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Planning Report

Section 72 Amendment
Chalet 14, Lot 7, Whitehorse Village, Mount Buller

Draft Report

Prepared for Peter Warner

23 September 2026

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- Victorian Government Department of Transport and Planning.

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- Luciano Solomon (Report Writer)
- Charlotte Kitchin (Quality Assurance)
- Sally Mitchell (GIS Consultant)

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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

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1.1 Background

Biosis Pty Ltd (Biosis) has been engaged by Interlandi Mantesso Architects (IMA) on behalf of Peter Warner (the 'applicant') to prepare this report in support of a planning application to amend planning permit 201529926-16 (existing planning permit or planning permit) under Section 72 of the *Planning and Environment Act 1987* (PE Act).

Planning permit 201529926-16 relates to the larger tract of land referred to as 'Whitehorse Village', comprising Crown Allotment 2017 and Crown Allotments 2031 (Parcel D), 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 (Whitehorse Village or permit land).

This application is made in relation to the sub-lease area of Chalet 14 (WHV-14) within Lot 7 of Parcel 2017 of Whitehorse Village (the 'site'). See Figure 1.

This Section 72 amendment application seeks to amend the endorsed architectural plans for the existing, constructed Chalet 14 under Planning Permit 201529926-19 to give effect to the following changes to the approved built form of Chalet 14 (the 'proposal'):

- Extending the basement level to align with the floor above, to accommodate a new spa room.
- Enclosing the First and Second Floor balconies to increase internal floor area.
- Reversing the roof pitch to improve viewlines to the east and towards Bourke Street.
- Increasing glazing to the First and Second Floors to enhance outlook and natural light.
- Constructing a new roof over the entry passage to provide weather protection, consistent with the alpine character of the development.

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The proposed changes are all contained within the existing building footprint as shown on the amended plans and do not alter the approved siting or overall development envelope. The modification to roof form is limited to a reversal of the roof pitch. As a result, the development maintains the established built-form character of Whitehorse Village. 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 (Mount Buller) 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 Land, the removal of vegetation and reduction in the car parking requirements.

Since its approval, Planning permit 201529926 has been amended on the following occasions:

- 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 (Permit no. 201529926-5)
- 9 September 2022 (Permit no. 201529926-6)
- 21 November 2023 (Permit no. 201529926-7)
- 24 November 2023 (Permit no. 201529926-8)
- 9 May 2024 (Permit no. 201529926-9)
- 2 July 2024 (Permit no. 201529926-10)
- 30 July 2024 (Permit no. 201529926-11)
- 19 August 2024 (Permit no. 201529926-12)
- 19 September 2024 (Permit no. 201529926-13)
- 23 December 2024 (Permit no. 201529926-14)
- 7 February 2025 (Permit no. 201529926-15)
- 24 October 2025 (Permit no. 201529926-16) (the existing permit).

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2 Site context

2.1 Location

The site is located within Lot 7 of Crown Allotment 2017 (Parcel 2017) of Whitehorse Village at Mount Buller Alpine Resort. Whilst the permit applies to all of Whitehorse Village, this amendment application relates solely to land within the sub-lease boundary of Chalet 14 (WHV-14) (the 'site'). See Figure 1.

Chalet 14 is positioned at the eastern end of the Lot 7 chalet row within Parcel 2017, adjacent to the existing substation. As shown on the amended IMA drawings (Attachment 3), it is the easternmost of the four chalets in the Lot 7 row (Chalets 11, 12, 13 and 14), which alongside a variety of other chalets front the Bourke Street ski run to the north.

2.2 Surrounding area

The site is situated within the built environment of Mount Buller Alpine Resort. Chalet 14 (WHV-14) has been constructed in accordance with the existing planning permit and endorsed plans. This Section 72 amendment application therefore relates to renovations to the existing, built chalet.

The existing chalet is a four-level building (basement, ground floor, first floor and second floor) situated on a natural slope that rises to the north-west. It is accessed via a driveway from Whitehorse Lane to the south. The building is at an elevation of approximately 1,648–1,657 metres above natural ground level.

The surrounding area includes the existing Chalets 11, 12 and 13 immediately to the west, the existing substation to the east, Chalets 8, 9 and 10 (Type F) to the south-east, and the Bourke Street ski run to the north.

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2.3 Land tenure

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

Whitehorse Village (including the site) is Crown land operated by Grollo Group under lease arrangements with Alpine Resorts Victoria (ARV). The site (land within the sub-lease boundary of Chalet 14) is sub-leased from the Grollo Group by the applicant.

2.4 Current land use

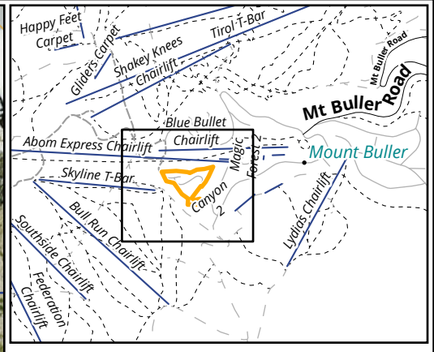
The site is currently used for Residential / Accommodation. Chalet 14 has been constructed in accordance with the existing planning permit and current endorsed plans.

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Legend

- White Horse Village
- Site - Lot 7, Chalet 14
- Lot 7

White Horse Village

- Proposed building
- Existing substation
- Proposed Buildings
- Approved building

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Figure 1 Site location, White Horse Village, Mt Buller

0 10 20 30 40 50

Metres

Scale: 1:1,600 @ A3

Coordinate System: GDA2020 MGA Zone 55

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Matter: 44455,
Date: 24 June 2026 ,
Prepared for: LS, Prepared by: SKM, Last edited by: smitchell
Layout: 44455_F1_Site
Project: P:\44400s\44455\Mapping\
44455_WHV_MtBuller_Ch14Lot7.aprx

3 Planning controls

The site is subject to the following planning controls under the Alpine Resorts (Mount Buller) Planning Scheme:

- Comprehensive Development Zone Schedule 1 (CDZ1) (Figure 2)
- Design and Development Overlay Schedule 1-A1 (DDO1-A1) (Figure 3)
- Erosion Management Overlay Schedule 1 (EMO1) (Figure 4)
- Bushfire Management Overlay Schedule 1 (BMO1) (**Figure 5**)

The site is not directly affected by the Environmental Significance Overlay Schedule 1 (ESO1), however it is within close proximity to land affected by this overlay. The proposal does not seek additional native vegetation removal and will remain within the original development footprint of the Chalet 14 sub-lease area. The ESO1 is not discussed further in this report as it is not considered directly relevant to the proposal.

