

Assessment Officer Report

17 Slalom Street, Falls Creek
PA2403149



Officer Assessment Report
Development Approvals & Design

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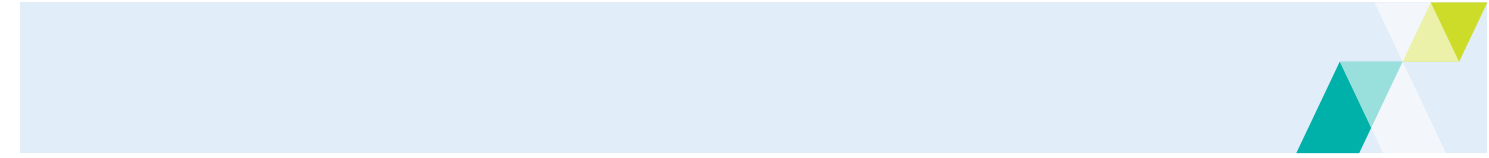
Department
of Transport
and Planning

OFFICIAL

Executive Summary



Key information	Details												
Application No:	PA2403149												
Received:	22 August 2024												
Statutory Days:	74												
Applicant:	[REDACTED]												
Planning Scheme:	Alpine Resorts												
Land Address:	17 Slalom Street, Falls Creek												
Proposal:	Alterations and additions to an accommodation building and reduction in car parking spaces												
Development Value:	\$900,000.00												
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Planning Scheme, the Minister for Planning is the Responsible Authority for administering and enforcing the Alpine Resorts Planning Scheme (the Scheme).												
Why is a permit required?	<table border="1"><thead><tr><th>Clause</th><th>Control</th><th>Trigger</th></tr></thead><tbody><tr><td>Zone:</td><td>Clause 37.02-4 Comprehensive Development Zone Schedule 1 (CDZ1)</td><td>Construct a building or construct or carry out works</td></tr><tr><td>Overlays:</td><td>Clause 43.02-2 Design and Development Overlay Schedule 2, (DDO2)</td><td>Construct a building or construct or carry out works</td></tr><tr><td>Particular Provisions:</td><td>Clause 52.06-3 Car parking</td><td>Reduce the number of car parking spaces required under Clause 52.06-5</td></tr></tbody></table>	Clause	Control	Trigger	Zone:	Clause 37.02-4 Comprehensive Development Zone Schedule 1 (CDZ1)	Construct a building or construct or carry out works	Overlays:	Clause 43.02-2 Design and Development Overlay Schedule 2, (DDO2)	Construct a building or construct or carry out works	Particular Provisions:	Clause 52.06-3 Car parking	Reduce the number of car parking spaces required under Clause 52.06-5
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Particular Provisions:	Clause 52.06-3 Car parking	Reduce the number of car parking spaces required under Clause 52.06-5											
Cultural Heritage:	The site is not located within an area of cultural heritage sensitivity.												
Total Site Area:	1,016sqm												
Gross Floor Area:	1,208.2sqm												
Height:	3 Storeys 13.03 metres												
Parking:	<table border="1"><thead><tr><th>Cars</th><th>Motorcycles</th><th>Bicycles</th></tr></thead><tbody><tr><td>N/A</td><td>N/A</td><td>N/A</td></tr></tbody></table>	Cars	Motorcycles	Bicycles	N/A	N/A	N/A						
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Referral Authorities:	Alpine Resorts Victoria (s55 – determining), Clause 7.0 of Schedule 1 to the CDZ (Clause 37.02) Department of Energy, Environment and Climate Action (s55 – determining), Clause 7.0 of Schedule 1 to the CDZ (Clause 37.02) AusNet Services (s55 – determining), Clause 7.0 of Schedule 1 to the CDZ (Clause 37.02) Elgas (s55 – determining), Clause 7.0 of Schedule 1 to the CDZ (Clause 37.02) Goulburn Murray Water (s55 – determining), Clause 66.02-5 North East Water (s55 – determining), Clause 66.02-5												
Public Notice:	The 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 Planning and Environment Act 1987 (the Act) pursuant to the Bushfire Management Overlay (BMO) of the Scheme.												



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 (the Act) pursuant to Clause 37.02 (CDZ1), Clause 43.02 (DDO2) and Clause 52.06 (Car parking) of the Scheme.

No objections have been received to date.

Delegation:

Confirmation to determine under officer delegation received by Manager on 11 November 2024.



Application Process

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

Milestone	Date
Pre-application meeting	N/A
Application lodgement	22 August 2024
Further information requested	26 August 2024
Further information received	11 September 2024.
Decision Plans	Architectural plans prepared by Sendit.archi and dated 1 and 30 August 2024 (TP01 to TP25) (25 pages)
Other Assessment Documents	<ul style="list-style-type: none">• Site Environmental Management Plan (SEMP) prepared and signed by Andy Mero on 4 August 2024 (10 pages).• Site Construction Management Plan, prepared by Sendit.archi and dated 1 August 2024 (1 page).• GFA calculations plan, prepared by Sendit.archi and dated 30 August 2024 (2 pages).• Planning Report, prepared by Crowther & Sadler Pty Ltd and dated August 2023 (17 pages).• Section 48, notification to owner email, dated 27 August 2024 (1 page).• 'Preliminary Geotechnical Risk Assessment' report, prepared by GHD and dated 31 May 2024 (52 pages). (NO LONGER RELEVANT FOR CONSIDERATION FOLLOWING GAZETTAL OF C31ALPR ON 25 OCTOBER 2024).

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

Proposal Summary

3. The proposal incorporates alterations and additions to an existing accommodation building (Nelse Lodge) including the creation of an additional dwelling, and reduction in car parking. The proposal can be summarised as follows:
 - Removal of the existing deck on the Ground Floor at the north/east corner of the building and construction of a new and enlarged deck and installation of 3 hot tubs. (Refer to Figure 1).
 - Small area of infill adjacent to the sauna on the Ground Floor. (Refer to Figure 1).
 - Upgraded balustrade to balconies and decks on the Ground Floor (Refer to Figure 1).
 - Enlarged entry stairs both at Ground and Level 1. (Refer to Figures 1 and 2).

