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Planning Report

Cabin 9, Parcel B, White Horse Village, Mount Buller

Final Report

Prepared for Michael Kirwan

30 September 2024

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 Michael Kirwan
 Interland Mantesso Architects
 Victorian Government Department of Transport and Planning.
 Biosis staff involved in this project were:

- Sam Panter (mapping)
- Jessica Hurse (quality assurance)

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Biosis acknowledges the Aboriginal and Torres Strait Islander peoples as Traditional Custodians of the land on which we live and work.

We pay our respects to the Traditional Custodians and Elders past and present and honour their connection to Country and ongoing contribution to society.

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1 Introduction

1.1 Background

Biosis Pty Ltd (Biosis) has been engaged by Michael Kirwan (the ‘applicant’) to prepare this report in support of a planning application to amend planning permit 201529926-13 (existing planning permit or planning permit) under Section 72 of the *Planning and Environment Act 1987* (PE Act).

Planning permit 201529926-13 relates to a larger tract of land referred to as ‘White Horse Village’ comprising Crown Allotment 2017 and Crown Allotment 2031 (Parcel D), Crown Allotment 2032 (Parcel B), Part of Crown Allotment 2033 (Parcel A) (White Horse Village) and Crown Allotments 2034 and 2035 (leased) and Crown Allotments 2020 and 2036 (unleased) White Horse Road, Mt Buller (White Horse Village or permit land).

This application is made in relation to a part of the permit land, being the sub-lease area of Cabin 9 within Parcel B, White Horse Village (the site). Specifically, this application seeks to amend the endorsed architectural plans associated with Cabin 9 within Parcel B of White Horse Village. The amended plans are to include an additional dwelling within an additional storey (lower ground level) to Cabin 9 (the ‘proposal’). No changes are proposed to the planning permit preamble or conditions.

This report has been prepared to address the relevant policies and statutory requirements of the Alpine Resorts Planning Scheme (Planning Scheme).

1.2 Planning permit history

Planning permit 201529926 was granted to Grollo Group (permit holder) in 2016 for six chalets, a hotel and new vehicle access connecting to Standard Lane, Works to Standard Lane, the removal of vegetation and reduction in the car parking requirements.

Since its approval, Planning permit 201529926 has been amended on 16 November 2018 (Permit no. 201529926-1), 29 October 2020, (Permit no. 201529926-2), 30 April 2021 (Permit no. 201529926-3), 14 September 2021 (Permit no. 201529926-4), 10 February 2022 (201529926-5), 9 September 2022 (201529926-6) and 21 November 2023 (201529926-7), 24 November 2023 (201529926-8), 9 May 2024 (201529926-9), 2 July 2024 (201529926-10), 30 July 2024 (201529926-11), 19 August 2024 (201529926-12), and 19 September 2024 (201529926-13) (‘the existing permit’).

Other cabin owners have recently lodged Section 72 planning permit applications to amend the permit preamble and endorsed plans relating to land within Crown Allotment 2031 (Parcel D) and Crown Allotment 2032 (Parcel B). This application is separate to these applications and the respective proposals are not in conflict with one another.

1.3 Planning controls

The site is subject to the Comprehensive Development Zone schedule 1 (CDZ1) (Figure 2), Design and Development Overlay Schedule 1 (DDO1-A1) (Figure 3), Erosion Management Overlay Schedule 1 (EMO1) (Figure 4), and Bushfire Management Overlay Schedule 1 (BMO1) (Figure 5).

The site is not affected by the Environmental Significance Overlay schedule 1 (ESO1), however it is within close proximity to land affected by this overlay, as shown in Figure 6. Notwithstanding, the proposal does not seek additional impacts to any vegetation, including native vegetation, as to what is currently endorsed under the

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planning permit 201529926-13. No works are proposed outside of the site or Parcel B and will remain within the original development footprint of White Horse Village. ESO1 is not discussed further in this report hereinafter as it is not considered to be relevant to the proposal and application.

1.4 Planning scheme requirements

A planning permit is required for the proposal pursuant to the following provisions of the Planning Scheme:

- Clause 37.02-2 – Comprehensive Development Zone Schedule 1 (CDZ1) to construct a building or construct or carry out works.
- Clause 43.02-2 – Design and Development Overlay Schedule 1 (DDO1-A1) to construct a building or construct or carry out works.
- Clause 44.01-2 – Erosion Management Overlay Schedule 1 (EMO1) to construct a building or construct or carry out works.
- Clause 44.06 – Bushfire Management Overlay Schedule 1 (BMO1) to construct a building or construct or carry out works associated with Accommodation.
- Clause 52.06 – Car Parking to reduce the number of car parking spaces required.

A detailed assessment of the proposal against the requirements of the Planning Scheme is provided in sections 5 and 6 of this report.

Summary of supporting documentation

Table 1 below provides a summary of documents accompanying this planning report in response to the application requirements relevant to the proposal.

Table 1 Summary of supporting documentation

Item/information requirement	Description	Attachment
Notification to the landowner	Copy of notification to the landowner pursuant to Section 48 of the <i>Planning and Environment Act 1987</i> .	Attachment 1
Copy of land titles	Copy of the Crown allotment plan.	Attachment 2
Architectural drawing package	Refer to site plans, floor, roof and elevation plans prepared by Interlandi Mantesso Architects (Job No. 17023).	Attachment 3
Endorsed Site Environmental Management Plan (SEMP)	Required pursuant to the CDZ1. Refer to the endorsed Site Environmental Management Plan, prepared by Biosis Pty Ltd, dated 21 December 2020.	Attachment 4
Geotechnical advice	Geotechnical advice from Phil Styles & Associates.	Attachment 5
Endorsed Bushfire Management Plan (Parcel B and D)	Required pursuant to the BMO. Refer to the Bushfire Management Plan prepared by Biosis, dated 5 July 2024.	

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Item/information requirement	Description	Attachment
	Submitted with planning amendment 201529926-13.	

Notice and referral requirements

Clause 66 of the Planning Scheme specifies the notice and referral requirements under the PE Act.

An application must be referred under Section 55 of the PE Act to the person or body specified as the referral authority in Clause 66.03, unless a schedule to this overlay specifies otherwise.

This application would be referred to the following agencies:

- Country Fire Authority (CFA) (Recommending referral authority) pursuant to Clause 66.03 of the Planning Scheme.
- Mt Stirling and Mt Buller Resort Management Board (now referred to as Alpine Resorts Victoria (ARV)) (Determining referral authority) (Clause 7.0 of Schedule 1 to CDZ (37.02) Alpine Village).

This application is exempt from notice requirements pursuant to:

- Clause 4.2 of Schedule 1 to CDZ, an application is exempt from the notice requirements and review rights if the development is consistent with the CDZ1.
- Clause 6.0 of the Schedule 1 to EMO, the planning permit application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the PE Act.
- Clause 44.06-7 to BMO, an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act, unless a schedule to this overlay specifies otherwise.

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2 Site context

2.1 Location

The site is located within Crown Allotment 2032 (Parcel B) of White Horse Village in Mt Buller Alpine Resort.

Whilst the permit applies to all of White Horse Village, this amendment application is related to land within the sub-lease boundary of Cabin 9 (‘the site’) (Figure 1).

The site is situated in the southwest portion of White Horse Village and abuts the sublease boundary of ‘Cabin 8’ and a shared pedestrian pathway to the north, White Horse Village Road to the east and south, and existing vegetation to the west.

2.2 Existing conditions

The site is situated within a built environment of the Mount Buller Alpine Resort, surrounded by the natural setting of the alpine environment and areas cleared of vegetation for development or recreational uses such as ski run areas or walking trails.

The site is currently occupied by an existing cabin (Cabin 9) and has been subject to previous disturbance in accordance with the permit and this site plans (i.e. vegetation removal, earthworks, construction of the existing cabin and rehabilitation of adjacent roads).

The site is at an elevation of approximately 600 metres above sea level on a natural slope which rises to the northwest. The site is accessible via the existing Mt Buller Alpine Village Road network and White Horse Village Road.

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2.3 Land tenure

Land within Mt Buller Alpine Resort is identified as Crown land managed by Alpine Resorts Victoria (Mt Buller Mt Stirling) pursuant to *Alpine Resorts (Management) Act 1997*.

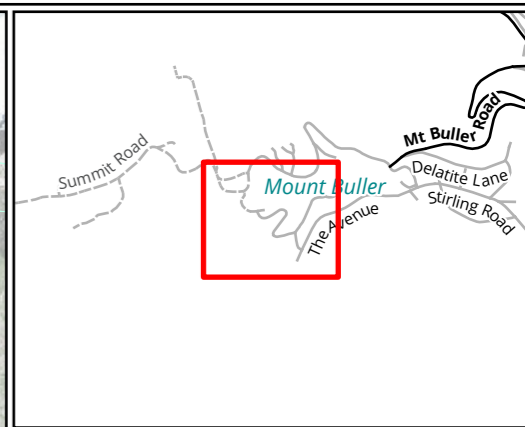
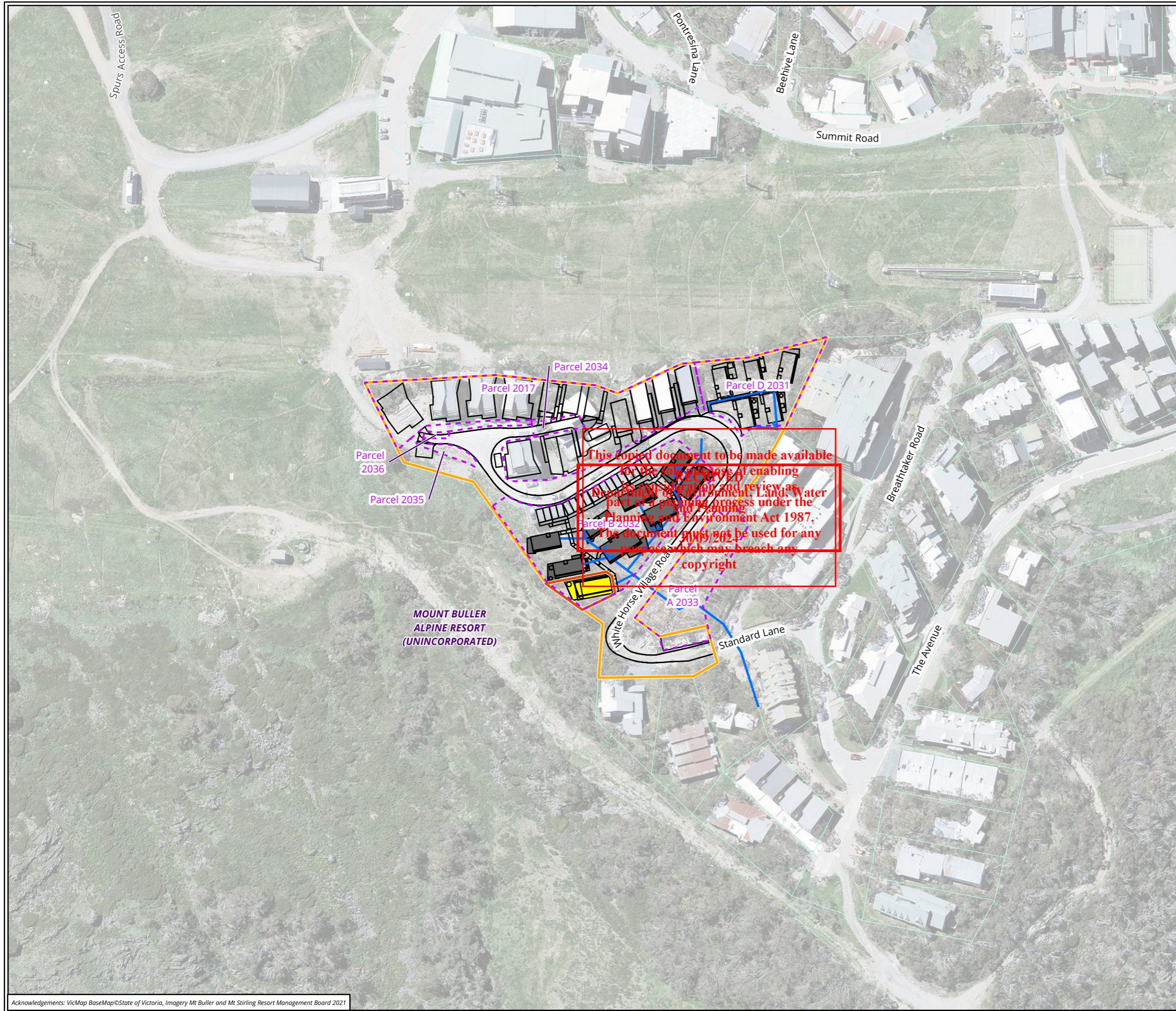
White Horse Village (including the site) is identified as Crown land operated by Grollo Group under lease arrangements with Alpine Resorts Victoria (ARV). This is apart from Parcel A (Crown Allotment 2033), which is controlled by Stirling Vista Pty Ltd.

