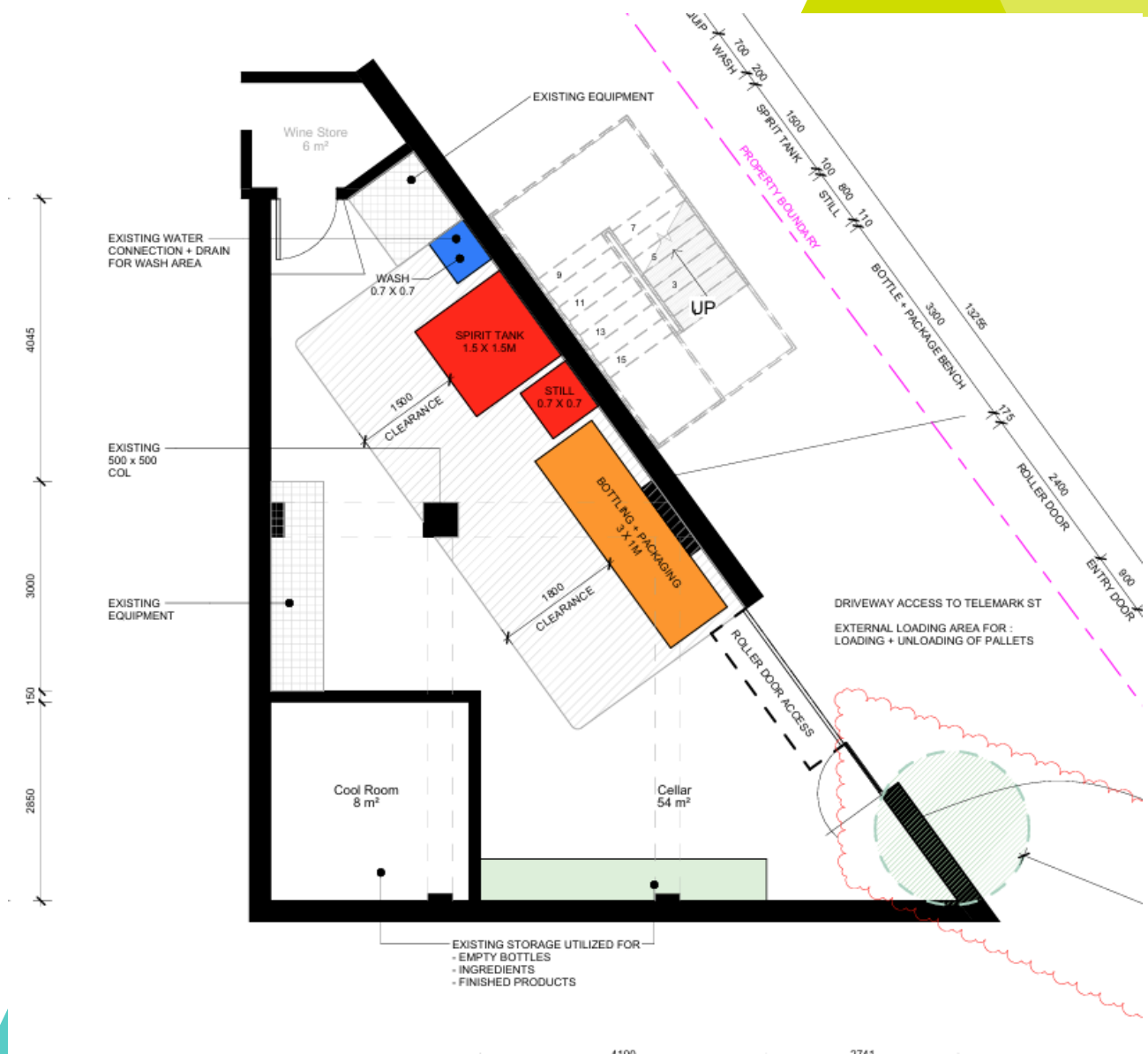


PA2604329 – Officer report
(CA 37), 1 Telemark Street, Falls Creek



Officer Assessment Report
Development Assessment

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Department
of Transport
and Planning