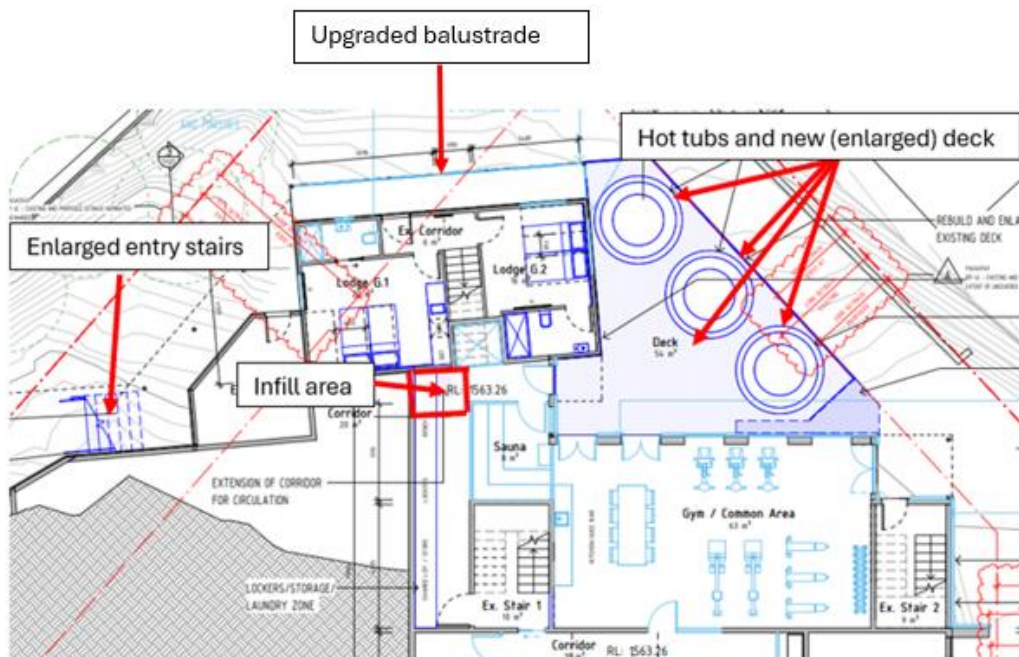


Figure 1: Proposed Ground Level – Source: Application (modified to include mark-ups)

- Construction of a firewood/equipment storage area at Level 1, to the south of the building. (Refer to Figure 2).
- Construction of a large, paved area and gabion stone retaining wall structure at Level 1 to the south/west of the building. (Refer to Figure 2).
- New awnings over external doors. (Refer to Figure 2).

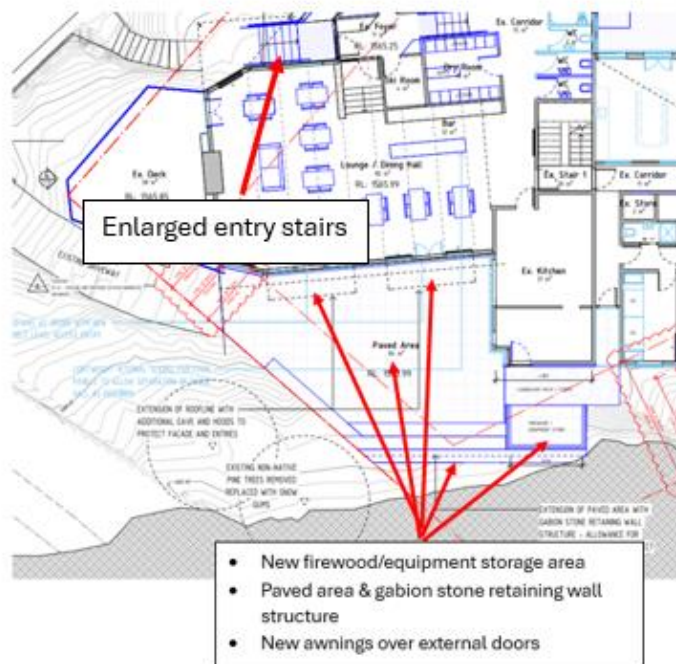


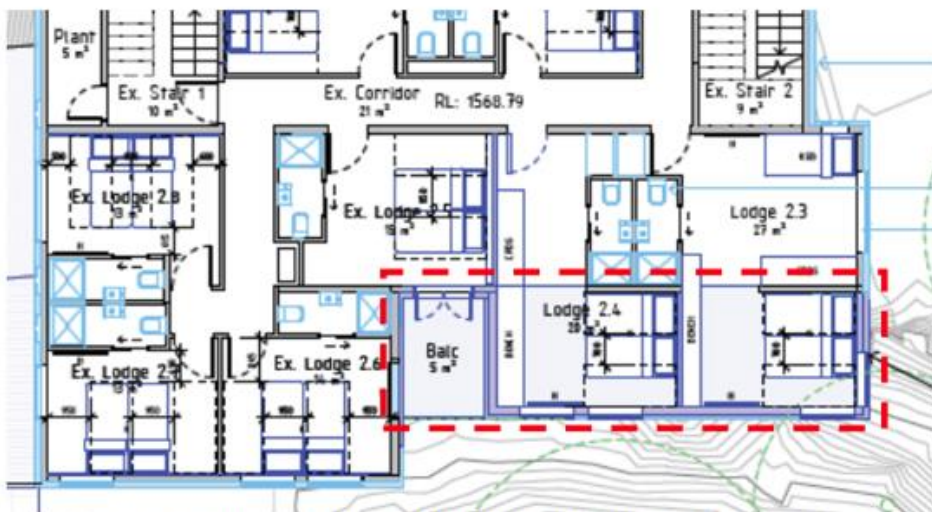
Figure 2: Proposed Level 1 – Source: Application (modified to include mark-ups)



- Extension of Lodge rooms 2.3, 2.4 and 2.5 towards the south on Level 2. (Refer to Figure 3).