Grollo Group are the head-leasee and are responsible for construction and operational requirements across the White Horse Village generally. The site (land within sub-lease boundary associated with Cabin 9) is sub-leased from the Grollo Group by the applicant.

2.4 Current land use

The site is currently used for a dwelling. Since the time of the original application, the whole of White Horse Village has been under construction in accordance with the existing planning permit (i.e. vegetation removal, construction and works with chalets, cabins and White Horse Road). Some sub-lease areas within White Horse Village are currently vacant however construction is expected to be completed in accordance with the existing permit.

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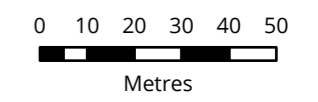


Legend

- Site (Parcel B Cabin 9 sub-lease boundary)
- White Horse Village
- Parcel boundary within site
- Parcel outside site
- Proposed development (Cabin 9)
- Approved Parcel B building
- Approved White Horse Village construction footprint
- Service trench

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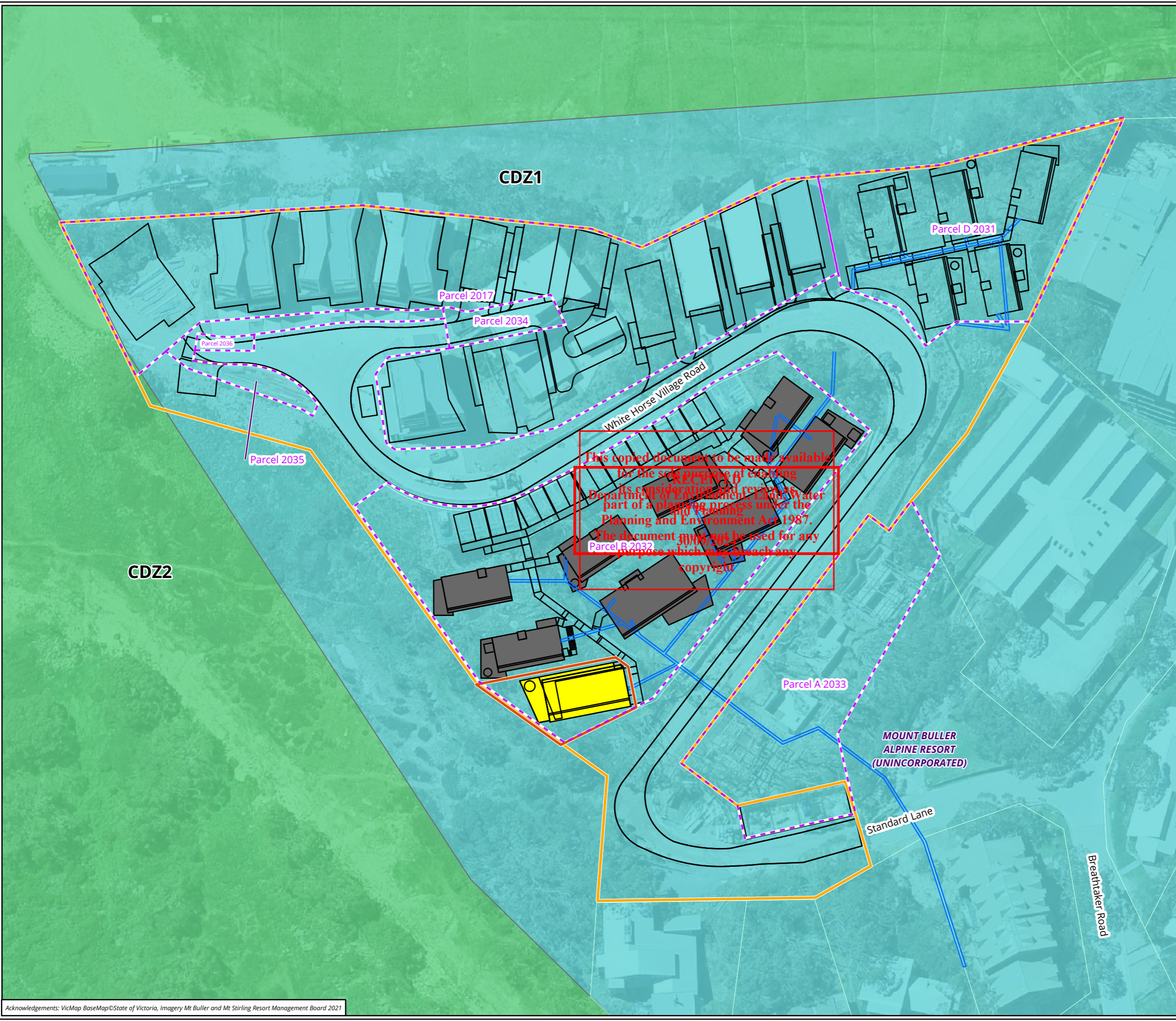
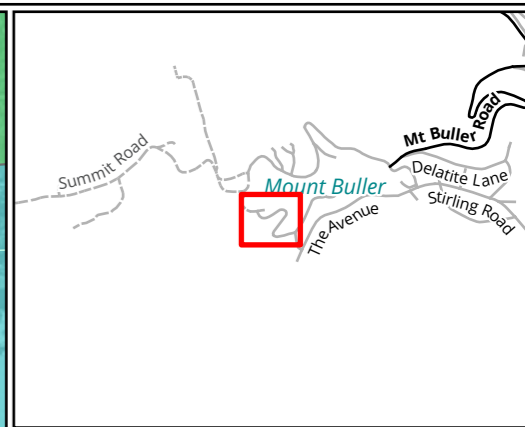
Figure 1 Site location



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 Date: 24 July 2024,
 Prepared for: SH; prepared by: SP, Last edited by: spanter
 Layout: 41048_F1_Location
 Project: P:\41000s\41048\Mapping\41048_WHV_Parcel_B_Cabin_9_planning.aprx



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- Legend**
- Site (Parcel B Cabin 9 sub-lease boundary)
 - White Horse Village
 - Parcel boundary within site
 - Parcel outside site
 - Proposed development (Cabin 9)
 - Approved Parcel B building
 - Approved White Horse Village construction footprint
 - Service trench
- Planning zones**
- CDZ1 Comprehensive Development Zone - Schedule 1
 - CDZ2 Comprehensive Development Zone - Schedule 2

Figure 2 Planning zones

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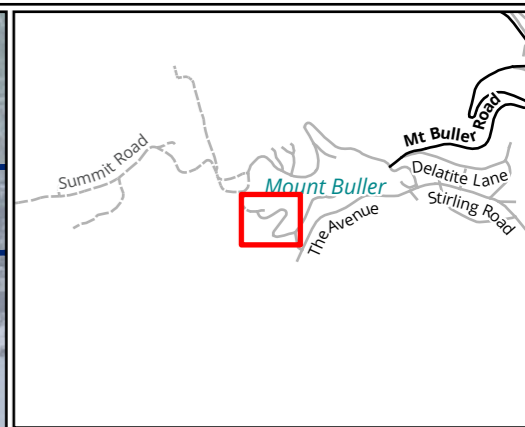
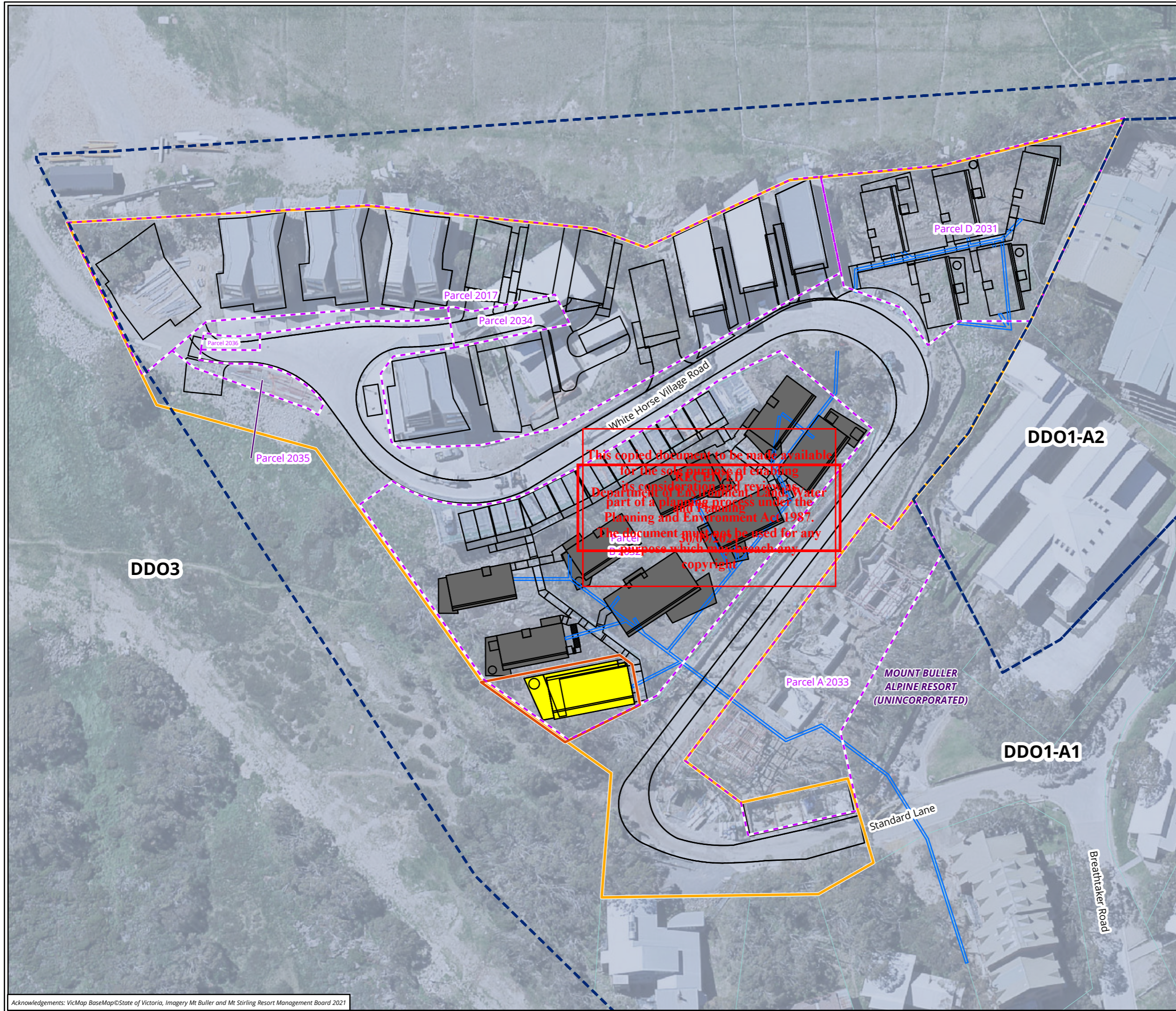
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Legend

