and planted areas, including soil preparation, turf type, installation method and establishment requirements sufficient to achieve practical completion prior to handover;
    - the location of any proposed paths, furniture or landscape features (if applicable);
    - a staging and implementation schedule for the landscape works.

    In addition, the plan must include:

    - a north point and site boundaries;
    - existing site features including buildings, services and structures;
    - the identification of existing trees as retained or removed, and Tree Protection Zones for retained trees in accordance with AS 4970-2009;
    - areas of proposed hard and soft landscape treatments;
    - planting schedules identifying species, quantities and installation details;
    - an annotation stating that any damage to the nature strip during construction will be suitably remediated;
    - the location of water connection points; and
    - a proposed maintenance schedule for landscaped areas prior to handover.

2. The design must demonstrate, to the satisfaction of Council's Chief Executive Officer or delegate, that:

    - stormwater conveyance infrastructure within the POS area is integrated into the landform in a manner that minimises visual and functional impacts and enables the primary use of the land as public recreation space; and

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- the finished grading, shaping and levels provide safe, usable and maintainable recreational land suitable for public access and routine maintenance and

3. it will be maintained in accordance council's Bushfire Policy 2024 available on council's website https://assets.ccc.tas.gov.au/uploads/2024/08/Bushfire-Mitigation-Policy-2024.pdfPrior to sealing of the Final Plan of Survey, an as-constructed topographical survey plan certified by a suitably qualified surveyor must be submitted to and approved by Council's Chief Executive Officer or delegate demonstrating that the works have been completed in accordance with the approved Landscape and Earthworks Plan.

25 The owner must enter into an agreement with Council under Part 5 of the *Land Use Planning and Approvals Act 1993*, in such form as Council may require, which provides for the following:

The implementation and on-going maintenance of the Hazard Management Area (HMA) by all lot owners (with the exception of the owner of the POS), which does not rely on the POS lot for bushfire hazard mitigation, in accordance with the Bushfire Hazard Management Plan (BHMP) prepared by MC Planners (dated February 2025) (or any subsequent BHMP which supersedes such report and which is endorsed by Tasmanian Fire Service).

The Agreement will be prepared and registered by Council. The owner is responsible for all Council and Land Titles Office fees and charges. Council will prepare the Part 5 Agreement upon written request from the owner and payment of the relevant fees.

26 The development must meet all required Conditions of Approval specified by TasWater notice, dated 03/03/2026 (TWDA 2023/01137-CCC).

The following advice is also provided:

a. This Permit will lapse after 2 years from the date on which it is granted unless the development / use has been substantially commenced. Upon request, under Section 53(5A) of the *Land Use Planning and Approvals Act 1993* Council may grant an extension of time for a further 2 years. A further 2 years may be granted upon request under Section 53(5B) of the *Land Use Planning and Approvals Act 1993*. Any such requests must be made in writing and within 6 months of the day on which the permit has lapsed.

b. This is a town planning permit only. Please be aware that a building permit and / or a plumbing certificate of likely compliance or plumbing permit may be required before the development can proceed. It is recommended that you contact Council's Building

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Department on (03) 6217 9580 to discuss the requirement for any additional permits or certification.

c. The proposed lots are located within a mapped bushfire prone area and as such a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for individual building applications.

d. The proposed works are located within a mapped overland flow path and prone to flood. Please refer to council's flood mapping system https://www.ccc.tas.gov.au/flood-maps/

e. The site may contain relics which are protected under the Aboriginal Relics Act 1975 and the applicant is therefore responsible to ensure compliance with the provisions of that Act. Applicants are advised to seek independent technical advice in relation to identification and protection of any relics.

f. Based on the information provided, the use/development is not likely to adversely affect TasNetworks' operations. As with any subdivision of this magnitude, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended that the developer contacts TasNetworks on 1300 137 008 or the Negotiated Connections team at Negotiated.Connections@tasnetworks.com.au at their earliest convenience.

g. The Department of Primary Industries, Parks, Water and Environment, Threatened Species Unit has advised that the property may contain species identified in the schedules of the *Threatened Species Protection Act 1995*. I have enclosed a copy of the Department's letter. It is your responsibility to comply with the legislation and therefore you should contact the Department to determine whether there will be any issues which may arise under that Act in relation to the development.

h. Hobart Airport received application number PDPSAMEND-2024/048902 471 Cambridge Road Mornington and 528 & 540 Pass Road, Cambridge for a development that may be considered a Controlled Activity as stated Airports (Protection of Airspace) Regulations. Hobart Airport as the aerodrome operator has completed the initial assessment of this application as required in the Regulations. Based on the information supplied it does not appear that this proposal is classed as a controlled activity, as defined in the Regulations. Hobart Airport does not object to this proposal which may create occasional pooling of water in the proposed open space, during flood events, which may increase wildlife activity (e.g. attracting birds).

Controlled activities are also defined as any activities causing intrusions into the protected airspace through glare from artificial light or reflected sunlight, air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate matter. Details will need to be provided to Hobart Airport for consideration if this proposal may subject the protected airspace around Hobart Airport to one or more of these items. Please note that further to the above, any structures used in the construction process, such as

cranes, may in fact be controlled activities and require separate approval under the Regulations. Please note this commentary is from an aerodrome airspace perspective (only) and Hobart Airport may separately submit additional representations within the advertised timeframe.

i. Non-compliance with this permit is an offence under Section 63 of the *Land Use Planning and Approvals Act 1993* and may result in enforcement action under Division 4A of the *Land Use Planning and Approvals Act 1993* which provides for substantial fines and daily penalties.

Daniel Marr

HEAD OF CITY PLANNING
THIS APPROVAL IS GIVEN UNDER DELEGATION GRANTED BY COUNCIL ON 14 DECEMBER 2020

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CLA-SXX.0 Mornington Park Specific Area Plan

CLA-SXX.1 Plan Purpose

The purpose of the Mornington Park Specific Area Plan is:

CLA-SXX.1.1 To provide a coordinated framework for the development of land within Mornington Park that integrates residential development, regional public open space, local services and movement networks.

CLA-SXX.1.2 To provide for a range of residential densities, dwelling types and built forms that make efficient use of land, create a distinct local streetscape and respond to public open space.

CLA-SXX.1.3 To provide for regional public open space that supports recreation and social activities, enhances the residential environment and contributes to stormwater management.

CLA-SXX.1.4 To provide for a high level of residential amenity through a walkable neighbourhood with landscaped streets and pedestrian connections between residential areas, public open space and local services.

CLA-SXX.1.5 To provide an integrated planning framework for the coordinated development of land in different ownership.

CLA-SXX.2 Application of this Plan

CLA-SXX.2.1 The specific area plan applies to the area of land designated as the Mornington Park Specific Area Plan on the overlay maps and in Figure CLA.SXX.1.

CLA-SXX.2.2 In the area of and to which this plan applies, the provisions of the specific area plan are in substitution for or in addition to, the provisions of the General Residential Zone and Parking and Sustainable Access Code, as specified in the relevant provision.

CLA-SXX.3 Local Area Objectives

CLA-SXX.3.1 Local area objectives

Sub-clause	Area Description	Local Area Objectives
CLA-SXX.3.1.1	Multiple Dwellings Precinct	To provide a coordinated higher-density residential area that: (a) accommodates a range of dwelling sizes, types and built forms (b) has a high level of amenity in terms of private open space, privacy and solar access; (c) promotes co-joined townhouse development, particularly facing the park; (d) provides highly articulated facades and fencing that contribute positively to the streetscape and the park; and

		(e) minimises visitor accommodation use to prioritise residential use.
CLASXX3.1.2	Villa Precinct	To provide predominantly single dwellings on lots that: (a) are at a higher density to utilise the increased walkable access to the regional park and local business centre; (b) have a high level of amenity in terms of private open space, privacy and solar access; (c) minimise visitor accommodation use to prioritise residential use.; and (d) contribute positively to the streetscape.