OFFICIAL

Executive Summary

Key information	Details		
Application No.:	PA2604329		
Received:	9 April 2026		
Statutory Days:	79 (as of 27 July 2026)		
Applicant:	Richard Hoxley, c/- Crowther & Sadler Pty Ltd		
Planning Scheme:	Alpine Resorts		
Land Address:	(CA 37), 1 Telemark Street, Falls Creek		
Proposal:	Use of the land for industry		
Development value:	Nil		
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Alpine Resorts Planning Scheme (the Scheme), the Minister for Planning is the Responsible Authority for administering and enforcing the Alpine Resorts Planning Scheme		
Why is a permit required?	Control	Clause	Trigger
Zone:	Comprehensive Development Zone Schedule 1 (CDZ)	Clause 37.02-4	Use of the land for industry
Overlays:	Design and Development Overlay Schedule 2, Area 1 (DDO2-A1)	Clause 43.02-2	No permit triggered (no buildings or works proposed)
	Erosion Management Overlay Schedule 1 (EMO1)	Clause 44.01-2	No permit triggered (no buildings or works proposed)
	Bushfire Management Overlay Schedule 1 (BMO1)	Clause 44.06	No permit triggered (no buildings or works proposed)
Particular Provisions:	Car parking	Clause 52.06	No permit triggered.
Cultural Heritage	The site is not included in an area of Aboriginal heritage cultural sensitivity.		
Referral authorities	Alpine Resorts Victoria (ARV) – s.55 – determining, Clause 7.0 of Schedule 1 to CDZ (37.02) AusNet Services – determining, Clause 7.0 of Schedule 1 to CDZ (37.02) Elgas – determining, Clause 7.0 of Schedule 1 to CDZ (37.02) Goulburn-Murray Water (GMW) – determining, Clause 66.02-5 (Special Water Supply Catchment Area).		
Notice	ARV – s.52 notice, pursuant to Clause 8.0 of Schedule 1 to CDZ (37.02) for ‘any use or development’. Alpine Shire Council – s.52 notice, pursuant to Clause 8.0 of Schedule 1 to CDZ (37.02) for ‘any use or development’.		
Public Notice	Notice of the application was required to be undertaken. No objections have been received to date.		
Delegates List	Not required.		



1. The key milestones in the process of the application were as follows:

Milestone	Date
Pre-application meeting	N/A
Application lodgement	9 April 2026
Further information requested	17 April 2026
Further information received	8 May 2026
Further plans submitted (formally under section 50 of the Act)	N/A
Further informally substituted sketch plans submitted (date)	N/A
Decision Plans	- Architectural Plans, prepared by Sendit.Archi and dated 23 March and 5 May 2026 (11 sheets) - Waste Management Plan (WMP), prepared by The Man Hotel and dated 4 May 2026 (3 sheets) - Planning Report, prepared by Crother and Sadler and dated 8 April 2026 (6 sheets) - RFI letter of reply, prepared by Crowther and Sadler and dated 8 May 2026 (3 sheets) - Title - Application Form.

2. The subject of this report is the decision plans (as described above).

- [illegible]

[illegible]

(CA 37), 1 Telemark Street, Falls Creek

Subject Site and Surrounds

Site Description

5. The subject site is formally described as Crown Allotment 37, Section A, Parish of Darbalang and otherwise known as 1 Telemark Street, Falls Creek. The subject land is developed with a three storey building known as “The Man Hotel” providing food and beverages, live entertainment and accommodation
6. The site is irregular in shape and is located at the end of Telemark Street. The existing cellar is located to the south/eastern section of the existing building. (Refer to Figure 3 for location of proposed distillery).
7. The site adjoins ski lodges used for accommodation to the east, north west and south. The site adjoins unleased Crown land to the west, managed by the Alpine Resorts Victoria (ARV).