- Site (Parcel B Cabin 9 sub-lease boundary)
- White Horse Village
- Parcel boundary within site
- Parcel outside site
- Proposed development (Cabin 9)
- Approved Parcel B building
- Approved White Horse Village construction footprint
- Service trench

Planning overlays

- Design and Development Overlay (DDO, DDOPT)

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Figure 3 Planning overlays: Design and Development Overlay

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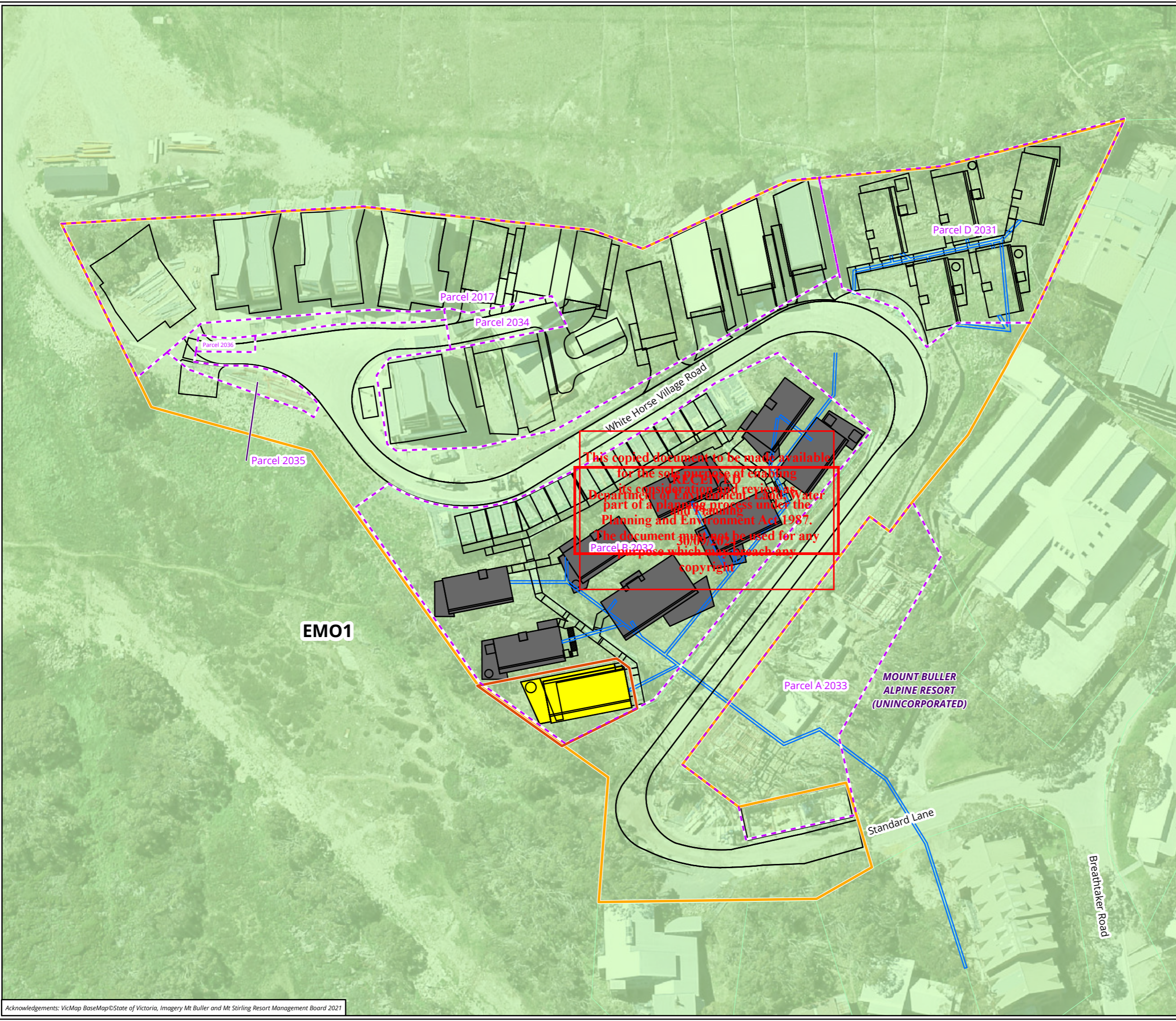
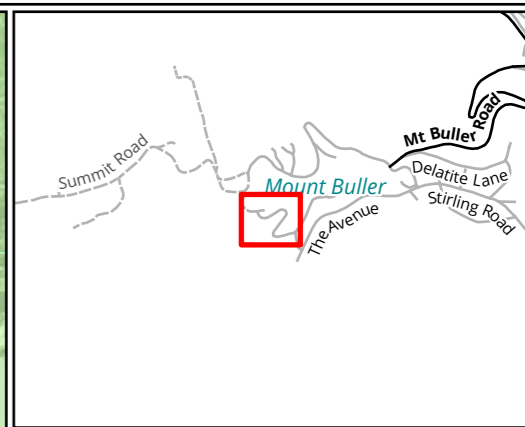
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- Legend**
- Site (Parcel B Cabin 9 sub-lease boundary)
 - White Horse Village
 - Parcel boundary within site
 - Parcel outside site
 - Proposed development (Cabin 9)
 - Approved Parcel B building
 - Approved White Horse Village construction footprint
 - Service trench
- Planning overlays**
- Erosion Management Overlay (EMO)

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Figure 4 Planning overlays: Erosion Management Overlay

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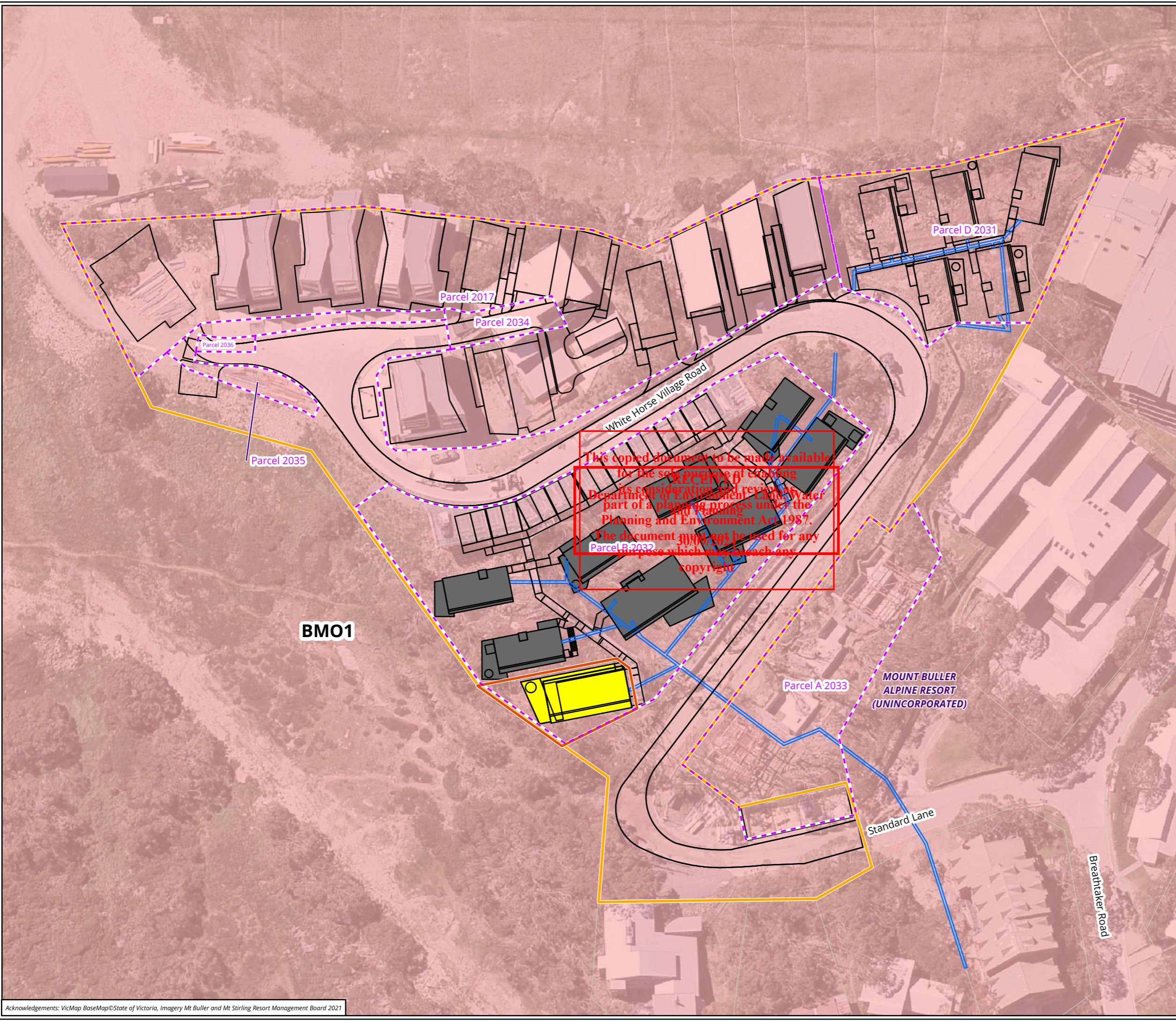
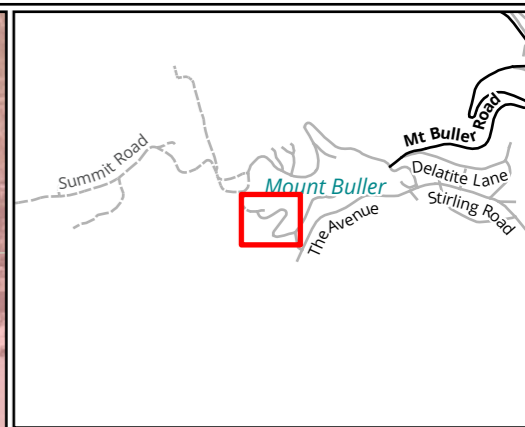
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- Legend**
- Site (Parcel B Cabin 9 sub-lease boundary)
 - White Horse Village
 - Parcel boundary within site
 - Parcel outside site
 - Proposed development (Cabin 9)
 - Approved Parcel B building
 - Approved White Horse Village construction footprint
 - Service trench
- Planning overlays**
- Bushfire Management Overlay (BMO)