3.1 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.

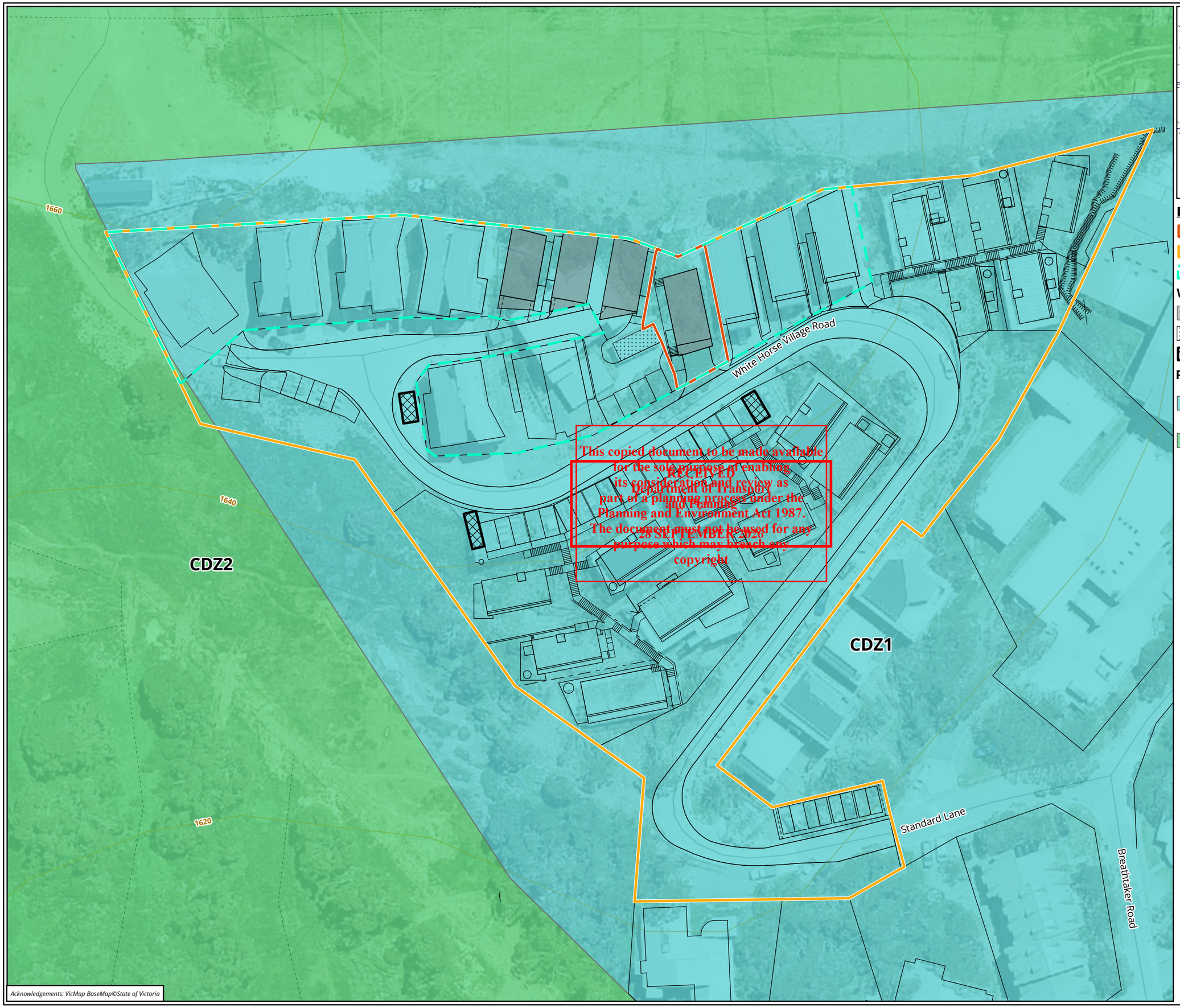
A detailed assessment of the proposal against the requirements of the Planning Scheme is provided in sections 7 and 8 of this report.

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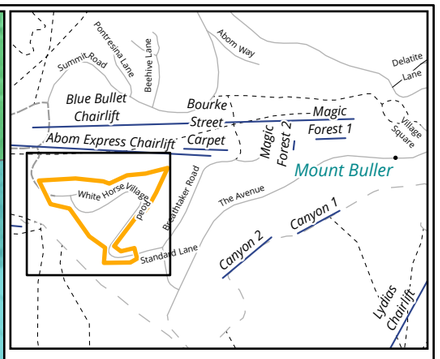
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Legend

- Site - Lot 7, Chalet 14
- White Horse Village
- Lot 7

White Horse Village

- Proposed building
- Existing substation
- Waste Bin Huts

Planning zones

- CDZ1 Comprehensive Development Zone - Schedule 1
- CDZ2 Comprehensive Development Zone - Schedule 2