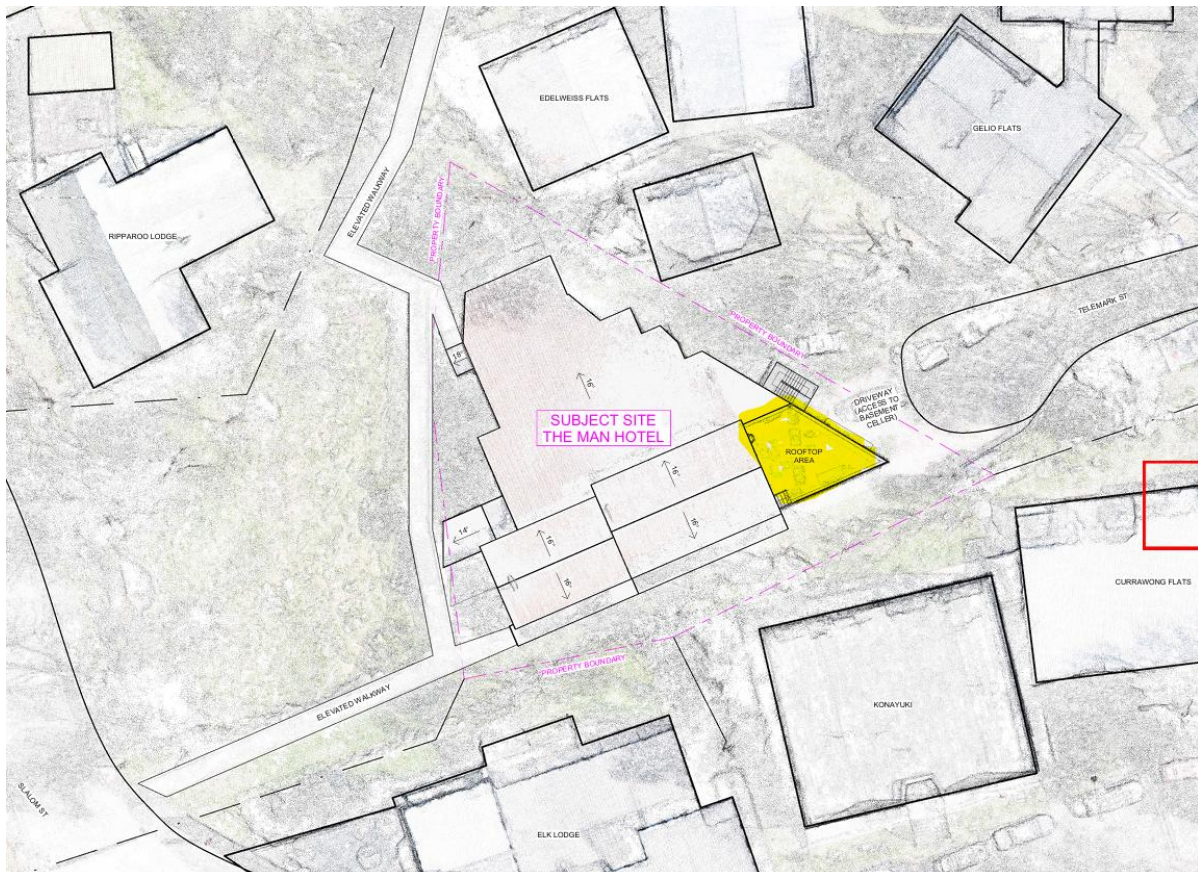


Figure 3: Site context and footprint of proposed distillery highlighted in yellow (Source: Application and modified by DTP).