CLA – SXX.4 Definition of Terms

CLA-SXX.4.1 In this specific area plan, unless the contrary intention appears:

Terms	Definition
Building Edge	means a continuous building line (excluding minor protrusions) parallel to the Primary Façade or a boundary adjoining public open space.
Grouped Housing	Means multiple dwellings that does not share a party structure with any other dwelling.
Multiple Dwellings Precinct	mean that area indicated within the Multiple Dwellings Precinct, in Figure CLA-SXX.2.
Primary Façade	means the lot boundaries designated as a Primary Façade in Figure CLA-SXX.3.
Party Structure	As per the definition in the *Building Act 2016*
Secondary Façade	means the lot boundaries designated as a Secondary Façade in Figure CLA-SXX.3.
Town Housing	Means a dwelling that shares a party structure with an adjoining dwelling.
Villa Precinct	means that area indicated as the Villa Precinct in Figure CLA-SXX.2

CLA - SXX.5 Use Table

This clause is in substitution for Clause 8.2 of the General Residential Zone.

Use Class	**Qualification**
No Permit Required	
Natural and Cultural Values Management	

Passive Recreation	
Residential	If (a) for multiple dwellings located in the Multiple Dwellings Precinct or b) a single dwelling and not located in the Multiple Dwellings Precinct.
Utilities	If for minor utilities.
Permitted	
Discretionary	
Residential	If not listed as No Permit Required
Utilities	If not listed as No Permit Required.
Prohibited	
All Other Uses	

CLA – SXX.6 Use Standards

This sub-clause is not used in this specific area plan.

CLA - SXX.7 Development Standards for Buildings and Works

CLA - SXX.7.1 Residential density in the Multiple Dwellings Precinct

This clause is in substitution for General Residential Zone clause 8.4.1 Residential density for multiple dwellings, in the Multiple Dwellings Precinct.

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**
A1.1 Town Housing must have a site area per dwelling of not less than 200m^2. **A1.2** Grouped Housing must have a site area per dwelling of not less than 300m^2.	**P1.1** Town Housing must only have a site area per dwelling less than 200m^2 if: (a) it will not exceed the capacity of infrastructure services; (b) it is wholly or partly within 400m walking distance of a public transport stop; and (c) it has regard to Multiple Dwelling Precinct Local Area Objectives.

	P1.2 Grouped Housing must only have a site per dwelling less than 300m^2 if: (a) It will not exceed the capacity of infrastructure services, (b) It is wholly or partly within 400m walking distance of a public transport stop, and (c) It has regard to the Multiple Dwelling Precinct Local Area Objectives.

CLA - SXX.7.2 Dwelling diversity in the Multiple Dwellings Precinct

This clause is in addition to General Residential Zone clause 8.4 Development Standards for Dwellings for development within the Multiple Dwellings Precinct.

Objective:	
That dwellings in the Multiple Dwellings Precinct achieve a range of sizes.	
Acceptable Solutions	**Performance Criteria**
A1 Town Housing or Grouped Housing containing 10 or more dwellings must incorporate at least one of each of the following: (a) 1 bedroom dwelling; (b) 2 bedroom dwelling; and (c) 3 bedroom dwelling.	**P1** Town Housing or Grouped Housing must provide a range of sizes having regard to: (a) the number of dwellings proposed; (b) variation in dwelling floor area and internal layout; (c) the Local Area Objectives for the Multiple Dwellings Precinct.

CLA - SXX.7.3 Setbacks and building height for all dwellings in the Multiple Dwellings Precinct and Villa Precinct

This clause is in substitution for General Residential Zone clause 8.4.2 Setbacks and building envelope, and clause 8.4.4 Sunlight to private open space of multiple dwellings, and clause 8.4.6 Privacy for all dwellings in the Multiple Dwellings Precinct and Villa Precinct.

Objective:	
The siting and scale of dwellings: *(a) provides reasonably consistent separation between dwellings and their frontage within a street;* *(b) provides compatibility in the apparent scale, bulk, massing, and proportion of dwellings;* *(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and* *(d) provides reasonable access to sunlight for existing solar energy installations.*	
Acceptable Solutions	**Performance Criteria**

A1.1 For the Multiple Dwellings Precinct: A dwelling, excluding garages, carports and protrusions that extend not more than 0.5m into the frontage setback, must have a setback from a frontage that is not less than 1m. **A1.2** For the Villa Precinct: A dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 3m, or, if the setback from the primary frontage is less than 3m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 2m, or, if the setback from the frontage is less than 2m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site.	**P1** A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints and the local area objectives for the Precincts.
A2.1 For the Multiple Dwellings Precinct: A garage or carport for a dwelling must not be accessed from a Primary Facade shown on Figure CLA-SXX.3. **A2.2** For the Villa Precinct: A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 4m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	**P2.1** For the Multiple Dwelling Precinct there is no Performance Criterion. **P2.2** For the Villa Precinct, a garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to: (a) any topographical constraints; and (b) the local area objectives for the Villa Precinct.
A3.1 For the Multiple Dwelling Precinct: (a) a dwelling, excluding outbuildings, may be built to the lot side boundary, but must: i) be set back from the rear lot boundary not less than 1.5m; and ii) have a height not greater than 9.5m; and (b) a dwelling, including outbuildings, located within 15m of the public open space shown in Figure CLA-SXX.2 must be: i) built with a setback of 3m from that boundary; and	**P3** The siting and scale of a dwelling must have regard to: (a) providing a building edge adjacent to the boundary with the public open space shown in Figure CLA-SXX.2; (b) not causing an unreasonable loss of residential amenity to adjoining properties, having regard to: (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property; (ii) overshadowing the private open space of a dwelling on an adjoining property; (iii) overshadowing of an adjoining vacant property; and

ii) have a height of no more than 6m. **A3.2** For the Villa Precinct: A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope determined by: (i) a distance equal to the frontage setback; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and (b) only have a setback within 1.5m of a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).	(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; (c) not causing an unreasonable reduction in sunlight to an existing solar energy installation on: (i) an adjoining property; or (ii) another dwelling on the same site ; and (d) the intended built form and Local Area Objective for the area.

CLA - SXX.7.4 Site coverage and private open space for all dwellings in the Multiple Dwellings Precinct and the Villa Precinct

This clause is in substitution for General Residential Zone clause 8.4.3 Site coverage and 8.4.6 Privacy for all dwellings for the Multiple Dwellings Precinct and Villa Precinct.

Objective:	
That dwellings provide: *(a) for outdoor recreation and the operational needs of the residents;* *(b) reasonable opportunity for privacy for dwellings;* *(c) opportunities for the planting of gardens and landscaping; and* *(d) private open space that is conveniently located and has access to sunlight.*	
Acceptable Solutions	**Performance Criteria**
A1 Dwellings must: (a) In the Multiple Dwellings Precinct, have a site coverage of not more than 80%; or (b) In the Villa Precinct, have a site coverage of not more than 65% (excluding eaves up to 0.6m wide).	**P1** Dwellings must have: (a) site coverage consistent with that existing on established properties within in the same precinct; (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, have regard to any common open space provided for this purpose within the site; and (ii) operational needs, such as clothes drying and storage; and

	(c) reasonable space for the planting of gardens and landscaping.
A2.1 For the Multiple Dwellings Precinct, a dwelling must have private open space in one location with a minimum area of 9m^2 and a minimum horizontal dimension of 3m. **A2.2** For the Villa Precinct, a dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m^2; or (ii) 12m^2, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport, or entry foyer); (b) has a minimum horizontal dimension of: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport, or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.	**P2** A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is: (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.
A3 A balcony, deck, roof terrace, parking space carport (whether freestanding or part of the dwelling), window or glazed door to a habitable room, for a dwelling must be screened with a uniform transparency of not more than 25%, horizontally offset not less than 1.5m, or have a sill height not less than 1.7m above the finished surface or floor level, to prevent overlooking of: (a) the private open space of any other dwelling; and (b) transparent glazing to a habitable room of any other dwelling.	**P3** The layout and design of the dwelling must minimise unreasonable impacts on the amenity of surrounding dwellings, having regard to the location of frequently used private areas.