Extract existing second floor plan (Source: NMBW and Sendit.Archi Drawing No. TP11)



Extract proposed second floor plan (Source: NMBW and Sendit.Archi Drawing No. TP16)

Figure 3: Existing and proposed Level 2 – Source: Application

- Alterations and extension of existing (referred to as) 3B Apartment to increase the floor area towards the south on Level 3. (Refer to Figure 4).
- Alterations to existing 3B Apartment and an increase to the floor area towards the south to create a one-bedroom dwelling (referred to as 1B Apartment) on Level 3. (Refer to Figure 4).

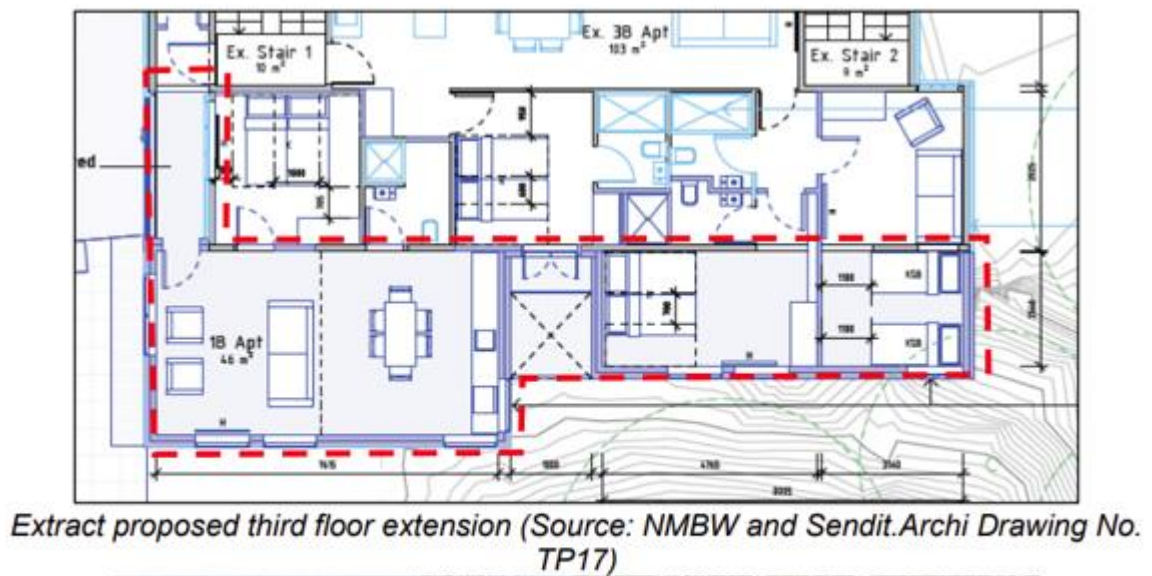
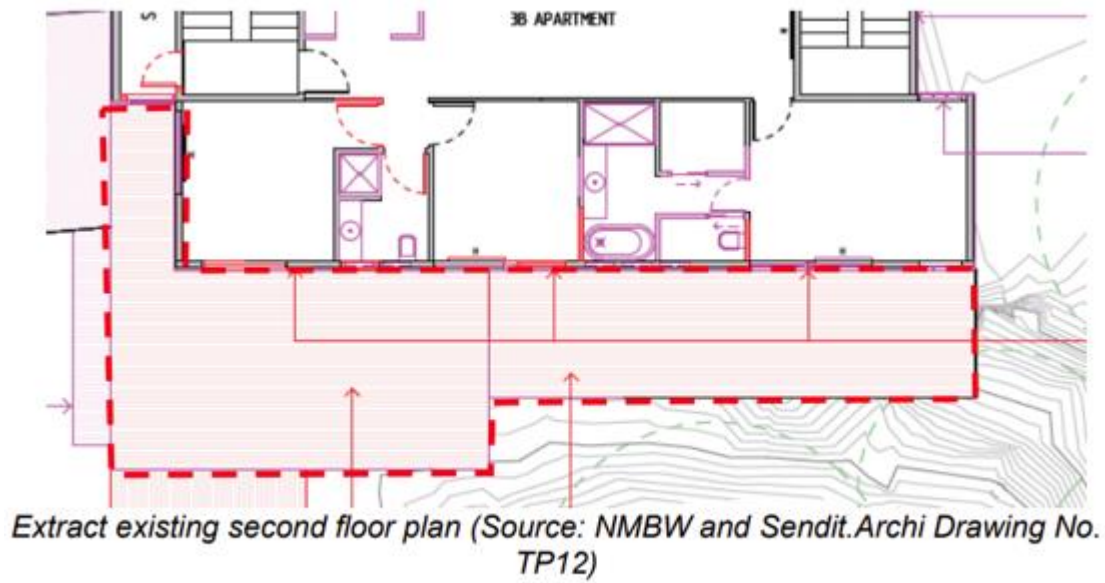


Figure 4: Existing and proposed level 3 – Source: Application

- Removal of 3 exotic trees (exempt from a planning permit pursuant to Clause 52.12 of the Alpine Resorts Planning Scheme (the Scheme)). (Refer to Figure 5).