Planning Policy Framework

10. The Planning Policy Framework (PPF) provides the broad policy direction within the Victoria Planning Provisions. The planning principles set out under the PPF are to be used to guide decision making on planning proposals across the state.
11. The following policies are considered relevant to this application:

Clause no.	Description
02-03-6	Economic development
13.07-1S	Land use compatibility
17.02-1S	Business

Local Planning Policy Framework

12. The Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF) within Planning Schemes across Victoria outline principal characteristics of a given municipality (municipal profile) and provide specific visions, goals, objectives, strategies and implementation plans.
13. The MSS within the Alpine Resorts Planning Scheme identifies the objectives and strategies for the Falls Creek alpine resort.
14. The following clauses are relevant:

Clause no.	Description
11.01-1L	Alpine villages – Falls Creek
17.04-1L	Falls Creek tourism

15. The assessment section of this report provides an assessment of the relevant planning policies.

Statutory Planning Controls

Clause 37.02 – Comprehensive Development Zone, Schedule 1 (CDZ1)

16. The land is affected by the CDZ1.
17. A planning permit is triggered to use the land for 'industry'. Clause 73.03 defines "Industry" as:

'Land used for any of the following operations:

a) Any process of manufacture.

If on the same land as any of these operations, it also includes:

- a) storing goods used in the operation or resulting from it;*
- b) providing amenities for people engaged in the operation;*
- c) selling by wholesale, goods resulting from the operation; and*
- d) accounting or administration in connection with the operation.'*

18. 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 practices, 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.

Clause 43.02 – Design and Development Overlay, Schedule 2, Area 1 (DDO2-A1)

19. A planning permit is **not** triggered pursuant to the DDO2 because the proposal does not include any buildings and works. Consideration of the DDO2 is therefore not required.

Clause 44.01 – Erosion Management Overlay, Schedule 1 (EMO1)

20. A planning permit is **not** triggered pursuant to the EMO1 because the proposal does not include any buildings and works. Consideration of the EMO1 is therefore not required.

Clause 44.06 – Bushfire Management Overlay, Schedule 1 (BMO1)

21. A planning permit is **not** triggered pursuant to the BMO1 because the proposal does not include any buildings and works. Consideration of the BMO1 is therefore not required.

Particular Provisions

Clause 52.06 – Car parking

22. Clause 52.06 states that a permit is not required to reduce the minimum number of car parking spaces required for a new use if the following requirements are met:

‘The number of car parking spaces required under clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.’

23. The existing use is ‘food and drink premises’ which requires 4 car spaces to each 100 square metres of net floor area.
24. The proposed ‘industry’ use requires 2.9 spaces to each 100 square metres of leasable floor area. The leasable floor area for the distillery is 54 sqm and therefore, 1 car parking spaces is required. However, given 2 car spaces are required for the existing use (food and drink premises), a permit is not triggered pursuant to Clause 52.06 because the number of car parking spaces required for the proposed use is less than that of the existing use. Consideration of car parking requirements is therefore not required.

Operational Provisions

Clause 65.01 – Approval of an application or plan

25. Clause 65 sets out the decision guidelines that the responsible authority must consider before deciding on an application, including the proposal's effect on the amenity of the area.

Clause 71.02-3 – Integrated decision making

26. Clause 71.02-3 outlines that planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.



Referrals

27. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Section 55 Referral – Determining – Clause 7.0 of Schedule 1 to CDZ (37.02) for ‘any use or development which requires connection to reticulated services’.	Alpine Resorts Victoria, (ARV)	No objection subject to conditions. Received 4 June 2026.
Section 55 Referral – Determining – Clause 7.0 of Schedule 1 to CDZ (37.02) for ‘any use or development which requires connection to reticulated services’.	AusNet Services	No objection and no conditions. Received 1 June 2026.
Section 55 Referral – Determining – Clause 7.0 of Schedule 1 to CDZ (37.02) for ‘any use or development which requires connection to reticulated services’.	Elgas	No response.
Section 55 Referral – Determining – Clause 66.02-5 to ‘use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a declared Special Area classified as a Special Water Supply Catchment Area under the Catchment and Land Protection Act 1994 and which provides water to a domestic supply’.	Goulburn Murray Water	No objection and no conditions. Received 20 April 2026.