CLA - SXX.7.5 Storage for all dwellings in the Multiple Dwellings Precinct or Villa Precinct

This clause is in substitution to General Residential Zone clause 8.4.8 Waste storage for multiple dwellings for all dwellings in the Multiple Dwellings Precinct and Villa Precinct

Objective:	
(a) To provide for the storage of waste and recycling bins for all dwellings; and *(b) To provide adequate and useable bulky item storage areas for the needs of residents.*	
Acceptable Solutions	**Performance Criteria**

A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m^2 per dwelling and is within one of the following locations: (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area	**P1** A multiple dwelling must have storage for waste and recycling bins that is: (a) capable of storing the number of bins required for the site; (b) screened from the frontage and any dwellings; and (c) if the storage area is a common storage area, separated from any dwellings to minimise impacts caused by odours and noise.
A2 A single dwelling must have a storage area for waste and recycling bins, that is an area of not less than 1.5m^2 and not within the area in front of the dwelling.	**P2** A single dwelling must have storage for waste and recycling bins that is: (a) capable of storing the number of bins required for the site; and (b) screened from the frontage and any dwellings.
A3 Each dwelling must be provided with an enclosed lockable bulky item storage space located in an area for the exclusive use of each dwelling or a common area, excluding the principle private open space and common open space areas on the site, that has a minimum dimension of 1m and a volume of not less than: (a) 6m^3 if for a studio or 1 bedroom dwelling; (b) 8m^3 if for a 2-bedroom dwelling; or (c) 10m^3 if for a dwelling with more than 2 bedrooms.	**P3** Each dwelling must have secure bulky item storage space that has sufficient useable area and dimensions suitable for the needs of residents, having regard to: (a) separation from any on-site storage area for shared waste and recycling; (b) a convenient and accessible location for residents; and (c) location and screening to minimise visual impacts on other dwellings and adjoining properties.

CLA - SXX.7.6 Façade design in the Multiple Dwellings Precinct

This clause is in addition to General Residential Zone clause 8.4 Development Standards for Dwellings in the Multiple Dwellings Precinct.

Objective:	
(a) To create a highly articulated streetscape; and *(b) To achieve diversity in front façade designs.*	
Acceptable Solutions	**Performance Criteria**
A1	**P1** Dwelling design for lots adjoining the Primary Facade must have regard to:

For a dwelling on a lot with a Primary Façade, any building elevation facing the Primary Facade must include: (a) a varied façade treatment from other dwellings in the streetscape (including steps, curves, recesses, projections, or splays); (b) patterning or sun protection devices on windows; (c) recessing or projecting of windows, structural framing, grilles, panel details; (d) balustrades, balconies, verandahs, or terraces; and (e) integrated planting on podiums, balconies, terraces, or low level roof decks.	(a) varied façade treatment from adjoining dwellings on the same lot; (b) window and façade articulation; (c) planting visible from the street; (d) a high level of articulation when viewed from public open space areas; and (e) the local area objectives for the Multiple Dwelling precinct.

CLA - SXX.7.7 Fencing for all dwellings in the Multiple Dwellings Precinct and Villa Precinct

This clause is in substitution for General Residential Zone clause 8.4.7 Frontage fences for all dwellings in the in the Multiple Dwellings Lots Precinct and Villa Precinct.

Objective:	
(a) To create a highly articulated streetscape; and *(b) To promote personalisation of fencing design.*	
Acceptable Solutions	**Performance Criteria**
A1 A dwelling on a lot with a Primary Façade or a Secondary Façade must be provided with a 1.2m high painted picket fence no more than 1.2m high along the frontage (excluding vehicle access areas).[5]	**P1** A dwelling must have a fence along the frontage (excluding vehicle access areas) and having regard to: (a) providing for security and privacy while allowing for passive surveillance of the road; (b) compatibility with the height and transparency of fences in the street; (c) the topography of the site; (d) traffic volumes on the adjoining road; and (e) the local area objectives for the precincts.

[5] An exemption applies for fences in this zone – see Table 4.6

CLA-SXX.7.8 Landscaping in the Villa Precinct

This clause is in addition to General Residential Zone - clause 8.4 Development Standards for Dwellings in the Villa Precinct.

Objective: That residential development in the Villa Precinct provides landscaped frontages and contributes to an attractive and vegetated streetscape.	
Acceptable Solutions	**Performance Criteria**

A1 If a dwelling is set back from a road, landscaping treatment (which may include lawns) must be provided along the frontage of the site: (a) to a depth of not less than 3m; or (b) not less than the frontage of an existing building if it is a lesser distance.	**P1** Landscaping must enhance the appearance of the development and complement the streetscape, having regard to: (a) the range of plant height and forms used to create diversity, interest and amenity; (b) the topography of the site; (c) avoiding concealed entrapment spaces; and (d) the local area objectives for the Villa Precinct.

CLA - SXX.8 Development Standards for Subdivision

CLA - SXX.8.1 Lot design in the Multiple Dwellings Precinct and Villa Precinct

This clause is in substitution for General Residential Zone - clause 8.6.1 Lot design in the Multiple Dwellings Precinct and Villa Precinct.

Objective:	
That each lot: *(a) has an area and dimensions appropriate for use and development in the precinct;* *(b) is provided with appropriate access to a road; and* *(c) contains areas which are suitable for development appropriate to the specific area plan purpose, located to avoid natural hazards.*	
Acceptable Solutions	***Performance criteria***
A1 Each lot, or a lot proposed in a plan of subdivision, must: (a) In the Multiple Dwellings Precinct: (i) have an area of not less than 120m^2; and (ii) have minimum dimensions of 8m x 15m; or (b) In the Villa Precinct: (i) have an area of not less than 300m^2 and: (ii) have minimum dimensions of 15m x 20m; or (b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.	**P1** Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: (a) the relevant requirements for development of buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; (f) the pattern of development existing on established properties in the area; and (g) the local area objectives for the precincts.
A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a	**P2** Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral

riparian or littoral reserve or Utilities, must have a frontage not less than 3.6m.	reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: (a) the width of frontage proposed, if any; (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c) the topography of the site; (d) the functionality and useability of the frontage; (e) the ability to manoeuvre vehicles on the site; and (f) the pattern of development existing on established properties in the area.
A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	**P3** Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the anticipated nature of vehicles likely to access the site; and (e) the ability for emergency services to access the site

CLA-SXX.8.2 Public Open Space

This clause is in addition to General Residential Zone clause 8.6 Development Standards for Subdivision

Objective:	
To provide sufficient land to enable the development of a local park embellished to regional park level, to serve the Mornington Park Area.	
A1 Public open space (including the public park) must be provided in the location shown in Figure CLA-SXX.2 and must not be provided by way of a cash contribution in lieu.	P1 Public open space (including the public park) must meet the Council requirements for public open space by being provided generally in accordance with Figure CLA-SXX.2 having regard to: (a) the topography of the site; (b) any natural or landscape values; (c) adequate provision of public open space and pedestrian connectivity;

	(d) infrastructure requirements; (e) the purpose of the public open space; and must not be provided as cash in lieu.

CLA – SXX.8.3 Roads and Footpaths

This clause is in substitution for General Residential Zone clause 8.6.2 Roads

Objective:	
That the arrangement of new roads within a subdivision provides for: *(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;* *(b) street trees to provide high quality urban space;* *(c) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and* *(d) the efficient ultimate subdivision of the entirety of the land and of surrounding land*	
Acceptable Solutions	**Performance criteria**
A1 Roads and footpaths within the subdivision are consistent with Figure CLA-SXX.2.	**P1** The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to: (a) any road network plan adopted by the council; (b) the existing and proposed road hierarchy; (c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential; (d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; (e) minimising the travel distance between key destinations such as shops and services and public transport routes; (f) access to public transport; (g) the efficient and safe movement of pedestrians, cyclists and public transport; (h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the *Guide to Road Design Part 6A: Paths for Walking and Cycling 2016*; (i) the topography of the site; and (j) the future subdivision potential of any balance lots on adjoining or adjacent land.
A2 Where the subdivision plan includes one or more new roads, street trees must be provided within the road reserve: (a) at intervals of not less than 10m measured between the centre of each trunk; or	**P2** A subdivision with new roads must include street trees having regard to: (a) public amenity; (b) provision for species diversity, tree height, forms, density and maintenance requirements; (c) in-ground infrastructure;

(b) at intervals not less than the canopy diameter of the tree species at maturity; and (c) in locations where sight distances to vehicle access points are compliant with the following: (i) in the case of non-commercial vehicle accesses, *Australian Standard AS 2890.1:2004, Parking Facilities, Part 1: Off-street car parking, section 3, Access Facilities to Off-street Parking Areas and Queuing Areas*; and (ii) in the case of commercial vehicle accesses, *Australian Standard AS 2890.2:2002, Parking facilities Part 2: Off-street commercial vehicle facilities*.	(d) traffic safety; and (e) local area objectives of the precincts.

