

Mountain
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TOWN PLANNING REPORT

Proposal: Buildings and works for an extension to existing building
Address: 4 Athletes Walk, Mt Buller
Applicant: Mountain Planning
Date: August 2022

Executive Summary

Subject Land	4 Athletes Walk, Mt Buller (Allotment 2008, Parish of Changue East)
Area of Land	899m ²
Proposal	Buildings and works for an extension to existing building (extension to existing balconies)
Zone	Comprehensive Resort Development Zone – Schedule 1
Overlays	Bushfire Management Overlay – Schedule 1 Erosion Management Overlay – Schedule 1 Design and Development Overlay - Schedule 1 (Area 1)
Planning Permit Triggers	Clause 4.1 of Schedule 1 to the Comprehensive Resort Development Zone
Summary of Merits	<ul style="list-style-type: none">- The proposed development will enhance the existing apartment building and provide options for year-round utilisation of the site, diversifying the uses in the area and facilitating the creation of a vibrant village.- The proposed balconies will enhance safety for guests.- The proposal is small and unlikely to generate any adverse amenity impacts.- The development fully complies with the Mt Buller Resort Village Design Guidelines 2014.

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2. Introduction

This report has been prepared by Mountain Planning on behalf of the lessee to support a planning permit application to the Minister for Planning to build an extension on the existing apartment complex at 4 Athletes Walk, Mt Buller. The extent of works is limited to the extension of four existing first floor balconies.

The land is zoned Comprehensive Resort Development Zone – Schedule 1 and is covered by:

- Bushfire Management Overlay – Schedule 1
- Erosion Management Overlay – Schedule 1
- Design and Development Overlay - Schedule 1(Area 1)

This application is accompanied by:

- Development plans
- Copy of title

This report addresses the relevant provisions of the Alpine Resorts Planning Scheme, including the Planning Policy, the Alpine Resorts Planning Strategy and local planning policies.

2.1 Permit requirements under the Alpine Resorts Planning Scheme

The following provisions of the Alpine Resorts Planning Scheme trigger a planning permit in this instance:

- To carry out buildings and works pursuant Clause 4.1 of Schedule 1 to the Comprehensive Development Zone.

2.2 Cultural Heritage Management Plan

The subject land is located within an area of Cultural Heritage Sensitivity. However, the proposal is not a high impact activity as there will be no works undertaken at a ground level.

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3. Subject Land and Surrounds

3.1 Subject Land

The subject land is formally known as Allotment 2008, Parish of Changue East. The land is located at 4 Athletes Walk, Mt Buller and is located on the northern side Athletes Walk and on the southern side of Summit Road. The land is irregular in shape. The total area of the subject land is approximately 899m².

A copy of the title is provided as Attachment A.

Located centrally on the allotment is Molony's Apartments. The building has a commercial area (Class 6) and also 16 residential sole occupancy units (Class 2). The building consists of four levels: lower ground, ground, first floor & second floor.

The existing building is a large brick building with a metal-sheeting facade and rock walling on the lower levels.

The existing building has dimensions of approximately 45m by 31m by 43m by 7m.

The location of the subject land is shown in Figure 3.1.

The subject land in the context of the existing use is shown the following figures.



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Figure 3.1: Location of subject land



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Figure 3.2: Aerial image of the subject land and surrounds

Photos of the subject land and surrounds are provided in the figures below.



Figure 3.3: Subject building showing existing roofing and balconies to be replaced



Figure 3.4 Subject building showing existing roofing and balconies to be replaced

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Figure 3.5: Subject building showing exiting roofing and balconies to be replaced

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4. The Development

It is proposed to build an extension on the existing building comprising of larger balconies on the first floor. The existing roofing will also be replaced.

It could be argued that while the proposed balconies are larger than the existing balconies, they do not increase site coverage of the overall scale of the building and as a result, these works are exempt under Clause 4.1-1 which states:

A planning permit or site development plan approval is not required for the following buildings and works (excluding the removal, lopping or destruction of native vegetation):

- Building alterations that do not increase site coverage, building height, or the scale of the existing building including re-roofing, recladding, making or altering of any opening in a wall for windows or doors and the like.