Notice

28. The application is not 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 Planning and Environment Act 1987 pursuant to the following provisions:
- Schedule 1 to Clause 37.02 (CDZ)
29. Clause 8.0 of Schedule 1 to CDZ (Clause 37.02) requires notice be given to the ‘relevant Resort Management Board and relevant adjoining Municipal Council’ for any use or development.
30. Notice was given to the ARV and Alpine Shire Council on 17 April and 20 May 2026 respectively. On 15 May 2026, the ARV responded stating no objection subject to conditions. On 4 June 2026, the ARV provided a revised response, essentially deleting some of the earlier conditions, after acknowledging that they could not be included given there is no buildings and works proposed. No response has been received from Alpine Shire Council to date.
31. The applicant was directed to advertise the application by giving notice to the leaseholders and occupiers of 8 properties, notice be displayed at the street frontage and a notice be erected at the Falls Creek Alpine Resort office. No objections have been received to date.



Planning Policy

Consistency with State and Local Planning Policies

32. Broadly, the planning policies relevant to this application encourage the sustainable use and development of the Alpine areas for year-round use and activity, encourage tourism development and ensure that development respects the Alpine character.
33. The specific policies relevant to Falls Creek that apply, and a response to them, is provided as follows:
- The proposed use will maintain commercial and service facilities to meet the needs of all visitors and facilitate the right mix of commercial, retail, accommodation for the ongoing viability of resorts for year-round destination (Clause 02.03-6).
 - The proposal will encourage mixed use development to provide a range of major tourist facilities, commercial and retail uses, visitor services and high density residential accommodation (Clause 11.01-1L).
 - The low scale use as a distillery will facilitate appropriate commercial and industrial uses with potential adverse off-site impacts (Clause 13.07-1S).
 - The proposed use will provide net community benefit by being viable, accessible and efficient with its use of infrastructure (Clause 17.02-1S).
 - The proposed use will support tourism and adds to a multi-purpose venue within Falls Creek Village (Clause 17.04-1L).
34. The following section of this report will detail the key issues in this matter in light of relevant planning policy and controls.

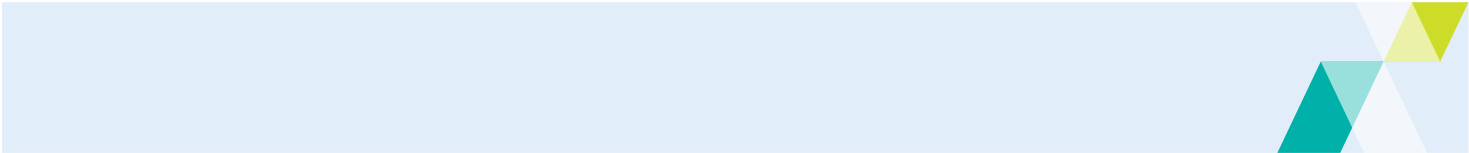
Zoning and land use

35. The proposal meets the relevant purpose of the CDZ1 which include:
- *To encourage development and the year round use of land for a commercially orientated, alpine resort.*
 - *To encourage development and the use of the land which is in accordance with sound environmental management and land capability practices, and which takes into account the significance of the environmental resources.*
36. The proposed commercial use will add to an existing establishment, currently providing food and drink services and accommodation to users of the existing building, thus supporting and encouraging the continuation of year-round facilities at Falls Creek. The use of an existing floor area will be utilised, thus not requiring any new buildings and works. As such, the appearance of the existing building will be maintained and remain unchanged.
37. Furthermore, being an established food and drink premises the building is well placed to accommodate the proposed use given it is connected to all necessary services. This is reflected in the referral responses from Ausnet Services, Elgas and Goulburn- Murray Water, with all 3 referral responses not objecting and not requiring any conditions be included in any permit to issue.
38. There will be no detrimental environmental impacts that arise from the proposed use, once again, given the use will operate within an existing building with no new external buildings or works required.
39. The proposed use will be of low scale and will require no more than 3 employees to operate. The production of the liquor will take effect between October and May the following year. This is outside of the snow season. A condition of permit will require that this is adhered to, unless further consent is obtained.