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Figure 2 Planning Zones

0 6 12 18 24 30

Metres

Scale: 1:700 @ A3

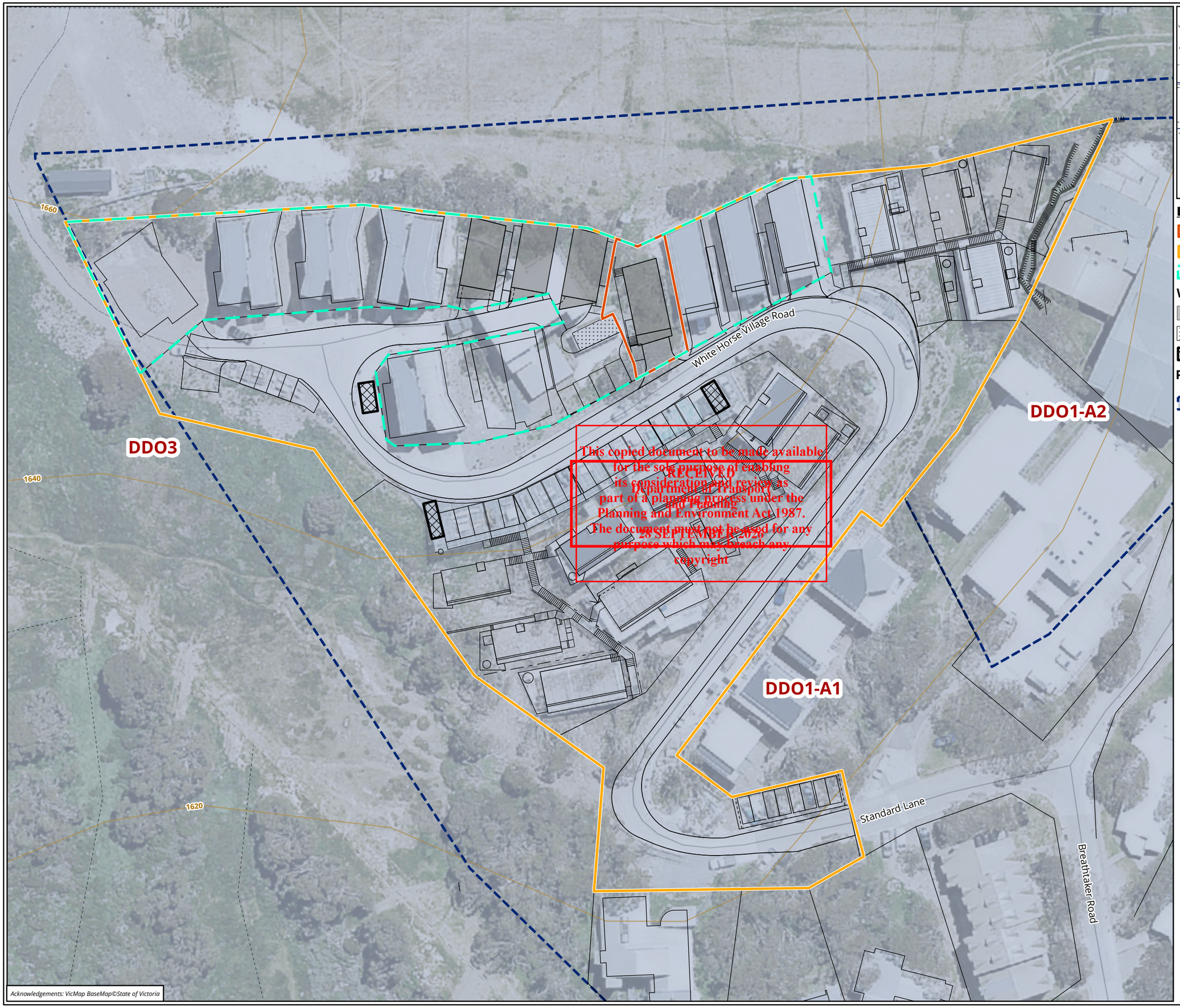
Coordinate System: GDA2020 MGA Zone 55

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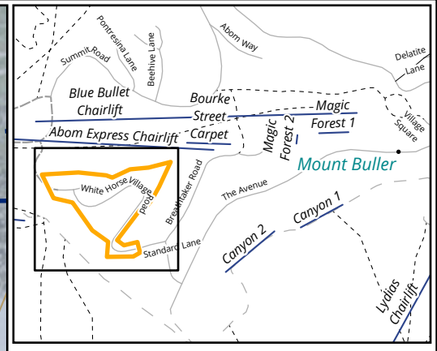
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Legend

- Site - Lot 7, Chalet 14
- White Horse Village
- Lot 7

White Horse Village

- Proposed building
- Existing substation
- Waste Bin Huts

Planning overlays

- Design and Development Overlay (DDO, DDOPT)

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Figure 3 Planning overlays within the site : Design and Development Overlay

0 6 12 18 24 30

Metres

Scale: 1:700 @ A3

Coordinate System: GDA2020 MGA Zone 55

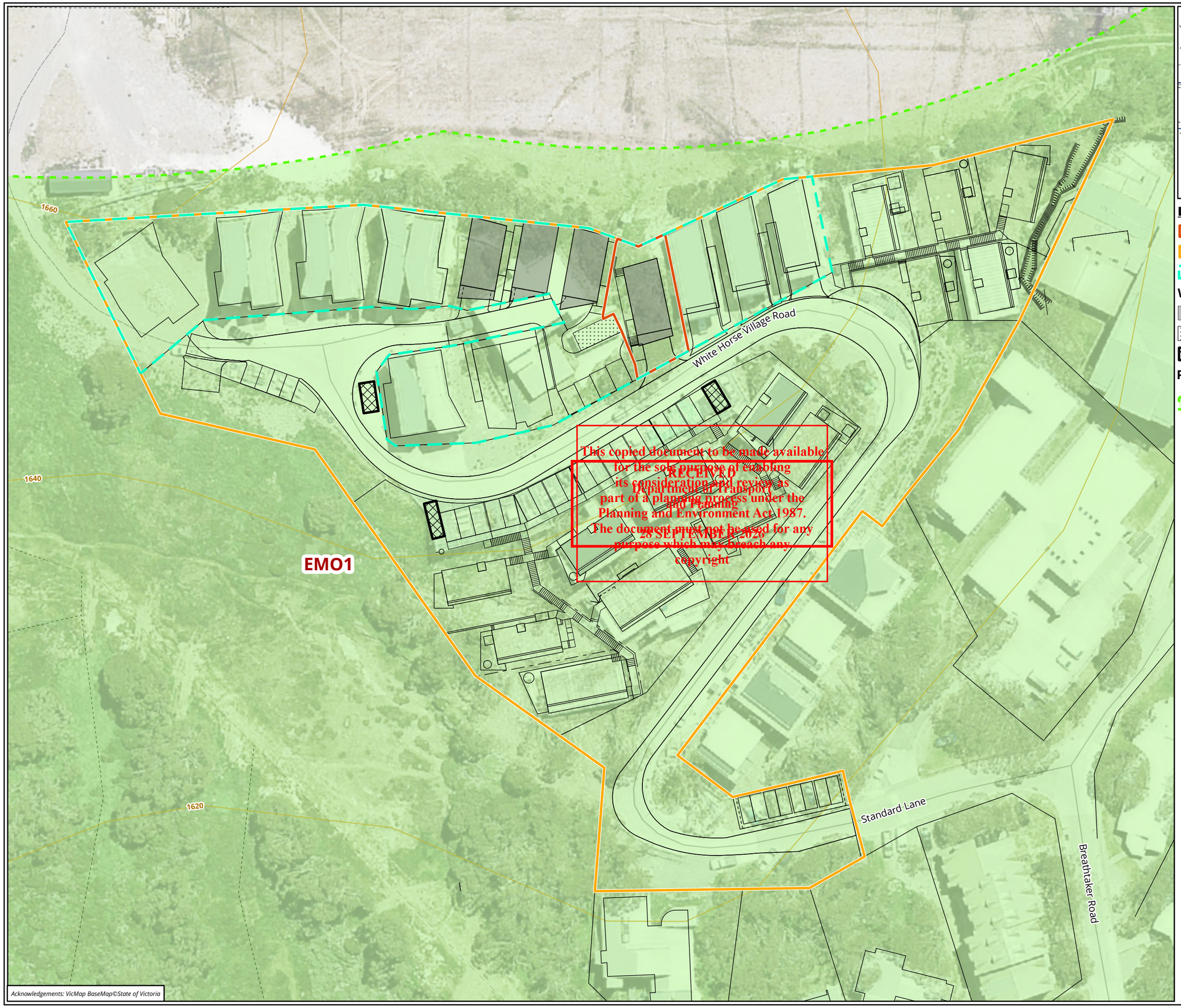
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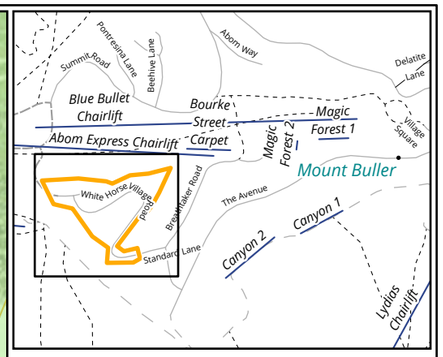
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Legend