However, the exemption does not go as far as specifically referencing balcony extensions and therefore, we consider that a planning permit is required. The re-roofing below the proposed balconies is exempt from a permit however.

Plans of the proposed development are provided in the following figures. Note that there are no works proposed on the existing lower ground level, ground level or second floor.

The full set of development plans is provided as Attachment

Figure 4.1: Existing lower ground floor plan (no works proposed)



B to this report.

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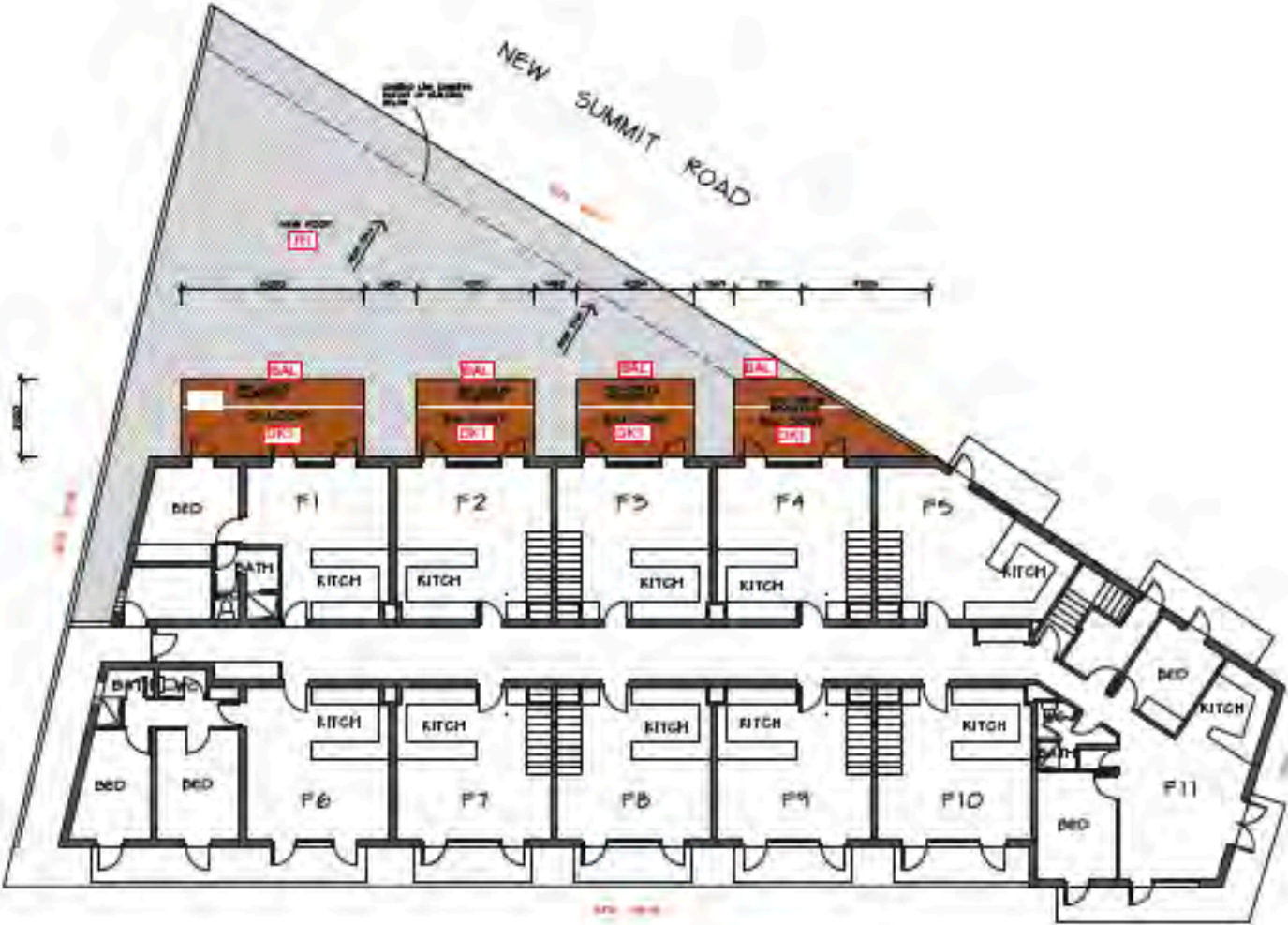


Figure 4.3: Proposed first floor plan with balcony extensions shown

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Figure 4.4: Existing second floor plans (no works proposed)

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5. Planning Scheme Controls

5.1 Zone

The site is located within the Comprehensive Resort Development Zone – Schedule 1 (CDZ1) of the Alpine Resorts Planning Scheme. Figure 5.1 shows the zoning of the subject land and surrounds.