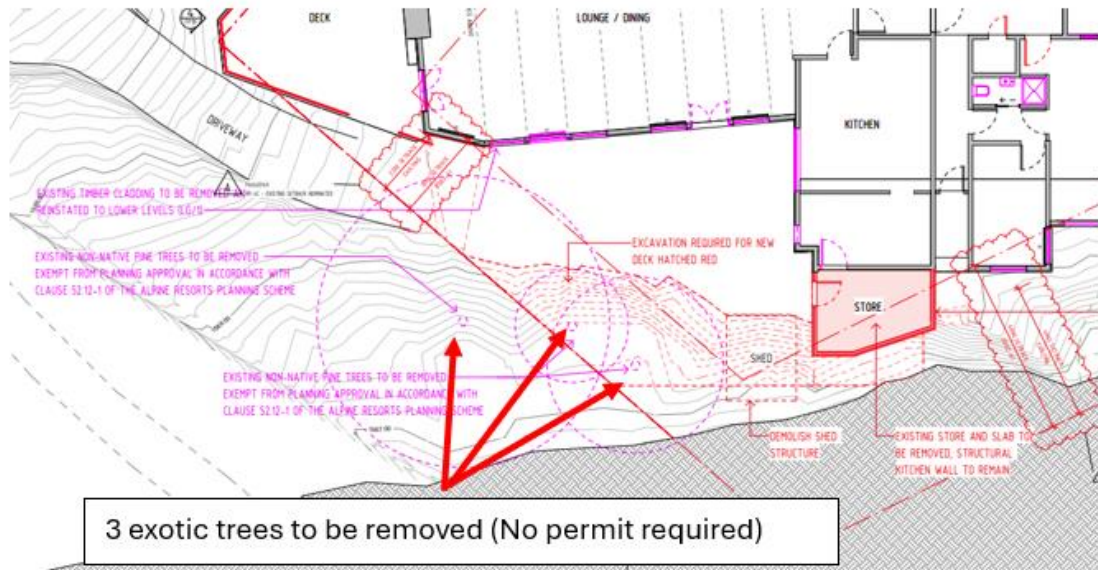


Figure 5: 3 exotic trees to be removed – Source: Application (modified to include mark-ups)

- The creation of the additional dwelling on Level 3 will require a reduction in car parking spaces of 1 space.
 - Minimum setbacks generally remain unchanged except as follows:
 - North/east side boundary reduced from 3.78m (existing) to 3.0m (proposed) at Ground Level.
 - East side boundary reduced from 3.265m (existing) to 3.195m (proposed) at all levels.
 - South side (Arlberg Street frontage) reduced from 4.53m (existing) to 4.46m (proposed) at Levels 2 and 3.
 - 3m minimum (Lodge 5) and increasing to 5m at the northern lease boundary (adjoining 1 and 1A Delatite Lane).
 - The maximum overall heights for the building remain unchanged at 13.19m, while the proposed development will have a maximum overall height of 10.91m.
 - Site coverage remains unchanged at 49%.
 - Materials for the building remain unchanged with the proposed additions and alterations incorporating the same colours and materials used for the existing building. Materials include timber cladding, in a brown tone, metal cladding, in grey tones and local stone for the proposed gabion wall. The concrete paving will use washed aggregate in a grey tone.
 - Snow dump direction will remain unchanged with the Level 2 and 3 addition incorporating a roof pitch towards the east, continuing the snowshed towards the east and well within the lease boundaries and away from access points and pedestrian paths.
 - The proposed development will include the removal of 3 exotic pine trees, however pursuant to Clause 52.12, their removal is exempt from requiring a planning permit.
4. Section plans showing the proposed buildings and works outlined in blue colour are shown in Figure 6.

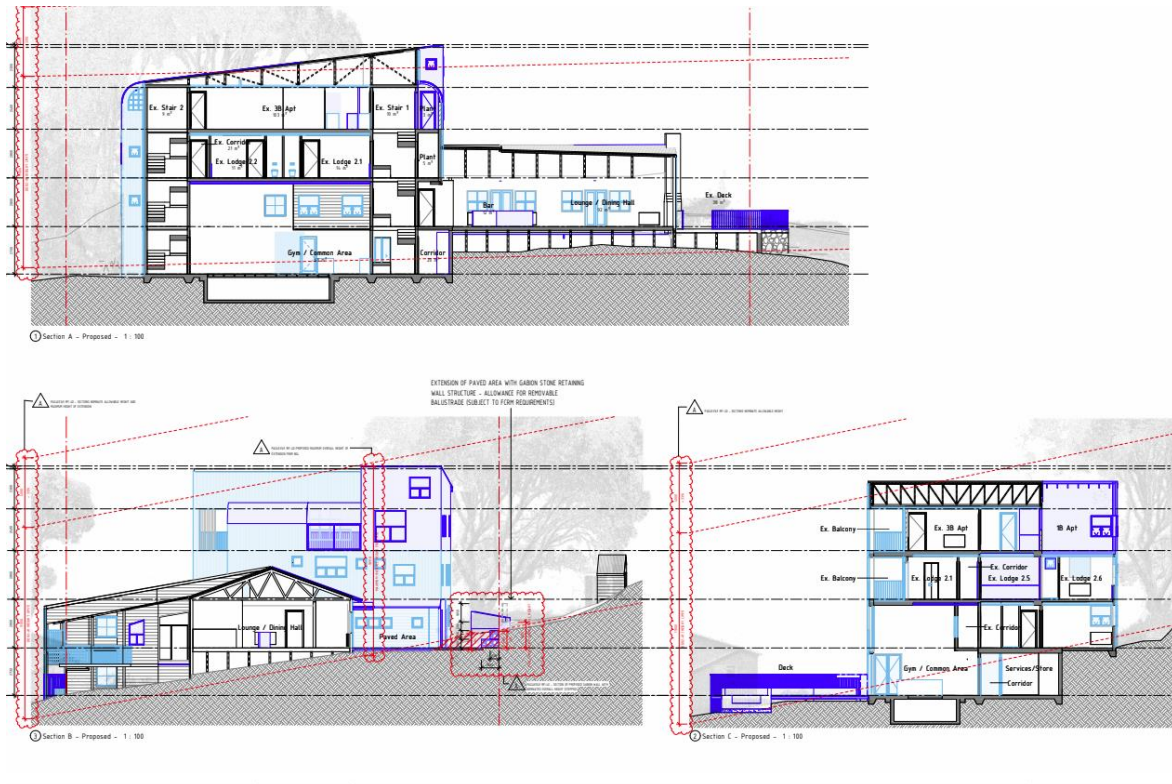


Figure 6 – Sections, showing proposed development in blue outline – (Source: Application)



Site Description

- The site is known as 17 Slalom Street Falls Creek and is located on the south side of Slalom Street and north of Arlberg Street.