- Site - Lot 7, Chalet 14
- White Horse Village
- Lot 7

White Horse Village

- Proposed building
- Existing substation
- Waste Bin Huts

Planning overlays

- Erosion management overlay (EMO)

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Figure 4 Planning overlays within the site : Erosion Management Overlay

0 6 12 18 24 30

Metres

Scale: 1:700 @ A3

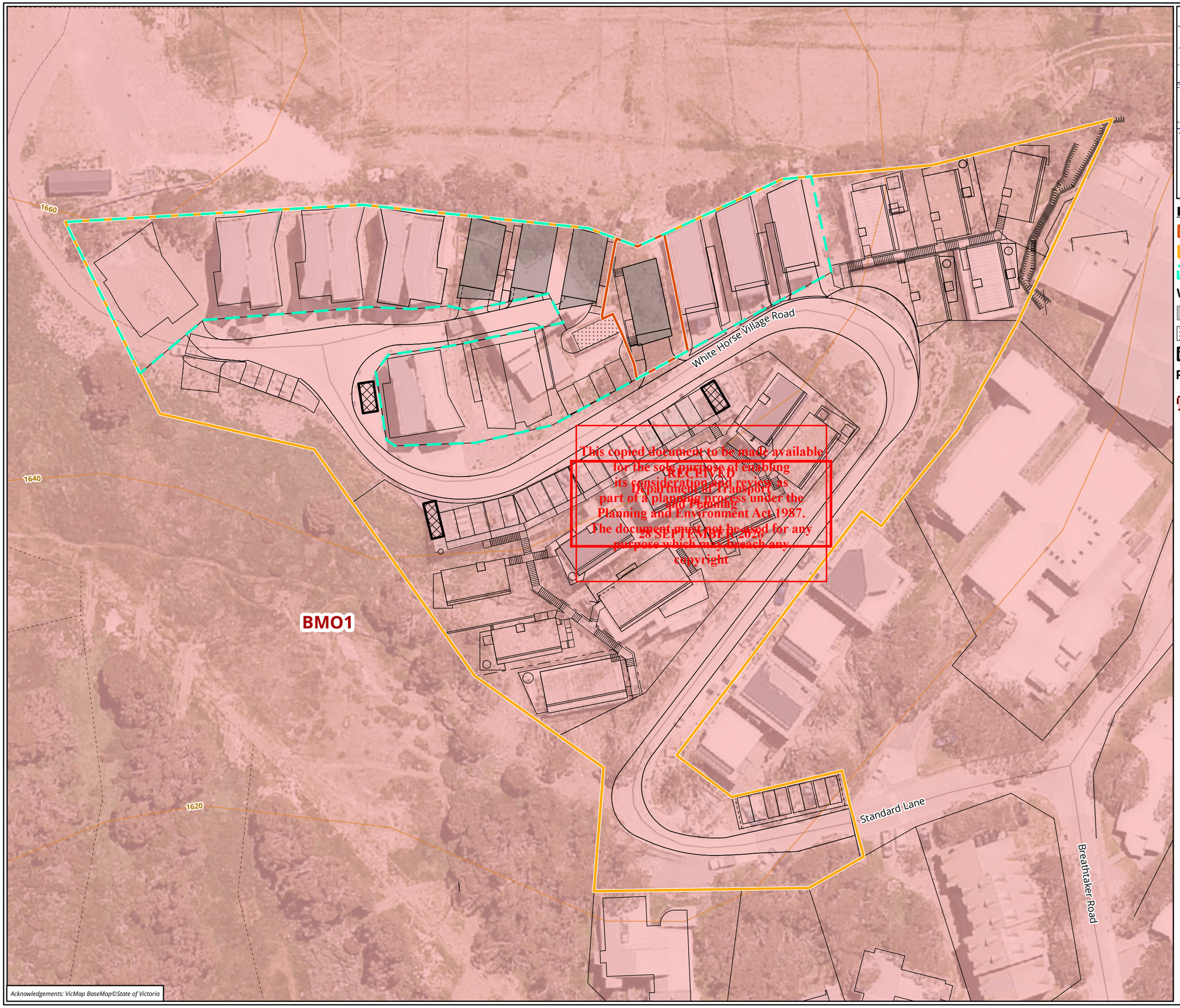
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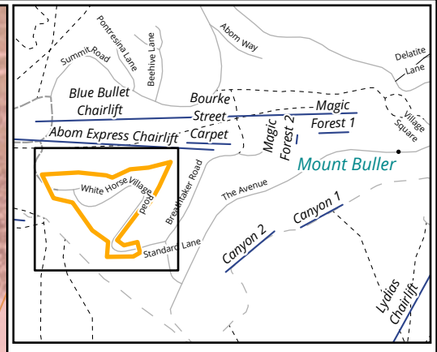
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Legend

- Site - Lot 7, Chalet 14
- White Horse Village
- Lot 7

White Horse Village

- Proposed building
- Existing substation
- Waste Bin Huts

Planning overlays

- Bushfire Management Overlay (BMO)