CLA - SXX.9 Car Parking Requirements for all dwellings in the Multiple Dwellings Precinct and Villa Precinct

This clause is in substitution for the Parking and Sustainable Access Code C2.5.1 Car parking spaces, for all dwellings in the Multiple Dwellings and Villa Precinct.

Objective:	
That an appropriate level of car parking spaces in the Multiple Dwellings and Villa Precincts *is provided to meet the needs of the use.*	
Acceptable Solutions	**Performance criteria**
A1 The number of on-site car parking spaces for Residential use must: (a) be not less than 1 space per dwelling; and (b) not require provision of visitor parking.	**P1** The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to: (a) the nature and intensity of the use and car parking required; (b) the size of the dwelling and the number of bedrooms; (c) the pattern of parking in the surrounding area; and (d) local area objectives of the precincts.

Figure CLA.SXX.1 Mornington Park Specific Area Plan – SAP Area Map



Figure CLA.SXX.2 Mornington Park Precinct Plan

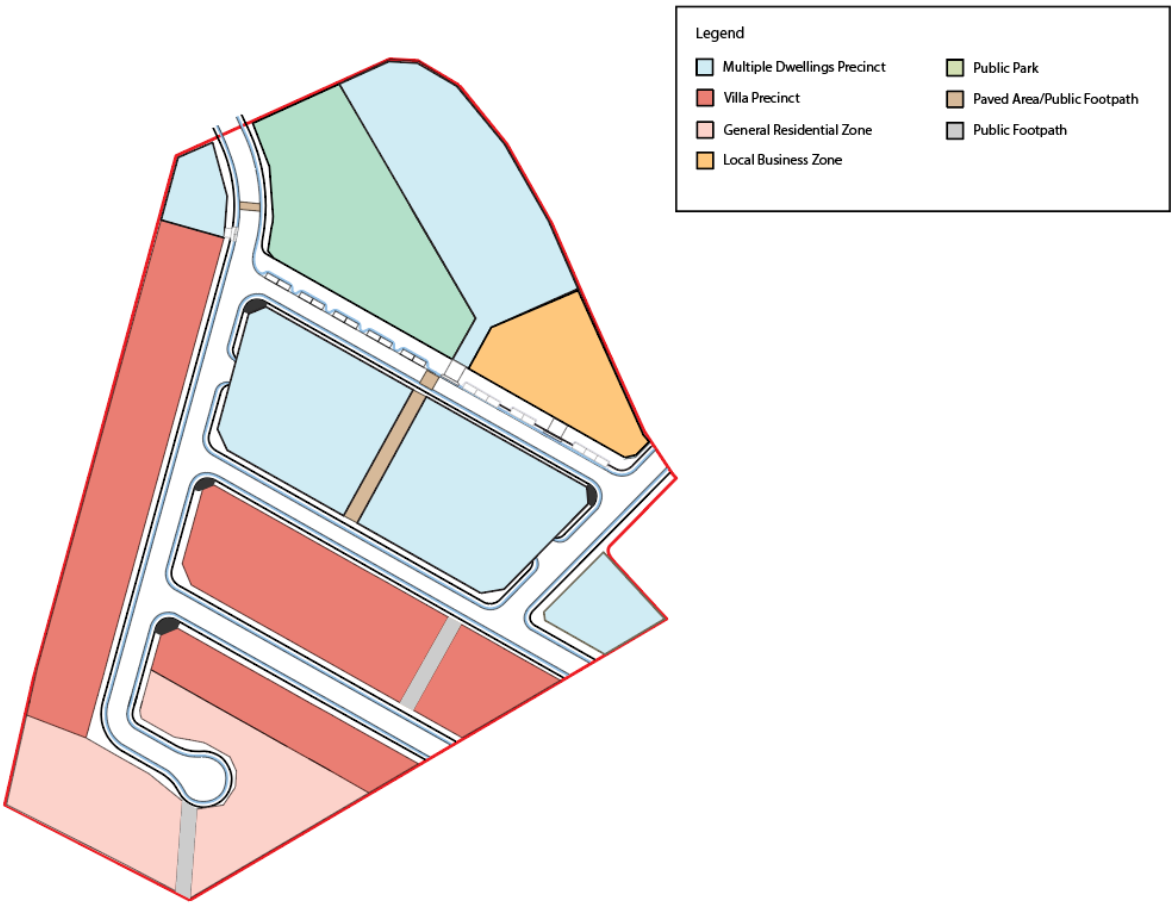
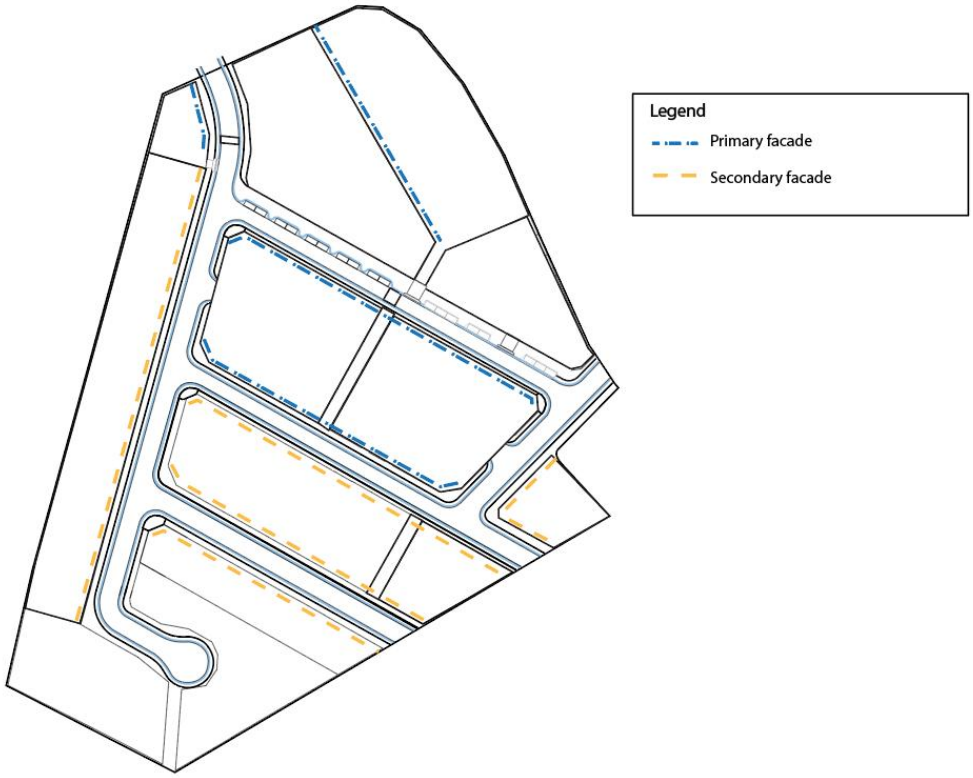


Figure CLA.SXX.3 Mornington Park Specific Area Plan Primary Façades and Secondary Façades



CLA-SXX.0 Mornington Park Specific Area Plan

CLA-SXX.1 Plan Purpose

The purpose of the Mornington Park Specific Area Plan is:

CLA-SXX.1.1 To provide a coordinated framework for the development of land within Mornington Park that integrates residential development, regional public open space, local services and movement networks.

CLA-SXX.1.2 To provide for a range of residential densities, dwelling types and built forms that make efficient use of land, create a distinct local streetscape and respond to public open space.

CLA-SXX.1.3 To provide for regional public open space that supports recreation and social activities, enhances the residential environment and contributes to stormwater management.

CLA-SXX.1.4 To provide for a high level of residential amenity through a walkable neighbourhood with landscaped streets and pedestrian connections between residential areas, public open space and local services.

CLA-SXX.1.5 To provide an integrated planning framework for the coordinated development of land in different ownership.

CLA-SXX.2 Application of this Plan

CLA-SXX.2.1 The specific area plan applies to the area of land designated as the Mornington Park Specific Area Plan on the overlay maps and in Figure CLA.SXX.1.