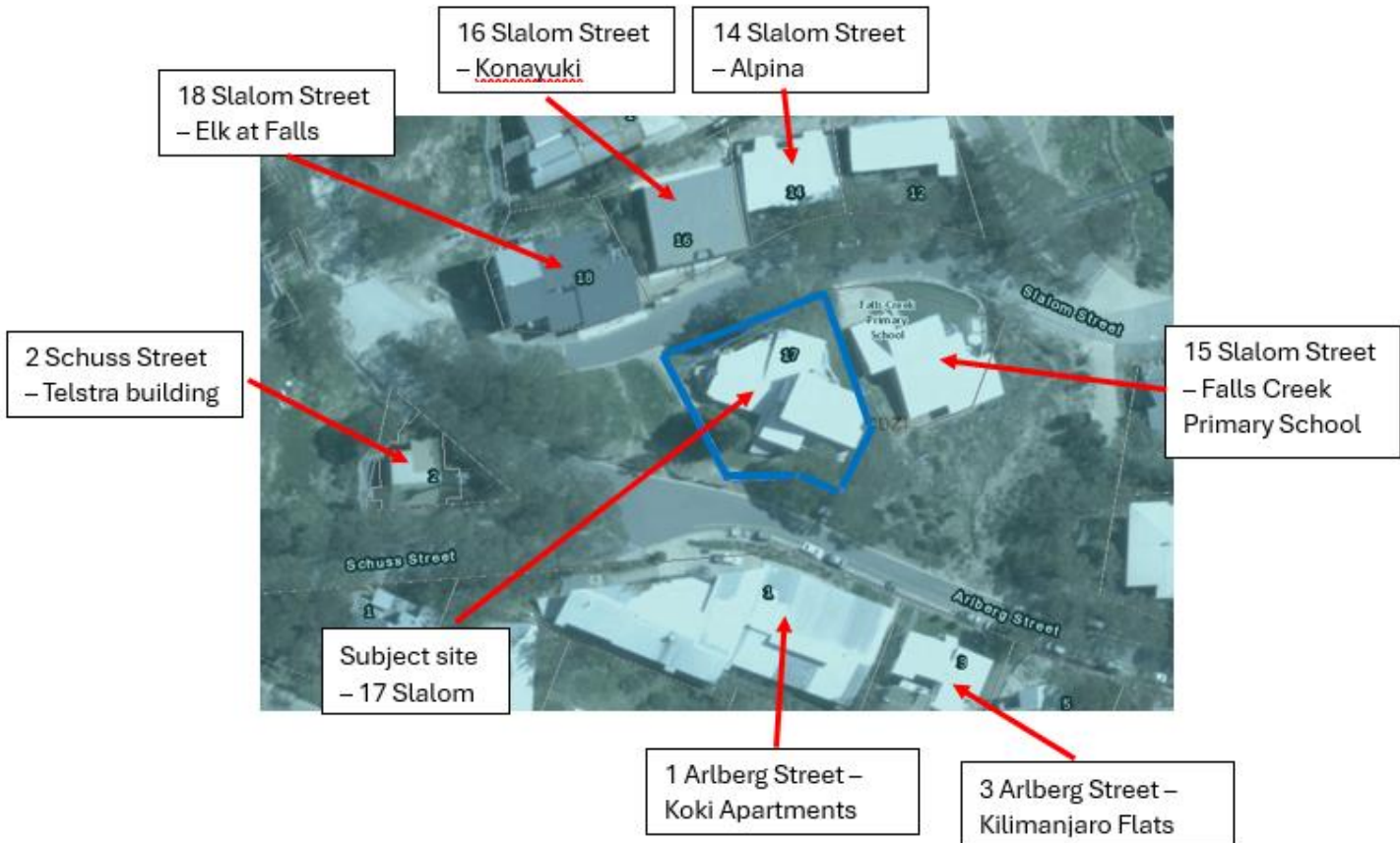


Figure 7 – Subject site (blue outline) and surrounds – (Source: VicPlan)

- The site is irregular in shape and has the following attributes:
 - Contains an area of 1,013sqm and is centrally located within the Falls Creek Village.
 - The land contains Nelse Lodge, an accommodation building over 3 levels.
 - The site falls from the south to the north.
 - Access to the existing lodge is directly from Slalom Street.

Site Surrounds

- The subject site abuts or is nearby the following:
 - Unallocated Crown land and 2 Schuss Street (Telstra building accommodation) (to the west).
 - 14 Slalom Street (Alpina), 16 Slalom Street (Konayuki) and 18 Slalom Street (Elk at Falls) accommodation lodges (to the north).



- 15 Slalom Street (Falls Creek Primary School) (to the east).
 - 1 Arlberg Street (Koki Apartments) and 3 Arlberg Street (Kilimanjaro Flats) (to the south).
8. Photographs of the existing street frontages are provided in Figures 8 and 9.



Figure 8 – Existing conditions – view from lower side of Arlberg Street – (Source: Application)



Figure 9 – Existing conditions – view from upper side of Slalom Street – (Source: Application)



Planning Policy Framework

- 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.
- The following policies are considered relevant to this application:

Clause	Description
02.03-5	Built Environment
12.01-1S	Protection of Biodiversity
12.04-1S	Sustainable Development in Alpine Areas
15.01-2S	Building Design
17.04-1S	Facilitating Tourism

Local Planning Policy Framework

- 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.
- The MSS within the Alpine Resorts Planning Scheme identifies the objectives and strategies for the Falls Creek alpine resort.
- The following policies are considered relevant to this application:

Clause 11	Settlement
11.01-1L	Alpine Villages
11.01-1L	Falls Creek Village
Clause 12	Environmental and Landscape Values
12.01-1L	Protection of biodiversity in alpine resorts
Clause 15	Built Environment and Heritage
15.01-2L	Built form in alpine resorts
Clause 17	Economic Development
17.04-1L	Alpine tourism
17.04-1L	Falls Creek Tourism

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

Zoning and Overlays

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

- A planning permit is triggered to construct a building or construct or carry out works pursuant to the CDZ1. 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.*

17. The CDZ1 includes application requirements and decision guidelines for consideration of the site's context, including a Site Environmental Management Plan (SEMP).