ADVERTISED PLAN

Figure 5 Planning overlays within the site : Bushfire Management Overlay

0 6 12 18 24 30

Metres

Scale: 1:700 @ A3

Coordinate System: GDA2020 MGA Zone 55

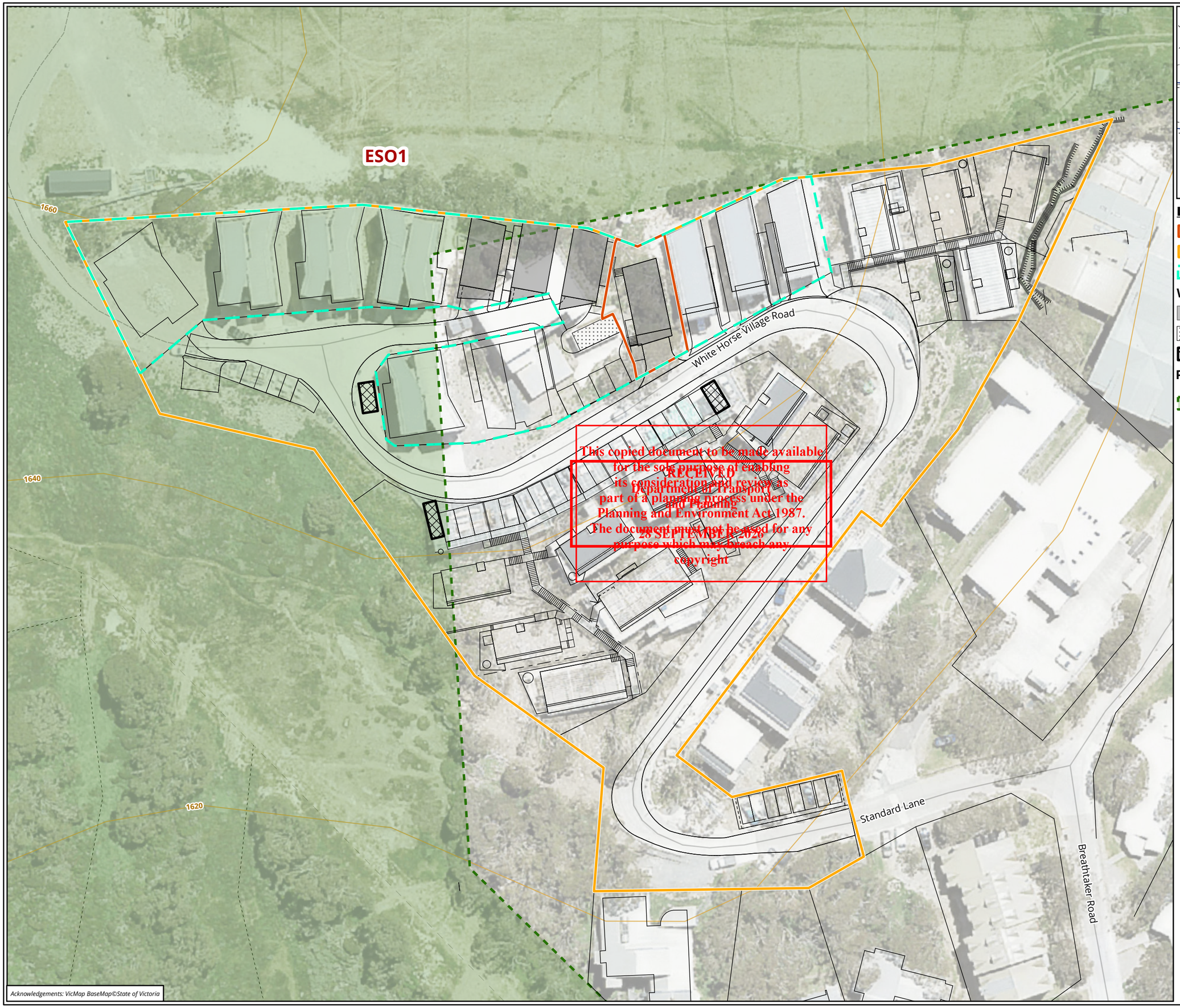
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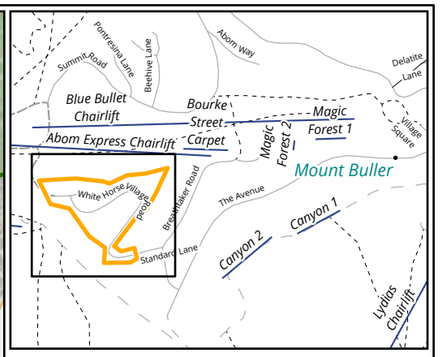
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Legend

- Site - Lot 7, Chalet 14
- White Horse Village
- Lot 7

White Horse Village

- Proposed building
- Existing substation
- Waste Bin Huts

Planning overlays

- Environmental Significance Overlay (ESO)

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Figure 6 Planning overlays within the site : Environmental Significance Overlay

0 6 12 18 24 30

Metres

Scale: 1:700 @ A3

Coordinate System: GDA2020 MGA Zone 55

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4 Summary of supporting documentation

Error! Reference source not found. 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 *Planning and Environment Act 1987.*	• 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.	• 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	• Letter prepared by Taylor Engineering – Design Guy Taylor, CPEng, dated 16 September 2026	• Attachment 5
Endorsed Bushfire Management Plan (BMP)	• Required pursuant to the BMO. Refer to the endorsed Bushfire Management Plan prepared by Biosis September 2024	• Attachment 6

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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.

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- 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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5 The proposal

This Section 72 amendment application seeks to amend the endorsed architectural plans under Planning Permit 201529926-16 to give effect to changes to the approved built form of Chalet 14 (WHV-14) within Lot 7 of Parcel 2017. No changes are proposed to the planning permit preamble or conditions.

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5.1 Planning permit conditions

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

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

5.2 Proposed changes to the endorsed plans

Amended architectural drawings have been prepared by IMA in support of the proposal (Attachment 3). The proposed changes to the approved built form of Chalet 14 are as follows:

- Extending the basement level to align with the floor above, to accommodate a new spa room (replacing the previously approved snow dump zone at basement level);
- Enclosing the First Floor balcony to increase internal floor area;
- Enclosing the Second Floor balcony to increase internal floor area;
- Reversing the roof pitch to improve view lines to the east and towards Bourke Street; and
- Increasing glazing to the First and Second Floors to enhance outlook and natural light; and
- Constructing a new roof over the entry passage to provide weather protection, consistent with the alpine character of the development.

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The proposed changes are all contained within the existing building footprint and do not alter the approved siting or overall development envelope. The amendment results in a modest increase in overall building height of approximately 0.74 metres, arising from the extension of the Second Floor floor-to-ceiling height; refer to the Maximum Height (DDO1-A1) response in Table 3 for the assessment of this variation.

Since the original submission, the plans have been further refined in response to discussions with Council and specialist consultant input. The amended plans submitted as part of the RFI response supersede the plans previously submitted with the application. The revisions are generally minor in nature and do not result in any substantive changes to the approved development envelope or the planning assessment of the proposal. Unless otherwise discussed within this report, the assessment and conclusions contained herein remain unchanged.