CLA-SXX.2.2 In the area of and to which this plan applies, the provisions of the specific area plan are in substitution for or in addition to, the provisions of the General Residential Zone and Parking and Sustainable Access Code, as specified in the relevant provision.

CLA-SXX.3 Local Area Objectives

CLA-SXX.3.1 Local area objectives

Sub-clause	Area Description	Local Area Objectives	Supporting Comments

CLA-SXX.3.1.1	Multiple Dwellings Precinct	To provide a coordinated higher-density residential area that: (a) accommodates a range of dwelling sizes, types and built forms (b) has a high level of amenity in terms of private open space, privacy and solar access; (c) promotes co-joined townhouse development, particularly facing the park; (d) provides highly articulated facades and fencing that contribute positively to the streetscape and the park; and (e) minimises visitor accommodation use to prioritise residential use.	*This is a new provision to enable achievement of the SAP purpose by clearly identifying the locations where denser and different built forms are desired.* *Seeks to encourage higher-density whilst providing a high standard of design, amenity and residential purpose within the SAP.* *Establishes the intended spatial character against which the bespoke Multiple Dwelling Precinct provisions can be understood.* *Importantly, this avoids trying to make "housing diversity" itself a mandatory quantitative control applying to every dwelling.*
CLASXX3.1.2	Villa Precinct	To provide predominantly single dwellings on lots that: (a) are at a higher density to utilise the increased walkable access to the regional park and local business centre; (b) have a high level of amenity in terms of private open space, privacy and solar access; (c) minimise visitor accommodation use to prioritise residential use.; and (d) contribute positively to the streetscape.	

CLA – SXX.4 Definition of Terms

CLA-SXX.4.1 In this specific area plan, unless the contrary intention appears:

Terms	Definition	**Supporting Comments**
Building Edge	means a continuous building line (excluding minor protrusions) parallel to the Primary Façade or a boundary adjoining public open space.	*These definitions are new to clarify the intent and operation of the SAP provisions.* *Definitions referencing the building elevations and how the built form interacts with the street or public open space. Defining which façade of the structure is the primary or secondary structure indication which is the principal side of a development that interacts with the public space within the SAP.* *As the SAP seeks a higher density and a diversity of built form, housing types as Town housing and Grouped Housing. Importantly these definitions are binary: either the multiple dwelling is Grouped Housing or Town Housing by virtue of whether it has a party structure or not.* *Precincts are defined by reference of Figure CLA-SXX.2*
Grouped Housing	Means multiple dwellings that does not share a party structure with any other dwelling.	
Multiple Dwellings Precinct	mean that area indicated within the Multiple Dwellings Precinct, in Figure CLA-SXX.2.	
Primary Façade	means the lot boundaries designated as a Primary Façade in Figure CLA-SXX.3.	
Party Structure	As per the definition in the *Building Act 2016*	
Secondary Façade	means the lot boundaries designated as a Secondary Façade in Figure CLA-SXX.3.	
Town Housing	Means a dwelling that shares a party structure with an adjoining dwelling.	
Villa Precinct	means that area indicated as the Villa Precinct in Figure CLA-SXX.2	

CLA - SXX.5 Use Table

This clause is in substitution for Clause 8.2 of the General Residential Zone.

Use Class	**Qualification**	**Supporting Comments**
No Permit Required		*The SAP seeks to achieve a higher density than the underlaying zone; therefore, within the Multiple Dwellings Precinct the use class of Multiple Dwellings is No Permit Required. Reflecting the Concept Services Plan & Master Plan, submitted with the proposal, which indicated that rear access of dwellings is a preferred*
Natural and Cultural Values Management		
Passive Recreation		
Residential	If	

	(a) for multiple dwellings located in the Multiple Dwellings Precinct or b) a single dwelling and not located in the Multiple Dwellings Precinct.	*design. Clarence City Council Local Highways Standard Requirements By-Law (No. 1 of 2025) has no provision for rear lanes and hence such an access arrangement would generally rely on common property of a body corporate and/or a right of way.*
Utilities	If for minor utilities.	
Permitted		*Single dwellings (ideally in the form of town houses) can still occur within the Multiple Dwelling Precinct on freehold lots but will need to achieve the objectives of the precinct and meet the development provisions. Therefore, single residential dwellings are to be discretionary within the Multiple Dwelling Precinct.*
Discretionary		
Residential	If not listed as No Permit Required	*Single dwellings are prioritised in the Villa Precinct and balance GRZ land , as they are generally further removed from the public park and Local Business Zone land, and therefore are given NPR status.*
Utilities	If not listed as No Permit Required.	
Prohibited		*Whereas Multiple Dwellings in these locations are given a discretionary status, as the preferred density is provided by the smaller lot sizes.*
All Other Uses		*All other residential uses are also given discretionary status, in order to still enable residential uses other than dwellings, where appropriate.*

CLA – SXX.6 Use Standards

This sub-clause is not used in this specific area plan.

CLA - SXX.7 Development Standards for Buildings and Works

CLA - SXX.7.1 Residential density in the Multiple Dwellings Precinct

This clause is in substitution for General Residential Zone clause 8.4.1 Residential density for multiple dwellings, in the Multiple Dwellings Precinct.

<table>
<tr><td colspan="2">Objective:</td><td>Supporting Comments</td></tr>
<tr><td colspan="2">That the density of multiple dwellings:
(a) makes efficient use of land for housing; and
(b) optimises the use of infrastructure and community services.</td><td rowspan="3">These provisions are generally consistent with the Inner Residential Zone (IRZ) provisions.

The standard intends to facilitate higher-density housing than would otherwise result from the underlying General Residential Zone (GRZ) standard and make efficient use of this specifically planned precinct.

It allows for higher density for Town Housing to encourage different built forms to the more commonly provided Grouped Housing. This also assists in achieving the build form outcomes of creating an articulated wall around the public park.

Only applies to the density within the Multiple Dwelling Precinct, given the proximity of this precinct to the public open space land and Local Business Zone</td></tr>
<tr><td>Acceptable Solutions</td><td>Performance Criteria</td></tr>
<tr><td>A1.1
Town Housing must have a site area per dwelling of not less than 200m^2.

A1.2
Grouped Housing must have a site area per dwelling of not less than 300m^2.</td><td>P1.1
Town Housing must only have a site area per dwelling less than 200m^2 if:
(a) it will not exceed the capacity of infrastructure services;
(b) it is wholly or partly within 400m walking distance of a public transport stop; and
(c) it has regard to Multiple Dwelling Precinct Local Area Objectives.

P1.2
Grouped Housing must only have a site per dwelling less than 300m^2 if:
(a) It will not exceed the capacity of infrastructure services,
(b) It is wholly or partly within 400m walking distance of a public transport stop, and</td></tr>
</table>

	(c) It has regard to the Multiple Dwelling Precinct Local Area Objectives.	

CLA - SXX.7.2 Dwelling diversity in the Multiple Dwellings Precinct

This clause is in addition to General Residential Zone clause 8.4 Development Standards for Dwellings for development within the Multiple Dwellings Precinct.

<table>
<tr><td colspan="2">Objective:</td><td>Supporting Comments</td></tr>
<tr><td colspan="2">That dwellings in the Multiple Dwellings Precinct achieve a range of sizes.</td><td rowspan="3">This is a new development standard to enable achievement of the SAP purpose.

The Standard seeks to encourage a greater diversity of housing sizes to encourage more affordable dwelling by providing for different accommodation needs.

This standard is a more practical version of the similar Apartment Code Standard, which was considered unwieldy and too great an obligation on the developer.</td></tr>
<tr><td>Acceptable Solutions</td><td>Performance Criteria</td></tr>
<tr><td>A1
Town Housing or Grouped Housing containing 10 or more dwellings must incorporate at least one of each of the following:
(a) 1 bedroom dwelling;
(b) 2 bedroom dwelling; and
(c) 3 bedroom dwelling.</td><td>P1
Town Housing or Grouped Housing must provide a range of sizes having regard to:
(a) the number of dwellings proposed;
(b) variation in dwelling floor area and internal layout;
(c) the Local Area Objectives for the Multiple Dwellings Precinct.</td></tr>
</table>

CLA - SXX.7.3 Setbacks and building height for all dwellings in the Multiple Dwellings Precinct and Villa Precinct

This clause is in substitution for General Residential Zone clause 8.4.2 Setbacks and building envelope, and clause 8.4.4 Sunlight to private open space of multiple dwellings, and clause 8.4.6 Privacy for all dwellings in the Multiple Dwellings Precinct and Villa Precinct.