Figure 5.1: Zoning of the subject land and surrounds



The relevant purposes of the CDZ1 are:

- 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 provide for the integrated development of land in accordance with a comprehensive development plan incorporated in this scheme.

Pursuant to Clause 4.1 of the CDZ1 a planning permit is required to construct a building or construct or carry out works.

Clause 4.1-1 details exemptions whereby:

A planning permit or site development plan approval is not required for the following buildings and works (excluding the removal, lopping or destruction of native vegetation):

- Building alterations that do not increase site coverage, building height, or the scale of the existing building including re-roofing, recladding, making or altering of any opening in a wall for windows or doors and the like.

As a result, we submit that the proposed new balconies that are slightly larger than the existing balconies are the only

trigger for a planning permit in this instance and that, overall, the proposed development is site responsive, it responds to the existing conditions of the land, and the proposal is well supported by the CDZ1.

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5.2 Mt Buller Alpine Resort Village Design Guidelines 2014

The Mt Buller Alpine Resort Village Design Guidelines 2014 ('the Guidelines') are a reference document under the Design and Development Overlay (DDO1). The Guidelines have similar controls to the DDO1 but are more prescriptive on architectural design. The relevant provisions within the Guidelines include the following:

- Façade design should display a consideration of the building's appearance on all sides of the building, as there are very few buildings in the Village with only a 'front' and 'back'.
- Large smooth surfaces and sheer walls that comprise the majority of the façade should be avoided. Plan offsets should be accompanied by changes in roof pitch orientation.
- Roof surfaces should be profiled metal, corrugated iron and be non-reflective and muted tones.
- Roof colours should be selected and textured to blend the building into the landscape.
- Protection of pedestrian, walkways and driveways from snow shedding should be handled by building gable

ends, porches, and/or balconies over entrances and/or using traditional snow retention devices.

Having regard to these provisions we submit the following:

- The proposed works enhance the facade and usability of the existing building.
- The new roofing will be Colorbond in 'Woodland Grey' and will utilise existing snow diverters.
- The areas for snow shedding are within the subject land and are of sufficient size and area to accommodate all snow shedding.

Overall, we find that the proposed development is generally in accordance with the Guidelines.

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5.2 Overlays

The subject land is covered by the following overlays:

- Bushfire Management Overlay – Schedule 1
- Erosion Management Overlay – Schedule 1
- Design and Development Overlay – Schedule 1

The overlays are discussed in the following sections.

5.2.1 Bushfire Management Overlay – Schedule 1

The subject land is covered by Schedule 1 to the Bushfire Management Overlay (BMO). As per Clause 44.06-2, a permit is not required for buildings and works where:

An alteration or extension to an existing building (excluding a dwelling and a dependent person's unit) that is less than 10 percent of the gross floor area of the existing building.

As the proposed works comprise less than 10% of the existing Molony's Apartments' gross floor area, a planning permit is not triggered under the BMO.

5.2.2 Design and Development Overlay – Schedule 1 Area 2

The re-roofing and recladding of an existing building is exempt from a planning permit pursuant to Clause 2.0 of Schedule 1 to the Design and Development Overlay.

Table 5.1 below lists the decision guidelines and provides a response of compliance for the proposed extensions.

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Table 5.1: Clause 6.0 Schedule 1 Decision Guidelines and responses.