The following plans included within Attachment 1 of the RFI response are requested to be endorsed under the planning permit:

TP 0.02.11 (Rev – Masterplan Parcel B), TP 4.01 (Rev TP_M – Site Plan), TP 4.03 (Rev TP_M – Site Plan Parcel 2017 Basement), TP 4.04 (Rev TP_N – Site Plan Parcel 2017 Ground Floor), TP 4.05 (Rev TP_M – Site Plan Parcel 2017 Lot 7 First Floor), TP 4.06 (Rev TP_M – Site Plan Parcel 2017 Lot 7 Second Floor), TP 4.07 (Rev TP_M – Site Plan Parcel 2017 Lot 7 Roof Plan), TP 4.26 (Rev TP_N – WHV-14 Plans), TP 5.01

(Rev TP_M – Site Elevations 1), and TP 5.02 (Rev TP_M – Site Elevations 2).The plans listed above replace and supersede the corresponding plans previously submitted with the application. References elsewhere in this report to earlier plan revisions should be read as references to the plans submitted in Attachment 1 of the RFI rresponse following plans that form part of the existing endorsed plans are requested to be superseded with the amended plans provided in Attachment 3:

- Drawing Nos. TP 4.01 (Rev TP_K), TP 4.03 (Rev TP_L), TP 4.04 (Rev TP_L), TP 4.05 (Rev TP_L), TP 4.06 (Rev TP_L), TP 4.07 (Rev TP_K), TP 4.26 (Rev TP_L), TP 5.01 (Rev TP_L), TP 5.02 (Rev TP_L).

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

- Site Environmental Management Plan (SEMP) (Condition 16)
- Rehabilitation Plan (Condition 17)
- Road Management Plan and Design Construction Plans (Condition 22)
- Storm Water (Condition 23)
- Waste Management Plan (WMP) (Conditions 24 to 28)
- Detailed Flora and Fauna Assessment (FFA) (Condition 32)
- Bushfire Management Plan (BMP) (Conditions 48 to 50)

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6 Related assessment and approvals

6.1 Erosion Management Overlay – geotechnical requirements

The site is affected by the Erosion Management Overlay Schedule 1 (EMO1). Pursuant to Clause 4 of Schedule 1 to the EMO1, an application to construct a building or carry out works must be accompanied by a Geotechnical Assessment and, where required, a Landslide Risk Assessment.

A geotechnical assessment for the site was previously prepared by Philip Styles and Associates (PSA), titled 'Preliminary Geotechnical Assessment for WHV Parcel B, Whitehorse Village, Mt Buller' (30 August 2018), which is endorsed under the existing planning permit. Taylor Engineering + Design has reviewed the 2018 PSA assessment and, in a letter dated 16 September 2026 (Attachment 5), confirms that its findings, conclusions and recommendations remain valid and applicable to the site, that no site-specific factors invalidate those findings, and that the assessment continues to satisfy the intent of the Requirements for a Geotechnical Assessment prepared in support of a planning permit application under Schedule 1 to the EMO1 (February 2023). On this basis, the application is supported by adequate geotechnical assessment for the purposes of Clause 4 to Schedule 1 of the EMO1, and no further geotechnical or landslide risk assessment is required.

6.2 *Flora and Fauna Guarantee Act 1988*

A protected flora permit was obtained by Gnollo Group (head leasee and planning permit holder) in December 2020. No further approval under the *Flora and Fauna Guarantee Act 1988* (FFG Act) is required. The proposal does not include additional native vegetation removal and remains in accordance with the existing permit.

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6.3 *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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7 Alpine Resorts Planning Scheme

7.1 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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7.2 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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7.3 Zoning control

7.3.1 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 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.

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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 SEMP dated 21 December 2020. Review of the endorsed SEMP indicates that the proposal does not require the SEMP to be updated to accompany this S72 permit amendment application.

7.4 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**)

7.4.1 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.

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7.4.2 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.

Permit requirements

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

Application requirements

Refer to the response provided at Section 6.1 above. The endorsed 2018 PSA geotechnical assessment, confirmed as remaining valid and applicable by the Taylor Engineering + Design letter dated 16 September 2026 (Attachment 5), satisfies the application requirements of Schedule 1 to the EMO1.

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7.4.3 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 (Attachment 6) applies to the site and remains accurate for the proposal. The endorsed BMP is therefore not required to be updated as the proposal does not impact its recommendations. Chalet 14 will be constructed to a bushfire attack level of BAL-40.

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7.5 Particular Provisions

7.5.1 Clause 53.02 Bushfire Planning

Clause 53.02 applies to an application under Clause 44.06 - Bushfire Management Overlay, unless the application meets all the requirements specified in a schedule to Clause 44.06. A response to the requirements under Clause 53.02 is provided in Section 8.

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8 Planning considerations

8.1 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 2022-2025 and the 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 the site and Whitehorse Village?
- How does the amendment respond to geotechnical investigations already undertaken for Whitehorse Village?

8.2 Strategic Justification

The Alpine Resorts Strategic Plan 2022-2025 (Strategic Plan) applies to the proposal as it is referenced in the Alpine Resorts Planning Scheme.

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The Strategic Plan recognises the important contribution Mount Buller Alpine Resort makes within the alpine industry and 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. The proposed amendments improve the amenity, functionality and quality of an existing alpine accommodation chalet, directly supporting the high-quality accommodation offer of Whitehorse Village and the broader tourism function of the resort.

8.3 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 policy 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	
Clause 2.03 – Strategic Directions – **Clause 02.03-1 Settlement and housing** – **Clause 02.03-2 Environmental and landscape values** – **Clause 02.03-5 Built environment and heritage** – **Clause 02.03-6 Economic development**	• The proposal is consistent with the current use of the site and is appropriately located within the established footprint of Chalet 14. The proposed modifications integrate with the surrounding built form and do not alter the approved siting or development envelope. The amendment results in a modest increase in overall building height of approximately 0.74 metres, which is assessed against DDO1-A1 in Table 3 below and is considered acceptable. • The proposal does not alter the mitigation measures required to be implemented during construction and operation of Whitehorse Village under the existing permit. The design remains consistent with the built form objectives for this part of the Mount Buller Alpine Resort. • The proposed amendments improve the amenity, outlook and natural light of an existing alpine accommodation chalet, supporting the ongoing tourism and economic contribution of Whitehorse Village.
• **Clause 2.04 – Mt Buller Strategic Land Use Framework Plan – Village Precinct**	• 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 built environments to deliver a sensitive response to the bulk of development within White Horse Village.
Planning Policy Framework	
• **Clause 12 Environmental and Landscape Values** – Clause 12.04 Alpine Areas ○ Clause 12-04-1S Sustainable development in alpine areas	• The proposal supports sustainable development in alpine areas by confining works to the existing disturbed infrastructure footprint of Whitehorse Village. The balcony enclosures and basement extension do not introduce new development into undisturbed alpine areas and are consistent with the objective of minimising additional disturbance to the sensitive alpine environment.
• **Clause 13 Environmental Risks and Amenity** – Clause 13.02 Bushfire Planning ○ 13.02-1S Bushfire Planning – Clause 13.04 Soil Degradation ○ Clause 13.04-2L Erosion and landslip in alpine resorts	• The proposal implements the construction standards and defendable space management requirements of the endorsed Bushfire Management Plan. Chalet 14 will continue to be constructed to BAL-40. Geotechnical considerations are addressed by the endorsed 2018 PSA geotechnical assessment, confirmed as continuing to apply to the site by the Taylor Engineering + Design letter dated 16 September 2026 (Attachment 5).