18. The following sections include a discussion of how the proposal responds to these requirements.

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

19. A planning permit is triggered to construct a building or construct or carry out works pursuant to the DDO2.

20. The DDO includes three separate areas where specific requirements should be met for proposed developments. The subject site is located within the Area 1 (A1) where specific requirements are included in relation to maximum height, minimum setbacks and maximum site coverage.

21. The relevant design objectives of the DDO2 include:

- *To ensure that the Falls Creek Village presents an identifiable, memorable and unique image at an appropriate scale and density.*
- *To ensure that new development in the Falls Creek Village is sympathetic in scale and location to the landscape, trees, and views.*
- *To ensure that the scale, height and setbacks of development reinforce Village Plaza precinct as the Village Centre and focal point of Falls Creek.*
- *To ensure view corridors between buildings provide opportunities for view sharing.*
- *To encourage the retention of indigenous vegetation.*
- *To provide safe pedestrian and skier linkages within the Village.*

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

22. A planning permit is **not** triggered for the proposed development pursuant to the BMO. The proposed buildings and works are associated with an accommodation use however, an alteration or extension to an existing building (excluding a dwelling and a small second dwelling) that is less than 10 percent of the gross floor area of the existing building does not require a planning permit. The additional gross floor area proposed by the buildings and works is 9.9 percent. The GFA Calculation Plan, submitted as part of the application confirms that the proposed alterations and additions is less than 10% of the gross floor area of the existing building.

23. Consideration of the proposal against the BMO is therefore not required.

Particular and General Provisions


Provisions that Require, Enable or Exempt a Permit

Clause 52.06 – Car parking

24. Clause 52.06-5 sets out the requirements of car parking for a dwelling. Given the proposed development creates an additional one bedroom dwelling, referred to as 1B Apartment on the architectural plans, one car space is required to be provided.

25. A reduction in car parking spaces (one space) is sought by the applicant given no car spaces are provided on site.

Clause 52.12 – Bushfire protection exemptions

- 
26. The proposed development includes the removal of 3 exotic (pine) trees, located to the south/west side of the site. A permit is not required to remove the 3 trees as they are exempt pursuant to Clause 52.12-1 of the Scheme. The trees in question are located within 10m of an existing building used for accommodation which was constructed before 10 September 2009.

Clause 58 – Apartment developments

27. The proposed alterations and additions create an additional dwelling (referred to in the architectural plans as 1B Apartment) on Level 3. However, Clause 58 only applies if the new dwelling meets the definition of ‘apartment’, in accordance with Clause 73.01 General terms, of the Scheme.
28. Clause 73.01 of the Scheme defines ‘apartment’ as:
- ‘A dwelling located above the ceiling level or below the floor level of **another dwelling** and is part of a building containing two or more dwellings.’*
29. The proposed new dwelling (1B Apartment) does not sit above the ceiling level of another dwelling because Level 2 (the floor level below the new dwelling) does not contain dwellings, but rather ‘lodge rooms’ which do not include the typical utilities to be a self-contained residence/dwelling, specifically 4 existing rooms, (referred to as Lodge 2.5, Lodge 2.6, Lodge 2.7 and Lodge 2.8).
30. Clause 73.03 Land use terms, of the Scheme, defines a ‘dwelling’ as:
- ‘A building used as a self-contained residence which must include:*
- a) a kitchen sink;*
 - b) food preparation facilities;*
 - c) a bath or shower; and*
 - d) a toilet and wash basin. It includes outbuildings and works normal to a dwelling.*
31. The lodge rooms on Level 2 do not meet the definition of a ‘dwelling’ because the whole of Level 2 includes 8 lodge rooms, with no kitchen sink, or food preparation facilities.
32. Therefore, Clause 58 does not technically apply in this instance. Even so, a brief assessment on the amenity, design and layout of the new dwelling will be included in the assessment section of this report.

Operational Provisions

Clause 65.01 – Approval of an application or plan

33. 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

34. 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.



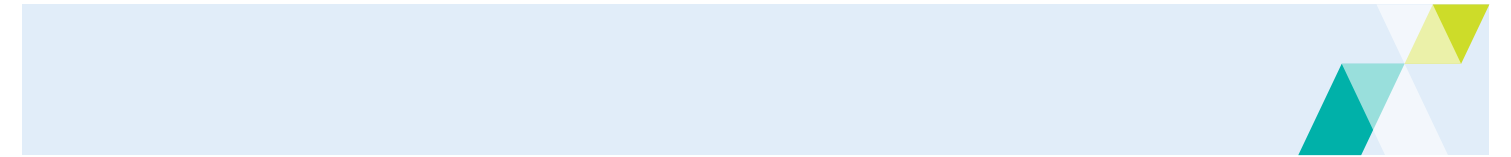
Referrals

35. 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 23 September 2024.
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 subject to a note. Received 23 September 2024.
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 to date. Received 23 September 2024.
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 Special Water Supply Catchment Area listed in Schedule 5 of the Catchment and Land Protection Act 1994 and which provides water to a domestic supply’.	Goulburn Murray Water	No objection subject to conditions. Received 23 September 2024.
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 Special Water Supply Catchment Area listed in Schedule 5 of the Catchment and Land Protection Act 1994 and which provides water to a domestic supply’.	North East Water	No objection and no conditions. Received 17 September 2024.
Section 55 Referral – Determining (Clause 7.0 of Schedule 1 to CDZ (37.02) for ‘any use or development that involves alteration to the topography including native vegetation removal.’	Department of Energy, Environment and Climate Action (DEECA)	No objection subject to conditions. Received 13 September 2024.

Notice

36. 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:

- 
- Clause 37.02 of the CDZ
 - Clause 43.02 of the DDO
 - Clause 52.06 of Car parking.