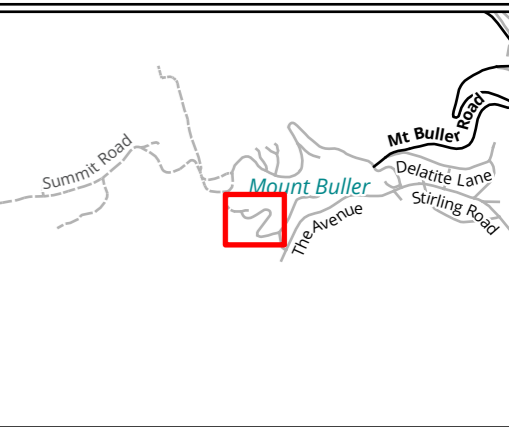
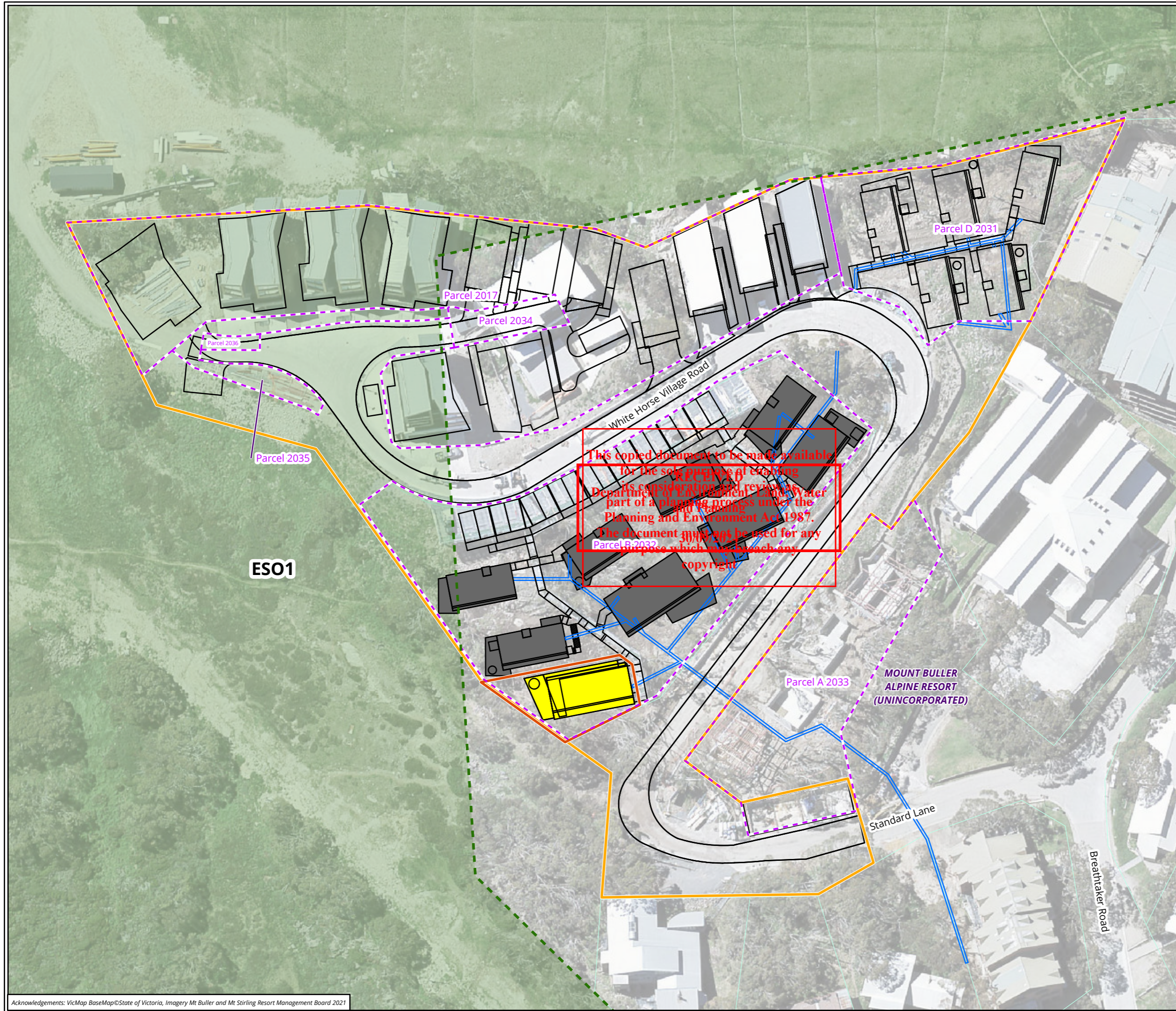
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Figure 5 Planning overlays: Bushfire Management Overlay

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Legend

- Site (Parcel B Cabin 9 sub-lease boundary)
- White Horse Village
- Parcel boundary within site
- Parcel outside site
- Proposed development (Cabin 9)
- Approved Parcel B building
- Approved White Horse Village construction footprint
- Service trench

Planning overlays

- Environmental Significance Overlay (ESO)

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Figure 6 Planning overlays: Environmental Significance Overlay

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Metres

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Coordinate System: GDA2020 MGA Zone 55



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3 The proposal

The proposal seeks to amend the endorsed architectural plans under Planning permit 201529926-13 to include an additional storey and make changes to the floor layout associated with the site (the 'proposal').

This additional lower ground level comprises:

- two bedrooms.
- a kitchen.
- a bathroom with an enclosed toilet and wash basin.
- a dry skis room with an enclosed toilet and wash basin.
- a living space.

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The proposal will create an additional dwelling within an additional storey (lower ground level) and external stairs' on Parcel B, however it is the intent of the applicant that it is to be used as an extension of the existing dwelling. There are no additional car parking spaces proposed as part of this amendment application. The proposed understorey addition to Cabin 9 includes an external access point to the existing cabin.

The proposal does not include native vegetation removal and remains in accordance with the existing permit.

3.1 Planning permit conditions

Review of the existing planning permit conditions that are not affected by the proposal.

No changes to the planning permit preambles or conditions are proposed as part of this application.

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3.2 Proposed changes to the endorsed plans

Amended architectural plans have been prepared in support of the proposal (see Attachment 3).

The following documents enclosed within Attachment 3 are requested to be endorsed under the planning permit:

- TP1.00.02 (Parcel – Site Plan), TP1.00.3 (Parcel B – Lower Ground Floor Plan), TP1.01.03 (Parcel B – Ground Floor Plan), TP1.02.03 (Parcel B –Roof Plan), TP2.01 Rev E (Cabin Type A - Plans & Elevations), TP3.01.03 (Parcel B – South East Elevation), TP3.02.01 (Parcel B - Section A (North - South) M. Kirwan).

The following plans that form part of the existing endorsed plans are requested to be superseded with the amended plans provided in Attachment 3:

- TP1.00 Rev K (Parcel B – Site Plan page 45), TP1.01 Rev C (Parcel B – Lower Ground Floor Plan page 47), TP1.01 Rev K (Parcel B –Ground Floor Plan page 46), TP1.02 Rev K (Parcel B –Roof Plan page 48), TP2.01 Rev D (Cabin Type A - Plans & Elevations page 49), TP3.01 Rev D (Parcel B – South East Elevation page 55), TP3.02 (Parcel B - Section A (North – South) page 56).

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The following documents endorsed under the existing permit remain accurate for this proposal and do not require any amendments to be made as a result of the proposed changes:

- Staging Plan (Condition 6)
- Site Environmental Management Plan (SEMP) (Condition 17)
- Rehabilitation Plan (Condition 18)
- Road Management Plan and Design Construction Plans (Condition 23)
- Storm Water (Condition 24)
- Waste Management Plan (WMP) (Conditions 25 to 29)
- Detailed Flora and Fauna Assessment (FFA) (Condition 33 to 35)
- Geotechnical Report (Conditions 60 to 63)

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4 Related assessment and approvals

4.1 Flora and Fauna Guarantee Act 1988

A protected flora permit was obtained by Grollo Group (head leasee and planning permit holder) in December 2020. No further approval under the *Flora and Fauna Guarantee Act 1989* (FFG Act) is required. The proposal does not include additional native vegetation removal and remains in accordance with the existing permit.

4.2 Aboriginal Heritage Act 2006

Section 52 of the *Aboriginal Heritage Act 2006* (AH Act) provides that a planning permit cannot be granted for a high impact activity within an area of cultural heritage sensitivity until a Cultural Heritage Management Plan (CHMP) has been approved under Part 4 of the AH Act for the proposal.

The proposal is defined as a high impact activity and the permit land (or Activity Area) is within an area of cultural heritage sensitivity and therefore a CHMP is required to be prepared.

Cultural Heritage Management Plan No. 13391, prepared by Biosis and approved 3 June 2015 (Biosis 2015), and Cultural Heritage Management Plan No. 15649, prepared by Biosis and approved 23 July 2018 (Biosis 2018), applies to White Horse Village.

The proposal is within the activity area and consistent with the activity description of CHMP No. 13391 and CHMP No. 15469. The proposal does not trigger the requirement for a new CHMP as it falls within the scope of the approved CHMPs.

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5 Alpine Resorts Planning Scheme

5.1 Alpine Resorts Planning Strategy

The following provisions under the Alpine Resorts Planning Strategy are relevant to this proposal:

- Clause 2.01 – Context
- Clause 2.02 – Vision
- Clause 2.03 – Strategic Directions
 - Clause 02.03-1 Settlement and housing
 - Clause 02.03-2 Environmental and landscape values
 - Clause 02.03-3 Environmental risks and amenity
 - Clause 02.03-4 Natural resource management
 - Clause 02.03-5 Built environment and heritage
 - Clause 02.03-6 Economic development
 - Clause 02.03-7 Transport
 - Clause 02.03-8 Infrastructure
- Clause 2.04 – Mt Buller Strategic Land Use Framework Plan – Village Precinct

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5.2 Planning Policy Framework

The following Planning Policy Framework (PPF) provisions are considered to be relevant to this proposal:

- Clause 11 Settlement
 - Clause 11.01-1L Mt Buller Village
- Clause 12 Environmental and Landscape Values
 - Clause 12.04 Alpine Areas
 - Clause 12-04-1S Sustainable development in alpine areas
 - Clause 12.05 Significant environments and landscapes
 - Clause 12.05-1S Environmentally sensitive areas
- Clause 13 Environmental Risks and Amenity
 - Clause 13.02 Bushfire
 - 13.02-1S Bushfire planning
 - Clause 13.04 Soil Degradation
 - Clause 13.04-2S Erosion and landslip
- Clause 15 Built Environment and Heritage

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- Clause 15.01-2L Building design in Mt Buller
- Clause 16 Housing
 - Clause 16.01-1S – Housing supply
- Clause 17 Economic Development
 - Clause 17.04 Tourism
 - Clause 17.04-1S Facilitating tourism

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5.3 Zoning control

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5.3.1 Comprehensive Development Zone – Schedule 1 – Alpine Village

The site is located within the Comprehensive Development Zone schedule 1 (CDZ1) (Figure 2).

The purpose of the CDZ1 is:

- to encourage development and the year-round use of land for a commercially orientated, alpine resort.
- to provide for residential development in a variety of forms in an alpine environment.
- to encourage development and the use of the land which is in accordance with sound environmental management and land capability provisions and which takes into account the significance of the environmental resources.
- to provide for the integrated development of land in accordance with a comprehensive development plan incorporated in this scheme.