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• **Clause 15.01-2L – Building design in Mt Buller**	• The proposed materials, scale and design of the amendment are consistent with the established character of Whitehorse Village and the broader Alpine Resort. The reversal of the roof pitch and increase in glazing improve the visual quality and integration of the chalet with the alpine landscape, while remaining consistent with the approved material finishes palette. The proposed amendment results in a marginal increase in overall building height of approximately 0.74 metres, which remains consistent with the predominant snow gum height and the built form character of the surrounding chalet row. The modest increase in height does not unreasonably overshadow key public places or private open space areas.
• **Clause 16.01-1S – Housing supply**	• The proposal is consistent with relevant PPF objectives relating to housing supply. The enclosure of balconies and extension of the basement level improve the functionality and amenity of the chalet, supporting efficient use of the approved building envelope and responding to the changing needs and expectations of alpine accommodation occupants.
• **Clause 17 Economic Development** – Clause 17.04 Tourism ○ Clause 17.04-1S Facilitating tourism	• The proposal supports the continued operation of Whitehorse Village as a high-quality alpine accommodation and tourism destination. The proposed improvements to amenity, outlook and natural light within Chalet 14 directly support the quality of the alpine accommodation offer and the tourism and economic function of the resort.

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8.4 Is the proposal consistent with the existing permit?

The proposal seeks to maintain and enhance the permitted use and built form of Chalet 14 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.

8.5 How does the proposal respond to the preferred built form outcomes of the site and Whitehorse Village?

The proposal has been designed to deliver a sensitive response to the preferred built form outcomes of the site and Whitehorse Village. The key aspects of the proposed design response are addressed below.

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8.5.1 Basement extension and spa room

The extension of the basement level to align with the floor above replaces the previously approved snow dump zone at basement level with an enclosed spa room. The extension is contained entirely within the existing building footprint and does not alter the approved siting or development

envelope. The change improves the functionality and amenity of the chalet, consistent with the high-quality accommodation standard established across Whitehorse Village.

8.5.2 Visual bulk

It is acknowledged that the extension of the basement level to align with the floor above results in a marginal increase in the visual bulk of the lower ground level of Chalet 14, as viewed from Whitehorse Lane to the south. However, the basement extension is entirely contained within the existing approved building footprint and approved setback. The increased basement area replaces an undercroft snow dump zone with an enclosed spa room, improving the architectural resolution of the building at that level. On balance, the modest increase in visual bulk at basement level is outweighed by the overall improvement to the design quality, functionality and amenity of the chalet, and the proposal remains consistent with the built-form character of Whitehorse Village.

8.5.3 Balcony enclosures

The enclosure of the First and Second Floor balconies increases internal floor area while remaining within the existing building footprint. The enclosure improves thermal performance and weather protection in the harsh alpine environment, consistent with the objective of sustainable development in alpine areas.

8.5.4 Roof pitch reversal

The reversal of the roof pitch improves viewlines to the east and towards Bourke Street, enhancing the amenity of the chalet without increasing the general building mass. As demonstrated in the amended site elevations (Attachment 3), the modified roof form remains consistent with the built form character of Whitehorse Village and does not project above the established roofline or impede view corridors from the ski run.

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8.5.5 Glazing increases

The increase in glazing to the First and Second Floors enhances the outlook and natural light within the chalet, responding to the visual and experiential qualities of the alpine setting. The increased glazing is consistent with the contemporary alpine architectural character of Whitehorse Village and does not adversely impact view corridors or the visual amenity of the ski run.

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

Requirements	Response
Building and Works (DDO1-A1) • 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.	• The proposed changes are contained within the existing building footprint of Chalet 14 and do not alter the approved siting or development envelope. The amendment results in a modest increase in overall building height of approximately 0.74 metres. The proposal does not increase the shadow cast by Chalet 14 over the Village Square, Athletes Walk, Summit Road or Bourke Street ski run during the critical period on 22 June. It is acknowledged that the extension of the basement level to align with the floor

Requirements	Response
• 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 ski fields. • Vehicle and pedestrian access points should be combined where possible to minimise vegetation removal and visual impact on the street frontage.	above results in a marginal increase in the visual bulk of Chalet 14 at the lower ground level. However, this increase in bulk is modest, contained entirely within the existing approved building footprint, and does not extend the development envelope or alter any approved setback. On balance, the marginal increase in visual bulk is outweighed by the overall improvement to the design quality, amenity and functionality of the chalet, and the proposal remains consistent with the preferred built form outcomes of the DDO1-A1. • The overall building height of Chalet 14 will be only marginally increased, with a proposed rise of approximately 0.74 m. The reversal of the roof pitch does not result in a higher roofline, and the building will continue to sit generally at or below the height of the existing tree canopy, consistent with the approved permit condition. • No additional vegetation removal is proposed. All proposed works are contained within the existing building footprint of Chalet 14. • No vegetation removal is proposed to provide view corridors. • The vehicle and pedestrian access arrangements approved under the existing permit are unchanged. Chalet 14 is accessed via an existing driveway from Whitehorse Lane to the south. No new access points are proposed.
Maximum Height (DDO1-A1) • The maximum height of any part of a building is 3 storeys or 11 metres above natural ground level, whichever is the lesser height. A permit may be granted to increase the height of any roof structure or chimney by 1.5 metres provided no more than 20% of the roof area exceeds 11 metres in height.	• The proposed amendment results in a modest increase in the overall building height of Chalet 14, of approximately 0.74 metres, arising from an increase in the Second Floor floor-to-ceiling height from 2.104 m under the currently endorsed plans to 2.847 m under the proposed plans. The modification to the roof form is limited to a reversal of the roof pitch and does not otherwise increase roof massing. • As shown on Drawing TP 4.01 (Attachment 3), the percentage of roof area above 11 metres above natural ground level for Chalet 14 is 8%, and the percentage above 12.5 metres is 0%. The proposed reversal of the roof pitch has been designed to ensure that no greater than 20% of the roof area exceeds 11 metres and no greater than 0% exceeds 12.5 metres above natural ground level. The proposal complies with the applicable maximum height controls • The proposed reversal of the roof pitch has been designed to maintain compliance with these height requirements. The proposal complies with the applicable maximum height controls. The