Environmental Considerations

Waste

40. A Waste Management Plan (WMP) was prepared which demonstrates how waste generated by the proposed distillery will be minimised, stored, handled and disposed of. It demonstrates that waste will be disposed of in a manner that protects the alpine environment, avoids off-site impacts, and complies with Victorian planning and EPA requirements.

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41. The ARV reviewed the WMP and did not raise any concerns. As such, a condition of permit will require that waste management and collection must be carried out in accordance with the requirements of the endorsed Waste Management Plan to the satisfaction of the Falls Creek Alpine Resort.

Potential adverse impacts

42. Numerous questions were raised to determine whether the proposed use required referral to the EPA or consideration under Clause 53.10 of the Scheme.
43. Pursuant to the Table to Clause 53.10 of the Scheme, alcoholic and non-alcoholic beverage production has the potential to have adverse impacts on an education centre when production exceeds 5,000 litres per day. The proposed distillery will produce relatively low volumes of product with an expected daily average of 200 litres. With production quantities less than 5,000 litres per day a threshold distance to the Falls Creek Primary School does not apply and the application is not required to be referred to the EPA.
44. The Dangerous Goods (Handling and Storage) Regulations 2022 prescribe a fire protection quantity of alcohol to be 2,000 litres or more at 24%ABV. The proposed distillery will use a bulk quantity of neutral grain spirit. The spirit is blended with purified water and redistilled in a stainless-steel still to refine the flavour profile. The distilled spirit will be approximately 45%ABV.
45. The maximum combined quantity of neutral grain spirit and distilled spirit to be stored on the premises at any time will not exceed 1,900 litres. This quantity is below the threshold of 2,000 litres and therefore will not be a fire protection quantity and will not require the application to be referred to the Victorian WorkCover Authority.
46. The above demonstrate that the proposed use is of relatively low scale and will not result in unreasonable adverse amenity impacts. Even so, a note on any permit to issue will require that prior to the commencement of the use, and/or buildings and works associated with the approved development, the permit holder must liaise with and obtain all necessary approvals from the Environmental Health Officer for Falls Creek in relation to the requirements of the *Food Act 1984 (Vic)*.
47. Furthermore, additional conditions will be included, as requested by the ARV around services, amenity impact's and operational details to further ensure the use is conducted appropriately without any unreasonable amenity impacts.

Recommendation



48. The development is generally consistent with the relevant planning policies of the Alpine Resorts Planning Scheme and will provide a low scale commercial use which is encouraged in Falls Creek Village.
49. The proposal is supported by the ARV and other referral authorities, subject to conditions.
50. Concurrent with the issue of the permit, the following plans will be endorsed:
 - Condition 3 - Architectural Plans prepared by Sendit Archi dated 5 May 2026
 - Condition 6 - Waste Management Plan prepared by The Man Hotel dated 4 May 2026.
51. **It is recommended that a Permit be** issued for Application No. PA2604329 being for Use of the land for industry at (CA 37), 1 Telemark Street, Falls Creek, subject to conditions.



Prepared approved by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

☒ **No Conflict**

☐ Conflict and have therefore undertaken the following actions:

☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form.**

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name:

Title:

Signed:

Phone:

Dated: 27 July 2026

Reviewed by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

☒ **No Conflict**

☐ Conflict and have therefore undertaken the following actions:

☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form.**

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.

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Name:

Title:

Signed:

Phone:

Dated: 27 July 2026