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Permit requirements

Pursuant to Clause 4 of CDZ1, a permit is required to construct a building or construct or carry out works for the proposal.

The use of land for 'Accommodation' is a Section 1 'permit not required' use.

Application requirements

Pursuant to Clause 4.3-3 of CDZ1, a Site Environmental Management Plan (SEMP) is required for all applications for buildings and works.

The proposal seeks to rely on the existing endorsed SEMF dated 21 December 2020 (Attachment 4). Review of the endorsed SEMF indicates that the proposal does not require the SEMF to be updated to accompany this S72 permit amendment application.

5.4 Overlay controls

The site is subject to the following relevant overlays under the Planning Scheme:

- Design and Development Overlay schedule 1 (DDO1-A1) (Figure 3)
- Erosion Management Overlay schedule 1 (EMO1) (Figure 4)
- Bushfire Management Overlay schedule (BMO1) (Figure 5)

5.4.1 Clause 43.02 - Design and Development Overlay schedule 1 - A1 (DDO1-A1)

The objectives to be achieved under DDO1 are:

- To ensure that development within the Mt Buller Village creates and enhances the identifiable individual resort character.
- To ensure building design provides a visually attractive and functionally effective interface with the public domain, particularly within the Village Square and adjacent to the Bourke Street ski run.
- To ensure view corridors are protected between buildings and provide opportunities for view sharing.
- To provide safe pedestrian and skier access and linkages within the Village and to the ski fields.

Permit requirements

Pursuant to DDO1, a planning permit is required to construct a building or construct or carry out works. A response to the application requirements applicable under DDO1-A1 is provided below.

Application requirements

A response to the application requirements under DDO1-A1 is provided in Table 3 in Section 6.

5.4.2 Clause 44.01 - Erosion Management Overlay – Schedule 1

The objectives to be achieved under EMO1 are:

- to ensure that applications for development are supported by adequate investigation and documentation of geotechnical and related structural matters
- to ensure that development is appropriate to be carried out either conditionally or unconditionally, having regard to the results of those geotechnical and related structural investigations.
- to ensure that development is only carried out if identified geotechnical and related structural engineering risks are effectively addressed.

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Permit requirements

The EMO1 contains specific permit triggers for applications to construct a building or construct or carry out works.

Application requirements

Pursuant to Clause 4 of EMO1, an application for a planning permit must be accompanied by a Preliminary Geotechnical Assessment.

The endorsed preliminary geotechnical assessment previously prepared by Phil Styles & Associates (Phil Styles & Associates 2020) is applicable to the proposal and therefore no additional assessment is required. This advice has been provided by Phil Styles & Associates and is included in Attachment 5 in support of the proposal.

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5.4.3 Clause 44.06 - Bushfire Management Overlay

The purpose of the Bushfire Management Overlay (BMO) is:

- to implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- to ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- to identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- to ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

The objectives to be achieved under BMO1 are:

- to require tailored bushfire protection measures unique to Victoria’s alpine resorts.
- to acknowledge the bushfire protection measures and protection of human life being achieved through emergency management arrangements unique to Victoria’s alpine resorts.

Permit requirements

Under the BMO, a planning permit is required to construct a building or construct or carry out works associated with Accommodation.

Application requirements

The endorsed Bushfire Management Plan (BMP) under Planning Permit No. 201529926-13 applies to the site and is accurate for this proposal. It does not require to be updated as the proposal does not impact its recommendations. The extension to Cabin 9 will be constructed to a bushfire attack level of BAL-40.

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5.5 Particular provisions

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5.5.1 Clause 52.06 Car Parking

Clause 52.06 specifies the number of car parking spaces that are required for new developments. Pursuant to Clause 52.06-3, a permit is required when the car parking rates specified in Table 1 of Clause 52.06 are not satisfied or some or all of the specified car parking spaces are proposed on another site. Under Column C of Table 1 under Clause 52.06-5, each one or two-bedroom dwelling requires one car parking space to be provided.

The car parking for the chalets and accommodation has already been permitted under the original Permit for WHV (201529926). There are 18 car parking spaces allocated on Parcel B and 8 car parking spaces proposed to be delivered on part of Parcel A across the WHV Precinct (26 car parking spaces in total). This number of car spaces is less than required under clause 52.06, however these spaces are in addition to the car parking which has been approved under the 2015 Permit for the chalets and accommodation proposed on Parcel 2017. Any additional car parking requirements can be accommodated with the existing carparks further down Mt Buller.

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The proposal will create an additional dwelling on Parcel B, however it is the intent of the applicant that it is to be used as an extension of the existing dwelling. There are no additional car parking spaces proposed as part of this amendment application.

As the proposal does not meet this requirement for car parking spaces, a reduction is required. The existing permit allows for a reduction in car parking spaces required under Clause 52.06-5, no changes are proposed to the planning permit preamble or conditions.

5.5.2 Clause 53.02 Bushfire Planning

Clause 53.02 applies to an application under Clause 44.06 - Bushfire Management Overlay, unless the application meets all of the requirements specified in a schedule to Clause 44.06. A response to the requirements under Clause 53.02 is provided in 4 in Section 6.

5.5.3 Clause 58 Apartment Developments

The proposal is for an additional self-contained dwelling directly below the floor level of the existing dwelling, and therefore consideration must be made under Clause 58 Apartment Developments. The purpose of this Clause is to encourage apartment development that provides reasonable standards of amenity for existing and new residents and encourage apartment development that is responsive to the site and the surrounding area.

Clause 58 applies to an application to construct or extend a dwelling in or forming part of an apartment development if it is within the Comprehensive Development Zone. On this basis, the clause could apply to the proposed development, however it is the intent of the applicant that it is to be used as an extension of the existing dwelling, and not to form part of an apartment development.

Nevertheless, as the self-contained dwelling meets the definition of an apartment development, a response to the relevant objectives and standards of the Clause is provided in Appendix 1 and justifications for variations included in section 6.5.

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6 Planning considerations

6.1 What are the key considerations of this amendment?

The key considerations when assessing the appropriateness of the proposal are:

- Is the proposal in alignment with the Alpine Resorts Strategic Plan 2020-2025 (Strategic Plan) and Planning Policy Framework of the Alpine Resorts Planning Scheme?
- Is the proposal consistent with the existing planning permit?
- How does the proposal respond to the preferred built form outcomes of site and White Horse Village?
- How does the amendment respond to geotechnical investigations already undertaken for White Horse Village?
- How does the proposal respond to bushfire risk? Will the proposed works cause material detriment to any person in accordance with section 52(1)(d) of the *Planning and Environment Act 1987*?

The following section address the considerations listed above.

6.2 Strategic Justification

The Alpine Resorts Strategic Plan 2020-2025 (Strategic Plan) applies to the proposal as it is referenced in the Planning Scheme.

The Strategic Plan recognises the important contribution the Mount Buller Alpine Resort makes within the alpine industry. The Strategic Plan refers to the Mount Buller Master Plan which sets out a comprehensive range of initiatives to position Mount Buller for future growth, based primarily around broadening the range of visitor experiences and value, with only a small increase in visitor beds.

This proposal is consistent with the strategic objectives for the Mount Buller Alpine Resort as it will contribute to a diverse range of accommodation supply at Mt Buller.

6.3 Alignment with the planning policy framework

The Planning Scheme sets out the objectives, policies and provisions relating to the use, development and protection of land within the Alpine Resort. Table 2 below provides an assessment of the proposal against the relevant requirements of the planning policies objectives in the Planning Scheme.

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Table 2 Assessment of the proposal against the state and local planning policies objectives

Policy	Assessment response
Alpine Resorts Planning Strategy	
<ul style="list-style-type: none"> • Clause 2.03 – Strategic Directions <ul style="list-style-type: none"> – Clause 02.03-1 Settlement and housing – Clause 02.03-2 Environmental and landscape values – Clause 02.03-3 Environmental risks and amenity – Clause 02.03-4 Natural resource management – Clause 02.03-5 Built environment and heritage – Clause 02.03-6 Economic development – Clause 02.03-7 Transport – Clause 02.03-8 Infrastructure 	<ul style="list-style-type: none"> • The proposal is consistent with the current use of the site and is appropriately located within the established footprint of the White Horse Village development. The proposal integrates seamlessly with the built form of Cabin 9 and is sited to minimise adverse effects to adjoining neighbours. The proposal does not make any change to the mitigation measures required to be implemented during the construction and operation phases to White Horse Village under the existing permit. Additionally, the proposal has been designed so that it is consistent with the built form objectives for this part of the Mount Buller Alpine Resort.
<ul style="list-style-type: none"> • Clause 2.04 – Mt Buller Strategic Land Use Framework Plan – Village Precinct 	<ul style="list-style-type: none"> • The site is identified within Comprehensive Development Plan 2 (CDP2) area for 'Mixed commercial / retail / accommodation' uses in the strategic land use framework plan at Clause 2.04 of the Planning Scheme. The proposal is consistent with the strategic land use plan by utilising existing buildings to deliver a sensitive response to the development within White Horse Village. A second dwelling on this lot will intensify the use of the site in a area nominated for residential use and make use of existing infrastructure.
Planning Policy Framework	
<ul style="list-style-type: none"> • Clause 11 Settlement <ul style="list-style-type: none"> – Clause 11.01 Victoria <ul style="list-style-type: none"> ○ Clause 11.01-1L Mt Buller Village 	<ul style="list-style-type: none"> • The proposal has been sited to consolidate development within White Horse Village and offer improved functionality of the existing cabin and additional bedrooms in an area with high demand for accommodation.
<ul style="list-style-type: none"> • Clause 12 Environmental and Landscape Values <ul style="list-style-type: none"> – Clause 12.04 Alpine Areas <ul style="list-style-type: none"> ○ Clause 12-04-1S Sustainable development in alpine areas 	<ul style="list-style-type: none"> • The proposal does not detract or cause detrimental impact to the natural qualities of the wider significant landscape of Mt Buller.
<ul style="list-style-type: none"> • Clause 13 Environmental Risks and Amenity <ul style="list-style-type: none"> – Clause 13.02 Bushfire <ul style="list-style-type: none"> ○ Clause 13.02-1S Bushfire planning – Clause 13.04 Soil Degradation <ul style="list-style-type: none"> ○ Clause 13.04-2L Erosion and landslip in alpine resorts 	<ul style="list-style-type: none"> • To be consistent with bushfire planning policy, the proposal seeks to implement the construction standards and defensible space management requirements of the existing endorsed Bushfire Management Plan (Attachment 6). • The proposal will implement the recommendations of the existing endorsed preliminary geotechnical assessments (Phil Styles & Associates 2020, Phil Styles & Associates 2018a, Phil Styles & Associates 2018b, Phil Styles & Associates 2015) under the planning permit to ensure that

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	the risk to property is kept to low and result in no credible risks to life from the proposal.
<ul style="list-style-type: none"> • Clause 15 Built Environment and Heritage <ul style="list-style-type: none"> – Clause 15.01 Built Environment <ul style="list-style-type: none"> ○ Clause 15.01-2L Building design in Mt Buller 	<ul style="list-style-type: none"> • The proposed materials and scale of the proposal will not detract from the surrounding natural environment or existing built form of White Horse Village, or the broader Alpine Resort. The proposal is considered to deliver a sensitive response to the existing built form of the site and its neighbouring buildings.
<ul style="list-style-type: none"> • Clause 16 Housing <ul style="list-style-type: none"> – Clause 16.01 Residential Development <ul style="list-style-type: none"> ○ Clause 16.01-1S – Housing supply 	<ul style="list-style-type: none"> • The proposal is consistent with the relevant PPF objectives related to housing supply as it will respond to the changing needs of households (capacity and amenity), thus strongly supporting the economic vitality of the area.
<ul style="list-style-type: none"> • Clause 17 Economic Development <ul style="list-style-type: none"> – Clause 17.04 Tourism <ul style="list-style-type: none"> ○ Clause 17.04-1S Facilitating tourism 	<ul style="list-style-type: none"> • The proposal seeks to encourage and improve well-designed and sited dwellings in proximity to tourism and recreational assets of Mt Buller.