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Requirements	Response
	building continues to sit at or below the height of the tree canopy in the vicinity, and the modest height increase does not result in the two-hour overshadowing threshold under DDO1-A1 being exceeded over the Village Square, Athletes Walk, Summit Road or the Bourke Street ski run on 22 June. On this basis, the increase in building height is considered an acceptable variation, consistent with the objectives of DDO1-A1.
Minimum Setbacks (DDO1-A1) • A building must be setback: • 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.	• The proposed changes do not alter the building footprint of Chalet 14 or its position relative to site boundaries. All proposed changes are contained within the existing approved building envelope. • As shown on the amended site plan drawings (Attachment 3, TP 4.03 and TP 4.04), the existing setbacks of Chalet 14 to boundaries and adjoining buildings are maintained and are not altered by the proposed works. The basement extension aligns with the floor above and remains within the existing footprint, with no reduction to any approved setback. • The enclosure of the First and Second Floor balconies does not reduce setbacks beyond those already approved under the existing permit. • Parts of the external walls of Chalet 14 exceed 3.6 metres in height above natural ground level. The increased setback requirement under DDO1-A1 is achieved, as Chalet 14 maintains the minimum proportional distance from all boundaries consistent with the existing approved permit. The proposal does not alter the building's position relative to site boundaries.
Maximum Site Coverage (DDO1-A1) • 60% of the total site area	• The proposed amendment does not increase the building footprint of Chalet 14. The basement extension aligns with the existing footprint of the floor above and does not extend the built form beyond the existing approved envelope. As a result, the site coverage remains unchanged and within the maximum of 60% of the total site area.
Materials and finishes (DDO1) • Wall materials • 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.	• A proposed schedule of materials and finishes is included in the amended architectural drawings at Attachment 3 (Drawing TP 4.26) and is considered to comply with the requirements of DDO1. • The approved material palette for Chalet 14 incorporates natural stone (warm grey/brown tones), metal panel cladding (MC1), zinc standing seam roofing (ZS), timber-look aluminium cladding (TB), render finish in Dulux Soft Beige (R1/R2), off-form concrete, and glass (GL). These

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Requirements	Response
• Roof material • Profiled metal, corrugated iron (non-reflective and muted tones). • Colours • 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.	materials are consistent with DDO1 requirements and the established character of Whitehorse Village. • As demonstrated in the Elevation Stone Area Calculation table on Drawing TP 4.26 (Attachment 3), natural stone is used across all four elevations of Chalet 14 as follows: – North Elevation: 12m² stone of 68m² total (17.6%) – East Elevation: 56m² stone of 172m² total (32.6%) – South Elevation: 13m² stone of 97m² total (13.4%) – West Elevation: 18m² stone of 133m² total (13.5%) • All four facades visible from roads, pedestrian routes or the ski run achieve natural stone content at or approaching 15% of the facade area, consistent with the DDO1 requirement. The use of natural stone is not considered detrimental to the elevated design language of Chalet 14 and is consistent with what has been previously approved for this chalet. • The roofing material is zinc standing seam, which is non-reflective and in muted tones, consistent with DDO1 requirements. • The colour scheme uses natural alpine tones with minimal painted surfaces. Paintwork is used only as a subtle feature element (dark grey paint to specific panels), with natural stone, metal cladding and timber-look aluminium forming the predominant facade treatment. This approach ensures the building integrates with the surrounding landscape and maintains visual cohesion within the precinct.

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8.6 How does the amendment respond to geotechnical investigations already undertaken for Whitehorse Village?

A Preliminary Geotechnical Assessment for WHV Parcel B, Whitehorse Village, Mt Buller was prepared by Philip Styles and Associates (PSA) on 30 August 2018 and is endorsed under the existing planning permit. As part of pre-application consultation, the Department of Transport and Planning (DTP) advised that the Section 72 application be supported by either an updated geotechnical report or a letter from a suitably qualified geotechnical practitioner confirming the continued applicability of the existing assessment. Taylor Engineering + Design, whose Managing Director has extensive experience of the geotechnical conditions of the Mt Buller Alpine Resort, was engaged to review the 2018 PSA assessment on this basis. In a letter dated 16 September 2026 (Attachment 5), Taylor Engineering + Design confirms that there is no evidence that the geological setting, slope conditions, groundwater regime or geotechnical characteristics of the site have materially changed since the 2018 assessment and that no site-specific factors have been identified that would invalidate its assumptions, conclusions or recommendations.

The assessment continues to satisfy the intent of the Requirements for a Geotechnical Assessment prepared in support of a planning permit application under Schedule 1 to the EMO1 (February 2023). On this basis, the proposed amendment does not raise any new geotechnical considerations beyond those already addressed by the endorsed 2018 PSA assessment, and the amendment appropriately responds to the geotechnical investigations already undertaken for Whitehorse Village.

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9 Conclusion

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

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

- The proposed changes are all contained within the existing building footprint of Chalet 14 and do not alter the approved siting or development envelope. The amendment results in a modest increase in overall building height of approximately 0.74 metres, which remains consistent with the height and character requirements of DDO1-A1. The development maintains the established built-form character of Whitehorse Village.
- The proposal improves the amenity, functionality, thermal performance and outlook of an existing high-quality alpine accommodation chalet, directly supporting the tourism and economic function of Whitehorse Village and the Mount Buller Alpine Resort.
- The reversal of the roof pitch improves view lines to the east and towards Bourke Street. Although the amendment results in a modest overall building height increase of approximately 0.74 metres, the percentage of roof area above 11 metres and 12.5 metres above natural ground level remains within the relevant VCAT conditions applicable to Chalet 14.
- The proposal is consistent with the existing planning permit and does not require any amendment to the permit preamble or conditions.
- The proposal is consistent with the relevant provisions of the Alpine Resorts Planning Strategy, the Planning Policy Framework, the CDZ1, DDO1-A1, EMO1 and BMO1.

On the basis of the above, it is submitted that the proposal is consistent with the relevant objectives and provisions of the Alpine Resorts (Mount Buller) Planning Scheme and that the grant of a planning permit is warranted.

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