<table>
<tr><td colspan="2">Objective:</td><td>Supporting Comments</td></tr>
<tr><td colspan="2">The siting and scale of dwellings:
(a) provides reasonably consistent separation between dwellings and their frontage within a street;
(b) provides compatibility in the apparent scale, bulk, massing, and proportion of dwellings;
(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and
(d) provides reasonable access to sunlight for existing solar energy installations.</td><td rowspan="3">These provisions for this development standards are generally consistent with the IRZ provisions.

Provisions allow for a reduction in setbacks to facilitate a greater density of dwellings within the Multiple Dwelling Precinct than is permissible by the equivalent standards of the GRZ or IRZ.

Provisions for the Villa Precinct are consistent with the IRZ provisions.</td></tr>
<tr><td>Acceptable Solutions</td><td>Performance Criteria</td></tr>
<tr><td>A1.1
For the Multiple Dwellings Precinct:
A dwelling, excluding garages, carports and protrusions that extend not more than 0.5m into the frontage setback, must have a setback from a frontage that is not less than 1m.
A1.2
For the Villa Precinct:
A dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:
(a) if the frontage is a primary frontage, not less than 3m, or, if the setback from the primary frontage is less than 3m, not less than the setback, from the primary frontage, of any existing dwelling on the site;
(b) if the frontage is not a primary frontage, not less than 2m, or, if the setback from the frontage is less than 2m, not less than the setback, from a</td><td>P1
A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints and the local area objectives for the Precincts.</td></tr>
</table>

frontage that is not a primary frontage, of any existing dwelling on the site.		
A2.1 For the Multiple Dwellings Precinct: A garage or carport for a dwelling must not be accessed from a Primary Facade shown on Figure CLA-SXX.3. **A2.2** For the Villa Precinct: A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 4m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	**P2.1** For the Multiple Dwelling Precinct there is no Performance Criterion. **P2.2** For the Villa Precinct, a garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to: (a) any topographical constraints; and (b) the local area objectives for the Villa Precinct.	
A3.1 For the Multiple Dwelling Precinct: (a) a dwelling, excluding outbuildings, may be built to the lot side boundary, but must: i) be set back from the rear lot boundary not less than 1.5m; and ii) have a height not greater than 9.5m; and	**P3** The siting and scale of a dwelling must have regard to: (a) providing a building edge adjacent to the boundary with the public open space shown in Figure CLA-SXX.2; (b) not causing an unreasonable loss of residential amenity to adjoining properties, having regard to: (i) reduction in sunlight to a habitable room (other than a	*These provisions are generally consistent with the IRZ provisions.* *Some departures are included in the Multiple Dwelling Precinct to respond to the public open space within the SAP.* *A3.1 facilitates a stepped-building approach to dwellings located on lots that share a common boundary with the POS. Namely, within a defined space along the boundary, dwellings cannot exceed 6m in height, whist dwellings more than 15m from the POS boundary can be built to a height of 9.5m*

(b) a dwelling, including outbuildings, located within 15m of the public open space shown in Figure CLA-SXX.2 must be: i) built with a setback of 3m from that boundary; and ii) have a height of no more than 6m. **A3.2** For the Villa Precinct: A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope determined by: (i) a distance equal to the frontage setback; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and (b) only have a setback within 1.5m of a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).	bedroom) of a dwelling on an adjoining property; (ii) overshadowing the private open space of a dwelling on an adjoining property; (iii) overshadowing of an adjoining vacant property; and (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; (c) not causing an unreasonable reduction in sunlight to an existing solar energy installation on: (i) an adjoining property; or (ii) another dwelling on the same site ; and (d) the intended built form and Local Area Objective for the area.	*The purpose is to minimises development that may result in an unreasonable impact on the POS and the amenity afforded to that public space while still providing opportunity for passive surveillance.*

CLA - SXX.7.4 Site coverage and private open space for all dwellings in the Multiple Dwellings Precinct and the Villa Precinct

This clause is in substitution for General Residential Zone clause 8.4.3 Site coverage and 8.4.6 Privacy for all dwellings for the Multiple Dwellings Precinct and Villa Precinct.

<table>
<tr><td colspan="2">Objective:</td><td>Supporting Comments</td></tr>
<tr><td colspan="2">That dwellings provide:
(a) for outdoor recreation and the operational needs of the residents;
(b) reasonable opportunity for privacy for dwellings;
(c) opportunities for the planting of gardens and landscaping; and
(d) private open space that is conveniently located and has access to sunlight.</td><td rowspan="3">These provisions are generally consistent with the IRZ provisions.

The 80% maximum site coverage and 9 m² POS standard is intended to facilitate compact higher-density development in the Multiple Dwellings Precinct.

The rationale is that the other clause standards provide for relatively high amenity, given the desired density.

The provisions for the Villa Precinct are consistent with the IRZ provisions.</td></tr>
<tr><td>Acceptable Solutions</td><td>Performance Criteria</td></tr>
<tr><td>A1
Dwellings must:
(a) In the Multiple Dwellings Precinct, have a site coverage of not more than 80%; or
(b) In the Villa Precinct, have a site coverage of not more than 65% (excluding eaves up to 0.6m wide).</td><td>P1
Dwellings must have:
(a) site coverage consistent with that existing on established properties within in the same precinct;
(b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate:
(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, have regard to any common open space provided for this purpose within the site; and
(ii) operational needs, such as clothes drying and storage; and
(c) reasonable space for the planting of gardens and landscaping.</td></tr>
<tr><td>A2.1</td><td>P2</td><td>These provisions are generally consistent with the IRZ provisions.</td></tr>
</table>

For the Multiple Dwellings Precinct, a dwelling must have private open space in one location with a minimum area of $9m^2$ and a minimum horizontal dimension of 3m. **A2.2** For the Villa Precinct, a dwelling must have private open space that: (a) is in one location and is not less than: (i) $24m^2$; or (ii) $12m^2$, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport, or entry foyer); (b) has a minimum horizontal dimension of: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport, or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.	A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is: (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.	*The smaller private open space provision is considered appropriate, given the intended level of density proposed and the proximity of the Multiple Dwelling Precinct lots to the public open space.*
A3 A balcony, deck, roof terrace, parking space carport (whether freestanding or part of the dwelling), window or glazed door to a habitable room, for a dwelling must be screened with a uniform	**P3** The layout and design of the dwelling must minimise unreasonable impacts on the amenity of surrounding dwellings, having	*The provisions are generally consistent with the IRZ provisions for Privacy for all dwellings.* *Provisions for privacy are still required within higher density living to ensure a reasonable level of amenity is maintained.*

transparency of not more than 25%, horizontally offset not less than 1.5m, or have a sill height not less than 1.7m above the finished surface or floor level, to prevent overlooking of: (a) the private open space of any other dwelling; and (b) transparent glazing to a habitable room of any other dwelling.	regard to the location of frequently used private areas.	*The equivalent standards within the GRZ result in setback distances that would complicate a development application assessment. Proposed standard Acceptable Solution A3 provides an acceptable solution that is consistent with the SAP's setback requirements.*

CLA - SXX.7.5 Storage for all dwellings in the Multiple Dwellings Precinct or Villa Precinct

This clause is in substitution to General Residential Zone clause 8.4.8 Waste storage for multiple dwellings for all dwellings in the Multiple Dwellings Precinct and Villa Precinct

Objective:		**Supporting Comments**
(a) To provide for the storage of waste and recycling bins for all dwellings; and *(b) To provide adequate and useable bulky item storage areas for the needs of residents.*		*This development standard is generally consistent with the provisions in the GRZ and IRZ, but has been adapted to facilitate the development intent of the SAP Precincts.* *As the SAP encourages smaller, higher-density dwellings, a standard is needed to ensure dedicated storage is provided, that is not otherwise secured through the conventional dwelling standards. There are no equivalent provisions in the GRZ or IRZ for bulky item storage.* *To encourage a high standard of streetscape, storage areas are to be located behind the building; however, there is a Performance Criteria pathway if the rear of the site is compromised.*
Acceptable Solutions	**Performance Criteria**	
A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m^2 per dwelling and is within one of the following locations: (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage;	**P1** A multiple dwelling must have storage for waste and recycling bins that is: (a) capable of storing the number of bins required for the site; (b) screened from the frontage and any dwellings; and (c) if the storage area is a common storage area, separated from any dwellings to minimise impacts caused by odours and noise.	

(ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area		
A2 A single dwelling must have a storage area for waste and recycling bins, that is an area of not less than 1.5m^2 and not within the area in front of the dwelling.	**P2** A single dwelling must have storage for waste and recycling bins that is: (a) capable of storing the number of bins required for the site; and (b) screened from the frontage and any dwellings.	
A3 Each dwelling must be provided with an enclosed lockable bulky item storage space located in an area for the exclusive use of each dwelling or a common area, excluding the principle private open space and common open space areas on the site, that has a minimum dimension of 1m and a volume of not less than: (a) 6m^3 if for a studio or 1 bedroom dwelling; (b) 8m^3 if for a 2-bedroom dwelling; or (c) 10m^3 if for a dwelling with more than 2 bedrooms.	**P3** Each dwelling must have secure bulky item storage space that has sufficient useable area and dimensions suitable for the needs of residents, having regard to: (a) separation from any on-site storage area for shared waste and recycling; (b) a convenient and accessible location for residents; and (c) location and screening to minimise visual impacts on other dwellings and adjoining properties.	

CLA - SXX.7.6 Façade design in the Multiple Dwellings Precinct

This clause is in addition to General Residential Zone clause 8.4 Development Standards for Dwellings in the Multiple Dwellings Precinct.

<table>
<tr><td colspan="2">Objective:</td><td>Supporting Comments</td></tr>
<tr><td colspan="2">(a) To create a highly articulated streetscape; and
(b) To achieve diversity in front façade designs.</td><td rowspan="3">This is a new development standard to enable achievement of the SAP purpose.

The standard is to avoid repetitive façades and create an articulated streetscape addressing streets/POS.

These provisions will facilitate a denser development that provides opportunities for expressions of individuality, thereby contributing to high amenity.</td></tr>
<tr><td>Acceptable Solutions</td><td>Performance Criteria</td></tr>
<tr><td>A1

For a dwelling on a lot with a Primary Façade, any building elevation facing the Primary Facade must include:

(a) a varied façade treatment from other dwellings in the streetscape (including steps, curves, recesses, projections, or splays);

(b) patterning or sun protection devices on windows;

(c) recessing or projecting of windows, structural framing, grilles, panel details;

(d) balustrades, balconies, verandahs, or terraces; and

(e) integrated planting on podiums, balconies, terraces, or low level roof decks.</td><td>P1

Dwelling design for lots adjoining the Primary Facade must have regard to:

(a) varied façade treatment from adjoining dwellings on the same lot;

(b) window and façade articulation;

(c) planting visible from the street;

(d) a high level of articulation when viewed from public open space areas; and

(e) the local area objectives for the Multiple Dwelling precinct.</td></tr>
</table>

CLA - SXX.7.7 Fencing for all dwellings in the Multiple Dwellings Precinct and Villa Precinct

This clause is in substitution for General Residential Zone clause 8.4.7 Frontage fences for all dwellings in the in the Multiple Dwellings Lots Precinct and Villa Precinct.

Objective:	**Supporting Comments**

(a) To create a highly articulated streetscape; and *(b) To promote personalisation of fencing design.*		*This provision is generally consistent with the GRZ and IRZ provisions, but supports the SAP purpose to ensure a degree of uniformity is achieved along all road frontages; at least, consistent with the exception standards of the SPP.* *The proposed Acceptable Solution provides opportunities for some departure of the exemption standards, such as level or transparency, without triggering a discretionary pathway. It also provides a further avenue for expressions of individuality in materials and colours, thereby contributing to the visual amenity of the Precincts.* *A fence proposed, in the Multiple Dwelling and Villa Precincts, that is not consistent with the height of the exemption or acceptable solution, must show that the design provides security and privacy while allowing for passive surveillance to and from the road.*
Acceptable Solutions	**Performance Criteria**	
A1 A dwelling on a lot with a Primary Façade or a Secondary Façade must be provided with a 1.2m high painted picket fence no more than 1.2m high along the frontage (excluding vehicle access areas).[5]	**P1** A dwelling must have a fence along the frontage (excluding vehicle access areas) and having regard to: (a) providing for security and privacy while allowing for passive surveillance of the road; (b) compatibility with the height and transparency of fences in the street; (c) the topography of the site; (d) traffic volumes on the adjoining road; and (e) the local area objectives for the precincts.	

[5] An exemption applies for fences in this zone – see Table 4.6

CLA-SXX.7.8 Landscaping in the Villa Precinct

This clause is in addition to General Residential Zone - clause 8.4 Development Standards for Dwellings in the Villa Precinct.

Objective: That residential development in the Villa Precinct provides landscaped frontages and contributes to an attractive and vegetated streetscape.		**Supporting Comments**
Acceptable Solutions	**Performance Criteria**	

A1 If a dwelling is set back from a road, landscaping treatment (which may include lawns) must be provided along the frontage of the site: (a) to a depth of not less than 3m; or (b) not less than the frontage of an existing building if it is a lesser distance.	**P1** Landscaping must enhance the appearance of the development and complement the streetscape, having regard to: (a) the range of plant height and forms used to create diversity, interest and amenity; (b) the topography of the site; (c) avoiding concealed entrapment spaces; and (d) the local area objectives for the Villa Precinct.	*This is a new development standard to enable achievement of the SAP purpose.* *Inclusion of frontage Landscaping Standard is required given the proposed SAP provisions facilitates development with reduced frontage setbacks when compared to the GRZ and IRZ. Provision does not restrict private open space.* *Again, given the proposed higher densities, the front setback landscaping occupies the liminal visual space between the private and public realms, contributing to the overall precinct amenity.*

CLA - SXX.8 Development Standards for Subdivision

CLA – SXX.8.1 Lot design in the Multiple Dwellings Precinct and Villa Precinct

This clause is in substitution for General Residential Zone - clause 8.6.1 Lot design in the Multiple Dwellings Precinct and Villa Precinct.

Objective:		**Supporting Comments**
That each lot: *(a) has an area and dimensions appropriate for use and development in the precinct;* *(b) is provided with appropriate access to a road; and* *(c) contains areas which are suitable for development appropriate to the specific area plan purpose, located to avoid natural hazards.*		*This provision is generally consistent with the IRZ standards.* *Acceptable Solution A1 allows for a smaller lot size in the Multiple Dwelling Precinct for single dwelling lots.* *In conjunction with the smaller lots within the Villa Precinct, this provision enables the compact residential form contemplated by the precincts.*
Acceptable Solutions	***Performance criteria***	
A1 Each lot, or a lot proposed in a plan of subdivision, must: (a) In the Multiple Dwellings Precinct:	**P1** Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable	

(i) have an area of not less than 120m^2; and (ii) have minimum dimensions of 8m x 15m; or (b) In the Villa Precinct: (i) have an area of not less than 300m^2 and: (ii) have minimum dimensions of 15m x 20m; or (b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.	area and dimensions suitable for its intended use, having regard to: (a) the relevant requirements for development of buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; (f) the pattern of development existing on established properties in the area; and (g) the local area objectives for the precincts.	*The remaining provisions in this clause are consistent with the equivalent IRZ provisions.*
A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 3.6m.	**P2** Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: (a) the width of frontage proposed, if any; (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c) the topography of the site; (d) the functionality and useability of the frontage;	

	(e) the ability to manoeuvre vehicles on the site; and (f) the pattern of development existing on established properties in the area.	
A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	**P3** Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the anticipated nature of vehicles likely to access the site; and (e) the ability for emergency services to access the site	

CLA-SXX.8.2 Public Open Space

This clause is in addition to General Residential Zone clause 8.6 Development Standards for Subdivision

Objective:	**Supporting Comments**

To provide sufficient land to enable the development of a local park embellished to regional park level, to serve the Mornington Park Area.		*This is a new provision given the SAP's reliance on the public open space land.* *This clause recognises that Private Open Space for the SAP has already been allowed for as part of the initial subdivision of the site and is not required to be factored into subsequent subdivisions for development of the balance lot(s).*
A1 Public open space (including the public park) must be provided in the location shown in Figure CLA-SXX.2 and must not be provided by way of a cash contribution in lieu.	P1 Public open space (including the public park) must meet the Council requirements for public open space by being provided generally in accordance with Figure CLA-SXX.2 having regard to: (a) the topography of the site; (b) any natural or landscape values; (c) adequate provision of public open space and pedestrian connectivity; (d) infrastructure requirements; (e) the purpose of the public open space; and must not be provided as cash in lieu.	