Clause 6.0 relevant issues	Response
The extent to which the development meets the objectives of the overlay and the Mt Buller Alpine Resort Village Design Guidelines, 2014 and the Mt Buller Master Plan 2010 (revised 2014).	These have been addressed elsewhere in this report.
Whether the proposed development adversely impacts on the amenity of the adjacent buildings and public areas.	The location of the proposed extensions will not impact adjacent buildings or public areas.
<p>Whether the proposed development is designed and sited:</p> <ul style="list-style-type: none"> • to ensure that snow shed from the development will be retained within the site boundaries. • to ensure the maximum retention of significant vegetation on the site, especially stands of snow gums. • to be compatible with the scale and nature of surrounding development. • to sit well within the alpine landscape, by stepping with natural grades and harmonising with the character of the surrounding landscape. • to respond to year round climatic conditions and the range of visitor needs and interests. 	<p>Snow shed for the proposed extensions is within site boundaries as shown on attached plans.</p> <p>There is no vegetation on the subject land.</p> <p>The balconies will be responsive to climactic conditions.</p>
The topography and slope of the site.	No ground works are proposed.
Provides for free movement of skiers and pedestrians into and around the site and enhances connections to the Village public spaces and ski fields	The proposed works will not impact skier or pedestrian movement as no works are proposed at lower ground or ground lever.

5.2.3 Erosion Management Overlay – Schedule 1

Pursuant to Clause 3.0 of Schedule 1:

A permit or site development plan approval is not required for the following buildings and works (excluding the removal, lopping or destruction of vegetation):

- Building alterations comprising:
 - non-structural alterations to the exterior of a building
- Building alterations that do not increase site coverage, building height, or the scale of the existing building including re-roofing, recladding, making or altering of any opening in a wall for windows or doors and the like.

We submit that the proposed works are non-structural alterations and do not increase the site coverage, building height or scale of the existing building and, as such, a permit is not required.

Even if the Minister determined that a permit trigger did exist we submit that there are no ground works and therefore the proposal complies with the EMO and a geotechnical assessment is not required.

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5.3 Planning Policy Framework

The Planning Policy Framework (PPF) comprises general principles and objectives of planning in Victoria which planning authorities must take into account and give effect to.

The following PPF policies are considered relevant to the proposed development.

- Clause 11.01-1L – Alpine Villages
 - Promote development within the villages on existing and new lease sites to achieve the consolidation of settlement.
 - Encourage the redevelopment of under-utilised sites to optimise development potential within the village.
 - Encourage a range of residential accommodation types and densities to cater for the needs of the permanent and visitor population.
- Clause 11.01-1L – Mt Buller Village
 - Consolidate development within the Village and provide a range of non-residential uses.
- Clause 12.04-1L – Sustainable development – Mt Buller Alpine Resort
 - Maintain the character of the resort and its relationship to the broader natural and cultural landscape of Mt Buller and Mt Stirling.
- Clause 15.01-2L – Built form in alpine resorts
 - Preserve the scale, materials and character and sense of place in the villages.
 - Encourage buildings to provide a sense of address and identity to streets, pathways and public spaces.
 - Manage snow shed within the site so that it does not fall on pathways or block building entries.
 - Provide façades that respect the village character through rhythm, scale, architectural features, fenestration and materials, as viewed from all sides of the building.
 - Avoid long and monolithic built form by breaking buildings into smaller elements.
 - Design roofs to contain snow or to shed it onto safe areas within the site.
 - Use building materials, finishes and colours that blend in with the natural alpine environment.

The proposed development is consistent with the PPF for the following reasons:

- The proposal complies with the Comprehensive Development Plan.
- The design respects the character of the area.
- The works maintain the character both of the existing building and the resort.
- The balconies help to reduce the visual bulk of the building by breaking it into smaller elements.

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6. Conclusion

It is proposed to replace existing balconies with larger balconies and to re-roof the existing building at 4 Athletes Walk, Mt Buller, known as Molony's Apartments. This revitalisation of the building will enhance safety and facilitate the usage of the building year-round.

Our assessment has found the following:

- A planning permit is required for only the buildings and works associated with the proposed balcony extensions. These works will enhance the usage of the existing building and encourage year-round visitation to the village.

Having regard to the relevant matters of the Alpine Resorts Planning Scheme we find that the proposal is acceptable and it is therefore requested that the Minister support this application with the issue of a planning permit.

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