37. 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.
38. Notice was provided to the ARV on 26 August 2024 and on 23 September 2024 the ARV responded advising no objection subject to inclusion of conditions.
39. Notice was provided to the Alpine Shire Council on 23 September 2024 however no response has been received to date.
40. The application was advertised by giving notice to the leaseholders of adjoining and nearby properties, erection of two signs on site and the display of a copy of the notice at the Falls Creek Buller Alpine Resort office.
41. No submissions have been received to date.




Consistency with State and Local Planning Policies

42. Broadly, the planning policies relevant to this proposal encourage the sustainable use and development of the Alpine areas for year round use and activity, encourage tourism development, seek to protect areas prone to erosion and landslip and environmentally sensitive areas, and ensure that development respects the Alpine character.
43. The specific policies relevant to Falls Creek that apply, and a response to them, is provided as follows:
 - To develop Falls Creek Village as an attractive and safe place for permanent and visitor populations (Clause 11.01-1L).
 - To protect and enhance Victoria's biodiversity (Clause 12.01-1S) and to preserve and enhance the habitat of threatened species and communities within the alpine resorts (Clause 12.01-1L).
 - To facilitate sustainable use and development of Alpine areas for year-round use and activity (Clause 12.04-1S).
 - To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development (Clause 15.01-2S) and ensure that the scale, intensity, bulk and appearance of any development enhances the character of the villages and is compatible with surrounding development (Clause 15.01-2L).
 - To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination (Clause 17.04-1S) and to provide for year-round recreation, having regard to environmental, social, ecological, economic, aesthetic and safety considerations (Clause 17.04-1L).
44. The proposal is consistent with the relevant policies. The proposal will improve an existing building used to provide accommodation, thus continuing to provide development of the area for year-round use and activity.
45. The proposal generally maintains existing setbacks and retains the existing height thus ensuring the scale, intensity and bulk of the building remains reasonable and in line with the character of the village and surrounding development.
46. The proposal will also be developed in accordance with the submitted Site Environmental Management Plan (SEMP), subject to some minor changes.
47. The proposal has considered the protection of biodiversity by not requiring the removal of any native vegetation (that needs a planning permit) and generally retains the existing building footprint.
48. The proposal has regard to safe snow shed through a roof design which dumps snow away from pedestrianised locations and retains it within the site boundaries.
49. The following section of this report will detail the key issues in this matter considering relevant planning policy and controls.

Zoning

50. The zoning and overlay provisions have been considered in the application.
51. The proposal meets the purpose of the CDZ1 which include (as relevant):
 - *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.*

- 
50. The proposal includes minor improvements to an existing lodge and includes extending the size of three lodge rooms on Level 2 and creates an additional one bedroom dwelling by extending and altering the floor layout plan of Level 3.
51. The proposed development has been designed to respect and integrate into the surrounding landscape and incorporates retention of the existing height of the building and generally retains the existing setbacks. The development also utilises colours and finishes that will match the existing lodge and will complement the alpine resort environment.
52. A SEMP has been provided, generally consistent with the requirements of Clause 4.3-3 of Schedule 1 to the CDZ and the ARV have reviewed it and advised that subject to one minor notation, is generally satisfactory. The change that is required to be made to the SEMP includes a notation that the existing non-native pine trees to be removed at the permit holder cost. This is because some of the trees are located outside of the subject site and within the unallocated land that is managed by the ARV. This is a reasonable request given the leaseholder of the subject site seeks to have the exotic trees removed to improve their site.
53. In response to the relevant decision guidelines of the CDZ, it should be noted that:
- The proposal will result in no loss of native vegetation.
 - The proposed external material, finishes, cladding and colours will match those of the existing lodge which are suitable to the alpine environment and common within Falls Creek Village.
 - Snowshed from the proposed development will continue to fall within the lease boundaries of the site and away from entranceways and pedestrian paths.

Built Form

54. The site is subject to the Design and Development Overlay, Schedule 2 (Falls Creek Alpine Resort Village). Relevant design objectives include ensuring that the Falls Creek Village presents an identifiable, memorable and unique image at an appropriate scale and density and new development is sympathetic in scale and location to the landscape, trees and views.
55. The proposed development seeks a number of minor improvements, namely the enlargement/widening of entry stairs to Ground and Level 1, the minor enlargement to the deck area to the north/east at Ground level, the inclusion of 3 hot tubs within the new enlarged deck area, the upgraded balustrade facing north on Ground level, a small infill area adjacent to the existing sauna at Ground level, a new firewood/equipment storage area facing south at Level 1 and associated gabion stone retaining wall structure, a new paved area to the south at Level 1 and new awnings over the external doors facing south at Level 1. All of the above-mentioned changes are minor improvements to the existing lodge and generally retain the existing setbacks of the existing lodge. The exception to this is the new deck area facing north/east which will be widened slightly by approximately 0.78m from the existing, thus creating a new setback to the north/east side boundary of 3m. While the setback to the side boundary is reduced by 0.78m, the new 3m setback meets the side setback requirements of the DDO2 which is 3m from any other side boundary. Furthermore, the new setback from the deck achieves the 6m setback to a building on an adjoining site, in this case to the Falls Creek Primary School located at 15 Slalom Street.
56. The most significant change to the proposal is the extension of the building at Levels 2 and 3 towards the south. At Level 2, the building will be extended out to increase the size of Lodges 2.3, 2.4 and 2.5. The changes to Lodges 2.3 and 2.4 will create an additional bedroom, while the change to Lodge 2.5 will create a small 5sqm balcony. The proposed changes to Level 2 will create a minimum 4.46m setback to the Arlberg Street lease boundary. The existing setback to Arlberg Street lease boundary is 4.53m. While the DDO2-A1 specifies a 6m setback to a road frontage, the change from the existing minimum setback to this lease boundary is marginal at 0.07m. As such, this is considered reasonable given there is a wide road reserve area between the lease boundary and the road pavement at Arlberg Street.
57. Similarly, the changes to Level 3 to alter the layout of 3B Apartment and extend it towards the south and the creation of a new one bedroom dwelling, creating 1B Apartment, are similar to those at Level 2. The existing minimum setback at Level 3 is 4.53m. The proposed additions to Level 3 will reduce the setback to the Arlberg Street lease boundary by 0.07m. As such, the minor setback change is considered reasonable as it will be in line with the



proposed changes at Level 2 below. Furthermore, the building incorporates a built form that is varied and articulated and thus any bulk and mass from the Levels 2 and 3 additions is not unreasonable.