CLA – SXX.8.3 Roads and Footpaths

This clause is in substitution for General Residential Zone clause 8.6.2 Roads

Objective:		**Supporting Comments**
That the arrangement of new roads within a subdivision provides for: *(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;* *(b) street trees to provide high quality urban space;* *(c) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and* *(d) the efficient ultimate subdivision of the entirety of the land and of surrounding land*		*This clause is generally consistent with the provisions of the IRZ zone, with a departure in the Acceptable Solution in acknowledgement of the intended Precinct Plan, public open space, and Local Business Zone extent.* *Standard ensures that the layout of roads and footpaths are consistent with that proposed within Figure CLA-SXX.2 with the Performance Criteria enabling future development to reflect changing standards or road authority requirements.*
Acceptable Solutions	**Performance criteria**	
A1	**P1**	

Roads and footpaths within the subdivision are consistent with Figure CLA-SXX.2.	The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to: (a) any road network plan adopted by the council; (b) the existing and proposed road hierarchy; (c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential; (d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; (e) minimising the travel distance between key destinations such as shops and services and public transport routes; (f) access to public transport; (g) the efficient and safe movement of pedestrians, cyclists and public transport; (h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the *Guide to Road Design Part 6A: Paths for Walking and Cycling 2016*; (i) the topography of the site; and (j) the future subdivision potential of any balance lots on adjoining or adjacent land.	
A2	**P2**	*This is a new development standard to enable achievement of the SAP purpose.*

Where the subdivision plan includes one or more new roads, street trees must be provided within the road reserve: (a) at intervals of not less than 10m measured between the centre of each trunk; or (b) at intervals not less than the canopy diameter of the tree species at maturity; and (c) in locations where sight distances to vehicle access points are compliant with the following: (i) in the case of non-commercial vehicle accesses, *Australian Standard AS 2890.1:2004, Parking Facilities, Part 1: Off-street car parking, section 3, Access Facilities to Off-street Parking Areas and Queuing Areas*; and (ii) in the case of commercial vehicle accesses, *Australian Standard AS 2890.2:2002, Parking facilities Part 2: Off-street commercial vehicle facilities.*	A subdivision with new roads must include street trees having regard to: (a) public amenity; (b) provision for species diversity, tree height, forms, density and maintenance requirements; (c) in-ground infrastructure; (d) traffic safety; and (e) local area objectives of the precincts.	*Landscaping in the form of street trees are required under A2 to ensure a higher level of amenity for the area is achieved and that the high density development does not compromise streetscape or public area amenity.* *Shaded streets enhance neighbourhood walkability and will encourage residents to engage in active transport to access the local facilities of the public park and future local business zone services.*

CLA - SXX.9 Car Parking Requirements for all dwellings in the Multiple Dwellings Precinct and Villa Precinct

This clause is in substitution for the Parking and Sustainable Access Code C2.5.1 Car parking spaces, for all dwellings in the Multiple Dwellings and Villa Precinct.

Objective:		**Supporting Comments**
That an appropriate level of car parking spaces in the Multiple Dwellings and Villa Precincts *is provided to meet the needs of the use.*		*This is a new development standard to enable achievement of the SAP purpose.* *This supports the compact residential form and walkable neighbourhood contemplated by the SAP while reducing the land devoted to parking. This is supported in the TIA and the evidence given by Peter Hubble at the hearing.*
Acceptable Solutions	**Performance criteria**	
A1 The number of on-site car parking spaces for Residential use must: (a) be not less than 1 space per dwelling; and (b) not require provision of visitor parking.	**P1** The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to: (a) the nature and intensity of the use and car parking required; (b) the size of the dwelling and the number of bedrooms; (c) the pattern of parking in the surrounding area; and (d) local area objectives of the precincts.	

Figure CLA.SXX.1 Mornington Park Specific Area Plan – SAP Area Map



Figure CLA.SXX.2 Mornington Park Precinct Plan

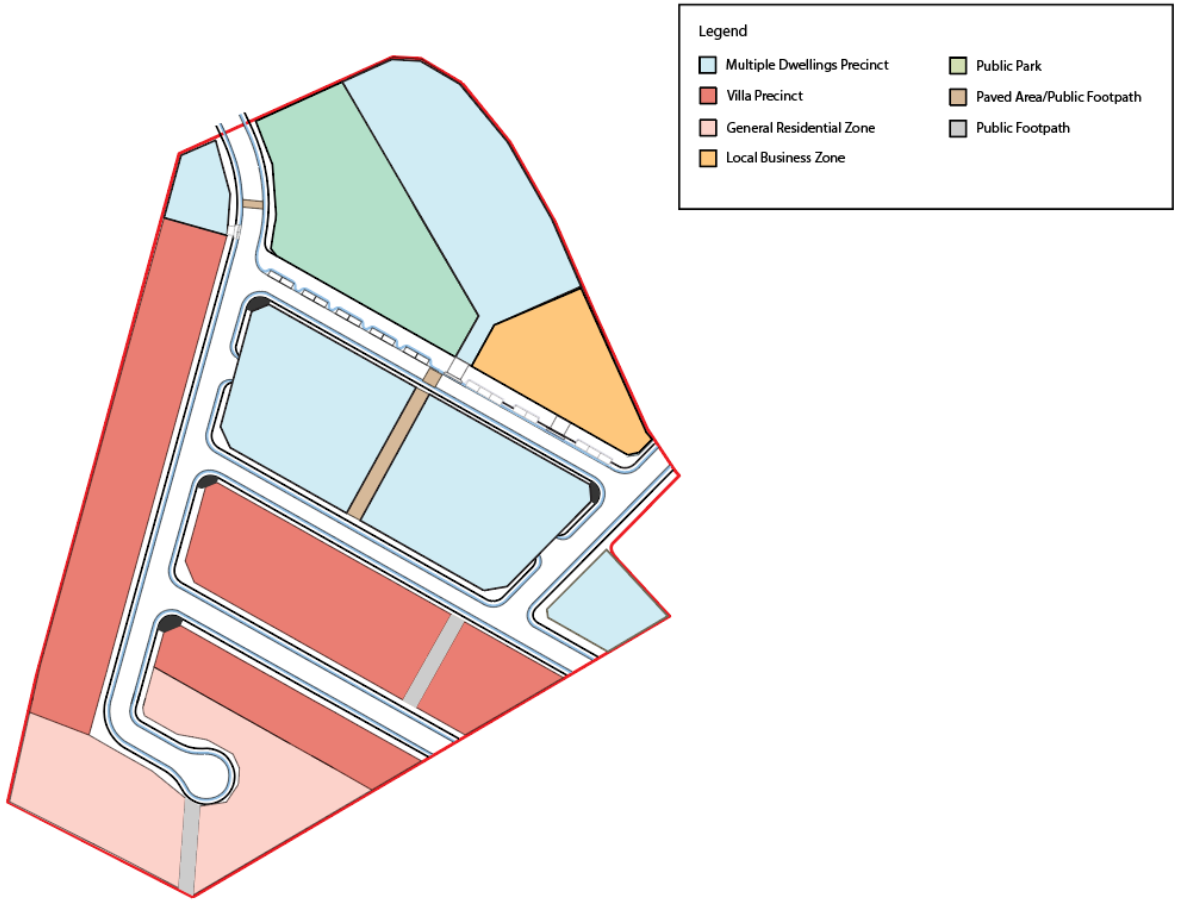


Figure CLA.SXX.3 Mornington Park Specific Area Plan Primary Façades and Secondary Façades