6.4 Is the proposal consistent with the existing permit?

The proposal seeks to maintain and enhance the permitted uses and works in response to the changing accommodation needs of the applicant. As such, the proposed amendment is supported by the permitted use and is in accordance with the intent of White Horse Village as originally envisioned.

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6.5 How does the proposal respond to the preferred built form outcomes and design integrity of the site and White Horse Village?

The proposal has been designed to deliver a sensitive response to preferred built form outcomes of the site and White Horse Village.

It is noted that whilst departing somewhat from the ‘elevated’ lightweight pole construction, the proposed design retains elements of the pole frame design that was originally approved. The understorey additions are recessed from the upper-level footprint, therefore maintaining some visibility between the buildings at the ground floor level. The proposal is in keeping with the existing and approved built form and does not detract from view corridors of the approved cabins. The amended architectural plans emphasise the continuation of the vertical elements and recessed areas of the understorey (Attachment 3). This approach to the understorey allows for the retention of the design integrity of White Horse Village. The proposed amendment will maintain the contemporary form and materials that are currently used in White Horse Village.

Table 3 below provides a detailed response to the development requirements that should be met under DDO1-A1 and the materials and finishes that should be used for new development under DDO1.

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Table 3 Response to requirements of Clause 43.02 – Design and Development Overlay schedule 1-A1

Requirements	Response
<p>Building and Works (DDO1-A1)</p> <ul style="list-style-type: none"> Development should not cast a shadow over the Village Square, Athletes Walk, Summit Road or Bourke Street ski run for more than two hours in the period 10.00am to 3.00pm on 22 June. In residential areas of the Village, development should be constructed so that it is generally level with, or below, the top of the existing tree canopy. Development should avoid and minimise removal of vegetation. Vegetation should not be removed to provide for view corridors from any development. Development should not be visually intrusive above the tree canopy or on the skyline when viewed from within the Village and adjoining skifields. Vehicle and pedestrian access points should be combined where possible to minimise vegetation removal and visual impact on the street frontage. 	<ul style="list-style-type: none"> Due to the location and nature of the proposal, no shadows will be cast over Village Square, Athletes Walk, Summit Road or Bourke Street ski run. Works will occur well below the existing tree canopy as it is an extension under an existing dwelling. The proposal avoids the removal of additional vegetation by utilising the under-croft space below the ground floor of Cabin 9. The proposal is in keeping with the existing and approved built form and does not detract from view corridors of the approved cabins. The proposed vehicle and pedestrian access points already approved under the existing permit are not detrimentally impacted upon. <p style="text-align: center;">ADVERTISED PLAN</p>
<p>Maximum Height (DDO1-A1)</p> <ul style="list-style-type: none"> The maximum height of any part of a building is 5 storeys or 11 metres above natural ground level, whichever is the lesser height. A permit may be granted to increase the height of any structure or chimney by 1.5 metres provided no more than 20% of the roof area exceeds 11 metres in height. 	<p>No changes to the building height are proposed and therefore the proposal is consistent with the current endorsed plans and meets the DDO1-A1 requirements.</p>
<p>Minimum Setbacks (DDO1-A1)</p> <p>Development should meet the following requirements:</p> <ul style="list-style-type: none"> A building must be setback: <ul style="list-style-type: none"> 6 metres from the closest kerbside or constructed edge of a road abutting the frontage of the site and 3 metres from the frontage boundary of the site 3 metres from any other site boundary An average of 4 metres from any other building on the same site 6 metres from any building on an adjoining site Where any part of an external wall measured above natural ground level exceeds 3.6 metres in height, the minimum prescribed distance of the wall from a boundary shall be increased in the proportion of 100mm for every 300mm or part thereof by which that height of that part of the wall exceeds 3.6 metres. 	<ul style="list-style-type: none"> The existing building and proposed extension are 7.8 metres from the closest kerbside of White Horse Village Road, and therefore comply with this setback. It is considered that the setbacks between Cabin 9 and surrounding buildings do not result in any material adverse effect. This is because the lower ground level will effectively be setback within the existing ground floor footprint of the building. As the lower ground level is setback from the existing footprint, it is compliant with being 3 metres from the adjacent site boundary, and 6 metres from the lower ground floor of Cabin 8. No changes are proposed to the snow dumping area. The proposal is in accordance with the existing snow management plan (SMP) endorsed under the planning permit.

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<p>Maximum Site Coverage (DDO1-A1)</p> <ul style="list-style-type: none"> 60% of the total site area 	<ul style="list-style-type: none"> The site coverage of the existing footprint of the cabin exceeds the 60% and the proposal does not seek to increase the site coverage of Cabin 9. The additional lower ground floor space will not increase the site coverage and this variation to the requirement has already been approved.
<p>Materials and finishes (DDO1) New development should be constructed of the following materials and finishes:</p> <ul style="list-style-type: none"> Wall materials <ul style="list-style-type: none"> Corrugated iron, profiled metal, timber, natural stone (preferably weathered granite), plastered masonry. Natural stone should be used in new buildings and major extensions that add more than 20 per cent to existing floor area. A minimum of 15 per cent of all external facades visible from the road, public pedestrian route or ski fields should be constructed of natural stone. Roof material <ul style="list-style-type: none"> Profiled metal, corrugated iron (non-reflective and muted tones). Colours <ul style="list-style-type: none"> The use of colour in the form of paintwork should be minimised and used only as a feature or element of contrast. The use of natural alpine colour tones should be used in materials and finishes. 	<ul style="list-style-type: none"> A proposed schedule of materials and finishes are included in the architectural drawings in Attachment 3 and are considered to comply with the requirements of DDO1. The proposal is not a 'new building' and the requirements for use of natural stone is not considered to be relevant in this case. Additionally, use of natural stone is not considered to be complimentary to the 'elevated' design of cabins throughout White Horse Village.

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The self-contained dwelling meets the definition of an apartment development and a response to the relevant objectives and standards of Clause 58 – Apartment Developments is provided in Appendix 1. Table 4 indicates the standards where a variation to the requirements is sought.

Table 4 Justification for variations to Clause 58 - Apartment Developments

Objective / Standard	Response
<p>58.05-1 Accessibility objective Standard D18</p> <ul style="list-style-type: none"> At least 50 per cent of dwellings should have: <ul style="list-style-type: none"> A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. A main bedroom with access to an adaptable bathroom. At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4. 	<ul style="list-style-type: none"> A variation is sought for this standard as the terrain and use of stairs in the overall development results in practical limitations in being able to provide an accessible dwelling at the understorey to the existing dwelling. The existing dwelling has been constructed before these requirements. <p style="color: red; font-weight: bold; text-align: center; font-size: 24px;">ADVERTISED PLAN</p>

<p>58.05-3 Private open space objective Standard D20</p> <ul style="list-style-type: none"> A dwelling should have private open space consisting of at least one of the following: <ul style="list-style-type: none"> An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, A balcony with an area and dimensions specified in Table D8 and convenient access from a living room. An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room. A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room. If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres. If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25. 	<ul style="list-style-type: none"> A variation is sought for this standard as the existing balcony approved under the existing permit is in accordance with the balcony size requirements of Table D9 and due to the use of the building as a single dwelling can accommodate the open space needs of future residents. <div data-bbox="938 678 1506 866" style="border: 2px solid red; padding: 5px; text-align: center;"> <p>RECEIVED Department of Environment, Land, Water and Planning 30/09/2024</p> </div>
<p>58.07-1 Functional layout objective Standard D26</p> <p>Bedrooms should:</p> <ul style="list-style-type: none"> Meet the minimum internal room dimensions specified in Table D11. Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe. Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8. 	<p>ADVERTISED PLAN</p> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.</p> <ul style="list-style-type: none"> A variation is sought for this standard as bedroom 4 on the architectural plans (Attachment 3) does not meet the 3 x 3 metre requirements. The living space provides more than the required area dimensions, and as it is intended that users of the self-contained dwelling will also be able to use the floor above, we consider that the proposed size of bedroom 4 will meet the needs of the residents.

6.6 How does the amendment respond to geotechnical investigations already undertaken for White Horse Village?

A number of preliminary geotechnical assessments have been undertaken for White Horse Village in response to the requirements of the EMO1 (Phil Styles & Associates 2020, Phil Styles & Associates 2015, Phil Styles & Associates 2018a, Phil Styles & Associates 2018b, Phil Styles & Associates 2018c). Review of these assessments against the proposal has confirmed that these assessments remain current to the proposal and therefore no additional assessment is required. Phil Styles & Associates provided a letter of advice (Attachment 5) to confirm that the proposed additions to Cabin 9 lie within the scope of their preliminary geotechnical assessments. The proposal is therefore consistent with the objectives of the EMO1, as the risk to life and property from landslip has been reduced to a low level.

6.7 How does the amendment respond to bushfire risk?

A Bushfire Management Plan (BMP) was prepared in January 2020 by Terramatrix Pty Ltd for Parcel B and D of White Horse Village. The BMP was endorsed on 21 December 2020 as required under Condition 49 of Planning Permit No. 201529926-2. The amendment does not affect the bushfire hazard site and landscape assessment prepared by Terramatrix and remains applicable to the proposal. The endorsed BMP (Attachment 6) is consistent with the Country Fire Authority's standard permit conditions and guidance and will be complied with for the proposed Cabin 9 amendment. The development will be constructed to satisfy BAL-40 as agreed with the CFA. A response to the application requirements applicable under BMO1 and Clause 53.02 is provided in Section 5 of this report.