58. In terms of maximum height, it should be noted that the existing building already exceeds the 11m height specified in the DDO2-A1, as part of the building reaches an existing height of 13m. However, the area where Level 2 and 3 will be extended will achieve a maximum building height from natural ground level of 10.91m. This is shown in Section B of the architectural plans (specifically TP22).
59. While the proposed alterations and additions at Levels 2 and 3 will add some volume to the building, it will be without a substantial increase in building height at this area. The crossfall from west to east and south to north allows the building height of the additions to be kept under 11m. As such, the proposed additions to this area are considered reasonable.
60. The site coverage requirement of the DDO2-A1 is 40%. The site coverage of existing conditions is 49% and with the proposed development will remain unchanged. This is generally achieved because the main extension at Levels 2 and 3 will be in line with the existing building footprint below.
61. Colours and materials will incorporate those of the existing lodge, which are muted and non-reflective tones, suitable within the alpine environment.

New dwelling – amenity, design and layout

62. It was outlined earlier that while an additional dwelling is being created on Level 3, Clause 58 Apartment developments does not technically apply. However, whether the new dwelling achieves appropriate amenity, design and layout should be considered.
63. The internal amenity of the new dwelling includes one bedroom which meets the minimum bedroom dimension requirements. Furthermore, the living area comprises approximately 28sqm and has a minimum width of 4m, exceeding the minimum living area dimensions specified in the relevant standard which is 3.3m.
64. The layout, design and layout of the new dwelling includes a large living area that easily exceeds the 10sqm standard D26 minimum living area of Clause 58. The living area includes one west facing window and three south facing windows. It should be noted that while the living room windows face south and west, the size of the lounge area and the windows are large and therefore will achieve reasonable natural light.
65. It is considered that the new dwelling achieves reasonable amenity, is well designed and incorporates a satisfactory layout.

Snow shedding

66. In terms of snow shedding, the CDZ and the DDO require snow shed from the development to be retained within the site boundaries and to ensure snow dump is clear from entrances and pedestrian paths. The architectural plans submitted show that snow dump will be maintained within the subject site and directed away from the building entrances and pedestrian paths around the building.

Car Parking

50. Clause 52.06 of the Scheme also applies and sets out the requirements of car parking for a dwelling. Given the alteration and additions at Level 3 will create a new one bedroom dwelling (1B Apartment), one car space is required to be provided. The development does not include provision for an additional car parking space and therefore approval is sought for the reduction of one car parking space.
51. While a reduction is being sought for one car space, this is considered very reasonable within the alpine context. Falls Creek alpine resort provides numerous public car park areas where visitors park their vehicles and use the resort shuttle to transport them to or nearby their lodges. As such, providing less cars on site are generally acceptable within the resorts. A reduction in one car parking space will have negligible adverse impact on the Falls Creek Village given the extensive public parking within the area.



Infrastructure and Services

52. The CDZ1 requires the application to be referred to utility providers and requires the land to be adequately serviced.
53. In response to referrals to service authorities, no objections were received.
54. The ARV, as part of their section 55 referral response, requested a number of conditions to be included, relating to the provision of appropriate stormwater, other services and damage to the resort infrastructure. The ARV's conditions will be included on any permit issued. A number of permit notes including to 'dial before you dig' and consulting with the resort to ensure compliance with all relevant resort policies and procedures will also be included. An additional note regarding the design of the balustrade on top of the retaining wall to be approved by the Falls Creek Alpine Resort.
55. AusNet Services also required a note be included relating to 'dial before you dig'. The note will be included on any permit issued.
56. Goulburn Murray Water required two conditions to be included relating to ongoing activities to be in accordance with the current EPA publication and all wastewater to be disposed of via connection to the reticulated sewerage system.
57. Additionally, given the site is in an established area of the Falls Creek Village, all necessary electricity, gas, water and sewerage can be connected. However, an additional condition will be included on any permit issued that would require any relocation of any services to be done at the expense of the permit holder or developer to the satisfaction of the utility service provider.

Referral Authority Conditions

67. The ARV have recommended various standard conditions be included on any permit that may be issued relating to shutdown, site condition, the SEMP, site induction, car parking, road closures snow confinement and snow management.
68. The ARV has also recommended a waste management plan be submitted for approval by the Responsible Authority and the ARV that demonstrates how different construction waste types will be separated and legally disposed off mountain. While the applicant has submitted a SEMP plan that shows the location of the waste skip and stockpile, more detail is required on the type of waste, method to reduce, reuse and recycle waste, a contingency plan for unexpected types of wastes being discovered and an acknowledgement that all waste must be removed from the site is required to be provided.
69. DEECA have requested conditions in relation to the buildings and works being conducted and carried out in accordance with the endorsed SEMP and Site Construction Management Plan. Other conditions include the protection of retained vegetation.
70. All the conditions are considered acceptable and should be included on any permit that issues.

Aboriginal Cultural Heritage Management Plan

50. The site is not within an area of cultural heritage sensitivity.

Recommendation



71. The development is generally consistent with the relevant planning policies of the Alpine Resorts Planning Scheme and will improve the site.
72. The proposal is generally supported by the ARV and other referral authorities, subject to conditions.
73. **It is recommended that** a Permit be issued for Application No. PA2403149 being for alterations and additions to an accommodation building and reduction in car parking spaces at the land known 17 Slalom Street, Falls Creek.



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:	[Redacted]	Signed:	[Redacted]
Title:	[Redacted]		
Phone:	[Redacted]	Dated:	25 November 2024

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

Name:	[Redacted]	Signed:	[Redacted]
Title:	[Redacted]		
Phone:	[Redacted]	Dated:	6 December 2024