Table 5 Bushfire Protection Objectives and Approved Measures- Clause 53.02 and Substitute Approved Measures – Clause 44.06

Requirements	Response
<p>Clause 53.02-4.1 Landscape, siting and design objectives:</p> <ul style="list-style-type: none"> Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape. Development is sited to minimise the risk from bushfire. Development is sited to provide safe access for vehicles, including emergency vehicles. Building design minimises vulnerability to bushfire attack. <p>Approved Measures:</p> <ul style="list-style-type: none"> AM 2.1: The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level (Schedule to Clause 44.06 – No substitute specified). AM 2.2: A building is sited to ensure the site best achieves the following (Schedule to Clause 44.06 – No substitute measure applies): <ul style="list-style-type: none"> The maximum separation distance between the building and the bushfire hazard. The building is in close proximity to a public road. Access can be provided to the building for emergency service vehicles. AM 2.3: A building is designed to reduce the accumulation of debris and entry of embers (Schedule to Clause 44.06 – No substitute measure – 53.02 applies). 	<p>The Mt Buller Resort Village has high bushfire potential due to the topography and vegetation of its locale. Bushfire hazard management in this environment requires an alternative approach to that used in most other areas of Victoria. The schedule to 44.06 (BMO) in the Alpine Resorts Planning Scheme provides 'substitute approved measures' to manage bushfire hazard in the resort. The Mt Buller Resort also relies on the Mt Buller Community Bushfire Emergency Management Plan' (Mt Buller Alpine Resort Mt Buller Circling Alpine Resort 2019) (CBEMP) to provide effective alternatives to conventional BMO requirements.</p> <p>Response to AM 2.1 – Site locations in the Mt Buller village have limited options to manage bushfire risk from beyond the site. Other design options are utilised in place of managing the extended landscape.</p> <p>Response to AM 2.2 – Bushfire Hazard is high across the whole site. There is no site within the land proposed for development that has a more favourable distance between buildings and the bushfire hazard.</p> <ul style="list-style-type: none"> Design features of the development address the need to create a separation from the bushfire hazard. The roadways (including batters) have been set out below the buildings, providing a fuel free space between buildings and the bushfire hazard. An all-seasons access road is designed to connect the chalets and hotel is to Standard Road. The access road is designed to allow for emergency services vehicle access throughout the year. <p>Response to AM 2.3 – All buildings on site will be designed to BAL-40 or otherwise as agreed with CFA which provides for a high standard ember protection. The scale of the buildings above the tree line and the site management</p>

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	<p>requirements of the CBEMP ensure that accumulation of debris will be negligible across the development.</p>
<p>53.02 -4.2 Defendable space and construction objective:</p> <ul style="list-style-type: none"> Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings. <p>Substitute Approved Measures (as per Schedule)</p> <p>AM 3.2:</p> <ul style="list-style-type: none"> The construction of buildings must be one of the following: <ul style="list-style-type: none"> BAL-40 construction in accordance with AS3959 Building in Bushfire Prone Areas (Standards Australia). Determined by a suitably qualified and experienced practitioner that the building will be capable of withstanding an equivalent level of predicted bushfire attack and levels of exposure. A suitably qualified and experienced practitioner has the same meaning as ‘fire safety engineer’ within the Building Regulations 2006. Determined using an alternative methodology to the satisfaction of the relevant fire authority. Buildings must be provided with defendable space to the satisfaction of the relevant fire authority. 	<ul style="list-style-type: none"> Response to AM 3.2 – The dwelling will be constructed to a BAL-40 in accordance with AS3959 Building in Bushfire Prone Areas (Standards Australia). <div data-bbox="906 678 1449 1014" style="border: 2px solid red; padding: 10px; text-align: center;"> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>
<p>53.02-4.3 Water Supply and Access Objectives:</p> <ul style="list-style-type: none"> A static water supply is provided to assist in protecting property. Vehicle access is designed and constructed to enhance safety in the event of a bushfire. <p>Substitute Approved Measures (as per Schedule)</p> <p>AM 4.2:</p> <ul style="list-style-type: none"> All buildings and works must provide access and egress arrangements which meet the requirements of the relevant fire authority. 	<ul style="list-style-type: none"> Response to AM 4.2 – The site will be connected to the Mt Buller fire hydrant system. Hydrants will be provided for each chalet and the hotel in accordance with CFA requirements. The existing access road provides an all-weather vehicle ingress and egress to the site. Passing bays along the access road allow for two-way traffic. The access road has also been designed to cater for heavy ridged vehicles.

6.8 Material Detriment

The proposal has the potential to cause material detriment to owners/occupiers of adjoining lots/parcels by virtue of noise and other outcomes of construction. However, as the works will occur outside of the peak tourist season, and conditions of the endorsed SEMP control these impacts, the material detriment will be minimal.

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7 Conclusion

This proposal is consistent with the purpose of the relevant objectives of the Alpine Resort Planning Scheme and satisfies all relevant requirements.

The proposed amendment is considered worthy of approval based on the following:

- The proposed amendment is not considered to result in any adverse effect upon the surrounding neighbours or the planned development of White Horse Village as it was originally envisioned.
- The proposed amendment is in accordance with the permitted uses and works allowed for under the existing permit.
- The proposed amendment provides a site responsive design in keeping with the existing approved development footprint. The proposed design takes into account the cultural heritage values, biodiversity values, bushfire risk, urban design considerations and geotechnical considerations already approved under the existing permit.
- The proposed amendment responds to the relevant planning policies and controls that apply to Parcel B. The proposed amendment strategically aligns with the design objectives for White Horse Village.
- The proposal is considered to be in accordance with Planning Policy Framework.

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Appendix 1 Proposal Assessment under Clause 58 – Apartment Developments

OBJECTIVES (A development must meet all these objectives)	STANDARD (SUMMARY) (A development should meet all these standards)	ASSESSMENT
CLAUSE 58-02: Urban Context		
<p>Clause 58.02-1 Urban Context objectives</p> <ul style="list-style-type: none"> To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area. To ensure that development responds to the features of the site and the surrounding area. 	<p>Standard D1</p> <ul style="list-style-type: none"> The design response must be appropriate to the urban context and the site. The proposed design must respect the existing or preferred urban context and respond to the features of the site. 	<p>An assessment of the proposal's response to the context of the site is contained in section 6.5.</p>
<p>58.02-2 Residential policy objectives</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. To support higher density residential development where development can take advantage of 	<p>Standard D2</p> <ul style="list-style-type: none"> An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. 	<p>An assessment of the proposal's compliance with the Alpine Resorts Strategic Plan 2020-2025 is contained in section 6.2.</p> <p>An assessment of the proposal's compliance with the Planning Policy Framework is contained in section 6.3.</p>

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<p>public and community infrastructure and services.</p>		
<p>58.02-3 Dwelling diversity objective</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	<p>Standard D3</p> <ul style="list-style-type: none"> Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms. 	<p>The proposed development is less than ten dwellings.</p>
<p>58.02-4 Infrastructure objectives</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Standard D4</p> <ul style="list-style-type: none"> Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure. 	<p>The proposed additional self-contained dwelling will be connected to all necessary reticulated services as it will be established directly below the floor level of the existing dwelling. The addition of the self-contained dwelling is not expected to overload the capacity of utility services and infrastructure.</p>
<p>58.02-5 Integration with the street objective</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. To support development that activates street frontage. 	<p>Standard D5</p> <ul style="list-style-type: none"> Development should be oriented to front existing and proposed streets. Along street frontage, development should: <ul style="list-style-type: none"> Incorporate pedestrian entries, windows, balconies or other active spaces. Limit blank walls. Limit high front fencing, unless consistent with the existing urban context. Provide low and visually permeable front fences, where proposed. Conceal car parking and internal waste collection areas from the street. Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance. 	<p>The proposed additional self-contained dwelling will not negatively impact the street frontage values. The understorey addition is recessed from the upper-level footprint, therefore maintaining some visibility between the buildings at the ground floor level. There is no fencing proposed with this amendment and car parking spaces are accommodated within the existing carparks.</p>

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**Clause 58.03
Site Layout**

58.03-1

Energy efficiency objectives

- To achieve and protect energy efficient dwellings and buildings.
- To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
- To ensure dwellings achieve adequate thermal efficiency.

Standard D6

- Buildings should be:
 - Oriented to make appropriate use of solar energy.
 - Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.
- Living areas and private open space should be located on the north side of the development, if practicable.
- Developments should be designed so that solar access to north-facing windows is optimised.
- Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

The additional self-contained dwelling will be obscured from solar access by the topography of the land and cabins 8, 6, and 5 to the north. Large windows have therefore been incorporated into the design to make use of available daylight.

Mount Buller is in climate zone 25 which is not identified in Table D1.

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58.03-2

Communal open space objective

Standard D7

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should

The proposed development is less than 10 dwellings and therefore there is no requirement for a communal open space.

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- To provide communal open space that meets the recreation and amenity needs of residents.
- To ensure that communal open space is accessible, practical, attractive, easily maintained.
- To ensure that communal open space is integrated with the layout of the development and enhances resident amenity..

also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings and existing small second dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

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58.03-3
Solar access to communal outdoor open space objective

- To allow solar access into communal outdoor open space.

Standard D8

- The communal outdoor open space should be located on the north side of a building, if appropriate.
- At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

The proposed development is less than 10 dwellings and therefore there is no requirement for a communal open space.

58.03-4
Safety objective

- To ensure the layout of development provides for the safety and security of residents and property.

Standard D9

- Entrances to dwellings should not be obscured or isolated from the street and internal accessways.
- Planting which creates unsafe spaces along streets and accessways should be avoided.

The entrance to the proposed self-contained dwelling is clearly visible from White Horse Village Road to the east and south of Cabin 9. The proposed access points already approved under the existing permit are not detrimentally impacted upon.

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	<ul style="list-style-type: none"> • Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. • Private spaces within developments should be protected from inappropriate use as public thoroughfares. 	
<p>58.03-5 Landscaping objectives</p> <ul style="list-style-type: none"> • To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape. • To preserve existing canopy cover and support the provision of new canopy cover. • To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat. 	<p>Standard D10</p> <ul style="list-style-type: none"> • Development should retain existing trees and canopy cover. • Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. <p>Development should:</p> <ul style="list-style-type: none"> • Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2. • Provide canopy cover through canopy trees that are: <ul style="list-style-type: none"> – Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3. – Consistent with the canopy diameter and height at maturity specified in Table D4. – Located in communal outdoor open space or common areas or street frontages. • Comprise smaller trees, shrubs and ground cover, including flowering native species. • Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space. • Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption. • Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water. • Protect any predominant landscape features of the area. • Take into account the soil type and drainage patterns of the site. 	<p>The proposed development will occur below the existing tree canopy as it is an extension under the existing dwelling. The canopy cover will not alter from what is currently approved under the existing permit. The proposal avoids the removal of additional vegetation by utilising the under-croft space below the ground floor of Cabin 9. The site area is less than 1000 square metres, and therefore requires a canopy cover of 5% of the site area. An area of vegetation to be retained is indicated in Figure 3 of the FFA (Attachment 7) which will satisfy this requirement. The retention of this vegetation is in keeping with the landscape theme and will be attractive to the residents to the dwelling. It will incorporate smaller trees, shrubs and ground cover associated with the Sub-alpine Woodland.</p>

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- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table D2 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 – 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2501 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table D3 Soil requirements for trees

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Site area	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre

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Table D4 Tree Type		
Tree Type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

58.03-6
Access objective

Standard D11

- Vehicle crossovers should be minimised.

The proposed access points already approved under the existing permit and constructed will not be altered or detrimentally impacted upon by the development of

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<ul style="list-style-type: none"> To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles. To ensure the vehicle crossovers are designed and located to minimise visual impact. 	<ul style="list-style-type: none"> Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building. Pedestrian and cyclist access should be clearly delineated from vehicle access. The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees. Developments must provide for access for service, emergency and delivery vehicles. 	<p>the self-contained dwelling.</p> <div style="border: 2px solid red; padding: 10px; text-align: center;"> <p>RECEIVED Department of Environment, Land, Water and Planning 30/09/2024</p> </div>
<p>58.03-7 Parking location objectives</p> <ul style="list-style-type: none"> To provide convenience parking for resident and visitor vehicles To protect residents from vehicular noise within developments 	<p>Standard D12</p> <ul style="list-style-type: none"> Car parking facilities should: <ul style="list-style-type: none"> Be reasonably close and convenient to dwellings Be secure. Be well ventilated if enclosed Shared accessways or car parks or other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway. 	<p>Car parking spaces for the development are accommodated within the existing carparks. Car parking requirements are addressed in section 5.5.1.</p>
<p>58.03-8 Integrated water and stormwater management objectives</p> <ul style="list-style-type: none"> To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. To facilitate stormwater collection, utilisation and infiltration within the development. To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from 	<p>Standard D13</p> <ul style="list-style-type: none"> Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. The stormwater management system should be: <ul style="list-style-type: none"> Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended. 	<p>As the proposed self-contained dwelling will be developed below the floor level of the existing dwelling, and is recessed from the upper-level footprint, stormwater management is considered to be facilitated by the existing dwelling under the existing permit and is not applicable.</p>

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<p>stormwater prior to discharge from the site.</p>	<ul style="list-style-type: none"> – Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas. 	
<p>Clause 58.04 Amenity Impacts</p>		
<p>58.04-1 Building setback objectives</p> <ul style="list-style-type: none"> • To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. • To allow adequate daylight into new dwellings. • To limit views into habitable room windows and private open space of new and existing dwellings. • To provide a reasonable outlook from new dwellings and existing small second dwellings. • To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents. 	<p>Standard D14</p> <ul style="list-style-type: none"> • The built form of the development must respect the existing or preferred urban context and respond to the features of the site. • Buildings should be set back from side and rear boundaries, and other buildings within the site to: <ul style="list-style-type: none"> – Ensure adequate daylight into new habitable room windows. – Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views. – Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. – Ensure the dwellings are designed to meet the objectives of Clause 58. 	<p>The setbacks for the proposed self-contained dwelling are considered appropriate within the DDO1 (section 6.5) and comply with the requirements of the standard. It is considered that the setbacks between Cabin 9 and surrounding buildings do not result in any material adverse effect. This is because the lower ground level will effectively be setback within the existing ground floor footprint of the building. Direct views into habitable rooms from White Horse Village Road to the east and south of Cabin 9 are avoided. Large windows are incorporated for the habitable rooms to ensure adequate daylight.</p>
<p>58.04-2 Internal views objective</p> <ul style="list-style-type: none"> • To limit views into the private open space and habitable room windows of dwellings within a development. 	<p>Standard D15</p> <ul style="list-style-type: none"> • Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development. 	<p>Direct views into habitable rooms from White Horse Village Road to the east and south of Cabin 9 are avoided.</p>
<p>58.04-3 Noise impacts objectives</p>	<p>Standard D16</p>	<p>There are no major roads, car parks, railways or industrial zones located in proximity to the</p>

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- To contain noise sources in developments that may affect existing dwellings or small second dwellings.
- To protect residents from external and internal noise sources

- Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.
- The layout of new dwellings and buildings should minimise noise transmission within the site.
- Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.
- New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.
- Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels:
 - Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.
- Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.
- Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

development. Noise sources for this development are limited to traffic traveling on White Horse Village Road.

There is no mechanical plant included in the proposed self-contained dwelling.

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Table D5 Noise influence area	
Noise Source	Noise Influence Area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane

Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

58.04-4

Wind impact objectives

- To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.

Standard D17

- Development of five or more storeys, excluding a basement should:
 - not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and
 - achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land
- within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.
- Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.
- Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Development is not five or more storeys and is proposed for below the floor level of the existing dwelling already approved under the existing permit. Wind impact to the proposed self-contained dwelling is considered negligible.

Table D6 Wind conditions	
Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:

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	<ul style="list-style-type: none"> • 3 metres per second for sitting areas, • 4 metres per second for standing areas, • 5 metres per second for walking areas.
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**Clause 58.05
On-Site Amenity and Facilities**

**58.05-1
Accessibility objective**

- To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D18

- At least 50 per cent of dwellings should have:
 - A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
 - A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
 - A main bedroom with access to an adaptable bathroom.
 - At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.

The proposed development is intended to be used as an extension of the existing dwelling and is in with keeping with the design of Cabin 9 approved under the existing permit.

The terrain and use of stairs in the overall development results in practical limitations in being able to provide an accessible dwelling at the understorey to the existing dwelling. The existing dwelling has been constructed before these requirements.

Table D7 Bathroom Design		
	Design Option A	Design Option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges.

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Circulation area	<p>A clear circulation area that is:</p> <ul style="list-style-type: none"> • A minimum area of 1.2 metres by 1.2 metres. • Located in front of the shower and the toilet. • Clear of the toilet, basin and the door swing. <p>The circulation area for the toilet and shower can overlap.</p>	<p>A clear circulation area that is:</p> <ul style="list-style-type: none"> • A minimum width of 1 metre. • The full length of the bathroom and a minimum length of 2.7 metres. • Clear of the toilet and basin. <p>The circulation area can include a shower area.</p>
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

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58.05-2 Building entry and circulation objectives

Standard D19

- Entries to dwellings and buildings should:
 - Be visible and easily identifiable.
 - Provide shelter, a sense of personal address and a transitional space around the entry.

The entrance to the proposed self-contained dwelling is clearly visible from White Horse Village Road to the east and south of Cabin 9. It is also clearly visible from the access stairs leading to Cabin 9. The proposed access points already approved under the existing permit are not detrimentally impacted

<ul style="list-style-type: none"> To provide each dwelling and building with its own sense of identity. To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. To ensure internal communal areas provide adequate access to daylight and natural ventilation 	<ul style="list-style-type: none"> The layout and design of buildings should: <ul style="list-style-type: none"> Clearly distinguish entrances to residential and non-residential areas. Provide windows to building entrances and lift areas. Provide visible, safe and attractive stairs from the entry level to encourage use by residents. Provide common areas and corridors that: <ul style="list-style-type: none"> Include at least one source of natural light and natural ventilation. Avoid obstruction from building services. Maintain clear sight lines. 	<p>upon by the development of the self-contained dwelling.</p> <p>Visible and safe stairs in keeping with the design of White Horse Village are provided to the understorey self-contained dwelling.</p> <p>The living space includes sources of natural light and natural ventilation.</p>
<p>58.05-3</p> <p>Private open space objective</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Standard D20</p> <ul style="list-style-type: none"> A dwelling should have private open space consisting of at least one of the following: <ul style="list-style-type: none"> An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, A balcony with an area and dimensions specified in Table D8 and convenient access from a living room. An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room. A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room. If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres. If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25. 	<p>No open space is proposed for the second dwelling. The balcony forms part of the existing dwelling approved under the existing permit. The existing balcony is in accordance with the balcony size requirements of Table D9 and due to the use of the building as a single dwelling can accommodate the open space needs of future residents.</p> <p>The balcony is accessible from the external stairs.</p>

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Table D8 Balcony size			
Orientation of dwelling	Dwelling Type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 30 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom	8 square metres	1.8m
	2 bedroom dwelling	8 square metres	2m
	3 + bedroom dwelling	12 square metres	2.4m

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Table D9 Additional living area or bedroom area	
Dwelling type	Additional Area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

58.05-4

Storage objective

- To provide adequate storage facilities for each dwelling.

Standard D21

- Each dwelling should have convenient access to usable and secure storage space.
- The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.

Table D10 Storage		
Dwelling type	Total minimum storage	Minimum storage volume within the dwelling

The proposed self-contained dwelling includes 2 bedrooms and requires a total minimum storage of 14 cubic metres. Storage areas have been provided in the bathroom, kitchen and dry skis room and are in accordance with this standard.

Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

**Clause 58.06
Detailed Design**

<p>58.06-1 Common property objectives</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	<p>Standard D22</p> <ul style="list-style-type: none"> Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management. 	<p>Car parking is allocated in the existing car parks approved under the existing permit. As the proposed self-contained dwelling is intended to be used as an extension to the existing dwelling, there will be no management difficulties in areas of common ownership as it will be owned under one proponent.</p>
<p>58.06-2 Site services objectives</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Standard D23</p> <ul style="list-style-type: none"> Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically. Meters and utility services should be designed as an integrated component of the building or landscape. Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development. 	<p>The existing dwelling provides these services, and the extension will be incorporated into the existing services.</p>
<p>58.06-3 Waste and recycling objectives</p> <ul style="list-style-type: none"> To ensure dwellings are designed to encourage waste recycling. 	<p>Standard D24</p> <p>Developments should include dedicated areas for:</p> <ul style="list-style-type: none"> Waste and recycling enclosures which are: <ul style="list-style-type: none"> Adequate in size, durable, waterproof and blend in with the development 	<p>Waste and recycling methods and enclosures are approved under the existing permit and will not be affected by the addition of the self-contained dwelling. No additional bins will be sought.</p>

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- To ensure that waste and recycling facilities are accessible, adequate and attractive.
- To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm

- Adequately ventilated
- Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

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58.06-4

External walls and materials objective

- To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.
- To ensure external walls endure and retain their attractiveness.

Standard D25

- External walls should be finished with materials that:
 - Do not easily deteriorate or stain.
 - Weather well over time.
 - Are resilient to the wear and tear from their intended use.
- External wall design should facilitate safe and convenient access for maintenance.

A proposed schedule of materials and finishes are included in the architectural drawings in Attachment 3 and comply with the requirements of DDO1 and the standard.

The walls of the proposed self-contained dwelling will be constructed with the same material finish as the existing structure and will weather well over time. The recessed design will aid in the resilience of the materials from wear and tear.

As the design is inset into the ground, access for maintenance will be safe and convenient.

Clause 58.07 Internal Amenity

58.07-1

Functional layout objective

- To ensure dwellings provide functional areas that meet the needs of residents.

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Standard D26

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D11.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D11 Bedroom dimensions		
Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

Table D12 Living area dimensions		
Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Two bedrooms are proposed in the self-contained dwelling. Bedroom 5 meets the internal dimensions, however bedroom 4 does not meet the 3 x 3 metre requirements.

The living space provides more than the required area dimensions, and as it is intended that users of the self-contained dwelling will also be able to use the floor above, we consider that the proposed size of bedroom 4 will meet the needs of the residents.

58.07-2

Room depth objective

- To allow adequate daylight into single aspect habitable rooms.

Standard D27

- Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.
- The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
 - The room combines the living area, dining area and kitchen.
 - The kitchen is located furthest from the window.
 - The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The depth of the single aspect, open plan, habitable room is 8 metres, which equals more than 2.5 times the ceiling height. This is acceptable as:

- The room includes the living area, kitchen, and area for dining.
- The kitchen is located furthest from the window.
- The ceiling height is Ceiling height is 2.7m from finished floor level to finished ceiling level.

	<ul style="list-style-type: none"> The room depth should be measured from the external surface of the habitable room window to the rear wall of the room. 	
<p>58.07-3 Windows objective</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows 	<p>Standard D28</p> <ul style="list-style-type: none"> Habitable rooms should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be: <ul style="list-style-type: none"> A minimum width of 1.2 metres. A maximum depth of 1.5 times the width, measured from the external surface of the window. 	<p>Habitable rooms have windows in the external walls of the building that meet the requirements of the standard.</p>
<p>58.07-4 Natural ventilation objectives</p> <ul style="list-style-type: none"> To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings. 	<p>Standard D29</p> <ul style="list-style-type: none"> The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate. At least 40 per cent of dwellings should provide effective cross ventilation that has: <ul style="list-style-type: none"> A maximum breeze path through the dwelling of 18 metres. A minimum breeze path through the dwelling of 5 metres. Ventilation openings with approximately the same area. The breeze path is measured between the ventilation openings on different orientations of the dwelling. 	<p>Natural ventilation is encouraged in the in the self-contained dwelling with the central location of two large windows in the living space.</p>

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